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ABSTRACT

FUNDAMENTAL RULES – Appointment from ordinary grade to Selection Grade posts – Junior drawing more pay than senior – Rectification of pay anomaly – Orders – Issued.

Personnel and Administrative Reforms(FR.IV) Department**G.O.(Ms.)No.25****Dated 23.03.2015****ஜய, பங்குனி-9
திருவள்ளூர் ஆண்டு 2046****Read:**

- 1) G.O.(Ms.)No.1050, Finance Department, dated 05.10.1978
- 2) G.O.(Ms.)No.214, Personnel and Administrative Reforms Department, dated 01.03.1979.
- 3) G.O.(Ms.)No.458, Personnel and Administrative Reforms Department, dated 15.04.1980.
- 4) G.O.(Ms.) No.151, Personnel and Administrative Reforms Department, dated 20.02.1982.
- 5) Government Letter No.77470/FR-I/97, Personnel and Administrative Reforms Department, dated 24.07.98.
- 6) G.O.(Ms.)No.234, Finance Department, dated 01.06.2009.
- 7) G.O.(Ms.)No.237, Finance Department, dated 22.07.2013.

ORDER:

Instances have been brought to the notice of the Government that the pay anomaly due to Junior drawing more pay than the senior in cases where the senior got promotion before moving to Selection Grade / Special Grade of the lower post and the junior got promotion after moving to Selection Grade / Special Grade in the revised scales of pay as a result of introduction of Tamil Nadu Revised Scales of Pay Rules, 2009. The question of rectifying the anomaly in such cases was carefully examined by the Government.

2. Such anomalies were earlier rectified in the Government order fourth and Government letter fifth read above due to the fact that there was no Selection Grade / Special Grade in the lower post held by the senior at the time of promotion

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to higher posts and there by happens to draw less pay than their juniors, who are appointed / promoted to the higher posts after stepping-up into the Selection Grade/ Special Grade. The system of automatic movement to Selection Grade on completion of 10 years service in the ordinary grade has been introduced to many categories of posts based on the recommendation of the third pay commission and the question of no Selection Grade / Special Grade in the lower posts at the time of promotion / appointment of senior does not arise. Hence, it is considered that the orders issued in the Government order fourth and Government letter fifth read above are not applicable now.

3. After the introduction of Tamil Nadu Revised Scale of Pay Rules, 2009 based on the recommendations of the sixth central pay commission, as per the orders issued in G.O.(Ms.)No.234, Finance (PC) Department, dated 01.06.2009, the pay of such employees who have moved to Selection Grade / Special Grade as on or after 01.01.2006 shall be fixed on the date of award of Selection grade / Special Grade by granting the benefit of one increment equal to three percent of basic pay including Grade pay in the same pay band and Grade Pay. Further orders were issued in G.O.(Ms.)No.237, Finance (PC) Department, dated 22.07.2013 granting one additional increment benefit (over and above the existing one increment benefit) equivalent to 3% of Basic Pay (Pay+GP) to employees on the award of Selection Grade / Special Grade with effect from 01.01.2006.

4. The pay anomaly of junior getting more pay than Senior also arises after the implementation of the Tamil Nadu Revised Scales of Pay Rules, 2009, in certain cases, where the junior got promotion / after moving to Selection Grade / Special Grade and the senior got promotion before moving to Selection Grade / Special Grade i.e before completion of 10 years/20 years of service in the lower post. Hence, the Government have examined the pay anomalies of such cases after the introduction of Tamil Nadu Revised scale of pay rules, 2009.

5. The Government direct that in cases where Government servants who have been appointed / promoted to higher posts without moving to Selection Grade / Special Grade in the lower post and there by happen to draw less pay than their junior who are appointed / promoted to the higher posts after moving to the Selection Grade / Special Grade of the lower post, in the revised scales of pay, the pay of such seniors should be fixed in the higher post equal to the pay of the Junior in the higher post with effect from the date of drawal of higher pay by

The junior in the higher post subject to fulfilment of the following conditions:

- i. Both the junior and senior officers should belong to the same cadre and the post in which they have been promoted or appointed should be identical and in the same cadre.
- ii. The scales of pay of the lower and higher posts in which they are entitled to draw pay should be identical.

- iii. The pay anomaly should be arising directly as a result of fixation of pay in the promotional post after fixation of pay in the Selection Grade / Special Grade of the lower post. For example, if even in the lower post the junior officer draws from time to time, a higher rate of pay than the senior by virtue of grant of advance increment, the provisions contained in this order should not be invoked to step up the pay of the senior officer; and
- iv. The orders refixing the pay of the senior officers in accordance with the provisions of this order should be issued under Fundamental Rule 27. The next increment of the senior officer will be drawn on completion of the requisite qualifying service with effect from the date of re-fixation of the pay.

6. This order shall take effect from 01.01.2006.

7. This order issues with the concurrence of the Finance Department vide its U.O.No.7078/PC/2014, dated 06.03.2015.

(BY ORDER OF THE GOVERNOR)

**ANITA PRAVEEN
PRINCIPAL SECRETARY TO GOVERNMENT**

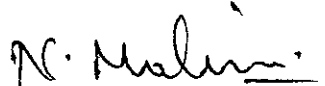
To

- All Secretaries to Government, Chennai – 9.
- All Head of Departments including District Collectors & District Judges
- The Secretary, Tamil Nadu Public Service Commission, Chennai – 1.
- The Registrar, High Court, Chennai – 104.
- The Registrar, Tamil Nadu Administrative Tribunal, Chennai – 104.
- The Accountant General (I/II), Chennai – 18.
- The Accountant General, Chennai – 9/35.
- The Director of Treasuries and Accounts, Chennai – 6.
- The Pay & Accounts Officer, Chennai – 9.
- The Pay & Accounts Office (North / East / South), Chennai.

Copy to:

- All Sections in Personnel and Administrative Reforms Department, Chennai-9.
 - The Finance (PC) Department, Chennai-9.
 - The Finance (CMPC) Department, Chennai-9.
 - The Private Secretary to the Principal Secretary to Government,
Personnel and Administrative Reforms Department, Chennai-9.
 - The Private Secretary to the Principal Secretary to Government,
Personnel and Administrative Reforms (Training) Department, Chennai-9.
 - The Personnel and Administrative Reforms (AR.II) Department, Chennai-9.
- S.F./S.C.

// FORWARDED BY ORDER//


SECTION OFFICER
K&L
23/15

DIRECTORATE OF TECHNICAL EDUCATION
CHENNAI-25

Endorsement No.13252/D6/2015,Dated.2.6.2015

Sub: Fundamental Rules – Appointment from
ordinary grade to Selection Grade posts –
Junior drawing more pay than senior –
Rectification of pay anomaly – Orders – Issued

Ref: G.O.(Ms.)No.25 / Personnel and Administrative
Reforms (FR-IV) Department / Dated 23.3.2015

Copy communicated.

Sd./- N.Rajalakshmi
Assistant director (Admin.)

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The Principals of
All Govt. / Govt. Aided
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Polytechnic Colleges/
Special Institutions

Copy to:

1. The Chief Engineer, Technical Education Circle, Chennai-25
2. The Executive Engineers, Technical Education Divisions
3. All unit Officers, DOTE
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//forwarded by order//

B.LJ
4/6/15

V. Valarmala
4/6/15
Superintendent