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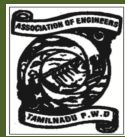
ஜூன் 2018
June 2018

மாண்புமிகு தமிழக முதல்வர் அவர்களுக்கு வேண்டுகோள்!!



“ஏழாவது ஊதியக் குழுவின் ஊதிய பலன்களை பொதுப்பணித்துறை மற்றும் இதர துறைகளில் பணிபுரியும் பட்டதாரிப் பொறியாளர்களுக்கு மறுத்த அரசாணை எண்.328-யை சென்னை உயர்நீதிமன்றம் ரத்து செய்துள்ள நிலையில், தமிழக அரசின் ஏழாவது ஊதியக் குழுவின் பலன்களை அனைத்துப் பட்டதாரிப் பொறியாளர்களும் பெறும் பொருட்டு உரிய அரசாணையை தாமதமின்றி கீழ்க்காணும் வீதம் வழங்கிட பணிவுடன் வேண்டுகிறோம்.”

பதவி	ஆறாவது ஊதியக்குழுவில் ஒரு நபர் குழு மூலம் பெற்று வரும் ஊதியம்	உயர்நீதிமன்ற ஆணையின்படி ஏழாவது ஊதியக்குழு வேண்டப்படும் ஊதியம்
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ஜூன் 2018

பொறியாளர்

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2007-ஆம் ஆண்டு நேரடி உதவிப் பொறியாளர்களின் பதவி உயர்வு

அரசு விதிமுறைகளின்படி, முதுநிலைப்பட்டியல் என்பது பணிவரன்முறை செய்யப்பட்ட நபர்களுக்கு மட்டுமே வெளியிடப்பட வேண்டும். மாறாக, தலைமைப்பொறியாளர் (பொது) அலுவலகம் 18.01.2017 அன்று உதவிப் பொறியாளர்களுக்கு திருத்திய வரைவு முதுநிலைப் பட்டியல் முதலில் வெளியிட்டுவிட்டு, அதற்கு பிந்தைய மாதத்தில் (அதிலும் ஒரு சிலருக்கு மட்டும்) அதாவது 14.02.2017 அன்று **விதிதிருத்தத்தை எதிர்நோக்கி (?)** உச்சநீதிமன்ற வழக்கு தீர்ப்பிற்கு உட்பட்டு (CA995/2009), விதிகளுக்கு புறம்பாக பணிவரன்முறை ஆணை வழங்கியுள்ளது.

ஆனால், பணி மாற்றத்தின் மூலம் வெவ்வேறு ஊட்டுப்பதவிகளில் இருந்து உதவிப் பொறியாளர்களாக பணியமர்த்தப்பட்டது தொடர்பான வழக்கில் (CA995/2009), **உச்சநீதிமன்றம்**, தொழில்நுட்ப உதவியாளர்கள் பணி மாற்றத்தின் மூலம் உதவிப்பொறியாளர்களாக பணிநியமனம் செய்யப்பட்டதை **விதித்திருத்தம்** வழங்கும்வரை **செல்லாது** என அறிவித்துள்ளது. மேலும் **P&AR** ம் தனது அரசாணை எண்.22 (24.02.2014)-ல் விதி திருத்தத்தினை எதிர்நோக்கி பணிவரன்முறைகள் செய்வதை தடைசெய்துள்ளது. இதற்கு முன்பே **உயர்நீதிமன்றம்** தனது (WP No.21344/2007) 23.12.2014 நாளிட்ட தீர்ப்பில், இனிவருங்காலங்களில் தொழில்நுட்ப உதவியாளர்களை பணிமாற்றத்தின் மூலம் உதவிப் பொறியாளர்களாக **பணியமர்த்தக் கூடாது** என்று தடை செய்துள்ளது.

எனவே, உச்சநீதிமன்ற இறுதி தீர்ப்பின்படி தொழில்நுட்ப உதவியாளர்களில் இருந்து உதவிப்பொறியாளர்களாக பணியமர்த்தப்பட்டவர்களை பதவியிறக்கம் செய்திருக்க வேண்டும். ஆனால் தகுதிகாண் பருவம் நிறைவுற்றதற்கான 'தடையில்லாச் சான்று' அரசாணைக்கு புறம்பாக விதித்திருத்தத்தை எதிர்நோக்கி 30.04.2018 அன்று தலைமைப்பொறியாளர் (பொது) அவர்களால் வழங்கப்பட்டுள்ளது.

நீண்டகால வேலைவாய்ப்புத் தடை சட்டத்திற்குப் பிறகு, தமிழ்நாடு அரசுப் பணியாளர் தேர்வாணையம் மூலம் 2007ல் நேரடியாக நியமனம் செய்யப்பட்ட உதவிப் பொறியாளர்களில் பெரும்பாலானோர்களின் முன்னுரிமையாக (First Preference) பொதுப்பணித்துறை இருந்த போதிலும், ஆறேழு வருடங்களுக்குள் பதவி உயர்வு கிடைத்துவிடும் என்றிருந்த நிலையில் இருந்து கிட்டத்தட்ட 11 ஆண்டு காலம் பதவி உயர்வு 'இன்றுவரும்' 'நாளையவரும்' என்று 2007 உதவிப் பொறியாளர்கள் எதிர்பார்த்து காத்திருக்கும் இந்நேரத்தில் மேற்படி தடையில்லாச் சான்று வழங்கிய செயல் நேரடி நியமன உதவிப் பொறியாளர்களுக்கு 'வெந்தப் புண்ணில்' வேலைபாய்ச்சுவதாக உள்ளது.

2007 உதவிப் பொறியாளர்களில் **மூவர்** உதவிச் செயற்பொறியாளர் என்ற ஒரே பதவி உயர்வை எட்டுவதே கேள்விக்குரியாக இருக்கிறது. மேலும் 2007 Batch உதவிப்பொறியாளர் **50** வயதுக்கு மேற்பட்டவர்கள் நீர் ஆதார அமைப்பில் **62** பேரும், கட்டடப்பிரிவில் **9** பேரும் உள்ளனர். அவர்கள் உதவிச் செயற்பொறியாளராக பணிக்காலத்தில் ஒரே ஒரு பதவி உயர்வு மட்டும் பெற்று ஓய்வு பெறதான் முடியும்.

இந்நிலையில், உதவி செயற்பொறியாளர் (சிவில்) காலிப்பணியிட மதிப்பீடு முன்மொழிவு உடன் அனுப்பவும், பின் உச்சநீதிமன்ற **தீர்ப்புக்கும், விதிகளுக்கும்** உட்பட்டு உதவிச் செயற் பொறியாளர் பதவி உயர்வினை முதன்மை தலைமைப் பொறியாளர் (நீ.ஆ.அ) மற்றும் தலைமைப் பொறியாளர் (பொது) அவர்கள் விரைவில் பெற்று வழங்கிடவும் அதற்கான நடவடிக்கையை உடனடியாக மேற்கொள்ளவும் கேட்டுக்கொள்கிறோம்.

- ஆசிரியர்

பேரன்பிற்கினியர், பெருமதிப்பிற்குரியர், வணக்கம்.

- ❖ ஏழாவது ஊதியக் குழுவில் உதவிப் பொறியாளர்கள், உதவிச் செயற்பொறியாளர்கள், மற்றும் செயற் பொறியாளர்களுக்கு உரிய ஊதியம் பெற தடையாக இருந்த அரசாணை எண்.328, ஊதியக் குழு நாள் : 31.10.2017-க்கு எதிராக நாம் உயர்நீதிமன்றத்தில் நவம்பர் 2017ல் (WP No.29097, 29098, 29099 & 34144 of 2017) வழக்கு தொடர்ந்திருந்தோம். பல்வேறு கட்ட விசாரணைக்குப் பிறகு உயர்நீதிமன்றத்தில் மாண்புமிகு நீதியரசர் T.ராஜா அவர்களால் 04.06.2018 அன்று வழங்கப்பட்ட தீர்ப்பில், ஏழாவது ஊதியக் குழுவின் சம்பளம் பெற தடையாக இருந்த அரசாணை எண்.328, ஊதியக் குழு நாள் : 31.10.2017-யை தள்ளுபடி செய்து உதவிப் பொறியாளர்கள், உதவிச் செயற் பொறியாளர்கள் மற்றும் செயற் பொறியாளர்களும் ஏழாவது ஊதியக் குழுவின் சம்பளம் பிற அரசு ஊழியர்களைப் போலவே பெற ஆணை வழங்கப்பட்டுள்ளது என்பதை மகிழ்ச்சியுடன் தெரிவித்துக் கொள்கிறோம். இத் தீர்ப்பினைத் தொடர்ந்து ஏழாவது ஊதியக் குழுவின் ஊதியம் நம் பொறியாளர்கள் பெற அனைத்து நடவடிக்கைகளும் தொடர்ந்து எடுக்கப்பட்டுவருகிறது என்பதைத் தெரிவித்துக்கொள்கிறோம்.
- ❖ 08.08.2018 அன்று நமது ஊதியம் சம்மந்தமான நிலுவையிலுள்ள வழக்கு உச்ச நீதிமன்றத்தில் விசாரணைக்கு வருகிறது. இந்த வழக்கிலும் நமது உரிமையினை நிலைநாட்ட அனைத்து நடவடிக்கைகளும் நாம் எடுத்து வருகிறோம் என்று தெரிவித்துக்கொள்கிறோம்.
- ❖ உதவிப் பொறியாளர்கள், உதவிச் செயற்பொறியாளர்களாக பதவி உயர்வு பெறுவதில் உள்ள தடைகளை அகற்ற உயர் நீதிமன்றத்தில் தொடுத்த வழக்குகள் உயர் நீதிமன்ற கோடை விடுமுறைக்குப்பின் நிலுவையில் உள்ள வழக்குகள் எடுத்து கொள்ளப்பட உள்ளது. அவற்றை விரைந்து நடத்தி, நமது தரப்பு நியாயத்தினை தீர்ப்பின் மூலம் நிலை நிறுத்த உரிய அனைத்து நடவடிக்கைகளும் எடுக்கப்பட்டுவருகின்றது. வழக்கு நிலுவையில் உள்ள வரை உயர் நீதிமன்ற அமர்வு வழங்கிய “Status Quo” என்ற இடைக்கால உத்தரவு உள்ளதால் பதவி உயர்வுப் பட்டியலின் மீதான தொடர் நடவடிக்கை தற்சமயம் முதன்மைத் தலைமைப் பொறியாளர் (நீ.ஆ.அ) மற்றும் தலைமைப் பொறியாளர் (பொது) அவர்கள் எடுக்க இயலாத நிலையில் உள்ளதாக தெரிவிக்கிறார்கள்.
- ❖ மேற்கண்ட நீதிமன்ற வழக்குகள் முடிவிற்கு வந்தாலும், 2007 TNPSC-இல் நீர்வள ஆதார அமைப்பைச் சேர்ந்த 10 உதவிப் பொறியாளர்கள் தங்களுடைய முதுநிலை வரிசையை மாற்றக் கோரி உயர்நீதிமன்றத்தில் வழக்கைத் தொடர்ந்து அவர்கள் அதேநிலை அதாவது Status Quo என்கிற இடைக்கால உத்தரவைப்பெற்றிருக்கின்றனர். இவ்வழக்கை முன்னாள் தலைவர், உதவிப் பொறியாளர் சங்கம் முன்னின்று நடத்துவது மிகவும் வேதனையான செயலாகும். இது மேலும் பதவி உயர்வினை தள்ளிப்போக வைக்கக்கூடும் என்ற அச்ச உணர்வும் உள்ளது.
- ❖ இந்தச் சூழ்நிலையில், ஒருவரின் சுயநலத்திற்காக பழமையும், பெருமையும் மிக்க துறையின் செயல்பாட்டையே நிறுத்த நினைப்பது சரியாகாது என்பதை அனைத்து 2007 உதவிப்பொறியாளர்களும் புரிந்து கொள்ள வேண்டும். அதற்குத்தகுந்தாற்போல் 2007 உதவிப் பொறியாளர்கள் ஒன்றாகச் சேர்ந்து ஒருமித்த நல்ல முடிவை எட்ட வேண்டுவதும் அவசியமாகும்.
- ❖ 2016-17 மற்றும் 2017-18ஆம் ஆண்டிற்கான 120 என்ற எண்ணிக்கைக்கு உதவிப் பொறியாளர்கள் (சிவில்) காலிப்பணியிடங்களை அரசு ஆணை எண்.33ன் படி முதன்மைத் தலைமைப் பொறியாளர் (நீ.ஆ.அ) மற்றும் தலைமைப் பொறியாளர் (பொது) அவர்களே நிர்ணயம் செய்து தமிழ்நாடு பணியாளர் தேர்வாணையத்திற்கு நேரிடையாக பரிந்துரை செய்து அனுப்பியதற்கு, முதன்மைத் தலைமைப் பொறியாளர் (நீ.ஆ.அ) மற்றும் தலைமைப் பொறியாளர் (பொது) மற்றும் இணைத் தலைமைப் பொறியாளர் (பொது) அவர்களுக்கு நமது நன்றியினைத் தெரிவித்துக்கொள்கிறோம்.

