

F No.4-15(01)/2018-PAT

भारत सरकार /Government of India

संचार मंत्रालय /Ministry of Communications

दूरसंचार विभाग /Department of Telecommunications

Sanchar Bhawan, 20, Ashoka Road,
New Delhi -110001

Dated -22/11/2018

CIRCULAR No. 96

Subject: Availability of option for fixation of pay on MACPs 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.

The undersigned is directed to forward herewith a copy of Ministry of Personnel, PG & Pensions, Department of Personnel and Training OM No.35034/1/2017-Estt.D dated 20th September, 2018 on the subject cited above for information / necessary action.

Encl: As above.

Banish
22/11/18
(Bulley Mishra)
Assistant Director General (PAT)
Phone: 23036245

Copy to:

1. P. S to Minister of State for Communications(IC)/MO C, New Delhi
2. Sr. PPS to Secretary (T)/Chairman, Telecom Commission, New Delhi.
- 3.PPS/PS to Member(T), Member(S), Member(F), DoT
4. PPS/PS to Director General Telecom.
5. All Advisors/Addl. Secy. /Sr. DDGs /DDGs/ JSs, DoT, New Delhi
6. All Advisors/Sr. DDGs of DoT field Unit.
7. Sr. DDG, TEC, Khurshid Lal Bhawan, New Delhi
8. Sr. DDG, NTIPRIT
9. CMD, BSNL, Corporate Office, Bharat Sanchar Bhawan, New Delhi
10. CMD, MTNL, 9 CGO Complexes, 5th Floor, Lodhi Road, New Delhi
11. CMD, TCIL, New Delhi
12. CMD, BBNL, New Delhi
13. Executive Director, C-DO T/Dir. WMO, New Delhi
14. All Controllers/Jt. Controllers of Communications Accounts, DO T
15. Director (Staff), Director (SEA), DO T & Director (Civil), DoT, New Delhi
16. Dy. Security (Admin-I)/ (Admin-II)/ (Admin-III) & (Admin-IV), DoT
17. Director (IT), DO T for posting this circular on the web-site of DO T
18. PAO, and all the concerned Sections, DO T, New Delhi
19. SO (Pay Bill), DoT, HQ, Sanchar Bhawan, New Delhi
20. All recognized Units/Association/Federations, DoT, New Delhi
21. Internal Audit Unit DoT, HQ, Sanchar Bhawan New Delhi

No. 35034/1/2017-Estt.D
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi
Dated: 20.09.2018

OFFICE MEMORANDUM

Subject:- Availability of option for fixation of pay on MACPS 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.

The undersigned is directed to refer to this Department's OM No. 13/02/2017-Estt.(Pay-I) dated 27.07.2017 and its further clarification vide OM No. 13/02/2017-Estt.(Pay-I) dated 28.08.2018 on the issue of 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.

2. A number of references have been received from various quarter including Secretary, Staff Side as to whether the aforesaid OMs 13/02/2017-Estt.(Pay-I) dated 27.07.2017 and 28.08.2018 will be applicable in the case of MACP also or otherwise. The matter has been examined in consultation with D/o Expenditure and it has been decided that the aforesaid OMs dated 27.07.2017 and 28.08.2018 will be applicable in the cases of pay fixation after grant of MACP also.

G. Jayanthi
(G. Jayanthi)
Joint Secretary (E-I)

All Ministries/Departments of the Government of India

Copy to:-

1. President's Secretariat / Vice President's Secretariat / Prime Minister's Office / Supreme Court / Rajya Sabha Secretariat / Lok Sabha Secretariat / Cabinet Secretariat / UPSC / CVC / C&AG / Central Administrative Tribunal (Principal Bench), New Delhi.
2. All attached/subordinate offices of the Ministry of Personnel, Public Grievances and Pensions.
3. Secretary, National Commission for Minorities.
4. Secretary, National Commission for Scheduled Castes/Scheduled Tribes
5. Secretary, Staff Side, National Council JCM), 13-C, Ferozeshah Road, New Delhi
6. All Staff Side Members of the National Council JCM)
7. Establishment (D) Section - 10 copies
8. NIC, DoPT, North Block for up-loading of the OM in DoPT website.

ADDITIONAL

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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(l)(a)(1). In 6th CPC context, the first part of FR 22(l)(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(l)(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(l)(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(l)(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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(ii) In case, consequent upon his/her promotion, the Government Servant opts 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) in the Level of the post from which Government Servant is promoted, then, from the date of promotion till his/her DNI, the Government Servant shall be placed at the next higher cell in the level of the post to which he/she is promoted.

