

F.No.18/2/2014-CS-I(S)
Government of India
Ministry of Personnel, PG & Pensions
Department of Personnel & Training

.....
2nd Floor, A Wing, Lok Nayak Bhawan, Khan Market
New Delhi, the 27th December, 2016

OFFICE MEMORANDUM

Subject: Stepping up of pay of senior Assistants of CSS drawing less pay on promotion in the Section Officers' Grade than their juniors – OM No.18/2/2007-CS-I dated 20.05.2014 – Follow up action regarding.

Ref: OM No.18/2/2007-CS-I dated 20.05.2014 & 08.07.2014 and reminders dated 09.09.14, 30.04.15, 13.07.15, 31.07.15, 11.09.15 & 01.10.15

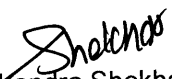
The undersigned is directed to refer to this Department's OM of even number dated 11.09.2015 (copy enclosed) on the subject mentioned above. The compliance report, as per the format attached as Annexure-I and information sought in Annexure-II with OM dated 11.09.2015, are still awaited from Ministries/Departments, complete in all respects. The information received in bits and pieces from some Ministries/Departments have been compiled and attached as Annexure-A.

2. As per the information available in this Department, there are Six OAs (OA No.2884/2015, 3870/2015, 293/2016, 2128/2016, 2352/2016 and 3318/2016) pending before CAT, Principal Bench, New Delhi in the matter. The CAT has ordered for maintenance of status quo till the next date of hearing and stayed recovery from the salary of the applicants in some of these OAs. The same has been indicated against the officers, who are applicants in such OAs, in the attached statement (Annexure-A). There may be some more cases, which are not in the knowledge of this Department.

3. The Office of the Director General of Audit (Central Expenditure) which conducted audit of the records and accounts of the Department for the year 2014-15 has also taken a serious view of the delay occurring in recovery of Government dues. A copy of the relevant extracts of the Inspection Report is enclosed. For settling this audit para, compliance reports, complete in all respects, is required from all Ministries/Departments at the earliest.

4. The Ministries/Departments are, therefore, once again requested to furnish the compliance report in the matter, except in those cases where matter of recovery is subjudice/stayed by order of any competent court, in the prescribed format, complete in all respects, along with information sought in Annexure-II vide OM dated 11.09.2015 immediately.

5. This may please be treated as TOP PRIORITY.


(Chandra Shekhar)
Under Secretary to the Govt. of India
Ph:24624046

To

All Ministries/Departments
Ministry/Department of
(Director/Deputy Secretary (Admn./Estt.))

Copy for information to Under Secretary (B&A), DoPT, North Block, New Delhi with reference to their OM No.G-25011/2/2015-B&A dated 15.07.2016.

F.No.18/2/2014-CS-I(S)
Government of India
Ministry of Personnel, PG & Pensions
Department of Personnel & Training

.....
2nd Floor, A Wing, Lok Nayak Bhawan, Khan Market
New Delhi, the 11th September, 2015

OFFICE MEMORANDUM

Subject: Stepping up of pay of senior Assistants of CSS drawing less pay on promotion in the Section Officers' Grade than their juniors – OM No.18/2/2007-CS-I dated 20.05.2014 – Follow up action regarding.

The undersigned is directed to refer to this Department's OMs No.18/2/2007-CS-I dated 20.05.2014 and 08.07.2014 and subsequent reminder OMs No.18/2/2014-CS-I(S) dated 09.09.2014, 30.04.2015, 13.07.2015 and 31.07.2015 on the subject mentioned above. The compliance report as requested in OM dated 20.05.2014 is still awaited from Ministries/Departments.

2. Meanwhile an OA (No.2884/2015) has been filed by the following CSS officers in the CAT, Principal Bench, New Delhi in this connection:

- | | |
|---|---|
| i) Shri Pramod Sahoo, US,
Ministry of Tribal Affairs | vii) Shri Sunil Kumar, US, UPSC |
| ii) Shri Inderjeet, US, UPSC | viii) Shri Sanjay Prasad, US, UPSC |
| iii) Shri Y.S. Yadav, US, UPSC | ix) Shri M.C. Sonowal, Under
Secretary, UPSC |
| iv) Shri Hemant Kumar, US,
UPSC | x) Shri C.L. Guleria, Under
Secretary, Department of
Economic Affairs |
| v) Shri Ujjwal Kumar, US, UPSC | xi) Shri Tharvinder Singh, Under
Secretary, UPSC |
| vi) Shri Bhagirath Jha, US,
UPSC | |

3. The Learned CAT in its interim order dated 27.08.2015 has ordered for maintenance of status quo till the next date of hearing and stayed recovery from the salary of the applicants in the O.A.

