

Chapter – 1

PAY FIXATION RULES

1.0 GENESIS: In order to rationalise the application of pay-fixation rules, the Fundamental Rules(FRs) earlier existing on the issue were re-written in 1989. Thus the new version of FR 22 substituted old FRs 22, 22-C, 30 and 31.

1.1 The FRs have again undergone substantial change after acceptance of the recommendations of 6th CPC by the Government, vide promulgation of Notification of the CCS (Revised Pay) Rules, 2008.

1.2 Rule 15 of the CCS (RP) Rules 2008, prescribes that the provisions of the Fundamental Rules, shall not, save as otherwise provided in these rules, apply in cases where pay is regulated under these rules, to the extent they are inconsistent with these rules.

2. Some useful terminologies associated with application of Pay Fixation rules are briefly described below:

(a) **PAY:** Pay means the amount drawn monthly by a Government servant as basic pay in a particular Pay Band plus Grade Pay attached to the post held by him. It is defined as “basic pay” because, other allowances are granted as a percentage of the pay. Pay includes overseas pay, personal pay and non-practicing allowance.

(b) **SCALE OF PAY:** The scale of pay means combination of two, Pay band and Grade Pay, attached to a post.

(c) **IDENTICAL TIME SCALES:** Two posts are said to be in “identical scales” if the minimum and the maximum of the pay band and Grade Pay attached to the posts are identical but these two posts fall in ***different cadres***. The duties and responsibilities of the posts in these two time scales are not, however, taken into consideration. For example, if the posts of Research Officer and Section Officer are having similar scale of pay but belong to different cadres they are on identical scale.

(d) **SAME TIME SCALE:** Two posts is said to be in a “same scale”, if the minimum and the maximum of the pay band and Grade Pay attached to the posts are identical and the posts ***fall within a cadre***. Such cadre or class having been created in order to fill all posts involving duties of approximately the same character and degree of responsibility in a service or establishment or group of establishments, so that the pay of the holder of any post is determined by his position in a cadre or class and not by the fact that he holds that post. Thus in cases of posts on same scale of

pay the duties or responsibilities attached to the two posts are also the same. For example all posts of Assistant in MHA Cadre are on same scale of pay.

(e) **CADRE:** Cadre means strength of a service or part of service sanctioned as a separate unit, e.g. Central Secretariat Service. It is further divided into many sub-cadres, each sub-cadre having been placed under the control of different Ministries like Home, Finance, Commerce, Defence etc.

(f) **TENURE POST:** A tenure post is a regular post, which a particular individual may not hold beyond a prescribed limit of time. For example, a Section Officer appointed as Research Officer on deputation basis could hold that post for a prescribed tenure only. The post of Research Officer is a tenure post for him.

(g) **SUBSTANTIVE PAY:** Substantive pay means pay, other than special pay or personal pay or any other emoluments classed as pay to which a Government servant is entitled in respect of a post to which he is appointed substantively or by reasons of his substantive position in a cadre. Thus, substantive pay is a pay to which a Government servant is entitled in a post in which he is having a lien.

(h) **PRESUMPTIVE PAY:** Presumptive pay of a post, when used with reference to any particular Government servant, means the pay to which he would be entitled if he held the post substantively and were performing its duties; but it does not include special pay unless the Government servant performs or discharges the work or responsibility, in consideration of which the special pay was sanctioned. For example, an Assistant appointed as Research Assistant on deputation basis opts of his own grade pay plus deputation (duty) allowance. He will thus, draw presumptive pay of Assistant plus deputation allowance at prescribed percentage on it.

3. *Pay Fixation rules are required to be applied in various circumstances. While it is commonly used in case of promotion, there are different provisions for pay fixation in cases of first appointment to the Government service, appointment on deputation, re-appointment of a pensioner or fixation of pay after pay revision etc. Pay fixation under normal rules are held under **Fundamental Rule 22**, commonly referred to as FR 22. Let us see as to what are the various clauses under FR 22(I):*

(a) The appointment is from one post to another involving higher duties and responsibilities. –
Sub-Clause (a)(1).

(b) The appointment to another post, which does **not** involve higher duties and responsibility –
Sub-Clause (a)(2).

