

No.F.1(14)-E.III(A)/78
Government of India
Ministry of Finance
Department of Expenditure

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New Delhi, the 17th June, 1978.

OFFICE MEMORANDUM

Subject:- Fixation of pay on promotion from one Group 'A' post (Class I post) to another Group 'A' post (Class I Post).

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The undersigned is directed to invite attention to this Ministry's O.M.No.F.1(10)-E.III(A)/74 dated 21.6.1974 on the above mentioned subject and to say that a question has been raised about the manner of regulation of pay of officers on promotion from one Group 'A' post (Class I post) to another Group 'A' post (Class I post) in terms of the aforesaid O.M. in cases where the lower posts are held in officiating capacity and subsequent to their promotion, their pay in the lower post becomes equal to or more than their officiating pay in the higher post, as a result of increment or otherwise in the lower post and whether in such cases, the provisions of FR 31(2) are applicable.

2. The matter has been examined and it is clarified that the provisions of FR 31(2) can not be applied when the lower posts are not held in substantive capacity. However, in order to mitigate the hardship, if any, involved in such cases, it has been decided that if the officiating pay in the lower post at any time exceeds the officiating pay in the higher post, the difference between the pay that would have been admissible in the lower officiating post and that admissible in the higher officiating post may be allowed as personal pay to be absorbed in future increases of pay provided it is certified that but for holding the higher officiating post, the officer concerned would have held the lower officiating post. The protection would be admissible only for so long as it is certified that he would have continued to hold the lower post but for his officiation in the higher post.

3. These orders take effect from the date of issue and past cases will not be reopened. Pending cases, if any, may, however, be decided in accordance with these orders.

P.T.O.

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

(P. S. VENKATESWARAN)
DEPUTY SECRETARY TO THE GOVT. OF INDIA

To

All Ministries/Deptts. of the Govt. of India etc.

Copy to:

Cr.&AG, Implementation Cell; President Sectt.; Vice-President's Sectt.; Prime Minister's Office; Cabinet Sectt.; Lok Sabha Sectt.; Rajya Sabha Sectt.; Office of the Military Secy. to the President; Deptt. of Personnel & A.R. (AIS-5 copies) (CSS-5 copies); Planning Commission; Supreme Court; UPSC; Election Commission; Central Vigilance Commission; All Expenditure Branches; All State Govts.; and Adm. and Governors of States; All members of the Staff side of the National Council of the JCM.