



दक्षिण रेलवे/SOUTHERN RAILWAY

NO.P(R)524/P/Fixation/Vol.VII

प्रधानकार्यालय/ Headquarters Office
कार्मिक शाखा/ Personnel Branch
चेन्नै/Chennai - 600 003
दि./ Dated:26 -12-2018

पी बी सी सं/ PBC No. 265 / 2018

All PHODs / DRMs / CWMs / CEWE / CAO / CPM / Dy.CPOs / Sr.DPOs /
DPOs / SPOs / WPOs / APOs of HQ / Divisions / Workshops / other Units, etc.,
(As per mailing list - 'A')

विषय/Sub: Regulation of the Date of Next Increment (VI PC)

In terms of Rule 10 of the Railway Services (Revised Pay) Rules 2008, there will be a uniform date of annual increment viz., 1st of July every year. Employees completed 6 months and above in the revised pay structure as on 1st July will be eligible for the grant of increment.

The said rule was further clarified by Railway Board vide their letter dated 5/08/2010 (RBE No.110/2010) circulated under PBC 135/2010.

The increment due on 01/07/2006 where the employee had not completed 6 months Qualifying Service in the revised pay structure were denied the increment on 01/07/2006.

In this connection Railway Board vide letter dated 24/09/2018 has clarified that Qualifying Service of 6 months rendered between 1st July of the previous year and 30th June of the year under consideration will qualify for grant of increment on 01/07/2006.

Railway Board's letter No. PC VI/2017/1/9/1 dt. 24-09-2018, 14/09/2017 and this Railway's letter dated 16/05/2018 are enclosed for information and necessary action.

संलग्न/Encl: as above

(V.Srinivasan)
वरिष्ठ कार्मिक अधिकारी/नियम
Senior Personnel Officer/Rules
for Principal Chief Personnel Officer

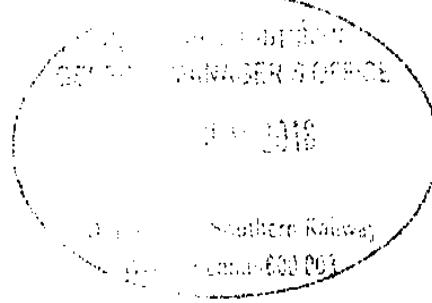
प्रतिलिपि/Copy to : The Genl Secy / SRMU
The Genl Secy / AISCSTREA
The Genl Secy / AIOBCREA
The Genl Secy / NFIR

GOVERNMENT OF INDIA (भारत सरकार)
MINISTRY OF RAILWAYS (रेल मंत्रालय)

RAILWAY BOARD (रेलवे बोर्ड)

No. PCVI/2017/1/9/1

General Manager,
Southern Railway,
Chennai.



New Delhi, dated: 24/09/2018

[Kind attention: Ms. Sunita Vedantham, PCPO, Southern Railway]

Sub: Proposal for recovery of wrongful/excess payments made to Smt. Kanakalakshmi, Retd. OS/PCE/O/MAS/Southern Railway.

Ref: i) Southern Railway's letter No. P(S)524/U/1/VI PC/Vol.II dated 18/07/2018, 16/05/2018 & 12/04/2017.

ii) Railway Board's letters of even no. dated 14/09/2017 & 09/01/2018.

Southern Railway may refer to their letter dated 16/05/2018 under ref. wherein they had pointed out that as per Rule 10 of RS(RP) Rules, 2008, six months of qualifying service in the revised pay structure of 6th CPC is an essential stipulation for ensuring increment on 01/07/2006 in the revised pay structure.

The matter has been examined in light of extant instructions on the basis of facts/information made available to this office by the Southern Railway. The main issue to resolve in this case is that whether any employee not completing his six months of qualifying service from 01/07/2006 (i.e. date of effect of 6th CPC) in the revised pay structure of 6th CPC can be granted annual increment on 01/07/2006. The para 2 of Board's letter No. PCVI/2008/RSRP-1/9/13 dated 05/08/2010 (RBF No. 110/2010) resolve this issue conclusively which reads as:

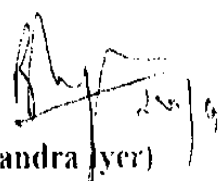
*"The issue of regulation of date of next increment in case of EOL (without medical certificate) after implementation of RS(RP) Rules, 2008, has been examined and it is clarified that except as provided under the conditions laid down in Railway Board's letter No. PCVI/86/PN-1/21 dated 09/01/1987 *qualifying service of less than six months on account of EOL (without medical certificate) between 1st July of the previous year till 30th June of the year under consideration shall have the effect of postponing the increment to 1st July of next year. The same stipulation will also be applicable to those cases where the increment became due on 01/07/2006.*"*

It can be observed from above that qualifying service of 6 months rendered between 1st July of previous year and 30th June of year under consideration in which increment is due shall be considered for grant of annual increment. It is also to be noted that the said employee has only been given replacement pay structure while switching over to 6th CPC from 5th CPC and this is not the case of up-gradation/promotion in the revised pay structure.

3. Thus, based on the facts and circumstances of the case made available, it can be concluded that no case of overpayment is made out in the matter of Smt. S.Kanakalakshmi, Retd. OS/PCE/O/MAS/Southern Railway on above account as the said employee was rightly eligible for annual increment on 01/07/2006. Therefore, question of waiver of overpayment does not arise after taking this position into consideration. Her case may therefore be dealt with in the light of above clarification/interpretation.

4. Even after considering above clarification, if Railway is still of the view that there still remains an issue of overpayment, the same may then be referred back to Railway Board along with verbatim opinion of PFA.

