

No.28/7/74-AIS(II)
Government of India/Bharat Sarkar
Cabinet Secretariat/Mantrimandal Sachivalaya
Department of Personnel and Admn. Reforms.
(Karmik Aur Prashasnik Suchar Vibhag)

--- --

New Delhi-110001 7-7-1975

To

The Chief Secretaries to the
Governments of All the States.

Subject:-IAS/IPS- Revision of scales of pay on the recommenda-
tions of the Third Central Pay Commission- Fixation
of pay and regulation of increments in the-Clarifications
reg. -

Sir,

I am directed to refer to this Department's Notifica-
tions No.28/7/74-AIS(II)A dated the 15th November, 1974 and
No. 28/10/74-AIS(II)A dated the 15th November, 1974, regarding
revision of scales of pay for the Indian Administrative
Service/Indian Police Service, and to say that a number of
points have been raised by the Accountants General, etc., regarding
the manner in which the pay and increments of members of the
Indian Administrative Service/Indian Police Service should be
regulated in the revised scales for the Indian Administrative
Service/Indian Police Service.

2- The points raised by the Accountants General etc. have
been examined. A statement showing the points raised by
the Accountants General and the clarifications/decisions
of the Government of India on these points is enclosed.

3- It is requested that the cases of members of IAS/IPS
may be regulated in the light of the clarifications/
decisions contained in the statement enclosed.

4- The question regarding the manner in which the pay of
State Civil/Police Service officers appointed to the IAS/IPS
Cadre posts in accordance with Rule 9 of the IAS/IPS(Cadre)
Rules, 1954 should be regulated is under consideration.

5- This issues with the concurrence of the Ministry of
Finance/Comptroller and Auditor General of India.

Yours faithfully,

sdl -

(A.K. Gupta)

Under Secretary to the Government of India.

Statement showing the points raised by the State Governments etc. regarding fixation of pay and regulation of increments in the revised scales for the IAS/IPS and the decisions of the Government of India thereon.

S.No.	Points raised	Decisions/Clarifications
1	2	3
1-	The mode of fixation of pay in respect of members of AIS who opt for the revised scale from a date later than 1-1-1973	The procedure for fixation of pay as in sub-rule 3 of Rule 3 of IAS/IPS(Pay)Rules, 1954 shall apply also to the members of All India Services who opt for the revised scale from a date later than 1-1-1973 but not beyond 31-12-1974.
2-	The revised scales are applicable only to such members who were in A.I.S. as on 1.1.1973 and not to State Civil Service Officers holding cadre posts on that date under Rule 9 of the Cadre Rules.	The option to draw pay in the existing scale is admissible to the officers who were members of the All India Services on 1.1.1973 and also those State Civil Service officers officiating in cadre posts on that date.
3-	The revised scales are also applicable to the members of AIS who were in service on 1-1-1973 but quitted the service before 15-11-1974 due to retirement, resignation or death.	Members of the service who relinquished service during the period from 1.1.73 to 15.11.74 on account of retirement, resignation, dismissal or discharge on disciplinary grounds, may be permitted to exercise their option within a period of three months from the date of issue of this clarification, or from the date of orders prescribed the revised scales for the post in question, whichever is later. Members of the service who died between 1.1.73 and 15.11.74 or those who died or die after 15-11-74 without exercising option within the prescribed time limit shall be deemed to have opted for the revised scale of pay from 1.1.1973 or such later date as is <i>(most)</i> beneficial to their beneficiaries, if the revised scales are more beneficial. (These provisions are made on the analogy of the instructions applicable to the members of the Central Civil Services in the Ministry of Finance O.M. No. 67/II/4/73-IC dated 24-6-1974 (copy enclosed).

4--(i) The probationer appointed on or after 1.1.73 is entitled to pay at Rs. 700/- during the 1st year of probation and at Rs. 740/- during the remaining period of probation in accordance with Rule 13(1) of the IAS/IPS (Probation) Rules, 1954, there being no first and second stage at the same rate in the revised scale of Rs. 700-1300.