4. The Ministries/Departments are, therefore, once again requested to furnish the compliance report in this regard immediately except in respect of the above applicants in the said OA. For the convenience of the Ministries/Departments, a format for submission of information has been devised as per Annexure-I. The information as per the attached format along with following documents may be forwarded to this Department latest by 30.09.2015:


- i) Copy of the application submitted by the officers requesting for stepping up of pay;

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- ii) Copy of the note sheet containing approval of the competent authority;
- iii) Copy of the undertaking obtained if any from the officers at the time of grant of stepping up of pay to the effect that excess payment, if any, will be refunded to the Government;
- iv) Copy of order issued for stepping up of pay in respect of these officers
- v) Copy of the orders issued for withdrawal/cancellation of stepping of pay

5. The Ministries/Departments are also requested to provide details of CSS officers, whose request for stepping up was not allowed, in the proforma attached as Annexure-II.

6. This may please be treated as IMMEDIATE.


(V. Srinivasaragavan)

Under Secretary to the Govt. of India
Ph:24629412

To

All Ministries/Departments
Ministry/Department of
(Deputy Secretary/Director (Admn./Estt.))

ANNEXURE-I

Particulars of the officer granted stepping up of pay					Date of issue of order	Effective date of stepping up	In which grade stepping up allowed	Pay prior to step up (effective date)	Pay after step up (from effective date)	Overpayment made till date (including arrears paid)	Whether stepping up of pay reviewed in terms of DoPT's order dated 20.05.14	Revised pay on such review	Particulars of the junior with whom stepping up allowed*					Whether junior was drawing more pay or less pay than the senior in Assistant Grade		
Name & current designation	Assistant		SO										US SL	Name & current designation	Assistant		SO		US SL	
	DR batch with date of joining	SQ Select List	LDCE	SQ SL											DR batch with date of joining	SQ Select List	LDCE		SQ SL	

* If the pay of the junior was also stepped up, his details w.r.t. his junior should also be supplied in the above format.

ANNEXURE - A

Follow up of OM dated 20.05.2014 -Particulars of officers granted stepping up of pay - under review

