

**OFFICE OF THE DISTRICT & SESSIONS JUDGE
NORTH WEST DISTRICT, ROHINI COURTS, DELHI**

20786-20855

No...../Accts./N-W/Rohini/16

Dated. 01/09/2016

CIRCULAR

All Officers /officials(except Judicial Officer) on the pay roll of this office are required to submit form of option in terms of Rule 6(2) of Notification dated 25th July, 2016 of Ministry of Finance, Department of Expenditure(copy enclosed) & letter No. F.(21)/FIN. (ESTT.-III) 07CPC/2016/DSV/870, Finance(Estb.-III) Department, dated 16/08/2016 for fixation of pay as per Central Civil Services(Revised Pay) Rules 2016.

In case of non receipt of the form of option within time, the Government Servant shall be deemed to have elected to be governed by the revised pay structure w.e.f 1st day of January 2016.


H.O.O/D.D.O

**Additional Sessions Judge,
North-West District,
Rohini Courts, Delhi**

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H.O.O/D.D.O

**Additional Sessions Judge,
North-West District,
Rohini Courts, Delhi**

FORM OF OPTION

[See rule 6(2)]

*1. I, _____ S/o, W/o, D/o _____ hereby elect the revised pay structure with effect from 1st January, 2016.

*2 I, _____ S/o, W/o, D/o _____ hereby elect to continue on Pay Band and Grade Pay of my substantive/ officiating post mentioned below until :

* the date of my next increment/the date of my subsequent increment raising my pay to Rs. _____ /I vacate or cease to draw pay in the existing pay structure/ the date of my promotion/upgradation to the post of _____.

Existing Pay Band and Grade Pay _____

Dated _____ Signature _____

Name (In block letters) _____

S/o, W/o, D/o _____

Designation _____

E. Code. _____

Mob. No. _____

Office/Court/Branch _____

*To be scored out, if not applicable

UNDERTAKING

I hereby undertake that in the event of my pay having been fixed in a manner contrary to the provisions contained in these Rules, as detected subsequently, any excess payment so made shall be refund by me to the Government either by adjustment against future payments due to me or otherwise.

Signature _____

Name (In block letters) _____

S/o, W/o, D/o _____

Designation _____

E. Code. _____

Mob. No. _____

Office/Court/Branch _____

Date

Provided further that in case where a Government servant has been placed in a higher grade pay or scale between 1st day of January, 2016 and the date of notification of these rules on account of promotion or upgradation, the Government servant may elect to switch over to the revised pay structure from the date of such promotion or upgradation, as the case may be.

Explanation 1.- The option to retain the existing pay structure under the provisos to this rule shall be admissible only in respect of one existing Pay Band and Grade Pay or scale.

Explanation 2.- The aforesaid option shall not be admissible to any person appointed to a post for the first time in Government service or by transfer from another post on or after the 1st day of January, 2016, and he shall be allowed pay only in the revised pay structure.

Explanation 3.- Where a Government servant exercises the option under the provisos to this rule to retain the existing pay structure of a post held by him in an officiating capacity on a regular basis for the purpose of regulation of pay in that pay structure under Fundamental Rule 22, or under any other rule or order applicable to that post, his substantive pay shall be substantive pay which he would have drawn had he retained the existing pay structure in respect of the permanent post on which he holds a lien or would have held a lien had his lien not been suspended or the pay of the officiating post which has acquired the character of substantive pay in accordance with any order for the time being in force, whichever is higher.

6. Exercise of option.-

- (1) The option under the provisos to rule 5 shall be exercised in writing in the form appended to these rules so as to reach the authority mentioned in sub-rule (2) within three months of the date of notification of these rules or where any revision in the existing pay structure is made by any order subsequent to the date of notification of these rules, within three months of the date of such order:

Provided that-

- (i) in the case of a Government servant who is, on the date of such notification or, as the case may be, date of such order out of India on leave or deputation or foreign service or active service, the said option shall be exercised in writing so as to reach the said authority within three months of the date of his taking charge of his post in India; and
 - (ii) where a Government servant is under suspension on the 1st day of January, 2016, the option may be exercised within three months of the date of his return to his duty if that date is later than the date prescribed in this sub-rule.
- (2) The option shall be intimated by the Government servant to the Head of his Office along with an undertaking, in the form appended to these rules.
- (3) If the intimation regarding option is not received by the authority within the time specified in sub-rule (1), the Government servant shall be deemed to have elected to be governed by the revised pay structure with effect from the 1st day of January, 2016.
- (4) The option once exercised shall be final.

Note 1: Persons whose services were terminated on or after 1st January, 2016 and who could not exercise the option within the prescribed time limit, on account of discharge on the expiry of the sanctioned posts, resignation, dismissal or discharge on disciplinary grounds, shall be entitled to exercise option under sub-rule (1).

Note 2: Persons who have died on or after the 1st day of January, 2016 and could not exercise the option within prescribed time limit are deemed to have opted for the revised pay structure on and from the 1st day of January, 2016 or such later date as is most beneficial to their dependents if the revised pay structure is more favorable and in such cases, necessary action for payment of arrears shall be taken by the Head of Office.

Note 3: Persons who were on earned leave or any other leave on 1st day of January, 2016 which entitled them to leave salary shall be entitled to exercise option under sub-rule (1).

7. Fixation of pay in the revised pay structure.-

- (1) The pay of a Government servant who elects, or is deemed to have elected under rule 6 to be governed by the revised pay structure on and from the 1st day of January, 2016, shall, unless in any