



W.P.No.12838 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.12838 of 2024

G.Rajathilagam

... Petitioner

Vs.

1.The State of Tamilnadu,
Represented by its Secretary,
Department of School Education,
Secretariat, Fort St.George,
Chennai 600 009

2.The Director of School Education,
DPI Campus, College Road,
Chennai,
Tamilnadu,
Pincode 600 006

3.The Chief Educational Officer,
Cuddalore District,
Cuddalore,
Tamilnadu,
Pincode 607 001

4.The District Educational Officer,
Virudhachalam & Cuddalore,
Tamilnadu,
Pincode 607 001



W.P.No.12838 of 2024

5.The Treasury Officer,
School Education Department,
Cuddalore,
Tamilnadu,
Pincode 608 601

6.The Headmaster,
Government Boys Higher Secondary School,
Buvanagiri,
Cuddalore District,
Tamilnadu,
Pincode 608 601

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the third respondent to consider the representation dated 01.02.2023 sent by the petitioner and to sanction incentives increments to her as per the GO.(Ms).No.177, School Education Department dated 13.10.2016 with effect from the date of promotion of Post Graduation for acquiring POST GRADUATE DIPLOMA IN YOGA awarded by the Annamalai University to the petitioner with arrears of salary interest, within a time frame to be fixed by this Court.

For Petitioner : M/s.A.B.Sangamithra

For Respondents : Mr.M.Rajendran,
Additional Government Pleader



W.P.No.12838 of 2024

WEB COPY

ORDER

This writ petition has been filed for direction to the third respondent to consider the representation submitted by the petitioner dated 01.02.2023 seeking incentive increment as per the GO.(Ms).No.177, School Education Department dated 13.10.2016 for acquiring Post Graduate Diploma in Yoga.

2. In this regard, the Government had already passed G.O. (Ms) No. 37, Personnel and Administrative Reforms (FR-IV) department, dated 10.03.2020, it has clearly been mentioned as follows:-

"The cases of Government servants who have acquired higher qualification prior to issue of this general order, and not sanctioned with advance increments be examined separately as per the previous orders issued, if any, by the administrative department concerned and with reference to the posts specified in that order and if he is otherwise qualified, then the advance increment may be sanctioned by the administrative department concerned after obtaining concurrence of Finance department. If no previous orders were issued by any of the department concerned, then they are not eligible for sanction of any advance increments for passing higher qualification irrespective of the post held/degree acquired."

3. Certain clarification have been issued in G.O.(Ms) No.116,



W.P.No.12838 of 2024

P&AR (FRIV) Dept., dated 15.10.2020 i.e., the cases of Government Servants who have acquired higher qualification prior to the date of issue of G.O. (Ms) No. 37, P&AR Dept., dated 10.03.2020 and appropriate orders to be issued before 31.03.2021. Based on the orders issued in G.O. (Ms) No.116, P&AR (FRIV) Dept., dated 15.10.2020, the cut off date for granting advance increment who have acquired higher qualification prior to 10.03.2020 has been extended from 10.03.2020 to 31.03.2021. Further, on exemption basis, all the pending claims have been allowed until the orders issued in G.O. (Ms) No. 95, Personnel and Administrative Reforms (FR-IV) Department, dated 26.10.2023.

4. Further, as a policy measure for welfare of Government Servants a new policy has been adopted on the analogy of Government of India and orders have been issued in G.O.Ms.No.120, Human Resources Management (FR-IV) Department, dated 01.11.2021, for granting incentive in the form of one-time lumpsum amount to the State Government Employees for having acquired additional qualification after 10.03.2020 as follows:-

<i>Sl.No.</i>	<i>Higher Qualification</i>	<i>Amount</i>
1.	Ph.D	25,000/-



W.P.No.12838 of 2024

<i>Sl.No.</i>	<i>Higher Qualification</i>	<i>Amount</i>
2.	PG Degree or equivalent	20,000/-
3.	Degree/Diploma	10,000/-

5. Further, substantial number of claims are pending from candidates with higher educational qualifications. Hence, to expeditiously process and bring clarity to the scheme of granting incentive, in partial modification of the orders issued in GO (Ms)No. 116, Personnel and Administrative Reforms (FR-IV) Department, dated 15.10.2020 and G.O. (Ms)No. 120, Human Resources Management (FR-IV) Department, dated 01.11.2021 and clarifications issued in Letter No.4470/FR-IV/2022-1, Human Resources Management (FR-IV) Department, dated 18.02.2022, the cut-off date for sanction of advance increments for having acquired higher educational qualifications ended and the new scheme of sanction of lumpsum amount is ordered to take effect from 10.03.2020.

6. Thus, the clarification issued in G.O. (Ms)No.116, Personnel and Administrative Reforms (FR-IV) Department, dated 15.10.2020 and Letter No.4470/FR-IV/2022-1, Human Resources Management (FR-IV)



W.P.No.12838 of 2024

WEB COPY

Department, dated 18.02.2022 are harmonized to ensure that, all pending applications as on 10.03.2020 and claims made subsequently for sanction of benefits for having acquired higher educational qualifications shall be disposed as per this new scheme of granting lumpsum incentives only and not the earlier scheme of granting increments in salary. This principle would ensure expeditious disposal of all pending claims, and also maintain parity and equal treatment between the claims pending as on date and for the persons acquiring higher educational qualifications in future also.

7. Now, as per the above Government Orders, those who had completed additional qualification are entitled to have only lumpsum incentive. Therefore, the representation submitted by the petitioner cannot be considered. As such, this writ petition is devoid of merits and liable to be dismissed. However, the petitioner is entitled for one lumpsum incentive for her Post Graduate Diploma in Yoga to the tune of Rs.10,000/- only and the third respondent is directed to consider the case of the petitioner for one lumpsum incentive for her acquiring PG



W.P.No.12838 of 2024

Diploma.

8. With the above direction, this writ petition is dismissed.

There shall be no order as to costs.

03.07.2024

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order
lok



WEB COPY



W.P.No.12838 of 2024

G.K.ILANTHIRAIYAN, J.

lok

To

1. Secretary,
The State of Tamilnadu,
Department of School Education,
Secretariat, Fort St. George,
Chennai 600 009
2. The Director of School Education,
DPI Campus, College Road,
Chennai,
Tamilnadu,
Pincode 600 006
3. The Chief Educational Officer,
Cuddalore District,
Cuddalore, Tamilnadu, Pincode 607 001
4. The District Educational Officer,
Virudhachalam & Cuddalore,
Tamilnadu, Pincode 607 001
5. The Treasury Officer,
School Education Department,
Cuddalore, Tamilnadu, Pincode 608 601
6. The Headmaster,
Government Boys Higher Secondary School,
Buvanagiri, Cuddalore District,
Tamilnadu, Pincode 608 601

W.P.No.12838 of 2024

03.07.2024