

15 -ാം കേരള നിയമസഭ

3 -ാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത ചോദ്യം നം. 4133

28-10-2021 - ൽ മറുപടിയ്ക്ക്

സമാന സ്കെയിലിലെ വ്യത്യസ്ത തസ്തികകളിൽ എട്ട് വർഷം പൂർത്തിയാക്കിയവർക്ക് ഹയർ ഗ്രേഡ്

ചോദ്യം		ഉത്തരം	
ശ്രീ പി സി വിഷ്ണുനാഥ്		Shri K N Balagopal (ധനകാര്യ വകുപ്പ് മന്ത്രി)	
(എ)	ഒരേ സ്കെയിലിലെ രണ്ട് വ്യത്യസ്ത തസ്തികകളിലും കൂടി എട്ട് വർഷം പൂർത്തിയാക്കിയ ജീവനക്കാർക്ക് ധനകാര്യ വകുപ്പിന്റെ 8/8/2008 ലെ 46/2008/ഫിൻ നമ്പർ സർക്കുലർ പ്രകാരം ഹയർ ഗ്രേഡ് അനുവദിച്ചിരുന്നോ; പ്രസ്തുത സർക്കുലറിന്റെ പകർപ്പ് നൽകാമോ;	(എ)	സമാന ശമ്പള സ്കെയിലുള്ള വ്യത്യസ്ത തസ്തികകളിലെ സേവനം 15.09.1985 വരെ സമയ ബന്ധിത ഹയർ ഗ്രേഡ് അനുവദിക്കുന്നതിനുള്ള യോഗ്യ സേവനകാലയളവായി പരിഗണിച്ചിരുന്നു. എന്നാൽ 16.09.1985 മുതൽ സമയ ബന്ധിത ഹയർ ഗ്രേഡുകൾ അനുവദിക്കുന്നത് പ്രവേശന തസ്തികയെ അടിസ്ഥാനമാക്കി മാത്രമാണ്. ഇക്കാര്യങ്ങൾ 08.08.2008 ലെ നം. 46/2008/ഫിൻ സർക്കുലർ നിർദ്ദേശത്തിലെ ഖണ്ഡിക 7 ൽ വ്യക്തമാക്കിയിട്ടുള്ളതാണ്. പകർപ്പ് ഉള്ളടക്കം ചെയ്യുന്നു.
(ബി)	ഈ സർക്കുലറിലെ നിർദ്ദേശങ്ങൾ ഇപ്പോഴും പാലിക്കുന്നുണ്ടോ;	(ബി)	കാലാകാലങ്ങളിലെ ശമ്പള പരിഷ്കരണ ഉത്തരവുകളിലും അതുമായി ബന്ധപ്പെട്ട് പുറപ്പെടുവിക്കുന്ന മറ്റു ഉത്തരവുകളിലും സമയ ബന്ധിത ഹയർ ഗ്രേഡ് അനുവദിക്കുന്നതുമായി ബന്ധപ്പെട്ടുള്ള വിശദാംശങ്ങൾ ഉൾക്കൊള്ളിച്ചിട്ടുള്ളതാണ്. 08.08.2008 ലെ നം. 46/2008/ഫിൻ സർക്കുലർ നിർദ്ദേശങ്ങളെ തുടർന്ന് പുറപ്പെടുവിച്ചിട്ടുള്ള ടി ഉത്തരവുകളിലെ നിബന്ധനകൾക്ക് വിധേയമായി ടി സർക്കുലർ നിർദ്ദേശങ്ങൾക്ക് ഇപ്പോഴും പ്രസക്തിയുണ്ട്.
(സി)	പ്രസ്തുത സർക്കുലറിന്റെ അടിസ്ഥാനത്തിൽ ക്ലർക്ക് തസ്തികയിൽ ജോലിയിൽ പ്രവേശിച്ച ഒരു ജീവനക്കാരൻ രണ്ടു വർഷം അതേ തസ്തികയിലും ബാക്കി ആറ് വർഷം സമാനമായ സ്കെയിലിൽ മറ്റൊരു വകുപ്പിലെ മറ്റൊരു തസ്തികയിലും കൂടി എട്ട് വർഷം പൂർത്തിയാക്കിയാൽ സമയ ബന്ധിത ഹയർ ഗ്രേഡിന് അർഹത ലഭിക്കുമോ; ഇല്ലെങ്കിൽ അതിനുള്ള കാരണം വിശദമാക്കാമോ?	(സി)	ക്ലർക്ക് തസ്തികയിൽ ജോലിയിൽ പ്രവേശിച്ച് രണ്ടു വർഷം അതേ തസ്തികയിലും ബാക്കി 6 വർഷം സമാനമായ സ്കെയിലിൽ മറ്റൊരു വകുപ്പിലെ മറ്റൊരു തസ്തികയിലും കൂടി 8 വർഷം പൂർത്തിയാക്കുന്ന മുറയ്ക്ക് സമയ ബന്ധിത ഹയർ ഗ്രേഡ് അനുവദിക്കാൻ 08.08.2008 ലെ നം. 46/2008/ഫിൻ സർക്കുലർ നിർദ്ദേശത്തിലെ ഖണ്ഡിക 7 പ്രകാരം നിലവിൽ വ്യവസ്ഥയില്ല. പ്രവേശന തസ്തികയിൽ നിശ്ചിത വർഷ യോഗ്യതാ സേവനം പൂർത്തിയാക്കിയിട്ടും റഗുലർ പ്രൊമോഷനുകൾ ലഭിക്കാതെ stagnate ചെയ്യുന്ന ജീവനക്കാർക്ക് റഗുലർ പ്രൊമോഷൻ