Name & Designation	Ministry/ Department where currently posted	Ministry/Department which allowed stepping up of pay	Promotee/DR Assistant	Date of joining as DR Assistant	SO Select list year	Date of order	Effective date of stepping up	Pay before stepping up	Pay after stepping up	Name of the junior with whom stepping up allowed	Whether the junior was DR/ Promotee Asstt	SO Select List Year	Whether the junior was drawing less/more pay in the Assistant grade	Whether reviewed (Yes/No)	D/o withdrawal of stepping up order	Total over-payment	Recovery started from the Pay for the Month of	Remarks
A.K. Jha, US	Agriculture	Agriculture				22-10-13	01-07-07		21610	Inderjeet			Yes	19-11-14				
Dinesh Kumar, US	Agriculture	Higher Education								Sundari Bansal								
K.C. Patra, US	Animal Hus & Dair.	Revenue								Ram Kanwar								
M.K. Sinha, US	Bio Technology	Textiles	1988 (SQ)		2002 (SQ)	08-01-10	20-07-06	19870	23940	N.K. Ahlawat	1989 (SQ)	2003 (SQ)	More Pay	Yes	07-10-14			
J.K. Dora, US	Bio Technology	Revenue								K.K. Sapra								
Umesh Pandey, US	Central Water Comm.	Science & Technology								Suman B Mehndiratta								
Anil Jain, US	Chemicals & Petro.	UPSC	1987 (DR)		2000 (SQ)	08-05-09	05-06-06	21000	22100	M.L. Khurana	1988 (SQ)	2003 (SQ)		No				
T.P.N. Singh, US	Chemicals & Petro.	Higher Education								Narayan Das								
Amit Ghosal	Civil Aviation	UPSC	1989 (DR)		2003 (SQ)	28-01-09	05-06-06	19130	21360	Lalit Mahajan	1989 (SQ)	2003 (SQ)		No				
Umesh Kumar Bhardwaj, US	Civil Aviation									Rajmant Singh			More pay					
A.K. Das, US	Coal	Higher Education								Sundari Bansal								
Parveen Sharma, US	Commerce	UPSC	1988 (DR)		2003 (SQ)	28-01-09	05-06-06	19870	22100	M.L. Khurana	1988 (SQ)	2003 (SQ)		No				
P.K. Tyagi, US	Consumer Affairs	Revenue								Yashoda Gauri								
Anil Kumar-II, US	Corporate Affairs	UPSC	1989 (DR)		2003 (LDCE)	26-03-09	18-07-06	8100	9100	Lalit Mahajan	1989 (SQ)	2003 (SQ)		No				
Yash Veer Singh, US	Culture	Shipping	1989	16-11-92	1996 (LDCE)	29-07-10	01-07-07	24240	24770	S. Acharya	1989	2003 (SQ)	More Pay					
Kanwarjeet Singh, US	Culture	Civil Aviation				20-01-09				Ram Charan								
Sanjay Kumar, US	Culture	Food & PD																
Sunita, US	Culture	DG, AIR, I&B				21-07-11				Robin Gangte								
Abhay Nandan Mishra, US	Culture	IP&P				12-08-11				Pradeep Kumar								
N.P. Shukla, US	Culture	Health & FW				18-10-12				V.K. Govil								
N.P. Shukla, US	Culture	Health & FW				29-11-10				Jagdish Gogia								
Maneesh Rajan, US	Culture	Civil Aviation				19-10-12				S.S. Trikha								
Rajeev Jauhari, US	Defence	IP&P	1986 (DR)	07-04-89	1998	04-11-09	01-07-07	23160	23670	S.K. Verma	1988 (DR)	2002						
G.K. Verma, US	Defence	Tariff Comm., IP&P				15-05-12	01-01-06			Vinod Kumar								
Vijay Sachdeva, US	Defence	I&B			2003	12-01-09	09-03-07	7700	9100	Surender Sharma		2003	More Pay	Yes	29-07-16			
Vijay Sachdeva, US	Defence	I&B			2003	30-10-12	10-09-08	24250	24660	Arvid Thakur				Yes	29-07-16			
Devashish Bhardwaj, US	Defence	NCRB, Home				14-01-10	18-10-04	7700	8900	Sanjay Pant				Yes	30-10-15			Status quo to be maintained as per CAT order
Biswajit Guha, US	Defence	Economic Affairs				12-01-09	10-09-08	21630	23750	Ram Kanwar			More pay	Yes	30-10-15			Status quo to be maintained as per CAT order
Arup Shyam Chowdhury, US	Defence	RT&H				12-05-10	21-07-06	21630	22770	S. Acharya			More pay	Yes	30-10-15			Status quo to be maintained as per CAT order
Sudheer Babu Motana, US	Defence	Economic Affairs				12-12-12	01-07-06	18550	19790	Sunil Kumar Singh								
P.V. Prasad, US	Defence	Commerce				11-08-09	15-09-08			N.K. Ahlawat								
Biswajit Sarkar, US	Defence	Shipping				18-02-10	29-08-08			D.K. Panda								
R.P.S. Negi, US	Defence	Agriculture				06-11-12	31-03-05			S.K. Verma								
H.L. Meena, US	Defence	Civil Aviation					25-03-04			Ram Charan								
Rajesh Choudhary, US	Defence	Food & PD				10-06-11				R.K. Choudhary								
Y.P. Singh, US	Defence	Commerce				01-09-09	05-04-08			N.K. Ahlawat								
Veena Kalra, US	Defence	Culture				27-08-09				C.N. Malhotra				Yes	15-04-15			Status quo to be maintained as per CAT order

