

6:6-Service conditions/Financial and other benefits.

(1) PRINCIPLE OF FIXATION OF PAY ON PROMOTION WHILE DRAWING A PAY IN A SCALE OF PAY GRANTED UNDER ONE UPWARD MOVEMENT IN THE LOWER POST.

The University Grants Commission introduced a Scheme, viz., ONE UPWARD MOVEMENT IN THE SCALE OF PAY, to grant some financial benefits to the non-teaching employees who continued to remain in the same post/scale of pay for a period of 8 years. According to the scheme, the employees who continued to remain in the same post/same scale of pay for a period of 8 years and who are otherwise found fit in all respects for promotion to a higher post by a duly constituted D.P.C were to be granted the immediate higher scale of pay falling in the same line of promotion. The Scheme was operational for all cadres of Non-teaching staff upto the rank of Section Officers and equivalent till 31.12.93. The scheme was introduced in the North Eastern Hill University vide Administrative Order No. F.18-1/CRC/91-207 dt. 7.9.93 (ANNEXURE-A). In this regard resolutions of the Executive Council vide No. EC:81:93:04(iii) and EC:81:93:04(iv) (vide ANNEXURE-A¹) may please be referred to.

The UGC in its communique vide F.22-6/85 (CR/NFE) dt. 15.7.85 (ANNEXURE - B) stipulated interalia that in the event of promotion of an employee to the higher post while the employee has been enjoying the higher scale of pay under the, 'one Upward Movement', the pay on promotion should be fixed with reference to the notional pay of the lower post which the employee would have drawn had he not been granted the upward movement in the scale of pay in the lower post.

This stipulation of the UGC has a direct adverse effect on the pay of the employees on promotion. It has been found that in all the cases pay of the employees are fixed on promotion to a higher post at a stage much lower than the stage of pay which the employee has been actually in receipt of in the lower post prior to promotion. (Example may be seen in the letter No. F.12/Int.Audit/PM/90 dt. 26.9.98 addressed to the Secretary, UGC, at ANNEXURE-C)

Obviously, such fall in pay on promotion cannot be accepted by the employees promoted to higher post. Many representations have been received from the employees in this regard. Even the NEHUNSA has taken up this issue.

As the scheme was floated by the UGC, it was considered necessary to refer the matter to the Commission pointing out the anomaly. Accordingly, a reference was made to the UGC, (vide Letter at Annexure-C). The issue was also placed in the meeting of the local Cadre Review Committee held on 6.10.98 where Dr. R.K.Chouhan, Joint Secretary, UGC was also present. The members of the Committee unani-

mously opined that fall in pay consequent upon promotion to a higher post cannot be rational and justified, It was, therefore, decided that the matter be referred to the UGC. (Minutes of the meeting vide Item No, 7 is placed at ANNEXURE-D). Accordingly a copy of the letter dt. 26.9.98 (at annexure-C) was handed over to Dr.R.K.Chouhan. The Committee also desired that the decision of the UGC be requested for within a period of one month and Dr.R.K.Chouhan assured to communicate the decision ^{over} within one month (not recorded in the minutes). Meanwhile a period of 7 month have passed but no communication has been received from the UGC. Repeated reminders have been issued by the University, but nothing has been heard from the Commission.

So far the position of the rules are concerned, the provisions of Fundamental Rules, which inter-alia deal with the modus operandi of the fixation of pay of the Central Government employees throughout the country and the same being adopted by the University is relevant on this issue.

FR.22(I)(a)(1), (Old FR 22 C) which stipulates that in the event of the placement/promotion/appointment of an employee to a post carrying duties and responsibilities of greater importance than the post held by the employee on the date of promotion, fixation of pay should be made at a stage in the scale of pay attached to the post to which promoted, which is immediately higher than the stage worked out by adding one increment at the rate appropriate in the scale of pay attached to the lower post to the stage of pay actually drawn in the lower post on the date of promotion. FR.22(I)(a)(1) does not allow to find out some notional/dormant/hypothetical stage of pay for the purpose of pay fixation on promotion. Question of fixation of pay on the basis of the notional pay arises only when the employees promoted was on deputation/holding an ex-cadre post on the date of promotion. As such, the principle for fixation of pay as stipulated in the communique of the UGC violates the provision of the basic rule, i.e. FR 22(I)(a)(1). The Fundamental question is, can a guidelines be ultravires to the Fundamental Rule? perhaps not. Thus the guidelines of the UGC falls through. (Text of FR.22(I)(a)(1), Old FR 22(C) is place at ANNEXURE- E). Provision of FR.23 is also relevant in this case.

