GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No. PC-VII/2017/I/7/5/8 **New Delhi, dated: 30.10.2023**

The General Managers
All Indian Railways and PUs
(as per standard mailing list)

Sub: Fixation of pay on promotion to regular JAG after officiating appointment in JAG(Ad-hoc) – reg.

Please refer to Board's letter RBE No. 127/2019 dated 08.08.2019 *inter-alia* adopting DoP&T's OM No. 1/4/2017-Estt.(Pay-I) dated 28.02.2019 regarding restriction of Officiating Pay under FR 35. It has been clarified vide DoP&T's OM that pay under FR 35 shall be restricted in a manner so that the increase in the basic pay of the post held by Government Servant prior to the officiating appointment shall not exceed 12.5% subject to a maximum of Rs. 6700/- per month. An increase in excess of 12.5% of the basic pay with a further ceiling of Rs. 6700/- per month shall be treated as substantial increase for the purpose of FR 35.

2. Subsequently, vide Board letter No. PC-VII/2017/I/7/5/8 dated 11.05.2020 detailed clarification on (i) pay fixation methodology on regular promotion to JAG following officiating appointment after 01.07.2017 (ii) pay fixation as per Para 4 (illustration -3) of DoP&T's OM dated 28.02.2019 (iii) illustration of pay fixation in respect of Railway servants officiating in higher grade prior to 01.07.2017 were issued.

3. Further clarification regarding fixation of pay on promotion to regular JAG after officiating appointment in JAG was issued vide letter No. PC-VII/2017/I/7/5/8 dated 12.06.2023 wherein the rule position was explained.

4. However, references were received from few Zonal Railways seeking clarification on fixation of pay on regular appointment to JAG after officiating appointment to JAG. These references have been examined in Board's Office in consultation with Finance Directorate. In order to facilitate all the Zonal Railways for fixation of pay in a uniform manner, suitable illustrations covering various situations are enclosed as ***Annexure-I***. These illustrations are indicative in nature only and pay fixation may please be done as per actual basis taking into relevant factors such as option exercised by the employees etc.

5. This issues with the concurrence of Finance Directorate of Railway Board.

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Annexure-I

Illustration-I

Date of officiating appointment in JAG(Ad-hoc) : 01.07.2017

Date of regular appointment in JAG : 01.07.2020

a. Fixation of pay on officiating appointment in JAG(Ad-hoc)

SN	Event	Particulars
1	Pay as on 01.07.2017 in Sr. Scale (Level-11)	Rs. 71800 in Level-11
2	Date of officiating in Level-12	01.07.2017
3	Pay after grant of one increment in Level-12	Rs. 74000 in Level-11
4	Minimum Cell value in Level-12	Rs. 78800
5	Increase in Pay	Rs. 78800 – Rs. 71800 = Rs. 7000. The increase is more than increase of Rs. 6700 which is more than the maximum limit prescribed for the purpose of restriction of pay under FR i.e. Rs. 6700.
6	Pay fixation in Level-11 on the date of Officiating in higher grade	Therefore, basic pay is to be fixed at Rs. 71800 + 6700 = Rs. 78500 in Level-11
7	Pay as on 01.07.2018 after accrual of annual increment	Rs. 80900 in Level-11. The pay has surpassed the minimum of the Level of Officiating post i.e. Level-12. After one year of reaching/surpassing, the pay fixation shall be done in Cell-2 of the Level of the Pay Matrix of the Officiating post i.e. Level-12.
8	Pay as on 01.07.2019	Rs. 81200 in Level-12
9	**Pay as on 01.07.2020**	**Rs. 83600 in Level-12**

b. Fixation of pay after regular promotion in JAG on the basis of substantive pay of the feeder grade.

