

No.F.1/4/2009-Estt(Pay-I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi the 8th March, 2010.

OFFICE MEMORANDUM

Subject: Restriction of officiating pay under FR 35 - clarification - regarding.

The undersigned is directed to say that in terms of the provisions contained in Fundamental Rule 35, the Central Government may fix the pay of an officiating Government Servant at an amount less than that admissible under the Fundamental Rules. Accordingly, orders have been issued from time to time indicating the circumstances and the extent to which provisions of FR 35 would apply. This Department's OM NO. 18/7/98-Estt(Pay-I) dated 15th December, 1998 lays down the ceilings based on the pay scales sanctioned by the Government on the recommendation of the Fifth Central Pay Commission.

2. The question of revising these ceilings consequent upon implementation of CCS(RP) Rules, 2008, which have replaced pre-revised pay scales by the running pay bands and grade pay, has been considered by the Government and the President is pleased to decide to replace the existing criteria of basic pay regarding imposition of the above restriction by the criteria of **pay in the pay band**. Accordingly, the pay under FR 35 shall be restricted so as not to exceed the basic pay in the revised scales by more than the amounts shown below:

- a) For employees in receipt of Pay in the pay band above Rs. 14880 p.m. 12-1/2% of the basic pay subject to a maximum of Rs.2000 p.m.(including the difference of grade pay between the feeder and the promotional post).
- b) For employees in receipt of Pay in the pay band upto Rs.14880 p.m. 15% of the basic pay subject to a maximum of Rs.2000 p.m.(including the difference of grade pay between the feeder and the promotional post).

3. Insofar as the rate of increment to be drawn in cases where the pay is fixed under FR 35 is concerned, the Government servant may be allowed to draw his annual

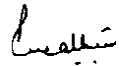
F.No.1/4/2009-Estt(Pay-I)

dated 8th March, 2010

increment @ 3% of the basic pay granted to him after imposition of restrictions under FR 35.

4. In so far as persons serving in the Indian Audit & Accounts Department are concerned, these orders issue in consultation with the Comptroller & Auditor General of India.

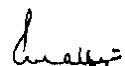
5. Hindi version will follow.



(RITA MATHUR)
DIRECTOR(PAY)

All Ministries/Department of Govt. of India as per standard list.

1. Controller General of Accounts/Controller of Accounts, Ministry of Finance.
2. Secretaries to UPSC/Supreme Court of India/Election Commission/Lok Sabha Sectt/Rajya Sabha Sectt/Cabinet Sectt/Central Vigilance Commission/President's Sectt/Vice President's Sectt./Prime Minister's Office/ Planning Commission.
3. Department of Personnel & Training (AIS Div.)/JCA/ Admn. Section.
4. Addl. Secretary (Union Territories), Ministry of Home Affairs.
5. All State Governments and Union Territories.
6. Governors of all States/Lt. Governors of Union Territories
7. Secretary, National Council(Staff Side, 13, Feroz Shah Road, New Delhi.
8. All Members of the Staff side of the National Council of JCM/Departmental Council.
9. All Officers/Sections of the Department of Personnel and Training/Department of AR&PG/Department of Pensions and Pensioners' Welfare.
10. 20 spare copies



(RITA MATHUR)
DIRECTOR(PAY)

NIC please upload the OM in the What's New Column of this Department's Website.