

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

Serial Circular No. 88/2020

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

Kolkata, Dated: 10/09/2020

All Concerned

(as per standard list)

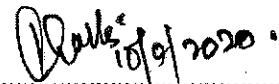
Sub: Protection of pay to the Central Government Servant consequent to appointment to a new post in different service or cadre in Central Government, through direct recruitment where either higher duties and responsibilities are involved or not, as the case may be, under FR-22-B(1) Rules 1315 of IREC Vol.II, in the 7th CPC Scenario-reg.

A Copy of Ministry of Railways (Railway Board)'s letter No. 2020/F(E)II/3/1, dated 25/08/2020 (RBE No. 69/2020) along with its enclosure, containing DoP&T's OM No. 12/02/2017-Estt (Pay-I), 5th August, 2020 on the above cited subject, is enclosed for information and further necessary action. These orders would take effect from 01/01/2016.

DA: As above.


(D. Hansda)

Sr. Personnel Officer/RP
For Pr. Chief Personnel Officer
Phone No. 24112


10/9/2020

Index No. 1036: Guidelines on protection of pay to Govt./Rly. Servants, consequent upon their appointment to a new post in different service or cadre under Central Govt. through direct recruitment, where either higher duties or responsibilities are involved or not, as the case may be, under Rules 1315 of IREC Vol.II, in the 7th CPC Scenario.

**Government of India
Ministry of Railways
Railway Board**

RBE No. 69/2020

No. 2020/F(E)II/3/1

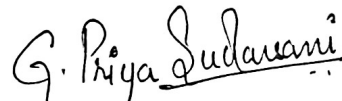
dated 25.08.2020

The General Manager
All Indian Railways and Production Units
(As per standard list)

Subject Protection of pay to the Central Government Servant consequent to appointment to a new post in different service or cadre in Central Government, through direct recruitment where either higher duties and responsibilities are involved or not, as the case may be, under FR 22- B(1) (Rule 1315 of IREC Vol.II) , in the 7th CPC Scenario-regarding.

DOP&T vide their O.M.No.12/02/2017-Estt (Pay-I), dated 5th August, 2020 have issued certain guidelines on Protection of pay to the Central Government Servant consequent to appointment to a new post in different service or cadre in Central Government, through direct recruitment where either higher duties and responsibilities are involved or not, as the case may be, under FR 22- B(1) (Rule 1315 of IREC Vol.II), in the 7th CPC Scenario. A copy of the same is sent herewith for information/guidance. These orders will apply mutatis-mutandis to Railway employees also.

2. This order takes effect from 01.01.2016.
3. Please acknowledge receipt.

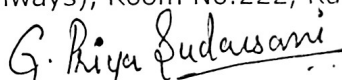

(G. Priya Sudarsani)
Director, Finance(Estt.)
Railway Board

Enclosure: Dop&T's O.M. in 05 pages.

No. 2020/F(E)II/3/1

dated 25.08.2020

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


For Financial Commissioner/Railways.

No. 2020/F(E)II/3/1

dated 25.08.2020

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

Contd/....2

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

आरबीई सं. 69 /2020

सं.2020/एफ(ई)-II/3/1

नई दिल्ली, दिनांक: 25.08.2020

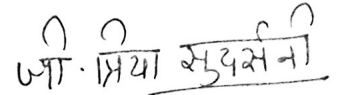
महाप्रबंधक,
सभी भारतीय रेलें और उत्पादन इकाइयां
(मानक सूची के अनुसार)

विषय: सातवें केंद्रीय वेतन आयोग के परिदृश्य में मूल नियम 22-बी (1) (भारतीय रेल स्थापना संहिता वॉल्यूम-II का नियम 1315) के तहत केंद्र सरकार के कर्मचारियों की केंद्र सरकार में सीधी भर्ती के जरिए, चाहे इसमें उच्चतर कर्तव्य और उत्तरदायित्व शामिल हों या न हों, जैसा भी मामला हो, विभिन्न सेवा अथवा संवर्ग में नए पद पर नियुक्ति होने के परिणामस्वरूप उनके वेतन का संरक्षण।

