



ABSTRACT

Fundamental Rules - Government Servants - Grant of Advance Increment - Acquisition of certain higher qualification at Government cost - Amendment to G.O.(Ms) No.1159, Personnel and Administrative Reforms (FR II) Department, dated 21.11.1984 - Orders - Issued.

PERSONNEL AND ADMINISTRATIVE REFORMS (FR.IV) DEPARTMENT

G.O.(Ms) No.97

Dated: 05.07.2010

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திருவள்ளூர் ஆண்டு 2041

Read:

1. G.O.(Ms) No.531, Finance Department, dated 25.04.1963.
2. G.O.(Ms) No.1195, Public Works Department, dated 11.07.1972.
3. G.O.(Ms) No.825, P&AR (FR-I) Department, dated 06.07.1977.
4. G.O.(Ms) No.1195, P&AR (FR-I) Department, dated 27.10.1978.
5. G.O.(Ms) No.843, P&AR (FR-II) Department, dated 05.09.1983.
6. G.O.(Ms) No.1159, P&AR (FR-II) Department, dated 21.11.1984.
7. Government Letter No.23270/P&AR (FR-II) Department/ 85-1, dated 06.05.1985.
8. Order of High Court of Madras, dated 07.01.2009 in W.P. No.22933/2007.

ORDER:

In the Government Order first to fourth read above, the Government have ordered among other things, that the Government Servant, who acquired Post Graduate qualification in certain specialties such as Business Administration, Engineering, Agriculture, Medicine, etc. after entering into service be accorded two advance increments with effect from the date of acquiring of such qualification. Subsequently, in the Government Order fifth read above, the Government have replaced the scheme of sanction of two advance increments by a scheme of sanction of lump-sum grant subject to among others the following conditions:-

- i) The scheme is applicable to officers upto and inclusive of second level officers below the Heads of Departments.

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- ii) If the special qualification is prescribed as one of the requisite qualifications for appointment to any post or where the scale of pay for such post is prescribed taking into account, the special qualification for appointment to any post or where the scale of pay for such post is prescribed, taking into account the special qualification, the scheme will not be applicable to those acquiring the special qualification.
- iii) Where the Government have spent money on any officer by giving him study leave and allowance or have treated the study period as duty with full pay and allowances for acquiring the special qualification or where the special qualification other than Account Test for Sub-ordinate Officers Part-I is made essential for further promotion, he is not entitled to the benefit.
- iv) In respect of those for whom the Post Graduate qualification is essential for further promotion they are not entitled for the benefit.

2. The Government have thereafter reviewed the scheme and decided to revive the scheme of sanction of advance increments. Accordingly in the Government Order sixth read above, the scheme of sanction of lump-sum grant was withdrawn and the scheme of sanction of advance increments for possession of higher qualification was re-introduced. In the Government letter seventh read above, the Government clarified that the conditions specified in G.O.(Ms) No.843, Personnel and Administrative Reforms(FR II) Department, dated 05.09.1983 were not cancelled and hence those conditions would hold good for sanctioning advance increments on or after 05.09.1983.

3. The Hon'ble High Court of Judicature at Madras in its order eight read above has observed that the clarification issued in the form of a letter cannot be allowed to either overtake or override the Government Order issued in the matter.

4. The Government have, therefore, examined the matter in detail in the light of the above orders of the Hon'ble High Court and have decided to issue an amendment to the Government order sixth read above in the form of Government Order reiterating the conditions laid down in the Government Order fifth read above. Accordingly, the following amendment is issued to the orders issued in G.O.(Ms) No.1159, Personnel and Administrative Reforms (FR II) Department, dated 21.11.1984:-

5. The amendment hereby made shall come into force on the date of issue of order.

AMENDMENT

In G.O.(Ms) No.1159, Personnel and Administrative Reforms (FR II) Department dated 21.11.1984, after paragraph 3, the following paragraph shall be inserted as para 4, namely:-

- "4.(i) The scheme of sanction of advance increments is applicable to officers upto and inclusive of second level officers below the Heads of Departments;
- (ii) If the special qualification is prescribed as one of the requisite qualifications for appointment to any post or where the scale of pay for such post is prescribed taking into account the special qualification for appointment to any post or where the scale of pay for such post is prescribed, taking into account the special qualification, the scheme will not be applicable to those acquiring the special qualification;
- (iii) Where the Government have spent money on any officer by giving him study leave and allowances or have treated the study period as duty with full pay and allowances for acquiring the special qualification or where the special qualification other than Account Test for Sub-ordinate Officers Part-I is made essential for further promotion, he is not entitled to the benefit;
- (iv) In respect of those for whom the Post-Graduate qualification is made essential for further promotion, they are also not entitled for the benefit".
- 2) The paragraphs 4, 5 and 6 shall be renumbered as paragraphs 5, 6 and 7 respectively.

(BY ORDER OF THE GOVERNOR)

**K.N. VENKATARAMANAN
SECRETARY TO GOVERNMENT.**

To.

All the Principal Secretaries / Secretaries to Government, Department of Secretariat, Chennai-9.

All the Heads of Departments including all District Collectors/Judges.

The Accountant General-I, Chennai-18.

The Accountant General-II, Chennai-18.

The Accountant General, Chennai-09/35

The Pay and Accounts Officer (North), Chennai-79

The Pay and Accounts Officer(East), Chennai-05.

P.t.o

The Pay and Accounts Officer(South), Chennai-35.
The Sub-Pay and Accounts Officer, Chennai-9.
The Registrar, High Court, Chennai-104 / Madurai
The Secretary, Tamil Nadu Public Service Commission, Chennai-06.

Copy to:-

- 1.All Sections in Personnel and Administrative Reforms Department
2. SF/ SC

// FORWARDED / BY ORDER //

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5.7.10.
SECTION OFFICER