

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

Serial Circular No.208/2019

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

Kolkata, Dated: 11/10/2019

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.

Ministry of Railways (Railway Board)'s letter No. 2019/F(E)II/3/3/1 dated 30/09/2019 (RBE No. 161/2019) on the above noted subject is enclosed along with its Hindi version for information and necessary action. Board's earlier letters dated 02/08/2001, dated 20/08/1999, dated 30/11/2009 and dated 06/04/2017 mentioned therein were circulated under this office Serial Nos. 123(9)/2001, 162/1999, 191/2009 and 35/2017 respectively.

On the issue, a similar clarification has since been issued from this office vide letter of even number dated 13/06/2019, copy of which is available in Personnel Department webpage under link "Other Important Letters" of official website of this Railway i.e. www.er.indianrailways.gov.in.

Ar:
(Anjan Ray)

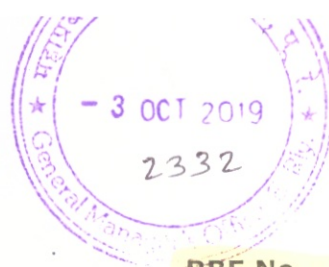
Dy. Chief Personnel Officer/Gaz.
For Pr. Chief Personnel Officer
Phone No.:24104 (Rly.)

DA: As above.

Ar 11/10/19

Index No.: 1036 - For the purpose of protection of pay on own request transfer under FR 15(a), "regular" service will denote 12 months completion of service (i.e. probation period) in the higher post without any adverse action

Government of India
Ministry of Railways
(Railway Board)



RBE No. 161

No. 2019/F(E)II/3/3/1

dated: 30.09.2019

The General Manager
All India Railways and Production Units
(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.

**Ref: (i) Letter No. F(E)/II/91/Misc./2 dated 20.08.1999.
(ii) Letter No. F(E)II/ 2009/ FOP/ 1/ Misc. dated 30.11.2009.
(iii) Letter No. 2017/F(E)II/3/3/1 dated 06.04.2017.**

In the letters referred above, mention has been made "of an employee holding a higher post on regular basis and has completed a minimum period of 24 months in that higher post" / "Government Servant holding a post on regular basis."

2. In this regard clarification was sought from the Establishment Directorate, who have clarified as follows:-

"Vide E(NG)'s letter no. E(NG)1-98/CN5/1 dated 02.08.2001 probation period is now 12 months in each grade (non-gazetted staff). Therefore, for the purpose of protection of pay as circulated by F(E)'s instructions on own request transfer from higher post to lower post, "regular" service will denote 12 months completion of service (i.e. probation period) in the higher post without any adverse action, unless duration of probation has specifically been provided for a particular post in rules".

3. As mentioned further in Establishment Directorate's clarification, this will not operate to re-open past /settled cases.

4. Hindi version is enclosed.

5. Please acknowledge receipt.

G. Priya Sudarsani
(G. Priya Sudarsani)
Director/Finance(Estt.)
Railway Board

No. 2019/F(E)II/3/3/1

dated 30.09.2019

Copy to Deputy Comptroller and Auditor General of India (Railways), Room No.222, Rail Bhavan, New Delhi (40 spares).

G. Priya Sudarsani
For Financial Commissioner/Railways.

No. 2019/F(E)II/3/3/1

dated 30.09.2019

Copy forwarded to Principal Financial Adviser, All Indian Railways, Production Units etc.

von
3/7/19
PCPO

Contd... 2

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

आरबीई सं. 161

नई दिल्ली, दिनांक 30.09.2019

सं. 2019/एफ(ई)11/3/3/1

महाप्रबंधक

सभी भारतीय रेलें एवं उत्पादन इकाइयां

(सामान्य सूची के अनुसार)

विषय:- एफआर 15(ए)के अंतर्गत निचले पद पर स्थानांतरण मांगने वाले कर्मचारियों के मामले में वेतन निर्धारण करने के संबंध में स्पष्टीकरण

- संदर्भ: (i) दिनांक 20.08.1999 का पत्र सं. एफ(ई)11/91/मिस./2
(ii) दिनांक 30.11.2009 का पत्र सं. एफ(ई)11/2009/एफओपी/1/मिस.
(iii) दिनांक 06.04.2017 का पत्र सं. 2017/एफ(ई)11/3/3/1

उक्त संदर्भित पत्रों में "कर्मचारी, जो नियमित आधार पर उच्च पदधारी हो और उस उच्च पद पर उसने 24 माह की न्यूनतम अवधि की सेवा पूरी की हो"/ "एक सरकारी कर्मचारी, जो नियमित आधार पर पदधारी हो" का उल्लेख किया गया है।

2. इस संबंध में स्थापना निदेशालय से स्पष्टीकरण मांगा गया था, जिसने निम्नानुसार स्पष्ट किया है:-

"ई(एनजी) के दिनांक 02.08.2001 के पत्र सं. ई(एनजी)1-98/सीएन5/1 के तहत प्रत्येक ग्रेड (अराजपत्रित कर्मचारी) में अभी 12 माह की परिवीक्षा अवधि होती है। इसलिए उच्च पद से निचले पद पर स्थानांतरण के स्वयं के अनुरोध पर एफ(ई) के अनुदेशों द्वारा परिपत्रित वेतन के संरक्षण के प्रयोजन के लिए "नियमित" सेवा का अर्थ बिना किसी प्रतिकूल कार्रवाई के उच्च पद में सेवा के 12 माह (अर्थात् परिवीक्षा अवधि) पूरे करना है, जब तक कि नियमों में किसी विशिष्ट पद के लिए परिवीक्षा अवधि का विशिष्ट रूप से उल्लेख न किया गया हो"

3. जैसा कि स्थापना निदेशालय के स्पष्टीकरण में आगे उल्लेख किया गया है कि इसके लिए पिछले/निपटाए हुए मामलों को पुनः नहीं खोला जाएगा।

4. कृपया पावती दें।

जी. प्रिया सुदर्शनी

(जी. प्रिया सुदर्शनी)

संयुक्त निदेशक वित्त (स्था.)

रेलवे बोर्ड