

**F.No.A-26017/05/2015-Ad.IIA**  
**Government of India**  
**Ministry of Finance**  
**Department of Revenue**  
**Central Board of Indirect Taxes & Customs**

North Block, New Delhi  
Dated the 16<sup>th</sup> January, 2019

To

All Pr. Chief Commissioners/ Chief Commissioners of GST & Central Excise/Customs/ Directors General under CBIC.

**Subject:-Fixation of pay on promotion to a post carrying higher duties and responsibilities but carrying the same grade pay - reg.**

Madam/Sir,

I am directed to say that the matter related to a clarification on pay fixation under FR 22(1)(a)(I) on re-designation/promotion to a post carrying higher duties and responsibilities but carrying the same pay scale has been examined in the Board in consultation with Department of Expenditure. Department of Expenditure has advised that –

*“in case the issue is for pay fixation on movement from the post of Office Superintendent (OS) to Administrative Officer (AO) taking place on dates prior to merger of the posts of OS with AO on 01.01.2006, the pay fixation may be considered in the light of Department of Expenditure OM No.169/2/2000-IC dated 24.11.2000”.*

2. It is advised to take necessary action in the matter in terms of provisions contained in Department of Expenditure OM No.169/2/2000-IC dated 24.11.2000. A copy of Department of Expenditure O.M. dated 24.11.2000 is enclosed.

Yours faithfully,

Encl: As above.

(A.K. Qasim)  
Director  
Tele: 011-23095530.

Copy to:-

- ✓1. D.G. of System & Data Management - with the request for uploading on the website of CBIC.

*A. K. Qasim*

(A.K. Qasim)  
Director



New Delhi, dated 24th November, 2000

OFFICE MEMORANDUM

**Subject : Recommendations of Fifth Central Pay Commission – Upward revision of pay scales as a result of feeder and promotion posts being placed in an identical revised pay scale**  
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The Fifth Central Pay Commission had, as a measure of rationalisation, merged some of the pre-revised pay scales and had recommended single replacement pay scale(s) in such cases. These recommendations had been accepted by the Government and have been duly notified. This has necessitated the placement of feeder and promotion posts in certain ministries and departments in an identical revised pay scale notwithstanding the fact that such posts were in separate and distinct pay scales earlier.

2. This Department has been receiving a number of proposals from various ministries and departments requesting appropriate upward revision of the pay scales of the promotion posts concerned so as to restore the earlier relativities. It is clarified in this context that the mere fact that the feeder and promotion posts in certain ministries and departments have been placed in an identical revised pay scale cannot by itself be adequate justification for placing the promotion posts in the hierarchy in a higher pay scale. Upward revision of the pay scale of posts on this consideration alone is not being accepted as a general policy unless there are other extenuating circumstances that might justify the adoption of such a course of action. What is envisaged in such a situation is that the affected cadres themselves should be appropriately restructured and the relevant recruitment rules amended so as to reduce the number of levels in the hierarchy. This is also the spirit underlying the 5<sup>th</sup> CPC recommendations relating to the merger of different pay scales.

3. Therefore, ministries/departments should, in the first instance, examine in depth the feasibility of appropriately restructuring the cadres in question. Only in cases where this is not found to be feasible on functional, operational and administrative considerations, only extension of the benefit of fixation of pay under FR 22(I)(a)(1) could be considered on the merits of each case and provided that all the conditions precedent for the grant of this benefit are fully satisfied and promotion to the posts in question actually involves the assumption of higher responsibilities. All cases for extension of the pay fixation benefit in such cases should be referred to the Department of Expenditure for prior approval.

4. Ministries and departments of the Government of India are accordingly requested to review all such cases on a priority basis in consultation with their Financial Advisers and make available specific proposals for the consideration of this Department, in case this has not already been done. The proposals should contain detailed justification indicating the reasons for the inability of the ministries and departments to re-structure the cadres, the nature of functions and responsibilities and establish conclusively that the assumption of higher responsibilities is actually involved.

5. Hindi version will follow.

  
[MANOJ JOSHI]  
Deputy Secretary to the Government of India

All Ministries/Departments of the Government of India

Copy forwarded for information and necessary action to :

1. All Financial Advisers
2. Endorsements as per Standard Mailing List