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No.1(40)-E.III(A)/65
Government of India
Ministry of Finance
(Department of Expenditure)

New Delhi, the 6th November, 1965.

OFFICE MEMORANDUM

Subject:- F.R. 23

The undersigned is directed to refer to Fundamental Rule 23 which provides that the holder of post, the pay of which is changed, shall be treated as if he were transferred to a new post on the new pay; provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment on the old scale or until he vacates his post or ceases to draw pay on that time scale. In connection with the application of this rule, a question was raised whether it would equally apply in a case in which the pay scale of a post is revised and such revision is accompanied by change in status.

2. The Government of India have decided that FR 23 will equally apply in cases where a revision of pay is accompanied by change in status of the posts. In such cases, the posts **virtually** continue as before. Where however a revision of pay is concurrent with a specific change in the duties and

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responsibilities attached to the post, the old post will be deemed to have been substituted by a different post. In such cases the individual will be treated as having been appointed to a higher or lower post, as the case may be, and pay will be fixed under the relevant rules, and not under FR 23.

3. In so far as Government servants serving in the Indian Audit and Accounts Department are concerned, these orders have been issued in consultation with the Comptroller and Auditor General of India.

N. N. K. Nair

(N.N.K. Nair)

Deputy Secretary to the Government of India.

To

All Ministries of the Government of India etc. etc.

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Copy forwarded to the C&AG etc.

R. Krishnamurthi

(R. Krishnamurthi)

Under Secretary to the Government of India.

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