कार्मिक एवं प्रशिक्षण विभाग के दिनांक 05.08.2020 के कार्यालय ज्ञापन सं.12/2/2017-स्था.(वेतन-I) के तहत सातवें केंद्रीय वेतन आयोग के परिदृश्य में मूल नियम 22-बी (1) (भारतीय रेल स्थापना संहिता वॉल्यूम-II का नियम 1315) के तहत केंद्र सरकार के कर्मचारियों की केंद्र सरकार में सीधी भर्ती के जरिए, चाहे इसमें उच्चतर कर्तव्य और उत्तरदायित्व शामिल हों या न हों, जैसा भी मामला हो, विभिन्न सेवा अथवा संवर्ग में नए पद पर नियुक्ति होने के परिणामस्वरूप उनके वेतन के संरक्षण के बारे में दिशानिर्देश जारी किए गए हैं। इसकी एक प्रति सूचना और मार्गदर्शन के लिए अग्रेषित की जा रही है। इसमें अंतर्विष्ट आदेश यथोचित परिवर्तनों सहित रेल कर्मचारियों पर भी लागू होंगे।

2. यह आदेश 01.01.2016 से लागू होगा।

3. कृपया पावती दें।



(जी. प्रिया सुदर्सनी)

निदेशक, वित्त (स्थापना)

रेलवे बोर्ड

संलग्नक: कार्मिक एवं प्रशिक्षण विभाग का कार्यालय ज्ञापन (5 पृष्ठ)

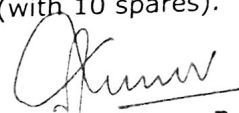
No. 2020/F(E)II/3/1

dated 25.08.2020

1. The G.M, N.F Railway(Const.), Southern Railway (Const.) and Central Railway (Const.)
2. PFA, N.F. Railway (Const.), Central Railway (Const.) and Southern Railway (Const.)
3. The Director General and Ex-officio General Manager, RDSO/ Lucknow.
4. The General Manager and PFA, Metro Railway/Kolkata.
5. The CAO and PFA, COFMOW/New Delhi.
6. The General Manager and PFA, CORE/Allahabad.
7. The Director General, Railway Staff College/Vadodara.
8. The CAO(Const.), MTP (R) / Mumbai.
9. The CAO(Const.), MTP(R) /Chennai.
10. The Executive Director, CAMTECH/Gwalior-474020.
11. The Chairman, RCT/Principal Bench, 13/15, Mall Road, Delhi.
12. The Chairman, RRT, Chennai - 600008.
13. The Director, IRICEN/Pune, IRIEEN/Nasik Road, IRIMEE/Jamalpur, IRISSET/Secunderabad.
14. The Managing Director, IRCON, IRFC, MRVC, IRWO, IRC&TC, CONCOR of India Limited, Executive Director, CRIS.
15. The Chairman -cum-Managing Director, KRC Limited, Rail Bhavan, New Delhi, Office of the Chief Project Administrator (Telecom), Indian Railway Central Organisation for Telecom (IRCOT) Consultancy, Shivaji Bridge/ New Delhi.
16. The Director(Movement) Railways/Kolkata.
17. The Joint Director, Mil Rail, Ministry of Defence.
18. The Joint Secretary, Iron & Steel, 3 Koilaghat Street/Kolkata.
19. Chief Mining Advisor, Ministry of Railway, Dhanbad, Bihar.
20. The Chairman, RCC, Lok Sabha Secretariat/New Delhi.
21. The Chairman, RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneswar, Chandigarh, Chennai, Kolkata, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad, and Trivandrum.
22. The Pay & Accounts Officer, Ministry of Railways(Railway Board).
23. The General Secretary, IRCA/New Delhi.
24. The Chief Commissioner of Railway Safety/Lucknow.
25. The Editor, " Bharatiya Rail".
26. The Editor " Indian Railways".
27. Chairman, RITES.
28. Chairman, CAT.
29. Computerised Facilitation Counter, Room No.5, Near Gate No.1, Rail Bhavan, New Delhi.
30. The Managing Director, Rail Vikas Nigam Ltd., Plot No. 25, First Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi- 110 066.
31. CAO(C), SEC Railway, Bilaspur-495004.
32. The CAO, RCF, Raebareli Project, Kishanganj, Delhi-7.
33. The Executive Director/ERP, Railway Board, Room No. 339A, Pragati Maidan Metro Station Building Complex, New Delhi.

