



सूचना का अधिकार अधिनियम, 2005 की धारा 19(1) के तहत अपील

आवेदक : श्री भुवन चंद उपाध्याय, चंद्रबनी खालसा, गोल मार्केट के पास, मोहब्बेवाला, देहरादून  
प्रतिवादी: केंद्रीय लोक सूचना अधिकारी, भारतीय वन्यजीव संस्थान, चंद्रबनी, देहरादून

आदेश

1.	अपीलकर्ता ने आरटीआई आवेदन दायर किया	:	आरटीआई संख्या शून्य दिनांक 21/12/2022 और 11/10/2022
2.	सीपीआईओ ने आरटीआई का जवाब दिया	:	पत्र क्र.सं. WII/RTI/CPIO/2022-23 (Qtr-III)/68 दिनांक और WII/RTI/CPIO/2022-23 (Qtr-IV)/76 दिनांक 25/1/2023
3.	अपीलकर्ता ने अपील आवेदन दायर किया	:	सीपीआईओ के जवाब के खिलाफ अपील संख्या शून्य दिनांक 30/1/2023 और 1/2/2023
4.	अपील दायर करने का आधार	:	आरटीआई आवेदक सीपीआईओ, डब्ल्यूआईआई द्वारा दिए गए उत्तर से संतुष्ट नहीं है

अपील में उठाए गए बिंदुओं पर उचित विचार-विमर्श के बाद, निम्नलिखित निर्णय लिया जाता है:

क) आरटीआई आवेदन दिनांक 21.12.2022 -

- (i) आवेदक द्वारा पैरा 1, 2 और 6 के माध्यम से मांगी गई जानकारी प्रश्नवाचक है और आरटीआई अधिनियम की धारा 2(एफ) के अनुसार यह आरटीआई अधिनियम के दायरे में नहीं आती है।
- (ii) पैरा 3 के माध्यम से मांगी गई सूचना Annexure I और Annexure II के रूप में भेजी जा रही है।
- (iii) पैरा 4 और 5 के माध्यम से मांगी गई सूचना भारतीय वन्यजीव संस्थान के पास उपलब्ध नहीं है।

ख) आरटीआई आवेदन दिनांक 12.01.2023 -

- (i) पैरा 1,2,4,5 और 6 के माध्यम से मांगी गई जानकारी प्रश्नवाचक है और अन्य कर्मचारियों की व्यक्तिगत जानकारी है जिसे आरटीआई अधिनियम के तहत साझा नहीं किया जा सकता है जब तक कि व्यापक सार्वजनिक हित ऐसी जानकारी के प्रकटीकरण को उचित नहीं ठहराता है और आवेदक व्यक्तिगत जानकारी मांगते समय बड़े सार्वजनिक हित को प्रदर्शित करने में विफल रहा है।
- (ii) पैरा 3,7 और 8 के माध्यम से मांगी गई सूचना एक कागज के आकार में नहीं है और सूचना विभिन्न फाइलों में बिखरी हुई है। अपीलकर्ता का इन फाइलों तक पहुंच और उसके द्वारा वांछित जानकारी को चिन्हित करने के लिए स्वागत है, जिसे आरटीआई अधिनियम के प्रावधानों के अनुसार शुल्क के साथ प्रदान किया जाएगा।

अतः एतद्वारा अपील का निस्तारण किया जाता है। यदि अपीलकर्ता उपरोक्त निर्णय से संतुष्ट नहीं है, तो वह माननीय केंद्रीय सूचना आयोग से संपर्क कर सकता/सकती है।

धन्यवाद,

आपका विश्वासी

[डॉ. वाई. वी. शाला]

डीन और प्रथम अपीलीय प्राधिकारी

सूचनार्थ प्रतिलिपि:

- 1. श्री भुवन चंद उपाध्याय, पुत्र स्वर्गीय बालादत्त उपाध्याय, चंद्रबनी खालसा, गोल मार्केट के पास, मोहब्बेवाला, देहरादून
- 2. सीपीआईओ, डब्ल्यूआईआई, देहरादून
- 3. प्रधान निजी सचिव - निदेशक, डब्ल्यूआईआई

