

Memo No. 3ए-2 वे.पु.-16/09-630

Government of Bihar
FINANCE DEPARTMENT

Resolution

Patna, dated- 21st January, 2010

Subject: - Revision of the pay scales of State Government employees with effect from 01.01.2006.

The Government of India has revised pay scales/pay structure on the recommendation of the 6th Central Pay Commission, with effect from 01.01.2006. The State Government vide its Resolution No. 11070 dated 30.12.08, constituted a Pay Committee for recommending *inter alia* a revised pay structure for the State Government employees in the light of the recommendations made by the Sixth Central Pay Commission for the revised pay structure for employees under the Central Government. On 21st December, 2009 the Pay Committee submitted its Report relating to pay scales and other benefits to the State Government employees.

2. The State Government has given careful consideration to the recommendations of the Pay Committee, alongwith the recommendations of three member Committee constituted vide Resolution no-12203 dated 23.12.09 to scrutinize the recommendations of the Pay Committee, in respect of the State Government employees and have decided to accept the running Pay Bands and Grade Pay based new revised pay structure. **Schedule I** contains the normal replacement revised pay structure and **Schedule II** contains the entry pay structure for the new entrants

who have been appointed on/or after 01.01.2006. Department wise and post wise existing pay scales and revised scales of pay of the Gazetted and Non-gazetted posts, under the State Government, are at **Schedule III**.

3. The revised pay structure shall come into effect notionally from 1st January, 2006. However, the actual payments in the revised pay structure would arise with effect from 1st April, 2007. The revised pay structure will apply to all State Government employees who were in service on 1st January, 2006 and to all new appointments made on or after the said date. Provided that in respect of the Government employees who were under suspension or on leave or were not on duty on 1st January 2006, the revised pay structure will be applicable from the date of return to duty and no arrears would be admissible for the period of absence.

4. **Definitions:**

The provisions in this resolution unless the context otherwise requires:-

(i) **“existing basic pay”** means pay drawn in the prescribed existing scale of pay, including stagnation increment(s), but does not include any other type of pay like ‘special pay’ etc.

(ii) **“existing scale”** in relation to a Government servant means the present scale applicable to the post held by the Government servant (or, as the case may be, personal scale applicable to him) as on the 1st day of January, 2006 in a substantive or officiating capacity.

(iii) **“existing emoluments”** mean the sum of (i) existing basic pay, (ii) dearness pay appropriate to the basic pay and (iii) dearness allowance appropriate to the basic pay + dearness pay at index average 536(1982=100).

(iv) **“present scale”** in relation to any post/grade specified in column 2 of the Schedule I.

(v) **“pay in the pay band”** means pay drawn in the running pay bands specified in column 4 of Schedule III read with Column 4 of the Schedule I.

(vi) **“grade pay”** is the fixed amount corresponding to the pre-revised Pay scales/posts.

(vii) **“revised pay structure”** in relation to any post specified in column 2 of Schedule III means the pay band and grade pay specified against that post in column 4 & 5 of Schedule III.

(viii) **“basic pay”** in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay etc.

(ix) **“revised emoluments”** means the pay in the pay band plus grade pay of a Government servant in the revised pay structure.

(x) **“Schedule”** means a schedule appended to this Resolution.

5. **Exercise of Option:**

A Government employee may elect to continue to draw pay in the existing scale until the date on which he earns his next or subsequent increments in the existing scales or until he vacates his

post or ceases to draw pay in that scale subject to the following condition :-

(i) The option to retain the existing scale shall be available only in respect of the present pre-revised scale of pay.

(ii) The aforesaid option shall not be admissible to any person appointed to a post on or after 1st January, 2006, whether for the first time in Government Service or by transfer or promotion from ex-cadre post and he/she shall be allowed pay in the revised pay structure.

(iii) The option shall have to be exercised in writing within three months from the date of publication of this Resolution in the Gazette in the form of option as contained in 'Schedule IV' appended to 'this Resolution, so as to reach the Head of Office in case of non-Gazetted Government servants and in case of Gazetted Government servants, the pay slip section of the Finance Department/Accountant General, with a copy to the head of the Office. Where a Government employee is under suspension/ on leave on the date, the option may be exercised within three months from the date of his/ her return to duty.