- ❖ 2017-18 ஆம் ஆண்டிற்கான **செயற்பொறியாளர் பதவி** உயர்வு 75க்கு அரசின் ஒப்புதல் பெறப்பட்டு 60 பேருக்கு பணி அமர்வாணை வழங்கப்பட்டுள்ளது. **மீதமுள்ள 12** பேருக்கு இம்மாத இறுதிக்குள் பணியமர்வாணை கிடைத்துவிடும் என்று நம்பப்படுகிறது. 2018-2019ஆம் ஆண்டிற்கான செயற்பொறியாளர் பதவி உயர்வு பட்டியலுக்கு **92 காலியிட மதிப்பீடு** அரசிற்கு அனுப்பப்பட்டு, விரைவில் அரசின் ஒப்புதல் பெற நடவடிக்கை எடுக்கப்பட்டுவருகிறது என்பதைத் தெரிவித்துக்கொள்கிறோம். பதவி உயர்வுப் பட்டியலில் இடம்பெற உள்ள உதவிச் செயற்பொறியாளர்கள் தங்களின் கழுக்க அறிக்கை 31.03.2018 வரை முழுமையாக விடுபடாமல் தலைமைப் பொறியாளர் (பொது) பொதுப்பணித்துறை அலுவலகத்திற்கு அனுப்பப்பட்டுவிட்டதா என்பதை உறுதி செய்துகொள்ளும்படியும் அவ்வாறு அனுப்பப்படாமல் இருந்தால் விரைவாக நடவடிக்கை எடுத்து 30.06.2018-க்குள் முடிக்கும்படியும் கேட்டுக்கொள்கிறோம்.
- ❖ 2018-2019 ஆம் ஆண்டிற்கான **கண்காணிப்புப் பொறியாளர்** (சிவில்) 53 காலிப்பணியிடங்களுக்கு ஒப்புதல் அளிக்கப்பட்டு பெயர் பட்டியல் அரசிற்கு அனுப்பப்பட்டுள்ளது. விரைவில் பதவி உயர்வுபட்டியலுக்கு ஒப்புதல் பெற நடவடிக்கை எடுக்கப்பட்டுவருகிறது என்பதைத் தெரிவித்துக்கொள்கிறோம்.
- ❖ 2018-19ஆம் ஆண்டிற்கான **தலைமைப் பொறியாளர்** காலிப்பணியிடங்கள் 14க்கான பெயர் பட்டியல் தயார் செய்யப்பட்டு அரசிற்கு அனுப்பப்பட்டுள்ளது, விரைவில் அரசின் ஒப்புதலைப் பெற தொடர் நடவடிக்கை எடுக்கப்பட்டுவருகிறது என்பதைத் தெரிவித்துக்கொள்கிறோம்.
- ❖ **மந்தன அறிக்கை** எழுதாத அணைத்து உயர்நிலை பொறியாளர்களும் மந்தன அறிக்கை உடனே எழுதி முதன்மைத் தலைமைப் பொறியாளர் (நீ.ஆ.அ) மற்றும் தலைமைப் பொறியாளர் (பொது) அவர்களுக்கு அனுப்பிவைத்திட கேட்டுக்கொள்ளப்படுகிறார்கள். இதன் மூலம் பெயர்ப்பட்டியல் அனுப்புவதில் காலதாமதம் பெருமளவு குறையும்.
- ❖ **உதவிச் செயற்பொறியாளர் (மின்)** காலிப்பணியிட மதிப்பீடு 20க்கு தயார் செய்து அரசுக்கு அனுப்பப்பட்டு தற்போது அரசின் குறிப்புரைக்கு முதன்மைத் தலைமைப் பொறியாளர் (நீ.ஆ.அ) மற்றும் தலைமைப் பொறியாளர் (பொது) அவர்களால் பதில் வழங்கி அரசின் பரிசீலனைக்கு அனுப்பப்பட்டுள்ளது.
- ❖ **செயற்பொறியாளர் (மின்)** பதவி உயர்வு பட்டியல் 4 எண்ணிக்கைக்கு அரசின் ஒப்புதல் பெறப்பட்டுள்ளது. அவர்களுக்கான பதவி உயர்வு உடனடியாக வழங்க உரிய நடவடிக்கை எடுக்கப்பட்டு வருகிறது.
- ❖ **பொறியாளர் ராமலிங்கம் இல்லம்** முழுவதுமாக இடிக்கப்படாமல் சட்டங்களை (Frames) அப்படியே வைத்துக்கொண்டு மறுசீரமைப்பு செய்ய ரூ.90 லட்சம் ஆகும் என மதிப்பீடு செய்யப்பட்டள்ளது என மீண்டும் நினைவூட்டுகிறேன். குறைந்தபட்சம் ரூ.20 லட்சம் இருந்தால் பணிகள் ஆரம்பிக்கலாம் என்பதால் உறுப்பினர்கள் தங்களின் பங்களிப்பை அளித்திட வேண்டுமென கேட்டுக்கொள்கிறோம்.
- ❖ நமது பொறியாளர் சங்கக் கட்டடத்தில் பொறியாளர்களின் **ஓய்வறையை** மாற்றி, இருபால் பொறியாளர்களுக்கும், கழிப்பறை மற்றும் பெண் பொறியாளர்கள் **படிப்பறை (Reading Room)** ஆகவும் மாற்றப்பட்டுள்ளது. அதிக அளவில் **பெண் பொறியாளர்கள்** சங்க ஈடுபாட்டுடன் கலந்துகொள்ளவும் அவர்களது பங்களிப்பை சங்கத்திற்கு வழங்கிடவும் கேட்டுக்கொள்கிறோம்.
- ❖ நம் சங்கத்தின் ஒருங்கிணைந்த **மாநில மையச் செயற்குழு கூட்டம் 07.07.2018** (சனிக்கிழமை) பொள்ளாச்சியில் நடைபெறவுள்ளது. இதற்கான சுற்றறிக்கை இவ்விதழில் வெளியிடப்பட்டுள்ளது. மைய செயற்குழு உறுப்பினர்கள் அனைவரும் கலந்துகொண்டு தங்களின் மேலான கருத்துகளை தெரிவிக்கவும் கேட்டுக்கொள்கிறோம். பொள்ளாச்சியில் எந்த இடம் என்பதை பிறகு அறிவிக்கப்படும் என்று தெரிவித்துக்கொள்கிறோம்.

பொறிஞர். மு. தனசேகரன்
பொதுச் செயலாளர், உதவிப் பொறியாளர் சங்கம்

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பொதுச் செயலாளர், பொறியாளர் சங்கம்

சங்கத்தின் கோரிக்கைக் கடிதங்கள்

மின் பொறியாளர்களுக்கு உள்ள உயர்ந்த பதவியானது மட்டுமில்லாமல் பொதுப்பணித்துறை மின் துறைக்கான ஒட்டு மொத்தப் பணிகளை நிர்வகிக்கும் கண்காணிப்புப் பொறியாளர் (மின்) பதவியை இணைத் தலைமைப் பொறியாளர் என்ற அலுவலகப் பதவியாக மாற்றியதால் மின் பொறியாளர்களின் தரம் குறைக்கப்பட்டுவிட்டதாக மின் பொறியாளர்களிடமிருந்து பெறப்பட்ட கோரிக்கை - சம்மந்தமாக **முதன்மைத் தலைமைப் பொறியாளர் (கட்டடம்) மற்றும் தலைமைப் பொறியாளர் (கட்டடம்), சென்னை மண்டலம், பொதுப்பணித்துறை, சென்னை - 5, அவர்களுக்கு எழுதிய கடித எண்.056/பொ.செ-த.பொ.ச/2018-19, தேதி : 21.05.2018**

ஐயா,

அரசாணை G.O.Ms.No.28 PW (G1) Department Dated : 24.01.2018 மற்றும் G.O.Ms.No.16 PW (G2) Department Dated : 17.01.2018-ன் படி தற்பொழுது உள்ள மின் பொறியாளர்களுக்கு உள்ள உயர்ந்த பதவியானது மட்டுமில்லாமல் பொதுப்பணித்துறை மின் துறைக்கான ஒட்டு மொத்தப் பணிகளை நிர்வகிக்கும் கண்காணிப்புப் பொறியாளர் (மின்) பதவியை இணைத் தலைமைப் பொறியாளர் என்ற அலுவலகப் பதவியாக மாற்றியதால் மின் பொறியாளர்களின் தரம் குறைக்கப்பட்டுவிட்டதாக மின் பொறியாளர்களிடமிருந்து கோரிக்கை பெறப்பட்டுள்ளது.

இது சம்பந்தமாக கீழ்க்கண்ட விபரங்களை தங்களின் பார்வைக்கு வைக்கப்படுகிறது.

1. பொதுப்பணித்துறை மின் துறை மூலமாக கடந்த 2018-ம் ஆண்டில் மின் மதிப்பீடுகள் மற்றும் செய்யப்பட்ட பணிகள் ரூ.200 கோடிக்கு நிகரானது.
2. தற்பொழுது நிலவி வரும் தொழில்நுட்ப மேம்பாடு காரணமாக, தொழில்நுட்ப அவசியத் தேவைகள் மற்றும் விரிவாக்கப்பட்ட மின் அடிப்படை வசதிகள் காரணமாக 2017-2018-ம் ஆண்டில் மின் மதிப்பீடுகள் மற்றும் செய்யப்பட்ட பணிகள் பன்மடங்காகிவிட்டது.
3. ஆண்டுக்கு ஆண்டு தொழில்நுட்ப மேம்பாடுகளின் அவசியத்தை முன்னிட்டும் மற்றும் பிற துறைகளின் அடிப்படைத் தேவைகளையும் அறிந்து அதன்படி உரிய மின் வசதிகள் செய்யப்படுகின்றதா என்று தொடர்ந்து கண்காணித்து வருவதற்கும் மற்றும் மின் கோட்டங்களின் பணிகள், அரசு விதிகள் மற்றும் மின் விதிகளின்படி செய்யப்படுகின்றதா என்று சரிபார்ப்பதற்கும் மின் துறையைச் சார்ந்த, மிக்க அனுபவம் வாய்ந்த மின் பொறியாளர்களே தேவையானதும், அதற்கு கண்காணிப்புப் பொறியாளர் (மின்) பொது, பதவிகள் மிக முக்கியம் என்பதையும் தெரிவிக்கிறேன்.
4. சிறப்பு மின் பணிகளான உயர் மின் அழுத்தப் பணி, ஒருங்கிணைந்த சூரிய மின் வசதி அமைப்புப் பணி, குளிர் சாதன வசதிகள் அமைப்புப் பணி, நவீன இணையதள கட்டமைப்பு மற்றும் நவீன மின் வசதி அமைப்புகள் அனைத்தும் அனுபவம் மிக்க மின் பொறியாளர்களால் மட்டுமே சரியான மின் மதிப்பீடுகள் மற்றும் மிகச் சரியான ஒப்பந்தக்காரர்களை நியமிப்பதன் மூலம் மின் பணிகளின் தரம் பேணப்படும் என்பதையும் அதற்கு கண்காணிப்புப் பொறியாளர் (மின்) பொது, பதவிகள் மிக முக்கியம் என்பதையும் தெரிவிக்கிறேன்.
5. தமிழ்நாடு முழுவதும் மின் பணிகளின் தரமும், வேலைத்திறமையும் கணக்கிட்டு அதற்குரிய மின் உரிமம் வழங்குவதற்காக முதன்மை மின் ஆய்வாளர் அலுவலகம் மற்றும் அதன் உள் கட்டமைப்புகள் தமிழகம் முழுவதும் செயல்பட்டுவருகிறது. மின் பணிகளின் தரத்தை ஆய்வு செய்வதற்கென அரசாங்கத்தால் ஏற்கனவே எரி சக்தித் துறை மூலமாக நியமிக்கப்பட்ட தனி அமைப்பு செயல்படுகின்ற சூழ்நிலையில், மின் பணிகளை தரமான முறையில் மேற்கொள்வதற்கும் தகுதியும் அனுபவமும் வாய்ந்த மின் பொறியாளர்களின் தேவை மிக அவசியமான ஒன்றாகிறது.

எனவே கடந்த 45 ஆண்டுகாலமாக பொதுப்பணித்துறையில், மின் துறையின் பங்கு கணிசமாக இருந்து வருகிறது. மேலும் இதுவரை எல்லாவிதமான அரசுப் பணிகளிலும் கட்டடப் பிரிவு பொறியாளர்களுடன் ஒருங்கிணைந்து பணியாற்றி அரசு விதிகளின் படியும், மின் கட்டமைப்பு விதிகளின் படியும் தரமான மின் அமைப்புப் பணிகளை நிறைவேற்றி வருகிறது. இச் சமயத்தில் இத்துறையில் நீண்ட காலமாகப் பணியாற்றி மிக்க அனுபவம் வாய்ந்த பொறியாளர்களின் பணித்திறமையை அரசுப் பணிகளுக்கு உபயோகப்படுத்த கண்காணிப்புப் பொறியாளர் (மின்) பதவியை பழைய நிலையில் தொடர அரசுக்கு பரிந்துரை செய்யுமாறு கனிவுடன் கோருகிறோம்.

மிக்க அன்புடன்,

பொறி.க.அன்பு
பொதுச் செயலாளர், பொறியாளர் சங்கம்

தமிழ்நாடு பொறியியல் பணி தொகுதி - உதவிச் செயற்பொறியாளர் (சீவில்) பதவி உயர்வு பட்டியல் - புதிய காலியிட மதிப்பீடு - ஒப்புதல் பெற கோருதல் - தொடர்பாக - முதன்மை தலைமைப் பொறியாளர் (நீ.ஆ.அ), மற்றும் தலைமைப் பொறியாளர் (பொது), பொதுப்பணித்துறை, சென்னை-5 அவர்களுக்கு எழுதிய கடித எண்.001/பொ.செ-த.ந.பொ.ச/059-2018 தேதி : 23.05.2018.

மதிப்பிற்குரிய ஐயா,

பொருள்: தமிழ்நாடு பொறியியல் பணி தொகுதி - உதவிச் செயற்பொறியாளர் பதவி உயர்வு பட்டியல் - புதிய காலியிட மதிப்பீடு - ஒப்புதல் பெற கோருதல் - தொடர்பாக

பொறியாளர் சங்கத்தின் சார்பாக தங்களின் மேலான கவனத்தினை மேற்கண்ட பொருளின் மீது ஈர்த்திட இதன் மூலம் விளைகிறோம்.

உதவிப் பொறியாளர்கள், உதவிச் செயற் பொறியாளர்களாக பதவி உயர்வு பெறுவதற்கான காலிப்பணியிட மதிப்பீடாக 215 எண்ணிக்கைக்கு கடந்த 2017ஆம் ஆண்டு ஏப்ரல் மாதம் அரசின் ஒப்புதல் பெறப்பட்டுள்ளது.

மேலும், இந்த ஆண்டிற்கான செயற் பொறியாளர்கள் பதவி உயர்வு பட்டியல் 75 நபர்களுக்கு ஒப்புதல் பெறப்பட்டு 60 உதவி செயற்பொறியாளர்கள் பதவி உயர்வும் பெற்றுள்ளதால் தற்போதைய நிலையில் உதவிச் செயற்பொறியாளர் காலிப்பணியிடங்கள் அதிகரித்துள்ளது. மேலும், 2017-18ஆம் ஆண்டிற்கான காலிப்பணியிட மதிப்பீடு தயாரிக்க வேண்டியும் உள்ளது.

பதவி உயர்வு பெயர்ப் பட்டியல் முடிவு செய்யப்பட இயலாத வகையில் உயர்நீதிமன்றத்தில் நடைபெற்று வரும் பல்வேறு வழக்குகளின் விசாரணை தற்போது விரைவாக நடைபெற்று வருகிறது. ஆகவே, அதிகரித்துள்ள காலிப்பணியிடங்களை கணக்கில் கொண்டு 2017-18ஆம் ஆண்டிற்கான காலிப்பணியிட மதிப்பீடு தயாரித்து அரசிடம் ஒப்புதல் பெறுமாறு அன்புடன் கேட்டுக்கொள்கிறோம்.

இவ்வாறு கூடுதலாக ஒப்புதல் பெறப்படும் காலிப்பணியிடங்களை விரைந்து நிரப்பிடவும் உரிய நடவடிக்கை எடுக்குமாறு அன்புடன் கேட்டுக்கொள்கிறோம். இதன் மூலம் உதவி செயற் பொறியாளர்களாக பதவி உயர்வு பெறுவோர் எண்ணிக்கை அதிகரிக்கப்படுவதால் தனியர் மற்றும் துறையின் நலன் பேணப்படும் என்பதையும் தெரிவித்துக்கொள்கிறோம்.

