**Before The Hon'ble State Administrative Tribunal At Shimla**

OA No.: of 2004

1.-1-

Applicants

Versus

1.State of HP through Secretary (Health) to the Govt of HP, Shimla HP

2.Commr-cum-Secy (Finance) to the Govt of HP, Shimla HP

3.Director, Health Service, HP, Shimla HP

4. Chief Medical Officer, District Hospital, District: \_\_, HP

Respondents

Application Under Section 19 of the Administrative Tribunals Act, 1985

 Shimla Applicants

&@&

Through Prem P Chauhan, Advocate

Respectfully Sheweth :

1. Particulars of the Applicant:

As given in the Memo of Parties.

2. Particulars of the Respondents:

As given in the Memo of Parties.

3. Impugned Order:

That the applicants are aggrieved by the impugned action of the respondents whereby they are not allowing the pay-scale to the applicants equal to their other counterparts on the same and similar post on the principal of 'Equal Pay for Equal Work' from the dates of their appointments with all the consequential benefits, ie; since year 1991.

The said impugned action is arbitrary, illegal, malafide, violative of the Constitutional Rights and natural justice and issued in colourable exercise of power.

4. Jurisdiction:

That the applicants declare that the subject matter is within the jurisdiction of this Hon'ble Tribunal.

5. Limitation:

That the applicants further declares that the application is within the limitation.

6. Facts of the Case:

(6.1) That the applicants submit that they have undergone 18 months training of Male/Female Health Workers in various Government Institutes during the session commencing wef October 1988-90.

(6.2) That after completion of their trainings the applicants were called for interviews for the post of Male/Female Health Workers in the pay scale of Rs. 510-940 (later Revised to pay scale of Rs. 1365-2410) (Annexure A-1). But while issuing appointment letters, the applicants were appointed as Male/Female Health Workers at various places and placed in the pay scale of Rs. 950-1800 (pre-revised scale of Rs. 400-600) on the regular sanctioned post by the respondent department after due process of selection (Annexure A-2). The applicants are placing on record the appointment letters of the similarly situated persons who were appointed before the applicants and were given pay scale of Rs. 510-940 (revised to Rs. 1365-2410 wef 1.1.1986 and again revised to Rs. 4400-7000 wef 1.1.1996) (Annexure A-3). It is pertinent to submit herewith that prior to appointment of the applicants, three batches in different years were appointed against the similar post and they all were allowed the pay scale of Rs. 510-940/- (later revised to Rs. 1365-2410 and re-revised to Rs. 4400-7000) (Annexure A-4). These batches were given appointments in the years 1983, 1985 and 1988.

(6.3) That ever since the applicants are performing the duties to the entire satisfaction of their superiors and public and equal to their all other counterparts in the respondent department.

(6.4) That the applicants are performing the duties equal to other counterparts appointed on the same and similar posts prior to the applicants and after the applicants and the qualification and procedure for the appointments of Male/Female Health Workers at all times were the same and similar and the applicants possessed the essential minimum requisite qualifications as per the R&P Rules. That it is pertinent to submit herewith that all the Male/Female Health Workers appointed prior to (Before 23.07.1990) or after (in the year 1997) the applicants were given the pay scale of Rs. 510-940 (Revised to Rs. 1365-2410 wef 1.1.1986 and again revised to Rs. 4400-7000 wef 1.1.1996). The applicants were appointed in the year 1991 and were given pay scale of Rs. 400-600 (Revised to Rs. 950-1800 wef 1.1.1986 and again revised to Rs. 3300-6200 wef 1.1.1996) which is illegal, arbitrary and discriminatory and in violation of Articles 14 and 16 of Constitution of India as well as Article 39 (d) of the Constitution of India.

(6.5) That it is pertinent to submit that when the applicants were initially engaged there was specific stipulation in the interview Call letter that the applicants shall be paid pay scale of Rs. 510-940 plus other allowances admissible at the station on the basic pay including HRA and CCA. But after the appointment of the applicants the initial pay scale given was equal to the scale of Rs. 950-1800 in the pre-revised scale. And with the revision of the scale, the applicants were also entitled for the revised scale of Rs. 4400-7000 plus other allowances admissible at the station on the basic pay including HRA and CCA and all other attendant benefits.

