



ABSTRACT

Pay Grievance Redressal Committee 2019- Sanction of Personal Pay instead of Special Allowance to Block Development Officers in **Rural Development Department** – Implementation of the recommendations of the Pay Grievance Redressal Committee – Orders - Issued.

Finance (Pay Cell) Department

G.O.Ms.No. 417

**Dated: 12-11-2020,
Sarvari, Aippasi - 27,
Thiruvalluvar Aandu, 2051.**

Read:

1. G.O.Ms.No.234, Finance (Pay Cell) Department, dated: 01.06.2009.
2. G.O.Ms.No.45, Finance (Pay Cell) Department, dated: 10.02.2011.
3. G.O.Ms.No.71, Finance (Pay Cell) Department, dated: 26.02.2011.
4. Orders of the Hon'ble High Court in WP.No.7006 of 2011 dated 08.03.2012.
5. Order of the Hon'ble High Court in WA Nos.504, 505, etc., of 2012 and batch cases dated 27.03.2012.
6. G.O.Ms.No.123, Finance (Pay Cell) Department, dated: 10.04.2012.
7. G.O.Ms.No.242, Finance (Pay Cell) Department, dated: 22.07.2013.
8. Orders of the Hon'ble High Court in WA.Nos.504, 505 etc., of 2012 and 2335 and 2336 of 2013 dated 27.02.2014.
9. G.O.Ms.No.303, Finance (Pay Cell) Department, dated: 11.10.2017.
10. G.O.Ms.No.313, Finance (Pay Cell) Department, dated: 25.10.2017.
11. Orders of the Hon'ble Supreme Court of India dated: 28.11.2019 in Civil Appeal No.10029 of 2017 and batch cases.
12. G.O.Ms.No.381, Finance (Pay Cell) Department, dated: 04.12.2019.

&&&&&

ORDER:

Orders were issued in the reference first read above revising the scales of pay and allowances of State Government employees and Teachers implementing the recommendations of Official Committee 2009 based on the recommendations of the Sixth Central Pay Commission on "Pay Scale to Pay Scale basis", notionally with effect from 01.01.2006 with monetary benefit from 01.01.2007.

2. Accordingly, Block Development Officers in Rural Development Department were initially granted the pay scale of Rs.9300-34800+ G.P.Rs.4600 as against the pre-revised pay scale of Rs.6500-200-10500, notionally with effect from 01.01.2006 and monetary benefit from 01.01.2007. Subsequently, the pre-revised pay scale of the Block Development Officer was enhanced to Rs.7500-12000 with corresponding revised scale of pay of Rs.9300-34800+G.P.Rs.4900 with effect from 12.12.2007.

3. In the Government Order second read above, the Block Development Officers were granted a Personal Pay of Rs.1000/-per month considering their arduous nature of duties and responsibilities attached to the post with effect from 01.02.2011.

4. In the Government Order third read above among others, the pay scale of Block Development Officer was revised from Rs.9300-34800+ GP 4900 + Personal Pay of Rs.1000/- p.m to Rs.15600-39100+GP 5100 notionally with effect from 12.12.2007 with monetary benefit from 01.03.2011.

5. In the Government order third read above Government interalia ordered to constitute a Pay Grievance Redressal Cell 2012 to hear the grievances of the petitioners whose scale of pay has been revised downward.

6. Aggrieved by the orders downgrading the pay scales of certain categories in the Government Order third read above, several individual employees Associations filed a number of Writ Petitions in the Hon'ble High Court to quash the Government orders issued in the reference fourth read above. In the reference fourth read above, the Writ Petitions filed by employees Associations were dismissed by the Hon'ble High Court. In the reference fifth read above, the Division Bench, without going into the merits of the case has granted "Interim Stay" on the implementation of the Government Order third read above and orders of the Learned Single Judge fourth read above except for para-32 relating to the Constitution of Pay Grievance Redressal Cell.

7. Accordingly, in the Government Order sixth read above, Pay Grievance Redressal Cell was revived and reconstituted to review the recommendations of the One Man Commission, 2010 and the orders issued for revision of scales of pay in G.O.Ms.No.71, Finance (Pay Cell) Department, dated 26.02.2011 for 52 categories belonging to 20 Departments.

