

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
SERVICES DEPARTMENT: SERVICES – I BRANCH
LEVEL 7, B – WING, DELHI SECRETARIAT
I.P. ESTATE, NEW DELHI – 110 002
<http://services.delhigovt.nic.in>
(Tel:011 – 23392038)


No.F.8/29/2020/S.I/933

Dated: 23/03/2021

CIRCULAR

The copies of the under mentioned papers are forwarded herewith for information, record and necessary action to the following:

1. All Heads of Departments, Govt. of NCT of Delhi.
2. All Heads of Autonomous Bodies / PSUs / Local Bodies / Grant-in-Aid Institutions / Boards / Societies, Govt. of NCT of Delhi.
3. All Pay and Accounts Office through Principal Accounts Office, Vikas Bhawan, Govt. of NCT of Delhi.
4. Section Officer (Coordination), Services Department, Govt. of NCT of Delhi with the request to upload the papers on the website of Services Department.


(AMITABH JOSHI)
DY. SECRETARY (SERVICES)

List of papers forwarded:

S. No.	Name of the Ministry / Department	Letter No. & date	Subject
1	M/o PPG&P, Department of Personnel & Training, Government of India	No.20011/1/2017-AIS-II dated 10.03.2021.	Protection of pay in cases of deputation under Central Staffing Scheme in terms of Rule 7 of IAS (Pay) Rules, 2016 (7 th CPC) and analogous provisions in IPS (Pay) Rules, and IFS (Pay) Rules
2		No.20011/5/2014-AIS-II dated 10.03.2021.	Clarification regarding proforma promotion to officers who are posted outside the Cadre including Central Deputation.

44/c

No. 20011/5/2014-AIS-II
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

17 MAR 2021

New Delhi dated 10th March, 2021

SAD/2021/8647

To
The Chief Secretary,
All the State Governments / UTs.

Subject: Clarification regarding proforma promotion to officers who are posted outside the Cadre including Central Deputation - reg.

Sir,

I am directed to state that this Department is in receipt of various references from State Governments seeking clarifications on specific instances where IAS officers, posted outside their State cadre, have not been able to get proforma promotion even though they are otherwise eligible to get the said promotion, had they not been posted outside the cadre.

AP
18.3.21

2. The possible reasons for such situations, inter-alia, could be one of the following:

- (i) the officer posted outside his / her State cadre is the junior most in his / her batch of that State Cadre and no junior officer to him is eligible to be considered for promotion in the next higher grade in that state cadre;
- (ii) all the officers of the eligible batch to be considered for promotion are on central deputation and no junior officer to them is eligible to be considered for promotion in the next higher grade in that state cadre.

Pradyumn
18/3

3. In this regard, attention is being drawn to the relevant provisions with regard to proforma promotion, as available in IAS (Pay) Rules, 2016:

SS-I
Saurabh
19/3/21
DS-I

(a) Rule 8(5) of IAS (Pay) Rules, 2016 states that-- "A member of the Service, while holding post outside the cadre, including a post under the Central Government, may be granted proforma promotion to a post in the Level above the Level specified in rule 3 by the Government of the State on the cadre to which he is borne".

(b) Rule 8(6) of IAS (Pay) Rules, 2016 prescribes the conditions for initial fixation of pay and increments subsequent to reversion to the cadre of a member of the Service who had been allowed proforma promotion in the Super Time Scale and the above Super Time Scale, under Rule 8(5) of IAS (Pay) Rules 2016.

So(S-I)

4. In the light of the above, it is stated that as per Rule 8(5) of IAS (Pay) Rules, 2016, a member of the Service may be considered for grant of proforma promotion by

19/03
N Vinay

Sandeep

the concerned State Cadre, if he/she would have been considered for promotion as if he/she were in his/her cadre and found fit for promotion subject to availability of vacancy as in case of regular promotion, except for being posted outside the cadre on which he/she is borne. Further, the conditions enumerated under Rule 8(6) of the IAS Pay Rules, 2016 – inter-alia fitness of the member of service to be appointed to that level, all the seniors drawing pay in that level, next below rule and one for one basis etc. – are to be considered towards the initial fixation of pay and increments after a member of service, reverts back to the cadre subsequent to availing the proforma promotion.

5. The concerned State Governments may consider/process the cases for proforma promotion of members of service posted outside the cadre accordingly.

6. This issues with the approval of the competent authority.

Yours faithfully,

Sandeep

(Sandeep Kumar Sinha)

Under Secretary to Government of India

Tel. 011-23094714

Email: sandeep.ksinha@gov.in

Copy to: All the Ministries / Departments of Government of India.

sole

No. 20011/1/2017-AIS-II

Government of India

Ministry of Personnel, Public Grievances and Pension
Department of Personnel & Training

5002011/8649

North Block, New Delhi
Dated 10th March, 2021

To

The Chief Secretary,
All the States/Union Territories

Subject : Protection of pay in cases of deputation under Central Staffing Scheme in terms of Rule 7 of Indian Administrative Service (Pay) Rules, 2016 (7th CPC) and analogous provisions in IPS (Pay) Rules, and IFS (Pay) Rules-Regarding.