Ashish Sharma, US	Defence	Defence	1989	05-11-92	1996 (LDCE)	29-11-11	29-09-08	24970	25520	Yash Veer Singh	1989 (DR)	1996 (LDCE)		Yes	16-09-15		
S.K. Mahto	Disability Affairs	Textiles	1989 (DR)		2003 (SQ)	08-01-10	20-07-06	18750	23940	N.K. Ahlawat	1989 (SQ)	2003 (SQ)	More Pay	Yes	07-10-14		
Ragesh Kant, US	Disinvestment	Drinking Water & Sanitation				11-12-12								Yes	19-11-14		
Arvind Thakur	DoPT	Economic Affairs				12-01-09				Ram Kanwar							
Ajay Kumar Singh, US(7127)	DoPT	Revenue								K.K. Sapra							
A.K. Srivastava, US	Drinking Water & Sanitation	I&B			2003	22-09-09	10-07-06	8100	9500	Som Dutt Sharma		2003	More pay				
Pawan Sharma, US	Economic Affairs	UPSC	1989 (DR)		2003 (SQ)	26-03-09	05-06-06	7500	9100	Dharam Pal	1989 (SQ)	2003 (SQ)		No			Status quo to be maintained as per CAT order
C.L. Guleria, US	Economic Affairs																
Vazir Sing, US	Environment	I&B			2003	16-02-09	11-07-06	7700	8900	Surender Sharma		2003	More pay				
B. Senapati, US	Expenditure	UPSC	1986 (DR)		1996 (LDCE)	08-05-09	01-01-06	22840	23350	R.K. Kauldhar	1987 (SQ)	1997 (SQ)		No			
Hem Raj Anand, US	Expenditure	UPSC	1989 (DR)		2003 (SQ)	08-05-09	01-07-07	7900	9100	D.K. Minocha	1989 (SQ)	2003 (SQ)		No			
Asit Halder, US	Food & PD	UPSC	1990 (DR)		2003 (LDCE)	08-05-09	01-07-08	8100	9100	I.C. Nangia	1990 (SQ)	2004 (SQ)		No			
Ram Chandra, US	Food & PD	Revenue								Yashoda Gauri							
Neeraj Sachdeva, US	Health & FW	UPSC	1995 (DR)	27-02-98	2003 (LDCE)	30-01-12	01-07-07	21610	23940	P.K. Sahoo	1996 (DR)	2003 (LDCE)					
Thomas Mathew, US	Health & FW	I&B			2003		14-07-06	7500	8900	Surender Sharma		2003	More pay				
Sanjay Pant, US	Health & FW	Home				22-12-08	18-10-04	7700	8900	D.Krishnamurthy			More pay		12-01-16		
Md. Nasim Khan, US	Heavy Industries	UPSC	1986 (DR)		1997 (LDCE)	08-05-09	08-05-00	7500	8100	R.K. Kauldhar	1987 (SQ)	1997 (SQ)		No			
Rajeev Kumar, US	Higher Education	Revenue								Yashoda Gauri							
R.P. Tewari, US	Higher Education	Revenue								K.K. Sapra							
Rajendra Sharma, US	Higher Education	Revenue								K.K. Sapra							
Sanjay Kumar Singh, US	Higher Education	Revenue								Yashoda Gauri							
Manoj Kumar Singh, US	Home	I&B			2002	12-01-09	10-07-06	8275	9500	Som Dutt Sharma		2003	More pay				
Agni Kumar Das, US	Home	I&B			1998	08-01-10	20-06-01	7700	8500	A.K. Guha		1999	More pay				
Shibatosh Banerji, US	Home	I&B			2003	11-05-10	08-08-06	7500	8900	Surender Sharma		2003	More pay				
Shibatosh Banerji, US	Home	I&B			2003					Arvind Thakur							
A.K. Gharai, US	Home	Revenue								Arvind Thakur							
Arvind Kumar Srivastava, US	I&B	DAVP, I&B			1998	20-06-12				Neeraj Sachdeva							
Sanjeev Kumar, US	I&B	I&B			1996	12-06-13				P.K. Sahoo							
Ranvir Singh, US	I&B	I&B			2003		10-09-08			Arvind Thakur							
Prasoon Kumar Jha, US	I&B	Agriculture			2003	28-04-10	01-07-06			B.R. Mahato							
Somvir Singh, US	I&B	Revenue			2003	19-07-12	01-07-07			Ram Kanwar/ Yashoda Gauri							
Kishore Srivastava, US	I&B	Civil Aviation			2003	20-01-09	01-07-06			Ram Charan							
Sanjay Dhar, US	I&B	Health & FW			2003	18-10-12	30-10-06			V.K. Govil							
Sanjay Dhar, US	I&B	I&B			2003		10-09-08			Arvind Thakur							
S.N. Mishra, US	IP&P	IP&P					01-07-07	22280						Yes	12-04-16		
D.S. Parihar, US	IP&P	IP&P					01-07-07	23690						Yes	12-04-16		
Gokul Nagarkoti, US	IP&P	IP&P					01-07-07	22280						Yes	12-04-16		
A.N. Venkatachala, US	IP&P	IP&P					01-07-07	22330						Yes	12-04-16		
L.K. Sharma, US	IP&P	IP&P					01-07-07	22340						Yes	12-04-16		
S.K. Lal, US	IP&P	IP&P					01-07-07	23690						Yes	12-04-16		
Raj Kumar, US	Labour & Employment	Textiles	1989 (DR)	30-09-92	2002 (SQ)	09-06-10	01-07-07	23560	23940	Uma Dhall	1989 (SQ)	2003 (SQ)	More Pay	Yes	07-10-14		
G.A. Raghuvanshi, US	Labour & Employment	Labour & Employment					01-07-07	21630						Yes	26-03-15		
Subhash Kumar, US	Labour & Employment	Labour & Employment					01-07-07	21000						Yes	26-03-15		
Santhosh Kumar Singh, US	Labour & Employment	Labour & Employment					01-07-07	21000						Yes	26-03-15		
Pawan Kumar, US	Labour & Employment	Labour & Employment					01-07-07	21520						Yes	26-03-15		
Anjani Kumar Thakur, US	Labour & Employment	Labour & Employment					01-07-07	24240						Yes	26-03-15		
Johan Topno, US	Labour & Employment	Labour & Employment					01-07-07	22280						Yes	26-03-15		

