

No.12/1/2016-Estt(Pay-I)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training  
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North Block, New Delhi  
Dated the 31<sup>st</sup> March, 2017

**OFFICE MEMORANUM**

Subject : Fixation of pay in case of employees who seek transfer to a lower post under FR 15(a)- clarification regarding.

The undersigned is directed to refer to this Department's OM No.16/4/2012-Pay-I dated 5<sup>th</sup> November, 2012 read with OM No.13/9/2009-Estt.(Pay-I) dated 21<sup>st</sup> October, 2009, whereby clarification was issued by this Department for fixation of pay in case of employees seeking transfer to lower posts under FR 15(a) subsequent to the implementation of the recommendations of 6<sup>th</sup> CPC and CCS(RP) Rules, 2008. It was clarified therein that in case of transfer of a Government servant to a lower Grade Pay under FR 15(a) on his/her own request w.e.f. 1.1.2006, the pay in the Pay Band will be fixed at the stage equal to the pay in Pay Band drawn by him/her prior to his/her appointment against the lower post. However, he/she will be granted the Grade Pay of lower post. Further, in all cases, he/she will continue to draw his/her increment(s) based on his pay in the Pay Band +Grade Pay (lower).

2. Consequent upon the implementation of 7<sup>th</sup> CPC Report and CCS(RP)Rules, 2016, the concept of new Pay Matrix has replaced the existing Pay Bands and Grade Pays system. Accordingly, in partial modification of this Department's OMs dated 5<sup>th</sup> November, 2012 and 21<sup>st</sup> October, 2009 *ibid*, the method of pay fixation in respect of a Government Servant transferred to a lower post under FR 15(a) on his/her own request w.e.f 1.1.2016 will be as under:

'In case of transfer to a lower Level of post in the Pay Matrix under FR 15(a) on his/her own request w.e.f. 1.1.2016, 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

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as personal pay to be absorbed in future Increment(s). 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 that maximum under FR 22(I)(a)(3).

3. All Ministries/Departments are requested to revise the Terms/Conditions of such transfer, if any, in line with para 2 above.
4. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue after consultation with the Comptroller & Auditor General of India.
5. This order takes effect from 1.1.2016.
6. Hindi version will follow.



(Pushpender Kumar)

Under Secretary to the Government of India

To

1. All Ministries / Departments of Government of India.
2. NIC, DO&PT – with a request to upload this OM on the Department's website under OMs & Orders (Establishment → Pay Rules) and also under "What is New".

Copy also forwarded to:

1. Secretary General, Supreme Court of India.
2. Secretaries to Union Public Service Commission /Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet Sectt./Central Vigilance Commission/ President's Sectt./Vice-President's/Prime Minister's Office / Niti Ayog.
3. Controller General of Accounts / Controller of Accounts, Ministry of Finance.
4. Department of Personnel and Training (AIS Division) / JCA /Admn. Section.
5. Governors of all States/Lt. Governors of all Union Territories.
6. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.

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7. All Members of Staff Side of the National Council of JCM / Departmental Council.
8. All Officers/Sections of DoPT/Deptt. Of Administrative Reforms & Public Grievances/Department of Pensions & Pensioners Welfare/ PESB.
9. Joint Secretary (Pers), Ministry of Finance, D/o Expenditure.
10. Additional Secretary(Union Territories), Ministry of Home Affairs.

*Pushpender Kumar*

(Pushpender Kumar)

Under Secretary to the Government of India