மிக்க அன்புடன்

பொறி.M.தனசேகரன்
பொதுச் செயலாளர், உதவி பொறியாளர் சங்கம்

பொறி.K. அன்பு
பொதுச் செயலாளர், பொறியாளர் சங்கம்

Letter to **The Additional Chief Secretary to Government** (Representing Government of Tamil Nadu) Finance (Pay Cell) Department, Fort St. George, Chennai – 600 009 on Tamil Nadu Revised Pay Rules 2017 – Benefits not extended to Engineers in Public Works Department and other Departments – Orders of Government Quashed – Request Government Orders to extend the benefits of Revised Pay as ordered by the Hon'ble High Court vide our **Letter No.001/GS-AOE/066-2018 Dated: 11.06.2018**

Sir,

- Ref:** 1 G.O.Ms.No.328, Finance (Pay Cell) Department dt.31.10.2017
2 Order of the Hon'ble High Court of Madras issued on 04.06.2018 various Writ Petitions from No.29097/2017 to 1501 of 2018.

We invite kind attention to the orders of the Hon'ble High Court of judicature at Madras issued on 04.06.2018 on various Writ Petitions as referred in the Judgment Orders, wherein the Government Order issued in G.O.Ms.No.328, Finance (Pay Cell) Department dated 31.10.2017, has been quashed and the writ petitions challenging the above Government Orders were allowed. Copy of the Court order is enclosed for ready reference.

In view of the above Court Orders, all categories of Government employees on whose behalf the petitioners have pleaded, are legally entitled to get their pay fixed in the revised scales of pay as ordered in the G.O.Ms.No.303, Finance (Pay Cell) Department dated 11.10.2017 from the enhanced pay scales with grade pay as being drawn based on the orders passed on One Man Commission Recommendation.

We therefore request the Government to pass necessary orders following the Court Orders for fixing the pay of the following categories of Engineers in the revised scales of pay with effect from 01.01.2016 from the existing legally drawn scale of pay.

Name of the Categories	Enhanced pay scale drawn as per One Man Commission based on Court Orders	Revised pay matrix and levels of pay
Assistant Engineer	PB 3 – Rs.15600-39100 + GP Rs.5400	Pay level 22 Rs.56100 - Rs.177500
Assistant Executive Engineer	PB 3 – Rs.15600-39100 + GP Rs.6600	Pay level 25 Rs.59300 - Rs.187700
Executive Engineer	PB 3 – Rs.15600-39100 + GP Rs.7600	Pay level 26 Rs.61900 – Rs.196700

We request early orders of the Government in this regard as the above categories have been languishing in the old scale of pay when all the other Government employees are enjoying new pay with monetary benefits from 01.10.2017.

With kind regards

Yours truly,

Encl : Copy of Court Orders

Er.K.Anbu
General Secretary, AOE

Letter to the **Secretary to Government (Expenditure) / Ex Officio, Member Secretary Staff Rationalisation Committee**, Finance (SRC-1) Department, Secretariat, Chennai – 600 009 on Continuation of Staff Rationalisation Committee to evaluate Staff Structure and Administrative Expenditure Management in Government Agencies – suggestions invited from Re-organised services Associations – Suggestions in the form of a Report presented vide **Letter No.001/GS-AOE/065-2018, Dt.04.06.2018**

Sir,

Ref: Secretary, Staff Rationalisation Committee Lr.No.27244/SRC-1/2018 dt.25.05.2018

In response to the letter cited, the Association of Engineers & Assistant Engineers Association, Tamil Nadu Public Works Department are pleased to present their suggestions and views on the office structure and staff strength of Water Resources Department and Public Works Department (Buildings) which is the bearest minimum considering their functions and work load. The Report briefly explains the historical background of formation of Public Works Department till its present set up with a view to justify the need for retaining the entire staff strength so as to achieve the desired result in keeping pace with the Government's policies and commitments made to the people. In fact, the Department needs to be strengthened with additional staff for preventing encroachments and to safeguard the Water Resources Department / Public Works Department lands from further encroachments which is need of the hour especially to protect the Water Bodies in the suburbs of cities and towns.

The Report as prepared on the above lines is enclosed. The Staff Rationalisation Committee may kindly consider the contents of the Report and arrange to retain the existing staff structure in Water Resources Department and Public Works Department (Buildings).

Yours truly,

Encl.: Report

Er.K.Anbu,
General Secretary, AOE

Report presented to Staff Rationalisation Committee

- By Association of Engineers & Assistant Engineers' Association, Tamil Nadu Public Works Department

Inception of Public Works Department

Tamil Nadu Public Works Department had its modest beginning during the British Rule in 1858 when the entire Southern Peninsular India was comprised of Madras Province. The number of major Dams across the rivers of erstwhile Madras Province were very few in those days. As and when major Dams such as Mullai-Periyar Dam and Mettur Dam were constructed, the need for strengthening Public Works Department arose. Till India attained Independence, there was no other major Irrigation Projects in the State.

Growth after Independence

After India attained Independence, the State Public Works Department witnessed large scale construction of dams. The most significant among them is the Parambikulam - Aliyar Project which is a major Multi purpose Project consisting of several **dams** on the Western Ghats with the sole aim of diverting the west flowing rivers to water starved Coimbatore and Dindigul Districts as these rivers had its natural flow only to empty themselves into Arabian Sea. Similar other major Projects were executed successively across several rivers in the State which necessitated construction of Canals, water regulators etc., for channelizing the water to the end users for irrigation etc. All these increased activities and the need for maintaining these assets combined with building activities, had necessitated expansion of the Department. The Tamil Nadu Public Works Department with two major wings ie. Irrigation and Buildings, headed by two Chief Engineers with territorial circles and Divisions apart from Project oriented Chief Engineers at Pollachi and Madurai, had to be re-organized on completion of major projects to concentrate equally on minor Irrigation and Project Investigation with a view to give impetus for specialization. Here, it is to be emphasized that the irrigation carried out through minor irrigation is more than the area irrigated through the major medium & minor reservoir (dams). The Ground Water wing headed by Chief Engineer, Public Works Department which functioned as a separate Department with the assistance of UNDP, was later annexed to Public Works Department. In this manner, the Department had seven wings each headed by Chief Engineers with overall control under Chief Engineer (General) and (Irrigation) till 1993.

Re-organisation under WRCP :

The Irrigation Projects were set to receive external funding by the World Bank under the name of Water Resources Consolidation Project (WRCP) which resulted in major shakeup of the entire Department pertaining to all activities of Water Resources. The sole aim of re-organisation of this Department on Water front, was to frame water policy, management and development of all irrigation activities as spelled out in G.O. Ms.No.279 PW(WR) Department dated 29.03.1994. This water Policy paved the way for separating irrigation activities from Buildings activities. The two Organisation thus formed as per the G.O. Ms.No.280 PW(WR) Department dated 01.04.1994, are Water Resources Organization and Building Organization. The Water Resources Organization was established by decentralizing water management along Basin lines and each Basin to be headed by Basin Managers in the cadre of Chief Engineer. All the 17 major River Basins in the State were grouped into four Regions with headquarters at Chennai, Trichy, Madurai and Coimbatore and they were named accordingly. Besides, 5 (five) specialist Chief Engineers were formed in the field of Investigation (Plan formulation), Design, Research & Construction Support (DR&CS), Operation and Maintenance (O&M) State Ground and Surface Water Resources Data Centre (SG&SWRDC), Institute of Water Studies (IWS).The specialist Chief Engineers'

functions cater to the needs of 4 Regional Chief Engineers in their efforts in construction and maintenance of all irrigation structures / assets etc. for smooth water regulation to benefit the end water users. All the above sub-organisations were brought under one Engineer-in-Chief, Water Resources Organisation who co-ordinates all their activities. The Organisation setup and the staff strength for each of the above sub-organisation were carefully analysed and fixed taking into account of their regular nature of work. The existence of all the above Chief Engineers' Offices were made permanent considering their role played in fulfilling the water policies of the Government. As insisted by the World Bank, the administrative powers vested with Chief Engineer (General) was attached to Engineer-in-Chief, Water Resources Organisation.

SWaRMA

The State Water Resources Management Agency (SWaRMA) function which was attached to the Chief Engineer (Ground Water), was detached and a separate Organisation was formed in view of the importance of the role played by the Agency in tackling the management of Water Resources in the State. Thus, a separate Agency headed by one Chief Engineer came into existence.

Water Resources Organisation under IAMWARM Project :

On successful completion of WRCP, the World Bank came forward to fund for Irrigated Agriculture Modernisation and Water Bodies Restoration & Management Project which enabled the Water Resources Organisation to undertake large-scale renovation and restoration of Water Bodies in the State in a phased manner for five years. Besides, funding Agencies such as NABARD & ADB, also funded for works which were not covered by the World Bank Project.

World Bank funding for TNIAMP

At present the World Bank funding for Tamil Nadu Irrigated Agriculture Modernisation Project (TNIAMP) amounting to Rs.3042 Crores has since been offered and the Project works took off and they are being implemented. The World Bank also extended Retroactive funding to rectify the damages caused on account of unprecedented flash floods caused during December 2015 mostly affected Chennai and its surroundings. All these rectification works were carried out. Such types of emergency works on account of natural calamities are undertaken under such circumstances.

Dam Rehabilitation and Improvement Project (DRIP)

World Bank has funded for Dam Rehabilitation and Improvement Project for which Chief Engineer (O&M) is functioning as Nodel Agency. Currently, works costing Rs.765 crores are taken up for execution.

All the above works including regular maintenances of all irrigation structures with State fundings, are being executed by all the Four Regional Chief Engineers. The Government at present, has given priority for undertaking **Kudimaramathu works**. The Government has allocated Rs.331.68 crores covering 30 Districts for this purpose which is being implemented by the Regional Chief Engineers. The Department had also taken up the formation of new Reservoirs across Marudayaru in Perambalur District, Malattaru in Vellore District and Kannankottai in Tiruvallur District which are in progress. Coastal protection work with an estimated cost of Rs.112 crores have been taken up. An amount of Rs.2811.69 crores has been earmarked for irrigation infrastructure development, rehabilitation work, and coastal protection works. Thus, all the 4 Regions under Water Resources Department, are fully engaged in the execution of works and maintenance of all irrigation structures. Their continuance with entire staff pattern is fully justified.

Plan Formulation

The Plan Formulation wing plays a vital role in deciding the type and number of works to be taken up for execution in WRD. This wing takes up a detailed study of the proposed works with reference to field study, feasibility study, design aspect etc. before obtaining Administrative Sanction from the Government. This wing needs to be strengthened with more engineering personnel as it involves difficult manual procedure in travelling to remote areas for taking levels and to study the soil condition, environmental impact etc. The present strength of this wing with two Plan Formulation Circles, one Environment Cell circle and the proposed Athikadavu-Avinasi Project Circle, are fully justified.

Environment Impact Assessment:-

The concept of Environment Assessment was first introduced in the Department during the execution of WRCP on the insistence of the World Bank. This has created awareness among the industrialists and the common people to take care of the water resources free from pollution so as to protect the environment and natural resources. Therefore, the Environmental Cell Circle at Trichy with four Divisions, plays a vital role in keeping check of water quality throughout the State and to seek remedial measures through the Agencies concerned. This wing functioning under Chief Engineer (Plan Formulation) needs to be strengthened on a regular basis so as to make their work more effective in tackling environment degradation which is on the increasing trend.

Design, Research & Construction Support (DR&CS)

The Regional Chief Engineers entirely depend upon the DR&CS for detailed irrigation designs, testing of soil and materials for deciding the types of foundation and quality construction. Any major irrigation projects undergo model test at the IHH Poondi, to ensure its successful implementation. There is a constant research wing to improve the construction quality with alternative cost-effective materials and methods in the backdrop of depleting natural resources. The concept of M.Sand is the result of such sustained research activity by the research wing. The Watershed Management Board with headquarters at Pollachi takes up sedimentation study of major dams with a view to restore the Reservoirs to its original storage capacity which is being undertaken by the concerned Regions. As a result of their study, the desilting work of Mettur Dam was undertaken for the first time after 83 years. Similar follow up works are to be undertaken by the respective Region shared on such studies by Water-shed Management Board functioning under I.H.H. Poondi under the overall control of Chief Engineer, DR&CS.

Quality Check

Even before the World Bank had insisted on mechanism to check quality construction which resulted in formation of Quality Control Divisions at Trichy and Coimbatore by redeployment, such activities were carried out at Chennai by SM&R Division and at Madurai by Quality Control Division, which played a major role in quality check of materials used on the work and the strength of concrete works. The activities of SM&R Division at Chennai have expanded on account of spread of quality conscience among the Department Engineers, and other Departments / Organisations engaged in construction activities. The Directorate of Vigilance and Anti-corruption has increased the number of samples to be tested by the SM&R Division, Chennai. Since, this Division is also engaged in Research works, the ever increasing quality testing activities have reached beyond a manageable level. Hence, this testing activities have to be strengthened either with additional staff and equipments or to form another Division with similar activities to be headed by one Superintending Engineer exclusively to oversee the entire Testing and Research activities of Water Resources Department.

Operation & Maintenance (O&M)

This wing besides furnishing water levels of 20 major reservoir in the State, 4 reservoirs of Karnataka and the daily flow data at Biligundlu, monitors the reservoirs during monsoon round the clock. It's other main activities are to ensure safety of 89 WRD dams and 38 numbers of TANGEDCO dams. The Dam Safety Directorate headed by one Superintending Engineer with supporting staff engaged in these activities of collection of various types of data from the Regions to assess the health status of each and every dams and to bring to the notice of the Regional Chief Engineers in the event of any serious issues affecting the safety of a particular Dam for taking necessary action to restore its health. Preparation of History of Dam is undertaken by this wing.

In order to undertake major rehabilitation works of Dams which are more than 50 years of age, this wing has taken up the task of co-ordination and supervision of Dam Rehabilitation and Improvement Project with the World Bank assistance. 69 Major Dams of WRD are being benefitted from this project for which the Chief Engineer (O&M) is the nodal agency for effective implementation of the Project by the Regional Chief Engineers.

Another important function of Chief Engineer (O&M) is to implement PIM activities as per the Tamil Nadu Farmers' Management of Irrigation System Act, 2000.

Even though, the workshop activities have been reduced on account of new procurement policies of the World Bank, its importance in technical guidance on mechanical aspect of the Dam shutters and their function is still continued with the bearest minimum staff. Besides, condemnation process of vehicles of WRD are undertaken by this wing.

