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No. CS-I-46/79 35089 /F.
GOVERNMENT OF ORISSA
FINANCE DEPARTMENT.

OFFICE MEMORANDUM.

Bhubaneswar, the 24th July, 1979.

Sub: Determination of the date of increment of a Government servant who was held up at the stage of crossing of the efficiency Bar in a particular time-scale.

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Rule 78 the Orissa Service Code provides that the increment next above the efficiency Bar shall not be given to a Government servant without the specific sanction of the authority empowered to withhold increments. This casts a responsibility on the authority to examine the service record of the Government servant and decide whether he should be allowed to cross the efficiency Bar on the due date or shall not be allowed. Should he decide that the Government servant is not considered efficient enough to cross the efficiency Bar on the due date he should pass orders not only stating that he is not considered fit to cross the efficiency Bar on the due date but also to indicate that (i) the date on which he will be allowed to cross the efficiency Bar and (ii) whether the postponement of the date of crossing the Bar will have effect on the increments. Often it is noticed that the orders passed by competent authorities are incomplete as a result of which difficulties are faced in implementing the orders and there is no uniformity in the quantum of benefit allowed to such a Government servant. This happens perhaps because the implications of the provisions of rule 78 of the Service Code are not properly appreciated. It is considered necessary that the implications are clearly outlined so that all doubts in this regard are cleared and uniformity of the service benefit available under the Rule 78 is ensured. With this end in view the implications of the provisions are explained below.

2. Since crossing of the efficiency Bar requires the specific sanction of the competent authority, it follows that such cases should not be disposed of in a routine manner. The service records of the Government servant should be ~~examined~~ examined and a decision arrived at if he should be allowed to cross the efficiency Bar and earn the increment next above the Bar on the usual date. In a particular case say 'A' who is in the time scale of pay of Rs. 525-25-650-EB-40-850-EB-50-1150/- faces the efficiency Bar after he draws pay Rs. 650/- on 1.1.77. The competent authority considers him not fit to earn the next increment of Rs. 40/- and draw pay Rs. 690/- on the due date i.e. 1.1.78 and decides to withhold the next increment of Rs. 40/- by detaining him at the efficiency Bar till 1.10.80. While taking such a decision, the authority should also decide whether the decision to withhold increments will have cumulative effect or not. In case his decision is that the effect will be cumulative, that should be specifically stated indicating the stage in the time scale at which he will draw his pay. In the particular case, the Government servant who is subject to such order will receive on 1.10.80, the date on which he is allowed to cross the efficiency Bar Rs. 690/- for Rs. 730/- according as the stage at which he is ordered to draw his pay and not Rs. 770/-, the pay he would have received on 1.1.80 had he been allowed to cross the efficiency Bar and earn increment next above the Bar on the due date i.e. on 1.1.78. On the other hand, if the decision specifically stipulates that such a Government servant will not be subject to the increments withheld with cumulative effect, he will receive on 1.10.80 Rs. 770/- only and

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not Rs. 690/- or Rs. 730/-. If in the order of the competent authority there is no such specific mention whether the decision will have cumulative effect or not, it will be presumed that the withheld increments will have cumulative effect as explained above and such an officer will receive on 1.10.80 Rs. 690/-, the pay he would have received had he not been detained at the efficiency bar till 1.10.1980. The next increment after the increment earned on 1.10.1980, will fall due on the usual date i.e. on 1.1.81 and not on 1.10.81, after completing one year of service after 1.1.80. This means that such a Government servant will not be required to render one year of service after earning the increment on crossing the Efficiency Bar to earn the next increment.

S/- B.K. Kar.
JOINT SECRETARY TO GOVERNMENT.

Government of Orissa,
Political and Services Department.

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Memo No. 20593/Gen.

Dt. 18/8/79

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[Signature]
Asst. Secretary to Government.

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