

**Government of West Bengal**  
**Higher Education Department**  
**C.S. Branch**  
**Bikash Bhavan, Bidhannagar, Kolkata -91**

No: 277-Edn(CS)/5P-42/98 (Pt.)

Dated, Kolkata, the 21st day of April, 2009

**Memorandum**

In continuation of this Department's earlier Memorandum No. 145-Edn(CS) dated, Kolkata, the 27th day of February, 2009, the undersigned has to say that Finance Department Resolution No. 6020-F, dated, the 28th August, 2008, the Govt. constituted a Pay Commission with terms of reference which included that the Commission would examine the structure of Pay and conditions of Service among others of the following:-

- (I) Non-teaching employees of State aided Non-Govt. Colleges including erstwhile Sponsored Colleges and Day Students' Homes employees.
- (II) Employees of the West Bengal College Service Commission.

After careful consideration of the recommendations of the Pay Commission, the Governor is pleased to direct that the non-teaching employees of the State aided Non-Govt. Colleges including erstwhile Sponsored Colleges and Day Students' Homes employees like Laboratory Instructors/Instructress, under-qualified Physical Instructors/Instructress, under-qualified Librarians and under-qualified Demonstrators who are not under the purview of U.G.C. scales of Pay/Pay Bands and also the employees of the West Bengal College Service Commission shall come under the revised pay structures prescribed for different posts/cadres/employees corresponding to the scales of Pay prescribed earlier for such posts/cadres/employees as per orders issued on this subject.

The undersigned has to further inform that the Governor is pleased to decide that the provisions as contained in the West Bengal Services (Revision of Pay and Allowances) Rules, 2009 published by the Finance Department of this Government in its Notification No. 1690-F, dated the 23rd February, 2009 shall apply mutatis mutandis towards revision of scales of Pay (Pay Bands) of the employees mentioned above.

The Governor is also pleased to direct that the date of effect of the Revised Scales (Pay Bands), the manner of fixation of Pay in the revised scales of Pay (Pay Bands) and other conditions of service of employees shall be as set out in the following paragraphs:-

1) DATE OF EFFECT:

(i) The revised Pay Structure (Pay Band and corresponding Grade Pay) shall be notionally effective from the 1st day of January, 2006 as recommended by the Pay Commission.

(ii) The Pay and Allowances of an employee which may be admissible to him/her in consequence of revision of pay shall be actually paid with effect from 1st day of April, 2008.

2) MODE OF DRAWAL OF ARREARS OF PAY:

(i) The arrears Pay to which an employee may be entitled in respect of the period from 1st April, 2008 to 31st March, 2009 shall be paid in three consecutive equal yearly installments in cash from the year 2009-2010.

(ii) An employee, who retired on any date between 1st January, 2006 and 31st March, 2008, shall not be entitled to any arrears of Pay for the period up to 31st March, 2008.

(ii) An employee who retired between the periods from 31st March, 2008 and 1st April, 2009, but before the issuance of this memorandum, shall receive arrears of Pay for the period from 1st April, 2008 to the date of his/her retirement in cash.

3) SPECIAL PAY:

There shall be no Special Pay along with Pay in the revised Pay Structure.

4) DEFINITIONS:

In this Memorandum, unless there is anything repugnant to the subject or context –

(a) “Annexure” means an Annexure to this order.

(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, - in relation to an employee the existing scale applicable to the post held by the employee or, as the case may be, the personal scale applicable to him/her on account of his/her 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” means 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) “Existing Scale” means –

(i) in relation to any post, the scale of Pay shown in Column 3 against the post shown in column 2 of ANNEXURE IV PART B.

(ii) in relation to an employee the scale of Pay to which the employee was entitled on the 1st day of January, 2006 in terms of Govt. Order(s) already issued and/ or any other order/orders which might have been issued in this regard.

(f) “Employee” means a member of non-teaching employee of State aided Non- Govt. college including erstwhile Sponsored Colleges and others as mentioned in first para of preamble of this Memorandum .