State Ground & Surface Water Resources Data Centre (SG&SWRDC)

This wing initially known as Directorate of ground water, was formed with UNDP assistance. The significance of this wing was realized when the surface water source was diminished and the ground water become the last resort for all major water consumers in the State. In order to safeguard over exploitation of the ground water resources which is the cause for poor water quality and soil degradation, the ground water wing has taken up continuous studies for the periodical assessment of ground water potential with reference to rainfall data etc. as per the norms prescribed by the Ground Water Estimation Committee (GEC). For this purpose, the Ground water wing analyses the data collected by means of water level observation, geological and geophysical survey, Aquifer mapping, Sea water intrusion study, Elementary watersheds, full climate station and Mini meteorological station etc.

Under Tamil Nadu Irrigated Agriculture Modernisation Project (TNIAMP) assisted by the World Bank, the ground water wing has proposed artificial recharge scheme with an estimated cost of Rs.14 crores.

This wing is exercising control over the erection of deep borewells in order to protect the interest of all stake holders whose livelihood depends on the particular sources of water affecting general welfare of the people at large.

Institute of Water Studies

The Institute was established as per G.O.Ms.No.457 PWD dated 08.04.1974. Its activities got enlarged when a Chief Engineer was appointed as its Director as per G.O.Ms.No.586 PW(R2) Department dated 10.04.1993.

It is a multi-disciplinary Institute having a variety of expertises in the field of Hydrology, Hydrogeology, Agronomy with Remote Sensing and GIS Unit. This Institute was later declared as "Tamil Nadu State Centre for Remote Sensing Application" as per G.O.Ms.No.117 PW(R2) Department dated 18.03.2002 with enhanced scope for Water Resources and ground water management related activities.

The main functions of Institute of Water Studies are as follows:

1. Preparation of draft State Water Policy
2. Assessment of Water resources in each River Basins and total water resources potential, sectoral water demands and balance for each sub-basins.

These functions involves collection of required data from various State and Central Agencies and create data base for each River Basins. All these data are shared with the State Planning Commission, Cauvery Technical Cell cum Interstate Rivers for preparing water Policy and to support litigation process. Besides, the Institute manages a library with large number of Technical Publications, Scientific Journals and Department related Rules and Code Books. The staff strength sanctioned for this Institute is absolutely essential to carry out their activities entrusted.

Building Orginasion

The Building Organisation came into existence on bifurcation of the Department as per G.O.Ms.No.985 PW(G2) Department dated 23.11.1995 wherein 15 Buildings Circles and 55 Divisions under the control of Chief Engineer (Buildings), were sanctioned in accordance with the work load existed then. The Buildings requirements of all the Departments especially the Health and Education Department, are taken care of by this Organisation including their maintenance. Special care is taken to maintain and preserve the heritage buildings belonging to all Departments which requires specialized technical knowledge on conservation of heritage structure. In order to meet the ever growing demands of the people in all walks of life, the Government allocates more funds in fulfilling the people's expectations which results in more building activities and their maintenances. These large scale construction activities especially in the Health sector, paved the way for forming three Regions within the Buildings Organisation of PWD with headquarters at Chennai, Trichy, and Madurai, resulting in formation of one post of Engineer-in-Chief exclusively for Building Organisation who is also the Regional Chief Engineer for Chennai Region whereas each of the Trichy and Madurai Region are headed by separate Chief Engineers under the overall control of Engineer-in-Chief (Buildings). In fact, the task of co-ordination of all the building activities in the State requires one Chief Engineer exclusively for this purpose. Therefore, the need for a separate Chief Engineer to take care of all the building activities, of Chennai Region, is felt thereby sparing the Engineer-in-Chief (Buildings) of additional task.

Therefore, in addition to the existing staff pattern, the Buildings Wing of PWD requires one more Chief Engineer with supporting staff in view of the increasing construction activities.

Planning and Design Wing of Public Works Department (Buildings)

The Planning and Design Circle of Public Works Department (Buildings) is headed by one Superintending Engineer with State wide jurisdiction. Hence, detailed design requirements of all the Buildings constructed under the control of Engineer-in-Chief (Buildings), are taken care of by this circle which is a herculian task in the back drop of latest technology adopted with global exposures to natural calamities like Earthquakes, Tsunami effect, Cyclones etc. Therefore, this wing needs to be strengthened with more design engineers as the present strength is much less than the quantum of increased work load. Considering the vital role played by this wing in proper and quality construction of Buildings, it is just and proper that this wing should be headed exclusively by a Chief Engineer with a view to give priority in posting highly qualified engineers so as to maintain its highest standard of output.

Additional Staff required to prevent encroachment of Public Works Department / Water Resources Organisation lands:

It has become common sight to see rampant encroachment of lands belonging to WRD and PWD Buildings especially the Irrigation Tank areas situated near the fast developing cities and towns. Such encroachments could not be nipped in the bud for want of staff to safeguard them. Hence, the task of eviction becomes cumbersome involving tedious procedures and financial implications. Even though there are more than 14 thousands Irrigation Tanks under the custody of WRD, special attention has to be paid to those tanks situated on the sub-urbs of Cities and Towns which easily fall prey to the encroachers. In order to prevent such encroachments and to safeguard those Government lands, each and every Regions require atleast 200 additional Technical field staff so as to avoid the trouble of evictions and additional cost later. The cost of employing these Technical field staff will be very productive as the purpose of maintaining these tanks for providing quality water for Irrigation, cattles, and to maintain water levels in the wells surrounding the areas for drinking water purpose, could be fulfilled. Besides, the services of these Technical field staff could be diverted for the operation of dam shutters at times of floods. Hence, this additional staff requirement may kindly be taken into consideration while finalising staff pattern for WRD and PWD Buildings.

Outsourcing

The concept of outsourcing of any work involving basic technical data and their interpretation, is not feasible in Water Resources Department / Public Works Department as these data are the properties of the Department and they are to be adopted for arriving at a logical conclusion in the interest of the Department and not to suit any individual's interest who has no accountability in the Department. The Agencies involved in such outsourcing work, normally do not collect data independently. They mostly rely upon the available data in the Department and compile the Report which are now being done in the Department without involving extra cost. Moreover, such outsourcing agencies engage retired senior engineers from the Department, who with their personal influence collect the required data and materials required for preparing the Report without any expertise. Such reports could be got prepared with honesty and sincerity by the service engineers who are accountable for their works. Moreover, the outsourcing agency could misuse such data collected for one project to another similar project without taking into account the peculiarity and its purpose to further its own interest.

The technical knowledge in collecting data, analysing and compilation to arrive at correct conclusion, is part of a project and these activities if de-linked, the Department will be crippled without basic knowledge. Hence, the concept of outsourcing is not preferable as far as Water Resources Department and Public Works Department (Buildings) are concerned.

Redeployment of Staff to needy Schemes / Projects

Ever since the sand mining operation was assigned to WRD, the Regional Officials faced a lot of difficulties and strain in their day to day activities in the absence of additional staff to manage this additional task. In spite of shortage of staff amidst delay in filling up the vacant posts in the Region, the sand mining task was carried out with much difficulty.

Now on completion of major portions of the works of Special Project Circle, Chennai, this Circle has been redeployed as Mining and Monitoring Circle, Chennai under the direct control of Engineer-in-Chief, WRD Chennai. Three Special Project Divisions along with their Sub Divisions and two Project Planning and Designs Divisions, were ordered to the redeployed under the control of Mining and Monitoring Circle, Chennai as per G.O.Ms.No.215 PW(F1) Department dated 02.06.2017.

Conclusion

Similar re-deployment of staff / offices were undertaken whenever such situation arises, both in WRD and Buildings wing. In this manner, all the offices / staff are having sufficient work load. The need for filling up all the vacant posts is felt very much, as the additional work load on the existing staff, is causing a lot of hardship on the individual's health.

Hence, the staff strength including the unfilled posts are the bearest minimum against the work load and therefore all the posts sanctioned for WRD and Buildings Wing, should be continued besides strengthening the areas with additional staff justified in the foregoing paras.

Er.M.Dhanasekaran
General Secretary, AEA

Er.K.Anbu
General Secretary, AOE

குறிப்பு : துணை (Supplemental) அறிக்கையும் ஆதிசெஷையா குழுவிற்கு அனுப்பப்பட உள்ளது. பொறியாளர் உறுப்பினர்கள் தங்கள் கருத்துக்களை தெரிவிக்க வேண்டுகிறோம்.

**Promotion panel of Assistant Executive Engineers (Electrical) as Electrical Engineers
G.O.(D)No.141, Public Works (A1) Dept Dated : 18.05.2018**

S.No.	Name of the Assistant Executive Engineer (Electrical)	Date of Birth	Date of Retirement
1.	A.Sathiyarayanan	28.07.1967	31.07.2025
2.	A.Tamilselvan	29.04.1966	30.04.2024
3	N.Thillaikarasi	02.05.1966	31.05.2024
4	R.Poyyamozhi	20.07.1960	31.07.2018

Our Hearty Congratulations to all the above Engineers - Editor

ADDITIONAL CHARGES AS ON 31.05.2018

Sl.No.	Name of the Engineer & Designation	Additional Charge
1	Er.L.Chidambaram Chief Engineer / Director, Institute of Water Studies, Chennai	Chief Engineer, State Ground and Surface Water Resources Data Centre, Chennai
2	Er.P.Vairavanathan, Chief Engineer, Plan Formulation, Chennai	Chief Engineer, Water Resources Department, Chennai Region, Chennai

Vide G.O.(Rt.) No.244, Public Works (A2) Department, Dated 31.05.2018

TAMIL NADU PWD SENIOR ENGINEERS ASSOCIATION

Regd. No. 178/2001

Regd. Office : 85, CNK Road, Poriyasalar Ramalingam Illam, Cheppakkam, Chennai - 600 069.
Admn. Office : New No 1C/36, Valluvar Road, TSD Nagar, Arumbakkam, Chennai - 600 166.

Er. K. Ramalingam
President
☎ : 044-2616 1640 (M) 99411 28761

Er. A. Veerappan
Secretary
☎ : 72060 28280

Copy of the Letter of the Secretary, TNSEA to the Staff Rationalisation Committee and marked to our Association

26.04.2018

To

Thiru.A.Audiseshiah, IAS (Retd.),
C/o. Thiru M.A. Siddique IAS,
Staff Rationalisation Committee,
Finance Department,
Secretariat, Chennai – 600 009.

Respected Sir,

Sub:- TN Staff Rationalisation Committee headed by you – Our submissions for kind consideration – reg.

Ref:- Government Order No.467 Finance (CMPC) dated 26.11.2001

We wish to bring the following points to your kind consideration facilitating you to recommend the same to the Government of Tamilnadu.

1. The Government of Tamilnadu, on earlier occasion during 2001 constituted **the Staff and Expenditure Reforms Commission** under the chairmanship of **Dr.A.M.Swaminathan IAS (Retd.)** and the above Commission, after examination recommended many suggestions for minimizing the Government's expenditure towards staff. We request that the above recommendations may please be perused by your committee.
2. We are of the firm opinion that there is no possibility for further reduction of Government – Staff on the following counts.
 - i) The sanctioned strength of staff at present in TN is less than 60% of the requirements as assessed by various committees from time to time.
 - ii) **The Staff strength of important Departments, say for example, PWD are mostly in temporary sanction without any basis (even though many of the branches were made permanent during 1994-1995) and nearly more than 500 posts of AEs and 200 Posts of AEEs are vacant as an date without filling on, one pretext or other. We point out that the speed and quality Government works suffer due to these vacant posts, resulting in time and cost over – run.**
 - iii) **The Government never fill up all the sanctioned post at any of time in the past.**

iv) For maintenance of important works in PWD, no staff are sanctioned, for example for sand mining and monitoring operations, not even one Technical Assistant / Work inspector was sanctioned and posted.

- Similarly for safeguarding the Irrigation Tanks (18789 Nos) from encroachments, not even 10% staff is really sanctioned and posted today. At least 20000 Technical Assistants are really needed for this task, at least one Technical Assistants for one Tank.
 - Thirdly, TNPWD has 85 Irrigation Reservoirs and Anicuts. No skilled staff (even ITI Trained) was sanctioned and posted towards operation and maintenance of Dam shutters for normal openings and especially during flood times.
- v) In many of the Departments, posts are sanctioned but no staff are posted due to financial constraints wantonly.

Under the above circumstances, there is no ground to restrict / reduce the staff in the pretext of staff Rationalisation.

3. We further wish to point out that much expenditure is done under people welfare schemes (non – plan expenditure) – with an eye towards votes banking. If such expenditures are restricted to a minimum, our financial position will improve within another 5 years.

We are of the firm opinion that if our revenue receipts are properly collected in every department, at least there will be Rs. 5.00 Lakh crores additional income so that we can totally avoid sand mining from our major rivers and Tasmac operations besides generating 2.00Lakh employment opportunities to our unemployed educated youth, which is the bounden duty of the State Government. We attach a booklet which details our suggestions (Booklet enclosed).

4. We further wish to bring your kind notice that on the recommendation of earlier Staff and Expenditure Reforms Commission, the Government issued orders No. 49 P & AR (F) dt 14-05-2002 **for outsourcing the services** and another G.O dt 2002 **for engaging the services of certain staff on service contract basis** by which AEs & JEs, Technical Assistants, Computer operators can be engaged on service contract basis temporarily in the Departments since regular appointment through TNPSC takes a minimum of 5 years and more due to procedural difficulties of the state and its circumvential rules and regulations. HODs of Government Department should be authorised to operate this facility as and when required without any restriction.
5. At the outset, we stress that the Government expenditure towards welfare schemes should be reduced to a minimum while additional efforts are to be taken to augment our revenue receipts under various heads as detailed in the enclosed Booklet.
6. We request that we may **please be given an opportunity to present our request in person** at an early date.

With regards

Er.A.Veerappan
State Secretary / TANSEA

GOVERNMENT ORDERS



Public Works Department
Secretariat, Chennai - 9

Letter No.4127/C.Spl.1/2013, Dated 01.06.2018

From
Dr.Girija Vaidyanathan, IAS.,
Chief Secretary to Government.

To
The Secretary to Government of India,
Ministry of Water Resources, River Development and
Ganga Rejuvenation, Shram Sakthi Bhawan,
Rafi Marg,
New Delhi-110001.

Sir,

Sub: Cauvery Water Dispute – Constitution of the “Cauvery Water Management Authority” and the “Cauvery Water Regulation Committee” for the effective implementation of the Final Order of the Cauvery Water Disputes Tribunal as modified by the Supreme Court – Notified in the Gazette of India – Nomination of part time Member in the Cauvery Water Management Authority and nomination of Member in the Cauvery Water Regulation Committee from the State of Tamil Nadu – Orders – Issued – Intimated.

