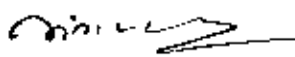


Chapter – III (xxvii)
Law Department

1. **Service /Cadre:-** ---
Posts:- Legal Assistant, Head Legal Assistant, Assistant Legal Remembrancer, Deputy Legal Remembrancer, Joint Legal Remembrancer
2. **Representation from:-** Rajasthan Vidhi Seva Parishad
3. **Demand:-** They have represented that :
- (i) Vide order no. F16 (16) FD/Rules/98 dated 19.9.98 Government has revised pay scales of Vidhi Rachna State and Subordinate Services, and granted them higher pay scales. Pay scales of Legal Service were not revised. The duties of a Vidhi Rachna Service employee include translation. They enjoy higher pay scales compared to Legal Service. This difference in pay scales is not justified. Legal Service holders own more responsibility and perform harder duties.
- (ii) Government did not grant parity in pay scale with Central Government while adopting 5th Pay Commission pay scales.
- (iii) Pay Scale and grade pay should be given at par with the Central Government.
- (iv) In Writ Petition No.3452/2006, dated 12.9.2006, Hon'ble High Court had directed that the recommendations of Yatindra Singh Committee and representation of this service may be decided within three months.
- (v) Cabinet also deferred a decision on the pay scales in view of the recommendations of VI CPC to be received soon. As State Government has not complied Hon'ble Court decision, they have filed a contempt writ before the Court.
- (vi) They have given list of work performed by them.
- (vii) They have demanded following pay bands and grade pays:-

Post	Existing PB + Grade Pay	Pay Band + Grade pay demanded
Legal Assistant	PB-2 3200	PB-2 4600
Head Legal Assistant	PB-2 4200	PB-2 4800
Assistant Legal Remembrancer	PB-3 6000	PB-3 6600
Deputy Legal Remembrancer	PB-3 7200	PB-3 7600
Joint Legal Remembrancer	PB-3 8200	PB-4 8700


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(viii) No of affected persons are:

1. Legal Assistant	127
2. Head Legal Assistant	81
3. Assistant Legal Remembrancer	60
4. Deputy Legal Remembrancer	34
5. Joint Legal Remembrancer	8

4. **Factual Position and views of the Committee :-**

I - Factual Position

(i) Pay scales of posts in these services in RCS (Revised Pay) Rules 1998 and in RCS (Revised Pay) Rule 2008 are as follows :

(Law Department)

Post	RCS (Revised Pay) Rules 1998 Pay Scale	RCS (Revised Pay) Rules 2008	
		Running Pay Band	Grade Pay
Legal Assistant	5000-8000	9300-34800 (PB-2)	3200
Head Legal Assistant	6500-10500	9300-34800 (PB-2)	4200
Assistant Legal Remembrancer	9000-14400	15600-39100 (PB-3)	6000
Deputy Legal Remembrancer	11300-16200	15600-39100 (PB-3)	7200
Joint Legal Remembrancer	13500-17500	15600-39100 (PB-3)	8200

(Prosecution Department.)

Assistant Public Prosecutor Grade II	5500-9000	9300-34800 (PB-2)	3600
Assistant Public Prosecutor Grade I	6500-10500	9300-34800 (PB-2)	4200
Assistant Director	9000-14400	15600-39100 (PB-3)	6000
Deputy Director	10650-15850	15600-39100 (PB-3)	6800

(Vidhi Rachana)

Vidhi Rachnakar	5500-9000	9300-34800 (PB-2)	3600
Varishtha Vidhi Rachnakar	6500-10500	9300-34800 (PB-2)	4200
Vidhi Rachnakar Adhikari	10000-15200	15600-39100 (PB-3)	6600
Deputy Secretary Vidhi Rachna Sangthan	12000-16500	15600-39100 (PB-3)	7600

Pay Scales in Central Government :-

Post	CCS(Revised Pay) Rules 1997 Pay Scale (5 th Pay Commission)	CCS(Revised Pay) Rules 2008 (VIth Pay Commission)	
		Pay Band	Grade Pay
Litigation Assistant	5000-8000	9300-34800 (PB-2)	4200
Assistant Legal	6500-10500 (upgraded 7450-11500)	9300-34800 (PB-2)	4600
Superintendent Legal	7500-12000	9300-34800 (PB-2)	4800
Assistant Legal Advisor	10000-15200	15600-39100 (PB-3)	6600