(ii) Increments during the period of probation.

(iii) Probationers in receipt of pay at Rs. 500/ and 540 in the existing scale of Rs. 400-1000 consequent on passing of departmental lower and higher examinations get their pay fixed at Rs. 780/- in both the cases, on 1.1.73 in the revised scale. The probationer who has passed the lower departmental examination moves on to the next stage of Rs. 820/- on passing the second departmental examination, while the probationers who have already passed both the departmental examinations on 1.1.1973 get stuck up at the stage of Rs. 780 till the orders of confirmation are issued.

(i) This is confirmed.

(ii) Probationers whose pay is fixed in the revised scales at Rs. 700/- on 1.1.73 shall draw increments in accordance with sub-rule 3-A of Rule 5 of the IAS/IPS (Pay) Rules, 1954 read with sub-rule (1) of Rule 13 of the IAS/IPS (Probation) Rules, 1954

(iii) On passing the departmental examination a probationer may be granted the first and second increments, under Rule 7 of the IAS (Pay) Rules raising pay to Rs. 780 in the revised pay scales. Increment beyond the stage of Rs. 780/- shall be admissible only on confirmation.

5- In case the pay of an officer is fixed above the E.B. stage in the revised scale, he will not be called upon to face any E.B. before releasing his next increment in view of there being only one EB stage in both Junior and senior revised time scales of pay on the analogy of the orders issued by Govt. in the case of CCS Pay Rules.

This is confirmed (This is in accordance with the Ministry of Finance letter No. 67/II/1/73-IC, dated 17-5-1974 (copy enclosed)).

6- Regulation of increments when the periodicity of the increment in the existing and revised scales is not uniform

(a) An officer drawing pay of Rs. 1150 from 27-10-1972 in the senior time scale of Rs. 740-40-1100-50/2-1200-50-1300 exercised option to the revised senior time scale from 1.1.73. Pay in the revised scale of Rs. 1200-50-1700 is fixed at Rs. 1400 per month. When will the next increment accrue in this case?

This may be regulated on the analogy of the Ministry of Finance O.M. No.F. 67/II/41/74-IC.dt.28.10.74 (copy enclosed).

(b) An officer holding a post in the supertime scale of Rs. 1600-100-2000 was drawing Rs.1800 from 22.1.72; he exercised his option to the revised scale of pay of Rs. 2000-125/2-2500 and his pay is fixed at Rs.2000 per month. When will the increment accrue in this case?

In the case of (b), the next increment will be accrue on 22.1.74 (ante dated to 1.1.74 in terms of note 1 below sub-rule 3-A of Rule 5).

7- Grant of next increment in the revised scales to officers drawing pay at the maximum of the existing scales of pay. How will such cases be decided?

(a) Cases where the next increment is annual

In the cases where the officers reached the maximum at the existing scale subsequent to 1st January, 1972, the next increment in the revised scale shall be granted on completion of one year's service from the date on which he reached the maximum of the existing scale, without prejudice to any benefit that may be admissible under note 3 below sub-rule 3-A of Rule 5. In the case of officers who had been at the maximum of the existing scale for a year or more as on 1.1.73 the next increment will be allowed on the 2nd January, 1973.

(b) Cases where the next increment is biennial.

In cases where the officer had reached the maximum of the existing scale subsequent to 1st January, 1971 the next increment in the revised scale shall be granted on the

-5-

completion of 2 years' service from the date on which he reached the maximum of the existing scale, without prejudice to any benefit that may be admissible under the note 3 below sub-rule 3A of Rule 5. In the case of officers who had been at the maximum of the existing scale for two years or more as on 1.1.1973, the next increment will be allowed on 2nd January, 1973.

(c) The above provisions will not apply in cases of officers whose pay has been stepped up in terms of Explanation VI below rule 3(3) whose next increment will be regulated under Note 2 below rule 5(3A).

