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Government of West Bengal
Department of Panchayats & R.D. Panchayat Wing,
Jessop Building, 63, Netaji Subhas Road, Kolkata - 700001.

No. 854/PN/N/III/2P-27/09

Dated: 27/02/2009

Sub: Revision of Pay and Allowance of the employees of Panchayat Bodies following West Bengal Services (Revision of Pay and Allowance) Rules, 2009 and the attendant orders.

M E M O R A N D U M

The Government of West Bengal in terms of Finance Department Resolution No.6020-F dated 28.08.2008 constituted Fifth Pay Commission with terms of reference which included, inter-alia, examination of the existing structure of pay and allowances of the employees of Gram Panchayat, Panchayat Samiti and Zilla Parishad in this State and recommendation for changes which would be desirable and feasible, with due regard, inter-alia, to the financial resources of the State Government.

The Commission has submitted its report to Government.

After careful consideration of the recommendation of the Pay Commission, the Governor is pleased to decide that the revised scales of pay and allowances of the Panchayat employees shall be admissible in the manner as set out in the following paragraphs:

1. **Date of effect –**

The revised scales of pay and allowances for the Panchayat employees shall be deemed to have come into force on the 1st day of January, 2006.

2. **Application –**

This shall apply to Panchayat employees.

3. **Definitions –**

- (a) 'Panchayat employees' means all whole time and regular employees under Gram Panchayats, Panchayat Samitis and Zilla Parishad/Siliguri Mahakuma Parishad in the State of West Bengal.
- (b) "existing basic pay" means the pay drawn in the prescribed existing scale of pay, including stagnation increment(s), if any, but does not include any other type of pay;
- (c) "existing scale" means, the existing scale applicable to the post held by the Panchayats employee or, as the case may, the personal scale applicable to him on account of his advancement to a higher scale under specific or general orders of the Government as on the 1st January, 2006, whether in a substantive or officiating or temporary capacity.
- (d) 'existing emoluments' mean the aggregate of –
 - i) existing basic pay,
 - ii) dearness pay appropriate to the basic pay, and

- iii) dearness allowance appropriate to the basic pay plus dearness pay at index average 536(1982 = 100);
- (e) "Present scale", in relation to any post specified in column (2) of Part D of Schedule I, means the scale of pay specified against that post in column (3) thereof;
- (f) "Pay in the pay band" means pay drawn in the running pay bands specified in column (5) of Part D of Schedule I;
- (g) "Grade pay" means a fixed amount corresponding to the pre-revised pay scales/posts;
- (h) "revised pay structure", in relation to any post specified in column (2) of Part D of Schedule I, means the pay band scale and grade pay specified against column (5) and column (6) of that Part, unless a different revised pay in the pay band and grade pay is notified separately for that post;
- (i) "basic pay in the revised pay structure" means the pay drawn in the prescribed pay band plus applicable grade pay but does not include any other type of pay;
- (j) "Schedule" means the Schedule appended to these memorandum

4. **Scale of pay of post –**

The pay band and grade pay of every post specified in column (2) of Part D of Schedule I, shall be as specified in column (5) and column (6) respectively thereof.

5. **Drawal of pay in revised pay structure –**

Every Panchayat employee shall draw pay in the revised pay structure applicable to the post to which he is appointed:

Provided that a Panchayat 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:

Provided further that in case where a Panchayat employee has been 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, such Panchayat employee may elect to switch over to the revised pay structure from the date of such promotion or upgradation, as the case may be.

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

Explanation II – The aforesaid option shall not be admissible to any person appointed to a post on or after the 1st day of January, 2006 whether for the first time in Service under Panchayati Raj Bodies or by transfer from another post and he shall be allowed pay only in the revised pay structure.

