

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

ORDINARY ORIGINAL CIVIL JURISDICTION

**WRIT PETITION NO. 1913 OF 2013**

Maharashtra Federation of University and College Teachers Organization ..Petitioner

**VERSUS**

The State of Maharashtra and ors...Respondents

**ALONG WITH WRIT PETITION NO. 2290 OF 2015** Bombay University and College Teachers Union .. Petitioner Vs. The State of Maharashtra and ors. ... Respondents **ALONG WITH WRIT PETITION NO. 2825 OF 2014** Dr.Subhash Amar Sawant and ors. ... Petitioners Vs. The State of Maharashtra and ors. ... Respondents Ms.Gayatri Singh, Senior Advocate a/w Mr.Ankit Kulkarni I/b Kranti L.C. and Bhavana Mhatre, for the Petitioner in WP/1913 of 2013. Mr.Mihir Desai, Senior Advocate for Petitioner in WP/2825/2014. Mr.Mihir Desai, Senior Advocate I/b Mr.Swaraj Jadhav, for Petitioner in WP/2290/2015. Ms.Jyoti Chavan, AGP for Respondents No.1 to 3 in all Petitions. Mr.Rui Rodrigues, for Respondent No.4 in WP/2825/2014 and WP/2290/2015.

**CORAM : S. C. DHARMADHIKARI & M. S. KARNIK, JJ.****DATE : 23rd JANUARY, 2019**

P.C. : Having heard both sides and finding that issue raised in these Petitions is resolved at a joint meeting of all the stakeholders, including the members of the petitioner's association, what remains is to pay the amount equivalent to 71 days salary for the period which was according to the respondents a strike.

2. Now, that the issue has been resolved and it is agreed that the pay for this duration has to be released, we direct that in terms of the decision taken in the meeting held on 25/09/2018 (see Minutes of 08/10/2018) amount be released as expeditiously as possible and, in any event, before 30/03/2019. The Writ Petitions are disposed of with these directions.

3. All concerned to act on an authenticated copy of this order.

4. If the amount is not released by the above date, it shall carry interest @ 8% p.a. from the due date till the date the same is disbursed.

(M.S.KARNIK,J.)

(S.C.DHARMADHIKARI)

\*\* AF : P 55 \*\*

**If the amount is not released by the above date, it shall carry interest @ 8% p.a. from the due date till the date the same is disbursed.**

See para 4 of the Judgment

**महाराष्ट्र शासन : उच्च व तंत्र शिक्षण विभाग,**

क्रमांक :- न्यायाप्र-२०१३/प्र.क्र.३५७/१३/विशि-१ : मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मंत्रालय, मुंबई - ४०० ०३२

दिनांक :- ८ ऑक्टोबर, २०१८

महोदय,

मा. मंत्री (उ.व.तं.शि.) यांच्या अध्यक्षतेखाली दि. १० मार्च, २०१६ च्या शासन निर्णयान्वये गठित राज्यस्तरावरील तक्रार निवारण समितीची दिनांक २५ सप्टेंबर, २०१८ रोजी पार पडलेल्या बैठकीचे सुधारित इतिवृत्त आवश्यक त्या कार्यवाहीसाठी सोबत जोडून पाठविण्यात येत आहे.

**लागूपुरता उतारा**

आपला,

(विजय साबळे)

अवर सचिव, महाराष्ट्र शासन

(२) विषय :- ७१ दिवसांच्या संप काळातील थकीत वेतन मिळावे.

मा. मंत्री यांचे निर्देश :- ७१ दिवसांच्या संप काळातील थकीत वेतनाबाबत वस्तुस्थिती दर्शक प्रस्ताव याचा अर्थ अध्यापकांनी परिक्षा काळातील काम हे उशीरा का होईना पण पूर्ण केले असून त्याला मा. सर्वोच्च न्यायालयाचे No work no pay हे निर्देश लागू होत नाहीत. तरी याबाबत विभागाकडून वित्त विभागाला परत गेलेली रक्कम विभागाला परत मिळावी जेणेकरून ७१ दिवसांच्या संप काळातील थकीत वेतन अध्यापकांना देण्यात येईल.

महाराष्ट्र शासन राजपत्र असाधारण भाग चार-अ, जानेवारी ३०, २०१९

## FINANCE DEPARTMENT

Mantralaya, Mumbai-400 032, dated the 30th January, 2019.

### NOTIFICATION :

### : CONSTITUTION OF INDIA.

No. RPS 2019/CR-1/SER-9.- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Maharashtra is hereby pleased to make the following rules, namely :-

#### 1. Short title and commencement.-

(1) These rules may be called the Maharashtra Civil Services (Revised Pay) Rules, 2019.

(2) They shall be deemed to have come into force on the 1st day of January 2016.

#### 2. Categories of Government Servants to whom rules apply.-

(1) Save as otherwise provided by or under these rules, these rules shall apply to all persons who are under the rule making control of the Governor of Maharashtra.

(2) These rules shall not apply to,-

(a) Government servant not in the whole time employment ;

(b) Government servant on consolidated rates of pay;

(c) Government servant employed on contract except where the contract provides otherwise ;

(d) Government servant paid out of contingencies;

(e) Government servant borne on work charged establishments who are not on regular time scale and whose pay scales are not identical with the pay scales of the corresponding posts on the regular establishment;

(f) Daily rated employees;

(g) Government servant who has retired on or before the 31st December 2015 and who were on re-employment on that date including those whose period of re-employment extended after that date;

(h) any other class or category of Government servant specifically excluded wholly or in part by the Governor of Maharashtra from the operation of all or any of the provisions contained in these rules.

#### 3. Definitions.- In these rules unless the context otherwise requires,-

(1) "Annexure" means the Annexures appended to these rules;

(2) "existing basic pay" means pay drawn in the prescribed existing Pay Band and Grade Pay or pay in the existing scale of pay, but does not include any other type of pay like special pay, etc.;

(3) "existing Pay Band and Grade Pay" in relation to a Government servant means the Pay Band and the Grade Pay applicable to the post held by the Government servant as on the date immediately before the 1st day of January 2016 whether in a substantive or officiating capacity;

(4) "existing scale" in relation to a Government servant means the pay scale applicable to the post held by the Government servant or, as the case may be, personal scale applicable to him as on the date immediately before the 1st day of January 2016 whether in a substantive or officiating capacity;

(5) "existing pay structure" in relation to a Government servant means the present system of Pay Band and Grade Pay or the pay scale applicable to the post held by the Government servant or, as the case may be, personal scale applicable to him as on the date immediately before the 1st day of January 2016 whether in a substantive or officiating capacity.

*Explanation.-* The expressions "existing basic pay", "existing Pay Band and Grade Pay" and "existing scale" in respect of a Government servant, who on the 1st day of January 2016 was on deputation out of India or on leave or on foreign service, or who would have on that date officiated in one or more lower posts, but for his officiating in a higher post, shall mean such "basic pay", "existing Pay Band and Grade Pay" or "existing scale" in relation to the post which he would have held but for his being on deputation out of India or on leave or on foreign service or, as the case may be, but for his officiating in a higher post.

*Note.-* A list of existing pay structure in operation excluding University Grants Commission scales is given in **Annexure I**;

(6) "existing emoluments" means the sum of (i) existing basic pay, and (ii) dearness allowance appropriate to the basic pay;

(7) "Pay Matrix" means Matrix specified in Annexure II with Levels of pay arranged in vertical Cells as assigned to corresponding existing Pay Band and Grade Pay or pay scale;

(8) "Level" in the Pay Matrix means the Level corresponding to the existing Pay Band and Grade Pay or pay scale specified in **Annexure II**;

(9) "Pay in the Level" means pay drawn in the appropriate Cell of the Level as specified in Annexure II;

(10) "revised pay structure" in relation to any post means the Pay Matrix and the Levels specified therein corresponding to the existing Pay Band and Grade Pay or pay scale of the post unless a different Level is notified separately for that post.

*Note.-* Revised pay structure is given in Annexure II;

(11) "revised pay level or pay scale" in relation to any post specified in column

(2) of the Schedule means the Level in Pay Matrix specified against that post or the pay scale specified in column (5) thereof, unless a different revised pay Level or pay scale is notified separately for that post;

(12) "revised basic pay" means the pay drawn in the prescribed Level in the Pay Matrix, but does not include any other type of pay like special pay, etc.;

(13) "revised emoluments" means (i) the pay in the Level of a Government servant in the revised pay structure; and (ii) dearness allowance appropriate to the basic pay; and

(14) "Schedule" means a Schedule appended to these rules.

**4. Level of pay of posts.-** As from the date of commencement of these rules, the Level of pay of the post in the revised pay structure of every post specified in column (2) of the Schedule shall be as specified against it in column (5) thereof.

**5. Drawal of pay in the revised pay structure.-** Save as otherwise provided in these rules, a Government servant shall draw pay in the Level in revised pay structure applicable to the post to which he is appointed:

Provided that, a Government servant may elect to

continue to draw a pay in the existing pay structure until the date on which he earns his next or any subsequent increment in the existing pay structure or until he vacates his post or ceases to draw pay in that pay structure:

Provided further that, in cases where a Government servant has been placed in a higher grade pay or scale between the 1st day of January 2016 and the date of publication of these Rules, on account of promotion, upgradation of pay structure, etc., the Government servant may elect to switch over to the revised pay structure from the date of such promotion, upgradation of pay structure, etc.

*Explanation 1.*- The option to retain the existing pay structure under the provisos to this rule shall be admissible only in respect of one existing pay structure.

*Explanation 2.*- The aforesaid option shall not be admissible to any person appointed to a post on or after the 1st day of January 2016, whether for the first time in Government service or by transfer from another post and he shall be allowed pay only in the revised pay structure.

(Accompaniment to the Government Notification,  
Finance Department, No. RPS 2019/CR-1 /  
SER - 9 dated 30th January, 2019)

**ANNEXURE - I**

[See Note below Rule 3(5)]

**Pay Bands and Grade Pays in Existing Pay Structure**

**Existing Pay Structure**

Sr. No.	Name of Pay Band/ Scale	Corresponding Band/ Scale	Corresponding Grade Pay
(1)	(2)	(3)	(4)
1	-1S	4440-7440	1300
2	-1S	4440-7440	1400
3	-1S	4440-7440	1600
4	-1S	4440-7440	1650
5	-1S	4440-7440	1700
6	PB-1	5200-20200	1800
7	PB-1	5200-20200	1900
8	PB-1	5200-20200	2000
9	PB-1	5200-20200	2400
10	PB-1	5200-20200	2500
11	PB-1	5200-20200	2800
12	PB-1	5200-20200	2900
13	PB-1	5200-20200	3000
14	PB-1	5200-20200	3500
15	PB-2	9300-34800	4100
16	PB-2	9300-34800	4200
17	PB-2	9300-34800	4300
18	PB-2	9300-34800	4400
19	PB-2	9300-34800	4500
20	PB-2	9300-34800	4600
21	PB-2	9300-34800	4800
22	PB-2	9300-34800	4900
23	PB-2	9300-34800	5000
24	PB-2	9300-34800	5400
25	PB-3	15600-39100	5000
26	PB-3	15600-39100	5400
27	PB-3	15600-39100	5500
28	PB-3	15600-39100	5700
29	PB-3	15600-39100	5800
30	PB-3	15600-39100	6600
31	PB-3	15600-39100	6900
32	PB-3	15600-39100	7600
33	PB-3	15600-39100	7900
34	PB-4	37400-67000	8700
35	PB-4	37400-67000	8800
36	PB-4	37400-67000	8900
37	PB-4	37400-67000	10000
38	Pay Scale Rs. 67000 - 79000		

*Explanation 3.*- Where a Government servant exercises the option under the provisos to this rule, to retain the existing pay structure, 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 pay structure or under any other rule or order applicable to that post, his substantive pay shall be the substantive pay which he would have drawn had he retained the existing pay structure in respect of the permanent post on which he holds a lien or would have held a lien had his 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.

**6. Exercise of option.-**

The option under the proviso to rule 5 shall be exercised in writing in the form appended to these Rules as **Annexure III**, so as to reach the authority mentioned in subrule (2) within one month from the date of publication of these rules in the *Official Gazette* or where an existing pay structure has been revised by any amendment to these Rules within one month of the date of such order :

Provided that,-

(i) in the case of a Government servant who is, on the date of such publication or, as the case may be, date of such order, out of India on leave or deputation or foreign service or active service, the said option shall be exercised in writing, so as to reach the said authority within one month of the date of his taking charge of his post in India; and

(ii) where a Government servant is under suspension on the 1st day of January 2016, the option may be exercised within one month of the date of his return to his duty, if that date is later than the date prescribed in this sub-rule.

(2) The option in the form appended to these Rules as Annexure III shall be intimated by the Government servant to the Head of his Office alongwith an undertaking, in the form appended to these Rules as **Annexure IV**.

(3) If the intimation regarding option is not received within the time mentioned in sub-rule (1), the Government servant shall be deemed to have elected to be governed by the revised pay structure with effect on and from the 1st day of January 2016. In such cases, the undertaking in the form appended to these Rules as Annexure IV shall be obtained from the Government servant by Head of Office.

(4) The option once exercised shall be final.

*Note 1.*- Person whose services were terminated on or after the 1st day of January 2016 and who could not exercise the option within the prescribed time limit, on account of death, discharge on the expiry of the sanctioned posts, resignation, dismissal or discharge on disciplinary grounds, is entitled to the benefits of this rule.

