# Fixation of pay –Resource Person B.K.Singh, OS/ASO

Definition:- Pay fixation means deciding the pay in the running Pay Band / pay progression within the level in the pay Matrix. The basic rules governing the initial of pay of Govt. Servants in different circumstances were FRs 22, 22-C and 31. The pay fixed under any of those rules were further subjected to FRs 27 and 35. FR 30 added a general limitation on the pay fixed in respect of appointment in officiating capacity.

Fundamental Rules 22,22-C,30,31 and 35 were the normal rules governing fixation of the initial pay of a Government Servant under FRs. Apart from these rules, separate orders of the Government exist for the initial fixation of pay a Government servant in certain cases as for example (i) fixation of pay on appointment to Selection Grade posts (ii) fixation of pay of re-employed Civil and Military pensioners, etc.

By notification No. 1/10/89-Estt.(Pay-I) dated 30-8-1989, FR 22 was substituted incorporating inter alia the provisions of FR 22-C and orders issued under several OM from time to time. FRs 22-C, 30 and 31 were deleted. In the Notification No. G.I.,M.F. No. 1-2/2016-IC,dated the 25<sup>th</sup> July ,2016, the existing Pay Bands and Grade Pays as in force immediately prior to the notification of this Resolution, shall be replaced by the Pay Matrix, in respect of Civilian employees.

- FR22(I)clause (a)(I) deals with fixation of pay of a Government servant holding a non-tenure post in a substantive or temporary or officiating capacity on promotion/appointment in a substantive or temporary or officiating capacity to a higher post.
- Amendment to FR-22 in sub-rule (I), in clause (a), for sub-clause (I):- Where a Government Servant holding a post, other than a tenure post, in a substantive or temporary or officiating capacity, as the case may be, subject to the fulfilment of the eligibility conditions as prescribed in the relevant Recruitment Rules, to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time –scale shall be fixed by giving one increment in the level from which the Government servant is promoted and he or she shall be placed at a cell equal to the figure so arrived as in the level of the post to which promoted or appointed and if no such cell is available in the level to which promoted or appointed, he shall be placed at the next higher cell in that level.

Save in cases of appointment on deputation to an ex-cadre post, or to post on adhoc basis or on direct recruitment basis, the Government Servant shall have the option, to be exercised within one month from the promotion or appointment, as the case may be, to have pay fixed under this rules from the date of such promotion or appointment or to have the pay fixed initially at the next higher cell in the level of the post to which he or she is promoted on regular basis and subsequently, on the date of accrual of next increment in the level of the post from which Government Servant is promoted, his pay shall be re-fixed and two increments ( one accrued on account of annual increment due to him in the present level and the second accrued on account of promotion to the higher post) shall be granted in the level from which the Government Servant is promoted and he or she shall be placed, at a cell equal to the figure so arrived, in the level of the post to which he or she is promoted; and if no such cell is available in the level to which he or she is promoted, he or she shall be placed at the next higher cell in that level. In cases where an adhoc promotion is followed by regular appointment without break, the option is admissible from the date of initial appointment or promotion, to be exercised within one month from the date of such regular appointment.

#### Illustration 1.-

- A Government servant drawing a pay of Rs 40,400 in the pay Level 5 is promoted to a higher post in the Pay Level 6 on 01.04.2019. He opted to fix his pay from the date of his promotion. Fix his pay.
- Pay as on 01.04.2019 in level 5:- 40,400
- Add one increment in level 5 :- 41,600
- Pay fixed as on 01.04.19 in level 06
   on promotion as per FR 22(I)(a)(1):- 42,300

Date of Next Increment 01-01.2020 if otherwise admissible.

#### Illustration 2.

A Government Servant drawing a pay of Rs. 29,300 in the pay Level 3 is promoted to a higher post in the Pay Level 4 with effect from 01-01-2019. He has opted to fix his pay from his date of next increment. Fix his pay.

Pay as on 1.3.19 in the pay Level 3:-	29,300
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On promotion, as per option he will draw pay

from 1-3-19 to 30-6-19 in pay Level 4 :- 29,600

Pay as on 1.7.19 on accrual of one normal increment in level 3 and one more increment in the existing level on promotion :-

31,100

Pay fixed as on 1.7.19 in the pay Level 4 31,400 as per FR 22(I)(a)(I)

Date of Next Increment if otherwise admissible 01.01.2020

- **Illustration 3**-A Government who is drawing Rs. 91,400 in level 12 is promoted to a higher post in the Pay Level 13 on 1.4.19. Fix his pay.
- Basic pay as on 1.4.19 in level 12 91,400
- Pay after giving one increment in level 12 94,100
- In this case, the pay in the pay band after adding the increment is less than the minimum of higher pay Level 13 i.e. 1,23,100.
- Hence, his pay has been stepped up to the minimum and his pay in the promoted post as on 1.4.19 is 1,23,100 as per Rule 13(i) of CCS (RP) Rules, 2016.
- Illustration 4.
- A Government Servant drawing a pay of Rs 33,000 in the pay Level 3 is promoted to a higher post in the Pay Level 4 on 1-1-2019. He opted to fix his pay from his date of promotion. Fix his pay and indicate his DNI also.
- Pay as on 1-1-2019 in level 3 33,000
- Add one notional increment in level 3 on promotion
   34,000
- Pay fixed as on 1-1-2019 in level 4 34,300
- DNI 01.7.2019 as he will be completing six months in the higher grade on 1<sup>st</sup> July'19.

FR22(I)(a)(2) deals with pay fixation of Government Servant holding a nontenure post in a substantive or temporary or officiating transfer/appointment in a substantive or temporary or officiating capacity to anther post which is not higher than the post which he was holding. The appointment could be in the same Pay Band and the Grade Pay (now in Level) or in the different Grade Pay/ Level. When a Govt. Servant holding a post, other than a tenure post, in a substantive, temporary or officiating capacity is appointed in a substantive, temporary or officiating capacity, as the case may be, to another post which does not involve assumption of duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the new post should be fixed at the stage which is equal to his pay in respect of the old post held by him on regular basis and he will draw his next increment in the new post on the date on which he would have received an increment in the time scale of the old post.

If there is no such equal stage in the time scale of pay of the new post, his initial pay in the new post will be fixed at the stage next above his pay in respect of the old post and he will draw his next increment in the new post on completion of the period when an increment is earned in the time scale of pay of the new post.

The above provision is applicable also in the cases of appointments to non-functional Selection Grade also.

On such appointment also the Government Servant has an option to come over to the new pay band/scale/level from the date of his appointment to such post or from the date of his next increment in the earlier post. If the employee opts to get his pay fixed from the date of next increment, during the intervening period he shall continue to draw the same pay drawing in the particular level. On the date of increment, he will earn an increment and then his pay will be fixed.

