

RAILWAY SERVICES (REVISED PAY) RULES, 1997

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RAILWAY SERVICES (REVISED PAY) RULES, 1997

¹ As per GOI, Ministry of Railways (Railway Board) Notification No. PC-V/ 97/1/RSRP/1, dated 8.10.1997. G.S.R. 584 (E) .-In exercise of the powers conferred by the the proviso to Article 309 of the constitution, the President hereby makes the following rules, namely :-

1. Short title and commencement :-

(1) These rules may be called the Railway Services (Revised Pay) Rules, 1997.

(2) They shall be deemed to have come into force on the 1st day of January, 1996.

2. Categories of Railway servants to whom the rules apply :-

(1) Save as otherwise provided by or under these rules, these shall

apply to persons appointed to Railway Services.

(2) These rules shall not apply to :-

(a) Permanent employees of former Indian States absorbed in Railway Services so long as such persons continue to be governed by the pre-absorption conditions of service under the Railway Services;

(b) persons locally recruited for service in Diplomatic, Consular or other Indian establishments in foreign countries;

(c) persons not in whole-time employment;

(d) persons paid out of contingencies;

(e) persons paid otherwise than on a monthly basis including those paid only on a piece-rate basis;

(f) persons employed on contract except whether the contract provides otherwise;

(g) persons re-employed in Railway service after retirement;

(h) any other class or category of persons whom the President may, by order, specifically exclude from the operation of all or any of the provisions contained in these rules.

3. Definitions :-

In these rules, unless the context otherwise requires-

(1) "basic pay" means pay drawn in the prescribed scale of pay, including stagnation increment(s), but does not include any other type of pay like 'special pay', 'personal pay', etc.

(2) "existing scale" in relation to a Railway servant means the present scale applicable to the post held by the Railway servant (or, as the case may be, personal scale applicable to him) as on the 1st day of January, 1996 whether in a substantive or officiating capacity.

Explanation.- In the case of a Railway servant, who was on the 1st day of January, 1996 on deputation out of India or on leave or on foreign service, or who would have on that date officiated in one or more lower posts but for his officiating in a higher post, "existing scale" includes the scale applicable to the post which he would have held but for his being on deputation out of India or on leave or on foreign service or, as the case may be, but for his officiating in a

higher post;

(3) "Present Scale" in relation to any post/grade specified in column 2 of the First Schedule means the scale of pay specified against that post in column 3 thereof;

(4) "revised emoluments" means the basic pay of a Railway servant in the revised scale and includes the revised non-practising allowance, if any, admissible to him, in addition to pay in the revised scale;

(5) "revised scale" in relation to any post specified in column 2 of the First Schedule means the scale of pay specified against that post in column 4 thereof unless a different revised scale is notified separately for that post;

(6) "Schedule" means a schedule annexed to these rules.

4. Scale of pay of posts :-

The scale of pay of every post/grade specified in column 2 of the First Schedule shall be as specified against it in column 4 thereof.

5. Drawal of pay in the revised scales :-

Save as otherwise provided in these rules, a railway servant shall draw pay in the revised scale applicable to the post to which he is appointed : Provided that a Railway servant may elect to continue to draw pay in the existing scale until the date on which he earns his next or any subsequent increment in the existing scale or until he vacates his post or ceases to draw pay in that scale.

Explanation 1.- The option to retain the existing scale under the proviso to this rule shall be admissible only in respect of one existing scale.

Explanation 2.- The aforesaid option shall not be admissible to any person appointed to a post on or after the 1st day of January, 1996, whether for the first time in Railway service, or by transfer or promotion from another post and he shall be allowed pay only in the revised scale.