(c) The appointment is on his own request to a lower post and maximum of such post is less than his pay in the earlier post. His pay can be fixed at the maximum of the new pay scale only. -
Sub-Clause (a)(3).

(d) It also gives protection of pay drawn on previous occasion(s) in the same post, in the post held on the same time-scale or an identical time-scale. **[Proviso to FR 22(I)]**

4. Implications of other provisions in the FR are also given below:

✓ **FR 22.II:** Under the provisions of this clause, the Government servants on deputation under the government outside the regular service, or on Foreign Service, are granted Proforma promotion under Next Below Rule (NBR).

✓ **FR 22.III:** Stipulates that when an appointment is made to a post on the same scale of pay or on identical scale of pay, it have to be presumed that higher duties and responsibilities are not involved for the purpose of fixation of pay.

✓ **FR 22.IV:** Stipulates that when a Government servant holding an ex-cadre post is appointed/promoted to another post in his cadre, his pay in the new cadre post will be fixed with reference to his presumptive pay in the cadre post only, which he could have held, but for his holding the ex-cadre post; and by virtue of which he becomes eligible for such appointment or promotion.

✓ **FR 22-B:** Governs fixation of pay of a government servant who is appointed as a probationer or on probation or as an apprentice in another service/cadre.

5. Other than these rules mentioned above, executive instructions are also issued by the Government from time to time regulating fixation of pay of a class of employee. For instance, pay of **Re-employed pensioners** is fixed under the Central Civil Services (Fixation of Pay of Re-employed pensioners) order 2008, issued on 11 November 2008 (as amended from time to time).

Whenever the pay of Government servants is revised by Pay Commissions, separate rules are framed [like **CCS (Revised Pay) Rules, 2008**] for fixation of pay in the revised scales of pay. For fixation of pay in respect of Assured Career Progression Scheme (**ACP**), separate orders have been issued, such as Orders on Modified **ACP Scheme as contained in O.M. No. 35034/3/2008-Estt(D), dated 19.05.2009 etc.**

PAY FIXATION RULES EFFECTIVE FROM 01.01.2006

After acceptance of the Recommendations of the 6th Central Pay Commission by the Government vide Resolution dated 29th August, 2008 and the Notification dated 29th August, 2008, the Pay Fixation Rules have undergone substantial change.

2. All pre-revised pay-scales (S-1 to S-34) have been replaced by 4 Pay Bands. A fifth Pay Band (-1S) has also been introduced, which is for the Group - D employees. It has been stated that this Pay Band, i.e. (-1S), will cease to exist by the time all Group D employees are placed in PB-

1. The Pay Bands are :-

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|-------|----------------------------|
| (i) | 1S : 4440 – 7440 |
| (ii) | PB1 : 5200 – 20200 |
| (iii) | PB2 : 9300 – 34800 |
| (iv) | PB3 : 15600 – 39100 |
| (v) | PB4 : 37400 – 67000 |

3. Apart from the above Pay Bands there are four more slabs/scales approved by the CCS(Revised Pay) Rules, which are as under :

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|---|-----------------------|--|
| ✓ | HAG Scale : | 67000 - 3% - 79000 (No Grade Pay) |
| ✓ | HAG + Scale : | 75500 - 3% - 80000 (No Grade Pay) |
| ✓ | Apex Scale : | 80,000 fixed No Grade Pay |
| ✓ | Cab Secretary: | 90,000 fixed No Grade Pay |

4. **Grade Pay:** A new concept of “Grade Pay” has been introduced under the 2008 Rules, which will be added to the corresponding Band Pay as fixed with reference to the erstwhile Pay Scales. The Basic Pay in the CCS (RP) Rules means **Band Pay + Grade Pay**.

5. **Rate of Increment:** The rate of increment will be 3% of the sum of the pay in the pay band and grade pay, which will be rounded off to next multiple of 10. The amount of increment will be added to the existing pay in the pay band. In the case of PB-3, variable rates of increment will be 3% and 4%. The higher rate of increment will be granted to not more than 20% of the strength of officers in PB-3, on high performance basis.