SN	Event	Particulars
1	Pay as on 01.07.2017 in Level-11	Rs. 71800 in Level-11
2	Pay as on 01.07.2018 in Level-11	Rs. 74000 in Level-11
3	Pay as on 01.07.2019 in Level-11	Rs. 76200 in Level-11
4	Pay as on 30.06.2020 in Level-11	Rs. 76200 in Level-11
5	Date of regular promotion in JAG	01.07.2020
6	**Fixation of pay on regular promotion to JAG w.e.f. 01.07.2020 and DNI as per RBE No. 212/2019 dated 18.12.2019**	**Rs. 81200 in Level-12**
7	Date of grant of next increment as per RBE No. 212/2019 dated 31.12.2019 and pay on the date of next increment	01.01.2021 Pay Rs. 83600 in Level-12

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It may be observed that as on 01.07.2020, fixation of pay after regular promotion in JAG done on the basis of substantive pay of the feeder grade is lower to the pay drawn while officiating in JAG(Ad-hoc). Since, the officer has officiated in a higher grade on ad-hoc basis, the pay fixed on regular promotion to the same grade should not be less than that he drew on the last occasion in terms of provisos to Rule 1313(I) {FR-22(I)}. As such, necessary pay fixation may be done accordingly. **In the instant case, pay on 01.07.2020 will be fixed at Rs. 83600 in Level-11 with date of annual increment as 01.07.2021 in accordance with clarification dated 12.06.2023.**

Illustration-II

Date of officiating appointment in JAG(Ad-hoc) : February, 2015

Date of regular appointment in JAG : 28.12.2018

a. **Pay while officiating in JAG**

SN	Event	Particulars
1	Pay as on 01.07.2017 in Level-11 (Sr. Scale) after accrual of annual increment as per 7th CPC while officiating in JAG(Ad-hoc)	Rs. 74000 in Level-11 (Charge Allowance discontinued from this date)
2	Revision of Pay w.e.f. 01.07.2017 (date of effect of instructions under FR 35) from Sr. Scale to JAG.	Pay as on 01.07.2017 in Level-11: 74000 Pay after grant of one increment in Level-11: Rs. 76200 Minimum Cell value of Level-12 : Rs. 78800 Increase in Pay: Rs. 78800-74000 = Rs. 4800 which is within the prescribed limit under FR 35. Therefore, the pay shall be fixed at Rs. 78800 in Level-12.
3	Pay as on 01.07.2018	Rs. 81200 in Level-12
4	Date of regular appointment in JAG	28.12.2018
5	**Pay as on 28.12.2018 as per JAG(Ad-hoc)**	**Rs. 81200 in Level-12**

b. **Fixation of pay after regular promotion in JAG on 28.12.2018 on the basis of substantive pay of feeder grade.**

SN	Event	Particulars
1	Pay as on 01.07.2017 in Level-11 in Senior Scale	74000 in Level-11

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<table>
<tr><td>2</td><td>Pay as on 01.07.2018</td><td>76200 in Level-11</td></tr>
<tr><td>3</td><td>Date of regular appointment in JAG</td><td>28.12.2018</td></tr>
<tr><td>4</td><td>Fixation of pay on regular appointment in JAG on 28.12.2018</td><td>Option I : Fixation of pay from 28.12.2018
<table><tr><td>Pay fixation on 28.12.2018 in Level-12 after grant of one increment in Level-11</td><td>Rs. 78800 in Level-12</td></tr><tr><td>Date of annual increment and pay on date of annual increment</td><td>01.07.2019
Rs. 81200 in Level-12</td></tr></table>
Option II: Fixation of pay from DNI (i.e. from 01.07.2019) under FR-22(I)(a)(i) read with Board's letter RBE No. 212/2019 dated 31.12.2019.
<table><tr><td>Pay w.e.f. 28.12.2018 to 30.06.2019 in Level-12</td><td>Rs. 78800 in Level-12</td></tr><tr><td>Pay on 01.07.2019</td><td>Rs. 81200 in Level-12</td></tr><tr><td>Date of next increment and pay on date of next increment</td><td>01.01.2020
Rs. 83600 in Level-12</td></tr></table></td></tr>
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It may be observed that as on 28.12.2018, fixation of pay after regular promotion in JAG on the basis of substantive pay of the feeder grade both as per Option-I & Option-II is lower to the pay drawn while officiating in JAG(Ad-hoc). Since, the officer has officiated in a higher grade on ad-hoc basis, the pay fixed on regular promotion to the same grade should not be less than that he drew on the last occasion in terms of provisos to Rule 1313(I) {FR-22(I)}. As such, necessary pay fixation may be done accordingly. **In the instant case, pay on 28.12.2018 will be fixed at Rs. 81200 in Level-12 with date of annual increment as 01.07.2019 in accordance with clarification dated 12.06.2023**

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