തുല്യമായി നൽകുന്ന ഒരാളെങ്കിലും സമയ ബന്ധിത ഹയർ ഗ്രേഡ്. ഒരു വകുപ്പിൽ ഒരു തസ്തികയിൽ പ്രവേശിക്കുന്ന ജീവനക്കാരൻ രണ്ടു വർഷത്തിനു ശേഷം മറ്റൊരു വകുപ്പിൽ സമാന സ്കെയിലിലുള്ള മറ്റൊരു തസ്തികയിലേയ്ക്ക് നിയമനം നേടുന്നതോടുകൂടി ടിയാന്റെ നിലവിലെ പ്രവേശന തസ്തിക രണ്ടാമത് നിയമനം ലഭിച്ച തസ്തികയായി മാറുന്നു. ഒരു വകുപ്പിൽ ക്ലർക്ക് തസ്തികയിൽ പ്രവേശിച്ച് മറ്റൊരു വകുപ്പിലെ സമാന സ്കെയിലിലുള്ള മറ്റൊരു തസ്തികയിലേയ്ക്ക് ടിയാൻ മാറുന്നതോട് കൂടി ക്ലർക്ക് തസ്തികയിൽ ടിയാൻ stagnation സംഭവിക്കുന്നില്ല. അതിനാൽ പുതിയ പ്രവേശന തസ്തികയിൽ stagnation ഉണ്ടാകുന്ന മുറയ്ക്ക് മാത്രമേ സമയ ബന്ധിത ഹയർ ഗ്രേഡ് അനുവദിക്കുവാൻ വ്യവസ്ഥയുള്ളൂ. നിലവിലെ പ്രവേശന തസ്തികയെ അടിസ്ഥാനമാക്കിയാണ് സമയ ബന്ധിത ഹയർ ഗ്രേഡ് പ്രൊമോഷനുകൾ അനുവദിക്കുന്നത്. കൂടാതെ സമയ ബന്ധിത ഹയർ ഗ്രേഡ് അനുവദിക്കുന്നതുമായി ബന്ധപ്പെട്ട വിഷയത്തിൽ ജീവനക്കാരന്റെ സേവന വേതന അവധി ശമ്പള നിർണ്ണയ വിവരങ്ങൾ അടങ്ങിയ സേവന പുസ്തകം, പ്രവേശന തസ്തികയുടേയും തുടർ പ്രൊമോഷൻ തസ്തികകളുടേയും നിയമന രീതി, യോഗ്യതകൾ മുതലായവ പ്രതിപാദിക്കുന്ന വിശേഷാൽ ചട്ടങ്ങളുടെ പകർപ്പ് എന്നിവയുടെ പരിശോധന, പ്രൊമോഷൻ വേണ്ട യോഗ്യതകൾ ജീവനക്കാരൻ നേടിയിട്ടുണ്ടോ, പ്രൊമോഷൻ തസ്തികകൾ ബന്ധപ്പെട്ട എസ്റ്റാബ്ലിഷ്മെന്റിൽ ലഭ്യമാണോ എന്ന വിവരം, അർഹത സംബന്ധിച്ച നിയമനാധികാരിയുടെ റിപ്പോർട്ട് തുടങ്ങിയവയുടെ പരിശോധനയിലൂടെ മാത്രമേ വ്യക്തമായ അഭിപ്രായം നൽകുവാനാകൂ.

സെക്ഷൻ ഓഫീസർ

**GOVERNMENT OF KERALA
FINANCE (PRC-A) DEPARTMENT**

CIRCULAR

No.46/2008/Fin.

Dated, Thiruvananthapuram, 8.8.2008.

Sub: Time Bound Higher Grade Scheme – Consolidation of Government Orders/Circulars in respect of 13 years' grade scheme and further higher grades granted in the subsequent Pay Revision Orders - Guidelines - Issued.