The provisions of FR 23 (the text of which is placed at Annexure - F) may please be referred to. The staff who were granted one upward movement, i.e. placed to a different scale of pay obviously ceased to have any link with the core scale of pay. Hence, there cannot be any justification to link the notional pay for the purpose of fixation of pay on promotion.

As no communication modifying the stipulation of the guidelines has been received from the UGC inspite of repeated reminders, the matter is placed before the Executive Council.

The Council may like to consider application of the provisions of FR.22(I)(a)(7) for the purpose of fixation of pay on promotion taking into account the actual pay (the actual pay drawn in upward scale of pay) drawn in the lower post on the date of promotion and thereby uphold the provisions of Fundamental Rules and save the employees from fall in pay and grant the financial benefit to which the employee is entitled as per Rules on promotion.

As the matter has been referred to the UGC, Council may approve fixation of pay as per Rules as detailed in the foregoing paras on provisional basis. An undertaking may be obtained from each employee to refund the excess salary if any, in the event of any decision of the U.G.C. otherwise.

U/O.No.F.1-6/CRC/98-247.*****

NORTH EASTERN HILL UNIVERSITY,
P.O. NEHU: CAMPUS, SHILLONG-793002.

No. F.18-1/CRC/91-207

Dt. the 7.9.1993.

O R D E R

In pursuance of the UGC's Order No. F.4-1/87(CR/SR-I), dt. 14-9.88, it has been decided by the University to grant upward pay scale in the next higher core payscale under the one-time upward movement scheme to the non-teaching employees on completion of 8 years satisfactory and continuous service in the same payscale from 2.4.79 and who were in the service of the University on 1st January, 1986.

1. The upward movement will be subject to the conditions as contained in the UGC's D.O. Letter No. F.22-6/85-NFE, dt. Nil (copy enclosed).
2. The one upward movement would be given taking into account the pre-revised scale the employee was enjoying prior to 1.1.86 and re-fixed into corresponding scale in the revised pay. The pay fixation will be regulated under F.R.22 G.O.I. decision No. 9. With a view to avoiding pay anomalies, the option has to be exercised by the concerned employees opt for the next upward scale from the date of their eligibility on or the date of earning their next increment in the lower scale.
3. In case of promotions of employees who are granted one upward pay scale to the post carrying higher designation in the same scale of pay under one upward movement, the pay scale be fixed with reference to the notional pay which the employees would have drawn in the lower pay scale and were promoted to the higher scale on that date.
4. So as to coincide with the financial year, 1st April of each year will be reckoned as the date of implementation.

Sd/-A.Patton,
Registrar.

Copy to: 1. The Finance Officer, NEHU, Shillong.
2. The Asst. Registrar, Estt. I, NEHU, Shillong for favour of taking necessary action. Necessary action for employees in the outlying campuses will have to be taken up in consultation with the concerned campuses.

3. The Deputy Registrar, NEHU, Kohima Campus, Nagaland.
4. The Deputy Registrar, NEHU, Mizoram Campus, Aizawl.
5. The Dean, NEHU, SASRD, Medziphema-797106, Nagaland.
6. The Principal, Pachhunga University College, Aizawl Mizoram.

for fa-
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mation.

Yours faithfully,
Sd/- M.L. Mehta,
Joint Secretary.

EXTRACT OF E.C'S RESOLUTIONS ON MATTERS RELATING TO GRANT OF ONE UPWARD MOVEMENT.