(6.6) That the matter with regard to discrimination in the pay scale to the applicants were constantly taken up with the respondent State by the applicants through various agencies. The matter was also taken up through the Himachal Pradesh Multipurpose Health Workers Sangh and other associations. The Sangh even filed an OA No. 1567/1993 titled as Himachal Pradesh Multipurpose Health Workers Sangh Vs State of HP and others which was directed to be treated as representation by this Hon'ble Tribunal on 01.09.1993. However, the outcome of the same is not known to the applicants as the applicants remained posted at various places and scattered. Notwithstanding, the matter was constantly engaging the attention of the respondents and on different dates thereafter, they made various changes in the scale and issued various instructions/orders which are as under:-

(a) Vide Notification dt 03.04.1991 and 02.08.1991 (Annexure A-5 & A-6) the scale of all the Male/Female Multipurpose Health Workers was revised from 400-660 & 510-940 to 950-1800 with start of Rs. 1000/- and Rs. 1365-2400 in ratio of 50:50 respectively.

(b) Vide Office Memorandum dated 03.03.2000 (Annexure A-7) the scale of all the Male/Fe-male Multipurpose Health Workers was changed from 950-1800 (Revised 3330-6200) & 1365-2410 (Revised 4400-7000) to 4400-7000 (pre-revised 1365-2410 and prior to that Rs. 510-940) to all the incumbents.

(6.7) That it is amply evident that now the respondent State has realised its mistake and has thus removed the anomaly in the pay scale being given to the incumbents in the same grade and cadre and working similarly and in the same department. However, the respondent State has not given the said scale retrospectively with arrears. The applicants are entitled for the pay scale of Rs. 510-940 (revised to Rs. 1365-2410 wef 1.1.1986 and re-revised to Rs. 4400-7000 wef 1.1.1996) right since their initial appointments in the year 1991 as was paid to all their counterparts with annual increments and other consequential benefits and arrears thereof. This has created further anomalous situation whereby the persons who were appointed in 1997 and the applicants who were appointed in 1991 have been placed at the same initial level in the pay scale of Rs. 4400-7000/- which has caused equalities amongst unequals.

(6.8) That following works and responsibilities are entrusted to all the Male Multipurpose Health Workers, irrespective of their dates of joining right since very beginning:-

(a) Malaria

(b) Where Kala-azar is endemic

(c) Where Japanese encephalitis is endemic

(d) Communicable Diseases

(e) Leprosy

(f) Tuberculosis

(g) Environmental Sanitation

(h) Universal Immunization

(j) Diarrhoea Control Programme

(k) Family Planning

(l) Medical Termination of Pregnancy

(m) Health Education

(n) Nutrition

(o) Vital Events

(p) Primary Medical Care

(q) Record Keeping

(6.9) That following works and responsibilities are entrusted to all the Fe-male Multipurpose Health Workers, irrespective of their date of joining right since very beginning:-

(a) Maternal and Child Health

(b) Family Planning

(c) Medical Termination of Pregnancy

(d) Nutrition

(e) Universal Immunisation Programme

(f) Diarrhoea Control Programme

(g) Dai Training

(h) Communicable Disease

(j) Vital Events

(k) Record Keeping

(l) Primary Medical Care

(m) Team Activities

(n) Job Responsibilities of Health Worker (Female)

(o) Expanded Programme on Immunisation

(p) Acute Respiratory Infection

(q)School Health

(6.10) That due to such discriminatory action of the respondents, the applicants as on today are incurring the loss of approximate Rs. 1800-2000/- per month.

GROUNDS

(6.11) That feeling aggrieved by such an arbitrary, malafide, discriminatory and illegal actions of the respondents, the applicant seeks the indulgence of this Hon'ble Tribunal on the following grounds amongst others, which may be taken at the time of arguments, each one of which is without prejudice to and independent of others :-

(a) That the impugned action of the respondent is arbitrary, malafide, illegal, ultra vires, against the Article 39 (d) read with 14 and 16 of the Constitution of India, dehors the rules and regulations and against the natural justice.

