

## **(22.6)Stepping up of pay of S&T Staff**

### **(22.6.1) Stepping up of pay of S & T Staff-Merit promotion/Advance Increments to the Scientists in National Labs./Instts.**

A number of representations are being received in this office from the scientists requesting for stepping up their pay on the ground that with the grant of merit increments some scientists who are junior to them in the grade, have started getting higher pay on the analogy that senior persons should not draw pay less than their juniors-

The matter has been examined in the CSIR in consultation with Chief (Finance)\* In case of scientists, there is no seniority as different persons are appointed in different disciplines and there cannot be one common seniority list for all the different disciplines. The seniority in case of scientific staff is only limited to the purpose of confirmation which is determined on the basis of their placement in the Establishment List. As such, the question of comparison of the pay of one Officer with the other will not be applicable. It is therefore requested that the scientists in your Lab /Instt, who have submitted representations on this ground may be informed that there is no question of refixing their pay by stepping up with reference to the pay drawn by the other scientists whether lower or higher in the establishment List,

(CSIR letter No. 16(40)/76-PL, dated 13.4.81)

### **(22.6.2) Stepping up of pay of Scientific & Technical staff on assessment.**

In this office letter No. 16(40)/76-PL dated 13th April, 1981 it was clarified that there is no concept of seniority amongst the Scientific and Technical staff as different persons are appointed in different disciplines and there cannot be one common seniority list for all the different disciplines. Thus, the question of comparison of pay of one officer with the other did not arise.

2) Similarly, assessments under erstwhile Bye-law 71 (b) and NRAS are not vacancy based and as such do not attract the concept of seniority.

3) In view of the above, it is again emphasized that the question of stepping up of pay based on seniority is not admissible and instructions contained in decision No. 10 under FR 22(c) and Notes. No 4 and 7 given under Rule 7 of Revised Pay Rules, are not attracted in such cases.

4) It is, therefore, requested that in case pay has been wrongly stepped up in respect of any Scientific/Technical personnel on the basis of seniority by application of rules/orders as mentioned in para 3 of this letter, the same may be regulated as per aforesaid guidelines and recoveries of over- payment made, if any, may be effected, after serving a show-cause notice to the individual concerned. Action taken in this regard (with details of such wrong pay fixation) may please be reported to CSIR by the end of July, 1989 at the latest.

(CSIR No. 17(65)/23/88-PPS, dated. 13th June, 1989)

#### **(22.6.3) Stepping up of pay of Scientific and Technical staff**

Some points have been raised by a few Labs./Instts. on the implementation of instructions circulated vide letter of even number dated 13.6.1989, on the above subject. These are being examined by a small group set up at the CSIR Headquarters. Pending final decision in the matter, it has been decided to temporarily stay implementation of these instructions.

(No. 17(65/23)/88-PPS, dated 25th August, 89)

#### **(22.6.4) Stepping up of pay of scientific & technical Staff on assessment**

Reference this Office Circular letter of even number, dated 25th August, 1989 temporarily staying the operation of letter of even number dated 13th June 1989 on the above subject. The position regarding operation of these orders is clarified as under:

- A. There is no concept of seniority among S&T staff in CSIR and hence the question of application of GOI instructions on stepping up of pay does not arise in such cases;
- B. Fixation of pay on assessment be regulated as per instructions contained in CSIR Circular letter No. 16(40)/76- PL dated 13.4.1981 and

reiterated vide CSIR Circular letter No.17(65)/23/88-PPS dated 13-6-89;  
and

**C. Any over-payment as a result of wrong stepping up/ fixation Of pay in the Labs./Instts. shall be regulated and dealt with as per extant rules/instructions issued from time to time on the subject. Necessary information on wrong stepping up resulting in overpayment may also be sent to this office in the enclosed proforma.**

**It is requested that contents of the relevant instructions on this subject may kindly be brought to the notice of all concerned including the Finance Wing of your Lab/Instt. for strict compliance. Controller of Administration & SR.F&AO of the concerned Lab./Instt. shall ensure compliance of the above instructions.**