However, if there is change in pay level and pay level happens to be less than the minimum pay to the new pay level, it will be raised to the minimum.

#### • <u>Illustration 5</u>

• An employee drawing Rs. 50,500 in level 8 is given a non-functional grade in level 10. Fix the pay of the employee.

Details Pay Level Basic Pay Remarks

• Before NFSG 08 50500 -

• After NFSG 10 56100 i.e. minimum pay of level 10

#### Illustration 6

• An employee drawing pay Rs. 56,900 in level 8 is given a non-functional grade in level 10. Fix the pay of the employee.

Details Pay Level Basic Pay Remarks

• Before NFSG 08 56900 -

After NFSG 10 57800 i.e. the stage next above his pay in level 10

#### Illustration 7

A teacher of JNV drawing basic pay 60,400 in level 7 is given senior scale in level 8 on 02.4.2020 for which there is a direction of NVS to fix up his pay under FR 22 (I)(a)(2). Fix the pay of the employee. Will it be beneficial of the teacher if goes for the option of getting his pay fixed from the date of next increment?

<u>Details</u>	Pay Level	Basic Pay
Pay as on 02.4.2020	7	60,400
Pay fixed on grant of Sr.Scale on 2.4.2	20 8	60,400
Pay as on 1.7.20 on the day of Incren	nent 8	62,200
DNI 0n 1.7.21	8	64,100
2 <sup>nd</sup> option to fix pay w.e.f. next increa	<u>ment</u>	
Pay from 2.4.20 to 30.6.20	7	60,400
Pay fixed on 1.7.20	8	62,200
DNI 01.01.2021	8	64,100
Note-2 <sup>nd</sup> Option will be beneficial to	him/her	

- FR 22(I)(a)(3) deals with fixation of pay of a Government servant holding a tenure post in substantive or temporary or officiating capacity on transfer at his own request to a post with the maximum pay in the time-scale of that post lower than his pay in the post held by him on regular basis.
- Under FR 15 (a) Government Servant can seek his/her transfer to lower post by own volition. A Government Servant can also be reduced to a lower post as a measure of penalty. In case an employee seeks transfer to a lower post in the pay Matrix with effect from 01.01.2016, the pay of the Government Servant holding a post on regular basis will be fixed in the revised pay structure at the stage equal to the pay drawn by him/her in the higher Level of post held regularly. If no such stage is available, the pay will be fixed at the stage next below in the lower level with respect to the pay drawn by him/her in the higher level of post held regularly and the difference in the pay may be granted as personal pay to be absorbed in future increments. If maximum of the vertical range of pay progression at the lower level in which he/she is appointed, happens to be less than the pay drawn by him/her in the higher level, his/her pay may be restricted to the maximum under this rules.

#### **Illustration 8**

An employee drawing pay 57,900 in level 2 seeks transfer to a post with grade pay 1800 now in level 1. Fix the pay of the employee

<u>Details</u>	Pay Level	Basic Pay	<u>Remarks</u>		
HIGHER POST	2	57900	-		
LOWER POST	1	56900	restricted pay to the		
maximum pay in level 1.					

#### **Illustration-9**

An employee drawing pay 78,800 in level 7 seeks transfer to a post in level 6.Fix the pay of the employee –

<u>Details</u>	Pay Level	Basic Pay	<u>Remarks</u>
HIGHER POST	7	78,800	
LOWER POST	6	78,800	in the same stage in level 6.

#### Illustration-10.

An employee drawing pay Rs. 67,000 in level 10 seeks transfer to a post in Level 9 w.e.f.01.4.2020. Fix the pay of the Employee:-

<u>Details</u>	Pay Level	Basic Pay	<u>Remarks</u>		
HIGHER POST	10	67,000			
LOWER POST	09	65,200 (1	.800 PP) with effect from		
01.4.2020 i.e. the stage next below in the lower level.					
and difference of	Pay is grant	ed as PP to be	e absorbed in future increment.		
Pay on 01.01.2021	09	67,200			

#### **Illustration 11**

A Government Servant drawing the pay Rs.49,000 in the pay level 6 from 1-7-2019 is promoted to a post of higher responsibilities in pay level 7 from 1-3-20. Fix his pay in the new post and indicated DNI (1) from the date of promotion (2) from the date of next increment and indicate which is beneficial to him/her.

(1) If he opts to fix up his/her pay from the date of promotion:-

Pay as on 01.03.2020 in level 6:-		49,000
Add one increment in level 6 :-		50,500
Pay fixed as on 01.03.2020 in level 7		
on promotion as per FR 22(I)(a)(1)	:-	50,500
DNI 01.01.2021 if otherwise admissible.	:-	52,000

(2) If he opts to fix his/her pay from the date of next increment:-

Pay as on 01.03.2020 in level 6:-			49,000
on promotion he will draw Rs. 50,500 from	m		50,500
01.3.2020 to 30.6.2020.			
Add two increments in level 6 on 1.7.2020	:-		52,000
Pay fixed as on 01.07.2020 in level 7			
on promotion as per FR 22(I)(a)(1)		:-	52,000
DNI 01.01.2021 if otherwise admissible.	:-		53,600

NOTE- Option 2 will be beneficial to him/her

#### NOTE:-

- 1. On adh oc promotion pay is to be fixed from the date of adhoc promotion under FR 22 (I)(a)(I).
- 2. In cases where a adhoc promotion is followed by regular appointment without break, the option is admissible from the date of initial appointment or promotion, to be exercised within one month from the date of such regular appointment.
- 3. When a Government Servant is appointed to the same post, which he had held previously in the substantive or officiating basis, his initial pay fixed in that post under FR 22(I) should not be less than the during which he drew that pay on a regular basis on such last and any previous occasions for increment in the stage of time scale equivalent to that pay.

#### **Illustration 12.**

A Government Servant drawing the pay of Rs. 62,200 in pay Level 8 was appointed to officiate on a regular basis in a higher post in the Pay Level 9 from 01.8.2018.He was reverted to the lower post on 1.10.2019.He was again promoted to the same higher post in the dame pay level 9 on 1-4-2020.Fix his pay on 1-4-2020 and indicate his DNI also.

<u>Period</u>	Low	er Post(Lev	<u>rel 8)</u>	Higher Post (Level 9)
01-8-18 to	30-6-19	62,200	65,200 as	per FR 22(I)(a)(I))
01-7-18 to	30-9-19	64,100	67,200	
01-10-2019	to 31-3-202	64,100	on reversi	on -
01-4-202 (F	Promotion)	64,100	67,200 pro	oviso (I)(i) FR 22 (I)
DNI	01-7-2	2021		

As he has a qualifying service of 06 months on 1-7-2020 by adding the previous period of working in 2020 in level 9 from 01-7-19 to 30-9-19 and the present period of 01-4-2020 to 30-6-2020.