**Proceedings of meeting of High Level Committee (HLC) held on 18.08.2022  
for redressal of administrative issues in Wildlife Institute of India**

The following were present:-

- |    |   |   |                  |
|----|---|---|------------------|
| 1. | Shri Suresh Dalal, IFS                              | - | Chairman         |
| 2. | Dr.V.P Uniyal, Scientist G, WII                     | - | Member           |
| 3. | Shri T.C Nautiyal, IFS                              | - | Member           |
| 4. | Shri Rajnish Sharma,<br>Internal Audit Officer, WII | - | Member           |
| 5. | Shri Umakant Sharma, Account Officer                | - | Member           |
| 6. | Dr. Ruchi Badola, Registrar                         | - | Member Secretary |

Shri T.C Nautiyal attended the meeting through Online Mode. The following are the recommendations of the High Level Committee:-

**AGENDA -1**

***Representations of Technical Officers (Computer Personnel)***

The representations are arising from anomalies of pay fixation due to transfer of employees of technical cadre (computers) from flexible complementing scheme (FCS) to Electronic Data Processing (EDP) scheme in year 1992 and reverting them back to FCS in year 2006. Therefore, a background of this trail is necessary for understanding the issue contained in the representation.

**BACKGROUND**

Initially (since 1986), the promotions of members of technical cadre (computers) were governed under the Flexible Complementing Scheme (FCS). Under this scheme, the promotions are non-functional and members of service become eligible for next higher grade on completion of period of residency in a particular grade. The scheme gets the name 'flexible' as there are no specific posts in particular pay scale and the promotions are not vacancy based.

In year 1992, the technical cadre (computers) was transferred from ambit of FCS and placed under the scheme of Electronic Data Processing (EDP)

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(Reference: Ministry of Finance F.7(1)/IC/86(44) dated 11 September 1989). The decision was taken consequent upon representations made by the members of the cadre. The scales of pay in the EDP scheme were better than those of the FCS but the promotions to various grades were based on availability of vacancies. Consequent upon the said transfer, the existing pay scales of the employees were fixed in corresponding pay scales of EDP scheme and where such corresponding scales were not available, the placement was done in immediate next higher scale.

Ans Later on, the members of computer cadre realized that their transfer from FCS to EDP scheme has slowed down their career progression due to dependence on availability of vacancies at higher stages and they again made representations for reverting their cadre back to the FCS. The Institute accepted the representations and brought their services back to the FCS in year 2006.

However, on this occasion, the pay fixation did not follow the normal course i.e. to start from where they left the FCS. Instead, a Committee, popularly known as 'Wahal Committee' was set up to recommend the pay fixation procedure.

On perusal, it is noted that the recommendations of Wahal Committee appear to have made efforts to protect higher basic pay granted to employees at the time of transfer of their service from FCS to EDP and further to protect their demand of period of residency for elevation under the FCS consequent upon the reverse migration. The said committee recommended reduction in the period of residency in a particular scale ranging from 7 years to 3.5 years and 3 years. The recommendations were accepted by the Institute and pay fixation of employees was done accordingly.

The FCS is a scheme of Government operating in the scientific organizations across the Country and major decisions under the scheme like modification in stipulated period of residency at different levels of cadre etc; can't be taken at level of Institute. The correct way of pay fixation would have been to fix the notional pay of employees in FCS at level where from they left the FCS in year 1992 and then to allow them increment/promotions with consideration '*as if they were never transferred to EDP scheme*'. However, it's a *fate accompli*

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now, and therefore, the IILC has not gone into this issue. Moreover, many employees relevant under this discussion have now superannuated.

Thus, the IILC decided only to look into the merit contained in the representations under consideration.

### MERIT IN PRESENT REPRESENTATIONS

It was noted by the committee that the present representationists, were not born in service of WII, when the decision to transfer the computer cadre from FCS to EDP scheme was taken in year 1992. They were recruited in year 2002.

Thus, this group of employees was not part of representationists who prayed for transfer of their services from FCS to EDP. Further, they had only 04 Years of service to their credit when, decision to revert the cadre from EDP to FCS was taken and therefore, they can't be considered to be force behind the representations made for reverting back from EDP to FCS.

