

F. No. 5/2/2012-Estt (Pay-I)(Vol.II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

North Block, New Delhi
Dated the 13th August, 2020

OFFICE MEMORANDUM

Subject: Protection of pay in respect of candidates from PSUs, Universities, autonomous bodies, etc. on their appointment to Central Government posts on Direct Recruitment basis -reg.

The undersigned is directed to refer to this Department's OM No. 12/1/88-Estt.(Pay-I) dated 07.08.1989, OM No. 12/1/88-Estt.(Pay-I) dated 28.02.1992, OM No. 12/1/88-Estt.(Pay-I) dated 08.06.1993, OM No. 12/1/96-Estt.(Pay-I) dated 10.07.1998, OM No. 12/3/2009-Pay-I dated 30.03.2010 and OM No. 12/03/2017-Estt.(Pay-I) dated 28.07.2017 on the subject cited above, whereby guidelines for fixation of pay of candidates working in Public Sector Undertakings etc. including Central Public Undertakings, State Government Undertakings, Universities, Semi-Government Institutions, Autonomous Bodies and Nationalised Banks including State Bank of India and Reserve Bank of India, on their appointment as Direct Recruits, on selection, through a properly constituted agency including Departmental authorities were issued.

2. On receipt of certain cases seeking clarification as to the exact scope of this Department's OM dated 07.08.1989 and the conditions under which the benefit under that OM is admissible, this Department vide OM No 12/1/96-Estt. (Pay-I) dated 10.07.1998 clarified that the pay protection under the above orders is available, only if, the selection is through interview and not through an open competitive examination.

3. However, in the light of various court judgments and references received from various quarters, the above mentioned policy of pay fixation of the candidates coming from field sources (PSUs, Universities etc) referred to in para 1, has been reviewed.

4. The President is pleased to decide that notwithstanding the mode of selection, henceforth, the benefit of pay protection will be available to Direct Recruits appointed in Central Government to those posts for which the relevant Recruitment Rules prescribe a requirement of minimum number of years of experience in a specified area from the field sources (autonomous bodies, PSUs etc.) for appointment under the method of direct recruitment. The benefit will be allowed irrespective of whether the post is filled by the recruiting agency on the basis of interview or open competitive exam or combination of both.

5. This OM will be effective from the date of its issuance.

6. In their application to the employees of Indian Audit and Accounts Department, these orders are issued after consultation with the Comptroller & Auditor General of India, as mandated under Article 148(5) of the Constitution.

7. Hindi version will follow.



(A. K. Jain)

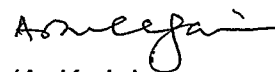
Deputy Secretary to the Government of India

To

All Ministries / Departments of Government of India.

Copy also forwarded to:

1. The Comptroller & Auditor General of India.
2. Secretary General, Supreme Court of India.
3. Controller General of Accounts / Controller of Accounts, Ministry of Finance.
4. Union Public Service Commission / Lok Sabha Sectt. / Rajya Sabha Sectt. / Cabinet Sectt. / Central Vigilance Commission / President's Sectt. / Vice-President's Sectt. / Prime Minister's Office / Niti Aayog.
5. Governments of all States and Union Territories.
6. Department of Personnel and Training (AIS Division) / JCA / Admn. Section.
7. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
8. All Members of Staff Side of the National Council of JCM / Departmental Council.
9. All Officers / Sections of Department of Personnel and Training / Department of Administrative Reforms & Public Grievances / Department of Pensions & Pensioners' Welfare / PESB.
10. Joint Secretary (Pers), Department of Expenditure, Ministry of Finance.
11. Additional Secretary (Union Territories), Ministry of Home Affairs.
12. Joint Director (OL), DoPT, North Block, New Delhi- for Hindi version of this OM.



(A. K. Jain)

Deputy Secretary to the Government of India