

INDIAN RAILWAY ESTABLISHMENT CODE

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

**INDIAN RAILWAY ESTABLISHMENT CODE
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In this volume, side by side with the Rule number, the number of corresponding rule in the fundamental Rules or in the supplementary Rules has been indicated in brackets, the abbreviation 'F.R.' standing for Fundamental Rules and 'S.R.' for Supplementary Rules.

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AJIT CHANDRA
 Executive Director (Accounting Development)
 Railway Board
 March, 1988

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CHAPTER 13
RAILWAY FUNDAMENTAL RULES-PAY AND INCREMENT

1301. (F.R.9) Definitions.—Unless there be something repugnant in the subject or context, the terms defined in Vol.I of this Code are applicable to this Chapter and succeeding Chapters of this volume.

1302. (F.R.17) (1)--Pay and Allowances.— Subject to any exceptions specifically made in these rules and to the provision of sub-rule (2) a railway servant shall begin to draw the pay and allowances attached to his tenure of post with effect from the date he assumed the duties of the post, and shall cease to draw them as soon as he ceases to discharge those duties:

Provided that an officer who is absent from duty without any authority shall not be entitled to any pay and allowances during the period of such absence

Audit Instructions

Date of reckoning pay and Allowances. --(1) Government servant will begin to the pay and allowances attached to his tenure of post with effect from the date on which he assumes the duties of that post if the charge is transferred before noon of that date. If the charge is transferred in the afternoon, he commences to draw them from the following day. This rule does not, however, apply to cases in which it is the recognised practice to pay a Government servant at higher rate for more important duties performed during a part only of a day.

(2) The date from which a person recruited overseas shall commence to draw pay on first appointment shall be determined by the general or special orders of the authority by whom he is appointed.

1303. (F.R.9) (21) (a)-Pay.— Pay means the amount drawn monthly by a Government servant as :-

- (i) the pay other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre: and
- (ii) overseas pay, special pay and personal pay; and
- (iii) any other emoluments which may be specifically classified as pay by the President .

Average Pay. —Average Pay means the average monthly pay earned during the 12 complete months immediately preceding the month in which the event occurs which necessitates the calculation of average pay:

Provided that in respect of any period spent on foreign service out of India the pay which the railway servant would have drawn if on duty in India but for foreign service out of India shall be substituted for the pay actually drawn:

Provided further that in the case of railway servants entitled to running allowance, average pay for the purpose of leave salary shall include a fixed component representing pay element in the running allowances as notified by government through administrative instructions from time to time.

Audit Instructions

(1) **Average Pay.** —According to the definition of "average pay" in this Rule, the average is to be taken of the monthly pay earned during the 12 complete months immediately preceding the month in which the leave is taken and for this purpose "the 12 complete month immediately preceding" should be interpreted literally.

(2) **Definition of month**—The term "month" in this Rule means "calendar month" in calculating a period expressed in terms of months and days, complete calendar months, irrespective of number of days in each, should first be calculated and the odd number of days calculated subsequently.

(3) **Ministerial servant** means a railway servant of a subordinate service whose duties are entirely clerical and any other class of servant specially defined as such by general or special order of a competent authority.

(4) In the case of Civil Government servant sent for training or embodied/called upon for duty in the Territorial Army, Auxiliary Air Defence Reserve, the leave salary should be calculated on the basis of the pay which he would have received if he had not proceeded on training etc. the pay under the Army/ Air Force Rules actually drawn during the period of training or embodiment should not be taken into account for this purpose.

1304. (F.R. 9) (20)-Overseas Pay.--Overseas pay means pay granted to a railway servant in consideration of the fact that he is serving in a country other than the country of his domicile.

1305. (F.R. 9) (23)--Personal Pay.--Personal pay means additional pay granted to a railway servant-

- (a) to save him from a loss in substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure; or
- (b) in exceptional circumstances, on other personal considerations.

Government of India's decision

(1) All cases in which it is proposed to grant personal pay under F.R.9 (23) (b) may be referred to the Railway Board. In submitting such cases the instructions conveyed in Railway Board's letter No.0193-F dated the 6th September, 1938 should be carefully borne in mind.

(2) **Principles to determine grant of personal pay.** --The following principles should be strictly observed for the grant of personal pay under F.R.9 (23) (b): --

No application for the grant of a compensatory personal pay should be entertained unless--

- (a) the officer's service has been consistently satisfactory and has been of a character superior to what is ordinarily expected of the incumbent of the appointment;
- (b) the officer is fit for promotion but there is no possibility of giving him any advancement in the near future; and
- (c) the officer has been at least for the five years on the same pay or if his pay is progressive, on the maximum pay of his appointment.

The mere fulfilment of the conditions mentioned above should not be regarded as securing a personal pay to an officer as a matter of course, the purpose of the conditions being to enable obviously weak claims to be summarily rejected.

(M.F.D. No. D-4171-Ex-II/33 dt.26-10-33)

1306. (F.R. 9 (24))--Presumptive pay of a post.--When used with reference to any particular railway servant, means the pay to which he would be entitled if he held the post substantively and were performing its duties; but it does not include special pay unless the railway servant performs or discharges the work or responsibility, in consideration of which the special pay was sanctioned.

Audit Instructions

Presumptive pay of a post. --The first part of the definition is intended to facilitate the use of the term in relation to a Government servant who has been absent from a post for some time but still retains lien on it.

1307. (F.R. 9 (25))--Special Pay:--means an addition, of the nature of pay, to the emoluments of a post or of a railway servant, granted in consideration of--

- (a) the specially arduous nature of duties; or
- (b) a specific addition to the work or responsibility and includes non-practicing allowance granted to doctors in lieu of private practice.

Authority competent to grant special pay.--The power of granting special pay as defined in this Rule shall be exercised only by the authority empowered to regulate the scales of ordinary pay.

(G.I., H.D.letter No.F-272-23 dated 16th Sept. 1926)

Railway Ministry's Orders

Two rates of Special Pay. --When a post on the cadre of a service carries different rates of special pay for "old entrants" and "new entrants", single rate of special pay should be granted to all future incumbents of the post and that this should be the rate, if any, considered suitable for "new entrants".

(Railway Board's letter No. 9916-F-IV dt. 25th May, 1938.)

Audit Instructions

Calculation of Special Pay in certain cases.--When special pay has been sanctioned in the form of a portion or percentage of pay in the ordinary line and the pay in the ordinary line includes an element of sterling overseas pay, such special pay should be determined as follows—

- (a) the special pay is admissible on the sterling overseas pay as well as on the rupee basic pay;
- (b) the special pay must be expressed and drawn wholly in rupees;
- (c) the sterling overseas pay should for the purpose of calculating the special pay be converted into rupees at the rate of 1\$.6d. to the rupee.

Audit Ruling

A provision in the contract of a Government servant appointed to a particular post that he should "also do all things that may be required of him" does not contemplate his being required to perform onerous additional duties in another post without remuneration.

1308. (F.R. 9 (27)) -- Substance grant means a monthly grant made to a railway servant who is not in receipt of pay or leave salary.

1309. (F.R.9(28)): -- **Substantive Pay** means the pay other than special pay, personal pay or emoluments classed as pay by the President under Rule 1303(iii), to which a railway servant is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.

NOTE--In the case of a person with a lien on a permanent post under a State Government, "Substantive Pay" means the "substantive pay" as defined in the relevant rules of the State Government concerned.

1310. (F.R. 9 (31) (a)) Time-scale pay means pay which, subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to a maximum. It includes the class of pay formerly known as progressive.

(b) Time-scales are said to be identical if the minimum, the maximum, the period of increments and the rate of increment of the time-scales are identical.

(c) A post is said to be on the same time-scale as another post on a time-scale, if the two time-scales are identical and the posts fall within a cadre, or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility, in a service or establishment or group of establishments; so that the pay of the holder of any particular post is determined by his position in the cadre or class, and not by the fact that he holds that post.

Railway Board's Orders

Method of calculation of average cost of a post on a time-scale of pay. --(a) The President has decided that in the case of Groups C and D establishment on a time-scale of pay, the mean cost of the scale of pay applicable to such establishment should be taken to be the 'average cost' of that time-scale.

(b) The 'average cost' of a Group A or B post should be worked out in accordance with the following formula—

$$\text{Average cost} = \frac{A+C(-A)}{2+2} \quad [1-(S+1)\{ \frac{1-.004}{G-E} \}]$$

Where-

A- minimum pay,

C-pay just before promotion to the second grade,

S-period of rise from A to C,

E-average age at entry in the first grade, and

G-average age at the time of promotion to the second grade

(Railway Board's letter No.2038-F,dt 11th Jan 1937)

1311. F.R.20--Pay during periods treated as Duty under Rule 103(15), (a) (F.R.9 (6) (b)). - In respect of any period treated as duty under Rule 103 (15) (a) (F.R.9 (6) (b)), a railway servant may be granted such pay as competent authority may consider equitable but in no case exceeding the pay which the Railway Servant would have drawn had he been on duty other than under rule F.R.9 (6) (b).

Government of India's decision

(1) Pay during training of the officers of A.I.R.O.-- A Government servant, who as an officer of the Army in India Reserve, carries out his military training on the expiry of leave out of India taken from his civil appointment, and before joining his civil appointment for duty, should receive pay as follows—

- (i) Joining time civil pay from the date of disembarkation in India to the date preceding that on which his military training commenced.
- (ii) Full civil pay during the period of training.

(G.I.,F.D.No.F-14(25)-R.1/31 dt. 17th August.1931.)

(2) Pay during training of Reservists of the Indian Army in civil Employ. --A reservist of the Indian Army in Civil employ will, when called up for periodical military training receive military pay allowances. He will also receive the excess, if any, of the civil pay over his military pay, provided that this concession is specifically sanctioned by the Department of the Government of India or attached and subordinate office concerned, or by the Local Government in whose employ the reservist is serving in his Civil capacity. Except where the Civil pay of the reservist is met from the Army Estimates, the extra expenditure involved will not constitute a charge against the Army Estimates.

The periods spent in training and on the journey to and from the place of training, will be treated as duty for purposes of Civil leave, pension and increments of Civil pay.

(G.I.F.D.No.F-22-R.1/32 dt. 14th April, 1932.)

(3) Pay of temporary/officiating railway servants during the period treated as duty under F.R.9 (6)(b). - In the case of a temporary/officiating railway servant without any lien on a permanent post treated as on duty under the said rule the authority to whom powers have been delegated under F.R.20 (511) may fix the rate of pay to be given to him for such period, provided that it shall not, in any case, be more than the officiating pay which the railway servant would have drawn in the normal course.

(Railway Board's letter No.F(E) 59/FR-1/2 dt.25th May 59.)

Audit Instructions

(1) Pay during training of an officiating officer- A Government servant who is treated as on duty during a course of instruction or training and who, at the time when he was placed on such duty, was drawing higher pay on account of an officiating appointment but for such instruction or training, be allowed to draw pay equivalent to what he would have drawn had he been holding the officiating appointment.

(2) Interpretation of certain expressions used in F.R.20 (Rule 1311). – The expressions “the pay of any officiating appointment” occurring in F.R.20 (Rule 1311) should be taken to mean “the pay which the Government servant drew in the post which he held substantively” and “the pay which the Government servant drew in the post in which he officiated” respectively. In neither case is there any restriction on the kind ‘pay’ to be drawn, and the expression should, therefore, be held to include special pay, if any, which the Government servant drew in the post which he held substantively or in an officiating capacity.

1312. (F.R.21)--Time Scale Pay. --Rules 1313 to 1323 (F.R.22 to 29) and Rule 1326 (F.R.31) shall not apply to any time scale of pay in so far as they are inconsistent with the specific terms sanctioned for such time scale by the President.

1313. (FR-22) (i) –The initial pay of a railway servant who is appointed to a post on a time scale of pay is regulated as follows:--

(a) (1) Where a railway servant holding a post, other than a tenure post, in a substantive or temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity as the case may be, subject to the fulfillment of the eligibility conditions as prescribed in the relevant Recruitment Rules, to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time scale of the higher post shall be fixed at the stage next above the notional pay arrived at by increasing his pay in respect of the lower post held by him regularly by an increment at the stage at which such pay has accrued or rupees twenty five only, whichever is more.

Save in cases of appointment on deputation to an ex-cadre post, or to a post on ad-hoc basis, the railway servant shall have the option, to be exercised within one month from the date of promotion or appointment as the case may be, to have the pay fixed under this rule from the date of such promotion or appointment or to have the pay fixed initially at the stage of the time scale of the new post above the pay in the lower grade or post from which he is promoted on regular basis, which may be re-fixed in accordance with this rule on the date of accrual of next increment in the scale of the pay of the lower grade or post. In cases where an ad-hoc promotion is followed by regular appointment without break, the option is admissible as from the date of initial appointment/promotion, to be exercised within one month from the date of such regular appointment:

Provided that where a railway servant is, immediately before his promotion or appointment on regular basis to a higher post, drawing pay at the maximum of the time scale of the lower post, his initial pay in the time scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post held by him on regular basis by an amount equal to the last increment in the time scale of the lower post or rupees twenty five, whichever is more;

(2) When the appointment to the new post does not involve such assumption of duties and responsibilities or greater importance, he shall draw as initial pay, the stage of the time scale which is equal to his pay in respect of the old post held by him on regular basis, or, if there is no such stage, the stage next above his pay in respect of the old post held by him on regular basis;

Provided that where the minimum pay of the time scale of the new post is higher than his pay in respect of the post held by him regularly, he shall draw the minimum as the initial pay;

Provided further that in a case where pay is fixed at the same stage, he shall continue to draw that pay until such time as he would have received an increment in the time scale of the old post; in cases where pay is fixed at the higher stage, he shall get his next increment on completion of the period when an increment is earned in the time scale of the new post.

On appointment on regular basis to such a new post, other than to an ex-cadre post on deputation, the Railway servant shall have the option, to be exercised within one month from the date of such appointment, for fixation of his pay in the new post with effect from the date of appointment to the new post or with effect from the date of increment in the old post.

(3) When appointment to the new post is made on his own request under (Rule 227 (a) (2)-RI (FR-15A) (2)) and the maximum pay in the time scale of that post is lower than his pay in respect of the old post held regularly, he shall draw that maximum as his initial pay.

(b) If the conditions prescribed in clause (a) are not fulfilled, he shall draw as initial pay on the minimum of the time scale.

Provided that, both in cases covered by clause (a) and in cases, other than the cases of re-employment after resignation or removal or dismissal from the public service, covered by clause (b), if he;

(1) has previously held substantively or officiated in –

- (i) the same post, or
- (ii) a permanent or temporary post on the same time scale; or
- (iii) a permanent post or a temporary post (including a post in a body, incorporated or not, which is wholly or substantially owned or controlled by the Government) on an identical time scale; or

(2) is appointed subject to the fulfillment of eligibility conditions as prescribed in the relevant recruitment rules to a tenure post on a time scale identical with that of another tenure post which he has previously held on regular basis; then the initial pay shall not, except in cases of reversion to parent cadre, governed by proviso (1) (iii) be less than the pay, other than special pay, personal pay or any other emoluments which may be classed as pay by the President under Rule 1303 (iii)- RII (FR-9 (21) (a) (iii)) which he drew on the last occasion, and he shall count the period during which he drew that pay on a regular basis on such last and any previous occasions for increment in the stage of the time scale equivalent to that pay. If, however, the pay last drawn by the Railway servant in a temporary post had been inflated by the grant of premature increments, the pay which he would have drawn but for the grant of these increments shall, unless otherwise ordered by the authority competent to create the new post, be taken for the purposes of this proviso to be the pay which he last drew in the temporary post which he

had held on a regular basis. The service rendered in a post referred to in proviso (1) (iii) shall, on reversion to the parent cadre, count towards initial fixation of pay, to the extent and subject to the conditions indicated below: -

- (a) The Railway servant should have been approved for appointment to the particular grade or post in which the previous service is to be counted;
- (b) All his seniors, except those regarded as unfit for such appointment, were serving in posts carrying the scale of pay in which benefit is to be allowed or in the higher posts, whether in the Department itself or elsewhere and at least one junior was holding a post in that Department carrying the scale of pay in which the benefit is to be allowed; and
- (c) The service will count from the date his junior is promoted on a regular basis and the benefit will be limited to the period the railway servant would have held the post in his parent cadre had he not been appointed to the ex-cadre post.

Railway Board's Orders

(1) These rules will not apply to ad-hoc promotions from Group 'B' to Group 'A' and ad-hoc promotions within Group 'A' for which separate orders issued by Railway Board will good.

(2) Duties and responsibilities of greater importance for the purpose of Rule 1313(FR-22):

- (i) For the purpose of fixation of substantive pay (including presumptive pay) a junior scale post shall be deemed to carry duties and responsibilities of greater importance than those attached to Class II post (including the post of an Assistant Accounts Officer).

(This takes effect from 2nd July, 1959)

- (ii) Appointments of the following classes shall be deemed to involve the assumption of duties and responsibilities of greater importance-
 - (a) appointment to the Assistant Officer's grade or Lower Gazetted Service from a non- gazetted post;
 - (b) appointment to the District Grade from an Assistant Officer's or lower grade post;
 - (c) appointment to junior administrative post from the District or Lower grade;
 - (d) appointment to a senior or inter-administrative post from a junior administrative post or from a lower grade;
 - (e) appointment to a senior administrative post from an intermediate administrative post;
 - (f) appointment to a senior administrative post in the erstwhile scale of Rs.1800-2250 from a senior administrative post in the scale of Rs. 1800-2200 (RS).

(3) A temporary post on a certain rate of pay (fixed or time-scale) which is converted into a permanent post on a different rate of pay is not the same post as the permanent post even though the duties remain the same.

II. The President may specify posts outside the ordinary line of service the holder of which may, notwithstanding the provisions of this rule and subject to such conditions as the President may prescribe, be given officiating promotion in the cadre of the service which the authority competent to order promotion may decide, and may thereupon be granted the same pay whether with or without any special pay attached to such posts as they would have received if still in the ordinary line.

III. For the purpose of this rule, the appointment shall not be deemed to involve the assumption of duties and responsibilities of greater importance if the post to which it is made is on the same scale of pay as the post, other than a tenure post, which the railway servant holds on a regular basis at the time of his promotion or appointment or on a scale of pay identical therewith.

IV. Notwithstanding anything contained in this rule, where a railway servant holding an ex-cadre post is promoted or appointed regularly to a post in his cadre, his pay in the cadre post will be fixed only with reference to his presumptive pay in the cadre post which he would have held but for his holding any ex-cadre post outside the ordinary line of service by virtue of which he becomes eligible for such promotion or appointment.

(Authority No. F (E)II/89/FR-1/1 dated 12-12-1991)

1314. (F.R.22A)--Fixation of pay on re-appointment.--The initial substantive pay of a railway servant who is appointed substantively to a post on a time scale of pay which has been reduced for reasons other than diminution in the duties or responsibilities attached to posts thereon, and who is not entitled to draw pay on the time scale as it stood prior to reduction is regulated by Rule 1313 (F.R.-22) provided that in the case of re-appointment on or after 1-6-1950 both in cases covered by clause 'a' of that Rule and in cases other than those of re-employment after resignation from the public service covered by clause 'b', that if he either-

(1) has previously held substantively or officiated in—

- (i) the same post prior to reduction of its time scale, or
- (ii) a permanent or temporary post on the time scale as the unreduced time scale of the post; or
- (iii) a permanent post other than a tenure post or a temporary post, on time scale of pay identical with the unreduced time scale of the post, such temporary posts being on the same timescale as a permanent post other than a tenure post;

OR

- (2) is appointed substantively to a tenure post, the time scale of which has been reduced without a diminution in the duties or responsibilities attached to it and has previously held substantively or officiated in another tenure post on a time scale identical with the unreduced time scale of the tenure post:

then the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay by the President, under Rule 103(35) (FR-9) (21) (a) (3) which he would have drawn under Rule 1313 (F.R.22) on the last such occasion, if the reduced time scale of pay had been in force from the beginning and he shall count for increments the period during which he would have drawn that pay on such last and any previous occasion.

1315. (F.R.22B) (1).--Notwithstanding anything contained in these rules, the following provisions shall govern the pay of a railway servant who is appointed as probationer in another service or cadre and subsequently confirmed in that service or cadre-

- (a) during the period of probation he shall draw pay at the minimum of the time scale or at the probationary stages or the time scale of the service or the post, as the case may be:

Provided that if the presumptive pay of the permanent post, other than a tenure post, on which he holds a lien or would hold a lien had his lien been not suspended; should at any time be greater than the pay fixed under this clause, he shall draw the presumptive pay of the permanent post;

- (b) On confirmation in the service or post after the expiry of the period of probation, the pay of the railway servant shall be fixed in the time scale of the service or post in accordance with the provisions of the Rule 1313 (F.R. 22) or Rule 1316 (F.R.22 C) as the case may be:

Provided that the pay shall not be so fixed under Rule 1313 (F.R. 22) or Rule 1316 (F.R.22C) with reference to the pay that the railway servant would have drawn in the previous post held by him in temporary capacity and he shall continue to draw pay in the time scale of service or post as admissible under the normal rules.

(Rly. Board's letter No. F(E)II/79/FR-1/3 dated 12-3-1980.)

(2) The provisions contained in sub-rule (1) shall apply mutatis-mutandis to cases of railway servants appointed on probation with definite conditions against temporary post in another service or cadre whether recruitment to permanent post as such service or cadre is made as probationers, except that in such cases the fixation of pay in the manner indicated in clause 'B' of sub-rule (1) shall be done under Rule 1326 (F.R.31) immediately on the expiry of the period of probation and on regular officiating appointment to a post either permanent or temporary in the service or cadre.

(3) Notwithstanding anything contained in these rules, a railway servant appointed as an Apprentice in another service or cadre shall draw-

- (a) during the period of Apprenticeship, the stipend or pay prescribed for such period provided that if the presumptive pay of the permanent post other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended, should at any time be greater than stipend or pay fixed under this clause, he shall draw the presumptive pay of the permanent post;
- (b) on satisfactory completion of the Apprenticeship and regular appointment to a post in the service or cadre, the pay as fixed in the time scale of the service or post under Rule 1313 (F.R.22) or 1316 (F.R.22C) or Rule (F.R.31) as the case may be:

Provided that the pay shall not be so fixed with reference to the pay that the railway servant would have drawn in the previous post held by him in temporary capacity and he shall continue to draw pay in the time scale of service or post admissible under the normal rules.

(Rly. Board's letter No. F(E)II/79/FR-1 dated 12-3-80.)

1316. (F.R.22 C). ----Deleted except President's Decisions and Railway Board's Orders .

(Authority: Railway Board's letter No. F(E)II/89/FR-1/1 dt.12.12.91)

PRESIDENT'S DECISIONS

(1) A question has been raised as to whether the provisions of Rule 1316 would be applicable even in cases of promotion to ex-cadre post

It is clarified that Rule 1316 shall be applicable in such cases also provided that railway servant is entitled to draw pay in the scale of pay attached to the higher ex-cadre post, in accordance with the terms of deputation or transfer sanctioned for him. Where, however, according to the terms of deputation or transfer railway servant is given his grade pay of the post held by him in his own cadre plus a deputation allowance or special pay at a fixed rate or related to such grade pay, the question of applying provisions of Rule 1316 shall not arise.

Similarly, in the case of a railway servant who draws pay in the scale of pay attached to an ex-cadre post if he reverts to his parent cadre, and is appointed in that cadre to a post higher than the ex-cadre post immediately held before reversion, his pay shall be fixed in accordance with Rule 1316 with reference to the pay drawn or admissible to him in the post in his cadre except that the benefit of service rendered upto 17-11-1966 in an ex-cadre post in an identical time scale of pay or in higher scale shall be given for pay fixation/increments in the post in the parent service/cadre to which the officers reverts to the extent admissible under orders in force prior to 18-11-1966. These cases also, the orders shall not be applicable if in the ex-cadre post, the railway servant has been allowed to draw pay on the basis of his pay in parent cadre and a deputation allowance or special pay.

(E(P&A) II / 73/ PP-3 dated 16.5.73.)

(2) Whether the benefit of fixation of pay under Rule 1316 (F.R. 22C) can be given in the case of terms under 'Next Below Rule'.

It is clarified that Rule 1316 (F.R.22C) can be applied in fixing pay under 'Next Below Rule'.

(3) Under Rule 1316 certain points of doubt under the above order are clarified as under: --

Points	Clarification
(i) Whether It would be admissible to step up the pay of a senior railway servant in terms of Rule 1316 if the promotion of junior railway servant is in a lien/short term vacancy.	The benefit of stepping up of pay of seniors with reference to that of juniors can be given only in cases where the promotions of the senior and the junior are on a regular basis.
(ii) How the orders regarding stepping up of pay will be applied in cases where the pay of a senior employee promoted earlier has been withheld or has been reduced to a 'lower stage' in the time scale in the higher, post with or without cumulative effect.	In cases where the increment in the higher post has been withheld or where a railway servant's pay is reduced to a lower stage in the time scale of the higher post without cumulative effect, the orders of stepping up will be applicable from the date of expiry of the penalty by which time a junior had already been promoted subject to the fulfillment of other conditions laid down therein. In the case of persons whose increment has been withheld or whose pay has been reduced to a lower stage of the time scale in the higher post with cumulative effect, the orders of stepping up shall not be applicable.
(iii) Whether the orders of stepping up would apply to persons whose juniors pay in the lower post was inflated on account of the proviso to and exception below Rule 1313 (F.R.22)--having been allowed.	If as a result of application of the proviso to and the exception below Rule 1313 (F.R.22) the pay of the junior is more than that of the senior in the lower post, there would be no question of stepping up the pay of the senior in the higher post. If despite the application of the proviso to and the exception below Rule 1313 (F.R.22) the

<p>(iv) Whether the orders of stepping up would be applicable to a railway servant in the lower post who is promoted to the higher post earlier than his senior due to high ranking given to him, if the senior in the lower post who is promoted later gets a higher pay.</p> <p>(v) In cases where the list of seniority in the lower post is maintained locally and in higher posts the same is maintained on all-railways basis, how the orders of stepping up will be made applicable?</p>	<p>junior's pay is less than that of the senior and on promotion the former's pay happens to be greater than the pay of latter by virtue of the provisions of Rule 1316 (F.R.22C), stepping up will have to be done with reference to the actual pay drawn by the junior in the higher post.</p> <p>No. The orders of stepping up are not applicable in cases where the junior employee in the lower grade is promoted earlier due to high ranking given to him by the Selection Board and the senior employee (in the lower grade) is promoted later.</p> <p>According to the provisions of stepping up orders, both the junior and senior railway servants should belong to the same cadre. To illustrate, in a case where a senior employee of one seniority (promotion) group maintained locally is promoted earlier to a higher post on the basis of list of seniority which is maintained on all-railway basis, he can get his pay stepped up only with reference to the pay of a junior belonging to the same seniority group in the lower post which was maintained locally.</p>
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(Board's letter No. PC-65/PP-1 dated 18-9-1965 and PC-60/PP-1 dated 19-3-1966)

<p>(vi) How the pay of a railway servant fixed under this Rule on promotion to a higher post should be regulated when a junior to him in the lower post is promoted to the same higher post after earning increments in the lower post and thereby getting his pay in the higher post fixed at a stage higher than that of the senior railway servant.</p>	<p>In order to remove anomaly, the railway servant may be given an option for fixation of his pay on promotion as under: --</p> <p>(a) Either his initial pay may be fixed in the higher post on the basis of Rule 1316 (F.R.22C) straightaway without any further review on accrual of increment in the pay scale of the lower post</p> <p>or</p> <p>(b) His pay on promotion may be fixed initially in the manner as provided under Rule 1313 (F.R.22 (A)(1)) which may be re-fixed on the basis of the provisions of Rule 1316 (F.R.22C) on the date of accrual of next increment in the scale of pay of the lower post.</p> <p>If the pay is fixed under (b) above, the next date of increment will fall due on completion of 12 months qualifying service from the date the pay is re-fixed on the second occasion.</p> <p>Option may be given within one month of the date of the promotion. Option once exercised shall be final. This is applicable to promotions effected on or after 1-5-81.</p>
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(Railway Board's letter No. E(P&A)II-81/PP-4 dated 13-11-1981.)

(4) Whether the increase by one increment in the lower scale as contemplated in Rule 1316 should be given as a matter of course while fixing the pay in the higher post or that an order of the competent authority allowing the railway servant to cross the efficiency bar in the lower scale if involved should be required before fixing pay in the higher post.

It has been decided that no orders of passing the efficiency bar in the lower scale are necessary for the purpose of fixing the pay in the higher post.

(Authority Board's letter No.PC-60/PP/1 dated 1-1-1962.)

(5) (i) In regard to re-fixation of pay on confirmation in a post after introduction of Rule 1316 (F.R.22C).--(i) A question has been raised as to how the pay on substantive appointment to a post should be regulated after introduction of Rule 1316 (F.R.22C). It has been decided that as in the case of railway servants who are governed by Rule 1313 (F.R.22) and whose officiating pay has been fixed under Rule 1326 (F.R.31) read with Rule 1313 (F.R.22), confirmation is an occasion for re-fixation of pay. Their pay on confirmation should be re-fixed but this re-fixation shall be under the Rules applicable to the railway servant but for introduction of Rule 1316 (F.R.22C). However, if any junior promoted after 1-4-1961 gets pay more than his seniors, the seniors will be entitled to the benefit of stepping up of their pay if the same is advantageous to them.

(ii) It is further clarified that on the introduction of Rule 1316 (F.R.22C) with effect from 1-4-1961, confirmation is not an occasion for re-fixation of pay if pay had once been fixed under that rule.

(Railway Board's letter No. PC-60/PP-1 dated 27-6-1966.)

(6) The position in regard to application of Rule 1316(F.R.22C).--In cases of railway servants who are appointed to higher posts with the approval of Union Public service Commission and in whose case the Commission have made a specific recommendation regarding the initial pay is that in a case where the Union Public Service Commission recommend a specific rate of pay to be given to the railway servants, the person concerned should be eligible for that rate of pay. However, if on the contrary the Commission recommend that the pay should be fixed under the 'normal rules' then the pay may be fixed under Rule 1316 (F.R.22C) subject, of course to the condition that the post is higher than the post previously held by the employee.

In order to enable the Accounts/Audit authorities to see that the pay has been fixed in accordance with the above, in all cases of appointment of Government/railway servants to other posts through Union Public Service Commission/Railway Recruitment Board, re-recommendation of the Commission in the matter of pay i.e. whether it is a specific rate of pay or pay to be fixed under the "normal rules", as the case, may be should invariably be indicated in the order or notification appointing the employee concerned to the railway post.

(Rly. Board's letter No.PC-64/PP-4 dated 7-9-1966.)

(7) Reference Para 3 of President's Decision No.1 under Rule 1316 (F.R.22C). A point has been raised as to how the pay of a person reverting from an ex-cadre post to an identical/equivalent cadre post in the parent department is to be fixed.

It has been decided that where a person goes from post 'A' in his parent department to a post 'B' else where and reverts to post 'C' in his parent department and post 'C' is higher than post 'A' but not higher than post 'B', the pay in the post 'C' should be fixed under Rule 1316 (F.R.22C) with reference to pay in post 'A'. However, the service rendered against post 'B' upto 17-11-66 shall be taken into account in fixing the pay against post 'C', if this is more advantageous to the railway servant.

(8) Application of Rule 1316 (F.R. 22-C) to State Government servants on appointment to higher posts under the Administrative Control of the Railway Board. A question has been raised as to whether Rule 1316 (F.R. 22-C) is applicable to State Government servants on appointment to higher posts under the Government of India and whether for purpose of fixation of pay of state Government servants on appointment under the Government of India, the Dearness Allowance admissible under the State government may be included in basic Pay. It has been decided that—

- (i) When a State Government servant is appointed to a railway post which carries duties or responsibilities of greater importance than those attaching to the post held by him under the State Government, the initial pay of the official in the railway post shall be fixed under Rule 1316 (F.R. 22-C) at the stage next above the pay of the post of State Government as arrived at under (ii) below.
- (ii) The Pay of the post in the State Government shall first be increased by one increment and Dearness Allowance if any admissible under the State Government which shall be treated as basic pay for the purpose of fixation of pay in the railway post shall be added there-to subject to the following conditions: -
 - (a) The maximum amount of Dearness Allowance to be taken into account will be Rs.100 or the actual amount of Dearness Allowance that will be taken into account by the State Government concerned for fixation of pay in their revised scales, if revision has taken place, whichever is less.
 - (b) From the basic pay so arrived at, the dearness Allowance at the revised rates admissible according to the Railway Rules should be deducted.

NOTE (1).--For assessing the relative degrees of responsibility of the posts under the state Government and those under the railway Board, all relevant factors including the duties attached to the post, will be taken into consideration.

NOTE (2).--However when a State Government servant drawing pay in the revised scale (after merging of dearness Allowance) under the State Government is appointed to a post on the railways and the post carries duties or responsibilities of greater importance than those attaching to the post held by him under the state Government, the initial pay of the official in the railway post should be fixed under Rule 1316 (F.R. 22-C) with reference to his basic pay only and the provisions contained in para (ii) (a) and (b) will not apply in such cases. (Board's letter No.PC-64/PP/4 dated 21st April 1964 and No.PC-66/PP/9 dated 2nd December, 1966).

(9) (i) By a strict application of the above rule, it may happen that a railway servant promoted or appointed to a higher post on or after 1st April, 1961 may draw a lower rate of pay in that post than another railway servant, junior to him in the lower grade and promoted or appointed subsequently to another identical post.

