

EAST CENTRAL RAILWAY

पूर्व मध्य रेल

EAST CENTRAL RAILWAY

RBE No. -----

PCPO's SI No. 88/2020

No. E/205/O/ECR/HJP

Date:- 06.10.2020

1. CAO.(Con.)/उत्तर एवं दक्षिण/पटना।
2. सभी PHOD/CHOD/पूमरे/हाजीपुर।
3. DRM/पूमरे/दानापुर, डीडीयू, धनबाद, सोनपुर एवं समस्तीपुर।
4. मुख्य कार्मिक अधिकारी/प्रशासन/पूमरे/हाजीपुर।
5. मुख्यालय के सभी कार्मिक अधिकारी।
6. CWM/पीडी/डीडीयू, यांत्रिक कारखाना/समस्तीपुर एवं हरनौत।
7. Sr.DPO/पूमरे/दानापुर, डीडीयू, धनबाद, सोनपुर एवं समस्तीपुर।
8. उप महाप्रबंधक/विधि/पटना।
9. प्राचार्य/क्षेत्रीय रेल प्रशिक्षण संस्थान/मुजफ्फपुर एवं भूली।
10. सभी मुकार्याधी/कार्याधी/पूमरे/हाजीपुर

विषय:—FAQ on exercise of option to come over to 7th CPC under Rule 5 & 6 of RS(RP) Rules, 2016-reg.

संदर्भ:—Railway Board's letter No. PC-VII/2017/RSRP/1(Pt.) Date: 04.09.2020

विषयांकित से संबंधित संदर्भित पत्र की छायाप्रति सूचना, मार्गदर्शन एवं अग्रेतर आवश्यक कार्रवाई हेतु प्रेषित की जा रही है।

A copy of above referred letter on the subject matter is being forwarded herewith for information, guidance and needful onward action please.

संलग्नक: यथोपरि।

DA: As above.

Digitally signed by SAURABI
SAWARN
Date:Wed Oct 07 17:39:37 IST
2020
Reason: Approved

(सौरभ सावर्ण)
वकाधि/ई.एस.एम.
कृते महाप्रबंधक (का0)/हाजीपुर

प्रतिलिपि/— निम्नलिखित को सूचनार्थ, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु प्रेषित:—

1. महासचिव/ईसीआरकेयू/पूमरे/हाजीपुर।
2. महासचिव/एस.सी.एवं एस.टी.एशोसिएशन/पूमरे/हाजीपुर।
3. सकाधि(एम.पी.पी.)/पूमरे/हाजीपुर—कृपया इसे वेबसाइट पर अपलोड करें।
4. महासचिव/ओ.बी.सी.एशोसिएशन/पूमरे/हाजीपुर।

कृते महाप्रबंधक (का0)

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

No. PC-VII/2017/RSRP/1(Pt.)

New Delhi, dated: 04.09.2020

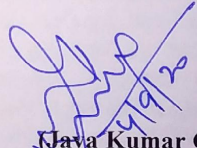
**The General Managers
All Indian Railways and Production Units
(As per standard mailing list)**

**Sub: - FAQ on exercise of option to come over to 7th CPC under
Rule 5 & 6 of RS(RP) Rules, 2016-reg.**

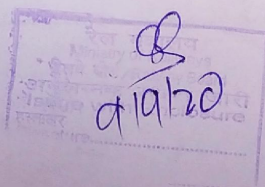
Clarification on exercise of option to come over to revised pay structure has been given to all Railways vide Board's letter Nos. PC-VII/2018/RSRP/1 dated 10.07.2019 & dated 23.07.2019 and specific policy clarification in respect of officials placed in a higher grade pay or scale between 1st day of January, 2016 and 30.06.2016 on account of promotion or upgradation has also been given to WCR and CR vide letter No. PC-VII/2017/RSRP/1(Pt.) dated 25.11.2019. Subsequent to issue of these letters, doubts have been raised particularly by the officials of WCR and CR claiming that illustration enclosed with Board's letter dated 10.07.2019 does not cover the case when employee is promoted/upgraded between 01.01.2016 and 30.06.2016 and elect to 7th Pay Commission with effect from Date of Next Increment (01.07.2016) as per Rule 5 of RS(RP) Rules, 2016 and as per the format of option specified in the Pay Commission Report.