(b) That the duties being performed by the applicants and their counterparts appointed earlier to them are same and similar and the qualification for the post is same and similar. The method of recruitment as well as the training is also the same and similar.

(c) That the nature of duty of the applicants is same and similar as that of their counterparts appointed earlier to them and later to them. Rather more duties are being extracted from the applicants.

(d) That the work being performed by the applicants is the same or work of similar nature in asmuch as the skill, effort and responsibility required are the same and being performed under the similar working conditions.

(e) That there is qualititative and quantitative commonality and identity in the nature of work being performed by the counterparts and by the applicants.

(f) That the applicants are entitled to the salary equal to their counterparts appointed earlier to them and later to them for performing the same, similar and equal duties in accordance with the principles of law settled by the Hon'ble Apex court and this Hon'ble Tribunal in catena of cases.

(g) That since the respondent department is taking the work from the applicants in the same manner like other earlier and later appointed Health Workers then there is hardly any basis for paying a lesser scale/amount to the applicants. Such an action of this kind by the respondent department is simply an exploitation and against the principles laid down in Article 39 (d) of the Constitution which has been raised to the status of Fundamental Right inasmuch as violation of the Directive Principles of the State Policy violates Article 14 and 16. Therefore, the applicants are entitled to the same scale with all consequential benefits as has been paid to their counterparts appointed earlier and later right since the day of appointment of the applicants in the respondent department.

(h) That the impugned classification amongst the Male-Female Health Workers in the same cadre/department is unconstitutional and ultra vires and creates unreasonable classification for the purpose of granting the pay-scale for the same and similar work with same and similar qualifications and method of recruitment.

(i) That the respondent state has created distinction between the Male & Female Health Workers in the same cadre and department which is not based on any intelligible differentia which can distinguish Male/Female Health Workers grouped together for the purpose of extending the benefits under the Rules and has no nexus with the object sought to be achieved.

(j) That the differentia on which the classification is founded is lacking in rational relation to the object sought to be achieved by the impugned classification and the order under challenge.

(k) That the impugned classification does not subserve the purpose sought to be achieved.

(l) That the impugned classification creates fictional and irrational bar to derive the benefits of pay scale under the rules for those who are appointed in 1991 and those who were appointed prior to 1991.

(m) That the classification being impugned is against well settled principles laid down by the Hon'ble Supreme Court and other Hon'ble High Courts and Tribunal.

(n) That the impugned classification for grant of pay scales is against and inconsistent with the statutory rules.

(o) That the respondents are estopped due to their own act, deed and conduct. The principle of the Promissory Estopple applies against the respondents.

(p) That the impugned order/action is against the well settled principles of the law as laid down by the Hon'ble Supreme Court and this Hon'ble Tribunal in catena of cases.

7. Reliefs Sought:

That the applicant, therefore, prays that your Lordship be pleased to issue an appropriate writ, orders or directions to grant the following reliefs in favour of the applicant in the interest of justice:-

(a) Quash the impugned action of the respondents whereby they have created two fictional pay-scale groups on the basis of their appointments being arbitrary, malafide and illegal;

(b) Hold the applicants entitled for pay scale ie; Rs. 510-940/- later revised to Rs. 1365-2410 wef 1.1.1986 and again revised to Rs. 4400-7000/- wef 1.1.1996 wef the dates of appointments of the applicants in the year 1991 with all the consequential benefits and annual increments and arrears thereof with interest @ 18% pa till realisation of payment

(c) Direct the respondents to pay the same scale ie; Rs. 510-940/- later revised to Rs. 1365-2410 wef 1.1.1986 and again revised to Rs. 4400-7000/- wef 1.1.1996 wef the dates of appointments of the applicants in the year 1991 with all the consequential benefits and annual increments and arrears thereof with interest @ 18% pa till realisation of payment;

(d) Direct the respondents to produce all the relevant documents alongwith their reply for perusal by this Hon'ble Tribunal;

(e) Allow the cost of this OA;

(f) Pass such other order or directions as deemed fit and proper in favour of the applicant.

