



सत्यमेव जयते

**GOVERNMENT OF INDIA, MINISTRY OF FINANCE
CENTRAL BOARD OF DIRECT TAXES
DIRECTORATE OF INCOME TAX
(HUMAN RESOURCE DEVELOPMENT)**
ICADR Building, Plot No. 6, Vasant Kunj Institutional Area Phase-II
New Delhi - 110070.

F. No. HRD/CM/175/4/2010-11/ 858

Dated: 02/11/2010

To,

All the CCsIT/DGsIT (CCA)


Subject: Applicability of minimum pay/stepping up of pay-clarification-reg.-

A number of references have been received in this office regarding applicability, for departmental promotees, of minimum entry pay prescribed for direct recruits (appointed on or after 1.1.2006), in section II of Part A of the First Schedule of CCS (RP) Rules, 2008. References have also been received regarding stepping up of pay of senior promotees with reference to such of their directly recruited juniors who are recruited on or after 1.1.2006 and whose basic pay is more than that of their seniors.


2. The matter has been examined in consultation with Ministry of Finance, Department of Expenditure. In this connection it is clarified that the revised pay structure comprises grade pays and running pay bands and in the case of those Government servants who were already in service before 1.1.2006, Sixth Pay Commission has not prescribed a minimum pay in the running pay band with reference to the minimum entry level pay prescribed for direct recruits appointed on or after 1.1.2006. Further, the Sixth CPC has not prescribed minimum pay in the pay band for the purpose of fixation of pay on promotion in the case of any grade and fixing of minimum pay in the pay band in the case of each grade pay for departmental promotees would defeat the very purpose of introduction of running pay bands.

3. As far as the matter relating to bringing the pay of existing Government servants as on 1.1.2006 at par with the pay of direct recruits recruited on or after 1.1.2006 is concerned, it is clarified that the pay of those Government servants who joined the Income Tax Department as direct recruits on or after 1.1.2006 is to be fixed as per Section II, Part 'A' of the First Schedule to the CCS (RP) Rules, 2008 and the procedure of pay fixation is based on a specific recommendation of the Sixth Pay Commission, which has been accepted by the Government. As far as pay fixation in respect to those Government servants who were already in service on 1.1.2006 is concerned, the same is to be done as per the provisions of Rule 7 of CCS (RP) Rules, 2008 and in accordance with the fitment tables annexed with Department of Expenditure OM F. No. 1/1/2008-IC dated 30.08.2008.

4. In the light of the foregoing, it is clarified that in terms of CCS (RP) Rules, 2008:-
- no minimum pay in the pay band can be prescribed in the case of promotion of Government servants from one grade to another (except in the case of change in pay band); and
 - pay of those Government servants who were already in service on 1.1.2006 can not be fixed with reference to the minimum entry pay prescribed for those who joined the Income Tax Department as direct recruits on or after 1.1.2006 as per Section II, Part 'A' of the First Schedule to the CCS (RP) Rules, 2008.
5. However, stepping up of pay of seniors can be permitted with reference to such of their directly recruited juniors borne on the same seniority list who are recruited on or after 1.1.2006 and whose basic pay is more than that of the seniors, subject to the following conditions:-
- Stepping up of the basic pay of seniors can be claimed only in the case of those cadres which have an element of direct recruitment and in cases where a directly recruited junior is actually drawing more basic pay than the seniors. In such cases, the basic pay of the seniors will be stepped up with reference to the basic pay of the juniors. Stepping up will be applicable from the date junior direct recruit is actually drawing higher basic pay than the senior.
 - Further, Government servants cannot claim stepping up of their revised basic pay with reference to entry pay in the revised pay structure for direct recruits appointed on or after 1.1.2006 as laid down in Section II of Part A of First Schedule to the CCS (RP) Rules, 2008, if their cadre does not have an element of direct recruitment, or in cases where no junior is drawing basic pay higher than them.
 - Stepping up of pay of the seniors shall not be applicable in cases where pay of direct recruits have been fixed at a higher stage on account of grant of advance increments etc. at the time of recruitment.
6. This issues with the concurrence of the Ministry of Finance, Department of Expenditure, Legal Cell U. O. No. 16/26/2010-Legal dated 22nd October, 2010.


(C. P. Singh)
Deputy Director of Income Tax (HRD)
New Delhi

Copy to: - Shri Md. Tarique Kalim, Addl. DIT II, Data Base Cell, E-2 Mezzanine Floor, A.R.A Centre, Jhandewalan Extension, New Delhi, with the request to put it up on the official website irs.officersonline.org.


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