*Note 2.*- Person who died on or after the 1st day of January 2016 and could not exercise the option within the prescribed time limit, in such cases, it shall be deemed to have opted for the revised pay structure on and from the 1st day of January 2016 or such later date which is most beneficial to his dependant. In such cases, necessary action for payment of arrears should be taken by the Head of Office :

Provided that, the undertaking in the form appended to these Rules as Annexure IV shall be obtained by Head of Office, from the dependant eligible to receive arrears of pay of the Government servant fixed under these Rules.

*Note 3.*- Person who is on earned leave or any other leave on the 1st day of January 2016 which entitled him to leave salary, shall be allowed the benefits of these Rules.

**7. Fixation of initial pay in revised pay structure.-**

(1) The initial pay of a Government servant who elects under sub-rule (1) of rule 6 or is deemed to have elected under sub-rule (3) of rule 6, to be governed by the revised pay structure on and from the 1st day of January 2016, shall, unless in any case, the Governor by special order otherwise directs, be fixed separately in respect of his substantive pay in the permanent post on which he holds a lien or would have held a lien if it had not been suspended, and in respect of his pay in the officiating post held by him, in the following manner, namely :-

(A) In the case of all employees,-

(i) The pay in the applicable Level in the Pay Matrix shall be the pay obtained by multiplying the existing basic pay immediately before the 1st day of January 2016 by a factor of 2.57, rounded off to the nearest rupee and the figure so arrived at will be located in that Level in the Pay Matrix and if such an identical figure corresponds to any Cell in the applicable Level of the Pay Matrix, the same shall be the pay, and if no such Cell is available in the applicable Level, the pay shall be fixed at the immediate next higher Cell in that applicable Level of the Pay Matrix.

(ii) If the minimum pay or the first Cell in the applicable Level is more than the amount arrived at as per sub-clause (i) above, the pay shall be fixed at the minimum pay or the first Cell of the applicable Level:

Provided that, in cases where in revision of pay, the pay of Government servants drawing pay at two or more consecutive stages in the existing Pay Band and Grade Pay or scale, as the case may be, get fixed at the same Cell in the applicable Level in the Pay Matrix; one additional increment shall be given for every two stages bunched and the pay of Government servant drawing higher pay in existing Pay Band and Grade Pay or scale shall be fixed at the next vertical Cell in the applicable Level. Thereafter, the provisions of rule 10 shall be applicable for grant of next increment.

*Explanation.*- For the purpose of above proviso, the pay drawn by two Government servants in a given Pay Band and Grade Pay or scale, where the higher pay is at least 3% more than the lower pay shall constitute two stages. If the Government servants drawing pay where the difference is less than 3% then he shall not be entitled for this benefit. All pay stages lower than Entry Pay in existing pay structure (Pay Band and Grade) as indicated in the Annexure-III of the Maharashtra Civil Services (Revised Pay) Rules, 2009 published in *Maharashtra Government Gazzette* vide Government Notification, Finance Department, No. RPS 1209 /CR-27/SER-9, dated 22nd April 2009, shall not be considered for determining the extent of bunching:

Provided further that, in case of Government servant who had been stagnating at the maximum of the Pay Band or scale in the existing pay structure, as the case may be,

(Accompaniment to the Government Notification, Finance Department,  
No. RPS 2019/CR-1 / SER – 9 dated 30th January, 2019)

**ANNEXURE – II**  
**(See Note below Rule 3 (10))**  
**Pay Matrix**

(Amount in Rs.)

Grade Pay	Pay Band -1S: 4440-7440				Pay Band PB 1: 5200-20200					
	1300	1400	1600	1650 and 1700	1800	1900	2000	2400	2500	2800
Level	S-1	S-2	S-3	S-4	S-5	S-6	S-7	S-8	S-9	S-10
1	15000	15300	16600	17100	18000	19900	21700	25500	26400	29200
2	15500	15800	17100	17600	18500	20500	22400	26300	27200	30100
3	16000	16300	17600	18100	19100	21100	23100	27100	28000	31000
4	16500	16800	18100	18600	19700	21700	23800	27900	28800	31900
5	17000	17300	18600	19200	20300	22400	24500	28700	29700	32900
6	17500	17800	19200	19800	20900	23100	25200	29600	30600	33900
7	18000	18300	19800	20400	21500	23800	26000	30500	31500	34900
8	18500	18800	20400	21000	22100	24500	26800	31400	32400	35900
9	19100	19400	21000	21600	22800	25200	27600	32300	33400	37000
10	19700	20000	21600	22200	23500	26000	28400	33300	34400	38100
11	20300	20600	22200	22900	24200	26800	29300	34300	35400	39200
12	20900	21200	22900	23600	24900	27600	30200	35300	36500	40400
13	21500	21800	23600	24300	25600	28400	31100	36400	37600	41600
14	22100	22500	24300	25000	26400	29300	32000	37500	38700	42800
15	22800	23200	25000	25800	27200	30200	33000	38600	39900	44100
16	23500	23900	25800	26600	28000	31100	34000	39800	41100	45400
17	24200	24600	26600	27400	28800	32000	35000	41000	42300	46800
18	24900	25300	27400	28200	29700	33000	36100	42200	43600	48200
19	25600	26100	28200	29000	30600	34000	37200	43500	44900	49600
20	26400	26900	29000	29900	31500	35000	38300	44800	46200	51100
21	27200	27700	29900	30800	32400	36100	39400	46100	47600	52600
22	28000	28500	30800	31700	33400	37200	40600	47500	49000	54200
23	28800	29400	31700	32700	34400	38300	41800	48900	50500	55800
24	29700	30300	32700	33700	35400	39400	43100	50400	52000	57500
25	30600	31200	33700	34700	36500	40600	44400	51900	53600	59200
26	31500	32100	34700	35700	37600	41800	45700	53500	55200	61000
27	32400	33100	35700	36800	38700	43100	47100	55100	56900	62800
28	33400	34100	36800	37900	39900	44400	48500	56800	58600	64700
29	34400	35100	37900	39000	41100	45700	50000	58500	60400	66600
30	35400	36200	39000	40200	42300	47100	51500	60300	62200	68600
31	36500	37300	40200	41400	43600	48500	53000	62100	64100	70700
32	37600	38400	41400	42600	44900	50000	54600	64000	66000	72800
33	38700	39600	42600	43900	46200	51500	56200	65900	68000	75000
34	39900	40800	43900	45200	47600	53000	57900	67900	70000	77300
35	41100	42000	45200	46600	49000	54600	59600	69900	72100	79600
36	42300	43300	46600	48000	50500	56200	61400	72000	74300	82000
37	43600	44600	48000	49400	52000	57900	63200	74200	76500	84500
38	44900	45900	49400	50900	53600	59600	65100	76400	78800	87000
39	46200	47300	50900	52400	55200	61400	67100	78700	81200	89600
40	47600	48700	52400	54000	56900	63200	69100	81100	83600	92300

for more than two years as on the 1st day of January 2016, one increment shall be granted in applicable Level in the Pay Matrix from the 1st day of January 2016, for every two completed years of stagnation, subject to condition that, the pay arrived at after grant of such increment (s) does not exceed the maximum the applicable Level in the Pay Matrix. Thereafter, provisions of rule 10 shall be applicable for grant of next increment.

(B) In the case of Government servant who is in receipt of special pay or allowance in addition to pay in the existing scale which has been recommended for replacement by Level in Pay Matrix without any special pay or allowance, the pay shall be fixed in the revised pay structure in accordance with the provisions of clause (A) above.

(C) In the case of Government servant who is in receipt of special pay component with any nomenclature in addition to pay in the existing pay structure and in whose case the same has been replaced in the revised pay structure with corresponding allowance or pay at the same rate or at a different rate, the pay in the revised pay structure shall be fixed in accordance with the provisions of clause (A) above.

*Note 1.-* (i) A Government servant who is on leave on the 1st day of January 2016 and is entitled to leave salary shall become entitled to pay in the revised pay structure from the 1st day of January 2016 or the date of option for the revised pay structure. Similarly, where a Government servant is on study leave on the 1st day of January 2016 he will be entitled to the benefits under these Rules from the 1st day of January 2016 or the date of option.

(ii) A Government servant who is on extraordinary leave on medical grounds prior to the 1st day of January

2016 and retired by superannuation or died on or after the 1st day of January 2016 without resuming his office, his pay in the revised pay structure shall be fixed notionally under this rule only for the purpose of granting admissible pensionary benefits as per the applicable rules, no arrears on account of fixation of pay in the revised pay structure shall be admissible.

(iii) A Government servant who is on extraordinary leave for other than medical reasons prior to the 1st day of January 2016 and retired on or after the 1st day of January 2016 without resuming his office, shall not be entitled for the benefits of these Rules, however, his pensionary benefits shall be granted as per the applicable rules in unrevised pay structure.

*Note 2.-* A Government servant under suspension shall continue to draw subsistence allowance based on existing pay structure and his pay in the revised pay structure shall be subject to the final order on the pending disciplinary proceedings.

*Note 3.-* Where a Government servant is holding a permanent post and is officiating in a higher post on a regular basis and the pay structure applicable to these two posts are merged into one Level of the Pay Matrix, the pay shall be fixed under this sub-rule with reference to the officiating post only, and the pay so fixed shall be treated as substantive pay.

The provisions of this Note shall apply *mutatis mutandis*, to Government servant holding in an officiating capacity, posts on different existing pay structures which have been replaced by the revised pay structure.

*Note 4.-* Where the existing emoluments exceeds the

Grade Pay	Pay Band PB 1: 5200-2 0200			Pay Band PB 2: 9300-34800				
	2900 and 3000	3500	4100 and 4200	4300	4400	4500 and 4600	4800	4900 and 5000
Level	S-11	S-12	S-13	S-14	S-15	S-16	S-17	S-18
1	30100	32000	35400	38600	41800	44900	47600	49100
2	31000	33000	36500	39800	43100	46200	49000	50600
3	31900	34000	37600	41000	44400	47600	50500	52100
4	32900	35000	38700	42200	45700	49000	52000	53700
5	33900	36100	39900	43500	47100	50500	53600	55300
6	34900	37200	41100	44800	48500	52000	55200	57000
7	35900	38300	42300	46100	50000	53600	56900	58700
8	37000	39400	43600	47500	51500	55200	58600	60500
9	38100	40600	44900	48900	53000	56900	60400	62300
10	39200	41800	46200	50400	54600	58600	62200	64200
11	40400	43100	47600	51900	56200	60400	64100	66100
12	41600	44400	49000	53500	57900	62200	66000	68100
13	42800	45700	50500	55100	59600	64100	68000	70100
14	44100	47100	52000	56800	61400	66000	70000	72200
15	45400	48500	53600	58500	63200	68000	72100	74400
16	46800	50000	55200	60300	65100	70000	74300	76600
17	48200	51500	56900	62100	67100	72100	76500	78900
18	49600	53000	58600	64000	69100	74300	78800	81300
19	51100	54600	60400	65900	71200	76500	81200	83700
20	52600	56200	62200	67900	73300	78800	83600	86200
21	54200	57900	64100	69900	75500	81200	86100	88800
22	55800	59600	66000	72000	77800	83600	88700	91500
23	57500	61400	68000	74200	80100	86100	91400	94200
24	59200	63200	70000	76400	82500	88700	94100	97000
25	61000	65100	72100	78700	85000	91400	96900	99900
26	62800	67100	74300	81100	87600	94100	99800	102900
27	64700	69100	76500	83500	90200	96900	102800	106000
28	66600	71200	78800	86000	92900	99800	105900	109200
29	68600	73300	81200	88600	95700	102800	109100	112500
30	70700	75500	83600	91300	98600	105900	112400	115900
31	72800	77800	86100	94000	101600	109100	115800	119400
32	75000	80100	88700	96800	104600	112400	119300	123000
33	77300	82500	91400	99700	107700	115800	122900	126700
34	79600	85000	94100	102700	110900	119300	126600	130500
35	82000	87600	96900	105800	114200	122900	130400	134400
36	84500	90200	99800	109000	117600	126600	134300	138400
37	87000	92900	102800	112300	121100	130400	138300	142600
38	89600	95700	105900	115700	124700	134300	142400	146900
39	92300	98600	109100	119200	128400	138300	146700	151300
40	95100	101600	112400	122800	132300	142400	151100	155800

revised emoluments in the case of any Government servant, the difference shall be allowed as personal pay to be absorbed in future increases in pay.

*Note 5.-* Where in the fixation of pay under this sub-rule, the pay of a Government servant, who in the existing pay structure was drawing immediately before the 1st day of January 2016 more pay than another Government servant junior to him in the same cadre, gets fixed in the revised pay structure in a Cell lower than that of such junior, his pay shall be stepped up to the same Cell in the revised pay structure as that of the junior.

*Note 6.-* Where a Government servant is in receipt of personal pay immediately before the 1st day of January 2016 which together with his existing emoluments exceeds the revised emoluments, then, the difference representing such excess shall be allowed to such Government servant as personal pay to be absorbed in future increases in pay.

*Note 7.-* In cases where two existing pay structures, one being a promotional pay structure for the other are merged and the junior Government servant, drawing his pay at equal or lower stage in the existing lower pay structure happens to draw more pay in the revised pay structure than the pay of the senior Government servant in the existing higher pay structure, the pay in the revised pay structure shall be stepped up to that of his junior from the same date and thereafter, provisions of rule 10 shall be applicable for grant of next increment.

