

F.No.6/2/2013-Estt. (Pay-I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, the 10th December, 2013

OFFICE MEMORANDUM

Sub: Notification for amendment of clause (2) of FR 29

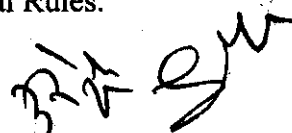
The undersigned is directed to say that the FR 29(2) provided that if a Government servant is reduced as a measure of penalty to a lower service, grade or post or to a lower time scale, the authority ordering the reduction may or may not specify, the period for which the reduction shall be effective. The Rule 11(vi) of the CCS (CCA) Rules, 1965 relating to this penalty was earlier amended vide the Notification No. F.11012/2/2005-Estt (A) dated the 2nd February, 2010. Vide the Notification No.G.S.R. 263 dated 27th October, 2013 published in the Gazette of India the FR 29(2) has now been amended, in line with the amended CCS (CCA) Rules, 1965, as follows:

- “(2) If a Government servant is reduced as a measure of penalty to a lower service, grade or post or to a lower scale, the authority ordering the reduction shall specify —
- (a) the period for which the reduction shall be effective; and
- (b) whether, on restoration, the period of reduction shall operate to postpone future increments and, if so, to what extent.
- (3) The Government servant shall regain his original seniority in the higher service, grade or post on his restoration to the service, grade or post from which he was reduced”.

2. All the Ministries / Departments are requested to bring the contents of the aforementioned amendment to the notice of all concerned for information and compliance.

3. Any existing provisions in Disciplinary Rules not in consonance with the above may be amended so that they are not in conflict with the Fundamental Rules.

Encl: As above


(Mukesh Chaturvedi)

Deputy Secretary to the Government of India
Tel.: 23093176

To

1. All Ministries / Departments of Government of India
2. NIC, DO&PT – with a request to upload this OM on the Department's website under OMs & Orders (Establishment → Pay Rules) and also under “What is New”.

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS**(Department of Personnel and Training)**

New Delhi, the 27th October, 2013

G.S.R. 263.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Fundamental Rules, 1922, namely:-

1. (1) These rules may be called the Fundamental (Amendment) Rules, 2013.

(2) They shall come into force on the date of their publication in the Official Gazette. In the Fundamental Rules, 1922 in rule 29, for clause (2), the following clauses shall be substituted, namely:-

"(2) If a Government servant is reduced as a measure of penalty to a lower service, grade or post or to a lower scale, the authority ordering the reduction shall specify —

(a) the period for which the reduction shall be effective; and

(b) whether, on restoration, the period of reduction shall operate to postpone future increments and, if so, to what extent.

(3) The Government servant shall regain his original seniority in the higher service, grade or post on his restoration to the service, grade or post from which he was reduced".

[F. No. 6/2/2013-Estt. (Pay-1)]

MUKESH CHATURVEDI, Dy. Secy.

Note. - The principal rules were published in Official Gazette and came into force with effect from 1st January, 1922 and were subsequently amended vide:

1. Ministry of Finance Notification No. 2(a)-E. III/61 dated 1.02.1963 GSR No.253 dated 9.02.1963.
2. Ministry of Finance Notification No. 1(1)-E. III (A)/65 dated 20.01.1965 GSR No. 415 dated 13.03.1965.
3. Ministry of Finance Notification No. 1(25)-E. III(A)/64 dated 30.11.1965 GSR No. not available.
4. Ministry of Finance Notification No. F.1 (25)-E. III(A)/64 dated 1.10.1966 GSR No. 1582 dated 15.10.1966.
5. Ministry of Finance Notification No. 1 (3)-E. III(A)/64 Pt. II dated 18.7.1967 GSR No. not available.
6. Ministry of Finance Notification No. 1(6)-E. III(A)/68 dated 26.04.1968 GSR No. 896 dated 18.5.1968.
7. Ministry of Finance Notification No. 1(25)-E.I II(A)/64 dated 27.05.1970 GSR No.1337 dated 12.09.1970.
8. Ministry of Finance Notification No. 18(13)-E. IV(A)/70 dated 29.01.1971 GSR No.178 dated 6.02.1971.
9. Ministry of Finance Notification No. F. 6(2)-E. III(B)/68 dated 20.3.1971 GSR No.481 dated 3.4.1971.
10. Ministry of Finance Notification No. F. 6(28)-E. III(B)/68 dated 23.12.1971 GSR No.61 dated 01.01.1972.
11. Ministry of Finance Notification No. 1(9)-E. III(A)/74 dated 30.10.1974 GSR No.1208 dated 16.11.1974.
12. Ministry of Home Affairs Notification No. 1(6)-P.U.1/79 dated 23.11.1979 GSR No.1449 dated 08.12.1979.
13. Department of Personnel & A. R. Notification No. F. 1(8)-P.U.1/80 dated 29.1.1981 GSR No.154 dated 14.2.1981.
14. Ministry of Home Affairs Notification No.1 /9/79-Estt(Pay-I) dated 6.10.1983 S.O.No. 4102 dated 12.11.1983.
15. Ministry of Home Affairs Notification No. 13/5/84-Estt(Pay-I) dated 17.8.1984 GSR No. not available.

16. Department of Personnel & Training Notification No.13/5/84-Estt(Pay-I) dated 24.9.1985 GSR No. 950 dated 12.10.85.
17. Department of Personnel & Training Notification No. 11/1/85-Estt(Pay-I) dated 24.04.1986 GSR No. 335 dated 10.5.1986.
18. Department of Personnel & Training Notification No. 4/17/88-.Estt(Pay-II) dated 23.6.1989 GSR No. 477 dated 15th July, 1989.
19. Department of Personnel & Training Notification No.1/10/89-Estt(Pay-II) dated 30.8.1989 GSR No.679 dated 16.09.1989.
20. Department of Personnel & Training Notification No.1/10/89-Estt(Pay-I) dated 28.11.1990 GSR No.744 dated 15.12.1990.
21. Department of Personnel & Training Notification No.4/3/97-Estt(Pay-II) dated 12.3.1999 GSR No.208(E) dated 15.3.1999.
22. Department of Personnel & Training Notification No.13/6/95-Estt(Pay-I) dated 10.8.2000 GSR No. not available.
23. Department of Personnel & Training Notification No.1/6/97-Estt(Pay-I) dated 30.01.2001. GSR No. not available.
24. Department of Personnel & Training Notification No. 4/1/2009-Estt(Pay-I) dated 21.01.2010 GSR No. not available.