Copy forwarded to:

1. The General Secretary, NFIR, Room No. 256-E, Rail Bhavan, New Delhi (with 5 spares).
2. The General Secretary, AIRF, Room No. 253, Rail Bhavan, New Delhi (with 5 spares).
3. The Members of the National Council, Departmental Council and Secretary, Staff Side, National Council, 13-C, FerozeShah Road, New Delhi (with 10 spares).


For Secretary/Railway Board.

Contd/....3

dated 25.08.2020

No. 2020/F(E)II/3/1

1. The Secretary General, FROA, Room No. 256-A, Rail Bhavan, New Delhi (with 5 spares).
2. The Secretary, RBSS, Group 'A' Officers Association, Rail Bhavan, New Delhi (with 5 spares).
3. The President, Railway Board Class-II Officers' Association, Rail Bhavan, New Delhi (with 5 spares).
4. The Secretary General, IRPOF, Room No. 268, Rail Bhavan (with 5 spares).
5. The President, Indian Railway Class II Officers' Association, Rail Nilayam, Secunderabad (with 5 spares).
6. General Secretary, Indian Railway Class II Officers Federation, Office of CE(Const.), N.E. Railway, Gorakhpur (with 5 spares).
7. The Secretary, Railway Board Ministerial Staff Association, Rail Bhavan, New Delhi (with 5 spares).
8. The Secretary, Railway Board Class IV Staff Association, Rail Bhavan, New Delhi (with 5 spares).
9. The General Secretary, All India RPF Association, Rail Bhavan, New Delhi (with 5 spares).
10. The General Secretary, All India SC/ST Railway Employees Association, Room No.8, Rail Bhavan, New Delhi - 110001.

Copy to:- PPS/PS/PAs to: CRB, FC, MS, MT, ME, MTR, MRS, DG(RHS), DG(RPF), All AMs/ PEDs/ EDs/ Directors, IG/RPF, IG/RPSF, JS, JS(G), JS(E), JS(P), JDE(N), JDE(P&A), JDE(L), JDE(W), DS(G), DDF(E)I, DDF(E)III, DDE(LR)I, DDE(LR)-II, DDE(Rep), US(Protocol) and DDE (R)II.

Copy to: Cash-I, II & III, E(P&A)I & II, E(G), Budget, PG, PC-IV, V, & PC VI (50 spares), G(Acc.), F(E)II, F(E)III & F(E)Spl., O&M, E(Trg.), E(GR)I, E(GR)II, Sec.(E), Sec.(Spl.), Protocol Cell, ERB-I, II, III, IV, E(O)I, II, III, E(GP), E(GC), Accounts-III, Code Revision Cell, E(Rep) & C&IS Branches, Railway Board.

08.2020

F. No. 12/2/2017-Estt(Pay-I)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
Dated: 5th August, 2020

OFFICE MEMORANDUM

Subject: Protection of pay to the Central Government Servant consequent to appointment to a new post in different service or cadre in Central Government, through direct recruitment where either higher duties and responsibilities are involved or not, as the case may be, under FR 22-B(1), in the 7th CPC Scenario-regarding.

The undersigned is directed to say that consequent to various references received from Ministries/Departments on protection of pay under FR 22-B(1), a need has been felt to issue guidelines on the manner of fixation of pay in respect of the Central Government Servant who after technical resignation, is appointed to new post in the different service or cadre in Central Government through direct recruitment where either higher responsibilities are involved or not, as the case may be, in 7th Central Pay Commission scenario.

2. Provisions of FR 22-B(1) *inter-alia* provide as under :-

"F.R. 22-B.(1) Notwithstanding anything contained in these Rules, the following provisions shall govern the pay of a Government servant who is appointed as a probationer in another service or cadre, and subsequently confirmed in that service or cadre-

(a) during the period of probation, he shall draw pay at the minimum of the time scale or at the probationary stages of the time scale of the service or post, as the case may be:

Provided that if the presumptive pay of the permanent post on which he holds a lien or would hold a lien had his lien not been suspended, should at any time be greater than the pay fixed under the clause, he shall draw the presumptive pay of the permanent post;

(b) on confirmation in the service or post after the expiry of the period of probation, the pay of the Government servant shall be fixed in the time-scale of the service or post in accordance with the provisions of Rule 22 or Rule 22-C, as the case may be:....."

