Subject: Fixation of pay on appointment from one post to another not involving assumption of higher duties and responsibilities including appointment to non-functional selection grade posts.

As the Ministry of Finance etc. are aware, the Fundamental Rule 22(a) (ii) provides that when a Government servant is appointed to a post which does not involve assumption of duties and responsibilities of greater importance than those attached to the post already held by him, then he will draw as his initial pay the stage of the time scale which is equal to his substantive pay in respect of the old post, or, if there is no such stage, the stage next below that pay, plus personal pay equal to the difference, and in either case will continue to draw that pay until such time as he would have received an increment in the time scale of the old post or for the period after which an increment is earned in the time scale of the new post, whichever is less. The rule also provides that if the minimum pay of the time scale of the new post is higher than his substantive pay in respect of the old post, he would draw that minimum as initial pay. Again, in the Department of Personnel and Training O.M. No. 19/1/36-PP dated the 26th November, 1987, it has been provided that fixation of pay of officers of Organised Group 'A' Services appointed to the selection grade of the service should be governed by the provisions of rR 22(a) (ii).

2. It has come to the notice of the Government that when pay is fixed in the manner indicated in the preceding paragraph, in a number of instances and in particular in those cases where there is no stage in the scale of pay attached to the new post equal to the pay drawn in respect of the old post, the Government servant is put to a disadvantage in that his pay is fixed at the stage next below his pay in the old post and the difference is granted to him as personal pay. The difference (personal pay), however, is not counted for the purpose of various allowances like dearness allowance, house rent allowance, retirement benefits, etc. After careful consideration of the whole matter, the President is pleased to decide that when a Government servant is appointed from one post to another where the appointment to the new post does not involve assumption of duties and responsibilities of greater importance than those attached to the old post, including appointment to a non-functional selection grade, he will draw as initial pay the stage of the time scale of the new post which is equal to his pay in respect of the old post, or if there is no such stage, the stage next above his pay in respect of the old post. While in the former case his next increment will become due on the date he would have received an increment in the old post, in the latter case his next increment in the new post,
however, will become due on completion of the required period or when an increment is earned in the time scale of the new post.

If the minimum pay of the time scale of the new post is less than his pay in respect of his initial pay, he would draw that amount as his initial pay.

3. With a view to avoiding pay anomalies between senior and junior officers appointed before and after accrual of increment in the time scale of the new post, the President is also pleased to decide that a Government servant on his appointment to such a post may be given the option for fixation of his pay in the new post either straightaway from the date of his appointment to the new post or w.e.f. the date of his next increment in the old post. In either case the new increment will fall due only on completion of the required period of qualifying service from the date the pay is fixed in the new post. The method of pay fixation will be as given in the annexed.

This option has to be exercised by the Government within one month from the date of such appointment and the decision once exercised shall be final.

4. These orders would be deemed to have taken effect from 1-1-86. In the case of those Government servants who have been appointed to such posts not involving assumption of duties and responsibilities of greater importance w.e.f. 1-1-86 and holding such posts on the date of issue of these orders shall exercise the option within a period of three months of the date of issue of this O.M. if they want to switch over to the new regulations.

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

S. Subramanian
Deputy Secretary to the Govt. of India

To

All Ministries/Departments of the Govt. of India.

Illustrations

(1) Shri 'A' drawing pay of Rs. 4350/- in the Junior Administrative Grade scale of Rs. 3700-125-4700-150-5000 with date of next increment 1-9-88 is appointed to the Selection Grade scale of Rs. 4500-150-5700 from 1-7-88.

(i) If he opts for Selection Grade Scale from 1-7-88, his pay will be fixed at Rs. 4950 on 1-7-88 with date of next increment 1-7-89.

(ii) If he opts to come over to the Selection Grade scale from the date of next increment in Junior Administrative Grade i.e. 1-9-88, when his pay in Junior Administrative Grade will be Rs. 5000/-, his pay in the Selection Grade will be fixed at Rs. 5100/- from 1-9-88 with date of next increment as 1-9-89.

(2) Shri 'B' drawing pay of Rs. 2,375/- in the scale of Rs. 2000-60-2300-EB-75-3200-100-3500 as Section Officer with date of next increment as 1-4-89 appointed as Junior Analyst in the identical scale on 1-12-88 will have his pay fixed in the post of Junior Analyst at Rs. 2,375/- with date of next increment as 1-4-1989.
No. 1/2/86-Estt. (Pay-I)

New Delhi, the 21st May

Copies also forwarded to:

1. The Comptroller & Auditor General of India and all under his control.
3. Secretaries to Union Public Service Commission/Supreme Court of India/Election Commission/Lok Sabha Secretariat/President's Secretariat/Cabinet Secretariat/Central Vigilance Commission/Prime Minister's Office/Planning Commission.
4. Department of Personnel & Training (AIS Division)/JCA/Administration Section.
5. Additional Secretary (Union Territories), Ministry Affairs.
6. All State Governments and Union Territories.
7. Governors of all States/Lt. Governors of Union Territories.
8. Secretary, National Council (Staff Side), 13-C, Ferozepore Road, New Delhi.
9. All members of the Staff Side of the National Council/JCM/Departmental Council.
10. All Officers/Sections of the Department of Personnel Training/Department of Administrative Reforms and Grievances/Department of Pension and Pensioner's Welfare.
11. Ministry of Finance, Department of Expenditure.
12. 300 Spare copies.

(S. Subramanian
Deputy Secretary to the Govt. of...