

SOUTH EASTERN RAILWAY

Office of the
Chief Personnel Officer,
Garden Reach, Kolkata-43.

Estt. Srl. No. 57/2017

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

No. SER/P-HQ/Ruling/ 0/883

Dated : 02.05.2017

To
All concerned

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

Ref: Railway Board's letter no. F(E)II/2009/FOP/1 dated 30.11.2009 and 27.12.2012 (Estt. Srl. No. 89/10, 4/13).

Railway Board's letter No .2017/F(E)II/3/3/1 dated 06.04.2017, is forwarded for information, guidance and necessary action.

Encl: as above.

(A.K.Aguan)
Sr. Personnel Officer (HQ),
for Chief Personnel Officer.

Railway Board's letter No.2017/F(E)II/3/3/1 dated 06.04.2017 (RBE No. 32/2017) addressed to General Managers, All Indian Railways & others is as under:

Sub: 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.

No.12/1/2016-Estt(Pay-I)
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

Sub: 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 Novemebe5r, 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 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(l)(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.