

Department of Personnel and Training
CS.I (A)

Reference Note from pre-pages.

2. The matter under consideration in this file relates to fixation of pay of Assistants of CSS consequent upon their pay upgradation from Rs. 4200/- to Rs. 4600/- (Grade Pay).

3. The background of the case is as follows.

(i) D/o Expenditure vide their O.M. dated 16.11.2009 extended the pay structure of GP of Rs.4600 in the PB-2 to Assistants belonging to CSS. Before circulating the O.M. dated 16.11.2009 to different cadre units of CSS for compliance, the matter was taken up with the D/o Expenditure on the manner of fixation of pay in the revised pay structure vide this Department I.D. note dated 10.12.2009. D/o Expenditure in their clarification furnished vide U.O. note dated 14.12.2009 prescribed 4 different manner of fixation of pay of Assistants viz. Assistants who were in position before 1.1.2006, officials who were promoted as Assistant before 1.1.2006 but given option for pay fixation w.e.f. 15.9.2006, officials who were promoted as Assistants between 1.1.2006 and 31.8.2008 and officials promoted as Assistants on or after 1.9.2008.

(ii) As a result, 5 different ways of fixation of pay prescribed by the D/o Expenditure in the revised pay structure of GP of Rs.4600 are enumerated below:

S.No.	Category of Assistants	Manner of fixation
1.	Those who have rendered 11 years of service in the scale of Rs.5500-9000 and having the Basic Pay of Rs.7425 as on 1.1.2006.	Rs.7425 x 1.86 = Rs.13810 Rs.4600 (GP) - Rs.18410.
2.	Those who have rendered less than 1 year of service in the scale of Rs.5500-900 and having the Basic Pay of Rs.5500 as on 1.1.2006 and opted to fix their pay w.e.f. 15.9.2006 i.e. from the date when the pay scale of Assistants was upgraded to Rs.6500-10500.	Rs.6500 x 1.86 = Rs.12090 + Rs.4600 (GP) = Rs.16690.
3.	Those who have been promoted as Assistant between 1.1.2006 to 31.8.2008.	Rs.7450 x 1.86 = Rs.13860 + Rs.4600 (GP) = Rs.18460.
4.	Those who have been promoted as Assistant on or after 1.9.2008.	Pay will be fixed by granting one increment in the pay band (subject to the minimum pay in the pay band)

Senior Assistant

4. From the above manner of fixation, it may be seen that the benefit of pre-revised pay scale of Rs.7450-11500 has been given only to those junior Assistants who were promoted between 1.1.2006 and 31.8.2008. Though the matter was taken up with the D/o Expenditure in the past, no concrete solution could be provided.

5. The matter was taken up with Estt (Pay) also. Their comments on the issue may kindly be seen on p. 31-33/N Ante. It has been indicated by them that the pay of the senior-most Assistant is fixed at a lower scale than the junior-most who is promoted after 1.1.2006. Also, the pay of an Assistant who has been appointed prior to 1.1.2006 is fixed at a lower stage than the DR Assistant appointed to this date. They are of the view that if the pay of one section of government servants is fixed with reference to three different pay scales, the anomaly in pay is inevitable. Such anomalies cannot be rectified under Note 10 below Rule 7 of RP Rules, 2008 as in terms of condition (b) of this Note, the pre-revised scale of pay of the lower and higher posts should be identical. While on the one hand, D/o Expenditure is of the view that the pay of those who were already in service on 1.1.2006 cannot be fixed with reference to the pay of DR appointed after 1.1.2006, on the other hand, they agree to consider stepping up of pay subject to the condition that the junior and the senior are in the same gradation list. If no DR Assistant is appointed in one Ministry, then a senior Assistant in that Ministry will continue to draw less pay than his counterparts in other Ministries where DR Assistants have been appointed after 1.1.2006. Besides, apparently there is no provision in the RP Rules, 2008 to step up the pay in such cases.

6. They are of the view that there cannot be 3 different pre-revised pay scales for one post. Going by the clarification given by the D/o Expenditure, the pre-revised pay scale of Assistant in respect of a person who is promoted in January 2006 is upgraded to Rs. 7450-11500 from the date of his promotion whereas in the case of his senior, who was promoted prior to 1.1.2006 and has opted for fixation of pay from a date subsequent to 1.1.2006, the pre-revised scale will continue to be Rs. 5300-9000. They advised that the matter may be taken up with D/o Expenditure so that one pre-revised upgraded pay scale for Assistants may be evolved along with a uniform date for such upgradation.

7. Numerous references mainly from various Ministries/Departments have been pending in this Department regarding pay fixation of Assistant. They are continuously reminding for providing clarification so that pay fixation could be done by them. In spite of more than 6 months have elapsed since the issue of the Order of D/o of Expenditure, the issue regarding fixation of pay has not been resolved so far. Therefore, there is an urgency to resolve the issue.