- (iii) Grant of one-upward movement beyond the payscale of Rs.2000-3200, Rs.2000-Rs.3500/- in the next higher core pay scale of Rs. 2200-4000/-

No. EC:81:93:04(iii): The council considered the grant of one upward movement to Section Officers and equivalent holding the payscale of Rs. 2000-3200/-, Rs. 2000-3500/- to the scale of Rs.2200-4000, subject to fulfilment of the normal one-upward movement rules.

- (iv) Grant of one-upward movement in the payscale of Rs. 1400-2300/- revised as Rs. 1640-2900/- in respect of UDCs/Stenographers.

No. EC:81:93:04:(iv): The Council considered the grant of one upward movement in respect of UDCs/ and Stenographers holding the scale of Rs. 1200-2040 to the scale of Rs.1640-2900/- and resolved to approve the same subject to conditions laid down in the normal one-upward movement rules.

UNIVERSITY GRANTS COMMISSION ANNEXURE-B
BAHADURSHAH ZAFAR MARG, NEW DELHI.

Dt. 15 JULY 1986

No.F-22-6/85 (CR/NFE)

To The Registrar, North Eastern Hill University,
Shillong.

SUBJECT: RATIONALISATION OF PAY SCALES ETC., OF NON-TEACHING AND TECHNICAL STAFF IN THE CENTRAL UNIVERSITIES.

Sir, The Commission has considered the report of the Joint Cadre Review Committees of the Central Universities in their meeting held at North Eastern Hill University on 26-28 June, 1986.

2. With a view to promote rationalisation in the pay scales, etc and to remove disparities in this regard the Commission has noted the following observations made by the Joint Cadre Review Committees in the meeting referred to above:-

(i) When an employee of a category is promoted to a post carrying higher designation (according to the normal rules of pay fixation FR-22(c) and responsibilities but carrying the same scale of pay as that of his personal scale under one upward movement, his pay shall be fixed with reference to the notional pay which he would have drawn in the lower scale had he remained in the lower scale and were promoted to the higher scale on that date.

(ii). The length of satisfactory service for one upward movement may be as per the existing practice followed by each University.

(iii). The question of rationalisation of pay-scale is distinct from revision of payscales and therefore legitimately cannot be linked with the implementation date for replacements of payscales as recommended by the Third Pay Commission.

(iv). Library Clerks in the Central Universities and Delhi Colleges form a part of the Ministerial services and are in the payscale of Rs.260-400. One upward movement for such Library clerks will be in the pay scale of Rs.330-560 as personal to them.

v) While considering the reference made to it regarding contents of letter No.CDN.14017/1/82-Estt.(RR) dt.22.7.1985 from the Ministry of Personnel & Training, Administration, Reforms & Public Grievances & Pension, New Delhi, it was noted that the structure of the Library staff in this model is entirely different from that of Library structure existing in the Central Universities, and that it would not be possible to accept the scale of pay indicated therein for Library Attendants which constitute a Group C staff position unlike Group D staff in the Central Universities.

Yours faithfully,
Sd/- M.L.Mehta,
Joint Secretary.

C O P Y ANNEXURE - C

NORTH EASTERN HILL UNIVERSITY,
NEHU Campus, Shillong-793002 (Meghalaya).

No. F.12/INT-AUDIT/PM/98

Dt. 26th Sept.1998.

To

The Secretary,
University Grants Commission,
Bahadurshah Zafar Marg, New Delhi.

SUBJECT: RATIONALISATION OF PAY SCALE, ETC OF THE NON-TEACHING AND
TECHNICAL STAFF OF CENTRAL UNIVERSITIES.

Sir,

A reference is invited to the letter No.F.22-6/85 (CE/N) dt. 15.7.85 of the Commission where certain guidelines have been laid down in respect of regulation of pay, while granting one upward movement in the pay scale to the non-teaching staff under the scheme, "Rationalisation of pay scale..... Central Universities".

2. Para (2) of the letter under reference stipulates inter alia that in the event of promotion to a post carrying higher responsibilities but having an identical pay scale being enjoyed by the employee on the date of promotion which was granted under (one upward movement scheme) the pay fixation should be made under FR 22(I)(a)(1) (Old FR 22-C) with reference to the notional pay of the lower scale which the employee would have received had he not been granted one upward movement in the pay scale.