8. The Pay Grievance Redressal Cell, 2012 among others, examined the pay scales of Block Development Officers in Rural Development Department ordered in G.O.Ms.No.71, Finance (Pay Cell) Department, dated 26.02.2011 and concluded as follows:

- i) *The elevation given to these posts under Pay Band-3 at Rs.15600-39100 + G.P.Rs.5100 in G.O.Ms.No.71, Finance (Pay Cell) Department, dated 26.2.2011 has not been implemented so far due to the stay granted by the Hon'ble High Court.*
- ii) *Hence, considering the plea made by other employees who were placed in the pre-revised scale of pay of Rs.6500-10500 identical to Block Development Officers / Tahsildars, the Committee noticed that these posts have to be appropriately placed in Pay Band-2 and therefore it would not be appropriate to distort the existing pay relativities of other posts who were on an identical pre-revised scale of pay.*

- iii) *Hence, the Pay Grievance Redressal Cell recommended to modify the orders issued in G.O.Ms.No.71, Finance (Pay Cell) Department, dated 26.2.2011 to the extent that the Block Development Officers be placed in Pay Band-2 instead of Pay Band-3 with same Grade Pay in the scale of pay of Rs. 9300-34800 + G.P. Rs. 5100 plus Special Allowance of Rs.1000/-per month for their arduous nature of work and considering their duties and responsibilities.*

Accepting the recommendations of Pay Grievance Redressal Cell 2012, orders were issued in the reference seventh read above.

9. Orders issued in the reference seventh read above were challenged in the Hon'ble Madras High Court and the Hon'ble Division Bench directed to constitute a Pay Grievance Redressal Committee for taking fresh decision regarding enhancement / reduction of the pay scales / Grade Pay of 52 or more categories of 20 or more departments in the reference eighth read above.

10. Against the orders issued by the Hon'ble High Court Division Bench in W.A.No.504 of 2012 and batch cases dated: 27.02.2014, Government filed 159 Special Leave Petitions in the Hon'ble Supreme Court of India.

11. In the reference eleventh read above, the Hon'ble Supreme Court of India in its order dated 28.11.2019 in a batch of Civil Appeal Nos. 10029 / 2017 etc., directed the Government to constitute a Pay Grievance Redressal Committee under the Chairmanship of Hon'ble Justice Thiru. D.Murugesan, formerly Chief Justice, High Court of Delhi with specific terms of reference to be framed by Government. Hon'ble Supreme Court of India has also ordered that, the affected categories shall not be permitted to migrate to 7th Central Pay Commission scales on the basis of the higher scales till such time as a final decision is taken.

12. Accordingly, in the Government Order twelfth read above, Pay Grievance Redressal Committee was constituted under the Chairmanship of Hon'ble Justice Thiru.D.Murugesan, formerly Chief Justice High Court of Delhi along with two official administrative Members and two co-opted Members recommended by the Chairman, with specific terms of reference to examine all the representations received from Associations, individual employees relating to anomalies in respect of pay structure ordered based on the recommendations of One Man Commission, 2010, G.O.Ms.No.71, Finance (Pay Cell) Department, dated: 26.02.2011 and G.O.Ms.No.242, Finance (Pay Cell) Department, dated: 22.07.2013.

13. The Pay Grievance Redressal Committee, 2019 after conducting detailed hearings with the Block Development Officers Association and individual employees has recommended fixation of the pay scale of Block Development Officers at Rs.9300-34800+GP 5100 plus Personal Pay Rs.1000/- p.m. instead of Rs.1000/- p.m. Special Allowance ordered in the reference seventh read above.

