

F.No.18/2/2014-CS-I(S)
Government of India
Ministry of Personnel, PG & Pensions
Department of Personnel & Training

2nd Floor, A Wing, Lok Nayak Bhawan, Khan Market
New Delhi, the 1st July, 2019

OFFICE MEMORANDUM

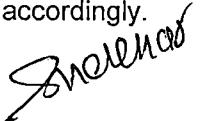
Subject: Stepping up of pay of senior Assistants of CSS drawing less pay on promotion in the Section Officers' Grade than their juniors – OM No.18/2/2007-CS-I dated 20.05.2014 – Writ Petitions filed in the matter - regarding.

The undersigned is directed to refer to the interim orders of Hon'ble High Court of Delhi in WP No.1225/2019 and similar other Writ Petitions filed in the matter vide which the court has stayed downgrading of pay of the petitioners or recovery from their pay in accordance with OM dated 20.05.2014.

2. In the light of the directions of the Hon'ble High Court in the above Writ Petitions, the following directions are issued for compliance by all Ministries/Departments:

- i) The WP No.1225/2019 is being defended by this Department. As regards the remaining Writ Petitions, which have already been filed or likely to be filed in the matter, the Ministry/Department concerned which defended the corresponding OA, may defend the WP. This Department would provide necessary inputs
- ii) The pay of the petitioners or non-petitioners to be restored and recovery stopped only if they submit the affidavit of undertaking as directed by Hon'ble High Court of Delhi. A format of the 'Affidavit of Undertaking' duly vetted by the Central Government Standing Counsel representing this Department in WP No.1225/2019, is attached. It is clarified that those who wish to take the benefit of the interim order dated 05.02.2019 of Hon'ble HC may file their respective affidavit of undertaking with the concerned Ministry/ Department.
- iii) The benefit of the interim orders would be available to only those who have been granted such a benefit in the matter by the High Court or those who have submitted the 'Affidavit of Undertaking' in the prescribed format.

3. Ministries/Departments may take further action in the matter accordingly.


(Chandra Shekhar)

Under Secretary to the Govt. of India
Ph:24624046

To

All Ministries/Departments of Government of India
Ministry/Department of.....
(Director/Deputy Secretary (Admn./Estt.))

New Delhi

AFFIDAVIT

I, _____, s/o _____,

Aged about _____ years, do hereby solemnly swear and affirm as under :

1. That I am a CSS Officer, presently posted as _____
in the Ministry/Department _____.
2. I am a Petitioner/Non-Petitioner in the CWP No. _____
filed in the Hon'ble High Court against the order of CAT dated
11.01.2019 in the O.A.NO. _____.
3. In the event of the above named petition being dismissed the Government
of India may recover the excess payment made to me from my pay/ retrial
dues and that I will not claim any equity in my favour.

DEPONENT