3. Consequent upon the implementation of 7th CPC Report and CCS (RP) Rules, 2016, the President is pleased to allow protection of pay in the light of the provisions laid down under FR 22-B(1) to Central Government employee who is appointed as probationer in another service or cadre either carrying higher responsibilities or not, as the case may be and subsequently confirmed in that service or cadre, in the manner as illustrated below:

P. Balraj
05/08/20
1/5

(A) MANNER OF FIXATION OF PAY OF GOVERNMENT SERVANT UNDER FR 22-B(1) CONSEQUENT TO HIS APPOINTMENT IN LOWER POST THROUGH DIRECT RECRUITMENT, WHERE HIGHER DUTIES AND RESPONSIBILITIES ARE NOT INVOLVED

A Central Government Employee on his appointment to a post in lower Level in different service or cadre in Central Government which does not carry duties and responsibilities of greater importance than those attached to the post held earlier by him on regular basis before such appointment and having a provision of probation period in new post, may during probation draw the presumptive pay of the post held earlier by him on regular basis, if it is higher than the minimum of the Time Scale of the new post. He would also draw annual increments on such presumptive pay. However, it is to be ensured that during probation, presumptive pay should always be greater than the pay of the new post after drawl of increment(s). Subsequently, on successful completion of his probation, his pay will be fixed under FR 22(I)(a)(2).

Protection of Pay in the above manner should not, at any of these stages, exceed the maximum of the Level of the new post in Pay Matrix.

Illustration

An officer was drawing pay of Rs.78,500 in Cell 6 in Level 11 (with DNI 01.07.2018) before his appointment to a post in Level 10 on 01.04.2018 which does not carry duties and responsibilities of greater importance than those attached to the post held earlier by him before such appointment. There is a provision of 2 years probation period in new post.

Since the first Cell Value in Level 10 (Rs.56,100) is less than the Last Basic Pay i.e. Rs. 78,500/- in Level 11. Hence during probation, he will draw the presumptive pay i.e. Rs.78,500/- in Level 11 and would also draw annual increments according to the pay drawn in his previous post in Level 11.

On 01.04.2018-	Rs. 78,500 (Level 11)
On 01.07.2018-	Rs. 80,900 (Level 11)
On 01.07.2019-	Rs. 83,300 (Level 11)

On successful completion of his probation period and on confirmation w.e.f. 01.04.2020, the pay of the officer would be fixed under FR 22(I)(a)(2). Since no such Cell of Rs. 83,300/- is available in Level 10, his pay would be fixed at next higher cell i.e. Cell 15 in Level 10 at Rs. 84,900 with next date of increment 01.01.2021.

(B) MANNER OF FIXATION OF PAY OF CENTRAL GOVERNMENT EMPLOYEE UNDER FR 22-B(1) CONSEQUENT TO HIS APPOINTMENT TO A POST IN HIGHER LEVEL THROUGH DIRECT RECRUITMENT, WHERE HIGHER DUTIES AND RESPONSIBILITIES ARE INVOLVED

A Central Government Employee on his appointment to a post in higher level in different service or cadre in Central Government carrying duties and responsibilities of greater importance than those attached to the post held earlier by him on regular basis before such appointment and having a provision of

P Bahadur
05/08/2020 2/5

probation period in new post, may during probation draw the presumptive pay of the post held earlier by him on regular basis if it is higher than the minimum of the Time Scale of the new post. He would also draw annual increments on such presumptive pay. However, it is to be ensured that during probation presumptive pay should always be greater than the pay of the new post after drawl of increment(s). Subsequently, on successful completion of his probation, his pay will be fixed under FR 22(I)(a)(1).

Protection of Pay in the above manner should not, at any of these stages, exceed the maximum of the Level of the new post in Pay Matrix.

Illustration

An officer was drawing pay of Rs.58,600 in Cell 10 of Level 7 before his appointment on 01.04.2018 in Level 10 (with DNI 01.07.2018) which carries duties and responsibilities of greater importance than those attached to the post held earlier by him on regular basis before such appointment. There is a provision of 2 years probation period in new post.