On perusal of representations under consideration, it is made out that in the 'formulas' determined by the Wahal Committee, they got rendered to disadvantage for reason that

- (i) The Wahal Committee recommendations came at a time when the recommendations of 6<sup>th</sup> pay commission were awaited and later when these came in year 2008, the implementation was with retrospective effect w.e.f. 01.01.1996. The Wahal Committee could not have anticipated the fall out of interactions between their recommendations and those of the pay commission.
- (ii) It so happened that, the pay commission merged the pay grade relevant to the representationists with their next promotional scale rendering the representationists to disadvantage and at the same time there was no adverse impact on other members of the cadre.

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The representationists in their representation are looking for remedy through route of recommendations of the Wahal Committee. This IILC decided not to examine the merit of the representations through route of the recommendations of Wahal Committee because; as has been explained above, the recommendations made by Wahal Committee were not based on any existing rule position and this IILC is of view that it would have been appropriate for the Institute to have followed the same principle of pay fixation of employees while reverting from EDP to FCS as was followed at the time of transferring them from FCS to EDP. Thus, it would be appropriate to fix the pay of the representationists on transfer from EDP to FCS at the corresponding pay level or if such level does not exist, in the immediate next higher level.

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### RECOMMENDATION

Accordingly, the recommendation of the IILC in respect of the four representations (made by (i) Sh. Dinesh Singh Pundir (ii) Smt. Alka Aggarwal (iii) Shri Narinder Singh Bist and (iv) Shri Harendra Kumar is as under:

1. The representationists were initial recruits in the cadre of Computer Personnel under the EDP scheme and they joined service of the Institute on 22 October 2002 in the pre-revised pay scale of Rs.5000-150-8000 as per V CPC.
2. The Institute decided to transfer of service of Computer Personnel from from EDP scheme to FCS in year 2006 with retrospective effect i.e 11<sup>th</sup> September 1989 and from the date they joined the service. Therefore, the salary of representationists need to be determined with effect from date of their appointment i.e 22 October 2002. At that point of time, their existing pay scale was Rs 5000-8000. This scale does not have a parallel matching scale in the FCS. The immediate next higher scale in the FCS was Rs 5500-175-9000. Therefore, the natural corollary to fix their pay as on 22 October 2002 would be at lowest level in pay scale of Rs 5500-175-9000. The same prescription was followed in matter of pay fixation when this cadre was migrated from FCS to EDP in year 1992 with

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retrospective effect i.e 11<sup>th</sup> September, 1989. It is pertinent to mention here that on the recommendations of VI CPC, the pay scales of Rs 5000-8000 and Rs 5500-9000 were merged and common grade pay of Rs 4200 w.e.f. 01 January 2006 was assigned to them. Thus, their next promotion under FCS (in October, 2007) will be in next higher grade of Rs.4600 on completion of five year residency as per provisions of RRs of the Institute.

3. Thereafter, dates of their promotion under FCS and corresponding pay fixation may be done as per normal period of residency without any relaxation.

but

4. Thus, the pay under FCS of above four computer personnel calculates as under and it is recommended to decide the matter with all consequential benefits-

Date of recruitment and assessment promotions.	Pay scale from	Pay scale to	Remarks
22.10.2002	5500-9000	.....	Initial pay fixation on joining the service.
01.01.2006	5500-9000	GP Rs 4200 in PB2	Pay fixation consequent upon implementation of 6 <sup>th</sup> Pay Commission
22.10.2007	GP Rs 4200 in PB2	GP Rs 4600 in PB2	5 years residency as per RRs.
22.10.2012	GP Rs 4600 in PB2	GP Rs 5400 in PB3	5 years residency as per RRs
22.10.2017	GP Rs 5400 in PB3 Pay Matrix Level 10	GP Rs 6600 in PB-3 Pay Matrix Level 11	5 years residency as per RRs
22.10.2022	GP Rs.6600 in PB3 Pay Matrix Level 11	GP Rs.7600 in PB3 Pay Matrix Level 12	5 years residency as per RRs.

