

No. 20020/4/2010-Estt. (D)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel & Training)

North Block,
New Delhi
Dated the 13th September, 2012

OFFICE MEMORANDUM

Subject : Seniority of officers holding posts/grades in grades merged in pursuance of recommendations of Sixth Central Pay Commission.

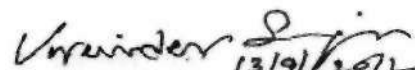
The undersigned is directed to invite reference to para 2 (i) of this Department's O.M. No. AB-14017/66/2008-Estt. (RR) dated 9th March, 2009, which provides that *where all the posts in one or more pre-revised scales are merged with a higher pre-revised scale and given a common replacement scale/grade pay/pay scale, the suitability of the incumbents need not be assessed for granting them the higher replacement scale/grade pay/pay scale, there is also no need for the incumbents to complete any minimum eligibility service in the earlier scale of pay. There will be no change in the inter se seniority of the incumbents in the merged scale which shall be decided based on the general instructions on the subject.*

2. The 6th CPC in its recommendation contained in sub para (vi) of Para 2.2.13 has stated that the seniority of government servant will depend on the grade pay drawn. This will invariably be more for a higher level post. References have been received from Ministry of Railways/Ministry of Defence etc. regarding fixation of seniority of officers after merger of pay scales in pursuance to recommendation of Sixth Central Pay Commission. The recommendation of 6th CPC has been accepted on 29.08.2008 and the merger of pay scale(s) of the post has been made effective w.e.f. 01.01.2006. The issue of seniority has been further examined and it has been decided in consultation with UPSC and Department of Legal Affair that seniority of officers holding post in grades which have been merged in pursuance to recommendation of Sixth Central Pay Commission will be determined as follows :-

- I. The status of a government servant as on 29.08.2008 including those who have earned promotion between 01.01.2006 to 29.08.2008 will be protected as appointment/promotions are made as per the provisions of statutory recruitment rules applicable to the post/grade. The merger of the pay scale(s) of the post(s) as recommended by 6th CPC have been made effective w.e.f. 01.01.2006; the seniority of government servant which existed on 29.08.2008 (date of acceptance of recommendation of 6th CPC) will be maintained i.e. the holder of post having higher pay scale or post which constituted promotion post for the posts in the

feeder grade, will rank enbloc senior to those holding post having lower pay scale or the posts in feeder grade.

- II. Where posts having different pay scales prior to 6th CPC recommendation and now after merger have come to lie in the same Pay Band with same Grade Pay, the inter-se seniority of all the employees will be fully maintained with employee in a higher pre-revised pay scale being placed higher vis-à-vis an employee in a lower pay scale. Within the same pre-revised pay scale, seniority which existed prior to revision would continue.
 - III. Where recruitment for the posts in different pre-revised pay scale(s) was initiated separately for each posts, prior to acceptance of recommendation of 6th CPC i.e. prior to 29.08.2008 but selected individual joined duty on or after 30.08.2008 in the revised pay scale(s) against the posts which have been granted same Grade pay, such officers will be assigned seniority enbloc below those officers who were in position as on 29.08.2008.
 - IV. The availability of officers nominated on the basis of panel of promotion given by DPC or selection list given by selecting Authority will be decided as on 29.08.2008. In case a officer from the panel given by DPC or selection list given by selecting Authority has joined on or prior to 29.08.2008, then status of all the officers included in panel given by DPC or selection list will be protected and all officer will be considered available and their seniority determined by following the basic principle of seniority i.e. order of panel given by DPC or merit list given by selecting Authority. In case all the officers included in the panel given by DPC or selection list given by selecting Authority joins after 29.08.2008, then the seniority of such officers within a grade, will be determined by placing them below all available officers as on 29.08.2008 but maintaining their interse seniority in order of panel of DPC or merit list given by selecting authority.
3. All the cases of determination of seniority except merged MTS posts will be decided accordingly. The issue of determination of seniority of merged MTS (erstwhile Group D) posts would be taken up separately.
4. Hindi version will follow.


13/9/2012

(Virender Singh)

Under Secretary to the Government of India
Tel.: 23093804

To

All Ministries/Departments of Government of India.