~~AS~~
~~CS~~
8.3.21
Secy (Home)
Secy (Sec)
Secy (Ext) Sir, 1412

I am directed to refer to queries received from various Ministries/ Departments regarding method of pay protection in terms of Rule 7 of IAS (Pay) Rules, 2016 which is as under :-

"If the pay of the officers posted on deputation to the Central Government under Central Staffing Scheme, after fixation of their pay in the revised pay structure, either under these rules or as per the instructions regulating such fixation of pay on the post to which they are appointed on deputation, happens to be lower than the pay they would have been entitled to, had they been in their parent cadre and would have drawn that pay but for the Central deputation, such difference in the pay shall be protected in the form of Personal Pay with effect from the date of notification of Government Resolution in this regard, i.e. 25 th July, 2016.

Further, if the member of Service is promoted in the cadre while on central deputation under Central Staffing Scheme, the difference in the pay that the officer would have drawn had he been in the parent cadre and the amount of pay on his deputation to Centre shall be protected in the form of personal pay with effect from the date of issue of Government Resolution."

~~SS-I~~
Saurabh
19/3/21
~~DS-I~~
19/3
SO(S-I)
19/03
R. Vinay

49/c

Rule 7 of IAS (Pay) Rules, 2016 was subsequently amended vide notification dated 14021/1/2016- AIS-II, dated 12.06.2017 consequent upon the amendment of Department of Expenditure Notification No.1-2/2016-IC dated 16th May, 2017, which inter-alia provide that the aforesaid provision would take effect from 01.01.2016.

2. Pay protection of officers on deputation under Central Staffing Scheme after implementation of IAS (Pay) Rules 2016 has been considered in consultation with Establishment Division of this Department and Department of Expenditure and is elaborated in subsequent paras.

3. Pay Protection of IAS officers who were already on deputation under Central Staffing Scheme on 01.01.2016 or who joined deputation under Central Staffing Scheme on or after 01.01.2016

(a) Pay of such officers, as on 01.01.2016 [or a subsequent date from which they have opted to switch over to the IAS (Pay) Rules, 2016] will be fixed in the Level of the post held by them on deputation under Central Staffing Scheme on the basis of the pay fixed in their parent cadre. The cell corresponding to the basic pay fixed in the parent cadre will be located in the Level in the Pay Matrix of the post in which the officer is serving on deputation under Central Staffing Scheme and pay shall be fixed at same stage/equivalent cell. If no such cell is available in the applicable Level of the deputation post, the pay shall be fixed at the immediate lower cell in that Level of the deputation post and the difference in pay will be granted as Personal Pay.

Illustration :-

If an officer holding the post in Level 15 in parent cadre and drawing pay of Rs.2,05,100/- goes on deputation under Central Staffing Scheme in Level 14 on 04.05.2017, his pay will be fixed as under :-

(a)	Existing Level in the parent cadre	Level 15
-----	------------------------------------	----------

48/C

	22.02.2017 in the parent cadre	
(c)	Pay fixed on appointment on deputation under Central Staffing Scheme	Rs. 1,26,800/- (cell 2 of Level 13)
(d)	On DNI in the Parent Cadre: Pay fixed on deputation under Central Staffing Scheme	Rs. 1,30,600/- (cell 3 of Level 13)

(ii) If an officer holding the post in Level 13 in parent cadre and drawing pay of Rs. 1,26,800/- goes on deputation under Central Staffing Scheme in Level 12 on 22.02.2017, his pay will be fixed as under :-

(a)	Existing Level in the parent cadre	Level 13
(b)	Existing pay in cell 2 of Level 13 as on 22.02.2017 in the parent cadre	Rs. 1,26,800/- (cell 2 of Level 13)
(c)	Pay fixed on appointment on deputation under Central Staffing Scheme	Rs. 1,26,800/- (cell 2 of Level 13)
(d)	On DNI in the Parent Cadre: Pay fixed on deputation under Central Staffing Scheme	Rs. 1,30,600/- (cell 3 of Level 13)

4. Protection/ Fixation of pay of IAS officers who were on deputation under Central Staffing Scheme on 01.01.2016 or who joined deputation under Central Staffing Scheme on or after 01.01.2016 and got Proforma promotion in parent cadre :-

(a) In case the officer was on deputation under CSS on 01.01.2016 or joined thereafter and his junior is promoted to a higher post in his parent cadre on or after 01.01.2016, but was not granted proforma promotion under the 'Next Below Rule', there will be no change in the pay fixation already done as per extant rules.