Explanation 3.- Where a Railway servant exercises the option under the proviso to this rule to retain the existing scale in respect of a post held by him in an officiating capacity on a regular basis for the purpose of regulation of pay in that scale under Rule 1313 (FR 22) of the Indian Railway Establishment Code Volume II, or any other rule or order applicable to that post, his substantive pay shall be

the substantive pay which he would have drawn had he retained the existing scale in respect of the permanent post on which he holds a lien or would have held a lien had his lien not been suspended or the pay of the officiating post which has acquired the character of substantive pay in accordance with any order for the time being in force, whichever is higher.

6. Exercise of Option :-

(1) The option under the proviso to Rule 5 shall be exercised in writing in the form appended to the Second Schedule so as to reach the authority mentioned in sub-rule (2) within three months of the date of publication of these rules or where an existing scale has been revised by any order made subsequent to that date, within three months of the date of such order. Provided that:

(i) in the case of a Railway servant who is, on the date of such publication or, as the case may be, made of such order, out of India on leave or deputation or foreign service or active service, the said option shall be exercised in writing so as to reach the said authority within three months of the date of his taking charge of his post in India; and

(ii) where a Railway servant is under suspension on the 1st day of January, 1996, the option may be exercised within three months of the date of his return to his duty if that date is later than the date prescribed in this sub-rule.

(2) the option shall be intimated by the Railway servant to the head of his Office.

(3) If the intimation regarding option is not received within the time mentioned in sub-rule (1), the Railway servant shall be deemed to have elected to be governed by the revised scale of pay with effect on and from the 1st day of January, 1996.

(4) The option once exercised shall be final.

Note 1. Persons whose services were terminated on or after the 1st January, 1996 and who could not exercise the option within the prescribed time limit, on account of death, discharge on the expiry of the sanctioned posts, resignation, dismissal or discharge on disciplinary grounds, are entitled to the benefits of this rule.

Note 2. Persons who have died on or after the 1st day of January, 1996 and could not exercise the option within the prescribed time

limit be deemed to have opted for the revised scales on and from the 1st day of January, 1996 or such later date as is most beneficial to their dependants, if the revised scales are more favourable and in such cases, necessary action for payment of arrears should be taken by the Head of Office.

7. Fixation of initial pay in the revised scale :-

(1) The initial pay of a Railway servant who elects, or is deemed to have elected under sub-rule (3) of rule 6 to be governed by the revised scale on and from the 1st day of January, 1996, shall, unless in any case the President by special order otherwise directs, be fixed separately in respect of his substantive pay in the permanent post on which he holds a lien or would have held a lien if it had not been suspended, and in respect of his pay in the officiating post held by him, in the following manner, namely :-

(A) in the case of all employees-

(i) an amount representing 40 per cent of the basic pay in the existing scale shall be added to the 'existing emoluments' of the employee;

(ii) after the existing emoluments have been so increased, the pay shall thereafter be fixed in the revised scale at the stage next above the amount thus computed. Provided that-

(a) if the minimum of the revised scale is more than the amount so arrived at, the pay shall be fixed at the minimum of the revised scale;

(b) if the amount so arrived at is more than the maximum of the revised scale, the pay shall be fixed at the maximum of that scale.

(a) for Railway servants drawing pay from the 5th upto the 8th stage in the existing scale-by one increment;

(b) for Railway servants drawing pay from the 9th upto the 12th stage in the existing scale, if there is bunching beyond the 8th stage - by two increments;

(c) for Railway servants drawing pay from the 13th upto the 16th stage in the existing scale, if there is bunching beyond the 12th stage - by three increments.

Explanation - For the purpose of this clause "existing emoluments" shall include, (a) the basic pay in the existing scale;

(b) dearness allowance appropriate to the basic pay admissible at index average 1510 (1960 = 100), and

(c) the amounts of first and second instalment of interim relief admissible on the basic pay in the existing scale;

(B) In the case of employees who are in receipt of special pay/allowance in addition to pay in the existing scale which has been recommended for replacement by a scale of pay without any special pay/allowance, pay shall be fixed in the revised scale in accordance with the provisions of clause (A) above except that in such cases "existing emoluments" shall include-

(a) the basic pay in the existing scale;

