

F.No.25 (1)/2014-Met-I  
Government of India  
Ministry of Mines

Shastri Bhawan New Delhi  
Dated: 10.12.2014

Appellant	Dr. V.N. Thakur,
CPIO	Mr. Ajay Kumar Kadian,
Grounds for appeal by RTI applicant	Not satisfied with the information furnished.
Date of Receipt of Appeal	13.11.2014
Date of order	10.12.2014

### ORDER

Dr. V.N. Thakur (hereinafter referred to as the 'Appellant'), has filed an appeal, aggrieved due to the above-referred grounds.

2. On going through the case, it was observed that the Appellant had sought information vide his application dated 30.9.2014 (received in this Ministry on 01.10.2014) and reply was furnished to him by the CPIO vide letter dated 08.10.2014.

3. I find that the appellant is not satisfied with the answer given by the CPIO. In view of this, CPIO is directed to provide information to the appellant within 10 days from the date of issue of this order.

4. With the above observations, the Appeal stands disposed off. The Appellant, if he so chooses, can file appeal with the Central Information Commission, August Kranti Bhavan, Bhikaji Cama Place, New Delhi -110066.

*Kapil Rastogi*  
10/12/2014  
(Kapil Rastogi)

Appellate Authority & Director  
Room No. 310, D wing,  
Shastri Bhawan, New Delhi.

To, 1. Dr. V.N. Thakur, 8 Guest House Colony, P.O. Kotma Colliery, Dist. Anuppur-484336.

2. Shri Ajay Kumar Kadian, Under Secretary Ministry of Mines.

✓ 3. P.I. Cell.

S.N.46(R)

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To,

13 NOV 2014 Dated; 03.11.2014

**Shri Kapil Rastogi**

Director & the Appellate Authority  
Ministry of Mines, Govt. of India  
310 D, Shastri Bhawan, New Delhi

Sub; **Denial** of furnishing the requested information in MINES/R/2014/60147  
by the CPIO, M/o Mines vide reply No.25(1)/2013-Met.I dated 08.10.2010.

Re,

Contention of appeal,

With above reference, I have to submit as follows;

1. That, when Para 1 of DPE's O.M. dated 1.6.2011 (**Document 1**) itself mentions that the M/o Mines had sent a proposal received from NALCO regarding their demand to consider NPA as Pay to be treated as pay for calculation of other benefits and,

Very 1<sup>st</sup> sentence of its Para 2 mentions that this issue of NPA was placed before the anomalies committee as prescribed under Para 18 of DPE's O.M. dated 26.11.2008 (**Document 2**),

Then, The requested information **cannot be denied** as it has been done so by the CPIO, M/o Mines in his **offline** reply No.25(1)/2013-Met.I dated 08.10.2010 of my **online request** application MINES/R/2014 /60147 by saying that,

The M/o Mines **did not send** any such forwarding letter to the DPE because in that case,

For considering this issue of NPA without forwarding letter of the M/o Mines, the CREDIBILITY of anomalies committee itself would be in DANGER as prescribed under Para 18 of DPE's O.M. dated 26.11.2008 where,

An issue cannot be considered by the anomalies committee without being forwarded such issue/anomaly by the administrative ministry, M/o Mines with their views in this case.

2. That, what actually should have been in this case as prescribed under Para 18 of DPE's O.M. dated 26.11.2008 (**Document 2**) regarding issue of clarifications & **provision of anomalies committee** for 2007 pay revision is that;

(a) after submission of the Representation of NALCO Doctors dated 10.4.2010 (**Document 3**) addressed to the Secretary, DPE & the member anomalies committee 2007 pay revision for clarification of payment of NPA as Pay for purpose of DA, CPF & Gratuity, it (such representation) should have been forwarded by the Board of Directors of NALCO with their recommendation to the M/o Mines and,

(b) After examining the original demand of NALCO Doctors dated 10.4.2010 in context of recommendation by the Board of Directors of NALCO,

The M/o Mines should have forwarded this issue of NPA as Pay to the DPE with their views for the consideration of anomalies committee.

*[Signature]*

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3. That, it appears evident that the M/o Mines **did not examine** this case, as the examining this case needed the original demand of NALCO Doctors against which this issue was to be sent to the anomalies committee because;

(a) Before sending the matter to anomalies committee, the M/o Mines should have tried to **dispose of the case** for which also the original demand of NALCO Doctors as their representation dated 10.4.2010 must have been in possession of M/o Mines and, therefore,

(b) this is a **disparity on part of M/o Mines** in sending this issue of NPA to the DPE *entirely based on recommendation of NALCO management unilaterally whose presentation to the M/o Mines is in a concealed way* because,

when the NALCO management had already paid the said NPA as Pay for purpose of DA, CPF & Gratuity in a **legitimate** way in 1997 pay revision vide its own O.M. dated 3.8.2001 against the same silence of DPE in that 1997 pay revision then it cannot be a consideration of NPA as Pay,

Rather it should have been, in fact, the matter of continuation of NPA as Pay as the NALCO Doctors have actually demanded.

