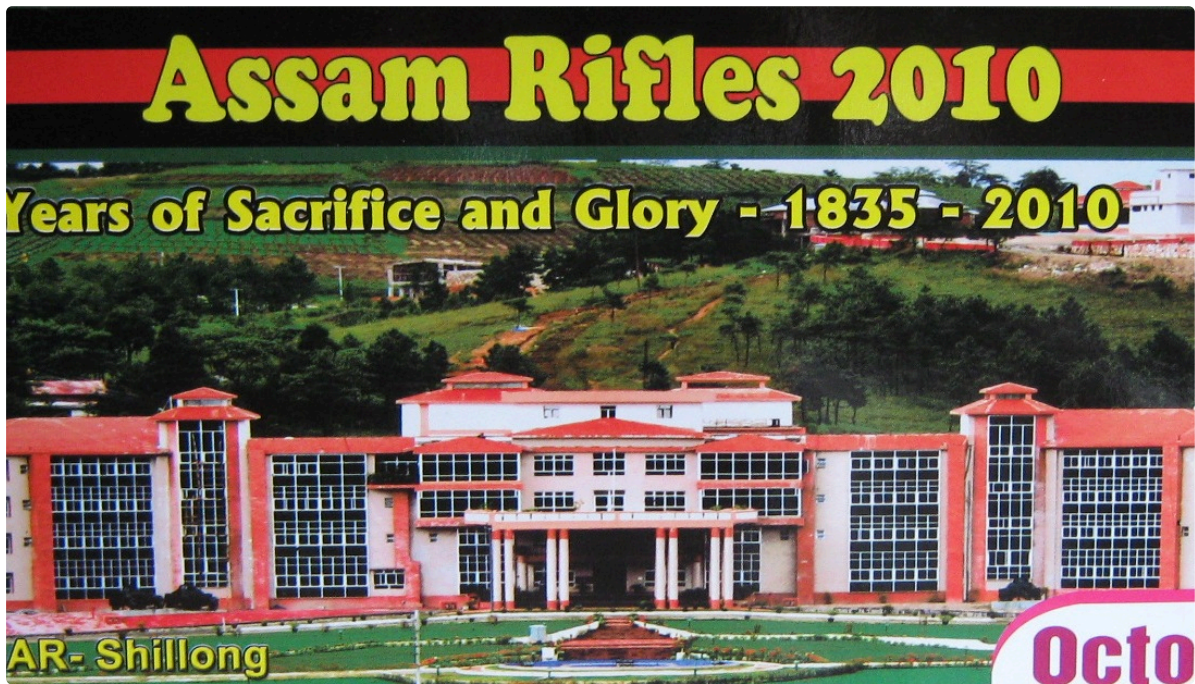


Assam Rifles facing flak



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Rajiv Roy 28 May 2014 Updated 28 May 12540 views

The “Friends of the Hill People” – Assam Rifles (AR) – tagline turns out to be most ‘unfriendly’ when it comes to treating its own employees and jawans. As it is said charity begins at home, perhaps, there is much more to be desired from AR. It has come to light that due to absence of judicious and vibrant surveillance of the higher stature of administration, the AR is presently in a degradation mode due to imposition of many detrimental steps on its employees, resulted in spiral increase of discontentment among a large number of employees of different cadres – combative or civilian – most are related to pay-scale matters. This, ‘crisis of governance’ in AR inculcated debacle in the career prospect of the service holders due to ‘wilful’ mishandling of the issue at the cost of administrative power. If such ‘unlawful’ actions are allowed to continue, it will invite volcanic retaliation unless a pragmatic observation with effective steps is taken in time. AR cites ‘delusive’ reasons to all these allegations amidst alleged involvement of it in a Contempt of Court Order.

