

**F.No.16/6/2001-Estt. Pay I**  
**Ministry of Personnel, Public Grievances and Pensions**  
**Department of Personnel & Training**

New Delhi, the 14 February 2006.

**OFFICE MEMORANDUM**

**SUBJECT: Fixation of pay in case of employees who seek transfer to a lower post under FR 15(a) - clarification regarding.**

The undersigned is directed to state that according to the existing provisions of FR 22 I (a)(3), a Government servant appointed/transferred to a lower post at his own request under FR 15(a), the maximum of the time scale of which is less than the pay drawn by him in the higher post held regularly, shall draw that maximum as his initial pay. It has been brought to the notice of this Department that this provision is being interpreted differently by different Ministries/Departments. The Staff Side has also demanded that a clarification is issued in this regard to bring about a uniform interpretation of this Rule.

2. The demand of the Staff Side has been examined in consultation with the Ministry of Finance and it is clarified that on transfer to the lower post/scale under FR 15(a), the pay of a Government servant holding a post on regular basis will be fixed at a stage equal to the pay drawn by him in the higher grade. If no such stage is available, the pay will be fixed at the stage next below the pay drawn by him in the higher post and the difference may be granted as personal pay to be absorbed in future increments. If the maximum of the pay scale of the lower post is less than the pay drawn by him in the higher post, his pay may be restricted to the maximum under FR 22(1)(a)(3).

3. Where transfer to a lower post is made subject to certain terms and conditions then the pay may be fixed according to such terms and conditions.

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

5. These orders take effect from the date this O.M. is issued. Past cases already decided need not be re-opened.

**(RITA MATHUR)**  
**DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA**

To

All Ministries and Departments of the Government of India (as per standard mailing list.)

2. The Secretary, National Council (JCM), 130C, Ferozshah Road, New Delhi-110001.