

No. VI-HE (SC)01/09-14427/HE

**GOVERNMENT OF ORISSA
DEPARTMENT OF HIGHER EDUCATION**

RESOLUTION

Bhubaneswar, dated the 21st May, 2009

Consequent upon the Provision of Scale of pay of teaching and non-teaching employees in Government educational institution under the Orissa Revised Scales of Pay Rules, 2008 in pursuance of Finance Department Resolution No. 54080-PCC-51/08/F, dated the 16th December 2008 and subsequent Notification No. 55244/F PCC(F)-51/08(Pt), dated 24.12.2008 published in SRO No. 638/2008 Government have been pleased to allow the revision of scales of teaching and non-teaching staffs of the Non-Government fully aided colleges w.e.f. 1st January 2006 as indicated in Annexure-1.

2. (1) The revised scales of pay shall apply only to those teaching and non-teaching staffs who have been appointed on regular manner against the approved post carrying the regular scales of pay in due observance of relevant rules prescribed from time to time for the Non-Government Aided Colleges and are in receipt of full grant-in-aid from Government.

(2) The revised scales of pay shall not apply to:-

- (i) Persons not in whole time employment;
- (ii) persons engaged on contract basis except when the contract provides otherwise;
- (iii) persons re-employed in service after retirement;
- (iv) persons paid out of contingencies;
- (v) persons paid otherwise than on a monthly basis including those paid only on piece rate basis;
- (vi) persons not drawing pay in the regular scales of pay for whom no revised scales of pay are prescribed;
- (vii) Government servants on deputation;
- (viii) persons/posts in receipt of Block grant;

- (ix) employees covered under Higher Education Department Resolution No. 12790 dtd. 01.03.2001 and
- (x) any other class or category of employees to whom Secretary, Higher Education Department may, by order, specifically exclude from the operation of all or any of the provisions contained in the Resolution.

3. For the purpose of this Resolution:

- (1) (i) “existing basic pay” means pay drawn in the prescribed existing scale of pay, including stagnation increment(s), personal pay granted due to fixation of pay including the cases where reduceable personal pay has been granted to protect the total emoluments;
 - (ii) “existing scale” in relation to a Non Government Aided College means the present scale applicable to the post held by the said employee;
- (2) (i) “existing emoluments” means the sum of (i) the existing basic pay (ii) dearness pay appropriate to the basic pay and (iii) dearness allowance appropriate to the basic pay;
 - (ii) “present scale” in relation to any post/grade specified in column 2 of the Annexure 1 means the scale of pay specified against that post in column 5 thereof;
 - (iii) “pay in pay band” means pay drawn in the running pay band specified in column 5 of the Annexure-1.
 - (iv) “grade pay” is the fixed amount corresponding to the pre-revised scales/post as specified in column 6 of the Annexure-1.
 - (v) “revised pay structure” in relation to any post specified in column 3 of the Annexure-1 means the pay band and grade pay specified against that post or the pay scale specified in column 5 and 6 thereof;
 - (vi) “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 special pay, etc;
 - (vii) “revised emoluments” means the pay band plus grade pay of an employee of a Non-Government Aided College in the revised pay structure;
 - (viii) “Annexure” means annexure annexed to this Resolution;
- (3) “Government” means the Government of Orissa;
- (4) “Head of the Office” means the Principal of Non-Government Aided College.

(5) “Revised Scale” means the scale of pay specified in column (5) of “Annexure-1”

4. **Scale of Pay** - The revised pay structure with the pay band, pay scale and grade pay as applicable, corresponding to the existing scale of every post/grade specified in Column (2) of the Annexure-1 shall be as specified against it in Column (5) and (6) thereof.

5. **Fitment Principle**

(i) The pay in the pay band/pay scale will be determined by multiplying the existing basic pay without special pay as on 01.01.2006 by factor of 1.86 and rounding off the resultant figures to the next multiple of 10 Grade pay corresponding to the pay band will then be added to be shown distinctly.

(ii) if the minimum of the revised pay band/pay scale is more than the amount arrived at as per the above fitment principle, the pay shall be fixed at the minimum of revised pay band/pay scale with corresponding grade pay.

6. **Drawal of pay in the revised pay structure** - An employee of a Non-Government Aided College shall draw pay in the corresponding pay in pay band with grade pay in revised pay structure applicable to the post to which he is appointed :

An employee may elect to continue to draw his pay in the existing scale until the date on which he earns his next increment in the existing scale falling due within a period of one year from the date of enforcement of this Resolution or until he vacates his post or ceases to draw the pay in that scale :

- The option to retain the existing scale shall be admissible only in respect of one existing scale.

