

Eastern Railway
(Personnel Department)
17 N. S. Road,
Kolkata - 700 001

Serial Circular No.35/2017

No. E. 839/0/1/Pt. VI

Kolkata, Dated: 17/04/2017

All Concerned

(as per standard list)

Sub: Fixation of pay in case of employees who seek transfer to a lower post under FR 15(a) - Clarification regarding.

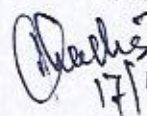
A copy of Railway Board's letter No. 2017/F(E)II/3/3/1 dated 06/04/2017 (PC-VII No. 18/2017, RBE No. 32/2017) on the above noted subject is forwarded herewith, along with its enclosure containing O.M. No. 12/1/2016-Estt(Pay-I) dated 31st March, 2017 issued vide DoP&T, for information and necessary action. Board's earlier letter dated 30/11/2009 mentioned therein, was circulated under this office Serial No. 191/2009. A copy of DoP&T's O.M. dated 5th November, 2012 circulated under Board's letter dated 27/12/2012, as referred to, is enclosed for ready reference.

The order regarding revised method of pay fixation envisaged in DoP&T's OM dated 31/03/2017 in case of employees who seek transfer to a lower post under FR 15(a) takes effect from 01/01/2016.


(S. Chakraborty)

Sr. Personnel Officer/BGB
For Chief Personnel Officer
Phone No. 24115

DA: As above.


17/4/17

Index No.: 1036 - Method of fixation of pay in case of employees who seek transfer to a lower post under FR 15(a) consequent upon the implementation of 7th CPC.

GOVERNMENT OF INDIA (भारत सरकार)
MINISTRY OF RAILWAYS (रेल मंत्रालय)
(RAILWAY BOARD) (रेलवे बोर्ड)

1

989

PC-VII No. 18/2017
RBE No.- 32/2017

No. 2017/F(E)II/3/3/1

New Delhi, dt. 06.04.2017

The General Managers (ER)
All Indian Railways etc.
(As per Standard Mailing List)

Subject:- Fixation of pay in case of employees who seek transfer to a lower post under FR 15(a)- clarification regarding.

Reference is invited to Board's letter No. F(E)II/2009/FOP/1 Misc. dated 30.11.2009 and 27.12.2012 in terms of which DoP&T's O.M. No: 13/9/2009-Estt(Pay-I) dated 21.10.2009 and O.M. No.16/4/2012-Pay-I dated 5th November, 2012 were circulated. DoP&T vide their O.M. No. 12/1/2016-Estt(Pay-I) dated 31st March, 2017 has issued further clarification regarding fixation of pay in case of employees who seek transfer to a lower post under FR 15(a). A copy thereof is sent herewith for information and guidance.

Please acknowledge receipt.

12 APR 2017
Dy. CPO (R)

(Amir Chand Jain)
Dy. Director Finance (Estt.) I
Railway Board

DA: As above.

No. 2017/F(E)II/3/3/1

मु. का. धि
C.P.O

New Delhi, dt.06.04.2017

Copy (with 40 spares) forwarded to the Dy. Comptroller & Auditor General of India (Railways), Room No.224, Rail Bhawan.

for Financial Commissioner/Railways

भारत सरकार/GOVERNMENT OF INDIA
रेल मंत्रालय/MINISTRY OF RAILWAYS
रेलवे बोर्ड/RAILWAY BOARD

पी०सी० VII स्त० 18/2
आरबीई सं.- 32/2017

सं. 2017/एफ(ई)II/3/3/1

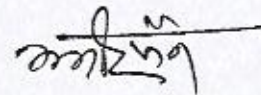
नई दिल्ली, दिनांक: 06.04.2017

महाप्रबंधक,
सभी भारतीय रेलें आदि
(मानक डाक सूची के अनुसार)

विषय:- एफआर 15 (क) के तहत निचले पद पर स्थानांतरण चाहने वाले कर्मचारियों के मामले में वेतन के निर्धारण से संबंधित स्पष्टीकरण।

आपका ध्यान बोर्ड के दिनांक 30.11.2009 और 27.12.2012 के पत्र सं. एफ(ई)II/2009/एफओपी/1मिस. की ओर आकर्षित किया जाता है जिसके अंतर्गत 21.10.2009 के कार्मिक एवं प्रशिक्षण विभाग के का. जा. सं.13/9/2009-ईस्ट(पे-1) और 5 नवम्बर, 2012 के का. जा. सं. 16/4/2012-पे-1 परिपत्रित किए गए थे। कार्मिक एवं प्रशिक्षण विभाग ने अपने 31 मार्च, 2017 के का. जा. सं. 12/1/2016-ईस्ट(पे-1) के माध्यम से एफआर 15 (क) के तहत निचले पद पर स्थानांतरण चाहने वाले कर्मचारियों के मामले में वेतन के निर्धारण के मामले में आगे और स्पष्टीकरण जारी किए हैं। उसकी एक प्रति सूचना एवं मार्गदर्शन के लिए इस पत्र के साथ भेजी जा रही है।

कृपया पावती दें।



(अमीर चन्द जैन)

उप निदेशक वित्त (स्था.)I

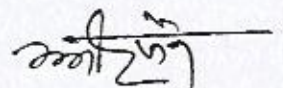
रेलवे बोर्ड

संलग्न: यथोक्त।

सं. 2017/एफ(ई)II/3/3/1

नई दिल्ली, दिनांक: 06.04.2017

प्रतिलिपि: भारत के उप नियंत्रक एवं महालेखा परीक्षक (रेलें), कमरा सं. 224, रेल भवन, नई दिल्ली (40 अतिरिक्त प्रतियों सहित) को प्रेषित।



कृते वित्त आयुक्त, रेलें

Government of India

Ministry of Personnel, Public Grievances and Pensions

Department of Personnel and Training

North Block, New Delhi
Dated the 31st March, 2017**OFFICE MEMORANDUM**

Subject : Fixation of pay in case of employees who seek transfer to a lower post under FR 15(a)- clarification regarding.

