

F.No.1/1/2008-IC
Government of India
Ministry of Finance
Department of Expenditure
Implementation Cell

New Delhi, dated the 29th January, 2009.

OFFICE MEMORANDUM

Subject: Fixation of pay and grant of increments in the revised pay structure - clarifications regarding.

Following the notification of the CCS (Revised Pay) Rules, 2008, this Department has received references from some administrative departments, seeking clarification regarding various aspects of fixation of pay in the revised pay structure as also pay fixation and grant of increments in future under the revised pay structure. The matter has been considered in this Department. The points of doubt raised by administrative departments and the clarifications thereto are issued as under: -

Sl. No.	Point of Doubt	Clarifications
1.	As per the provisions of FR22 (I)(a)(1), split option has to be submitted by the eligible employee (other than those appointed on deputation to ex-cadre post or ad hoc basis or on direct recruitment basis) within one month of promotion. Some of the employees, promoted before 1.1.2006 as well as after 1.1.2006 but before notification of Revised Pay Rules, 2008 implementing 6 th CPC recommendations, had opted for their pay fixation on promotion from the date of their next increment which was falling after 1.1.2006 in the 5 th CPC scales as per the rules / pay structure then in force. Consequent upon implementation of recommendations of 6 th CPC in August / Sept. 2008 effective from 1.1.2006, the option submitted by a number of employees has now	DOP&T's OM No.16/8/2000-Estt.(Pay-I) dt. 25.2.2003 provides that a Government Servant may give a revised option for pay fixation under FR 22 (I)(a)(1) within one month from the date of orders of such unforeseen developments or change of rules. In any such cases, that have resulted from the notification of CCS (Revised Pay) Rules, 2008, Government Servants may be allowed to exercise a revised option for fixation of their pay in the promotion post <u>within one month from the date of issue of these clarifications</u> , if they have already not been allowed to do so under DOPT's O.M. dated 25.2.2003 mentioned above.

	<p>turned to be disadvantageous. Whether such employees may be allowed to revise their options under FR22(I)(a)(1).</p>
<p>2. As per Rule 5 of the Central Civil Services(Revised Pay) Rules 2008, a Govt. servant placed in a higher pay scale between 1.1.2006 and the date of notification of these rules on account of promotion, upgradation of pay scales etc. can elect to switch over to the revised pay structure from the date of such promotion (i.e. after placement in the promotional grade), upgradation etc. The employees promoted or upgraded to higher grade have option to have their pay fixed/re-fixed as per the provisions of FR 22/ FR 23 from the date of next increment etc.</p> <p>Whether such employees covered by Rule 5 of CCS(RP) Rules, 2008 can also revise their options now to choose either from the date of promotion/upgradation or the date of increment etc. (which may fall on the 1st July 2006,2007,2008 or 2009 etc.), as annual increment in the new structure is given uniformly on 1st July?</p> <p>Whether such option will also be available in the cases of ad-hoc promotions(whether or not followed by regularization without break)</p>	<p>Proviso to Rule 5 of CCS (RP) Rules, 2008 states that a Government servant may elect to continue to draw pay in the existing scale until the date on which he earns his next or any subsequent increment in the existing scale, or until he vacates his post, or ceases to draw pay in that scale.</p> <p>The Rule ibid further provides that in cases where a Government servant has been placed in a higher pay scale between 1.1.2006 and the date of notification of these Rules on account of promotion, upgradation of pay scale etc., the Government servant may elect to switch over to the revised pay structure from the date of such promotion, upgradation, etc.</p> <p>It is clarified that such cases will be regulated under proviso to Rule 5 of the CCS (Revised Pay) Rules, 2008. After switching over to the revised pay structure, Clarification 2 (the method of fixation of pay on promotion after 1.1.2006) issued vide O.M. No.1/1/2008-IC dated 13.9.2008 will apply.</p> <p>In the case of ad-hoc promotions granted between 1.1.2006 and date of notification of CCS (RP) Rules, 2008, a Government Servant has the option to have his pay fixed under proviso to Rule 5. However, Clarification 2 (the method of fixation of pay on promotion after 1.1.2006) issued vide O.M. No.1/1/2008-IC dated 13.9.2008 will not apply in such cases.</p>

3.	<p>As per Rule 13 (i) of CCS(RP) Rules, 2008, in the case of promotion from one grade pay to another and that involving change of pay band, one increment equal to 3% of basic may be allowed and in addition higher grade pay of the promotional post may also be allowed. As per clarification 2 of MOF OM No. 1/1/2008-IC dated 13-09-2008, on promotion from one grade to another, a Govt. servant has an option under FR22(I)(a)(1) to get his pay fixed in the higher post either from the date of his promotion, or from date of his next increment. As per the provisions of FR22(I)(a)(1), the benefit of fixation under above rule is admissible only in cases of appointment involving duties & responsibilities of greater importance. Further, the grant of option under above FR is also subject to the condition that the appointment is not on deputation on ex-cadre basis / ad-hoc or direct recruitment basis.</p> <p>It is not clear whether :</p> <p>(a) FR 22(I)(a)(1) still holds good in its present form with all the attendant conditions; or</p> <p>(b) The same has got modified on introduction of Sixth CPC Pay structure; and if yes</p> <p>(c) What is the extent of modification to above FR.</p>	<p>Point No.(a): FR22(I)(a)(1) still holds good.</p> <p>Points No.(b) & (c): Clarification No.2 of this Department's O.M. No.1/1/2008-IC dated 13th September, 2008 prescribes the method of fixation of pay under FR22(I)(a)(1) after introduction of the system of pay bands and grade pay.</p>
4.	<p>Methodology for rounding off:</p> <p>As per Rule 9 of the notification, the rate of increment in the revised pay structure will be 3% of the sum of the pay in the pay band and grade pay applicable, which will be rounded off to the next multiple of 10. Whether rounding off to next multiple of 10 has to be done in terms of rupees or even a paisa has to be rounded off to next</p>	<p>In the case Fitment Tables annexed with this Department's OM of even number dated 30.08.2008, rounding off has already been done and the same should be implemented without any modification.</p> <p>In the case of calculation of increments under the revised pay</p>

	multiple of 10. For example, if the pay after drawl of increment works out to Rs.10510.10 the same has to be rounded off to 10520 or 10510.	structure, paise should be ignored, but any amount of a rupee or more should be rounded off to next multiple of 10. To illustrate, if the amount of increment comes to Rs.1900.70 paise, then the amount will be rounded off to Rs.1900; if the amount of increment works out to be Rs.1901, then it will be rounded off to Rs.1910.
5.	Grant of stagnation increment: Whether the employees who have been granted stagnation increment between February 2005 or thereafter are to be granted additional increment w.e.f 1.1.2006, while fixing the pay or not? Since they have reached at the maximum of the existing pay scale.	In all cases, where a Government servant has been granted an increment (whether normal annual increment or stagnation increment) after January 1, 2005, no increment will be allowed on 1.1.2006 at the time of fixation of pay in the revised pay structure.

2. All Ministries/Departments are requested to take note of the above clarifications.

3. Hindi version will follow.


(ALOK SAXENA)
DIRECTOR

To:

All Ministries/Departments of Government of India as per standard mailing list.