(g) “Para” means a paragraph of this Memorandum.

(h) “Pay in the Pay Band” means Pay drawn in the running Pay Bands specified in column 4 of ANNEXURE IV PART B.

(i) “Grade Pay” means a fixed amount corresponding to the pre-revised Pay scale/Posts as shown in column 5 of ANNEXURE IV PART B.

(j) “Revised Pay Structure” in relation to a post specified in ANNEXURE IV PART B means the Pay in Pay Band and Grade Pay specified against column 4 and column 5 of that part respectively, unless a different revised Pay in the Pay Band along with Grade Pay is notified separately for that post.

(k) “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.

(1) "Revised Emoluments" means the pay in the Pay Band plus Grade Pay of the employees in the revised pay structure and includes allowances, if any, admissible to him/her.

5) SCALE OF PAY OF POST:

From the 1st day of January, 2006, the Pay Band and Grade Pay of every post in the institutions and organizations as mentioned in ANNEXURE I for nonteaching posts of the State aided Non-Govt. Colleges including erstwhile Sponsored colleges and other as mentioned in preamble para two of this Memorandum shall be applicable as specified in ANNEXURE IV PART B.

6) DRAWAL OF PAY IN REVISED PAY STRUCTURE:

Save as otherwise provided in this order, every employee shall draw pay in the revised pay structure applicable to the post to which he/she is appointed;

Provided that an employee may elect to continue to draw pay in the existing scale until the date on which he/she earns his/ her next or any subsequent increment in the existing scale or until he/she vacates his/her post or ceases to draw pay in that scale;

Provided further that in case where an employee has been placed in the higher pay scale between the period from 1st January, 2006 and the date of notification of this Memorandum on account of up-gradation of pay scales etc. such employee may elect to switch over to the revised pay structure from the date of such up-gradation as the case may be.

Explanation I.- The option to retain the existing scale as mentioned in PART A of ANNEXURE IV shall be admissible only in respect of one existing scale.

Explanation II.- The aforesaid option shall not be admissible to any employee appointed to a post on or after the 1st day of January, 2006, whether for the first time or by subsequent appointment by fresh selection and he/she shall be allowed pay only in the revised pay structure.

7) EXERCISE OF OPTION:

The option under serial number 6: "drawal of pay in revised pay structure" shall be exercised in writing in the form as prescribed in ANNEXURE II within 90 days from the date of issuance of this Memorandum provided that:

(i) An employee who was in service on 31st December, 2005 and who did not retire on the afternoon of that day may at his/her discretion, retain his/her existing scale of pay (as is applicable to him/her on the 1st day of January, 2006) up to such subsequent date as is considered most beneficial to him/ her.

(ii) The option shall be submitted by the employee to the Head of his/her College/ Institution/ Office.

(iii) The option once exercised shall be final.

Note 1. An employee, who on the date of issuance of this memorandum is on leave or on deputation or otherwise, shall exercise the said option in writing so as to reach the Head of the College/ Institution/ Office within 90 days from the date of his/her return from such leave or deputation.

Note 2. An employee who is under suspension on the date of issuance of this memorandum, shall exercise the said option so as to reach the Head of the College/Institution/Office within 90 days from the date of his/her return to service after being reinstatement.

Note 3. If an employee, who was in service on 31st December, 2005 and to whom this order applies, does not exercise option under the proviso to serial number 6: "drawal of pay in revised pay structure" of this Memorandum, shall be deemed to have elected to be governed by the revised pay structure (Pay Band) with effect from the 1st day of January, 2006.

Note 4. An employee who died on or after 1st January, 2006 and could not exercise option within the prescribed time limit shall be deemed to have exercised option for the revised pay structure (Pay Band) from the 1st day of January, 2006 or from such subsequent date as is considered most beneficial to him/her, if he/she was alive.