2. With respect to above, it is advised that clarifications as mentioned above are explicit, self-explanatory and strictly in consonance with RS(RP) Rules, 2016 and as per clarification issued by Ministry of Finance to various Ministries, nevertheless, an FAQ on exercise of option for switching over to revised pay structure is enclosed as ***Annexure-I***.
3. If any option has been allowed contrary to above guidelines, the same shall be rectified and recoveries if any may also be made.
4. This issues with the concurrence of Associate Finance (Railway Board) and approval of Competent Authority.

Encl. As above.


**(Jaya Kumar G)
Dy. Director, Pay Commission-VII
Railway Board**

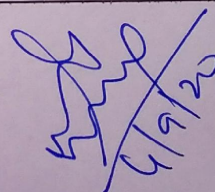
o/c



Annexure-I

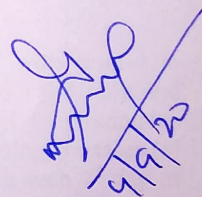
FAQ: Exercise of option to switch over to 7th CPC pay structure under Rule-5 & 6 of Railway Services (Revised Pay) Rules, 2016

S. No.	FAQ	Answer	Reason
1	A Railway Servant has been placed in a higher Grade Pay or Scale between 1 st day of January, 2016 and 30.06.2016 on account of promotion or upgradation. Can he elect to switch over to 7 th CPC pay structure from date of next increment (in lower grade) i.e. 01.07.2016 after availing benefit annual increment in lower grade (in pre-revised pay structure) and promotional pay fixation in pre-revised pay structure.	No	Option to switch over to the revised pay structure either on 01.01.2016 or from a later date than 01.01.2016 i.e. on the date of promotion or the date of next increment, is applicable under Rule 5 in case of post held on 01.01.2016. <u>Thus if the date of next increment on 01.07.2016 falls after the date of promotion, then the date of next increment for the post held on 01.01.2016 has no relevance for option,</u> as this post is no longer held on 01.07.2016 to switch over to the revised pay structure. Hence, illustration 1(a) annexed with Board's letter no. PC-VII/2018/RSRP/1 dated 10.07.2019 is in consonance with RS(RP) Rules, 2016.
2	A Railway servant has been placed in a higher Grade Pay or Scale on a date after notification of RS(RP) Rules, 2016 (i.e. 28.07.2016) on account of promotion or upgradation. Can he elect to switch over to 7 th CPC from such date of promotion/upgradation materialized after the date of notification of RS(RP) Rules, 2016.	No	Option for fixation of pay in the revised pay structure after the date of notification of RS(RP) Rules, 2016 can not be exercised as Rule 5 of the said Rules provides option only for promotion taking place up to 28.07.2016 (date of notification of the said Rules).
3	A Railway Servant has been placed in a higher Grade Pay or Scale between 01.01.2016 and date of notification of RS(RP) Rules, 2016 on account of promotion or upgradation. Can he opt for pay fixation from date of such promotion/upgradation.	Yes	Rule 5 of RS(RP) Rules, 2016 stipulates that in cases where a Railway servant has been placed in a higher Grade Pay or Scale between 1st day of January, 2016 and the date of notification of these Rules on account of promotion or upgradation, the Railway servant may elect to switch over to the revised pay structure from the date of such promotion or upgradation, as the case may be. Date of Next Increment in such cases will be governed under RS(RP) Rules, 2016.


6/9/20

		<p>Pivotal aspects of this Rule are given in Explanation-I & Explanation-II which are as under :</p> <p>Explanation 1 – The option to retain the existing pay structure under the provisos to this rule shall be admissible only in respect of one existing Pay Band and Grade Pay or scale.</p> <p>Explanation 2 – The aforesaid option shall not be admissible to any person appointed to a post for the first time in Railway Service or by transfer from another post on or after the 1st day of January, 2016, and he shall be allowed pay only in the revised pay structure.</p> <p>Board's letter No. PC-VII/2018/RSRP/1 dated 10.07.2019 which contains guidelines on opportunity for revision of option to come over to revised pay structure and pay fixation illustrations in various circumstance is enclosed as Annexure-II.</p>
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Note: The time period for exercise of option must strictly be in terms of Rule 6 of RS(RP) Rules, 2016 and further guidelines issued in this regard.



**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

Annex-11^p

No. PC-VII/2018/RSRP/1

New Delhi, dated : 10.07.2019

The General Managers
All Indian Railways/PUs
(As per mailing list)

Sub:- Railway Services (Revised Pay) Rules, 2016 – opportunity for revision of option to come over to revised pay structure.