Read: -

1. G.O.(Ms) 439/79/GAD dated 1.8.1979
2. G.O. (P) 901/79/(116)/Fin. dated 3.10.1979
3. G.O. (P) 1041/79/(142)/Fin. dated 27.11.1979
4. G.O. (P) 515/85/Fin. dated 16.9.1985
5. G.O. (P) 480/89/Fin. dated 1.11.1989
6. Circular No.54/92/(138)/Fin. dated 6.11.1992
7. G.O. (P) 930/93/(2)/Fin. dated 8.12.1993
8. G.O. (P) 3000/98/Fin. dated 25.11.1998
9. G.O. (P) 145/2006/Fin. dated 25.3.2006

The scheme of 13 years time bound higher grade to Non-Gazetted Officers was first introduced with effect from 1.7.1979 vide G.O. first read above. As per G.O. second read above, the above scheme was extended to Gazetted Officers also. Detailed instructions for sanctioning time bound higher grades were issued in the Government Order third read above. Since then the scheme has undergone several changes and the terms and conditions relating to time bound higher grade scheme have also been modified from time to time consequent to the issuance of Pay Revision Orders read as 4th, 5th and 7th to 9th read above.

(2) The guidelines issued vide Circular 6th cited do not contain all the existing orders and circulars relating to time bound higher grade scheme. It has also come to the notice of Government that certain sanctioning authorities are granting irregular and undue time bound higher grades to the employees without looking into the orders and circulars issued by Government relating to time bound higher grade scheme from time to time. This has led to drawal of excess amount by the employees

which in turn has resulted in audit objection, recovery of excess drawal etc. The affected parties are also approaching Hon'ble High Courts, Lok Ayukta etc. against the audit objections and recovery of excess drawal. In order to avoid the above situation a comprehensive circular consisting of extracts of earlier/existing orders and circulars is hereby issued for the guidance of the sanctioning authorities for sanctioning time bound higher grade promotions. Accordingly, all sanctioning authorities are directed to follow the guidelines given in the subsequent paragraphs for granting time bound higher grade promotions.

(3) The term 'entry post' shall be defined as the category of post to which an employee is initially appointed in Government Service by direct recruitment by the competent authority (G.O.(P) 1041/79/(142)/Fin. dated 27.11.1979). Appointment by transfer was also treated as equivalent to direct recruitment for allowing the benefit of higher grade as per G.O.(P) No.554/84/(597)/Fin. dated 27.9.1984. But, promotion to a post in the direct line of promotion in a Department to be made on the basis of select list prepared by the DPC even if it was appointment by transfer from Subordinate Service to State Service was not treated as direct recruitment for allowing the benefit of time bound higher grade as per G.O.(P) 622/03/Fin. dated 26.11.2003. All appointments by transfer, except the promotions/appointments from Subordinate Service to State Service will also be treated as equivalent to direct recruitment for sanctioning time bound higher grade w.e.f 1.3.2006 (G.O.(P)No.494/07/(77)/Fin. dated 9.10.07).

(4) The service rendered in the entry post and reckoned for normal increments shall be treated as qualifying service for granting higher grades. Period of leave on loss of pay, not reckoned for increment will not be reckoned as qualifying service for granting time bound higher grade. The orders contained in G.O.(P) No.828/81/(397)/Fin. dated 9.12.81 were applicable to 13 year higher grade scheme up to 15.9.85. Increment bar period with cumulative effect will not be reckoned as qualifying service for time bound higher grade promotions. Service not counted for increment as a punishment, will not be reckoned as qualifying service for time bound higher grade promotion (Para 2(x) of G.O.(P) 1041/79/(142)/Fin. dated 27.11.1979). The period during which increments are barred without cumulative effect will be reckoned for computing the qualifying service prescribed for the purpose of allowing higher grade benefits (G.O.(P) 675/82/(461)/Fin. dated 10.11.1982). Dies-non period will be reckoned as qualifying service for granting higher grades. In the case of temporary relinquishment of promotion, such period of relinquishment will not be reckoned as qualifying service for granting time bound higher grades (para 15 of Annexure 3 to G.O.(P)145/2006/Fin. dated 25.3.2006).

(5) Notional/retrospective period of promotion will not be reckoned as qualifying service in the promoted post for granting time bound higher grade promotions. From 1.3.06 onwards as per provisions contained in para 1 (ii) and 3 of Annexure 3 to G.O.(P)145/06/Fin. dated 25.3.06, second higher grade will be granted on completion of 16 years of service in the entry post and in the first promoted post/time bound higher grade post taken together.