- The aforesaid option shall not be admissible to any person appointed to a post on or after the 1st day of January 2006,

7. *Exercise of option –*

All employee shall be deemed to have come over the to the revised scales of pay with effect from 1st January 2006 except where the employee opted for a date after 01.01.2006 under the provisions of this Resolution. However, exercise of options shall be limited to the date of increment in the existing scale falling due within a period of one year, i.e. from 01.01.2006 to 31.12.2006.

No option shall however be exercised in case of direct recruits appointed on or after the date of implementation i.e. 01.01.2006.

- (1) The option under this para shall be exercised in writing in the Form as in Annexure-II so as to reach the Head of Office within three months of the date of publication of these Resolution or where an existing scale has been revised by any order made subsequent to that date, within 3 months of the date of such order :
- (2) (i) In case of an employee who is on the date of such publication of the Resolution or as the case may be, date of such order, is on leave the said option shall be exercised in writing so as to reach the said authority within three months of the date of his taking charge of his post and or within three months from the date of publication of this Resolution to the Head of Office;
- (ii) Whereas an employee is under suspension on the 1st day of January 2006, the option may be exercised within three months of the date of his return to his duty after 1st day of January 2006;
- (3) If the intimation regarding option is not received within the stipulated period, the employee shall be deemed to have elected to be governed by the revised pay structure with effect on and from the 1st day of January, 2006.
- (4) **The option once exercised shall be final.**
- (5) Persons whose services were terminated on or after the 1st January, 2006 and who could not exercise the option within the prescribed

time limit, on account of discharge on the expiry of the sanctioned posts, resignation, dismissal or removal on disciplinary grounds are entitled to the revision of pay.

- (6) Persons who have died on or after the 1st day of January, 2006 and could not exercise the option within the prescribed time limit are deemed to have opted for the revised pay structure on and from the 1st day of January, 2006.
- (7) Persons who were on earned leave or any other leave on 1.1.2006 which entitled them to leave salary will be allowed such benefits.

8. *Fixation of initial pay in the revised pay structure* – The initial pay of an employee who elects, or is deemed who have elected under sub-para-3 of Para-7 of this Resolution to be governed by the revised pay structure on and from the 1st day of January, 2006.

- (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/pay scale is more than the amount arrived as per (i) above, the pay shall be fixed at the minimum of the revised pay band/pay scale;
- (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 existing scale will be payable.
- (iv) Where the existing emoluments exceed the revised emoluments in the cases of any employee, the difference shall be allowed as “**personal pay**” to be absorbed in future increases in pay.
- (v) Fixation of pay in the revised scale shall be made in the form appended to this Resolution as Annexure-III.

- 9. Fixation of pay in the revised pay structure of an employee appointed as fresh recruit on or after 01.01.2006-** Column (5) and (6) of the Annexure-1 of this Resolution indicate the entry level pay in the pay band under which the pay of direct recruits to a particular post carrying specific grade pay will be fixed on or after 01.01.2006. This will also be applicable in case of those recruited between 01.01.2006 and the date of issue of this Resolution. In such cases where the emoluments of the pre-revised pay scale i.e. basic pay in the pre-revised pay scale plus Dearness Pay plus Dearness Allowance applicable on the date of joining exceeds the sum of the pay fixed in the revised pay structure and applicable dearness allowance thereon, the difference shall be allowed as personal pay to be absorbed in future increments in pay.
- 10. Rate of increment in the revised pay structure -** The rate of increment in the revised pay structure shall be 3% of “**Basic Pay**” as applicable, which will be rounded off to the next multiple of 10. The amount of increment will be added to the existing pay in the pay band only.
- 11. Date of next increment in the revised pay structure-** The date of next increment shall be twelve months from the date of last increment sanctioned. In case where the pay is fixed at the minimum of revised scale of pay, the date of next increment shall be the anniversary of date of coming over to the revised scale of pay.
- 12. Fixation of pay in the revised pay structure subsequent to the 1st day of January, 2006 -** Where an employee continues to draw his basic pay in the existing scale and is brought over to revised pay structure from the date later than the 1st day of January, 2006, his pay from the later date in the revised pay structure subject to the provisions of Para-6, shall be fixed in the manner as indicated in Para-8 taking the pre-revised basic pay as on that date.