(Signature)
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Post	CCS(Revised Pay) Rules 1997 Pay Scale (5 th Pay Commission)	CCS(Revised Pay) Rules 2008 (Vith Pay Commission)	
		Pay Band	Grade Pay
Deputy Legal Advisor	12000-16500	15600-39100 (PB-3)	7600
Additional Legal Advisor	14300-18300	15600-39100 (PB-3)	8700
Joint Secretary and Legal Advisor	18400-22400	15600-39100 (PB-3)	10000

(ii) Comparative Statement of method of appointment and Qualification in Prosecution, Legal and Vidhi Rachna Services are as follows:

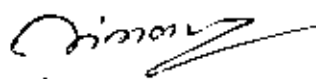
(Source- 5th & 6th Central pay commission Report)

	Prosecution Service	Legal Service	Vidhi Rachnakar Service
Entry Level Post and	Assistant Public Prosecutor II	Legal Assistant	Vidhi Rachnakar
Mode of Recruitment	100% Direct recruitment	100% Direct recruitment	100% Direct recruitment
Qualification for entry Level Post	1. Degree in Law (Two years Course under the old Scheme or three years Course under the New Scheme) or Degree in Law (Professional) and 2. Two years' experience at the Bar or if worked as Prosecuting Sub- Inspector. experience for 2 years as such.	Law Graduate OR Its equivalent with three years course of Proficiency degree.	Law Graduate and Bachelor Degree with General Hindi and English.

Promotional Channel	(i) Assistant Public Prosecutor I, 100% by promotion from Assistant Public Prosecutor Grade II having 5 years experience.	(ii) Head Legal Assistant, 100% by promotion from Legal Assistant with 5 years experience.	(i) Varishtha Vidhi Rachanakar, 100% by promotion from Vidhi Rachankar with 5 years experience.
	(ii) Assistant Director 100% by promotion from Assistant Public Prosecutor Grade I having 5 years experience.	(ii) Assistant Legal Remembrancer 100% by promotion from HLA with 5 years experience.	(ii) Vidhi Rachnakar Adhikari 100% by promotion from Varishtha Vidhi Rachanakar with 5 years experience.
	(iii) Deputy Director 100% by promotion from Assistant Director having 4 years experience.	(iii) Deputy Legal Remembrancer 100% by promotion from ALR with 5 years experience.	(iii) Deputy Secretary Vidhi Rachana Sangthan 100% by promotion from Vidhi Rachnakar Adhikari with 5 years experience.
		(iv) Joint Legal Remembrancer 100% by promotion from DLR with 5 years experience.	

(iii) Back ground of Vidhi Rachnakar:

Vidhi Rachna Service was established in 1981 based on the recommendation of Singhvi Committee. Main duties and responsibilities of Vidhi Rachnakar is translation from English to Hindi and vice-versa of Press communiqués, Press Article, Government Resolution, Legislation, Rules and instructions and to explain common expression, cliches, etc. in use in such compositions.



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II – Views of the Committee

(iv) The demand of the Vidhi Sewa Officers for parity in scale with the comparable posts in Vidhi Rachana Service has been considered by the Committee. Vidhi Rachana Service has been encadred in Secretariat service. Like Secretariat service it is a closed cadre. Secretariat, Raj Bhawan, High Court and RPSC enjoy special status and the employees serving in these organizations are also granted special pay and higher pay scales. The pay scales in these organizations have been determined keeping in view the special nature of duties. Therefore the pay scales of the Law service cannot be compared with analogous posts in Vidhi Rachana Service.

(v) The promotional avenues in Legal Services are more than Vidhi Rachana Service or the Prosecution Service on account of levels in these services. Of these, the qualifications for entry into Prosecution Services is higher. Therefore comparison of their services with a closed cadre service like Vidhi Rachnakar or Prosecution Service which has a higher entry level qualification, is not fair. In view of the above facts there is no case for revision of the pay scales of Legal Service Officers.



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