4. That, there is a clear-cut **disparity** between what has been decided in DPEs this O.M. dated 1.6.2011 for the non-consideration of NPA as pay for the **ill-defined** purposes of other benefits (Document 1) and *what has been demanded in NALCO Doctors representation dated 10.04.2014 for the continuation of well-defined purposes of DA, CPF & Gratuity (Document 3)* with the emphasis that the Sources of this OTHER BENEFITS are;

(i) First one, the O.M. of NALCO dated 03.08.2001 for revision of NPA in 1997 pay revision in terms of DISTORTION of the Non-sanctity part of NPA as Pay (Document 4) where,

(a) The actually said non-consideration of NPA as PAY for the well-defined purpose of FIXATION of pay in the revised scale of 1992 pay revision dated 19.07.1995 (Document 5) & *having a definite meaning of not being the Part of basic Pay* there had been replaced by,  
The non-consideration of NPA as PAY for the ill-defined OTHER PURPOSES (Document 4) and,

(b) The DPE has merely copied the said non-sanctity part of NPA as Pay in that DISTORTED form but in terms of OTHER BENEFITS in its this clarificatory O.M. dated 1.6.2011,

(ii) Second is the O.M. of NALCO dated 30.12.2009 for revision of NPA in 2007 pay revision where,

(a) The NALCO management issued a meaningless, rather a half-true meaning O.M. by **omitting the sanctity part** of NPA as Pay and,

(b) The DPE on behalf of the anomalies committee has *merely corrected the NALCO's this meaningless O.M. dated 30.12.2009 (Document 6) by making it a half-true meaning sentence with the addition of as Pay in it by the DPE in its clarificatory O.M. dated 1.6.2011 (Document 1)*

(iii) And finally the "**such presentation**" in a **concealed** way on behalf of NALCO management by the **M/o Mines** to the DPE by making **disparity** in sending the proposal as consideration of NPA as Pay for calculation of "other benefits".

5. That, even if the M/o Mines did not receive the representation of NALCO Doctors dated 10.4.2010, the sending of proposal as forwarding letter of M/o Mines to the DPE regarding the consideration of NPA as Pay for purposes of calculating other benefits cannot be denied now by the CPIO, M/o Mines since it has been mentioned so to this effect in the very 1<sup>st</sup> Para of DPE's O.M. dated 1.6.2011,

Though it (such proposal) may not be good in law **on part of the M/o Mines** w.r.t. **disparity** in sending this issue of NPA to the DPE entirely based on the recommendation of NALCO management **unilaterally** because,

- (a) Presentation of NALCO management to the M/o Mines is in a **concealed** way.  
&  
(b) Before referring this matter to DPE for consideration of anomalies committee, the M/o Mines should have tried to dispose of the case by examining the same which required the original Representation of NALCO Doctors dated 10.4.2010 but which it did not receive as per reply of CPIO in this case and, therefore, the M/o Mines **did not do** its duty in a **transparent way** in this case.

6. That, it does not matter much whether the M/o Mines received the representation of NALCO Doctors dated 10.4.2010 or NOT, rather;

What is more important while furnishing the requested information here in MINES/R/2014/60147 is that **"the M/o Mines had SENT a proposal to the DPE in 2010"** regarding consideration of NPA as Pay for purposes of calculation other benefits as it has been said in the very 1<sup>st</sup> Para of DPE's this O.M. dated 1.6.2011 and,

**I need the copy of that forwarding letter**, that is all I have to submit.


Relief sought,

I, therefore, request you kindly to give direction to the CPIO, M/o Mines to furnish me the copy of the proposal as forwarding letter sent by the M/o Mines with their views to the Secretary, DPE in the year 2010 as it has been said in very 1<sup>st</sup> Para of O.M. No. 2(51)/2010-DPE (WC) GL-X/2011 dated 1.6.2011 that,

The M/o Mines had **sent** a proposal received from NALCO regarding their demand to consider NPA as Pay to be treated as pay for calculation of other benefits.

Thanking you,

Sincerely yours'

  
3.11.14  
Dr. V N Thakur  
8, Guest House Colony  
P.O. Kotma Coliery  
Dist. Anuppur(MP) 484336

**Enclosures** along with Index of documents referred to in appeal;

- 1.O.M. of DPE dated 1.6.2011.
- 2.O.M. of DPE dated 26.11.2008.
- 3.NALCO Doctors Representation dated 10.4.2010.
- 4.O.M. of NALCO dated 3.8.2001 with reference of CIL's O.M. dated 17.8.2001.
- 5.O.M. of DPE dated 19.07.1995.
- 6.O.M. of NALCO dated 30.12.2009.
- 7.Copy of online request application MINES/R/2014/60147
- 8.Copy of offline reply by the CPIO, M/o Mines.

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### Index of documents referred to in appeal.

1. O.M. of DPE dated 1.6.2011 whose very 1<sup>st</sup> Para mentions that **M/o Mines had sent** a proposal received from NALCO regarding their demand to consider Non-practicing Allowance (NPA) as Pay to be treated as pay for purposes of calculating other benefits and its 1<sup>st</sup> sentence of 2<sup>nd</sup> Para mentions that the issue of NPA were placed before the anomalies committee as prescribed under Para 18 of DPEs O.M. dated 26.11.2008.

2. O.M. of DPE dated **26.11.2008** whose **Para 18** is meant for issue of clarifications and **provision of anomalies committee** where it has been stated that, Any anomaly should be forwarded with the approval of Board of Directors to the administrative ministry **who will examine the case and dispose off** the issue.

However, if it is not possible for the administrative ministry to short out the issue, the matter may be referred to the DPE, with their views, for consideration of the anomalies committee.