**(CSIR letter No. 17(65/23)/88-PPS, dated, 1st October 1990)**

### Details of Stepping Up of Pay in Respect of S&T Employees on Assessment/appointment in CSIR

**From 1981 Till Date.**

Name/Designation	Pay drawn in post assessment/promotion (with scale of pay)	Pay fixed on assessment/promotion to the next higher grade (with date of promotion/assessment & scale of pay)	Pay stepped up by junior (s) in relation to pay drawn	Date of stepping up	Over-Payment till date as a result of stepping up.	Rules/orders under which stepping up had been done

**Certified that the information given in the statement is as per records and nothing has been left out. COA/AOF&AO/Sr.F&AO**

#### **(22.6.5) Stepping up of pay of Scientific & Technical staff on assessment.**

Reference this Office circular of even number dated 14.9.90/1.10.90, on the above subject. The instructions contained therein have been reviewed.

While the provisions contained in Para 6.4. 10 of MANAS will continue to apply, the matter has been further considered and it has been decided, in consultation with I.F.A. that the provision of stepping up of pay under Government of India, Ministry of Finance O.M. No. 1(14)-E.111139 dated 16th June, 1989 (given under FR 22(c) of Swamy's Compilation of FR 1989) may be applied in a restricted sense on assessments subject to fulfilment of the following conditions

1. Both the 'Senior' and 'Junior' should belong to the same grade and the group and the posts to which they have been assessed should be identical in the same grade and the group.
2. The pre-revised and revised pay scale of both the lower and higher grades should be identical and in the same group.
3. The anomaly should be directly as a result of application of the provision of erstwhile FR 22(c). If even in the lower grade the 'Junior' was drawing more pay than the senior by virtue of fixation of pay under the normal rules or any advance increment granted to him, the provisions contained in this decision need not be invoked to step up the pay of the senior officer.
4. The benefit of stepping up of pay would be admissible only if the mode of placement to the higher in @he same group is the same. In case any of the two officers is appointed by a different mode of recruitment/assessment i.e. if one is appointed on open selection and the other by assessment or vice-versa, the benefit of stepping up of an open pay will not be admissible.
5. The stepping up of pay will not be admissible if advance increments have been granted on merit or otherwise to the 'Junior'.

In case of any doubt, reference may be made to CSIR with complete details and comments of Administration and Finance of the Lab./Instt. for examination.

(CSIR letter No. 17(63)/23/88-PPS, dated, the 20th June, 1991)

**(22.6.6) Stepping up of pay of Scientific & Technical staff on assessment -  
effecting recovery - regarding.**

The pay scales in CSIR were revised w.e.f. 1.1.1986 and as the orders of the revision of the pay scales were issued in Nov. 1986/Feb., 1987 effective from 1.1.1986, there have been cases of wrong fixation of pay in the revised pay scales. Necessary clarifications were therefore subsequently issued in this regard and the Labs./ Instts. were asked to refix the pay of the concerned employees and effect the recovery of over-payment if any, already made.

Similarly, there have also been cases of wrong stepping up of pay which had to be rectified subsequently and the over-payments made on this account recovered. Some of the employees moved petitions in the Central Administrative Tribunal, against the decision of CSIR for re-fixation of their pay and recovery of over-payment already made. In some cases the Tribunal has taken a view that the recovery should not be made unless a show cause notice has been issued to the individual concerned and has also quashed the orders for recovery of over payment on the technical ground of not issuing the show cause notice to the employee concerned before effecting the recovery.

In view of the above position, It may kindly be ensured that in future while effecting the recovery of over-payment, a show cause notice should invariably be served on the employees concerned so that the implementation of the orders of CSIR and recovery of over-payments is not stopped by the Tribunal on technical grounds.

**(CSIR letter No. 17(65)/23/88-PPS, dated, the 24th August, 1993)**