(6) In the case of employees who are given inter-district/inter-departmental transfer in the category of post to which they were initially appointed by direct recruitment forfeiting their seniority, the period of qualifying service put in by them before such transfer, shall also be taken into account for sanctioning higher grade(s) (vide para 2(iv) of G.O.(P)1041/79/(142)/Fin. dated 27.11.1979). In the case of inter departmental transfer, the prior service in the same post in the former department will also be reckoned as qualifying service for time bound higher grade as existed before 1.3.2006 (G.O.(P)No.572/07/(83)/Fin. dated 29.11.07).

(7) Service rendered in different categories on identical scales of pay was reckoned for computing qualifying service for 13 years' time bound higher grade as per G.O.(P) 705/81/(372)/Fin. dated 28.10.81, upto 15.9.1985. From 16.9.1985 onwards time bound higher grade is admissible with reference to entry post only. In all cases of appointments by direct recruitment either through P.S.C. or through employment exchange (where the appointment was regularized in consultation with P.S.C.) the employee concerned will be granted time bound higher grade only on completion of the prescribed qualifying service in that post (vide G.O.(Ms) No.775/80/(245)/Fin. dated 21.10.1980).

(8) The benefit of fixation of pay as per Rule 28A Kerala Service Rules, Part I without refixation of pay shall be allowed for the purpose of fixation of pay in the time bound higher grade promotion post. In all cases of time bound higher grade promotions to higher scales of pay (obviously not involving change of duties and responsibilities), the pay in the higher time scale will be fixed in terms of Rule 28 A Part I Kerala Service Rules without refixation i.e. a notional increment will first be given in the lower scale and thereafter pay in the time bound higher grade scale will be fixed at the next stage above the pay so arrived in the lower scale (para 2(viii) of G.O.(P)1041/79/(142)/Fin dated 27.11.1979 and para 47 of G.O.(P)145/2006/Fin. dated 25.3.2006).

(9) Since promotions to the time bound higher grade posts are granted on the basis of completed years of service prescribed for each grade promotion, after converting the existing lower post held by the employee to a post on higher scale of pay, there will be no resultant vacancy in the lower post to be filled up. The question of resultant vacancy arises only when the employee is promoted to a regular post in the same/higher scale in the usual manner (para 2(vii) of G.O.(P)1041/79/(142)/Fin. dated 27.11.1979). The Heads of Depts/Appointing Authorities are empowered to fix higher grades strictly observing the provisions contained in orders issued by Govt. They are also empowered to convert the existing lower grade posts into higher grade posts for the purpose of accommodating the incumbents on higher grades (G.O.(P)286/80/(183)/Fin. dated 12.4.80 and G.O.(P)939/80/(270)/Fin. dated 19.12.1980). The number of time bound higher grade posts sanctioned in excess of that admissible will have to be adjusted against the regular vacancies arising in future. Promotion to time bound higher grade post will not confer seniority on the promotees (G.O.(P)343/80/(195)/Fin. dated 6.6.80). When time bound higher grades are granted, the word "Higher Grade" within brackets shall be suffixed to the existing

designation of the lower posts such as Lower Division Clerk (Higher Grade), Police Constable (Higher Grade) etc. (G.O.(P)136/81/(299)/Fin. dated 23.2.1981).

(10) In respect of those who are eligible for the scale of pay of normal promotion posts as time bound higher grade scales, based on the scale of pay prescribed in the Pay Revision Order, only qualified hands i.e. those who possess the required qualification for promotion posts, will be granted the scale of pay of promotion posts. Even in cases where a particular category of post in the normal hierarchy of promotion posts is not available in a Dept, the scale of pay of normal promotion post only will be allowed as the higher grade. For example in case there are only posts of Junior Superintendents and no intermediary post of Head Clerks in a Dept, a U.D.Clerk will be eligible for higher grade in the scale of pay of Head Clerk only and not that of a Junior Superintendent. Unqualified hands will be granted the next higher scale of pay in the list of standard scales of pay in the Pay Revision Orders as grade scales. On acquiring test qualification or on becoming eligible for permanent exemption from acquiring test qualification in accordance with Rule 13B of the General Rules of K. S . & S.S.R. 1958, on attaining 50 years of age, they will be granted scale of pay of promotion post with fixation benefit as per Government Decision under Rule 30 Part I Kerala Service Rules. Persons who are not eligible for permanent exemption by application of Rule 13 B of K.S & S.S.R. 1958 even on attaining 50 years of age shall not be eligible for the scale of pay of promotion post (G.O.(P)939/80/(270)/Fin. dated 19.12.1980 and para 6 of Annexure 3 to G.O.(P)145/2006/Fin. dated 25.3.2006, Circular Nos.70/PRC.A1/89/Fin. dated 16.10.89 & 22/PRC-A1/90/Fin. dated 3.4.1990).