3. The implication of the guidelines referred to above has a serious adverse consequence. It has been found that pay fixation on promotion as per the guidelines causes fall of pay.

The following examples will clarify the position:

A. An UDC in the pay scale of Rs-1200-30-2040/- PM completed eight years of service in the grade on 1.4.90. He fulfilled all other conditions required to get one upward movement. Accordingly he was granted the immediate higher scale of pay following under the same line of his promotion i.e. the pay scale of Rs. 1640-60-2900/- PM with effect from 1.4.90. On 1.8.95 he was promoted to the post of Assistant in the scale of pay of Rs.1640-60-2900/- PM. Accordingly, his pay would have been regulated as under:

(If the pay fixation in this case is made as per the guidelines, the regulation of pay will be as under)

Date	UDC		Assistant	
	1200-30-2040	1640-60-2900	1640-60-2900	1640-60-2900
1.4.90	(Rs.1440/-)	Rs.1640/-	FR 22(a)(2) (Minimum)	
1.4.91	(Rs.1470/-) FR 26	Rs.1700/-	FR 26	
1.4.92	(Rs.1500/-)	Rs.1760/-	"	
1.4.93	(Rs.1530/-)	Rs.1820/-	"	
1.4.94	(Rs.1560/-)	Rs.1880/-	"	
1.4.95	(Rs.1590/-)	Rs.1940/-	"	
1.8.95	(Rs.1590/-)	Rs.1940/-		Rs.1640/- (FR-22(I)(a)(1) DNI 1.8.96.

Now, it would appear from the above regulation of pay that on 31.7.95 when the employee was in receipt of pay of Rs.1940/- in the one-upward movement scale of Rs. 1640-60-2900/- on 1.8.95 with DNI 1.8.96 on being promoted to the higher grade of Assistant in the identical line scale of pay, his pay normally having to be fixed at the stage of Rs. 1640/- thereby, there would incur a fall of pay Rs. 300/- on the date of regular promotion.

B. An UDC in the scale of pay of Rs. 1200-30-2040 who completed 8 years of service on 1.4.93 was granted one upward movement in the scale of pay of Rs. 1640-60-2900/-. Subsequently he was promoted to the Grade of Assistant in the pay scale of Rs.1640-60-2900/- on 1.7.96.

Contd.....P...4.

If the regulation of pay is made as per the guidelines, the position would become as under:-

Date	UDC	UDC	Assistant
	1200-30-2040/-	1640-60-2900/-	Rs.1640-60-2900/-
1.4.93	(Rs.1440/-)	Rs.1640/- FR-22(I)(a)(2)	
1.4.94	(Rs.1470/-)	Rs.1700/- FR-26	
1.4.95	(Rs.1500/-)	Rs.1760/- "	
	4000-100-7000/-	5500-175-9000	5500-175-9000/-
1.1.96	(Rs.4600/-) (ROP Rules)	Rs.5500/-	
1.4.96	(Rs.4700/-) FR 26	Rs. 5675/-	
1.7.96	(Rs.4700/-)	Rs. 5850/-	Rs.5500/-(FR-22(I)(a)(1) DNI 1.7.97.

In this case, consequent upon regular promotion to the Grade of Assistant on 1.7.96, the pay of the said employee is fixed at the stage of Rs.5500/- in the revised scale of pay of Rs.5500-175-9000/- with DNI 1.7.97 when the employee was already in receipt of a pay of Rs.5850/- in the identical pay scale in the lower grade. Thus, the fall of pay in this case would be Rs.350/- PM.

4. The upward movement in the pay scale was granted to those employees who completed 8 years of service in the same grade without any promotion. Further, such upward movement was granted only to those who were found fit under usual norms of promotion by a duly constituted Departmental Promotion Committee. This means concerned employee would have been promoted but for non availability of higher post. The upward scale has been treated as scale personal to the employee and the employee ceases to have any link with the core pay scale of the grade.