*Note 8.-* (i) In the cases where a senior Government servant promoted to a higher post before the 1st day of January 2016 draws less pay in the revised pay structure

than his junior who is promoted to the higher post on or after the 1st day of January 2016, the pay of the senior Government servant in the revised pay structure shall be stepped up to an amount equal to the pay in the revised pay structure as fixed for his junior in that higher post. The stepping up should be done with effect from the date of promotion of the junior Government servant subject to the fulfilment of the following conditions, namely:-

(a) both the junior and the senior Government servant belong to the same cadre and the posts in which they have been promoted are identical in the same cadre;

(b) the existing pay structure and the revised pay structure of the lower and higher posts in which they are entitled to draw pay are identical;

(c) the senior Government servant at the time of promotion is drawing equal or more pay than the junior;

(d) the anomaly is directly as a result of the application of the provisions of rule 11 of the Maharashtra Civil Services (Pay) Rules, 1981 or any other rule or order regulating pay fixation on such promotion in the revised pay structure:

Provided that, if the junior Government servant was drawing more pay in the existing pay structure than the senior by virtue of any advance increments granted to him, the provision of this Note shall not be applicable to step up the pay of the senior Government servant.

(ii) The order relating to re-fixation of the pay of the senior Government servant in accordance with clause (i) above shall be issued under rule 40 of the Maharashtra

Pay Band PB 3: Rs.15600-39100								
Grade Pay	5000	5400 in PB 2 and 5400 in PB 3	5500	5700 and 5800	6600	6900	7600	7900
Level	S-19	S-20	S-21	S-22	S-23	S-24	S-25	S-26
1	55100	56100	57100	60000	67700	71100	78800	82200
2	56800	57800	58800	61800	69700	73200	81200	84700
3	58500	59500	60600	63700	71800	75400	83600	87200
4	60300	61300	62400	65600	74000	77700	86100	89800
5	62100	63100	64300	67600	76200	80000	88700	92500
6	64000	65000	66200	69600	78500	82400	91400	95300
7	65900	67000	68200	71700	80900	84900	94100	98200
8	67900	69000	70200	73900	83300	87400	96900	101100
9	69900	71100	72300	76100	85800	90000	99800	104100
10	72000	73200	74500	78400	88400	92700	102800	107200
11	74200	75400	76700	80800	91100	95500	105900	110400
12	76400	77700	79000	83200	93800	98400	109100	113700
13	78700	80000	81400	85700	96600	101400	112400	117100
14	81100	82400	83800	88300	99500	104400	115800	120600
15	83500	84900	86300	90900	102500	107500	119300	124200
16	86000	87400	88900	93600	105600	110700	122900	127900
17	88600	90000	91600	96400	108800	114000	126600	131700
18	91300	92700	94300	99300	112100	117400	130400	135700
19	94000	95500	97100	102300	115500	120900	134300	139800
20	96800	98400	100000	105400	119000	124500	138300	144000
21	99700	101400	103000	108600	122600	128200	142400	148300
22	102700	104400	106100	111900	126300	132000	146700	152700
23	105800	107500	109300	115300	130100	136000	151100	157300
24	109000	110700	112600	118800	134000	140100	155600	162000
25	112300	114000	116000	122400	138000	144300	160300	166900
26	115700	117400	119500	126100	142100	148600	165100	171900
27	119200	120900	123100	129900	146400	153100	170100	177100
28	122800	124500	126800	133800	150800	157700	175200	182400
29	126500	128200	130600	137800	155300	162400	180500	187900
30	130300	132000	134500	141900	160000	167300	185900	193500
31	134200	136000	138500	146200	164800	172300	191500	199300
32	138200	140100	142700	150600	169700	177500	197200	205300
33	142300	144300	147000	155100	174800	182800	203100	211500
34	146600	148600	151400	159800	180000	188300	209200	
35	151000	153100	155900	164600	185400	193900		
36	155500	157700	160600	169500	191000	199700		
37	160200	162400	165400	174600	196700	205700		
38	165000	167300	170400	179800	202600	211900		
39	170000	172300	175500	185200	208700			
40	175100	177500	180800	190800				

Civil Services (Pay) Rules, 1981 and the senior Government servant shall be entitled to the next increment on completion of his required qualifying service with effect from the date of re-fixation of pay.

**Illustration:-1 Pay fixation under Rule 7(1)**

1. Existing Pay Band : PB-1
2. Existing Grade Pay : Rs. 1900
3. Existing pay in Pay Band: Rs. 6350
4. Existing Basic Pay: Rs.8250 (6350+1900)
5. Pay after multiplication by a fitment factor of 2.57 : 8250 x 2.57= 21202.50 (Rounded off to 21203/-)
6. Level corresponding to Grade Pay 1900 : Level S-6
7. Revised Pay in Pay Matrix (either equal to or next higher to Rs. 21203 in Level S-6) : Rs. 21700

<b>Pay Band</b>	<b>PB-1: Rs. 5200-20200</b>
<b>Grade Pay (Rs.)</b>	<b>1900</b>
<b>Level</b>	<b>S-6</b>
1.	19900
2.	20500
3.	21100
4.	<b>21700</b> -
5.	22400

	<b>Pay Band PB 4: 37400-67000</b>				
<b>Grade Pay</b>	<b>8700</b>	<b>8800</b>	<b>8900</b>	<b>10000</b>	<b>67000 -79000</b>
<b>Level</b>	<b>S-27</b>	<b>S-28</b>	<b>S-29</b>	<b>S-30</b>	<b>S-31</b>
1	118500	124800	131100	144200	182200
2	122100	128500	135000	148500	187700
3	125800	132400	139100	153000	193300
4	129600	136400	143300	157600	199100
5	133500	140500	147600	162300	205100
6	137500	144700	152000	167200	211300
7	141600	149000	156600	172200	217600
8	145800	153500	161300	177400	220000
9	150200	158100	166100	182700	
10	154700	162800	171100	188200	
11	159300	167700	176200	193800	
12	164100	172700	181500	199600	
13	169000	177900	186900	205600	
14	174100	183200	192500	211800	
15	179300	188700	198300	218200	
16	184700	194400	204200		
17	190200	200200	210300		
18	195900	206200	216600		
19	201800	212400			
20	207900				
21	214100				

(Accompaniment to the Government Notification, Finance Department, No. RPS 2019 / CR-1 / SER - 9 dated 30th January, 2019)

**ANNEXURE -IV  
Undertaking**

I,..... hereby undertake that any excess payment as a result of pay fixation in a manner contrary to the provisions contained in the Maharashtra Civil Services (Revised Pay) Rules, 2019, or any other 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.

Place: \_\_\_\_\_ Signature \_\_\_\_\_  
Date:- \_\_\_\_\_  
Name: \_\_\_\_\_  
Designation: \_\_\_\_\_

**Illustration:-2**

1. Existing Pay Band : PB-2
2. Existing Grade Pay : Rs. 4500
3. Existing pay in Pay Band: Rs. 23510
4. Existing Basic Pay: Rs.28010 (23510+4500)
5. Pay after multiplication by a fitment factor of 2.57 : 28010 x 2.57 = 71985.7 (Rounded off to 71986/-)
6. Level corresponding to Grade Pay 4500 : Level S-16
7. Revised Pay in Pay Matrix (either equal to or next higher to Rs. 71986 in Level S-16): Rs. 72100

<b>Pay Band</b>	<b>PB-2: Rs. 9300-34800</b>
<b>Grade Pay (Rs.)</b>	<b>4500</b>
<b>Level</b>	<b>S-16</b>
15.	68000
16.	70000
17.	<b>72100</b> -
18.	74300
19.	76500

(2) Subject to the provisions of rule 5, if the pay as fixed in the officiating post under sub-rule (1) is lower than the pay fixed in the substantive post, the former shall be fixed at the same stage as the substantive pay.

(Accompaniment to the Government Notification, Finance Department, No. RPS 2019/CR-1 / SER - 9 dated 30th January, 2019)

**ANNEXURE - III  
[See Rule 6(1)]  
FORM OF OPTION**

1. (A) Name of the Government servant \*Mr./Mrs./Kum. \_\_\_\_\_

(B) Post held.....\*Substantive/Officiating \_\_\_\_\_

(C) Existing pay structure Pay Band: PB - \*\* ..... Rs..... Grade Pay Rs. ....

(D) Revised pay structure – Level S -\*\*\* ..... Rs. ....

(E) Name of the office in which employed \_\_\_\_\_

2 I \* Mr./ Mrs./ Kum.....hereby :-

\* (I) elect the revised pay structure of the post with effect from the 1st day of January 2016;

\* ( II ) elect to retain the existing scale of the post until -

\* the date of my next increment.

\* the date of my subsequent increment rising my pay to Rs..

\* I vacate the post or cease to draw pay in the existing scale.

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

Place : \_\_\_\_\_ Signature : \_\_\_\_\_  
Date : \_\_\_\_\_ Name : \_\_\_\_\_

(To be filled by office only)

This is to certify that, Mr./Mrs./Kum..... holder of the post of.....in \*substantive/officiating capacity, has submitted this option form duly signed and within prescribed date, to me.

Place: \_\_\_\_\_ Signature \_\_\_\_\_  
Date: \_\_\_\_\_ Name..... \_\_\_\_\_  
Head of the Office..... \_\_\_\_\_

\* To be scored out if not applicable.  
\*\* Mention Pay Band Number.  
\*\*\* Mention Pay Level Number.

**8. Fixation of pay in revised pay structure of Government servant appointed as direct recruits on or after the 1st day of January 2016.-**

The pay of Government servant appointed by direct recruitment on or after the 1st day of January 2016 shall be fixed at the minimum pay or the first Cell in the Level, applicable to the post to which such Government servant is appointed :

Provided that, where the existing pay of such Government servant appointed on or after the 1st day of January 2016 and before the date of publication of these Rules, has already been fixed in accordance with the existing pay structure and if his existing emoluments happen to exceed the sum of the pay fixed in the revised pay structure and the applicable dearness allowance thereon, the difference shall be allowed as personal pay to be absorbed in future increments in pay.

**9. Increments in Pay Matrix.-** The increment shall be as specified in the vertical Cells moving from first Cell to the last Cell of the applicable Level in the Pay Matrix.

**Illustration:-**

(1)The Government servant in the Basic Pay of Rs. 16000 in the Level S-1 will move vertically down the same Level in the Cells and on grant of increment, his basic pay will be Rs. 16500.		
(2) The Government servant in the Basic Pay of Rs. 21100 in the Level S-6 will move vertically down the same Level in the Cells and on grant of increment, his basic pay will be Rs. 21700.		
<b>Pay Band</b>	<b>-IS: Rs. 4440-7440</b>	<b>PB-1: Rs. 5200-20200</b>
<b>Grade Pay (Rs.)</b>	<b>1300</b>	<b>1900</b>
<b>Levels</b>	<b>S-1</b>	<b>S-6</b>
1.	15000	19900
2.	15500	20500
3.	16000	21100
	-	-
4.	<b>16500</b>	<b>21700</b>
5.	17000	22400

**10. Date of next increment in the revised pay structure.-**

(1) There shall be two dates for grant of annual increment namely, 1st January and 1st July of every year, instead of existing date of 1st July :

Provided that, Government servant shall be entitled to only one annual increment either on 1st January or 1st July, depending on the date of his appointment, promotion or grant of financial upgradation.

(2) The increment in respect of Government servant appointed or promoted or granted financial upgradation including upgradation under Modified Assured Career Progression Scheme (MACPS) during the period between the 2nd day of January and 1st day of July (both inclusive), shall be granted on 1st day of January of the following year and the increment in respect of Government servant appointed or promoted or granted financial upgradation including upgradation under MACPS during the period between the 2nd day of July and 1st day of January (both inclusive), shall be granted on 1st day of July of the following year.

(3) In case Government servant is promoted or granted financial upgradation including upgradation under the MACPS on 1st January or 1st July, where the pay is fixed in the Level applicable to the post on which promotion is

made in accordance with the rule 13, the first increment in the Level applicable to the post on which promotion is made shall accrue on the following 1st July or 1st January, as the case may be, provided a period of six months' qualifying service is strictly fulfilled. The next increment thereafter shall, however, accrue only after completion of one year.

**Illustration:**

(i) In case of Government servant appointed or promoted in the normal hierarchy or under MACPS during the period between 2nd day of July 2016 and the 1st day of January 2017 (both inclusive), the first increment shall accrue on the 1st day of July 2017 and thereafter it shall accrue after one year on annual basis.

