

OFFICE MEMORANDUM

**Subject:-Recommendations of the Fifth Central Pay Commission on scales of pay of posts of Superintending Engineers and Executive Engineers and equivalent in the Organized Group 'A' Engineering Services.**

In paragraph 50.45 of their Report, the Fifth Central Pay Commission (FCPC) had recommended the following:-

- (i) the 'non-functional' pre-revised pay scale of Rs.4500-5700 (revised: Rs.14300-18300) applicable to the Superintending Engineers in the Central Public Works Department (CPWD) should be converted into a 'functional' grade and promotions in this scale should be permitted only on completion of thirteen years of regular service in Group 'A';
- (ii) the 'functional' pre-revised pay-scale of Rs.3700-5000 (revised: Rs.12000-16500) applicable to the Superintending Engineers as the first grade on their promotion from the posts of Executive Engineers should instead be a 'non-functional' grade for Executive Engineers in the pre-revised pay-scale of Rs.3000-4500 (revised: Rs.10000-15200).

The FCPC had also clarified that, though their recommendations in regard to the pay scales of these two posts were being made in the context of the CPWD engineers, the dispensation will be available to all engineering cadres in the Government. The revised pay scales of Superintending Engineers and Executive Engineers were also notified by the Department of Expenditure at S.Nos.VIII (a) and (b) of Part 'B' of the First Schedule to the Central Civil Services (Revised Pay) Rules, 1997, promulgated in that Department's Notification No.GSR.569(E) dated September 30, 1997.

2. Implementation of the FCPC recommendations will necessitate the restructuring of Group 'A' cadres in the Central Engineering Service, the Central Electrical and Mechanical Engineering Service and other organized Group 'A' Engineering Services, recruitment in which is made through the Combined Engineering Services Examination. The related recruitment/service rules will also need to be appropriately amended. In terms

of the provisions contained in the preamble to Part 'B' of the First Schedule to the Central Civil Services (Revised Pay) Rules 1997, in cases where cadre restructuring, redistribution of posts, etc. are pre-requisites for the grant of pay-scales recommended by the FCPC for certain posts, it will be necessary for the Ministry/Department concerned to not only accept these pre-conditions but also to implement them before the recommended pay-scales are applied to these posts. It is, therefore, implicit that such scales will necessarily have only prospective effect and only the normal replacement scales will be applicable to the posts concerned until the pre-requisites are fulfilled.

3. Issues of relevance to the implementation of the FCPC recommendations and their operationalisation, the criteria to be adopted for the distribution of posts in the scales of pay recommended by the FCPC, etc have been under Government's consideration for quite some time now. After careful consideration of all relevant aspects, the President is now pleased to decide as follows:-

- (a) The 'functional' grade of Rs.14300-18300 shall be applicable to the posts of **Superintending Engineers** and equivalent that are variously designated and included in the organized Group 'A' Engineering Services, recruitment to which is made through the Combined Engineering Services Examination. Placement of personnel in this 'functional' grade will, however, be subject to actual availability of vacancies in the grade. This shall be permitted only on completion of at least thirteen years of regular service in Group 'A' and the prescribed regular service of four years in the scale of pay of Rs.12000-16500, which will henceforth be the 'non-functional' second grade for Executive Engineers and equivalent.
- (b) It is likely that functional promotions to posts of Superintending Engineers and equivalent may be possible in some of the organized Group 'A' Engineering Services before completion of thirteen years of regular service in Group 'A' as stipulated by the FCPC because of the cadre structure of individual services. Members of Services so promoted will continue to remain only in the scale of pay of Rs.12000-16500 till they become eligible for the scale of Rs.14300-18300 in terms of (a) above. They will, however, be entitled to the benefit of pay fixation under FR 22(I)(a)(i) on promotion. This benefit will not be available again on their placement in the scale of Rs.14300-18300.
- (c) The 'non-functional' grade of Rs.12000-16500 now to be introduced for the **Executive Engineers** and equivalent will be admissible on completion of:-
  - (i) minimum regular service of nine years in Group 'A' (four years in the pay-scale of Rs.8000-13500 and five years in the pay-scale of Rs.10000-15200) in respect of those officers who are directly recruited or promoted to the pay-scale of Rs.8000-13500; and
  - (ii) minimum regular service of five years in the pay-scale of Rs.10000-15200 in respect of those officers who are directly promoted from Group 'B' to posts in this pay-scale.