3. Representation of NALCO Doctors dated 10.4.2010 for the continuation of NPA as pay for purpose of DA, CPF & Gratuity in 2007 pay revision *but*.

*Not for the consideration of NPA as Pay as a fresh provision of NPA as pay for purpose of calculating other benefits.*

4. O.M. of NALCO dated 03.08.2001 for revision of NPA in the 1997 pay revision **DISTORTING** the Non-sanctity Part of NPA as Pay by replacing the actually said non-consideration of NPA as Pay for the well-defined purpose of FIXATION of pay in the revised scale of 1992 pay revision dated 19.07.1995 and having a definite meaning of not being the Part of basic Pay by, The non-consideration of NPA as Pay for the ill-defined OTHER PURPOSES and, Which is the source of other benefits in DPEs O.M. dated 1.6.2011.

\*\*\*Reference vide O.M. of CIL dated 17.08.2001 showing Government's decision for revision of NPA in 1997 pay revision both for the sanctity as well as for the Non-sanctity part of NPA as Pay in a **discrete** manner.\*\*\*

5. O.M. of DPE dated 19.07.1995 for 1992 pay revision granting NPA as pay separately for the IDA pay scale for purpose of calculation of DA, CPF & Gratuity but not for purpose of fixation of pay in the revised scale vide its Annexure 1 and thereby defining, exactly in a discrete manner,

The **sanctity** as well as the **Non-sanctity** part of NAP as Pay, meaning thereby that,

(i) NPA is not a part of basic pay rather, it is to be treated as Pay as a separate element from the pay scale like that in the CDA Pay scale.

(ii) Especially the **Non-sanctity** part of NPA as Pay has been specifically defined in a **discrete manner** for its Non-consideration for the well-defined purpose of fixation of pay in the revised scale.

6. O.M. of NALCO dated 30.12.2009 whereby a meaningless, rather a HALF-TRUE meaning O.M. has been issued for revision of NPA in 2007 pay revision where, even by adding "AS PAY" in that O.M. necessarily precedes in a legitimate way with the question that "For what purposes the NPA is to be counted as pay besides which it is not to be countable as pay for any other purposes" in 2007 pay revision and its answer cannot be the NIL in any recognized law book.

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No. 2(51)/2010-DPE(WC) G.L. ~~IX~~/2411  
Government of India  
Ministry of Heavy Industries & Public Enterprises  
Department of Public Enterprises

*Document ① a*

Public Enterprises Block  
Block No. 14, CGO Complex  
Lodhi Road, New Delhi  
Dated: 1<sup>st</sup> June 2014

OFFICE MEMORANDUM

Sub: Pay Revision of executives and Non-unionised supervisors  
w.e.f. 1.1.07

The undersigned is directed to refer to DPE's O.Ms dated 22.09.09 and 02.04.09 on the subject mentioned above. Some Administrative Ministries/ Departments, Ministry of Petroleum & Natural Gas in particular, forwarded the request of their CPSEs, to DPE for keeping specific perquisites and allowances outside the 50% ceiling. Similarly, M/o Mines had sent a proposal received from NALCO regarding their demand to consider Non Basic Allowance (NPA) as pay to be treated as pay for calculation of other benefits.

2. These issues were placed before the Anomalies Committee as prescribed under DPE O.M. dated 26.11.08. The Committee viewed that the pay package of employees of Central Government and CPSEs are not comparable. In the case of executives in 2007 pay revision, concepts like keeping the perquisites and allowances upto 50% of Basic Pay along with 'Cafeteria Approach' keeping 04 allowances upto the extent of 62.5% including NPA outside 50% limit, provisions of 25% Dearness Allowance, 200% and superannuation benefits upto 30% of Basic Pay plus D.A., have been provided. The Committee also observed that neither the Chairman's Committee favoured such changes nor was there any such provision in the 2007 pay revision. The Committee also felt that the sanctity of the Government's decision on pay revision may not be disturbed by providing an exception.

*Author*  
3.11.14

3. Based on the recommendations of the Anomalies Committee  
been decided as follows:-

- (i) NPA will not be considered as pay for the purpose of ~~other~~ other benefits.
- (ii) No other allowance or perks will be kept outside the ~~list~~ except the 4 that have been provided in above referred list.

(F)  
Under  
Tel No

To: All Administrative Ministries/Departments

Copy to

1. Chief Executive of CPSEs.
2. Financial Advisors in the Administrative Ministries/Departments.
3. Secretary, PESB, CGO Complex, Lodhi Road, New Delhi.
4. Secretary, Department of Expenditure, North Block, New Delhi.
5. Secretary, Department of Personnel & Training, North Block, New Delhi.
6. Comptroller & Auditor General of India (Commercial Audit Wing),  
Dayal Udhayay Marg, New Delhi.
7. Director General, SCOPE, SCOPE Complex, New Delhi.

Copy also to:

- i. PS to Secretary (DPE).
- ii. PS to Secretary, BRPSE.
- iii. All officers of DPE.
- iv. NIC - with the request to upload this O.M. on to the DPE

Under

*Jan*  
3.11.14

Document (2) (a) 120

No.2 (70)/08-DPE (WC) - GL-7 VI/08  
Government of India  
Ministry of Heavy Industries & Public Enterprises  
Department of Public Enterprises

Public Enterprises Bhawan  
Block No.14, CGO Complex, Lodi Road  
New Delhi, the 26<sup>th</sup> November, 2008.

