IMMEDIATE

No.F-4/4/82 - Estt(P.I)
Government of India/Ministry of Home Affairs/Grievance Redress
Department of Personnel & Administrative Reforms

New Delhi, the 25th May, 1983.

OFFICE MEMORANDUM

Subject: Removal of anomalies arising as a result of application of provisions for fixation of pay on promotion contained in O.M. No.F.7/1/80 - Estt.(P.I), dated 26th September, 1981 -- regarding.

The undersigned is directed to refer to the provisions for option for fixation of pay on promotion contained in this Department's O.M. No.F.7/1/80-Estt.(P.I), dated 26th September, 1981. Certain instances have been brought to notice, where a senior employee promoted prior to 1.5.1981 in whose case pay was to be fixed directly under FR 22-C, will be drawing less pay than his junior promoted on or after the crucial date in whose case pay was fixed in terms of para 2(b) of the aforesaid O.M. (viz.) pay initially fixed in the manner as under FR 22(a)(i) and the same re-fixed under FR 22-C on the date of accrual of next increment in the lower post, from the date of such re-fixation of pay.

After careful consideration, the President is pleased to decide that in order to remove the aforesaid anomaly, the pay of the senior person in the higher post should be stopped up to a figure equal to the pay as fixed in respect of the junior person in that higher post from the date of occurrence of the anomaly (viz.) from the date the pay of the junior is re-fixed in the higher post, in terms of para 2(b) of O.M. dated the 26th September, 1981. The stopping up of pay of the senior would be subject to the following conditions, namely:

(a) Both the senior and junior employees should belong to the same cadre and the posts in which they have been promoted on a regular basis should be identical in the same cadre.

(b) The scales of pay attached to the lower and the higher posts in which they are entitled to draw pay should also be identical; and

(c) The anomaly should have arisen directly due to re-fixation of pay of the junior person (promoted on or after 1.5.1981) in the higher post, on his date of next increment in respect of the lower post, in terms of para 2(b) of the O.M. dated the 26th September, 1981. In other words,
should be ensured that there could be no case and the pay of the junior person on promotion, been fixed higher than the normal rules (vizi.) under FR 21-A, direct.

3. The orders re-fixing the pay of the senior person in accordance with the provisions of this order, should be issued under FR 27 and the re-fixation of such officer will be drawn on completion of the required qualifying service from the date of re-fixation of pay under FR 27.

4. These orders take effect from the date of this O.M. Past cases may also be regulated in the light of the provisions contained in these orders. Arrangements will be made only from the date of the order or the date of issue of this O.M., whichever is later.

5. In so far as the officers serving in the I-Aud. and Account Department are concerned, these orders in consultation with the Comptroller and Auditor General of India.

(Hindi version of the O.M. is enclosed).

(Signature)

Under Secretary to the Government of India

To,

1. All Ministries/Departments of the Government of India, etc., etc. with standard list.

2. As per list attached.

3. Controller and Auditor General of India, New Delhi, with 200 spare copies.

4. Union Public Service Commission, New Delhi.

5. Election Commission, New Delhi.


7. Lok Sabha Secretariat (Administration Branch), New Delhi.

8. Shri O.P. Bhagwati, Senior Personnel and Executive Officer, Lok Sabha Secretariat, New Delhi.

9. Supreme Court of India, New Delhi.

10. All State Governments and Union Territories.


13. Ministry of Finance (Defence Division).