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## AGENDA -2

### *Representation of Shri Balbir Singh Chauhan, Sr. Technician*

Consequent upon recommendations of 6<sup>th</sup> CPC the salary of employees was to be fixed in accordance with the decision of the Government as per recommendations of the commission. The erstwhile pay scale were converted into pay bands and each pay band had various stages of Grade Pay.

Shri B.S Chauhan happened to be in the pay scale of Rs.4500-7000 (5<sup>th</sup> CPC) and corresponding pay band in Group II (2) was in PB-1 (Rs.5200-20200) with Grade pay of Rs.2800. Hence, this was the entitlement of Shri B.S Chauhan and his pay was fixed accordingly. In his representation, Shri B.S Chauhan is seeking his pay fixation against higher pay scale to which he did not belong and therefore, his representation is devoid of merit.

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## AGENDA - 3

### *Representation of Shri M.P Aggarwal, PS to Director*

The representation made by Shri M.P Aggarwal is not arising from any anomaly, rather it emanates from his aspirations for better opportunities in the rules for accelerated career progression. Since, there is no element of any anomaly in the representation, the matter does not concern the High Level Committee.

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AGENDA - 4

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*Representation of Dr. Gautam Talukdar, Scientist – E*

The Committee noted that the representation has already been decided by the Institute very recently vide WII letter No. A/2-50/2008-WII dated 14.07.2021 and that no new grounds have been shown, there is no occasion for the High Level Committee to take cognizance of the same representation again.

AGENDA -5

*Representation of Shri Bhuwan Chand Upadhyaya, Lab Assistant (Retd.)*

The representation made by Shri Bhuwan Chand Upadhyaya is not arising from any anomaly, rather it is emanating from his aspirations to have better pay scale and pension by adding higher pay scale to the cadre to which he belonged while in service. At present, the highest pay level in this cadre is at level 5 of pay matrix and he has superannuated from the same level. His prayer is to add the next higher level in Pay Matrix in his cadre which is not tenable.

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#### AGENDA -6

##### *Representation of Library Staff*

The pay scale of the technical cadre of Library and Computer Personnel are as per provision in the RRs. No anomaly could be noticed by the HLC. The prayer made in the representation is attributable to their aspirations for higher pay scales. Hence, the representations does not concern this Committee.

#### AGENDA -7

##### *Representation of Shri C.P Sharma, STO (3)*

The pay scale of the technical cadre of Lab and Computer Personnel are as per provision in the RRs. No anomaly could be noticed by the HLC. The prayer made in the representation is attributable to their aspirations for higher pay scales. Hence, the representations does not concern this Committee.


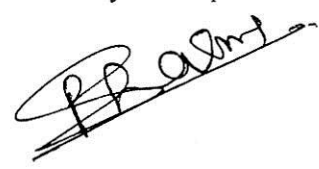



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#### AGENDA -8

##### *Representation of Shri Mahesh Tyagi, STO (1)*

Shri Mahesh Tyagi is praying for five advance increments w.e.f his date of appointment to the post of Junior Engineer i.e from 29.09.1999. The provision of advance increment is available only at the time of initial appointment on recommendation of the Selection Committee. No such recommendations was made at time of his initial appointment and to consider any such possibility at this point of time is not tenable.

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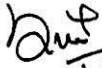
    

## AGENDA -9

*Representation of Smt. Sunita Agarwal, STO (1)*


The Committee noted that the pay scale of the Librarian cadre are inferior to the pay scale of parallel employees of Library cadre of ICFRE. Whether the demand of upgradation of pay scale of personnel in WII Library is justified or not can be determined after conducting a study of work load in the Library of WII. The HLC recommends that such a study of work load should be carried out and further decisions on the basis of the report of the work study may be taken.


The HLC recommends on the nine agendas placed before it as above.