(iv) If the intimation regarding the option is not received within the stipulated period" or the employee concerned draws his pay in the new pay structure within the period, it will be deemed that he/she has elected to be governed by the new pay structure with effect from 01.01.2006.

(v) A Government Servant who opts to continue in the existing scale will be entitled to the Dearness Allowance and other allowances at the existing pre-revised rates.

(vi) The option once exercised shall be final.

6. Drawal of pay in the revised pay structure:

Save as otherwise provided in this Resolution, a Government servant shall draw pay in the revised pay structure applicable to the post to which he is appointed;

Provided that a Government servant may elect to continue to draw pay in the existing scale until the date on which he earns his next or any subsequent increment in the existing scale or until he vacates his post or ceases to draw pay in that scale.

Provided further that in cases where a Government servant has been placed in higher pay scale between 01.01.2006 and the date of issue of this order on account of promotion, etc., the Government servant may elect to switch over to the revised pay structure from the date of such promotion, etc.

Explanation -1 the option to retain the existing scale under this provision shall be admissible only in respect of one existing scale.

Explanation -2 The aforesaid option shall not be admissible to any person appointed to a post on or after the 1st day of January, 2006, whether for the first time in Government service or by transfer from another post and he shall be allowed pay only in the revised pay structure.

7. Fixation of Initial pay in the revised pay structure:-

(1) The initial pay of a Government servant who elects, or is deemed to have elected to be governed by the revised pay structure on and from the 1st day of January, 2006 shall, unless in any case the State Government by special order otherwise directs, be fixed separately in respect of his substantive pay in the post on

which he holds a lien or would have held a lien if it had not been suspended, in the following manner, namely:-

(A) In the case of all employees:-

(i) The pay in the pay band / pay scale will be determined by multiplying the existing basic pay as on 01.01.2006 by a factor of 1.86 and rounding off the resultant figure to the next multiple of 10.

(ii) If the minimum of the revised pay band corresponding to the post is more than the amount arrived at as per (i) above, the pay shall be fixed at the minimum of the' revised pay band.

Where in the fixation of pay, the pay of Government servants drawing pay at two or more consecutive stages in an existing scale gets bunched, that is to say gets fixed in the revised pay structure at the same stage in the pay band, then for every two stages so bunched, benefit of one increment shall be given so as to avoid bunching of more than two stages in the revised running pay bands. For this purpose, the increment will be calculated on the pay in the pay band. Grade pay would not be taken into account for the purpose of granting increments to alleviate bunching.

If by stepping up of the pay as above, the pay of a Government servant gets fixed at a stage in the revised pay band/pay scale (where applicable) which is higher than the stage in the revised pay band at which the pay of a government servant who was drawing pay at the next higher stage or stages in the same existing scale is fixed, the pay of the latter shall also be stepped up only to the extent by which it falls short of that of the former.

(iii) The pay in the pay Band will be determined in the above manner. In addition to the pay in the pay band, grade pay

corresponding to the post as indicated in Schedule III will be payable.

(B) In the case of employees who are in receipt of special pay/ allowance in addition to pay in the existing scale which has been recommended for replacement by a pay band and grade pay without any special pay allowance, pay shall be fixed in the revised pay structure in accordance with the provisions of clause (A) above.

Note -1 Where a post has been upgraded the fixation of pay in the applicable pay band will be done in the manner prescribed in accordance with above Clause (A) (i) and (ii) by multiplying the existing basic pay as on 01.01.2006 by a factor of 1.86 and rounding the resultant figure to the next multiple of ten. The grade pay corresponding to the upgraded scale will be payable in addition.

Note-2 Where in the fixation of pay under this provision, the pay of a Government servant, who, in the existing scale was drawing immediately before the 1st day of January, 2006 more pay than another Government servant junior to him in the same cadre, gets fixed in the revised pay band at a stage lower than that of such junior, his pay shall be stepped up to the same stage in the revised pay band as that of the junior.

Note-3 In cases where a senior Government servant promoted to a higher post before the 1st day of January, 2006 draws less pay in the revised pay structure than his junior who is promoted to the higher post on or after the 1st day of January, 2006, the pay in the pay band of the senior Government servant shall be stepped up to an amount equal to the pay in the pay band as fixed for his junior in that higher post. The stepping up shall be done with effect from

the date of promotion of the junior Government servant subject to the fulfillment of the following conditions, namely:-

(a) both the junior and the senior Government servants should belong to the same cadre and the posts in which they have been promoted should be identical in the same cadre.