OFFICE MEMORANDUM

Sub: Board level and below Board level executives and Non Unionised Supervisors in Central Public Sector Enterprises (CPSEs) -revision of scales of pay w.e.f. 01.01.2007.

The last revision of the scale of pay of below Board level and Board level executives and non-unionised supervisors, in Central Public Sector Enterprises was made effective from 1.1.1997 for a period of ten years. As the next pay revision fell due from 1.1.2007, the Government had set up a Pay Revision Committee (2<sup>nd</sup> PRC) under the chairmanship of Justice M. Jagannadha Rao, Retd. Judge of Supreme Court of India, to recommend revision of pay and allowances for above categories of employees following IDA pattern of pay scales. The Government after due consideration of the recommendations of 2<sup>nd</sup> Pay Revision Committee, have decided as follows:-

1. **Revised Pay Scales:-** The revised Pay scales for Board and below Board level executives would be as indicated in Annex.-I.

2. **Fitment Benefit:**

- (i) A uniform fitment benefit @ 30%, on basic pay plus DA @ 68.8% as on 01.01.2007 would be provided to all executives. The aggregate amount would be rounded off to the next ten rupees and pay fixed in the revised pay scale.
- (ii) If any extra ordinary increment (s) and / or increase in the pay in respect of executives/ non unionized supervisors have been granted with retrospective effect, which affects the revision of pay as on 1.1.2007, such increment and / or increase in pay will be ignored for the purpose of fitment/ pay revision.
- (iii) Where executives drawing pay at two or more consecutive stages in an existing scale get bunched, then, for every two stages so bunched, benefit of one increment shall be given.

3. **Affordability for implementation of pay revision:** - The revised pay scales would be adopted, subject to the condition that the additional outgo by such revision for a period of 12 months should not result in more than 20% dip in profit before tax (PBT) for the year 2007-08 of a CPSE in respect of executives as well as non-unionised supervisory staff taken together in a CPSE. CPSEs that cannot afford to pay full package, can implement with either part PRP or no PRP. These CPSEs

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may pay the full package subsequently, provided the dip in the profit (PBT) is fully recouped to the original level.

4. The CPSEs, which are not able to adopt revised pay scales (2007), may give an increase on the basic pay plus DA drawn in the pre-revised scale as on 01.01.2007, with a uniform lower fitment of 10% or 20%, depending upon their affordability, with the approval of their Ministry/ Department.

5. **Increment:** Annual increment will be at the rate of 3% of the revised basic pay. Stagnation increment and increment for pay fixation on promotion will be as per Annex.-II (A).

6. **Dearness Allowance:** 100% DA neutralization will be adopted for all the executives and non-unionised supervisors, who are on IDA pattern of scales of pay, w.e.f. 01.01.2007. Thus, DA as on 01.01.2007 will become zero with link point of All India Consumer Price Index (AICPI) 2001=100, which is 126.33 as on 01.01.2007. The periodicity of adjustment will be once in three months, as per the existing practice for these categories. The quarterly DA payable from 01.01.2007 will be as per new DA scheme as given in Annex.-II (B).

7. **House Rent Allowance:** The House Rent Allowance to the employees of CPSEs will be at the following rates.

Cities with population	Rates of HRA
50 lakhs and above	30% of Basic Pay
5 to 50 lakh	20% of Basic Pay
Less than 5 lakh	10% of Basic Pay

8. **Leased Accommodation:** The Board of Directors may decide the level of executives, who will be provided company leased accommodation and the size, type and locality of such accommodation. For purposes of CTC, 30% of basic pay may be considered as expenditure on Housing.

9. **City Compensatory Allowance:** The City Compensatory Allowance stands dispensed with.

10. **Other Allowances/ Perks:** The Board of Directors will decide on the allowances and perks admissible to the different categories of the executives subject to a maximum ceiling of 50% of the Basic Pay. Instead of having a fixed set of allowances, the CPSEs may follow "Cafeteria Approach" allowing the executives to choose from a set of perks and allowances. In places, where CPSEs have created infrastructure such as hospitals, colleges, schools, clubs, etc., these facilities should be monetized at replacement cost for the purpose of computing the perks and allowances. The following allowances will, however, be outside the purview of ceiling of 50% of the Basic Pay:

- i) North-East Allowance limited to 12.5% of Basic Pay.
- ii) Allowance for Underground Mines limited to 15% of Basic pay.

- ii) Special Allowance upto 10% of Basic Pay for serving in the difficult and far flung areas as approved by concerned Ministries in consultation with the Department of Public Enterprises from time to time.
- iv) Non Practicing Allowance limited to 25% of Basic Pay for Medical Officers.

11. **The admissibility, quantum and procedure for determination of Variable Pay/Performance Related Pay** has been given in Annex.-III.

12. **Long Term incentives, introduction of cost to the company (CTC) concept in CPSEs, Pay of Executives on deputation / transfer to CPSEs, Pay of Government officers on deputation to CPSEs and Superannuation Benefits** will be as per Annex.-IV.

13. **Gratuity:** The ceiling of gratuity of the executives and non-unionised supervisors of the CPSEs would be raised to Rs. 10 lakhs with effect from 1.1.2007.

14. **Company Car:** The company car would be provided to the Directors and CMDs. The Executive Directors/ General Managers heading the projects of CPSEs may also be provided with the company car. For purposes of CTC, the expenditure on car provided should be excluded.