(b) existing amount of special pay/allowance;

(c) admissible dearness allowance at index average 1510 (1960 = 100) under the relevant orders; and

(d) the amounts of first and second instalments of interim relief admissible on the basic pay in the existing scale and special pay under the relevant orders;

(C) In the case employees who are in receipt of special pay component with any other nomenclature in addition to pay in the existing scales, such as personal pay for promoting small family norms, special pay to Parliament Assistants, Central (Deputation on Tenure) Allowance, etc., and in whose case the same has been replaced in the revised scale with corresponding allowance/ pay at the same rate or at a different rate, the pay in the revised scale shall be fixed in accordance with the provisions of clause (A) above. In such cases the allowance at the new rate as recommended shall be drawn in addition to pay in the revised scale of pay;

(D) In the case of Railway medical officers who are in receipt of non-practising allowance, the pay in the revised scale shall be fixed in accordance with the provisions of clause (A) above except that in such cases the term "existing emoluments" shall not include NPA and will comprise only the following -

(a) the basic pay in the existing scale;

(b) dearness allowance appropriate to the basic pay and non-practising allowance admissible at index average 1510 (1960 = 100) under the relevant orders; and

(c) the amounts of first and second instalments of interim relief admissible on the basic pay in the existing scale and non-practising allowance under the relevant orders,

Note 1 - The Railway servants drawing pay upto the stage of Rs. 1030 in the existing scale of Rs. 775-12-871-14-955-15-1030-20-1150 shall be fixed in S-2 scale of pay and those drawing pay beyond the stage of Rs. 1030 shall be fixed in S-3 scale of pay.

Note 2. Where the increment of a Railway servant falls on 1st day of January, 1996, he shall option to draw the increment in the existing scale or the revised scale.

Note 3. Where a Railway servant is on leave on the 1st day of January, 1996, he shall become entitled to pay in the revised scale of pay from the date he joins duty. In case of Railway servant under suspension, he shall continue to draw subsistence allowance based on existing scale of pay and his pay in the revised scale of pay will be subject to final order on the pending disciplinary proceedings.

Note 4. Where a Railway servant is holding a permanent post and is officiating in a higher post on a regular basis and the scales applicable to these two posts are merged into one scale, the pay shall be fixed under this sub-rule with reference to the officiating post only, and the pay so fixed shall be treated as substantive pay. The provisions of this Note shall apply, mutatis mutandis, to Railway servants holding in an officiating capacity posts on different existing scales which have been replaced by a single revised scale.

Note 5. Where the existing emoluments as calculated in accordance with clause (A), clause (B), clause (C) or clause (D), as the case may be, exceed the revised emoluments in the case of any Railway servant, the difference shall be allowed as personal pay to be absorbed in future increases in pay.

Note 6. Where in the fixation of pay under sub-rule (1), pay of a Railway servant, who, in the existing scale was drawing immediately before the 1st day of January, 1996 more pay than another Railway servant junior to him in the same cadre, gets fixed in the revised scale at a stage lower than that of such junior, his pay shall be stepped upto the same stage in the revised scale as that of the junior.

Note 7. Where a Railway servant is in receipt of personal pay on

the 1st day of January, 1996, which together with his existing emoluments as calculated in accordance with clause (A), clause (B) clause (C) or clause (D), as the case may be, exceeds the revised emoluments, then, the difference representing such excess shall be allowed to such Railway servant as personal pay to be absorbed in future increases in pay.

Note 8. In the case of employees who are in receipt of personal pay for passing Hindi Pragma, Hindi Typewriting, Hindi Shorthand and such other examinations under the "Hindi Teaching Scheme", or on successfully undergoing training in cash and accounts matters prior to the 1st day of January, 1996, while the personal pay shall not be taken into account for purposes of fixation of initial pay in the revised scales, they would continue to draw personal pay after fixation of their pay in the revised scale on and from the 1st day of January, 1996 or subsequently for the period for which they would have drawn it but for the fixation of their pay in the revised scale. The quantum of such personal pay would be paid at the appropriate rate of increment in the revised scale from the date of fixation of pay for the period for which the employee would have continued to draw it.