(b) the pre-revised scale of pay and the revised grade pay of the lower and higher posts in which they are entitled to draw pay should be-identical.

(c) the senior Government servants at the time of promotion should have been drawing equal or more pay than the junior.

(d) The anomaly should be directly as a result of the application of the provisions of Fundamental Rule 22 or any other rule or order regulating pay fixation on such promotion in the revised pay structure. If even in the lower post, the junior officer was drawing more pay in the pre-revised scale than the senior by virtue of any advance increments granted to him, provision of this Note need not be invoked to step up the pay of the senior officer

Note -4 Where the existing emoluments exceeds the revised emoluments in the case of any Government servant, the difference shall be allowed as personal pay to be absorbed in future increases in pay.

Note -5 Where a Government servant is in receipt of personal pay on the 1st day of January, 2006, which together with his existing emoluments exceeds the revised emoluments, then, the difference representing such excess shall be allowed to such Government servant as personal pay to be absorbed in future increases in pay.

Note -6 Fitment table in new pay structure is appended as Schedule VI.

Note -7 Grade Pay will determine seniority of posts only within a cadre's hierarchy and not between various cadres.

8. Fixation of pay in the revised pay structure of employees appointed as fresh recruits on or after 01.01.2006:

Schedule II of this Resolution indicates the entry level pay in the pay band at which the pay of direct recruits to a particular post carrying a specific grade pay will be fixed on or after 01.01.2006. This will also be applied in those cases who were recruited between 01.01.2006 to 31.12.2008.

In such cases where the emoluments in the pre-revised pay scale (s) [i.e. basic pay in the pre-revised pay scale(s) plus Dearness Pay plus Dearness Allowance applicable on the date of joining] exceeds the sum of pay fixed in the revised pay structure and the applicable dearness allowance thereon, the difference shall be allowed as personal pay to be absorbed in future increments in pay. The employees appointed between 01.01.2006 to 01.04.2007 will get the financial benefits of the revised pay structure only with effect of 01.04.2007.

9. Rate of increment in the revised Pay structure:

The rate of increment in the revised pay structure will be 3% of the sum of the pay in the pay band and grade pay applicable, which will be rounded off to the next multiple of 10. In this exercise the fraction in paisa shall be avoided. This will be applicable to all the employees of the State.

10. Date of next increment in the revised Pay structure:

There will be a uniform date of annual increment, viz. 1st July of every year. Employees completing 6 months and above in the revised pay structure as on 1st of July will be eligible to be granted the increment. *The first increment after fixation of pay on 1.01.2006 in the revised pay structure will be granted on 1.07.2006 for those employees for whom the date of next increment was between 1st .July, 2006 to 1st January, 2007.*

Provided that in the case of persons who had been drawing maximum of the existing scale for more than a year as on the 1st day of January, 2006, the next increment in the revised pay structure shall be allowed on the 1st day of January, 2006. Thereafter, the above provision would apply.

Provided that in cases where an employee reaches the maximum of his pay band shall be placed in the next higher pay band after one year of reaching such a maximum. At the time of placement in the higher pay band, benefit of one increment will be provided.

Note- In cases where two existing scales, one being a promotional scale for the other are merged, and the junior Government servant, now drawing his pay at equal or lower stage in the lower scale of pay, happens to draw more pay in the pay band in the revised pay structure than the pay of the senior Government servant in the existing higher scale, the pay in the pay band of the senior Government servant shall be stepped up to that of his junior from the same date and he shall draw next increment in accordance with the above Rule.

11. Fixation of pay in the revised pay structure subsequent to the 1st day of January, 2006:

Where a Government servant continues to draw his pay in the existing scale and is brought over to the revised pay structure from a date later than the 1st day of January, 2006, his pay from the later date in the revised pay structure shall be fixed in the following manner:-

(1) Pay in the pay band will be fixed by adding the basic pay applicable on the later date, the dearness pay applicable on that date and the pre-revised dearness allowance based on rates applicable as on 01.01.2006. This figure will be rounded off to the next multiple of 10 and will then become the pay in the applicable pay band. In addition to this the grade pay corresponding to the pre-revised pay scale will be payable.