6. **Date of Next increment:** There will be a uniform date of annual increment, viz. 1st July of every year. Those completing 6 months and above as on 1st July will be eligible to be granted the next increment provided that in cases where an employee reaches the maximum of his pay band, he shall be placed in the next higher pay band after one year of reaching the maximum. At the time of placement in the higher pay band, benefit of one increment will be provided. Thereafter, he will continue to move in the higher pay band till he reaches the maximum of PB-4, after which no further increment will be granted.

7. As there are two components of the basic and the Grade Pay is fixed corresponding to the earlier scales, pay fixation virtually means deciding the pay in the running **Pay Band**. Let us see what the various situations are where pay fixation will be required and how to fix pay in those situations.

(A) ON APPOINTMENT TO A POST CARRYING HIGHER RESPONSIBILITIES i.e. ON PROMOTION FR 22(I)(a)(1)

In the case of promotion from one grade pay to another, the pay fixation will be done as follows:-

(i) One increment equal to 3% of the sum of the pay in the pay band and the existing grade pay will be computed and rounded off to next multiple of 10. This will be added to the existing pay in the pay band. The grade pay corresponding to the promotion post will be granted in addition to the pay in pay band. In case where promotion involves change in the pay band also, the same methodology will be followed. However, if the pay in the pay band after adding the increment is

less than the minimum of the higher pay band to which promotion is taking place, pay in the pay band will be raised to such minimum.

(ii) In the case of promotion from PB-4 to HAG, after adding one increment in the manner above, the pay in the pay band and existing grade pay will be added. To the figure so arrived, a sum of Rs. 2000 will be added so that the benefit allowed on promotion to HAG is not withdrawn. The resultant figure will become the basic pay in the HAG. This will not exceed Rs. 79,000/-, the maximum of the scale. For Government servants who are in receipt of NPA, Pay + NPA shall not exceed Rs. 85,000.

(iii) In the case of promotion from PB-4 to HAG+, after adding one increment in the manner above, the pay in the pay band and existing grade pay will be added. The resultant figure will become the basic pay in the HAG+, subject to a minimum of Rs. 75,500. This will not exceed Rs. 80,000/-, the maximum of the scale. For Government servants who are in receipt of NPA, Pay + NPA shall not exceed Rs. 85,000.

Illustration-I :-

A Government servant drawing Rs. 9710 in the Pay Band of 9300-34800 and a Grade pay of Rs.4200/- is promoted to a post in the same pay band with grade pay of Rs. 4800/-

Solution :-

	Pay Band	Band Pay	Grade Pay	Total
Before Promotion	9300-34800	9710	4200	13500

After Promotion	9300-34800	$9710 + (3\% \text{ of } 9710 + 4200)$ $= 9710 + 420$ $= 10130/-$	4800/-	14930
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(B) OPTION FOR FIXATION OF PAY UNDER ABOVE RULE FROM THE DATE OF NEXT INCREMENT IN THE LOWER GRADE:

A Govt. servant is required to exercise option within one month from the date of promotion/appointment, to have his pay fixed **either from the date of promotion itself or from the date of accrual of next increment in the lower grade/post**. If he opts from the original date of promotion, then the pay will be fixed as per the illustration-I given above.

In case he opts for fixation from the date of next increment, his pay in the pay band will remain unchanged but the grade pay of higher post shall be granted for the **intervening period**, i.e., between the date of promotion and date of increment in the lower grade. It is then **re-fixed** under the above formula from the date of accrual of **next increment viz. 1st July**. On the day of increment, he will be granted **two increments**, one because of annual increment and the second because of promotion. While computing these two increments, basic pay prior to the date of promotion shall be taken into account.

