

SPEED POST
RTI MATTER
IMMEDIATE

No. 15/2/2010-CS.I (A)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

2nd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi.
Date 26 July, 2010

✓ Shri P. Vijaya Bhaskar Reddy,
No. 439, 9th Main,
NGEF Layout,
Nagarabhavi Village,
Bangalore: 560072

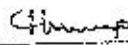
Subject: Application under Right to Information Act, 2005.

Sir,

Please refer to your RTI Application dated 16.07.2010 remitting Rs. 126/- towards the payment of RTI information fee which is available in 63 pages. The information in 63 pages as you have asked for is enclosed.

3 Appellate Authority in respect of the above reply within 30 days: Shri M.C. Luther,
Deputy Secretary, Telephone No. 24629411, Room No. 209, II nd floor, DOP&T, Lok Nayak
Bhavan, Khan Market, New Delhi:

Yours faithfully,


(K. SURESH KUMAR)
UNDER SECRETARY TO THE GOVT. OF INDIA & CPIO
TEL. 24642705

Reference discussion held in the meeting on 9.12.2009 with Joint Secretary (Pers) and Director(IC) of D/o Expenditure and the officers of this Division on the issue of granting the revised pay structure of Grade Pay of Rs.4600 in the PB-2 to Assistants of CSS w.e.f. 1.1.2006.

2. On a close perusal of the O.M. dated 16.11.2009, it was observed that there are some points which require clarity and hence the advice of Department of Expenditure was obtained on these points. In the above meeting those points were brought to the notice of D/o Expenditure on which they have given their explanation.

3. CS Division was of the view that the pay of those Assistants who were already in service before 1.1.2006, their pay cannot be fixed less than Rs.18460 [As it is the minimum of the Grade Pay of Rs.4600 as indicated in the Fixation Table of Pre-revised Scale (S-13) with Grade Pay of Rs.4600 in Annexure-1 to the O.M. No.1/1/2008-IC dated 30.8.2009]. Whereas the D/o Expenditure clarified that the pay of those Assistants who were already in service before 1.1.2006, their pay will be fixed strictly according to the Fixation Table annexed with the D/o Expenditure O.M. No.1/1/2008-IC dated 30.8.2008. As such, their pay will be fixed by multiplying their basic pay as on 1.1.2006 by 1.86 plus the Grade Pay of Rs.4600. D/o Expenditure clarified that it should not be construed as if the Assistants have been given the pre-revised pay scale of Rs.7450-11500 w.e.f. 1.1.2006 whereas they have been granted only the Grade Pay of Rs.4600 w.e.f. 1.1.2006. However, in the case of direct recruit Assistants appointed on or after 1.1.2006, their pay has been fixed at Rs.17140 (including Grade Pay of Rs.4600) as per Section II of Part A of the First Schedule of CCS (RP) Rules, 2008.

4. When it was queried that by fixing the pay in the above manner there will be cases where senior Assistants who were in service before 1.1.2006 would start drawing less pay than the junior DR Assistants appointed on or after 1.1.2006, D/o Expenditure clarified that in such cases, stepping up of pay will be given to the senior Assistants so that they can come at par with the same stage in the revised pay band as that of the junior. In addition, it was also clarified by the D/o Expenditure that the option to come over to the revised pay structure w.e.f. 15.9.2006, i.e. when their pay scale was upgraded from Rs.5500-9000 to Rs.6500-10500, can still be exercised by the Assistants of CSS.

5. From the discussion with the officers of D/o Expenditure it transpired that the grant of grade pay of Rs.4600 to Assistants should not be treated as upgradation of pay and consequently the fixation as per Illustration 4A, which is applicable only in the case of upgradation of posts, shall not be applied in the instant case. It was also clarified that a benefit of Rs.400 (Rs.4600 - Rs.4200) shall only accrue consequent upon the issue of O.M. dated 16.11.2009 and no other monetary benefit.

6. As CS-I deals with the Assistant Grade of CSS, an Order giving effect to the O.M. issued by the D/o Expenditure needs to be issued by the CS-I. We may now seek the concurrence of D/o Expenditure to the draft Order proposed to be issued.

7. We may also request the D/o Expenditure to confirm their views as brought out in paras 3 to 5 prepage, for further necessary action and clarification which would need to be given in due course.

US-CS.I(A)

Abani
10/12/09

594/JS(Rev)/09
11/12

Amna
10/12/09

DS(CS-I)

[Faint handwritten notes in Urdu, likely bleed-through from the reverse side of the page]

DCPT ID Note No. T/7/2008 - CS.I(A) dated 10/12/2009.

- 18/N -

**Government of India
Ministry of Finance
Department of Expenditure
Implementation Cell**

Department of Personnel & Training may please refer to their File No.7.7/2008-CS.1(A) regarding the manner in which pay of Assistants/PAs is to be fixed consequent upon the grant of revised pay structure of grade pay of Rs.4600 in the pay band PB-2 to them on the basis of this Department's O.M. dated 16.11.2009.

