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NOTIFICATION

No.G.12011/3/87-F.Est, the 20th January, 1989. The Government of India constituted a National Commission on Teachers under the Chairmanship of Professor D.P. Chhattopadhyaya and the Commission submitted their Reports in March 1985. The Commission recommended, inter alia, new pay scales for Teachers as the replacement pay scales included in the Central Civil Service (Revision of Pay) Rules, 1986 were not found suitable for Teachers. The Govt. of India, having accepted the recommended Pay Scales for Teachers in Union Territory Administration except Chandigarh issued letters vide No.F.5-180/86-NIT of 12.8.1987. The recommended Pay Scales are to come into force from 1.1.1986 and at that time, Mizoram was a Union Territory.

2. The claims from Teachers for implementation of the recommended Pay Scales have been engaging the attention of the Government for some time past as Mizoram was one of the Union Territories on 1.1.1986 and the entire case was placed in the hand of the Pay Anomalies Committee, 1988. The Reports of the Pay Anomalies Committee 1988 have been examined.

3. Since implementation of the recommendations of the National Commission on Teachers is the declared policy of the Government of India and in view of what have been stated aforesaid, the Governor of Mizoram, in exercise of powers conferred under proviso to Article 309 of the Constitution of India, is pleased to accept the Pay Scales and allowances as shown in the Schedule appended herewith.

4. The Pay Scales will be deemed to have come into force with effect from 1.1.1986 without arrear pay and allowances due to acute financial constraint. Therefore, it shall be deemed as if the concerned employees were transferred to the posts the pay scales of which are changed with new allowance. Therefore, the pay of the concerned employees shall be notionally fixed in the new pay scales under the provision of F.R.23 read with F.R.22(a)(ii) on 1.1.1986. However, the arrear of pay and allowances on account of the increase in Pay Scales and the new Teaching allowance and special allowance accrued during the period from 1.1.1986 to 31.12.1988 will not be payable to the employees in any form. The new pay scales and allowance shall be drawn from 1.1.1989.

Lalkhama
Chief Secretary
Government of Mizoram.

SCHEDULE

The Government of India Constituted a National Commission on Teachers under the Chairmanship of Professor D.P.Chhatopadhyaya in 1983-85. The Commission submitted their Report "The Teacher and Society". The Reports and Recommendations include revised pay scales for various categories of Teachers.

2. The Government of India accepted the recommendations of the Committee and issued instructions in a letter of 12.8.1987 to all Union Territory Administrations excluding Chandigarh for implementation of the revised pay scales recommended by the Commission for various categories of Teachers. The Pay Scales are to come into force with effect from 1.1.1986 replacing the replacement pay scales as contained in the Government of India's Notification No.F.15 (1) IC/86 dated 13.9.1986 and 22.9.1986.

3. The Education and Human Resources Development Department of Mizoram proposed to implement the recommendations in pursuance of the instructions contained in the Government of India's letter dated 12.8.1987 as Mizoram was a Union Territory Administration on the relevant date i.e. 1.1.1986.

4. The set up of Schools in Mizoram are not the same as those in other Union Territories like Delhi Administration, etc. We have the following set up :-

i) ELEMENTARY EDUCATION :

- | | | |
|-------------------|---|--------------------|
| a) Primary School | — | O—Class IV |
| b) Middle School | — | Class V—Class VII. |

(ii) SECONDARY EDUCATION :

- | | | |
|----------------|---|-----------------------------|
| a) High School | — | from Class VIII to Class X. |
|----------------|---|-----------------------------|

Under Delhi Administration, the set up is as follows :-

- | | | |
|---------------------|---|------------------------|
| a) Primary School | — | Class O to Class V |
| b) Middle School | — | Class VI to Class VIII |
| c) Higher Secondary | — | Class IX to Class XII. |

5. In Mizoram, there is no Headmaster in the Primary School. The Department, however, have a system of making senior Teacher in Primary School as Head Teacher with a nominal special pay of Rs.80/-p.m. without creating post

with higher pay scales. In the Middle School, there is a Headmaster with other Teachers under him. In High School, there is a Headmaster with Assistant Headmaster and other Teachers under him.

6. The National Commission on Teacher in para 5.27 of their Reports classified the categories of Teachers and also equated some posts with others as shown below :-

- a) Primary School Teacher.
- b) Trained Graduate Teacher/Headmaster of Primary School.
- c) Post Graduate Teacher/Headmaster of Middle School/Dy. Inspector of School (SIDEO in Mizoram).
- d) Headmaster of Secondary School/Vice-Principal.
- e) Principal (Senior Secondary).