15. **Pay Revision in respect of non-unionised supervisory staff:** The revision of scales of pay for non-unionised supervisory staff may be decided by the respective Board of Directors of the CPSEs.

16. **Financial Implications:** The CPSE concerned has to bear the additional financial implications on account of pay revision from their own resources and no budgetary support will be provided.

17. **Issue of Presidential Directive, effective date of implementation and payment of allowances etc.:** The revised pay scales would be implemented by issue of Presidential Directive in respect of each CPSE separately by the concerned Administrative Ministry/Department. The revised pay scales will be effective from 1.1.2007. The payment of HRA, perks and allowances based on the revised scales will, however, be from the date of issue of Presidential Directive. The Board of Directors of each CPSE would be required to consider the proposal of pay revision based on their affordability to pay and submit the same to the Administrative Ministry/ Department for approval. The concerned Administrative Ministry with the concurrence of its Financial Advisor will issue the Presidential Directive. A Copy of the Presidential Directive issued to the CPSEs concerned may be endorsed to the Department of Public Enterprises.

18. **Issue of instructions/clarifications and provision of Anomalies Committee:** The Department of Public Enterprises will issue necessary instructions /clarifications wherever required, in implementation of the above decisions. An Anomalies Committee consisting of the Secretaries of Department of Public Enterprises, Department of Expenditure and Department of Personnel & Training has been constituted to look into further specific issues / problems that may arise in implementation of Government's decision on the recommendations of 2<sup>nd</sup> PRC. Any

anomaly should be forwarded with the approval of Board of Directors to the administrative Ministry/ Department, who will examine the same and dispose off the issue. However, if it is not possible for the Administrative Ministry to sort out the issue, the matter may be referred to DPE, with their views, for consideration of the Anomalies Committee.

*K.D. Tripathi*

(K.D. Tripathi)

Joint Secretary to the Government of India

Administrative Ministries/ Departments (Secretary by name) of the Government of India.

1. Copy to:

Chief Executives of CPSEs.

2. Copy also to:

- i) Financial Advisors in the Administrative Ministry/Department.
- ii) C & AG of India, 10, Bahadur Shah Zafar Marg, New Delhi.
- iii) Department of Expenditure, E-2 Branch, North Block, New Delhi.
- iv) Department of Personnel & Training, North Block, New Delhi.
- v) Chairman, PESB/Member(s), PESB/Secretary, PESB, CGO Complex, New Delhi.

3. Copy also to:

Prime Minister Office, (Shri Kamal Dayani, Director)

4. Copy also to:

- i) Cabinet Secretariat (Shri C.S. Kedar, Joint Secretary)
- ii) Cabinet Secretariat (Shri K. L. Sharma, Director)

5. Copy also to:

- i) PS to Minister (HI&PE).
- ii) PS to MoS (HI&PE).
- iii) PS to Secretary(PE).
- iv) AS & FA (PE).
- v) All officers of DPE.
- vi) NIC Cell, DPE with the request to upload the O.M. on the DPE website.

*P.J. Michael*  
(P.J. Michael)  
Under Secretary



Enclosed (2)

Document (3)

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To,

The Secretary  
Dept of Public Enterprises,  
Member, Anomalies Committee, 2<sup>nd</sup> Pay revision.

"Through Proper Channel"

Sub: Clarification sought regarding payment of DA/ CPF on Non Practicing allowance (NPA) to doctors at par with other IDA CPSEs.

Sir,

With reference to the 2<sup>nd</sup> pay revision guidelines, we request for clarification regarding payment of DA/CPF and Gratuity on Non-Practicing allowance (NPA).

1. In the previous DPE guidelines, NPA has always been considered as Pay for the purpose of calculation of DA/CPF and Gratuity (copy enclosed).
2. NPA has been considered as part of "Pay" as per clause 9(21)(a)(i) of Fundamental Pay Rules.
3. But the present DPE guidelines are silent on the above issue. This has led to an anomalous situation leading to non-payment of DA/CPF on NPA in our organisation, whereas many of the other IDA CPSEs are taking NPA as part of "Pay" for DA/CPF calculation.
4. Other Navratna IDA CPSEs like GAIL, Coal India Ltd and Indian Oil Corporation Ltd are paying DA and CPF on NPA after implementation of 2<sup>nd</sup> Pay revision (as per the previously existing DPE guidelines). Copies enclosed.
5. DPE also considers NPA as "Pay" for DA/CPF/ Gratuity in case of all CDA CPSEs.
6. This non-payment of DA/CPF on NPA is grossly affecting our emoluments and also our financial health benefits by way of CPF and interest thereof.
7. Hence it is requested that a clarification may kindly be issued by DPE, so that we follow the same on NPA as per the previously existing DPE guidelines and also as per the practice followed in other similar Navratna IDA CPSEs and all CDA CPSEs.

Yours Sincerely,  
Director, Navratna Anomalies Committee

Dr. P. V. Anandalingam  
Dr. P. V. Anandalingam  
Dr. P. V. Anandalingam  
Dr. P. V. Anandalingam  
Dr. P. V. Anandalingam  
Dr. P. V. Anandalingam  
Dr. P. V. Anandalingam  
Dr. P. V. Anandalingam  
Dr. P. V. Anandalingam  
Dr. P. V. Anandalingam

2.11.14

27/11/14

C I R C U L A R

**Revision of Non-Practising Allowance(NPA) for Medical executives drawing salary on IDA Pattern.**

In pursuance of the approval accorded by the Board of Directors in their 156<sup>th</sup> meeting held on 05.07.2001, the Non-Practising Allowance (NPA) to medical executives drawing salary on IDA pattern is revised to 20% of revised Basic Pay w.e.f. 16.03.2001. The NPA will count as Pay for the purpose of DA, Gratuity and Contributory Provident Fund but will not be taken into account for any other purposes.