2. The matter has been considered in this Department in the light of the points raised by DOPT (CS Division) at pre-page and also clarifications on similar lines sought by certain other cadre controlling ministries of Services covered by this Department's O.M. dated 16.11.2009. Based on the points raised, the following clarifications are issued for guidance: -

| Point raised | Clarification |
|--|--|
| (a) The manner in which pay of Assistants/PAs in position on 1.1.2006 is to be fixed as per the provisions of CCS (RP) Rules, 2008. Whether there will be any bunching in this case. | The pay in the pay band of Assistants/PAs working as on 1.1.2006 will be fixed with reference to the fitment table of the pre-revised pay scale of Rs.5500-9000 annexed with this Department's O.M. No.1/1/2008-IC dated 30 th August, 2008 and they will be granted the grade pay of Rs.4600. Since the minimum pay in the pay band in the revised pay structure corresponding to the stage of Rs.5500 (pre-revised scale of Rs.5500-9000) is more than the minimum of the pay band PB-2 i.e., Rs.9300, <u>no benefit of bunching is admissible in this case.</u> |
| (b) The manner of fixation of pay of officials promoted as Assistants/PAs before 1.1.2006 but who have given option for pay fixation w.e.f. 15.9.06 w.r.t. pre-revised scale of Rs.6500-10500. | In the case of those Assistants/PAs who were already working as Assistants/PAs as on 1.1.2006 but who had given option for pay fixation w.e.f. 15.9.2006 with reference to the pre-revised scale of Rs.6500-10500, their pay will be fixed as per their option by determining their pay in the pay band with reference to the fitment table of the pre-revised scale of Rs.6500-10500 annexed with this Department's O.M. No.1/1/2008-IC dated 30 th August, 2008. In such cases, they shall not be entitled for arrears of pay from 1.1.2006 till the date of option. However, if fixation of pay as per this option is no longer beneficial for any particular employee, he may be allowed to revise his option with reference to the pre-revised scale of Rs.6500-10500 by referring the matter to Department of Expenditure. |
| (c) The manner of fixation of pay of officials promoted as Assistants/PAs between 1.1.2006 and 31.8.2008, their pay will be fixed as per their option exercised by them. In terms of CCS (RP) Rules, 2008, they have the option to (i) either their pay fixed w.e.f. 1.1.2006 with reference to the pre-revised scale which they were holding at the date of promotion or (ii) their pay fixed w.e.f. 1.1.2006 with reference to the pre-revised scale of Rs.6500-10500. | In the case of Government servants who were promoted as Assistants/PAs between 1.1.2006 and 31.8.2008, their pay will be fixed as per their option exercised by them. In terms of CCS (RP) Rules, 2008, they have the option to (i) either their pay fixed w.e.f. 1.1.2006 with reference to the pre-revised scale which they were holding at the date of promotion or (ii) their pay fixed w.e.f. 1.1.2006 with reference to the pre-revised scale of Rs.6500-10500. |

entitled to arrears of pay from 1.1.2006 till the date of option.

Accordingly, in the case of officials who were promoted as Assistants/PAs between 1.1.2006 and 31.8.2008, they have the option to have their pay fixed w.e.f. 1.1.2006 with reference to the pre-revised scale of the lower grade i.e. UDC/Steno 'D'. In such cases, on the date of their promotion, their pay will be fixed by granting them one increment in the pay band (subject to the minimum pay in the pay band being Rs.9300) and grade pay of Rs.4600.

Alternatively, they can opt to have their pay fixed from the date of promotion with reference to the fitment table of the upgraded pay scale i.e. pre-revised scale of Rs.7450-11500, in which case, they shall not be entitled to arrears of pay from 1.1.2006 till the date of option.

| | |
|---|---|
| (d) The manner of fixation of pay of officials promoted as Assistants/PAs between on or after 1.9.2008. | In the case of UDCs/Stenographers Gr.D promoted as Assistants/PAs on or after 1.9.2008, their pay will be fixed by granting them one increment in the pay band (subject to the minimum pay in the pay band being Rs.9300) and grade pay of Rs.4600. |
|---|---|

3. Insofar as the point raised by DOPT regarding the difference between the pay of Assistants/PAs directly recruited in the Central Government on or after 01.01.2006 and the revised pay of those Assistants/PAs who are already serving on 1.1.2006, it is clarified that the pay of those Government servants who joined the Government as direct recruits on or after 1.1.2006 is to be fixed as per Section II, Part 'A' of the First Schedule to the CCS (RP) Rules, 2008. This provision of CCS (RP) Rules, 2008 and the procedure of pay fixation are based on a specific recommendation of the Sixth Pay Commission, which has been accepted by the Government. As far as pay fixation in respect of those Government servants who were already in service on 1.1.2006 is concerned, their revised pay will be fixed in the manner indicated above. Further, in this context, it needs to be noted that the revised pay structure comprises grade pays and running pay bands and in the case of those Government servants who were already in service before 1.1.2006, Sixth Pay Commission has not prescribed a minimum pay in the running pay band with reference to the minimum entry level pay prescribed for direct recruits appointed on or after 1.1.2006. Accordingly, as per the provisions of CCS (RP) Rules, 2008, pay of those Government servants who were already in service on 1.1.2006 can not be fixed with reference to the pay of those who joined the Government as direct recruits on or after 1.1.2006. However, stepping up of pay can be considered in cases where a Senior Government servant is drawing lesser pay than his directly recruited junior borne on the same gradation list.

4. Further, it is noticed that DOPT proposes to issue a separate order on

