

Immediate

No .20016/6/76-AIS-II
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya
Department of Personnel & Admn. Reforms
(Karmik Aur Prashasnik Sudhar Vibhag)

.....
New Delhi, the 11 Feb., 1982

To

The Chief Secretaries of all the
State Governments.

Subject:- IAS (Pay) Rules, fixation of pay of State Civil Service
Officers- Appointed to the IAS by promotion/appointed
to officiate in IAS Cadre Posts.

.....

Sir,

I am directed to say that the initial pay in the IAS of State Civil Service Officers appointed by promotion to the IAS is fixed in accordance with the provisions of Section I of Schedule II to the IAS Pay Rules. According to Clause (2) of Section I of Schedule II, the initial pay shall be fixed in the senior time scale of the IAS next above the pay drawn by the officer in the higher scale of the State Civil Service in a substantive capacity. If, however, the officer, at the time of his appointment to the IAS was drawing pay in the 'higher scale' of State Civil Service in an officiating capacity only, his pay should be fixed under Clause (1) of Section I of Schedule II and the difference between the pay so fixed and the officiating pay in the higher scale of State Civil Service would be treated as personal pay to be absorbed in future increments and increases in pay, including special pay, additional pay and other forms of pay. It has been brought to the notice of the Central Government that in a number of cases, although the members of the State Civil Service, at the time of their appointment to the IAS have been holding posts in the 'higher scale' of State Civil Service on a long term basis, they are unable to get the benefit of the fixation of pay under Clause (2) of Section I of Schedule II because the State Governments are not in a position to confirm those officers, for want of permanent vacancies in the relevant grades. Consequently, the officers face the hardship of having to stagnate at the stage of officiating pay drawn by them in the State Civil Service at the time of their promotion to IAS for a number of years. It has been felt that the benefit of pay drawn in the 'higher scale' of the State Civil Service in an officiating capacity can be given in the matter of fixation of pay of SCS officers promoted to IAS subject to a certificate from the State Government that they would have continued to officiate in the 'higher scale' of State Civil Service but for appointment to the Indian Administrative Service.

2. In the case of an officer who is officiating in the 'higher scale' of State Civil Service on the date of his appointment to IAS and in whose case the requisite certificate cannot be given, his pay in the IAS would be regulated in accordance with the existing provisions of Clause (3) of Section I which corresponds to clause 3(ii) of the enclosed draft notification of Schedule II.

3. It is accordingly proposed to amend the relevant provisions of Section I to Schedule II to IAS pay Rules as in the draft notification appended to this letter. The pay of SCS officers appointed to IAS Cadre posts in an officiating capacity in accordance with Rule 9 of IAS (Cadre) Rules, 1954 and who are drawing pay in the 'higher scale' of State Civil Service at the time of their officiating appointment in IAS Cadre Posts shall be regulated in the same manner, in view of the provisions of section (III) of Schedule II of IAS Pay Rules.

4. It is requested that the comments/concurrence of the State Governments in respect of the enclosed draft notification be communicated to this Department by the 28th February, 1982. If no reply is received by that date it would be presumed that the State Government concurred in proposal.

Yours faithfully,

Chitra Chopra

(Chitra Chopra)

Deputy Secretary to the Govt. of India.

No. 20016/6/76-AIS-II New Delhi, the 11 Feb., 1982

A copy is forwarded for information to:-

- 1) M.H.A. UT(S) Section
- 2) M.H.A. (IPS Section).
- 3) Deptt. of Agriculture (IFS Section).

Chitra Chopra

(Chitra Chopra)

Deputy Secretary to the Govt. of India.

Copy to AIS IV Section.

D R A F T

NOTIFICATION

G.S.R. No..... In exercise of the powers conferred by sub-section (1) of Section 3 of the All India Services Act, 1951 (61 of 1951) the Central Government in consultation with the Government of the States concerned, hereby makes the following rules further to amend the Indian Administrative Service (Pay) Rules, 1954, namely:-

1. (1) These rules may be called the Indian Administrative Service (Pay)..... Amendment Rules, 1982.

(2) They shall come into force on the date of their publication in the official Gazette.

2. In the Indian Administrative Service(Pay) Rules, 1954, in Schedule II, in Section I, for Clause (3), the following clause shall be substituted, namely:-

"(3)(i) The initial pay of a promoted officer, who, at the time of his appointment to the Indian Administrative Service, was officiating in the higher scale of the State Civil Service, shall be fixed at the stage of the senior time scale of the Indian Administrative Service next above his officiating pay in the higher scale provided that the State Government certifies that the promoted officer would have continued to officiate in the higher scale but for his appointment to the Indian Administrative Service, and such fixation of pay would be admissible only for so long as the certificate is forthcoming.

Provided that in a case where the pay in the senior time scale of the Indian Administrative Service calculated in accordance with clause(1) is higher than that admissible under this clause, the promoted officer shall be entitled to such higher pay.

(ii) A promoted officer who, at the time of his appointment to the Indian Administrative Service was officiating in the higher scale of the State Civil Service and whose initial pay in the senior time scale of the Indian Administrative Service cannot be fixed under sub-clause (i) above shall, in case his officiating pay in the higher scale is higher than the initial pay fixed in the senior time scale of the Indian Administrative Service in accordance with clause(1), be entitled to a personal pay equal to the difference. The personal pay shall be absorbed in future increments and increases in his pay, if any, including special pay, additional pay and any other form of pay."


(Chitra Chopra)

Deputy Secretary to the Govt. of India.