Note 5. An employee whose service is terminated on or after 1st April, 2008 and who is unable to exercise option on account of discharge on the expiry/abolition of the sanctioned post, resignation, dismissal or discharge on disciplinary grounds within the prescribed period, shall be entitled to the benefits of exercising option under this Memorandum.

Note 6. Where an employee exercises the option under the proviso to this Memorandum to retain the existing scale in respect of a post held by him/her in an officiating capacity on a regular basis of the purpose of regulation of pay in that scale under the existing order applicable to that post, his/her substantive pay shall be the substantive pay which he/she would have drawn had he/she retained the existing scale in respect of the permanent post which he/she holds a lien or would have held a lien had his/her lien not been suspended 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.

#### 8) FIXATION OF INITIAL PAY IN THE REVISED PAY STRUCTURE:

The initial pay of an employee who elects or is deemed to have elected the revised pay structure on and from 1st day of January, 2006, shall unless in any case the Govt. by special order otherwise directs, be fixed separately in respect of his/her substantive pay in the permanent post on which he/she holds a lien, or would have held a lien had his/her lien not been suspended and in respect of his/her pay in the officiating post held by him/her in the following manner viz.:-

In case of all employees, -

(i) The pay in the Pay Band of an employee who continued in service after 31st December, 2005, shall be determined notionally as on 1st day of January, 2006 by way of multiplying his/her existing Basic Pay by a factor of 1.86 and rounding off to the next multiple of 10;

Provided that if the minimum of the revised Pay Band is higher than the amount so arrived at in accordance with the provisions of this item, the pay shall be fixed at the minimum of the revised Pay Band;

(ii) After the pay in the Pay Band so determined, Grade Pay corresponding to the existing scale shall be added.

Note 1. An employee who is on leave on the date of commencement of this order and is entitled to leave salary, shall become entitled to pay in the revised pay structure from the date of actual effect of the revised emoluments.

Note 2. An employee under suspension, shall continue to draw subsistence allowance based on existing scale of pay and his/her pay in the revised pay structure shall be subject to the final order of the pending disciplinary proceedings.

Note 3. Where the amount of the existing emoluments exceeds the revised emoluments in respect of any employee, the difference amount shall be allowed as personal pay to be absorbed in future increases in pay.

Note 4. (a) For the purpose of fixation of pay under this para, every employee, who held before 1st January, 2006,

a post substantively and other post or posts on officiating basis, shall exercise option in the appropriate form set out in ANNEXURE II for the fixation of initial pay separately in the revised pay structure of the substantive post and also in revised pay structure of the officiating post. If the number of officiating posts held by the employee is more than one, he/she shall exercise option for fixation of initial pay in the revised pay structure in respect of the last officiating post.

(b) If upon the fixation of pay under this order initial pay of an employee fixed in the revised pay Structure of the substantive post becomes either equal to or higher than, the pay fixed in the revised Pay Structure of the officiating post, his/her initial pay in the revised Pay Structure of the officiating post shall be re-fixed at the same stage as the "Substantive Pay".

Note 5. The pay of an employee who has been appointed/promoted to a higher post in a higher scale of pay, or has got advancement to a higher scale, on or after 1st January, 2006, shall be fixed under this para with reference to the lower post/scale of pay and then his/her pay shall be fixed in the revised pay structure (Pay Band) of the higher post, or revised scale corresponding to the existing higher scale of pay as the case may be.

In the case of an employee, who elects or is deemed to have elected to draw pay in the revised pay structure (Pay Band) with effect from 1st January, 2006, when the normal date of increment in the existing scale of pay is also the 1st January, 2006, the increment in the existing scale should be drawn first and thereafter the pay of the employee shall be fixed in the revised pay Pay Structure under this order.

Note 6. Wherein the fixation of pay under this order, the pay of an employee who immediately before 1st January, 2006, was drawing more pay in the existing scale than an employee junior to him/her in the same cadre/ position and in the same institution/office gets fixed with the revised Pay Band at a stage lower than that of such junior, his/her pay shall be stepped up to the same stage in the revised Pay Band as that of his/her junior.

