



ABSTRACT

W.P.(MD)Nos.2654, 2924, 2663 of 2018 and W.P.(MD).Nos.15980, 17197 of 2014 filed by Thiru.L.Natarajan and other Vocational Instructors of School Education Department – Complying orders of Hon'ble Madurai Bench of Madras High Court – Applicability of revised Selection Grade scale of pay – Orders – Issued.

Finance (CMPC) Department

G.O.Ms.No.306

**Dated:12-09-2018,
Vilambi, Aavani-27,
Thiruvalluvar Aandu, 2049.**

Read:

1. G.O.Ms.No.234, Finance(PC)Department, dated:01.06.2009.
2. Government Letter No.63305 / PC / 2010-1, Finance Department, dated:08-11-2010.
3. G.O.Ms.No.23, Finance (PC) Department, dated:12-01-2011.
4. Government Letter No.14483 / CMPC / 2011-1, Finance Department, dated:05.01.2012.
5. G.O.Ms.No.237, Finance(PC)Department, dated:22.07.2013.
6. G.O.Ms.No.263, Finance (PC) Department, dated:22-07-2013.
7. Government Letter No.66858 / CMPC / 2013-2, Finance Department, dated:22.08.2014.
8. Orders of the Hon'ble Madurai Bench of Madras High Court in W.P.(MD).Nos.2654, 2924 and 2663 of 2018 and W.P.(MD).Nos.15980 & 17197 of 2014 dated:19.03.2018.

ORDER:

In the Government Order first read above, orders were issued to revise the scale of pay of State Government Employees / Teachers corresponding to the pre-revised pay scales notionally with effect from 01.01.2006 with monetary benefit from 01.01.2007 based on the recommendations of the Official Committee 2009. The employees on award of Selection Grade / Special Grade on completion of 10/20 years of service in the revised scales of pay were granted the benefit of one increment equal to 3% of basic pay including grade pay in the same Pay Band and Grade Pay.

2. Subsequently in the Government letter second read above, orders were issued to the effect that even in case of employees awarded Selection Grade / Special Grade between 01.01.2006 and 31.05.2009 i.e. prior to the orders issued in

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the Government Order first read above, they were also permitted to exercise their option to come over to the revised scales of pay on the date of their award of Selection Grade / Special Grade by foregoing the arrears entitled to them with effect from 01.01.2007, so that they were also allowed the same benefit as that of the employees who were awarded Selection Grade / Special Grade prior to 01.01.2006. In the said Government Letter, it was also ordered that the Selection Grade / Special Grade scales of pay annexed to the letter is applicable to all employees who were awarded Selection Grade / Special Grade prior to 01.01.2006 and also employees awarded Selection Grade / Special Grade between 01.01.2006 and 31.05.2009 and opting to come over to the revised scales on the date of award of Selection Grade / Special Grade. Further these Selection Grade / Special Grade scales of pay is also applicable to cases whose ordinary scales of pay have been revised based on the recommendation of One Man Commission / further orders of Government subject to the condition that if the revised Selection Grade / Special Grade scales of pay indicated in Annexure-I happens to be higher than the first level/ second level promotion posts, then in such cases, the revised Selection Grade / Special Grade should be restricted to the level of their first level and second level promotional posts respectively.

3. In the Government Order third read above, the scale of pay of BT Assistants were revised from Rs.9300-34800 + G.P. 4400 to Rs.9300-34800 + G.P. 4600 notionally with effect from 01.01.2006 with monetary benefit from 01.01.2011. As per adhoc rules, the first and second level promotion for the post of BT Assistants is Headmaster High School (Rs.9300-34800 + G.P. 4600) and Headmaster of Higher Secondary School / District Educational Officer (Rs.15600-39100 + G.P. 5700). Considering the above first level and second level promotional posts of BT Assistants, the applicable revised Selection Grade / Special Grade scale of pay of BT Assistants was indicated in the Government Letter fourth read above as follows:

BT Assistant

1. Ordinary Grade – Rs.9300-34800 + G.P. Rs.4600
2. Selection Grade – Rs.9300-34800 + G.P. Rs.4800
3. Special Grade – Rs.15600-39100 + G.P. Rs.5700

4. In the Government Order fifth read above, based on the Pay Grievance Redressal Cell an additional increment benefit (over and above the existing one increment benefit) equivalent to 3% + 3% of basic pay (Pay + Grade pay) granted to the employees on award of Selection Grade / Special Grade in the revised scales of pay implemented with effect from 01—01—2006.