8. Interim Orders, If Prayed:

No interim is prayed for at this stage.

9. Details of Remedies Exhausted:

That the applicant submits that since the matter being of an urgent nature, there is no other alternative speedy and efficacious remedy available to him except to approach this Hon'ble Tribunal.

10. Matter not Pending with any Other Courts Etc:

That the applicant further declares that the matter regarding which this application has been made, is not pending before any court of law or any other Authority or any other bench of this Hon'ble tribunal.

11. Particulars of Court Fees:

Court fees worth Rs 50/- is attached herewith.

12. Details of Index:

An index containing the details of the documents to be relied upon is enclosed herewith.

Shimla Applicant

&@&

Through Prem P. Chauhan, Advocate

**BEFORE THE HON'BLE STATE ADMINISTRATIVE TRIBUNAL AT SHIMLA**

OA No.: of 2004

-2-

Applicants

Versus

State of HP and others

Respondents

Affidavit in support of OA under Section 19 of the Administrative Tribunals Act 1985.

I, -1-, do hereby solemnly, affirm and declare as under :-

1. That the accompanying OA has been prepared under my instructions.

2. That the contents of paras 1 to 12 of the accompanying application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therein.

Affirmed at Shimla this the &@&.

Annexure A-1

**OFFICE OF THE CHIEF MEDICAL OFFICER, KINNAUR DISTRICT AT KALPA HP**

Shri/Smt/Kumari Yantim Dolma

Registration No. W-81/81

Vill & PO: d/o Ram Sain State Home Kalpa

Subject: Interview for the post of FHW in the pay scale of Rs. 510-940/-

Memo:

With reference to advertisement notified for FHW from various Employment Exchanges in the Himachal Pradesh.

You are advised to appear for the interview/Test on 12.9.88 at KALPA at 10 AM in the office of the Chief Medical Officer, Kinnaur District at Kalpa.

No TA/DA will be paid for above purpose.

You are also advised to produce the following documents in original at the time of interview.

(i) Academic qualification.

(ii) Technical qualifications.

(iii) Any other relevant documents.

CHIEF MEDICAL OFFICER,

KINNAUR DISTT, AT KALPA HP

TRUE COPY Annexure A-2

No. KF-1/88-8646

HEALTH AND FAMILY WELFARE DEPARTMENT HIMACHAL PRADESH

OFFICE OF THE CHIEF MEDICAL OFFICER

KINNAUR DISTT AT KALPA

Dated: Kalpa-172108 the 2/7 July/August 91

MEMORANDUM

With reference to Director of Health Services HP letter No. HFW-H(I)B(2)31/86 dated 24.7.91 Smt./Miss Yantan Dolma, d/o Ram Sain resident of Asarang, Post Office: Asarang, Teh: Moorang, Distt: Kinnaur is hereby offered the post of Female Health Worker in the pay scale of Rs. 950-1800 with a start of Rs. 1000/- PM plus other allowances on the following terms and conditions:-

1. Pay to be Rs. 950/- PM with a start of Rs. 1000/- in the pay scale of Rs. 950-1800 plus other allowances as admissible under rule from time to time subject to the conditions laid down in rules and other governing to grant of such allowance in force time to time.

2. The appointment is purely temporary and may be terminated at any time by a month's notice from either side viz. the appointee and the appointing authority.

3. The appointment carries out liability to serve in any part of Himachal Pradesh.

4. The appointment will be further subject to the production of the following certificates/declarations before joining the post:-

(i) Certificate of fitness from the Chief Medical Officer of the District or any other authority.

(ii) Character certificate from Magistrate First Class or a gazetted officer to whom the candidate is known for the last three years.

(iii) Certificate of Education/Technical/Professional qualifications and any other documentary proof of date of birth.

(iv) Certificate of eligibility from Magistrate Ist Class enabling the candidate to hold any post under HP Govt or a bonafide Himachali Certificate.

(v) A declaration that she is married/un-married and that she has not more than one living husband.

(iv) An affidavit to this effect that he is not dismissed employee from the service of Govt. or a local body.