- (d) The number of posts of Executive Engineers and equivalent to be operated in the 'non-functional' pay-scale of Rs.12000-16500 shall be restricted to 30% of the Senior Duty posts (i.e. posts in the pay-scale of Rs.10000-15200 and above) in the respective cadres, ensuring at the same time that (i) there is no increase in the overall strength of the cadre; and (ii) the number of posts to be operated in the 'non-functional' grade (Rs.12000-16500) does not exceed the number of posts available in the pay-scale of Rs.10000-15200.
- (e) Placement of officers in the 'functional' grade of Rs.14300-18300 shall be done through the process of 'Selection by Merit' subject to actual availability of vacancies in the grade. On the other hand, placement of officers in the 'non-functional' pay scale of Rs.12000-16500 shall be done subject to suitability in terms of guidelines contained in the Department of Personnel and Training O.M.No.28038/1/88-Estt(D) dated October 9, 1989 (copy enclosed). These should be scrupulously adhered to.
- (f) The composition of the Department Promotion Committees (including association of the Union Public Service Commission) for appointment of officers to the posts of Superintending Engineers and equivalent in the 'functional' grade of Rs.14300-18300 shall be the same as already prescribed in the relevant Service/ Recruitment Rules for appointments to the erstwhile 'functional' grade in the pay-scale of Rs.12000-16500 (pre-revised: Rs.3700-5000). Similarly, the composition of the Departmental Promotion Committees for appointment of officers to the posts of Executive Engineers and equivalent in the 'non-functional' pay-scale of Rs.12000-16500 shall be the same as already prescribed in the relevant Service/Recruitment Rules for appointments to the erstwhile 'non-functional' grade in the pay-scale of Rs.14300-18300 (pre-revised: Rs.4500-5700).

4. Only a higher eligibility criterion of thirteen years of regular Group 'A' service has now been prescribed for appointment to the posts of Superintending Engineer and equivalent in the 'functional' scale of pay of Rs.14300-18300. Placement in the higher scale of pay does not, however, involve assumption of higher responsibilities in the case of regular incumbents of the post in the pay-scale of Rs.12000-16500 (pre-revised:Rs.3700-5000). Appointments to this scale of pay will consequently be governed by the instructions contained in paragraph 2.2 of this Department's O.M.No.22011/10/84-Estt(D) dated February 4, 1992. In other words, in the case of regular incumbents of these posts (Superintending Engineer), who had completed the prescribed qualifying service of thirteen years on or before January 1, 1996, they may be placed in the scale of Rs.14300-18300 from that date. In the case of other regular incumbents of these posts, who fulfill the qualifying service on a later date, they should be appointed to the scale of Rs.14300-18300 only from the date on which they complete thirteen years of regular service in Group 'A'. Their placement in the scale will be further subject to the condition that they had been promoted functionally to the posts of Superintending Engineer and equivalent against vacancies and after observing the prescribed selection procedures.

5. In view, however, of the fact that the implementation of the FCPC recommendation in respect of the posts of Executive Engineers and equivalent would involve the restructuring of the cadre by re-distributing the existing posts in the 'functional' and 'non-functional' scales of Rs.10000-15200 and Rs.12000-16500 respectively in the ratio of 70 : 30, the 'non-functional' pay-scale of Rs.12000-16500 will be applicable only prospectively based on the recommendations of the Departmental Promotion Committees to be constituted for the purpose. Till such time as the existing regular incumbents of the posts of Executive Engineer and equivalent are appointed to the 'non-functional' pay-scale of Rs.12000-16500 after due observance of the prescribed procedure, they shall be entitled only to the functional scale of Rs.10000-15200. It should also be ensured that they had been promoted functionally to the posts of Executive Engineer and equivalent against vacancies and after observing the prescribed selection procedures and that they have completed the prescribed qualifying service of nine years before they are placed in the 'non-functional' scale.

6. Cadre controlling authorities in various Ministries and Departments should, in pursuance of the above decisions, take immediate steps to restructure the cadres, re-distribute posts in the applicable revised scales of pay and to amend appropriately the relevant Service/Recruitment Rules. This exercise should be completed within a period of two months. In order to facilitate expeditious action in this regard, powers are hereby delegated to the Ministries/Departments concerned to make the necessary amendments in the relevant Service/Recruitment Rules in conformity with the above decisions, without reference to the Recruitment Rules Division in the Department of Personnel and Training. The amendments may, however, be notified in consultation with the Union Public Service Commission and the Legislative Department.



( K.K. JHA )

DIRECTOR(Establishment)

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5. Establishment(RR), DoP&T
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