5. In the Government Order sixth read above, the scale of pay of Vocational Instructors were revised from Rs.9300-34800 + G.P. 4400 to Rs.9300-34800 + G.P. 4600 notionally with effect from 01.01.2006 with monetary benefit from 01.04.2013 based on the Pay Grievance Redressal Cell recommendations. As Vocational Instructors are considered to be equivalent with BT Assistants, the Selection Grade pay was also regulated in the scale of pay of Rs.9300-34800 + G.P. 4800 and the same clarified vide letter seventh read above.

6. In the judgment order eighth read above, orders were passed by the Hon'ble Madurai Bench of Madras High Court dated:19.03.2018 to allow the Selection Grade scale of pay of Vocational Instructors at Rs.15600-39100 + G.P. Rs.5400 notionally with effect from 01.01.2006 with monetary benefit from 01.04.2013.

7. As there are no promotional avenues for the post of Vocational Instructors, it would not be appropriate to restrict their Selection Grade / Special Grade scales of pay as that of BT Assistant who are having promotional prospects of elevating to the post of Head Master High School / Head Master Higher Secondary School / District Educational Officer. In the light of the above facts, the Government has decided to implement the orders of the Madurai Bench of Madras High Court dated:19.03.2018 in W.P.(MD).Nos.2654, 2924 & 2663 of 2018 and 15980 & 17197 of 2014. Accordingly, the Government direct that the Selection Grade Scale of Pay of Vocational Instructors who were awarded Selection Grade prior to 01.01.2006 and in the case of employees who have exercised their option to come over to the revised scales of pay on the date of their award of Selection Grade between 01.01.2006 and 31.05.2009 shall be refixed in the scale of pay at Rs.15600-39100 + G.P.5400 notionally with effect from 01.01.2006 or the date of award of Selection Grade in the post of Vocational Instructor with monetary benefits from 01.04.2013.

8. The above orders shall be applicable to all the Vocational Instructors who were awarded Selection Grade prior to 01.01.2006 and those awarded Selection Grade between 01.01.2006 and 31.05.2009 and opted for the revised scales of pay on that date irrespective of the fact as to whether they filed separate Writ Petitions or not.

9. The arrears of pay and allowances shall be drawn and paid to the individuals with effect from 01-04-2013 as per the orders in force.

(BY ORDER OF THE GOVERNOR)

**K. SHANMUGAM,
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT**

To

The Principal Secretary to Government, School Education Department,
Secretariat, Chennai-9.

The Director, School Education Department, Chennai-6.

The Accountant General (A&E) Chennai-18.

The Accountant General (CAB), Chennai-9/Madurai.

The Director of Treasuries and Accounts, Chennai-35.

The Pay and Accounts Officer, Secretariat, Chennai-9.

The Pay and Accounts Officer, (North/South/East), Chennai-1 /35 / 5.

The Pay and Accounts Officer, Madurai-625 001.

All Treasury Officer/Sub-Treasury Officers.

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Copy to:

The Deputy Secretary to Hon'ble Deputy Chief Minister, Chennai-9.

The Senior Personal Assistant to the Hon'ble Minister, School Education, Chennai-9.

The Private Secretary to Chief Secretary to Government, Chennai-9.

The Senior Private Secretary to Additional Chief Secretary to Government,
Finance Department, Chennai-9.

The Finance (Edn-II) Department, Chennai-9.

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// Forwarded / By Order//

 12/19/18
SECTION OFFICER.
08/02/1