Explanation.- For the purpose of this Note, 'appropriate rate of increment in the revised scale, means the amount of increment admissible at and immediately beyond the stage at which the pay of the employee is fixed in the revised scale.

Note 9. In cases, where a Senior Railway servant promoted to a higher post before the 1st day of January, 1996 draws less pay in the revised scale than his junior who is promoted to the higher post on or after the 1st day of January, 1996, the pay of the senior Railway servant should be stepped up to an amount equal to the pay as fixed for his junior in that higher post. The stepping up should be done with effect from the date of promotion of the Junior Railway servant subject to the fulfilment of the following conditions, namely :-

(a) both the junior and the senior Railway servants should belong to the same cadre and the posts in which they have been promoted should be identical in the same cadre,

(b) the pre-revised and revised scales of pay of the lower and higher posts in which they are entitled to draw pay should be identical,

(c) the senior Railway servants at the time of promotion have been drawing equal or more pay than the junior, and

(d) the anomaly should be directly as a result of the application of the provisions of Rule 1313 (PR 22) of Indian Railway Establishment, Code Volume II, or any rule or order regulating pay fixation on such promotion in the revised scale.

(2) Subject to the provisions of Rule 5, if the pay as fixed in the officiating post under sub-rule (1) is lower than the pay fixed in the substantive post, the former shall be fixed at the stage next above the substantive pay.

8. Date of next increment in the revised scale :-

The next increment of a Railway servant whose pay has been fixed in the revised scale in accordance with sub-rule (1) of Rule 7 shall be granted on the date he would have drawn his increment, had he continued in the existing scale: Provided that in cases where the pay of a Railway servant is stepped up in terms of Note 6 or Note 9 to sub-rule (1) and also second proviso to sub-rule (1) of Rule 7, the next increment shall be granted on the completion of qualifying service of twelve months from the date of the stepping up of the pay in the revised scale. Provided further that in cases other than those covered by the preceding proviso, the next increment of a Railway servant, whose pay is fixed on the 1st day of January, 1996 at the same stage as the one fixed for another Railway servant junior to him in the same cadre and drawing pay at a lower stage than his in the existing scale, shall be granted on the same date as admissible to his junior, if the date of increment of the junior happens to be earlier. Provided also that in the case of persons who had been drawing maximum of the existing scale for more than a years as on the 1st day of January, 1996, next increment in the revised scale shall be allowed on the 1st day of January, 1996.

Note 1. In cases where two existing scales, one being a promotional scale for the other, are merged, and the junior Railway servant, now drawing his pay at equal or lower stage in the lower scale of pay, and happens to draw more pay in the revised scale than the pay of the senior Railway servant in the existing higher scale, the pay of the senior Railway servant in the revised scale shall be stepped up to that of his junior from the same date and he shall draw next increment after completing the qualifying period from the date of such stepping up of pay.

9. Fixation of pay in the revised scale subsequent to the 1st day of January, 1996. :-

Where a Railway servant continues to draw his pay in the existing scale and is brought over to revised scale from a date later than the 1st day of January, 1996, his pay from the later date in the revised scale shall be fixed under the Railway Fundamental Rules and for this purpose his pay in the existing scale shall have the same meaning as of existing emoluments as calculated in accordance with clause (A), clause (B), clause (C) or clause (D), as the case may be, of sub-rule (1) of Rule 7 except that the basic pay to be taken into account for calculation of those emoluments will be the basic pay on the later date aforesaid and where the Railway servant is in receipt of special pay or non-practising allowance, his pay shall be fixed after deducting from those emoluments an amount equal to the special pay or non-practising allowance, as the case may be, at the revised rates appropriate to the emoluments so calculated.

