

123.

No.F.2(1)-Est.III/60
Government of India
Ministry of Finance
(Department of Expenditure)

New Delhi-2, the 9th March, 1962.

OFFICE MEMORANDUM

Subject:- Counting of service for increments, etc, in respect of cases falling under F.R. 29-A.

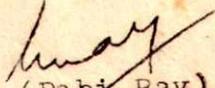
The undersigned is directed to refer to the Ministry of Finance Notification No. F.2(1)-Est.III/60 dated the 8th June, 1960 introducing inter-alia a new Rule, viz. Rule 29-A in the Fundamental Rules for regulation of pay and leave salary in cases where an order of penalty of withholding of increments, reduction to a lower Service, grade or post, or to a lower time-scale or to a lower stage in a time-scale is set aside or modified by the competent appellate or reviewing authority.

2. It is clarified that in respect of cases falling under sub-rule (a) of this Rule, service rendered by the Government servant in the lower Service, grade or post or lower time-scale or lower stage in the time-scale or at the stage the increment was withheld, from the date of imposition of such penalty by the disciplinary authority to the date on which the order of penalty is set aside by the competent appellate or reviewing authority, shall count for increment or for other purposes in the post which he was holding immediately before the imposition of the penalty provided that he would have continued to hold that post but for the order of penalty.

3. In respect of cases falling under sub-rule (b) of this Rule, such service from the date of imposition of the penalty by the disciplinary authority to the date on which the order is modified by the appellate or reviewing authority, shall be counted for the purpose of increment or for other purposes in the post which he was holding immediately before the imposition of the penalty or any other post which he would have held but for the order of penalty, to the extent the modified order permits of such counting.

For example, if an officer of a Class I Service in the senior scale (Rs.700-1250) is reduced to a Class II Service (Rs.350-900) for a period of say, two years, and if after six months, the order is modified by the appellate authority as reduction to the Class I Service in the junior scale (Rs.400-950), the period of six months will count for increment in the junior scale.

If, on the other hand, the order of penalty is modified as reduction to a lower stage in the time-scale (Rs.700-1250) for a specified period or withholding of increment in that time scale for a specified period, the period that has already elapsed since the date of imposition of the original penalty shall be taken into account only for the purpose of computing the specified period of penalty under the modified order.


(Rabi Ray)

Deputy Secretary to the Govt. of India.

To

All Ministries, etc. etc.

P.T.O.

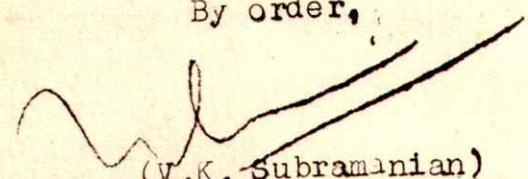
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Copy to All Accountants General, etc. etc.

By order,



(V.K. Subramanian)
Under Secretary to the Govt. of India.

C.S.
6/3/62 .