- Ref:**
- 1 From the Government of India, Ministry of Water Resources, River Development and Ganga Rejuvenation, Gazette Notification dated 01.06.2018.
 - 2 From the Government of India, Ministry of Water Resources, River Development and Ganga Rejuvenation, D.O. Letter F.No.R-19011/01/2018/pen.River, dated 01.06.2018.
 - 3 G.O.(Ms)No.145, Public Works Department, dated 01.06.2018

I am directed to state that pursuant to the notification of the Cauvery Water Management Scheme, 2018 by the Government of India in the Official Gazette, in the reference first cited and request made by the Government of India, Ministry of Water Resources, River Development and Ganga Rejuvenation in reference second cited, the Government of Tamil Nadu has issued orders in the Government Order third cited (copy enclosed) nominating the Principal Secretary to Government, Public Works Department who is the administrative Secretary in-charge of Water Resources Department as part time Member in the Cauvery Water Management Authority and the Chief Engineer, Water Resources Department, Tiruchirapalli Region, Tiruchirapalli, as Member in the Cauvery Water Regulation Committee from the State of Tamil Nadu.

2. The contact details of the Members of the Cauvery Water Management Authority and the Cauvery Water Regulation Committee representing the State of Tamil Nadu are given below:-

Part Time Member in the Cauvery Water Management Authority	Shri.S.K.Prabakar, IAS., Principal Secretary to Government, Public Works Department, Secretariat, Chennai – 600 009. Phone : 044-2567 1622 Fax No.044-2567 8840 E-Mail ID: pwdsec@tn.gov.in
Member in the Cauvery Water Regulation Committee	Thiru.R.Senthil Kumar, Chief Engineer, Water Resources Department, Tiruchirapalli Region, Tiruchirapalli-20 Phone No.:0431-2331411 Fax No.:0431-2331148 E-Mail ID: cetydb@hotmail.com

3. This is for information and necessary action.

Yours faithfully,
for Chief Secretary to Government

Wedding Greetings

Bride	Bridegroom	Date & Venue
R.Vrithika , M.Sc., IT., D/o.K.Rajan,B.E., M.B.A., Former Assistant Executive Engineer, PWD, HR&CE	K.Neelakandan , B.Tech.,	Muhurtham on 03.06.2018, Sunday "MYM Faizal Mahal" Cuddalore Main Road, Chidambaram
R.G.Divya , B.E., (ECE) D/o.R.Govindarajan,B.E., Superintending Engineer, PWD, Buildings (C&M) Circle, Chepauk, Chennai - 5	B.Ramesh , M.S. (Soft. Engrg.)	Reception on 24.06.2018, Sunday 6.30pm Muhurtham on 25.06.2018, Monday at "Aandal Singaravelu Thirumana Mahal" Tiruvannamalai
Dr.S.Priyadharshini M.D. D/o.T.Subramanian,B.E., Executive Engineer, PWD, Periyar Vaigai Basin Division Madurai - 2	Dr.P.S.Vignesh M.S. (Ortho)	Muhurtham on 01.07.2018, Sunday at All India Arya Vysya Samajam, Tirupathi Reception on 05.07.2018, Thursday at CR Mahal, Madurai

We wish them a happy & Prosperous Wedded Life

-Editor



ABSTRACT

Establishment – Water Resources Department – (i) Change of nomenclature of the post of Chief Engineer & Director, Institute for Water Studies as Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai (ii) Shifting the control of four Quality Control Divisions of Water Resources Department from the Regional Chief Engineers to the Chief Engineer & Director, Institute of Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai, and (iii) Redeployment of the Krishna Water Supply Project Division 8, Chennai, the Lower Vaigai Special Project Division, Manamadurai, and the Special Project Division, Madurai under Water Resources Department for formation of “Buildings Quality Control Divisions” at Chennai, Trichy and Madurai respectively all under the control of Chief Engineer & Director, Institute of Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai – Orders – Issued.

Public Works (F1) Department

G.O (Ms) No.149

Dated 08.06.2018
Vilambi Vaikasi 25
Thiruvalluvar Aandu 2049

Read:

From the Engineer-in-Chief, Water Resources Department and Chief Engineer (General), Public Works Department, Chennai, Letter No.AEE/T1/AE3/20702/2018, dated 01.06.2018.

ORDER:

With a view to ensuring effective quality control and monitoring of the works executed in the Water Resources Department and Public Works Department, the Engineer-in-Chief, Water Resources Department and Chief Engineer (General), Public Works Department, Chennai, in the letter read above has sent proposals for redeployment of certain Divisions in Water Resources Department as Quality Control Divisions and for formation of Buildings Quality Control Division in Public Works Department to function under the control of one Chief Engineer. To enable this course of action, he has requested for the change of nomenclature of the post of Chief Engineer & Director, Institute for Water Studies, Water Resources Department, Chennai as Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai.

2. In justification of the proposal, the Engineer-in-Chief, Water Resources Department and Chief Engineer (General), Public Works Department, Chennai has stated as follows:-

(i) the Jurisdiction of Regional Chief Engineers are vast as they are handling the administrative and technical aspects of the whole region and in addition, monitoring the quality of the works; since they are involved in various aspects of works pertaining to the region, exclusive attention could not be provided for Quality Control. If monitoring of Quality Control entrusted to Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control the monitoring will be done more effectively and with advanced technology in quality control wing by strengthening the infrastructure.

(ii) the quality assurance plan and quality control measures carried out by the Quality Control Divisions vary from region to region, since the divisions under the control of different regions act independently, the major schemes and World Bank assisted schemes are under way and it is, therefore, necessary to maintain uniformity in the quality control measures, systems and procedures, so as to ensure easy monitoring and control.

(iii) it will facilitate the process of establishing a centralized quality control system in Water Resources Department and Public Works Department. The quality control measures in works will be independent of Regions under which the works are executed.

(iv) the benefits of Quality Control wing in Water Resources Department and Public Works Department ensure uniform quality, reduced expenditure in maintenance works, elimination of reworks, etc.

3. The Engineer-in-Chief, Water Resources Department and Chief Engineer (General), Public Works Department, Chennai has therefore, requested orders of the Government for change of control of four Quality Control Divisions of Water Resources Department at Chennai, Madurai, Trichy and Coimbatore from the respective Regional Chief Engineers and the redeployment of the Krishna Water Supply Project Division 8, Chennai, the Lower Vaigai Special Project Division, Manamadurai, and the Special Project Division, Madurai under Water Resources Department for formation of "Buildings Quality Control Divisions" at Chennai, Trichy and Madurai respectively and all the redeployed Divisions may be placed to function under the control of Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai. He has stated that the expenditure for redeployment will be met out from the contingencies and that no additional staff is required.

4. The Government after careful examination of the proposal of the Engineer-in-Chief, Water Resources Department and Chief Engineer (General), Public Works Department Chennai have decided to accept the same and order that the nomenclature of the post of "Chief Engineer & Director, Institute for Water Studies", Water Resources Department, Chennai be changed as "Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control", Water Resources Department, Chennai with immediate effect.

5. The Government further order for shifting the control of four Quality Control Divisions of Water Resources Department from the respective Regional Chief Engineers to the Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai and for redeployment of Krishna Water Supply Project Division 8, Chennai, the Lower Vaigai Special Project Division, Manamadurai and the Special Project Division, Madurai under Water Resources Department for formation of "Buildings Quality Control Divisions" at Chennai, Trichy and Madurai respectively as indicated in the Table below.

Sl. No.	Existing			Proposed		
	Division	Circle	Region/Wing	Division	Circle	Region/Wing
1	Quality Control Division, Water Resources Department, Chennai	-	Chief Engineer, Water Resources Department, Chennai Region	Quality Control Division, Water Resources Department, Chennai	-	Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai

2	Monitoring & Quality Control Division, Water Resources Department Madurai	-	Chief Engineer, Water Resources Department, Madurai Region	Quality Control Division, Water Resources Department, Madurai	-	Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai
3	Quality Control Division, Water Resources Department, Trichy	-	Chief Engineer Water Resources, Department, Trichy Region	Quality Control Division, Water Resources Department Trichy	-	Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department Chennai
4	Quality Control Division, Water Resources Department Coimbatore	-	Chief Engineer, Water Resources Department, Coimbatore Region	Quality Control Division, Water Resources Department Coimbatore	-	Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai
5	Krishna Water Supply Project Division 8, Water Resources Department, Chennai	Palar Basin Circle, Chennai	Chief Engineer, Water Resources Department, Chennai Region	Building Quality Control Division, Chennai	-	Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai
6	Lower Vaigai, Special Project Division, Water Resources Department Manamadurai	Lower Vaigai Basin Circle, Sivagangai	Chief Engineer, Water Resources Department, Madurai Region	Building Quality Control Division, Trichy	-	Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai
7	Special Project Division, Water Resources Department, Madurai	Vaippar Basin Circle, Virudhunagar	Chief Engineer, Water Resources Department, Madurai Region	Building Quality Control Division, Madurai	-	Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai

6. All these Divisions, on redeployment shall function under the control of Chief Engineer & Director, Institute for Water Studies, Hydrology & Quality Control, Water Resources Department, Chennai, as mentioned in the Table above with staff details in the respective Divisions as detailed in the Annexure I to VII to this order.

7. This order issues with the concurrence of Finance Department – vide its U.O.No.1915/ACS(F)/P/2018, dated 06.06.2018.

(BY ORDER OF THE GOVERNOR)

S.K.PRABAKAR
PRINCIPAL SECRETARY TO GOVERNMENT

Hon'ble High Court Pay Case Judgement

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 30.01.2018

DATE OF DECISION : 04.06.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.29097 to 29099, 29144, 29248, 29249, 29576, 29589, 29590, 29665, 31342 to 31347, 32342, 32446, 33915, 34027, **34144 of 2017**, 72, 128, 129, 130, 339, 448, 659, 660, 661, 669, 770, 1026, 1049, 1178 to 1180, 1300, 1326, 1448, 1498 & 1501 of 2018

W.P.No.29097 of 2017:

- 1 N.Suresh Kumar
- 2 M.Madan
- 3 G.Jeyaprabha
- 4 R.Jeyakumar
- 5 M.Dhanasekaran
- 6 T.Vimala Veni
- 7 R.Saraswathy
- 8 T.Malathi
- 9 S.Vetrivel
- 10 S.Karthikeyan .. Petitioners

-vs-

- 1 The Government of Tamilnadu
rep. by its Addl. Chief Secretary
Finance (Pay Cell) Department
Fort St. George
Chennai 600 009
- 2 The Engineer in Chief Buildings-1
Chief Engineer (General)
Public Works Department
Chepauk
Chennai 600 005 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records on the file of the first respondent relating to the issue of the impugned G.O. Viz., G.O.Ms.No.328 Finance (Pay Cell) Department dated 31.10.2017 and quash the same and consequently to direct the respondents to fix the petitioners pay in the pay structure in the Tamilnadu Revised Pay Rules 2017 at appropriate level in the pay Matrix therein corresponding to the pay scales as ordered by the Government in G.O.Ms.No.312 Finance (Pay Cell) Department dated 26.8.2010 which the petitioners are drawing pursuant to the judgment of this Hon'ble Court dated 27.2.2014 passed in W.A.No.810 of 2012 and batch cases.

For Petitioners :: Mr.R.Thiagarajan
Senior Counsel
for Mr.N.Subramanian
in WP Nos.29097 to 29099
of 2017
Mr.P.S.Raman
Senior Counsel for
Mr.Swarnam J.Rajagopalan in
WP Nos.29144, 29589 & 29590
of 2017
Mr.AR.L.Sundaresan
Senior Counsel for
Mr.MA.Gouthaman in WP Nos.
29248, 29249/17 & 770/18
Mr.R.Viduthalai Senior Counsel for
Mr.S.Rajendiran in WP 32342/17
Mr.N.Subramanian in WP Nos.
29665, 31342 to 31347, 32446,
34027/17, 128, 448, 1049 &
1498/18
Mr.R.Prem Narayan in WP Nos.
34144/17, 72, 129, 130 & 339/18
Mr.A.Edwin Prabakar in WP Nos.
659, 660 & 661/18
Mr.Swarnam J.Rajagopalan in
WP 669/18
Mr.U.Karunakaran in WP Nos.
1026 & 1501/18
Mr.M.Muthappan in WP Nos.1178
to 1180/18
Mr.P.Raja in WP Nos.1300, 1326,
& 1448/18
Mr.V.T.Balaji in WP No.33915/17
Mr.A.Venkatachalam
Petitioner-in-Person in WP
No.29576/17

For Respondents :: Mr.Vijay Narayan Advocate General
assisted by
Mr.V.Jayaprakash Narayanan
Special Government Pleader
Mr.C.Vigneswaran and
Mr.Goutham Venkatesh
Government Advocates
for the State in all the WP's
Mr.R.Arunmozhi Standing Counsel for
Chennai Corporation in WP Nos.29665,
34027/17,128, 448, 1049, 1300, 1326,
1448 & 1498/18

COMMON ORDER

These writ petitions have been filed challenging the impugned Government Order issued by the Additional Chief Secretary to Government in G.O.Ms.No.328, Finance (Pay Cell) Department dated 31.10.2017, to quash the same with a consequential direction to the respondents to fix the petitioners' pay in the pay structure in the Tamilnadu Revised Pay Rules 2017 at appropriate level in the pay matrix therein corresponding to the pay scales as ordered by the Government in the respective earlier Government Orders which they are drawing and/or pursuant to the judgment of this Hon'ble Court dated 27.2.2014 passed in W.A.Nos.504 of 2012 and batch cases.

1.1. All these petitioners are working as Engineers/Officers in the Public Works / Agriculture / Horticulture / Highways / Planning Design & Investigation / Animal Husbandry, Dairying & Fisheries/Industrial Safety & Health/Transport/Motor Vehicle Inspection/Greater Chennai Corporation Department(s) and the writ petitions have been filed by the individual Engineer(s) or the respective Association(s) challenging the impugned Government Order.

2. Mr.R.Thiagarajan, learned senior counsel appearing for the petitioners in W.P.Nos.29097 to 29099 of 2017, assailing the impugned G.O.Ms.No. No.328, Finance (Pay Cell) Department dated 31.10.2017, heavily contended that the said Government Order ought not to have been issued, contrary to the judgment of this Court dated 27.2.2014 passed in W.A.No.810 of 2012 and batch cases, wherein this Court has observed that the implementation of the G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 insofar as it affects any category of Government servants/pensioners/family pensioners which are not implemented as on today shall not be implemented till final decision is taken. The learned senior counsel further submitted that the petitioners herein were all working as Assistant Engineers in the Public Works Department after being duly appointed by direct recruitment through the Tamil Nadu Public Service Commission. While so, as per the policy of the State Government to grant pay scales to their employees on par with the Central Pay Scales, after the implementation of the 6th Central Pay Scales, the Additional Chief Secretary to Government, Finance (Pay Cell) Department, the first respondent herein has fixed the pay scales of Assistant Engineers, Assistant Executive Engineers and Executive Engineers of Public Works Department and other engineering departments with reduced pay. Hence, on the basis of various representations, One Man Commission was constituted to examine the pay anomalies. The said One Man Commission also submitted its report to the Government on 31.3.2010, which was accepted by the Government and orders were issued for implementation of the same departmentwise. Such an implementation of the recommendation of the One Man Commission report led to further claims from other department officials and associations viz., the Tamil Nadu Agricultural Officers Association, Tamil Nadu Veterinary Assistant Surgeons Association, Fisheries Department Officers Association etc., demanding equal scales of pay for the posts of Agricultural Officers, Veterinary Assistant Surgeons, etc. In view of this, the Government reviewed the report of the One Man Commission, which was not justifiable and downgraded the scales of pay of about 52 categories in various departments restoring to a level lower than the level pay granted to the Assistant Engineers, Agricultural Officers etc., accordingly, G.O.(Ms) No.71, Finance (Pay Cell)

Department dated 26.2.2011 was issued. Challenging the said Government Order, several writ petitions were filed by the aggrieved persons including the petitioners and this Court granted interim stay. Finally, by orders dated 8.3.2012, 14.3.2012, 15.3.2012 in W.P.Nos.7006 of 2011 etc., while dismissing the writ petitions, the learned Judge issued a direction to the Government to reconstitute the Pay Grievance Redressal Cell (PGRC) to hear the grievance of all the affected persons including the writ petitioners.