  
18.08.2022  
(Suresh Dalal)  
Chairman

(T.C Nautiyal)  
Member

  
18/8/2022  
(V.P. Uniyal)  
Member

  
18/08/2022  
(Rajnish Sharma)  
Member

  
(Umakant Sharma)  
Member

  
(Ruchi Badola)  
Member Secretary

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No. WII/RSAC/01/2019

27<sup>th</sup> October 2020

**MINUTES OF THE MEETING OF THE INSTITUTIONAL GRIEVANCES REDRESSAL COMMITTEE HELD ON 23<sup>RD</sup> OCTOBER 2020 AT BOARD ROOM WILDLIFE INSTITUTE OF INDIA (WII)**

The meeting of Institutional Grievances Redressal Committee was held on 23<sup>rd</sup> October 2020 at 1500 hrs at Board Room of Wildlife Institute of India, Dehradun under the chairmanship of **Dr. Dhananjai Mohan , DWII & Chairman of Institutional Grievances Redressal Committee**. The following members of Institutional Grievances Redressal Committee were also present in this meeting

- |   |   |                   |
|---|---|-------------------|
| (a) Dr. Dhananjai Mohan                   | - | DWII and Chairman |
| (b) Dr. V.P.Uniyal ,Scientist G           | - | Member            |
| (c) Shri Rajiv Mehta,<br>Academic Officer | - | Member            |
| (d) Dr. Monali Sen,IFS,<br>Registrar      | - | Member Secretary  |

In this meeting the Grievances received from following employees of the Institute have been discussed:

- (a) Shri. M.P.Agarwal, PS to DWII
- (b) Smt Sunita Agarwal, Senior Technical Officer -I.
- (c) Smt Vikreshwari Dangwal, Senior Technical Officer -I.
- (d) Shri M M Uniyal, Senior Technical Officer -I
- (e) Shri P.K.Mukherjee, Section Officer
- (f) Shri Balbir Singh Chauhan, Library Senior Technician - (4)

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Monali Sen  
28/10/2020

28/10/20

Rajiv Mehta  
28/10/2020

28/10

**Grievances No.1:****Shri. M.P.Aggarwal. PS to DWII****Case No 1:**

The individual has requested to take up case with the competent authority for up gradation of post of Private Secretary (PS) to the level of Principal Private Secretary (PPS)/Senior Private Secretary (SPS). His application is placed vide page from c/95 to c/100.

The individual has brought his case in front of Institutional Grievances Redressal Committee. A very detailed discussion has been held from both levels.

The committee has apprised him that his case for Up gradation of the Post of Private Secretary (PS) to the Level of Principal Private Secretary (PPS)/Senior Private Secretary (SPS) to Director, WII w.e.f. 01.01.2019 has been discussed during Wildlife Institute of India (WII) Governing Body meeting which was held on 20th May, 2020 at 1030 hrs through Video Conferencing. While deliberating on the agenda, AS&FA said that the proposal for up gradation of the post of Private Secretary (PS) to the level Principal Private Secretary (PPS)/Senior Private Secretary (SPS) amounted to creation of new post and would require examination at the level of IFD of MoEFCC and also the approval of department of expenditure, Ministry of Finance. He also raised query on the need of modification of one single post

**Decision:**

After deliberate discussion the committee has recommended that this case will be submitted to the Ministry of Finance in the next financial year i.e. 2021-22 to consider this matter. The individual is satisfied the decision of the committee.

*Prasadi Sen*  
28/10/2020

*Mb.*  
28/10/20

*Primi Mehta*  
28/10/20

*[Signature]*  
28/10

*[Signature]*

**Case No 2.**

Amendment in existing Recruitment Rules (Administrative & Finance) 2019 to open/switch on promotional channel from PS/PPS to Administrative Officer/Academic Officer/Deputy Registrar.

The individual has brought his case in front of Institutional Grievances Redressal Committee. A very detailed discussion has been held from both levels.

**Decision:**

After deliberate discussion the committee has recommended that this matter will be put up in the next 71<sup>st</sup> WII-Governing Body meeting to be held in 2021 to amendment the recruitment rules.

**Grievances No.2**

The following employees have stated that in their applications that the recruitment & assessment promotion rules for technical and support staff -2019 were notified and issued on 01 Feb 2019. The rules were notified and implemented from 01 April 2006. They have stated that the financial benefit as per revised promotion rules as applicable to them from 01 Jan 2006 to 31 Jan 2019 have not been granted. Applications placed vide page from C/107 to C/112.