- FR 22 (I) clause (b) deals with fixation of pay of a Government Servant on his first appointment in Government service and other cases not fulfilling the conditions in clause (a).
- FR 22 (III) stipulates that appointment or promotion of a Government Servant to a post in the same or identical time-scale of pay ( with reference to the scale of pay of the post held by him at the time of appointment or promotion ) should not be deemed to involve the assumption of duties and responsibilities of greater importance for the purpose of initial fixation of pay.
- FR 22 (IV) stipulates that when a Government Servant, while holding an ex cadre posts, is promoted or appointed regularly to a post in his cadre, his pay in the new cadre post should be fixed with reference to his presumptive pay in the old cadre post which he would have held but for his holding the ex cadre post.
- FR 22 (II) deals with grant of pro forma officiating promotion under 'Next Below Rule' to a Government who is working on deputation under the Government outside his regular line of service or on foreign service.
- Proviso to clause (b) of FR 22 (I) enables counting of previous service in the same or identical time-scale.

FR 22 B governs fixation of pay of a Government Servant who is appointed as a probationer or on probation or as apprentice in another service/cadre.

FR 26 regulates the increment of a Government Servant in a time scale of pay.

FR 27 vests competent authorities with the power to fix pay of a Government servant at a stage higher than that admissible under the provisions of FR 22 by granting premature increments.

FR 35 vests Government with the power to fix the pay of an officiating Government servant at an amount less than that admissible under FR 22.

- There are three circumstances of pay fixation:-
- First appointment to any post, whether in a substantive or officiating capacity.
- Transfer from one post to another, whether in a substantive or officiating capacity.
- Re-appointment in the officiating post after break in service due to leave or service in another post which does not count for increment in that officiating post.
- What is pay fixation:- Pay fixation is the exercise which will enable Central Government Employees to choose either of the date of promotion or date of increment to fix their pay.
- Pay on Promotion/Appointment: The 7<sup>th</sup> pay Commission has replaced the Pay Bands and Grade Pay with a Pay Matrix with distinct Pay Levels. The entry Pay at each level is the starting point of the Matrix. The level in the vertical range of the Matrix describes the pay progression. Hence in the illustration, lower Grade Pay has been taken as lower level.
- According to recommendations of 7<sup>th</sup> CPC Report, the existing provisions on pay fixation on promotion /appointment have been changed completely w.e.f 01.01.2016. Instead of running pay Bands and Grade Pays with regular increments, 16 Levels of Pay have been introduced for all categories of employees in Group A, B and C. In addition, there are two levels for HAG+ scale, one for Apex scale and one for Cabinet Secretary.

#### Increments

- There shall be two dates for grant of increment namely, 1st January and 1st July of every year instead of existing date of 1st July every year provided that an employee shall be entitled to only one annual increment either on 1st January or 1st July depending on the date of his appointment, promotion or grant of financial upgradation.
- The increment in respect of an employee appointed or promoted or granted financial upgradation under MACP scheme during the period between the 2<sup>nd</sup> day of January and 1<sup>st</sup> day of July (both inclusive) shall be granted on 1<sup>st</sup> day of January and the increment in respect of the employee appointed or promoted or granted financial upgradation under MACPs during the period between the 2<sup>nd</sup> day of July and 1<sup>st</sup> day of January (both inclusive) shall be granted on 1<sup>st</sup> day of July.
- Employees appointed /promoted/granted financial upgradation between 2-1-2015 and 01-7-2015 will not be entitled to grant of increment on 01-01-2016.
- However, a Government servant who is promoted/ appointed on 1<sup>st</sup> January of a year, joins that post on the first working day of the year due to Sunday or a Gazetted Holiday failing on 1<sup>st</sup> January, is deemed to have completed six months of service on 1<sup>st</sup> July of that year for drawl of annual increment

- Fixation of pay on account of punishment under Rule 11 of CCS(CCA), Rules, 1965 i.e withholding of one increment/next increment for the specified period with or without cumulative effect. Where an order of penalty intends to withhold next increment for a specified period, it implies that all the increments falling due during that period would be withheld, because without getting the next increment, an Officer cannot get increments falling after the next increment. If it is intended to withhold one increment for the period of two years, it implies that one increment is to be withheld for the period of two years.
- Without Cumulative Effect:- If the punishment is awarded without cumulative effect, then immediately on the expiry of the period of penalty, the Government Servant will draw the pay which he would have drawn had his increment not been withheld.
- With Cumulative Effect:-If the punishment is ordered with cumulative effect, then on the expiry of the period of penalty, the Government Servant will not be allowed the increment which he has lost during the period of currency of penalty. He will be allowed increment next to the pay drawn by him/her. This will mean a recurring loss to him/her.

#### • <u>Illustration 13</u>

• A Senior Secretariat Assistant (SSA) in the pay level 4 is drawing a pay of Rs. 29,600 from 1-1-2017. He has been awarded a penalty of withholding of one increment falling on 1-7-2018 for a period of one/two years with/without cumulative effect.

•	<u>Period</u>	<u>Due</u>	To be drawn	Remarks.	
•	1-7-17 to 30-6-18	29,600	29,600	This is for one year	
•	1-7-18 to 30-6-19	30,500	29,600	Penalty begins	
•	1-7-19 to 30-6-20	31,400	31,400	Penalty ends, DNI 1-7-20	
•	<u>Period</u>	<u>Due</u>	<u>To be drawn</u>	Remarks.	
•	1-7-17 to 30-6-18	29,600	29,600	This is for two years.	
•	1-7-18 to 30-6-19	30,500	29,600	Penalty begins	
•	1-7-19 to 30-6-20	31,400	30,500		
•	1-7-20 to 30-6-21	32,300	32,300	Penalty ends,DNI1-7-21	

#### • When penalty is awarded with cumulative effect

•	<u>Period</u>	<u>Due</u>	<u>To be drawn</u>		<u>Remarks.</u>
•	1-7-17 to 30-6-18		29,600	29,600	One year penalty
•	1-7-18 to 30-6-19		30,500	29,600	Penalty begins
•	1-7-19 to 30-6-20		31,400	30,500	Penalty ends,
•	DNI 1-7-20		32,300	31,400	
•	<u>Period</u>	<u>Due</u>	<u>To be drawn</u>		Remarks.
•	1-7-17 to 30-6-18		29,600	29,600	Two years penalty
•	1-7-18 to 30-6-19		30,500	29,600	Penalty begins
•	1-7-19 to 30-6-20		31,400	29,600	
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•	1-7-20 to 30-6-21		32,300	30,500	Penalty ends

• When penalty is awarded withholding of next increment for two years which shall not have the effect of postponing his/her future increments.