(ii) In order to remove this anomaly it has been decided that in such cases the pay of the senior employee in the higher post should be stepped up to a figure equal to the pay as fixed for the junior employee in that higher post. The stepping up should be done with effect from the date of promotion or appointment of the junior employee and will be subject to the following conditions namely:-

(a) Both the junior and senior employees should belong to the same cadre and the posts in which they have been promoted or appointed should be identical and in the same cadre;

(b) The scales of pay of the lower and higher posts in which they are entitled to draw pay should be identical; and

(c) The anomaly should be directly as a result of the application of Rule 1316 (F.R. 22-C). For example, if even in the lower post the junior employee draws from time to time a higher rate of pay than the senior by virtue of fixation of pay under the normal rules, say due to grant of advance increments or due to accelerated promotion, etc., the provisions contained in this letter will not be invoked to step up the pay of the senior employee.

(iii) The orders refixing the pay of the senior employees in accordance with the provisions of this letter shall be issued under Rule 1321 (F.R.27).

The next increment of the senior employee will be drawn on completion of the requisite qualifying service with effect from the date of refixation of pay.

NOTE: These provisions are also applicable to cases where a senior Railway servant promoted to a higher post before 1.1.1973 draws less pay in the revised scales promulgated on the recommendations of the 3rd Pay Commission when his junior promoted to that higher post after 1.1.1973 provided the scales of the lower and higher posts in question, both revised and unrevised, are identical. The benefit of stepping up is admissible only if the promotions are on regular basis.

Authority: Ministry of Railways' letter No. E(P&A)II/90/PP-2, dated 30-11-1990.

(iv) These orders take effect from 2nd February 1966. Cases of seniors drawing less pay than juniors in respect of promotions occurring on or after 1st April, 1961 may also be regulated under these orders but the actual benefit would be admissible from 2nd February, 1966.

(10) The benefit of stepping up of pay under President's Decision above, should also be allowed to such of the seniors as are confirmed in the higher grade before the junior is promoted to the higher grade. In such cases the conditions for the eligibility to the benefit of stepping up of pay, viz, conditions (a) and (c) of para 2 Decision No. 4 should be determined with reference to the date on which the senior employee was promoted to the higher post but the quantum of stepping up of pay will depend on the pay admissible to the junior man on the date of his promotion to the higher post.

(Board's letter No.PC-60/PP/1, dated 22nd July,66.)

(11) Benefit of pay admissible in an intermediary higher post which would have been held by a railway servant but for his promotion to still higher post. The point whether after introduction of rule 1316 (F.R.22-C) a railway servant, who, while holding a post is appointed to officiate in a higher post, can be allowed protection of officiating pay of an intermediary post to which he would have been appointed in an officiating capacity but for his officiating pay of the intermediary post happens to be higher than the officiating pay admissible in the higher post, has been considered and it has been decided that-

(i) The pay that the railway servant would have got from time to time in the intermediary post but for his appointment in the higher post shall be protected by grant of personal pay, from the date his next (eligible), junior in the relevant seniority (promotion) group is promoted to the intermediary post. The pay in the higher post will not be refixed under Rule 1316 (F.R.22C) with reference to the proforma pay in the intermediate grade.

- (ii) In case any junior is promoted to the higher post after first getting promotion in the intermediary post, the senior directly promoted to the higher post, will be entitled to the benefit of stepping up if due, in terms of President's Decision No.3 above.

(PC-64/PP/5, dated 5-1-1967 and 8th March, 1968.)

Railway Board's Orders

A point has been raised as to how the pay of a railway servant who happens to be promoted to two different post carrying higher responsibilities on the same date should be regulated after the introduction of Rule 1316 (F.R.22C) with effect from 1st April 1961.

- (i) He should be deemed to have been promoted first to the lower post and pay fixed under Rule 1316 (F.R.22-C) RII provided it is certified that he would have held this post for a period not less than 22 days but for his promotion to the higher post.
- (ii) He should subsequently be promoted to higher post and pay fixed under Rule 1316 (F.R.22-C) with reference to the pay arrived at in (i) above.

(Board's letter No.PC-57/PP/13 dated 27th July, 1967.)

1317. (F.R.23)-Change of pay of Post.--The holder of a post, the pay of which is changed shall be treated as if he were transferred to a new post on the new pay; provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment on the old scale, or until he vacates his post or ceases to draw pay on that time-scale. The option once exercised is final.

Audit Instructions

(1) Officiating Railway servants.--This rule applies to an officiating as well as to a substantive holder of a post.

(2) "Subsequent Increment".--The expression "subsequent increment in the old scale" in the proviso to F.R.23-- should be held to include grade promotion in cases in which a time-scale of pay has been substituted for a grade scale of pay.

Government of India's decision

The Government of India have decided that F.R. 23 equally applies in cases where a revision of pay is accompanied by change in status of a post. In such cases, the post virtually continues as before. Where, however, a revision of pay is concurrent with a specific change in the duties and responsibilities attached to the post, the old post will be deemed to have been substituted by a different post. In such cases the individual will be treated as having been appointed to a higher or lower post, as the case may be, and pay will be fixed under the relevant rules, and not under F.R.23.

(G.I., M.F. O.M.No, 1(40)EIII(A)65, dated 6-11-65.)

Government of India's Orders

Option available for upward/equivalent/downward revision. --A question has been raised whether the option under F.R.23 is available to the holder of a post, the time-scale of which is reduced or whether in such cases the Government servant should be brought on compulsorily to the reduced time-scale and his pay fixed thereon in accordance with F.R. 22-A matter has been carefully considered in consultation with the Ministries of Home Affairs, Law and the Comptroller and Auditor General and the following clarification is issued: -

- (1) Under F.R.23 the holder of a post, the pay of which is changed, is entitled to the option to retain his old pay until the date on which he has earned his next or any subsequent increment on the old scale, or until he vacates his post or ceases to draw pay on that time-scale.
- (2) In view of these provisions, it is clarified that in the case of a Government servant holding a post at the time of revision of the time-scale of that post, the option under F.R.23 as stated above shall be available to him irrespective of the fact whether the revision of the pay scale is in upward or equivalent or downward direction.
- (3) The question of fixation of pay in the revised scale under F.R. 22-A in cases of reduction of time-scale of pay of a post will arise only when the government servant does not opt under F.R.23 to retain the old scale.
- (4) In cases when a Government servant is not holding a post at the time of reduction of its time scale, but has held the same post prior to the reduction of the time-scale, the question of giving option under F.R. 23 to retain the old scale, on reappointment to the same post after the reduction of the scale of pay does not arise. In such cases on

reappointment after the date of reduction of the scale, the pay shall be fixed in accordance with the provisions of F.R. 22-A.

(G.I.,M.F.,O.M.No.2(62)-Estt.III/60 dt 29th August,1960)

Date of next increment in case of fixation at the minimum.- (1) When the scale of pay of a post is revised upwards without involving assumption of duties and responsibilities of greater importance, the fixation of pay of the incumbents is regulated under F.R.23 and F.R. 22 (a) (ii) read with Audit Instruction (I) below F.R.22. In other words, the pay of the incumbent is fixed at the same stage, if any, in the new scale and if there is no such stage, at the stage next below in the new scale and the difference allowed as personal pay to be absorbed in future increases in pay. In both the cases, the next increment will be drawn on the date of increment in the old scale or in the new scale, whichever is earlier.

2. In cases where the minimum pay of the revised scale is higher than the pay drawn by the Government servant in the old scale, his pay will be fixed at the minimum of the revised scale. A question has been raised as to when the Government servant will be eligible to draw the next increment after such initial pay fixation at the minimum of the scale.

3. It is hereby clarified that the next increment in the cases of the kind mentioned in the preceding paragraph should be allowed in the revised scale, only after completion of full incremental period of 12 months/24 months, as the case may be, at that stage, from the date of fixation of initial pay in the revised scale, subject to the provisions of F.R.26.

(G.I. M.H.A., Deptt. Of Personnel & A.R., O.M. No.F-13/14/83-Estt.P-I, dated the 9th January, 1984.)

1318. (F.R. 24) Increments in Time-scale. – An increment other than the increment next above an efficiency bar shall ordinarily be drawn as a matter of course unless it is withheld. An increment may be withheld from a railway servant by a competent authority if his conduct has not been good or his work not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

Notwithstanding anything contained in these rules, on or after 1-11-73, the increment shall be drawn as from the 1st of the month in which it falls due under the normal rules and the date of next increment shall be reckoned on this basis viz. 1st of the month in which initially the increment was drawn on or after 1-11-73. In such cases, the pay of railway servants on promotion/appointments to higher grades/posts shall be fixed in the higher scale after taking into account the increment to be drawn from the first of the month notwithstanding that the date on which that increment actually falls due is after the date of promotion.

(Railway Board's letter No. PC III/74/INC/1 dt 17-1-74 and dated 3-6-75.)

When the increment is withheld for a specified period as a measure of penalty, the increment should be drawn from the date from which the penalty imposed ceases to operate. The subsequent increment shall however be admitted/drawn from the first of the month in which they fall due under normal rules, the period of dies-non like break in service etc. being treated in the same way as leave without pay.

(Railway Board's letter No. PCIII/75/Inc/2 dt. 10.11.75)

1319. (F.R.25). --Increments above an efficiency Bar.--Where an efficiency bar is prescribed in time-scale, the increment next above the bar shall not be given to a railway servant without the specific sanction of the authority empowered to withhold increments under Rule 1318 (F.R. 24) or the relevant disciplinary rules applicable to the railway servant or of any other authority whom the competent authority may, by general or special order, authorize in this behalf.

PRESIDENT'S ORDERS

A railway servant against who an efficiency bar has been in force or whose increment has been withheld for failure to pass a prescribed examination, may be allowed to draw pay at the stage which he would have ordinarily reached but for his detention at the bar or withholding of increment and he may be allowed to draw his future increments from the original date or increment. In other words, ordinarily the detention at the efficiency bar stage or withholding of increment for failure to pass a prescribed examination will have only the effect of postponing the drawl of increment above that stage by the time taken in qualifying for crossing that stage. In particularly bad cases, however, the authority competent to sanction increments may allow the railway servant to recommend his ascent in the time-scale from the stage at which he was detained only from the date on which the bar is removed or on which he passes the examination.

(Railway Board's letter No. E(NG)62-ICI/3,dated 12-12-1963)

Government of India's Orders

Revised procedure for efficiency bar application and fixation of pay on restoration.--1. The Third Central Pay Commission have made the following recommendation in regard to crossing of Efficiency Bar by Government servants, vide recommendation No.37 of their Report:-

"There should be a more effective application of efficiency bars than has been done hitherto. Measures should be taken to ensure that crossing the efficiency bar is no longer a routine matter and that those who do not pull their weight are denied further increments".

Government have since accepted the above recommendation of the Third Central Pay Commission.

2. In order to ensure effective implementation of the aforesaid recommendation, the third Central Pay Commission have indicated certain further steps in para 17 of Chapter 8 of their Report (Vol.I). These have been accepted by Government and the following decisions have been taken:

(1) Cases of railway servants for crossing the Efficiency Bar in a time-scale of pay shall be considered by a standing Committee of three officers for various categories of employees which shall be the same as the Departmental Promotion committee constituted for the purpose of considering cases of confirmation of the government servants concerned. The Committee shall be nominated by the Head of the department in case of non-Gazetted staff and by the General Manager in case of Gazetted officers. (Railway Board's letter No.PCIII/76/EB/1 dated 19-1-78). Where, however, in a Departmental Promotion Committee for considering case of confirmation, a Member of the Union Public Service Commission is associated, it shall not be necessary to associate the Member of the Commission in the Committee for considering cases of Government servants for crossing of the Efficiency Bar. It is not essential for the Committee considering case of railway servants for crossing the Efficiency Bar to sit in a meeting to consider such cases, but it may consider such cases by circulation of papers. The Committee shall make its recommendations to the authority competent to pass an order declaring the employee to cross the Efficiency Bar.

(2) In respect of Railway servants in Group 'C' and 'D':-

(i) Trade tests wherever these are being conducted for crossing the efficiency bar should continue.

(ii) Where confidential reports are not maintained, the review of the Committee shall be on the basis of the service record and the report of the immediate supervisor of the concerned employee.

(Authority:- Railway Board's letter No. PCIII/92/FE-1/2 dated 10.08.92)

(iii) Where confidential reports are maintained, the Committee of the three officers appointed for the purpose, shall make a report on the basis of reports of the immediate superior as well as confidential reports.

(iv) Oral/written test will not be held in (i) and (iii) above.

(v) Also, the Artisan staff shall not be subjected to a trade test as in (i) above and their cases shall be processed according to (ii) and (iii) above.

(Railway Board's letter No.PCIII/76/EB/1 dated 11-8-78 and 31-5-79.)

(3) Where a railway servant who has been held up at the Efficiency Bar stage on the due date on account of unfitness to cross the Efficiency Bar is allowed to cross the Efficiency Bar at a later date as a result of subsequent review which should also be done in accordance with procedure mentioned in para 2(1) above, the increment above the Efficiency Bar shall be allowed to him from the date of such order to cross the Efficiency Bar. Where, it is proposed to fix his pay at a higher stage, taking into account the length of service from the due date for crossing the Efficiency Bar, the case should be referred to the next higher authority for a decision.

(4) At regular intervals, which may be prescribed by the Railway Board/General Managers concerned, the Divisional Railway Managers, Heads of Deptt. And General Managers and competent authority in Railway Board should review the position obtaining in that Ministry/Railway regarding sanction of increments above the Efficiency Bar stage in order to see whether the authorities concerned are being objective and not either too lenient or too strict enforcing the Efficiency Bar.

(5) The Ministry of Railways may undertake every three years or so, a method study to see the working of the system of considering railway servant's suitability for crossing the Efficiency Bar and suggest improvements therein.

1320. (F.R.26) Reckoning Service for increments.--The following provisions prescribe the conditions on which service counts for increments in a time-scale—

(a) All duty in a post on a time-scale counts for increments in that time-scale:

Provided that, for the purpose of arriving at the date of the next increment in that time-scale, the total of all such periods as do not count for increment in that time-scale shall be added to the normal date of increment.

- (b) (i) Service in another post, other than a post carrying less pay referred to in clause (a) of Rule 227 (F.R.15) whether in a substantive or officiating capacity, service on deputation out of India and leave except extraordinary leave taken otherwise than on medical certificate, shall count for increments in the time-scale applicable to the post on which the railway servant holds a lien, as well as in the time-scale applicable to the post or posts, if any on which he would hold a lien had his lien not been suspended.

Provided that the service rendered in an ex-cadre post shall not be reckoned for fixation of pay in another ex-cadre post and the pay in subsequent ex-cadre post shall be fixed under the normal rules with reference to pay in the cadre post.

- (ii) All leave except extraordinary leave taken otherwise than on medical certificate and the period of deputation out of India shall count for increment in the time-scale applicable to a post in which a railway servant was officiating at the time he proceeded on leave or deputation out of India and would have continued to officiate but for his proceeding on leave or deputation out of India:

Provided that the competent authority may, in any case in which he is satisfied that the extra-ordinary leave was taken for any cause beyond the railway servant's control or for prosecuting higher scientific and technical studies, direct that extraordinary leave shall be counted for increments under clause (i) or (ii).

- (c) (i) If a railway servant, while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is re-appointed to the lower post, or is appointed or re-appointed to a post on the same time-scale of pay, count for increment in the time-scale applicable to such lower post. The period of officiating service in the higher post which counts for increment in the lower post is, however, restricted to the period during which the railway servant would have officiated in the lower post but for his appointment to the higher post. This clause applies also to a railway servant who is not actually officiating in the lower post at the time of his appointment to the higher post, but who would have so officiated in such lower post or in a post on the same time-scale of pay had he not been appointed to the higher post.

- (ii) If a railway servant on reversion from an ex-cadre post to the present cadre is appointed to a post on a scale lower than that of the ex-cadre post but not on the same time-scale as the post held at the time of his transfer to the ex-cadre post, the service rendered on the higher scale in the ex-cadre post, shall count for increments in the time-scale applicable to the cadre post subject to the same conditions as are laid down for cases falling under proviso (1)(iii) to Rule 1313 (F.R.22).

- (d) Foreign service counts for increments in the time-scale applicable to-

- (i) the post in railway service on which the railway servant concerned holds a lien as well as the post or posts if any, on which he would hold a lien had his lien not been suspended;
- (ii) The post in railway service in which the railway servant was officiating immediately before his transfer to foreign service, for so long as he would have continued to officiate in that post or a post on the same time-scale but for his going on foreign service; and
- (iii) Any post in the parent cadre on a lower scale of pay to which the railway servant is appointed on reversion from the ex-cadre post subject to the fulfillment of the conditions mentioned in proviso (1) (iii) to Rule 1313 (F.R.22).

- (e) Joining time counts for increment-

- (i) if it is under clause (a) or clause (c) of F.R.105 (Rule 1101) in the time scale applicable to the post on which a railway servant holds a lien or would hold a lien had his lien not been suspended as well as in the time-scale applicable to the post, the pay of which is received by a railway servant during the period; and
- (ii) if it is under clause (b) of F.R.105 in the time-scale applicable to the post/posts on which the last day of leave before commencement of joining time counts for increments.

Explanation. -For the purposes of this rule, the period treated as duty under sub-clause (b) of clause (6) of F.R. 9 (Rule 103(15)) shall be deemed to be duty in a post if the railway servant draws pay of that post during such period.

Government of India's Orders

In connection with leave taken by X, --the Deputy Director, Intelligence- when the organisation was on a temporary basis, the question was raised whether the order is contained in paragraph 8 of the Finance Department Resolution No.1559-E.A., dated the 16th August,1921, vide Government of India's orders (1) above were applicable to him. The Government of India have consulted the Auditor General who agrees that outside the transitional stage when posts on graded pay were changed to time-scales, these orders do not permit any concessions which are not now admissible under the ordinary Fundamental Rules, while on the other hand they restrict the grant of the concessions which is permissible under Fundamental

Rule 26(d). As, however, these orders are permissible under Fundamental Rule 21 (Rule 1312) in the case of time-scale sanctioned by the Secretary of State, his sanction is necessary to their cancellation. The Secretary of State in Council has authorized the Government of India to apply in consultation with the Auditor General the principles of the Fundamental Rules in cases in which concessions admissible under the Fundamental Rules cannot be applied to a period of service in administrative post.

Audit Instructions

(1) Intention of F.R.26(c) (Rule 1320).--The intention of this rule is to allow the concession irrespective of whether the higher post is within or outside the Department to which the Government servant belongs.

(2) Overstayal of leave.--A period of overstayal of leave does not count for increment in a time-scale unless under F.R. 85(b) it is commuted into extraordinary leave and under the proviso to F.R.26(b) (1320 b), the extraordinary leave is specially allowed to count for increments.

(3) Increment admissible to a probationer.--If a probationer is confirmed at the end of a period of probation exceeding twelve months, he is entitled to claim retrospectively the increments which, but for his probation, he would have received in the ordinary course.

(4) Increments of officiating government servants during absence on duty. --In the case of a Government servant who, while officiating in one post, is appointed to officiate in another, the period of joining time spent in proceeding from one post to the other should be treated as duty in the post, the pay of which the Government servant draws during the period and will count for increment in the same post under F.R. 26(a) (1320 a). In the case of a Government servant while officiating in a post, proceeds on training or to attend a course of instruction and who is treated as on duty while under training the period of such duty will count for increment in the post in which he was officiating prior to his being sent for training or instruction if he is allowed the pay of the officiating post during such period.

(5) Although joining time taken under Rule 1101 (Fundamental Rules 105(b) and (c) is treated as duty under Rule 103(15)(a)(i) [Fundamental Rule 9(6)(a)(ii)] it cannot be treated as duty for the purposes of increment in an officiating post in as much as only leave salary is drawn for the period.

Railway Board's orders.-Increments for service in temporary post converted into permanent post.-- Service in a temporary post which is converted into a permanent post on a different rate of pay shall not count for increments in the latter post even though the duties remain the same.

(Railway Board's letter No. 0154-F dated 23rd July, 1937.)

PRESIDENT'S DECISION NO.1

As to whether the certificate as contemplated in F.R.26(b)(ii) (1320(b)(ii)) can be issued to more than one officer in respect of the same post and for the same period of leave if the condition laid down therein, namely their continuance otherwise in the post in question is fulfilled in each case, the President has been pleased to decide that the certificate envisaged in the aforesaid rule may be furnished by the competent authority, if necessary, in respect of more than one person, subject, of course, to other consideration namely, their continuance otherwise in the post in question.

(Railway Board's letter No. F(E)52-RC-3(1), dated 25th October, 1957.)

PRESIDENT'S DECISION NO.2

The benefit of Rule 1320 is admissible also to a Railway servant who while officiating in a higher post or holding a temporary post under the administrative control of the Ministry of Railways is appointed to officiate in higher posts or appointed to hold higher temporary posts or appointed to higher temporary posts under a State Government.

(Railway Board's letter No. F(E)58/PA-1/3 dated 23rd December, 1958.)

PRESIDENT'S DECISION NO.3

A question has been raised whether a certificate as envisaged in F.R. 26(b)(ii)/1320(b)(ii) would be necessary in the case of Railway servants engaged on contract who are governed by the leave rules applicable on the Indian Railways. It has been decided that the certificate under the above rule may be dispensed with in case where officers are appointed on contract to specific posts and proceed on leave from those posts.

In the case of officers who are given indefinite contracts without specifying any particular posts and other contract officers who, though appointed initially to specific posts, are transferred in an officiating capacity to other posts and who proceed

on leave thereafter, the certificate under the above rule will be necessary to count the period of such leave for increments in the posts which they hold in an officiating capacity immediately prior to proceeding on leave.

(Railway Board's letter No. F (E)58/ICI/1, dated 19th December, 1958.)

1321. (F.R. 27)--Premature Increments. --Subject to any general or special orders that may be made by the President in this behalf, an authority may grant a premature increment to a railway servant on a time-scale of pay if it has power to create a post in the same cadre on the same scale of pay.

Government of India's Orders

(1) Intention as regards future increments. --In the case of increments granted in advance, it is usually the intention that the officer should be entitled to increments in the same manner as if he had reached his position in the scale in the ordinary course and in the absence of special orders to the contrary he should be placed on exactly the same footing, as regards future increments as an officer, who has so risen.

(G.I., F.D., No. 752-C.S.R., dated 6th July, 1919.)

(2) No obligation to state reasons for action taken under Fundamental Rules. --The President has decided that the Government are not prepared to state the reasons for their action under any of the Fundamental Rules when the said rules themselves contain no such condition or stipulation.

(G.I., F.D., letter No. F-69-RI/28, dated 22nd May, 1928.)

PRESIDENTS'S DECISION

The powers under Rule 1321 (F.R. 27) should not be exercised by the competent authorities to grant premature increments:

- (i) as reward for meritorious work;
- (ii) in disregard of the advices given by the associate finance in any individual case of fixation of pay;
- (iii) in disregard of the normal rules governing fixation of pay except in cases of hardship or where the circumstances are unusual; or
- (iv) to take into account the monetary equivalent of certain perquisites allowed, special pay drawn, or deputation allowance granted in a previous post, for the purpose of fixing the initial pay on appointment to another post where such monetary benefits are not permissible.

(Railway Board's letter No. F(E)II-68F.R.1/1 dated 20th March, 1968) (No. 365 dated 1st January, 1972.)

1322. (F.R. 28) Pay on Reduction to Lower Post. --The authority which orders the reduction of railway servant as a penalty from a higher to a lower post or time-scale, may allow him to draw any pay, not exceeding the maximum of the lower post, or time-scale which it may think proper.

Provided that the pay allowed to be drawn by a Railway servant under this rule shall not exceed the pay which he would have drawn by the operation of Rule 1313(F.R.22) read with Clause (b) or Clause (c) as the case may be, or Rule 1320 (F.R.26).

1323. (F.R. 29). --(1) If a Railway servant is reduced as a measure of penalty to a lower stage in his time-scale, the authority ordering such reduction shall state the period for which it shall be effective and whether, on restoration, the period of reduction shall operate to postpone future increments and, if so, to what extent.

(2) If a Railway servant is reduced as a measure of penalty to a lower service, grade or post or to a lower time-scale, the authority ordering the reduction may or may not specify the period for which the reduction shall be effective; but where the period is specified, that authority shall also state whether, on restoration, the period of reduction shall operate to postpone future increments and if so, to what extent.

1324. (F.R. 29-A). --Where an order of penalty of withholding of increment of a railway servant or his reduction to a lower service, grade or post, or to a lower time-scale, or to a lower stage in a time-scale, is set aside or modified by a competent authority on appeal or review, the pay of the railway servant shall, notwithstanding anything contained in these Rules, be regulated in the following manner: --

- (a) if the said order is set aside, he shall be given, for the period such order has been in force, the difference between the pay to which he would have been entitled had that order not been made and the pay he had actually drawn;
- (b) if the said order is modified, the pay shall be regulated as if the order, as so modified, had been made in the first instance.

Explanation.—If the pay drawn by a railway servant in respect of any period prior to the issue of the orders of the competent authority under this rule is revised, the leave salary and allowances (other than traveling allowance) if any, admissible to him during that period shall be revised on the basis of the revised pay.

1325 . (F.R.30). Omitted (Authority:- Railway Board's letter No. F(E)II/89/FR-1/1 dated 12.12.91)

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CHAPTER 13
RAILWAY FUNDAMENTAL RULES-PAY AND INCREMENT

1326. (F.R. 31)—Omitted (Authority:- Railway Board's letter No. F(E)II/89/FR-1/1 dated 12.12.91)

1327. (F.R. 31-A). --Notwithstanding the provisions contained in these rules, the pay of a railway servant who promotion or appointment to a post is found to be or to have been erroneous shall be regulated in accordance with any general or special orders issued by the competent authority in this behalf.

1328. (F.R. 33). --When a railway servant officiates in a post the pay of which has been fixed at a rate personal to another railway servant, a competent authority may permit him to draw pay at any rate not exceeding the rate so fixed or if the rate so fixed be a time-scale, may grant him initial pay not exceeding the lowest stage of that time-scale, and future increments not exceeding those of the sanctioned scale.

Audit Instruction

"The lowest stage of that time-scale" --If a Government servant, who is personally qualified to draw overseas pay, if appointed to officiate in a post on a time-scale, the pay of which is fixed personally for the substantive holder of the post and includes sterling overseas pay, the lowest stage in the time-scale, for the purposes of F.R. 33 (1328). Is the minimum of the time-scale, plus the sterling overseas pay included in the pay fixed personally for the substantive holder of the post.

1329. (F.R. 35). -A Competent authority may fix the pay of an officiating railway servant at an amount less than that admissible under these rules.

Audit Instruction

(1) Holding charge of current duties--One class of case falling under this rule is that in which a Government servant merely holds charge of the current duties and does not perform the full duties of the post.

(2) See entry (3) under Audit Instruction under F.R. 22 (1313).

Government of India's Decision

Special order necessary to exercise power under F.R. 35 (1329).--In a case in which a local Government issued orders of a general nature under F.R. 35 (1329), restricting the officiating pay of government servants to an increase equal only to ascertain percentage of the minimum pay of the higher post, the government of India pointed out that reaching this rule with the rules substantively regulating the rate of officiating pay and in particular with F.R.31 (1326), it is clear that the power conferred by F.R.35 (1329) is not exerciseable save by special order passed in an individual case and on a consideration of the facts of the case. A general order purporting to oust universally the operation of F.R. 31 (1326) would be ultra vires of F.R. 35 (1329), it would constitute the grossest possible fraud thereon.

(G.I.F.D. letter No. F-9 (5) RI /33 dt. 28th March, 1933)

1330. (F.R. 36).--A competent authority may issue general or special orders allowing officiating promotions to be made in the place of railway servants who are treated as on duty under Rule 103 (16) (b).

Government of India's order

(1) Officers of A.I.R.O.--Acting promotions may be made in the place of Government servants under-going training in the Army in India Reserve of Officers and the Indian Territorial Forces, who under paragraph 38, Appendix XXX, Regulations for the Army in India, Army Instruction (India), No.E-37 of 1927 and royal Air Force Instruction (India), No. 87 of 1927, are treated during the period of training as on duty for the purpose of civil leave and pension and for increments of civil pay.

(G.I., F.D. Memo No. F-60-RI/28 dated 30th April, 1928 and C.I., F.D., No-III-1/30 dated 16th August, 1930.)

(2) In the case of railway officers undergoing training at the Railway Staff College, Baroda, Indian Railways School of advanced permanent Way Engineering, Poona, Indian Railway School of Signal Engineering and Telecommunications, Secunderabad Mechanical and Electrical Engineering, Jamalpur, the period so spent may be treated as duty and officiating arrangement may be made by the railway administrations vice the officers so deputed. This is, however, subject to restriction laid down in connection with acting promotions.

(Rly. Board's letter No. E (GR) 1167 TR 1-6, dated 11th April, 1967.)

(No. 369, dated 1st January, 1972.)

1331. (F.R.37)--Personal Pay.--Except when the authority sanctioning it orders otherwise, personal pay shall be reduced by any amount by which the recipient's pay may be increased, and shall cease as soon as his pay is increased by an amount equal to his personal pay.

1332. (F.R. 39)--Pay of Temporary Posts.--When a temporary post is created which may have to be filled by a person not already in government service, the pay of the post shall be fixed with reference to the minimum that is necessary to secure the services of a person capable of discharging efficiently the duties of the post.

1333. (F.R.40).--When a temporary post is created which will probably be filled by a person who is already a government servant, its pay should be fixed by the competent authority with due regard to-

- (a) the character and responsibility of the works to be performed; and
- (b) the existing pay of railway servants of a status sufficient to warrant their selection for the post.

Government of India's orders

(1) Pay on special duty or "deputation".--Although it has been incorrect since the Fundamental rules superseded the Civil Service Regulations to refer to officials holding temporary posts created for special purposes outside the regular line of their service as being "on deputation" or "on special duty", recommendations are still commonly made in the absolute terms of the Civil service Regulations; and these terms are accordingly used for convenience in this order. All such posts are now technically temporary posts added to the cadre of the holder's services; and the rule governing the fixation of pay for the holders is Fundamental Rules 40 (1333). * * * The correct method is to fix a consolidated pay split up, if convenience so dictates, into rupee and sterling elements. Possibly through the influence of Fundamental Rule 22 (1313) and 30 (1325), before they were amended in March, 1930, to eliminate the unintentional extravagance of enhanced pay for a mere change in the character of duties performed, the tendency has gradually grown up of sanctioning enhanced pay for all posts temporarily created outside the ordinary with scant regard to the provisions of fundamental rule 40 (1333). It has accordingly been ordered that the following principles should strictly be observed in fixing pay of such posts-

(i) A Government servant placed on "special duty" or "on deputation" should have the pay of his temporary post fixed at what his pay would have been from time to time in the regular line had he not been so deputed.

NOTE. --If the sanctioning authority is satisfied that Government servant so deputed would otherwise have been advanced very shortly afterwards to a post carrying higher pay than that which he was drawing at the time his "special duty" or "deputation" begins and would continue to hold such a post for approximately the same period as his temporary post is expected to last, it may take this fact into account and fix a uniform pay throughout the period.

(ii) The sole criterion for sanctioning enhanced pay in such cases is proof of a decided increase of work or responsibility in comparison with the duties of the post which the Government servant would otherwise occupy in the regular line. Where the test of comparative responsibility is not practicable, Fundamental Rule 40 (1333) may be followed.

(iii) Any extra remuneration sanctioned because of such increased work or responsibility should in no case exceed, without the special sanction of the Finance Department, one-fifth or substantive pay.

Government servants deputed to posts substantially parallel in work and responsibility to the posts which they would otherwise have occupied, should receive no increase in pay, though the peculiar circumstances in which their duty is to be performed may justify reasonable compensatory allowances. An excellent example of this type will be found in the personnel deputed to Committees and Commissions. Government servants deputed as members of Committees and Commissions will ordinarily be performing no more responsible duties than they would have performed had they remained in the ordinary line of their service; and it is only in exceptional cases that any extra remuneration can be justified. The foregoing principles may, however, have to be relaxed in exceptional cases, where having regard to the importance of the duties, it is necessary to secure officers with special qualification on special items.

(G.I., F.D., Memo No. F.13-XIX-Ex. 1/31 dt. 7th Jan., 1932.)

(2) As the fixation of a consolidated rate of pay of temporary posts has on some occasions led not to economy but to extravagance, the orders contained in Item (1) above are amplified and restated as follows-

Temporary posts may be divided into two categories---

(i) posts created to perform the ordinary work for which permanent posts already exist in a cadre, the only distinction being that the new posts are temporary and not permanent, and

(ii) Isolated posts created for the performance of special tasks unconnected with the ordinary work which a Service is called upon to perform. An example of the latter type of post would be a post on a commission of enquiry. A distinction by strict verbal definition is difficult, but in practice there should be little difficulty in applying the distinction in individual cases. The former class of post should be considered to be a temporary addition to the cadre of a service who every may be the individual appointed to the post. The latter class of temporary post should be considered as unclassified and isolated ex-cadre posts.

(3) Temporary posts which by this criterion should be considered as the temporary additions to the cadre of a Service, should be created in the time-scale of service ordinarily without extra remuneration. Incumbents of these posts will, therefore, draw their ordinary time-scale pay. If the posts involve decided increase in work and responsibility in comparison with the duties of the parent cadre generally, it may be necessary to sanction a special pay in addition.

