EAST COAST RAILWAY

प्रधान मुख्य कार्मिक अधिकारी का कार्यालय/
Office of the Principal Chief Personnel Officer
रेल सदन, द्वितीय तल, भुवनेश्वर - 751017
Rail Sadan, IInd Floor, Bhubaneswar-751017

स्थापना क्रमांक/ Estt. Srl. No. 143/2020
पूतरे/कार्मिक/आर/ECoR/Pers/R/Fixation

Date: 28.09.2020

सेवा मे,
सभी प्रमुख विभागाध्यक्षों/समन्वयक विभागाध्यक्षों, पू त रे/भुवनेश्वर
मं.रे.प्र/व.मं.का.अधिकरी/मं.का.अधिकारी-खोरधारोड,वालातेरू, संबलपुर,
मु.कारखाना प्रबंधक/कारखाना कार्मिक अधिकारी- मंचेश्वर, अतिरिक्त रजिस्ट्रार/रेल दावा अधिकरण,
उ.मु.का अधिकारी(नि.)/भुवनेश्वर
महा सचिव/इकोर श्र. कां., महा सचिव/इकोर श्र. यू.,
महा सचिव/एआई ओ बी सी आर ई ए, महा सचिव/ ए आई एस सी एस टी आर ई ए

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

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उपर्युक्त विषय पर रेलवे बोर्ड पत्र सं.- PC-VII/2017/RSRP/1(Pt.) दिनांक 04.09.2020 की प्रतिलिपि सूचना, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु अग्रेषित है।

A copy of Railway Board's Lr. No. PC-VII/2017/RSRP/1(Pt.) Dated 04.09.2020 on the above quoted subject is forwarded herewith for information, guidance and necessary action.

Encl: As above,

(R.N.A.Parida)
Chairman Railway Recruitment Cell
***For* Principal Chief Personnel Officer**

प्रतिलिपि प्रेषित/Copy to :

1) महाप्रबंधक के सचिव/पूर्व तट रेलवे, भुवनेश्वर
2) मुकाधि/मुकाधि(प्रशा.), उप म.प्र, अध्यक्ष(रेलवे भर्ती प्रकोष्ठ)
3) उप मुख्य प्रबंधक(मू.प्रौ), उप मुकाधि(औ.सं.एवं कल्याण), वकाधि(इंजी.)
4) वकाधि(स्टाफ), वकाधि(मुख्या. एवं न्याया.)
5) मुकाधि के निजी सचिव/सहा.कार्मिक अधि.(मुख्या.),सहा.कार्मिक अधि.(कल्याण), सहा.कार्मिक अधि.(बिल),

7602

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. PC-VII/2017/RSRP/1(Pt.) **New Delhi, dated: 04.09.2020**

PCPO
PFA

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.

4/9/20

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

द.म. रेलवे/S.C. Railway
रेलवे बोर्ड डाक
RAILWAY BOARD DAK
दिनांक: 16 SEP 2020
Date:
महाप्रबंधक कार्यालय
Office of the General Manager

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 1st day of January, 2016 and 30.06.2016 on account of promotion or upgradation. Can he elect to switch over to 7th 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. **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**, 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 7th 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	Ruie 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.

			Pivotal aspects of this Rule are given in Explanation-I & Explanation-II which are as under : **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. **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. 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.***

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.

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4/9/20

Annex-II

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

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-IIIA 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 form 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.

(Vijaya 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 7th 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 7th 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

(b) Illustration for 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 or upgradation materialized after the date of notification of RS(RP) Rules, 2016.

Pay as on 01.01.2016 in existing pay structure	Rs. 17300 + GP Rs. 4200 = Rs. 21500
Pay as on 01.07.2016 after annual increment	Rs. 17950 + GP Rs. 4200 = Rs. 22150
Date of promotion in GP-4600	15.11.2016
Pay in pre-revised structure on 14.11.2016 (Date of vacation of post in GP-4200)	Rs. 17950 + GP Rs. 4200 = Rs. 22150
Fixation of pay in 7th CPC in Level-6 as per Rule 7 of RS(RP) Rules, 2016.	Rs. 22150*2.57 = Rs. 56925.5 Relevant Cell in Level-6 : Rs. 58600
Fixation on promotion in Level-7 w.e.f. 15.11.2016. As per Rule 13 of RS(RP) Rules, 2016, one increment shall be given in the Level from which the employee is promoted and he shall be placed at a cell equal to the figure so arrived at in the Level of the post to which promoted and if no such cell is available in the Level to which promoted, he shall be placed at the next higher Cell in that Level.	In the instant case, next Cell to Rs. 58600 in Level-6 is Rs. 60400. The same figure is available in Cell 11 of Level-7. Therefore, pay will be fixed at Rs. 60400 in Level-7
DNI as per Rule 10 of RS(RP) Rules, 2016	01.07.2017

Note : It may be noted that though the employee can continue in 6th CPC pay structure till he vacates the posts, promotional benefit can only be granted in the 7th CPC scale.

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