Explanation III – Where a Panchayat employee exercises the option to retain the existing scale in respect of a post held by him in an officiating capacity on a regular basis for the purpose of regulation of pay in that scale under the existing rules or order applicable to that post, his substantive pay shall be the substantive pay which he would have drawn had he retained the existing scale in respect of the permanent post or the pay of the officiating

post which has acquired the character of substantive pay in accordance with any order for the time being in force, whichever is higher.

Detailed Fixation Tables for each stage in each of the pre-revised scales have been worked out and annexed herewith (Annexure-III).

6. **Exercise of option.**- (1) The option under the provisos as laid down in para 5 shall be exercised in writing in the Form appended to Schedule II so as to reach the authority mentioned in sub-para(2) within three months of the date of issue of this Memorandum.

Provided that –

- (i) a Panchayat employee, who on the date of issue of this Memorandum is on leave or deputation or on foreign service, the said option shall be exercised in writing so as to reach the said authority within three months of his return from such leave or deputation or foreign service, as the case may be; and
- (ii) a Panchayat employee, who is under suspension on the date of publication of these Memorandum, shall exercise the said option within three months of the date of his return to his duty or within three months of the date of publication of these Memorandum whichever is later.
- (2) The option shall be submitted by the Panchayat employee to the Head of his Office.
- (3) If the option under sub-para (1) has not been received by the Head of his Office within the time mentioned in that sub-rule, the Panchayat employee shall be deemed to have elected to be governed by the revised pay structure with effect from the 1st day of January, 2006.
- (4) The option once exercised shall be final.

Note 1. –A Panchayat employee whose service is terminated on or after the 1st day of April, 2008 and who is unable to exercise the option on account of discharge on the expiry of the sanctioned posts, resignation, dismissal or discharge on disciplinary grounds within the prescribed period, shall be entitled to the benefits of exercising option.

Note 2. –A Panchayat employee, who died on or after 1st day of January, 2006 and could not exercise the option within the prescribed period, shall be deemed to have exercised option for the revised pay structure on and from the 1st day of January, 2006 or from such subsequent date as is considered most beneficial to him, if he was alive.

Note 3. – A Panchayat employee who was on leave on the 1st January, 2006 and is entitled to leave salary, shall be allowed the benefits of exercising option.

Note 4. – A Panchayat employee whose existing scale of the post was revised with effect from any date notionally before publication of these Memorandum may be allowed the benefits of exercising option on the basis of notional basic pay in the existing scale.

7. **Fixation of initial pay in revised pay structure.** – The initial pay of a Panchayat employee who elects or is deemed to have elected under para 6 above to be governed by the revised pay structure on and from the 1st day of January, 2006, shall, unless in any case the Government by special order or otherwise directs, be fixed in the manner mutates mutandis as laid down in rule 7 of the West Bengal Services (Revision of Pay and Allowances) Rules, 2009.

Relevant extract of rule 7 of the West Bengal Services (Revision of Pay and Allowances) Rules, 2009 is annexed herewith (Annexure –(I). Some illustrations showing fixation of pay in the revised pay structure are appended herewith Annexure-(II).

8. **Fixation of pay in revised pay structure of employees appointed as fresh recruits on or after 1st day of January, 2006.** – (1) The pay of direct recruits to a particular post carrying a specific grade pay shall be fixed on or after the 1st day of January, 2006, at the entry level pay in the pay band as indicated in Part D or Part E, as the case may be, of Schedule I to this Memorandum.

(2) The provisions of sub-para (1) above shall also be applied in the case of those recruited between the 1st day of January, 2006 and the date of issue of this memorandum.

Provided that where the emoluments in the pre-revised pay scale(s) i.e., sum total of the basic pay in the pre-revised pay scale(s), dearness pay, if any, plus dearness allowance applicable from the date of joining, exceeds the sum of the pay fixed in the revised pay structure and the applicable dearness allowance thereon, the difference shall be ignored upto the 31st day of March, 2008 and such difference in total emoluments for the period from 1st day of April, 2008 to the date of issue of this memorandum shall be regulated in accordance with the provisions para [12].

