

**GOVERNMENT OF NAGALAND
FINANCE DEPARTMENT
ESTABLISHMENT BRANCH & ROP CELL**

NOTIFICATION

Dated Kohima, the 9th November 2009

NO.FIN/ROP/VI-PC/1/2008 :: In exercise of powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Nagaland is pleased to make the following rules.

RULES

1. Short title and commencement:-

- (a) These rules may be called the "Nagaland Services (Revision of Pay) Rules, 2010.
- (b) These rules shall come into force on the forenoon of 1st April, 2010.

2. Applicability of the rules:-


- (a) These rules shall apply to all regular employees appointed to services or posts in connection with affairs of the State of Nagaland, and which are under the rule making powers of the Governor of Nagaland.
- (b) These rules shall not apply to
 - (i) all categories of work-charge employees;
 - (ii) persons paid out of contingencies;
 - (iii) persons employed on Contract, except where the contract provided otherwise;
 - (iv) persons re-employed in Govt. service after retirement;
 - (v) any other class or category of persons whom the Governor may, by order, specifically exclude from the operation of all or any of the provisions contained in these rules.

Persons paid out of contingencies mentioned under Rule 2(b) (ii) means – persons appointed without the existence of corresponding sanctioned posts, irrespective of whether their pay are being booked as 'salaries' or 'wages' and persons appointed on substitute basis against leave/training vacancies or any type of temporary vacancies.

3. Definitions:-

In these rules, unless the context otherwise requires:

- (i) "Existing Basic Pay" means pay drawn in the prescribed existing scale of pay, including stagnation increment(s) , but does not include any other type of pay like 'special pay', etc.
- (ii) "Existing Scale" in relation to a Government servant means the present scale applicable to the post held by the Government servant



(or, as the case may be, personal scale applicable to him) as on the 1st day of April, 2010 whether in a substantive or officiating capacity.

Explanation – In the case of a Government servant, who was on the 1st day of April, 2010 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, “existing scale” includes the scale applicable 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.

- (iii) “Grade Pay” is the fixed amount corresponding to the pre-revised pay scales/posts.
- (iv) “Revised Pay Structure” in relation to any post specified in column 1 of the **Annexure-I** means the pay band and grade pay specified against that post or the pay scale specified in column 2 & 3 thereof, unless a different revised pay band and grade pay or pay scale is notified separately for that post.
- (v) “Basic Pay” in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay, etc.

4. Relaxation of rules:-

Where the Governor of Nagaland is satisfied that the operation of any of these rules causes undue hardship in any particular case he may by order issued from the Finance Department of the Government dispense with or relax the requirement 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.

5. Power of interpretation:-

If any question arises relating to the interpretation of these rules, it shall be referred to the Finance Department of the Government of Nagaland whose decision shall be final.

6. Applicability of the revised scale of pay:-

- (a) All Government servants, who are in service on 01.04.2010 and those who enter service on or after 01.04.2010 shall come within the purview of these Rules subject to the provision made hereinafter.
- (b) Any Government servant may, however, continue to draw pay in existing scale at his/her option until he/she vacates his/her post or ceases to draw pay in that scale. Revised Pay Bands and Grade Pay are indicated in Annexure-I. Revised Pay Bands and Grade Pay for individual posts will be notified separately by the State Government.

- (c) All such Government servant who opt to continue to draw pay in existing scale shall exercise option in writing within thirty days from the date of publication of the notification to be issued under Rule 5(b) Rule 7 (iii) and 11 of these Rules. Those who do not exercise any option within the prescribed period shall be deemed to have opted for the revised pay under these rules.
- (d) In case of a Govt. servant who is on leave or on deputation or on foreign service or under suspension on the date of publication of the notification to be issued under Rule 5(b) and rule 7 (iii) and 11 of these Rules, the period of thirty days shall be counted from the date of his/her return to duty under the Government.
- (e) The option once exercised shall be final and cannot be modified at any subsequent date.
- (f) The form to be used for exercising option is at Annexure-II.