According to documentary evidences made available to AT, the root cause is that a few Army officers serving under deputation at the Administrative Branch of AR Headquarters at Laitkor area in the outskirts of Shillong town headed by a particular Colonel rank official, alleged aggrieved pensioners, are ruthlessly capsizing the issues by deliberate application of improper rules and constantly misleading all concerned, setting aside all applicable government rules, clarifications, audit observations of (PAG) Principal Account General (Audit), Meghalaya; direction of the (Directorate of Personnel and Training) DOPT (the repository authority of rules and regulations of Government of India); concurrence of the (Pay and Accounts) PAO (AR) among others. These aggrieved pensioners alleged that the concerned pre-audit authority of AR due to some vested interest, compelling the poor paid employees and pensioners to knock at the door of law with colossal drainage of their hard-earned money only for implementation of the government orders but not for any hybrid demand out of the rule. Though maximum beneficiaries have won their court cases but witnessing the vindictive attitude of AR invokes frustration and depressions in them. Even after obtaining favourable order, these employees and pensioners are further forced to move from Lower Court to Higher Court to the highest court of the land, Supreme Court so that the extreme mental torture and harassment can take place among the deprived beneficiaries invoked by AR. Such revengeful act of the employer to its employees is unprecedented in the tradition of this esteemed organization, which claims to be “Sentinels of the Northeast”, even as the recipients of President’s Police Medal, Governor’s Gold and Silver Medal have also not been spared from the wrath of unlawful acts of the vested group of officers, revealed these documents.

These document reveals that violation of 5th Central Pay Commission (CPC) has deprived employees of promotions because of the effective date of promotion on the basis of merger post arbitrarily as well as unlawfully setting aside proper applicable notified rules of 5th and 6th CPC. Not only this, these employees were even deprived of revised pay-scale fixation for the Assistants and its subsequent higher posts, as AR administration deliberately rejected all government orders and clarifications as well as audit observations et al because of which less pension and related benefits has been drawn by the pensioners. Further, due to wrong fixation of pay-scale it is having an adverse effect on the promotion of employees to higher posts. It has come to light that due to lapses in AR to update recruitment rules as per revised pay-scale employees are deprived of promotions deliberately on the basis of non-applicable revised pay-scale rules. The Deputy Accountant General, O/o Principal Accountant General (Audit), Meghalaya in his inspection report vide Letter No.E.S.-I/Cent/9-6/2-13-14/1835 dated 08/11/2-13 of Assam Rifles employees stated that the "... 'road-map' of pay fixation with the higher grade pay to its next higher posts also have been distinctly stated in another government order which were issued by the government time to time subsequently after the notification of 6th CPC. All these modifications were distinctly projected in the said audit para which were necessary to be incorporated in the earlier audit para on the same, therefore, it was essential to be superseded due to non-inclusion of those modifications." This letter further says that these modifications were duly vetted by the Controller of Accounts of PAO (AR), after proper scrutiny as revealed and stated to comply with the audit instructions to rectify the pay and pension of the pensioners.

Many deprived pensioners also ventilated their grievances regarding pay and pension matters to the highest authority of AR from time to time. But the prayers were constantly disposed with antagonized reply ignoring the projected applicable rules of the petitions because it is best known to the administration that pensioners cannot raise their voice and proceed for litigation due to their pecuniary constraints and health condition. These documents exposed a jeopardized pensioner who explored the union government widely publicized that grievances of the pensioners are to be redressed within a stipulated timeframe of maximum three months. For that the government is spending huge amount of money by creating the Department of Pension and Pensioners' Welfare (DPPW) facilitating it with online registration of grievances and the department has been empowered with the rule vide Office Memorandum No.K-15011/1/2006-PG dated 22nd May, 2006 wherein Sub-para-V of Para-3 it is clearly stated, "The Director of the Public Grievances of Ministries / Department of Government of India may call for the documents of the case and take a decision with the approval of the Secretary of the Ministry / Heads of Department / Organization if a grievance is not redressed within a period of three months."