(4) For isolated ex-cadre posts, it may occasionally be desirable to fix consolidated rates of pay. Where, however, the post is to be held by members of a service it will ordinarily be preferable also to create the post in the time-scale of the holder's service.

(G.I., F.D., Office Memorandum No. F.27 (34)-Ex.1/36 dt. The 15th December, 1936.) (Railway Board's Case No. F (E) 52CDI/(1).)

Government of India's Decision

The instructions laid down in Government of India's order above should be generally followed when special temporary appointments are made; and departure there-from should be personally sanctioned by the General Manager.

(Rly. Board's letters 1111-E.G., dated 14th Sept., 1933 and 1196 E.G., dated 22nd Dec., 1933.)

ADDITIONS TO PAY

1334. (F.R.46)--Fees and Honoraria - (a) Fees.--A competent authority may permit a railway servant, if it be satisfied that this can be done without detriment to his official duties or responsibilities, to perform a specified service or series of services for a private person or body or for a public body including a body administering a local fund and to receive as remuneration therefore, if the service be material, a non-recurring or recurring fee.

NOTE. --This clause does not apply to the acceptance of fees by railway medical officers for professional attendance which is regulated by the Rules in Chapter 6.

(b) **Honoraria.**--A Competent authority may grant or permit a railway servant to receive an honorarium as remuneration for work performed which is occasional or intermittent in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons, which should be recorded in writing, exist for a departure from this provision, sanction to the grant or acceptance of an honorarium should not be given unless the work has been undertaken with the prior consent of the competent authority and its amount has been settled in advance.

(c) **Conditions governing the grant of fees and honoraria.**--In the case of both fees and honoraria, the sanctioning authority shall record in writing that due regard has been paid to the general principle enunciated in Rule 237 (F.R.11), and shall record also the reasons which in his opinion justify the grant of the extra remuneration.

Government of India's orders

(1) **Temporary increase in works.**--Several instances have come to the notice in which recommendations have been made by various Departments for the grant of honoraria to members of their office on account of a temporary increase in their work due to the holding of special Conferences under the auspices of a Department or Subordinate authority or of inter-departmental Committees. In the opinion of the finance Department, such temporary increases in work are normal

incidents of Government service, and form part of the legitimate duties of Government servants according to the general principle enunciated in F.R.11 (Rule 237). Those so employed have, therefore, no claim to extra remuneration.

(G.I. F.D., Memo No. F. 5-VIII-RI/30, dated 3rd Sept., 1930.)

(2) Intimation to the Union Public Service Commission by Departments of the Government of India, or other Heads of Departments sub-ordinate to them, that particular Government servants have been appointed to the viva voce boards in connection with the recruitment examinations conducted by the Union Public Service Commission, should be regarded automatically conveying the Government of India's sanction to the acceptance by the said officers of honoraria at the fixed rates prescribed by the Union Public Service Commission, and to their drawing the traveling allowance admissible to them.

The employment by the Public Service Commission as examiners or moderators or any officers serving under the Government of India or Heads of Departments subordinate to them will also automatically imply the Government of India's sanction to those officers undertaking the work and accepting honoraria at the fixed rates prescribed by the Commission.

(G.I., F.D., letter No. F.1-XII-Ex.11/25, dt. 16th July. '35, to the Secretary, Public Service Commission; G.I., F.D., letter No.D-6434-Ex. 11/36 dated the 3rd Dec., 1936, and Rly. Board's Case No. E.44-HO-11/2.)

Audit Instruction

Recording of the reasons for the grant of Honoraria.-The rule requires that the reasons for the grant should be recorded in writing as it is intended that the grant of an honorarium or fee should be carefully controlled by Government and scrutinized by Audit, and that Audit should be given an effective opportunity of comment if it be deemed necessary. Audit Officers may, therefore, require that the reasons for the grant of an honorarium or fee should be communicated to them in each case.

(Ruling (26), Section IV of Compilation of Audit Rulings.)

Railway Ministry's decision

1. (a) A Railway servant appointed as an arbitrator in a dispute in which the railway Administration is a party should be from a Department different from the one to which the dispute pertains. A Railway servant appointed to act as an arbitrator in a dispute in which his own Department is involved should not be granted any honorarium.

NOTE--'Department' for the purpose of application of these orders is a Department of Railway. The intention is that each service (department) on a Railway should be treated as a separate department for the purpose. However appointment of an Engineer from the 'Open Line' of the Civil Engineering Department as an Arbitrator to deal with a case of Construction and vice versa would be treated as an appointment of an Arbitrator from a different Department.

(b) If he is appointed as an Arbitrator in a dispute involving a department other than his own, he may be paid an honorarium at the rate of Rs.80/- per day or Rs.40/- per half day subject to a maximum of Rs. 1200/- per case. For this purpose a day means more than two hours continuous work on a day and half day means work for two hours or less. He shall record a certificate in writing indicating whether he has done a day's work or half day's work on a particular day.

(Authority: - Railway Board's letter No. E (G) 89/HO1-34 dated 8.1992.)

(c) In either of the above two cases, when any costs on account of arbitration are awarded against a private party, the entire amount on recovery by the Railway concerned, shall be credited to Railway revenues and shall not be paid to the arbitrator.

(d) A railway servant may, with the prior permission of the competent authority as required under Rule 1334 (F.R. 46(a)), accept appointment as an arbitrator in a dispute between private parties. At the time of giving such permission, the competent authority shall decide whether consistent with his official duties, he may undertake the arbitration work and also whether he may accept any fee for it from the parties to the dispute. The fee from the private party shall be subject to the provisions of S.R. 12 that one third of any fee shall be credited to railway revenues, provided the amount retained by the railway servant concerned will not, merely by the operation of this rule, be reduced to below Rs. 400/-, if non-recurring, or Rs. 250/- a year, if recurring.

Railway Board's letters No. E(G)60/HO-1/25 dated 16th January, 1961 & No.E(G)62/HO/1/26 dated 13th Nov.,1963.)

2. (a) In cases where no sanction is required for broadcasts on All India Radio etc. which are purely of a literary, artistic or scientific character, no permission is necessary for Railway servants to receive the honorarium.

(b) In cases where sanction to broadcast is necessary, such sanction, if given, should be taken to carry with it also the sanction to receive the honorarium.

(Railway Board's letter No. E(G)57/HO-1/2 dated 15th April, 1957.)

(Authority No. E(G)63-HO/1/10 dated 15th June, 1964.)

1335. (F.R. 48) --Premium and Reward-- Any railway servant is eligible to receive and except as otherwise provided by a general or special order of the President, to retain without special permission:--

- (a) the premium awarded for any essay or plan in public competition;
- (b) any reward offered for the arrest of a criminal or, for information or special service in connection with the administration of justice;
- (c) any reward payable in accordance with the provisions of any Act or Regulation or rules framed thereunder;
- (d) any reward sanctioned for services in connection with the administration of the customs and excise law; and
- (e) any fees payable to a railway servant for duties which he is required to perform in his official capacity under any special or local law or by order of Government.

PRESIDENT'S DECISION

Approval of the Railway Board.-- The acceptance of fees by railway servants in cases covered by Fundamental Rule 48 (1335), does not require the approval of the Railway Board.

(Rly. Board's letter No. E.38-FE/126(2) dt. 18th November, 1938.)

Government of India's decision

A fee payable to a railway servant under rule 1335 (c) can be retained by him without special permission. In other words, Supplementing Rule 12 which requires that one-third of all fees received by railway servants from private sources should be credited to Government, does not apply to such remuneration. It is not considered desirable that a railway servant, who in his official capacity is nominated as a Chairman or member of a Government, should be made eligible for any fee or other remuneration (except traveling allowance) which is admissible to non-Government servants for attending a meeting of the institution concerned or for performing other work thereof. This object can be secured by making suitable provisions in the Articles of Association or other Regulations of the body concerned or any Act relating to its institution without having recourse to an amendment of Rule.

(Rly. Board's File No. F(E)-51/FR-1/1.)

1336. (F.R. 48-A)- Patent for Inventions-- A railway servant shall not apply for or obtain, or cause or permit any other person to apply for or obtain, a patent for an invention made by such railway servant which is connected directly or indirectly with his official duties, save with the permission of the President and in accordance with such conditions as the President may impose.

Government of India's orders

(1) Patents for Inventions.-- Application for permission shall be made by the railway servants making an invention to the head of his department, or if he is himself the head of a department, to the Railway Board. The head of the department shall deal with the application confidentially and with expedition so that the inventor may not be prejudiced by delay in making his application at the Patent Office and shall forward it with his recommendations to the Railway Board.

- (2) In dealing with the applications for patents the Railway Board shall be guided by the following principles:-
 - (i) Permission shall be granted to the applicant without any restriction if the invention has no connection with the railway servant's official duties and has not resulted from facilities provided as government expense.
 - (ii) If the invention is made in the course of the railway servant's official duties or has resulted from facilities provided at government expense, then--

- (a) if the invention is of such general interest and utility that the public interest will be best served by allowing the public a free use of the invention, the application for taking out a patent shall be refused and the invention shall be published. An exgratia payment shall ordinarily be made to the inventor as a reward in all such cases;
- (b) if the invention is not of the kind mentioned in clause (a), but is of sufficient public utility as is likely to make its commercial exploitation profitable, the inventor shall be directed to take out a patent and to assign his rights under the patent to the President. In all such cases, the inventor shall be rewarded either by a suitable lump-sum payment or by a liberal percentage of the profits made by Government in connection with the invention;
- (c) in other cases, the inventor shall be allowed to take out a patent for his own benefit subject to his undertaking to permit Government the use of the invention either without payment or on such terms as they may consider reasonable. Before permission is given to a railway servant under this clause to take out a patent, he shall undertake-
 - (i) to insert a condition, in respect of the Railway Board's right in the patent, in any agreement which he may enter with any party for exploiting the said patent, and also to forward a copy of such agreement to the Board for their information; and
 - (ii) to refund to the Railway Board any royalty which he may receive from the exploitation of the patent in respect of the articles purchased for the use of the Crown, whether or not he was in service at the time of such purchase.

Copies of orders relating to grant of permission to take out patents, wherein any condition is imposed regarding any special right reserved for the government, should be forwarded to the Controller of Patents and Designs so that a notice of such conditions may be entered in the Register of Patents for the information of the public.

(3) When the invention has been assigned to the President under clause (ii) (b) of item (2) above, the President may-

- (a) exploit the patent himself, or
- (b) advertise the patent and grant licenses on payment to manufacturers, or
- (c) sell the rights under the patent to a firm or to a private person.

(4) In order to secure for Government the full benefits of inventions, the Controller of Patents and Designs will ordinarily be consulted before any awards are made under Clauses (a), (b) of item 2 (ii) above or steps are taken for the exploitation of the patents under item 3 above.

(5) When a railway servant makes a suggestion, in regard to railway working or makes an invention, for which he does not propose to apply for permission to take out a patent, and in either case the suggestion or the invention is likely to prove beneficial to the railway, the General Manager of a railway may grant to such a railway servant a bonus or reward not exceeding Rs. 500/-. Proposals for the grant of bonus or reward in excess of this limit shall require the previous sanction of the president.

(Rly. Board's letters Nos. 34/572/S/23, dt. 14th March, 1935 and E. 39-PT-1(2) dt. 8th July, 1939)

COMBINATION OF APPOINTMENTS

1337. (F.R.49). -- A competent authority may appoint a railway servant already holding a post in a substantive or officiating capacity, to officiate, as a temporary measure in one or more of other separate posts at one time. In such cases his pay shall be regulated as follows—

- (a) the highest pay to which he would be entitled if his appointment to one of the posts stood alone, may be drawn on account of his tenure of that post;
- (b) for each other post he draws such reasonable pay, in no case exceeding half the presumptive pay (excluding overseas pay) of the post as the competent authority may fix; and
- (c) if compensatory or sumptuary allowances are attached to one or more of the posts, he draws such compensatory or sumptuary allowances as the competent authority may fix, provided that such allowances shall not exceed the total of the compensatory and sumptuary allowances attached to all the posts;

PRESIDENT'S ORDER

The term 'height pay' in clause (a) of this rule should be interpreted as pay admissible to a railway servant under the rules including rule 1329 (F.R.35).

AUDIT INSTRUCTION

Presumptive pay for the purposes of Fundamental Rule 49(b), should, according to Fundamental Rule 9(24), be taken to what the Government servant who is placed in additional charge, will draw as initial pay in the time-scale of the additional post under Fundamental Rule 22, were he formally transferred to it. In cases, however, in which the maximum of the lower post is less than the pay of the Government servant in his substantive post, the application of the Fundamental Rule 22 is not clear, and accordingly the President has decided under Fundamental Rule 8 that in such a case the maximum of the pay of the lower post should be taken as the presumptive pay for the purposes of Fundamental Rule 49(b).

(Rly. Board's Case No. F. 42/PA-1(4).)

DEPUTATION OUT OF INDIA

1338. (F.R.50)-- Sanctioning Authority.-- No deputation of a railway servant out of India shall be sanctioned without the previous approval of the Central Government.

1339. (F.R.51)-- Pay during deputation out of India.--(1) when a railway servant is, with proper sanction, temporarily deputed for duty out of India either in connection with the post held by him in India or in connection with any special duty on which he may temporarily be placed, he may be allowed by the President to draw during the period of deputation the same pay which he would have drawn had he remained on duty in India;

Provided that a railway servant, who is placed on deputation while already on leave, out of India on average pay, may be required by the President to continue to be on leave, in which case he shall be given during that period, in addition to his leave salary, an honorarium of one-sixth of the pay which he would have drawn had he remained on duty in India; the cost of passages from and to India shall be borne by him.

NOTE:- (1) The portion of the pay which a railway servant may be permitted to draw in foreign currency while on deputation abroad will be determined in accordance with the orders issued by the President in this regard from time to time.

(2) A railway servant on deputation may also be granted a compensatory allowance in a foreign country of such amount as the President may think fit.

(3) The foreign exchange equivalent of the pay, honorarium or compensatory allowance admissible under sub-rule (1) or sub-rule (2) shall be calculated at such rate of exchange as the President may by order prescribe.

Government of India's orders

(1) Honorarium for duty during leave. - Officers on leave, who are unwilling to undertake special duty on deputation rates of pay may be allowed to continue to consume leave and receive an honorarium fixed at one-sixth of Indian pay.

(G.I., F.D., No.994-C.S.R., dated 9th May, 1924)

(2) Option to convert deputation into leave. - Officers on deputation out of India when placed on deputation while on leave out of India on average pay may, convert deputation into leave on average pay plus an honorarium of one-sixth of Indian pay, on the condition that in both cases the cost of passages both from and to India is borne by the officer.

Periods of deputation converted into leave should count for pension as leave and not as deputation.

(Indian Office No. F.4012-25 dated 14th September, 1925, received with G.I. F.D. No. F.120-C.S.R.-25 dated 4th and 19th November, 1925.)

(3) Interpretation. - The terms of F.R. 50 (1338) must be interpreted as applying to cases where officers exercise the option of consuming leave and drawing an honorarium of one-sixth pay during a period of duty out of India, i.e., this option can only be exercised by a Government servant whose deputation out of India has been approved by the proper authority.

(G.I., F.D., No. F/101-CSR-26 dt. 30th July, 1926.)

(4) Attending conferences. --In the case of officers who, while on leave in the United Kingdom, attend conferences or congresses there or on the continent the following uniform system should be adopted-

- (i) Officers who are nominated as official representatives of the Government of India will be placed on deputation for the period involved and will receive the usual traveling expenses and subsistence allowance.
- (ii) Officers who are not so nominated will not be placed on deputation but if it is thought desirable that they should attend as visitors they may be offered traveling expenses and subsistence allowance as an inducement for them to do so. Further though the officer may not be an official representative, the India office will be prepared to render him such service as recommending him as a visitor, to the Congress Authorities.

(India Office S. of S.'s Despatch No. 5 Overseas, dated 20th December, 1928 received with G.I., F.D., Endorsement No.F-4-II-RI/29 dated 9th February, 1929.)

(5) Officers on short term contracts. - In connection with the deputation pay of officers on short term contracts when called upon to undertake duty outside India, it has been decided to include in the model terms of agreement in use by the office of the high Commissioner for India for short term appointments under the Government of India, a clause providing specifically that deputation out of India shall be governed by the ordinary service rules.

(G.I., F.D., letter No. F. 4(28)-RI/31 dt. 14-7-1932.)

Government of India's Decisions

(1) "Pay" in F.R. 51 (1339).-- The term "Pay" in the expression, "the pay which he would have drawn if he had remained on duty in India" occurring in this rule, should be interpreted literally with reference to the definition in F.R. 9(21) (Rule 1303) and the pay which an officer would have drawn if he were on duty in India should be determined for the purpose of this rule, with reference to what the competent authorities in India state the Officer's pay would have been if he were on duty in India. It will, therefore, be necessary for the Account Officer to intimate to the High Commissioner in each case after consultation with Government, the pay which an officer would have drawn if on duty in India.

In the case of Government servants who are not deputed out of India for special items of work but are placed on continuous service with commissions and committees whose functions require work both in and out of India, the expression "the pay which he would have drawn if he had remained on duty in India" occurring in this rule as well as the expression "the pay which the Government servant would have drawn if on duty in India" occurring in proviso (a) F.R. 9(2) (Rule 1303) should be interpreted as having reference to the pay which they would have drawn in India had they continued on duty with the commission or committee there.

(G.I., F.D., No. F/47-RI/28 dt. 29th May, 1928 and No. F. 4-II/RI/30 dated 27th July, 1931.)

(2) Overseas pay to be taken into account.-- As overseas pay is included in 'pay' and as an officer would draw overseas pay under Fundamental Rule 5 (1) (1339), (if entitled to it) had he remained on duty in India, it should be taken into account for the purposes of calculation of the deputation pay under the revised Fundamental Rule 51.

(Government of India, Finance Department, No. F.90(10)- RI/33 dated 10th October, 1933.)

Audit Instruction

Period of Deputation. -- The period of the deputation runs from the date on which the Government servant makes over charge of his office in India to the date on which he resumes it or if the Government servant is on leave out of India at the time he is placed on deputation, the period of the deputation is the time actually occupied by the duty.

1340. (F.R.51-A). -- When a railway servant is with proper sanction deputed for duty out of India to hold a regularly constituted permanent or quasi-permanent post, other than a post borne on the cadre of the service to which he belongs, his pay shall be regulated by the orders of the Central Government.

DISMISSAL, REMOVAL AND SUSPENSION

1341. (F.R. 52) Date from which affected. -- The pay and allowances of a railway servant who is removed or dismissed from service cease from the date of the order of removal or dismissal.

1342. (F.R.53) Pay during suspension.--(1) A railway Servant under suspension or deemed to have been placed under suspension by an order of the competent authority shall be entitled to the following payments, namely-

- (a) A subsistence allowance at an amount equal to the leave salary which the Railway servant would have drawn if he had been on leave on half average pay or on half pay and in addition dearness allowance, if admissible, on the basis of such leave salary.

Provided that where the period of suspension exceeds 3 months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first 3 months as follows:

- (i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first three months, if, in the opinion of the said authority, the period of suspension has been prolonged for reasons, to be recorded in writing, not directly attributable to the railway servant;
 - (ii) the amount of subsistence allowance may be reduced by a suitable amount not exceeding 50 percent of the subsistence allowance admissible during the period of the first three months, if, in the opinion of the said authority, the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the railway servant;
 - (iii) the rate of dearness allowance will be based on the increased or, as the case may be, decreased amount of subsistence allowance admissible under sub-clauses (i) and (ii) above
- (b) Any other compensatory allowances admissible from time to time on the basis of pay of which the railway servant was in receipt on the date of suspension subject to the fulfilment of other conditions laid down for the drawl of such allowances.

(2) No payment under sub-rule (1) shall be made unless the railway servant furnishes a certificate that he is not engaged in any other employment business, profession or vocation.

Provided that in the case of a Railway servant dismissed, removed or compulsorily retired from service, who is deemed to have been placed or to continue to be under suspension from the date of such dismissal or removal or compulsory retirement, under sub-rule (3) or sub-rule (4) of rule 5 of Railway Servants (Discipline and Appeal) Rules 1968, and who fails to produce such a certificate for any period or periods during which he is deemed to be placed or to continue to be under suspension, he shall be entitled to the subsistence allowance and other allowances equal to the subsistence allowance and other allowances equal to the amount by which his earnings during such period or periods as the case may be, fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him where the subsistence and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.

1343 (F.R.54).--(1) When a railway servant who has been dismissed, removed or compulsorily retired is re-instated as a result of appeal or review or would have been so reinstated but for his retirement on superannuation while under suspension preceding the dismissal, removal or compulsory retirement, the authority competent to order reinstatement shall consider and make a specific order-

- (a) regarding the pay and allowances to be paid to the railway servant for the period of his absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be; and
- (b) Whether or not the said period shall be treated as a period spent on duty.

(2) Where the authority competent to order re-instatement is of opinion that the railway servant who had been dismissed, removed or compulsorily retired has been fully exonerated the railway servant shall, subject to the provisions of sub-rule (6), be paid the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be:

Provided that where such authority is of opinion that the termination of the proceedings instituted against the railway servant had been delayed due to reasons directly attributable to the railway servant, it may, after giving him an opportunity to make his representation and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the railway servant shall, subject to the provisions of sub-rule (7), be paid for the period of such delay only such amount of such pay and allowances as it may determine.

(3) In a case falling under sub-rule (2), the period of absence from duty including the period of suspension preceding dismissal, removal or compulsory retirement, as the case may be, shall be treated as a period spent on duty for all purposes.

(4) In cases other than those covered by sub-rule (2) (including cases where the order of dismissal, removal or compulsory retirement from service is set aside by the appellate or reviewing authority solely on the ground of non-compliance with the requirements of clause (2) of Article 311 of the Constitution and no further inquiry is proposed to be held) the railway servant shall, subject to the provisions of sub-rules (6) and (7), be paid such amount to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the railway servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period which in no case shall exceed 60 days from the date on which the notice has been served as may be specified in the notice.

(5) In a case falling under sub-rule (4), the period of absence from duty including the period of suspension preceding the dismissal, removal or compulsory retirement, as the case may be, shall not be treated as a period spent on duty, unless the competent authority specifically directs that it shall be so treated for any specific purpose; provided that if the railway servant so desires, such authority may direct that the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall be converted into leave of any kind due and admissible to the railway servant.

NOTE:-- The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of—

- (a) extraordinary leave in excess of three months in the case of temporary railway servant; and
- (b) leave of any kind in excess of five years in the case of permanent railway servant.

(6) The payment of allowances under Sub-rule(2) or sub-rule (4) shall be subject to all other conditions under which such allowances are admissible.

(7) The amount determined under the proviso of sub-rule (2) or under sub-rule (4) shall not be less than the subsistence allowance and other allowances admissible under Rule 1342 (F.R. 53).

(8) Any payment made under this rule to a railway servant on his re-instatement shall be subject to adjustment of the amount, if any earned by him through an employment during the period between the date of removal, dismissal or compulsory retirement, as the case may be, and the date of re-instatement. Where the emoluments admissible under this rule are equal to or less than the amounts earned during the employment elsewhere, nothing shall be paid to the railway servant.

Government of India's decisions

(1) **No condition of lien to be satisfied for applying F.R. 54 (1343).** – A Government servant was dismissed from service on 8th March, 1927 and on appeal, was reinstated with effect from 27th October, 1927. The appellate authority declared, under F.R. 54 (1343) that the period of unemployment between the dates of dismissal and reinstatement should be treated as spent on duty and allowed to count for leave and increments. As there was no post against which the lien of the Government servant could be shown for the period of dismissal, the question arose whether in the absence of lien on a permanent post the period of unemployment could count for leave or increments. It was decided that F.R. 54 (1343), is absolute and unconditional and that it could not be absolute if the condition of "lien" had first to be satisfied.

(G.I., F.D., No. F/28-RI/28, dt. 5th April, 1928)

(2) A question having arisen whether in cases where the period of suspension is ordered to be treated as one spent on leave and when on conversion it is found that the greater part of the period is to be treated as extraordinary leave for which no leave salary is admissible, the recovery of the subsistence allowance already paid would be in order, it has been decided that there is no bar to the conversion of any portion of a period of suspension into extraordinary leave. In the case of person who are not fully exonerated the conversion of the period of suspension into leave with or without allowances has the effect of removing the stigma of suspension and all the adverse consequences following therefrom. The moment the period of suspension is converted into leave, it has the effect of vacating the order of suspension and it will be deemed not to have been passed at all. Therefore, if it is found that the total amount of suspension exceeds the amount of leave salary and allowances, the excess will have to be refunded and there is no escape from this conclusion.

(3) When the period of suspension after re-instatement is not treated as duty by the competent authority nor as leave at the request of the employee, it will not be deemed to cause an interruption/break in service. It shall be counted as "service" for the purpose of special contribution to Provident Fund, leave on average/half average pay under the State Railway Leave Rules contained in Chapter V.

(Authority Rly. Board's letter No. F(E)52SPN(1) dated 29th February, 1960)

1344(F.R. 54 A).--(1) where the dismissal, removal or compulsory retirement of a railway servant is set aside by a Court of law and such Government servant is reinstated without holding any further inquiry, the period of absence from duty shall be regularized and the Government servant shall be paid pay and allowances in accordance with the provisions of sub-rule (2) or (3) subject to the directions, if any, of the court.

(2) (i) Where the dismissal, removal or compulsory retirement of a railway servant is set aside by the court solely on the ground of non-compliance with the requirements of clause (1) or clause (2) of Article 311 of the Constitution, and where he is not exonerated on merits, the Government servant shall, subject to the provisions of sub-rule (7) of Rule 1343 (FR 54), be paid such amount (not being the whole) of the pay and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired, or suspended prior to such dismissal, removal or compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the railway servant of the quantum proposed and after considering the representation, if any, submitted by him, in that connection within such period (which in no case shall exceed sixty days from the date on which the notice has been served) as may be specified in the notice.

(Authority:- Railway Board's letter No. F(E)III/91/PN-1/44 dated 13.04.92)

(ii) The period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date of judgment of the court shall be regularized in accordance with the provisions contained in sub-rule (5) of rule 1343.

(3) If the dismissal, removal or compulsory retirement of a railway servant is set aside by court on the merits of the case, the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding, such dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement shall be treated as duty for all purposes and he shall be paid the full pay and allowances for the period, to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be.

(4) The payment of allowances under sub-rule (2) or sub-rule (3) shall be subject to all other conditions under which such allowances are admissible.

(5) Any payment made under this rule to a railway servant on his reinstatement shall be subject to adjustment of the amount, if any, earned by him through an employment during the period between the date of dismissal, removal or compulsory retirement and the date of reinstatement. Where the emoluments admissible under this rule are equal to or less than those earned during the employment elsewhere nothing shall be paid to the Government servant.

1345. (1) When a railway servant who has been suspended is reinstated (or would have been so reinstated but for his retirement (including premature retirement) while under suspension,) the authority competent to order reinstatement shall consider and make a specific order—

(a) regarding the pay and allowances to be paid to the railway servant for the period of suspension ending with reinstatement or [the date of his retirement (including premature retirement),] as the case may be; and

(b) Whether or not the said period shall be treated as a period spent on duty.

(2) Notwithstanding anything contained in Rule 1343 where a railway servant under suspension dies before the disciplinary or the court proceeding instituted against him are concluded, the period between the date of suspension and the date of death shall be treated as duty for all purposes and his family shall be paid the full pay and allowances for that period to which he would have been entitled had he not been suspended, subject to adjustment in respect of subsistence allowance already paid.

(3) Where the authority competent to order reinstatement is of the opinion that the suspension was wholly unjustified, the railway servant shall, subject to the provisions of sub-rule (8) be paid the full pay and allowances to which he would have been entitled, had he not been suspended:

Provided that where such authority is of the opinion that the termination of the proceedings instituted against the railway servant had been delayed due to reasons directly attributable to the Government servant, it may, after giving him an opportunity to make his representation within sixty days from the date on which the communication in this regard is served on him and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the railway servant shall be paid for the period of such delay only such amount (not being the whole) of such pay and allowances as it may determine.

(4) In a case falling under sub-rule (3) the period of suspension shall be treated as a period spent on duty for all purposes.

(5) In cases other than those falling under sub-rules (2) and (3) the railway servant shall, subject to the provisions of sub-rules (8) and (9) be paid such amount (not being the whole) of the pay and allowances to which he would have been entitled had he not been suspended, as the competent authority may determine, after giving notice to the railway servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period (which in no case shall exceed sixty days from the date on which the notice has been served) as may be specified in the notice.

(6) Where suspension is revoked pending finalisation of the disciplinary or the court proceedings, any order passed under sub-rule (1) before the conclusion of the proceedings against the railway servant, shall be reviewed on its own motion after the conclusion of the proceedings by the authority mentioned in sub-rule (1) who shall make an order according to the provisions of sub-rule (3) or sub-rule (5), as the case may be.

(7) In a case falling under sub-rule (5), the period of suspension shall not be treated as a period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purpose:

Provided that if the railway servant so desires, such authority may order that the period of suspension shall be converted into leave of any kind due and admissible to the Government servant.

NOTE: - The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of –

(a) extraordinary leave in excess of three months in the case of temporary railway servant; and

(b) leave of any kind in excess of five years in the case of permanent or quasi-permanent railway servant.

(8) The payment of allowances under sub-rule (2), sub-rule (3) or sub-rule (5) shall be subject to all other conditions under which such allowances are admissible.

(9) The amount determined under the proviso to sub-rule (3) or under sub-rule (5) shall not be less than the subsistence allowance and other allowances admissible under Rule 1342.

Government of India's Orders

(1) **F.R. 54 absolute.**—A Government servant was dismissed from service on the 8th March, 1927, and, on appeal, was reinstated with effect from the 27th October, 1927. The appellate authority declared, under F.R. 54, that the period of unemployment between the dates of dismissal and reinstatement should be treated as spent on duty and allowed to count for leave and increments. As there was no post against which the lien of the Government servant could be shown for the period of dismissal, the question arose whether in the absence of lie on a permanent post the period of unemployment could count for leave or increments. It was decided that F.R. 54 is absolute and unconditional and that it could not be absolute if the condition of "lien" had first to be satisfied.

(G.I., F.D. No. F/28-R.I/28 dated the 5th April, 1928.)

(2) **When suspension regularized as leave consequential recovery inescapable.**—A question having arisen whether in case where the period of suspension is ordered to be treated as one spent on leave and when on conversion it is found that the greater part of the period is to be treated as extraordinary leave for which no leave salary is admissible, the recovery of the subsistence allowance already paid would be in order. The moment the period of suspension is converted into leave it has the effect of vacating the order of suspension and it will be deemed not to have been passed at all. Therefore, if it is found that the total amount of subsistence and compensatory allowances that an officer received during the period of suspension exceeds the amount of leave salary and allowances, the excess will have to be refunded and there is no escape from this conclusion.

(G.I., M.F., U.O., No. 3409-E.IV/53, dated the 25th April, 1953, U.O. No. 320-E.IV/54 dated the 22nd February, 1954 to the Communications Division and M.F., (C's) U.O. No. 1681-C.II/54 dated the 2nd March, 1954.)

(3) **Treatment of period of absence and payment thereof.**—The Government of India have conveyed the following clarifications in regard to certain points which have been raised in connection with the application of F.R. 54, 54-A and 54-B.

- (1) The decision of the competent authority under F.R. 54, 54-A and 54-B is in respect of two separate and independent matters, viz., (a) pay and allowances for the period of absence, and (b) whether or not the period of absence should be treated as duty. It is not necessary that the decision on (a) above should depend upon the decision on (b) above. The competent authority has the discretion to pay the proportionate pay and allowances and treat the period as duty for any specified purpose(s) or only to pay the proportionate pay and allowances. It has no discretion to pay full pay and allowances when the period is treated as "non-duty". If no order is passed directing that the period of absence be treated as duty for any specified purpose the period of absence should be treated as 'non-duty'. In such event, the past service (i.e.) service rendered before dismissal, removal, compulsory retirement or suspension will not be forfeited.
- (2) As Fundamental Rule 54 is absolute the law of limitation need not be invoked at the time of paying the arrears of pay and allowances for the period from the date of dismissal/removal/compulsory retirement/suspension to the date of reinstatement in respect of all cases where the pay and allowances are regulated on reinstatement in accordance with the provisions contained in F.R. 54, F.R. 54-A and F.R. 54-B with the exception of those covered under sub-rule (4) of F.R.54 and sub-rule (2) (i) of F.R. 54-A.

(G.I., O.M. No. 15(14)E.IV (59), dated the 25th May, 1962 and the 9th August, 1962 read with provisions of F.R. 54, 54-A and 54-B.)

(4) Regulation of pay on reinstatement on grounds of equity or court judgment, etc.—1. The following questions in connection with the reinstatement of dismissed/removed/discharged Government servants or the Government servants whose service had been terminated, came up for consideration:

- (1) Whether before the Government of India decide to reinstate an individual on grounds of equity, concurrence of the Ministry of finance should be obtained for payment of pay and allowances for the intervening period; or whether the administrative authorities, could themselves, after following the prescribed procedure, e.g. consultation with the Union Public Service Commission etc., reinstate the person and sanction payment of pay and allowances under F.R.54.
- (2) Whether in cases of reinstatement on the ground of dismissal /removal/ discharge from or termination of service being held by a court of law or by an appellate/reviewing authority to have been made without following the procedure required under Article 311 of the Constitution, payment of full pay and allowances for the intervening period is automatic and compulsory.