- 13. *Stagnation increment*** - After refixation of the pay in the pay band and revised pay scale of the employees of Non-Government Aided Colleges may avail stagnation increment @ of 3% in the revised pay scale at an interval of 2 years after reaching the maximum of the pay band. Three such increments shall be allowed which shall be treated as “personal pay”. Employees against whom disciplinary cases are pending will, however have to await the result of the disciplinary case for being considered for grant of this benefit.
- 14. *Authority competent to fix the pay-*** The Pay of the employees of Non-Government Aided Colleges shall be fixed by the concerned Head of the Office as defined in Para-3 of this Resolution and shall be checked by the concerned Regional Director of Higher Education.
- 15. *Excess payment to be recovered*** - Where in the course of fixation of pay under this Resolution, any amount drawn or received as pay by any employee of a Non-Government Aided College under any provision is found to be in excess of the amount payable to him under this Resolution, the excess amount so drawn or received shall be recoverable from such employee or from his recoverable pensionary benefits for which he shall submit an undertaking as specified in the Annexure-V.
- 16.** 1) The employees of the Non-Government Aided Colleges will get their current salary from the month of March 2009 payable in April, 2009 in the revised scale .
- 2) The arrears from 01.01.2006 to 28.02.2009 will be paid in two phases i.e. 40% and 60% respectively in 2009-10 onwards as per availability of funds after making appropriate provision in the Budget.
- 3) The employees who have ceased to work before the date of publication of this Resolution will get their arrears in one installment on priority.
- 4) The employees may opt to keep a portion of the arrear or full in the respective G.P.F. Account. Also Government may consider to impound

either a portion or the entire arrear in the respective G.P.F. A/c after assessing the resource position of the State.

17. The 60% of arrear salary will be paid only after detailed checking by the Checking Authority.
18. At the time of checking, if excess payment is detected the same may be adjusted from the arrear salary of the concerned employees. Still some amount is left unadjusted, the same will be adjusted from the recoverable pensionary benefit of the employee concerned.
19. The DDO and the Head of the Office shall be equally responsible for wrong fixation and excess drawal, if any, from which both of them shall be liable for penal action for such omission and commission in this regard.
20. Taxable income of the employees concerned shall be deducted from the arrear salary/salaries of the employees.
21. ***Interpretation*** - If any question arises relating to the interpretation of any of the provisions of this Resolution, for removal of anomalies, omissions, difficulties, printing and clerical errors & all such matters shall be referred to Higher Education Department for clarification and decision, no clarification decision on all such matters shall be issued without prior consultation with Finance Department.
22. This Resolution issues with the concurrence of Finance Department vide their UOR No. 816 PSF dated 28.02.2009.

By Order of the Governor

Sd/- M.S. Padhi
Commissioner-cum-Secretary to Government

Memo No.14428/H.E., Dated 21.05.2009

Copy forwarded to the Director, Printing Stationery & Publication, Orissa, Cuttack for information & necessary action, with a request to publish the Resolution in the next issue of Orissa Gazette and supply (500) five hundred copies to Higher Education Department.



Deputy, Secretary to Government.

Memo No.14429 (75)/H.E., Dated 21.05.2009

Copy forwarded to Accountant General (A&E), Orissa, Bhubaneswar/Accountant General (Audit), Orissa, Bhubaneswar/All Departments/All Heads of Department/Registrar of all Universities /Chairman, Council of Higher Secondary Education, Orissa, Bhubaneswar/President, State Selection Board, Orissa, Bhubaneswar/Presiding Officer, State Education Tribunal, Orissa, Bhubaneswar for information.



Deputy, Secretary to Government.

Memo No.14430 (3)/H.E., Dated 21.05.2009

Copy to the Secretary to the Governor, Orissa/Commissioner-cum-Secretary to Chief Minister, Orissa /Private Secretary to Minister, Higher Education, Orissa/Private Secretary to Commissioner-cum-Secretary to Government, Department of Higher Education, Orissa for information.



Deputy, Secretary to Government.

Memo No.14431 (5)/H.E., Dated 21.05.2009

Copy to the Director, Higher Education, Orissa, BBSR/Director, Vocational Education, Orissa, Bhubaneswar/Regional Directors of Education, Bhubaneswar/Sambalpur/Berhampur for information and necessary action.



Deputy, Secretary to Government.

Memo No.14432 (448)/H.E., Dated 21.05.2009

Copy to the Principal of all Aided Colleges (448) for information and necessary action.



Deputy, Secretary to Government.

Memo No.14433 (7)/H.E., Dated 21.05.2009

Copy to Finance Section/Audit Section/Section-I/II/III/VI/IV (Guard file 35 Copies) for information.



Deputy, Secretary to Government.

Memo No.15535 (22)/H.E., Dated 02.06.2009

Copy forwarded to the Principal of 22 Non-Govt. Aided Sanskrit Colleges for information and necessary action.



