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Additional Pay/Special Pay

Grant of under Bombay Civil Services Rule 609 to All India Services and State Service Officers and clarifications regarding -

GOVERNMENT OF MAHARASHTRA

Finance Department.

Resolution No. PAY 1279/CR-604/SER-3.

CR1980071901

Mantralaya, Bombay-400 032, Dated 19th July 1980.

- READ:-**
- (1) Government Resolution, Finance Department, No. PAY 1659/S-2, dated 29th January 1960.
 - (2) Government Resolution, Political and Services Department, No. MIS-1060/G, dated 31st March 1960.
 - (3) Government Resolution, Finance Department, No. PAY 1063/3009/V, dated 3rd February 1965.
 - (4) Government Resolution, Finance Department, No. PAY 1273/710/S-1, dated 2nd April 1973.
 - (5) Government Resolution, Finance Department, No. PAY 1275/2538/S-1, dated 1st August 1975.
 - (6) Government Resolution, General Administration Department, No. AIS 3076/X, dated 1st January 1977.
 - (7) Government Resolution, General Administration Department, No. SRV 1076-HR-244-X, dated 8th February 1977.
 - (8) Government Resolution, General Administration Department, No. AIS 3078/X, dated 12th January 1978.
 - (9) Government Resolution, Finance Department, No. PAY 1277/CR-993/SER-3, dated 16th November 1978.

RESOLUTION:- Orders contained in Government Resolution, General Administration Department, No. AIS 3076/X, dated 1st January 1977 as amplified in Government Resolution, General Administration Department, No. AIS 3078/X, dated the 12th January 1978 regulate the grant of additional pay payable to the officers of the All India Services and to the officers of the State Services of the rank of Collectors/District Superintendents of Police and above for holding additional charge of another equivalent post. According to these orders no additional remuneration is permissible to the officers of the All India Services holding posts in the super-time scale for holding additional charge of another post; while the payment of additional remuneration to the officers of the rank of Collectors/District Superintendents of Police and above is sanctioned according to the scale laid down in the Government Resolution, General Administration Department, dated the 1st January 1977 referred to above.

2. Government has since reviewed the position regarding grant of additional pay to its officers for holding additional charge of another post and has decided that additional/special pay for holding additional charge of another post should be payable to all its officers irrespective of the service to which they belong including the officers of the All India Services serving in connection with the affairs of the State of Maharashtra. Government is accordingly pleased to direct, in supersession of the orders issued in the General Administration Department Resolutions, dated the 1st January 1977 and 12th January 1978, that special pay should be payable to all the officers belonging to both State Services as well the All India Services and that the payment of the special pay should be governed

by the provisions of Rule 609 of the Bombay Civil Services Rules and the orders contained in Government Resolution, Finance Department, No. PAY 1277/CR-993/SER-3, dated the 16th November 1978, subject to the condition that no additional remuneration should be allowed to the officers of the All India Services and the officers of the State Government Services drawing pay in the scales or extended scale, the minimum of which is Rs.2,000/- and above irrespective of the fact whether the time scale pertains to a cadre, post or a non-cadre post.

3. In the case of the officers of the Judicial Department, special pay for holding additional charge of another comparable/ higher post would be admissible even for the officers holding posts in the Selection Grade of Rs.2000-2250. No special pay should, however, be admissible to officers drawing pay in the scales higher than the scale of Rs.2000-2250 for holding additional charge of any comparable or higher post.

4. Government is further pleased to direct that no special pay for holding additional charge of another post should be paid except when the additional charge is held for a period exceeding 15 days. Government is accordingly pleased to direct that for the words and figures "less than 15 days" occurring in clause (b) of Rule 609 of the Bombay Civil Services Rules, the words and figures "less than 16 days" shall be substituted.

5. Government is further pleased to direct that the special pay payable under Rule 609 of the Bombay Civil Services Rules should be subject to a limit of Rs.250/- per month. Accordingly, para 3 of Government Resolution, Finance Department, No. PAY 1277/CR-993/SER-3, dated the 16th November 1978 should be treated to have been amended to this extent.

6. Orders regarding delegation of powers to Administrative Departments/Heads of Departments to sanction Special Pay/Additional Pay under Bombay Civil Services Rule, 609 have been issued under Government Resolution, Finance Department, No. PAY-1277/CR-993/SER-3, dated the 16th November 1978. Certain points have since been raised in this respect. These points are clarified in the Annexure to this Resolution.

7. These orders including the clarifications issued herewith should take effect from 16th November 1978. Past cases already decided should not, however, be reopened except to the extent of the clarification at Sr. No.(3) of the Annexure accompanying this Resolution.

8. Similarly, cases decided by the Administrative Departments under the powers delegated to them, even if they were not so covered by the delegated powers, should not be reopened.

9. Necessary amendments to the Bombay Civil Services Rule 609 should issue in due course.

By order and in the name of the Governor of Maharashtra,

SMT. S.V. PANDIT,
Deputy Secretary to Government,
Finance Department.

To

The Secretary to Government of India, Ministry of Finance,
New Delhi,
The Accountant General, Maharashtra I, Bombay,
The Accountant General, Maharashtra II, Nagpur,
The Pay and Accounts Officer, Bombay,
The Resident Audit Officer, Bombay,
The Chief Auditor, Local Fund Accounts, Bombay,
The Senior Deputy Director, Commercial Audit Circle, Worli,
Bombay-400 018,
The Secretary to Governor,
The Private Secretary to Chief Minister,
The Personal Assistants to all Ministers and Ministers for
State,
All Divisional Commissioners, Bombay/Pune/Aurangabad/Nagpur,
*The Prothonotary and Senior Master, High Court of Judicature,
Bombay,
*The Registrar, High Court of Judicature, Appellate Side, Bombay,
*The Registrar, Office of the Lokayukta and Upa-Lokayukta,
Bombay,
*The Secretary, Maharashtra Public Service Commission, Bombay,
*The Secretary, Maharashtra Legislature Secretariat, Bombay,
The Chief Executive Officers of all Zilla Parishads,
All Departments of the Mantralaya,
All Heads of Departments and Heads of Offices under the various
Departments of the Mantralaya,
All Desks in Finance Department (5 copies to Librarian),
The Liaison Officer, Mantralaya, Bombay,
The Select File, Finance Department, Desk SER-3.