(This provisions are on the analogy of the instructions applicable to Central Civil Service vide the Ministry of Finance O.M. No. F.67/II/14/74-Imp. dated the 19th July, 1974).

8- The limit of Rs.100 prescribed in the proviso to sub-rule 3 of Rule 3 of the Indian Police Service (Pay) Rules, is not applicable to cases where the pay is stepped up under Explanation VI

This is confirmed.

9- The manner in which the leave salary of the officer who proceeded on leave during the period beyond 1.1.73 and where the period of calculation for the purpose of leave salary contained a portion of the period prior to 1.1.73 when the officer was authorised dearness allowance, additional dearness allowance, interim relief etc. whereas he is entitled to only dearness allowance at the revised rate with effect from 1.1.1973 may be indicated.

In cases where an officer had drawn pay, dearness pay, dearness allowance and interim relief on the pre-revised scales of pay during a part of the period of 10 months and the revised pay, the revised rates of dearness allowance as admissible from time to time, with reference to the revised rates of pay for the remaining period of 10 months, the leave salary shall be the average of pay which prevailed before the 1st January, 1973, plus dearness pay, dearness allowance and interim relief as admissible on that pay the rates in force prior to 1st January, 1973 and pay drawn at the revised scale during the 10 months preceding leave. The amount of dearness allowance sanctioned with reference to revised scales of pay shall then be calculated at the revised rates on the leave salary so arrived at.

-6-

(These provisions are similar to instructions contained in the Ministry of Finance O.M. No. F.6(1)-EIV/74 dated the 20th April, 1974). (Copy enclosed).

-) -

Copy of Office Memorandum No.67/II/4/73-IC, dated the 24th June, 1974, from the Ministry of Finance (Department of Expenditure) Implementation Cell to the All Ministries/ Departments of the Government of India and copies endorsed to the Comptroller and Auditor General of India, etc, etc.

-.-.-.-

Subject:- Applicability of the Central Civil Services (Revised Pay) Rules, 1973 to persons who ceased to be in Government service between 1.1.1973 and 13.11.1973 or thereafter without exercising option.

-.-.-.-

The undersigned is directed to refer to the Ministry of Finance O.M. of even number dated 15th February, 1974, on the subject mentioned above and to state that the Central Civil Services (Revised Pay) Rules, 1973 as they stood on 13-11-1973 did not apply to Government servants in a Class I service or holding a Class I post. The Rules have since been amended vide GSR 217(E) dated 9th May, 1974 (published as Gazette of India Extraordinary No.114, dated 9-5-1974), extending the provisions of these Rules mutatis mutandis to Class I Officers also. The President is, therefore, pleased to decide that the provisions of paragraphs 2 and 3 of this Ministry's Office Memorandum referred to above shall also apply to Class I officers who relinquished service on account of discharge on the expiry of sanctioned post, resignation or dismissal or discharge on disciplinary grounds and who have not exercised any option so far. Such officers may be permitted to exercise their option within a period of three months from the date of issue of these orders, or the date of the orders prescribing "revised scales" for the posts in question, whichever is later. Similarly persons who died between 1.1.1973 and 9.5.1974 or those who died or die on or after 9.5.1974 without exercising an option within the prescribed time limit, shall be deemed to have opted for the revised scales of pay shall from 1.1.1973 or such later date as is most beneficial to their beneficiaries, if the revised scales are more beneficial. In these cases the administrative authorities concerned should move the appropriate Accounts Officer to issue a salary slip in the revised scales and thereafter take action to pay the arrears.

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

3- Hindi version of this Office Memorandum will issue separately.

Sd/- V.S. Rajagopalan
Deputy Secretary to the Government of India.

Copy of Office Memorandum No. 67/II/1/73-IC dated the 17th May, 1974 from the Ministry of Finance, Department of Expenditure Implementation Cell addressed to none.