Illustration-II :-

An employee with Basic Pay of Rs. 11300 in the pre-revised scale of pay of Rs. 8000-275-13500 switched over to the Revised Pay Structure w.e.f 01.01.2006 in the Pay Band of Rs.9300-34800 with Grade Pay Rs.5400. He is promoted to the pre-revised scale of pay of Rs. 10000-325-15200 w.e.f 20.04.2007 in the Pay Band of Rs 15600-39100 with Grade Pay of Rs.6600. His pay will be fixed in the following manner, if he gives option of fixing his pay from the date of next increment:

Date	Scale of Pay/Pay Band (lower post)	Scale of Pay/Pay Band (higher post)
01/01/06	8000-275-13500 9300-34800 with Grade Pay Rs.5400	10000-325-15200 15600-39100 with Grade Pay Rs.6600
01/01/06	Rs 21020 Band Pay + Rs. 5400 Grade Pay	-
20/04/07	-	Band Pay = 21020/- + Grade Pay = 6600/-
01/07/07	Annual Increment @3% on (21020+5400) = 792.6=800	-
	Notional Increment @3% on (21820+5400) = 816=820	Band Pay =(21020+800+820) = 22640 Grade Pay = 6600; DNI: 01/07/2008

This option is not admissible to the Govt. servant who is appointed:

- (a) to an ex-cadre post on deputation basis;
- (b) to a post on ad-hoc basis ;
- (c) to a post on direct recruitment basis.

However, if the ad-hoc promotion is followed by a regular promotion **without break**, the Govt. servant can exercise option within one month from the date of such regular appointment and the option shall be admissible from the date of initial appointment / promotion, which was ad-hoc in nature. Thus if he opts for fixation of his pay under this rule from the date of his next increment, his pay shall be re-fixed from initial date of appointment at a stage next above his pay in the lower-grade and under this rule from the date of next increment.

For the purposes of pay-fixation, FR 22 III clarifies that an appointment to another post on the same scale of pay or on identical scale of pay does not involve the assumption of higher

duties and responsibilities. In other cases, decision of the administrative head has to be obtained if the posts belong to the same department. In case the posts belong to different Departments, the decision of the Govt. of India is to be obtained.

As already mentioned, the above rule is applicable in case of appointment made to a higher post subject to fulfillment of eligibility conditions in the Recruitment Rules. In the case of appointment is made without fulfilling the eligibility criteria, the pay has to be fixed under the above rule and **restricted under FR 35**. Such appointment may be on promotion or otherwise.

If a Government servant holding an ex-cadre post is promoted or appointed regularly to a post in his cadre, his pay in the cadre post will be fixed only with reference to his presumptive pay in the cadre post which he would have held but for his holding any ex-cadre post outside the ordinary line of service, as per **FR 22 IV**.

(C) FIXATION OF PAY ON APPOINTMENT TO ANOTHER POST, NOT INVOLVING HIGHER DUTIES & RESPONSIBILITIES

Sub-clause (a) (2) of FR 22 (I) deals with fixation of Pay on appointment, from one post to another, when such an appointment does not involve assumption of higher duties and responsibilities. The appointment could be in the same pay band or in a different pay band. The employee will continue to draw the same Band Pay and the Grade Pay of the new post, whether there is change in pay band or not. However, if there is change in pay band and the Band Pay happens to be less than the minimum of the new pay band, it will be raised to the minimum.

Illustration-III(a):-

An employee drawing Band Pay Rs.18140/- in the PB-2, (9300-34800) and grade pay of Rs. 4800 is given a non-functional grade in the PB-3 (15600-39100) and grade pay of Rs. 5400. Fix the pay of the employee

Solution :-

	Pay Band	Band Pay	Grade Pay	Total
Before NFSG	9300-34800	Rs. 18140	Rs.4800	Rs.22940
After NFSG	15600-19100	Rs. 18140	Rs.5400	Rs.23540

Illustration-III(b) :-

An employee drawing band pay Rs.14420/- in the PB-2, (9300-34800) and grade pay of Rs. 4800 is given a non-functional grade in the PB-3 (15600-39100) and grade pay of Rs. 5400. Fix the pay of the employee

Solution :-

	Pay Band	Band Pay	Grade Pay	Total
Before NFSG	9300-34800	Rs. 14420	Rs.4800	Rs.19220
After NFSG	<u>15600</u> -19100	Rs. <u>15600</u>	Rs.5400	Rs.21000

On such appointment also the Govt. servant has an **option** to come over to the new pay band/scale from the date of his appointment to such post or from the date of his next increment in the earlier post. If the employee opts to get his pay fixed from the date of next increment, during the intervening period he shall continue to draw the same band pay and the same grade pay. On the date of increment, he will earn an increment and then his pay will be fixed.

