

In WP(C) No.5128/2006

Heard Ms. E Sarma, learned counsel appearing for the applicants. Also he
ard Mr. BJ Ghosh, learned State counsel appearing for the respondent Nos.1 and 2
and Mr. P Sundi, learned counsel appearing for respondent Nos.3 and 4.

This application has been filed praying for releasing the VRS amount to the applicants/writ petitioners in the revised scale of pay as has been allowed by the Govt. Notification No.CI.176/99/233 dated 20.01.10 to the employees of the ASIDC Ltd. and the consequential order dated 21.05.10 issued by the Managing Director, ASIDC Ltd.

In this regard, Ms Sarma, learned counsel appearing for the applicants has drawn the attention of this Court to the Annexures-A and B, the communication dated 20.01.10 issued by the Joint Secretary to the Govt. of Assam, Industries and Commerce Department and the order dated 25.01.10 issued by the Managing Director, AS IDC and has submitted that as per the aforesaid two communications, the petitioners are allowed to draw the revised pay and allowances as per ROP Rules 1998 in their respective corresponding scale of pay as recommended by the Pay Commission. The Communication dated 20.01.10 and 25.01.10 are quoted hereunder:

GOVERNMENT OF ASSAM
INDUSTRIES AND COMMERCE DEPARTMENT
BLOCK 'C', 2ND FLOOR
DISPUR :: GUWAHATI-6

No.CI.176/99/233 Dated, Dispur, the 20th January 2010

From: Shri DK Baruah,
Joint Secretary to the Government of Assam,
Industries & Commerce Department.

To: The Managing Director,
Assam Small Industries Development Corporation Ltd.
Bamunimoidam, Guwahati-21.

Sub: Implementation of ROP '98 in ASIDC Ltd.

Ref: No.SIDC/Ad/115/99-2000/Pt/975, dated 30.11.2009

Sir,

With reference to your letter cited above on the subject I am directed to say that Industries & Commerce Department have no objection for implementation of pay scales prescribed in the Assam Services (ROP) Rules 1998 in respect of the employees of ASIDC Ltd. subject to the condition that all the conditions of Finance PRU Department's letter No.FPC.32/95/64, dated 15.10.98 (copy enclosed) are met and entire financial burdens for the purpose of making payment of the revised pay scale and other benefits will be borne by ASIDC's resources.

No fund or financial support will be provided by the Government at prese

nt or in future for the purpose.

Enclo: As sated.

Yours faithfully,

Sd-

Joint Secretary to the Government of Assam
Industries & Commerce Department.

O R D E R

In pursuant of the approval of the Govt. of Assam, I & C Deptt. vide No. CI.176/99/233 Dt.20.01.2010, all the eligible employees are hereby allowed to draw the revised pay & allowances as per R.O.P. '98 in their respective corresponding scale of pay as recommended by the Pay Commission.

Managing Director,
ASIDC Ltd.

Memo No.SIDC/AD/232/2010-11/990

dt.25.01.10.

Copy for information & necessary action to:

- 1) I/C- Manager & ASIDC Ltd.
- 2) All Divisional Heads/BOs/ZOs/units

Sd-

Managing Director
ASIDC Ltd.

In view of the specific stand of the Government as would reveal from the aforesaid communications, this miscellaneous application is disposed of with a direction to the respondent Nos.3 and 4 to implement the orders dated 20.1.10 and 25.1.10 by allowing to draw the revised pay and allowances to all the eligible petitioners as per ROP Rules 1998 in their respective corresponding scale of pay as recommended by the Pay Commission as expeditiously as possible but not later than 6 (six) weeks from today.