

SOUTH CENTRAL RAILWAY

Headquarters Office.  
Personnel Branch/SC.  
Date: 25 .04.2016

No.P(R)/481/IX

ALL CONCERNED

PERSONNEL BRANCH SERIAL CIRCULAR NO. 35 /2016

Copy of Board's letter No.PC-VI/2015/IC/1 dated 08.04.2016 is forwarded for information, guidance and necessary action. Board's letters dated 04.09.2008, 26.09.2012, 12.09.2013, quoted therein were circulated under SC Nos.108/2008, 107/2012, 86/2013, respectively.

*Ravi Kumar*  
25/4/16  
(K.Ravi Kumar)  
APO[E&HQ]

For Chief Personnel Officer

Board's letter No. PC-VI/2015/IC/1 dated 08.04.2016 [RBE No.33/2016] PC-VI/365

*Sub: 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*

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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. These 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' OM / 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 07.1.2013	No. PC-VI/2011/IC/1 dated 12.09.2013 [RBE No. 95/2013]
3	5	OM No. 20020/4/2010-Estt.D dated 13.09.2012	No. E[NG]I-2009/PM1/4 dated 26.09.2012 [RBE No.107/2012].

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

Sd/-  
(Vikram Gulati)Director, PC-II

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Copy of Ministry of Finance, Department of Expenditure OM No.F-2-1/2015-E.III[A] dated 16.10.2015

*Sub: 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.*

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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 I 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 Grade 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 10/2/2011-E.III A 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 (l)[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.

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Board have decided 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 RS(RP) Rules, 2008 [29.09.2008] 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 RS(RP) Rules, 2008, subject to certain conditions.	35 /2016