

PRINCIPAL ACCOUNTS OFFICE
GOVT. OF NCT OF DELHI
A-BLOCK, VIKAS BHAWAN, I.P. ESTATE, NEW DELHI

No. 7(3)/१०१३/T-1/Pr. AO/

Date :

To

The Assistant Commissioner (North),
Food & Supply Department & Consumer Affairs,
23-27, Local Shopping Complex, Gulabi Bagh,
Delhi-11007

**Sub : Regarding clarification on pay fixation in respect of Sh. S.K. Paul,
Retired Grade-I (DASS) Officer.**

Sir,

In continuation to this office letter of even number dated 18-08-2016 on the subject noted above I am directed to inform you that the Services Department, Govt. of NCT of Delhi has issued clarification to the Office of Commissioner, Food & Supply & Consumer Affairs and in their case file with the advice that since Sh. S.K. Paul would not be eligible for notional pay fixation from retrospective dates, the observations of PAO-06 appears to be in order.

A copy of the letter No. F.10(14)/S-IV/Adv./Misc./2016/1647 dated 24-10-2016 of the Dy. Secretary, Services Department and a copy of the noting portion of the case file of the Office of Commissioner, Food & Supply and Consumer Affairs is sent herewith for further necessary action.

Yours faithfully,

Encl : As above.

(K.V. Babu)
Dy. Controller of Accounts (Tech.)

No. 7(3)/१०१३/T-1/Pr. AO/3564

Date : 07/11/2016

Copy to :

1. The Pay & Accounts Officer, Pay & Accounts Office-06, Tis Hazari, Delhi with a copy of the letter No. F.10(14)/S-IV/Adv./Misc./2016/1647 dated 24-10-2016 of the Dy. Secretary, Services Department.
2. All Pay & Accounts Officers, Pay & Accounts Offices, Govt. of NCT of Delhi, Delhi/New Delhi. *with a copy of aforesaid clarification*
3. Sh. Krishan Paul, House No. RZ-44, Mangol Pur Khurd, Delhi-110083

Dy. Controller of Accounts (Tech.)

1061

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
SERVICES DEPARTMENT, BRANCH-IV
7TH LEVEL, B-WING, DELHI SECRETARIAT
I. P. ESTATE, NEW DELHI-110002

No.F.10(14)/S-IV/Adv./Misc./2016/ 1647

Dated: - 24/10/16

To

The Deputy Controller of Accounts (Technical)
Principal Accounts Office
Govt. of NCT of Delhi
A-Block Vikas Bhawan,
I. P. Estate New Delhi

Sub:- Regarding clarification on pay fixation in respect of Sh. S.K.Paul,
Retired Grade-I (DASS) officer.

Sir,

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This is in reference to your office letter dated 01.09.2016 on the subject cited above. In this regard it is submitted that this office was also in receipt of same matter from the administrative department of the retiree official seeking advice on the matter. A photocopy of the noting pages vide which the advice of this department was conveyed to Deputy Controller of Accounts (F&S Department) is enclosed herewith for necessary action at your end.

727/T-I
26/10/16

PRINCIPAL ACCOUNTS OFFICE Govt. of NCT of Delhi C.Diary No. 24.950 Date 25/10/2016

Encl:- As Stated.

Yours faithfully,

(MUKESH KUMAR SHARMA)
DEPUTY SECRETARY (SERVICES)

28/10/16
S.K.Paul

DL
25/10/2016

AAO (T.P.)

b
26/10/16

Sh. K.S. Vh

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-7/N-

26. The instant file has been received from Department of Food & Supplies, GNCTD for seeking opinion of Services Department in the matter of pay fixation in r/o Sh. S.K.Paul, Retired Grade-I (DASS)/FSO. The same matter has also been received from Principal Accounts Office through E-Office which has been dealt separately online.

27. The instant issue relates to retrospective pay fixation on notional basis due to late joining the promoted post by Sh. S.K.Paul retired Grade- I (DASS) on two occasions as briefed below:-

Old Post	Promoted Post	Date of Promotion order	Actual date of joining the higher post	Joining late by
Gr-III (DASS)/UDC	Gr-II (DASS)/Head Clerk	04.12.2001	01.07.2002	6 Month 27 Days
Gr-II (DASS)/Head Clerk	Gr-I (DASS)/Supdt.	27.06.2008	31.07.2008	1 Month 3 Days

28. PAO-VI GNCTD has not approved pension case of Sh. S.K.Paul retired Grade-I (DASS) on the grounds that pay fixation of the officer should have been fixed w.e.f. the date of actual joining instead of date of promotion order. PAO-VI has supported his objection with DoPT OM dated 27.02.2013 (P-19/C) which inter-alia says that notional fixation of pay from a date prior to the date of actual promotion is not as per the general instructions on promotion. PAO-VI has also relied on provisions of FR-17(1) which provides that an officer shall begin to draw the pay and allowances attached to his tenure of a post w.e.f. the date when he assumes the duties of that post. The plea of the retired officer concerned is that he was entitled for retrospective notional pay fixation w.e.f. date of promotion orders.

29. Para 2 (c) of DoPT OM dated 04.11.1993 (P-25-26/C) stipulates that the senior officer joining promoted post after his junior for whatsoever reasons cannot claim stepping up of pay at par with the junior.

30. The available record reveals that the officer concerned was physically holding the post of Grade-III (DASS)/UDC and Grade-II (DASS)/Head Clerk respectively as on the date of notional fixation of pay. In other words he had not relinquished the charge of previous post during the period of notional pay fixation but continued to work at the lower post. The promotion order dated 04.12.2001 (P-10-12/C) issued by Services department clearly specify that the official would be entitled to the pay and allowances of promoted post only when he joins the new post in the concerned department. The same term has been used in promotion order dated 27.06.2008 (P-3-7/C) issued by Services department. None of these promotion orders contain any provision for notional pay fixation from a retrospective date.

31. Keeping in view the circumstances explained above, the observations made by PAO-VI appear to be in order. The file may be returned to the administrative department for further necessary action.

[Signature]
30/09/2016

Dy. Secretary (Services)

Supdt. (S-IV)
[Signature]
31/8/16

8/11

32. We may return the file to F&S Dept. with the
Observations in Para-2 & 3.

Mud
10/10

~~SS (Mud)~~

(33). The proposal is in order.
Submitted for approval of para-21/11.

13/10/11
13/10/11
13/10/11

~~Secretary (S)~~

Deep

13.10.11

W
13/11

~~SS~~

AB
12/10

~~DS (S)~~

Secretary
Supr (S-11)

D. C. A (F&S Dept)

Secretary (S) [Signature]
No. 13/10/11