(ii) In case of Government servant appointed or promoted in the normal hierarchy or under MACPS during the period between 2nd day of January 2016 and the 1st day of July 2016 (both inclusive), who did not draw any increment on 1st day of July 2016, the next increment shall accrue on the 1st day of January 2017 and thereafter it shall accrue after one year on annual basis :

Provided that, in the case of Government servant whose pay in the revised pay structure has been fixed as on the 1st day of January 2016, the next increment in the Level

**सुधारित वेतन संरचनेच्या अनुषंगाने सुधारित दराने महागाई भत्ता मंजूर करण्याबाबत.**

**महाराष्ट्र शासन : वित्त विभाग**

शासन निर्णय क्रमांक : मभवा-२०१९/प्र.क्र.२/सेवा-९  
मादाम कामा रोड, हुतात्मा राजगुरू चौक : मंत्रालय, मुंबई - ४०० ०३२  
दिनांक :- १ फेब्रुवारी, २०१९

वाचा :- (१) शासन निर्णय क्रमांक : वेपुर-२०१८/प्र.क्र.४४/सेवा-९, दिनांक १ जानेवारी, २०१९ (२) शासन अधिसूचना क्रमांक - वेपुर-२०१९/प्र.क्र.१/सेवा-९ दिनांक ३० जानेवारी, २०१९

**शासन निर्णय**

महाराष्ट्र नागरी सेवा (सुधारित वेतन) नियम, २०१६ अन्वये राज्य शासकीय कर्मचाऱ्यांना दि. १ जानेवारी, २०१६ पासून सुधारित वेतनसंरचना (वेतन मॅट्रिक्स) लागू करण्यात आले आहे. या सुधारित वेतनसंरचनेच्या अनुषंगाने सुधारित दराने महागाई भत्ता मंजूर करण्याची बाब शासनाच्या विचाराधीन होती.

२. शासन आता असे आदेश देत आहे की, सुधारित वेतनसंरचनेतील वेतनावर खाली नमूद केलेल्या दराने महागाई भत्ता मंजूर करण्यात यावा :-

अ. क्र.	महागाई भत्ता लागू करावयाचा दिनांक	महागाई भत्त्याचा दर
१	१.१.२०१६	०
२	१.७.२०१६	२%
३	१.१.२०१७	४% (२% वरून ४%)
४	१.७.२०१७	५% (४% वरून ५%)
५	१.१.२०१८	७% (५% वरून ७%)
६	१.७.२०१८	९% (७% वरून ९%)

३. वरीलप्रमाणे महागाई भत्ता सुधारित वेतनसंरचनेतील अनुज्ञेय वेतन स्तरामधील मूळ वेतनावर परिगणित करण्यात यावा.

४. सदर आदेश सुधारित वेतनसंरचनेमध्ये वेतन अनुज्ञेय असलेल्या संस्थांमधील कर्मचाऱ्यांना योग्य त्या फेरफारासह लागू राहतील.

५. यावर होणारा खर्च संबंधित शासकीय कर्मचाऱ्यांचे वेतन व भत्ते ज्या लेखाशीर्षाखाली खर्ची टाकण्यात येतात, त्या लेखाशीर्षाखाली खर्ची टाकून त्याखालील मंजूर अनुदानातून भागविण्यात यावा.

सदर शासन निर्णय महाराष्ट्र शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संकेतांक २०१९०२०२१११५३६१५०५ असा आहे. हा आदेश डिजिटल स्वाक्षरीने साक्षात्कृत करून काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

(भा.ज.गडेकर)



in which the pay was so fixed as on the 1st day of January 2016 shall accrue on 1st day of July 2016 :

Provided further that, the next increment after drawal of increment on 1st day of July 2016 shall accrue on 1st day of July 2017.

**11. Revision of pay from a date subsequent to the 1st day of January 2016.-**

In respect a Government servant who opts to switch over to the revised pay structure later than the 1st day of January 2016, his pay in the revised pay structure shall be fixed in the manner provided in clause (A) of sub-rule (1) of rule 7.

**12. Fixation of pay on reappointment after the 1st day of January 2016 to a post held prior to that date.-**

A Government servant who had officiated in a post prior to the 1st day of January 2016 but was not holding that post on that date and who on subsequent appointment to that post draws pay in the revised pay structure shall be allowed the benefit of the proviso to rule 11 of the Maharashtra Civil Services (Pay) Rules, 1981, to the extent it would have been admissible had he been holding that post on the 1st day of January 2016, and had elected the revised pay structure on and from that date.

**13. Fixation of pay on promotion on or after the 1st day of January 2016.-**

In case of a Government servant promoted on or after the 1st day of January 2016 one increment shall be given to him in the Level of the post from which the Government servant is promoted and he shall be placed at a Cell equal to the figure so arrived at in the Level of the post to which he is promoted and if no such Cell is available in the Level to which he is promoted, he shall be placed at the next higher Cell in that Level.

Provided that the Government servant who is promoted on or after the 1st day of January 2016, shall have option, to fix pay on the promotional post from the date of promotion or from the date of accrual of next increment in the revised pay structure. He shall exercise this option within one month from the date of publication of these Rules.

**Illustration: 1**

1. Level in the revised pay structure : Level S-6 2. Basic pay in the revised pay structure (Level S-6): Rs. 21700 3. Pay Level after grant of promotion - Level- S-7 4. Pay after giving one increment in Level S-6 - Rs. 22400 5. Pay in the upgraded level i.e. Level S-7: Rs. 22400 - (Rs. 22400 is available in upgraded Level S-7, next higher Cell to it shall not be considered.)		
<b>Pay Band</b>	<b>PB-1: Rs. 5200-20200</b>	
<b>Grade Pay</b>	<b>1900</b>	<b>2000</b>
<b>Levels</b>	S-6	S-7
1.	19900	21700
2.	20500	<b>22400</b>
3.	21100	23100
4.	<b>21700</b>	23800
	-	
5.	<b>22400</b>	24500

**Illustration: 2**

1. Level in the revised pay structure : Level S-14 2. Basic pay in the revised pay structure (Level S-14 ) : Rs. 41000 3. Pay Level after grant of promotion- Level- S-15 4. Pay after giving one increment in Level S-14 - Rs. 42200 5. Pay in the upgraded level i.e. Level S-15:- (either equal to or next higher to Rs. 42200 in Level-15) Rs. 43100		
<b>Pay Band</b>	<b>PB-2: Rs. 9300-34800</b>	
<b>Grade Pay</b>	<b>4300</b>	<b>4400</b>
<b>Levels</b>	S-14	S-15
1.	38600	41800
2.	39800	<b>43100</b>
3.	<b>41000</b>	44400
	-	
4.	<b>42200</b>	45700
5.	43500	47100

**14. Mode of payment of arrears of pay.** – (1) The arrears of pay entitled to Government servant on account of revision of pay under these Rules, for the period from the 1st day of January 2016 to the 31st day of December 2018 (both inclusive) shall be credited to the General Provident Fund (GPF) or Applicable Pension Scheme, as the case may be, in five equal instalments over the next five years from financial year 2019-2020; subject to the following conditions,-

(a) withdrawal of amount of arrears paid in General Provident Fund (GPF) in instalments shall not be permitted for the period of two years from the date of its deposit;

(b) if a Government servant ceases to be in Government service due to retirement, or any other reason after crediting one or more instalments in his account, remaining instalments shall be paid to the Government servant in cash, on specified date for depositing instalment.

(2) In case of Government servant to whom the “Applicable Pension Scheme” is applicable, the Government may issue separate orders in respect arrears to be credited in their Applicable Pension Scheme.

**Explanation.-** For the purposes of this section, the expression “Applicable Pension Scheme” means the Pension Scheme or Schemes applicable to the Government servants to whom the ‘General Provident Fund Scheme’ is not applicable.

**15. Overriding effect of Rules.-** The provisions of the Maharashtra Civil Services (Pay) Rule, 1981 shall not, save as otherwise provided in these rules, apply to cases where pay is regulated under these Rules, to the extent they are inconsistent with these Rules.

**16. Power to relax. -** Where the Governor is satisfied that the operation of all or any of the provisions of these rules causes undue hardship in any particular case, he may, by order dispense with or relax requirements of that rule to such extent and subject to such conditions as he may consider necessary for dealing with the case in a just and equitable manner.

**17. Interpretation.-** If any question arises relating to the interpretation of any of the provisions of these rules, it shall be referred to the Government of Maharashtra in Finance Department whose decision thereon will be final.

By order and in the name of the Governor of Maharashtra,

(U. P. S. MADAN)  
**Additional Chief Secretary to Government.**

**दिनांक १.१.२००६ ते दिनांक २६.०२.२००९ या कालावधीत सेवानिवृत्त झालेल्या निवृत्तीवेतन धारकांच्या निवृत्तीवेतनात/कुटुंब निवृत्तीवेतनात सुधारणा करण्याबाबत.**

**महाराष्ट्र शासन : वित्त विभाग**

शासन निर्णय क्रमांक - न्यायाप्र-२०१५/एसएलपी/प्र.क्र.५/सेवा-४ : मंत्रालय, मुंबई - ४०० ०३२

**दिनांक :- २७ डिसेंबर, २०१८**

**संदर्भ :-** (१) शासन निर्णय, वित्त विभाग क्रमांक सेनिवे १००९/प्र.क्र.३३/सेवा-४, दिनांक ३० ऑक्टोबर, २००९ (२) शासन शुद्धीपत्रक, वित्त विभाग क्रमांक सेनिवे १००९/प्र.क्र.३३/सेवा-४, दिनांक १५ डिसेंबर, २००९

**प्रस्तावना :-** उपरोक्त संदर्भाधीन क्रमांक १ वरील दिनांक ३० ऑक्टोबर २००९ च्या शासन निर्णयान्वये सहाय्या वेतन आयोगाच्या शिफारशीनुसार दिनांक १.१.२००६ नंतर निवृत्त होणाऱ्या निवृत्तीवेतन धारकांच्या निवृत्तीवेतनाबाबत सुधारणा करण्यात आल्या होत्या. मात्र सदर शासन निर्णयातील काही तरतुदी या दिनांक १.१.२००६ ऐवजी दिनांक २७.०२.२००९ पासून लागू करण्यात आल्या होत्या. या तरतुदी दिनांक १.१.२००६ पासून लागू कराव्यात यासाठी मा.उच्च न्यायालयात दाखल झालेल्या रिट याचिका क्रमांक ८९८५/२०११ (श्रीमती सावित्रीबाई नरसय्या गुडप्पा विरुद्ध महाराष्ट्र शासन) व त्यासोबतच्या समान विषयावरील इतर याचिकांमध्ये मा.उच्च न्यायालयाने दिलेल्या निर्णयाच्या अनुषंगाने दिनांक ३० ऑक्टोबर, २००९ च्या शासन निर्णयातील काही तरतुदीमध्ये सुधारणा करण्याचा शासनाने निर्णय घेतला आहे.

**शासन निर्णय**

**१. निवृत्तीवेतन :-** दिनांक ३० ऑक्टोबर २००९ च्या शासन निर्णयातील परिच्छेद ५.१, ५.२, ५.३ व ५.४ मधील तरतुदी दिनांक १.१.२००६ पासून लागू राहतील. त्यानुसार दिनांक १.१.२००६ ते दिनांक २६.२.२००९ या कालावधीत सेवानिवृत्त झालेल्या निवृत्तीवेतनधारकांना सुधारित निवृत्तीवेतनाचा लाभ अनुज्ञेय होईल.

**२. थकवाकी :-** १.१.२००६ ते २६.२.२००९ या कालावधीत सेवानिवृत्त झालेल्या कर्मचाऱ्यांना निवृत्तीवेतन सुधारित केल्यानंतर अनुज्ञेय थकवाकीची रक्कम निवृत्तीवेतनधारकांना अदा करण्यात यावी.

**३. निवृत्ती उपदान/मृत्यू उपदान :-** निवृत्ती उपदान/मृत्यू उपदान यांच्या अनुषंगाने दिनांक ३० ऑक्टोबर, २००९ च्या शासन निर्णयात नमूद परिच्छेद क्रमांक ६ व ६.१ मधील तरतुदी पूर्वीप्रमाणेच कायम राहतील. तथापि, या तरतुदी दिनांक १ जानेवारी २०१६ पासून लागू करण्यात आल्यामुळे सेवानिवृत्तीवेतन धारकांच्या उपदानाच्या रक्कमांमध्ये कोणत्याही प्रकारचा बदल होत असल्यास त्याचे समायोजन देय निवृत्तीवेतन/कुटुंबनिवृत्तीवेतनाच्या थकवाकीतून करण्यात यावे.

**४. निवृत्तीवेतन सुधारित केल्यामुळे देय होणाऱ्या थकवाकीच्या रकमेवर व्याज अनुज्ञेय असणार नाही.**

**५. निवृत्तीवेतन सुधारित केल्यामुळे देय फरकाची रक्कम एकत्रितरित्या थकवाकीच्या स्वरूपात देण्यात येत असल्याने आता पुन्हा निवृत्तीवेतनाचे अंशराशीकरण अनुज्ञेय होणार नाही.**

**६. वरीलप्रमाणे निवृत्तीवेतनात सुधारणा केल्यामुळे देय होणाऱ्या थकवाकीची रक्कम संबंधित निवृत्तीवेतन धारकांना/कुटुंबनिवृत्तीवेतन धारकांना एकरकमी अदा करण्यात यावी.**

**७. सर्वसाधारण सूचना :-**

**(अ) शासन विभागांकरिता सूचना :-** शासनाच्या प्रत्येक विभागाने त्याच्या अधिपत्याखालील सर्व कार्यालय प्रमुखांनी यांनी दिनांक १.१.२००६ ते २६.२.२००९ या कालावधीतील निवृत्तीवेतनधारकांच्या निवृत्तीवेतन/कुटुंब निवृत्तीवेतनाची प्रकरणे सुधारित करून याबाबत दर सहा महिन्यांनी आढावा घ्यावा. त्यांच्या अधिपत्याखालील एखाद्या कार्यालय प्रमुखांनी यांनी सुधारित निवृत्तीवेतन प्रकरणे महालेखापाल कार्यालयास सादर न केल्यामुळे उद्भवलेल्या न्यायालयीन प्रकरणास तो विभाग सर्वस्वी जबाबदार राहिल.