Subject: - Central Civil Services (Revised Pay) Rules, 1973 -
Fixation of pay of Government servants who opt
for the revised scale from the date subsequent to
the 1st January, 1973.

Attention is invited to Rule 9 of the Central Civil Services (Revised Pay) Rules, 1973, under which the pay of a Government servant who opts for the revised scale of pay from a date later than 1.1.1973 is fixed in that scale. It has been represented that the non-application of the provisions of Rule 7 of those Rules to such cases has deprived the Government servants concerned of substantial benefit in fixation of their pay in the revised scales. This matter has been discussed in the Committee of the National Council (JCM) set up to consider anomalies arising out of the Implementation of Government's decisions on the recommendations of the Third Pay Commission, and on the basis of the agreement reached therein, the President is pleased to decide that the pay of Government servants who opt for the revised scales of pay from a date not later than 31st December, 1974 shall also be fixed under the provisions of Rule 7 of the Rules ibid, and that a fresh period of 3 months with effect from the date of issue of these orders shall be provided to enable the employees who want their pay to be fixed in the revised scale from a date not later than 31st December, 1974, to indicate their option or to revise it in the case of those who have already exercised their option, in regard to the date from which they want their pay to be fixed in the revised scales. However, the pay of employees who exercise their option for the revised scales with effect from any date after 31.12.1974 shall be fixed in those scales under Rule 9 of the Rules ibid.

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

3- Hindi version of these orders will follow.

Sd/-
(V.S. Rajagopalan)
Deputy Secretary to the Government of India.

Copy of the Office Memorandum No. 67/II/41/74-IC dated the 28th October, 1974 from the Ministry of Finance, Department of Expenditure, Implementation Cell addressed to All Ministries/Departments of the Government of India and copies endorsed to the Comptroller and Auditor General of India, New Delhi etc. etc.

-.--.-

Subject:- Central Civil Services(Revised Pay)Rules, 1973- regulation of increments when the periodicity of increments in the existing and the revised scale is not uniform.

-.--.-

The undersigned is directed to say that a doubt has been raised as to the manner in which increments have to be regulated under rule 8 of the C.C.S.(R.P) Rules, 1973 in cases where the periodicity of the increments in the existing scale and the revised scale is not uniform. Under that rule, the next increment of a Government servant whose pay has been fixed in the revised scale in accordance with sub-rule(1) of rule 7 shall be granted on the date he would have drawn his increment had he continued in the existing scale. In accordance with the explanation below rule 8 for purposes of that rule, increment shall be construed to mean stages in the time scale and not necessarily actual increases in pay(that is to say, where an increment in any scale is not annual, the increment shall be construed as carrying as many stages as the number of years of service required to be rendered for earning an increment). Biennial stages in the existing or revised pay scales shall accordingly be deemed to be carrying two incremental stages each. If in the revised scale increments are annual and not biennial, the person will become eligible to draw the next increment in the revised scale on completion of one year service qualifying for increment from the date on which he drew his last increment in the existing scale. If, however, the increments in the revised scale are biennial, he shall be eligible to draw the next increment in the revised scale on completion of two years service qualifying for increment from the date his increment fell due in the pre-revised scale prior to 1.1.1973.

2- These orders apply in the matter of fixation of pay under the C.C.S.(R.P.) Rules, 1973 and issue without prejudice to the provisions of FR 22 read with the Audit Instructions thereunder. Two typical cases are given in the Annexure to this Office Memorandum to illustrate the point.

2- These orders do not apply to persons in receipt of fixed rates of pay either in the existing scales or revised scales of pay on 1st January, 1973. They do not also apply to persons whose pay is stepped up in terms of Note 3 to sub-rule(1) of rule 7 of the Central Civil Services(Revised Pay)Rules, 1973, whose next increment will continue to be regulated under the first proviso to rule 8 of those Rules.

-10-

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

Hindi version of this Office Memorandum will issue separately.