•	<u>Period</u>	<u>Due</u>	To be drawn	<u>Remarks.</u>
•	1-7-17 to 30-6-18	29,600	29,600	
•	1-7-18 to 30-6-19	30,500	29,600	Penalty begins
•	1-7-19 to 30-6-20	31,400	29,600	
•	1-7-20 to 30-6-21	32,300	32,300	Penalty ends
•	DNI 1-7-21	33,300	33,300	

• When the same penalty with the clause ``shall have the effect of postponing his/her future increments."

•	1-7-17 to 30-6-18	29,600	29,600	
•	1-7-18 to 30-6-19	30,500	29,600	Penalty begins
•	1-7-19 to 30-6-20	31,400	29,600	
•	1-7-20 to 30-6-21	32,300	30,500	Penalty ends
•	DNI 1-7-21	33,300	31,400	

- Case of Reduction to a lower stage without cumulative effect under Rule 11 (V) of CCS(CCA), Rules 1965.
- I<u>llustration 14</u>:- The penalty of reduction to a lower stage by two stages in the time-scale of pay for a period of one year is imposed on a Government Servant with effect from 15.9.2018. It is further directed that he/she would earn increment during the period and the reduction will not have the effect of postponing his future increments of pay. He/She was drawing Rs. 55,200 in Level 7 of Pay Matrix. Fix his/her Pay.

•	<u>Period</u>	<u>Due</u>	To be drawn Remarks
•	15.9.18 to 30.6.19	55,200	52,000 punishment begins
•	01.7.19 to 14.9.19	56,900	53,600
•	15.9.19	56,900	56,900 punishment ended.
•	DNI 01.7.20	58,600	58,600 IF OTHERWISE ADMISSIBLE

#### • <u>Illustration 15.</u>

• The penalty of reduction to a lower stage by two stages in the time scale of pay for a period of one year is imposed on a Government Servant with effect from 15.9.18 with the direction that he/she would not earn increment during the period and the reduction will have the effect of postponing future increments of pay. Fix his/her pay. He/ She is drawing Rs. 55,200 in Level 7 of Pay Matrix.

•	<u>Period</u>	<u>Due</u>	<u>To be drawn</u> <u>Remarks</u>
•	15.9.18 to 30.6.19	55,200	52,000 punishment begins
•	01.7.19 to 14.9.19	55,200	52,000
•	15.9.19	55,200	55,200 punishment ended.
•	DNI 01.7.20	56,900	56,900 if otherwise admissible.

 Note:-Since future increment is to be postponed to adversely affect his pension, no increment will be given on the pre-penalty pay and on restoration pay will remain same as 55,200

#### Illustration 16.

The penalty of reduction to a lower stage by two stages in the time scale of pay for a period of two years is imposed on a Government Servant with effect from 01.6.2020 with the direction that he/she would earn increment during the period and the reduction will not have the effect of postponing future increments of pay. Fix his/her pay. He/ She is drawing Rs. 29,600 in Level 4 from 01.7.2019. of Pay Matrix.

•	<u>Period</u>	<u>Due</u>	To be drawn Remarks
•	01.6.20 to 30.6.20	29,600	27,900 punishment begins
•	01.7.20 to 30.6.21	30,500	28,700
•	01.7.21 to 31.5.22	31,400	29,600
•	01.6.22	31,400	31,400 on expiry of punishment
•	DNI 01.7.22	32,300	32,300 if otherwise admissible.

#### Illustration 17.

The penalty of reduction to a lower stage by two stages in the time scale of pay for a period of two years is imposed on a Government Servant with effect from 01.6.2020 with the direction that he/she would not earn increment during the period and the reduction will have the effect of postponing future increments of pay. Fix his/her pay. He/ She is drawing Rs. 29,600 in Level 4 from 01.7.2019. of Pay Matrix.

•	<u>Period</u>	<u>Due</u>	<u>lo be drawn</u> <u>Remarks</u>
•	01.6.20 to 30.6.20	29,600	27,900 punishment begins
•	01.7.20 to 30.6.21	29,600	27,900
•	01.7.21 to 31.5.22	29,600	27,900
•	01.6.22	29,600	29,600 on expiry of punishment
•	DNI 01.7.22	30,500	30,500 if otherwise admissible.

 Note-His / Her pay will be restored to Rs. 29,600 i.e the pay he/ she was drawing before the date of reduction and he/she will draw his/her next increment on 01.7.2022.

27

- Reduction to lower time-scale of Pay under Rule 11(VI) of CCS(CCA), Rules 1965.
- In the case of imposition of penalty of reduction to lower time scale of pay, the pay of the Government Servant would be reduced to the stage of pay he/she would have drawn had he/ she continued in the lower post for the period of penalty. he mode of fixation of pay in this case is similar to reversing the mode of fixation of pay on promotion. It may also be noted that a Government Servant cannot be reduced in rank to a post not held earlier by him in the cadre.
- For example:-
  - (i) A direct recruit ASO cannot be reduced to the lower rank like SSA/JSA.
  - (ii) A Government Servant holding any post like JSA?SSA who qualified as ASO as a direct recruit and is later promoted as Section Officer can not be reduced to the rank, which was earlier held by him before ASO(DR) but only to that of an ASO.

• <u>Illustration 18.</u> The penalty of reduction to the lower grade carrying level 8 for a period of two years is imposed on Govt. Servant who is at Level 9 with effect from 04.11.2018 with further direction that the reduction shall not postpone his future increments and on the expiry of the period he shall regain his original seniority in the higher grade. On 4.11.2018, the Govt. Servant is drawing 58,600 in level 9. He had been promoted from the post in Level 8to the post in Level 9 on 13.8.2016 and on promotion his pay was fixed 54,700.At the time of promotion he was drawing 52,000 in Level 8.

•	<u>Period</u>	Drawn		To be drawn	
•		<u>Level 8</u>	Level 9	Level 8	Level 9
•	13.8.16 to 30-6-17	52,000(notional	54,700	-	-
•	01-7-17 to 30-6-18	53,600(notional)	56,300	-	-
•	01-7-18 to 3-11-18	55,200(notional)	58,000	-	-
•	4-11-18 to 30-6-19	-	58,000	55,200	-
•	01-7-19 to 30-6-20	-	59,700	55,200	-
•	1-7-20 to 03-11-20	-	61,500	55,200	-
•	4-11-20 (note-DNI 1-7-21)	)	61,500	-	61,500

- Illustration 19.
- An Assistant Audit officer drawing a pay of Rs. 66,000 in the pay in Level 8 with effect from 1-7-17 was promoted to officiate as Audit Officer in the pay in Level 9 with effect from 1-5-2018. Regulate his pay as Audit Officer on promotion and indicate of his next increment.
- Existing pay level 8 with basic pay Rs. 66,000/
- Pay on 01-05-18 in the existing post of AAO in level :- 66,000
- To add one notional increment in level 8 and his pay :- 68,000
- Pay fixed on 01-5-18 as per FR 22(I)(a)(i) in level 9 :- 69,200
- Date of next increment 01-01-19 :- 71,300
- Note :-In this case there is no provision to submit option to fix pay from the date of DNI.