Ref:- Board's letter No. PC-VII/2018/RSRP/1 dated 17.12.2018 (RBE No. 197/2018)

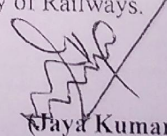
Please refer to Board's letter mentioned above *inter-alia* circulating Ministry of Finance's (MoF) OM No. 4-13/17-IC/E-III A dated 12.12.2018 regarding opportunity for revision of option to come over to revised pay structure under CCS(RP) Rules, 2016 for adoption of the same in Railways with respect to RS(RP) Rules, 2016. Consequent to issue of the same, certain Railways has sought clarification whether option to switch over to 7th CPC pay structure can be exercised in a prospective manner covering promotions materialized after notification of RS(RP) Rules, 2016.

2. With respect to above, it is stated that earlier, the issue has been examined in Board's Office and a reference has already been made to MoF seeking clarification on the issue. Response from MoF is awaited. Till such time clarifications are received from MoF, it is advised that while allowing options, conditions as stipulated in Rules 5 & 6 of RS(RP) Rules, 2016 may strictly be followed as Ministry of Finance while liberalising conditions under Rule 6(4) of CCS(RP) Rules, 2016 which provides that the option once exercised shall be final and permitting another opportunity to employees to revise their initial option in terms of Rule 5 & 6 within a period of 3 months, made no changes in the other conditions laid down in Rules 5 & 6 of CCS(RP) Rules, 2016 governing exercise of option.

3. Hence, it is clarified that option for switching over to 7th CPC with respect to promotions upto 28.07.2016 (date of notification of RS(RP) Rules, 2016) valid only and option for switching over to 7th CPC can not be exercised with respect to promotions materialized after the said date. Further, Illustrations on pay fixation methodology in cases (a) where a Railway Servant has been placed in a higher grade pay or scale between 1st day of January, 2016 and the date of notification of RS(RP) Rules, 2016 on account of promotion or upgradation and elect to switch over to revised pay structure from the date of such promotion/upgradation and (b) fixation of pay in case an employee elect to continue to draw pay in existing pay structure until he vacates his post or ceases to draw pay in the existing pay structure with respect to promotion upgradation materialized after the date of notification of RS(RP) Rules, 2016 in terms of relevant provisions of RS(RP) Rules, 2016 is enclosed as *Annexure-I*.

4. This issues are in concurrence with Finance Directorate of Ministry of Railways.

Encl. As above.


(Jaya Kumar G)
Dy. Director, Pay Commission-VII
Railway Board

- (a) Illustration for fixation of pay in cases where a Railway Servant has been placed in a higher grade pay or scale between 1st day of January, 2016 and the date of notification of RS(RP) Rules, 2016 i.e. 28.07.2016 on account of promotion or upgradation and elect to switch over to revised pay structure from the date of such promotion or upgradation:

Case-I: When promotion occurred between 01.01.2016 and 30.06.2016.

Pay as on 01.01.2016 in existing pay structure	Rs. 17300 + GP Rs. 4200 = Rs. 21500
Date of Promotion in GP-4600	12.05.2016
Pay as on 12.05.2016 in existing pay structure after promotional increment in lower scale.	Rs. 17950 + GP Rs. 4600 = Rs. 22550
Fixation of pay in 7 th CPC in Level-7 with effect from 12.05.2016 as per Rule 7 of RS(RP) Rules, 2016	Rs. 22550*2.57 = Rs. 57953.50 Relevant Cell in Level-7 : Rs. 58600
DNI as per Rule 10 of RS(RP) Rules, 2016	01.01.2017

Case-II: When promotion occurred between 01.07.2016 and 28.07.2016

Pay as on 01.01.2016 in existing pay structure	Rs. 17300 + GP Rs. 4200 = Rs. 21500
Date of Promotion in GP-4600	11.07.2016
Pay as on 01.07.2016 in existing pay structure after grant of annual increment.	Rs. 17950 + GP Rs. 4200 = Rs. 22150
Pay as on 11.07.2016 in existing pay structure after promotional increment in lower scale.	Rs. 18620 + GP Rs. 4600 = Rs. 23220
Fixation of pay in 7 th CPC in Level-7 with effect from 11.07.2016 as per Rule 7 of RS(RP) Rules, 2016	Rs. 23220*2.57 = Rs. 59675.40 Relevant Cell in Level-7 : Rs. 60400
DNI as per Rule 10 of RS(RP) Rules, 2016	01.07.2017