5. If the pay fixation is made as per the guidelines, it does not remain in conformity with the provision of Fundamental Rules and goes against the natural justice. Even, in the event of Career Advancement Scheme of the Government of India under the Scheme promotion insitu the provision of FR 22(a)(1) has been maintained. It has also not been defined that the scale of pay personal to an employee is not a substantive scale for the particular employee, hence the provision of FR 22(7)(a)(1) cannot be ignored in the event of promotion.

The University, has, therefore, made the pay fixation in such cases involving the provision of FR 22(I)(a)(1) taking the pay actually drawn on the date of promotion although both the scales are identical in terms of C & AG's decision (4) below FR 22 regarding fixation of pay of the Sr. Audit/Accounts Officer of the IA&AS when promoted to the Grade of A.A.G.

The position is intimated for information of the Commission.

Yours faithfully,

Sd/-

(Dr. A. Patton)
Registrar.

Contd.....P...5.

NORTH EASTERN HILL UNIVERSITY
NEHU CAMPUS, SHILLONG-793022.
(Meghalaya).

No. AR/5th Pay/UGC/96-

Dt. 22nd April, 1999.

To

Dr. R.K.Chouhan,
Joint Secretary,
University Grants Commission,
Bahadurshah Zafar Marg, New Delhi-110002.

SUBJECT: RECOMMENDATION OF THE NEHU LOCAL CADRE REVIEW COMMITTEE--
REGARDING.

Sir,

The North Eastern Hill University Local Cadre Review Committee in its meeting held on 6th October, 1998 has decided to recommend to the UGC for concurrence towards implementation of the promotion scheme for the University drivers on the lines as formulated by the Govt. of India, Department of Personnel and Training.

In addition to the above, the Committee also observed the anomalies arising out of the pay fixation guidelines as laid down by the Commission in its letter No. F.22-6/85(CE/N) dt. 15th July, '85 with regard to the fixation of pay to those upward Movement beneficiaries on their regular promotion as it is not in conformity with the basic principles of Fundamental Rules on pay fixation. The Committee, therefore, decided that the matter be brought to the notice of the Commission for review and early decision.

Further, it may also be intimated that the University has repeatedly requested the Commission to sanction and release Rs.35.00 lakhs towards payment of arrears in respect of Daily Wage Employees who have been granted Temporary Status since they are entitled to other allowances as a regular employees of the University including those daily wage employees who are not governed by temporary status but allowed to draw the minimum basic pay of Rs. 2550/- plus daily Allowance.

I shall be grateful if the Commission communicated its decision through the UGC staff who are due to visit NEHU for official purposes on the 1st of May, 1999 (Xeroxed copy of the minutes of the NEHU Local Cadre Review Committee is enclosed herewith).

Yours faithfully,

Sd/-

Finance Officer.

Copy to:-

The DR (CRC) for information and necessary action. This has a reference to his U/O F.No.1-6|CRC|98|180 dt. 18.11.98. On the request of the undersigned a three members team from the UGC is visiting Shillong on the 2nd, 3rd and 4th May, 1999 for discussion on the matters referred to the UGC by the Local C.R.C. meeting held on C.10.98. He is requested to contact the UGC Team for a discussion and settlement of the pending issues.

2. AR (Internal Audit) for information and necessary action.

Finance Officer.

Contd.....P.....6.

The Meeting of the North Eastern Hill University Local-Cadre Review Committee was held on 6th October, 1998 at 11 A.M. in the Office Chamber of the Vice-Chancellor, North Eastern Hill-University Administrative Building, Permanent Campus, Shillong.

MEMBERS PRESENT:

The following Members were present:

1. Prof. B. Pakem, Vice-Chancellor in the Chair.
2. Dr. R.K. Chauhan, Jt. Secretary UGC, Member.
3. Shri L. Nampuii, Finance Officer Member.
4. Prof. S.S. Khare, Member.
5. Prof. A.C. Mahopatra, Member.
6. Dr. A. Patton, Registrar, Member-Secretary.

