

Government of India

Ministry of Personnel, Public Grievances & Pensions  
(Department of Personnel and Training)

.....  
New Delhi, dated the 17 May, 1996.

To

The Chief Secretaries of  
all the State Govts. and  
Union Territories.

Subject: Protection of pay of State Civil Service/  
Non-State Civil Service officers appointed  
to the IAS on promotion - regarding.

Sir,

.....  
I am directed to refer to the Ministry of Personnel, P.G. & Pension, Department of Personnel & Training, Notifications No.20011/2/93-AIS(II)-A, issued on the above subject on 6th May 1994 and 14th July, 1995 under which the pay drawn by the S.C.S./non-S.C.S. officers in the State Governments is protectable to the extent of Rs.5700/-, i.e. the maximum of the Selection Grade which is the third and the last component of the Senior Scale of I.A.S. This benefit is available on notional basis from 1.1.86, i.e. the date from which the revised pay scales for the I.A.S. came into being on recommendations of the Central Fourth Pay Commission, and on actual basis from 9.5.1994, i.e. the date of effect of the notification dated 6.5.1994. Accordingly, pay in such cases is fixed at the same stage of I.A.S. which is equal to their State Pay irrespective of whether the officers concerned are eligible for placement at such a level by virtue of their seniority or not, and no further increments are allowed till they become eligible for Selection Grade on completion of 13 years' service calculated from their Years of Allotment.

2. It has been brought to notice that the above manner of pay fixation- especially freezing of pay at the same stage in I.A.S. and not allowing any further increments till eligibility for Selection Grade is causing certain anomalies and financial hardship to the promoted officers. It has been found that under the new method of pay fixation, an officer promoted earlier in the I.A.S. whose pay is fixed and frozen at the same stage, begins to draw less pay than a junior officer who gets promoted in the I.A.S. subsequently, after earning one or more increments in the State payscale. In this way - as seniority has been delinked from pay in such cases, whereas pay of the senior is frozen at a particular stage, the junior gets his pay fixed at a comparatively higher stage in the I.A.S. which is equivalent to his State Pay including the increments earned by him while remaining in the State Service subsequent to promotion of the senior in I.A.S. This causes heartburning besides the financial hardship to the officers who are promoted in the IAS earlier.

3. The matter of removal of such anomalies has been engaging attention of the Government. After careful consideration, it has now been decided that keeping in view the amendments made in the I.A.S. (Pay) Rules, 1954

1. Add Notifications dated 6.5.1994 and 17.7.1995 for S.C.S./non-S.C.S. officers inducted into the I.A.S. may be fixed in the Senior Scale at a stage next above their State pay. Senior Scale of the I.A.S. consists of (i) Time Scale Rs. 3200-4700; (ii) Junior Administrative Grade, Rs. 3950-5000; and (iii) Selection Grade, Rs. 4800-5700. While fixing pay in such a manner, if the pay stage happens to be common to any two grades of the Senior Scale, the officer has to be placed in the lower of these two grades. In addition, they may also be allowed annual increments till the attainment of the stage of Rs. 5700/- in the normal course. No further increments or pay fixation in the next higher scale, viz. Supertime Scale (Rs. 5900-6700) would be available to them till they are actually promoted in this grade. Stagnation increments would of course be admissible to them if they happen to stagnate at the stage of Rs. 5700/- before being promoted in the Supertime Scale.

4. The benefits on the above counts would be actually available from 9.5.1994 which is the date of effect of the Notification dated 6.5.1994 mentioned above and no arrears for the past periods would be admissible. The promoted officers would of course get notional benefits of the same w.e.f. 1.1.1986 in accordance with the Notification dated 14.7.1995.

5. The above principles will apply **MUTATIS MUTANDIS** in the cases of the members of the Indian Police Service and the Indian Forest Service.

6. It is requested that the contents of this letter may be brought to the notice of all concerned. Cases where pay has already been fixed may be reopened and modified accordingly.

Yours faithfully,

(Y. P. Dhinra)  
Desk Officer

Copy, with 25 spare copies each, for information and necessary action to:

1. MHA, IPS-II Section.
2. MHA, IAS
3. Ministry of Environment & Forests, IAS-I Branch.

Copy also to:-

Finance, II, Ministry of Home Affairs.

Spare copies - 200

(Y. P. Dhinra)  
Desk Officer