Illustration-IV:-

An employee drawing Band Pay Rs.17330/- in the PB-2, (9300-34800) and Grade Pay of Rs. 4800 is given a non-functional grade in the PB-3 (15600-39100) and grade pay of Rs. 5400, w.e.f. 21/02/09. Fix the pay of the employee. Will it be beneficial if goes for the option of getting his pay fixed from the date of next increment?

Solution :-

1st Option: Date of NFSG

Dates	Old Scale	New Scale
	9300-34800	15600-39100
21.02.09 to 30.06.10	17330 +4800	17330 +5400
01.07.10 -----	-----	18000+5400

2nd Option: Date of next increment

Dates	Old Scale	New Scale
	9300-34800	15600-39100
21.02.09 to 30.06.09	17330 +4800	17330 +4800
01.07.09 -----	18000+4800	618000+5400

Hence it is clear that the second option will be beneficial

Note:- Normally the benefit of fixation of Pay under FR 22 (I) (a) (i) is not available in cases of NFSG, however, this is admissible when the order of NFSG itself has a provision to that effect.

(D) FIXATION OF PAY ON APPOINTMENT TO A LOWER POST

Under FR 15 (a) Government servant can seek his/her transfer to a lower post by own volition. A Government servant can also be reduced to a lower post as a measure of penalty.

In case an employee seeks transfer to a lower post on his/her own volition, s/he will continue to draw the Band Pay of higher post along with Grade Pay of lower post. However, if the maximum of the pay band of lower post happens to be less than his band pay in the higher post, he will draw the maximum of the new pay band.

Illustration - V:-

An employee drawing band pay Rs.22500/- in the PB-2, (9300-34800) and grade pay of Rs. 4800 seeks transfer to a post with grade pay of 4200 in the same pay band. Fix the pay of the employee

Solution :-

	Pay Band	Band Pay	Grade Pay	Total
Higher post	9300-34800	Rs. 22500	Rs.4800	Rs.27300
Lower post	9300-34800	Rs. 22500	Rs.4200	Rs.26700

Illustration - VI :-

An employee drawing band pay Rs.22500/- in the PB-2, (9300-34800) and grade pay of Rs. 4200 seeks transfer to a post with grade pay of 2800 in the PB-1 (5200-20200). Fix the pay of the employee.

Solution :-

	Pay Band	Band Pay	Grade Pay	Total
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Higher post	9300-34800	Rs. 22500	Rs.4200	Rs.27300
Lower post	5200-20200	Rs. 20200	Rs.2800	Rs.23000

When transfer to the lower post is made subject to certain terms and conditions then pay may be fixed according to such terms and conditions.

(E) PROTECTION OF PAY UNDER PROVISIO TO FR 22(I)

This proviso gives protection to the effect that a Government servant appointed to the equivalent post on second and any subsequent occasions should not draw less pay than what he had earlier drawn on such post. The period for which pay at a particular stage is drawn also counts towards computing 6 months period for grant of next increment. The protection is admissible for having previously held substantively or in officiating capacity in the following cases:

- The same post.
- A post in the same time-scale, which means in the same cadre.
- A post in the identical time-scale
- Benefit of Cadre post in ex-cadre post.
- Benefit of one ex-cadre post in another ex-cadre post,

However, benefits of ex-cadre post are not brought to the cadre

Illustration - VII: -

An official drawing Band pay of Rs. 15000/- in PB-2 and Grade Pay of Rs. 4200 is promoted to a post carrying Grade Pay Rs. 4800 in the same pay band from 23.11.07. He is reverted to his lower post on 17.08.08 and again promoted to the same post on 21.03.09. Fix his pay from time to time.

Solution:-

Dates	Event	Lower Post	Higher Post
23.11.07	Promotion	15000+4200	15580+4800
01.07.08	Increment	(15580+4200)	16220+4800
17.10.08	Reversion	15580+4200	-----
21.03.09	Promotion	15580+4200	NORMALLY 16180+4800*

* But **Proviso to FR22(I)** will make it **Rs. 16220+4800**, also Normal DNI would have been **01.07.10** But now it will be **01.07.2009**.