Sd/- V.S. Rajaopalan
Deputy Secretary to the Government of India.

Copy of the Office Memorandum No.6(1)-E.IV(A)/74 dated the 20th April, 1974 from the Ministry of Finance, Department of Expenditure addressed to the All Ministries and Departments of the Government of India etc. etc.

Subject:- Calculation of leave salary admissible during earned leave under rule 40(1) of the Central Civil Services (Leave) Rules, 1972, consequent upon implementation of recommendations of the Third Pay Commission.

The undersigned is directed to invite a reference to this Ministry's Office Memorandum No.16(2)-E.IV(A)/73 dated the 9th January, 1974 regarding Third Pay Commission's recommendations relating to leave entitlements of Central Civil Government servants and also the Central Civil Services (Revised Pay) Rules, 1973 and to state that a question has been raised as to how the leave salary of a Government servant, who had proceeded on leave after the 1st January, 1973, but before the 1st November, 1973, in whose case, a part of the period of ten months, had fallen within this period, is to be calculated in terms of rule 40(1) of the Central Civil Services (Leave) Rules, 1972.

2- The President is pleased to decide that in all cases where a Government servant has been drawn pay, dearness pay, dearness allowance and interim relief on the pre-revised scales of pay during a part of the period of ten months and the revised pay, the revised rates of dearness allowance as admissible from time to time, with reference to revised rates of pay for the remaining period of ten months, the leave salary shall be the average of pay which prevailed before the 1st January, 1973, plus dearness pay, dearness allowance and interim relief as admissible on that pay at the rates in force prior to the 1st January, 1973 and pay drawn at the revised scales during the ten months preceding the leave. The amount of dearness allowance sanctioned with reference to revised scales of pay shall then be calculated at the revised rates on the leave salary so arrived at.

3- In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor-General.

Sd/-C.N. Sudarshan
Under Secretary to the Government of India.

Copy of the Office Memorandum No. 67/II/14/74-Imp. dated the 19th July, 1974, from the Ministry of Finance (Department of Expenditure), Implementation Cell addressed to the All Ministries/Departments of the Government of India.

Subject:- Central Civil Services (Revised Pay) Rules, 1973-grant of next increment in the revised scales to persons drawing pay at the maximum of the existing scales of pay.

The undersigned is directed to refer to this Ministry's Office Memorandum of even number dated 27.1.1974 on the subject mentioned above and to state that the President is pleased to decide that the provisions of that O.M. shall be extended appropriately to Class I Officers who were drawing pay at the maximum of the existing scales on 1.1.1973. Accordingly, the grant of the next increment in the revised scale of pay of such Class I officers shall be regulated as follows:-

(a) Cases where the next increment is annual

In cases where the officer had reached the maximum of the existing scale subsequent to 1st January, 1972, the next increment in the revised scale shall be granted on the completion of service for the full incremental period counting for increment under F.R. 26 from the date on which he reached the maximum of the existing scale, without prejudice to any benefit that may be admissible by the operation of the second proviso to rule 8 of the Central Civil Services (Revised Pay) Rules, 1973. In the case of officers who had been at the maximum of the existing scale for a year or more as on 1.1.1973, the next increment will be allowed on the 2nd January, 1973.

(b) Cases where the next increment is biennial

In cases where the officer had reached the maximum of the existing scale subsequent to 1st January, 1971, the next increment in the revised scale shall be granted on the completion of service for the full incremental period counting for increment under F.R. 26 from the date on which he reached the maximum of the existing scale, without prejudice to any benefit that may be admissible by the operation of the second provision to rule 8 of the Central Civil Services (Revised Pay) Rules, 1973. In the case of officers who had been at the maximum of the existing scale for two years or more as on 1.1.1973, the next increment will be allowed on the 2nd January, 1973.

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

4- Hindi version of these order will follows.

Sd/- V.S. Rajagopalan
Deputy Secretary to the Government of India.