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Rec.No.98311/2017/C2

P.Dis.No. 120 /2017



Copy of G.O. (Ms) No.153, dated 05.12.2017 of Personnel and Administrative Reforms (FR.IV) Department, Secretariat, Chennai is communicated for information and necessary action.

HIGH COURT, MADRAS
DATED: 21.12.2017

SUB ASST. REGISTRAR (ADMN.II)

To

- 01.All the Registrars, High Court, Madras & Madurai Bench of Madras High Court, Madurai.
- 02.All the Principal District Judges.
- 03.All the Chief Judicial Magistrates.
- 04.The Principal Judge, City Civil Court, Chennai.
- 05.The Chief Judge, Court of Small Causes, Chennai.
- 06.The Administrator General & Official Trustee of Tamil Nadu, Chennai.
- 07.The Director, Tamil Nadu Judicial Academy, No.30(95), Malligai, P.S.K.R. Salai, R.A. Puram, Chennai -28.
- 08.The Chief Metropolitan Magistrate, Egmore, Chennai.
- 09.The Presiding Officers of Labour Courts, Chennai, Madurai, Coimbatore, Tirunelveli, Tiruchirappalli, Salem, Vellore and Cuddalore.
- 10.The Presiding Officer, Industrial Tribunal, Chennai.
- 11.The Principal Judge, Family Court, Chennai.
- 12.The Judge, Family Court, Madurai, Coimbatore, Salem & Pudukkottai.
- 13.The Presiding Officer, Special Court for EC & NDPS Act Cases, Chennai, Coimbatore, Salem, Madurai, Thanjavur & Pudukkottai.
- 14.The Sessions Judge, Spl Court for Bomb Blast Cases, Chennai @ Poonamallee & Coimbatore.
- 15.The Special Judge, Special Court under TNPID Act, Chennai - 104.
- 16.The City Government Pleader, City Civil Court Buildings, Chennai.
- 17.The Sessions Judge, Mahalir Neethimandran, Chennai, Cuddalore, Coimbatore, Madurai, Perambalur, Salem, Tirunelveli and Pudukkottai.

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Copy to:-

01. The Section Officers, "B" Section and "J" Section, High Court,
Madras and Madurai Bench of Madras High Court, Madurai.
02. The Librarian, High Court, Madras and Madurai Bench of Madras High Court,
Madurai.
03. The Record Keeper, A.D. Records, High Court, Madras & Madurai Bench
of Madras High Court, Madurai.
04. The Chief Accounts Officer, High Court, Madras.

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ABSTRACT

Fundamental Rules – Rule 49 of Fundamental Rules - Making of Full Additional Charge arrangement – Amendment - Issued.

Personnel and Administrative Reforms (FR-IV) Department

G.O.(Ms) No.153

Dated : 05.12.2017
ஹேவிளம்பி, கார்த்திகை-19
திருவள்ளூர் ஆண்டு 2048

Read :

1. G.O. (Ms) No. 349, P&AR Department, Dated. 24.03.1980.
2. G.O. (Ms) No. 1099, P&AR Department, Dated. 15.12.1987.
3. G.O. (Ms) No. 40, P&AR Department, Dated. 25.03.1999.
4. G.O.(Ms) No. 122, P&AR Department, Dated. 03.10.2011.

ORDER:

The following Notification will be published in the Tamil Nadu Government Gazette:-

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India and all other powers hereunto enabling, the Governor of Tamil Nadu hereby makes the following amendment to the Fundamental Rules:-

2. The amendment hereby made shall come into force on the 5th day of December 2017.

AMENDMENT

In the said Fundamental Rules, in rule 49,-

- (1) for the expression "one or more independent posts", the expression "any one independent post, either under Government service or under foreign service on deputation, in addition to his regular post" shall be substituted;

(P.T.O)

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- (2) for Clause (1) and the Explanations thereunder, the following Clause and Explanations shall be substituted, namely:-

"(1) (i) When a Government servant belonging to Group A or Group B, either permanent or officiating including a re-employed pensioner or a permanent employee of a local body, holding a temporary post or officiating in a post under Government is appointed to hold full additional charge of a **post**, additional pay shall be allowed only if the period of additional charge is more than thirty nine days. In computing the period of additional charge, holidays and casual leave should also be included.

(ii) No additional pay shall be granted for holding additional charge of current duties of **any post**.