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 Fixation of Pay on account of grant of Promotion, grant of MACP, Senior scale/selection scale, seeking transfer to lower post and award of minor/major penalty under Rule 11 of CCS(CCA), Rules 1965.

Compiled by B.K.SINGH,OS/ASO

# POCSO Act 2012 & 2019 Amendment

## **Key - Points**

- ❖ The POCSO Act 2012 came into force on 14<sup>th</sup> November, 2012.
- The Act defines a child as any person below the age of 18 years.
- This Act provides protection to all children under the age of 18 years from the offences of sexual assault, harassment etc.
- This Act also provides the establishment of Special Courts for the trail of such offences.
- This Act is gender neutral.
- The Act provides for special procedure for reporting cases, recording statement of child victim.
- Burden of proof regarding the sexual offence has been shifted on the accused.
- ❖ NCPCR is the Nodal agency to ensure the implementation of the Act.

# Procedure for Reporting Cases

- Knowledge or apprehension of an offence under this Act, being likely to be committed should be reported to Special Juvenile Police Unit or Local police.
- The police will make special arrangements for care & protection of the child (if needed) and within 24 hours the child shall be presented to the Child Welfare Committee (CWC) and Special/Session Court.
- \* Failure to report may result imprisonment for a period upto six months or fine or both.
- In case of non-reporting by Incharge of the Institution, the imprisonment may be for a period of one year and fine.
- ❖ False complaints against any person for humiliation or defamation or infringing privacy of a child shall lead to punishment of upto one year or fine or both.

# Implementation status in NVS

- NVS has implemented POCSO Act 2012.
- ❖ Link of the E-Box Web Portal on the Vidyalaya Website are to be provided as an on-line facility for registering the complaints to NCPCR.
- The Komal Video which is available on the website of NCPCR and also on YouTube must be shown to the children to sensitize about the sexual abuses
- ❖ The JNVs should upload the Komal Video on the school website and to popularize among the students which may help them to protect from sexual abuses. A detail plan shall be developed by the JNVs to show the video.
- NCPCR Child helpline No. 1091 should be displayed on JNV website as well as on prominent places in the Vidyalaya.
- In addition to, action under POCSO Act, the departmental action may also be initiated.

### LDCE-2023 IN NVS

Training for Audit Assistant (AA) to Section Officer (F&A), Asst. Section Officer (ASO) / Office Superintendent (OS) to Section Officer (Admin), Senior Secretariat Assistant (SSA) to Asst. Section Officer RO/HQ & JNV Cadre

# Online Training through MS TEAM on

11-01-2024 at 4.00pm to 6.00pm through NLI GOA

### LDCE-2023 IN NVS

Training for Principals & Other Eligible Officers to Asst. Commissioner (Acad) / Asst. Commissioner (Admn)

# Online Training through MS TEAM on

12-01-2024 at 4.00pm to 6.00pm through NNLI NOIDA

# ANNUAL PERFORMANCE ASSESSMENT REPORTS (APARs)



## **APARs**

Annual Confidential Reports (ACR) has been discontinued and introduced Annual Performance Assessment Reports (APARs) from the session 2009-10 (i.e., 1-4-2009 to 31-3-2010) GOI organization as per DOPT Circular No. F.No. 21011/1/2005-Estt(A) / PT(II), Date: 23-07-2009.

Annual Confidential Reports (ACR) has been discontinued in NVS w.e.f. 1-4-2017 and introduced Annual Performance Assessment Reports (APARs) from the session 2017-18 (i.e., 1-4-2017 to 31-3-2018) as per NVS HQrs Circular No. F.No. 4-2/2013-NVS (Admn) /1637, Date: 03-07-2017.

- APARs is an objective assessment of the work and conduct of a Govt. Servant.
- It is the main criteria for Confirmation of Probationary Period, Declaration of Promotion, Sanction of Financial upgradation i.e., MACP/Senior Scale, etc.
- Writing and Maintenance of APARs is not only in the interest of Management but also in the interest of the Employee.
- It should be written for all categories of Group A, B, & C employees.

- APARs to be written by the Reporting Officer immediately superior to the employee concerned and reviewed by next higher authority.
- In both the cases, they should have supervised the work of the employee for not less than 3 months.
- If the employee concerned happens to be a relative of Reporting / Reviewing officer their case may be done by the next higher authority.

- A record of punishment imposed on the Govt. Servant as a result of disciplinary proceedings should be recorded in their APARs.
- APARs to be performance oriented, the employee should submit the brief resume as Self-Appraisal, relating to the period of Report.
- APAR formats for different levels of posts have been prescribed with changes duly made after introduction of self appraisal system.

- APARs are written annually according to financial year i.e., 1<sup>st</sup> April to 31<sup>st</sup> March.
- If the official is transferred to the control of another Reporting office in the same or other office during the year, Reports are to be written by the respective Reporting Officers for the relevant periods.
- If the Reporting Officer is transferred during the year, he should write APARs for all the staff under his control up to the date of his transfer, within 3-5 weeks of his transfer.

### **Guidelines for Reporting / Reviewing Officer**

- Overall assessment to reflect the pen picture of the officer reported upon by the Reporting Officer to be done in a box in the APAR. A Column is added in the section relating to the Reviewing Authority for giving his / her remarks on the pen picture reflected by the Reporting Officer.
- Reviewing Officer to indicate specifically the difference, if any with the Reporting Officer along with reasons in the APAR.
- Numerical grading on a scale of 1 to 10 will be awarded by Reporting and Reviewing Authorities. Grade 1 refers to the lowest and Grade 10 is the highest.

# **Custody and Handling of APARs**

- APARs to be in the custody of the designated officers i.e., Asstt. Commissioner (Admin).
- To ensure safe custody, a Register to be maintained to show the APARs files on hand, their movements etc. Proper handing Over/taking over to be ensured when the officer concerned is transferred, etc (Not only contents of APARs but their movements also to be kept confidential)

- APARs or a copy of APARs should not be given to the Govt. Servant who have quitted the Service or after his retirement.
- Whenever an outside authority required the APARs of a Govt. Servant only photocopy should be supplied.
- Group 'A' Organized Services are should submit their APARs through SPARROW web portal (Smart Performance Appraisal Report Recording Online Window)

### **REVISED PROCEDURE**

- The full APAR including the overall Grade and assessment of integrity shall be communicated to the concerned officer with the remarks of the Reviewing Officer and Accepting Authority.
- The concerned officer shall be given the opportunity to make any representation against the entries within 15 days from the date of receipt of APAR.