Being encouraged with the extended facility, one jeopardized pensioner submitted his grievance regarding receipt of innumerable 'delusive' reply from AR rejecting the applicable rules projected in many petitions. Accordingly it was prayed to the Director of DPPW to consider his grievance with their prerogative power as it will be a futile exercise again to send it to the department of AR. Even then it was processed through Ministry of Home Affairs to the Department of AR. As usual, the department further disposed it with same 'delusive' reply even after expiry of more than three months of registration. Accordingly further complaint was lodged to pension grievance department to initiate appropriate course of action to that 'delusive' reply of the AR. There is no action yet and the pensioner is still under crucifixion of injustice since last four years. Such 'fake' action of the pension grievance department is the ground reality as witnessed by this bewildered pensioner, whose documents openly proves. This is not the only instance of unaccountability of governance in AR, there are probably many more, as learnt.

In another instance it is known to all that an aggrieved jawan of AR has climbed on to the top of a 200ft power transmission tower in New Delhi on 4th August, 2013 for non-redressal of his grievance on wrong pay-scale entitlement, which was sustaining un-action and was projected in different media all over the country. There are several courts cases lodged in different courts for similar issues and for that huge amount of money are being flushed out from the government exchequer just for accomplishment of an 'egoistic unlawful' view in the context of pay-scale and allowance matter. In another similar instance, due to frustration a victimized employee of AR attempted suicide, last year. Ram Bahadur, 46, of 24 AR posted at Tengnoupal town of Chandel district in Manipur bordering Myanmar pumped in three bullets in his stomach and was immediately taken to Army Hospital. His condition was serious, though investigation was ordered to know what prompted him, who had served for more than 27 years, to take such a drastic step, courtesy Indian Military News dated 09.06.2013.

In a recent judgment of Meghalaya High Court, MC WP (C) 338 of 2013 In CONT CAS (C) 24 of 2009 Judgment Order dated 31.10.2013 by Judge, TNK Singh passed "... In the present scenario, Delhi is not far away from the Headquarter of Assam Rifles i.e. Shillong for processing file for implementing the direction of this Court in the judgment and order dated 30.03.2009 passed in WP (C) No.200 (SH) of 2008. In such circumstances, it is difficult to see i.e. the efficiency of the Army personnel as well as personnel dealing with this matter. We do not expect that Army personnel will be inefficient in their discharging duties for compliance with the direction of this Court. Callousness on complying with the direction of this Court should be recorded in the ACRs of the concerned Army personnel whoever be the General or Senior Officer and should be brought to the notice of the concerned authorities at the time for considering the promotion of that officer or for giving higher responsible to that officer."

These aggrieved pensioners further alleged that no action has been taken on this judgment of the court. “Whatever it may be, but it is clear and concrete evidence that the concerned officers are least bothered for the welfare of the organization, no respect and regard on lawful administrative functioning, modalities as per laid down rules as well as the Constitution of India, no respect for democracy, which proves doubtful integrity of the office. It is the need of the hour to take proper measure and notice of such “devastating governance” which is the essential component of development since that is the prime agenda of the new government. Otherwise all efforts and endeavour will simply amount to nothing but a futile exercise like preserving water in a perforated pot,” said these aggrieved pensioners.

AR however reasoned it to ‘merger of pay-scale and posts’ because of which disparity does not stand to be justified. But aggrieved pensioner alleged that AR deviated from the enshrined applicable notification of 6th CPC and this notification cannot be overruled by any kind of executive direction. These pensioners point holds water since Alok Saxena, Director, Department of Expenditure, Implementation Cell, Ministry of Finance in an Office Memorandum dated 16.11.2009 clearly stated that parity of pay scale has been established by the union government only up to the level of Assistants. So question of pay-scale and post merger, as claimed by AR, stands in-fructuous reasoned these pensioners since Assistant is a specified post as per the notification and ‘merger of pay-scale and post’ is applicable only for unspecified posts which is not applicable to AR. Even the Controller of Accounts (NE) and Financial Controller (AR) while scrutiny found that all the observation on pay and pension anomalies deserves rectification as per applicable rules and approved that rectification should be made.

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Shillong

BY RAJIV ROY

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