

No.13/02/2017-Estt.(Pay-I)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training

North Block, New Delhi
Dated 27th July, 2017

OFFICE MEMORANDUM

Subject: Availability of option for fixation of pay on promotion from the Date of Next Increment (DNI) in the lower post and method of fixation of pay from DNI, if opted for, in context of CCS (RP) Rules, 2016-regarding.

Prior to implementation of 6th CPC Report, the pay fixation on promotion was governed by provisions of FR 22(I)(a)(1). In 6th CPC context, the first part of FR 22(I)(a)(1) was replaced by Rule 13 of CCS (RP) Rules, 2008. Similarly, consequent upon implementation of CCS (RP) Rules, 2016 in 7th CPC context, the pay fixation on promotion is regulated by the provisions of Rule 13 of CCS (RP) Rules, 2016. This rule regulates pay fixation on promotion if the same is opted by the employee from the date of promotion itself. The issue of relevancy of provisions of FR 22(I)(a)(1) as well as the methodology of fixation of pay on promotion to a post carrying duties and responsibilities of greater importance, of a Government Servant in case he opts for pay fixation from the Date of Next Increment (DNI) has been considered in this Department.

2. In this context, proviso under FR 22(I)(a)(1) *inter-alia* provides that the Government Servant (other than those appointed on deputation basis to ex-cadre post or on ad-hoc basis or on direct recruitment basis) shall have the option, to be exercised within one month from the date of promotion, to have the pay fixed under this rule from the date of such promotion or to have the pay fixed from the date of accrual of next increment in the scale of the pay in lower grade.

3. After due consideration in this matter, the President is pleased to decide as follows:

(i) FR 22(I)(a)(1) holds good with regard to availability of option clause for pay fixation, to a Government Servant holding a post, other than a tenure post, in a substantive or temporary or officiating capacity, who is promoted or appointed in a substantive, temporary or officiating capacity, as the case may be, subject to the fulfilment of the eligibility conditions as prescribed in the relevant Recruitment Rules, to another post carrying duties or responsibilities of greater importance than those attaching to the post held by him/her. Such Government Servant may opt to have his/her pay fixed from the Date of his/her Next Increment (either 1st July or 1st January, as the case may be) accruing in the Level of the post from which he/she is promoted, except in cases of appointment on deputation basis to an ex-cadre post or on direct recruitment basis or appointment/promotion on ad-hoc basis.

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(iv) In such cases where Government Servant opts to have his/her pay fixed from the date of his/her next increment in the Level of the post from which he/she is promoted, the next increment as well as Date of Next Increment (DNI) will be regulated accordingly.

4. It is further reiterated that in order to enable the officials to exercise the option within the time limit prescribed, the option clause for pay fixation on promotion with effect from date of promotion/DNI shall invariably be incorporated in the promotion/appointment order so that there are no cases of delay in exercising the options due to administrative lapse.

5. In so far as their application to the employees belonging to the Indian Audit and Accounts Department is concerned, these orders issue in consultation with the Comptroller & Auditor General of India.

Pushpender Kumar

(Pushpender Kumar)

Under Secretary to the Government of India

Tel. No.011-23040489

To

All Ministries/Departments as per standard list.

Copy also forwarded to:

1. Secretaries to Union Public Service Commission / Supreme Court of India/ Lok Sabha Sectt. / Rajya Sabha Sectt. /Cabinet Sectt. / Central Vigilance Commission / President's Sectt. / Vice-President's Sectt./Prime Minister's Office / Niti Ayog.
2. Office of Comptroller & Auditor General of India.
3. Controller General of Accounts/Controller of Accounts, Ministry of Finance.
4. Department of Personnel and Training (AIS Division)/ JCA /Admn. Section.
5. Governors of all States/Lt. Governors of all Union Territories.
6. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
7. All Members of Staff Side of the National Council of JCM / Departmental Council.
8. All Officers/Sections of DoPT / Department of Administrative Reforms & Public Grievances/Department of Pensions & Pensioners Welfare/ PESB.
9. Joint Secretary (Pers), Ministry of Finance, D/o Expenditure.
10. Additional Secretary (Union Territories), Ministry of Home Affairs.
- ✓ 11. NIC with a request to upload the OM on the website of DoPT.

Pushpender Kumar

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Under Secretary to the Government of India