12. Fixation of Pay on promotion on or after 01.01.06:

In the case of promotion from one grade pay to another in the revised pay structure, the fixation will be done as follows:-

One increment equal to 3% of the sum of the pay in the pay band and the existing grade pay will be computed and rounded off to the next multiple of 10. This will be added to the existing **pay in the pay band** (as defined in para 4(v)). The grade pay corresponding to the promotion post will thereafter be granted in addition to this pay in the pay band. In cases where promotion involves change in the pay band also, the same methodology will be followed. However, if the pay in the pay band after adding the increment is less than the minimum of the higher pay band to which promotion is taking place, pay in the pay band will be stepped to such minimum.

Note: On promotion from one grade to another/financial up gradation under ACP, a Government servant has an option under FR22(1)(a)(1) to get his pay fixed in the higher post either from "the date of his promotion, or from date of his next increment, viz 1st July of the year. The pay will be fixed in the following manner in the revised pay structure:-

(a) In case the Government servant opts to get his pay fixed from his date of next increment, then, on the date of promotion, pay in the pay band shall continue unchanged, but the grade pay of the higher post will be granted. Further re-fixation will be done on the date of his next increment i.e. 1st July. On that day, he will be granted two increments one annual increment and the second on account of promotion. While computing these two increments, basic pay, prior to the date of promotion shall be taken into account. To illustrate, if the basic pay prior to the date of promotion was Rs.100, first increment would be computed on Rs.100 and the second on Rs.103.

(b) In case the Government servant opts to get his pay fixed in the higher grade from the date of his promotion, he shall get his first increment in the higher grade on the next 1st July if he was promoted between 2nd July and 1st January. However, if he was promoted between 2nd January and 30th June of a particular year he shall get his increment on 1st July of next year.

13. The Departments of the State Government are advised to bring to the notice of the Finance Department any omission or mistake found in the details as contained in this resolution for rectification and/or other suitable action. If any confusion / discrepancy arises in implementation of

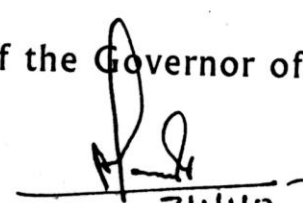
the provision regarding revised pay structure the matter should be referred to the Finance Department.

14. There may be cases where it has not been possible to fix suitable revised pay structure for posts on fixed/consolidated rate of pay or scales of pay, the Departments are advised to examine such cases on the basis of prescribed qualification, nature of duties, revised pay structure and other relevant factors and refer each such case to the Finance Department for appropriate advice. The existing holder of the posts will continue to draw pay in the existing scale with the allowances at the existing scales till a final order is issued.

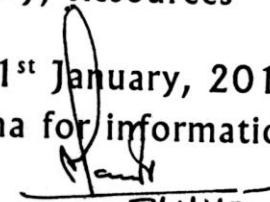
15. This order overrides the resolution no-362 dated 17.01.09, 363 dated 17.01.09 and 532 dated 28.01.09 that contained provisionally granted revised pay structure for the state government employees in anticipation of acceptance of the recommendations of the Pay Committee.

Order: Ordered that copy of this Resolution be published in the extra ordinary Bihar Gazette.

By order of the Governor of Bihar



21.1.10
(Rabindra Panwar)
Secretary, Resources

Memo No- 3ए-2 वे.पु.-16/09-630 /Patna, Dated- 21st January, 2010
Copy forwarded to the Accountant General, Bihar, Patna for information and necessary action.


21.1.10
(Rabindra Panwar)
Secretary, Resources

Memo No-3ए-2वे .पु.-16/09-630¹⁴ /Patna, Dated- 21st January, 2010.

Copy forwarded to the All Departments/All Head of Departments/All Divisional Commissioners/All District Magistrates/All Sub-Divisional Officers/All Treasury Officers/All District Accounts Officers for information and necessary action.

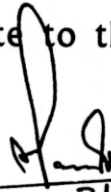


21.1.10

(Rabindra Panwar)
Secretary, Resources

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Copy forwarded to Superintendent, Government Press, Gulzarbag, Patna for publishing this Resolution in the next extra ordinary Bihar Gazette. He is requested to send one thousand copies of Gazette to the Section-3A of the Finance Department, Bihar, Patna.



21.1.10

(Rabindra Panwar)
Secretary, Resources