(F) PAY FIXATION OF DIRECT RECRUITS (PROBATIONERS)

Fixation of pay in the revised pay structure of employees appointed as fresh recruits on or after 01.01.2006 will be done as per the following table which indicated the entry level pay in the pay band at which the pay of direct recruits to a particular post carrying a specific grade pay will be fixed on or after 01.01.06:

PB-1: 5200 – 20200		
Grade Pay	Pay in the Pay Band	Total
1800	5200	7000
1900	5830	7730
2000	6460	8460
2400	7510	9910

2800	8560	11360
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PB-2: 9300 – 34800		
Grade Pay	Pay in the Pay Band	Total
4200	9300	13500
4600	12540	17140
4800	13350	18150

PB-3: 15600 – 39100		
Grade Pay	Pay in the Pay Band	Total
5400	15600	21000
6600	18750	25350
7600	21900	29500

PB-4: 37400 – 67000		
Grade Pay	Pay in the Pay Band	Total
8700	37400	46100
8900	40200	49100
10000	43000	53000

In such cases where the emoluments the pre-revised scales (i.e. BP+DP+DA) exceeds the sum of the pay fixed in the revised pay structure and the DA applicable thereon, the difference shall be allowed as personal pay to be absorbed in future increments in pay.

(G) FIXATION OF PAY ON DEPUTATION AND FOREIGN SERVICE

The term deputation/foreign service covers all those appointments, which are made in public interest by temporary transfer of a Government servant outside the normal field of deployment, in accordance with the Recruitment Rules of the new post.

Deputation: When such appointment is within Government i.e., within same organisation or other Ministry/Department or with State Government of Union Territory, it is termed as deputation and the Government servant continues to draw pay and allowances from the consolidated fund.

Foreign Service: When such appointment is outside Government to a post in Public Sector Undertaking/Autonomous Body (when temporary transfer is permitted in relaxation of provision for appointment on immediate absorption basis), or to Local Bodies etc., where the Government servant draws pay and allowances from a source other than Consolidated Fund of India/a state or a Union Territory, it is termed as Foreign Service.

The only difference in deputation and Foreign Service terms is that in case of Foreign Service Leave Salary and Pension Contributions are required to be paid by the foreign employer to the Government in respect of the Government servant for the period of Foreign Service. Other terms and conditions for deputation and Foreign Service are the same.

TERMS OF DEPUTATION/FOREIGN SERVICE

Pay: The Government servant has to exercise option within one month from the date of joining, either to:

- (1) draw pay in the pay-scale of deputation post, or

- (2) his basic pay in the present cadre plus deputation (duty) allowance thereon. In addition he will draw personal pay, if any.

Option as above, once exercised shall be final except that the same may be revised in the event of

- (a) Govt. servant receiving proforma promotion or on appointment to non-functional selection grade in his parent-cadre.
- (b) Reversion to a lower grade in his parent cadre.
- (c) Revision of scale of pay of parent post or ex-cadre post held in borrowing organisation.

Pay under option (1) will be fixed under normal rules, [subject to benefit of proviso to FR 22 I] w.r.t. basic pay in a post held on regular basis, in parent office. In case the pay structure or DA pattern post on foreign service is dissimilar to that in parent organisation, pay may be fixed at such a stage -pay plus one increment in the scale of his regular parent post plus DA. If there is no such stage, pay may be fixed at next higher stage.

Deputation (duty) Allowance (w.e.f. 01.09.2008):-

a)	In case of deputation within same station	-	5% of basic pay (Band Pay + grade Pay), subject to maximum of Rs. 2000/- p.m.
b)	In case of deputation is to outstation	-	10% of Basic Pay (Band Pay + Grade Pay) subject to maximum of Rs. 4000/- p.m

This is further subject to the condition that pay plus deputation (duty) allowance does not any time exceed maximum of the revise as per DoPT O.M. No. 06/08/2009-Estt., Pay –II, dated 17/06/2010.