Particulars of officers whose requests for stepping up of pay not acceded to

Name & Designation	Ministry/Department where currently posted	Ministry/Department which not allowed stepping up	Promotee/DR Assistant	Date of Request	SO Select list year	Name of the junior with whom stepping up sought	Whether the junior was DR/Promotee Asstt	SO Select List Year	Remarks
Alka Soni, US	UPSC	UPSC	1988 (DR)	30-05-13	1998 (LDCE)	Vinod Kumar	1993(DR)	2002 (LDCE)	
S.K. Mohanty, US	UPSC	UPSC	1988 (DR)	09-08-12	2002 (SQ)	Neeraj Sachdeva	1995 (DR)	2003 (LDCE)	
K.K. Mehra	Defence	Defence		26-08-08	2003	R.K. Jain		2003 (SQ)	
Pawan Kumar	Defence	Defence		21-08-08	2003	K.K. Khullar		2003 (SQ)	
Sanjoy Sarkar	Defence	Defence		29-08-08	2000	J.K. Jain	1989	2003 (SQ)	
Nand Kishor Kumar	Defence	Defence		26-08-08	2002	J.K. Jain	1989	2003 (SQ)	
P. Venukuttan Nair	Defence	Defence		23-07-09	2003	J.K. Jain	1989	2003 (SQ)	
N.K. Kalra	Defence	Defence	1990 (DR)	28-01-09		T.D. Khattar	1990	2004 (SQ)	
Dharm Prakash	Defence	Defence		21-08-09		S.K. Pandey			
J. Hari Prasad	Defence	Defence	1989 (SQ)	22-01-09	2003	J.K. Jain	1989	2003 (SQ)	
B.M. Patnaik	Defence	Defence	1991 (DR)	21-08-09	2005	Itbari Lal	1991 (SQ)	2005 (SQ)	
N.K. Kumar	Defence	Defence		06-02-09		J.K. Jain	1989 (SQ)	2003 (SQ)	
Kumar Pranav	Defence	Defence	1992 (SQ)	21-09-10	2008	Ramesh Chander	1992 (SQ)	2008 (SQ)	
S.K. Biswas	Defence	Defence	1990	02-09-09	2003	T.D. Khattar	1990	2004 (SQ)	
H.C. Mondol	Defence	Defence		18-05-12	2003	T.K. Mondol		2003 (SQ)	
Sosti Charan Mondal	Defence	Defence		19-10-12	2003	Biswajit Saha		2003 (SQ)	
A.K. Ghosh, US	Defence	Defence	1987	17-10-13	2000	A.Shyam Chawdhury	1987	2001 (SQ)	
S.K. Tanwar, US	Defence	Defence	1989	17-10-13	1996	A.Shyam Chawdhury	1988	2002 (SQ)	
Gurdeep Singh, US	Defence	Defence	1986	15-10-13	1997	A.Shyam Chawdhury	1989	2003 (SQ)	
Rajeev Jauhari, US	Defence	Defence	1986	18-10-13	1998	A.Shyam Chawdhury	1990	2004 (SQ)	
Amitava Saha, US	Defence	Defence	1987	09-09-14	2000	A.Shyam Chawdhury	1991	2005 (SQ)	
Amlan Das, US	Defence	Defence	1990	25-07-13	2003	Veena Kalra	1990	2003 (SQ)	
K. Sudhakaran, US	Defence	Defence	1989 (PA)	06-06-14	1997	Vijay Sachdeva		2003 (SQ)	
N.B. Mani, US	Defence	Defence	1988	04-08-14	1996	Ashish Sharma	1989	1996	