  
(D. B. Bhanja)

Dy General Manager(HRD)

Distribution:

National Aluminium Company Limited  
A Government of India Enterprise/  
Mines & Refinery Complex  
Damanjodi

CHRD/RR/0012.5(BY/3335/2001)

03.16.8.2001

Copy to: 1. CGM(MF)-Mines/CM(F)-AR  
2. CM(HRD)-Mines/SM(HRD)-AR  
3. All Medical Executives

  
(K. C. Panda)  
Asst. Officer(HRD)

  
3.11.14

COAL INDIA LIMITED

कम्पास रोड, कोलकाता-700001

220-9880 ग्राम - कोलकाता

सीआईएल इन. फ़ैक्स - 243-6316

COAL INDIA LIMITED

COAL BHAWAN, 10, NETAJI SUBHAS ROAD

KOLKATA - 700001

PHONE NO : 248-8099, 220-9880, GRAM COAL INDIA

TELEX 217180 CILIN FAX NO- 243-6316



Document 4 124

CIL/C5A/005/35/101

Dated: 17th Aug 2001


OFFICE MEMORANDUM

Sub : Revision of Non-Practising Allowance to the Medical executives.

Consequent upon the revision of the executives pay scales below Board Level 01.01.1997 Circulated vide CIL's O.M.No.CIL/C5A(vi)/005/35/101 dated 09.2000, the proposal regarding revision of Non-Practising Allowance for the medical executives of CIL and its subsidiaries was put up before the 197th meeting of the Board of Directors which was held on 20.07.2001 and after detailed deliberation CIL Board had approved revision of Non-Practising Allowance on all pay scales w.e.f. 01.08.2001 at the rate of 17.5% of basic pay.

Non-Practising Allowance would count as pay for the purpose of Dearness Allowance, Gratuity and Employer's contribution to CPF but would not be taken into account for the purpose of fixation of pay in the revised scale.

This is issued with the approval of the Competent Authority.

  
(S A Yusuf)

Chief General Manager (Personnel)

Attention : CMDs, ECL, CCL, WCL, NCL, BCCL, SECL, MCL, CMPDL,  
Director (P&R), Director (D), Director (F) / Director (Mktg), CIL,  
All Functional Directors of Subsidiary Companies,  
Director (P), ECL, BCCL, SECL, NCL, CCL, WCL, MCL,  
Executive Director (Vig), CIL / ED (MS), CIL/BCCL, Dhanbad / ED, IICM Ranchi,  
CGM (Finance), CIL / CGM, CIL, New Delhi / CGM, NEC, Guwahati / CGM, Dankuni Coal Complex,  
CGM (Medical Services) of Subsidiary Companies,  
GM (EE), ECL, BCCL, SECL, NCL, MCL, CMPDL, GM (P), WCL,  
Sr ES to Director (P&R), CIL,  
Sr ES to CGM, P&R, CIL,  
Guard File

  
3.11.14

**Government of India Undertaking  
Central Public Sector Enterprises  
Coal India Limited, Kolkata**

Application of seeking information under Right to Information Act, 2005.

**PART-I**

1. Name of the Applicant: Dr. VIDYANAND THAKUR
2. Gender: Male/Female: Male
3. Father's/Mother's full Name: Late sri RAMDEO THAKUR
4. Address for correspondence (with Pin Code): 08, Guest House Colony  
P.O. ; KOTMA COLLIERY  
Dist. ; ANUPPUR (MP)  
PIN 484336
5. Telephone/Mobile No. 07658-260156 / 09425427807  
E-mail ID (if, any) vidyanandthakur756@gmail.com

**PART-II**

- i. Specify the particulars of the information sought for in a separate sheet.  
YES (Enclosed)
- ii. Whether the information sought for in required to be supplied.  
a. In printed form. YES  
b. In diskette or floppy. NO
- iii. Whether inspection of records also sought. NO
- iv. Whether application fee Rs. 10/- (Rupees ten only) paid and, if so,  
Please specify mode of payment (Cash / Demand Draft / Indian  
Postal Order payable to "Account Officer" Coal India Limited.  
YES, Indian Postal Order
- v. Please give details of the demand draft/Banker's cheque / Indian Postal  
Order enclosed.

09F 902798 dated 29.10.2013 P.O. Jamuna Colliery 484444

(No fee is required to be paid if the requester belongs to 'below poverty line' category for which proof should be furnished).

**Declaration of the Applicant.**

- a. I am a bonafide citizen of India and owe allegiance to the sovereignty, unity and integrity of India and have not voluntarily acquired the citizenship of another country.

Place: Kotma Colliery  
ANUPPUR (MP)

Date: 20.11.2013

*[Signature]*  
20/11/13  
(Signature of the applicant)

*[Signature]*  
20/11/13

Page 1 of 2

69/Nov  
29/11/13

CIL / 6:30 / 08/10 / RFI / 2648  
Received On 27.11.13  
अर्थ विभाग

## CHAPTER IV

### WAGE POLICIES & RELATED MATTERS

#### (a) Wage Policy/Pay Revision/HPPC Recommendations

##### 6. DPE/Guidelines/IV(a)/6

Revision of Scales of Pay of the Executives holding posts below the Board level and non-unionised supervisors w.e.f. 1.1.1992.

