

F.No.7/14/2010-E.III (A)
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 5th July, 2010.

OFFICE MEMORANDUM

Subject:- Central Civil Services (Revised Pay) Rules, 2008- Revision of option exercised under Rule 6 of the Central Civil Services (Revised Pay) Rules, 2008

In accordance with the provisions contained in Rule 11 of the Central Civil Services (Revised Pay) Rules, 2008, where a Government servant opts to continue to draw his pay in the existing scale from the 1st day of January 2006 and switch over to the revised scale from a date later than the 1st day of January, 2006, his pay from the later date in the revised scale is required to be fixed under Rule 11(i) of the Central Civil Services (Revised Pay) Rules, 2008. As per Rule 5 of these Rules, this option to switch over to the revised pay structure from a date later than 1.1.2006 is available to a Government Servant:-

- (i) Who elects 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.
- (ii) who 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.

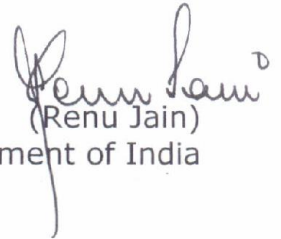
3. As per Rule 6 (1) of Central Civil Services (Revised Pay) Rules, 2008 the option in the format appended to the Second Schedule was required to be exercised within three months from the date of issue of these Rules.

4. Further Rule 6 (4) provided that the option once exercised shall be final. The Staff Side has represented on this issue and have requested that the first option exercised may not be treated as final keeping in view the new system of pay band and grade pays and that employees may be allowed to revise their option if the option is more beneficial to them.

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5. On further consideration and in exercise of the powers available under Central Civil Services (Revised Pay) Rules, 2008, the President is pleased to decide that in relaxation of stipulation under Rule 6 (4) of these Rules employees may be permitted to revise their initial option upto 31.12.2010 if the option is more beneficial to them. The revised option shall be intimated to the Head of his Office by the Government servant in accordance with the provision of Rule 6 (2) of the Revised Pay Rules, 2008.

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


(Renu Jain)
Deputy Secretary to the Government of India

Deputy Secretary to the Government of India

To

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

(As per standard distribution list)

2. Under Secretary (Legal)
3. Guard File
4. NIC with the request that the same be posted on M/Finance website.

No. 2/8/97-Estt.(Pay-II) dated the 9th April, 2001

No.2/8/97-Estt (Pay II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, Dated the 9th April, 2001

OFFICE MEMORANDUM

Subject: Recommendations of the Fifth Central Pay Commission-Regulation of pay of Officers of Group 'A' Services on their appointment to posts in the Central Secretariat under the Central Staffing Scheme – Government decisions thereon.

In terms of the decisions conveyed in this Department's Office Memorandum No.2/13/93-Estt (Pay II) dated 26th October, 1993, Members of various Group 'A' Services appointed to posts in the Central Secretariat under the Central Staffing Scheme and who are approved for *proforma* promotion, while on Central deputation, to the Senior Administrative Grade and above in their parent cadres and exercise the option to continue on deputation till the completion of their prescribed tenure are entitled to draw pay only in the scale of pay applicable to the lower post held on deputation. They shall have no claim to the pay of the higher post. However, on subsequent reversion to the parent cadre and assumption of duties of the higher post, the period of service covered by the *proforma* promotion shall count towards initial fixation of pay in such higher post and increment without any arrears being paid. Further, the Central Deputation on Tenure Allowance (CDTA) is presently admissible to the Group 'A' Officers appointed under the Central Staffing Scheme only to posts of Under Secretary, Deputy Secretary and Director.

2. In Chapter 110 of their Report, the Fifth Central Pay Commission had recommended *inter alia* that (i) instead of restricting the CDTA only to those appointed to posts of Director and below, the allowance may also be extended to those officers appointed to posts of Joint Secretary and above; and (ii) such of those officers appointed as Joint Secretary and above but are in receipt of pay in a higher pay scale in their parent organisation may be permitted to exercise an option to draw either their grade pay in their parent organisation without any restriction or the grade pay of the deputation post along with the CDTA.