7. From the Appendix XIII (XVI) to the Report, it is clear that it is only in Mizoram where there are nonmatriculate Teachers even in Primary Schools. Therefore the lowest pay scale of Rs 1200-2040/- for Teachers in Primary School is meant for trained Matriculate Teachers. As per reports given by the Department, there are 513 Non-Matriculate untrained Teachers and as many as 1929 non-Matriculate Trained Teachers, and they are having 70 Matriculate untrained Teachers. In other States and Union Territories of the Country, the minimum educational qualification required for the post of Teacher for Primary School is not lower than Matriculation. In Mizoram we have a large number of non-Matriculate Teachers. The main question here is will these non-Matriculate Trained/Untrained Teachers in Primary Schools be brought at par with other Matriculate (Trained/Untrained) Teachers in Primary School? The argument may be that they are also performing the same duties and responsibilities and awarding to the Matriculate and non-Matriculate Teachers different pay scales for the same post may be patently discriminatory when no disparity in duties and responsibilities have been averred. The ruling of the Central Administration Tribunal, Guwahati Bench, in respect of writ petition under Police Department has also to be taken into consideration. Another consideration is that Mizoram started to have Primary Schools in the beginning of Twentieth Century employing Mizos who passed Class VI Examination and most of the existing non-Matriculate Teachers in Primary Schools are the real pioneers in the field of education in our State and most, if not all, of the Teachers who are recipients of the President Award to Teachers are non-Matriculate Teachers. Taking all these factors into considerations, and in the fitness of things even all the existing non-Matriculate Teachers on regular appointment prior to 1978 entrants be brought to the pay scale of Rs. 1200-2040/- at par with others as the Department stated that only HSLC passed candidates have been recruited as Primary School teachers from 1978 onwards. Recently, the Government of Mizoram issued orders allowing non-Matriculate Trained/Matriculate untrained Teachers who completed 15 years of service after 1.1.1973 or 8 years of service on or after 30.11.1974 to come over to the scale of Rs. 330-550/- converted into

Rs. 1200-2040/- p.m. This will continue. However, senior scale/selection scale will be available only to Matriculate Trained Teachers. Other Non-Matriculate Trained/Non-Matriculate untrained Teachers will continue in their existing pay scales as the revised pay scales—entry scale, senior scale, and selection scale recommended by the National Commission on Teachers are exclusively meant for Trained Teachers with minimum qualification of Matriculation/H.S.L.C. The Department will also ensure clearing up the back-log of Training in the shortest possible time in the interest of public service in general and in pursuance of the observations of the National Commission at para 54—Chapter VI (Supply and Recruitment of Teachers) of the Summary of Recommendations.

8. As per Government of India's letter dated 12.8.87 there will be 3 categories of Teachers, each category with an entry grade, senior scale, and selection Scale as shown below except in the case of Vice Principals/Headmasters of Secondary Schools.

a) PRIMARY SCHOOL TEACHER

- i) Entry Scale — Rs. 1200-2040/-
- ii) Senior Scale — Rs. 1200-2600/-
(after 12 years)
- iii) Selection Scale Rs. 1640-2900/- (after 12 years in Senior Scale and attainment of qualifications laid down for Trained Graduate Teachers).

b) Trained Graduate Teacher/Headmaster of Primary School (In Mizoram, there is no Headmaster in Primary School.

- i) Entry Scale — Rs. 1400-2600/-
- ii) Senior Scale (After 12 years) — Rs. 1640-2900/-
- iii) Selection Scale — Rs. 2000-3500/-
(After 12 years in Senior Scale and attainment of qualifications laid down for post Graduate Teachers).

c) Post Graduate Teacher/Headmaster of Middle School.

- i) Entry Scale — Rs. 1640-2900/-
- ii) Senior Scale (after 12 years) — Rs. 2000-3500/-
- iii) Selection Scale — Rs. 2200-4000/-
(after 12 years in Senior Scale)

d) Vice Principal/Headmaster of Secondary School.

- Senior Scale — Rs. 2200-4000/-
(after 12 years)

9. The National Commission recommended pay scales for Trained Graduate Teachers/Headmaster of Primary School as shown at para 8 (b) above. Also as stated at para 6 above, the National Commission equated the Deputy Inspector

of Schools (Sub-Divisional Education Officer in Mizoram) with Post-Graduate Teachers. In that case, the pay scale of Sub-Divisional Education Officer which is now at Rs. 2000-3500/- will have to be brought down to Rs. 1640-2900/- and Circle Education Officer will remain at the same and existing scale of Rs. 1400-2600/- The scale of the Circle Education Officer will then be the same with that of Senior Scale of Primary School Teacher and trained Graduate Teacher of Middle and High Schools. Therefore, the recommendations of the Commission for these categories shall have to be adapted in a slightly modified form. The adjustments are inevitable in view of the hierarchy as was in Assam and for maintenance of status-quoante.

10. The order in the letter dated 12.8.1987 also envisaged grant of Teaching Allowance @ Rs. 100/-p.m. to Primary School Teachers, Headmasters of Primary Schools, Trained Graduate Teachers, Headmaster of Middle School and post-graduate Teachers and grant of special allowance of Rs. 150/-p.m. to Vice-Principals and Principals of Senior Secondary Schools and Headmasters of Secondary Schools.

11. The National Commission on Teacher in para 5.24 of Chapter V of Report included a recommendation as shown below :—

“We further recommended that where the implementations of these recommendations by a State Government entails financial implications which it is unable to meet from its own resources, the Central Government should come forward to make good the deficit for the first five years of the reform”.

