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Government of West Bengal
Finance Department
Audit Branch

No. 2014-F

Kolkata, the 9th March, 2009.

MEMORANDUM

Consequent upon promulgation of the West Bengal Services (Revision of Pay and Allowance) Rules, 2009 and Finance Department's Memorandum No.1691-F dt. 23.2.2009, some clarifications are being sought for regarding various aspects of fixation of pay in the revised pay structure.

After careful consideration of the matter the undersigned is directed by order of the Governor to offer the following clarifications on the points of doubt for information and guidance of all concerned :

Sl. No.	Points of Doubt	Clarifications
1.	<p>As per provisions of 'Note(b)' below sub-rule(3) of Rule 42A of the WBSR-I split-option may be given by a Government employee within one month of promotion.</p> <p>Some of the employees, promoted before 1.1.2006 as well as after 1.1.2006 but before date of publication of the West Bengal Services (Revision of Pay and Allowance) Rules, 2009, implementing the recommendations of the 5th Pay Commission, had opted for their pay being fixed on promotion from the date of their next increment which was falling after 1.1.2006 in the then existing scale of pay as per the rules then in force.</p> <p>Consequent upon implementation of the West Bengal Services (Revision of Pay and Allowance) Rules, 2009, effective notionally from 1.1.2006, the option given or to be given by a number of employees has now turned to be disadvantageous.</p> <p>Whether such employees may be allowed to revise their options to come under 'Note(a)' below Sub-rule(3) of Rule 42A of the WBSR-I.</p>	<p>For such unforeseen developments or change of rules that have resulted from the notification of the WBS (ROPA) Rules, 2009, Government employees may be allowed to <u>exercise a revised option for fixation of pay in the then existing scale of pay in the promotion post</u> within one month from the date of issue of these clarifications.</p> <p>The same procedure may apply in case of non-functional movement to higher scales for movement to higher scales for application of CAS or MCAS Orders during the material period.</p> <p>Overdrawal, if any, for such change of option for coming under the revised pay structure with effect from 1.1.2006 notionally, will have to be adjusted against the payment of arrears under Rule 12 of the WBS (ROPA) Rules, 2009.</p> <p>For such change of option no reference to the Finance Department will be necessary.</p>

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Sl. No.	Points of Doubt	Clarifications
2.	<p>As per Rule 5 of the WBS (ROPA) Rules, 2009, a Government employee placed in a higher pay scale between the period from 1st January, 2006 to the date of notification of these rules on account of promotion, upgradation of pay scales etc. may elect to switch over to the revised pay structure from the date of promotion (i.e. after placement in the promotional grade), upgradation etc.</p> <p>The employees promoted or upgraded to higher grade have option to have their pay fixed/re-fixed as per provisions of 'Note' below Sub-rule(3) of Rule 42A of the WBSR-I from the date of next increment etc.</p> <p>Whether such employees covered by Rule 5 of the WBS (ROPA) Rules, 2009 can also revise their options now to choose either from the date of promotion/upgradation or the date of increment etc. (which may fall on the 1st July 2006, 2007, 2008 or 2009 etc.), as annual increment in the revised pay structure is given uniformly on 1st July?</p>	<p>Proviso to Rule 5 of the WBS (ROPA) Rules, states that a Government employee 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.</p> <p>The Rule <i>ibid</i> further provides that in cases where a Government employee has been placed in a higher pay scale between 1.1.2006 and the date of publication of these Rules on account of promotion or upgradation of pay scales etc., the Government employee may elect to switch over to the revised pay structure from the date of such promotion, upgradation etc.</p> <p>It is, therefore, clarified that such cases will be strictly regulated under the proviso to Rule 5 of the WBS (ROPA) Rules, 2009. After switching over to the revised pay structure, 'Notes' laid down below Rule 11 of the WBS (ROPA) Rules, 2009 will apply.</p>
3.	<p>In Rule 11 of the WBS (ROPA) Rules, 2009, the provisions of fixation of pay on promotion or non-functional movement to higher scales have been laid down.</p> <p>A point has been raised whether the provisions of Rule 42A(1) of the WBSR-I still exist after introduction of the revised pay structure under the WBS (ROPA) Rules, 2009.</p>	<p>When a Government employee has opted to come under the revised pay structure on or after 1st January, 2006, his promotion to higher scale/post after any date on or after 1st January, 2006 will be regulated as per Rule 11 and 'Notes' laid down below the said Rule of the WBS (ROPA) Rules, 2009.</p> <p>In case of non-functional movement to higher scale on or after 1st January, 2006, a Government employee may exercise option for fixation of pay either straightway on the date of entitlement of the benefit or on the date he receives the increment on the 1st July of the year under the revised pay structure.</p>

Sl. No.	Points of Doubt	Clarifications
4.	<p>As per rule 9 of the WBS (ROPA) Rules, 2009, 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.</p> <p>Whether rounding off to next multiple of 10 has to be done in terms of rupees or even a paise has to be rounded off to next multiple of 10.</p> <p>For example, if the pay in the pay band after drawal of increment works out to Rs.10510.10 the same has to be rounded off to 10520 or 10510.</p>	<p>In either case, he will get 'grade pay' applicable to the higher scale from the date he opts for the higher scale. In the later case, no benefit of interim fixation in the revised pay structure in the form of increment or higher grade pay will be admissible.</p> <p>In the case of 'Fitment Tables' annexed to the Finance Department's Memorandum No. 1691-F dt. 23.2.2009 rounding off has already been done and the same should be implemented at the time of fixation pay in the revised pay structure without any modification.</p> <p>In the case of calculation of increments under the revised pay structure, paise should be ignored, but any amount of a rupee or more should be rounded off to next multiple of 10.</p> <p>To illustrate, if the amount of increment comes to Rs.830.70 paise, then the amount will be rounded off to Rs.830; if the amount of increment works out to be Rs.831.40, then it will be rounded off to Rs.840.</p>

2. This order shall be deemed to have been taken effect from the date of publication of the WBS (ROPA) Rules, 2009.

Sd/- B. Lahiri
Deputy Secretary to the
Government of West Bengal,
Finance Department.

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