5. The appointment is further subject to the verification of the character and antecedents being found satisfactory.

6. In case the above terms and conditions are acceptable to Smt./Miss Yantan Devi she should report for duty to the Medical Officer Incharge CHC/PHC/Centres Kalpa, Distt: Kinnaur HP on or before 16.8.91 failing which the offer will be treated as cancelled. No. TA/DA will be admissible for joining the post.

8. The joining of candidates will be sent to this office through MO IC Spiloo.

Smt./Miss Yantan Devi, d/o Ram Sain Negi, r/o V&PO: Asrang, Teh: Moorang, Distt: Kinnaur HP

CHIEF MEDICAL OFFICER,

KINNAUR AT KALPA

Endst No. As above Dated:-

Copy for information and n/a to:-

1.Director of Health Services, HP, Shimla-5, HP - wrt his letter as referred above.

2.Copy to Medical Officer Incharge DH/CHC/CH/PHC/CD, PHC Spillo, Distt: Kinnaur.

3.Personal File.

4.Estts (Accounts) of this office.

CHIEF MEDICAL OFFICER,

KINNAUR AT KALPA

True Copy

Annexure A-3

TRUE EXTRACT OF ORIGINAL DOCUMENT

Health and Family Welfare Department Himachal Pradesh

No. 22-23/78-Med-I Shimla-171004 the 12.12.88

To,

1. The Director Principal,

Indira Gandhi Hospital, Shimla

2. The Chief Medical Officers,

Bilaspur/Chamba/Hamirpur/Kullu/Kangra/Kinnaur/Mandi /Keylong/Shimla/Solan/Una.

Subject: Appointment of Female Health Workers, in Himachal Pradesh under the Department of Health and Family Welfare Deptt.

The following Female Health Workers Trainees who have qualified the FWH Training Course in November, 1988 from various Training Schools under H&W Department, Himachal Pradesh are hereby allotted for appointment in the sub-centres lying vacant in your District area against sanctions posts in the pay scale of Rs. 510-940. Priority may, however, be given to fill up the vacant sub-centre under ICDs project area so that the programme may be made successful. In no case Female Health Workers be posted adjusted in the Hospitals as these are meant only to the Sub-Centres.

Sr. No. Name & Address Roll No. Merit No. District

to which

allotted

for

appointment

1. Neena Kumari, d/o 2369 61 CMO Kangra

Rajinder Kumar Kapur

Vill: Chamba-Rattan

PO: Nahan - Nagrota

via Garli, Distt: Kangra HP

2. to 147x x x x x x

These candidates may be asked to get themselves registered within one month from the date of joining the appointment as FHW in the sub-centres. The terms and conditions of appointment may be inserted in their appointment orders according to the instructions/standard form of apptt. as circulated from time to time by the Government offering appointment the vacancy position of the created posts for Sub-Centres may also be kept in view by the respective CMOs.

It may further be ensured that preference to fill up the Sub-Centres where thee is no worker is posted (either Male or Female). The joining report alongwith a copy of the appointment order be sent to this Directorate for record.

Director of Health Services

Himachal Pradesh

12.12.88

No. 22-23/78-Med-I

Copy to File No. HFW-H(I)-B(2)-31/86 for record.

Spare Copies

Annexure A-4

TRUE EXTRACT OF RELEVANT PORTION

Government of Himachal Pradesh

Finance Department

(Pay Revision Section)

NOTIFICATION

Dated Shimla 171002 the 26th April 1989

No. Fin (C)-B(7)-6/88. In continuation of this Department's notification of even number dated the 27th January, 1989 and in pursuance of the provision contained under explanation No. 3 (h) of Rule-3 of HP Civil Services (Revised Pay) Rules, 1988, the Governor, Himachal Pradesh is pleased to notify Part-B to the Second Schedule as referred to under para-2 of the notification ibid containing pay scales in respect of the following departments only as per Annexure enclosed:

1. x x x

2. Health & Family Welfare Deptt.

3. to 10. x x

By Order

(MK Kaw)

