GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

RBE No.33/2016

S.No. PC-VI/365

No. PC-VI/2015/IC/1 **New Delhi, dated 08/04/2016**

The GMs/CAOs(R),
All Indian Railways & Production Units
(As per mailing list)

Subject: **Cases of promotion taking place in the pre-revised pay structure between 1.1.2006 and the date of notification of RS(RP)Rules, 2008 and the subsequent merger of the pre-revised pay scales of the promotional and the feeder posts in a common Grade-fixation of pay- Regarding.**

A copy of Office Memorandum No.F-2-1/2015-E.III(A) dated 16.10.2015 of Ministry of Finance, Department of Expenditure on the above subject is enclosed for your information and necessary action. The orders will apply mutatis mutandis on the Railways also.

2. A concordance of Ministry of Finance' instructions referred to in the enclosed Office Memorandum and Railway Board's corresponding instructions are given below:-

S.No.	Para No.	No. and date of Ministry of Finance' O.M./Orders	No. and date of corresponding orders issued by Railway Board.
1.	1	CCS(RP) Rules, 2008	RS(RP) Rules, 2008 issued vide Gazette Notification No.643(E) dated 04.09.2008 (RBE No.103/2008).
2.	3	OM No.10/2/2011-E.IIIA dated 7.1.2013.	No.PC-VI/2011/IC/1 dated 12.9.2013 (RBE No.95/2013)
3.	5	OM No.20020/4/2010-Estt.D dated 13.9.2012.	No.E(NG)I-2009/PM1/4 dated 26.9.2012 (RBE No.107/2012).

3. This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

4. Hindi version will follow.

(Vikram Gulati)
Director, Pay Commission-II
Railway Board.

No. PC-VI/2015/IC/1 **New Delhi, dated 08/04/2016**

Copy (with 40 spares)) forwarded to Deputy Comptroller and Auditor General of India(Railway), Room No. 224, Rail Bhavan, New Delhi.

For Financial Commissioner, Railways.

No.PC-VI/2015/IC/1 New Delhi, dated 08/04/2016

Copy forwarded to: -

The GMs, N.F. Railway (Const.),CAO, SR (Const.) and CR (Const.)
FA & CAOs, All Indian Railways, NFR (Const.), SR (Const.) & CR (Const.), including PUs,
The Director General, RDSO/Lucknow
The General Manager and FA & CAO, Metro Railway/Calcutta.
The CAO and FA & CAO, COFMOW/New Delhi.
The General Manager and FA & CAO, CORE/Allahabad.
The Director General, Railway Staff College/Vadodara.
The CAO (Const.), MTP(R)/Mumbai.
The CAO (Const.), MTP(R)/Chennai.
The Director, CAMTECH/Gwalior-474020.
The Director, IRICEN/Pune, IRIEEN/Nasik Road, IRIMEE/Jamalpur, IRISET/Secunderabad
The Managing Director, RITES, IRCON, IRFC, CONCOR, CRIS. IRCTC, RLDA, DFCCI, Rail Tel.
The Chairman and Managing Director, KRC Limited/New Delhi.
O/o Chief Project Administrator (Telecom), IRCOT Consultancy, Shivaji Bridge/New Delhi.
The Director (Movement), Railways/Calcutta.
The Joint Director (Finance), RDSO, Lucknow.
The Joint Director, Mil Rail, Ministry of Defence.
The Joint Director, Iron & Steel, 3, Koila Ghat Street/Calcutta.
Chief Mining Advisor, Ministry of Railways, Dhanbad,Jharkhand.
The Chairman, RCC, Lok Sabha Secretariat/New Delhi.
The Chairman, RCT/Delhi.
The Chairman, RRT/Chennai.
The Chairman, Passenger Amenities Committee, Rail Bhawan, New Delhi.
The Chairman, RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneshwar, Bilaspur, Chandigarh, Chennai, Calcutta, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad and Trivandrum.
The Editor, 'Bhartiya Rail', Room No.469, Rail Bhawan, New Delhi.
The Editor 'Indian Railways', Room No.411, Rail Bhawan New Delhi.
The Pay & Accounts Officer, Ministry of Railways (Railway Board), New Delhi.
The General Secretary, IRCA, DRM Office Complex, State Entry Road, New Delhi
The Commissioner, Railway Safety/Lucknow.
M/s Bahri Brothers, Lajpat Rai Market/Delhi.
The Editor, 'Rail Rajbhasha', Room No.543, Rail Bhawan, New Delhi.
Rail Vikas Nigam Ltd., C-2/10, Safdarjang Development Area, Aurbindo Marg, New Delhi.

(Vikram Gulati)
Director, Pay Commission-II
Railway Board.

No. PC-VI/2015/IC/1

New Delhi, dated 08/04//2016

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The General Secretary, AIRF (with 35 spares).
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The Secretary General FROA.
The Secretary, RBSS, Group 'A' Officers Association.
The President, Railway Board Group 'B' Officers' Association.
The Secretary General, IRPOF.
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The Secretary, Railway Board Ministerial Staff Association.
The Secretary, All India SC/ST Railway Employees Association, Room No. 8, Rail Bhawan (with 5 spares).

for Secretary, Railway Board.