- The representation should be restricted to specific factual observations leading to assessment of the officer in terms of attributes, work output, etc.
- In case no representation is received within 15 days, it shall be deemed that he/she has no representation to make and will be treated as final.
- The Competent Authority for considering adverse remarks under the existing instructions may consider the representation in consultation with Reporting / Reviewing Officer.

- This work should be completed within a period of 30 days from the date of representation.
- The Competent Authority (Accepting Officer) after due consideration may Reject / Accept / Modify the APAR accordingly.
- The decision of the Competent Authority and final grading shall be communicated to the officer within 15 days of receipt of the decision of the Competent Authority by the APAR Section.

# Name of Officers to the Post at JNV LEVEL

Post	Reporting Officer	Reviewing Officer	Accepting Officer
Principal	DC (Concerned RO)	JC (Pers)	Commissioner
Vice Principal	Principal	AC (Cluster I/C)	DC (Concerned RO)
PGTs, TGTs, Misc. Tr	Vice Principal	Principal	AC (Cluster I/C)
OS, SN, CS	Vice Principal	Principal	AC (Cluster I/C)
SSA, JSA, SK, ECP, Driver, Chow, CCS	OS	Vice Principal	Principal
Cook, Mess Helper	Catt. Supervisor (CS)	Vice Principal	Principal
Lab Attd	PGT from Lab	Vice Principal	Principal

### Name of Officers to the Post at RO/HQ LEVEL

Post	Reporting Officer	Reviewing Officer	Accepting Officer
JCs	Commissioner	Commissioner	Commissioner
All DCs	JC (Admn)	Commissioner	Commissioner
All ACs / AO	Dy. Commissioner	JC (Admn)	Commissioner
Section Officer / Jr System Analyst	Asstt. Commissioner	Dy. Commissioner	JC (Admn)
<b>Executive Engineer</b>	GM (Const)	Commissioner	Commissioner
Hindi Officer / Editorial Asstt./ Statistical Asst./ Legal Asstt.	Asstt. Commissioner	DC (Admn)	JC (Admn)

### Name of Officers to the Post at RO/HQ LEVEL

Post	Reporting Officer	Reviewing Officer	Accepting Officer
Asstt. Engineer	<b>Executive Engineer</b>	GM (C)	Commissioner
Jr. Engineer	Asstt. Engineer	Executive Engineer	GM (C)
ASO / AA /Hindi Translator / Care Taker / SSA / CO / JSA / Electrician / Driver / Gest. Operator / MTS	Section Officer	Asstt. Commissioner	Dy. Commissioner
Private Secretary	Commissioner	-	-
Personal Asstt.	Officer Concerned	-	-
Stenographer	Officer Concerned	-	-

### **FLOW CHART OF APAR**

Sl.No	Stage	Responsible Person
1	Initiation	Office Personal details from 1 <sup>st</sup> April 2022 to 31 <sup>st</sup> March 2023
2	Initiation Validated	Office
3	Self Assessment	Concerned Employee
4	Reported	Reporting Officer
5	Reviewed	Reviewing Officer
6	Accepted	Accepting Officer
7	Employee Agree / Disagree	Concerned Employee
8	If Agree - Employee Accepted	FINAL
9	If Disagree	Concerned Employee (upload supporting documents in pdf. for justifying the disagreement)
10	Disagreement	Accepting Officer (may be retain/alter)
11	Disclosure	FINAL

### Responsibility of Monitoring of APAR

Sl.No	Level	Responsibility
1	JNV Level	Principal
2	RO Level	AC (Admn)
3	HQ Level (Principal)	AC (Estt.III)
4	HQ (All the Staff) & RO Staff SO and above	AC (Admn)

# Name of Officer is on Vacant

• If any of the Reporting Officer / Reviewing Officer / Accepting Officer post is vacant at JNV/RO/NLI/HQ the same will be done by the immediate next Senior Officer.

# **Numerical Grading in APARs**

Sl	Grading between	Average Grade	Result of Grade	Remarks
1	0-4	0	NIL	Punishment
2	4-6	5	GOOD	Normal
3	6-8	7	VERY GOOD	Promotion / Confirmation / Sanction of Financial upgradation
4	8-10	9	OUT STANDING	Promotion / Confirmation / Sanction of MACP or Senior Scale

APARs bench mark from Good to Very Good is applicable w.e.f. 25-07-2016 onwards for sanction of financial upgradation i.e., MACP as per NVS HQ letter No. 3-12017-NVS(Admn)/2049, dated: 18-08-2017.

For Promotion and Sanction of Senior Scale Good is sufficient.

# **Numerical Grading in APARs**

Sl	Grade points	Justification / Supporting documents
1	1-2	Against work out put / attributes / overall grade would be adequately justified in the pen picture by way of specific failures
4	9-10	Expected to be rare occurrences and hence the need to justify them

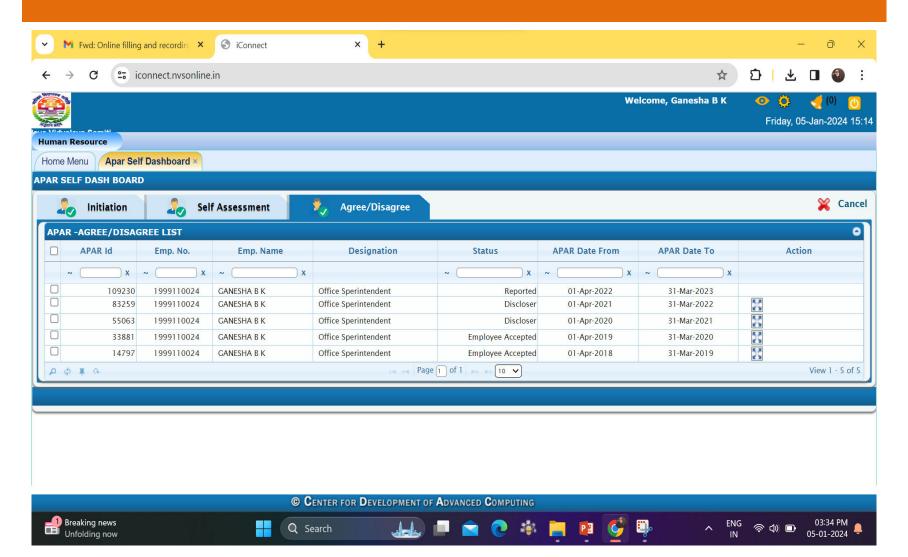
# PART NO – III (Marking Analysis)