10. Fixation of pay on re-appointment after the 1st day of January, 1996 to a post held prior to that date :-

' A Railway servant who had officiated in a post prior to the 1st day of January, 1996 but was not holding that post on that date and who on subsequent appointment to that post draws pay in the revised scale of pay shall be allowed the benefit of the proviso to Rule 1313 (FR 22) of the Indian Railway Establishment Code, Volume II, to the extent it would have been admissible had he been holding that post on the 1st day of January, 1996, and had elected the revised scale of pay on and from that date.

11. Mode of payment of arrears of pay :-

The arrears would be paid in cash with the stipulation that where the amount of arrears is less than Rs. 5000, it should be paid in one instalment and where it is in excess of Rs. 5000, it should be paid in two instalments; in the first instalment payment should be restricted to Rs. 5000 plus fifty per cent of the balance amount of arrears.

Explanation.- For the purpose of this rule:

(a) "arrears of pay", in relation to a Railway servant, means the difference between :-

(i) the aggregate of the pay and allowances to which he is entitled on account of the revision of his pay and allowances under these rules, for the relevant period; and

(ii) the aggregate of the pay and allowances to which he would have been entitled (whether such pay and allowance had been received or not) for that period had his pay and allowances not been so revised.

(b) "relevant period" means the period commencing on the 1st day of January, 1996 and ending with the 30th September, 1997.

12. Overriding effect of Rules :-

The provisions of the Railway Fundamental Rules, the Railway Services (Revision of Pay) Rules, 1947, the Railway Services (Authorised Pay) Rules, 1960, the Railway Services (Revised Pay) Rules, 1973 and the Railway Services (Revised Pay) Rules, 1986, shall not, save as otherwise provided in these rules, apply to cases where pay is regulated under rules, to the extent they are inconsistent with these rules.

13. Power to relax :-

Where the President is satisfied that the operation of all or any of the provisions of these rules causes under hardship in any particular case, he may, by order, dispense with or relax the requirements of that rule to such extent and subject to such conditions as he may consider necessary for dealing with the case in a just and equitable manner.

14. Interpretation :-

If any question arises relating to the interpretation of any of the provisions of these rules, it shall be referred to the Railway Board for decision.

SCHEDULE 1

THE FIRST SCHEDULE

(See rule 3 and 4) Revised scales for posts carrying present scales in Group *D', 'C', 'B*' and 'A' except for which different revised scales are notified separately in the Offices of: (1) Railway Board Secretariat, (2) Research, Designs and Standards Organisation, Lucknow, (3) Railway Staff College, Vadodara, (4) Railway Rates Tribunal, Chennai, (5) Rail- way Claims Tribunal, New Delhi, (6) Rail Movements (Coal), Calcutta, (7) All Rail- way Recruitment Boards, (8) Indian Railway Institute of Signal Engineering and Tel- ecommunication, Secunderabd, (9) Indian Railway Institute of Civil Engineering, Pune, (1.0) Indian Railway Institute of Electrical Engineering, Nasik, (11) Indian Railway Institute of Mechanical and Electrical Engineering, Jamalpur, (12) Centre for Advanced maintenance Technology, Gwalior,

| Sl. No. | Scale No. | Present Scale (Rs.) | Revised Scale (Rs.) |
|---------|-----------|---------------------|---------------------|
| 1. | 2. | 3. | 4. |