(iii) Additional pay for holding full additional charge shall be granted at the rate of one fifth of the pay drawn in the regular post or half of the minimum pay of the additional post, whichever is less. The additional pay shall be sanctioned irrespective of the duration of the additional charge held by **Group – A and B officers only**.

(iv) In the case of a Government servant whose additional pay has already been authorised for payment, with reference to their respective officiating or substantive pay, no arrears of such additional pay shall be paid in pursuance of subsequent retrospective orders of confirmation, completion of probation or regularisation of services in the post held by him resulting in an increase of substantive pay or pay in the regular post. But such additional pay may be calculated and paid on the basis of such orders, if it has not already been authorised for payment.

(v) Additional pay shall be allowed to an officer holding a Government post when he is appointed to hold full additional charge of **another post under foreign service on deputation** and to an officer **under foreign service** holding full additional charge of **another post in another foreign employer**.

Explanation I—In the case of a pensioner re-employed, the pay drawn by him in the re-employed post along with the pension originally sanctioned that it is before commutation, if any together with the pension equivalent of the Death-cum-Retirement Gratuity admitted to him as retirement benefit shall be taken as officiating pay for this purpose.

Explanation II—For the purpose of this rule, the expression 'pay' and 'substantive pay' shall not include any special pay.

Explanation III—Whenever the post held in full additional charge is a **post under a foreign employer**, the additional pay shall be borne by the foreign employer concerned.

(P.T.O)

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(vi) The additional charge arrangement under this rule shall not be made to Group C and D posts / officials. The duties and responsibilities of the vacant post in these categories shall be distributed equally among others in the same cadre or category or post.”;

- (3) for Clause (2) and the Notes thereunder, the following Clause and the Notes shall be substituted, namely:-

“(2) (a) In addition to the additional pay, the Government servant shall also be permitted to draw **the compensatory allowance in full, attached to any one of the posts, whichever is higher.**

Note 1.—The authority competent to appoint a Government servant to hold additional charge of a post shall declare whether he holds full charge of the other additional post or is appointed merely to discharge the current duties.

Note 2.—No additional pay shall be granted unless the previous incumbent of the other post has actually given over charge thereof under orders of the competent authority. In the case, however, of additional charge of a new post which does not involve handing over charge thereof by the previous incumbent, additional pay shall be admissible subject to the provisions of this Rule, from the date of incumbent signs the certificate of transfer of charge when taking over additional charge of the new post.

Note 3.—Leave not exceeding two months taken by a Government servant holding additional charge of another post shall not be construed as constituting a break in the additional charge arrangement.

Note 4.—No additional pay shall be allowed during any period of vacation, unless the additional duty is performed during such period.

Note 5.—Additional pay shall not be allowed as a matter of course or granted when the extra duties to be performed are only nominal or comparatively light.

Note 6.—Additional pay as defined under ruling (2) under Fundamental Rule 9 (21) (a) shall not count as pay for purposes of calculating compensatory allowances.”.

(BY ORDER OF THE GOVERNOR)

S. SWARNA,
SECRETARY TO GOVERNMENT .

To
All Secretaries to Government, Chennai-9.
All Departments of Secretariat, Chennai-9.
The Secretary, Legislative Assembly Secretariat, Chennai-9.

(P.T.O)

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The Principal Accountant General (A&E), Chennai-18.
The Accountant General (Audit-II), Chennai-35.
The Accountant General (Audit-II), Chennai-6.
The Principal Accountant General (Civil Audit), Chennai-18.
The Accountant General (CAB), Chennai-9.
The Pay and Accounts Officer(North), Chennai-79.
The Pay and Accounts Officer(south), Chennai-35.
The Pay and Accounts Officer(East), Chennai-5.
The Pay and Accounts Officer, Secretariat, Chennai-9.
All Heads of Department.
All District Collectors.
All District Judges.
All District Magistrates.
The Pension Pay Officer, Chennai-6.
All Treasury Officers.
The Works Manager, Government Central Press, Chennai-79.
(Two copies for publication in the Tamil Nadu Government Gazette)

Copy to:

The Secretary to Hon'ble Chief Minister, Chennai-9.
The Private Secretary to Chief Secretary to Government, Chennai-9.
The Private Secretary to Secretary to Government,
P&AR Department, Chennai-9
All officers / sections in P&AR Department, Chennai-9.
Stock File / Spare Copies.

// FORWARDED BY ORDER//

P. Ambika
12/12/2017
SECTION OFFICER