2.As regards question (1) above, it has been decided that the concurrence of the Ministry of Finance will not be necessary for reinstating a Government servant if the authority, which reinstates the Government servant, is competent to appoint him. The question as to what pay and allowances should be allowed for the intervening period and whether or not the period should be treated as duty, will be dealt with under F.R. 54.

3. Regarding question (2) stated in para 1 above, it has been decided that F.R. 54 is inapplicable in cases where dismissal/removal/discharge from or termination of service is held by a court or law or by an appellate/reviewing authority to have been without following the procedure required under Article 311 of the Constitution. In such cases--

- (i) if it is decided to hold a further inquiry and thus deem the Government servant to have been placed under suspension from the date of dismissal/removal/discharge/termination under Rule 12 (3) or 12 (4) of Central Civil Services (Classification, Control and Appeal) Rules, 1957 or a corresponding rule, the Government servant will be paid the subsistence allowance from the date he is deemed to have placed under suspension;
- (ii) if the Government servant is not "deemed" to have been under suspension as envisaged under (i) above, the payment of full pay and allowances for the intervening period and treatment of that period as duty for all purposes will be automatic and compulsory, provided that-
 - (a) the arrears should be paid subject to law of limitation;
 - (b) Where the reinstated Government servant has secured employment during any between the dismissal/removal/discharge/termination and reinstatement, the pay and allowances admissible to him after reinstatement for the intervening period shall be reduced by the emoluments earned by him during such employment if such pay and allowances exceed such emoluments. If the pay and allowances admissible to him are equal to or less than the emoluments earned by him nothing shall be paid to him: provided that the amount to be paid under (i) and (ii) above will be determined subject to the directions, if any, in the decree of the court regarding arrears of salary.

4. As the termination of service of a Government servant without following the procedure laid down in the Central Civil Service (Classification, Control and Appeal) Rules, the Central Civil Services (Temporary service) Rules, the C.S.R. or

the terms of his appointment, etc., results in the payment of arrears by way of pay and allowances, the need for meticulously observing the "proper procedure" in such cases is once again impressed on all concerned.

5. In all cases where the circumstances leading to a Government servant's reinstatement reveal that the authority which terminated his services, either willfully, did not observe, or through gross negligence failed to observe the 'proper procedure' as explained above, before terminating his service, proceedings should be instituted against such authority under Rule 16 of the Central Civil Services (Classification, Control and Appeal) Rules, and the question of recovering from such authority the whole or part of the pecuniary loss arising from the reinstatement of the Government servant should be considered.

(G.I., M.H.A., O.M. No. F.2/9/59-Ests. (A) dated the 27th May, 1961 and the 30th May, 1962.)

5. Suspension treated as "dies-non" not reckoned as service:-- It has been decided in consultation with the Comptroller and Auditor-General that the period of suspension of a Government servant, which is treated as "dies-non", should not be reckoned as 'service' for the purpose of any of these rules.

(G.I., M.F., Endorsement No. F.7 (41)-Est. IV/53 dated the 18th July, 1953 and U.N. No. 1824/E.IV/54, dated the 23rd February, 1954 to the A.G., P&T.)

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CHAPTER 14
DEARNESS AND OTHER COMPENSATORY ALLOWANCES
(SECTION I)

1401. Dearness allowance.— Group 'A', 'B', 'C' and 'D' railway servants shall be granted dearness allowance on the scales and under the conditions laid down by the Central Government from time to time.

1402. Application. — The Dearness Allowance shall be admissible to all whole-time railway servants including temporary staff, staff paid from contingencies, piece-workers, workshop staff and apprentices drawing stipends, but excludes an employee whose remuneration is fixed specially with reference to market conditions and not at a rate already sanctioned for his class and the apprentices recruited under the Apprentice Act, 1961 and Apprentice Rules, 1962 who are not eligible for dearness allowance under these rules.

1403. Definitions.—Unless there is anything repugnant in the subject or context, the terms defined below are used in the sense herein explained.

(i) Pay —It includes--

(a) Pay as defined in Rule 103 (35);

(b) Pension and/or Pensionary equivalent of other forms of retirement benefits subject to the provision in Note 2 below, if any, drawn by re-employed pensioners.

NOTE 1.--30% of the basic pay of running staff will be treated as pay representing the pay element in the Running Allowance. From 1-8-1981, Dearness Allowance, and Additional Dearness Allowance at the appropriate rates as sanctioned by the government from time to time shall be paid on the basic pay plus the pay element of the Running Allowance viz. 30% of the basic pay.

(Ministry of Railways letter No. E(P & A)II-80/RS-10 dated 17-7-1981.)

NOTE 2.--In the case of retired Railway servants, non-Govt. servants, employees of Quasi-Government bodies, the dearness allowance during the period of their re-employment on Railways, shall be granted on the pay fixed on re-employment, plus the gross amount of pension and/or pensionary equivalent of other forms of retirement benefits, provided that in either case the total does not exceed the maximum of the scale of the post in which the person is re-employed.

In the case of retired Military Pensioners, whose pay on re-employment in a railway post is fixed without taking into account the military pension, Dearness Allowance shall be granted on the basis of the pay of the post only.

In cases where a part of the Pension is taken into account for the purpose of the fixation of pay on re-employment, that part of the pension subject to the limits laid down above will be treated as pay.

For this purpose, the amount of pension will be the amount originally sanctioned (i.e. before commutation, if any) less the amount of pension, if any, held in abeyance as a condition of re-employment.

NOTE 3.--The compensatory (construction or survey) allowance granted to staff employed on loco building works surveys and construction works, vide rule 1423 shall not be included in 'Pay' for the purpose of calculating dearness allowance.

NOTE 4.--(i) The emoluments received from foreign Government in the shape of pay, leave salary or pension will not be taken into account for determining the eligibility to dearness allowance.

(ii) Dearness Allowance is in the nature of compensation for established increase in the cost of living and shall be comprised of Dearness Allowance, Additional Dearness Allowance and Dearness Pay and such other elements as the government may from time to time decide. It shall be classified as a Compensatory Allowance.

1404. Allowance to contract officers.--Dearness Allowance may be granted to officers engaged on contract for specified periods who may be otherwise eligible for it irrespective of whether there is a provision in the contract for the grant

to them of any concession or allowance of a general nature which may be sanctioned for officers of corresponding status in the regular service and subject to the condition that they have not already been allowed in the fixation of their pay an element of compensation to meet the increase in the cost of living.

1405. Allowance to officers on ad-hoc rates of pay.--The dearness allowance will also be admissible to those officers on ad-hoc rates of pay provided their pay was fixed without taking into account any allowance drawn by them prior to their appointment on the ad-hoc rates of pay, as compensation, for the high cost of living.

1406. Allowance to military officers.--Military officers in civil employ drawing civilian rates of pay will be eligible for the Dearness Allowance as admissible to Railway servants in corresponding grades, while Military officers drawing Military rates of pay and allowance will be governed by the rules or orders on the subject applicable to the personnel of the Armed Forces.

1407. Allowance on varying rates of pay.--The admissibility and the amount of allowance to be drawn by railway servants drawing varying rates of pay during the course of a month will be determined by the emoluments drawn during each particular broken period of a month.

1408. Allowance on joining and leaving service.--In the case of a railway servant joining or leaving service in the course of a month, the allowance will be determined with reference to the monthly rate of pay and will be proportionate to the actual days of employment in the month.

1409. Allowance during Foreign service.--A railway servant in foreign service may draw dearness allowance from the foreign employer on the basis of foreign service pay, if the foreign employer is willing to bear the cost and provided that the rates as well as the monetary limits (including marginal adjustments) for the eligibility for the allowance are not higher than those sanctioned for railway servants.

1410. Drawal of allowance during deputation out of India.--A Railway employee deputed for training abroad under the various officially sponsored training schemes may be allowed dearness allowance at the rate at which he would have drawn dearness allowance had he not proceeded on deputation abroad for training excluding any regular leave taken abroad.

The allowance will not be admissible to railway servants posted ex-India to specified posts. Also Dearness Allowance or Dearness Pay is not admissible in conjunction with foreign allowance.

1411. Drawal of allowance during suspension.--In addition to subsistence allowance, a railway servant under suspension shall be entitled to dearness allowance appropriate to the actual subsistence allowance admissible from time to time.

1412. (1) Drawal of allowance during leave and joining time

I. Admissibility of the allowance during leave

- (a) The allowance may be drawn during any period of leave other than (i) extra-ordinary leave, in or outside India and (ii) any portion of leave preparatory to retirement spent outside India, except that in cases of leave preparatory to retirement in India it will be admissible only during the first 180 days and in the case of terminal leave it will be admissible only during the first 120 days of the leave spent in India.

NOTE (1).--During leave preparatory to retirement in India in excess of first 180 days or leave preparatory to retirement outside India, the dearness allowance an amount equal to the Dearness Pay if admissible, appropriate to the leave salary, if the leave is on full pay and half of such amount if otherwise, may be paid.

NOTE (2).--In the case of a deceased Government servant, his family is entitled to the payment of cash equivalent of the leave salary that the deceased employees would have got, had he gone on earned leave but for the death, due and admissible on the date immediately following the date of death subject to a maximum 180 days of earned leave in terms of Rule 39-A (a) of the Central Civil Service (Leave) Rules 1972. Such cash equivalent would also carry the appropriate amount of dearness allowance.

- (b) The allowance during leave will be based on the leave salary actually drawn, both for the purpose of monetary limits within which the allowance is admissible and for calculation of the amount of the allowance.

NOTE (i) During terminal leave, the Dearness Allowance will be calculated on the gross leave salary before deduction of pension and pension equivalent of retirement benefits but the amount of Dearness

Allowance payable to the employee on terminal leave should be reduced by the amounts of "reliefs to pensioners" that are admissible over and above the pension.

- (ii) During study leave, the Dearness Allowance would be admissible in terms of Rule 1413.

(O.M.F.O.M. No. 13011/1/E.II (B)/76 dt. 18-2-78)

II. Admissibility of the allowance during joining time

During joining time as defined under Rule 1101 (F.R.105), the allowance will be based on the joining time pay admissible under Rule 1113 (F.R. 107) except that in a case where an employee joins a new post in a new station on return from leave of not more than six months duration from leave of any duration when he had not sufficient notice of the appointment to the new post, allowance will be drawn at the same rate at which it was drawn before the commencement of the joining time.

III. When running staff are on leave, they shall be entitled to be paid their leave salary based on their basic pay plus 30% thereof representing the pay element of running allowance and Dearness Allowance/Additional Dearness Allowance due on such pay plus 30% thereof.

(Ministry of Railways letter No. E (P & A)II-80/RS-10 dated 17-7-1981.)

(2) For the purpose of computation of leave salary in the case of those drawing pay in pre-authorised scales of pay, Dearness Pay shall not be taken into account and the Dearness Allowance should be determined in the usual manner.

1413. Allowance during study leave.--Dearness allowance is admissible to railway servants based on leave salary sanctioned during study leave whether in India or abroad.

1414. Drawing of allowance during unpaid holidays.--During unpaid holidays, workshop staff will be eligible for the allowance at the full rate applicable to them.

1415. Dearness allowance to re-employed persons whose re-employment runs concurrently with leave preparatory to retirement.--If a railway servant while on leave preparatory to retirement avails himself of such leave concurrently with his new appointment in the railway, he will be granted dearness allowance in respect of his new appointment based only on the pay of such appointment. The allowance will neither be admissible on leave-salary, nor will the leave salary be taken into account in calculating the allowance.

1416. Dearness allowance during leave preparatory to retirement to Nationals of Nepal and Bhutan.--A railway servant who is a Nepalese or Bhutanese National shall be eligible to dearness allowance during leave preparatory to retirement spent by him in Nepal or Bhutan respectively in the same way as it is allowed to the Railway servants of Indian Nationality during leave preparatory to retirement spent by them in India.

1417. Dearness Pay.--Such portion of the Dearness Allowance as is decided by the Government to be treated as Dearness Pay shall be termed as Dearness Pay. The Dearness Pay so designated, shall be reckoned as pay for such purposes as are specified by the Government from time to time and for no other purposes.

Provided, however, that this rule is not applicable to persons who are—

- (a) employed on contract;
- (b) granted consolidated rates of pay and are not in receipt of dearness allowance separately;
- (c) drawing pay and allowances under the authorized scales of pay; and
- (d) drawing dearness allowance otherwise than as provided in these rules.

SECTION II-OTHER COMPENSATORY ALLOWANCES

1418. House allowance in lieu of free quarters.--The Railway employees who are entitled to rent free accommodation may be granted compensation, for the period during which they are not provided with such accommodation as specified below:-

- (i) Employees who are working in cities classified for the purpose of grant of house rent allowance will be entitled to the amount equal to that charged as house rent for Government accommodation from employees similarly placed but not entitled to rent free quarters and, in addition, to the house rent allowance admissible to

corresponding employees. The total amount will, however, be limited to the rent actually paid by such employees.

- (ii) Employees working in other places will be entitled to the amount equal to that charged as house rent for Government accommodation from employees similarly placed but not entitled to rent free quarters.
- (iii) The amount charged as house rent for Government accommodation will be taken as 7½% of the monthly emoluments in the case of employees drawing pay below Rs.300 and 10% in the case of others.
- (iv) The employees referred to in para (i) above can draw the compensation in lieu of rent free accommodation as well as the amount admissible as house rent allowance to the corresponding employees not entitled to rent free accommodation without producing the house rent receipt if their pay does not exceed Rs.1069/- P.M. (R.S.)

In the case of employees drawing pay above Rs. 1069/- P.M. (R.S.) production and verification of rent receipt is necessary if the amount claimed by way of compensation in lieu of rent free accommodation alongwith house rent allowance is in excess of that admissible on pay of Rs.1069/- P.M. and in the absence of rent receipt, the claim shall be restricted to the amount as is admissible on the pay of Rs. 1069/- P.M. (R.S.):

Provided that those employees who are in receipt of a higher amount of compensation in lieu of rent free accommodation without production of rent receipt or those employees in whose case compensation in lieu of rent free accommodation is paid without production of rent receipt irrespective of their pay and who wish to continue to draw the compensation at the existing rates, will continue to receive such amount as personal to them so long as they continuously serve in the same station.

The employees falling under para (ii) will not also be required to produce rent receipt for claiming the compensation if their pay does not exceed Rs. 1069/- P.M. (R.S.).

- (v) Pay for the purpose of this Rule will be 'Pay' as defined in Rule 103 (35) plus such part of dearness Allowance/Additional Dearness Allowance/Dearness Pay as is from time to time merged with pay for being reckoned for payment of House Rent Allowance and City Compensatory Allowance.
- (vi) This concession is personal to those staff who are enjoying the privilege of rent free quarters or house rent allowance in lieu thereof in terms of orders issued from time to time.

(Railway Board's letter No. PCIII/73/HF/1 dated 31-5-75 and 12-6-78.).

1419. Allowance to Nursing Staff.—The following allowances shall be granted to the nursing staff on railways-

Sl. No.	Allowance	Rate
1.	Nursing Allowance	Rs. 300/-p.m.
2.	Uniform Allowance	Rs. 3000/- per annum
3.	Washing Allowance	Rs. 150/- per month

NOTE.--(1) The Uniform allowance may be granted either on a monthly or an annual basis at the discretion of the Railway Administration.

(2) Nursing staff for whom messing allowance is admissible should be allowed to draw that allowance during leave to the extent indicated below-

- (i) If the period of leave is on average pay/full pay, messing allowance will be at full rates admissible;
 - (ii) If the period of leave is on half pay/half average pay, messing allowance will be at half of the normal rates admissible;
 - (iii) If the period of leave is without pay, no messing allowance will be admissible; and
 - (iv) Messing allowance will be admissible on the basis indicated above during leave on Medical certificate or maternity leave.
- (3) Laundry allowance will not be admissible if the period of leave exceeds 15 days at a time.

(4) The Uniform Allowance will be admissible during leave and subject to the conditions mentioned in Rule 1412.

If the allowance is paid on annual basis proportionate reduction should be made if the total period of all kinds of leave exceeds four months at a time.

(Authority: Railway Board's letter No. E(S)I-57CPC/AL/7 dated 26th October, 1959 and No E(S)I-60/CPC/AL/19 dated 2nd July, 1970.)

5 (i) The above rates will be effective from 1-8-97.

(ii) The Nursing Allowance will be payable at Rs.1600/-p.m. w.e.f. 15- 7-98.

(iii) The Nursing Personnel of all categories at all levels working in Railway Hospital and registered under the Indian Nursing Council Act are eligible.

(iv) Nursing Allowance will not be treated as "Pay".

(6) Since Nursing Allowance is a total compensation for the conditions of working including night work, the Nursing Staff would cease to be eligible for Night Duty Allowance.

(Authority : Railway Board's letter No.E(P&A)II/87/AL/1, dated 19.8.87, 4.5.89, 13.5.92, No.E(P&A)I-96/FE-4/4, dated 4.12.96, No., E(P&A)I-98/AL/1, dt.17.8.98 and No. E(P&A)I-98/AL/6, dated 12.11.1998).

1420. Railway employees deputed for Breakdown duties will be entitled to the following:-

(1) Non-gazetted Railway servants employed in Running sheds and Carriage and Wagon depots who are earmarked for attending to breakdown duties and Relief Train Electrical staff, including Supervisory staff, holding posts in the revised scales upto Rs.5000-8000, (except the Supervisors in charge of Carriage & Wagon Depots, Loco Running shed or the Electrical Relief Train), shall be allowed the following:-

(i) Breakdown Allowance at the following rates:-

Sl. No.	Category of staff	Scale of pay	Amount of Breakdown Allowance per month
1.	Unskilled workers	2550-3200	Rs.40 p.m.
2.	Khalasi Helper	2650-4000	Rs.40 p.m.
3.	Other Group D Staff	2610-3540 2650-4000	Rs.40 p.m.
4.	Staff in scales & Skilled workers	2750-4400 3050-4590	Rs.60 p.m.
5.	Technicians/Sr. Technicians Supervisors	4000-6000 4500-7000 4500-7000 + Rs. 100 p.m.	Rs. 80 p.m.
6.	Junior Engineers, and, staff in higher scales	5000-8000 & above	Rs. 100 p.m.

(a) This allowance will be treated as a compensatory allowance for all purposes.

(b) The payment of this allowance would be subject to a review by the Controlling officer to ensure proper performance of breakdown duty. The allowance will not be admissible to the Railway servants who have failed to turn out for the breakdown duties within the stipulated time.

(ii) Priority in allotment of quarters, particularly for quarters near the Running sheds or Carriage & Wagon depots, as the case may be.

(iii) Supply of free food, departmentally or otherwise, during the period they are engaged in breakdown duties;

NOTE:- Where it is not possible to make arrangements for supply of free food, in exceptional circumstances, cash in lieu thereof may be paid to the non-gazetted staff including Gangmen and Trolleyman engaged in Breakdown duties, at the rates fixed by the General Manager in consultation with FA & CAO.

(iv) Payment for overtime work in accordance with the normal rules, time taken in traveling to the site of the accident and back shall also be reckoned for payment of overtime;

(v) Payment of full daily allowance at the rates applicable to ordinary localities without the stipulation that they should be out of headquarters beyond 8 kilometres for a period exceeding 12 consecutive hours.

(a) Daily allowance at full rates as above will be admissible for each breakdown occurring at different places on the same day.

(2) All other non-gazetted staff of all departments who are called out in connection with accidents/breakdowns, including the Supervisory staff who are not eligible for Breakdown Allowance, shall be allowed the concessions enumerated in clauses (iii), (iv) & (v) of sub-rule (1) above.

(3) Gazetted staff who are called out in connection with accidents/breakdowns shall be allowed the concessions enumerated in clauses (iii) & (v) of sub-rule (1) above. Cash compensation in lieu of free food shall, however, not be admissible to them.

(Authority: Railway Board's letter No. E(P & A)II-98/BDA-1 dated 25-5-1999.)

(4) For the purpose of sub-rule (1), (2) and (3) above, a breakdown may be:-

(i) Any accident which involves the calling out of a breakdown train or engine with special staff or equipment (including MFD equipment or traffic crane) from the nearest breakdown train depot or shed, or a breach or washaway on the line which interrupts normal traffic; or

(ii) Any of the following which interrupt normal traffic on running lines: -

(a) Snapping of overhead electric traction lines which involves calling out of Tower Wagon or Breakdown Lorry;

(b) Damage/Bursting of points requiring the attendance of a Breakdown/Repair/Maintenance Gang;

(c) Breakdown of interlocked lifting barriers;

(d) Total interruption of telecommunication/communications or of power supply.

(Authority : Ministry of Railway's letter No. E(P&A)II/91/BDA/1/DC/JCM dated 13-8-91.)

1421. Out turn Allowance:-

(i) A teleprinter operator may be paid Out Turn Allowance @ 10 paise per message worked in excess of 250 messages during the shift duty of six hour (intensive) or eight hour (continuous). The limit of 250 messages will include all messages (sent or received) including service messages (classified as 'T' messages).

(ii) Weightages for message:

(a) A message containing words up to 44 is to be counted as one message.

(b) A lengthy message containing between 45 to 74 words should be treated as two messages and between 75 to 104 words should be treated as 3 messages and so on.

(iii) A Teleprinter Operator shall be entitled to earn 'Out Turn Allowance' in a month if:-

(a) He has availed only casual leave and other leave eligible on full pay.

- (b) He has attended four night duties or such less number as authorized by head of the department.
- (c) No rebate shall be given for interruption on any circuit.
- (iv) The following items of work performed by the Teleprinter Operators staff shall be treated as non-incentive work:
 - (a) Period spent for learning Hindi under the Hindi Teaching Scheme.
 - (b) Short duration of relief of supervisory staff.
- (v) The Out Turn Allowance shall be computed on daily basis and paid on monthly basis.

2. Subsidiary rules may be framed by individual Railway, in consultation with the Financial Adviser and Chief Accounts Officers.

Railway Board's Decision :- When Teleprinter Operators are put to work on a partially supervisory post, they should be granted Out Turn Allowance like other Teleprinter Operators under the Out Turn Allowance Scheme. The limit beyond which Out Turn Allowance become admissible shall, however, be 125 instead of 250 messages.

(Authority : Railway Board's letter No. E(P&A)II/86/AL/1 dated 15-12-1989 & 21-2-90, 11.6-90 and No., E(P&A)I-98/AL/4, dated 12-2-1999 and 20-8-99)

1422. Washing Allowance.--Group 'D' staff employed in the headquarters offices of a railway or in any other office where it is considered desirable by the Ministry of Railways from the Administrative point of view, that the Group 'D' staff should appear in neat and clean uniforms, may be granted by a special or general order, a washing allowance at such rate as the ministry of Railways may prescribe from time to time.

NOTE. (1)-It will be for the Controlling officers to satisfy themselves that the allowance is actually spent for the purpose for which it is granted. No deduction, whatsoever, of Washing Allowance need be made for the period of any leave taken by the employee.

(Railway Board's letter No.F(E)I-68/AL-29/3 dated 8-9-81.)

NOTE. (2)-The categories of Group 'D' staff selected for grant of Washing Allowance are listed in para 706 of IREM. Washing Allowance is also admissible to the Staff Car Drivers, who are in Group 'C', on the same terms and conditions as applicable to Group 'D' staff.

(Authority : Railway Board's letter No. F(E)I/99/AL-29/4 dated 12-1999.)

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CHAPTER 14
DEARNNESS AND OTHER COMPENSATORY ALLOWANCES
(SECTION I)

1423. Compensatory (Project) Allowance to open line staff employed on construction and survey projects.--

Railway servants employed on construction or survey projects may, subject to the following conditions, be granted compensatory (Construction or survey) allowance at the rates shown below:-

Pay/Grade	Rate Quantum
Basic Pay below Rs. 950/-	Rs. 75/-
Basic Pay of Rs. 950/- and above but below Rs.1500/-	Rs. 150/-
Basic pay of Rs. 1500/-and above but below Rs. Rs.2000/-	Rs. 225/-
Basic pay of Rs. 2000/- and above but below Rs. 3000/-	Rs. 300/-
Basic pay Rs.3000/-and above	Rs. 375/-

(Railway Ministry Letter No. PCIV/86/Imp/AL-15 dated 14-10-86.)

NOTE.-(i) The term 'Pay' referred to above has reference to the revised scales of pay as notified in the Railway services (Revised Pay) Rules, 1986, as amended from time to time. For persons who have elected to retain the pre-revised scales of pay, Compensatory (Construction/Survey) Allowance will be admissible at the above mentioned rates but in their case 'Pay' will include dearness pay, dearness allowance and interim relief at the rates in force on 31-12-72.

(ii) For the purpose of calculating the compensatory (Construction/Survey) allowance, pay shall include special pay, as defined in Rule 1303 (F.R. 9(21) (a) (i)) and not any kind of allowance.

(iii) The allowance shall ordinarily be sanctioned only for 'new lines' or restorations' or 'surveys'.

(iv) The allowance will not be admissible for 'doublings' except under very special circumstances to be decided by the Railway Board.

(v) The cases of 'projects' other than 'new lines' or 'restoration' or 'surveys' will be decided by the Railway Board on merits.

(vi) (a) The allowance will be admissible also to temporary staff recruited through Railway Recruitment Boards, or otherwise by a competent authority, if they are not locally recruited staff, as well as to staff engaged on re-employment terms. As Group 'C' staff as a rule are not recruited locally and recruitment of Group 'D' staff also is not confined to only the local Employment Exchange, this will exclude only such Group 'D' staff as are recruited locally (through the local Employment Exchange or otherwise). Construction allowance will not be admissible to casual labour.

(b) Staff employed in connection with surveys, new lines under construction, restoration of dismantled lines and such other projects as are specifically approved by the Railway Board will be eligible for the allowance wherever employed in connection with these works i.e., whether residing within the project site or area or not.

(c) This allowance will not be admissible in localities where compensatory and/or house rent allowances have been sanctioned to all railway servants by general orders. As an exception to this general principle, however, staff residing in 'C' class towns, most of whom draw relatively very small amounts as house rent allowance, will be permitted to draw either the construction/survey allowance, or the other compensatory (house rent) allowance, whichever is higher.

(d) The staff employed partially on a survey/construction or other project approved by the Railway Board, for the purpose of drawing this allowance, and partially on other projects for which this allowance is not admissible, will be entitled to draw this allowance so long as they are closely associated with the construction/survey or other project work.

(vii) Staff transferred to the project even where such transfers involve promotion, will be eligible for the allowance.

(viii) The allowance will be admissible during leave also, subject to the condition that the railway servant should certify that while on leave he continued to incur a considerable portion of the expenditure for which the allowance had been sanctioned.

(ix) Survey, construction and project staff and gazetted railway servants will draw this allowance for the duration of sanction to the staff in connection with the survey, & C. In the case of surveys, however, the allowance will be admissible only during the period of field work and not during recess periods.

NOTE 1.--The allowance may be sanctioned by the General Managers but the question whether a particular project/survey/new line construction will qualify for the grant of construction/survey allowance or not should be referred to the Railway Board for decision.

NOTE 2.--Railway servants governed by the ex-Company Railway rules or ex-Indian States Railways Rules when employed on construction/survey/projects will be eligible for construction or survey and consolidated travelling allowance admissible to them under their respective rules. In case there is no provision for compensatory (construction or survey) allowance under their rules, the principles and the scales of allowance laid down in this rule shall apply.

NOTE 3.--The staff of the construction organisation, who are otherwise eligible for it, may continue to get the allowance for a maximum period of 12 months after the opening of the line/project for both goods and passenger traffic, provided that-

(i) When a line/project is opened in sections, the opened section(s) would be treated as a separate line/project for this purpose.

(a) Staff engaged in connection with the opened section(s) only will, therefore be eligible for the allowance up to a maximum period of 12 months after the opening of the section(s) to goods and passenger traffic.

(b) Staff engaged partly in connection with opened section(s) and partly in connection with the rest of the line/project would be deemed to be engaged in connection with the rest of line/project for so long as they are closely associated with the rest of line/project; such staff will, therefore, be eligible for the allowance up to a maximum period of 12 months after the opening of the rest of the line/project to goods and passenger traffic.

(ii) During the period of 12 months referred to above the allowance will be paid only to those staff otherwise eligible for it who were a part of the construction organisation and were in receipt of the allowances before opening of the line/project or the Section thereof or as the case may be the section(s) thereof for goods and passenger traffic.

Railway Board's Decision

The allowance will be admissible to the temporary Assistant Officers recruited through the Union Public Service Commission from 9th April, 1956 or the date from which they qualify for the grant of such allowance whichever is later.

(Railway Board's letter No.E(GR)56/RC/2-42, dated 9-2-1956.)

1424. National Holiday Allowance--The non-gazetted staff booked on duty on National Holidays may be compensated as under:-

Pursuant to merger of 50% of Dearness Allowance with basic Pay, the pay range slabs for determining the eligibility limit for grant of National Holiday Allowance stand revised as follows:-

Revised pay range by adding DP (Rs.)			Rate (Rs.)
3825	-	4758	85
4759	-	6306	106
6307	-	15750	140

(Authority Board's letter No. E(P&A) I – 2004/HL –1 dated 30.11.2004 and 13.09.2005)

2.(i) The Rule/provisions are not applicable to gazetted officers.

- (ii) The cash compensation is payable even when an employee is on rest. It is not necessary that his rest should be abrogated to be eligible for the cash compensation.
- (iii) The shift duty staff who work round-the-clock and might have performed part duty on the holiday in question can be paid the National holiday Allowance at the full prescribed rates.
- (iv) The cash compensation is meant only for those who do not enjoy public holiday and are also required to work on the National Holidays.
- (v) The monetary compensation will also be payable in the following circumstances:-
 - (a) When the day of rest and the National Holiday fall on the same day, and
 - (b) When the running staff are on 'waiting duty on a National Holiday'.
 - (c) The monetary compensation will also be applicable when the running staff are on 'Light Duties' on a National Holiday.
 - (d) The running staff who have completed their rest including periodic rest on a National Holiday and who are waiting to be booked for duty on that day will also be entitled to the National Holiday Allowance.
- (vi) The monetary compensation will be applicable when the relieving staff travel as passengers on the National Holidays to their Headquarters after performing duties at out-stations. The compensation will also be applicable when the relieving staff travel as Passengers from their Headquarters to take up duty at another stations.
- (vii) As the members of the Railway Protection Force work round the clock and are not entitled to public holidays, they will be eligible for compensation for working on National Holidays.
- (viii) Office staff who are eligible for public holiday would not be entitled to additional payment merely because of their attendance on a National Holiday.
- (ix) The Monetary compensation in lieu of National Holiday may be paid to such of those Railway Territorial Army Personnel, who have opted for Railway pay and allowances even during embodiment on T.A. duty as provided for in Board's letter No. PC-60/HL-2/1 dt. 10-8-61 read with letter No. PC-66/HL-2/2 dt.3-9-68.

NOTE: 1 (i) 'Pay' for this purpose will refer to pay fixed in the revised scales of pay under the Railway Services (Revised Pay) Rules, 1997.

(ii) The employees drawing basic pay exceeding Rs.7848/- but not exceeding Rs. 10,500/- shall also be entitled to national Holiday Allowance at the rates applicable to the pay slab of Rs. 4205-7874 i.e. @ Rs. 140.00.

(iii) These rates came into effect from 1-1-1998 vide Board's letter No. E(P&A)/98/HL/2, dt. 18-2-98 & 14-7-98.

2. There should be a stricter control and supervision with regard to earmarking the staff for duty on National Holidays. There should be rigorous and strict scrutiny of the list of staff required to be booked for duty on National Holidays which should be finalised by the concerned Head of the Department in consultation with the Chief Personnel Officer and the FA & CAO and the list should have the personnel approval of the General Manager. In respect of Divisional staff there should be a similar scrutiny at the level of the DRM in consultation with the Associate Finance. While operational services are required to be manned on National Holidays on a scaled down basis and minimum maintenance services will also have to be provided, without compromising the requirements of the safety of the Railway Assets and the traveling public as well as the operational considerations, it should be possible to ensure that regular work including normal maintenance work is attended to either on the previous day or postponed to the day following National Holiday. Only such of those staff as are indispensable for maintaining the required scale of operation on a National Holiday, without compromising the requirements of security or the safety of the travelling public are generally to be deployed on National Holiday. For instance, Inspectorial/Line staff need not be booked on a National holiday if their duties are of such a nature that they can be attended to either on the previous day or on the following day. The strictest possible control should be maintained over the list of staff eligible for National Holiday Allowance as well as the over-all incidence of expenditure on the allowance.

3. (i) The National Holiday Allowance shall be made applicable for 50% of the gangs in turn rather than giving compensatory rest in lieu of National Holiday Allowance.

(ii) The open line staff booked on line duty on national Holidays irrespective of the fact whether such staff draws TADA or not are also eligible for national Holiday Allowance.

(Authority: Board's letter No. E(P &A)I-98/HL/1, dated 22-12-98).

1425. Allowances admissible to RPF/RPSF personnel:--

1. Ration Money Allowance--(a) Non-gazetted personnel upto the rank of Inspector Grade I (Scale Rs.6500-10500) are entitled to Ration Money Allowances at a rate fixed by the Ministry of Railways from time to time.

NOTE: with the introduction of this Ration Money Allowance (w.e.f. 1-8-97) Extra Duty Allowance for working more than nine hours in a day as also the Ration subsidy, cease to be admissible.

(b) During LAP, Ration Money is payable upto 120 days. It will be paid at full rates for the first 60 days and at half the rates, for the next 60 days.

(c) RPF/RPSF personnel deployed on Internal Security Duty are entitled to Ration Money at full rates for a maximum period of six months only.