**(ब) कार्यालय प्रमुख यांच्यासाठी सूचना :-** १. कार्यालय प्रमुख यांनी दिनांक १.१.२००६ ते २६.२.२००९ या कालावधीत सेवानिवृत्त झालेल्या सर्व शासकीय कर्मचारी यांच्या निवृत्तीवेतनाची प्रकरणे उपरोक्त प्रमाणे सुधारित करून मा.महालेखापाल कार्यालयास सेवापुस्तकासह विहित नमूना क्र. ६ मध्ये सुधारणेसाठी सादर करावीत. ज्या निवृत्तीवेतनधारकांच्या/कुटुंबनिवृत्तीवेतनधारकांच्या निवृत्तीवेतनाचे अभिलेख उपलब्ध नसतील अशा

प्रकरणी निवृत्तीवेतनधारकांनी/कुटुंबनिवृत्तीवेतनधारकांनी संबंधित कार्यालय प्रमुखाकडे P.P.O. (निवृत्तीवेतन प्रदान आदेश) च्या प्रतीसह अर्ज करावा. कार्यालय प्रमुखाने अर्ज प्राप्त झाल्यानंतर योग्य ती शहानिशा करून निवृत्तीवेतन प्रकरण सुधारणेकरिता मा.महालेखापाल कार्यालयास सादर करावे.

२. दिनांक १.१.२००६ ते २६.२.२००९ या कालावधीत सेवानिवृत्त झालेल्या सर्व शासकीय कर्मचारी यांच्या सुधारित निवृत्तीवेतनाची/कुटुंबनिवृत्तीवेतनाची प्रकरणे तातडीने सादर करण्याची दक्षता घ्यावी. सुधारित निवृत्तीवेतन/कुटुंबनिवृत्तीवेतन प्रकरणांबाबतचा अहवाल संबंधित प्रशासकीय विभागास पाठविण्यात यावा.

**(क) अधिदान व लेखा अधिकारी/कोषागार अधिकारी यांच्यासाठी सूचना:-**

१. काही सेवानिवृत्त शासकीय कर्मचाऱ्यांच्या बाबतीत सहाय्या वेतन आयोगानुसार सुधारित नियम लागू केल्यामुळे सेवा-नि-उपदानाची रक्कम कमी येत असल्या कारणाने अशा रकमेची वसुली देय निवृत्तीवेतनाच्या/कुटुंबनिवृत्तीवेतनाच्या थकवाकीतून करण्यात यावी. याकरिता सेवा-नि-उपदानाकरिता असलेले आहरण व संवितरण अधिकाऱ्यांचे प्राधिकार फक्त या कालावधीकरिता संबंधित कोषागार अधिकारी/अधिदान व लेखा अधिकारी यांना देण्यात येत आहेत.

२. कोषागार अधिकारी/अधिदान व लेखा अधिकारी यांच्या अभिलेखामध्ये ज्या निवृत्तीवेतनधारकांच्या/कुटुंबनिवृत्तीवेतनधारकांच्या निवृत्तीवेतनाचे अभिलेख उपलब्ध नसतील अशा निवृत्तीवेतनधारकांच्या/कुटुंबनिवृत्तीवेतनधारकांच्या बाबतीत निवृत्तीवेतनधारकांच्या P.P.O. (निवृत्तीवेतन प्रदान आदेश) ची प्रत प्राप्त करून घेऊन मा.महालेखापाल यांचेकडे योग्य ती शहानिशा करून घेऊन निवृत्तीवेतनधारकास थकवाकी अदा करण्यात यावी.

३. कोषागार अधिकारी/अधिदान व लेखा अधिकारी यांनी दिनांक १.१.२००६ ते २६.२.२००९ या कालावधीतील निवृत्तीवेतनधारकांच्या थकवाकी विषयक नोंदी स्वतंत्र Excel Sheet मध्ये नोंदवावी. खालीलप्रमाणे थकवाकी विषयक नोंदीचा लेखा ठेवण्यात यावा.

Sr. No.	PPO No.	Name of Pensioner	Total Arrears Payable	Deduction if any	Net amount Payable	Remarks if any

४. कोषागार अधिकारी/अधिदान व लेखा अधिकारी यांनी दिनांक १.१.२००६ ते २६.२.२००९ या कालावधीतील निवृत्तीवेतनधारकांच्या थकवाकीवर नियमानुसार आयकर कपातीची कार्यवाही करावी.

५. कोषागार अधिकारी/अधिदान व लेखा अधिकारी यांनी दिनांक १.१.२००६ ते २६.२.२००९ या कालावधीत सेवानिवृत्त झालेल्या निवृत्तीवेतनधारकांकडून अतिप्रदान रक्कमेबाबतचे विहित नमुन्यातील हमीपत्र घ्यावे.

८. शासन असाही आदेश देत आहे की, ज्यांना निवृत्तीवेतन योजना लागू केलेली आहे अशा मान्यताप्राप्त अनुदानित शैक्षणिक संस्था, कृषिनेत्र विद्यापीठे व त्यांच्याशी संलग्न असलेली अशासकीय महाविद्यालये व कृषी विद्यापीठे यामधील निवृत्तीवेतनधारक/कुटुंब निवृत्तीवेतनधारक यांना वरील निर्णय योग्य त्या फेरफारासह लागू राहिल.

९. महाराष्ट्र जिल्हा परिषदा व पंचायत समिती अधिनियम १९६१ (सन १९६२ चा महाराष्ट्र अधिनियम क्रमांक पाच) च्या कलम २४८ च्या परंतुकान्वये प्रदान केलेले अधिकार आणि त्यासंबंधीचे इतर सर्व अधिकार याचा वापर करून शासन असाही आदेश देत आहे की, वरील निर्णय जिल्हा परिषदांचे निवृत्तीवेतनधारक यांनाही लागू राहतील.

१०. यासंबंधीचा खर्च वर नमूद निवृत्तीवेतनधारकांचे निवृत्तीवेतन ज्या अर्थसंकल्पीय लेखाशीर्षाखाली खर्ची टाकण्यात येतो त्या शीर्षाखाली खर्ची

## राज्य शासकीय कर्मचारी व इतरांना सुधारित दराने घरभाडे भत्ता मंजूर करण्याबाबत

## महाराष्ट्र शासन : वित्त विभाग

शासन निर्णय क्रमांक : घभाभ-२०१९/प्र.क्र.२/सेवा-५ : मंत्रालय, मादाम कामा मार्ग, : हुतात्मा राजगुरू चौक, मुंबई - ४०० ०३२

दिनांक :- ५ फेब्रुवारी, २०१९

वाचा :- (१) शासन निर्णय वित्त विभाग क्र.वेपुर-१२८७/६४३/सेवा-१०, दि.२५ एप्रिल, १९८८

(२) शासन निर्णय वित्त विभाग क्र.घभाभ-१०९८/प्र.क्र.८२/९८/सेवा-५, दि.११ डिसेंबर, १९९८

(३) शासन शुद्धीपत्रक, वित्त विभाग क्र.घभाभ-१०९८/प्र.क्र.८२/९८/सेवा-५, दि. ५ जानेवारी, १९९९

(४) शासन परिपत्रक, वित्त विभाग, घभाभ-१००३/प्र.क्र.४५/सेवा-५, दि. १० नोव्हेंबर, २००३

(५) शासन निर्णय वित्त विभाग क्र.घभाभ-१००५/प्र.क्र.१३/सेवा-५, दि.१७ जून, २००५

(६) शासन निर्णय, वित्त विभाग, संकीर्ण-१००९/प्र.क्र.४०/सेवा-५, दि. १३ मे, २००९

(७) शासन निर्णय वित्त विभाग क्र.घभाभ-१००९/प्र.क्र.६७/सेवा-५, दि. २४ ऑगस्ट, २००९

(८) केंद्र शासन, वित्त मंत्रालय, व्यय विभाग यांचे कार्यालयीन ज्ञापन क्रमांक २/५/२०१४-ई.११(बी), दिनांक २१ जुलै, २०१५ चे ज्ञापन

(९) शासन निर्णय वित्त विभाग क्र.घभाभ-१०१५/प्र.क्र.१९/सेवा-५, दि.१६ डिसेंबर, २०१६

(१०) केंद्र शासन, वित्त मंत्रालय, व्यय विभाग यांचे कार्यालयीन ज्ञापन क्रमांक २/५/२०१७-ई.११(बी), दिनांक ७ जुलै, २०१७ चे ज्ञापन

(११) शासन अधिसूचना, वित्त विभाग, क्र.वेपुर-२०१९/प्र.क्र.१/सेवा-९, दि.३०.०१.२०१९

## प्रस्तावना

सातव्या केंद्रीय वेतन आयोगाच्या शिफारशीनुसार केंद्र शासनाने केंद्रीय कर्मचाऱ्यांना लागू केलेल्या वेतन मॅट्रीक्स व वेतन स्तर या धर्तीवर राज्य शासकीय कर्मचाऱ्यांना महाराष्ट्र नागरी सेवा (सुधारीत वेतन) नियम, २०१९, अन्वये वेतन मॅट्रीक्स व वेतन स्तर लागू केले आहे. तसेच केंद्रीय शासकीय कर्मचाऱ्यांना, सातव्या वेतन आयोगाच्या कालावधीत उपरोक्त अनुक्रमांक (१०) येथील दिनांक ७ जुलै २०१७ च्या आदेशान्वये सुधारीत दराचा घरभाडे भत्ता अनुज्ञेय करण्यात आला आहे. केंद्र शासनाच्या सातव्या वेतन आयोगाच्या घरभाडे भत्त्याच्या दरामध्ये, उपरोक्त दि. ७.७.२०१७ च्या ज्ञापनाच्या झालेली सुधारणा विचारात घेऊन, राज्य शासकीय कर्मचाऱ्यांना व इतर पात्र कर्मचाऱ्यांना शहरे व गावे यांचे सुधारीत पुनर्वर्गीकरण विचारात घेऊन, सातव्या वेतन

टाकण्यात यावा व तो त्या त्या शीर्षांतर्गत मंजूर अनुदानातून भागविण्यात यावा. तथापि, आवश्यक असल्यास संबंधित मंत्रालयीन प्रशासकीय विभागांनी वरील निवृत्तीवेतनधारकासंबंधीचा खर्च भागविण्यासाठी विधीमंडळाच्या येत्या अधिवेशनात पूरक मागणी सादर करण्यासाठी आवश्यक ती कार्यवाही करावी.

११. दिनांक ३० ऑक्टोबर २००९ च्या शासन निर्णयातील इतर तरतुदी पूर्वीप्रमाणेच कायम राहतील. तसेच या शासन निर्णयाच्या अनुषंगाने पारित करण्यात आलेल्या दिनांक १५ डिसेंबर २००९ च्या शुद्धिपत्रकासोबतची परिशिष्टे दिनांक १.१.२००६ नंतर सेवानिवृत्त होणाऱ्या कर्मचाऱ्यांसाठी लागू राहतील.

१२. सदर शासन निर्णय महाराष्ट्र शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संकेतांक २०१९०२०५१४३६४६२००५ असा आहे. हा आदेश डिजिटल स्वाक्षरीने साक्षात्कृत करून काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

(अनुदीप दिघे)

शासनाचे उपसचिव

\*\* AF : P 133 \*\*

आयोगाच्या कालावधीत सुधारीत दराचा घरभाडे भत्ता अनुज्ञेय करण्याबाबतचा प्रश्न शासनाच्या विचाराधीन होता.

## शासन निर्णय

शासन आता असे आदेश देत आहे की, राज्य शासकीय कर्मचारी व इतर पात्र कर्मचारी यांना घरभाडे भत्ता मंजूर करण्यासाठी शहरांचे/गावांचे शासन निर्णय वित्त विभाग दिनांक १६.१२.२०१६ अन्वये यापूर्वीच पुनर्वर्गीकरण करण्यात आलेले आहे. सदर बदललेले/सुधारीत वर्गीकरण विचारात घेऊन, संबंधित शहरांना/गावांना, त्यांच्यासमोर स्तंभ-४ मध्ये दर्शविल्यानुसार ७ व्या वेतन आयोगातील सुधारीत वेतनश्रेणीच्या आधारे सुधारीत दराने घरभाडे भत्ता मंजूर करण्यात यावा. हे आदेश दिनांक १.१.२०१९ पासून अंमलात येतील.

अ. क्र.	शहरांचे/गावांचे वर्गीकरण	घरभाडे भत्त्याचे विद्यमान दर (मूळ वेतनाची टक्केवारी)	घरभाडे भत्त्याचे सुधारित दर (मूळ वेतनाची टक्केवारी)
(१)	(२)	(३)	(४)
१	X एक्स	३० टक्के	२४ टक्के
२	Y वाय	२० टक्के	१६ टक्के
३	Z झेड	१० टक्के	८ टक्के

तथापि X, Y व Z वर्गीकृत शहरांना अनुक्रमे किमान रु. ५४००, रु.३६०० व रु.१८०० इतका घरभाडे भत्ता अनुज्ञेय राहिल. ज्यावेळी सातव्या वेतन आयोगानुसार अनुज्ञेय केलेला महागाई भत्ता हा २५ टक्क्याची मर्यादा ओलांडेल त्यावेळी वरीलप्रमाणे वर्गीकृत शहरांना अनुक्रमे २७%, १८% व ९% दराने घरभाडे भत्ता मंजूर करण्यात यावा. तसेच ज्यावेळी सातव्या वेतन आयोगानुसार मिळणारी महागाई भत्त्याची रक्कम ही ५० टक्क्यापेक्षा अधिक होईल त्यावेळी वरीलप्रमाणे वर्गीकृत शहरांना अनुक्रमे ३०%, २०% व १०% अशा वाढीव दराने, घरभाडे भत्ता मंजूर करण्यात यावा. सुधारीत दराने घरभाडे भत्त्याची परिगणना करण्यासाठी मूळ वेतनामध्ये, "विशेष वेतन" इत्यादी सारख्या वेतनाचा समावेश नसेल.

