



Personnel and Administrative
Reforms (FR-I) Department,
Secretariat,
Chennai – 600 009.
மார்சுழி 27,
திருவள்ளுவர் ஆண்டு 2040.

Letter No.53361/FR-I/2009-1, dated 11.01.2010

From
Thiru K.S. Sripathi, I.A.S.,
Chief Secretary to Government.

To
All Secretaries to Government, Chennai-600 009.
The Secretary, Legislative Assembly Secretariat, Chennai-600 009.
The Private Secretary to Chief Secretary to Government, Chennai-600 009.
All Heads of Departments including all Collectors, District Judges
and Chief Judicial Magistrates .
The Registrar, High Court, Chennai-600 104.
The Secretary, Tamil Nadu Public Service Commission, Chennai-600 002.
All Departments of Secretariat, Chennai-600 009. (OP Sections)
The Accountant General, Chennai-600 018.
The Director of Treasury & Accounts, Chennai-600 015.
The Pension Pay Officer, Chennai-600 006.
The Pay and Accounts Officer, Secretariat, Chennai-600 009.
The Pay and Accounts Officer, (N/S/E), Chennai-1/35/5.
The Finance (Pension) Department, Chennai-600 009. (5 Copies)
The Finance (PC) Department, Chennai-600 009. (5 Copies)
The P&AR (CC) Department, Chennai-600 009. (2 Copies)
All Sections in P&AR Department, Chennai-600 009.

Sir,

Sub: Fundamental Rules – Fixation of pay with reference to proviso VIII under FR.22-B – Exercising option – Revised option consequent on the reduction in the maximum qualifying service for full pension – Requested – Orders – Issued.

- Ref: 1. G.O.Ms.No.71, Finance (Pension) Department, dated 19.03.2003.**
2. G.O.Ms.No.496, Finance (Pension) Department, dated 01.08.2006.
3. G.O.Ms.No.127, Finance (Pension) Department, dated 11.04.2007.

Government Servants who have been allowed fixation of pay under FR.22-B on the date of promotion / appointment to higher post can exercise further option to have their pay fixed under FR.22-B, on the date of accrual of next increment in the lower post. The above option is available in proviso VIII under FR.22-B. For fixation of pay on promotion / appointment to higher post, option once given cannot be revised. However, the Government Servants have been allowed to give revised option with reference to the Proviso VIII under FR.22-B on the revision in the scale of pay of the post held by them.

(P.T.O.)

2. In the Government Order first read above, the maximum qualifying service was enhanced to 33 years from 30 years to become eligible for full pension and the pension shall be determined based on the average emoluments drawn during last 10 months of service rendered. The above order was made applicable to Government Servants retiring on or after 01.04.2003.

3. In the Government Order second read above, orders have been issued that the maximum qualifying service be reduced from 33 years to 30 years to become eligible for full pension of the Government employees on retirement. The pension shall be determined based on 50% of pay last drawn or 50% of average emoluments drawn during the last 10 months of service rendered whichever is higher. These orders were made applicable to the cases of Government employees retiring on or after 31.07.2006.

4. In the Government Order third read above, orders have been issued that the Government employees who retired from service or died after retirement on or after 01.04.2003 shall also be eligible for full pension on completion of 30 years of qualifying service and the pension shall be determined based on 50% of pay last drawn or 50% of average emoluments drawn during the last 10 months of service rendered, whichever is higher. Consequent on the revision in the mode of calculating the average emoluments for pension, instances have been brought to the notice of Government wherein certain Government Servants, who had exercised option for fixation of pay in such a way depending on the method of calculation of average emoluments which existed prior to issue of G.O.Ms.No.496, Finance (Pension) Department, dated 01.08.2006 are subjected to reduction in pension than what they would be eligible, had they exercised the alternate option allowed under the rules.

5. The Government have, therefore, examined the case carefully. The orders for the revision in the calculation of average emoluments were given effect to from 01.04.2003. Hence the Government Servants who have been promoted / appointed to a higher post between 01.04.2003 and 31.07.2006 (i.e. prior to the date of issue of orders) would have given the option, without the knowledge of the orders of revision in the mode of calculation of average emoluments for determining pension. The Government, therefore, direct that Government servants who have been promoted / appointed to a higher post between 01.04.2003 and 31.07.2006 and whose pay has already been fixed, with reference to the option given by them under Proviso VIII under FR.22-B be permitted to revise the option exercised by them earlier, if they so desire. However, the revised option in such cases should be given within three months from the date of issue of this letter.

6. This letter issues with the concurrence of the Finance Department vide its U.O.No.75021/Pension/2009-1, dated 04.01.2010.

Yours faithfully,

S. Ambika

12.1.2010

for Chief Secretary to Government

RT
12.1.2010