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(Ministry of Finance, Department of Expenditure's O.M. No.F-2-1/2015-E.III(A) dated 16.10.2015)

No. F-2-1/2015-E.III (A)
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 16th October, 2015

Office Memorandum

Subject: Cases of promotion taking place in the pre-revised pay structure between 1.1.2006 and the date of notification of CCS(RP) Rules,2008 and the subsequent merger of the pre-revised pay scales of the promotional and the feeder posts in a common Grade- fixation of pay- Regarding.

The undersigned is directed to say that consequent upon coming into force of the CCS(RP) Rules, 2008, which were notified on 29.8.2008 but are effective from 1.1.2006, fixation of pay on promotion on or after 1.1.2006 is carried out as per Rule 13 thereof. This Rule is invoked only in cases of promotion from one Grade Pay to another in the revised pay structure.

2. In terms of Section 1 of Part-A of the First Schedule of the CCS(RP) Rules, 2008, which provides for revised pay structure in the form of applicable Pay Bands and Grades Pay corresponding to various pre-revised pay scales, certain pre-revised pay scales have been merged in a common Grade Pay in the revised pay structure w.e.f. 1.1.2006. In view of this, the posts in those pre-revised pay scales which have been merged in a common Grade Pay w.e.f. 1.1.2006, are normally required to be merged even if these posts constituted feeder and promotional grades in the pre-revised pay structure.

3. However, in cases where such merger of feeder and promotional posts in the wake of their having come to lie in the same grade pay has not taken place due to administrative reasons and the posts continue to retain their promotional and feeder character as per the relevant Recruitment Rules, this Ministry issued instructions vide OM No. 10/2/2011-E.IIIA dated 7.1.2013 providing for fixation of pay on promotion in such cases under Rule 13 of CCS (RP) Rules, 2008 subject to the conditions laid down therein.

4. Now, instances have been brought to the notice of this Ministry where the feeder and promotional posts have been merged in view of the merger of the pre-revised pay scales applicable to the erstwhile feeder and promotional posts in a common grade/post after the promulgation of CCS(RP) Rules), 2008, due to which the character of posts being promotional and feeder grades as existing during

the period from 1.1.2006 to the date of notification of CCS(RP) Rules, 2008 stood rescinded with retrospective effect from 1.1.2006 and, consequently, a question has been raised as to whether Rule 13 of CCS(RP) Rules, 2008 may apply for fixation of pay on promotion taking place during the period between 1.1.2006 and the date of notification of the said Rules, when the fixation of pay was actually done as applicable in the event of promotion in the pre-revised structure.

5. The matter has been considered in the light of the provisions contained in the OM No. 20020/4/2010-Estt.D dt.13.9.2012 issued by the Department of Personnel & Training, which has been issued in the context of the posts/grades merged in pursuance of the recommendations of the 6th Central Pay Commission. This OM provides, inter-alia, that the status of a government servant as on 29.8.2008 including those who have earned promotion between 1.1.2006 and 29.09.2008 will be protected as appointment/promotions are made as per the provisions of the recruitment rules applicable to the post/grade.

6. Accordingly, it has been decided that in cases where promotion took place in the pre-revised pay structure during the period between 1.1.2006 and the date of notification of CCS(RP) Rules, 2008 when the pre-revised and revised pay scales were different and the posts carried the character of feeder and promotional grades, pay fixation on such promotion shall be allowed under Rule 13 of the CCS(RP) Rules, 2008, subject to the following conditions:-

(i) The promotion had taken place between 1.1.2006 and the date of notification of CCS(RP) Rules, 2008 as per the Recruitment Rules then in vogue, which clearly provided for such posts being promotional grade for the feeder grade from where the promotion took place and where the posts were subsequently merged in a single post/grade consequent upon promulgation of the CCS(RP) Rules, 2008,

(ii) FR 22 (I) (a)(1), which was applicable for fixation of pay on promotion before promulgation of CCS(RP) Rules, 2008, was invoked for fixation of pay in these cases in the pre-revised structure during the period between 1.1.2006 and the date of notification of the CCS(RP) Rules 2008,

(iii) The concerned employees had opted to come over to the revised pay structure from a date occurring prior to the date of notification of CCS(RP) Rules, 2008,

(iv) The concerned Recruitment Rules have been amended subsequently to provide for merger of these grades into a single grade/post.

7. This order applies only in case of promotions carried out in the pre-revised structure during 1.1.2006 and the date of notification of CCS(RP) Rules, 2008. Thus, the benefit of Rule 13 of CCS(RP) Rules, 2008 would not apply in cases of appointment to the post which was in the higher pay scale in the pre-revised pay structure, where such appointment is made after the date of notification of CCS(RP) Rules, 2008.

8. In its application to the employees serving under the Indian Audit and Accounts Department, this order issues with the concurrence of the office of C&AG.

9. The Hindi Version of this OM is attached.

(Amar Nath Singh)
Deputy Secretary to the Government of India

To

1. All Ministries/Departments of the Government of India (as per standard distribution list)
2. Joint Secretary (Establishment) DoPT, North Block, New Delhi
3. Office Of C&AG
4. NIC, Ministry of Finance with the request that the same be posted on 'recent' in the Ministry of Finance's website and also under CCS (Revised Pay) Rules, 2008 - Pay related Orders issued by E-IIIA Branch under the Department of Expenditure.