Other benefits:

1. Project allowance will be admissible in a project area in the borrowing organisation in addition.
2. Special pay attached to the pay scale of ex-cadre post will be admissible, if the Govt. servant has opted to draw pay in the pay scale of deputation post. Special pay drawn in parent office will not be admissible.
3. Dearness allowance will be admissible at the rates prevailing in borrowing organisation in case the Govt. servant has opted for pay in the pay scale of deputation post. In case he opts for his own grade pay plus deputation (duty) allowance, D.A. at the rates prevalent in parent organisation will be admissible.
4. Such allowances as are not admissible to regular employees of corresponding status in the borrowing organisation shall not be admissible to office on deputation/foreign service, even if they were admissible in the parent organisation.

Chapter - II

FIXATION OF PAY OF RE-EMPLOYED PENSIONERS

For the purpose of pay fixation, re-employed pensioners can be categorised into the following categories:-

a) Those retired, before attaining the age of 55 years, from a Group B, C or D civil service Post or an Ex serviceman retired from a non commissioned officer rank and reemployed in a civil service post :

In this category, the benefit of ignoring full pension is provided and the pay on re-employment is fixed at the minimum of the Pay Band corresponding to the Grade Pay of the post on which he is re-employed, plus the Grade Pay. He will be allowed to draw D.R. on his pension.

Illustration:-

A Govt. Servant retired from a Group C post at the age of 50 years. At the time of retirement he was drawing pay of Rs.12500 in the PB-2 (5200-20200) and a grade Pay of Rs. 2400. The pension granted at the time of retirement was Rs.7200/- p.m. He is re-employed in a civil post in the same Pay Band with grade Pay of Rs.2800. Fix his Pay

In the reemployed post his pay will be fixed at the minimum corresponding to the Grade Pay of Rs. 2800/- i.e. 8560. The pension drawn by him will be fully ignored at the time fixation of pay on re-employment. He will draw D.R. on his pension.

b) Those who retire before attaining the age of 55 years from a Group A Civil service Post or as a commissioned Officer rank in Military services and reemployed in a civil service post :

In these cases the entire pension and pensionary benefits are not ignored for pay fixation and the initial basic pay on re-employment shall be fixed at the same stage as the last basic pay drawn before retirement. However, he shall be granted the grade pay of the re-employed post. The maximum basic pay cannot exceed the grade pay of the re-employed post plus pay in the pay band of Rs. 67000 i.e. the maximum of the pay band PB-4. In all these cases, the non-ignorable part of the pension shall be reduced from the pay so fixed. However in these cases, the first **Rs.4000/** of the pension drawn is ignored and the remaining amount of the pension is taken into account for fixing the actual pay of the reemployed pensioner, in the reemployed post.

Illustration:-

A Colonel who retired with basic pay of Rs. 61700 (grade pay Rs. 8700; pay in the pay band Rs. 53000) is re-employed as a Deputy Secretary in an organization with grade pay of Rs. 7600. In this case, on re-employment, his basic pay will continue to be Rs. 67100. However, his grade pay on re-employment will be Rs.7600 and the pay in the pay band Rs.54100. Thereafter, the non-ignorable part of the pension will be reduced from the pay so fixed.

Note: In the revised pay structure, basic pay is pay in the pay band plus the grade pay attached to the post.

c) Those who retired, after attaining the age of 55 years, from any post civil or Military and reemployed in a civil service post :

In this case, the pay fixation will be done in the same manner as above. The only difference is that in this case the entire pension will be taken into account and no portion of the pension will be ignored, unlike the case above. Let us see how :

Illustration:-

A govt. servant, after attaining the age of 55 years, retired from a group B post. At the time of retirement he was drawing a band pay of Rs. 23500/- in the pay band of Rs. 9300-34800/ with a grade Pay of Rs.4800. Pension granted on retirement was Rs. 14000/-. After retirement he was reemployed in a civil service post in the same pay band with a grade pay of Rs. 5400/-. How will you fix his pay.

On re-employment his pay in the pay band would be the same i.e. Rs.23500, the pay he was drawing just before his retirement. From this the entire amount of pension i.e.Rs.14000 shall be deducted, making the actual pay to be drawn as Rs. 9500/ in the pay band of re-employed post plus the grade pay of Rs. 5400/-. However, the reemployed pensioner is allowed to draw all allowances with reference to the pay fixed before such adjustment i.e. Rs 23500/- and would also draw increment at the usual rate on the reemployed post. He will not draw D.R. on the pension.

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