(d) Deleted (Authority:- Railway Board letter No. E(P&A)1-2005/ALL/RPF-2 dated 23-04-2012) ---acs no. 59

2. Cash Compensation for holidays/Closed days.--(a) In the exigencies of public service, RPF/RPSF personnel are required to perform duty even on gazetted holidays/closed days/restricted holidays/National Holidays/weekly rest days/other holidays. Every effort should be made to grant compensatory holiday/rest in lieu of the holiday/rest foregone by the staff during the same week or within the next 30 days. It is only in emergent situation that weekly rest or compensatory rest/holiday for working on rest days or on gazetted holidays should be denied and the reasons therefore should be recorded by Company Commanders/Officer-in-charge of the post. The permission to staff for leaving station on rest days should invariably be granted, if asked for. The Security Officer/Assistant Security Officer will personally ensure this and issue suitable instructions to the Company commanders/Post Incharge.

(b) The cash compensation is payable for each day the personnel actually work on holidays for which it is not possible to grant compensatory off as per sub-rule(a) above.

NOTE: The total amount of cash compensation in a Calendar year will not exceed one month's salary comprising basic pay, special pay (if any) and dearness allowance.

(c) RPF/RPSF personnel will not be entitled to National Holiday Allowance in addition, for performing duty on a National Holiday.

(d) The term 'holiday' includes all the 16 public/gazetted holidays/Restricted holidays, weekly rest days (whether Sunday and any other day), 2nd Saturdays and 9 National Holidays for the purpose of Cash Compensation in lieu of attendance on these holidays.

3. Washing Allowance. (A) Non-gazetted Staff--RPF/RPSF personnel may be granted Washing allowance at a rate fixed by the Ministry of Railways from time to time. With effect from 1-8-1997 Washing Allowance is payable @ of Rs. 30/- p.m.

(B) Gazetted Officers--Group 'A' officer of RPF/RPSF are entitled to the Uniform Allowance and Kit Maintenance Allowance as follows:-

S.No.	Type of Allowance	Rates effective from 1-8-1997
1.	Uniform Allowance	
1. (a)	Initial grant	Rs. 6500/-
1. (b)	Renewal grant	Rs. 3000/- to be granted after every seven years
2.	Kit Maintenance Allowance	Rs. 150/- p.m. for group 'A' Officers of RPF/RPSF.

Note: The Inspectors in scale 6500-10500 who are promoted as Group 'A' officers on Adhoc basis, will be paid Renewal Grant at the rate of Rs. 425/- per annum, till they are promoted on Regular basis.

(Authority:- Railway Board's letter No. E(P&A)I-98/ALL/RPF/3 dated 25.5.99)

1426: Allowance to Doctors.--(1) Annual Allowance : Railway doctors having Post Graduate Qualification recognized by Medical Council of India will be granted Annual Allowance @ Rs. 500/- (Rupees five hundred only) per month. The General Duty Doctors without recognized Post Graduate Qualification will be granted Annual Allowance @ Rs. 300/- (Rupees three hundred only) per month w.e.f. 1.7.1998 subject to the following terms and conditions:--

- (a) This will be granted to all railway doctors including Dental Surgeons and Ad-hoc AMOs in Group 'B'.
- (b) At the end of the financial year, the Medical Officers will be required to furnish a certificate to the effect that the amount of Annual Allowance has been utilized for the purpose for which it was drawn. In the case of retirement/resignation before the end of the financial year, such a certificate will be furnished at the time of retirement/resignation.
- (c) The above allowance will not have the characteristics of pay and will not be reckonable for any purpose whatsoever.
- (d) All doctors in Medical Departments with Post Graduate Qualifications are eligible for grant of Annual Allowance irrespective of the fact whether they are working as Specialists or as General Duty Doctors.
- (e) Post Graduate Diploma Holders in the Medical department of Indian Railways are also eligible for the grant of this Allowance.

(2). Post Graduate Allowance to Medical Officers for possessing Post Graduate Degree/Diploma Qualifications.--The Post Graduate Allowance will be paid @ Rs.500/- p.m. and Rs. 300/- p.m. for possessing PG Degree and PG Diploma recognized under Indian Medical Act, 1956 respectively to the Medical Officers upto the level of Non-Functional Selection Grade w.e.f. 1.8.97 subject to the following terms and conditions: --

- (a) The Post graduate allowance shall be treated as pay for the purpose of rule 2003(21)(a)(iii) (FR9(21)(a)(iii)) --R.II.

(b) The Post Graduate Allowance shall be admissible to the fresh recruits if they possess the prescribed post graduate diploma/degree at the time of their appointment or they subsequently acquire the post graduate qualification. In the latter case, the post graduate allowance shall be admissible from the date of publication of the result of the Post Graduate qualification; provided that in case of Post Graduate qualification requiring the internship or submission of a thesis before the award of the post graduate diploma or degree, the post graduate allowance shall be admissible only from the date of award of post graduate degree or diploma.

(c) This, however, will not be admissible where possession of the post graduate qualification has been prescribed for recruitment to the post.

(Authority: Railway letter No. E(P&A)I-98/AL/2 dated 29.1.99)

1427. Daily Officiating Allowance. -- When a non-gazetted railway servant belonging to the categories, as indicated in the attached Appendix, or the categories, if any, included in the list from time to time is put to officiate (a) in posts in continuous shift duties; (b) from a lower grade to a higher grade; and (c) in vacancies where a change of category is involved (but not for a change of grade only within the same category), he will be entitled to an allowance at daily rates revised from time to time termed as "Daily Officiating Allowance".

2. Where a period initially 21 days or less extends subsequently to more than 21 days the officiating allowance at the daily rates drawn upto 21 days should be allowed to stand, but if the period exceeds 21 days payment should be in accordance with the rules applicable for normal fixation of pay.

3. The Daily Officiating Allowance will not be taken into account for any purpose, other than for reckoning Overtime under the terms of Hours of Employment Regulations and the Factories Act and recovery towards Income Tax.

(Authority : Board's letter No.E(P&A)I-98/CPC/PA/2, dated 19-11-1999.)

CATEGORIES EXEMPTED FROM THE MINIMUM PERIOD OF OFFICATING AND ELIGIBLE FOR DAILY OFFICIATING ALLOWANCE

S. No.	Category	Officiating as category
1	2	3
1 (a)	Group D	(a) Group D/Supervisory

(b)	Safaiwala	(b) Sanitary Jamadar/Anti Malaria Mate
(c)	Unskilled	(c) Shunting Porter
2 (a)	Unskilled	(a) Khalasi Helper
(b)	Group D (TRAN)	(b) Pointsman Gr.II/Leverman Gr. II
(c)	Group D	(c) Pointsman Gr. II
(d)	Group D	(d) Cook
(e)	Group D	(e) Marker
(f)	Group D	(f) Pump Attendant
(g)	Unskilled	(g) Pointsman Gr.II
3	Group D	Stores/Issuer/Tool Issuer/Material Checker/Collector
4	Unskilled	Technician (Trade)
5 (a)	Hospital Attendant	Dresser II/OTA III
(b)	Steam Man	Crane Driver
6	Sr. Gangman	Keyman
7 (a)	Khalasi Helper	(a) Technician (Trade)
(b)	Pointsman / Leverman / Cabinman	(b) Leverman / Pointsman / Cabinman
(c)	Pointsman	(c) Pointsman / PointsJamadar / Leverman / Asstt. Brakesman
(d)	Compositor	(d) Readers
8 (a)	Material Checker/Collector	(a) Material Checker/Collector
(b)	Keyman	(b) Mate
9 (a)	Sr. Pointsman	(a) Shunting Jamadar
(b)	Fitter/Boiler Maker	(b) Supervisor Gr.II
(c)	Mate	(c) Supervisor (PW)
(d)	Cabinman	(d) Cabin Master
(e)	Fitter	(e) Electrician
(f)	Trains Clerk	(f) Sr. Trains Clerk
(g)	Ticket Collector	(g) T.T.E.
10(a)	Jr. Enquiry Clerk/Trains Clerk	(a) Enquiry Clerk
(b)	Technician (Trade)	(b) Supervisor (Work)
11(a)	Fitter Qualified	(a) Jr. Engineer Gr.II(C&W)
(b)	Technician (Trade)	(b) Jr. Engineer Gr.II(C&W)
12(a)	Signaller	(a) Signaller
(b)	Booking / Luggage / Goods / Parcel Clerk	(b) Booking Clerk
13(a)	Signaller	(a) ASM/Signaller
(b)	Skilled Artisan Gr.II	(b) Skilled Artisan Gr.I
14(a)	Senior Trains Clerk	(a) AYM/Yard Supervisor
(b)	Shunting Jamadar	(b) AYM
(c)	T.T.E.	(c) Trains Conductor

15(a)	Skilled Artisan Gr.I/Supervisor	(a) Jr. Engineer Gr.II(C&W)
(b)	ASM	(b) SM/ASM/YM
(c)	Signaller	(c) Head Signaller
16(a)	Station Master/ASM	(a) SM/ASM
(b)	Staff Nurse	(b) Nursing Sister
17	SM/ASM.	Dy. Station Supdt.
18	Dy.SS	Station Supdt.

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CHAPTER 15 OVERTIME AND RUNNING ALLOWANCES FOR GROUP C & D RAILWAY SERVANTS

1501. The rules governing the grant of overtime and running allowances and the circumstances under which they are granted, are described in this chapter.

Section I- Overtime allowance

1502. Overtime allowance is an allowance paid to railway servants for actual time worked in excess of the hours of employment prescribed by any law or rule.

1503. The Railway servants Hours of Employment Regulations specify the classes of staff in respect of which a railway administration is under an obligation to pay overtime allowance when such staffs are called upon to work in excess of the number of hours prescribed under the said Regulations.

1504. (1) A railway administration is also under an obligation to pay overtime allowance to staff (other than those who hold positions of supervision or management or are engaged in a confidential capacity) who are employed in such workshops or printing presses as have been declared to be factories under the Factories Act, 1948, when they are required to work in excess of the number of hours prescribed in that Act.

(2) In the case of the employees of the printing presses of the ex-East Indian and Eastern Bengal Railway portions, working on the Eastern Railway, overtime will be paid for at half-hourly basis, the half-hour rate of wages of the employee concerned being taken to be 1/400th part of the monthly rate of the pay of the employee. All overtime pay will be at a rate 25 per cent in excess of the monthly rate of pay of the employee. Each half-hour or part of half an hour exceeding 15 minutes will be reckoned as half an hour.

1505. Chargemen, assistant Chargemen (including Journeymen) Mistries Grade 1 and workmen employed in printing presses, workshops and sheds, who are not entitled to overtime allowance under rule 1503 or 1504 above, may at the discretion of the General Manager and subject to such terms and conditions as he may prescribe, be granted an overtime allowance for the actual time for which they are called upon to work in excess of the normal working hours, or for Sundays and holidays when they are called upon to work on such days.

1506. Consolidated monthly overtime. –In lieu of payment for actual overtime worked, staff referred to in rule 1505 may, at the discretion of the General Manager, be granted a consolidated monthly allowance, if, due to the nature of their duties, they are generally required to work overtime for the greater part of the month and the calculation of actual overtime worked is either inconvenient or undesirable.

Section II- Running and other allowances to running staff

1507. Running allowance is an allowance ordinarily granted to running staff for the performance of duty directly connected with the charge of moving trains and includes "Kilometrage allowance" or "allowance in lieu of Kilometrage" but excludes special compensatory allowances. This allowance is paid on the Kilometrage basis calculated at the rates specified per hundred kilometers.

The term "running staff", in this Section, shall refer to railway servants of the classes mentioned below: -

LOCO	TRAFFIC
1. Drivers (including Motormen and rail Motor Drivers, but excluding Shunters). 2. Shunters 3. Fireman (including Diesel Assistants and Electric Assistants). 4. Second Firemen .	1. Guards 2. Assistants-Guards Breakesmen

1508. Types of allowances.- In addition to the overtime allowance under rule 1502, the types of allowances that are admissible to running staff are as follows:-

- (a) A "Kilometrage allowance" while employed on running duties;
- (b) An "allowance in lieu of Kilometrage" while employed on specified "non-running duties";
- (c) "Breach of rest allowance";
- (d) "Special compensatory allowances" to meet out-of-pocket expenses incurred at out-stations;
- (e) "Officiating allowance" when undergoing duties in higher grades of running staff or "stationary appointments".
- (f) "Waiting Duty Allowance" for performance of specified waiting duties;
- (g) "Shunting duty allowance" for performance of Shunting enroute.

1509. Kilometrage allowance may be paid to the running staff at the rates specified from time to time, when employed on:-

- (a) "Running duties";
- (b) "Specially arduous running duties" which comprise duties for working: -
 - (i) Slow moving trains, e.g. transship road vans and shunting trains (pick-up or section) and those working on ghat sections;
 - (ii) Department trains, e.g., ballast, material, breakdown and relief rains;
 - (iii) Trial engines.
- (c) "Less arduous duties" for example, learning the road, traveling as a passenger on duty before or after working a train.

1510. Allowance in lieu of Kilometrage --

(1) When, in the interest of railway service, the running staff are required to perform non-running duties, they are eligible for the grant of allowance in lieu of Kilometrage at the rates specified from time to time.

(2) The instances in which the grant of "allowance in lieu of Kilometrage" is recognized, are enumerated below, e.g.- Journeys on transfer, joining time, attending enquirer/law courts on railway business, attending departmental enquiries as Defence Counsel or witness, Ambulance classes, volunteer duty in connection with the Territorial or other similar forces that may be constituted by Government, meetings of Railway institutes, Welfare and Debt committees, Staff Benefit Fund and Staff loans Fund Committees, staff and welfare committees meetings, for attending the meetings of Railway Cooperative Societies in cases where Special Casual Leave is granted for doing so, Scouting activities and Lok Sahayak Sena Camp, undergoing Sterilisation operation under Family Planning Scheme, appearing in Hindi examination, Guards booked on escort duty of insured parcels on trains, Drivers and Firemen when kept spare for a day or two for examining and cleaning engines thoroughly before being deputed to work special trains for VIPs, attending first-aid classes, undergoing training in carriage sheds or training schools for refresher and promotion courses, participating in recognised athletic contests and tournaments provided the staff concerned are on special casual leave, attending meetings as representatives of labour organizations, periodical meetings with Divisional Officers, Head of Departments and the General Managers, medical and departmental examinations, staff rendered surplus due to change in traction, or any other duty performed in emergencies specially declared as duty conferring the grant of this allowance.

(Authority: Railway Board's letter No. E(P&A)II-2005/RS-11 dated 20.06.2005)

1511. Breach of Rest Allowance.--(i) (A) With effect from 1.8.81, Breach of Rest Allowance shall be granted to the Running Staff (other than those excluded in terms of Clause B below) who work a train to an outstation and return to their headquarters and are detailed for running duty;

- (a) before completion of 16 hours rest at headquarters when the total period of duty immediately before the rest was for 8 hours or more, and

- (b) before completion of 12 hours rest at headquarters when the total period of duty immediately before the rest was for less than 8 hours.

(B) Breach of Rest Allowance shall not be admissible to Running Staff manning suburban services or on shunting duty.

(ii) The allowance shall be payable as Overtime Allowance under Hours of Employment Regulations at the rate of 2 hours for every hour by which rest falls short of the prescribed hours of rest; periods of less than half an hour being neglected and those of half an hour or more being rounded off to one hour on each occasion of breach of rest.

(Authority:- Railway Board's letter No. E(P&A)II/90/FE-2/3 dated 14.06.91& 15.04.91)

1512. Special compensatory allowances. --Special compensatory allowances at specified rates are granted to the running staff to meet out-of-pocket expenses incurred at outstations, in the following circumstances, viz.,

- (i) When running room facilities are not provided;
- (ii) When staff are detained at out-stations for more than 15 hours from the time they sign off duty;
- (iii) When trains are held up at any station, other than headquarters of the staff concerned, due to an accident, for a period exceeding 8 hours; and
- (iv) When the running staff are deputed to work temporarily at stations outside their headquarters.

Grant of each of these allowances is governed by a specified set of conditions.

1513. Officiating Allowance.--(i) This allowance will be regulated as under:--

- (a) When running staff are put to officiate in a "running" post for 30 days or less, they will be paid pay admissible in the lower grade plus running allowance at the rates and on the condition applicable to the higher grade in which they officiate enhanced by 15% (except in the case of Firman 'C' put to officiate as Firemen 'B', for whom the enhancement will be by 30% of the Kilometrage actually performed for every such higher grade).
- (b) When running staff are put to officiate in a 'running' post for more than 30 days, their pay in the higher post will be fixed under the normal rules.
- (c) When officiating in a stationary post for more than 30 days, their pay will be fixed on the basis of their pay in the lower post plus 30 % thereof representing the pay element of the running allowance.
- (d) When officiating in a stationary post for a period of 30 days or less, the fixation of pay shall be regulated in terms of para 911 (ii) (a) of Indian Railway Establishment Manual.

Section III. -Allowances for Loco Inspectors.

1514. Running Allowance shall be admissible to the Loco Inspectors drawn from the loco running staff for the performance of duties directly connected with the training and monitoring of loco running staff on foot plate of the locomotive cab of the moving trains.

(Authority:- Railway Board's letter No. E(P&A)II/83/RS/10(i) dated 25.11.92)

1515. Type of allowance: (1) The Loco Inspectors shall be paid: (a) A kilometrage allowance for actual kilometrage travelled on foot plate while employed on foot plate duties indicated in Rule 1514 above. Kilometrage allowance shall be paid at the rates specified from time to time for these categories of staff.

- (b) An allowance in lieu of kilometrage (ALK) at the rate of 160 kilometers per day while employed on other than foot plate outside their headquarters beyond a radius of 8 kilometers.
- (c) Where the loco Inspectors are deployed for foot plate duties indicated in Rule 1514 for part of the day and for other than foot plate duties in the moving train or at outstation for the remaining part of the day, the payment of kilometrage allowance shall be made either in terms of (a) or (b) above, whichever is higher.
- (2) No other special allowance shall be admissible unless specifically sanctioned by Railway Board.

(Authority:- Railway Board's letter No. E(P&A)II/83/RS/10(ii) dated 25.11.92)

Section IV: Allowances for Drivers drafted to perform the duties of Power Controllers/Crew Controllers

1516. (1) Allowance in lieu of kilometreage of 120 kilometers shall be admissible to Drivers drafted to perform the duties of Power Controller/Crew Controllers, at the rates applicable to them.

(2) No TA/DA or special Pay shall be admissible to the Drivers drafted to perform the duties of Power Controllers/Crew Controllers.

(3) No other special allowance shall be admissible unless specifically sanctioned by the Railway Board.

(Authority:- Railway Board's letter No. E(P&A)II/83/RS/10(i) dated 19.01.98)

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CHAPTER 16
TRAVELLING ALLOWANCE RULES

Section I—General

1601. Extent of application.—The rules in this chapter apply to—

- (1) All railway servants other than those who have been permitted to be governed by the rules of the ex-Company Railways as amended from time to time;
- (2) Officers of the Indian Audit and Accounts Service holding temporarily posts under the administrative control of the Railway Board; and
- (3) All employees of the railway Audit Department, except that the authorities specially empowered shall exercise powers under these rules.

NOTE 1. -- In accordance with the above rules, the term “Indian Audit and Accounts Service” should be substituted for “Railway Services, Group A” wherever they have to be applied in the Railway Audit Department.

NOTE 2. —The term “Administrative Medical Officer of the State” and “ authorised medical attendant” should be read for “Chief Medical Officer of the Railway” and “Railway Medical Officer” respectively, wherever they occur in this Chapter in so far as the Railway Audit Department is concerned.

Audit Instructions

Rules applicable in respect of claims to travelling allowance -- A Government servant's claim to travelling allowance should be regulated by the rules in force at the time journey, in respect of which it is made, was undertaken.

1602. (1) Grades of Railway servants. For the purpose of admissibility to Travelling Allowance , Railway servants are divided into five pay ranges, as follows:-

1. Rs.16,400 /- and above
2. Rs.8,000/- and above but less than Rs.16,400/-
3. Rs.6,500/- and above but less than Rs.8,000/-
4. Rs.4,100/- and above but less than Rs.6,500/-
5. Below Rs.4,100/-

((Authority:- Railway Board's letter NoF(E)/98/AL-28/9 dated 24.4.98)

(2) Where a railway servant is promoted or reverted or is granted an increased rate of pay with retrospective effect, no revision of claims for travelling allowance is permissible, in respect of the period intervening between the date of promotion or reversion or grant of increased rate of pay, and that on which it is notified, unless it is clear that there has been an actual change of duties.

NOTE.-- In the case of late authorisation/drawal of increments with retrospective effect, other than those higher increments were withheld or where the increments take an officer above the stage of efficiency bar, there is no objection to the supplementary claims relating to Travelling Allowance, if any, being admitted, on the basis of the enhanced pay including the increments.

1603. 'Pay' for the purpose of determining the entitlements of Travelling Allowance/Daily Allowance on the basis of pay ranges mentioned in this chapter, means 'pay' as defined in Rule 1303 (F.R. 9(21) (a) (i)).

2. Non-Practicing Allowance will be reckoned as Basic Pay for computing TA/DA entitlements including Composite Transfer Grant.

(Authority: Board's letter No.F (E) I/2003/AL-28/5 dated 23-5-2003)

Section II - Different kinds of travelling allowance

1604. Different kinds of travelling allowance.-The following are the different kinds of travelling allowance:-

- (1) Permanent or consolidated travelling allowance.
- (2) Conveyance allowance.
- (3) Mileage allowance.
- (4) Daily Allowance.
- (5) Actual cost of travelling.

Section III - Permanent or consolidated travelling allowance

1605. (1) A permanent monthly traveling allowance may be granted by the Ministry of Railways to any railway servant whose duties require him to travel extensively. Except as provided in sub-rules (3) and (5), such an allowance shall be in lieu of all other forms of travelling allowance for journey within the railway servant's sphere of duty and may be drawn all the year round whether the railway servant is absent from his headquarters or not. For journeys by rail on the open line, a railway servant in receipt of permanent travelling allowance shall be granted passes under the Railway Servants (Pass) Rules, 1986.

(2) The General Manager of an Indian Railway may also sanction a permanent travelling allowance to a railway servant, subject to the following conditions-

- (a) No such allowance shall be granted unless the railway servant has to be absent from his headquarters on duty for more than 20 days in a month on the average.
- (b) The allowance must be so fixed as not to be a source of profit and shall be so calculated as to be equivalent ultimately to the travelling allowance admissible under the rules if no permanent travelling allowance were granted.
- (c) Adequate arrangements shall be made by the Head of the Department or the Immediate superior of the person drawing the allowance to see that the necessary amount of touring is performed.

(3) A permanent travelling allowance shall not be drawn during leave, temporary transfer, or joining time or, unless otherwise expressly provided in the rules in this chapter, during any period for which travelling allowance of any other kind is drawn.

(4) When a railway servant holds either substantively or in an officiating capacity, two or more posts to each of which such permanent travelling allowance is attached, he may be granted such permanent travelling allowance, not exceeding the total of all the allowances, as the competent authority may consider to be necessary in order to cover the travelling expenses which he has to incur.

Railway Ministry's decision

(1) No deduction shall be made from the amount of consolidated travelling allowance for the days of casual leave an employee avails of in a month. However, the possible spell of casual leave an employee is likely to avail of in a month shall be taken into account while fixing the quantum of consolidated travelling allowance.

(2) In cases, where the staff go on tour on the basis of a roster, the amount of C.T.A., in such cases should be fixed on the basis of the number of days an employee is likely to be out of headquarters on tour as per the roster.

- (4) When a railway servant in receipt of permanent travelling allowance travels on duty by Road, Steamer or Air with proper sanction beyond his sphere of duty, he may draw appropriate Travelling allowance for the

entire journey, including such part of it as within his sphere of duty and may draw in addition permanent travelling allowance for any day of his absence for which he does not draw travelling allowance. This rule does not apply to a railway servant who travels beyond his sphere of duty in the course of a journey from one place within that sphere to another such place, or to a railway servant who makes, by road alone, a journey not exceeding 32 kms.

Section IV – Conveyance allowance

1606. Conveyance allowance. --(1) A competent authority may grant on such conditions as it thinks fit to impose, a monthly conveyance allowance to any railway servant who is required to travel extensively at or within a short distance from his headquarters under conditions which do not render him eligible for daily allowance.

(2) Except as otherwise provided in the rules in this chapter or directed by the sanctioning authority, a conveyance allowance may be drawn all the year round, shall not be forfeited during absence from headquarters, and may be drawn in addition to any other travelling allowance admissible under the rules in this chapter, provided that a railway servant, who is in receipt of a conveyance allowance specifically granted for the upkeep of a motor car or motor cycle, shall not draw mileage or daily allowance for journey by a motor car or motor cycle except on such conditions as the sanctioning authority may prescribe.

(3) A conveyance allowance may be drawn during leave or temporary transfer, or holidays prefixed or suffixed to leave or joining time.

(4) **Motor Car/Motor Cycle/Scooter/Allowance.**--A railway servant who maintains a private motor car or a motor cycle/scooter and uses it in the performance of his official duties, may, at the discretion of the General Manager of an Indian Railway, be granted a motor car or a motor cycle/scooter allowance at the scale shown below provided that the General Manager is satisfied that it is necessary in the interest of the railway administration for him to travel by motor car or motor cycle/scooter frequently on duty:--

Average monthly travel on official duty	Rates of conveyance allowance for journey by	
	Own motor car	Other modes of conveyance (except bicycle)
(1)	(2)	(3)
	Rs.	Rs.
201-300 Kilometres	300 p.m.	100 p.m.
301-450 Kilometres	450 p.m.	130 p.m.
451-600 Kilometres	550 p.m.	170 p.m.
601-800 Kilometres	650 p.m.	200 p.m.
Above 800 Kilometres	800 p.m.	230 p.m.

NOTE 1.- In calculating the mileage travelled, only the journeys performed on duty within a radius of 8 kilometers from Headquarters shall be taken into account and journeys from residence to Office or vice-versa shall not be considered as journeys on duty.

NOTE 2.- The average monthly mileage shall be checked and certified by the Accounts Officers before the allowance is sanctioned.

The conditions for the grant of this allowance shall be as follows:-

- The conveyance allowance at the rates prescribed in column 2 of the above table shall not be admissible to officers whose pay in the revised scale is less than Rs.2800/- p.m. There shall be no pay limit for the grant of allowance at the rates specified in column 3 of the above Table.
- The conveyance allowance will be determined for specific posts on the basis of "controlled traveling (see (iii) below) by the sanctioning authority and the officers appointed to these posts will draw the same unless the mode of conveyance is different subject to the satisfying the prescribed conditions. Where there are a number of posts in the same category, the post(s) for which the allowance is intended should be clearly identified in the sanction and the rate for each such post should be clearly stated.

- (iii) The log books should be scrutinized by the sanctioning authority for determining the average mileage per month justified for official work for the post and the rate of conveyance allowance should be fixed on that basis. The conveyance allowance so fixed should be reviewed every two years. Accordingly the sanctions for grant of conveyance allowance should be issued for periods of two years at a time.
- (iv) For initial fixation of conveyance allowance, a Railway servant claiming allowance should be required to maintain a log book of journey on duty qualifying for the grant of conveyance allowance for a minimum period of 3 months. The controlling officer shall scrutinize the log book as frequently as possible during this period. The book shall contain: -

- (a) The distance travelled daily on official duty.
- (b) Place visited with distance covered and purpose of such visit.
- (c) Mode of conveyance maintained/used.

Once the amount of conveyance allowance is fixed and sanctioned, it will not be necessary for an officer to maintain the log book for the purpose of drawing the allowance from month to month unless the controlling officer specifically desires it to be maintained. The allowance may be drawn for the currency of the sanction so long as the controlling officer is satisfied that there has been no change in the nature of the duties of the Railway servant or the extent of his touring to justify the withdrawal of or a reduction in the rate of allowance. A certificate to this effect should be endorsed by the controlling officer in the pay bills of the Railway servant concerned for the months of January, April, July and October in each year. He will also countersign the pay bills for these months. The review to be conducted at the end of two years should be made in accordance with the procedure laid down for the initial grant of an allowance.

- (v) In the case of Gazetted Officers, on change or incumbency of a post to which conveyance allowance is attached, an intimation should be sent by the Controlling Officer to the Accounts Officer to the effect that the new incumbent possess a conveyance (with particulars thereof) or does not possess a conveyance, as the case may be, to enable the Accounts Officer to authorize conveyance allowance at the appropriate rate to the new incumbent.
- (vi) If a Railway servant travels by road in his own conveyance beyond a radius of 8 kms. either in combination with the rail steamer/air journey or otherwise, he may at his option exchange his conveyance allowance at the rate of 1/30th for each day for any traveling allowance i.e. daily allowance and/or mileage allowance admissible to him under the rules.
- (vii) A Railway servant in receipt of conveyance allowance should not normally use staff car for journeys within his local jurisdiction. If, however, he is permitted by a competent authority to use a staff car for journeys within his jurisdiction, recoveries should be made from the officer at the rates laid down under the Staff Car Rules. If the journey is beyond the radius of 8 kms. of the headquarters, the officer will be allowed daily allowance and or mileage allowance admissible under the rules subject to the following deductions being made therefrom-
 - (a) Full charge for the use of staff Car calculated under Staff Car rules.
 - (b) Deduction at 1/30th of the monthly rate of his conveyance allowance
- (viii) If the motor cycle or motor car/scooter is out of order or is not used for any other reason for more than 15 days at a time, no allowance shall be admitted for the period in question.
- (ix) These orders do not apply to railway doctors for whom separate orders have been issued by the Railway Board for grant of conveyance allowance.

Railway Ministry's decision

Bicycle allowance.-(a) A General Manager may grant cycle allowance at Rs.20 per month to railway servants who are required to travel extensive at or within a radius of 8 kms. from headquarters, provided that a cycle is maintained for the purpose by the staff and utilized in the performance of official duties.

(b) The Bicycle allowance shall be sanctioned by the competent authority for a period not exceeding two years at a time and its continuance shall be reviewed sufficiently in advance of the expiry of such period. The sanctioning authority may, for this purpose specify wherever necessary the local jurisdiction of a railway servant at the time of sanctioning the allowance. They should also make a

review of the posts under their control and decide the post for which the cycle allowance should be sanctioned. The allowance should thereafter be sanctioned with reference to the posts and not the individual incumbent thereof.

The allowance will not be admissible during joining time, leave, temporary transfer and during holidays prefixed/suffixed to leave and joining time.

1606. (A). Actual cost of traveling. –Except as expressly PROVIDED IN THE RULES IN THIS Chapter, no railway servant shall be entitled to be provided with a means of conveyance at the expense of railway revenues or to draw as traveling allowance the actual cost or the part of actual cost of traveling.

1606. (B). Any proposal for the grant of a conveyance allowance or of conveyance hire otherwise than in accordance with these rules shall require the previous sanction of the Railway Board.

1606. (C). (1) Railway servants employed on lines under construction whose duties require them to travel extensively shall ordinarily be granted a monthly consolidated travelling allowance at such rate and at such conditions as the Ministry of Railways may prescribe in each case.

(2) Where, however, the conditions prescribed in Rule 1605(2) are satisfied, a General Manager may sanction the consolidated travelling allowance.

(3) For the use of push trolley, or motor trolley, certain deductions will be made from such consolidated travelling allowance as may be prescribed by the Ministry of Railways.

NOTE.-A 'day' should be taken of 10 working hours, and half of it as 'half day'.

(4) Such Railway servants as are not granted consolidated travelling allowance under this rule shall draw ordinary traveling allowance.

(5) For journey on duty by rail or open line, such railway servants who are receipt of monthly consolidated travelling allowance shall, in addition, be granted pass/es under this rule.

Section V - Mileage allowance

1607. (1) Mileage allowance shall be admissible only for journeys by road.

(2) Mileage allowance shall be calculated by the shortest of two or more practicable routes, or by the cheapest of such routes as may be equally short; provided that the Head of Department or Divisional Railway Manager may, for special reasons which should be recorded, permit mileage allowance to be calculated by a route other than the shortest or cheapest if the journey is actually performed by such route.

(3) If a railway servant travels by a route which is not the shortest but cheaper than the shortest, his mileage allowance shall be calculated on the route actually used.

Note.-(1) The short route is that by which the traveller can most speedily reach destination by the ordinary modes of travelling. In case of doubt, the Head of Department may decide which shall be regarded as the shortest of two or more routes.

(2) In calculating mileage allowance for journeys by road, fraction of the kilometer should be omitted from the total of a bill for any one journey but not from the various items which make up the bill.

(4) A railway servant is required to travel by the class of accommodation for which traveling allowance is admissible to him. If a railway servant travels in a lower class of accommodation, he shall be entitled to the fare of the class of accommodation actually used. In cases, however, in which the Controlling Officer is satisfied that there were sufficient reasons for the railway servant to have travelled by the lower class, he may allow the full mileage allowance admissible for the higher class.

(5) The entitlements for journeys by road, on tour, are as follows:-

Pay Range	Entitlements
(i) Rs. 18,400 and above	Actual Fare by any type of public bus including Air-conditioned bus; OR At prescribed rates for AC taxi when the journey is actually performed by AC taxi

OR

At prescribed rates for Ordinary Taxi when the journey is actually performed by Ordinary Taxi/Own Car

OR

At prescribed rates for autorickshaw for journeys by autorickshaw, own scooter/motorcycle, moped etc.