3. Government have carefully considered these recommendations and have decided not to accept the recommendation relating to the extension of CDTA to officers appointed to posts of Joint Secretary and above. It has also been decided not to accept the other recommendation relating to the protection of the pay admissible in the parent cadres on *proforma* promotion while on Central deputation as this would result in officers becoming entitled to the pay of a higher post while discharging the duties of a lower post and would be contrary to the well-recognised principle that no officer should be allowed the pay of a post the specified duties and responsibilities of which are not actually discharged by him.

4. Provisions, however exist even at present permitting Members of various Group 'A' Services who are appointed on deputation to lower post in the Central Government only after they had actually been promoted to posts in higher scales of pay in their parent cadres to draw their pay in such lower posts at the maximum of the applicable scales of pay. Consequently, seniors in the respective cadres who had been deputed earlier than their juniors to posts in the Central Government are placed at a disadvantage even after they have been approved for *proforma* promotion to higher scales of pay in the parent cadres, creating an invidious distinction.

5. In order to rectify this anomalous situation and in partial modification of the existing orders on the subject, the President is pleased to decide that Members of various Group 'A' Services appointed to posts in the Central Secretariat under the Central Staffing Scheme and who are approved for *proforma* promotion, while on Central deputation, to the Senior Administrative Grade and above in their parent cadres and exercise the option to continue on deputation till the completion of their prescribed tenure may also be permitted to draw their pay at the maximum of the scale of pay applicable for the lower deputation post w.e.f. the date they are promoted *proforma*

to higher scales of pay in their parent cadres. In other words, the pay of officers appointed to posts of Director and equivalent in the Central Government shall be fixed at the stage of Rs.18,300 in the pay scale of Rs.14300-400-18300 on their *proforma* promotion to the Senior Administrative Grade in their parent cadres. Similarly, the pay of officers appointed to posts of Joint Secretary and equivalent shall be fixed at the stage of Rs.22,400 in the pay scale of Rs.18400-500-22400 on *proforma* promotion to posts in scales of pay above the Senior Administrative Grade. They shall also be entitled, in addition, to the adhoc stagnation increments from time to time in the scales of pay applicable to the lower deputation posts as prescribed in the Department of Expenditure Office memorandum No. 1(9)/E.III-A/97 dated 22nd July, 1998, subject to their fulfilling the conditions prescribed in this regard.

6. Fixation of pay at the maximum of the applicable scales of pay shall be subject to the following conditions:

- (i) The scale of pay of the deputation post should be lower than the scale of pay in the parent cadre to which the officer had been promoted *proforma* under the "Next Below Rule".
- (ii) The *proforma* promotion in the parent cadre should have been approved by the competent authority strictly in accordance with the rules on the subject and on completion of the prescribed selection process.
- (iii) The officer concerned should have been promoted *proforma* only after having fulfilled the eligibility/residency criteria for promotion to different higher scales of pay as prescribed by this Department from time to time and incorporated in the relevant recruitment rules.

7. It is also clarified that Members of various Group 'A' Services who are appointed on deputation to lower posts in the Central Government only after they have actually been promoted to posts in higher scales of pay in their parent cadres shall also be entitled, in addition, to the adhoc stagnation increments in the scales of pay applicable in the lower deputation posts to which they would have been entitled from time to time in their parent cadres but for their promotion to the Senior Administrative Grade and above.

8. These orders shall be effective from their date of issue. However, in respect of officers who are on deputation to posts in the Central government on the date of issue of these orders, the benefit of fixation of their pay at the maximum of the pay scale of the lower deputation post or after taking into account the stagnation increments, if any, as the case may be, may be extended from the date of their *proforma* promotion to the higher scales of pay in their parent cadres. Past cases of officers who have already completed their Central deputation and have reverted to their respective parent cadres shall not, however, be reopened.

9. In so far as the applicability of these orders to the officers of the Indian Audit and Accounts Department is concerned, these issue after consultation with the Comptroller and Auditor General of India.

10. Hindi version will follow.


(J. WILSON)

Deputy Secretary to the Government of India

To

All Ministries and Departments of the Government of India.