

For Record

Annex-2

(1)

Government of Pakistan
(~~Finance Division~~
Regulations Wing)

No. F. 4 (2) R-2/96

Islamabad, the 12th August, 2002.

OFFICE MEMORANDUM

Subject: FIXATION/PROTECTION OF PAY ON APPOINTMENT
FROM ONE POST TO ANOTHER.

The undersigned is directed to say that initial substantive pay of a government servant on appointment from one post to another is regulated under the provisions of FR-22 and FR-22 (A). These rules provide for protection of substantive pay of the old post held by him provided the conditions prescribed therein are fulfilled.

2. The benefit of protection of pay to the employees of autonomous bodies on their subsequent appointment in government service is not admissible as the employees of autonomous bodies are not civil servant within the meaning of Civil Servant Act, 1973.

3. The superior courts have however, held that the autonomous bodies created through resolutions stand at a different footing as compared to the autonomous bodies incorporated either by a Statute/Act/Ordinance or by an Executive Order under the authority delegated by an Act/Ordinance.

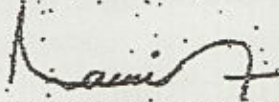
4. With a view to formulate a uniform policy to regulate the cases of fixation of pay, it has been decided that henceforth, the employees of such autonomous organizations which are established through a resolution may

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be extended the benefit of fixation of pay in the manner setout in FR-22 and 22 (A) on their subsequent appointment in the government service if they have adopted government pay scales scheme in totality. This benefit cannot be extended to the employees of such autonomous organizations which are created under an Act/Ordinance or an Executive Order under the authority of an Act/Ordinance.

5. Since the powers of fixation of initial pay of Government Servants have been delegated to concerned Ministries/Divisions/ Departments, no formal approval of Finance Division is required for initial fixation/protection of pay if covered under the relevant rules/government instructions. The concerned Ministries/Divisions are empowered for fixation/protection of pay under the relevant rules and government instructions in consultation with the concerned Accounts/Audit Office.

6. The cases settled earlier may be treated as final and may not be reopened or cited as precedent.


(MALIK HAMID NAWAZ)
SECTION OFFICER (R-2)

ALL MINISTRIES/DIVISIONS/DEPARTMENTS.