



Public Works Department,
Secretariat, Chennai - 9.

Letter No. 2128/C2/2008 -20, dated 28.11.2014

From
Dr. M. Sai Kumar, I.A.S.,
Principal Secretary to Government

To
The Deputy Accountant General (Pension),
O/o the Accountant General (A & E),
Tamil Nadu,
No. 361, Anna Salai, Chennai - 18.

Sir,

Sub: Pension - W.P.No. 39835 and 39836 of 2006
(T)(O.A.No. 7484 and 7626 of 1999 filed by
Thiru. S.Rajendiran, Secretary, Irrigation Workers
Union, Thanjavur - Sanction of higher scale of pay of
Rs.4000 - 6000 in respect of Irrigation Assistant -
Clarification sought for - Reg.

- Ref: 1. G.O.Ms.No. 838, Finance (PC) Department, dated
10.8.1989.
2. G.O.Ms.No.250, Finance (PC) Department, dated
21.3.1994.
3. Government D.O. Letter No.54763/ CMPC/99-2,
Finance Department, dated 23.9.1999.
4. G.O.Ms.No.12, Public Works Department,
20.1.2009.
5. Orders of Hon'ble High Court, dated 21.7.2010 in
W.P.No. 39835 and 39836 of 2006 (O.A.No. 7484
and 7626 of 1999)
6. Your Letter No. Pen.30 / I / 1-24 /1A / 2012-
13/5567, dated 04/2012.

I am to invite your attention to the references cited.

2. In your letter cited, it has been requested to confirm whether the
Irrigation Assistants are entitled to higher scale of pay of Rs. 4000-6000
and if so, whether they are eligible for bonus increment.

3. In this connection, I am to state that the employees under work charged establishment in Public Works Department were provincialised and designated as Luscars. In the reference first cited, the post of Luscar was re-designated as Irrigation Assistant and allowed the scale of pay of Rs.775-1030 with effect from 1.6.1988. Subsequently, in the Government Order second cited fresh guidelines were issued in respect of fixation of pay of the Work Inspectors and further clarified in the reference third cited that the orders issued in G.O.Ms.No. 250, Finance Department, dated 21.3.1994 will be applicable only to the Work Inspectors and not for other categories as the scales of pay mentioned in the said Government Order is personal to the incumbent in the post of Work Inspector.

4. In the Government Order fourth cited, necessary amendment to the Special Rules for the posts under erstwhile Work charged Establishment was issued to the effect that the said amendment shall come into force from 02.8.1984. In respect of the cases filed by Irrigation Workers Union to quash the Government letter third cited and also the consequential orders issued by the Engineer-in-Chief and Chief Engineer (General), Public Works Department, dated 16.11.1999, the Hon'ble High Court in its order dated 21.7.2010 has closed the Writ Petitions consequent on the orders issued in the Government Order fourth cited.

5. In the above circumstances, I am to clarify that the pre-revised and revised scale of pay of Irrigation Assistant (erstwhile Luscar) are as follows:-

Name of the post	w.e.f. 1.4.1978	w.e.f. 1.10.1984	w.e.f. 1.6.1988	w.e.f. 1.1.1996
Irrigation Assistant	Rs.	Rs.	Rs.	Rs.
Ordinary Grade	250 - 400	450 - 720	775 - 1030	2610 - 3540
Selection Grade	265 - 425	475 - 775	800- 1150*	2650 - 4000*
Special Grade	---	---	950 - 1500	3050 - 4590
* Limited to the scale of pay of the first level promotion post viz. Head Irrigation Assistant.				

Therefore, the Irrigation Assistants are eligible for the Special Grade scale of pay of Rs.3050 - 4590 with effect from 1.1.1996 and not entitled for the higher scale of pay of Rs.4000 - 6000.

6. In respect of awarding of bonus increment, it is informed that general orders were issued in G.O.(Ms.)No.562, Finance (PC) Department, dated 28.9.1998 to the effect that employees stagnating in a post beyond 30 years i.e. employees who are stagnating in the Special Grade beyond 10 years be granted with one bonus increment as an incentive. As such, the Irrigation Assistants who satisfy the conditions stated in the above said Government Order are entitled for one bonus increment.

7. This letter issues with the concurrence of Finance Department vide its U.O. No.48093/CMPC/2013, dated 4.2.2014.

Yours faithfully,


28/11/14

for Principal Secretary to Government



Copy to

The Engineer in Chief,
Water Resources Department and
Chief Engineer (General),
Public Works Department,
Chennai - 5.

Finance(CMPC) Department, Ch-9.
Sf/Sc.