Illustration:

1	Level in the revised pay structure : Level 4	Pay Band	5200-20200				
2	Basic Pay in the revised pay structure : 29600	Grade Pay	1800	1900	2000	2400	2800
3	Granted promotion in Level 5	Levels	1	2	3	4	5
4	Pay in the upgraded Level i.e. Level 5 : 30100 (next higher to 29600 in Level 5)	1	18000	19900	21700	25500	29200
5	Pay from the date of promotion till DNI: 30100	2	18500	20500	22400	26300	30100
		3	19100	21100	23100	27100	31000
		4	19700	21700	23800	27900	31900
		5	20300	22400	24500	28700	32900
		6	20900	23100	25200	29600	33900
		7	21500	23800	26000	30500	34900
		8	22100	24500	26800	31400	35900
		9	22800	25200	27600	32300	37000
		10	23500	26000	28400	33300	38100

(iii) Subsequently, on DNI in the level of the post to which Government Servant is promoted, his//her Pay will be re-fixed and two increments (one accrued on account of annual increment and the second accrued on account of promotion) may be granted in the Level from which the Government Servant is promoted and he/she shall be placed, at a Cell equal to the figure so arrived, in the Level of the post to which he/she is promoted; and if no such Cell is available in the Level to which he/she is promoted, he/she shall be placed at the next higher Cell in that Level.

Illustration:

1	Level in the revised pay structure : Level 4	Pay Band	5200-20200				
2	Basic Pay in the revised pay structure : 29600	Grade Pay	1800	1900	2000	2400	2800
3	Granted promotion in Level 5	Levels	1	2	3	4	5
4	Pay from the date of promotion till DNI: 30100	1	18000	19900	21700	25500	29200
5	Re-fixation on DNI: Pay after giving two increment in Level 4 : 31400	2	18500	20500	22400	26300	30100
		3	19100	21100	23100	27100	31000
		4	19700	21700	23800	27900	31900
		5	20300	22400	24500	28700	32900
		6	20900	23100	25200	29600	33900
		7	21500	23800	26000	30500	34900
		8	22100	24500	26800	31400	35900
6	Pay in the upgraded Level i.e. Level 5 : 31900 (either equal to or next higher to 31400 in Level 5)	9	22800	25200	27600	32300	37000
		10	23500	26000	28400	33300	38100

(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

(Pushpender Kumar)

Under Secretary to the Government of India

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: 28th August, 2018

OFFICE MEMORANDUM

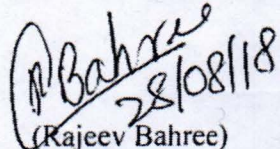
Subject: Availability of option for fixation of pay on promotion from the Date of Next Increment (DNI) in the lower post and method of fixation of pay from DNI, if opted for, in context of CCS (RP) Rules, 2016- clarification-regarding.

The undersigned is directed to refer to this Department's OM of even number dated 27.07.2017, on the subject cited above. Following the issuance of the OM *ibid*, this Department has received a number of references seeking clarification on various aspects of the OM *ibid*. The matter has been considered in this Department in consultation with D/o Expenditure and the points of doubt are clarified as under:

Sl. No.	Point of Doubt	Clarification
1.	The date of applicability of the OM <i>ibid</i> .	Since the OM <i>ibid</i> is in the context of 7th CPC Scenario, it is applicable from 01.01.2016.
2.	Whether the employees who have been granted the pay fixation benefit on account of promotion between 01.01.2016 and the date of issuance of the OM <i>ibid</i> i.e. 27.07.2017, would be allowed to re-exercise/revise their option for fixation of pay under FR 22(I)(a)(1).	Under the changed circumstances, after the issuance of this Department's OM <i>ibid</i> , the employee shall be allowed to re-exercise/revise their option for fixation of pay under FR 22(I)(a)(1), within one month from the date of issuance of this OM. Further, the option so revised, shall be final.

2. 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.

3. Hindi Version will follow.

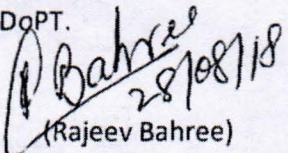

(Rajeev Bahree)

Under Secretary to the Government of India

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.


(Rajeev Bahree)

Under Secretary to the Government of India