Note 7. In case where a senior employee promoted to a higher post/grade before 1st January, 2006, draws less pay in the revised pay structure than his/her junior in the same college/institution/office who is promoted/to the higher post on or after 1st January, 2006, the pay in the Pay Bands of the senior employee should be stepped up to an amount equal to the pay in the Pay Band as fixed for his/her junior in that higher grade. The "stepping up" shall be done with the approval of the Government with effect from the date of promotion/ awarding higher grade of the junior employee subject to fulfillment of certain conditions as under:

i) If anomaly arises directly as a result of the application of the provision of this order or under normal rule/order or any other rule/ order regulating the fixation of pay on such promotion/awarding higher grade in the revised pay structure.

ii) If even in the lower post, the junior employee was drawing more pay in the pre-revised scale than the senior by virtue, of any advance increment (for completion of courses like M.Phil/ Ph.D. or equivalent) granted to him/her, the provision of this note shall not be applicable to step up the pay of the senior employee.

Note 8. Where an employee is in receipt of personal pay on 1st January, 2006, which together with his/her existing emoluments exceeds the revised emoluments, the difference representing such excess shall be allowed to such employee as personal pay to be absorbed in the future increases of the Pay.

#### 9) FIXATION OF PAY IN THE REVISED PAY STRUCTURE OF EMPLOYEES APPOINTED AS FRESH RECRUITS ON OR AFTER THE 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 1st January, 2006, at the entry level Pay in the Pay Band as indicated in ANNEXURE IV PART E.

(2) The above provision shall also be applied in the case of those recruited between the 1st day of January, 2006

and the date of publication of this order;

Provided that where the emoluments in the pre revised 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 up to 31st March, 2008 and such difference in total emoluments for the period from 1st day of April, 2008 to the date of publication of this order, shall be regulated in accordance with the provisions as mentioned under serial 13: "Payment of Arrears" in this order.

10) RATE OF INCREMENT IN THE 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) 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.

Illustration- if the amount of increment comes to Rs. 830.70 paise, the amount will be rounded off Rs. 830; if the amount of increment comes to Rs. 831.40 paise, it will be rounded off to Rs. 840.

(3) The amount of increment shall be added to the existing pay in the Pay Band;

Provided that in case an employee, who reaches the maximum of his/ her 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 at the time of placement of higher Pay Band, benefit of one increment shall be allowed while the Grade Pay remain same in the higher Pay Band and such employee shall continue to move in the higher Pay Band till his/her pay in the Pay Band reaches the maximum of Pay Band-4 (PB-4).

Provided further that in case an employee, who reaches the maximum of his/her 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 an employee nor such an amount of increments shall be added to the existing pay in the Pay Band.

11) DATE OF INCREMENT IN THE REVISED PAY STRUCTURE:

In respect of all employees, there shall be a uniform date of annual increment and such date of annual increment shall be the 1st date of July of every year,

Provided that in case of an 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 para shall apply.

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

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

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

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

12) 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 1st January 2006, the fixation of pay of an employee shall be made in the following manner viz:-

(a) one increment equal to three per centum (3%) of the sum of the pay in the Pay Band and existing Grade Pay and rounded off to the next multiple of 10;

(b) the amount arrived at under provision (a) above 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 an employee involves change in the Pay Band the same methodology as mentioned in (a), (b) and (c) of (1) above for fixation of pay, shall be applicable.

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

Note 1. In case of the employee opts to get his/her 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 that day, such an employee shall be granted two increments; one annual increment and the second on account of promotion. While computing these two increments, pay in the pay band 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 of the employee opts to get his/her pay fixed in the higher grade from the date of his/her promotion, he/she shall get his/her first increment in the higher grade on the next 1st July, if he/she was promoted between the periods from 2nd July to 1st January. However, if he/she was promoted between periods commencing from 2nd January and ending on 30th June of a particular year, he/she shall get his/her increment on the 1st July of the next year.

