

No.AB-14017/2/97-Estt(RR)

Government of India

Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

North Block, New Delhi 110001

May 25, 1998

OFFICE MEMORANDUM

Subject: Fifth Central Pay Commission's recommendations - Revision of pay-scales - Amendment of Service Rules/Recruitment Rules.

The undersigned is directed to invite attention to the Central Civil Services (Revised Pay) Rules, 1997 notified by the Ministry of Finance (Department of Expenditure) on the 30th September, 1997 containing the decision of the Government in regard to the revised scales of pay, etc. The Government has decided that Ministries/Departments etc. are required to take the following consequential steps to amend the existing Service Rules/Recruitment Rules on a priority basis:-

(i) **Substituting the existing scales by revised scales**

The existing pay-scales may be substituted by the equated revised pay-scales now prescribed, straightaway, without making a reference to the Department of Personnel and Training (DOP&T)/the Union Public Service Commission (UPSC). In cases where deputation is also one of the methods of recruitment, the field of deputation which includes various posts should also reflect the revised scales of pay, in case there is no change in the eligibility service as per the revised guidelines. In cases where there is change in the eligibility service/field of deputation, amendment to the rules should be undertaken.

(ii) **Merger of pay-scales**

From Part 'A' of the first Schedule to the CCS (Revised Pay) Rules, 1997, notified by the Ministry of Finance on the 30th September, 1997, it may be seen that pre-revised scales have been merged into a single revised scale in respect of Grades S-5, S-6, S-7, S-8, S-9, S-12, S-13, S-15, S-19, S-21, S-24, S-26, S-29 and S-32. In such cases the recruitment rules will have to be amended so as to provide for promotion from the feeder grade to the merged grade according to the revised qualifying service as per ANNEXURE-'A'.

(iii) **Where there is an upgradation of posts**

In some cases the Fifth Pay Commission has recommended a higher pay-scale and not equated revised scale. Further, in certain cases the recommendations of the Pay Commission are subject to fulfillment of specific conditions e.g. changes in Recruitment Rules, restructuring of cadres, redistribution of posts, etc. As per guidelines issued by the DOP&T, whenever it has been decided to upgrade any post action should be taken by the Administrative Ministry/Department concerned to reframe the Recruitment Rules therefor. As the eligibility criteria for direct recruitment or promotion or

deputation, etc to the higher post will be different from those prescribed for a post on a comparatively lower scale, it will be necessary to review the relevant columns of the existing Recruitment Rules for the post for which an upgraded revised scale has been approved and to prescribe age limits, qualifications, experience and eligibility service for promotion/deputation appropriate to the higher level. Such revision should, however, be undertaken in respect of only those pay-scales which have already been approved by the Government and notified or the eligibility as prescribed has undergone a change. Pending revision of the Recruitment Rules with reference to the pay-scales as approved by the Government, the existing rules for the lower pay-scale may not be operated.

(iv) Consequential Changes

It will be necessary to make consequential changes in the Recruitment Rules/Service Rules so as to prescribe eligibility conditions with reference to the revised pay-scales. It will also be necessary to review other columns of the Recruitment Rules/Service Rules where some minimum service in a particular pay-scale is prescribed for consideration on deputation etc.

(v) Departmental Promotion Committees (DPC)

It has also been decided that where the scales have been merged, the existing DPC for the higher grade will be the DPC for the integrated merged grade.

(vi) The method of recruitment of 'transfer' indicated in para 3.12.1 of the DOP&T guidelines dated the 18th March, 1988 may be substituted to read as 'ABSORPTION' instead of 'transfer'. Accordingly, the word 'transfer', wherever it occurs in the various instructions, guidelines etc on Recruitment Rules, may be replaced by the word 'absorption'. The method of deputation may also be referred to as 'DEPUTATION' only and not as 'transfer on deputation'.

(vii) In the DOP&T Office Memorandum (O.M.) dated the 18th March, 1988, Column 5 of Annexure-1 reads as "Whether Selection posts or Non-Selection posts". However, in terms of the DOP&T O.M.No.22011/5/91-Estt(D) dated the 27th March, 1997 the method of 'Selection' in the aforesaid column has now to be shown as "Selection-cum-Seniority or Selection by merit". Necessary changes to this effect may be incorporated in the Recruitment Rules/Service Rules.

2. The Supreme Court in its judgement in *R.K. Sabharwal's* case has ruled in favour of a change-over from the existing "vacancy" based reservation roster to "post"-based roster. Under the existing policy the determination of different quotas for recruitment is vacancy-based. In order to comply with the aforesaid Supreme Court judgement, which has been implemented vide the DOP&T O.M.No.36012/2/96-Estt (Res) dated the 2nd July, 1997, it will be necessary to amend the existing Service Rules/Recruitment Rules under Column 11 of Annexure-1 in the DOP&T guidelines dated the 18th March, 1988 to replace the words "percentage of the 'vacancies' to be filled by various methods" by "percentage of the 'posts' to be filled by various methods".

