

No. F. 2(33)-E. III/62
 GOVERNMENT OF INDIA
 Ministry of Finance
 (Department of Expenditure)

New Delhi, the 1st August, 1962.

OFFICE MEMORANDUM

Subject:- INTERPRETATION OF PROVISO (ii) TO RULE 11 OF THE CENTRAL CIVIL SERVICES (REVISED PAY) RULES, 1960.

The undersigned is directed to invite a reference to proviso (ii) to Rule 11 of the Central Civil Services (Revised Pay) Rules, 1960 which inter alia provides that the next increment shall be granted on the 2nd July, 1959 to a Government servant whose pay fixed on 1st July, 1959 in the revised scale is at the same stage as the one fixed for another Government servant drawing pay at a lower stage than his in the same existing scale.

2. A question has arisen as to how the date of next increment on the revised scale has to be regulated in cases where persons drawing pay at different stages in the existing scale, get the same stage in the revised scale of pay, as in the case illustrated below:-

Existing scale : Rs. 100-10-250

Revised scale : Rs. 210-10-290-15-380

	Pay in the existing scale.	Pay in the revised scale.	Whether ceiling limit is exceeded	Date of next increment.
	1	2	3	4
1st stage	100	210	Yes	1.7.1960
2nd stage	110	210	Yes	1.7.1960
3rd stage	120	210	Yes	1.7.1960
4th stage	130	210	Yes	1.7.1960
5th stage	140	210	No	?

3. The position is clarified as follows:-

(i) When the pay of a person is fixed under note 2 below Rule 10(2), his date of increment will be regulated by proviso (i) to Rule 11.

(ii) The object of the said proviso is that where at the time of fixation of pay, the ceiling limit has not been operated upon, the person's pay is already inflated and therefore increment should not accrue before one year. This principle would apply even in case the pay of the person in the revised scale happens to be at the same stage as that of another Government servant drawing pay at a lower stage than his in the same existing scale. Such a person would not be entitled to the benefit flowing from proviso (ii) of Rule 11 as already clarified vide para 2(ii) of this Ministry's letter No. F.12(11) Est. (Spl) 761, dated the 24th March, 1961, to the Accountant General, Madhya Pradesh, copy endorsed to all concerned.

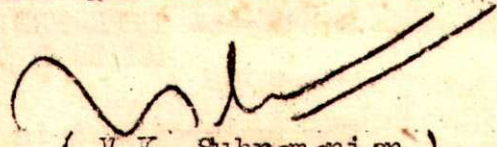
(iii) Thus persons drawing pay at the second, third and fourth stages in the illustration given above cannot derive the benefit of proviso (ii) of the Rule.

(iv) Proviso (ii) would, however, be attracted if, while fixing pay at the same stage in the revised scale of more than one person, the pay of the senior officer has been fixed by applying the ceiling limit whether or not the pay of the junior
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has been fixed by applying the ceiling limit. Thus in the foregoing illustration the date of next increment of the person drawing pay in the existing scale at the 5th stage would be 2nd July, 1959.

4. In so far as persons in the Indian Audit and Accounts Department are concerned, these orders have been issued in consultation with the Comptroller and Auditor General.



(V.K. Subramanian)
Under Secretary to the Government of India.

To

All Ministries of the Government of India, etc. etc.

No. F.2(23)-F.III/62.

Copy forwarded to State Governments, etc. etc.

By order, etc.



(V.K. Subramanian)
Under Secretary to the Government of India.

Sethi/28.7.