

GOVERNMENT OF PUDUCHERRY
DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS
(PERSONNEL WING)

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No.C.11011/2/2004/DPAR/CCD(2)

Puducherry, dated 06.03.2020

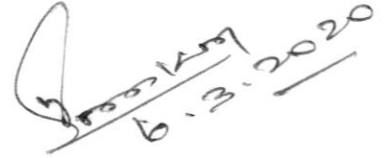
I. D. NOTE / OFFICE MEMORANDUM

Sub: Public Services – Regulation of pay on imposition of a penalty under CCS (CCA) Rules, 1965 – Instructions – Communicated.

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A copy of the Office Memorandum F.No.11012/15/2016-Estt.A-III dated 18.06.2019 of the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training, New Delhi is forwarded herewith for information and compliance.

/ BY ORDER /

Handwritten signature and date: 6.3.2020

(V. JAISANKAR)
UNDER SECRETARY TO GOVERNMENT

Encl: As stated.

To

All Secretariat Departments / Head of Departments / Offices.

Copy to:-

1. The Development Commissioner / all Secretaries / Special Secretaries to Government, Puducherry.
2. The Secretary to Chief Minister, Puducherry.
3. The Private Secretary to Lieutenant Governor, Puducherry.
4. The Collector, Puducherry / Karaikal.
5. The Regional Administrator, Mahe / Yanam.
6. The Private Secretary to Chief Secretary, Puducherry.
7. Stock file / C.R.B.

No: 11012/15/2016-Estt A-III
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
Establishment A-III Desk

North Block, New Delhi – 110001
Dated June 18, 2019

OFFICE MEMORANDUM

Subject: Regulation of pay on imposition of a penalty under CCS (CCA) Rules, 1965.

The Undersigned is directed to say that the following penalties prescribed in the Rule 11 of CCS (CCA) Rules, 1965, have a bearing on the pay of the officer:

11. Penalties

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Minor Penalties –

- (iii)(a) reduction to a lower stage in the time-scale of pay by one stage for a period not exceeding three years, without cumulative effect and not adversely affecting his pension.
- (iv) withholding of increments of pay;

Major Penalties –

- (v) save as provided in clause (iii) (a), reduction to a lower stage in the time-scale of pay for a specified period, with further directions as to whether or not the Government servant will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay
- (vi) reduction to lower time-scale of pay, grade, post or Service for a period to be specified in the order of penalty, which shall be a bar to the promotion of the Government servant during such specified period to the time-scale of pay, grade, post or Service from which he was reduced, with direction as to whether or not, on promotion on the expiry of the said specified period -
 - (a) the period of reduction to time-scale of pay, grade, post or service shall operate to postpone future increments of his pay, and if so, to what extent; and
 - (b) the Government servant shall regain his original seniority in the higher time scale of pay , grade, post or service;

2. Vide Central Civil Services (Revised Pay) Rules, 2016 notified vide notification No. GSR 721(E) dated 25.07.2016, the present system of Pay Bands and Grade Pays have been dispensed with and a new system of pay matrix as specified under Part A of Schedule of Central Civil Service (Revised Pay) Rules, 2016 have been introduced. The status of the employee so far determined by Grade Pay, will now be

determined by **Level** in the Pay Matrix. Further, as per Rule 10 (1) of the CCS (Revised Pay) Rules, 2016, there are two dates for grant of increment namely, 1st January and 1st July of every year, instead of the existing date of 1st July.

3. As per clause 3 of the Central Civil Services (Revised Pay) Rules, 2016 'Level' is defined as under:

'Level' in the Pay Matrix shall mean the Level corresponding to the existing Pay Band and Grade pay or Scale specified in Part A of the Schedule."

4. In the light of Implementation of the Revised (Pay) Rules, 2016, the regulation of pay on imposition of these penalties, is discussed in the subsequent paras:

A. Reduction to a lower stage of pay by one stage {Rule 11(iii a)}

On imposition of a penalty under this Rule, the pay would be fixed at the next upper vertical cell in the same level in the pay matrix. In other words, in case of reduction by one stage, the revised pay would be the pay drawn in the same level at the stage before the last increment.

Note: The above mentioned penalty cannot be imposed on a Government Servant drawing pay at the minimum of the Level.

B. Withholding of increment {Rule 11(iv)}

As already noted in para 2 above, increment is granted either on 1st January or 1st July of every year, as per the eligibility. Therefore, on imposition of penalty of withholding of increment, the next increment(s) due after the date of imposition of the penalty would be withheld. In case where penalty of withholding of multiple increments is imposed, increments due on 1st January or 1st July, as the case may be, in the subsequent years would similarly be withheld. The increment would be restored at the end of the period for which the penalty is imposed. The increments will be given on notional basis without arrears and without affecting date of next increment on restoration of increment.

This also applies to cases where the penalty is imposed for part of a year. For instance, if the penalty of withholding of one increment for six months is imposed on a Government servant in October 2017, then withholding of increment will be on following manner:

When the date of increment is 1 st January	When the date of increment is on 1 st July
The increment falling due on 1.01.2018 will be withheld for a period of next six months, that is, till 30.06.2018. The increment would be released on 1.07.2018 without arrear.	The increment falling due on 1.07.2018 will be withheld for a period of next six months, that is, till 31.12.2018. The increment would be released on 01.01.2018 without arrears.

C. Reduction to a lower stage in the time-scale of pay for a specified period [Rule 11(v)]