3. As against that, appeals in W.A.Nos.504 of 2012 etc., batch were filed and the Hon'ble Division Bench, by its order dated 27.3.2012, has granted interim stay of operation of the G.O.Ms.No.71 dated 26.2.2011 and the order of the learned single Judge except the operative portion of the order in paragraph no.32. Since the Division Bench of this Court has passed an order on 15.10.2012 in W.A.Nos.504 of 2012 etc., confining the benefit of interim stay granted on 27.3.2012 on the operation of G.O.Ms.No.71, Finance (Pay Cell) Department dated 26.2.2011 only to the appellants/petitioners and vacated the interim order in respect of others, based on the recommendation made by the Pay Grievance Redressal Cell, G.O.Ms.No.242, Finance (Pay Cell) Department dated 22.7.2013 was issued revising the scales of pay to certain categories of employees serving in other departments with a specific direction to regulate the pension/family pension of the retired employees as mentioned therein and to waive the excess payments made till the date of issue of order. In the meanwhile, during the pendency of the writ appeals, several writ petitions were filed by the Engineers working in various departments of the State including the petitioners' Association in W.P.Nos.21525, 26420 of 2013 etc., challenging the G.O.Ms.No.242 dated 22.7.2013. Finally, the Hon'ble Division Bench, taking up together all the writ appeals and the writ petitions, by a common judgment dated 27.2.2014, holding that the G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 are vitiated due to violation of the principles of natural justice, directed the State Government to constitute a Pay Grievance Redressal Committee headed by a retired Chief Justice of the Chattishgarh High Court to look into the pay anomalies.

4. When the Hon'ble Division Bench has specifically held that the G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 insofar as it affects any category of Government servants/pensioners/family pensioners which are not implemented as on today shall not be implemented till fresh decision is taken, it is patently clear that the incumbents of any of the 52 categories covered in G.O.Ms.No.242 dated 22.7.2013 to which the said two Government Orders had not been implemented on the date of the judgment, irrespective of the date of their appointment whether before or after the judgment, rightly appreciating the mandate of the judgment, the Principal Secretary to Government, Finance (PC) Department, in his letter dated 27.3.2014, has made it clear to all the Heads of Department that there shall not be any reduction in the pay of the employees and pension of the pensioners/family pensioners pursuant to the orders issued in G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 till further orders from the Government. Further, the Principal Secretary to Government, Finance (PC) Department, by another letter dated 28.5.2014, clarified that all those employees who were promoted after the issuance of G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 shall also be entitled to the higher scales of pay as per the One Man Commission recommendations, until further orders from Government. Hence, Mr.R.Thiagarajan, learned senior counsel submitted that in view of the aforesaid letters dated 27.3.2014 & 28.5.2014, the Assistant Engineers appointed by redesignation, the

Assistant Executive Engineers appointed from Junior Engineers by recruitment by transfer, the Assistant Executive Engineers appointed from Assistant Engineers by promotion and the Executive Engineers appointed from Assistant Executive Engineers by promotion after 22.7.2013, were granted with higher scales of pay as recommended by the One Man Commission. Moreover, the Junior Electrical Inspectors, the Agricultural Officers, Horticulture Officers etc., whose cadre are equivalent to Assistant Engineers of Public Works Department, were also granted the scales of pay as recommended by the One Man Commission without implementing the G.O.Ms.No.242 dated 22.7.2013 as ordered by this Court. Clarifying here Mr.R.Thiagarajan, learned senior counsel contended that when the respondents, aggrieved by the judgment dated 27.2.2014 for non-implementation of the G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013, filed Special Leave Petition before the Supreme Court, the petitioners' Association also filed Special Leave Petition against the constitution of the Committee, since all the Assistant Engineers, Assistant Executive Engineers and Executive Engineers of Public Works Department and other engineering departments are getting the pay scales as per the recommendations of the One Man Commission without reduction of pay as ordered in G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013. Now the Apex Court has refused to grant stay of the entire portion of the judgment of the Division Bench dated 27.2.2014, except to the extent the fresh Pay Grievance Redressal Committee directed to be set up, in its order dated 16.1.2015 in SLP (C) Nos.12355 of 2014 etc.

5. When the matter stands as above, during the pendency of the Special Leave Petitions, the first respondent ought not to have issued the impugned G.O.Ms.No.328, Finance (Pay Cell) Department dated 31.10.2017 directing the employees to give an option either to revise their pay in the revised pay structure or to continue to draw the pay which is drawn by them based on the interim orders of the Court whichever is financially advantageous to them and the option so exercised would be subject to the outcome of the final verdict of the Courts. Canvassing how a patent anomaly would occur if the impugned G.O.Ms.No.328 dated 31.10.2017 is accepted, Mr.R.Thiagarajan further explained that if one lower level officer is drawing a pay of Rs.62,450/- in the pay band of Rs.9300-34800+5100 and the other higher level officer is drawing a pay of Rs.62,600/- in the pay band of Rs.15600-39100+5400, then the first employee, the lower level officer will get his pay fixed in the 2017 Pay Rules as Rs.64,300/- in the pay matrix (Table 20 under Schedule III Level 19) corresponding to the pay band of Rs.9300-34800+5100, whereas the other higher level officer will get his pay fixed in the 2017 Pay Rules only as Rs.63,100/- in the pay matrix (Table 22 under Schedule III Level 5) corresponding to pay band of Rs.15600-39100+5400, as a result the higher level officer who is drawing more pay in a higher pay scale than that of his lower level officer prior to 1.1.2016 would be forced to get lesser pay than the said lower level officer who is drawing lesser pay in the lower pay scale. Again reiterating his arguments, the learned senior counsel submitted that if the impugned order is implemented, the Assistant Engineers, the Assistant Executive Engineers and the Executive Engineers would be forced to draw a lesser pay than the feeder categories, which is not permissible in law. Concluding his arguments, the learned senior counsel submitted that when the impugned Government Order has been issued by the first respondent contrary to the judgment of the Division Bench of this Court dated 27.2.2014 in W.A.Nos.504 of 2012 etc., batch, the same is liable to be quashed.

6. Mr.P.S.Raman, learned senior counsel appearing for the petitioners in W.P.Nos.29144, 29589 & 29590 of 2017, assailing the impugned Government Order, vehemently contended that the Government cannot fix the pay scales on the basis of G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 when they are no longer in force, in view of the judgment of the Division Bench of this Court dated 27.2.2014 in W.A.Nos.504 of 2012 etc., batch. Again finding fault with the approach adopted by the first respondent in passing the impugned order, submitted that the Government Order passed against the persons who were not parties to the judgment dated 27.2.2014 would also amount to contempt of Court. Moreover, so long as the mandamus issued by this Court in W.A.Nos.504 of 2012 etc., directing the respondents not to implement the G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 has not been till modified by the Supreme Court while admitting the Special Leave Petitions, as per the law laid down by the Constitution Bench of the Apex Court in **Madan Mohan Pathak v. Union of India and others, AIR 1978 SC 803**, the same should be implemented without being violated. On the contrary, without implementing or complying with the same, issuing G.O.Ms.No.328 dated 31.10.2017 indirectly enforcing G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 would amount to the violation of the direction, which is neither permissible in law nor acceptable by this Court. Concluding his arguments, Mr.P.S.Raman submitted that the counter affidavit filed by the respondents justifying the non-implementation of the judgment passed by the Division Bench, in spite of refusal of stay of the judgment by the Supreme Court, citing financial implications, the respondents cannot refuse to pay the salary as per the recommendations of the One Man Commission. Even if they succeed before the Supreme Court, recovery can be made from the petitioners since most of them are serving officers and even if some of them retire from service, taking an undertaking from them for recovery subject to the result of the Special Leave Petition pending before the Apex Court, recovery can be made from the retiring officers.

7. Mr.AR.L.Sundaresan, learned senior counsel for the petitioners in W.P.Nos.29248, 29249 of 2017 & 770 of 2018, challenging the impugned order, forcibly argued that after the judgment passed by the Division Bench directing that the G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 shall not be implemented till fresh decision is taken by the Pay Grievance Redressal Committee, the issuance of the impugned order deciding to implement the recommendation of the Official Committee 2017 with a further direction to the employees to exercise their option to revise their pay in the manner prescribed or to continue to draw the pay being drawn by them presently based on the interim order of the Court, is nothing but arm-twisting the petitioners to accept the G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013, which is, on the face of it, amounting to disobedience of the order warranting contempt action against them. Therefore, the impugned order is liable to be quashed, he pleaded.

8. Mr.R.Viduthalai, learned senior counsel for the petitioners in W.P.No.32342 of 2017 submitted that when the two attempts made by the respondents to reduce the pay scales of the petitioners by passing successive G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 have been thwarted by the Division Bench in its judgment dated 27.2.2014 in W.A.Nos.504 of 2012 etc., batch directing them not to implement the aforementioned two orders, during the pendency of the Special Leave Petitions, the first respondent cannot pass the impugned order, which is a clear case of disobedience of the

judicial order dated 27.2.2014. Again explaining the hardship going to be faced by the Horticultural Officers, Assistant Directors of Horticulture, Deputy Directors of Horticulture and Joint Directors of Horticulture, Mr.R.Viduthalai submitted that when the scales of pay of the Horticultural Officers, Assistant Directors of Horticulture, Deputy Directors of Horticulture and Joint Directors of Horticulture were enhanced in G.O.Ms.No.448, Finance (Pay Cell) Department dated 31.12.2010 in the pay bands of Rs.15600-39100+GP 5400; Rs.15600-39100+GP 6600; Rs.15600-39100+GP 7600 and Rs.37400-67000+GP 8700 respectively, the impugned revision on the basis of the report of the Official Committee 2017 based on G.O.Ms.No.71 dated 26.2.2011 by fixing the scales of pay for the aforementioned posts at Rs.15600-39100+GP 5100; Rs.15600-39100+GP 5400; Rs.15600-39100+GP 6600 & Rs.15600-39100+GP 7600 respectively to annul the judgment of the Division Bench, is wholly bad in law, which no rule of law can tolerate.

9. Mr.N.Subramanian, learned counsel for the petitioners in W.P.Nos.29665, 31342 to 31347, 32446, 34027 of 2017 & 128, 448, 1049 & 1498 of 2018, Mr.R.Prem Narayan, learned counsel for the petitioners in W.P.Nos.34144 of 2017 & 72, 129, 130 and 339 of 2018, Mr.A.Edwin Prabakar, learned counsel for the petitioners in W.P.Nos.659 to 661 of 2018, Mr.Swarnam J.Rajagopalan, learned counsel for the petitioner in W.P.No.669 of 2018, Mr.U.Karunakaran, learned counsel for the petitioners in W.P.Nos.1026 and 1501 of 2018, Mr.M.Muthappan, learned counsel for the petitioners in W.P.Nos.1178 to 1180 of 2018, Mr.P.Raja, learned counsel for the petitioners in W.P.Nos.1300, 1326 & 1448 of 2018, Mr.V.T.Balaji, learned counsel for the petitioner in W.P.No.33915 of 2017 and Mr.A.Venkatachalam, Petitioner-in-person in W.P.No.29576 of 2017, also adopted the arguments of the learned senior counsels.

10. Detailed counter affidavits have been filed by the respondents. Mr.Vijay Narayan, learned Advocate General for the State, replying to the above contentions, argued that the issue of fixation of pay scales is complex in nature and also the prerogative of the State Government, which has to be carried out by the executive body with due diligence, as even a small change at one level affects the horizontal and vertical pay parity maintained over the years and this has been clearly pointed out by the Apex Court in the case of Chandra and others v. State of Jharkand and others, (2007) 8 SC 279, wherein the Apex Court inter alia observed that the function of pay fixation is an executive function. While so, under the guise of judicial review, the Courts cannot encroach into the territory exclusively meant for the other wing of the Government. Hence, the writ petitions being devoid of merits are liable to be dismissed. Adding further, the learned Advocate General submitted that the State Government is always at liberty to revise the pay scales of the employees whenever the issue is brought to its notice. He argued further that when the One Man Commission submitted its report placing the Assistant Engineers on par with Grade-I post, which has led to revision of pay scales for the first level and second level promotional posts of Assistant Executive Engineer and Executive Engineer from Rs.15600-39100+GP 5400 and Rs.15600-39100+GP 6600 to Rs.15600-39100+GP 6600 and Rs.15600-39100+GP 7600 respectively, it was found that the recommendation of the One Man Commission was not based on sound reasoning. Therefore, the Government reviewed the recommendation of the One Man Commission and restored the scales of pay of the Assistant Executive Engineers and Executive Engineers to their original level. However, the Assistant Engineers were granted a new scale of pay one level below the Grade-I post at Rs.15600-39100+GP 5100 reducing the grade pay of Rs.300 and placing the post in the

same pay band. Again the comparison with Engineering Services and Military Engineering Services is not appropriate considering the fact that these posts are directly recruited and trained for initial posting as Sub Divisional Officers, whereas in the State Government, the initial posting is only as a Section Level Officer and only the next promotional post is the Sub Divisional Officer. Hence the appropriate comparison is with the Central Public Works Department, where the post of Assistant Engineer is placed in the scale of pay of Rs.9300-34800+GP 4600 only. Similarly, the comparison made by the One Man Commission with the Assistant Surgeon is also not appropriate, as there is no equivalence of Diploma holder in the medical line. Hence the recommendation of the One Man Commission to place the Assistant Engineers in Pay Band III opened up a huge differential with Junior Engineers. Hence, it was pleaded that it is appropriate that the scale of pay of Assistant Engineers in the State may be brought down to Pay Band II at Rs.9300-34800, however, the Grade Pay of Rs.5100 already fixed in G.O.Ms.No.71 dated 26.2.2011 which is at a level above their counterparts in the Government of India would be appropriate and the Committee also recommended that the excess payments made till the issue of revised orders could be waived and need not be recovered.