WELCOME:

The Chairman welcomed the Members to the Meeting and informed that it was the First Meeting of the Local CRC ever since the UGC's revival of the Cadre Review Committee.

ITEM NO.1:

Consequential effect of Vth Central Pay Revision on certain post under NEHU.

The Committee perused the list of posts available in the University against which the pay scales reflected in the Central Universities list is not known. The Committee observed that for future requirements these posts have to be in the pay scale with eligibility conditions prevailing in the Ministry of Human Resource Development or its autonomous institutions. In case such post (s) do not exist in the MHRD or its autonomous institutions, the pay scales and eligibility conditions prevailing in the other Departments of the Government of India, may be obtained for a comparative study. The scale of pay and eligibility conditions for these posts will be finalised by the Joint CRC.

The Committee also observed that there are some posts in a cadre which are stagnant due to lack of appropriate grade of posts for promotion. For example, the sanctioned post of Foreman Grade II of the scale of Rs.1640-2900/- is without a Grade I post and the next lower sanctioned is that of Motor Mechanic of the scale of Rs.950-1500/-. The Committee recommends rationalisation of the cadre in such a manner as to constitute a cadre hierarchy suitable for promotional avenues.

ITEM NO.2: Recruitment Rules and Qualifications:

The Committee recommends formulation of appropriate Promotion and Recruitment/Qualifications Rules as recommended by the Fifth Central Pay Commission in its Report for the Non-Teaching posts in the University and to refer the same to UGC.

ITEM NO.3: Upward Movement to Non-Teaching Staff:

The Committee observed that some Central Universities have extended the cut-off date for the benefit of the upward - Movement Scheme beyond 31.12.93 till 2.12.97 which have been concurred by the UGC. The Committee recommends that this University may also seek the concurrence of the UGC for extension of the cut-off date till 02.12.1997.

with regard to the cases which had fallen due for the benefit of the scheme within 31.12.1993 but could not be settled due to administrative reasons, the Committee felt it justified to settle such cases with retrospective effect. The University may make a case to the UGC for this.

ITEM NO.4: Restoration of pay scale in respect of Assistant/PAS at par with the CSS and CSSS Cadre.

Keeping in view that ever since the IVth CPC, the pay scales of all the Ministerial and Secretarial posts in the Central Universities were brought at par with the Central Secretariat Services and that the recruitment rules prescribed by this University are comparable to those prescribed for the CSS, it was felt justified to restore the CSS and CSSS scale of Rs.1640-2900/- for the post of Assistant and Stenographer/P.A., which were now degraded to Rs.1400-2600/-. The Committee therefore recommends the matter to the Joint CRC.

ITEM NO.5: Implementation of the Revised Pay Scale of Section-Officers at par with the CSS Cadre.

The request for implementation of the new pay scale of Rs.7,500-12,000/- for the section officers was regretted because the section officers under the CSS cadre did not enjoy the proposed new pay scale of Rs.7,500-12,000/-. However, it recommends to extend the same, if implemented for the S.O. under CSS cadre.

ITEM NO.6: Promotion Scheme for Staff Drivers.

The Committee decided to recommend to the UGC for concurrence towards implementation of the Promotion Scheme for Staff Drivers on the lines formulated by the Department of Personnel & Training.

ITEM NO.7: Application of F.R.22(I) (a) (i) for pay fixation formula on promotion with reference to the upward-movement scales.

The Committee perused the anomaly accruing out of the pay fixation guidelines laid down by the UGC vide letter No.F.22-6/85(CE/N) dated 15.07.1985 for fixation of pay to upward movement beneficiaries on their regular promotion. The Committee observed that the pay fixation formula as per the aforesaid guideline leads to direct fall in pay on regular promotion and frustrates the purpose of the Upward Movement Scheme, hence it is not in conformity with the basic principles of the Fundamental Rules on pay fixation. The Committee decided that the anomaly be brought to the notice of the UGC and the Commission be requested to review and communicate the decision at the earliest preferably within one month.