8. In view of the anomalous situation and the large scale representations/ references received from employees/Ministries and Departments, efforts were made with D/o Expenditure to resolve the issue. However, till now no solution is in sight. We may, therefore, reiterate our suggestion that the pay fixation of all Assistants as on 1.1.2006 must be done in the pre-revised pay scale of Rs. 7450-11500 as this would be the only clear cut solution to fix the pay of Assistant without allowing any scope for anomalies to arise and trying to resolve the anomaly by stepping up of pay of senior Assistants who are getting less pay consequent upon the pay fixation is not a workable and foolproof solution to the prevailing situation. In this context, it may be noted that Common Seniority List (CSL) in the grade of Assistant from 2003 onwards have not been finalised on various grounds. The main reason is that the zones for Select List (SQ) for 2003 and 2004-2006 were issued only on 14.07.2009 and 04.08.2009. The complete information regarding the details of the Assistants who were promoted based on these Orders have not yet been received by CS.II Division completely from the respective cadre units.

9. In view of the above, it has been noted that the route through stepping up of pay to remove the anomaly involving large number of cases on all Secretariat basis may not be an easy task. Therefore, we may reiterate that the grant of pre-revised pay scale of Rs. 7450-11500/- to all Assistants of CSS and Steno Gr.C of CSSS who were in service on 1.1.2006 would be the best option available to remove the anomaly. If approved, we may take up the matter with the Department of Expenditure with the approval of Secretary (P).

Submitted please.

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11/6/2010

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11/6/2010

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11/6/2010
11/6/10

DSC(CS/II) This was discussed with DSC(CS/II)

In view of the above, kind approval of Secretary (P) for the release of letter at 7 above is requested.

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14/6/10

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16/6

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11/6/10

Ref. noting at pre-page.

2 - DFA pt

PKSN
17/6/2010

John Urry

17/6/10
8.00 AM (1)

US (S) (S)

Thomas
17/6/10

DS (S-S)

Drop approx. 1/2
inclusion note + join.

US (S)

John Urry
17/6/10

PK
discuss.

US (S)
US (S)
17/6/10

**Department of Personnel & Training
CS.I (A) Section**

Reference Note on pre-pages 39-41/N.

2. The matter under consideration in this file relates to pay fixation of Assistants of CSS and Stenographers Gr "C" of CSSS consequent upon their pay upgradation from Rs. 4200 to Rs. 4600/- (Grade Pay).

3. This Department is in receipt of numerous references from various Ministries/ Departments as well as from Associations and employees regarding the anomalous situation in pay fixation of Assistants and Stenographers Gr. "C" consequent upon the above mentioned pay upgradation.

4. The matter has been considered in this Department vide the Note on pre-pages. This Department is of the view that the pay fixation of all Assistants of CSS and Stenographers Gr. "C" of CSSS as on 1.1.2006 must be done in the pre-revised pay scale of Rs. 7450 - 11500/- as this would be the only clear cut solution to fix the pay of Assistants and Stenographers Gr. "C" without allowing any scope for anomaly to arise.

5. D/o Expenditure may kindly consider the proposal of this Department as mentioned on pre-pages 39-41/N.

6. This has the approval of Secretary (P).

(M.C. Luther)

Deputy Secretary (CS. I)

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JS (AT&A) DOPT

18/6/10

JS (Pers) Department of Expenditure, North Block
Department of Personnel and Training ID No. 7/7/2008-CS.I (A)
dt. 18/6/10

11058
21/6
JS (RS) on leave
US/rajeev

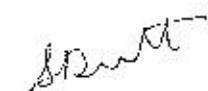
Ministry of Finance
Department of Expenditure
Legal Cell

The undersigned is directed to refer to Department of Personnel & Training's File No 7/7/2008-CSI(A) for grant of pre-revised pay scale of Rs. 7450 – 11500/- to all Assistants of CSS and Steno Grade C of CSSS who were in service as on 1.1. 2006.

2. The matter has been considered in this Department and not agreed to since the proposal would have repercussions on the pay fixation of all posts/scales which have been upgraded as a result of the recommendations of the Sixth Pay Commission and would go against the principles of the pay band system. However, if a senior Assistant is drawing less pay than his junior, his pay can be stepped up provided the Assistant is in the same gradation list as has been already advised by this Department.

3. It is also understood that a common gradation list of Assistants /PAs across Ministries/Departments is also under preparation in DOP&T based on the Cabinet decision at the time the last cadre restructuring took place. DOP&T may expedite preparation of the common gradation list and thereafter, this list could be used for the purpose of stepping up of pay.

This issues with the approval of Secretary (Exp).


(Shivani Dutt)
Under Secretary

JS(AT&A), Department of Personnel Training, North Block, N. Delhi
MoF (Exp.), U.O. No.800081/JS(Per)/10 dated 1st July, 2010

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USCS
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CS(A)