The scales of pay of the Executives holding posts below the Board level and non-unionised supervisors following IDA pattern in the Public Enterprises were last revised w.e.f. 1.1.1987 in the terms of the guidelines spelt out in DPE's D.O. letter of even number dated 4.4.1990.

2. Government have now decided that the pay scales of the above two categories would stand revised with effect from 1.1.92.

3. It has further been decided to issue guidelines as per details given in Annexure-I. The PSEs, however, are being given the flexibility to adopt the pay scales at PSEs level depending on their requirements. The fitment method would be as indicated in Annexure-II.

4. The Industrial DA at AICPI-1099 as on 1.1.1992 admissible to the incumbents of the below Board level posts in the revised scale would be as 'nil', as the amount of Rs.787.75 drawn as IDA as on 1.1.1992 has been merged in the revised basic pay. The DA payable from 1.4.1992 to the incumbents of the below Board level posts would be as per new DA scheme. The details of the scheme are indicated in Annexure - III

5. (i) The ceiling for payment of HRA without production of rent receipt and monetary ceiling for leased accommodation set out in sub-paragraphs (ii) and (v) of the paragraph 4 of the OM No.2(8)/91-DPE(WC) dated 3.3.92 would stand revised w.e.f. 1.4.1994 as per details given in Annexure-IV. There would be no change in the plinth area ceilings.

(ii) Recovery towards rent for the furnished and unfurnished accommodation provided by the public enterprises would be as per the details given in the Sub-paragraphs (x) and (xii) respectively of paragraph 4 of the OM No.2(8)/91-DPE(WC) dated 3.3.92. Rent recovery on revised pay would be computed w.e.f. 1.4.94.

For the period between 1.1.1992 and 31.3-1994 HRA, leased accommodation & recovery of rent would be computed and paid on the pre-revised basic pay.

6. Non- Practising Allowance (NPA) to the medical executives would stand revised w.e.f. 1.1.92. The details are given in Annexure-I.

7. City Compensatory Allowance would continue to be paid by the PSEs at the existing rates within the overall ceilings given in Annexure-IV.

3.11.94



Document (5) b, 126

(DPE O.M. No. 2(50)/86-DPE(WC) dated 19<sup>th</sup> July, 1995)

ANNEXURE - I

Non-Practicing Allowance (NPA)

Rates of Non-Practicing Allowance to the medical executives would stand revised w.e.f. 1.1.1992 as follows :

Basic Pay range(Existing)	Existing entitlement	Basic Pay Range(Proposed)	Proposed entitlement
Upto Rs. 3500	Rs.600/-	Upto Rs. 5000/-	Rs. 1000/-
Rs. 3501 - 4300	Rs.850/-	Rs. 5001 - 6500	Rs.1250/-
Rs.4301 - 6500	Rs.950/-	Rs.6501 - 9500	Rs.1330/-
Rs.6501 and above	Rs.1000/-	Rs.9501 and above	Rs.1500/-

Non-practicing Allowance would count as pay for the purpose of Dearness Allowance, Gratuity and Employer's contribution to CPF but would not be taken into account for purposes of fixation of pay in the revised scale.

ANNEXURE-II

Fitment Method ;

Fitment Method would be as follows:

Basic pay in revised scale would be fixed as under:

- Basic pay in the existing scale of pay as on 1.1.1992 Plus
- Actual DA as on 1.1.1992 at AICPI 1099;
- The fitment amount on account of revision of pay shall be "upto 20%" of basic pay in the existing scale pay as on 31.12.1991. (Fitment not to be computed on NPA payable to Medical Executives) Plus
- Personal Pay/Personal Allowance/Personal DA wherever payable along with existing basic pay.

On the aggregate pay fixed in the revised scale, where the total does not fit in a stage of the revised scale of pay, the pay will be fixed at the next higher stage.

If in some cases the total of the (a) to (d) as above exceeds the maximum of the revised scale of pay, or wherever the basic pay so fixed on the revised scale, does not allow grant of three increments to an Executive/Non-unionised supervisor as on 1.1.1992, then in such circumstances, the pay of the concerned executive or non-unionised supervisors should be fixed

*[Signature]*  
3.11.94

Document (6) 127

Ref.No. CHRD/RR/0012.5(B)/3780/2009

Date: 30.12.2009

### C I R C U L A R

**SUB: REVISION OF NON-PRACTISING ALLOWANCE (NPA) FOR MEDICAL OFFICERS.**

In pursuance of the approval accorded by the Board of Directors in their 239<sup>th</sup> meeting held on 04.12.2009, the Non-Practising Allowance (NPA) to Medical Officers is revised to @25% of revised Basic Pay w.e.f. 20.05.2009. The NPA will not count for any other purposes.

