

Finance (CMPC) Department,
Fort St. George,
Chennai - 600 009.

Letter No.60473/CMPC/2014-1, dated:10—12—2014

From
Thiru.K. Shanmugam, I.A.S.,
Principal Secretary to Government.

To
Thiru C.Kipson,
General Secretary,
Tamil Nadu All Teachers Association (TATA),
No.235, North Street, Parappadi Post,
Nanguneri Taluk,
Thirunelveli District.

Sir,

Sub: W.P.No.33399/2013 filed by Thiru C.Kipson, General Secretary,
Tamil Nadu All Teachers Association –Hon'ble High Court of
Madras, Judgement Order dated:12—09—2014 in
W.P.No.33399/2013 – Consideration of the petitioner
representation dated:16—09—2013—Regarding.

Ref: 1) Judgement order dated:12—09—2014 in W.P.No.33399/2013.
2) Petitioner representation dated:05—09—2013 received on
16—09—2013.

I am to invite your attention to the references cited and to state that the prayer of the Tamil Nadu All Teachers Association in this Writ Petition is to direct the First respondent (i.e. Principal Secretary to Government, Finance Department) to revise the scale of pay for the post of Secondary Grade Teacher as Rs.9300—34800 + Grade Pay of Rs.4200/- on par with Central Government Teachers and on par with other ministerial service staff who are holding diploma certificate like Secondary Grade Teachers by considering the petitioner's representation dated:16—09—2013 within a period that may be stipulated by this Hon'ble Court.

2) The Hon'ble High Court of Madras in its Order dated:12—09—2014 in W.P.No.33399/2013 has passed the following orders:-

“The first respondent (i.e. Principal Secretary to Government, Finance Department) is directed to consider the representation of the petitioner within a period of eight weeks from the date of receipt of a copy of this order.”

recommended to grant 5% Personal Pay to the Ministerial Categories as an alternative benefit in lieu of further scale revision to these categories. Accordingly, orders were issued to grant 5% of basic pay as on 1-9-98 to all those categories of employees who have been granted with 5% P.P prior to 1-1-96. Moreover, based on the recommendations of Official Committee, 2009 the benefit of 5% P.P granted to certain categories has been ordered to be dispensed with in the revised pay structure.

The Commission would like to point out that the number of schools and number of Secondary Grade Teachers(Primary School Teachers) in Government of India (Kendriya Vidyalaya Schools) are very less i.e. 1017 as compared to the number of Secondary Grade Teachers(1,16,129) in our State. Further, the Kendriya Vidyalaya Schools are almost functioning in Corporation areas and Urban Cities whereas the Primary Schools and Elementary Schools in our State are functioning mostly in Villages and rural areas where the cost of living is very cheaper. It is also to be pointed out that no major State is employing lakhs of teachers as in the case of Tamil Nadu and it is also ascertained that they have not adopted Central Scales of Pay. Further the Commission also noticed that the teachers in our Government are fairly paid as compared to their counterparts in some of the other states. It is seen that a Secondary Grade Teacher working in a remote village in Tamil Nadu is drawing a monthly salary of Rs.11,150/- per month in the minimum of the existing revised scale of pay of Rs.5200—20200 + Grade Pay of Rs.2800/-.

In the above circumstances, if the scale of pay of Rs.9300—34800 + Grade Pay of Rs.4200 applicable to Primary School Teachers as in Kendriya Vidyalaya School is extended to the Secondary Grade Teachers in the State it will further distort the local pay relativity among other similarly placed categories and also invite requests for granting alternative benefit as allowed in the previous Pay Commission periods. Further, if this revision of scale of pay is extended to Secondary Grade Teachers it will lead to huge additional financial commitment of Rs.668 crores recurring per annum for Secondary Grade Teachers alone, which is three times more than the total commitment of the recommendations of this One Man Commission. Taking note of the above facts and the local pay relativities between the Secondary Grade Teachers and Ministerial categories, the Commission considers that there is no justification to grant further revision of scale of pay to the Secondary Grade Teachers. Hence, the Commission recommends retaining the scale of pay of Secondary Grade Teachers in the existing scale of pay of Rs.5200—20200 + Grade Pay of Rs.2800 itself.

However, with a view to bridge the gap between the emoluments drawn by the Secondary Grade Teachers and Primary School Teachers in Kendriya Vidyalaya Schools, the Commission recommended a “Special Allowance” of Rs.500/- per month in lieu of further revision of scale of pay. The above concession was made applicable to the Physical Education Teacher/ All other categories of Teachers in the Secondary Grade Teacher Grade.

5) Based on the above One Man Commission recommendations orders were issued in G.O.Ms.No. 270, Finance, (PC) Department, dated: 26—8—2010, granting Special Allowance of Rs.500/- per month to the Secondary Grade Teachers and other teaching posts in the grade of Secondary Grade Teachers with effect from 01—08—2010. Subsequently, based on the representations of the Teachers Associations to revise the scale of pay of various categories, the Government after detailed discussions with them and as agreed by the Associations the Government has granted subsequent revision of pay scale of Teachers. Accordingly orders were issued in G.O.Ms.No.23, Finance (Pay Cell) Department, dated: 12—01—2011 revising the scale of pay of the following categories notionally with effect from 01—01—2006 with monetary benefit from 01—01—2011.

Sl No	Name of the Post	Existing Scale of Pay + Grade Pay (Rs.)	Revised Scale of pay + Grade Pay (Rs.)
1.	B.T. Teacher	9300—34800 + 4400	9300—34800 + 4600
2.	P.G.Teacher	9300—34800 + 4600	9300—34800 + 4800
3.	Primary School H.M	9300—34800 + 4300	9300—34800 + 4500
4.	Middle School H.M	9300—34800 + 4500	9300—34800 + 4700
5.	Higher Secondary School H.M / District Educational Officer.	15600—39100 + 5400	15600—39100 + 5700

However, in respect of Secondary Grade Teachers and Head Master High Schools for whom Rs.500/- p.m. was granted as Special Allowance with effect from 01—08—2010 with reference to G.O.Ms.No. 270, Finance (PC) Department, dated: 26—8—2010 were granted a Personal Pay of Rs.750/- per month with effect from 01—01—2011 in lieu of further scale revision to the categories of Secondary Grade Teachers and Head Master, High School which is in consonance to decision taken in the Meeting of the Teachers Association and the announcement made by Government on 04—01—2011.

6) Then again based on the Hon'ble High Court Order, a Pay Grievance Redressal Cell was also formed by Government to examine all the representations so far received and also further representations if any, from the Employees Associations / Head of Departments / Individual employees including the aggrieved petitioners relating to anomalies in the revised pay structure of the respective posts. The recommendation of the Pay Grievance Redressal Cell is extracted below:-

“Secondary Grade Teachers:-

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It is observed that various Teachers Associations earlier requested the One Man Commission, 2010 to revise the scale of pay of the Secondary Grade Teacher as Rs.9300--34800 + G.P. Rs.4200 on par with Central Government Teachers. The One Man Commission, taking note of the fact that if the scale of pay of Rs.9300--34800 + G.P.Rs.4200 applicable to Primary School Teachers in Kendriya Vidyalaya School is extended to the Secondary Grade Teachers in this State it will further distort the local pay relativity among other similarly placed categories and also invite request for granting alternative benefit as allowed in the previous Pay Commission period. Further, if higher scale of pay is allowed it will lead to huge additional financial commitment to the State Exchequer. Hence, the requests of the Secondary Grade Teachers have been rejected by the One Man Commission. However, the Commission recommended to grant Special Allowance of Rs.500/- p.m. to this post and to all the Teachers in the cadre of Secondary Grade Teachers. Accordingly, orders were issued in G.O.Ms.No.270, Finance (Pay Cell) Department, dated: 26—8—2010. Subsequently, the Government has considered the requests of the Teachers Association and sanctioned Special Pay of Rs.750/- in lieu of Special Allowance already sanctioned to the Secondary Grade Teachers with effect from 1—1—2011 vide G.O.Ms.No.23, Finance (Pay Cell) Department, dated:12—01—2011. Subsequently, it has been clarified that the Personal Pay of Rs.750/- can be taken into account for fixation of pay on promotion, annual increment, calculation of Dearness Allowance and pension.

It is also noticed that this post is, filled by direct recruitment through Employment Exchange and the Educational Qualification is S.S.L.C., with Secondary Grade Teacher Certificate. The total Number of Secondary Grade Teacher is 1,16,129.

The equivalent posts to the Secondary Grade Teachers in Kendriya Vidyalaya Schools of Central Government is Primary School Teachers and this post is also filled by direct recruitment and the prescribed qualification is

- i) Senior Secondary School Certificate with 50% Mark or Intermediate with 50% Mark.
- ii) Diploma or Certificate in Basic Teachers Training of a duration of not less than 2 years or Bachelor in Elementary Education (B.Ed.) or equivalent.
- iii) Competence to teach Hindi and English Medium and knowledge of Computer Application desirable.

The Primary School Teachers have been granted the revised scale of pay of Rs.9300--34800 + G.P. Rs.4200 as against the upgraded pre-revised scale of pay of Rs.6500--10500. The total number of Primary School Teachers in Kendriya Vidyalaya School is 1017 as against 1,16,129 Secondary Grade Teachers in State Government. Further, the Secondary Grade Teachers in Government of India are posted throughout the country at national level and in the case of Secondary Grade Teachers, they are posted within the State and that too at the block level and there is no hardship to these employees as that of the Central Government Teachers. Though there is such a considerable difference in qualification and work nature, the One man Commission / Government considering the pivotal role played by Secondary Grade Teachers in imparting primary education, has granted Rs.500/- per month as Special Allowance which was subsequently granted as Personal Pay of Rs.750/- p.m. in lieu of further scale revision to all the Secondary Grade Teachers who were drawing the Grade Pay of Rs.2800/-. In the above circumstances, the Committee finds no justification in the request of the Secondary Grade Teachers to grant the higher scale of pay of Rs.9300--34800 + G.P. Rs.4200 as sought for by the Association.”

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7) It is now pointed out by the Association that the prescribed qualification for Secondary Grade Teachers is S.S.L.C upto 31—05—1989 and Higher Secondary Course from 01—06—1989 along with Diploma in Teacher Education awarded by Government of Tamil Nadu or its equivalent.

8) In this connection, it is pointed out that based on the recommendations of the Official Committee 2009, the revised pay scale was implemented on a “Pay scale to Pay scale basis”. The major difference is to adopt the Pay Band and Grade Pay system as in the case of Government of India. Erstwhile pay scales were different for each category of staff and in the new pay system, the erstwhile pay scales hierarchy have been grouped into four broad pay bands with different Grade Pays for hierarchical differentiation within each Pay Band as follows:-

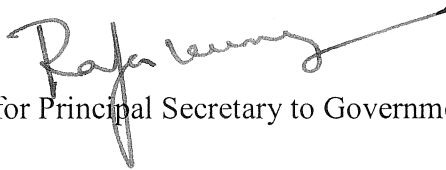
Sl. No.	Pay Band	Revised Pay	Grade Pay
		Rs.	Rs.
1	P B -- 1 A	4800—10000	1300, 1400, 1650.
2	P B – 1	5200—20200	1800, 1900, 2000, 2200, 2400, 2600, 2800.
3	P B – 2	9300—34800	4200, 4300, 4400, 4450, 4500, 4600, 4700, 4800, 4900, 5100.
4	P B – 3	15600—39100	5400, 5700, 6000, 6600, 7600, 7700.
5	P B – 4	37400—67000	8700, 8800, 8900, 9500, 10000

The difference is only with reference to the Grade Pay which distinguishes the hierarchical position. Further, it is pointed out that the recommendations of the Sixth Central Pay Commission have not been adopted by the State Government in toto. However, the State Government has adopted Central Pay to categories wherever category equalisation is possible taking into account the Vertical and Horizontal Pay relativities among the other similarly placed posts in other departments. Therefore, the petitioners have no right to claim the pay parity in comparison with other diploma holders whose duties and responsibilities and job nature and work load are entirely different.

9) Further, the Secondary Grade Teachers who were placed on par with Junior Assistants (Rs.610—1075) in the Ministerial Service in the Fourth Pay Commission scales of pay have now been placed on par with their promotion post viz. Assistant Rs.5200—20200 + Grade Pay of Rs.2800/-. In addition to the above, the Secondary Grade Teachers are paid Personal Pay of Rs.750/- per month which counts for calculation of Dearness Allowance etc. As per the present Dearness Allowance rate of 107% , the Secondary Grade Teachers draws an additional emolument of Rs.1553/- over and above the similarly placed categories in pay scale of Rs.5200—20200 + Grade Pay of Rs.2800/-. Further as rightly observed by the Anomaly Committee viz., One Man Commission and Pay Grievance Redressal Cell and considering the fact that Secondary Grade Teachers constitute a bulk category totalling 1,16,129 as against Primary School Teachers is 1017 in Government of India Kendriya Vidyalaya Schools and any equivalence with the above Teachers would cost huge financial commitment to the State Exchequer running to around Rs.600 crores per annum which cannot be afforded to by the State Government.

10) In view of the position stated above, I am to inform that your request in the representation second cited to revise the scale of pay of Secondary Grade Teachers from Rs.5200—20200 + Grade Pay of Rs.2800/- + Rs.750/- Personal Pay to Rs.9300—34800 + Grade Pay of Rs.4200/- on par with the Primary School Teachers in Government of India is not justified and not feasible of compliance and therefore the same is rejected.

Yours faithfully,


for Principal Secretary to Government

Copy to

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

The Director of School Education, Chennai-6 / The Director of Elementary Education,
Chennai-6

Thiru A.Kumar, Special Government Pleader, High Court, Chennai.

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