*By letter.

No.

of 1980.

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ACCOMPANIMENT TO GOVERNMENT RESOLUTION, FINANCE DEPARTMENT, CT
NO. PAY 1279/CR-604/SER-3, DATED 19TH JULY 1980.

ANNEXURE

P O I N T S

CLARIFICATIONS

- (1) Whether the Administrative Departments/Heads of Departments and Regional Heads to whom the powers have been delegated can sanction additional pay/special pay in cases where the period of additional charge held is prior to the issue of Government Resolution, Finance Department, dated 16th November 1978.
- Yes. The quantum of additional pay/special pay will, however, have to be regulated according to the rules/executive orders in force during the relevant period in which arrangement of dual charge/combination of appointments was made.
- (2) Whether the Administrative Departments/Heads of Department/Regional Heads can sanction additional pay/special pay at 20% in cases where the period of additional charge held is prior to the issue of Government Resolution, Finance Department, dated 16th November, 1978 but remained undecided on that date.
- No. Since orders issued in Government Resolution, Finance Department, dated 16th November, 1978 are effective from the date of issue, the quantum of special pay/additional pay prior to 16th November 1978 will have to be regulated according to the rules/executive orders in force during the period, arrangement of dual charge/combination of appointments was made.
- (3) Whether the authority to whom the powers have been delegated to sanction special pay under Bombay Civil Services Rule 609 can reopen cases in which the period of additional charge held was after the issue of Government Resolution, Finance Department, dated 16th November 1978 but where the special pay was sanctioned at 10% according to rules/executive orders in force prior to 16th November 1978 and can sanction additional pay/special pay at the revised rate of 20% as per Government Resolution, Finance Department, dated 16th November, 1978.
- Yes.

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- (4) Whether the additional pay/special pay should be allowed at 10% or 20% in case where a part of the period falls prior to 16th November 1978 and the remaining part after 16th November 1978 and if the total period of such additional charge is continuous.
- (5) Whether the Appointing Authority below the rank of Heads of Departments/Regional Heads can exercise powers delegated under Government Resolution, Finance Department, dated 16th November 1978 and sanction special pay to persons whom they are competent to appoint.
- (6) Whether Heads of Departments/Regional Heads, competent to appoint a Class II Officer to hold additional charge of the Class I post can sanction additional pay/special pay under the delegated powers.
- (7) According to para 2(c) of the Government Resolution, Finance Department, dated 16th November 1978 in cases where the additional charge of a Class II post is given to a non-Gazetted member of the staff, the Heads of Departments are empowered to sanction additional pay/special pay for the additional charge subject to the fulfilment of the conditions mentioned in the Government Resolution, Finance Department, dated 16th November 1978. A point has

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As mentioned above, orders issued in Government Resolution, Finance Department, dated 16th Nov. 1978 are effective from the date of issue and therefore, orders regarding grant of special pay at an uniform rate of 20% are effective from the same date. Hence for the period falling prior to 16th November 1978 special pay/additional pay will be admissible according to rules in existence prior to that date and for the remaining part from 16th November 1978 special pay/additional pay at 20% will be admissible.

No.

Para 2(b) of the Government Resolution, Finance Department, dated 16th November, 1978 empowers the Heads of Departments to sanction additional pay/special pay to a Gazetted Officer in Class II service under their administrative control. Hence there is no objection to additional pay/special pay being sanctioned by the Heads of Department to Class II Officers who are appointed to hold additional charge of Class I post or appointed to Class I post in addition to his own.

Yes. However, in cases where conditions (i) and (ii) are not fulfilled, the Authority Competent to sanction additional remuneration for dual charge/combination of appointments will be the Administrative Departments concerned. The concerned Administrative Department should, however, in such cases ascertain whether it is/was really not possible to operate the Select List and whether the non-Gazetted member to whom the additional charge of the Class II post is given is otherwise eligible and fit for holding the Class II post.

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been raised as to whether it is necessary to adhere to the conditions mentioned in the Government Resolution, Finance Department, dated 16th November 1978 in cases where the arrangement for dual charge/combination of appointments is purely local and resorted to as a stop-gap arrangement and in which cases it is not possible to operate combined seniority list and select list.

- (8) Whether a person who is drawing special pay under Bombay Civil Services Rule 9(49) and which is attached to the post when asked to hold additional charge of the other equivalent/higher post can be permitted to draw special pay/additional pay under Bombay Civil Services Rule 609 in addition to the special pay which is attached to his own post?
- (9) Whether an Officer who is asked to hold additional charge of a post to which special pay under Bombay Civil Services Rule 9(49) is attached can draw the special pay during the period he holds additional charge of the post and if so, at what rate?

CLARIFICATIONS

Yes.

This should be regulated as per Government Resolution, Finance Department, No. PAY 1079/CR-741/SER-3, dated 9th October 1979.

NO. EST. I/1980.
Pune dated 1/9/80.

Copy forwarded with compliments to the Deputy Director of Land Records Pune, Bombay, Nagpur, Aurangabad for information.

M/D
for Settlement Commissioner
Director of Land Records
M. S. Pune.

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