Financial Commissioner-cum-Secretary

(Finance) to the Govt of Himachal Pradesh

No. Fin(C)-B(7)-6/88 Dated Shimla-171002 26th April 988

Copy Forwarded to:-

1 to 3. x x x x

4. All Heads of Departments.

5. to 32. x x x

Deputy Secretary (Finance) to the

Government of Himachal Pradesh

TRUE EXTRACT OF RELEVANT PORTION

ANNEXURE

PART-B OF SECOND SCHEDULE

XXV HEALTH AND FAMILY WELFARE DEPARTMENT

Sl. No. Designation Existing Revised Remarks

Scale Scale

\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_ \_\_\_\_\_\_\_

1 to 40. x x x x

41. Staff Nurse 510-940 1500-2640

Male Nurse

42. to 83. x x x x

Annexure A-5

TRUE EXTRACT OF RELEVANT PORTION

No. Fin(C)B(7)-6/88

Government of Himachal Pradesh

Finance Department

(Pay Revision Section)

NOTIFICATION

Dated : Shimla-171002 3 April 1991

In continuation of this Department's notification of even number dated 26th April, 1989, and 21st December, 1989, the entries under section XXV Health & Family Welfare Department and XXIV Indira Gandhi Medical College under Column No. 4 be substituted by the following:-

Sl. No. Category of Posts Existing Scale Revised Scale \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_

1 to 2. x x x

3. Male/Female 400-660 950-1800 with

Multipurpose 510-910 start of Rs.

Health Workers 000/- & 1350

(ANMs) -2400 50:50

ratio.

4.to 16. x x x

By Order

Kanwar Shamsher Singh

Commissioner-cum-Secretary (Finance)

to the Government of Himachal Pradesh

No. Fin(C)B(7)-6/88 Dated: Shimla-171002, 3 April 1991

Copy forwarded to:-

1. to 2. x x x x

3. All Heads of Departments in HP

4 to 11. x x x x

Deputy Secretary (Finance) to

Government of Himachal Pradesh

TRUE EXTRACT OF RELEVANT PORTION

Annexure A-6

No. Fin(C)B(7)-6/88

Government of Himachal Pradesh

Finance (Pay Revision) Department

Dated: Shimla-171002 2.8.91

NOTIFICATION

In continuation of this Department's notification of even number dated 3rd April 1991, the entries under Section XXV Health & Family Welfare Department and Indira Gandhi Medical College under Coloumn 4 against Sl. No. 3 be substituted by the following:-

Sl.No. Category of Post Existing Scale Revised Scale

\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_

3. Male/Female 400-600 950-1800 with

Multipurpose 510-940 a start of

Health Workers Rs. 1000/-

(ANMs) 350-2400 in

50:50 Ratio

The existing incumbents on 23.07.1990 will get the personal scale of Rupees 1350-2400 till vacation of post and the above ratio of 50% will apply after the strength of persons getting the scale of Rs. 1350-2400 will fall short of 50% of cadre strength.

By order

Kanwar Shamsher Singh

Commissioner-cum-Secretary (Finance) to

the Government of Himachal Pradesh

No. Fin (C)B (7)-6/88 Dated Shimla-171002 the 2 August 91

Copy forwarded to:-

1. to 2. xx x x

3. All Heads of Departments in HP

4. to 11. x x x

Deputy Secretary (Finance) to the

Government of Himachal Pradesh

TRUE EXTRACT OF RELEVANT PORTION

Annexure A-7

TRUE EXTRACT OF RELEVANT PORTION

Government of Himachal Pradesh

Finance (Pay Revision) Department

No. Fin-(PR)B(7)-1/98-II

Dated Shimla-2, the 3rd March 2000

OFFICE MEMORANDUM

Subject: Revision of pay scale of category of posts of Male/Female Multipurpose Health Workers (ANMs).

The undersigned is directed to say that the matter regarding revision of pay scale to the posts of Male/Female Multipurpose Health Workers (ANMs) in the Health and Family Welfare Department has been receiving attention of the Government for some time past. On consideration of the matter, the Governor, Himachal Pradesh is pleased to order revision of the pay scale of the aforementioned category of posts as notified vide Finance Department's Notification of even number, dated 1.9.1998 in the Second Schedule under Health and Family Welfare Department against Sl. No. 21 as under. This will take effect immediately or from the date of submission of undertakings from all the officials concerned which is later.

