

GOVERNMENT OF TAMIL NADU

**Personnel and
Administrative
Reforms (FR.I)
Department,
Secretariat, Chennai 600
009.**

Letter No. 9192/FR.I/98-1, Dated : 30.3.98

From

Thiru D.Prakash, IAS.,
Secretary to Government.

To

All Secretaries to Government, Chennai-9.
All Head of Departments, including District Collectors, District Judges.
The Secretary, Tamil Nadu Public Service Commission, Chennai-2.
The Registrar, Tamil Nadu Administrative Tribunal, Chennai-102.
The Accountant General, Chennai-18.
The Accountant General, Chennai-9.
The Accountant General, Chennai-35.
The Director of Treasuries and Accounts, Chennai-6.
The Pay and Accounts office (North), Chennai.
The Pay and Accounts Office (South), Chennai.
The Pay and Accounts Office (East), Chennai.
The Pay and Accounts Office, Secretariat, Chennai-9.
The Registrar, High Court, Chennai-104.

Sir,

Sub : Establishment – Personnel – Appointment of Government
Servants
from posts carrying higher scale of pay to lower scale of pay on
the
basis of their willingness – Clarifications – Issued.

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The Special Rules for a category in a Service often provide for recruitment to that category by transfer from another specified category. In all such cases, recruitment to that category cannot be made from the holders of posts in any other category which is not specified in the Special Rules.

2. It is now being brought to the notice of Government that in some cases, while issuing appointment orders to Government servants whose names have been included in the panel for appointment to a particular category, those Government serants are

not holding posts in the appropriate feeder category, i.e., the category specified in the Special Rules. For example, the post of Section Officer in Secretariat is a feeder category for “recruitment by transfer” to the category of Commercial Tax Officer. In some cases, Section officers, whose names have been included in the panel for appointment as Commercial Tax officers have been promoted to the higher category, viz., Under Secretary/Deputy Secretary in their regular line even before the issue of appointment orders as Commercial Tax Officer. At this stage, their orders of appointment as Commercial Tax Officer are issued.

3. In such cases, the following points often require clarification :-

(i) Whether such Government servants, who are not holding posts in the feeder category specified in the Special Rules for the category to which appointment is proposed to be made through “recruitment by transfer”, can be relieved from their higher post in the regular line for joining a post carrying a lower scale of pay?

(ii) If so, the mode of regulation of pay on such appointment by “recruitment by transfer”?

4. I am directed to clarify the points raised in para 3 above as follows :-

1. (i) Government servants facing circumstances indicated in para 3(i) above may be relieved from their parent department only after exercising an option for appointment to the category carrying a lower scale of pay, indicating in the option that they are doing so voluntarily and with the full knowledge of the consequences, financial and otherwise, of their appointment to that category.
2. (ii) On their appointment to such posts on “recruitment by transfer”, the pay of such Government servants shall be fixed on the date of appointment as follows :
 1. 1. First, by disregarding the pay that they are actually drawing in their current post.
 2. 2. Secondly, by calculating the pay that they would have drawn in their specified feeder category post, had they not been promoted to their current post.
 3. 3. Fixing their pay on the basis of the calculation in para 2 above.

Yours faithfully,
Sd/xxx

For Secretary to Government.

Copy to :

The Personnel and Administrative Reforms (FR.IV) Department, Chennai-9.
All Sections in Personnel and Administrative Reforms Department, Chennai-9