11. Similarly, dealing with the scales of pay of Joint Directors of Animal Husbandry, Agriculture and Fisheries, it was pleaded that consequent to the downgradation of the scales of pay of the Joint Directors of Animal Husbandry, Agriculture and Fisheries to Pay Band III at Rs.15600-39100+GP 7600, the request of the District Revenue Officers, Deputy Secretaries to Government, Superintendent of Police, Joint Registrars and Joint Commissioners and Joint Directors of other departments to place them on Pay Band IV at Rs.37400-67000+GP 8700 was found not reasonable. In view of all these, after careful consideration, the Government decided to implement the recommendation of the Pay Grievance Redressal Cell, considering the level of Assistant Engineers in Central Public Works Department and the consequential changes made therein in G.O.Ms.No.71 dated 26.2.2011. Although G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 have been directed not to be implemented till fresh decision is taken by the Pay Grievance Redressal Committee and the direction to the Government to constitute the Pay Grievance Redressal Committee has been stayed by the Apex Court, the Official Committee 2017 has recommended that considering the pendency of Court cases in Supreme Court as well as High Court the pay scale of such of the category of employees drawing higher pay scale by virtue of Court orders shall be made applicable in the revised pay structure based on the pay as revised and ordered on the recommendations of Pay Grievance Redressal Cell 2012 and such employees can give an option either to revise their pay in the revised pay structure or to continue to draw the pay which is drawn by them based on the interim orders of the Court whichever is financially advantageous to them and it is also made clear that whatever be the option exercised, the same would be subject to the outcome of the final verdict of the Hon'ble Court. In these circumstances, the learned Advocate General pleaded that the writ petitions are not legally maintainable, hence, they should be dismissed.

12. Heard the learned counsel for the parties.

13. When the State Government constituted the Official Committee to examine and make necessary recommendations for revision of scale of pay and allowances of State Government employees, teachers including local body employees pursuant to VI Pay Commission, the said Committee, after considering various aspects, recommended the

revision on pay scale to pay scale basis. The said recommendations were also accepted and implemented in G.O.Ms.No.234, Finance (Pay Cell) Department dated 1.6.2009 giving notional effect from 1.1.2006 and monetary effect from 1.1.2007 and separate Government Orders were also issued in respect of each department. Again on the basis of various representations made by various associations including the petitioners association, One Man Commission was constituted to examine the pay anomalies, if any, and the said One Man Commission also finally submitted its report to the Government on 31.3.2010. Accepting the same, the Government issued orders in G.O.Ms.Nos.254 to 340, Finance (Pay Cell) Department dated 26.8.2010. The said One Man Commission has also recommended the pay of Assistant Engineers who worked at the section level, on par with Group-I officers and Sub Divisional officers. Again in February 2011, representations were received from various departments to extend the higher scale of pay as granted to the Assistant Engineers, Agricultural Officers, etc. The major upward revision recommended by the One Man Commission resulted in the demand for enhanced grade pay by other department officers like Agricultural Officers, Veterinary Assistant Surgeons, Inspector of Fisheries and other equivalent cadres in different departments who were enjoying pay parity with Assistant Engineers earlier on the basis that they are also professionally qualified and to be treated on par with the engineering graduates. When the pay anomalies were rectified on the recommendations of the One Man Commission, all of a sudden, when the officials of the Revenue Department, namely, Tahsildar, Revenue Divisional Officer and officials of the Panchayat Development department opposed the grant of higher pay scale to the engineers, G.O.Ms.No.71, Finance (Pay Cell) Department dated 26.2.2011 was issued re-fixing the scales of pay of the Assistant Engineers, Assistant Executive Engineers and Executive Engineers without issuing notice to them or their association. Hence, Writ Petition Nos.7006 of 2011 etc., were filed challenging the G.O.Ms.No.71 dated 26.2.2011 and this Court granted interim order of stay of the said Government Order. Due to the interim stay granted by this Court, the Pay Grievance Redressal Cell could not function and the officers posted to the cell had also retired. Finally this Court, by order dated 8.3.2012, while dismissing the writ petitions, directed the Government to constitute the Pay Grievance Redressal Cell to hear the grievance of all the affected persons including the writ petitioners.

14. Aggrieved by the same, W.A.Nos.504 of 2012 etc., and writ petitions were filed and this Court, by order dated 27.3.2012, granted interim stay of operation of the order of the learned single Judge, except paragraph-32 of the operative portion of the order i.e., the constitution of the Pay Grievance Redressal Cell. As per the said order, the Government issued G.O.Ms.No.123, Finance (Pay Cell) Department dated 10.4.2012 re-constituting the Pay Grievance Redressal Cell under the Chairmanship of Mr.S.Krishnan, IAS to consider all the representations so far received and also further representations from the employees associations/heads of departments/individual employees including the aggrieved petitioners in the writ petitions filed challenging the G.O.Ms.No.71 dated 26.2.2011 and to make recommendations to the Government. Since the Division Bench of this Court had passed an order on 15.10.2012 in W.A.Nos.504 of 2012 etc., confining the benefit of interim stay granted on 27.3.2012 on the operation of G.O.Ms.No.71, Finance (Pay Cell) Department dated 26.2.2011 only to the appellants/petitioners and vacated the interim order in respect of others, based on the recommendation made by the Pay Grievance Redressal Cell, G.O.Ms.No.242, Finance (Pay Cell) Department dated 22.7.2013 was issued

revising the scales of pay to certain categories of employees serving in other departments with a specific direction to regulate the pension/family pension of the retired employees as mentioned therein and to waive the excess payments made till the date of issue of order. In this context, it is pertinent to extract paragraphs 4 to 6 of the G.O.Ms.No.242 dated 22.7.2013 as follows:-

“(4) Further the Hon'ble High Court in its judgment Order dated 15-10-2012 (reference thirty read above) has passed the following orders:-”

“Afer hearing the Counsel appearing for the respective parties, the Interim Stay granted on 27-3-2012 on the operation of G.O.Ms.No.71, Finance (Pay Cell) Department dated 26-2-2011 is confined with regard to the appellants only and in respect of others the interim stay shall stand vacated.”

As such, the orders issued in para-2 above revising the scales of pay as recommended by Pay Grievance Redressal Cell is applicable to all categories of employees mentioned therein excluding the Appellants in the Writ Appeals/Petitioners in Writ Petitions who have obtained !! Interim Stay¶ orders and pending in the Hon'ble High Court. However, the applicability of the above revised scales of pay to Appellants/Writ Petitioners is subject to the outcome of the final verdict in the connected Writ Appeals/Writ Petitions pending as on date.

(5) Accordingly, all Head of Departments are directed to implement the above revised scales of pay to the employees in the categories mentioned in para-2 above and re-fix their pay appropriately in the admissible revised scales of pay and issue necessary revised pay fixation orders immediately.

(6) Consequent on the revision of pay scales ordered in para-2 above to the serving employees in the categories mentioned therein, the Pension Pay Officer/Treasury Officers/Sub-Treasury Officers concerned are directed to regulate the pension/family pension of the retired employees in the categories mentioned above with reference to the appropriate pay scales to those who have been granted revision of pension/family pension with reference to para-2 (vi) of G.O.Ms.No.235, Finance (PC) Department dated 1-6-2009. However, the excess payments made till the date of issue of order shall be waived.

15. A perusal of the above clearly shows that the revision of scales of pay recommended by the Pay Grievance Redressal Cell was not made applicable to the parties to the writ appeals. At the same time, it was made applicable to all categories of employees, excluding the appellants in the writ appeals and the petitioners in the writ petitions who had obtained interim stay orders and pending in the Court. Since the G.O.Ms.No.242 dated 22.7.2013 has made two classes of employees among the

Government servants, one group who approached the Court to get the higher pay scale without reference to G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 and another group who had not approached the Court along with the petitioners are denied the benefit of higher scale of pay. Now the following table shows the scales of pay applicable to the Assistant Engineer, Assistant Executive Engineer and Executive Engineer working in the Public Works Department, as per the recommendations of the One Man Commission, reduction ordered in G.O.Ms.No.71 and in G.O.Ms.No.242:-

1	2	3	4	5
Category	Pay scale as per Official Committee (6th Central Pay) Rs.	Enhanced Pay scale as per One Man Commission Rs.	Pay scale after the reduction ordered in G.O.71 Rs.	Pay scale after reduction ordered in G.O.242 Rs.
AE	9300-34800+ GP4700	15600-39100+ GP5400	15600-39100+ GP5100	9300-34800+ GP5100
AEE	15600-39100+ GP5400	15600-39100+ GP6600	15600-39100+ GP5400	15600-39100+ GP5400
EE	15600-39100+ GP6600	15600-39100+ GP7600	15600-39100+ GP6600	15600-39100+ GP6600

16. Similarly, among the categories of Agricultural Officer/Horticultural Officer, Assistant Director of Agriculture/Assistant Director of Horticulture, Deputy Director of Agriculture/Deputy Director of Horticulture and Joint Director of Agriculture/Joint Director of Horticulture, the following table illustrates the position as to the scales of pay applicable to them:

1	2	3	4	5
Category	Pay scale prior to 1.1.2006 Rs.	Enhanced Pay scale as per G.O.448 Rs.	Reduced Pay scale as per G.O.71 Rs.	Reduced/re-revised Pay scale as per G.O.242 Rs.
AO/HO	6500-11100	15600-39100+ GP5400	15600-39100+ GP5100	9300-34800+ GP5100
ADA/ADH	8000-14050	15600-39100+ GP6600	15600-39100+ GP5400	15600-39100+ GP5400
DDA/DDH	10000-15200	15600-39100+ GP7600	15600-39100+ GP6600	15600-39100+ GP6600
JDA/JDH	12000-16500	37400-67000+ GP8700	15600-39100+ GP7600	15600-39100+ GP7600

17. In view of the order dated 15.10.2012 passed by the Hon'ble Division Bench that has led to the passing of the G.O.Ms.No.242 dated 22.7.2013, the persons who approached this Court were allowed to enjoy the enhanced pay scale mentioned in column-3 above, as per the One Man Commission recommendations. Sadly the persons who did not come to this Court were allowed to receive the reduced scale of pay mentioned in column-5 above, as a result the G.O.Ms.No.242 has created two classes of Assistant Engineers, two classes of Assistant Executive Engineers, two classes of Executive

Engineers, two classes of Agricultural Officers, two classes of Horticultural Officers, two classes of Assistant Directors of Agriculture, two classes of Assistant Directors of Horticulture, two classes of Deputy Directors of Agriculture, two classes of Deputy Directors of Horticulture, two classes of Joint Directors of Agriculture, two classes of Joint Directors of Horticulture, etc., which is not permissible in law. This has been settled by the Apex Court holding that whether the persons have come to the Court or not, there cannot be any differential treatment.

18. Article 14 of the Constitution of India states that the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India. Article 14 forbids class legislation, but permits reasonable classification, provided it is founded on an intelligible differentia which distinguishes persons or things that are grouped together from others that are left out of the group and the idea has rational nexus to the object sought to be achieved by the legislation in question. In order to pass the test of permissible classification, two conditions must be satisfied, namely, (i) that the classification must be founded on intelligible differentia which distinguishes persons or things that are grouped together from others that are out of the group and (ii) that the idea must have a rational basis from the objective sought to be achieved by the statute in question.

19. In the cases on hand, as mentioned above, among the Assistant Engineers, Assistant Executive Engineers, Executive Engineers, Agricultural Officers, Horticultural Officers, etc., simply for the reason that some persons or one category of employees approached this Court challenging the G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 and some failed to come, the State cannot create two distinct classes, as the same is unfair, unjust and illegal.

20. Secondly, the Division Bench in its judgment dated 27.2.2014 directed the respondents not to implement the G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 insofar as it affects any category of Government servants/ pensioners/ family pensioners, which are not implemented as on today shall not be implemented till fresh decision is taken and in the Special Leave Petitions filed by both the petitioners and the respondents, the Apex Court has not granted stay of the operation of the judgment in paragraph-51(v). Therefore, the law laid down by a Constitution Bench of the Apex Court in Madan Mohan Pathak v. Union of India & others, AIR 1978 SC 803 would squarely apply to the cases on hand, wherein it is held that the writ of mandamus once issued by the High Court under Article 226 is bound to be obeyed, for, so long as the judgment stands, it cannot be disregarded or ignored and it must be obeyed and that the rights became crystallised in the judgment sought to be enforced. The relevant portions of the judgment of the Apex Court read thus:-

..But the writ of mandamus issued by the Calcutta High Court directing the Life Insurance Corporation to pay the amount of bonus for the year 1st April, 1975 to 31st March, 1976 remained untouched by the impugned Act. So far as the right of Class III and Class IV employees to annual cash bonus for the year 1st April, 1975 to 31st March, 1976 was concerned, it became crystallised in the judgment and thereafter they became entitled to enforce the writ of Mandamus granted by the judgment and not any right to annual cash bonus under the settlement. This right under the

judgment was not sought to be taken away by the impugned Act. The judgment continued to subsist and the Life Insurance Corporation was bound to pay annual cash bonus to Class III and Class IV employees for the year 1st April, 1975 to 31st March, 1976 in obedience to the writ of Mandamus.

It is necessary to remember that we are dealing here with a case where a constitutionally guaranteed right is sought to be enforced and the protection of such right should not be allowed to be defeated or rendered illusory by legislative stratagems. The courts should be ready to rip open such stratagems and devices and find out whether in effect and substance the legislation trenches upon any fundamental rights. The encroachments on fundamental rights are often subtle and sophisticated and they are disguised in language which apparently seems to steer clear of the constitutional inhibitions. The need for a perspective and alert Bar is, therefore, very great and the courts too have to adopt a bold and dynamic approach, if the fundamental rights are to be protected against dilution or erosion...

21. Thirdly, what could not be achieved by the respondents through G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 cannot be allowed to be achieved by the impugned G.O.Ms.No.328 dated 31.10.2017 asking the petitioners to exercise their option either to revise their pay in the revised pay structure or to continue to draw the pay which is drawn by them based on the interim orders of the Court whichever is financially advantageous to them and such option would be subject to the outcome of the final verdict in the Court cases pending in both the Supreme Court and High Court. The impugned order, having been issued after the judgment of the Division Bench dated 27.2.2014 in W.A.Nos.504 of 2012 etc., batch, is wholly unsustainable in law, for the reason that when all the petitioners have succeeded before the Division Bench in W.A.Nos.504 of 2012 etc., batch and obtained an order with a specific direction that the G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 insofar as it affects any category of Government servants/pensioners/family pensioners, which are not implemented as on today shall not be implemented till fresh decision is taken by the Pay Grievance Redressal Committee. In this context, the judgment of the Privy Council in **Nazir Ahmed v. King Emperor, AIR 1936 PC 253(2)** following the Chancellor decision in **Taylor v. Taylor, 1875 (1) Ch.D.426**, can be usefully referred to, wherein it has been held that where a power is given to do a certain thing in a certain way, the thing must be done in that way or not at all. In the light of the above, since the Division Bench, as discussed above, taking the effect of G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 on the petitioners/pensioners/family pensioners, had issued a mandamus not restricting to the appellants/petitioners before it, but passed a judgment to cover up all the persons coming under the categories covered in both the G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 and to pay the enhanced scales of pay till final decision is taken, it is vividly clear that the benefit was extended to all the 52 categories of

incumbents covered in the said Government Orders on the date of judgment, irrespective of their date of appointment, whether before or after the judgment, and the mandamus issued not to implement the said Government Orders is bound to be obeyed and cannot be disregarded.