14. The Government, after careful examination of the recommendations of Pay Grievance Redressal Committee, 2019 notes that the Pay Grievance Redressal Committee has heard the views of 2397 individual employees and 243 Associations against G.O.Ms.No.71, Finance (Pay Cell) Department, dated 26.02.2011 and G.O.Ms.No.242, Finance (Pay Cell) Department, dated 22.07.2013 and has arrived at its conclusions duly considering all representations heard in person and received in writing. After careful consideration of the report of the Committee, Government has decided to accept and implement the recommendations relating to the scales of pay of Block Development Officers in Rural Development Department and accordingly direct as follows:

In supersession of the orders issued in the reference second, third and seventh read above in so far as it relates to the pay scales of Block Development Officers in Rural Development Department and in exercise of the powers conferred under Rule 13 of the Tamil Nadu Revised Scales of Pay Rules, 2009 Government issues the following amendment to the pay scale for the post of Block Development Officers in Rural Development Department as follows:

AMENDMENT

Name of the Post	Pre-revised scale of pay	Revised scale of pay + Grade Pay
Block Development Officer	Rs.7500-12000	Rs.9300 - 34800 + G.P 5100 + Rs.1000/- p.m. As Personal Pay (Notional)

The revision of pay scale ordered above shall take notional effect from 12.12.2007 and the Personal Pay of Rs.1000/- per month shall be allowed notionally with effect from 01.02.2011.

15. The Tamil Nadu Revised Pay Rules 2017, have come in to effect notionally from 01.01.2016 and with monetary benefit from 01.10.2017. The employees in the category of Block Development Officer in Rural Development Department shall be allowed to migrate to revised pay scales under Tamil Nadu Revised Pay Rules, 2017 as ordered in G.O. ninth read above.

16. Accordingly, the Block Development Officers in Rural Development Department are entitled to migrate to the Tamil Nadu Revised Pay Rules, 2017 as follows:

Name of the Post	Pre-revised scale of pay	Level in Pay Matrix
Block Development Officer	Rs.9300 - 34800 + G.P 5100 + Rs.1000/- p.m. As Personal Pay (Notional)	Level – 20, Rs.37700-119500 +Rs.2600/- p.m As Personal Pay

As the Personal Pay has been sanctioned to Block Development Officers considering the arduous duties and responsibilities attached to the post and in lieu of further pay revision, the Personal Pay sanctioned with effect from 01.01.2016 shall be a standalone Personal Pay to be shown separately in the fixation of pay.

17. The Head of Department concerned is directed to issue necessary instructions to all Heads of Offices and Sub-ordinate Offices to revise the scale of pay of Block Development Officers as ordered in para 14 above and re-fix their pay appropriately in the admissible revised scales of pay and issue necessary revised pay fixation orders for the purpose of drawing salary with effect from 01st November, 2020.

18. The pension of employees who retired in the above category from 01.01.2006 to 31.12.2015 shall be re-fixed with reference to para 14 above. The pay fixing authorities shall send necessary revised proposal to Accountant General for authorizing revised pensionary benefits and pension including revised pension. Based on the authorization of Accountant General, Pension Pay Officer / Treasury Officers / Sub-Treasury Officers are instructed to re-fix the pension based on the orders issued in the reference tenth read above and give effect from the month of November 2020.

19. In respect of employees who retired between 01.01.2016 and 31.10.2020, pay has to be fixed as indicated in para 16 above. The pay fixing authorities shall send necessary revised proposal to Accountant General for authorizing revised pensionary benefits including pension Based on the authorization of Accountant General, Pension Pay Officer / Treasury Officers / Sub-Treasury Officers are instructed to re-fix the pension as admissible accordingly.

20. Employees who retired prior to 01.01.2006 and had their pension revised with reference to G.O.Ms.No.235, Finance (Pay Cell) Department, dt.01.06.2009 are also entitled for revision of pension / family pension with reference to orders issued in the reference tenth read above.

(BY ORDER OF THE GOVERNOR)

**S.KRISHNAN
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT**

To

The Additional Chief Secretary to Government, Rural Development
and Panchayat Raj Department Chennai-9

The Director, Rural Development and Panchayat Raj Chennai- 15.

The Accountant General (Accounts & Entitlements), Chennai- 18.

The Principal Accountant General (Audit. I), Chennai-18.

The Accountant General (Audit. II), Chennai-18.

The Accountant General (CAB), Chennai-600 009.

The Pension Pay Officer, Chennai-35.

The Pay and Accounts Officer,(North/East/South) Chennai-1/8/35 .