२. घरभाडे भत्त्याच्या अनुज्ञेयतेसंबंधीच्या विद्यमान आदेशातील इतर सर्व तरतुदी व अटी जशाच्या तशा लागू राहतील.

३. शासकीय कर्मचाऱ्यांच्या बाबतीत या आदेशाच्या परिणामी होणारा घरभाडेभत्त्यावरील वाढीव खर्च हा त्यांचे वेतन व भत्ते यासंबंधीचा खर्च ज्या संबंधित लेखाशिर्षाखाली खर्ची टाकण्यात येतो, त्याच लेखाशिर्षाखाली खर्ची टाकण्यात यावा. अनुदानप्राप्त संस्था व जिल्हा परिषदा यांच्या कर्मचाऱ्यांच्या बाबतीत घरभाडेभत्त्यावरील खर्च संबंधित प्रमुख लेखाशिर्षाखाली, ज्या उपलेखाशिर्षाखाली त्यांच्या सहायक अनुदानाचा खर्च खर्ची टाकण्यात येतो त्या उपलेखाशिर्षाखाली खर्ची टाकण्यात यावा. सर्व विभागप्रमुख, सर्व जिल्हा परिषदांचे मुख्य कार्यकारी अधिकारी आणि कृषि व कृषितर विद्यापीठांचे कुलसचिव यांनी याबाबत होणारा जादा खर्च सुधारीत अंदाजपत्रक तयार करतांना विचारात घ्यावा.

४. स्थानिक पुरक भत्ता व वाहतूक भत्ता हे दोन्ही भत्ते हे ६ व्या वेतन आयोगाच्या कालावधीत, ज्या दराने अदा करण्यात येत होते, त्याच दराने अदा करण्यात यावेत.

५. हे आदेश दि. १.१.२०१९ पासून अंमलात आले आहे असे समजण्यात यावे.

सदर शासन निर्णय महाराष्ट्र शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संकेतांक २०१९०२०५१४३६४६२००५ असा आहे. हा आदेश डिजिटल स्वाक्षरीने साक्षात्कृत करून काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

(भा.ज.गाडेकर)

उपसचिव, वित्त विभाग

\*\* AF : P 145 \*\*

Revision of pension / family pension of pre 1st January 2016 Pensioners / Family Pensioners as per 7th Pay Commission.

**GOVERNMENT OF MAHARASHTRA : FINANCE DEPARTMENT**

Government Resolution No. : PEN-2019/C.R. 58/SER -4  
 Hutatma Rajguru Chowk, Madam Cama Marg, : Mantralaya, Mumbai- 400032.

**Date : 24 January 2019.**

**Reference :** (1) Government Resolution, Finance Department No. COC-2015/SLP/C.R.5/SER-4, dated 27/12/2018. (2) Government Resolution, Finance Department No. PEN -2018/C.R.130/SER -4, dated 01/01/2019. (3) Government Corrigendum, Finance Department No. PEN -2018/C.R.130/SER -4, dated 04/01/2019.

**GOVERNMENT RESOLUTION**

In view of the recommendations of the Seventh Pay Commission of Central Government, the State Government had set up the State Pay Revision Committee 2017 under the Chairmanship of Shri.K.P.Bakshi. As per the recommendations of the Committee, State Government vide Government Resolution dated 01.01.2019 and Corrigendum dated 04.01.2019 mentioned above at Serial No.2 and 3 respectively has taken decision to revise pension / family pension. Accordingly, the pension / family pension of pensioner who retired before 1st January 2016 is revised as follows:

2. In these orders

a) "Existing Pensioner" means the Pensioner retired upto 31st December 2015, who was drawing / entitled to draw pension on 1st January 2016.

b) "Existing Family Pensioner" means Family Pensioner drawing / entitled to draw family pension on 1st January 2016.

c) "Existing Basic Pension" means the basic pension inclusive of commuted portion, if any, due on 31st December 2015. It covers all classes of pensions (except wound / injury pension) under Maharashtra Civil Services (Pension) Rules, 1982 or under any other pension rules under which the Government Servant was governed at the time of retirement.

d) "Dearness Relief" means the relief applicable to the pensioner / family pensioner in the Seventh Pay Commission from 1st January 2016 for the following period.

Sr. No.	Period	Existing Dearness Relief
1	From 1st January 2016	0%
2	From 1st July 2016	2%
3	From 1st January 2017	4%
4	From 1st July 2017	5%
5	From 1st January 2018	7%
6	From 1st July 2018	9%

3. As regards to the state government pensioner who retired before 1st January 2016 the state government has decided by the above referred Government Resolution and Corrigendum **that the existing basic pension (exclusive of Dearness Relief) is to be multiplied by 2.57**, which will be the revised basic pension / family pension on the lines of recommendation made by Central Seventh Pay Commission. Accordingly the pension / family pension of the pensioners / family pensioners drawing pension before 1.1.2016 should be fixed. If the amount of pension so fixed, is in fraction, it should be rounded off to the next rupee. As the revision is based on a simple formula a Ready Reckoner for the same is not necessary. **However, if the revised basic pension is below Rs.7500/, it will be fixed at minimum Rs.7500/-.**

4. All Pension Disbursing Authorities (i.e. Pay and Accounts Officer Mumbai / Treasury Officers, as the case may be) are hereby authorised to make payment of revised Pension to the existing pensioners **at the consolidated rates without any further authorisation from the Accountant General (A&E)-I, Maharashtra, Mumbai or Accountant General (A&E)-II, Maharashtra, Nagpur as the case may be.**

5. In cases where the pensioner / family pensioner was alive as on 1st January 2016 and subsequently died, his legal heir /

heirs is / are entitled for Life Time Arrears of pension / family pension with effect from 1st January 2016, till the death of pensioner / family pensioner. For this purpose legal heir / heirs of pensioner / family pensioner may apply to Pension Disbursing / Sanctioning Authorities i.e. the Pay and Accounts Officer, Mumbai / Treasury Officer / Head of Department / Office, as the case may be. Further the Life Time Arrears of pension / family pension are to be paid to the legal heir / heirs, **in one instalment in cash after adjustment of recovery amount, if any.** In case, where death of pensioner / family pensioner has occurred after receiving one or more instalments of arrears, the remaining amount may be paid in cash in single instalment to the legal heir / heirs after adjustment of recovery amount, if any.

6. Pension should be revised from 1st January 2016. But the pensioners **will get actual benefit of revised pension from 1st January 2019. The arrears due to revision with effect from 1st January 2016 to 31st December 2018 should be paid in cash in five equal instalments over the next five years. The first instalment, due in the year 2019, will be paid along with monthly pension of the month of June 2019. Further, the remaining instalments should be paid along with monthly pension of June every year.** Pension Disbursing Authorities means the Pay and Accounts Officer/ Treasury Officer as the case may be, will be solely responsible for deduction of Income Tax as per rule, wherever necessary.

7. Government is also pleased to direct that the above decision **should mutatis mutandis apply** with necessary changes to those pensioners of Recognized and Aided Educational Institutions, **Non Agriculture Universities and affiliated Non-Governmental Colleges** and Agricultural Universities, etc. to whom pension scheme is made applicable.

8. In exercise of the powers conferred by the proviso under Section 248 of Maharashtra **Zilla Parishad and Panchayat Samitis Act 1961** (Maharashtra Act number Five of 1962) and of all other powers enabling it on that behalf, Government is further pleased to decide that above decision will be applied to the pensioners including family pensioners of Zilla Parishads.

9. The Provisions of this Government Resolution will not be applicable to the Pensioners of All India Services / Political Pensioner / Freedom Fighter Pensioner / Gallantry Medal Allowance Pensioner / Wound / Injury Pensioner and to the state government employees those were absorbed, while in service, in the Public Sector Undertakings / Autonomous Institution / Local Bodies and entitled to restoration of 1/3rd commuted portion of pension.

10. The expenditure on this account should be debited to the Budget Heads to which the pensions of the pensioners mentioned in the above paras are debited and **should be met from the grants sanctioned thereunder.** However, if necessary, concerned Administrative Department of Mantralaya should take necessary steps to present Supplementary Demands in the ensuing session of the Legislature to cover expenditure to be incurred in respect of aforesaid pensioners.

11. This Government Resolution is available on the website of Government of Maharashtra i.e. www.maharashtra.gov.in and its computer code number is 201901241903003505. This order has been signed digitally.

By order and in the name of Governor of Maharashtra  
 (Indrajeet Gore)  
 Deputy Secretary to Government.

## NAGPUR UNIVERSITY TEACHERS' ASSOCIATION. REPORT ON DISTRICT UNIT ELECTION MEETINGS

(1)

**(1) Name of the District :-** Akola **(2) Date and time of Meeting :-** 30.12.2018 at 10.00 AM **(3) Place of the Meeting :-** Shri Shivaji College of Arts, Commerce and Science College, Akola **(4) Name of the Observers who attended the Meeting :-** Prof.V.R.Thakare **(5) Name of the Working Chairman elected by the House :-** Dr.A.S.Raut **(6) The following candidates were declared duly elected by the working Chairman :-** **(I) President :-** Dr.Anil M.Raut, Shri Shivaji College of Arts, Commerce and Science, Akola (Mob.No. 9623653027) **(II) Vice-President :-** Prof.Ramesh P.Patil, Shankarlal Khandelwal College, Akola (Mob.No.9075030373) **(III) Secretary :-** Prof.Raju R.Ranpise, S.A.College, Akola (Mob. No. 9175069808) **(IV) Joint Secretary :-** Prof.Vinay V.Paikine, Shri Shivaji College of Arts, Commerce and Science, Akola. **( ) Executive Committee Members :-** **(V) Prof.Prakash R.Wankhade, Shri Gadge Maharaj Mahavidyalaya, Murtizapur (Mob. No.9923544833) (VI) Prof.Gajanan N.Badhe, Shri Sant Gajanan Maharaj College, Borgaon M (Mob. No.9921176748) (VII) Prof.Sanjay P.Wagh, Shri Shivaji College, Akot (Mob. No. 8329077853)**

(2)

**(1) Name of the District :-** Buldhana **(2) Date and time of Meeting :-** 30.12.2018 at 3.00 PM **(3) Place of the Meeting :-** Jijamata Mahavidyalaya, Buldhana **(4) Name of the Observers who attended the Meeting :-** Prof.V.R.Thakre **( 5 ) Name of the Working Chairman elected by the House :-** Prin. G. Meshram **(6) The following candidates were declared duly elected by the working Chairman :-** **(I) President :-** Dr. Sunil Wasudeo Mamalkar, Jijamata College, Buldhana (Mob.No. 9763561505) **(II) Vice-President :-** Dr. Kailash Kawtikrao Pawar, Janta Kala/Wanijya Mahavidyalaya, Malkapur Dist. Buldhana (Mob. No. 9422939414) **(III) Secretary :-** Dr. Jagdeo Jaising Jadhao, Shri Shivaji Science and Arts College, Chikhli Dist.Buldhana (Mob. No.9421493695) **(IV) Joint Secretary :-** Prof.Subodh Namdeo Chinchole, Jijamata College, Buldhana (Mob. No.9421394023) **( ) Executive Committee Members :-** **(V) Dr.Vandana Ravindra**

Kakde, Jijamata College, Buldhana (Mob. No.9822456996) **(VI) Prof.Gajanan Sheshrao Paikat, Gavkari Nagar, Shegaon, Dist. Buldhana (Mob. No. 9890222013) (VII) Dr.Nanda Nivruti Maskar, Shri Shivaji College, Motala Dist. Buldhana (Mob. No.9420146665)**

(3)

**(1) Name of the District :-** Gondia **(2) Date and time of Meeting :-** 06.01.2019 at 10.00 AM **(3) Place of the Meeting :-** D.B.Science College, Gondia **(4) Name of the Observers who attended the Meeting :-** (1) Prof.V.S.Deshmukh (2) Dr.N.C.Kongre (3) Dr.V.R.Tone (4) Dr.Ajit Jachak **(5) Name of the Working Chairman elected by the House :-** Dr.Ashwin Chandel **(6) The following candidates were declared duly elected by the working Chairman :-** **(I) President :-** Dr. Pradip R. Bhanse, S.S.Jaiswal College, Arjuni Morgaon, Gondia (Mob.No. 9421810706) **(II) Vice-President :-** Dr.Kalpna P.Ghoshal, New Laxmi Nagar, Manohar Bhai Ward, Gondia (Mob. No. 8007372306) **(III) Secretary :-** Prof.Gajdhar K.Bhagat, Jagat Arts and Commerce College, Goregaon Dist.Gondia (Mob. No.9922929322) **(IV) Joint Secretary :-** Dr.Kishor M.Hatzade, D.B.Science College, Gondia (Mob. No.9421715850) **( ) Executive Committee Members :-** **(V) Dr.K.J.Sibi, S.S.Jaiswal College, Arjuni Morgaon, Dist.Gondia (Mob. No.8275868234) (VI) Prof.Lakhan R.Gaidhane, S.S.Girls' College, Gondia (Mob. No. 9405729947) (VII) Prof.Samshad N. Sheikh, Dindayal Ward, Ramnagar, Gondia (Mob. No.9764110312)**