3. The DOP&T vide its Office Memorandum of even number dated the 10th February, 1997 had imposed a temporary ban on framing/amendment/relaxation/modification/notification of Recruitment Rules/Service Rules in respect of Group 'A', 'B', 'C', 'D' posts/services/cadres till necessary orders to this effect are issued by the Government. The Revised Pay Rules, 1997 have since been notified by Ministry of Finance vide their notification dated the 30th September, 1997. As a sequel to this, Government have decided to lift the aforesaid temporary ban on framing/amendment/relaxation/modification/notification of Recruitment Rules/Service Rules in respect of Group 'A', 'B', 'C', 'D' posts/services/cadres with immediate effect.

4. The Recruitment Rules/Service Rules are of statutory nature. Therefore, the changes brought out by other relevant instructions have to be incorporated in the Recruitment Rules/Service Rules by suitable amendments so that necessary steps like holding of DPC etc. are taken to fill the posts carrying the revised scales, particularly merged scales, on regular basis. All the Ministries/Departments are, therefore, requested to effect necessary amendments to the Recruitment Rules/Service Rules notified by them after following the normal procedure of furnishing proposals to the Department of Personnel and Training and the UPSC in the format (Annexure-III) prescribed in the general guidelines on recruitment rules circulated vide the DOP&T O.M. No.14017/12/87-Estt(RR) dated the 18th March, 1988 and also in consultation with the Legislative Department.

5. In view of the urgency for amending the Recruitment Rules/Service Rules on the above lines, it is expected that Ministries/Departments would complete the review in this regard and furnish necessary amendment proposals to the Department of Personnel and Training/the Union Public Service Commission in the case of Group 'A' and 'B' posts within two months from the date of issue of this Office Memorandum. Simultaneously, they will, no doubt, be taking similar action for amending the recruitment rules for Group 'C' and 'D' posts, which is within their competence under the delegated powers.

6. Hindi version will follow.

21 March 1998 S-16

(HARINDER SINGH)

Joint Secretary to the Government of India

To

All Ministries/Departments of the Government of India

Copy to:-

1. The Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi 110011 with reference to their communication No.F.2/14/97-RR dated April 17, 1998.
2. The Comptroller and Auditor General of India, 10 Bahadur Shah Zafar Marg, New Delhi 110002.
3. The Manager, Government of India, Press, Mayapuri, Ring Road, New Delhi.

ANNEXURE - A

<u>S.No.</u>	<u>FROM</u>	<u>TO</u>	<u>FIXED QUALIFYING SERVICE</u>
1.	2550-3200	2610-3540	2 years
2.	2610-3540	2650-4000	2 years
3.	2650-4000	2750-4400	2 years
4.	2650-4000	3050-4590	4 years
5.	2750-4400	3050-4590	3 years
6.	3050-4590	3200-4900	3 years
7.	3200-4900	4000-6000	5 years
8.	3050-4590	4000-6000	8 years
9.	4000-6000	4500-7000	5 years
10.	4000-6000	5500-9000	10 years
11.	4500-7000	5000-8000	3 years
12.	4500-7000	5500-9000	6 years
13.	4500-7000	6500-10500	8 years
14.	5000-8000	5500-9000	3 years
15.	5000-8000	6500-10500	6 years
16.	5500-9000	6500-6900	2 years
17.	5500-9000	6500-10500	3 years
18.	5500-9000	7500-12000	7 years
19.	5500-9000	8000-13500	8 years
20.	6500-6900	6500-10500	2 years
21.	6500-10500	7450-11500	2 years
22.	6500-10500	7500-12000	3 years
23.	6500-10500	8000-13500	5 years
24.	6500-10500	10000-15200	8 years
25.	7450-11500	7500-12000	2 years
26.	7450-11500	8000-13500	3 years
27.	7450-11500	10000-15200	7 years
28.	7500-12000	8000-13500	2 years
29.	7500-12000	10000-15200	6 years
30.	8000-13500	10000-15200	5 years

31.	9000 (FIXED)	9000-9550	Nil
32.	9000-9550	10325-10975	Nil
33.	10000-15200	12000-16500	5 years
34.	10000-15200	12000-18000	5 years
35.	10000-15200	14300-18300	10 years
36.	12000-16500	14300-18300	5 years
37.	12000-18000	16400-20000	6 years
38.	12000-18000	16400-20900	6 years
39.	12000-18000	14300-22400	5 years
40.	14300-18300	18400-22400	3 years
41.	14300-18300	16400-20000	2 years
42.	16400-20000	18400-22400	2 years
43.	18400-22400	22400-24500	3 years
44.	22400-24500	22400-26000	Nil
45.	22400-26000	24050-26000	Nil
46.	22400-26000	26000 (FIXED)	2 years
47.	24050-26000	26000 (FIXED)	2 years
48.	22400-24500	26000 (FIXED)	2 years
49.	26000 (FIXED)	30000 (FIXED)	3 years