

No.7(21)-E.III/87
GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(Department of Expenditure)

.....

New Delhi, dated the 4th May, 1987.

OFFICE MEMORANDUM

Subject:- Central Civil Services (Revised Pay) Rules, 1986 -
Clarifications regarding - .

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The undersigned is directed to state that references are being received from Ministries/Departments seeking clarifications regarding application of certain provisions of CCS(RP) Rules, 1986. Based on the issues raised, following clarifications are issued for the guidance of all concerned.

Sl. No.	Point raised	Clarification
1	2	3
1.	In case of a Government servant whose increment accrued in the pre-revised scale on 1.1.1986, whether the increment in the pre-revised scale is to be allowed first and pay fixed in the revised scale under CCS(RP) Rules, 1986 later or pay fixed in the revised scale first and increment allowed later in the revised scale.	Increment in the pre-revised scale is to be allowed first on 1.1.86 and pay fixed in the revised scale thereafter.
2.	Where increment(s) has/have been allowed under provisos 3 and 4 to Rule 8 of CCS(RP) Rules, 1986, whether the next increment would be allowed after the qualifying period of 12 months reckoned from the date of last increment in the pre-revised scale or after completion of qualifying period of 12 months from 1.1.1986.	The next increment in revised scale to Government servants to whom the benefit of increment(s) under provisos 3 and 4 to Rule 8 of CCS(RP) Rules, 1986, has been given would be admissible after qualifying period of 12 months from 1.1.1986 under FR, 26. In other words the next increment in such cases would accrue on 1.1.1987, subject to the maximum of the revised scale not being exceeded.
3.	Whether the benefit of one more increment under 4th proviso to Rule 8 of CCS(RP) Rules, 1986 could be granted to a Government servant who has been stagnating at the	As the grant of an ad-hoc increment on account of stagnation at the maximum of the existing scale is subject to vigilance clearance, among other things,

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maximum of the pre-revised scale for more than two years as on 1.1.1986 but has not actually been granted an ad-hoc increment on account of some court case/vigilance/disciplinary proceedings pending against him.

such cases may be decided in due course in the light of the outcome of court case/vigilance or disciplinary proceedings.

4. Whether a Government servant, who has been stagnating at maximum of the pre-revised scale for more than two years but has not been actually granted ad-hoc increment, could be allowed one more increment under proviso 4 to Rule 8 of CCS(RP) Rules, 1986.

If ultimately the ad-hoc increment for stagnation is allowed retrospectively from a date upto and including 1.1.1986, one more increment under Proviso 4 to Rule 8 of CCS(RP) Rules, 1986, would become admissible on 1.1.1986.

5. Whether a Government Servant, who would have completed a period of two years of stagnation at the maximum of the existing scale after 1.1.1986 and would have been granted one ad-hoc increment on account of stagnation but for introduction of Revised Scales of pay, could opt for coming over to the revised scales of pay after 1.1.1986.

A Government servant who has already reached maximum of the pre-revised scale has no date of next or subsequent increment in the pre-revised scale and as such he has no option to opt for the revised scale of pay from next or subsequent increment after 1.1.86 as stagnation increment allowed in terms of O.M. dated 27.7.1983 is in the form of personal pay.

6. Whether in the case of a Government who was held up at the E.B. stage in the pre-revised scale, the pay can be fixed at a stage beyond E.B. stage in the revised scale irrespective of the fact that he was not cleared to cross this stage in the old scale.

While fixing pay under CCS(RP) Rules, 1986, the E.B. will become operative only with reference to such bars in the revised scale occurring after initial fixation of pay irrespective of whether a Government had crossed or not crossed or had been held up at the E.B. stage in the pre-revised scale on the analogy of Note-1 below Rule 8 to CCS (RP) Rules, 1986.

/servant

7. What will be the mode/manner of fixation of pay under CCS(RP) Rules, 1986, of persons who are drawing reduced pay as on 1.1.1986 in the existing scale on account of imposition of penalty under the provisions of CCS(CCA) Rules, 1965?

The pay in such cases may be fixed as under:-

- (a) on the basis of pay actually drawn on 1.1.86; and

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(b) on the basis of pay which would have been drawn but for the penalty.

The revised pay as fixed at (a) above may be allowed from 1.1.1986 to the date of expiry of penalty and the revised pay fixed as at (b) above from the date following the date of the expiry of the penalty after allowing increments, if any, that might have notionally fallen due in the revised scale during the period from 1.1.86 to the date of expiry of the penalty. The next increment in the revised scale will be regulated in accordance with Rule 8 of the CCS(RP) Rules, 1986.

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

Hindi Version of this O.M. will follow.



(M.S. MATHUR)
Director (Coordination)

To

All Ministries/Departments of the Government of India (as per standard list with usual number of spare copies).