

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Civil Writ Petition No. 403/2021

Veterinarian Association, Rajasthan, (Affiliated With Indian Veterinary Association), Registered Office Animal Husbandry Directorate Campus, Pashudhan Bhawan, Tonk Road, Jaipur, Through Its Divisional Vice President Jodhpur Range Dr. Mahendra Singh Rathore S/o Shri Om Prakash Ji Rathore, Aged 56 Years, Hall Senior Veterinary Officer, Govt. Veterinary Polyclinic, Ratanada, Jodhpur.

----Petitioner

Versus

1. The State Of Rajasthan, Through Principal Secretary To The Government, Department Of Finance (Rules Division), Government Of Rajasthan, Jaipur.
2. The Principal Secretary, Department Of Animal Husbandry, Government Of Rajasthan, Secretariat, Jaipur 302004.
3. The Director Animal Husbandry, Department Of Animal Husbandry, Pashudhan Bhawan, Tonk Road, Jaipur, Rajasthan.
4. The Additional Director, Department Of Animal Husbandry, Jodhpur, Rajasthan.
5. The Secretary, Ministry Of Animal Husbandry, Dairying And Fisheries, Government Of India, New Delhi 110001.

----Respondents

For Petitioner(s)	:	Mr. S.P. Sharma Mr. Dalpat Singh Mr. Abhimanyu Khatri
For Respondent(s)	:	Mr. Mahaveer Bishnoi, AAG with Mr. Harshvardhan Singh Mr. S.S. Ladreacha, AAG with Mr. Ravindra Jala Mr. Ashwini Sharma for respondent No.5

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA

Order

23/03/2026

1. Heard learned counsel for the parties.
2. The present writ petition has been filed by the registered Association of the Doctors, who are holding different cadre posts in the Department of Animal Husbandry in the State of Rajasthan and are affiliated with the Indian Veterinary Association. The Association is espousing the cause in the present writ petition on behalf of the Veterinary Officers/Doctors working in the State of Rajasthan.
3. The present writ petition has been filed with the following prayers:-

“a) By an appropriate writ order or direction, in the nature thereof, the impugned Vires of the Rajasthan Civil Services (Revised Pay Scale) Rules 2008 and so also of the Rajasthan Civil Services (Revised Pay Scale) Rules 2017 to the Schedules attached thereof, containing Pay Scale and Grade-Pay of Veterinary doctors, (Annexure-1 & 2) framed by the respondent Government of Rajasthan, wherein containing discriminatory provisions, prescribing lower Pay Scales and different Grade-Pay Level for Veterinary doctors in the Department of Animal Husbandry, may kindly be declared Ultra-Vires the Article 14 and 16 and 39(d) of the Constitution of India, and same may kindly be struck down, with direction to the respondent Government of Rajasthan, to provide same Pay Scales with same Grade Pay, at par with Medical Officers, General Duties and dental officers in the Department of Medical and Health, in terms of recommendations so made by the 5th, 6th and 7th Pay Commission, with further direction to pay all

consequential arrear benefits, in consequence to fixation of proper pay scales and grade pay.

b) By an appropriate writ order or direction, in the nature thereof, the respondent State Government and its agencies, like Department of Personnel and Department of Finance (Rules Division), may kindly be directed to frame appropriate Pay Scale schedules in the Rules of Revised Pay Scale Rules of 2008 and 2017 and to accordingly provide same pay scales and Grade Pay/Pay Levels at par with Medical Officers/Dental Officers, in the department of Medical and Health and to pay the consequential benefits from ante-date, in terms of recommendations of 6th and 7th Pay Commission, to members of Petitioner association.

(c) By an appropriate writ order or direction, in the nature thereof, the respondent State Government, Department of Finance and department of Personnel, may kindly be directed to grant Non- Practicing Allowances (NPA) to Veterinary Doctors, at same rate, as has been granted to Medical Officers, General Duties, from the same date, when it was first time recommended by the 5th or 6th Central Pay Commission, with further direction to pay the arrears thereof with 12% p.a. interest for delayed payment.

(d) By an appropriate writ order or direction, in the nature thereof, the respondent State Government and its agencies, may kindly be directed to make suitable and appropriate amendment in the Rajasthan Civil Services (Revised Pay Scale) Rules of 2017, to accordingly provide benefit of grant of two advance increment, for possessing Post Graduate Degree in Veterinary Science, as has been provided to Medical Doctors, in the Department of medical and Health Services in Rajasthan Government, with all consequential service benefits.