7. Classification of posts:-

The classification of posts is as follows:

	Classification in Existing Scale	Classification in Revised Pay Band
1	Group A: All post carrying a scale of pay with maximum of not less than Rs.13500/-.	Grade Pay of Rs.5400 to Rs.10,000/-
2	Group B: All posts carrying a scale of pay with a maximum of not less than Rs.9750 but less than Rs.13500/-.	Grade Pay of Rs.4400 to Rs.4600/-
3	Group C: All posts carrying a scale of pay with maximum of Rs.4400 and above but less than Rs.9750/-.	Grade Pay of Rs.1800 to Rs.4200/-
4	Group D: All posts carrying a scale of pay the maximum of which is less than 4400/-.	Grade Pay of Rs.1300 to Rs.1400/-

8. FIXATION OF INITIAL PAY IN THE REVISED SCALE/PAY BAND, FITMENT FORMULA, ETC:

(i) Fitment Formula: The revised basic pay in the new Pay Band shall be worked out as follows:

- (a) The present basic pay in the existing scale (without Dearness Pay and Dearness Allowance) is to be multiplied by 1.86 and the amount so arrived at shall be rounded off to the next multiple of 10. This will be the revised basic pay in the new pay band.
- (b) To the amount arrived at as per (a) above the Grade Pay as indicated against the relevant Pay Band in Annexure-I to be added. The amount so arrived at will be the revised basic pay for an employee.
- (c) If the minimum of the revised pay band/pay scale is more than the amount arrived at as per 7(i)(a), the pay shall be fixed at the minimum of the revised pay band/pay scale:
Provided further that:-

Handwritten signature

Where, in the fixation of pay, the pay of Govt. servants drawing pay at two or more consecutive stages in an existing scale gets bunched, that is to say, gets fixed in the revised pay structure at the same stage in the pay band, than for every two stages so bunched, benefit of one increment shall be given so as to avoid bunching of more than two stages in the revised running pay bands. However, for this purpose, the increment will be calculated on the pay in the pay band. Grade pay shall not be taken into account for the purpose of granting increments to alleviate bunching.

(d) On the amount of basic pay so fixed in the new Pay Band no element of Dearness Pay will be admissible and only Dearness Allowance will be admissible at par with the rates as admissible to the Central Govt. employees drawing pay under the 6th Central Pay Commission recommendations from time to time.

(ii) The fitment formula as at (i) above will not be applicable in respect of existing pay scales S-20 and S-21 of Annexure-I (Revised Pay Band PB-4). The detailed principles of fixation in these cases shall be notified separately.

9. Fixation of initial pay for new recruits and those existing employees who are in pre-99 scales:

Detail instruction on fixation of initial pay for new recruits appointed on or after the date on which these rules shall come into force and also for those existing employees who are in pre-99 ROP scales, etc. will be notified separately by the State Government.

10. Date of next increment.

The next increment of a Government servant whose pay has been fixed in the revised Pay Band in accordance with these rules shall be granted on the 1st July 2011 subject to the condition that he/she has completed six months and above in the revised Pay Band as on 1st July, 2011.

11. Annual Increment:-

The annual increment of an employee drawing pay in the revised Pay Band are payable from the first day of the month of July every year. The rate of annual increment shall be 3% of the basic pay (Pay in the new Pay Band + Grade Pay).

12. Cases not covered by these rules.

Cases not covered by these rules shall be decided on their merit by the Government of Nagaland in the finance Department.

13. Allowances: Admissibility of various allowances and their rates etc. shall be notified separately by the State Government.

14. PENSION.

- (a) Pension to be paid at 50% of the average emoluments/last pay drawn (whichever is more beneficial) without linking to 33 years of qualifying service for grant of full pension, provided the employee concerned has rendered a minimum pensionable services of 20 years.
- (b) Family pension is to be paid at 30% of basic pay of the Govt. servant concerned on the date of retirement or death as the case may be.
- (c) Detail instruction to regulate pension and family pension shall be notified separately.
- (d) The pension/family pension of all the existing pensioners/family pensioners shall be consolidated as on 1.4.2010 by adding together:
 - (i) The existing basic pension/family pension before commutation.
 - (ii) Dearness pension, whenever applicable.
 - (iii) Dearness Relief @ 24% of basic pension/family pension plus Dearness Pension as admissible.
 - (iv) Fitment weightage of 40% of the existing basic pension/family pension (excluding the effect of merger of 50% dearness allowance /dearness relief as pension in case of pensioners retiring on or after 1.4.2004 and dearness pension for other pensioners).
 - (v) The amount so arrived at will be the revised basic pension subject to the provision that the revised pension/family pension in no case, shall be lower than, 50%/30% of the sum of the minimum of the pay in the Pay Band and the Grade Pay thereon corresponding to the pre-revised pay scale from which the pensioners had retired/died.
- (e) There will not be any more Dearness Pension on the revised basic pension/family pension.
- (f) Dearness Relief on revised pension/family pension will be admissible at par with the rates as admissible to Central Civil Pensioners/ family pensioners drawing pension/ family pension under the 6th Central Pay Commission Recommendations.

