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No.13/2/2007-Pay I  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel & Training

New Delhi, the 10-8-2007

OFFICE MEMORANDUM

Subject: Option for fixation of pay on promotion from the date of increment in the lower post – regarding.

The undersigned is directed to refer to this Department's OM No. 13/2/97 Estt. Pay I dated 12<sup>th</sup> December 1997 vide which the earlier instructions for incorporating the option clause in the promotion orders were reiterated. This Department is still receiving cases for condoning the delay in exercising option for pay fixation on the grounds that there was no option clause in the promotion order.

Fixation of pay on promotion to a post carrying duties and responsibilities of greater importance is governed by FR 22(l)(a)(1) and where the appointment to the new post does not involve assumption of duties and responsibilities of greater importance, by FR 22(l)(a)(2).

The saving clause of FR 22(l)(a)(1) lays down that except in cases of appointment on deputation to an ex-cadre post, or to a post on adhoc basis or on direct recruitment 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.

Under FR 22(l)(a)(2) also there is a provision that on appointment on regular basis to such new post, other than to an ex-cadre post on deputation, the Government servant shall have the option, **to be exercised within one month from the date of such appointment**, for fixation of his pay in the new post with effect from the date of appointment to the new post or with effect from the date of increment in the old post.

It is reiterated that in order to enable the officials to exercise the option within the time limit prescribed, the option clause may be incorporated in the

promotion/appointment order so that there are no cases of delay in exercising the options due to administrative lapse.

The Ministry of Agriculture etc. are requested to bring these instructions to the notice of all concerned for guidance and strict compliance.

  
(Rita Mathur)  
Director

To  
All Ministries/Departments as per standard list