(e) By an appropriate writ order or direction, in the nature thereof, the respondent State Government, its agencies, may kindly be directed to provide adequate promotional avenues and equal status at par with Medical Officers General Duties, in the department of Medical Health Services or to make same scheme of Time Bound

Promotion with same Grade-Pay and Pay Scales/Pay Levels, in the same way, as has been done for General Duty Medical Officers and Dental Officers, so as to maintain parity in two services.”

4. The present writ petition has been filed seeking number of reliefs mentioned above. However, learned counsel for the petitioner has limited his prayer only to a direction to the State Government to consider the payment of Non-Practicing Allowance (hereinafter referred to as 'NPA') to the veterinary doctors/officers, who are working in the State of Rajasthan. He further submits that the Members of the Association are tirelessly working for the welfare of the livestock and wild animals in the State of Rajasthan and are discharging their duties efficiently and faithfully. He further submits that the Veterinary Doctors/Officers discharging their duties in the State of Rajasthan are entitled to the payment of NPA on the ground that other similarly situated Members/Officers discharging the same nature of duties in several other States are being paid the same. Learned counsel for the petitioner has submitted a list of those States, which are paying the NPA. He further submits that even the Government of India vide its order/letter dated 03.06.2016, has issued the directions to all the State functionaries for taking the necessary action in the best interest of veterinary services. It was observed in the order/letter dated 03.06.2016 that a number of States like Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Manipur, Mizoram, Nagaland, Punjab, Uttarakhand, West Bengal and various Union Territories of India have implemented the payment of NPA with reference to the veterinary post, therefore, on the similar lines, other States were directed to pay NPA. He further submits that the

State of Rajasthan, despite having considered the matter, has not granted the same benefit. He further submits that even in the Seventh Pay Commission report, the suggestion/recommendations have been made for payment of NPA to the veterinary doctors. Learned counsel for the petitioner, therefore, prays that the respondents may be directed to consider the grant of NPA to the Veterinary Officers/Doctors working in the State of Rajasthan.

5. Per contra, learned counsel for the respondents vehemently opposed the submissions made by the learned counsel for the petitioner and submit that the Government of Rajasthan has considered the prayer of the petitioner and after thorough discussion on the point has rejected the same. They further submit that only few States namely Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Manipur, Mizoram, Nagaland, Punjab, Uttarakhand, West Bengal are paying the NPA to the Veterinary Doctors/Officers and, therefore, it cannot be said that all the States in the Union Territory of the country are paying NPA to the Veterinary Doctors/Officers. Learned counsel for the respondents further submit that since it is a policy decision and each State has to look after the financial conditions and other parameters before extending any benefits to the employees serving in their States, therefore, it is not mandatory that State of Rajasthan too pay NPA to the veterinary doctors. However, at this stage, learned counsel very graciously submit that the respondent-State will re-consider their cases in line with other States where the NPA is being paid to the similarly situated employees.

6. We have considered the submissions made at the Bar and have gone through the relevant record of the case.

7. The undisputed facts in the present writ petition are that the Members of the petitioner-Association are performing various duties on the post of Veterinary Officers/Doctors in the State of Rajasthan and the Union of India vide its order/letter dated 03.06.2016 has directed to all the States including the State of Rajasthan for considering the payment of NPA to the Veterinary Doctors/Officers working in respective States.

8. It is also noted that some of the States namely Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Manipur, Mizoram, Nagaland, Punjab, Uttarakhand, West Bengal and other Union Territories of India have implemented the payment of NPA as per the Office Memorandum issued by the Government to the Veterinary Doctors/Officers.

9. Since, the Seventh Pay Commission has also recommended for payment of NPA to the Veterinary Doctors/Officers, therefore, we feel persuaded to direct the State Government to re-consider the case of the petitioner-Association for extending the benefit of NPA to its Members keeping in mind the fact that they are discharging the same nature of duties vis-a-vis the other similarly situated persons working in the State of Delhi, Goa, Gujarat, Haryana, Himachal Pradesh and other States of the country and Union Territories.

10. The State is expected to consider the entire issue keeping in mind the spirit of the order/letter dated 03.06.2016 issued by the Union of India. The entire exercise shall be undertaken by the State of Rajasthan within a period of 12 weeks from the date of receipt of the certified copy of this order.

11. It is made clear that if the State Government decides that Members of the petitioner-Association are not entitled for grant of NPA, they shall pass a detailed and speaking order.

12. The petitioner will be free to move an appropriate representation to the respondent-State for redressal of rest of grievances raised in the writ petition.

13 The present writ petition is, hereby, disposed of.

(CHANDRA SHEKHAR SHARMA),J

(VINIT KUMAR MATHUR),J

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