

Sh. Kirti Vardhan Singh
UP

Subject: Providing information w.r.t. Original Application received under the RTI Act.2005.

Reference: Your RTI application dated 17.09.2020 received through DOPT.

Information as obtained from the concerned record holding office is provided herewith as under;

S.No	Point No.	Information sought for	Information provided
1.	1	Refer the original application dt. 17.09.2020	Copy of guidelines (FR chapter-29) Annexure-I and FR-22-B copy (Annexure-II) attached.
2.	2		There is no provision under RTI Act 2005 to provide any clarification.
3.	3.		Relevant policy circular is attached.
4.	4		KVB letter attached Annexure-III.

Hope the above information is complete and satisfactory. If not, then you can appeal within 30 days of receipt of the letter to the 1st Appellate Authority whose name and address is as under;

Ms. R. P. Chhibber
GGM/Administration DFCCIL,
5th Floor, Supreme Court Metro Station Building,
Pragati Maidan, New Delhi-110001.


(S.K. Roy)
Dy. G.M/Admn.(PIO)
E-mail: skroy@dfcc.co.in
011-23454707

DA: 04 sheets

B2/4 back

Chapter 29

PAY

29.1 Initial appointment:

The pay of a Direct Recruit shall be fixed as per Rule 8 of the CCS (Revised Pay) Rules, 2008. The pay scales for the commensurate grade pay are given in the Part 'A', First schedule to these Rules.

29.2 Pay Protection:

There is no rule, or general instructions providing for pay protection as such. This is found in various rules and instructions specific to the position covered in that rule or instruction. Position in respect of different situations is as follows:

Direct Recruitment: Pay protection in the case direct recruits is covered under the provisions of FR 22 -B. Thus protection of pay in the case of a Direct Recruit is available only in a case where the individual held a lien to his old post on his confirmation in the old post. Moreover, as after the Sixth Pay Commission, the post is identified by the Grade Pay of the post, while his pay in the pay band would be protected in terms of FR 22-B, the officer gets only the Grade Pay of the post to which he has been appointed. As per the FR 22-B:

The employee should have been appointed in another service or post either as a probationer or if he is appointed on probation with definite conditions, and is subsequently confirmed.

During the probation, he shall draw the minimum of the pay scale or at the probationary stage of time scale.

If he held a lien in a permanent post, or would have held a lien if it had not been suspended, he would receive the presumptive pay of the permanent post, if that were higher.

On confirmation in the service or the post his pay would be fixed as per FR 22(l)(a)(1)* or FR 22(l)(a)(2)*.

*Now under Rule 13 of the CCS(Revised Pay) Rules, 2008

In the case of apprenticeship, he will be paid the stipend; however, if the pay of the permanent post to which he holds a lien is higher, he will get the pay of the permanent post.

No protection of pay would be given in case the previous appointment was in a temporary capacity. This means that he should have been confirmed in the earlier post.

Technical Resignation: In other cases of appointment of a Government servant to another post in Government on acceptance of technical resignation, the protection of pay may be given in terms of the Ministry of

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No. F. 1(37)-E. III(A)/64
 Government of India
 Ministry of Finance
 Department of Expenditure

New Delhi-2, the 6th November, 1965.

OFFICE MEMORANDUM

Subject:- Fixation of pay of probationers under F.R.22-B.

The undersigned is directed to refer to F.R.22-B(1)(b) introduced under this Ministry's Notification No. F.2(75)-E. III./60 dated 16.1.1961 as amended by Notification No. F.1(37)-E. III/64 dated 20.4.1965 regarding fixation of pay of probationers, which provides that the pay of a Government servant who is appointed as a probationer in another service or cadre shall, on confirmation in the service or post, after the expiry of the period of probation, be fixed in the time scale of the service or post in accordance with the provisions of F.R.22 or 22-C, as the case may be.

2. Since a temporary Government servant does not have a lien on any post at the time of completion of probation, it is hereby clarified that, on completion of probation, when such a Government servant is confirmed in the service or post, his pay will not be re-fixed under F.R.22 or F.R.22-C with reference to the pay that he would have drawn in the previous post which he was holding in a temporary capacity but he will continue to draw pay in the scale of

Annex

केंद्रीय विद्यालय (सीमा सुरक्षा बल) रामपुरा फाजिल्का (पंजाब) -152123

KENDRIYA VIDYALAYA (BSF) RAMPURA, FAZILKA (Punjab)

(मानव संसाधन विकास मंत्रालय, भारत सरकार के अंतर्गत स्वायत्त संस्थान)

(An autonomous Body under Ministry of Human Resource Development, Government of India)

दूरभाष: Phone-9464749838

kvlfazilka@gmail.com

Date:- 21-09-2019

F.182/PF/Admn/KV/FAZ/ 2019-20/141

To
Sh R S Rawat, JGM/HR, DFCCI Ltd,
5th Floor, Pragati Maidan
Metro Station Building Complex, New Delhi 110001

Sub:- Request of Shri Kirti Vardhan Singh, Exe/S&T/DFCCIL former TGT (WE) for
Protection of Pay

Ref: F.32029/Admn/2016/KVS/GGN/3109-3112 dated 02-09-2019

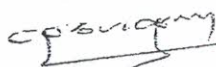
No. HQ/HR/P. File/971 dated 01-07-2019

Sir,

With reference to the subject cited above it is submitted that

1. Yes. Mr Kirti Vardhan Singh Ex TGT (WE) on his joining informed this vidyalaya that he had already applied for the post of Exe/S&T/ in DFCCIL. (Copy of application attached)
2. While submitting his resignation he had mentioned the purpose of his resignation that he had been selected for the post of Exe/S&T/ in DFCCIL and submitted on technical ground. (Copy of application attached)
3. No. He didn't clear the probation period of two years as he joined this KV on 20-11-2014 (FN) and resigned on 17-10-2015 (AN)

Yours faithfully,


(Krishan Kumar)
Principal

Copies submitted for kind their information to:

The Deputy Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Gurgaon

The Deputy Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Chandigarh

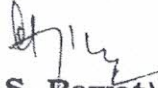
Enclosure: AA

CIRCULAR NO - 15/2019

Sub: Pay Protection to the employees joining DFCCIL from other CPSEs/State PSUs/Govt. Dept. through open recruitment.

1. The matter related to pay protection to the employees joining DFCCIL from other CPSEs/State PSUs/Govt. Dept. through open market recruitment have been examined and it has been decided by the Competent Authority that pay protection in such cases may be allowed as per DPE guidelines provided the application is forwarded through proper channel.
2. For future recruitments, the above provision will be incorporated in the advertisements for open recruitment. Besides, the following is incorporated in the **HR manual chapter-II (Open Market Recruitment Policy in DFCCIL) as para - k;**

"The candidates who will join DFCCIL from other CPSEs/State PSUs/Govt. Dept. through proper channel, pay protection will be given as per DPE guidelines."


(R.S. Rawat)
JGM/HR

No: HQ/HR/3/Pay fix.pol./1 (part).

Dated: 14.06.2019

E-mail to:

1. Secy. to MD - for kind information of MD.
2. Dir/OP&BD, Dir/Infra, Dir/PP, Dir/Fin & CVO.
3. ED/EDFC & ED/WDFC.
4. All GGMs/GMs/CGMs and all officials under them for information.
5. DGM/F/PR/CO,
6. DGM/HR/ (Rect.)/CO
7. Company Secretary.
8. AM/IT/CO for placing on Intranet.
9. Notice Board.