

No. 1(14)-E-III/89
Government of India
Ministry of Finance
Department of Expenditure

...

New Delhi, the 16-6-1989.

Subject:- CCS(RP) Rules, 1986 - Stepping up of
Pay of Seniors under Note 7 of Rule 7
- Clarifications regarding.

OFFICE MEMORANDUM

The attention is invited to Note 7 below Rule 7 of CCS(RP) Rules, 1986 where a senior Government Servant promoted to a higher post before the 1st day of January, 1986 draws less pay in the revised scale than his junior who is promoted to the higher post on or after the 1st day of January, 1986, the pay of the senior is stepped up to an amount equal to the pay as fixed for his junior in that higher post. Such stepping up is permissible if the anomaly has arisen as a result of the application of the provisions of F.R. 22-C or any other rules or order regulating pay fixation on such promotion in the revised scale vis-a-vis the fulfilment of other conditions mentioned therein. The anomaly can be said to exist only if a senior employee, drawing equal or more pay than his junior in the lower post and promoted earlier, starts drawing less pay than such junior promoted later on regular basis. Further, two employees are said to be drawing equal pay if they have been drawing pay at the same stage with same date of increment. In case the junior has been drawing the same pay with date of increment earlier than senior, then senior cannot be said to have been drawing equal pay and hence no anomaly.

Instances have come to notice where the pay of a senior Government servant has been allowed to be stepped up equal to junior even though there was no anomaly because the senior had no occasion to draw more or equal pay than junior in the lower post. Such stepping up wherever allowed should be rectified.

2. It has also come to notice that in certain cases, where anomaly arose not because of application of Rule 22-C or any other rule/order regulating pay fixation on promotion, pay has been stepped up under Note 7 below Rule 7 ibid.

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These are the cases where the junior Government servant started drawing enhanced pay in lower post itself because of increments under proviso 3 and 4 of Rule 8 of CCS(RP) Rules, 1986 and then on promotion his pay fixed under F.R. 22-C. As the junior employee started drawing more pay not because of application of F.R. 22-C but more pay is result of increments in lower post under proviso 3 and 4 of Rule 8 ibid, Note 7 below Rule 7 ibid is not attracted, and stepping up of pay under these provisions is not in order.

3. Nevertheless, the Government is of the view that even if the anomaly is as a result of increments in terms of Proviso 3 and 4 of Rule 8 of CCS(RP) Rules 1986 combined with application of F.R. 22-C, anomaly may be rectified by stepping up the pay of senior promoted before 1.1.86 equal to junior promoted on or after 1.1.86 subject to fulfilment of following conditions:-

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- a) both the junior and the senior Government servants should belong to the same cadre and/posts in which they have been promoted should be identical in the same cadre.
 - b) the pre-revised and revised scales of pay of the lower and higher posts in which they are entitled to draw pay should be identical, and
 - c) the senior Government servant promoted before 1.1.86 has been drawing equal or more pay in the lower post than his junior promoted after 1.1.86.

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4. Further it has been decided that where a senior Government servant/promoted after reaching the maximum of the pre-revised scale of the lower post before 1.1.86, he should be deemed to have been drawing equal pay vis-a-vis his junior, who was also drawing pay at the maximum on that date (viz date of promotion of senior) and promoted after 1-1-1986.

5. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders are being issued after consultation with the Comptroller and Auditor General of India

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(B. KUMAR)

Under Secretary to the Govt. of India.

To
All Ministries/Departments of Government of India.
(As per standard list)