

W-02/0018/2020-DPe(WC)
Government of India
Ministry of Finance
Department of Public Enterprises
Public Enterprises Bhawan
Block No.14, CGO Complex, Lodhi Road

New Delhi, the 19th February, 2024

OFFICE MEMORANDUM

Subject:- Finalization of terms and conditions including pay fixation in respect of Board level executives of CPSEs - revised procedures thereof - reg.

The undersigned is directed to refer to this Department's OM No. 2 (34)/12-DPE (WC)-GL-XX/12, dated the 14th December, 2012 and subsequent OM No. W-02/0035/2019-DPE (WC)-GL XIX/19 dated the 17th September, 2019 which lay down principle of pay fixation for Board level executives of CPSEs and *mutatis mutandis* also for below board level executives and non-unionised supervisors of CPSEs. The aforesaid OMs give pay protection to government employees joining CPSEs and executives of one CPSE joining another CPSE. The said OMs also give multiple indicative examples in this regard for references. There is, however, no reference to cases of executives of State PSEs joining CPSEs.

2. This Department has been receiving representations from Ministries / Departments seeking clarifications as to the principles to be followed at the time of pay fixation when a Board level executive or a below Board level executive of a State PSE joins a Board level post in a CPSE.

3. In this connection, reference is invited to DoPT OM No. 12/1/88-Estt. (Pt.I) dated 07-08-1989 which states as under:-

..in respect of candidates working in Public Sector Undertakings, Universities, Semi Government Institutions or Autonomous Bodies who are appointed as direct recruits on selection through a properly constituted agency including departmental authorities making recruitment directly, their initial pay may be fixed at a stage in the scale of pay attached to the post so that the pay and D.A., as admissible in the Government will protect the pay + D.A. already being drawn by them in their parent organisations. In the event of such a stage not being available in the post to which they have been recruited, their pay may be fixed at a stage just below in the scale of the post to which they have been recruited, so as to ensure a minimum loss to the candidates.

P.T.O.

4. The provisions of the aforesaid OM was extended to State PSEs vide DoPT OM No. 12/1/88-Estt. (Pt.I) dated 28.02.1992.

5. The matter has now been considered in this Department and it has been decided that the provisions of this Department's OM No. W-02/0035/2019-DPE (WC)-GL XIX/19 dated the 17th September, 2019 may be extended to the executives of State PSEs joining the CPSEs on and after 1st January, 2017 in line with the aforesaid OMs of DoPT.

6. While fixing of the pay of the State PSE executive, the following principles will be applicable:

- i. Provisions of this department's above said OMs dated the 14th December, 2012 and the 17th September, 2019 will be taken into consideration *mutatis mutandis* and the pay fixation is to be made within the corresponding scale of pay after verification of all the relevant documents to be produced by the candidates who were earlier employed in State PSEs.
- ii. The pay so fixed in any case will not exceed the maximum of the scale of the post to which the executive has been recruited.

7. All administrative Ministries / Departments of the Government of India are accordingly requested to issue suitable instructions to the CPSEs under their administrative control.

8. This issues with the approval of the Competent Authority.


(Rajesh Puri)
Deputy Director
Tel : 2436-2673

To

All administrative Ministries / Departments of the Government of India.

Copy to:

1. The Chief Executives of Central Public Sector Enterprises.
2. Financial Advisers in the Administrative Ministries.
3. Department of Expenditure, E-III-A, Branch, North Block, New Delhi.
4. Department of Personnel & Training, EO Division, North Block, New Delhi.
5. NIC, DPE with the request to upload this OM on the DPE website


(Rajesh Puri)
Deputy Director