15. Medical Allowance:

The pensioners/family pensioners shall get a monthly Medical Allowance of Rs.400/- .

16. Repeal: The Nagaland Services (Revision of Pay) Rules, 1999 will stand repealed with effect from the date of the Nagaland Services (Revision of Pay) Rules, 2009 comes into effect except in those cases where no option has been exercised for the revised scale provided for in the later Rules.

(TOSHIAJER)

Addl. Chief Secretary & Finance Commissioner

Copy to:

1. The Chief Secretary, Government of Nagaland, Kohima.
2. All Additional Chief Secretaries/ Principal Secretaries/ Commissioner & Secretaries/ Secretaries/ Additional Secretaries to the Government of Nagaland, Kohima.
3. The Commissioner, Nagaland, Kohima.
4. The Accountant General, Nagaland, Kohima.
5. The Commissioner & Secretary to the Governor of Nagaland, Raj Bhavan, Kohima.
6. The Commissioner & Secretary to the Chief Minister, Nagaland, Kohima.
7. The Senior PS/PS to all Ministers/Parliamentary Secretaries, Nagaland Kohima.
8. The Secretary, Nagaland Legislative Assembly, Kohima.
9. The Secretary, NPSC, Nagaland, Kohima.
10. All Heads of Department (They are requested to circulate this notification to all their subordinate Offices).
11. All DCs /ADCs in Nagaland.
12. All Treasuries/ Sub-Treasuries in Nagaland.
13. The President, Nagaland Pensioners Association, Kohima.
- ✓ 14. The S.I.O. NIC, Nagaland Civil Secretariat with the request to post this in the Government of Nagaland website.
15. The Publisher, Nagaland Gazette with the request to publish this notification in an Extraordinary Gazette publication.


9/11/09

(RENBONI MOZHUI)

Under Secretary to the Government of Nagaland.

ANNEXURE-I

To Notification NO.FIN/ROP/VI-PC/1/2008 Dated 9th November, 2009

Existing Pay Scales		Revised Pay Bands	Grade Pay
S-1 2550-55-2660-60-3200	(D)	- 1S 4400- 7200	1300
S-2 2610-60-3150-65-3540	(D)	- 1S 4400- 7200	1400
S-3 2750-70-3800-75-4440	(C)	PB-1 5200-20200	1800
S-4 3050-75-3950-80-4590	(C)	PB-1 5200-20200	1900
S-5 3200-85-4900	(C) *	PB-1 5200-20200	2000
S-6 4000-100-6000	(C)	PB-1 5200-20200	2400
S-7 4125-100-4725-125-6475	(C)	PB-1 5200-20200	2600
S-8 4500-125-7000	(C)	PB-1 5200-20200	2800
S-9 4750-125-6000-150-7500	(C)	PB-1 5200-20200	3400
S-10 5000-150-8000	(C)	PB-2 9300-34800	4200
S-11 5500-175-9000	(C)	PB-2 9300-34800	4200
S-12 6000-175-7750-200-9750	(B)	PB-2 9300-34800	4400
S-13 6500-200-0500	(B)	PB-2 9300-34800	4600
S-14 8000-275-13500	(A)	PB-3 15600-39100	5400
S-15 8500-275-11800-300-14200	(A)	PB-3 15600-39100	5700
S-16 10000-325-15200	(A)	PB-3 15600-39100	6600
S-17 12000-375-15200	(A)	PB-3 15600-39100	7600
S-18 14300-400-18300	(A)	PB-3 15600-39100	8700
S-19 16400-450-20000	(A)	PB- 4 37400-67000	8900
S-20 16400-500-20900	(A)	PB- 4 37400-67000	9900
S-21 18400-500-22400	(A)	PB- 4 37400-67000	10000

Dated Kohima,
The 9th November, 2009


(TOSHI AIER)

Addl. Chief Secretary & Finance Commissioner

ANNEXURE-II

Form of Option

[See Rule - 5]

- * (i) I _____ hereby elect the revised pay structure with effect from 1st April, 2010.
- * (ii) I _____ hereby elect to continue on the existing scale of pay of my substantive/officiating post mentioned below until

- * the date of my next increment
- the date of my subsequent increment
- raising my pay to Rs. ...
- I vacate or cease to draw pay in the existing scale.
- The date of my promotion to _____

Existing Scale _____

Signature _____

Name _____

Designation _____

Office in which employed _____

Date:

Station:

* To be scored out, if not applicable.

Alkane