5. This issues with the concurrence of Finance Directorate of Ministry of Railways.


(S Balachandra Iyer)
Executive Director/Pay Commission-II
Railway Board

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

No. PC-VI/2017/1/9/1

New Delhi, dated 14.09.2017

**General Manager (P),
Southern Railway,
Chennai.**

**Sub.: Proposal for recovery of wrongful/excess payments made to
Smt. Kanakalakshmi, Retd. OS/PCE/O/MAS/Southern Railway.**

- Ref.: (i) Southern Railway's letter No. P(S) 524/I/VI PC/Vol. II dated 12.04.2017.
(ii) Railway Board's letter No. PC-VI/2008/I/RSRP/1 pt-3 dated 05.08.2010;
(iii) Railway Board's letter No.2016/F(E)II/6/3 dated 22.06.2016(RBE No.72/2016);
(iv) DoPT's letter No. F.No.18/03/2015-Estt (Pay-I) dated 02.03.2016;
(v) Railway Board's letter No.2011/O&M/3/6 dated 04.04.2011;
(vi) Railway Board's letter No.F(E) III/2008/PN/1/11 dated 06.02.2009.


Southern Railway vide its letter under ref (i) had forwarded a proposal to Railway Board for seeking express approval of Department of Expenditure, M/o Finance for waiver of over payment of Rs. 97,066/- made in favour of Smt. Kanakalakshmi, Retd. OS/PCE/MAS/Southern Railway on account of wrong pay fixation.

2. Before processing the case for obtaining approval of the Deptt. of Expenditure in accordance with the directions issued by DoPT vide its letter under ref (iv) adopted by M/o Railways vide letter under ref(iii), the following information/clarification(s) on each item may be provided:-

- (i) Pay progression chart of the employee from 01.01.2005 till the date of retirement;
- (ii) Details of Extra Ordinary leave taken during 01.01.2005 to 30.06.2006;
- (iii) Whether the Railways had taken cognizance of the Board's letter dated 05.08.2010 under ref(ii) on the subject of regulation of the Date of next Increment in case of Extra Ordinary Leave (without medical certificate);
- (iv) Whether the proposal has approval of FA&CAO/ PH-1 for being ~~sent to Railway Board~~ Board in terms of Board's letter dated 04.04.2011 under ref (v). ~~Please~~ furnish verbatim comments of FA&CAO on the issue/proposal;
- (v) Details of corrective action taken by competent authority for rectification of the incorrect order, details/copy of show cause notice served informing of ~~decision~~ ~~in~~ rectifying the order which resulted in overpayment;

From prepage:-

- (vi) Whether responsibility has been fixed for the lapse and steps taken to avoid recurrence of such administrative lapses;
 - (vii) Reasons as to why the discrepancy was not noticed during the periodic inspection of verification of correctness of Railway servants in accordance with the instructions contained in Board's letter under ref(vi).
3. The abovesaid information/clarification as sought may kindly be provided at the earliest and the procedure for correspondence with Railway Board as contained in Board's letter under ref (v) may be followed.


14/9/11

(S. Balachandra Iyer)
Executive Director/Pay Commission-II
Railway Board.



SOUTHERN RAILWAY

No. P(S)524/II/1/ VI PC / Vol. II

Headquarters Office,
Personnel Branch,
Chennai – 600 003,
Dated: 16/05/2018.

The Secretary(E)
Railway Board,
New Delhi.

{ Kind attention to Shri. S. Balachandra Iyer, Executive Director /
Pay Commission – II }

Sub: Proposal for recovery of wrongful/excess payments made to Government Servants-reg.

Ref: 1. Railway Board's letter No. PC-VI/2017/II/9/1 dated 14.09.2017 & 9-01-2018
2. This office letter of even number dated 12.04.2017 and reminder letter dated 28.07.2017 , 02.08.2017.

With reference to Railway Board's letter dated 09-01-2018 cited under reference, the following remarks on the proposal of Smt. K. Kanakalakshmi, Retd. OS /PCE/O/MAS on proposal for recovery of wrongful / excess payment, are furnished as under:

Point No. 1:

Smt.Kanakalakshmi Retd OS has granted 15 days. EOL during 01-01-2006 to 30-06-2006. The EOL granted to her is not related to the purposes as mentioned in Para2(i) &2(ii) of Railway Board's letter No. PC-VI/2008/1/RSRP/1 Pt.3 dated 05-08-2010 (RBE No.110/2010).Hence the EOL granted to her is not taken as Qualifying Service for increment from 01-07-06.

Moreover as per in Para - 10 of Board's letter dated 04.09.2018 (RBE No. 103/2008) instructions have issued that the Qualifying service of 180 days should be reckoned from **01.01.2006 to 30.06.2006** for grant of increment due on 01.07.2006. As the employee is not eligible increment on 01-07-2006, the next due date for increment is 1-07-2007 only as per RBE No.64/2009 . Hence, it is clearly understood that the retired employee had availed 15 days (LWP) during the period from **01.01.2006 to 30.06.2006**. Hence, she has not been completed 180 days Qualifying service as on **01.07.2006** and she is not eligible for increment on 01.07.2006.

After implementation of VI PC i.e from 01.01.2006, the qualifying service should be reckoned only from 01.01.2006 to 30.06.2006 for grant of increment due 01.07.2006. Hence, the qualifying service rendered prior to 01.01.2006 could not be reckoned for grant of increment due on 01.07.2006 in any circumstance.

In view of the above, Board are requested to obtain the express approval of Department of Expenditure for waival of overpayment of Rs. 97,066 in favour of Smt. K.Kanakalakshmi, Rtd. OS /PCE/O/MAS.

This has the approval of the Competent Authority.



(Jagdish Alager)
Dy. Chief Personnel Officer / Engg
For General Manager