

F. NO. (8) - ESTT (A) / 73  
GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
(DEPARTMENT OF EXPENDITURE)

New Delhi, dated 6th Aug, 73.

MEMORANDUM

Subject: Fixation of officiating pay under FR 22-C/FR 31.

The undersigned is directed to refer to para 3 of this Ministry's O.M. NO. F. (9) Estt. III/60 dated 28.4.60 (copy enclosed) which provides that the officiating pay of the Government servant would be refixed under FR 31(2) from the date of return from leave, where the period of leave does not count for increment in the officiating post, because the Government servant is deemed to lose all connection with that post during that period. A question has been raised whether similar refixation can also be allowed under FR 22-C if the Government servant proceeds on extra-ordinary leave on private affairs which does not count for increment in the officiating post.

2. The question has been considered in consultation with the Comptroller and Auditor General of India. After the introduction of FR 22-C which seeks to eliminate altogether the process of repeated refixation of officiating pay envisaged under the provisions of FR 31(2), it will not be in accordance with the spirit of the Rules, to allow a refixation of pay again under FR 22-C in same officiating post by treating short spells of extra-ordinary leave as effective breaks in the officiating appointment involving a notional reversion to the lower cadre post. It has accordingly been decided that so long as it is clear that but for the spell of extra-ordinary leave the individual would have continued to officiate in the same post, there should be no need for the refixation of pay in that post with reference to any increase in pay accruing in the lower post by annual increment etc.

3. The provisions of para 3 of the O.M. of 28.4.60 referred to above will also stand modified as follows:-

if, however, the period of leave does not count for increment in the officiating post, the Govt. servant will be entitled to get his officiating pay refixed in case of any increase in the substantive pay occurring during the period of such leave, only from the date of his return from leave and in that case the next increment will fall due only on completion of prescribed period of prescribed period of duty for earning increments reckoned from the date of resuming charge unless he becomes entitled to refixation of pay under FR 31(2) once again from an earlier date.

contd: -



4. These orders will take effect from the date of issue and the earlier cases should be decided in accordance with the rules prevailing at the relevant date.

sd/-

(Kirpa Singh)

Deputy Secretary to the Govt. of India.

To

1. All Ministries and Departments of the Government of India.

President's Secretariat, Vice-President's Secretariat, Prime Minister's Secretariat, Cabinet Secretariat, Office of the Military Secretary to the President, Planning Commission.

NO.F. 1(8)-E.III(A)/73

Copy forwarded for necessary action to the:-

1. Comptroller and Auditor General of India and all Offices under his control.
2. Supreme Court.
3. Union Public Service Commission.
4. Election Commission.
5. Lok Sabha Secretariat.
6. Rajys Sabha Secretariat.

Copy also forwarded to all State Government and Administrations:

7. All Expenditure Branches of the Finance Ministry.

s d/-

(B. R. NATARAJA N)

UNDER SECRETARY TO THE GOVERNMENT OF INDIA.



NO. F. 2(9)-Estt. III/cor  
GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
(DEPARTMENT OF EXPENDITURE)

New Delhi-2, Dated the 28th April, 60.

OFFICE MEMORANDUM

Subject : Fixation of officiating pay under F. R. 31.

The undersigned is directed to refer to clause (2) of F. R. 31 and to say that a question has been raised in regard to the manner in which the officiating pay is to be regulated in a case where an increment in the substantive post falls due during a period of leave and the refixation of officiating pay is to the Government servant's advantage.

The question has been considered in consultation with the Comptroller and Auditor General of India. In the case of a person proceeding on leave, if the period of leave counts for increment in the officiating post either under F. R. 26 (bb) or 26(b) as revised from 4.4.59 (vide this Ministry's Notification No. 2(10)-III/59 dated the 4th April, 1959) subject to the fulfilment of the conditions and production of the necessary certificates, his officiating pay may be refixed under F. R. 31(2) from the very date of increment or increase in the substantive pay as if he was appointed to officiate in that post on that date. The benefit of the increase in officiating pay can be had by him only from the date of resumption of duties but his next increment in the officiating post will accrue to him from an earlier date in the next year calculated with reference to the date of refixation of pay.

3. If, however, the period of leave does not count for increment in the officiating post the Government servant loses all connection with that post during that period and he will be entitled to get his officiating pay refixed only from the date he returns from leave in which case the next increment will fall due only after completion of prescribed period of duty from the date of resuming charge unless he becomes entitled to refixation of pay under F. R. 31(2) once again from an earlier date.

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4. In so far as Government servants serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Compt. and Auditor General.

sd/-

(K. S. GANAPATI)  
DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA.

TO

ALL MINISTRIES OF THE GOVERNMENT OF INDIA ETC.





(The name of the person)

The date of the event

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