22. Therefore, for all the aforementioned reasons, the impugned order is quashed and the writ petitions are allowed. Needless to mention that if the respondents succeed before the Supreme Court, they are entitled to recover the amount from the salary of the existing employees or from the pension of the retired employees, as the case may be. Consequently, the connected miscellaneous petitions are closed. There shall be no order as to costs.

Speaking/Non speaking order

04.06.2018

Index : yes/no

ss

To

- 1 The Addl. Chief Secretary
Finance (Pay Cell) Department
Fort St. George, Chennai 600 009
- 2 The Engineer in Chief Buildings-1
Chief Engineer (General)
Public Works Department
Chepauk, Chennai 600 005

T.RAJA, J.

ss

Order in

W.P.Nos.29097 to 29099 of 2017 etc.

04.06.2018

SPECIAL CONTRIBUTION

Sl.No	Name	Amount	Remarks
1.	Er.S.Alagesan, B.E., Executive Engineer, PWD, Technical Education Division Madurai	Rs.2,500	On the eve of Retirement

We sincerely thank the above Engineer for his contribution. - Editor

நன்றி

நமது தலைமைச் சங்க அலுவலகத்தில் மகளிர் பொறியாளர்களுக்காக **Reading Room and Rest Room** வசதி செய்யப்பட்டுள்ளது. இவ்வசதியினை மகளிர் பொறியாளர் உறுப்பினர்கள் அனைவரும் பயன்படுத்திக்கொள்ளுமாறு அன்புடன் கேட்டுக்கொள்கிறோம்.

மகளிர் பொறியாளர்களுக்கான **Reading Room and Rest Room** அமைப்பதில் மிகுந்த ஈடுபாடுகொண்ட **பொறி.ட.காயத்ரி**, செயலர் - பணியாளர் நலன், உதவிப் பொறியாளர் சங்கம் அவர்களுக்கும், வடிவமைத்து செயல்படுத்துவதில் உறுதுணையாக இருந்த **பொறி.ர.ஜெயக்குமார்** தலைவர், உதவிப் பொறியாளர் சங்கம் மற்றும் கட்டட கலைஞர் **திரு.ம.சந்தோஷ்குமார்** அவர்களுக்கும் மற்றும் இதற்காக ஒத்துழைப்பு அளித்த அனைவருக்கும் நன்றியினையும், பாராட்டுக்களையும் தெரிவித்துக்கொள்கிறோம்.

- ஆசிரியர்

RETIREMENT ON 30.04.2018

1	Er.C.T.Sankar	Chief Engineer
2	Er.T.Murugusubramanian	Chief Engineer
3	Er.M.Malaiyarsan	Superintending Engineer
4	Er.M.Bremchander	Superintending Engineer
5	Er.P.Ameer Hamsa	Superintending Engineer
6	Er.M.Sivasubramanian	Superintending Engineer
7	Er.P.Ravi	Superintending Engineer
8	Er.S.Alagesan	Executive Engineer
9	Er.K.Ramprasath	Executive Engineer
10	Er.A.T.Palanisamy	Executive Engineer
11	Er.R.Murugasamy	Executive Engineer
12	Er.S.Ashok Kumar	Executive Engineer

Vide G.O.(Rt.) No.243, Public Works (F1) Department, Dated 31.05.2018

We wish them a happy, peaceful & active retired life

- Editor

இரங்கல்

திருமதி.சீதாலெட்சுமி, வயது 74 அவர்கள் (பொறி.க.குருபாக்கியம், உதவிப் பொறியாளர், பொ.ப.து, மீன்பிடித் துறைமுக உபகோட்டம், சின்னமுட்டம் அவர்களின் அன்பு தாயார்) 18.05.2018 அன்று திருநெல்வேலியில் காலமானார் என்பதை மிகுந்த வருத்தத்துடன் தெரிவித்துக்கொள்கிறோம். தனது தாயாரை இழந்து வருந்தும் **பொறி.க.குருபாக்கியம்** அவர்களுக்கும், அவர்தம் குடும்பத்தினருக்கும் நம்முடைய ஆழ்ந்த இரங்கலை தெரிவித்துக்கொள்கிறோம்.

- ஆசிரியர்

ENGIBEF PHASE IV – MODIFIED SCHEME

ENGIBEF No.	Name & Address
852 E	Er.D.Ananth , Assistant Engineer, PWD, Karuppanadhi Dam Senction, Tirunelveli
<p>We request our member engineers who have not enrolled in ENGIBEF Phase IV Modified Scheme, to enroll as full-fledged member by remitting the amount through core banking system 'ENGIBEF, SBI, A/C No.10031641514 of PWD Complex Branch (Branch Code No.6489), (IFSC Code : SBIN0006489) Chennai.'</p> <p>We solicit your earnest co-operation to enroll in this Scheme & assist the deceased Engineer's family.</p> <p style="text-align: center;">பொறியாளர் உறுப்பினர்களுக்கு வேண்டுகோள்!</p> <p>2007-ஆம் ஆண்டு உதவிப் பொறியாளர் பொறி.ராஜேந்திரன், வெண்ணாறு கோட்டம், திருவாரூரில், பணிபுரிந்தவர், மதுரையைச் சேர்ந்தவர். மே மாதம் 20-ஆம் தேதி உடல் நலம் சரியில்லாமல் இறந்துவிட்டார் என்பது சோகமான செய்தி. இவர் ENGIBEF-இல் உறுப்பினராக இல்லை என்பதனால் நமது சங்கத்தின் மூலம் எவ்வித பண உதவியையும் செய்ய இயலவில்லை என்பதை வருத்தத்துடன் தெரிவித்துக்கொள்கிறோம்.</p> <p>பொறியாளர் உறுப்பினர்களே! பாதிக்கப்பட்ட பொறியாளர்களின் குடும்பங்களில் ஒருவராக நாமும் இருக்கிறோம். எனவே, பாதிக்கப்பட்ட பொறியாளர்களின் குடும்பங்களுக்கு உதவி செய்திட உடனடியாக ENGIBEF IV Modified Phase-ல் உறுப்பினர்களாக சேர்ந்திடுமாறு கேட்டுக்கொள்கிறோம்.</p> <p style="text-align: center;">JOIN ENGIBEF</p> <p>Er.S. Gopalakrishnan Treasurer, ENGIBEF</p> <p style="text-align: right;">Er.K. Karunanithi Secretary,ENGIBEF</p>	

SPECIAL LEGAL FUND FOR PAY CASE

Chennai Branch

Sl.No	Name & Designation	Rs.
1	Er.G.R.Radhakrishnan , AEE, PWD, WRD, Lower Palar Basin Sub Division, Chengalpattu	25,000
2	Er.S.Ashok Kumar , EE (PWD), Buildings (C&M) Division, Tiruvallur	10,000
3	Er.S.Gunasekaran , SE, PWD, (Buildings) Medical Works Circle, Chennai	5,000
4	Er.S.Nithya , AE, PWD, WRD, SPMU, DRIP, Chepauk, Chennai	5,000
5	Er.J.Vimala , AE, PWD, O/o EIC, WRD, Chepauk, Chennai	5,000
6	Er.M.Sudhakar , AE, PWD,WRD, Krishna Water Project Sub Division, Chennai-5.	5,000

Cuddalore & Villupuram Branch

Sl.No	Name	Rs.
1.	Er.T.Tirupurasundari , AEE, PWD, O/o. Vellar Basin Circle, Cuddalore	5,000
2.	Er.D.Selvagandhi , AE, PWD, WRD, Spl. Project Sub Div. Kallakurichi	5,000

மேற்கண்ட வழக்குநிதி வழங்கியதற்கு நன்றி

சங்கத்தின் வழக்கு நிதிக்கு பெருமளவில் நிதி வழங்கிய உறுப்பினர்களுக்கும் தொடர்ந்து முயற்சிகள் மேற்கொண்டு நிதி திரட்டி வரும் கிளைச் சங்கப் பொறுப்பாளர்களுக்கும் நன்றியினையும் பாராட்டுகளையும் தெரிவித்துக் கொள்கிறோம்.

- ஆசிரியர்

பொறியாளர் உறுப்பினர் நண்பர்களே!

- ❖ 23.05.2018 அன்று நமது வழக்கறிஞர் **திரு.ந.சுப்பிரமணியன்** அவர்களுடன் உச்சநீதிமன்றத்தில் உள்ள நமது ஊதிய வழக்கின் நிலை குறித்து மேற்கொண்டு எடுக்கப்பட வேண்டிய தொடர் நடவடிக்கைகள் மற்றும் பல்வேறு அணுகுமுறைகள் குறித்து விவாதிக்கப்பட்டது.
- ❖ ஆறாவது ஊதியக் குழுவில் ஒரு நபர்குழு நிர்ணயித்த சரியான ஊதிய விகிதத்தை உயர்நீதிமன்றம் உறுதி செய்தபோதும் பொறியாளர்களின் ஊதிய விவகாரத்தில் ஒரு நிரந்தர தீர்வுகாண முற்படுவதற்கு மாறாக உயர்நீதிமன்றம் வழங்கிய தீர்ப்பிற்கு எதிராக உச்சநீதிமன்றத்தில் அரசால் தொடுக்கப்பட்ட மேல்முறையீட்டு மனு, வரும் 8 ஆம் தேதி ஆகஸ்டு மாதத்தில் விசாரணைக்கு வருகின்றது என்பதை இதன் மூலம் தெரிவித்துக்கொள்கிறோம்.
- ❖ ஊதிய விகிதம் ஏழாவது ஊதியக்குழுவில் மற்றவர்களுக்கு ஊதியம் அளித்துள்ளது போல் நமக்கும் வழங்க உயர்நீதிமன்றம் தீர்ப்பு வழங்கியுள்ள நிலையில்
- ❖ இவ்வழக்கினை உரிய முறையில் நடத்தி நம் தரப்பு வாதத்தினை உச்சநீதிமன்றத்தில் எடுத்துரைக்க சிறந்த வழக்குரைஞர்களில் (**Senior Council**) ஒருவரை பணியமர்த்த முடிவு செய்யப்பட்டுள்ளது.
- ❖ அதுமட்டுமன்றி ஆகஸ்டு மாதத்தில் வருவது இறுதிகட்ட விசாரணை என்பதால் இரண்டு அல்லது மூன்று நாட்களுக்கு மேலாக விவாதங்கள் நடைபெறும் என்று கருதப்படுகிறது. மூத்த வழக்கறிஞர்களுக்கான வழக்கு நிதி கூடுதலாக தேவைப்படும் என நம் வழக்கறிஞர் மூலம் அறியப்படுகிறது. தோராயமாக வழக்கு நடத்த **ரூ.50 லட்சம்** தேவையென மதிப்பிடப்படுகிறது.
- ❖ எனவே, இதுவரை வழக்கு நிதி அளிக்காத உறுப்பினர்கள் தாமத முன்வந்து வழக்கு நிதிக்காக உறுப்பினர் ஒவ்வொருவருக்கும் வரையறுக்கப்பட்ட குறைந்தபட்ச தொகையான ரூ.5000/- நிதியுதவியை தவறாமல் வழங்குமாறு அன்புடன் கேட்டுக்கொள்கிறோம். தற்போது வழக்கு நிதியாக இதில் பழைய நிலுவை ரூ.1.25 லட்சம் தரவேண்டியதுபோக 23.75 லட்சம் உள்ளது.
- ❖ **உச்சநீதிமன்றத்தில் ஊதியம் தொடர்பான வழக்கை உரிய கவனத்தோடு நடத்த உங்களுடைய பங்களிப்பையும் ஒத்துழைப்பையும் நல்குமாறு கேட்டுக்கொள்கிறோம்.**

பொறி. R. ஜெயகுமார்

தலைவர், உதவிப் பொறியாளர் சங்கம்

பொறி. K. பிரபாகர்

இணைச் செயலாளர், பொறியாளர் சங்கம்
சட்ட விவகாரம்.

பெறுநர்,

தலைமைச் சங்க பொறுப்பாளர்கள்,
அனைத்துக் கிளைச் சங்கப் பொறுப்பாளர்கள், மற்றும்
அனைத்துக் கிளைச் சங்க பொறியாளர் உறுப்பினர்கள்,

A/c. Name : AOE TNPWD'S LEGAL FUND ACCOUNT

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Name of the Branch : Chepauk, Chennai – 5

Er.D.Rajeshwar Babu, Treasurer, AOE & AEA

Cell : 9894154915

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CENTRAL EXECUTIVE COMMITTEE MEETING CIRCULAR

Dear Engineer,

- The Combined Central Executive Committee Meeting of Association of Engineers and Assistant Engineers Association, TNPWD, Chennai.5 is proposed to be held on **Pollachi Branch at Pollachi on 07.07.2018 (Saturday) at 10.35 AM** to discuss the following Subjects.
 1. Hon'ble High Court Judgment order on 7th Pay Commission- further course of action
 2. Recruitment of AEs (Civil and Electrical)
 3. Promotion in respect of 2007 batch Assistant Engineers and Court cases
 4. Financial position of Association.
 5. Construction of Poriyaalar Ramalingam Illam at Chennai and funds
 6. Any other Subjects would be raised by the members.
- **All the Central Executive Committee Members of AOE & AEA are requested to make it convenient to attend the above meeting and offer their candid views for the betterment of our Association.**

Er.M.DHANASEKARAN
General Secretary, AEA

Er.K.ANBU
General Secretary, AOE

To

All Parent body Office bearers of AOE & AEA and President, Secretary & Treasurers of all branches of AOE & AEA.

Note : 1) Those who want accommodation may write to the Secretary, AOE & Secretary, AEA **Pollachi Branch** as follows

Er.D.Rajan,B.E.,
Assistant Engineer, PWD, Secretary AEA
7/1, P.A.P. Colony, Third Cross Street,
Pollachi-642 003
Cell No: 9524794054

Er.K. Appusamy, ME,
Assistant Executive Engineer, PWD,
Secretary, AOE
PWD Compound, Aliyar Basin Sub Division,
PAP Colony, **Pollachi**
Cell : 9443974154

Note :Venue at Pollachi will be announced later

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