9. **Rate of increment in revised pay structure.** –(1) The rate of increment in the revised pay structure shall be three per centum (3%) of the sum of the pay in the pay band and grade pay applicable and the resulting amount shall be rounded off to the next multiple of 10.

(2) The amount of increment shall be added to the existing pay in the pay band.

Provided that in case a Panchayat employee, who reaches the maximum of his pay band after addition of the amount of increment to the existing pay in the pay band, shall be placed in the next higher pay band after one year of reaching such a maximum and the time of placement in the higher pay band, benefit of one increment shall be allowed while the grade pay shall remain the same in the higher Pay Band (PB-4) and such Panchayat

employee shall continue to move in the higher pay band till his pay in the pay band reaches the maximum of Pay Band 4 (PB-4):

Provided further that in case a Panchayat employee, who reaches the maximum of his pay band after addition of the amount of increment to the existing pay in the Pay Band 4 (PB-4), neither further increment shall be granted to such a Panchayat employee nor such an amount of increments shall be added to the existing pay in the pay band.

10. **Date of increment in revised pay structure.-** (1) In respect of all Panchayat employees, there shall be a uniform date of annual Increment and such date of annual increment shall be the 1st day July of every year :

Provided that in case of Panchayat employee who had been drawing maximum of the existing scale of pay for more than a year on the 1st day of January, 2006, the next increment in the unrevised pay scale shall be allowed on the 1st day of January, 2006 and thereafter the provision of this rule shall apply.

Note 1. – In case of Panchayat employees completing six (6) months and above in the revised pay structure as on 1st day of July, shall be eligible to be granted the increment. The first increment after fixation of pay on the 1st day of January, 2006 in the revised pay structure shall be granted notionally on the 1st day of July, 2006 for those employee for whom the date of next increment was between 1st July, 2006 to 1st January, 2007.

Note 2. - In case of the Panchayat employees who earned their last increment between the period commencing from the 2nd day of January, 2005 and ending on the 1st day of January, 2006, after fixation of their pay under revised pay structure, such Panchayat employee should get next increment on the 1st day of July, 2006.

Note 3. - In case of the Panchayat employees whose date of next increment falls on the 1st day of January, 2006, after granting an increment in the pre-revised pay scale as on the 1st day of January, 2006, their pay in the revised pay structure should be fixed on the 1st day of January, 2006 and such employees should get their next increment on the 1st day of July, 2006.

Note 4.- If a Panchayat employee opts to come under revised pay structure after any date between the 1st day of January, 2006 to the 1st day of July, 2006, his pay in the revised pay structure should be fixed accordingly, but his date of next increment should be 1st day of July, 2007.

11. **Fixation of pay on promotion on or after 1st day of January, 2006. –**
(1) In case of promotion from one grade pay to another in the revised pay structure on or after the 1st day of January, 2006, the fixation of pay of a

Panchayat employee shall be made in the following manner, namely :-

(a) One increment equal to three per centum (3%) of the sum of the Pay in the pay band and the existing grade pay shall be computed and rounded off to the next multiple of 10;

(b) the amount arrived at in clause (a) shall be added to the existing pay in the pay band and in case the pay in the pay band after adding the increment is less than the minimum of the higher pay band to which promotion is taking place, pay in the pay band shall be stepped up to such minimum;

(c) after the pay in the pay band so determined, grade pay corresponding to the promotional post shall be granted in addition to this pay in the pay band.

(2) In case where promotion of a Panchayat employee involves change in the pay band, the same methodology as mentioned in clause (a) to clause (c) of sub-para (1) for fixation of pay, shall be applicable.

(3) The benefit of fixation of pay available at the time of normal promotion under this rule shall be allowed in case of non-functional elevation to higher scales.