13) PAYMENT OF ARREARS:

(1) Notwithstanding anything contained elsewhere in this Memorandum or any other Memorandum/Govt. Order/Rules of the time being in force, no arrears of pay to which an 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 employee.

(2)

(a) The arrears of pay to which the 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 installments in cash from the year 2009-2010.

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

(c) An employee, who retired between the periods from 31st March, 2008 to the 1st day of April, 2009, but before publication of the West Bengal Services (Revision of Pay and Allowances) Rules, 2009 in the Official Gazette i.e. the 23rd February, 2009 shall receive arrears of pay for the period from 1st April, 2008 to the date of his/her retirement in cash.

Explanation: For the purpose of granting “arrears of pay”, in relation to an employee, means the difference between the aggregate of pay and allowance. to which he/she is entitled on account of the revision of pay and allowances under this provisions for the period in question and the aggregate of pay and allowances to which he/she would have been entitled for that period had his/her 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.

#### 14) HOUSE RENT ALLOWANCES:

With effect from 1st April, 2009 the House Rent Allowance admissible to an employee shall be 15% of his/her revised basic pay i.e. aggregate of the pay in Pay Band plus Grade Pay in the revised pay structure subject to a maximum of Rs. 6000/- per month. The ceiling of House Rent Allowance drawn by husband and wife together shall also be raised to Rs. 6000/- per month.

The existing terms and conditions of drawl of House Rent Allowance by employees living in their own house or in a rental house shall continue to apply.

Subject to continuance of the existing terms and conditions regulating drawal of House Rent Allowance by the employees provided with accommodation owned/ hired by the Authority and recovery of fixed rent/ license fee from time, the following conditions shall be there with effect from 1st April, 2009 in respect of such categories of employees.

(a) When an official accommodation being in habitable condition in all respect and such accommodation is earmarked for holder of a particular post without any rent, the holder will not be entitled to House Rent Allowance for living elsewhere

(b) In case the employee pays rent or license fee for such official accommodation, his reimbursement in the form of I house Rent Allowance will be limited to actual license fee/rent paid or 15% of the pay whichever is lower.

#### 14) MEDICAL AND OTHER ALLOWANCE:

Medical and other allowances, not specifically covered in this order, shall continue to be drawn with pay in the revised scale, the amount of such allowance shall be Rs. 300/- per month with effect from 1st April. 2009.

Dearness allowance payable with effect from 1st April, 2008 shall be at the following rate:-

Period from which payable	Rate of Dearness Allowance per month on revised basic pay
01.04.2008 to 31.5.2008	2%
01.6.2008 to 31.10.2008	6%
01.11.2008 to 28.2.2009	9%
01.3.2009 to 31.3.2009	12%
01.4.2009 onwards	16%

#### 14) OVER-RIDING EFFECT OF THE ORDER:

The provisions of this order shall have effect notwithstanding anything to the contrary contained in any other rules, orders and notifications for the time being in force, and all such rules, orders and notifications shall have effect subject to the provision of these memorandum.

15) RELAXATION:

Where the Government is satisfied that the operation of all or any of the provisions of this order causes undue hardship in any particular case or class of cases, it may, by order, dispense with or relax the requirement of all or any of the parts of the order to such extent and subject to such condition as he/she may consider necessary for dealing with the case or class of cases in a just and equitable manner.

16) MISCELLANEOUS MATTERS:

All other matters connected with the report of the Pay Commission 2009, that have not been dealt with in the preceding paras are being considered separately and orders will be issued in due course.

This order issues with the concurrence of the Finance Department, vide their U.O. No. 881 Group-P (pay) dated 20.04.2009.

Sd/-S.Roy  
OSD. & Ex-Officio Special Secretary to the  
Govt. of West Bengal