SI. No	Particulars	FORMAT NO- A (Group A Officer)	FORMAT NO - B (Group B Officer  - Non Teaching)	(Group C Officer – Non Teaching)	(All Teachers)
1	Assessment of Work Output	40%	40%	40%	-
2	Assessment of Personal Attributes	30%	30%	20%	-
3	File Maintenance & Record keeping	-	-	10%	-
4	Assessment of functional competency	30%	30%	30%	-
5	Assessment of academic output with monitor able & verifiable targets & achievement	-	-	-	60%
6	Assessment of Personal Attributes & Personal Competency	-	-	-	20%
7	Assessment of contribution towards Residential Component	-	-	-	20%
	TOTAL	100%	100%	100%	100%

# **APAR DATA**

Sl.No	Financial Year	Mode of Submission
1	1-4-2017 to 31-3-2018	Manual Printed Format
2	1-4-2018 to 31-3-2019	Online through Shaladarpan (PIS ID) <a href="https://iconnectnvsonline.in">https://iconnectnvsonline.in</a>
3	1-4-2019 to 31-3-2020	-do-
4	1-4-2020 to 31-3-2021	-do-
5	1-4-2021 to 31-3-2022	-do-
6	1-4-2022 to 31-3-2023	-do-

## APAR DATA BANK



# TIME SCHEDULE FOR RECORDING OF APAR FOR ONLINE SUBMISSION FOR THE YEAR 2022-23

S1. No	Activity	Allowed Timeline
1	Distribution of blank APAR forms through online	15-5-2023
2.	Submission of self-appraisal to reporting officer	15-6-2023
3.	Forwarding of report by Reporting Officer to Reviewing Officer	15-7-2023
4.	Forwarding of report by Reviewing Officer to the Accepting Authority	15-8-2023
5.	Appraisal by Accepting Authority & Disclosure of APAR to the office reported upon	15-9-2023
6	Agree / Disagree (Receipt of representation if any on APAR	15 days from the date of communication

S1. No	Activity	Allowed Timeline
7.	Disposal of representation by the competent authority	Within one month from the date of receipt of representation by the Competent authority
8.	Communication of the decision of the competent authority on the representation	Within 15 days of finalization of decision by Competent Authority
9.	End of entire APAR process, after which the APAR will be finally taken on record	30-11-2023

### E-Mail of CDAC helpdesk team is

E-Mail - <a href="mailto:ithelpdesk.nvs@gmail.com">ithelpdesk.nvs@gmail.com</a>
Website - <a href="mailto:https://iconnectnvsonline.in">https://iconnectnvsonline.in</a>

# **NVS** has prescribed the following APAR format for its employees

Sl	Annex ure No	Formats pertaining to	For mat No	Name of the staff covered
1	-	Group "A" Officer	A	Vice Principal / Principal / Executive Engineer / Asst. Commissioner / Deputy Commissioner / Joint Commissioner
2	=	Group "B" Officer - Non Teaching		Office Superintendent / Assistant Section Officer / Section Officer
3	Ш	Group "C" Officer - Non Teaching	С	JSA/ SSA / Stenographer/ Driver / ECP / Cook / Computer Operator / MTS/ etc
4	IV	Teaching Staff	D	PGT / TGT / Misc Teachers
5	V	Time Schedule for Preparation / Completion of APAR	ш	

# FORMAT NO: A (Group A Officer) & FORMAT NO: B (Group B Officer - Non Teaching)

PART No - I	Personal Data of Office Concerned (Filled by Administrative Section of the Office)	
PART No - II	Self Assessment (Filled by the Officer Concerned)	
PART NO- III	Numerical Grading is to be awarded for each of the attributes by the reporting authority which should be an a scale of 1-10 (Gr 1-2 and 9-10 are expected to be rare occurrences and hence need to be justified in the pen picture) (Gr. 1 is the lowest and Gr 10 is the highest)	
PART No- IV	Remarks of the Reviewing Officer	

### FORMAT NO: A (Group A Officer) & B (Group B Officer – Non Teaching)

### PART NO-III

#### a) Assessment of Work Output (40%):

Accomplishment of planned work / work allotted, Quality of work output, Analytical ability, Accomplishment of exceptional work / unforeseen task performed.

### b) Assessment of Personal Attributes (30%):

Attitude towards work, Sense of responsibility, Maintenance of discipline, Communication skills, Leadership qualities, Capacity to work in a team with team spirit, Capacity to adhere to time schedule, Inter personal relations, Managerial skills of the officer *including Residential component (Only for Group-B Officer)*.

#### c) Assessment of functional competency (30%):

Knowledge of Rules / Regulations / Procedures in the area of function and ability to apply them correctly, Strategic planning ability, Decision making ability, Coordination ability, Ability to motivate and develop work culture among subordinates, Initiative including residential component.

### d) General remarks of the Reporting Officer:

Relations with the public, Training, State of Health, Integrity & Agreement with exceptional good work / higher achievement / contribution done by the officer, Pen picture by Reporting Officer on the overall qualities of the officer including area of strengths and lesser strength, extraordinary achievements, significant failures and attitude towards weaker sections,

FORMAT NO: C (Group C Officer - Non Teaching)		
PART No - I	Personal Data of Office Concerned (Filled by Administrative Section of the Office)	
PART No - II	Self Assessment (Filled by the Officer Concerned)	
PART NO- III	Numerical Grading is to be awarded for each of the attributes by the reporting authority which should be an a scale of 1-10 (Gr 1-2 and 9-10 are expected to be rare occurrences and hence need to be justified in the pen picture) (Gr. 1 is the lowest and Gr 10 is the highest)	
PART No- IV	Remarks of the Reviewing Officer	

### FORMAT NO: C (Group C Officer - Non Teaching)

### PART NO - III

#### a) Assessment of Work Output (40%):

Accomplishment of planned work / work allotted, Quality of work output, Analytical ability, Accomplishment of using electronics devices viz., Fax, Photo copiers/ Computers etc

#### **b)** Assessment of Personal Attributes (20%):

Attitude towards work, Sense of responsibility, Maintenance of discipline, Communication skills, Capacity to work in a team with team spirit, Capacity to adhere to time schedule & speed of disposal, Inter personal relations, Work managerial skills

- c) File Maintenance & Record keeping (10%)
- d) Assessment of functional competency (30%)

Knowledge of Rules / Regulations / Procedures in the area of function and ability to apply them correctly, Work planning ability, Quality of drafting and noting, Coordination ability support to residential component, Initiative, Other functional components like knowledge of computers etc, Ability to motive other staff

#### e) General remarks of the Reporting Officer:

Relations with the public, Training, State of Health, Integrity & Agreement with exceptional good work / higher achievement / contribution done by the officer, Pen picture by Reporting Officer on the overall qualities of the officer including area of strengths and lesser strength, extraordinary achievements, significant failures and attitude towards weaker sections.