Note 1. – In case the Panchayat employee opts to get his pay fixed from his date of next increment, then, on the date of promotion, pay in the pay band shall continue to be unchanged, but grade pay of the higher post shall be granted. Further re-fixation shall be done on the date of his next increment, i.e. 1st day of July. On the day, such a Panchayat employee shall be granted two increments, one annual increment and the second on account of promotion. While computing these two increments, basic pay prior to the date of promotion and grade pay corresponding to such pay in the pay band shall be taken into account. After allowing such increments, grade pay of the higher post/scale shall be allowed.

Note 2. – In case the Panchayat employee opts to get his pay fixed in the higher grade from the date of his promotion, he shall get his first increment in the higher grade on the next 1st July, if he was promoted between the periods from the 2nd July to 1st January. However, if he was promoted between periods commencing from the 2nd January and ending on the 30th June of a particular year, he shall get his increment on the 1st July of the next year.

Note 3. – If a Panchayat employee after getting non-functional movement to higher scale gets promotion in the same existing pre-revised scale, he shall get only one incremental benefit for the higher post without any change in the grade pay.

12. **Payment of arrears.** - (1) Notwithstanding anything contained elsewhere in the order or in any other rules/orders for the time being in force, no arrears of pay to which a Panchayat employee may be entitled in respect of the

period from the 1st day of January, 2006 to the 31st day of March, 2008, shall be paid to the Panchayat employee.

(2) (a) The arrears of pay to which the Panchayat employee may be entitled to in respect of the period from the 1st day of April, 2008 to the 31st day of March, 2009, shall be paid in three consecutive equal yearly instalments in cash from the year 2009-2010.

(b) A Panchayat employee, who retired on any date between the 1st day of January, 2006 to the 31st day of March, 2008, shall not be entitled to any arrears of pay for the period upto the 31st March, 2008.

(c) A Panchayat employee, who retired between the periods from the 31st day of March, 2008 to the 1st day of April, 2009, but before publication of this Memorandum shall receive arrears pay for the period from the 1st April, 2008 to the date of his retirement, in cash.

Explanation.- "arrears of pay", in relation to a Panchayat employee, means the difference between the aggregate of pay and allowances to which he is entitled on account of the revision of pay and allowances for the period in question and the aggregate of the pay and allowances to which he would have been entitled for that period had his pay and allowances not been so revised. The revised allowance (except for dearness allowance) shall be payable only with effect from the 1st day of April, 2009.

13. Dearness Allowances –

Consequent upon revision of pay of Panchayat employees, the dearness allowance to which a Panchayat employees is entitled from time to time since the 1st January, 2006 needs to be related to pay in the revised scales of pay. Accordingly, it has since been decided that the Dearness Allowance payable to a Panchayat employee with effect from the 1st April, 2008 shall be at the following rates :-

Period for which payable	Rate of Dearness Allowance per Month on Basic Pay
01.04.2008 to 31.05.2008	2%
01.06.2008 to 31.10.2008	6%
01.11.2008 to 28.02.2009	9%
01.03.2009 to 31.03.2009	12%
01.04.2009 onwards	16%

14. House Rent Allowance –

With effect from the 1st April, 2009, the house rent allowance admissible to a Panchayat employees shall be 15% of his basic pay in the revised pay structure, subject to a maximum of Rs.6000/- per month. The ceiling of house rent allowances drawn by husband and wife together shall also be

revised to Rs.6000/- per month. The existing terms and conditions of drawl of house rent allowance by the employees living in their own house or in a rented house shall continue to apply.

15. Medical and other allowances –

The Existing rate of Medical allowances, will be revised to Rs.300/- per month in respect of Panchayat Employees and Panchayat Pensioners .

This order issues with the concurrence of the Finance Department of this Government vide their Un-Official No. 697 Group-P (Pay) dated 27/02/2009.

Date: 27/02/2009

Sd/-(Dr. M. N. Roy)

27/02/2009

Principal Secretary to the Govt. of West Bengal