(ii) Rs. 8,000 and above but less than Rs. 18,4000

Same as at (i) above with the exception that journeys by AC Taxi will not be permissible

(iii) Rs. 6,500 and above but less than Rs. 8,000

Same as at (ii) above with the exception that journeys by air-conditioned bus will not be permissible

(iv) Rs. 4,100 and above but less than Rs. 6,500

Actual fare by any type of public bus other than air-conditioned bus;
OR

At prescribed rates for autrickshaw for journeys by autorickshaw, own scooter/motor cycle, moped etc.

(v) Below Rs. 4,100/-

Actual fare by ordinary public bus only;
OR

At prescribed rates for autorickshaw, own scooter/motor cycle, moped etc.

Mileage Allowance for road journeys shall be regulated at the following rates in places where no specific rates have been prescribed either by the Director or Transport of the concerned State or of the neighbouring States:

(i) For journeys performed in own car/taxi.....Rs.8 per Km.

(ii) For journeys performed by autorickshaw.....Rs.4 per Km.

(iii) For journeys performed by auto-rickshaw/taxis under the prepaid charges system managed by local Police/Airport Authority/State Transport Authority in Metropolitan Cities. Reimbursement of fare as determined by the Government agencies

(Authority: Board's letter No. F(E)I/2004/AL-28/6 dated 23.7.2004)

NOTE-1 : Employees in receipt of pay less than Rs.6500/- are not entitled to travel by taxi or taking a single seat in a taxi. If they travel by taxi/own car, for whatever reason, they will be reimbursed only the actual charge limited to the rates prescribed by the Dte. of Transport for autorickshaw.

NOTE-2: Journeys performed by autorickshaw/tonga/cycle-rickshaw/man-driven rickshaw may be equated to those performed by scooter/motor cycle and road mileage may be allowed accordingly, For journeys on bicycle/foot, the road mileage will be at the rate of 60 paise per kilometer.

NOTE-3: As actual bus fare is admissible under these orders, there will be no increase in the above rates of road mileage in the case of journeys performed in hill tracks.

(Authority: Railway Board's letter No.F(E)I/98/AL-28/9 dated 24.4.1998 & 12.3.99)

1608. The point in any station at which journey is held to commence or end is the railway station, provided that a journey on transfer shall be held to begin and end at the actual residence of the railway servant concerned.

Government of India's decisions

(1) A Railway servant who resides away from his headquarters, will, on transfer, be eligible for transportation charges for personal effects at prescribed rates from his residence to the nearest Railway Station at the old headquarters and from the Railway Station to the actual residence at the new headquarters.

(Authority:- Railway Board's letter NoF(E)I/98-AL-28/10(A)dated 1.5.98)

(2) In admitting Travelling Allowance claims, the mileage between the two stations as indicated in the 'Railways Fare & Time Tables' should be adopted.

(3) In cases of claims where the distance between the places shown in the Fare & Time Table is exactly 8kms., although the actual distance as shown in the 'Working Time Table' between the same places exceeds 8 kms., the Travelling Allowance claimed should be passed with reference to the actual distance shown in the Working Time Table.

(4) In the case of employees proceeding on tour, road mileage at the prescribed rates will be admissible from duty point/residence at Headquarters to railway station/airport/bus stand and vice-versa depending upon the points between which journey is performed and between the Railway Station/Airport/Bus-stand and the duty point at the outstation.

(5) Road Mileage Allowance in terms of Govt. of India's Decision No. (4) above will be admissible only if the amount is actually spent by the Railway servant while performing journey on duty. Railway servants who are given Free Residential Card Passes/monthly Season tickets/Railway Passes to perform the journey from their residence to their headquarters station, will not be entitled to any Road Mileage Allowance when they perform a journey on duty on the Free Residential Card Pass/Monthly Season Ticket/Railway Pass etc. They will, however, be eligible for the Daily Allowance as admissible under the Rules.

(Authority:- Railway Board's letter No. F(E)/92/AL-28/4 dated 18.2.93)

(6) For determining the 'duty point' the following provisions may be observed: -

- (i) Duty point at the headquarters will mean the place or office where a railway servant remains on duty i.e. the place/office of employment at the headquarters.
- (ii) At outstations the 'duty point' shall be taken to be the place/office visited by the railway servant on duty. Where there are two or more such points at an outstation, the following shall be taken as the 'duty point': -
 - (a) If the railway servant reaches that station by rail, sea or air, the point which is farthest from the Railway Station, harbour or jetty or the airport as the case may be, and
 - (b) If he reaches that station by the road, the point which is farthest from the point where the journey to that station commenced.
- (iii) The General Manager may fix 'duty point' at the Zonal Headquarters office in consultation with the FA&CAO and if necessary they may also consult the Accountant General, headquartered at the Zonal Headquarters of the Railway. The 'duty point' may also be fixed for the Divisional Headquarters and other offices by the General Manager in accordance with the above guidelines.
- (iv) Road-mileage will be admissible only when the Government vehicle is not provided when a railway servant is proceeding on tour/duty.

Section VI - Daily allowance

1609. Definition.--A daily allowance is a uniform allowance for each day of absence from headquarter, which is intended to cover ordinary daily charges incurred by the Railway servant in consequence of such absence.

1610. Unless in any case it be otherwise expressly provided in these rules, a daily allowance may be drawn while on tour by every railway servant whose duties require that he should travel, and may not be drawn except while on tour.

1611. Rates of daily allowance.--Daily Allowance is admissible for journeys on tour at the following rates, when a Railway servant stays in Government/Public Sector Guest Houses or makes his own arrangements.

Pay Range	Localities other than those mentioned in column (3) (4) &(5)	B-1 Class cities and expensive* localities	A Class cities and specially expensive** localities	A-1 Class cities
{1}	{2}	{3}	{4}	{5}
Rs.	Rs.	Rs.	Rs.	Rs.
Rs.16,400 and above	135	170	210	260
Rs. 8,000 and above, but less than Rs.16,400	120	150	185	230

Rs. 6,500 and above, but less than Rs. 8,000	105	130	160	200
Rs. 4,100 and above, but less than Rs. 6,500	90	110	135	170
Below Rs. 4,100	55	70	85	105

* as specified by Govt. from time to time.

** as specified by Govt. from time to time.

(Authority:- Railway Board's letter No. F(E)/98/AL-28/9 dated 24.4.98)

1612. The classification of localities for rates of daily allowance admissible for halts on duty is related to classification of the place for purposes of Compensatory (City) Allowance.

NOTE.--(1) For halts at places where drawl of Compensatory (city) Allowance had been sanctioned for special reasons at the rates applicable to B-I Class cities, the daily allowance is to be regulated with reference to the original classification of such cities/towns, in terms of Railway Board's letter No E(P & A)/II/83/HRA-4 dated 11-3-1983.

(2) List of expensive localities:--

(i) Simla (ii) Laccadives, Minicoy and Aminidivi, (iii) whole of Jammu & Kashmir (iv) Darjeeling.

(3) List of specially expensive localities:-

(i) Lahaul and Spiti, District (ii) Kinnaur District (iii) Bharamour Sub Division and Pangi Sub Division of Chamba District (iv) Pharaganna of Pandrabhis, outer Seraj and Malana Panchat area of Kulu District, (v) Chauahar Valley of Jogendra Nagar, Tehsil of Mandi District (vi) Mangla-Pancyat area of Solan District (vii) Dodarkawar areas of Rohru Tehsil, Pharaganna of Chhbbis, Naubis, Brabis, Pandrabhis, Tharabhis, Sarahan and Gram Panchayat of Munish, Barkali and Kashabat of Rampur Tehsil of Shimla District and (viii) Chota-Bhangal and Bara Bhangal area of Palampur Sub Division of Kangara District.

(4) On day(s) when the Railway servant on tour is provided with free board and lodging, he will draw $\frac{1}{4}$ D.A. for that (those) day(s). If he is provided with only free board, he will draw $\frac{1}{2}$ D.A. for that (those) day(s). If he is provided with only free lodging, he will draw $\frac{3}{4}$ D.A for that (those) day(s). The reduction has to be effected from the D.A. relatable to halt at an outstation.

Provided that when a Railway servant on tour is provided accommodation in Railway Rest House or Railway Retiring Room, no deduction may be made from the quantum of Daily allowance admissible to him for halt at the outstation.

(Authority:- Railway Board's letter No. F(E)/89/AL-28/10 dated 20.7.90)

1613. Ministry of Railways on such condition as it may think fit, sanction for any railway servant or class of railway servant, a daily allowance higher or lower than that prescribed in Rule 1612, if it considers that the prescribed rate is inadequate or excessive.

1614. (1) Daily allowance may be drawn by a railway servant who is not in receipt of a permanent travelling allowance on any day on which he proceeds on tour beyond a radius of 8 kms. from his headquarter or returns to his headquarter from a similar distance.

(2) Daily allowance as in sub-rule (1) would be admissible even if the place of temporary duty falls in the same municipality as (or in a municipality contiguous to) that in which the railway servant's Headquarter is situated and the term 'radius of 8 kms.' should be interpreted as meaning a distance of 8 kms. by the shortest practicable route by which a traveller can reach his destination by the ordinary modes of travelling.

(3) The headquarters of a railway servant belonging to the category of gangmen, keymen and mates, for the purpose of Daily Allowance should be the hut or the place where the tool box is kept.

Government of India's decision

A person, who uses a cycle supplied at the expense of Government for taking dak to offices situated beyond the radius of 8 kms. from his headquarter, may draw daily allowance of his grade, if the journey involves an absence of at least one night from his

headquarter, but he may not exchange it for mileage allowance.

These orders applies in the case of all the messengerial staff, irrespective of whether in the course of their normal duties, they are allowed to use of departmental cycle or Government jeeps/cars, or any other Government conveyance.

1615. Full daily allowance will be granted for each completed day of absence from the headquarters reckoned from mid-night to mid-night i.e. for each calendar day for the day of departure from his headquarter or return to his headquarter or when the journey commences and ends on the same calendar day, the railway servant shall be granted under-mentioned proportion of the daily allowance:-

- (i) If absence from headquarter does not exceed 6 consecutive hours..... 30% of the daily allowance.
- (ii) If absence from the headquarter does not exceed 12 consecutive hours.....70% of the daily allowance.
- (iii) If absence from the headquarter exceeds 12 consecutive hours.....full daily allowance.

If the period of absence from the headquarter falls on two calendar days, it shall be reckoned as two days, even when the absence does not exceed 24 hours, and the daily allowance for each day shall be granted separately in terms of the above.

NOTE. --Each spell of absence from Headquarters shall constitute a complete journey and daily allowance allowed separately in respect of it. The total daily allowance allowed for journey performed on any calendar day shall, however, be subject to a maximum of the full daily allowance admissible for each completed day of absence from mid-night to midnight.

1616. Daily allowance for halt in an expensive locality will be allowed at the higher rate applicable to such locality at the proportion of the daily allowance mentioned in Rule 1615.

1617. (1) Daily allowance may be drawn during a halt on tour including holidays and Sundays occurring during the tour period, provided a railway servant is actually and not merely constructively in camp.

(2) A railway servant who takes casual leave/restricted holiday on tour is not entitled to draw daily allowance for the period of such leave. A railway servant who takes casual leave for half a day while on tour may draw only half of the normal daily allowance of that day.

1618. Daily allowance admissible at a place outside railway servant's headquarters while on tour where board or lodging are not provided shall be as follows:-

- (a) First 180 days fully daily allowance
- (b) Beyond 180 days Nil

NOTE.--(1) In cases where prolonged stay is envisaged beyond 180 days, appropriate course would be to issue necessary transfer orders.

(2) For the purpose of grant of daily allowance, halt at an outstation shall be treated as continuous one for the entire period of stay irrespective of any absence from the place of halt for any number of days/nights.

Section VII - Travelling allowance for journeys on tour

1619. Except where otherwise expressly provided in these rules, a Railway servant not in receipt of permanent traveling allowance, draws traveling allowance for journeys on tour in the shape of daily allowance.

1620. The period of absence from Headquarters begins when a railway servant leaves his Headquarter station and ends when he actually returns to the place in which his Headquarters are situated whether he halts there or not. When a train arrives less than 15 minutes late, the time recorded in the Railway Time-table shall be taken as the time of arrival of the train for the purpose of this rule.

Railway Board's Decision

The time spent by journeys by road from Headquarters Office to the station/air-port when a railway servant actually leaves his Headquarters shall not be included.

1621. The Headquarters of General Managers and Heads of Departments directly under the Ministry of Railways shall be at such place as the Ministry of Railways may prescribe. The Headquarters of other Railway servants shall be prescribed by the General Managers or the Heads of Department concerned.

1622. Leaving jurisdiction.-(1) No railway servant is entitled to pay and allowance for any time beyond the limits of his charge without the proper authority.

(2) A Controlling Officer may allow any railway servant subordinate to him to proceed on duty to any station within the limits of the Railway although such station may be beyond the limits of his charge and to draw traveling allowance under rules.

1623. The Head of Departments may define the limits of the sphere of duty of a railway servant.

1624. The railway servant shall be deemed to be on tour when absent on duty from his Headquarters either within, or with the sanction of the Controlling Officer, beyond his sphere of duty. For the purpose of this Section, journey to a hill station is not a journey on tour.

Government of India's decision

The following terms regarding traveling allowance, daily allowance and lodging may be granted to the railway servant who may be deputed to accompany the visiting foreign delegation/VIPs as Liaison Officer, etc:-

- (a) For journeys by rail, the accompanying railway servant will, as far as possible, be issued a duty pass of the class to which he is normally entitled under the rules. He may also be allowed to travel by air-conditioned accommodation along with the members of the delegation, if considered absolutely necessary, with prior sanction of the Railway Ministry.
- (b) For journeys by road and by air, the accompanying railway servant may wherever necessary travel by road and/or by with members of the delegation/VIPs.
- (c) **Allowances for incidental expenses on journeys/daily allowance for journey time**--No daily allowance for the days of travel would be admissible to the accompanying railway servant. His expenses on food in transit and other essential incidental expenses e.g. porter charges, will, however, be met from Government funds as for members of the delegation/VIPs.
- (d) **Board and lodging arrangements at outstations and daily allowance for halts**--The accompanying railway servant should, wherever possible, make his own arrangements for board and lodging at an outstation, in which case he may draw the daily allowance, admissible to him under the normal Rules. Where, however, it is considered absolutely necessary that he should stay in the same Hotel as the members of the delegation/VIPs, accommodation appropriate to his status may be arranged for him in that Hotel. In such cases, the accompanying railway servant would be entitled to daily allowance at ¼th of the normally applicable rate if both board and lodging have been provided at Government expense in that Hotel, and at one half of such rate, if only either board or lodging has been provided to him at Government expense.
- (e) Board and lodging arrangements, and daily allowance for period of stay of the delegation/VIPs at the headquarters of the railway servant--Railway servants, attached to visiting foreign delegations/VIPs will not be permitted to partake of board and/or lodging arrangements made for the delegation at the headquarters of the railway servant nor will any daily allowance be admissible to them at that place.

The above terms are applicable only to such of the accompanying railway servants in respect of whom Railway Board certify that for sufficient reasons it was necessary for them to accompany the delegation/VIPs.

1625. A Head of Department may decide when a doubt arises whether a particular absence, is absence on duty for the purpose of Rule 1624.

NOTE.-(1) The General Manager may grant traveling allowance for the period of journeys as well as halts to a railway servant attending a Camp of exercise of the Indian Territorial Force if, during the period, he performs substantial amount of his railway duties in addition to the military duties.

(2) Travelling allowance under the Rules in this Section may be allowed to a member of the relieving staff including staff utilized for relieving purposes when sent out of his headquarter to relieve a railway servant who has proceeded on casual or unrecorded leave. The rate of daily allowance will, however, be based on the pay admissible to the staff in their own grade and not on their officiating pay.

1626. A competent authority may impose such restrictions as it may think fit upon the frequency and duration of journeys to be made on tour by railway servant or class of railway servants.

1627. Railway servants performing duties directly connected with the charge of moving trains are not entitled to traveling allowance under the Rules in this Section but to running allowance under the Rules laid down in Chapter XV.

1628. If an authority not lower than a General Manager declares that the pay of a particular railway servant (or class of railway servants) has been so fixed as to compensate for the cost of all journeys within his sphere of duty, such a railway servant shall draw no traveling allowance for such journeys, though he may be granted a free pass for a journey by rail or Railway steamer or mileage allowance for journey by non-Railway steamer. When traveling on duty, with proper sanction, beyond his sphere of duty, he may draw traveling allowance under the ordinary rules for the entire journey including such part of it as is within his sphere of duty.

1629. When a railway servant not in receipt of a permanent or consolidated traveling allowance makes a journey on tour by an open line of a railway, he shall be entitled to-

- (a) a free pass under the pass rules; and
- (b) a daily allowance

1630. (1) When a railway servant makes a journey by road on tour, he is entitled to the following traveling allowances:-

- (a) **Road mileage.** --- as prescribed in sub rule (5) of Rule 1607.
- (b) **Daily allowance.** --- as prescribed in Rule 1615.
- (c) **Toll tax.** --- as prescribed in Rule 1640.

NOTE.--(1) When two or more railway servants travel in a conveyance belonging to one of them, the owner may draw traveling allowance as if he traveled alone and the other railway servant or servants may draw daily allowance at the appropriate rates applicable to them.

(2) Where free transport is provided, only daily allowance will be admissible as if the journey is by railway.

(3) The road mileage allowance admissible for journey performed by sharing the hire charges or by taking a single seat in a taxi, scooter etc. will be the actual share of the hire charges limited to the amount calculated at half of the rates admissible for taxi/auto rickshaw in terms of Rule 1607.

(2) When a railway servant performs a journey by road between stations connected by rail, he may be granted traveling allowance as in sub-rule (1) above, if the Head of Department in the case of gazetted railway servant and Divisional Railway Manager in the case of non-gazetted railway servant is satisfied that the journey by road was necessary in the interest of railway service, such as saving of public time or inspection of work enroute etc.

(3) Divisional Railway Managers may permit Gazetted Officers working under them to undertake journeys by road between stations connected by rail in the following types of cases-

- (i) Journeys for surprise inspection of level crossing gates;
- (ii) Journeys in connection with accidents and breaches;
- (iii) Journeys for surprise checks at stations in the nature of raids by road against ticketless travel etc;
- (iv) Surprise checks of station and staff with the safety aspect in view; and
- (v) making arrangements concerning ticket checking by special squad.

(4) If the performance of journey by road is not in the interest of railway service, the railway servant concerned may be granted only such daily allowance as would have been admissible, had the journey been performed by rail.

1631. Conveyance hire at outstation.--Ministry of Railways may, by general or special orders, permit any railway servant or class of railway servants to draw the actual cost of hiring a conveyance on a journey for which no traveling allowance is admissible

under these rules.

NOTE.--(1) Non-gazetted railway servants on tour may be granted in addition to any other traveling allowance that may be admissible, reimbursement of bonafide charges on account of conveyance hire incurred by them for the discharge of their duties subject to the following conditions :-

- (i) that the concession is limited to journeys performed in visiting offices at a considerable distance from each other or from the railway station or in attending Court as a witness on behalf of the Government.
- (ii) that the amount does not exceed the charges which would be payable for the ordinary means of conveyance available in the locality and suitable to the position of the railway servant concerned; and
- (iii) that no mileage allowance is drawn for the journey for which the conveyance is engaged.

(2) Individual cases where Gazetted railway servants are required to undertake multiple journeys at the tour stations or if they have to carry heavy records, may be considered on merits for reimbursement of bonafide conveyance charges subject to the following conditions:-

- (i) that this concession is limited to journeys performed for visiting offices at a considerable distance from each other or from the railway station or in attending Court as a witness or briefing the Government advocate on behalf of the Government;
- (ii) that the amount does not exceed charges which could be payable for the ordinary means of conveyance available in the locality and suitable to the position of the railway servant concerned. This power may be exercised by the Head of the Office concerned.

1632. Road mileage at higher rates.--Railway Board, may, for special reasons to be recorded, allow to a particular railway servant or class of railway servants, mileage allowance at a rate higher than that prescribed in Rule 1630.

1633. Journeys by sea or river steamers.--When a railway servant travels by sea/river steamers while on tour, he shall be entitled to draw the actual fare (without diet charges) for journey by sea/river steamer (unless free passes are issued) and in addition, draw daily allowance for the entire absence from Headquarters starting with departure from Headquarters and ending with arrival at Headquarters, to cover both on-the-way expenses as well as expenses for halts at outstation.

1634. Ministry of Railways, will determine entitlement to the class of travel by sea/river in individual cases.

1635. Journeys by rail combined with journeys by road/sea/river steamer.--If a railway servant combines with a rail journey, a journey by road/steamer, he may draw the actual fare (without diet charges) in addition for the entire period of absence daily allowance would be admissible.

1636. Journeys by air. --(1) A railway servant entitled/authorized to travel by air on tour will draw the actual fare for journeys by air and in addition, draw daily allowance for the entire absence from the Headquarters starting with departure from Headquarters and ending with arrival at Headquarters, to cover both on-the-way expenses as well as expenses for halts at outstation.

(2) Members of the Railway Board, General Managers and Officers of equivalent rank, may travel by air on tour at their own discretion. Officers of the rank of Executive Directors or Secretary may be permitted to travel by air with the specific sanction of the Member concerned in the Railway Board, and Heads of Departments on the Railways with the specific sanction of their General Managers, in consultation with their FA&CAOs.

(3) Every journey by air must, before it is undertaken, receive the sanction of the Railway Board or the General Manager of a Railway or the officer exercising the powers of a General Manager, as the case may be.

(4) Journeys by air should be permitted only in cases of extreme urgency or where saving the public time is essential. Each case of journey proposed to be performed by air, should be considered on its merits before it is sanctioned.

(5) When Members of the Railway Board and the General Managers of the Railways permit officers under their direct control to travel by air, they should invariably record the reasons why they considered travel by air to be essential.

(6) Officers below the rank of Executive Directors or Secretary in the Railway Board's office will not be permitted to travel by air save in exceptional circumstances and with the prior sanction of the Railway Board. On Railways, General Managers may permit Junior Administrative Grade Officers to travel by air on duty in exceptional circumstances subject to the following conditions:

1. These powers may be exercised only by General Managers and not by CAOs, and are not to be redelegated further. However, CAO, COFMOW/New Delhi, DCW/Patiala and MTP/Chennai may also exercise these powers with the personal concurrence of FA&CAO.
2. These powers are to be exercised personally by the General Managers with the personal concurrence of FA&CAO.
3. Air travel will be permitted only in cases where the duration of the journey one-way is more than 12 hours by rail.
4. Each proposal regarding Air travel would require to be justified on merits.

Note: In exceptional circumstances, General Managers are required to obtain prior sanction of the Railway Board to permit a Railway servant below the rank of Junior Administrative Grade to travel by air on duty."

(Authority: Board's letter No. F(E)/2007/AL-28/22 dt.07.08.07)

(7) Railway Officers in pay scale of Rs.22, 400–24,500 or above may also travel at their discretion in the executive class by air within the country on tour. Other officers and non-officials who are authorized to travel by air within India at Government expenses shall be entitled to travel by standard class only where two classes of accommodation i.e. Standard Class and Executive Class are available on the air-lines.

(8) In the case of International travel, officers of and above the level of Secretaries to the Government of India and equivalent status shall be entitled to travel by first class, officers of the level of Additional Secretaries and Joint Secretaries and of equivalent status by Business/Club Class, and all other officers by Economy Class.

(Authority:- Railway Board's letter No.F(E)/98/AL-28/9 dated 24.4.98)

1637. If a part of the journey is performed by air and part of it is performed by locomotion.--A railway servant may draw in addition to the concession admissible under Rule 1636, traveling allowance admissible under the rules for the part of the journey performed by either means of locomotion. No traveling allowance may, however, be drawn in respect of surface transport which forms part of the air travel and is included in the fare paid for the air journey.

1638. A railway servant, who is not authorised to travel by air but who performs a journey by air, will draw only the traveling allowance which he would have been entitled to if he had traveled by rail/road/steamer.

NOTE.--If available, return tickets at reduced rates should always be purchased when the railway servant expects to perform the return journey by air within the period during which air return ticket is available.

1639. When return tickets are purchased, the actual cost of return ticket plus daily allowance is admissible.

1640. Toll Tax. --A railway servant who is required to proceed on duty to Nainital, Mussorie or Almorah is entitled to the Toll Tax charged by the Municipalities of those stations in addition to the traveling allowance ordinarily admissible to him under the rules subject to the condition that the State Government concerned reimburse the toll tax to its employees on tour/transfer.

Section VIII - Journeys at or near headquarters

1641. (1) when a Railway servant, gazetted or non-gazetted, drawing a pay of not less than Rs.3200/- per month, under Railway Services (Revised Pay) Rules, 1986, undertakes a journey on duty at or within a radius of 8 kilometres from his headquarters, he may be permitted to claim reimbursement of taxi hire/conveyance charges as follows:-

- (i) If a taxi is engaged/own car is used, the rate prescribed by the Director of Transport for taxi;
- (ii) If an auto-rickshaw is engaged/one's own motor cycle or own scooter is used the rates prescribed by the Director of Transport for auto-rickshaw.

(2) Railway servants, gazetted or non-gazetted, drawing a pay of less than Rs.3200/- per month shall not be entitled to engage a taxi. They may be permitted to claim conveyance hire as follows:-

When an auto-rickshaw is engaged or own motor car/motor cycle/scooter is used, the rate prescribed by the Director of Transport for auto-rickshaw.

(3) The conveyance charges admissible for journeys performed by sharing the hire charge or by taking a single seat in a taxi/auto-rickshaw, will be the actual of hire charges limited to the amount calculated at half of the rates prescribed by the Director of Transport for taxi/auto-rickshaw.

(4) The total amount of taxi hire/(reimbursement of) conveyance charges drawn for journeys on a particular day, shall not exceed the rate of Daily Allowance applicable to the Railway servant for ordinary locality.

(5) The conveyance allowance/taxi hire shall not be granted in respect of journeys performed on a day on which a railway servant draws daily allowance unless the journeys are unconnected with journeys on tour.

(6) Taxi hire shall not be allowed to a railway servant in receipt of permanent traveling allowance or conveyance allowance of any kind.

(7) Deleted.(Authority:- Railway Board's letter No.F(E)/99/AL-7/1 dated 26.3.99)

(8) Taxi hire shall not, in any circumstances, be allowed for journeys from residence to office or vice versa.

(9) A statement of taxi hire conveyance charges actually incurred shall be submitted by the Railway servant at the end of each month for sanction (and counter-signature) of the Head of his Department or office.

(10) The Rules do not apply to Railway doctors who draw conveyance allowance under different orders issued by the Railway Board.

Section IX - Transfer travelling allowance

1642. (1) Travelling allowance shall not be drawn under the following rules by railway servant on transfer from one station to another unless he is transferred in public interest and is entitled to pay during the period occupied by the journey. A transfer at his own request shall not be treated as a transfer in public interest unless the authority sanctioning the transfer for special reasons, which should be recorded, otherwise directs.

(2) When a railway servant is transferred otherwise than in public interest, a copy of the order of transfer shall be sent to the Accounts Officer who will be his disbursing Officer after such transfer with an endorsement stating the reasons for the transfer. In the absence of such endorsement, the Accounts Officer shall assume that the transfer is in public interest.

NOTE. -In the case of non-gazetted railway servant, a certificate from the Head of the office may be accepted in lieu of the orders prescribed in this sub-rule.

(3) The railway servants in transit from one post to another, ranks in the grade or class in which his tenure of the lower of the two posts would place him.

NOTE. --In partial relaxation of the above rule, when a subordinate railway servant travels to another station to officiate in a post in the superior or lower gazetted service or on reversion after officiating in such a post, he may, at the discretion of the General Manager, be granted transfer passes (for himself as well as for his family, dependant relatives if traveling with him and kit) of the class admissible in the higher post.

(4) A railway servant shall not be entitled to any traveling allowance if no change of residence is involved on his transfer.

Railway Board's decision

(1) Government servant appointed to posts under the administrative control of the Ministry of Railways on the results of a competitive examination which is open to both Government servants and others may be granted joining time and joining time pay as under:

(a) Joining time should ordinarily be permitted for all Government servants serving under the Central Government and for State Government servants who hold permanent posts in a substantive capacity;

(b) no joining time pay should be granted except-

- (i) When the Government servant holds a permanent post under Government (including State Government) in a substantive capacity; or
- (ii) In the case of appointments through the Ministry of Home Affairs to the Ministerial Establishment of the Government of India Secretariat and attached or subordinate offices, when a candidate originally nominated to a vacancy likely to become permanent is nominated to another such vacancy owing to cessation of the former.

(2) Travelling allowance as on transfer under Railway rules should also be granted in cases where joining time pay is granted under Clause (b) of Decision No. 1 above.

(3) These orders shall apply also to a Government servant selected after an interview for an appointment to a post under Central Government.

(4) Central (including Railways)/State Government employees declared quasi permanent/provisionally permanent shall also be eligible to the concessions mentioned in the above decision. Government servants declared provisionally permanent/quasi permanent retrospectively but not w.e.f. a date prior to 7th April, 1955 will also be eligible to these concessions.

1643. The entitlements of a Railway servant for the journeys on transfer are as under: -

(A) ENTITLEMENTS FOR THE JOURNEYS BY VARIOUS MODES OF TRANSPORT.

- (1) Journeys by Air--A Railway Officer holding a post in pay scale of Rs.22, 400 –24,500 and above may travel by air, at his discretion, to join the new HQs., on transfer. The airfare will, however, be admissible for self-only. No family member of any Railway servant is entitled to travel by air on transfer.
- (2) Journeys by Rail--Free passes, as admissible under Schedule –I of Railway servants (Pass) Rules, 1986 may be issued to a railway servant and his family members.
- (3) Journeys by Road--A Railway servant is not entitled to travel by road, between stations connected by rail. However, between the stations not connected by rail a Railway servant and his family members may travel by road. The entitlements for journeys by road will be same as admissible for the journeys on tour as indicated in sub-rule (5) of Rule 1607 under "Section –V – Mileage Allowance", of this Code. The actual admissible Road Mileage Allowance is indicated in Rule 1644.

(B) TRANSPORTATION OF HOUSE-HOLD EFFECTS

(1) Kit Passes--

Railway servants may be issued Kit Passes for transportation of personal effects, between places connected by rail.

(2) Charges for Transportation of personal effects, between residence and Railway Stations, at the old & new headquarters:-

For transportation of personal effects by road, from place of residence to the Railway Station at the Old headquarters and from Railway Station to the place of residence, at the new headquarters, the rates for transportation of personal effects will be as under: -

Pay Range	A-1/A/B-1 class cities (Rs. per Km.)	Other cities
Rs. 8,000 and above	30.00	18.00
Rs. 6,500 and above but less than Rs. 8,000	15.00	9.00
Rs. 4,100 and above but less than Rs. 6,500	7.60	4.60
Below Rs. 4,100	6.00	4.00

NOTES.--1. The allowance, at higher rates, mentioned in Col. (2) will be admissible, only for carriage of personal effects from one place to another within the limits of A-1/A/B-I Class Cities.

2. Such of the employees as are in receipt of a revised pay of Rs.3350/- p.m. and above will, however be entitled to the rates of allowance prescribed for employees in the next higher pay-range of Rs.4100/- and above but less than Rs.6500/-. In their case also the higher rate mentioned in column (2) will be admissible only for carriage of personal effects from one place to another within the limits of A-1/A/B-I class cities.

(C) TRANSPORTATION OF CONVEYANCE OF TRANSFER--

A Railway servant may on transfer be issued a Pass for transportation of conveyance in terms of Schedule-I of Railway servants (Pass) Rules 1996.

(D) COMPOSITE TRANSFER GRANT--

(I) TERMS AND CONDITIONS—

A Railway servant will be entitled to a Composite Transfer Grant at the rates indicated in Part (II) below, subject to the following conditions:-

- (1) Composite Transfer Grant will not be admissible if there is no change in the residence of the Railway servant, as a result of transfer.
- 2) Composite Transfer Grant will not be admissible in case of a temporary transfer not exceeding 180 days.
- 3) Composite Transfer Grant will not be admissible if the transfer has been ordered at the request of a Railway employee. Nor will it be admissible in the case of a mutual transfer ordered at the request of the concerned employees.
- 4) In the absence of any positive mention in the orders of transfer that the transfer is at the request of the employee or that it is for a period less than 180 days, the transfer orders should be deemed to carry the sanction of the competent authority for payment of Composite Transfer Grant subject, however, to prescribed terms and conditions.
- 5) The Composite Transfer Grant, shall not be treated as income for the purpose of Computation of Income Tax being a part of Travelling Allowance admissible to a Railway servant, on transfer.
- 6) The facility of using Railway Labour for packing household kit on transfer, is not permissible.
- 7) The payment of Composite Transfer Grant need not be linked with the vacation of Railway Accommodation provided at the old headquarters. The Grant will be payable if the Railway employee makes some temporary arrangement for residence at his new headquarters
- 8) In case of retirement of a Railway servant, no claim for Composite Transfer Grant will be entertained until and unless the retired Railway employee vacates the railway accommodation allotted to him.
- 9) Composite transfer Grant will not be payable to the retired Railway servant if he prefers to stay in the railway accommodation regularized in the name of any of his family members, after his retirement.
- 10) Composite Transfer Grant will, however, be payable if the retired Railway servant prefers to live away from his family members in whose name the Railway accommodation has been regularized. In such cases, the retired Railway Servant is required to submit documentary proof of his having changed the residence.
- 11) For claiming Transfer Grant, a Railway servant is required to submit documentary proof of his having performed the journey, etc.