FORMAT NO: D (All Teachers)		
PART No - I	Personal Data of Office Concerned (Filled by Administrative Section of the Office)	
PART No - II	Self Assessment (Filled by the Officer Concerned)	
PART NO - III	Numerical Grading is to be awarded for each of the attributes by the reporting authority which should be an a scale of 1-10 (Gr 1-2 and 9-10 are expected to be rare occurrences and hence need to be justified in the pen picture) (Gr. 1 is the lowest and Gr 10 is the highest)	
PART No - IV	Remarks of the Reporting Officer:  Relations with the public, Training, State of Health, Integrity & Agreement with exceptional good work / higher achievement / contribution done by the officer, Pen picture by Reporting Officer on the overall qualities of the officer including area of strengths and lesser strength, extraordinary achievements, significant failures and attitude towards weaker sections	
PART No - V	Remarks of the Reviewing Officer	

### **FORMAT NO: D (All Teachers)**

PART NO - III

# a) Assessment of academic output with monitorable & verifiable targets & achievement (60%):

Accomplishment of planned work / work allotted as per subject allotted, Quality of work output, Analytical ability, Accomplishment of exceptional work / unforeseen task performed, Knowledge of Rules Regulations / Procedures in the area of function and ability to apply them correctly, Strategic planning ability, Decision making ability, Coordination ability, Ability to motivate and develop work culture, Initiative, Effectiveness of supervision during study hours, Effectiveness as escort to perform various escort duties, Academic performance, Effectiveness of remedial classes, ICT implementation, Maintenance of academic records, Contribution in subject committee, Contribution towards NSS, NCC, Scout & Guides, CCA etc., Contribution towards JNVST, Conduct of activities in Laboratory Class room.

PART NO - III

# b) Assessment of Personal Attributes & Personal Competency (20%):

Attitude towards work, Sense of responsibility, Maintenance of discipline, Communication skills, Leadership qualities, Capacity to work in a team with team spirit, Inter personal relations, Managerial skills of the teacher, Research projects undertaken, Number of papers published.

# c) Assessment of contribution towards Residential Component (20%):

Effectiveness as HM/AHM during the period of observation, Conduct of formal house meetings & its records, Relationship with parents & students, Contribution to Sports & Games, Ensuring Safety measures in the campus, Counseling of students with empathetic approach, Pro activeness towards house activities, Contribution towards Mess Management.

### **ANNUAL IMMOVABLE PROPERTY RETURN (AIPR)**

- All employees should submit an Annual Return of Immovable Property as on 31st December of the year.
- The return should be furnished by 31<sup>st</sup> January of the next year.
- Where there are no changes during the year in property holdings the Annual Return stating "
   <u>No Change"</u> or "<u>Same as last year will be sufficient"</u>.

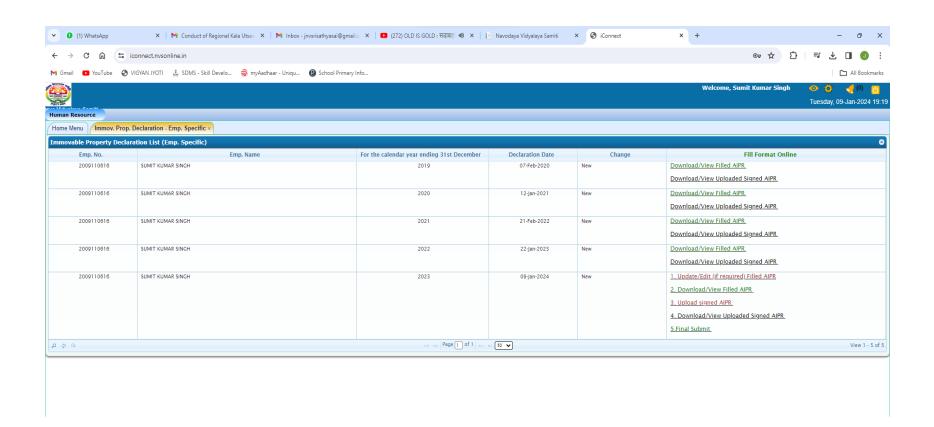
• According to the Central Civil Services Conduct Rules, 1964, Members of Class I (Group A) and Class II (Group B) services must submit a return of immovable property within 12 months of their first appointment to government service.

• Vigilance clearance shall be denied to an officer if he / she fails to submit his / her Annual Immovable Property Return of the previous year by 31st Jan of the following year.

• The AIPR should contain particular of all Immovable Property owned, acquired or inherited by the official or held by him / her on lease or mortgage either in his / her own name or in the name of any members of his / her family or in the name of any person dependent on Govt. Servant.

### FLOW CHART OF IPAR

Sl.No	Stage	Responsible Person
1	Fill format online	Concerned Employee
2	Fill PIS No. search	Concerned Employee
3	Update / Edit filled APAR	Concerned Employee
4	Download filled APAR	Concerned Employee
5	Upload signed APAR	Concerned Employee
6	Download Signed APAR	Concerned Employee
7	Final Submit	Concerned Employee



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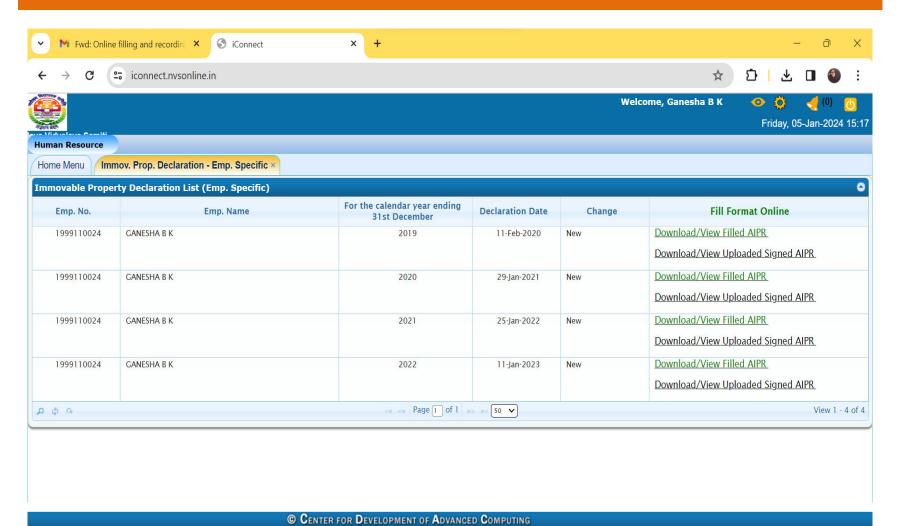








## **AIPR DATA BANK**

































Contact for Clarifications & feedback to
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