- (a) Smt Sunita Agarwal, Senior Technical Officer-I.
- (b) Smt Vikreshwari Dangwal, Senior Technical Officer-I.
- (c) Shri M M Uniyal, Senior Technical Officer -I

The committee has asked these individual to bring their case in front of the Institutional Grievances Redressal Committee. A long discussion at both levels has been held. They have mentioned that on several request made earlier no action has been done by the Institute to facilitate their requests.

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*Prasali Sen*  
28/10/2020

*g/b.*  
28/10/2020

*Jayant Mehta*  
28/10/2020

*[Signature]* 28/10



## Decision

The committee after pursuing various rules it has been found that the Grievances submitted by the individuals are genuine and required revision as per Recruitment Rules 2006. However payment of arrears will be made only after receipt of grant from the Ministry.

It was also decided that a separate scale for Librarian post will be proposed in next WII-Governing Body Meeting.

### Grievances No.3

Shri P.K.Mukherjee, Section Officer.

The individual has requested to consider promotion as Section Officer as per Administrative Services Recruitment and Promotion Rules – 2007. His application is placed vide page from c/101 to c104.

The committee has asked the individual his grievances may be brought in front of Institutional Grievances Redressal Committee. The individual has brought his case deliberately in front of the committee and requested to consider his case considering the fact mentioned in his application.

## Decision

After deliberate discussion both the levels it has been found by the committee the case of individual is genuine and his case will be reviewed accordingly. In the meanwhile, it has also come to the notice of the Institutional Grievances Redressal Committee that a pending case of Shri Ram Kumar who has already retired from the service, is also required to be reviewed. Therefore decision was taken to review the cases of Shri Ram Kumar and Shri P K Mukherjee together, starting with their promotion from Assistant Grade II to Grade I.

*Prasadi Sen*  
28/10/2020

*Shri*  
28/10/20

*Shri Mehta*  
28/10/2020

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It was also decided that Multiple Section Officer posting at less number vacant posts was a wrong action taken in 2013. Thereby Shri Mukherjee's eligibility will be considered based on next vacancy on retirement, of the SO's working as per 2013 posting list.

**Grievances No.4:**

**Shri Balbir Singh Chauhan, Library Senior Technician –(4)**

The individual has not fully satisfied as he has mentioned that he has not granted pay and allowances in accordance with VI Pay Commission Report and request to consider his request which was mentioned by him in detail in his application dated 11<sup>th</sup> August 2020. His application is placed vide page from c/47 to c /94.

The individual has brought his case in front of Institutional Grievances Redressal Committee. A very detailed discussion has been held in both levels. The committee has brought notice to the individual that he has been granted all dues as per court order. Thereafter the committee asks him to bring what are your actual grievances. The individual then stated in front of the committee that his request actually to consider his case for grant of Grade Pay from 4200 to 4600 from November 2009 to October 2016 and Grade Pay 4600 to 4800 from November 2016 onwards .

**Decision:**

The committee has agreed to grant him Grade pay from 4200 to 4600 wef November 2009 to October 2016 and Grade Pay 4800 from November 2016 onwards. The calculation of his arrears will be done accordingly. However arrears will be paid only on receipt of grant from Ministry in WII Grant in Aid budget.

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Plasali Sen  
28/10/2020

ghe  
28/10/20

gpm Nette  
28/10/2020

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All the 6 aggrieved employees were satisfied with the decision of committee.

The meeting ended with a vote of thanks to Director and Chairman and Members of the Institutional Grievances Redressal Committee.

  
(Dr. Dhananjai Mohan, IFS)  
DWII and Chairman Institutional Grievances Redressal Committee.

  
(Dr. V.P. Uniyal)  
Scientist G and Member Institutional Grievances Redressal Committee

  
(Shri Rajiv Mehta) 28/10/2020  
Academic Officer and Member Institutional Grievances Redressal Committee

  
(Dr. Monali Sen, IFS) 28/10/2020  
Registrar and Member Secretary Institutional Grievances Redressal Committee

#### Circulation

1. PS to DWII.
2. Members of Committee.
3. Aggrieved employees.
4. Deputy Registrar for putting up each case individually within 15 days time.
5. Guard File.

  
INFORMATION PROVIDED  
UNDER RTI

