



**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

FUNDAMENTAL RULES - Fixation of pay on promotion to higher post -Further orders - Issued.

FINANCE AND PLANNING (F.WFR.II) DEPARTMENT

G.O.Ms.No.145.

Dated: 2-4-1985.

Read the following: -

1. G.O.Ms.No.239, Fin. & Plg. (FW.FR.II) Dept., dt 23-8-83.
2. G.O.Ms.No.332, Fin. & Plg. (FW.FR.II) Dept., dt 13-12-83.
3. G.O.Ms.No.182. Fin. & Plg. (FW.FR.II) Dept., dt 7-5-84.
4. G.O.Ms.No.359, Fin. & Plg. (FW.FR.II) Dept., dt 28-12-84.
5. From Pay & Accounts Officer, Hyd, Lr. No.PAO/ Coordination/78/84, dt. 18-10-1984.

ORDER:

A P U S

In the Government Orders read above while introducing Rule 22-B in the Fundamental Rules and Rule 35-A in the Hyderabad Civil Service Rules, a provision was made for the exercise of option to get the pay fixed under the new rule, as indicated below: -

(a) Either to get the pay fixed in the higher post under FR 22- B/Rule 35-A of Hyderabad Civil Service Rules, straight-away without any further review on accrual of increment in the pay scale of the lower post; or(b) to get the pay fixed initially in the manner as provided under FR 22(a) (i)/Rule 34 (a) (i) of Hyderabad Civil Service Rules which may be refuted on the basis of FR 22-B/Rule 35-A of Hyderabad Civil Service Rules, on the date of accrual of next increment in the scale of pay of the lower post.

2. The pay and Accounts Officer, Hyderabad has brought to the notice of Government the case of an officer whose date of increment in the lower scale of pay was altered due to refixation of his pay in the lower category under certain orders. The change in the date of increment of the lower post occurred after the Government servant was promoted to the higher post and his pay was already fixed in terms of FR 22-B. This has caused hardship to the Government servant as he has no opportunity to exercise an option again.

3. Government have examined this question carefully in the light of Rule 5(8) of the Andhra Pradesh Revised Scales of Pay Rules, 1979 and they have decided that another opportunity may be given in cases where the date of increment in the lower scale of pay is altered, after the pay is fixed in the higher post under the new rule. Accordingly, the following amendment is issued to the Fundamental Rules and Hyderabad Civil Service Rules.

4. The amendment shall be deemed to have come into force on the 25th December, 1982 the date from which the new rule has been introduced. However, the Government servants who have already been promoted before the issue of this order and in whose case the date of increment in the lower post has undergone a change before the issue of this order, may exercise option under this amendment within one month from the date of issue of this order.

NOTIFICATION - I

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and of all other powers hereunto enabling the Governor of Andhra Pradesh hereby makes the following amendment to the Fundamental Rules.

2) The amendment hereby made shall be deemed to have come into force on the 25th December, 1982.

AMENDMENT

In rule 22-B of the said rules, after Ruling (ii) below the following ruling shall be added namely. -

(iii) In cases where the date of increment of a Government servant in the lower post is altered after his pay has been fixed in the higher post, he may exercise a revised option within a period of one month from the date of receipt of the relevant order regarding change in the date of increment in the lower post.

The Government servants who have already been promoted and in whose cases the date of increment in the lower post has undergoing a change prior to the issue of this ruling may exercise revised option within one month from the date of issue of this ruling".

NOTIFICATION - II

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and of all other powers hereunto enabling, the Governor of Andhra Pradesh hereby makes the following amendment to the Hyderabad Civil Service Rules.

2) The amendment hereby made shall be deemed to have come into force on the 25th December, 1982.

AMENDMENT

In rule 35-A of the said rules, after Ruling (ii) below the following ruling shall be added namely: -

"(iii) In cases where the date of increment of a Government servant in the lower post is altered after his pay has been fixed in the higher post, he may exercise a revised option within a period of one month from the date of receipt of the relevant order regarding change in the date of increment in the lower post.

The Government servants who have already been promoted and in whose cases the date of increment in the lower post has undergone a change prior to the issue of this ruling may exercise revised option within one month from the date of issue of this ruling".

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.S. IYER,
Special Secretary to Government.