(11) Those who are eligible for the time bound higher grade on completion of the specified qualifying service shall be given right of option to elect any date subsequent to the date on which they complete the qualifying service fixed for that higher grade vide G.O.(P) No.81/80/(159)/Fin. dated 22.1.1980. The option shall be exercised within three months from the date of issue of order granting grade promotions (G.O.(P)367/96/(87)/Fin. dated 19.4.96). The option for time bound higher grade promotion shall not be allowed beyond the date of next increment in the lower scale w.e.f. 1.3.2006 (para 47 of G.O.(P)145/2006/Fin. dated 25.3.2006). Options once exercised for time bound higher grade promotion shall be final. No re-option will be granted for grade promotions. If no option is exercised by the incumbent within the period prescribed for exercising option, it will be presumed that such persons have opted the time bound higher grade promotions from the due date of time bound higher grade itself and Appointing Authorities/Heads of Departments shall issue orders accordingly (G.O.(Ms) 608/83/(530)/Fin. dated 27.9.1983 and Circular No.55/90/(47)/Fin. dated 20.7.90). Option & declaration to be submitted by the employees concerned duly signed by him/her will be in the format prescribed below:

OPTION /DECLARATION FORM

I(Name & Designation) hereby
 elect to come over to the 8/16/23/28 years time bound higher
 grade in the scale of pay of Rs.
 w.e.f.....

- (ii) I will not relinquish the regular promotion due after the grant of time bound higher grade promotion.
- (iii) I hereby agree to refund excess pay and allowances if any drawn by me in case it is found later that I have been paid such excess due to mistake in the grant of grade promotion or irregular fixation of pay.

Station
 Date

Signature
 Name
 Designation
 Office/Dept.

(12) In the case of an employee whose promotion is barred, the benefit of the higher grade shall be given only after he puts in a total period of qualifying service in the entry grade or post excluding the period during which the promotion is barred (para 2(ix) of G.O.(P) No.1041/79/(142)/Fin. dated 27.11.1979).

(13) Provisional service was reckoned as qualifying service for time bound higher grade subject to the restrictions mentioned in Government Decision No.2 under Rule 33 Kerala Service Rules Part I (para 2(ii) of G.O.(P) 1041/79/(142)/Fin. dated 27.11.79). Provisional service in respect of those who got regular appointment prior to 1.10.1994 was reckoned for time bound higher grade promotion as per provisions contained in G.O.(P)1041/79/(142)/Fin. dated 27.11.79 and G.O.(P) 281/89/(256)/Fin. dated 6.6.1989. But provisional service will not be reckoned for time bound higher grade promotion in respect of those who got regular appointment/whose provisional appointment got regularized on or after 1.10.1994 (Circular No.3/95/(35)/Fin. dated 1.3.95).

(14) Declaration of probation is not necessary for an employee for giving time bound grade promotion (G.O.(P) 62/81/(282)/Fin. dated 20.1.1981).

(15) Acquisition of test qualification for regular promotion post is not essential for granting time bound higher grade. M.O.P. is a test qualification prescribed for declaration of probation. For time bound higher grade promotion declaration of probation is not necessary. But for sanctioning first increment in the time bound higher grade scale, declaration of probation period after acquiring the M.O.P. test qualification by the incumbent is necessary. An LD Clerk who has not passed

M.O.P. Test will also be eligible for higher grade promotion in the next higher scale in the standard scales of pay, on completion of prescribed periods of service in the entry cadre and the pay in the grade post in such cases will be fixed on the basis of pay he has actually drawn in the lower post on the date of promotion but the next increment will be allowed only after passing the prescribed M.O.P. Test or on becoming eligible for permanent exemption from passing obligatory department tests as per Rule 13 B of K.S. & S.S. Rules (para 2(vi) of G.O.(P)1041/79/(142)/Fin. dated 27.11.1979, G.O.(P)322/80/(192)/Fin dated 29.5.1980 and G.O.(P) 337/82/(442)/Fin. dated 12.7.1982).

(16) Those who are eligible for permanent exemption from passing obligatory departmental tests as per Rule 13 B of K.S & S.S.Rs 1958 will be eligible for increments in the time bound higher grade post provided, they are otherwise eligible (G.O.(P) 337/82/(442)/Fin. dated 12.7.82).

(17) In the case of Amins, Copyists, Typists, Copyist-Clerks, Copyist-Typists and Village Assistants, who are appointed/promoted as Clerks, their service in the respective cadres before appointing/promoting as Clerks will be reckoned for grade promotion in the cadre of Clerk (G.O.(P)318/80/(190)/Fin. dated 28.5.80, G.O.(P)474/80/(217) /Fin. dated 25.7.80, G.O.(P) 559/80/(226)/Fin. dated 8.9.80, G.O.(Ms)115/81/(292)/Fin dated 10.2.81, G.O.(P)624/86/(97)/Fin. dated 20.9.1986).

(18) In the case of U.D. Typist/Confidential Assistants who have changed over to the category of U.D. Clerk, their prior service as Typist/C.A. will be reckoned as qualifying service for allowing time bound higher grade (G.O.(P) 278/81/(314)/Fin. dated 11.5.1981, G.O.(P) 1094/87/(186)/Fin dated 21.12.87).

(19) In the case of Last Grade Employees, their full time service in the various categories of Last Grade Service (both in the regular and full time contingency service) will be reckoned as qualifying service in the Last Grade post for granting time bound higher grade. Broken periods of service in the Last Grade Service (either in the regular service or in full time Contingency Service) reckoned for the grant of normal increments will also be taken into account for purpose of calculating the qualifying service for grade promotions (G.O(P) 399/80/(206)/Fin. dated 21.6.1980). Part time Service will not be reckoned as qualifying service for time bound higher grade promotions in the full time posts.

(20) Villagers were known by different designations prior to 1972 such as Masappady, Kolkaran, Peon etc. In the case of Villagers their service in the above posts rendered prior to 1972 will be reckoned for computing qualifying service for grade promotion in the post of Villagers (G.O.(P)106/81/(291)/Fin. dated 9.2.81).

(21) In the case of employees on deputation to other departments, the period spent on deputation shall be treated as qualifying service for time bound higher grade in the parent Department, with effect from 16.9.1985 irrespective of the scale of pay assigned to them in the deputation post (G.O.(P) 944/86/(117)/Fin. dated 24.12.86).

For temporary appointment by transfer where lien is retained in the parent department, the incumbents on reversion to the post in the parent department are eligible for time bound higher grade for their entry post in their parent department reckoning the period of their temporary appointment under Rule 9(a)(i) K.S.& S.S.Rules.

(22) In the case of those who had relinquished promotion, higher grade was admissible upto 31.10.89, but excluding the periods, if any, the incumbents concerned actually worked in the higher post on promotion which they relinquished (G.O.(P) 655/83/(535)/Fin. dated 12.10.1983). But with effect from 1.11.1989, time bound higher grade promotions will not be given for those who have relinquished/relinquish regular promotions. Before giving time bound higher grade promotions, an undertaking will be obtained from the officers concerned to the effect that he/she will not refuse the regular promotion as and when it becomes due. In the case of employees who had already obtained a time bound promotion, further time bound promotion will not be available unless and until they give an undertaking to the above effect afresh and withdraw their earlier relinquishment (para 10 (x) of G.O.(P) 480/89/Fin. dated 1.11.89 and G.O.(P) 39/91/P&ARD dated 7.12.91). Last Grade employees who relinquish promotion to the post of Attender permanently are eligible for time bound higher grade promotions since the post of Attender is not a promotion post in the line of promotion of Last Grade Employees. (G.O.(P)1100/95/(68)/Fin. dated 22.12.1995).

(23) Last Grade Employees are eligible for a 3rd time bound higher grade on completion of 25 years of service w.e.f. 30.6.1983 vide G.O.(Ms) No.357/83/(512)/Fin. dated 1.7.1983 and for a 4th higher grade on completion of 30 years of service w.e.f. 1.3.92. The monetary benefit of the 4th time bound higher grade will be admissible only w.e.f. 1.4.95 (G.O.(P)899/98/(155)/Fin. dated 10.3.98). The fourth time bound higher grade is admissible for 28 years of service w.e.f. 1.3.2006 (para 2 of Annexure 3 to G.O.(P)145/06/Fin. dated 25.3.2006).

(24) War/Military service which counts for Civil Pension will be reckoned for computing the qualifying service for the grant of higher grade. Civilian Service under Military will not, however, count for higher grade (G.O.(P) 764/81/(384)/Fin. dated 16.11.81 and G.O.(P) 132/91/(98)/Fin. dated 21.2.1991). In case of non-gazetted employees who are not in receipt of military pension, their War/Military service which counts for civil pension was reckoned for 10, 20, 25 years time bound higher grade for the period from 1.7.1979 to 28.2.1992. But with effect from 1.3.1992 War/Military Service which counts for civil pension will be reckoned for one time bound higher grade vide G.O.(P)No.622/2003/Fin. dated 26.11.2003. All employees who have got appointment in civil posts after discharge from Military service and who are eligible to get their military service counted for time bound higher grade and civil pension, should refund the mustering out concessions for getting those benefits (Circular No.95/97/Fin. dated 16.12.1997). In the case of belated refund of mustering out benefits drawn for the Military service, the monetary benefit consequent on grant

of time bound higher grades will be available only from the date of refund of the mustering out concessions. However, ex-servicemen enjoying protection of pay will not be allowed time bound higher grade reckoning war/military service and in such cases, service under State Government alone will be reckoned as qualifying service for granting time bound higher grade promotions (para 19 of Annexure 3 to G.O.(P) 145/2006/Fin. dated 25.3.2006). Those who are in receipt of military pension are not eligible for time bound higher grade reckoning their war/military service as per Rule 8(c) Part III K.S.Rs.

(25) In respect of teaching staff of professional colleges, scheme of non-cadre promotion was admissible when they continued in the State scales of pay vide para 10 (vi) of G.O.(P) 515/85/Fin. dated 16.9.1985, para 10(v) of G.O.(P) 480/89/Fin. dated 1.11.1989 and para 3 (b) 2 (v) of G.O.(P) 930/93/(2)/Fin. dated 8.12.93. As per G.O.(Ms) No.757/95/(56)/Fin. dated 3.11.95, the above benefit was restricted to the Teaching Staff of professional colleges, where, UGC/AICTE pattern, of scales of pay are not applicable. With the introduction of UGC/AICTE pattern of scale of pay to the teaching staff of professional college ie. Medical, Ayurveda, Homoeopathy Colleges, the scheme of non-cadre promotion ceased to exist. Under the UGC/AICTE pattern, Non PG Lecturers/Tutors are eligible only for Career Advancement Promotion on completion of 10 years physical (ie.actual) teaching experience. Further promotion will be granted only on acquisition of PG Degree (G.O.(P)145/2000/H&FWD dated 16.6.2000, G.O.(Ms)No.149/2001/(92)/Fin. dated 23.1.2001, G.O.(Ms)No.553/01/(99)/Fin. dated 20.3.2001).

(26) Police Constable Drivers and other technical categories in Police Department and Fireman Drivers in the Fire Force Department were eligible for 7/17/25 years grade up to 31.10.1998. They are eligible for 10,18 and 23 years grade promotion w.e.f. 1.11.1998 as per G.O.(P)No.3000/98/Fin. dated 25.11.98 and G.O.(Ms) No.238/2002/(122)/Fin. dated 19.4.2002 and 8/16/23 years time bound higher grade promotion w.e.f.1.3.2006 vide G.O.(P)145/2006/Fin. dated 25.3.2006 .

(27) Attenders, Clerical Assistants, Binders, Drivers, Stencil Operators/Roneo Operators/Duplicating Machine Operators and Lift Operators appointed by transfer from Last Grade Service are eligible for reckoning their Last Grade Service also for computing the total qualifying service for the 25/23 years grade in the cadre of Attenders/Clerical Assistants, Binders and Drivers etc. This benefit is not admissible for the 10 and 20 years time bound higher grades in the above posts (G.O.(P) 628/86/(98)/Fin. dated 20.9.1986, G.O.(P) 889/86/(112)/Fin. dated 12.12.86 and G.O.(P) 112/87/(128)/Fin. dated 3.2.1987). The employees with entry scale of Rs.4630-7000 and Rs.4750-7820 alone will be eligible for the benefit of reckoning their last grade service for 23 years grade promotion and those in the entry scale of Rs.5250-8390 and above are not eligible for this benefit w.e.f. 1.3.06 vide para 18 of Annexure 3 to G.O.(P)145/06/Fin. dated 25.3.06 & G.O.(P)262/07/(59)/Fin. dated 19.6.2007.

(28) When an unqualified employee is assigned higher grade in the scale of pay of his regular promotion post on acquiring the qualification prescribed for promotion post or on availing exemption from acquiring the qualification prescribed for promotion on completion of 50 years of age vide provisions contained in Rule 13 B of K.S. & S.S.R. 1958, the fixation of pay in the revised higher grade scale has to be done as per Rule 30 Kerala Service Rules Part I as the upgradation of his higher grade in such case does not involve any higher duties or responsibilities. But when an employee who has been assigned time bound higher grade in the scale of pay of promotion posts gets regular promotion, the scale of pay of his higher grade and promotion post are the same and no fixation of pay is necessary in the normal course. However, if a fixation of pay in the promotion post applying Rule 28 A, Part I, Kerala Service Rules with reference to the pay he would have drawn in the lower post but for assignment of any higher grade is beneficial to him, it can be done. Re-fixation of pay contemplated under the above rule, related to the pay in the lower post will also be permissible. The above fixation follows from the fact that an employee cannot be deprived of the right of initial fixation of pay under the service rules on his promotion on a regular basis (G.O.(P)1032/87/(176)/Fin. dated 3.12.1987). This benefit is not applicable in the case of promotions ordered after 25.3.2006. In all cases of regular promotion after 25.3.2006 from time bound higher grade to posts carrying the same or higher time scale of pay effective after 25.3.06, the pay in the promoted post will be fixed in terms of Rule 30 Part I K.S.Rs. vide para 48 of G.O.(P)145/2006/Fin. dated 25.3.2006.

(29) An employee who has been allowed time bound higher grade in the scale of pay of regular promotion posts when promoted to regular promotion posts in the same scale of pay is eligible to get fixation and re-fixation under Rule 28A Kerala Service Rules based on the pay he/she would have drawn in the lower posts had he/she not been given higher grade (G.O.(P) 1081/87/Fin. dated 16.12.1987). This benefit is not applicable in the case of promotions ordered after 25.3.06 vide para 48 of G.O.(P) 145/2006/Fin. dated 25.3.2006.

(30) In case the scale of pay of the regular promotion post is higher than the scale of pay of the time bound higher grade allowed as specified in the Tables contained in the Pay Revision Orders, fixation and re-fixation of pay in the regular promotion post will be done under Rule 28 A based on the basic pay notionally arrived at in the lower post w.e.f. 1.3.1992 (G.O.(P)987/2000/(182)/Fin. dated 23.6.2000). As per para 48 of G.O.(P)145/06/Fin. dated 25.3.06 "In all cases of regular promotions from time bound higher grades to posts carrying the same or higher time scale of pay, the pay in the promoted scale will be fixed in terms of Rule 30, Part I K.S.R ie, without any fixation or change in pay (because of the introduction of the Master Scale). The next increment in the same or higher scale will fall due on the date of increment in the time bound higher grade post". This is applicable in the case of promotions ordered after the date of orders of 2004 Pay Revision.

(31) The orders contained in G.O.(P)97/88/(192)/Fin. dated 8.2.1988 allowing 10 and 20 years grade promotions in the case of employees on the pay range of Rs.550-800 and Rs.1150-2270 who had enjoyed even 2 levels of regular promotion was valid for the period from 16.9.1985 to 31.1.1991. This benefit is not admissible with effect from 1.2.1991 vide Circular No.35/PRC.A/92/(135)/Fin. dated 7.7.1992.

(32) Those who are promoted for short spells but reverted to lower post for want of vacancy and are continuing in the lower post, their service in the higher post will also be reckoned for computing the prescribed qualifying service for granting higher grade in the lower post (G.O.(P)483/95/(46)/Fin. dated 8.8.95). This order is applicable only to those employees promoted on regular basis but reverted to lower post for want of vacancy. As per Pay Revision Order 2004, second time bound higher grade can be granted on completion of total 16 years of service in the entry post, first promoted post and time bound higher grade post taken together w.e.f. 1.3.2006.

(33) Those who are initially appointed in one Department, who get further appointment subsequently by direct recruitment (P.S.C.) in the same post in another Department will be eligible for time bound higher grade in the latter Department by reckoning their prior service also, provided the same has been reckoned for increment in the latter Department (G.O.(P) No.300/2004/(146)/Fin. dated 26.6.04).

(34) Non-teaching staff in Aided schools, colleges and polytechnics who come under the scheme of direct payment of salary by Government and who are in the State Govt. scale of pay are also eligible for time bound higher grade promotion subject to these conditions (G.O.(Ms) 438/80/(212)/Fin. dated 7.7.1980).

(35) Those who got appointment to higher posts/regular promotion to higher posts with the benefit of 28A fixation within the period prescribed for grade promotion are not eligible for further time bound higher grade promotion during that period (Circular No. 24/2000/Fin. dated 26.4.2000). In addition to the service reckoned for increment, the benefits of 28 A fixation enjoyed by the employees within the period prescribed for each higher grade promotion shall also be taken into account for determining the eligibility for time bound higher grade promotion.

(36) Teachers are eligible for time bound higher grade on the basis of orders issued by the General Education Department regarding reckoning of their prior Aided/Govt.school service and also general orders contained in this order, Pay Revision Orders and subsequent orders issued by Finance/General Education Department in the case of Teachers.

(37) Any claim for rectification of scales of pay, grades etc. will automatically lapse if not sanctioned within five years from the date of such claims or two years from the date of any subsequent General Pay Revision Orders issued by Govt. whichever is earlier (G.O.(P)495/90/Fin. dated 6.10.1990).

(38) For clarification of any further doubts relating to time bound higher grade promotions, Heads of Department/Appointing authorities shall consult Finance (PRC-A) Department through the concerned Administrative Department in the Government Secretariat.

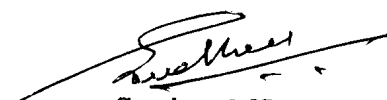
By order of the Governor

ASHWINI KUMAR RAI
Secretary (Finance Expenditure)

To

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.
The Accountant General (A&E) Kerala, Thiruvananthapuram.
Heads of Departments.
Departments in the Secretariat.
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Section Officer