(II) QUANTUM OF COMPOSITE TRANSFER GRANT

- (a) If there is a change of residence as a result of transfer and the Railway servant has been transferred to an outstation (see Note 2 below) beyond a distance of 20 Kms. Payment of Composite Transfer Grant may be regulated as under:-

	On submission Of first transfer TA claim After joining at the new HQs	On submission of and transfer TA claim after transportation of personal effects by		Total
		V.P.U	Good Train/ Container	
(i) Railway servants who have joined railway service on or after 1.5.76	75% of one month's Basic pay	(i) 5% of one month's basic pay if car is carried in VPU alongwith personal effects (ii) Nil- if car is not carried in the VPU	25% of one month's Basic pay	(i) One month's basic if personal effects are transported by goods train/container (ii) 80% of one month's basic pay if Car is carried in VPU (iii) 75% on one month's basic pay if Car is not carried in the VPU
(ii) Railway servants who have joined Railway service prior to 1.5.76	80% of one month's basic pay	NIL		80% of one month's basic pay
(1) Gp. A, B & C Rly. employees	90% of one month's basic pay	NIL		90% of one month's basic pay
(2) Gp. D Rly. employees				

NOTE: 1.If a Railway servant who has joined Railway service prior to 1.5.76, exercises an option to transport his luggage by goods train/container (i.e. by a carrier other than VPU) on transfer, on the same scale as admissible to a Railway servant who has joined Railway service on or after 1.5.76, he may be granted the balance 20% of Composite Transfer Grant on the same scale as admissible to post 1.5.76 appointees as indicated Col.a (i) above.

NOTE: 2.The term 'Same Station' means area falling within the jurisdiction of the Municipality or Corporation including such of sub-urban Municipality notified area or cantonment as are contiguous to the same Municipality. For example, Railway servants transferred from Ghaziabad, Sonapat, Gurgaon, Faridabad etc. to Delhi and vice versa, shall be treated as transferred within the same station and they will be granted Composite Transfer Grant only at the rate of one-third of one month's Basic Pay.

- (b) For Short-distance transfers within the same station or to an outstation within 20 Kms. Of the Old HQ. A Railway servant who has been transferred within the same station or to an outstation within 20 Kms.of the old headquarters, shall be granted Composite Transfer Grant at the rate of one-third of one month's basic pay, provided there is a change of residence, as a result of transfer, irrespective of his date of joining Railway service i.e. before, on or after 1.5.76.

(III) PROCEDURE FOR DRAWAL OF ADVANCE AND PAYMENT OF COMPOSITE TRANSFER GRANT.

- A Railway servant, upon receiving the orders of transfer, may apply for an Advance of Transfer Allowance as admissible which may be granted to him. No advance will however, be granted to any employee for settlement after retirement.
- After carrying out the orders of transfers, a Railway servant will submit his first transfer T.A. bill, within a period of three months from the date on which the journey is performed.
- The second transfer T.A. Bill, if any, may be preferred within a period of three months after transportation of his personal effects finally.

- (iv) Personal effects may be transported either one month before the date of transfer or within six months from the date of transfer. The period of one month/six months may be extended in individual cases attendant with special circumstances, with the approval of the Competent Authority.
- (v) In the case of Railway employees settling after retirement, the claim for full settlement of Composite Transfer Grant will be entertained only when the retired Railway employee has actually performed the journey/transported his personal effects finally and has submitted the necessary documentary proof therefore.
- (vi) A Railway servant who has joined Railway service prior to 1.5.76 may exercise an option to transport luggage by rail, on transfer/retirement, on the same scale, as admissible to a Railway employee who has joined Railway service on or after 1.5.76 as laid down in Schedule-I (Pass on transfer) of Railway servants (Pass) Rules 1986. The option may be exercised along with the application for Kit Passes for transportation of personal effects.

(IV) QUANTUM OF ADVANCE

The quantum of advance admissible on transfer to a serving Railway employee is as follows:-

- | | |
|---|---|
| (i) Railway servants who have joined Railway service on or after 1.5.76 | 75% of the admissible amount of Composite Transfer Grant. |
| (ii) Railway servants who joined Railway service prior to 1.5.76 | 80% of the admissible amount of Composite Transfer Grant. |

NOTE: (1) In addition to the Advance of TA on transfer as above, a Railway servant may also be granted an advance of pay equivalent to one month's salary, if he applies for it. This pay Advance is recoverable in three installments commencing from the month in which salary for a full month is drawn by the Railway servant.

(2) The drawl of Advance of TA on transfer as also Pay Advance should be recorded in the Last Pay Certificate of the transferred employee.

(3) The Advance of TA may be adjusted against first TA Bill on transfer submitted by the Railway servant.

(4) Advance of pay or TA on transfer will not be admissible to any Railway employee for settlement after retirement.

(V) Quantum of Composite Transfer Grant to the retired railway employees for settling at their home-town/any other declared or intended place

The quantum of Composite Transfer Grant admissible to a retired railway employee or to his/her family members, in the event of death of a railway servant, will be as admissible on transfer, in terms of part (II) above.

Railway Ministry's Decisions

Transfer Traveling Allowance in cases where both husband and wife are in Government service, and are transferred at the same time or within six months of his/her transfer from one and the same old station to one and the same new station, will not be admissible to both of them as independent Railway servants. Either of them may claim transfer traveling allowance and the other being treated as member of his/her family not in Government service on furnishing the following certificate:-

"Certified that my wife/husband is employed under Central Government (including Railway) and who has been transferred from..... towithin six months of my transfer has not already claimed any traveling allowance in consequence of her/his transfer."

Transfer Allowance on transfer for journeys between places connected by road only.

(Authority:- Railway Board's letter No. F(E)I-99/AL/28/2 dt.12.6.99)

1644. (1) A Railway servant on transfer, for journeys between places not connected by rail, may draw for journeys by road, as from the old station to the new station, mileage allowance at the rate in Rule 1607.

(2) Additional mileage allowance at the rate applicable to the Railway servant may be drawn if two members of his/her family travel with him and at twice that rate if more than two members perform the journey.

NOTE. --A Railway servant who claims additional mileage allowance under this sub-rule on the grounds that members of his family performed the journey on transfer, must support his claim by a certificate showing the number and relationship of the said members.

(3) Railway servants are entitled to Transfer Grant and Packing Allowance on the same scale as admissible to them for journeys by rail.

(4) The Railway servants may draw Daily Allowance for himself and his family members on the same basis as admissible on tour.

(5) Railway servants (whether they joined Railway service before 1-5-76 or, on or after 1-5-76) are eligible for transportation of personal effects by road between stations not connected by rail at the following scale:--

Pay range	Personal effects that can be carried
Rs.5100 and above	6000 Kgs.
Rs.2800 and above but less than Rs.5100	6000 Kgs.
Rs.1900 and above but less than Rs.2800	3000 Kgs.
Rs.1400 and above but less than Rs.1900	1500 Kgs.
Rs.1100 and above but less than Rs.1400	1500 Kgs.
Below Rs.1100	1500 Kgs

1645. Travelling Allowance for short-distance transfers.--I. For transfer within the same station:--

(a) No traveling allowance is admissible if no change of residence is involved.

(b) If there is a change of residence, traveling allowance will be allowed as follows:--

Self and family: Actual cost of conveyance not exceeding the road mileage admissible under the rules.

(c) Personal effects-Actual cost of transportation not exceeding the amount admissible under the rules.

NOTE: (i) No transfer grant or any other traveling allowance concession is admissible.

(ii) The term 'same station' means the area falling within the jurisdiction of the Municipality or Corporation including such of sub-urban Municipality/notified area or Cantonment as are contiguous to the named municipality etc.

II. For transfer between two stations. --(a) No traveling allowance is admissible if no change of residence is involved.

(b) If there is a change of residence as a result of transfer, full transfer traveling allowance will be admissible except that no transfer grant and Packing Allowance will be admissible if the distance between the two stations does not exceed 20 Kms.

NOTE. -The distance between stations will be taken from office to office. If there are alternate rail and road routes, the distance by each, should exceed 20 Kms. for eligibility to the transfer grant.

1646. (1) If a member of a Railway servant's family follows him within six months or precedes him by not more than one month, free passes under Rule 1643 and/or traveling allowance under Rule 1643 may be granted in respect of such member.

NOTE.--These time limits may be extended by the Railway Board in individual cases attendant with special circumstances. The powers in respect of extending the time limit of six months stipulated herein may also be exercised by:

(a) General Manager or an Officer exercising the powers of General Managers.

(b) Any officer to whom these powers are redelegated with the specific approval of the Railway Board; and

(c) An Officer enjoying the powers of the Head of Department but is not under the control of either General Manager or an Officer enjoying the powers of a General Manager.

(2) If a member of a railway servant's family travels to the new station from a place other than the railway servant's old station within the time specified in sub-rule (1), free passes for the rail journey and actual fare for the journey made or the fare admissible from the old to the new station, whichever is less, for the journey by steamer, may be granted in respect of such member.

(3) If the family of a railway servant, in consequence of his transfer, travels to a station other than his new headquarters within the time specified in respect of sub-rule (1), a free pass for the rail journey and traveling allowance for other journeys, not exceeding the traveling allowance admissible between the old station and the new station, may be granted in respect of such family.

NOTE. --(1) The grade of a railway servant, for the purpose of the above rule, may be determined with reference to the facts on the date of transfer, while the number of passes or number of persons to be included in a free pass with reference to the facts on the date of the journey.

(2) The period of the one month or six months should be reckoned under sub-rule (3) from the date of the railway servant handing over charge at his old station and under sub-rule(1) & (2) from the date of his taking over charge at the new station.

1647. Daily Allowance on Temporary Transfer. --Daily allowance is admissible during temporary transfer as follows:-

(i) First 180 days---Full Daily Allowance.

(ii) Beyond 180 days---Nil.

1648. A railway servant who goes on leave not exceeding four months, after he has given over charge of his old post and before he has taken over charge of his new post, shall be entitled, whether the order for transfer is received before or after the commencement of his leave, to the concession admissible under this section, as for a journey from his old to his new post.

1649. (1) A railway servant who takes leave exceeding four months, while in transit from one post to another, may draw traveling allowance under this Section for so much of the journey as he has accomplished before the order granting his leave is received, in addition to the concession admissible under sub-rule (2) below.

(2) When on return from leave exceeding four months, a railway servant is stationed at a headquarter other than that at which he was stationed when he went on leave, he may be allowed the concession admissible under this section as for a journey from his old to his new station.

1650. A railway servant appointed to a new post while in transit from one post to another, is entitled to draw traveling allowance for so much of the journey on transfer as he has accomplished when he receives the first order, and for the journey from the place at which he receives such orders to his new station.

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CHAPTER 16
TRAVELLING ALLOWANCE RULES

Section X – Travel of members of Railway Board by saloon

1651. (1) (a) A Member of the Railway Board, which term includes Chairman, Railway Board and the Financial Commissioner for Railways for the purpose of these rules, shall be entitled, when traveling on duty, to be provided with one standard Gauge Saloon for his exclusive use;

(b) When a Member is traveling in his saloon on a Gold Pass, his family (wife and children but no other dependents) may travel with him in the saloon free of charge;

(c) Any other persons except bonafide servants traveling with the Member, Railway Board, in his saloon, must pay the usual fare to the Railways by purchase of First Class tickets, and in every bill for traveling allowance in respect of a journey performed in a saloon, the Member must specify the number of such persons who traveled with him, and certify that necessary tickets were purchased by them.

(Authority:- Railway Board's letter No. F(E)1/89/AL-28/4 dated 7.7.89)

Section XI - Journeys to join first appointment in Railway

1652. Except as otherwise provided in these rules, traveling allowance is not admissible to any person for the journey to join his first post in Railway service. When travelling allowance is drawn under Rules 1656 and 1657, the class of free pass and the rate of daily allowance and mileage will be those to which the Railway servant will be entitled after joining his posts.

1653. When a railway servant who is retiring from service or has been thrown out of employment owing to reduction of establishment or the abolition of his post, is reappointed to railway service, the authority which sanctions his reappointment may permit him to draw travelling allowance as on tour, for so much of his journey to join his new post as falls within India, but no Daily Allowance may be drawn for halts on the journey.

1654. Any person appointed by the competent authority from abroad to railway service in India may draw transportation expenses as may be decided by the said authority for a journey from his residence to any port in India at which with the permission of the said authority, he may disembark. He shall be entitled to draw travelling allowance, as on tour from that port to the station where he is posted.

Section XII - Journeys to hill station

1655. A Railway servant who travels on duty to a hill station may draw traveling allowance during his absence as for a journey on tour. Such a railway servant shall, however, forfeit all claims to traveling allowance for journey and halt, other than permanent traveling allowance, if he prolongs his stay at the hill station beyond a period of ten days or the period necessary for the performance of the duty on which the journey is made whichever is less; provided that the Railway Board and, in respect of the staff under his control, the General Manager of an Indian Railway, may preserve the railway servant's claim to traveling allowance by

(a) sanctioning a halt in excess of ten days, and

(b) officially intimating that his presence was required on duty throughout the period or that he was permitted to extend his stay during holidays immediately following his period of duty.

(2) The Heads of Departments may exercise the power of a General Manager under this rule up to a maximum limit of 30 days.

Government of India's Decision:

The term holiday occurring in the above rule includes casual leave.

Section XIII - Journeys to attend examination

1656. A railway servant is entitled to draw traveling allowance for the journeys to and from the place at which he appears for:

- (i) An obligatory departmental examination;
- (ii) In respect of military officer in railway employment, an examination for promotion in military rank.

Provided that

- (a) Traveling allowance shall not be drawn under this rule more than twice for any particular examination or standard of examination; and
- (b) A Head of Department may disallow travelling allowance under this rule to any candidate who, in his opinion;
 - (i) has culpably neglected the duty of preparing himself for an obligatory examination;
 - (ii) does not display a reasonable standard of proficiency in an examination which is not obligatory.

NOTE. --For the purpose of this rule, qualifying examination for promotion above Grade II in the Clerical Staff of the Accounts Department up to and including the rank of Sub-head and Qualifying Examination for Promotion to the rank of Accountants Inspectors of Station Accounts and Inspectors of Stores Accounts, shall be treated as obligatory examinations.

1657. Railway Board may permit a railway servant to draw travelling allowance for the journey to and from the place at which he appears for an examination other than those specified in Rule 1656.

1658. Traveling allowance for journeys under this section shall be calculated as for a journey on tour but no allowance shall be drawn for halts on the journey.

Section XIV - Journeys when called for interview

1659. A Government servant summoned for interview in connection with the filling of a Railway Post other than an advertised one, may at the discretion of the authority competent to fill the post, be granted return journey free passes of the appropriate class but shall not be granted any other kind of travelling allowance.

Railway Ministry's decision

This rule applies to the Government servant not employed on the Railway on which the post in connection with which he is summoned for interview is to be filled, or to Railway Servant summoned for interview by the Union Public Service Commission.

1660. A Railway servant summoned for interview and/or written test in connection with the filling up of a post other than an advertised post on the Railway on which he is employed, or in the Office of the Ministry of Railway/or in a Railway Administration in which a competent authority has authorized recruitment from the Indian Railways, should be deemed to have performed a journey on duty and given travelling allowance as on tour.

1661. (1) A Railway servant on casual leave when called upon to attend a Selection Board in connection with a post in the normal line of promotion, shall be treated as on duty and allowed travelling allowance as on tour. In other cases i.e. in case of selection to posts which are outside the cadre to which a railway servant belongs or which are outside the normal line of promotion of the person concerned, the period involved should be treated as casual leave.

(2) A Railway servant when called upon by other Ministries/Department/Offices/Public Sector undertakings for interview in connection with appointment on deputation/foreign service to posts which are not advertised, and with which the Union Public Service Commission is not concerned, may be treated as on duty and they should be allowed return journey duty passes and Daily Allowance for to and for journey period. No Daily Allowance shall be payable for the period of halt in connection with such interviews. If any travelling allowance in the form of cost of journey, mileage etc. is paid by other ministries/departments/offices/public undertaking, the same should be credited to the railway revenues.

(3) No travelling allowance will be paid to those persons who themselves apply for interview direct.

(4) In cases where railway servants are called for interview for filling up posts by non-Government agency, each case would be considered on merits by the Railway Board as when a reference in the matter is received.

Section XV - Journeys during leave or when proceeding or returning from leave

1662. Except as otherwise provided in these rules, a railway servant is not entitled to any travelling allowance for a journey made during leave or while proceeding or returning from leave.

1663. (1) When travelling allowance is sanctioned under the exception to Rule 1662, it will be regulated by grade to which the railway servant would have belonged had he not proceeded on leave including leave preparatory to retirement.

(2) The Head of Department may grant travelling allowance as on tour to a non-gazetted railway servant who is required to perform some public duty at a place other than the one where he is spending his leave provided that travelling allowance may not be granted for a journey while proceeding on or returning from leave.

(3) The General Managers, Director General/ Railway Designs and Standard Organisation, Chief Administrative Officers and the other Heads of Office drawing a pay of Rs. 7300/- per month and above may, in consultation with the financial Adviser and Chief Accounts Officer, grant travelling allowance as on tour to Accounts Officers who are required to perform some public duty at a place other than one where they spend the leave, provided that travelling allowance may not be granted for a journey while proceeding on or returning from leave. These powers should be exercised personally by General Managers/Chief Administrative Officers etc. and should not be redelegated.

(Railway Ministry's letter No. F(E) 1/78/PW/7/2 dated 24-1-79)

NOTE: The travelling allowance for a railway servant who is required to travel on duty in consequence of his re-employment during leave preparatory retirement, following the date of his compulsory retirement granted to him under Rule 540 or corresponding rule applicable to him which runs concurrently to his re-employment, should be regulated by the pay and grade of the post which he held immediately before proceeding on such leave; even though his pay in the post in which he is re-employed together with his leave salary in respect of refused leave may be less than the pay of the post held by him prior to commencement of such leave.

1664. (1) When a railway servant is compulsorily recalled to duty before expiry of his leave and the leave thereby curtailed by not less than one month, he is entitled to draw travelling allowance as for a journey on tour from the place at which the order of recall reaches him, or, if the journey involves travelling by sea, from the port at which he lands in India to the station in which he is recalled. If the period by which leave is curtailed is less than one month, travelling allowance may be allowed at the discretion of the authority recalling the railway servant.

(2) If the railway servant recalled to duty is entitled to travelling allowance under Rule 1650, he may not draw travelling allowance under Sub-rule (1).

1665. If a non-gazetted railway servant, on compulsory recall from leave exceeding four months, is posted to a station other than that from which he went on leave, he may, if his new station is more than 350 kms. distant from his old station, be granted, in addition to the concession admissible under Rule 1615, free passes and/or travelling allowance for his family under Rule 1642 for the journey from the place at which the order of recall reaches him to the new station;

Provided that the amount of mileage allowance shall not exceed that which should be admissible if the journey was performed from the old to the new station.

Section XVI - Journeys on retirement, dismissal or termination of appointment

1666. (1) No person shall, without the sanction of the Ministry of Railways be entitled to any travelling allowance for a journey made after retirement or dismissal from railway service or after the termination of such service.

(2) A Railway servant in the event of retirement and/or members of his family in the event of death of Railway servant, besides free passes admissible under the Railway Servants (Pass) Rules, 1986, shall be entitled to travelling allowance as admissible on transfer.

(3) The time limit for performance of journey to home town/selected place of residence for the purpose of admissibility of travelling allowance under Sub-rule (2), is one year from the date of retirement. This time limit of one year will also apply in the case of those Railway servants who are re-employed within one year after retirement and want to claim travelling allowance after the expiry of the period of re-employment.

(4) Travelling allowance under sub-rule (2) above is admissible to a Railway servant retiring voluntarily, or on invalid/compensation pension. The travelling allowance is not admissible to the employees who are dismissed/removed from service. However, Railway employees who quit service by resignation for reasons not accepted as good and sufficient by the Railway Administration, will not be entitled to any travelling allowance as on transfer, but they shall be granted passes if admissible under Railway Servants (Pass) Rules, 1986.

(5) When a retired Railway servant undertakes a journey to an outstation to attend a departmental enquiry instituted against him/her pertaining to his/her service period, he/she may be allowed travelling allowance as given below:-

- (i) A pass of the class to which he was entitled prior to retirement, or first class, whichever class is lower, for self only for the journey from his home town (declared as such for purposes of settlement passes) or from the actual place of residence, to the place of enquiry and back, whichever distance is shorter; and
- (ii) Daily allowance for the journey including halts at the outstation.

NOTE--The rate of daily allowance will be regulated in accordance with the pay drawn/post held by the retired Railway servant immediately prior to his retirement.

- (iii) The payment of TA/DA would be subject to certification by the Inquiring Officer about the attendance of by the Railway servant.
- (iv) No advance of traveling allowance would be admissible in such cases.

(6) When a retired railway servant undertakes a journey to an outstation for perusal of documents for preparation of his defence in a disciplinary case instituted against him, he may be allowed the following TA/DA in one case only:-

- (i) A pass of the class to which the retired railway servant was entitled prior to retirement, or first class whichever class is lower, for self only for the journey from his "Home Town" (declared as such for purposes of settlement passes), or from the actual place of residence, to the place where the documents are kept, whichever distance is shorter, and back, and
- (ii) Daily Allowance for the period of journey and a maximum of 3 days only for halt at outstation.

NOTE. -- (a) The rate of Daily allowance will be regulated in accordance with the pay drawn/post held by the retired railway servant immediately prior to his retirement;

(b) In the case of those railway employees who retired prior to the revision of the pay scales, the rate of Daily Allowance for such journeys would be determined on the notional pay of the retired employee which will include, in addition to pay in the pre-revised scales, dearness pay, Dearness Allowance, Addl. Dearness Allowance, ad-hoc D.A. and Interim relief appropriate to that pay as admissible under orders in existence on 31-12-85.

- (iii) No advance of Traveling Allowance would be admissible.
- (iv) The grant of Travelling Allowance will also be subject to the condition that the inquiring officer certifies that the official records to be consulted are relevant and essential for the preparation of the defence statement.

Section XVII - Journeys to attend court of law

1667. The following provisions apply to a railway servant who is summoned to give evidence: -

- (i) In a criminal case, a trial before a Court martial, a civil suit, or proceedings to which Government is a party or a departmental enquiry held by a properly constituted authority in the Indian Union; or
- (ii) Before a court in a foreign territory

Provided that the facts as to which he is to give evidence have come to his knowledge in the discharge of his public duties:

- (a) He may draw travelling allowance as for a journey on tour attaching to his TA Bill a certificate of attendance given by the Court or other authority which summoned him.
- (b) When he draws such travelling allowance he may not accept any payment of his expenses from the Court or authority. Any fees which may be deposited in the Court for the travelling and subsistence allowance of the witness must be credited to the Railway Revenues.
- (c) If the Court in which he gives evidence is situated within 8 kms. of his headquarters, and no traveling allowance, is, therefore, admissible to him for the journey, he may, if he be not in receipt of permanent travelling allowance, accept such payment of actual travelling expenses as the Court may make.

NOTE:- A railway servant summoned to give evidence while on leave is entitled to travelling allowance under these Rules from and to the place from which he is summoned as if he were on duty.

Government of India's decisions

(i) Journeys connected with police inquiries- Travelling allowance is admissible to an Officer proceeding to a police station to lodge a complaint or give information of an offence, but under the orders of the Government of India in the Home Department No 1163 dated the 14th September, 1874, no allowance is admissible to an officer summoned by a police officer to give evidence before him.

(G.I.F. & C.D. No. 6170-P dated the 19th December, 1894.)

(ii) The question of admissibility of travelling allowance to the officials of a department who are required by their superior officer to proceed from one station to another to appear before police officers or to accompany them to another station, has for some time past, been under the consideration of the Government of India, and it has been decided that whether the employee's presence is required to give a statement or to assist generally in the police investigation, it is within the discretion of his superior officer who orders the Government servant to undertake the journey to grant travelling allowance for the journey as having been performed on duty. It has been held that this rule provides, merely for cases in which the court or other authority has the power of paying witnesses' expenses. It is not the intention of the rules to forbid the grant of travelling allowance to a Government servant attending, under proper orders, inquiry whether police or departmental.

(G.I.F.D. U.O.No. 6847-CSR dt. 15th December, 1926.)

(iii) Where a railway servant whether under suspension or not, performs journey to attend police/special Police Establishment Enquiry in connection with a case in which he is suspected to be involved, travelling allowance as for a journey on tour may be allowed for such journeys provided that they are performed under the direction of, or with the approval of, the Head of the Office in which he is for the time being employed, or was employed, before suspension.

(iv) Where a railway servant undertakes journey during suspension for appearing in a Court of Law as an accused and is later on acquitted by the Court and reinstated in service or would have been reinstated in service but for death or his having attained the age of compulsory retirement or being allowed to retire voluntarily, traveling allowance as on tour based on the grade to which the railway servant belonged before suspension may be reimbursed to him provided the legal expenses incurred by him in defending such proceedings are reimbursed in full or in part under Article 320 (3) (d) of the Constitution.

(v) Travelling Allowance in respect of following types of cases may be granted as indicated below: -

(a) Proceeding initiated by Government in respect of matters connected with the official duties or position of the railway servant. In respect of such cases, travelling allowance may be granted as in Government of India's Decision No. (iv) above.

(b) Proceedings in respect of matters not connected with official duties or position of the railway servant: -

No Travelling Allowance is admissible in such cases

(c) Proceedings instituted by a private party against a railway servant in respect of matters connected with his official duties or position.

(i) If the Railway Administration on consideration of the facts and circumstances of the case consider that it will be in public interest that the Administration should themselves undertake the defence of the railway servant in such proceedings and if the railway servant agrees to such a course, the railway servant will be paid travelling allowance as for a journey on tour.

(ii) If the Railway servant purposes to conduct his defence in such proceedings himself, travelling allowance may be paid on the lines indicated in sub-rule (iv) above subject to the further condition that the travelling expenses are not decreed by the court of Law as payable by the plaintiff.

(d) Proceedings instituted by a Railway servant on his being required by Government to vindicate his official conduct. In respect of such cases, travelling allowance may be granted to the railway servant on the lines indicated in Government of India's Decision No. (iv) above.

- (e) Proceeding instituted by a railway servant suo moto with the previous sanction of the Government to vindicate his conduct arising out of or connected with his official duties or position. In respect of such cases, no travelling allowance is admissible.

1668. (1) Every person, whether he is a Railway servant, Central or State Govt. servant or not, who is called to give evidence in a departmental inquiry by, either the Railway administration or the Railway servant against whom the inquiry is being held, shall be entitled to payment of travelling and other expenses as laid down below.

(2) Where the witness is a railway servant, he shall be entitled to receive, in respect of the attendance before the authority holding the departmental inquiry from the department or office under which he is serving for the time being, payment of travelling allowance as on tour.

(3) (i) Where the railway servant is called in the departmental inquiry to give evidence as to facts which have come to his knowledge in the discharge of his public duties, the minimum time required to be spent by him on the journey to and from the place where the inquiry is held and the days on which he is required to remain present before the authority holding the inquiry, shall be treated as duty.

(ii) Provided that if the Railway servant is on leave, the entire time spent shall be treated as a part of the leave and he shall not be deemed to have been recalled to duty.

(iii) Where a railway servant is called by any authority holding the departmental inquiry to give evidence as to facts which have come to his knowledge at a time when he was not in railway service, he may be paid travelling allowance as provided in clause (2) above.

(4) Where the witness is Central Govt./State Govt. servant, he shall be entitled to receive, in respect of the attendance before the authority holding the departmental inquiry, from the Central/State Govt. such travelling allowance and/or daily allowance as may be admissible to him under the rules applicable to him in that behalf in respect of a journey undertaken on tour and the amount so paid shall be the liability of the Railway administration. The Central/State Govt. will, however, make the necessary payments and shall raise a debit in respect thereof against the Railway administration.

(5) Where a person who has been a Railway servant but has ceased to be so, is called to give evidence as to facts which might or might not have come to his knowledge in the discharge of his duties, or a person who is not a servant of the Union, is called to give evidence before any authority holding a departmental enquiry, such a person shall be entitled to claim from the Ministry or Department or office under whom the railway servant against whom the inquiry is being held is for the time being serving, travelling allowance under Rule 1696.

(6) The officer or the Board holding the inquiry shall furnish a certificate in the following Form to every person appearing before him or to give evidence.

FORM

This is to certify that Shri (Name, designation, office, etc.) appeared before me as a witness on at (place) in the departmental inquiry against Shri (Name, designation, etc.) and was discharged on at (time).....

Nothing has been paid to him on account of his travelling and other expenses.

(SIGNATURE)
Disciplinary Authority/Board of
Inquiry-Inquiry Officer.

Copy forwarded for information to the Ministry/Department of Secretary to the Govt. of (Name of State Government) Department.

(7) The foregoing instructions shall also apply to a person assisting the Railway servant against whom the inquiry is held in presenting his case. Such a person shall be granted a certificate in the following form by the authority holding the departmental inquiry.

FORM

This is to certify that Shri (Name, designation, office, etc.) attended the proceedings in the departmental inquiry against Shri (Name designation, etc.) to assist the said designation, etc. and was discharged onat (time).....

Nothing has been paid to him on account of his travelling and other expenses.

(SIGNATURE)
Disciplinary Authority/Board of
Inquiry/Inquiring Officer/Appellate authority

Copy forwarded for information to the Ministry/Department of.....

1669. In cases where railway servants whether on duty or on leave or under suspension, undertake journeys to an outstation to persue official records for the preparation of their defence in connection with the disciplinary proceedings instituted against them, travelling allowance as on tour and daily allowance (restricted to a maximum of three days only) will be allowed from the headquarters of the railway servant or from any other places where the railway servant may be spending his leave or where the suspended officer has been permitted on his request to reside, but not exceeding what would be admissible, had the journey been undertaken from the headquarters of the railway servant subject to the following further condition:-

- (i) The disciplinary authority competent to permit inspection of documents/the Inquiring authority certifies that the official records to be consulted are relevant and essential for the preparation of the defence statement. Such a certificate is necessary only in case where the accused railway servant asks for access to the documents which are not mentioned in the list of documents proposed to be relied upon by the Railway Administration.
- (ii) the competent authority certifies that the original records could not be sent to the Headquarters station of the railway servant or the bulk of the documents ruled out the possibility of copies being made out and sent:
- (iii) the Head of office under whose administrative control the railway servant is, certifies that the journey was performed with his approval; and
- (iv) in case of officers not under suspension at the time of undertaking the journey, the period spent in transit to and fro and the minimum period of stay required at the place where the official records are made available for perusal, should be treated as duty or leave according as the officer is on duty or on leave at that time, and in case of officers under suspension who are subsequently reinstated in service, the period will be treated as duty, leave or otherwise in accordance with the orders passed by the competent authority under Rule 1345 (i) RII.

1670. A railway servant summoned to give evidence in circumstances other than those described in Rule 1663 or to serve as assessor or juror in a court of law, is not entitled, by reason of his position as a Government servant, to any payment other than those admissible by the rules of the court. If the court pays him any sum as subsistence allowance or compensation apart from payment for travelling expenses, he must credit that sum to railway revenues before drawing full pay for the day or days of absence.

NOTE: - This period spent by railway servant in attending court as juror and assessor with the permission of their respective Heads of Department, should be treated as special casual leave, which should not be debited to their casual leave accounts and no extra payment, except those admissible under these rules, should be made to them for such period.

Government of India's Orders

The question has arisen whether an employee who is subject to the Payment of Wages Act, 1936 can legally pay to the department fees or sums received by him from court as subsistence allowance or compensation. Such payment will amount to a deduction from wages within the meaning of the explanation to sub-section (i) to Section 7 of the payment of Wages Act, 1936 and is thus inadmissible under the provision to that Section. The employee, therefore, cannot legally be asked to credit to railway the subsistence allowance granted to him by the court. This difficulty can be solved by the issue of rules by the High Court to the effect that in the case of Government servant who are subject to the payment of Wages Act, 1936, such sums should be deposited by the court themselves in the treasury to the credit of the railway or office concerned.

1671. A railway servant who is summoned to give evidence of facts which came to his knowledge in the discharge of his duties or to produce official documents in a civil suit in which Government is not a party, will be paid travelling expenses etc. by the court at the rates admissible to the railway servant for a journey on tour. In order to enable the court to assess the amount admissible to him the railway servant should carry to the court a certificate duly signed by the Controlling Officer of the railway servant showing the rate of travelling and daily allowance admissible to him for a journey on tour. If the railway servant is his own Controlling Officer, the certificate will be signed by him as such.

NOTE. --These orders do not apply in respect of attendance at courts in the West Bengal state.

Section XVIII - Journeys by Railway servants under suspension

1672. A railway servant under suspension who is required to perform journey to attend a departmental inquiry, may be allowed travelling allowance as for a journey on tour from his headquarters or the place at which he has been permitted to reside during suspension to the place of inquiry whichever is less. No travelling allowance will, however, be admissible if the inquiry is held at his own request. The rate of daily allowance admissible will be the same to which a railway servant was entitled on his pay just before his suspension.

Railway Ministry's decision

(1) Travelling allowance is admissible to a railway servant summoned to give evidence in a court of law while he is under suspension, but the period of his attendance at the court will be treated as suspension only.

Section XIX - Journey to obtain medical treatment advice or certificates or to appear before medical boards.

1673. Notwithstanding anything contained in this rule, no travelling allowance shall be admissible to a railway servant performing a journey to visit a Dental Practitioner or in connection with any treatment or advice other than a treatment or advice by a Medical Officer, a physician specialist or a surgeon specialist.