(4)

**(1) Name of the District :-** Bhandara **(2) Date and time of Meeting :-** 06.01.2019 at 3.00 PM **(3) Place of the Meeting :-** J. M. Patel College, Bhandara **(4) Name of the Observers who attended the Meeting :-** (1) Prof.V.S.Deshmukh (2) Dr.N.C.Kongre (3) Dr.V.R.Tone (4) Dr.Ajit Jachak **(5) Name of the Working Chairman elected by the House :-** Dr.Karthik Panicker **(6) The following candidates were declared duly elected by the working Chairman :-** **(I) President :-** Dr. Digambar D. Kapse, Samarth Mahavidyalaya, Lakhani Dist.Bhandara

### IN THE HIGH COURT OF JUDICATURE AT BOMBAY, BENCH AT AURANGABAD. WRIT PETITION NO. 1011 OF 2012

**Dr. Shamrao Pandurang Lawande and others. Petitioners. vs The State of Maharashtra and others Respondents**

**WITH WRIT PETITION NO. 1021 OF 2012** Nitin Ramesh Dhumne and others Petitioners vs The State of Maharashtra and ors. Respondents **WITH WRIT PETITION NO. 1026 OF 2012** Dattaprasad Dnyandeo Palve and others Petitioners vs The State of Maharashtra and others Respondents Shri V.D. Salunke, Advocate, i/b Shri A.G. Ambetkar, Advocate for Petitioners in Writ Petition Nos. 1011 and 1026 of 2012. Shri Prashant R. Nangare, Adv. for petitioner in WP 1021/12 Shri K.G. Patil, A.G.P. for Resp.-State in all three petitions. Shri U.S. Malte, Adv. for Respondent - Election Commission.

**Coram : B.R.Gavai and Sunil P.Deshmukh, JJ.  
Date : 31st January, 2012**

**P.C.**

**01.** In all these three petitions, Rule. Rule made returnable forthwith and heard with the consent of the learned counsel for the parties.

**02.** A common question is raised in all these petitions, regarding allotment of duties by the Election Commission to the teachers on school/college working days. Such a situation is no longer res-integra. The Supreme Court, as early as in 2008, in Election Commission of India vs. St. Mary's School and others, 2008 (2) SCC 390, has considered the situation and has stated thus;

*"33. We would, however, notice that the Election Commission before us also categorically stated that as far as possible teachers would be put on electoral roll revision works on holidays, non-teaching days and nonteaching hours; whereas non-teaching staff be put on duty at any time. We, therefore, direct that all teaching staff shall be put on the duties of roll revisions and election works on holidays and non teaching days. Teachers should not ordinarily be put on duty on teaching days and within teaching hours. Non-teaching staff, however, may be put on such duties on any day or at any time, if permissible in law."*

**03.** Thereafter, on two occasions, this court has dealt with similar situations and has followed said judgment of the Supreme Court, to be precise, in Writ Petition Nos. 5779 of 2010 at the Principal Seat at Bombay and in Writ Petition No.3066 of 2011 at Nagpur Bench.

**04.** In one of said two petitions, a statement was made by the learned Counsel appearing for the Election Commission, that the Election Commission is bound by the observations made by the Supreme Court, and had further assured that the directions given by the Supreme Court shall be followed by the Election Commission, and in fact, they have been following said directions.

**05.** Having regard to the aforesaid, all the three writ petitions deserve to be allowed. Accordingly, the petitions are allowed, and it is directed that the election duties be not assigned/allotted to the teachers on school/college working days and to the above extent the impugned requisitions will be inoperative.

**06.** Rule made absolute in all the petitions, in above terms.  
(Sunil P. Deshmukh, J.) (B.R. Gavai, J.)

(Mob.No. 9921483015) **(II) Vice-President :-** Dr. Goverdhan W.Dhote, Smt.R.M.Patel Girls' College, Bhandara (Mob. No. 9975365971) **(III) Secretary :-** Dr.Avinash K.Aney, S.S.E.S Amravat's Science College, Paoni (Mob. No.9604020733) **(IV) Joint Secretary :-** Dr.Sanjay M.Meshram, M.B.Patel College, Sakoli Dist.Bhandara (Mob. No.9325343494) **(I) Executive Committee Members :-** **(V) Dr.Girjashankar R.Lanjewar, Thaware Nagar, Murmadi Teshil Lakhani Dist.Bhandara (Mob. No.9767180446) (VI) Dr.Girdharilal B.Tiwari, Gurudutt Mangal Karyalaya, J.M.Patel College Road, Bhandara (Mob. No. 9284627584) (VII) Prof.Amol M.Khandwe, S.N.Mor College, Tumsar Dist.Bhandara (Mob. No.9764810615)**

**(4) Name of the Observers who attended the Meeting :-** (1) Dr.Anil Dhage (2) Dr.Vilas Dhone (3) Prof.Vivek Hiware **(5) Name of the Working Chairman elected by the House :-** Dr.Prakash Tayade **(6) The following candidates were declared duly elected by the working Chairman :-** **(I) President :-** Dr.Mahendra V.Mete, 38, Ganediwal Layout, Camp, Amravati-444602 (Ph. No.255341 Mob.No. 9421739996) **(II) Vice-President :-** Prof. Ranjeet Yadavrao Kale, 44, Gopal Nagar, Amravati-444607 (Mob. No. 9370563126) **(III) Secretary :-** Dr.Dilip V.Hande, 43, Maharshi Colony Post VMV, Amravati (Ph.No. 2530122 Mob. No.9422736736) **(IV) Joint Secretary :-** Dr.Jugal Eknathrao Maldhure, Flat No. AF2, Chaitanya Sankul, Near Panchyat Samiti, Daryapur Road, Anjangaon Surji (Ph.No.07223242010 Mob.No.9922283553) **(I) Executive Committee Members :-** **(V) Dr.Tirtharaj D.Rai, 2A, Vithhalwadi (Near Narayan Nagar) Kathora Naka, Amravati-444604 (Ph.No.2660462 Mob.No.9423622096) (VI) Vinod Namdeorao Telmore, Priya**

**(5)**

**(1) Name of the District :-** Amravati **(2) Date and time of Meeting :-** 13.01.2019 at 10.00 AM **(3) Place of the Meeting**

*Increase in pension / family pension to pensioner / family pensioner of 80 years of age and above with effect from 1st January 2019.*

**GOVERNMENT OF MAHARASHTRA : FINANCE DEPARTMENT**

**Government Resolution No. : PEN- 2019/C.R. 59/SER -4 :**

Hutatma Rajguru Chowk, Madam Cama Marg, Mantralaya, Mumbai- 400032.

**Date : 24 January, 2019.**

**Reference :** (1) Government Resolution, Finance Department No. PEN-1014/C.R. 26/SER-4 dated 09/06/2014.

(2) Government Resolution, Finance Department No.PEN-2018/C.R. 130/SER-4 dated 01/01/2019.

(3) Government Corrigendum, Finance Department No.PEN-2018/C.R.130/SER-4 dated 04/01/2019.

(4) Government Resolution, Finance Department No.PEN-2019/C.R. 58/SER-4 dated 24/01/2019.

**Government Resolution :**

In view of the recommendations of the Seventh Pay Commission of Central Government, the State Government had set up State Pay Revision Committee 2017 under the Chairmanship of Shri.K.P.Bakshi. As per the recommendations of the Committee, State Government, vide Government Resolution dated 01.01.2019 and Corrigendum dated 04.01.2019 mentioned above, has taken decision to revise the pension / family pension of the pensioners / family pensioners of 80 years of age and above. In accordance to the Government Resolution mentioned at Serial No. 1 above, pensioners / family pensioners of the age of 80 years and above, **have been given 10% increase in the pension / family pension fixed as per Sixth Pay Commission w.e.f.01.04.2014. Now the said rate stands revised from 01.01.2019 as below :**

1 Age 80 to 85 years	Increase in basic pension 10%
2 Age above 85 to 90 years	Increase in basic pension 15%
3 Age above 90 to 95 years	Increase in basic pension 20%
4 Age above 95 to 100 years	Increase in basic pension 25%
5 Age above 100 years	Increase in basic pension 50%

2. The revised increased rate will be applicable only from 01/01/2019. No difference of revised increased rate will be payable for previous period to existing Pensioners / Family Pensioners.

3. It will be the responsibility of the Pension Disbursing Authority i.e. Pay and Accounts Officer,

Mumbai / Treasury Officers as the case may be, to calculate the quantum of increase in the pension / family pension payable in each individual case.

4. Government is also pleased to direct that the above decision should mutatis mutandis apply with necessary changes to those pensioners / family pensioners of 80 years of age and above of Recognized and Aided Educational Institutions, Non Agriculture Universities and affiliated Non Governmental Colleges and Agricultural Universities, etc. to whom pension scheme is made applicable.

5. In exercise of the powers conferred by the proviso under Section 248 of Maharashtra Zilla Parishad and Panchayat Samitis Act 1961 (Maharashtra Act number Five of 1962) and of all other powers enabling it on that behalf, the Government is further pleased to decide that above decision shall apply to the pensioners / family pensioners of 80 years of age and above of Zilla Parishads.

6. The State Government Employees who opted for lump sum payment on absorption in a Public Sector Undertaking / Autonomous bodies / Local bodies and are entitled to restoration of 1/3rd commuted portion of pension as well as revision of the restored amount in terms of Government Resolution, Finance Department No.COP-1099/306/SER-4 dated 15.11.1999 and also eligible for revised pension as per Sixth Pay Commission vide Government Resolution Finance Department No. COP-1010/CR.58/SER-4 dated 26/07/2010 shall also be entitled to the payment of increase in pension w.e.f.01.01.2019.

7. The expenditure on this account should be debited to the Budget Heads to which the pensions of the pensioners mentioned in the above paras are debited and should be met from the grants sanctioned thereunder.

8. This Government Resolution is available on the website of Government of Maharashtra i.e. www.maharashtra.gov.in and its computer code number is 201901241917565405. This order has been signed digitally.

By order and in the name of Governor of Maharashtra.

(Indrajeet Gore)  
Deputy Secretary to Government.

Township, Shegaon-Rahatgaon Road, Amravati-444601 (Mob.No. 9421826777) **(VII)** Dr.Vikrant Ramchandra Wankhade, 101, First Floor, Jayshree Apartment, Ghanshyam Nagar, Saturna, Amravati-444607 (Mob. No.9421034216)

## (6)

**(1) Name of the District :-** Yavatmal **(2) Date and time of Meeting :-** 13.01.2019 at 3.00 PM **(3) Place of the Meeting :-** Bapusaheb Aney Mahila Mahavidyalaya, Yavatmal **(4) Name of the Observers who attended the Meeting :-** (1) Dr.A.W.Dhage (2) Dr.V.B.Dhone (3) Dr.Vivek Hiware **(5) Name of the Working Chairman elected by the House :-** Dr.Shankarrao Warhate **(6) The following candidates were declared duly elected by the working Chairman :-** **(I) President :-** Dr. Vikas R.Tone, 32, Khashi Nagar, Arni Road, Yavatmal-445001 (Mob.No. 9423690102) **(II) Vice-President :-** Prof.Rajani W.Bhoyar, Smt.Vatsalabai Naik Mahila Mahavidyalaya, Pused Dist.Yavatmal-445204 **(III) Secretary :-** Dr. Ramdas Bapurao Bhandwalkar, Gajanan Nagar, Pimpalgaon Road, Yavatmal (Mob. No.9423134686) **(IV) Joint Secretary :-** Dr.Karamsing Ramsing Rajput, L.T.College, Wani Dist.Yavatmal (Mob. No.9922548084) ( ) **Executive Committee Members :-** **(V)** Naresh Krushnarao Mahajan, 07, Teachers' Colony, Near TV Center, Akhada Road, Pandharkawda (Mob. No.9420117657) **(VI)**Dr. Madhukar D. Wadte, Pitamber Nagar, Nerparsopant Dist.Yavatmal (Mob. No. 8208534268) **(VII)** Sau. Rekha Manohar Badodekar, L.T.College, Wani Dist.Yavatmal (Mob. No.9423637720)