| | | | |
|-----|-------|--|----------------------|
| 1. | S-1 | 750-12-870-14-940 | 2550-55-2660-60-3200 |
| 2. | S-2 | 775-12-871-14-1025 | 2610-60-3150-65-3540 |
| 3. | S-3 | 800-15-1010-20-1150 | 2650-65-3300-70-4000 |
| 4. | S-4 | 825-15-900-20-1200 | 2750-70-3800-75-4400 |
| 5. | S-5 | (a) 950-20-1150-25-1400 | 3050-75-3950-80.4590 |
| | | (b) 950-20-1150-25-1500 | |
| | | (c) 1150-25-1500* | |
| 6. | S-6 | (a) 975-25-1150-30-1540 | 3200-85-4900 |
| | | (b) 975-25-1150-30-1660 | |
| 7. | S-7 | (a) 1200-30-1440-30-1800 | 4000-100-6000 |
| | | (b) 1200-30-1560-40-2040 | |
| | | (c) 1320-30-1560-40-2040 | |
| 8. | S-8 | (a) 1350-30-1440-40-1800-50-2200 | 4500-125-7000 |
| | | (b) 1400-40-1800-50-2300 | |
| 9. | S-9 | (a) 1400-40-1600-50-2300-60-2600 | 5000-150-8000 |
| | | (b) 1600-50-2300-60-2660 | |
| 10. | S-10 | 1640-60-2600-75-2900 | 5500-175-9000 |
| 11. | S-10A | 1640-60-2600-75-2900 | 6000-190-9800 |
| | | | (See note 4 below) |
| 12. | S-12 | (a) 2000-60-2300-75-3200 | 6500-200-10500 |
| | | (b) 2000-60-2300-75-3200-100-3500 | |
| 13. | S-13 | 2375-75-3200-100-3500 | 7450-225-11500 |
| 14. | S-14 | 2500-4000 (proposed new pre-revised scale) | 7500-250-12000 |
| | | (See note 1 & 3 below) | |
| 15. | S-15 | 2200-75-2800-100-4000 | 8000-275-13500 |
| 16. | S-19 | (a) 3000-100-3500-125-4500 | 10000-325-15200 |
| | | (b) 3000-100-3500-125-5000 | |
| 17. | S-21 | 3700-125-4700-150-5000 | 12000-375-16500 |
| 18. | S-24 | (a) 4100-125-4850-150-5300* | 14300-400-18300 |
| | | (b) 4500-150-5700 | |
| 19. | S-26 | (a) 5100-150-5700 | 16400-450-20000 |
| | | (b) 5100-150-6150 | |
| 20. | S-27 | 5100-150-6300-200-6700 | 16400-450-20900 |
| 21. | S-29 | (a) 5900-200-6700 | 18400-500-22400 |
| | | (b) 5900-200-7300 | |
| 22. | S-30 | 7300-100-7600 | 22400-525-24500 |

| | | | |
|-----|------|------------------------|-----------------|
| 23. | S-31 | 7300-200-7500-250-8000 | 22400-600-26000 |
| 24. | S-32 | 7600/-Fixed | 24050-650-26000 |
| 25. | S-33 | 8000/-Rxed | 26000- Fixed |

SCHEDULE 2

Form of Option

[See Rule 6-(1)] *(i) I.....hereby elect the revised scale with effect from 1st January, 1996. *(ii) I.....hereby elect to continue on the existing scale of pay of my substantive/officiating post mentioned below until: * the date of my next increment the date of my subsequent increment raising my pay to Rs..... I vacate or cease to draw pay in the existing scale Existing Scale *(iii) I.....hereby elect to draw my increment falling on 1.1.1996 \ (a) in the existing scale OR \ (b) in the revised scale ** \ \ \ \ Signature.....

Name.....

Designation..... Office in which employed..... Date: Station : *To be scored out if not applicable. ** Ref. Noce 2 of Rule 7. ACKNOWLEDGEMENT Received from *Shri/Smt./Kum..... *S/o D/o W/o.....

Designation..... Office/Station..... an option : (i) electing the revised scales of pay for all the posts from the 1st day of January, 1996. * (ii) electing to continue on the existing scale of pay of his substantive /officiating post mentioned below until * the date of his next increment * the date of his subsequent increment raising his pay to Rs..... * he vacates or ceases to draw pay in the existing scale. Existing Scale..... * (iii) electing to draw his increment falling on 1.1.1996 *(a) in the existing scaleOR *(b) revised scale** Signature.....

Designation..... Office in which employed..... Date : Station: