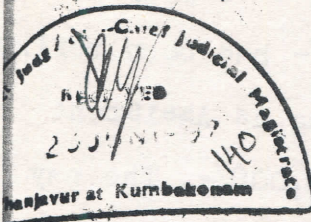


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FORT ST. GEORGE,
CHENNAI-9.



GOVERNMENT OF TAMIL NADU

FINANCE (P.C.) DEPARTMENT

Letter No. 901217)C/96-1, dated 17.1.1997

From

Thiru. S.K. Subramaniam, B.A., B.Com.,
Joint, Secretary to Government.

Sir,

Sub: Tamil Nadu Revised Scales of Pay Rules,
1989 - Junior drawing more pay - Irregular
pay fixation - Instructions - Issued.

Ref: 1. G.O.Ms.No.666, Finance (PC) Department,
dated 27.6.89.

2. G.O.Ms.No.57, Finance (PC) Department,
dated 28.1.91 and clarification.

3. Government Lr.No.9937/93-C/PC/96
Finance (PC) dated 24.11.93

In the Letter cited the Government have issued clarification to the effect that in cases where the Junior happened to draw more pay than the senior by virtue of the promotion of Junior to the higher post after having moved to the special Grade in the lower post after 27.6.89 and who is allowed to retain the special Grade scale of pay in the higher post as per the Orders issued in G.O.Ms.No.590, Finance(PC) Department, dated. 1.8.92.

2. It has been brought to the notice of the Government that irregular fixation has been made by stepping up the pay of senior on par with that of his junior invoking Rule 27 of Fundamental Rule even though the senior and Junior

were on different posts with different scales of pay. For example, the pay of a senior acting as Deputy Director in the scale of pay of Rs. 3,000.--4,500/- has been refixed on par with pay of his junior who is acting as Assistant Director on the pay scale of Rs. 2,200--4,000/-. The pay fixed in the above case is not in order.

3. The pay of senior in the said case should be regulated by applying Rule 4(3) of Tamil Nadu Revised Scales of Pay Rules, 1989 as per order issued in G.O.Ms.No.57, Finance (PC) Department, dated 28.1.91 and subsequent clarification issued thereon, comparing the pay entitlement of the senior in the lower post to avoid monetary loss, if any

4. I am directed to clarify that the pay of senior who is on a higher pay scale (example, Deputy Director Rs. 3,000--4,500) cannot be refixed on par with the pay of his junior (example, ASSISTANT Director Rs. 2,200/---4,000) who is on a different lower scale of pay as there are no provisions under Tamil Nadu Revised Scales of Pay Rules, 1989 or under Fundamental Rules for such refixation. In such situation the pay of senior has to be regulated as stated in paragraph 3 above. I am, therefore to request you to set right wrong fixation if any made already in such cases and recover excess payment if any made

Yours faithfully,

sd/-
(V. SUNDARAMURTHY)
for Joint Secretary to Government.
22.1.97.

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(R.O.C.No. ~~903/3/100~~)

104

R.D.S.No. 35/97

Copy communicated for future guidance.

HIGH COURT: MADRAS.
DATED: 12-2-1997

K.R. Subramanyam
SUB. ASST. REGISTRAR (ACCOUNTS)

To

1. All the District Judges.
2. All the Addl. District Judge-cum-Chief Judicial Magistrates.
3. All law Officers including the Administrator-General and Official Trustee and the Official Assignee, Madras.
4. The Presiding Officers of Labour Courts at Madras, Madurai, Coimbatore, Tiruchirappalli, Tirunelveli, Salem, Vellore & Cuddalore.
5. The Presiding Officers of City Courts, Madras.
6. The District Judge, Private Colleges Appellate Tribunal, Madras.
7. The Industrial Tribunal, Madras.
8. The State Transport Appellate Tribunal, Madras.
9. The Chairman and Judicial Member, Sales Tax Appellate Tribunal, Madras.
10. The Judicial Member, Sales Tax Appellate Tribunal, (Addl. Bench), Coimbatore and Madurai.
11. The Presiding Officer, Special Court for Essential Commodities Act, Madras, Coimbatore, Salem, Madurai, Thanjavur and Pudukkottai.
12. The Presiding Judge, Designated Court under TADA Act, Poonamallee.

Copy to:

1. The Sub Assistant Registrar (A/)& (Adm.,) High Court, Madras
2. The Section Officer, B, C, C1, 'J' & G Section, -do-
3. The Section Officer, Establishment Section, -do-(2 cc)
4. The Record Keeper, A.D. Records, -do-

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