12. The Government of India's letter dated 12.8.1987 ordering implementation of the recommendations of the revised pay scales stated in para 4 is quoted below :—

“The revised pay scales, Teaching allowance and special allowance will be applicable with effect from 1.1.1986. The arrears of pay for the period 1.1.1986 to 31.3.1986, which will accrue over and above the arrears of pay consequent upon the revision of pay scales on the recommendations of Fourth Pay Commission will have to be deposited in Provident Fund Account”.

13. In the case of others under the purview of the Pay Anomalies Committee, 1988, it was proposed that the changed pay scale would be applicable from 1.1.1986 without arrear but for granting increment benefit only. In the case of Teachers, para 4 of Government of India's letter dated 12.8.1987 laid down that arrear of pay for the period from 1.1.1986 to 31.3.1986 shall be deposited to Provident Fund Account. However, due to acute financial constraint, there will be no arrear even in the case of Teachers but notional increment benefit shall be allowed to them as the arrear was not included in the approximate requirement of fund of Rs. 2.6 crores worked out earlier.

14. Taking all the circumstances mentioned above into consideration, pay scales within the structure of pay scales recommended by the National Commission on Teachers as shown below are adopted with effect from 1.1.1986 without arrears but with notional increment benefit :

I. TEACHING POSTS

- (a) Primary School Teacher
- i) Entry Scale — Rs. 1200-30-1380-EB-30-1560-EB-40-1800-EB-40-2040/-
 - ii) Senior Scale — Rs. 1400-40-1600-50-1650-EB-50-1950-EB-50-2250-EB-50-2300-60-2600/-
(After 12 years)
 - iii) Selection Scale (After 12 years in senior Scale and attainment of qualifications laid down for Trained Graduate Teachers. — Rs. 1640-60-2000-EB-60-2360-EB-60-2600-75-2750-EB-75-2900/-

NOTE : Senior Scales and Selection shown above shall be available for Matric Trained Teachers only.

- (b) Trained Graduate Teachers/Headmasters of Primary School
(in Mizoram, there is no Headmaster in Primary School).

- i) Entry Scale — Rs. 1640-60-2000-EB-60-2360-EB-60-2600-75-2750-EB-75-2900/-
- ii) Senior Scale (after 12 years in the above scale and attainment of qualifications laid down in the Reports of National Commission for posts Graduate Teachers. — Rs. 2000-60-2300-75-2375-EB-65-2825-EB-75-3200-100-3300-EB-100-3500/-
- iii) Selection Scale (after 12 years in senior scale with posts Graduate degree. — Rs. 2200-75-2650-EB-75-2800-100-3200-EB-100-3800-EB-100-4000/-

- (c) Post-Graduate Teacher/Headmaster, Middle Schools.

- i) Entry Scale — Rs. 1640-60-2000-EB-60-2360-EB-60-2600-75-2750-EB-75-2900/-
- ii) Senior Scale (After 12 years) — Rs. 2000-60-2300-75-2375-EB-75-2825-EB-75-3200-100-3300-EB-100-3500/-
- iii) Selection Scale (After 12 years in Senior Scale). — Rs. 2200-75-2650-EB-75-2800-100-3200-EB-100-3800-EB-100-4000/-

(d) Vice-Principal/Headmaster of
Secondary School

- i) Entry Scale : Rs. 2000-60-2300-75-2375-EB-75-2825-EB-75-3200-100-3300-EB-100-3500/-
- ii) Senior Scale (After 12 years) : Rs. 2200-75-2650-EB-75-2800-100-3200-EB-100-3800-EB-100-4000/-

II. OTHERS

- i) Sub-Divisional Edn. Officer : Rs. 2200-75-2650-EB-75-2890-100-3200-EB-100-3800-EB-100-4000/-
- ii) Circle Education Officer/Asstt. Hindi Propagation Officer/ Circle Adult Education Officer. : Rs. 2000-63-2300-75-2375-EB-75-2825-EB-75-3200-100-3300-EB-100-3500/-
- iii) S.C.E.R.T.
- (a) Deputy Director ; Rs. 3000-100-3500-125-4500/-
- (b) Professor : Rs. 3000-100-3500-125-4500/-
- (c) Asstt. Programme Officer/Asstt. Project Co-Ordinator. : Rs. 2200-75-2800-100-4000/-
- (d) Sound Recordist Graphic Artist : Rs. 2000-60-2300-EB-75-3200-100-3500/-

H. Lal Thlamuana,
Chairman

T. Gupta,
Member

L.C. Thanga,
Member

T. Chhangte,
Member

L.C. Lura,
Member

Lalbiakthanga,
Member Secretary

No.G.12011/3/87-F.Est, the 20th January, 1989. The Pay Scales for the post of L.D.C. appearing at page 18 of Schedule 'A' and at page 8 of Schedule 'B' to the Government Notification of even No. dated 19.1.1989 as "Rs. 1200-1800/-" and "Rs. 1200-30-1440-EB-30-1800/-" should be read as "Rs. 1200-30-1560-EB-40-2040/".

T. Chhange,
Deputy Secretary to the Govt. of Mizoram,
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