The undersigned is directed to refer to this Department's OM No.16/4/2012-Pay-I dated 5th November, 2012 read with OM No.13/9/2009-Estt.(Pay-I) dated 21st October, 2009, whereby clarification was issued by this Department for fixation of pay in case of employees seeking transfer to lower posts under FR 15(a) subsequent to the implementation of the recommendations of 6th CPC and CCS(RP) Rules, 2008. It was clarified therein that in case of transfer of a Government servant to a lower Grade Pay under FR 15(a) on his/her own request w.e.f. 1.1.2006, the pay in the Pay Band will be fixed at the stage equal to the pay in Pay Band drawn by him/her prior to his/her appointment against the lower post. However, he/she will be granted the Grade Pay of lower post. Further, in all cases, he/she will continue to draw his/her increment(s) based on his pay in the Pay Band +Grade Pay (lower).

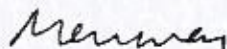
2. Consequent upon the implementation of 7th CPC Report and CCS(RP)Rules, 2016, the concept of new Pay Matrix has replaced the existing Pay Bands and Grade Pays system. Accordingly, in partial modification of this Department's OMs dated 5th November, 2012 and 21st October, 2009 *ibid*, the method of pay fixation in respect of a Government Servant transferred to a lower post under FR 15(a) on his/her own request w.e.f 1.1.2016 will be as under:

In case of transfer to a lower Level of post in the Pay Matrix under FR 15(a) on his/her own request w.e.f. 1.1.2016, the pay of the Government Servant holding a post on regular basis will be fixed in the revised pay structure at the stage equal to the pay drawn by him/her in the higher Level of post held regularly. If no such stage is available, the pay will be fixed at the stage next below in the lower Level with respect to the pay drawn by him/her in the higher Level of post held regularly and the difference in the pay may be granted

....2/-

as personal pay to be absorbed in future Increment(s). If maximum of the vertical range of pay progression at the lower Level in which he/she is appointed, happens to be less than the pay drawn by him/her in the higher Level, his/her pay may be restricted to that maximum under FR 22(I)(a)(3).

3. All Ministries/Departments are requested to revise the Terms/Conditions of such transfer, if any, in line with para 2 above.
4. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue after consultation with the Comptroller & Auditor General of India.
5. This order takes effect from 1.1.2016.
6. Hindi version will follow.



(Pushpender Kumar)

Under Secretary to the Government of India

To

1. All Ministries / Departments of Government of India.
2. NIC, DO&PT -- with a request to upload this OM on the Department's website under OMs & Orders (Establishment → Pay Rules) and also under "What is New".

Copy also forwarded to:

1. Secretary General, Supreme Court of India.
2. Secretaries to Union Public Service Commission /Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet Sectt./Central Vigilance Commission/ President's Sectt./Vice-President's/Prime Minister's Office / Niti Ayog.
3. Controller General of Accounts / Controller of Accounts, Ministry of Finance.
4. Department of Personnel and Training (AIS Division) / JCA /Admn. Section.
5. Governors of all States/Lt. Governors of all Union Territories.
6. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.

.....3/-

16/4/2012-Pay-I
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi, 5th Nov, 2012

OFFICE MEMORANDUM

Subject: Transfer to lower post under FR15(a).

The undersigned is directed to refer to this Department's OM No. 16/6/2001-Estt (Pay-I) dated the 14th February, 2006, read with OM of even number dated the 4th January, 2007, which clarified that on transfer to the lower post/scale under FR 15(a), the pay of a Government servant holding a post on regular basis will be fixed at a stage equal to the pay drawn by him in the higher grade. If no such stage is available, the pay will be fixed at the stage next below the pay drawn by him in the higher post and the difference may be granted as personal pay to be absorbed in future increments. If the maximum of the pay scale of the lower post is less than the pay drawn by him in the higher post, his pay may be restricted to the maximum under FR 22(1)(a)(3).

2. Further, it was clarified vide the OM No. No. 13/9/2009-Estt (Pay-I) dated the 21st October, 2009 that consequent upon implementation of the revised pay structure comprising grade pays and running Pay Bands, w.e.f. 1.1.2006, in cases of appointment of Government servants to posts carrying lower Grade Pay under FR 15(a) on their own request, the pay in the pay band of the Government servant will be fixed at a stage equal to the pay in the pay band drawn by him prior to his appointment against the lower post. However, he will be granted grade pay of lower post. Further, in all cases, he will continue to draw his increments based on his pay in the pay band + grade pay (lower).

3. The above Office Memorandum also provides that in case the transfer to a lower post was made subject to certain terms and conditions then the pay may be fixed according to such terms and conditions.

4. All Ministries/Departments are requested to revise the Terms/Conditions of such transfers in line with the para 2 above.

(Mukesh Chaturvedi)

Deputy Secretary to the Government of India

To

All Ministries/Departments(as per standard list)