Para-13 Non submission of excess amount borne by the ministries by virtue of irregular/wrong stepping up of pay

At present the stepping up of pay of CSS Assistants on promotion to Section Officers grade is governed by the OM No.5/16/80-CS.I dated 13.04.1988, OM No.5/21/92-CS.I dated 23.02.1994 and OM No.5/1/96-CS.I dated 08.10.1996. Apart from these OMs, there are general guidelines of stepping up of pay contained in Ministry of Finance OM No.F.2(78)-E.III(A) dated 04.02.1966 and DoPT OM No.4/7/92-Estt.(Pay-1) dated 04.11.1993. There were different interpretations of OMs dated 13.04.1988, 23.02.1994 and 08.10.1996 and the general conditions of stepping up of pay, by different Ministries/Departments. Consequently, some officers got their pay stepped up whereas in many cases, it was not allowed to other similarly placed officers.

DoPT had further issued instructions vide OMs dated 29.05.2009 and 21.05.2010 to maintain status quo in the matter till the same was finally decided. Eventually, the matter attained finality and a consolidated OM dated 20.05.2014 vetted by DoPT and Department of Expenditure was issued through which the Ministries/Departments were requested that stepping up of pay already allowed in cases where the individuals are not covered by the OMs dated 13.04.1988, 23.02.1994 and 08.10.1996 and where conditions laid down in the OM dated 04.11.1993 are also not fulfilled, should be reviewed and pay re-fixed accordingly. They were further advised that excess payments made to the employees in the cases of wrong stepping up of pay may be recovered in terms of DoPT OM No.18/26/2011-Estt(Pay-1) dated 06.02.2014 and a compliance report in this regard was also to be furnished to DoPT latest by 31.08.2014.

DoPT informed to audit (April 2015) that pay re-fixation orders have been issued only by very few Ministries/Departments viz. Ministry of Textiles, Agriculture and Labour & Employment.

DoPT was again requested to intimate the excess amount borne by the above ministries by virtue of irregular/wrong stepping of pay vide audit memo No.21-A dated 01.05.2015. In this regard, DoPT stated (May 2015) that service book of officers is maintained by Ministries/Departments concerned. They fix the pay of officers under their rolls and DoPT is not involved in such routine administrative matters. DoPT has not received the compliance report from any Ministry/Department till date and no such information is available with DoPT. DoPT also enclosed copies of reminders dated 09.09.2014 and 30.04.2015 issued to all the Cadre Units of CSS for compliance report in this regard. DoPT further stated that DGACE may specifically look into the stepping up of pay of officers during the audit of the Ministries/Departments and the matter has been taken up with the Ministries/Departments on regular basis.

Thus, DoPT failed to submit the information relating to excess amount borne by the ministries by virtue of irregular/wrong stepping up of pay.