

No.Fin(PR)B(7)-2/98
Government of Himachal Pradesh
Finance (Pay Revision) Department

From

The F.C.-cum-Secretary(Finance)to the
Government of Himachal Pradesh.

To

1. All Administrative Secretaries to the Government of Himachal Pradesh.
2. All Heads of Department in H.P.
3. Registrar, H.P.High Court, Shimla.
- 4 Secretary, H.P.Vidhan Sabha, Shimla.

Dated Shimla-171002, the 7th November,1998.

Subject : Himachal Pradesh Civil Services (Revised Pay) Rules,
1998 - Clarifications regarding.

Sir/ Madam,

Jai Hind

Finance Department has received a number of references from various Departments and individuals with regard to the clarifications on some of the provisions of the H.P.Civil Services (Revised pay) Rules,1998, notified vide H.P.Government Notification No.Fin-(PR)B(7)-1/98, dated 20th January,1998. The necessary clarifications with regard to the manner in which pay is to be fixed or increments regulated under certain circumstances are given below :-

Points	Clarification
1. Manner in which the pay in the revised scales is to be fixed in cases where the existing emoluments computed after adding an amount representing 40% of basic pay in the pre-revised scales in terms of sub rule (i) and (ii) of Rule-7 exceed the maximum of the applicable revised scales.	As is clear the pay is to be fixed at the maximum of the revised scale as per proviso (b) below Rule 7 and the difference between the emoluments computed and maximum of the revised scale is to be allowed as personal pay to be adjusted against future increments earned by the employee in the revised Master Scale or on promotion to the higher scale till such personal is fully absorbed. The employee shall be entitled to draw regular increments only after the personal pay is fully adjusted.

Points

Clarification

2. Where for ensuring the benefit of atleast one increment for three increments in the existing scale, the increments are to be counted from the initial start of the scale or from the stage at which the pay of an employee is fixed on promotion in the pre-revised scale.

Since the pay of an employee only in one existing scale can be taken into consideration the benefit is to be counted from the stage at which the pay of an employee is fixed on promotion in the existing scale.

3. As per second proviso below rule 7 of the Revised Pay Rules, *ibid*, wherein the fixation of pay, the pay of Government employees, drawing pay at more than 3 consecutive stages in the existing scale gets bunched i.e. to say gets fixed in the revised scale at the same stage, the pay in the revised scale of such of the employees, who are drawing pay beyond the first three consecutive stages and so on in the existing scale, shall be stepped up by grant of increments according to number of stages.

Benefit of bunching and stepping up of pay in such cases is to be allowed after identifying the particular officers/ officials in the cadre.

It may be elucidated whether the benefit of bunching in such cases has to be allowed after identifying the particular officers or on presumptive basis, with reference to stages bunched.

4. An officer exercises option for fixation of pay in the revised scales w.e.f 1.1.96 without getting annual increment due on 1.1.1996 in existing scale, as per note (1) under rule-7 of the H.P.Civil Services (Revised Pay) Rules, 1998. It needs to be clarified whether in such a case, the officer is to be first granted the normal increment due on 1.1.96 in the revised scale, before allowing him the benefit of bunching admissible, if any, or whether he is to be considered for the benefit of bunching before

As is clear in Second Proviso under Rule 7 bunching is to be done by counting increments in the existing scale only. The pay actually drawn by an employee is to be taken into consideration. The pay of an employee therefore, is to be fixed in the revised scale without taking annual due on 1.1.96 into consideration.

Points

Clarification

5. What shall be the date of next increment of an employee whose pay has been fixed in the revised scale in terms of Rule 7.

The rules are clear. The next increment in cases of normal fixation under Rule 7 is to be allowed on the date he would have drawn his increment, had he continued in existing scale, except in the cases wherein the pay of an employee is stepped up on account of bunching or in view of re-fixation of pay with reference to pay of his junior under second proviso to Rule 7.

6 Date of next increment in the revised scale of pay in cases where an employee has reached the maximum of the applicable pre-revised master scale or has been stagnating at the maximum for more than a year as on 1st January, 1996.

In such cases, the pay is to be fixed initially in the revised scale in terms of Rule 7. If the employee has been stagnating for more than one year at the maximum of the pre-revised master scale after having drawn one or more stagnation/ ex-gratia increments as admissible, he may also be allowed additional increment on 1st January, 1996 itself, in terms of sub-Rule-(2) of the Rule 8, subject to maximum of Rs. Twenty Three Thousand Six hundred only.

7 In view of the third provision to Rule 7, in fixing the pay of an employee in revised scale of pay, it is to be ensured that he gets at least one increment in the revised scale of pay for every three increments (inclusive of stagnation/ ex-gratia increments, if any) drawn by him in the existing scale of pay, it is not clear when the next increment should be granted in such cases.

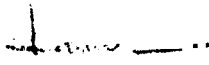
The next increment in such cases is to be granted after qualifying service of 12 months because the third proviso under Rule 7 is supplementary to second proviso to the said rule.

8. The date of increment is to remain unchanged under that Rules. Whether this position holds good in the case of an employee who is placed at the maximum of the revised scale where the gain is more than one increment even after adding 40% in the existing scale.

Since no upper limit for benefit available under the rules has been prescribed the date of increment shall remain unchanged.

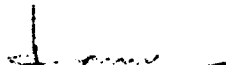
Points	Clarification
9. Whether the employees who were granted one or two proficiency steps-up after 8/18 years as per instructions issued by the Government are to be given corresponding benefit under the revised pay scale.	The employees who received the proficiency steps-up before 1-1-96 already have their pay fixed on the basis of their pay on 1.1.96 including these increments. In respect of cases arising on or after 1.1.96 the matter is under consideration and orders will be issued separately.

Yours faithfully,


(Mohan Chauhan)
Additional Secretary(Fin.Reg.) to the
Government of Himachal Pradesh.

No.Fin (PR)B(7)-2/98 Dated Shimla-171002, the 7th November, 1998
Copy is forwarded for information and necessary action to :-

1. The Accountant General (Audit) H.P.Shilma-3 with 20 spare copies.
2. The Senior Deputy Accountant General (A&E) H.P. Shimla-3, with 20 spare copies.


(Mohan Chauhan)
Additional Secretary(Fin.Reg.) to the
Government of Himachal Pradesh.

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Copy is forwarded for information and necessary action to :-

1. All Divisional Commissioners in Himachal Pradesh.
2. The Resident Commissioner, H.P. Himachal Bhawan, Sikandra Road, New Delhi.
3. All Deputy Commissioners in Himachal Pradesh.
4. All District and Session Judges in Himachal Pradesh.
5. The Director Treasuries and Accounts Organisation, Shimla-9.
6. All District Treasury Officers/ Treasury Officers in Himachal Pradesh.
7. All Controllers/ Joint Controllers/ Deputy Controllers/ Assistant Controllers (F&A) in Himachal Pradesh.
8. The Resident Commissioner, Pangi, Chamba, Himachal Pradesh.
9. All Public Sector Undertakings/ Boards/ Universities in H.P.
10. The Examiner, Local Audit Department, H.P.Shimla-2.
11. The Pay and Accounts Officer, No.I, Reserve Bank of India, Parliament Street, New Delhi.
12. The Director, Accounts, Cabinet Secretariat, Government of India, East Block, No. 5, Level 5, R.K.Puram, New Delhi-110022.
13. The Senior Research Officer, Ministry of Finance, Department of Expenditure, Pay Research Unit, North Block, Room No.261, New Delhi.
14. The Deputy Director, Central State Finance