SECOND SCHEDULE

-----------------------------------------------------

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| S. No. | Designation | Previous | Pay Scale Revised | Remarks |
|  | Name of category | Scale | as per  pay notification No. Fin-(PR) B(7) 1/98 dt 1.9.98 |  |

-----------------------------------------------------

HEALTH AND FAMILY WELFARE DEPARTMENT

21. Male/Female 950-1800 3330-6200 4400- \*

Multipurpose 1365-2410 4400-7000 7000

Health Workers (Personal (Personal

(ANMs) to those to those

appointed appointed

up to up to

23-07-90 23-07-90

\*This scale be released subject to the following undertaking being taken from each individuals:-

(a) Health Sub-Centres shall be open throughout the day, where two Health Workers are posted and in the forenoon where only one Health Worker is posted.

(b) Health Workers will stay in the Health Sub-Centre area.

(c) Female Health Workers shall work as Midwives.

(d) Health Workers shall implement all Health Programmes assigned to them including tuberculosis, Leprosy etc.

(e) Health Cards shall be prepared for the families in their area by the Health Workers.

(f) Health Workers will be supervised by the Village Panchayats.

2. The pay will be fixed in accordance with provisions of audit instructions (1) below FR 22 and the incumbents concerned will be eligible to exercise option under FR 23.

Under Secretary (Finance) to the

Government of Himachal Pradesh

All the Administrative Secretaries

to the Govt of Himachal Pradesh

No.Fin-(PR)B(7)-1/98-II dt Shimla-171002 3rd March 2000

Copy forwarded to:

1. to 19. x x

Under Secretary (Finance) to the

Government of Himachal Pradesh

**BEFORE THE HON'BLE STATE ADMINISTRATIVE TRIBUNAL AT SHIMLA**

MA No. No. of 2004 in OA No: of 2004

-1-

Applicants

Versus

1. State of HP through Secretary (Health) to the Govt of HP, Shimla HP

2. Commr-cum-Secy (Finance) to the Govt of HP, Shimla HP

3. Director, Health Service, HP, Shimla HP

Respondents

Application Under Rule 4(4)(a) of HP Administrative (Procedure) Rules 1986 for permission to file joint application

Shimla Applicants

&@&

Through Prem P. Chauhan, Advocate

Respectfully Sheweth :

1. That the Original applicants have filed OA in this Hon'ble Tribunal jointly.

2. That from perusal of the relief sought by the original applicants, it is evident that all the applicants have common cause which adversely affect the interests of the present applicants.

3. That the interest of justice demands that the present applicants are allowed to file the present OA jointly in the interest of justice.

4. It is, therefore, most humbly prayed that the present applicants may kindly be allowed to file the present OA jointly in the interest of justice. Such other orders be also passed as deemed fit and proper in the facts and circumstances of the case.

Shimla Applicants

&@&

Through Prem P. Chauhan, Advocate

**BEFORE THE HON'BLE STATE ADMINISTRATIVE TRIBUNAL H.P. AT SHIMLA**

MA No: of 2004 in OA No: of 2004

-2-

Applicants

Versus

State of HP and others

Respondents/Applicants

Affidavit in support of application under Rule 8 (3) of HP Administrative Tribunal Rules

I, -1-, do hereby solemnly affirm and declare as under:-

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to 4 of the accompanying application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true and no part of it is false and nothing material has been concealed therein.

Affirmed at Shimla this the &@&.

**BEFORE THE HON'BLE STATE ADMINISTRATIVE TRIBUNAL AT SHIMLA**

OA No.: of 2004

-2-

Applicant

Versus

State of HP and another

Respondents

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Shimla Applicant

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Through Prem P. Chauhan, Advocate

Legal Point, Padam Dev Complex-II

The Ridge, Shimla - 171 001 (HP)

Tel: 208301, 207390, 9817020590