ITEM NO.8: Pay Scales of Technical Assistants (USIC)

The Committee is of the view that the technical posts of the USIC should continue to be governed by the provisions of the UGC guidelines on USIC. In case where there is a variation between the instructions of the Government of India and the provisions of the UGC Guidelines, the matter may be referred to the UGC for necessary review of such decision.

The Meeting ended at 1.30 P.M. with a vote of thanks from the Chair.

(Dr. A. Patton)
Member-Secretary

(Prof. B. Pakem)
Chairman

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ANNEXURE - E.EXTRACT OF THE F.R. 22(I)(a)(1):

FR. 22.(I):The initial pay of a Government servant who is appointed to a post on a time scale of pay is regulated as follows:

- (a)(1). Where the Government Servant holding a post, other than a tenure post, in a substantive or temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity, as the case may be, subject to the fulfilment of the eligibility conditions as prescribed in the relevant Recruitment Rules, to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time scale of the higher post shall be fixed at the stage next above the notional pay arrived at by increasing his pay in respect of the lower post held by him regularly by an increment at the stage at which such pay has accrued or Rupees Twenty five only which-ever is more.

Save in cases of appointment on deputation to an ex-cadre post, or to a post on adhoc basis, the Government servant shall have the option, to be exercised within one month from the date of promotion or appointment, as the case may be, to have the pay fixed under this rule from the date of such promotion or appointment or to have the pay fixed initially at the stage of the time scale of the new post above the pay in the lower grade or post from which he is promoted on regular basis, which may be re-fixed in accordance with this rule on the date of accrual of next increment in the scale of pay of the lower grade or post. In cases where an adhoc promotion is followed by regular appointment without break, the option is admissible as from the date of initial appointment/promotion, to be exercised within one month from the date of such regular appointment.

Provided that where the Government servant is immediately before his promotion or appointment on regular basis to a higher post, drawing pay at the maximum of the time scale of the lower post, his initial pay in the timescale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post held by him on regular basis by an amount equal to the last increment in the timescale of the lower post or rupees twentyfive, which-ever is more.

ANNEXURE -FEXTRACT OF FR 23 (REF. SWAMY'S FUNDAMENTAL RULES):

FR.23 : The holder of a post the pay of which is changed, shall be treated as if he were transferred to a new post on the new pay.

Provided that he may at his option retain his old pay untill the date on which he has earned his next or any subsequent increment on the old scale, or until he vacates his post or ceases to draw pay on that time scale. The option once exercised is final.

6:6- Service condition / Financial and other Benefits.

- (i) Principle of fixation of Pay on promotion while drawing a pay in a scale of pay granted under one Upward Movement in the lower post.

EC:103:99:6:6: (i): The Council considered the principle of fixation of pay on promotion while drawing a pay in a scale of pay granted under the 'one Upward Movement' in the lower post and RESOLVED that the pay fixation in the higher post may be made taking into consideration the pay drawn in the higher scale of the lower post subject to executing an Undertaking that the excess salary if any may be refunded back in case of any decision of the UGC stating otherwise.

- (ii) Raising the retirement age from 60 years to 62 years in respect of Officer Group 'A'.

EC:103:99:6:6:(ii): This item was taken along with Item No.3:(xiii).

- (iii) Transport Allowance.

EC:103:99:6:6: (iii): The Council considered the matter and RESOLVED to discontinue with immediate effect the present 'Pass System' for all employees of NEHU.

- (iv) Replacement of Selection-cum-Seniority in lieu of Selection-cum-Merit.

EC:103:99:6:6: (iv): The Council considered the replacement of the Selection cum-Seniority criteria in place of Selection cum-Merit for the purpose of promotion of Group 'B' and 'C' employees and RESOLVED that the matter be referred to a Committee consisting of the following who shall report to the Chairman of the Council for a decision.

- | | |
|-------------------|----------|
| 1. Prof. JP Singh | Chairman |
| 2. Prof. SS Khare | Member |
| 3. Dr. A. Patton | -do- |

- (v) On terms and conditions of the services of the Vice -Chancellor.

(For this item Prof. B. Pakem left the Chair and Prof. RL Tluanga