## (7)

**(1) Name of the District :-** Wardha **(2) Date and time of Meeting :-** 20.01.2019 at 10.00 AM **(3) Place of the Meeting :-** Yeshwant Mahavidyalaya, Wardha **(4) Name of the Observers who attended the Meeting :-** Dr.P.M.Borkar **(5) Name of the Working Chairman elected by the House :-** Dr.S.N.Jude **(6) The following candidates were declared duly elected by the working Chairman :-** **(I) President :-** Dr.Vikas Shankarrao Bele, R.S.Bidkar College, Hinganghat, Dist.Wardha (Mob.No. 9422334126) **(II) Vice-President :-** Dr.Arvind Balkrishna Ghongade, Apurva K-27, Himalaya Vishwa Nagpur Road, Wardha-442001(Ph.No.241848 Mob. No. 9890111493) **(III) Secretary :-** Prof.Sandeep Dharamsingh Chavhan, Yeshwant Mahavidyalaya, Wardha-442001 (Mob. No.9049118108) **(IV) Joint Secretary :-** Dr.Rafik Babamiya Sheikh, Dr.Sushila Nayar Nagar, Warud Po. Sevagram (Mob. No.9860551412, 9028685577) ( ) **Executive Committee Members :-** **(V)** Dr.Rajvilas R.Karmore, Rithey Colony, Hinganghat, Dist.Wardha-442001 (Mob. No.9420060601) **(VI)** Prof.Pravin D.Karanjkar, Shri Saibaba Lokprabodhan Arts College, Wadner (Mob. No. 9765623234) **(VII)** Dr.Anil V. Surkar, Goras Bhandar Colony, Pratap Nagar, Wardha (Mob. No.9822821609)

## (8)

**(1) Name of the District :-** Nagpur (City) **(2) Date and time of Meeting :-** 20.01.2019 at 3.00 PM **(3) Place of the Meeting :-** C.P. & Berar College, Nagpur **(4) Name of the Observers who attended the Meeting :-** Dr.P.Borkar **(5) Name of the Working Chairman elected by the House :-** Dr.Anil Dhage **(6) The following candidates were declared duly elected by the working Chairman :-** **(I) President :-** Prof.Vivek Sudhakar Chavan, Plot No. 84, Old Subhedhar Exn, Near Adarsh Mangal Karyalaya, Nagpur (Ph.No. 0712-2742314 Mob.No. 9373696342) **(II) Vice-President :-** Dr. Sunil Kodape, 220, Chitnis Nagar, Umred Road, Nagpur (Mob. No. 9421710827) **(III) Secretary :-** Prof. Dhanvant D.Ghargonde, Flat No. 411, Rahul Complex, Wing 1, Near ST Bus Stop, Nagpur (Mob. No.9423603355) **(IV) Joint Secretary :-** Dr.Shashank J.Aglawe, Shri Ram Apartment, Dr.Murje Marg, Near Jhanath Highschool, Dhantoli Nagpur (Mob. No.9422818673) ( ) **Executive Committee Members :-** **(V)** Prof. Dyaneshwar T. Shende, Mahatma Gandhi Arts and Commerce College, Parseoni, Nagpur (Mob. No.9423412392) **(VI)** Prof. Yashodeep H.Kedar, 460, Hanuman Nagar, Nagpur (Ph.No.0712-2745078 Mob. No. 9822229117) **(VII)** Prof.Naresh R.Dhurve, 25, Nagbhami Housing Society, Near K.T. Nagpur-Katol Raod, Gittikhadan, Nagpur (Mob. No.9423635191)

## (9)

**(1) Name of the District :-** Nagpur **(2) Date and time of Meeting :-** 20.01.2019 at 3.00 PM **(3) Place of the Meeting :-** C.P.& Berar College, Ravi Nagar, Nagpur **(4) Name of the Observers who attended the Meeting :-** Dr.K.Panicker **(5) Name of the Working Chairman elected by the House :-** Dr.A.D.Borkar **(6) The following candidates were declared**

**duly elected by the working Chairman :-** **(I) President :-** Dr.Ramesh Krishnaji Ingole, Nabira Mahavidyalaya, Katol - 444302 (Mob.No. 9822577088) **(II) Vice-President :-** Prof.Avinash Lemdeo Titarmare, Shri Lemdeo Patil Mahavidyalaya, Mandhal-440009 (Mob. No. 8275396377) **(III) Secretary :-** Dr.Vilas Dhanraj Doifode, Bhalerao Science College, Saoner-441107 (Mob. No.9766229199) **(IV) Joint Secretary :-** Prof.Satish Ramraoji Jadhao, Nagar Parishad Shivaji College, Mowad-441302 (Mob. No.9423419635) ( ) **Executive Committee Members :-** **(V)** Prof.Hemantkumar V.Bagde, Indira Gandhi Arts and Commerce College, Kalmeshwar-441501 (Mob. No.7588116775) **(VI)** Dr.Jayshree Sandesh Thaware, S.K.Porwal College, Kamptee-441001 (Mob. No. 9422803405) **(VII)** Dr.Raheel Khalik Quraishi, Bhiwapur Mahavidyalaya, Bhiwapur-441201 (Mob. No.9423701797)

## (10)

**(1) Name of the District :-** Gadchiroli **(2) Date and time of Meeting :-** 27.01.2019 at 10.00 AM **(3) Place of the Meeting :-** Kisanrao Khobragade Mahavidyalaya, Armori **(4) Name of the Observers who attended the Meeting :-** (1) Prof.A.W.Dhage (2) Prof.N.C.Kongare (3) Prof.S.N.Morey **(5) Name of the Working Chairman elected by the House :-** Prof.Mohan Wadekar **(6) The following candidates were declared duly elected by the working Chairman :-** **(I) President :-** Dr.Jaydeo Pundlik Deshmukh, Behind Geet Petrol Pump, Brahmhapuri Dist.Chandrapur (Mob.No. 9421731438, 9404321114) **(II) Vice-President :-** Dr. Abhay B.Solunke, Shri Govindrao Munghate College, Kurkheda-441209 (Mob.No.9403579999) **(III) Secretary :-** Dr.Rajendra V. Ghonmode, Mahatma Gandhi College, Armori, Dist.Gadchiroli (Mob. No. 8275415100) **(IV) Joint Secretary :-** Dr.B.D.Kongre, Bhagwantrao College, Atapalli (Mob. No.944734662) ( ) **Executive Committee Members :-** **(V)** Prof.Nihar Ashok Bodlele, Shastri Ward, Juni Wadsa Desaignaj (Wadsa) Dist. Gadchiroli (Mob. No.9422354543) **(VI)** Prof.Vijay Hariram Raiwatkar, M.G.College, Armori-441208 Dist. Gadchiroli (Mob. No.9823879206) **(VII)** Prof.Vasant Istaru Kahalkar, M.G.College, Armori Dist.Gadchiroli (Mob. No. 8007646996)

## (11)

**(1) Name of the District :-** Chandrapur **(2) Date and time of Meeting :-** 27.01.2019 at 04.00 PM **(3) Place of the Meeting :-** Sardar Patel Mahavidyalaya, Chandrapur **(4) Name of the Observers who attended the Meeting :-** (1) Dr.Anil Dhage (2) Prof.S.N.Morey (3) Dr.N.C.Kongre **(5) Name of the Working Chairman elected by the House :-** Prof.N.S.Tikle **(6) The following candidates were declared duly elected by the working Chairman :-** **(I) President :-** Dr.Prakash R.Shende, Shri Om Nagar, B2/G2, Tadoba Road, Near Petrol Pump, Tukum, Chandrapur (Mob.No. 9422837792) **(II) Vice-President :-** Dr. Tikaram D.Kose, F1, Aditya Apartment, Near Prathmesh Enclave, Gurudwara Road, Sarkar Nagar, Chandrapur-442401 (Mob.No.9421717016) **(III) Secretary :-** Prof.Kamalakar C. Dhanarkar, Bapat Nagar, Shram Safallya Society, Plot No. 9 - Chandrapur-442401 (Mob. No. 8378978387) **(IV) Joint Secretary :-** Dr.Bhaskar M.Bahirwar, Guru Nanak College of Science, Ballarpur-442708 (Mob. No.9422908691) ( ) **Executive Committee Members :-** **(V)** Dr.Subhash R.Girde, Washekar Layout, J.B.Nagar, Chandrapur-442401 (Mob. No.9423961388, 9881021256) **(VI)** Dr.D.M.Gaidhane, Janata Mahavidyalaya, Chandrapur-442401 (Mob. No.9049282633) **(VII)** Prof.Nikhil M.Deshmukh, Gopal Nagar, Shri Sai Mandir, Tukum, Chandrapur-442401 (Mob. No. 9890826933)

## (12)

**(1) Name of the District :-** Washim **(2) Date and time of Meeting :-** 03.02.2019 at 10.00 AM **(3) Place of the Meeting :-** R.A.College, Washim **(4) Name of the Observers who attended the Meeting :-** (1) Dr.P.M.Tayde (2) Dr.N.V.Changole **(5) Name of the Working Chairman elected by the House :-** Dr.H.V.Wanjari **(6) The following candidates were declared duly elected by the working Chairman :-** **(I) President :-** Dr.Subhash P.Jadhao, 'Mauli', Chandak layout, Lakhala, Washim (Mob.No. 9421892018) **(II) Vice-President :-** Prof.B.P.Awahale, Gajanan Nagar, Ward 8, Nagartas Road, Malegaon (Mob.No.9423130897) **(III) Secretary :-** Dr.V.B.Pande, Near Gas Godown, Lakhala, Washim (Mob. No. 8275411840) **(IV) Joint Secretary :-** Dr.N.R.Kanhake, Near Gas Godown, Lakhala, Washim (Mob. No. 9421831565) ( ) **Executive Committee Members :-** **(V)** Prof.S.R.Devhde, Gajanan Nagar, Ward 8, Nagartas Road, Malegaon (Mob. No.9673078505) **(VI)** Dr.P.H.Dhanvijay, Bodhiwrusha Shel Road Malegaon, Dist. Washim (Mob. No.9158903246) **(VII)** Dr.S.B.Rasekar, Y.C.College, Mangrulpur Dist. Washim (Mob. No. 9371503738)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
 CIVIL APPELLATE JURISDICTION  
**WRIT PETITION No. 7482 OF 2015**

**Chandmal Tarachand Bora College Teachers’  
 Association ...Petitioner**  
**VERSUS**

**State of Maharashtra and Ors ...Respondents**

Mr. Sumit V. Khaire for Petitioner Mr. Sachindra B. Shetye for Respondent No.4

**CORAM**

**V. M. KANADE & B.P COLABAWALLA, J.J.**

**DATE : JULY 31, 2015**

P.C. :

**1.** The Petitioner is an Association of Teachers and its grievance is that despite the directions being given by this Court on two occasions, the Election Commission has asked the teachers of C.T. Bora College, situated at Taluka Shirur, Dist. Pune (for the sake of convenience, hereinafter referred to as “the said College”) to work as Election Officers and In-charge of Election Duty in the elections which is scheduled to be held on 4th August, 2015. It is submitted that they have been asked to work on 3rd August and 4th August, 2015, which are working days. Further grievance of the Petitioner is that all the teachers of the said College have been asked to do this election work and as a result, the said College will remain closed on 3rd August and 4th August, 2015 which are working days.

**2.** Our attention is invited to the judgment of the Apex Court in the case of **Election Commission of India Vs. St. Mary School 2008 (2) SCC 390** and also to the decision of the Division Bench of this Court in the case of **Dr. Shamrao Pandurang Lawande and others Vs. The State of Maharashtra in Writ Petition No.1011 of 2012 along with Writ Petition Nos. 1021 of 2012 and 1026 of 2012.** It is submitted that the Apex Court in paragraph 33 of the judgment has specifically observed that the Election Commission has assured the Apex Court that as far as possible teachers would be put on electoral roll revision works on holidays, non-teaching days and non-teaching hours; whereas non-teaching staff be put on duty at any time. It is submitted that by relying on the observation made by the Apex Court in the case of **Election Commission of India vs. St. Mary School (supra.)**, the Division Bench of this Court has taken a similar decision. It is submitted that in spite of that, the Election Commission again allotted the election duty to the teachers during the working days and working hours.

**4.** On the other hand, Shri Shetye, learned counsel appearing on behalf of the Election Commission, after taking instructions, submits that as far as possible 50% of the teaching staff will be relieved from doing this election work on 3rd August and 4th August, 2015. He submits that however, since at the last moment, it would not be possible to appoint other persons for the said work, on this occasion they may be permitted to deploy 50% teaching staff on the said dates.

**5.** Taking into consideration the statement made by Shri Shetye on the instructions received from the Election Commission, we are of the view that since elections are to be held on 3rd August and 4th August, 2015, a direction at this stage cannot be given to the Election Commission to appoint some other persons for the purpose of doing the election duty. It is, however, made clear that hereinafter the directions given by the Apex Court in the case of **Election Commission of India vs. St. Mary School (supra.)** be scrupulously followed.

**6.** We are of the view that the Election Commission of India in consultation of the State Government may appoint people such as retired teachers, retired government servants on contract basis for the purpose of doing the election duty or the Election Commission may prepare a list of citizens having good track record, well in advance so that before the elections, the requisite number of persons can be appointed on the contract basis from the said list. The Election Commission may also consider about appointment of permanent staff for that purpose so that during the time of election, they can work for the Government subject to financial sanction being given by the Government.

**7.** The Election Commission and the State Government may also consider for appointment of the staff for the purpose of doing the election work but under no circumstances, teachers/lecturers/professors shall be asked to do the election duty on working days as directed by the Apex Court in the said case.

**8.** With these directions, the writ petition is disposed of. We hope that the members of the Association will cooperate with the Election Commission at this moment for the election work and to ensure that the election process will be completed without any hindrance.

Parties to act on an authenticated copy of this order.

[B.P.COLABAWALLA, J.] [V.M.KANADE, J.]

**IN THE NEXT ISSUE**

**SUPREME COURT OF INDIA : JUDGMENT : ELECTION COMMISSION OF INDIA VS ST. MARYS SCHOOL AND OTHERS ON 6 DECEMBER, 2007**

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