Deputy, Secretary to Government.

ANNEXURE – 1

**EXISTING SCALE OF PAY UNDER O.R.S.P. RULES 1998 AND
CORRESPONDING REVISED SCALE OF PAY, 2008 IN PAY BAND
WITH GRADE PAY**

Sl. No.	Existing Scale of Pay under ORSP Rules, 1998	Revised Scale of Pay	Revised Grade Pay
1	2	3	4
1	2550-55-2660-60-3200	4440-7440	1300
2	2610-60-3150-65-3540	4440-7440	1400
3	2650-65-3300-70-4000	4440-7440	1650
4	2750-70-3800-75-4400	5200-20200	1800
5	3050-75-3950-80-4590	5200-20200	1900
6	3200-85-4900	5200-20200	2000
7	4000-100-6000	5200-20200	2400
8	4500-125-7000	5200-20200	2800
9	4750-125-7500	9300-34800	4200
10	5000-150-8000	9300-34800	4200
11	5500-175-9000	9300-34800	4200
12	6500-200-10500	9300-34800	4600

ANNEXURE – II

**Application Form for exercising option to come over to the
Revised Scales of Pay Rule, 2008**

1(i) I _____ holding the post
of _____ in the scale of _____
do hereby elect the revised pay structure with effect from the 1st day of January, 2006.

OR

(ii) I _____ hereby elect to continue on the
existing scale of pay of my substantive/officiating post _____ until,
date _____ (i.e. the date of my next increment).

2. The option hereby exercised is final and will not be modified at any subsequent
date.

Date : _____

Signature : _____

Designation : _____

Office : _____

Signed before me _____
Head of Office/Any other Gazetted Officer
with designation received the above declaration.

Signature : _____

Head of Office/Competent Authority
(with seal)

Date : _____

N.B. : Delete which is not applicable at Para-1

ANNEXURE – III**Form for Fixation of Pay**

1. Name of the Employee :
2. Designation of the post in which pay is to be fixed as on January 1, 2006. :
3. Status (Substantive/Officiating) :
4. Name of the Head of the Office **(Designation only)** :
5. Existing Scale of Pay :
6. Revised pay band & grade pay in the pay structure as per the Fitment Table attached at Annexure-I. :
7. Date from which option exercised to come over to the Revised Scale :
8. Emoluments in the existing Scale of pay on the Date from which Revised Scale is opted :
 - (a) Basic Pay (including R.P.P.) :
 - (b) D.P. if any :
 - (c) D.A. as on 01.01.2006 :
 - (d) Total emoluments (a to c) :
9. Pay fixed in the Revised Scale of pay :
 - (a) Pay in the revised pay band/scale in which pay is to be fixed as per the fitment Table attached at Annexure-I :
 - (b) Grade pay to be applied corresponding to the pay band as per Annexure-1 :
10. Revised pay with reference to the Substantive Pay in cases where the pay fixed in the officiating post is lower than the pay fixed in the substantive post if applicable :

- 11. Personal Pay, if any :

- 12. Revised emoluments after fixation :

 - (a) Pay in the Revised Pay Band/
Pay Scale :
 - (b) Grade Pay :
 - (c) Personal Pay, if admissible :

- 13. Date of next increment and pay after grant of increment. :

Date of Increment :

Pay after Increment

Date of next increment/promotion	Pay in the Pay Band/Scale	Grade Pay (wherever applicable)

- 14. Any other relevant information :

Date :

Office :

**Signature & Designation of
Head of Office/Competent Authority**

ANNEXURE – IV**FORM FOR EXERCISING OPTION ON THE EVENT OF FIXATION OF PAY
ON PROMOTION TO NEXT HIGHER GRADE/POST.**

I _____ holding the post of _____
in the pay scale of Rs. _____ and drawing pay of Rs. _____ do hereby elect
to get my pay fixed in pay band _____ with grade pay _____ under
on _____ i.e. the date of my joining in the promotional post/ the date of accrual of
my next increment .

2. The option hereby exercised is final and will not be modified at any subsequent
date.

Signature _____
Designation _____
Office _____
Signed before me _____
Head of Office/ Any Gazetted Officer _____

ANNEXURE – V**UNDERTAKING**

I hereby undertake that any excess payment that may be found to have been made as a result of incorrect fixation of pay or any excess payment detected in the light of discrepancies noticed subsequently will be refunded by me to the Government either by adjustment against future payments due to me or otherwise.

Signature of the employee : _____

Name : _____

Designation : _____

Date : _____

Place : _____