Since the first Cell Value of Level 10 (Rs. 56,100) is less than the Last Basic Pay drawn in Cell 10 of Level 7 i.e. Rs. 58,600/-, hence during probation, he will draw the presumptive pay of the post held earlier by him on regular basis and would also draw annual increments in the Level 7 of his previous post as shown below:-

On 01.04.2018-	Rs. 58,600 (Level 7)
On 01.07.2018-	Rs. 60,400 (Level 7)
On 01.07.2019-	Rs. 62,200 (Level 7)

On successful completion of his probation period and on confirmation w.e.f. 01.04.2020, the pay of the officer would be fixed under FR 22(I)(a)(1) read with Rule 13 of CCS (RP) Rules, 2016. Accordingly, an increment will be added in his pay in Level 7 and his pay will reach at Rs. 64,100/-. Since, there is no cell value equal to Rs. 64,100 available in Level 10, his pay will be fixed in Level 10 in Cell 6 at Rs. 65,000/- with next date of increment 01.01.2021.

(C) MANNER OF FIXATION OF PAY OF CENTRAL GOVERNMENT EMPLOYEE UNDER FR 22-B(1) CONSEQUENT TO HIS APPOINTMENT TO A POST IN EQUIVALENT LEVEL POST THROUGH DIRECT RECRUITMENT, WHERE HIGHER DUTIES AND RESPONSIBILITIES ARE NOT INVOLVED

A Central Government Employee on his appointment to a post in Equivalent Level in different service or cadre in Central Government through direct recruitment where higher duties and responsibilities are not involved and having a provision of probation period in new post, may during probation draw the presumptive pay of the post held earlier by him on regular basis. He would also get his increments on such presumptive pay. On successful completion of his probation, his pay will be fixed under FR 22(I)(a)(2). However, Protection of Pay in the above manner should not, at any of these stages, exceed the maximum of the Level of the new post in Pay Matrix.

AB Ahir
05/08/2020

Illustration

An officer was drawing pay of Rs. 58,600 in Cell 10 of Level 7 before his appointment on 01.04.2018 in the same Level 7 (with DNI 01.07.2018). There is a provision of 2 years probation period in new post.

Since the first Cell Value of Level 7 (Rs. 44,900) is less than the Last Basic Pay i.e. Rs. 58,600/- in Level 7 drawn by Government Servant, hence during probation, he will draw the presumptive pay and also get his increments in the same Level of his previous post as shown below:-

On 01.04.2018-	Rs. 58,600 (Level 7)
On 01.07.2018-	Rs. 60,400 (Level 7)
On 01.07.2019-	Rs. 62,200 (Level 7)

On successful completion of his probation period and on confirmation w.e.f. 01.04.2020, the pay of the officer would be fixed under FR 22(I)(a)(2). Since no increment would be admissible under FR 22(I)(a)(2), there will be no change in his pay on the date of confirmation i.e. 01.04.2020. Accordingly, his pay in Level 7 on 01.04.2020 would be Rs. 62,200 (Level 7) with next date of increment on 01.07.2020, as Level remains same.

4. The above mentioned pay protection under FR 22-B(1) will be available to the Government servant if he holds a lien on his previous permanent post.

5. No stepping up of pay of senior Government servant shall be allowed on the basis of the pay protection granted under FR 22-B(1) to junior Government servants of that particular service/cadre.

6. This order takes effect from 01.01.2016.

7. In their application to the employees of Indian Audit and Accounts Department, these orders are issued after consultation with the Comptroller & Auditor General of India, as mandated under Article 148(5) of the Constitution.

8. Hindi version will follow.


05/08/2020
(Rajeev Bahree)

Under Secretary to the Government of India

To

All Ministries / Departments of Government of India.

Copy also forwarded to:

1. The Comptroller & Auditor General of India.
2. Secretary General, Supreme Court of India.
3. Controller General of Accounts / Controller of Accounts, Ministry of Finance.

4. Union Public Service Commission / Lok Sabha Sectt. / Rajya Sabha Sectt. / Cabinet Sectt. / Central Vigilance Commission / President's Sectt. / Vice-President's Sectt. / Prime Minister's Office / Niti Aayog.
5. Governments of all States and Union Territories.
6. Department of Personnel and Training (AIS Division) / JCA / Admn. Section.
7. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
8. All Members of Staff Side of the National Council of JCM / Departmental Council.
9. All Officers / Sections of Department of Personnel and Training / Department of Administrative Reforms & Public Grievances / Department of Pensions & Pensioners' Welfare / PESB.
10. Joint Secretary (Pers), Department of Expenditure, Ministry of Finance.
11. Additional Secretary (Union Territories), Ministry of Home Affairs.
12. JD (OL), DoPT, North Block, New Delhi- for Hindi version of this OM.

(Rajeev Bahree)
05/08/2020

Under Secretary to the Government of India