(b) In case an officer on deputation to a post under Central Staffing Scheme gets proforma promotion in his cadre to a post up to Level 13 in the

47/c

(b)	Existing pay in Level 15 as on 04.05.2017 in the parent cadre	Rs. 2,05,100/- (cell 5 of Level 15)
(c)	Pay fixed in Level 14 on Deputation under Central Staffing Scheme	Rs. 1,99,600/- (cell 12 of Level 14) plus (Rs.5500/- Personal pay)
(d)	On DNI in parent cadre : Pay in Level 15 in the Parent Cadre	Rs. 2,11,300/- (cell 6 of Level 15)
(e)	On DNI in parent cadre: Pay on Central Deputation in Level 14	Rs. 2,05,600/- (cell 13 of Level 14) plus (Rs. 5700/- Personal pay)

(b) However, if an officer currently drawing pay up to Level 13 is appointed on deputation to a post in the equivalent or lower level on deputation under Central Staffing Scheme OR during the continuance of deputation under Central Staffing Scheme gets an upgradation in his parent cadre to a Level higher than pay Level of deputation post up to Level 13 of the Pay Matrix, his pay will be fixed at the same cell and Level in which he is placed in the parent cadre. He will also be eligible to draw the CDTA on the pay of Level of the post in parent cadre at the prevailing rates. For the active period of deputation from 1.1.2016 to 30.6.2017, CDTA will be admissible at the pre-revised rates in pre-revised pay structure, i.e. as if the pay had not been revised w.e.f. 1.1.2016. Provisions of this Department's OM No.2/10/2017-Estt(Pay-II) dated 24th April, 2018 shall stand amended to this effect. For the active period of deputation from 1st July, 2017 onwards, CDTA will be admissible as per the guidelines in this Department's OM No. 2/10/2017-Estt(Pay II) dated 24th April, 2018.

Illustration :-

(i) If an officer holding the post in Level 13 in parent cadre and drawing pay of Rs. 1,26,800/- goes on deputation under Central Staffing Scheme in Level 13 on 22.02.2017, his pay will be fixed as under :-

(a)	Existing Level in the parent cadre	Level 13
(b)	Existing pay in Level 13 as on	Rs. 1,26,800/- (cell 2 of Level 13)

Pay matrix, his pay in the Level of the post will be fixed with reference to the presumptive pay that he would have got had he remained and promoted in the parent cadre of his service in the manner as provided in para 3(b).

(c) In case an officer on deputation under Central Staffing Scheme gets promoted in his cadre to a higher post in Level 13A or above in the Pay matrix, his pay in the Level of the post held on deputation under Central Staffing Scheme will be fixed with reference to the presumptive pay of the officer in the parent cadre of his service. The Cell corresponding to such basic pay fixed in parent cadre will be located in the Level in the Pay Matrix of the post in which the officer is serving on deputation under Central Staffing Scheme, and pay shall be fixed at same stage/equivalent cell and if no such cell is available in the applicable Level, the pay shall be fixed at the immediate lower cell in that Level of the post and the difference in pay will be granted as Personal Pay. Illustrations may be seen below:-

Illustration

If an officer holding the post in Level 16 in parent cadre drawing pay of Rs.2,24,400/-, who is on deputation under Central Staffing Scheme in Level 15 and drawing pay Rs. 2,24,100/- + Rs.300/- (Personal pay) gets proforma promotion in Level 17, his pay will be fixed as under :-

(a)	Pay level in the pay matrix in parent cadre before joining on deputation under Central Staffing Scheme	Level 16
(b)	Pay level in the Central Staffing Scheme	Level 15
(c)	Existing pay as on 01.05.2017 on Deputation under Central Staffing Scheme in Level 15	Rs. 2,24,100/- (cell 8 of Level 15) plus (Rs.300/-Personal pay) [Corresponding to pay of Rs.2,24,400/- of Level 16]
(d)	Pay fixed in the higher Level in parent cadre i.e. Level 17 on proforma promotion on 01.05.2017	Rs. 2,25,000/-

45/c

(e)	Pay fixed on deputation under Central Staffing Scheme as per Rule 7 of IAS (Pay) Rules on 01.05.2017	Rs.2,24,100/- (cell 8 of Level 15) plus Rs.900/- (Personal pay)
(f)	On DNI : Pay in the Parent Cadre in Level 17	Rs. 2,25,000/-
(g)	On DNI : Pay in the Level 15 on Deputation under Central Staffing Scheme	Rs.2,24,100/- (cell 8 of Level 15) plus Rs.900/- (Personal pay)

5. (a) The officer shall get Dearness Allowance on the said Personal Pay as admissible from time to time. However, no other allowance shall be admissible on this Personal Pay.

(b) The Basic Pay plus Personal Pay, from time to time, shall not exceed Rs.2,25,000.

6. **Grant of annual increment to officers on Deputation under Central Staffing Scheme**

On grant of annual increment to an officer in parent cadre (upto Level 16) who is on deputation under Central Staffing Scheme, the pay will be fixed incrementally moving down one cell in the Level of pay in which the officer is serving on deputation under Central Staffing Scheme. Accordingly, the Personal Pay, if any, will be re-computed as the difference in the pay (after increment) that he would have drawn in the parent cadre and the current pay on deputation under Central Staffing Scheme.

7. The aforementioned instructions are applicable to All India Service officers (i.e. IAS, IPS, IFS) with effect from 01.01.2016.

Yours faithfully,

Sandeep

Sandeep Kumar Sinha

Under Secretary to Government of India

Copt To :

All Ministries/Departments of Government of India