

GAHC040015072018



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**  
**(ITANAGAR BENCH)**

**Case No. : WP(C)/569/2018**

SANJIV KUMAR  
RETOUCHER , DEPTT. OF PRINTING, GOVT. OF AP, ITANAGAR, DIST.  
PAPUM PARE, AP. M.NO. 943629586

VERSUS

THE STATE OF A.P.  
THROUGH THE COMMISSIONER, DEPTT. OF PRINTING, GOVT. OF AP, DIST.  
PAPUM PARE, ITANAGAR.

2:THE COMMISSIONER/SPECIAL SECRETARY

Age: 0

Occupation :

DEPTT. OF PRINTING

GOVT. OF AP

DIST. PAPUM PARE

ITANAGAR.

3:THE DIRECTOR

Age: 0

Occupation :

DIRECTORATE OF PRINTING

GOVT. OF AP

NAHARLAGUN

DIST. PAPUM PARE

AP

**Advocate for the Petitioner** : G Taloh, P.K. Tiwari, K. Saxena

**Advocate for the Respondents** : S. Tapin, GA.

**BEFORE  
HONBLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**Date : 22.07.2024**

Heard Mr. P. K. Tiwari, learned counsel senior counsel assisted by Mr. K. Saxena, learned counsel for the petitioner. Also heard Mr. S. Tapin, learned Senior Government Advocate for the State respondents.

2. The petitioner in the present proceedings has raised a grievance with regard to the revision of pay as effected in his case in pursuance to the adoption by the Government of Arunachal Pradesh of the provisions of the Central Civil Service (Revised Pay) Rules, 1997.

3. The case of the petitioner is that he being holding the post of Retoucher in the Government Press under the Directorate of Printing, he is required to be authorised the revision of his pay in accordance with Part-C of the said Rules of 1997 and accordingly, his pay is to be revised to the scale of Rs. 5,000 – Rs. 8,000 and consequently, by reckoning the said revised scale as prescribed for the post of Retoucher, his pay is to be revised in accordance with the revision of pay so coming into force upon acceptance of the recommendations of the 6<sup>th</sup> Central Pay Commission and the 7<sup>th</sup> Central Pay Commission.

4. The said grievance as raised by the petitioner would not require any further consideration by this Court, inasmuch as it is brought on record by the respondent authorities that the Government of Arunachal Pradesh while adopting the Central Civil Service (Revised Pay) Rules, 1997, had vide an Office Memorandum dated 23.10.1997 adopted the same to the extent of scales as

notified in Part – A of the first schedule of the said Rules of 1997 and had categorically notified that the scales of pay as notified in Part – B and Part – C of the first schedule to the said Rules would not be applicable to the Government Employees of the Arunachal Pradesh.

5. In that view of the matter, the provisions of the Part – B and Part – C, not having been adopted by the respondent authorities and it being a settled position that the manner in which a pay scale is to be revised being an executive function, this Court would not have the expertise to hold that the petitioner would be eligible to a particular scale of pay although the same has not been prescribed by the Government for its employees.

6. In that view of the matter and also on account of the fact that the notification dated 23.10.1997 not being under challenge in the present proceedings, this Court is of the considered view that the writ petition would not merit acceptance.

7. However, considering the grievance raised by the petitioner and also the plea taken in the proceedings that the scales of pay as provided for under Part – B and Part – C of the said Rules of 1997 were authorised to certain posts in the State, it is provided that the petitioner herein, may approach the respondent authorities, highlighting the above position and also stacking a claim for being extended with the said benefit and the respondent authorities, if so approached by the petitioner shall consider his such grievance strictly in accordance with law.

8. With the above observations and directions, the writ petition stands

disposed of.

**JUDGE**

**Comparing Assistant**