-Sd/-

( D B. Bhanja )

General Manager(H&A)

**Distribution:**

- 1) All General Managers/Dy. General Managers
- 2) All Regional Managers/Branch Managers
- 3) GM(F)CO/GM(F)M&R/GM(F)S&P/DGM(F)CPP/DGM(F)Smlt./DGM(F)Mines/  
DGM(F),AR/CM(F),ND/CM(F),Vizag/Mgr(F),Kolkata/Mgr.(F),Chennai/DN(F),East,CO/  
JM(F), Mumbai.
- 4) GM(H&A)M&R/GM(H&A)S&P/Co.Secy./DGM(HRD),AR/DGM(MS),S&P/  
DGM(MS),M&R/CMS,CO/CM(HRD)CPP/CM(HRD),Smlt./CM(HRD)Mines/  
Mgr(Admin.),Vizag
- 5) CM(Cord.) CMD's Secretariat - For kind information of CMD
- 6) For kind information of : D(F)/D(P&A)/ D(P)/D(P&T)/D(C)/CVO/ED(Mktg.)/  
ED(H&A)/ED(Fin.)/ED(P&T)/ED(M&R)/ED(Pers.)/  
ED(S&P)/
- 7) All Notice Boards of Units & Offices/ Master File

*[Signature]*  
5.11.14

## Online RTI Request Form Details

### Public Authority Details :-

\* Public Authority

Ministry of Mines

### Personal Details of RTI Applicant:-

\* Name Dr. Vidyand Thakur  
Gender Male  
\* Address 8, Guest House Colony, P.O. Kotma Colliery, Dist. Anuppur  
Pincode 484336  
Country India  
State Madhya Pradesh  
Status Urban  
Educational Status Literate  
Phone Number +91-07658260156  
Mobile Number +91-9425427807  
Email-ID vidyanandthakur756[at]gmail[dot]com

### Request Details :-

Citizenship Indian

\* Is the Requester Below Poverty Line ? No

(Description of Information sought (upto 500 characters))

\* Description of Information Sought

//Background for seeking information//

1. That, as per Para 2 of DPEs O.M. No. 2(51)/2010-DPE (WC) GL-X/2011 dated 1.6.2011, the issue of Non-practicing Allowance (NPA) sent by the M/o Mines was placed before the anomalies committee as prescribed under Para 18 of the DPEs O.M. dated 26.11.2008 where,

The anomalies committee considers an issue of anomaly only when an anomaly is forwarded by the administrative ministry, with their views, for consideration of the anomalies committee.

2. That, the anomalies committee did consider this issue of NPA on the basis of the proposal sent by the M/o Mines as prescribed under Para 18 of DPEs O.M. dated 26.11.2008,

(i) Exclusively for the ill-defined purposes of OTHER BENEFITS vide Para 1 of DPEs said O.M dated 1.6.2011 but,

(ii) NOT for the well-defined purposes of DA, CPF & Gratuity as mentioned in NALCO Doctors representation dated 10.04.2010 against which this clarificatory O.M. of DPE dated 1.6.2011 has been issued.

3. That, the SOURCE of this OTHER BENEFITS is the O.M. of NALCO dated 03.08.2001 for 1997 pay revision in terms of DISTORTION of the Non-sanctity part of NPA as Pay where,

The actually said non-consideration of NPA as PAY for the well-defined purpose of FIXATION of pay in the revised scale of 1992 pay revision dated 19.07.1995 and having a definite meaning of NOT being the Part of basic Pay had been replaced by the non-consideration of NPA as Pay for the ill-defined purposes of any OTHER PURPOSES and further,

The observation of anomalies committee, the mainstay of this clarificatory O.M. of DPE dated 1.6.2011, regarding sanctity part of NPA as Pay in the preceding 1997 pay revision is FALSE vide NALCOs said O.M. dated 03.08.2001 itself.

In view of the foregoing, the following information is required,

Please furnish a copy of the proposal as forwarding letter sent by the Ministry of Mines with their views to the Secretary, DPE & the member anomalies committee 2007 pay revision in the year 2010 after receiving the representation of NALCO Doctors dated 10.04.2010 in proper channel as it has been said in O.M. No. 2(51)/2010-DPE (WC) GL-X/2011 dated 1.6.2011 that,

The M/o Mines had sent a proposal received from NALCO regarding their demand to consider NPA as Pay to be treated as pay for calculation of other benefits.

129  
URGENT/SPEED POST  
RTI MATTER

Government of India  
Ministry of Mines

New Delhi, 08.10.2014

No.25 (1)/2014-Met.I

To

Dr. Vidyanand Thakur,  
8, Guest House Colony,  
P.O. Kotma Colliery,  
Dist. Anuppur,  
Pin. 431001

**Subject: Information sought under the RTI Act, 2005.**

Sir,

I am directed to refer to your RTI request vide registration no. MINES/R2014/60147 dated 30.9.2014 and to inform that as per available records no such representation dated 10.4.2010 of the Doctors of NALCO addressed to DPE was received in the Ministry of Mines, as such its forwarding to DPE by this Ministry does not arise.

2. In you are not satisfied with the above information you may prefer an Appeal to Sh. Kapil Rastogi, Director, Ministry of Mines, Room No. 310 D, Shastri Bhavan New Delhi within 30 days as specified under Section 19(i) of the RTI Act.

Yours faithfully,

(Ajay Kumar Kadian)

CP.O & Under Secretary to the Govt. of India

Phone No.011-23383946  
e-mail ajay.kadian@nic.in

Copy to:-

*[Signature]*  
5.11.14

Copy also for information to:-

- (i) FI Cell, Ministry of Mines. w.r.t. the  
Registration No. MINES/R2014/60147 dated 30.9.2014