1674. Journeys for procuring Health Certificates.— Travelling allowance is not admissible for a journey undertaken to procure health certificate on first appointment to Government servants.

1675. (1) A railway servant who is sent by the authorised medical attendant to a specialist in the service of Government or other Medical Officer at the nearest station under note 3 to Rule 603(3) RI shall draw a travelling allowance as for a journey on tour, but no daily allowance shall be drawn for halts on the journey. If a member of a railway servant's family is similarly sent, free passes of the class admissible to the railway servant himself under the Railway servant (Pass) Rules, 1986 may be issued for the outward and return journeys.

NOTE. --Travelling allowance is payable to the railway servant even if the journey performed is treated as leave provided that other conditions governing the grant of travelling allowance in such cases are satisfied.

(2) In the alternative, if a specialist or other Medical Officer is summoned to attend upon the railway servant (patient), he shall, on production of a certificate in writing from the authorized medical attendant in this behalf, be entitled to travelling allowance under the rules applicable to him.

1676. (1) A railway servant suffering from Cancer, Tuberculosis or Polio myelitis who is sent to a hospital referred in Rule 643 RI for treatment on the advice of the authorized Medical Attendant shall be entitled to travelling allowance as for a journey on tour to and from the place of treatment, but no daily allowance shall be admissible for any halts;

(2) In respect of a member of the family of a railway servant suffering from Cancer, Tuberculosis or Polio myelitis who is similarly sent for treatment, a railway servant shall be entitled to free passes of the class to which he himself is entitled for the journey by rail to and from the place of treatment and the actual expenditure on road journeys not exceeding mileage allowance admissible to the railway servant himself.

(3) If the authorised Medical Attendant certifies in writing that in the case of a railway servant or a member of his family suffering from Cancer, Tuberculosis or Polio myelitis, it is unsafe for the patient to travel unattended and that it is necessary for an attendant to accompany the patient to the place of treatment, an attendant may be allowed to accompany the patient to the place of treatment. The attendant, (a) if a railway servant, shall be deemed to have been travelling on duty and may draw travelling allowance for the outward and inward journeys as for a journey on tour, and (b) if not a railway servant, may be allowed a free railway pass of the same class as allowed to the patient, or of a lower class for the journeys by rail to and from the place of treatment of the patient, and for road journey, actual expenditure exceeding the mileage allowance admissible to the railway servant himself.

NOTE. --(i) No cost of conveyance of personal effects may be allowed.

(ii) Extra railway pass and daily allowance may be allowed for journeys undertaken by the railway servant after completion of treatment for periodical check-ups at the nearest Government recognized or Cancer, Tuberculosis or other hospital providing facilities for the treatment of Cancer and Tuberculosis where the railway servant received treatment, on the advice of the Authorised Medical attendant or the specific advice of the authorities of the hospitals where the treatment was received.

(4) If, in order to obtain anti-rabic treatment, a railway servant is compelled to leave a station at which he falls ill and at which anti-rabic treatment is not available, and travels to the nearest station where the said treatment is available, he may, on production of a certificate from the Railway Medical Officer of the Division that the journey was in his opinion absolutely necessary, draw travelling allowance for the journey. The concession is also admissible to a railway servant on leave.

1677. (1) A railway servant suffering from mental diseases, when sent for consultation/treatment in a Mental Hospital referred to in Rule 644-RI on advice of the authorized Medical Attendant, may be given free passes for the outward and return journeys to the Mental hospital as admissible under the rules but no daily allowance is to be paid. For the road portion of the journey, travelling expenses incurred, subject to a maximum at half the rate of mileage allowance calculated for the road journey, may be reimbursed.

(2) If the authorized Medical attendant certifies in writing that in the case of railway servant suffering from mental disease it is unsafe for the patient to travel unattended and that an attendant is necessary to accompany him to the place of consultation/treatment, a free railway pass by the same or lower class may be allowed for the attendant for both ways. For the road journey of the attendant, same concession as for the railway servant may be allowed.

- NOTE. --
- (i) The outward journey should be deemed to have commenced from the headquarters of the railway servant or from which the patient actually travels, which is nearer to the place of consultation/treatment. Likewise, the return journey will be deemed to have ended at the headquarters or at the place to which the patient actually travels whichever is nearer.
 - (ii) As regards travelling expenses for the road portion of the journey or for the journey between station connected by road only claimed by an attendant, he/she may be allowed the actual cost of transit not exceeding the travelling allowance admissible to the railway servant concerned. This will cover journey not only to the nearest railway station but also long journey by road to the nearest railway station or the hospital concerned where there is no rail link.

1678. The journeys contemplated by Rule 1677 should not be undertaken without the previous permission of the Controlling Officer if such permission can be obtained without risk to the railway servant requiring medical advice.

1679. (1) A railway servant who is directed by his official superior, in the interests of the public service, to apply for an invalid pension, may, if he be required to make journey in order to appear before a Medical Board, draw his actual travelling expenses subject to a maximum of the amount of travelling allowance calculated for the journey. If it be necessary for him to return to his headquarters after appearing before the Medical Board, he may draw his actual expenses subject to the same maximum. For either journey, his traveling allowance bill must be supported by a certificate that he was directed to apply for an invalid pension in the interest of the public service and that he did not voluntarily ask to retire.

(2) A Head of a Department may allow actual expenses, as limited by sub-rule (1) of this rule, to be drawn by a railway servant who voluntarily applies for an invalid pension provided that he is satisfied that the circumstances for applicant are such as to justify the concession.

Auditor-General's Decision

Journeys after having been invalidated. A non-gazetted Government servant after having been invalidated by a Civil Surgeon with effect from the 30th Jan., 1935, had to undertake subsequent to that date, for obtaining the attestation of the Medical certificate under Rule 2514-RII (1975 edition) several journeys to appear before the Medical Board which ultimately confirmed the Civil Surgeon's certificate retrospectively with effect from the 30th January, 1935. The Government servant put in a claim for the reimbursement of travelling allowance in respect of these journeys and a doubt was felt whether the case could be covered by the ordinary rules for travelling allowance. It has been decided that rule 1679 does not become inoperative if, in a case like this, retirement takes retrospective effect from a date prior to the date on which the journey to appear before the Medical Board is performed.

1680. When a non-gazetted railway servant performs a journey to undergo a periodical medical examination required by or under the rules applicable to him, he may draw travelling allowance for such period as may be certified by medical authority concerned to be absolutely necessary for the purpose.

1681. Except as provided in rule 1680, no travelling allowance is admissible for a journey undertaken in order to appear before a Medical Board.

1682. Travelling allowance under Rules 1674 to 1680 shall be calculated as for a journey on tour, but except in a case covered by rule 1680 no allowance shall be drawn for halts on the journey.

1683. (1) A Medical Officer who considers that a railway servant on whom it is his duty to attend professionally should leave his station to obtain medical advice or treatment or to proceed on leave, and that it is unsafe for him to travel unattended, may, if he does not himself accompany him, arrange for an attendant to do so; and the attendant (a) if a railway servant, shall be deemed to have been traveling on duty and may draw travelling allowance for the outward and return journey on tour, and (b) if not a railway servant, may draw actual expenses.

(2) When the Medical Officer's opinion as to the necessity for the journey and for attendant during it can be obtained before its commencement, a certificate from him that the journey with an attendant was necessary, is sufficient for the purpose of this rule.

(3) This rule also applies to attendant on members of railway servant's family when entitled to travelling allowance under rule 1676.

NOTE. --Grant of traveling allowance for the attendant shall be regularized on the lines of the provision contained in rule 1676 (i), (ii) and (iii).

Section XX - Journeys by Railway medical officers for attending on Railway servants and their families at outstation.

1684. When a Railway Medical Officer is called to render medical assistance to a Railway servant or his family at outstation, he may be granted travelling allowance, as on tour, when the medical service rendered is gratuitous.

Section XXI - Journeys on a course of training

1685. When a Railway servant is selected to undergo a course of training, he may draw travelling allowance as on tour-

- (a) For the original journey to and last journey from the place of training.
- (b) If the training (journey) is at a school or college or similar institution, for similar journeys on the occasion of holidays and vacations; and
- (c) For journeys during the course of training.

For halts at the place of training, daily allowance will be admissible at full rate for the first 180 days. Beyond 180 days, no daily allowance is admissible. These provisions do not apply to probationers, temporary officers or persons in receipt of a stipend or to such Railway servants undergoing training in Railway Training Schools as are granted free messing or messing allowance in lieu of daily allowance under special orders or to such other Railway servant in respect of whom general or special orders may be issued by the President.

The limit of 180 days indicated above should be applied with reference to the halt of the journey at a particular place. However, if the trainees have to stay at a particular place of training, for different spells of the same training programmes, all the different spells of stay should be kept together for determining entitlement to daily allowance for the purpose of this rule.

NOTE.--(i) The Railway officers and staff deputed to attend training courses in the non-railway institutions where the Registration/Course fee includes the cost of board and lodging or the cost of board and lodging has to be borne by the Railway Administration, will be granted 20% of the Daily Allowance to which they would otherwise be entitled under the normal rules.

(ii) No Daily Allowance or any part thereof will be admissible to those trainees whose normal headquarters are at the place of training itself.

- (iii) The Apprentices selected from amongst the serving railway employees as Probationary ASMs, Guards etc. Shall be eligible for free messing plus 20% Daily allowance, otherwise admissible to them under the normal rules. This proviso also covers employees selected through the process of ODCE.

(Authority:- Railway Board's letter No.E(MPP)2001/1/10 dated 3.5.01)

(3) A Probationary Officer/temporary officer during the period of his training should be treated as under: -

- (i) No travelling allowance should be allowed for onward journeys in cases where the probationers/temporary officers join the training institutions direct on first appointment to railway service.
- (ii) Travelling allowance as on tour may be allowed to the probationers/temporary officers who are already in railway/Government service or who first join the railways of their posting and then proceed to the training institute or where they move from one training institute to another.
- (iii) Probationers/temporary officers shall not be paid any daily allowance or allowed free board and lodging in lieu thereof, where messing is compulsory, for the period of their stay in the training institutes; and

- (iv) For tours to outstations undertaken from the training institutions as part of the training, travelling allowance as admissible as on tour shall be allowed.
- (v) Rent should be recovered from the probationers/temporary officers for the accommodation provided to them during their period of stay in the hostel.
- (vi) The term 'probationers' applies to officers in respect of whom training required to be given during the probation period is given either during probation or afterwards.
- (vii) A person not already in railway service who is selected to undergo a course of training with a view to appointment in railway service may be allowed travelling allowance as in sub-rule (1) and (2) at a scale not exceeding that admissible to railway servants of similar status on duty at the place of training.

1686. (1) Special Class Apprentices — When they are moved from one headquarters to another in connection with their training, will be granted travelling allowance as on tour for the period covered by the journey. In cases, however, when they are required to proceed from one station to another for training for the period not exceeding six weeks, they will be treated as on tour.

(2) The apprentices (whether mechanical or other categories) who are in receipt of the concession of free boarding and lodging at their headquarters and are in receipt of reduced rates of stipend only be allowed travelling allowance applicable to the category to which they are apprentices provided they are required to undertake such journeys as a part of their training and no free boarding is arranged for them.

1687. A military officer in railway employment, while detailed to a military course of instruction, is entitled to draw mileage and daily allowances at rates admissible to a military officer in military employ in similar circumstances. No free railway pass shall be issued for such journeys.

Section XXII - Journey to attend levees

1688. (1) A railway servant who is permitted to attend a levee elsewhere than at his headquarters may draw traveling allowance for the journey as for a journey on tour.

Railway Ministry's decision--(1) This rule applies only to railway servants on duty.

(2) The Railway servants who come to Delhi, to receive the gallantry medals from the President at formal investitures will be allowed traveling allowance as on tour.

(3) When officers are invited to attend social functions by the President and others, the journeys undertaken in attending such functions should not be regarded as public duty and no traveling allowance paid for such journeys.

Section XXIII - Journeys to attend conferences, Congresses or Meetings

1689. Railway servants attending meetings or conferences or congresses held in India may draw traveling allowance as on tour when they are officially deputed to attend them but not when they attend at their own request. In the latter case, provided any Government interest is served thereby, they may only be granted special passes for the journeys to and from the place of meeting.

Ministry of Railways Decisions

(1) Attendance of Government servants at the meetings listed below has been recognized as being in the interest of the Government--

Annual General Meetings of the Institution of Engineers (India), Calcutta and its Regional Centers, and of the Institute of Railway Accountants and Auditors (Calcutta).

Meetings of the local Associations of the Institution of Engineers.

The Annual General branch meetings of the Indian, Western and Eastern Centres of the Institution of Mechanical Engineers (Railway Division) and of the Indian Medical Association or the Association of the Surgeons of India or the Association of Physicians of India or the meetings and conferences arranged by the Institute of Costs and Works Accountants.

The annual conferences of the Indian Statistical Institute.

The annual Session of the Indian Science Congress.

Regional Centres of the Permanent Way Institutes.

Meetings of the Sectional Committee set up by the Indian Standards Institution.

Meetings of the Advisory Committee of the Indian Council of Medical Research.

Meetings of the Institution of Tele-Communication Engineers.

Meetings of the Institute of Permanent Way Engineers.

The All India Malaria Conferences, The Annual Conferences of the All India Tuberculosis Association, the Annual Conferences of Indian Public Health Association, The Annual Conference of Association of Family Planning, The Annual Conference of the Indian Association of Occupational Health, Two meetings of the Bombay Railway Signal and Tele Communications Society in a Calendar Year. Annual Convention of the Institute of Indian Foundrymen, Calcutta. Annual meeting of the Institute of Rail Transport.

Any one meeting of the Institute of Rail Transport in a year when attended by the Members of the Institute.

Annual General Meeting of Institution of Chemists (India).

Joint Chemical Convention (Annual) of the Chemical Research Committee of the Council of Scientific and Industrial Research (Ministry of Education, Government of India), the Institution of Chemists (India), the Indian Chemical Society and the Society of Biological Chemists (India).

Cases not covered by the above should be referred to the Railway Board for orders.

The time spent by the railway servants in attending such meetings, when they are permitted to attend the meetings at their own request, will be treated as special casual leave.

Railway Ministry's Decision

(2) Railway Doctors who are either Members of the following Associations or who read papers may be permitted to attend such meetings at their own request, the period of absence being treated as special casual leave. Special Railway passes may also be given for the journey to and from the place of meetings but no road mileage or daily allowance for halts at the Place of meeting would be allowed.

The Annual Conference of Association of Radiologists, Annual Conference of Association of Ophthalmologists, Annual Conference of Association of Oto-Rhine-Laryngologists, Annual Conference of India Society of Anesthetists, Annual Conference of Association of Gynecologists and Obstetricians, Annual Conference of Association of Nurses, Meetings of the Dental Council of India, Annual Conference of All India Dental Association.

Annual Conference of Indian Academy of Pediatrics.

Annual Conference of Cardiological Society of India.

Annual Conference of Association of Neurologists of India.

Indian Association of Pathologists.

The Annual Conference of the Indian Association for chest disease.

The Indian Society of Gastroenterology.

National Congress on Occupational Health.

Dermatological Society of India.

Annual Conference of Indian Psychiatrists Society.

Annual Convention of the Indian Hospital Association.

Indian Association of Preventive and Social Medicine.

Thoracic Surgical Conference.

Annual General Meetings of Railway.

Signalling and Tele-Communication Engineers.

Annual Seminars of the Institute of Town Planners, India.

Indian Orthopaedic Association.

Section XXIV - Journeys to attend meetings of Railway institutes etc.

1690. Railway servants nominated by a Railway Administration or elected to serve on Debt and Welfare Committees including Staff Benefit Fund Committees, Staff Representatives of a recognized union to Joint Purchase Boards and railway servants nominated ex-officio, and not ordinary members to serve on Committees of Railway Institutes and Staff Loan Funds, etc. may draw when attending meetings of such committees, traveling allowance as on tour. The concession of traveling allowance as on tour will also be admissible to the representatives, who are railway servant of the recognized unions to the Labour Advisory Committee in connection with their attendance at the meetings of the Staff Benefit Fund Committees.

Ministry of Railways' Decision

(1) The railway servants taking part in recognized athletic contests and tournaments should be allowed special casual leave and free passes.

(2) The running staff granted special casual leave in connection with recognized athletic contests and tournaments should be deemed to have been engaged on other than running duties and as such should be allowed "an allowance in lieu of Kilometrage" for the period of special casual leave granted to them under the rules for payment of running and other allowances to running staff.

Section XXV - Journeys in connection with St. John's ambulance brigade, etc.

1691. Railway servants, when attending drills or deputed for other duty in connection with the St. John's Ambulance Brigade or the St. John's Ambulance Association, may draw traveling allowance as on tour.

Section XXVI - Journeys by departmental representatives for attending selection board convened by the Union Public Service Commission

1692. A railway servant will be granted traveling allowance as on tour in the following cases--

- (1) where they represent the Ministry of Railways on the selection board convened in connection with competitive examinations, e.g. Indian Administrative Service, etc., combined Engineering services Examination etc.
- (2) where selection is made for particular posts otherwise than through competitive examination, e.g. selection of Medical Officers for Railways, etc.
- (3) where Railway Officers are co-opted by the Union Public Service Commission for selections to be made for posts in services other than Railways.

Section XXVII - Grant of travelling allowance to persons not in government service

1693. (1) Member of parliament when attending meetings of the Regional/Divisional User's Consultative Committees and of the Zonal Railway Users' Consultative Committees or sub-committees may be granted traveling allowance for journey from his usual place of residence to the place where the meeting is to be held and for the return journey as shown below:--

- (i) If the journey is performed by rail, an amount equal to one first class fare plus one second class fare for each such journey irrespective of the class in which the Member actually travels;
- (ii) If the journey is performed by air, an amount equal to one and one-fourth of the air fare for each such journey;

(iii) If the journey or any part thereof cannot be performed by rail or air-

- (a) where the journey or any part thereof is performed by steamer, an amount equal to one and three-fifths of the fare (without diet) for the highest class in the steamer for each journey or part thereof.
- (b) where the journey or any part thereof is performed by road, the road mileage as fixed by the concerned Director of Transport for taxi for each such journey or part thereof.

(2) Notwithstanding anything contained in sub-rule (1) a Member who performs journey by road between places connected by rail or steamer either wholly or in part, may draw mileage allowance referred to in sub-clause (b) of Clause (iii) of sub-rule (1) in place of traveling allowance which would have been admissible to him, if he had traveled by rail or steamer as the case may be:

Provided that the total amount of traveling allowance drawn by such Member for the entire journey shall not exceed the amount which would have been admissible to him, had he performed such journey by rail or by steamer as the case may be.

(3) Daily Allowance. --A Member of Parliament is entitled for each day of the meeting to daily allowance as is admissible to him under Section 3 of the Salary, Allowance and Pension of Members of Parliament Act, 1954, i.e. Rs.75/- per day. He will also be entitled to daily allowance for two days preceding and two days following the meeting, if the Member of Parliament actually stays at the place of the meeting.

B--For Members of State Legislatures attending meeting of Railway Users' Consultative Committees/Council--

Traveling allowance and dearness allowance (including conveyance allowance) of Members of State Legislatures attending to serve the Railway User' Consultative Committees at the Divisional or Zonal levels or their sub-committees, or meetings of the National Railway Users' Consultative Council, or its sub-committees, will be regulated under the Traveling Allowance Rules of the State Government concerned and they will be treated as their first grade officers for this purpose during non-session of the State Legislatures: and during the Session of State Legislatures, they will be governed, by the respective payment of Salaries and Allowance and Removal or Disqualification Acts. The Member concerned may be informed before hand that they will not draw traveling allowance and daily allowance (including conveyance allowances) which may disqualify him. This provision may be embodied in the sanction itself.

C. -- Non-official members of the railway Users' Consultative Committees (other than Members of Parliament and Members of State Legislatures.)

(1) Non-official members of the Divisional Railway Users' Consultative Committees (other than Members of Parliament and Members of State Legislatures), when attending meetings of the Committees or their committees, may be granted traveling allowance as shown below:-

- (i) An allowance of Rs.20 (rupees twenty only) per day as out of pocket expenses for any day or days spent in traveling between the Railway Station nearest to their place of residence and the place of meeting and vice-versa. This allowance is payable to non-official members (other than Members of Parliament and Members of State Legislatures) of Railway Users' Consultative Committees functioning at the divisional and zonal levels and the National Railway Users' Consultative Council. This out of pocket allowance will not be payable for day (or days) for which daily allowance (as indicated below) is payable.

(ii) Daily allowance as out of pocket expenses per diem for the duration of the meetings will be payable as under:-

- (a) The Divisional Railway Users' Consultative Committees and suburban Railway Users' consultative Committees functioning on Central/Western/Southern/Eastern and south Eastern Rly. Rs.20
- (b) Railway Users' Consultative Committees functioning at zonal level Rs.30
- (c) National Railway Users' Consultative Council Rs.40

1694. When a person who is not a servant of the Union is required to give evidence before the Railway Rates Tribunal, he may be granted a free first class pass for the Railway journey and daily allowance at the rates fixed by Railway Board for the number of days for which he is detained by the Committee at the place of examination.

1695. When a person not in the service of the Union is summoned as a witness on behalf of a railway servant whose conduct is the subject of a departmental inquiry, travelling allowance may be paid to such a person, provided that the railway servant concerned clears himself, and the evidence given by the witness is considered to be of material value by the Officer conducting the inquiry. The rate of travelling allowance shall be as determined by the Railway Board in each case, with due regard to the person's position in life.

1696. When in a case not covered by Rules 1694 to 1695, a person not being a servant of the Union, is required to attend any meeting of a commission of inquiry or of a board, conference committee or departmental inquiry convened under proper authority, or is required to perform any public duties in an honorary capacity, he may be granted such travelling allowance as may, by general or special order, be determined by the Head of Department/Divisional Railway Manager, with due regard to such person's position in life.

Section XXVIII - Controlling officers

1697. General Managers/Divisional Railway Managers and Heads of Departments shall be their own Controlling Officers. All Officers of the rank of Junior Administrative Grade (JAG) and above shall be their own Controlling Officers for countersignature on TA journals. A Head of Department may declare what authorities subordinate to him shall be the Controlling Officers, for the purpose of traveling allowance of railway servants or classes of railway servants employed under him. No authority shall be declared by him to be his own Controlling Officer without the previous sanction of the Ministry of Railways.

(Authority: Board's letter No.F (E) I/2003/AL-8/3 dated 20-11-2003 & 07.01.2004)

1698. No bill for traveling allowance, other than permanent travelling allowance shall be paid unless it be signed or counter signed by the Controlling Officer of the railway servant concerned.

NOTE:-- It is not necessary for the Controlling Officer to countersign the bills for conveyance allowance every month, but he should certify in the pay bills pertaining to the months of January, April, July and October each year, to the effect that the conveyance allowance claimed is in order and that the conditions attached to its drawal have been fulfilled.

1699. A Controlling Officer shall not delegate to a subordinate railway servant his duty of countersignature, except when he is expressly permitted to do so by the authority who declared him to be a Controlling Officer.

1700. It is the duty of a Controlling Officer, before signing or countersigning a travelling allowance bill--

- (1) to scrutinize the necessity, frequency and duration of journeys and halts for which travelling allowance is claimed, to disallow the whole or any part of the travelling allowance claimed for any journey or halt if he considers that a journey was unnecessary or unduly protracted or that a halt was of excessive duration;
- (2) to scrutinize carefully the distances entered in travelling allowance bills;
- (3) to satisfy himself that, mileage allowance for journeys by steamer has been claimed at the rate applicable to the class of accommodation actually used and that where the actual cost of transporting servants, personal effects, etc. is claimed under the rules in this chapter, the scale on which such servants, effects, etc., were transported was reasonable and to disallow any claim which, in his opinion, does not fulfill that condition;
- (4) to check any tendency to abuse the concession of taxi hire sanctioned under rule 1607 and to consider the advisability of its replacement in any particular case by a fixed motor car or motor cycle allowance if in his opinion the monthly bill of the officer on account of taxi hire is excessive; and
- (5) to observe any subsidiary rules or orders which the Head of the Department may make for his guidance.

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CHAPTER 17 HOUSE RENT AND COMPENSATORY (CITY) ALLOWANCES

1701. (1) The amount of a compensatory allowance shall be so regulated that, on the whole, it is not a source of profit to the recipient.

(2) A compensatory allowance may be withdrawn or reduced by the President, if he is satisfied that the circumstances justify such a withdrawal or reduction.

(3) The President may, by general or special orders, sanction the grant of compensatory allowance in any case or any class of cases and also prescribe the conditions subject to which the allowance may be drawn, Except as otherwise provided by such orders, the drawal of the allowance shall be regulated by these rules.

1702. The rates of Compensatory (City) Allowance which may be granted with effect from 1.8.1997 to Railway servants stationed in 'A-1', 'A', 'B-1' and 'B-2' class cities are given below :-

* Pay Range (Basic Pay)	Amount of Compensatory (City) Allowance in class of cities (Rs. Per month)			
	A-1	A	B-1	B-2
(1)	(2)	(3)	(4)	(5)
Below Rs.3000 p.m	90	65	45	25
Rs.3000 p.m. to Rs.4499 p.m	125	95	65	35
Rs.4500 p.m to Rs.5999 p.m	200	150	100	65
Rs. 6000 p.m and above	300	240	180	120

* In the revised scales of pay as per Railway Services (Revised Pay) Rules, 1997.

NOTE – 1. Provided that in the case of a railway servant who is allowed the concession of free boarding and lodging as a condition of service, Compensatory (City) Allowance shall be limited to half the amount of the allowance specified above.

2. A Compensatory (City) Allowance may be granted to a railway servant whose place of duty is situated within the qualifying area of the station for which the allowance has been prescribed."

(Authority : Railway Board's letter No.E(P&A)II-97/HRA-19 dated 3.10.2005).

1703. The rates of House Rent Allowance which may be granted with effect from 1.8.1997 to Railway servants stationed in 'A-1', 'A', 'B-1', 'B-2', 'C' class and unclassified cities are given below:-

Classification of cities/ towns	Rates of House Rent Allowance
A-1	30 % of actual basic pay drawn
A	15 % of actual basic pay drawn
B-1	15 % of actual basic pay drawn
B-2	15 % of actual basic pay drawn
C	7.5 % of actual basic pay drawn
Unclassified	5 % of actual basic pay drawn.

House Rent Allowance at the above rates shall be admissible to all Railway servants (other than those provided with Government owned/hired accommodation) without reference to the quantum of rent paid, without requiring them to produce any rent receipts. Such railway servants shall, however, be required to furnish a certificate that they are incurring some expenditure on rent/ contributing towards rent. House Rent Allowance at the above rates shall also be admissible to Railway servants living in their own houses subject to their furnishing a certificate that they are paying/ contributing towards house or property tax or maintenance of the house.

NOTE : Where House Rent Allowance has been allowed under special orders, the same shall be given as admissible in A-1, A, B-1, and B-2 cities, as the case may be, until issue of orders to the contrary."

(Authority : Railway Board's letter No.E(P&A)II-97/HRA-19 dated 3.10.2005).

1704. For the purposes of these orders: --

- (a) Pay would be as defined in Rule 103(35)(i)–R.I and in the Railway Services (Revised Pay) Rules 1997 would also include stagnation increment (s) and non-practising allowance. In the case of those railway servants who opt to retain the pre-revised scales of pay in existence prior to 1-1-1996, it will include, in addition to pay in the pre-revised scale, dearness allowance and interim relief appropriate to that pay admissible under orders in existence on 1-1-1996. In case of Running staff, pay shall include the pay element in running allowance as determined by administrative orders from time to time."

(Authority: Railway Board's letter No.E(P&A)II-97/HRA-19 dated 3.10.2005).

(b) "Rent" means the charges paid by a Railway employee as consideration for accommodation occupied by him if he is a tenant and the rental value of the house as assessed for municipal purposes or otherwise, if he lives in his own house. It will also means the charges paid by a Railway employee who resides in a hostel or a boarding house or resides and boards in a private family as a paying guest.

(c) "Family" means a Railway employee's wife/husband, children another persons residing with and wholly dependent upon him/her. A husband/wife/child/parent having an independent source of income is not treated as a member belonging to the family of the Railway employee except when such income including pension (inclusive of temporary increase in pension and pension equivalent of death-cum-retirement benefits) does not exceed Rs. 250 per month.

1705. (a) (i) The limits of the locality within which these Rules apply shall be those of the named municipality, or corporation and shall include such of the suburban municipalities, notified areas or cantonments as are contiguous to the named municipality or corporation or other areas, as notifies form time to time.

(ii) The orders contained will automatically apply/cease to apply to areas which may be included within/excluded from the limits of the named municipality or corporation by the State Government concerned from the date of such inclusion/exclusion.

(iii) The classification of the localities into A-1, A, B-1 and B-2 for purposes of Compensatory (City) Allowance, and into A-1, A, B-1, B-2, C and unclassified localities for the purpose of House Rent Allowance shall be notified as per the administrative orders issued by the Ministry of Railways from time to time."

(Authority: Railway Board's letter No.E(P&A)II-97/HRA-19 dated 3.10.2005).

(b) (i) A Railway employee whose place of duty falls within the qualifying limits of a city shall be eligible for both the compensatory (city) and house rent allowances irrespective of whether his place of residence is within such limits or outside.

NOTE. --1. Absence from place of duty during holidays, except those affixed to leave will not affect the eligibility for the compensatory (city) and house rent allowances.

(2) (i) For the period of tour, a Railway servant's entitlement to these allowances shall be regulated with reference to his headquarters.

(ii) Railway employees whose place of duty is in the proximity of a qualified city, and who, of necessity, have to reside within the city, may be granted compensatory (city) and house rent allowances admissible in the city. The following conditions should be satisfied for grant of compensatory (city) and house rent allowances in the above cases:

- (1) the distance between the place of duty and periphery of the municipal limits of the qualified city does not exceed 8 kilometers; and
- (2) the staff concerned have to reside within the qualified city out of necessity i.e. for want of accommodation nearer their place of duty.

(iii) Railway employees working within a distance of 8 kilometers from the periphery of the municipal limits of a qualified city should be allowed house rent allowance at the rates admissible in that city even though they may not be residing within those municipal limits, provided.

- (1) that there is no other suburban municipality, notified area or cantonment within the 8 kilometers limit; and
- (2) that it is certified by the Collector/Deputy Commissioner, having jurisdiction over the area, that the place is generally dependent for its essential supplies e.g. foodgrains, milk, vegetables, fuel etc. on the qualified city.

Such a certificate would remain valid for a period of 3 years after which fresh certificate will be required.

- (i) The initial sanction for House Rent Allowance/Compensatory (City) Allowance for any locality based on the basis of the certificate issued by the Collector/Deputy Commissioner will be issued by Railway Board.
- (ii) Further extensions based on fresh certificates issued by the Collector/Deputy Commissioner will be granted by the General Manager/Addl. General Manager of the Railway concerned with the concurrence of their FA & CAO after ensuring that the conditions which weighed at the time of initial sanction continue to hold good. The powers so delegated should be exercised by the General Manager/Addl. General Manager personally and not be further redelegated.
- (iii) In case of doubt, the matter may be referred to Railway Board.

1706. (a) (i) House Rent Allowance shall not be granted to a Railway employee if--

- (a) he does not incur any expenditure on rent for his accommodation;
- (b) he occupies accommodation provided by the Government;
- (c) he shares Government accommodation allotted rent-free to another Government servant;
- (d) he/she resides in accommodation allotted to his/her parents/son/daughter by the Central Government/State Government, an autonomous public undertaking or Semi-Government organization such as a Municipality, Port Trust, Nationalized Banks, Life Insurance Corporation of India etc. and
- (e) his wife/her husband has been allotted accommodation at the same station by the Central Government/State Government, an autonomous public undertaking or semi-Government organization such as municipality, Port Trust etc. whether he/she resides in that accommodation or he/she resides separately in accommodation rented by him/her.

(ii) A Railway servant who shares Government accommodation allotted to another Railway/Government employee (excluding those specified in (c), (d) and (e) of sub-rule (i) above shall be eligible for House Rent Allowance.

NOTE. -In cases where husband/wife/parents/children-two or more of them being Central Government servants or employees of State Governments, autonomous public undertakings or semi Government organizations like Municipality, Port Trust, Nationalized Banks, Life Insurance Corporation of India etc., share accommodation allotted to another Government servant, house rent allowance will be admissible to only one of them, at their choice.

The term 'accommodation' includes the accommodation allotted to the employees of State Governments, autonomous public undertakings, semi-Government organizations such as Municipality, Port Trust etc.

1707. (i) A Railway employee will be entitled to draw Compensatory (City) Allowance and House Rent Allowance during leave at the same rates at which the allowances were drawn before he/she proceeded on leave in respect of total leave of all kinds (except terminal leave, whether running concurrently or not with the notice period) not exceeding 180 days and if the actual duration of leave exceeds the period, the allowances would be payable during the first 180 days of the leave.

(ii) The limit of 180 days shall be extended to 8 months for the purpose of grant of these allowances in the case of Railway servants suffering from T.B., Cancer or other ailments during the period of their leave taken on medical certificate when such certificates are in the forms prescribed. It is immaterial whether the leave is on medical certificate from the very commencement or is in continuation of other leave as defined in (i) above. In the case of employees suffering from T.B., Cancer or other ailments, who remain on leave for a period exceeding 8 months, House Rent Allowance and City (Compensatory) Allowance for the period of leave beyond 8 months, may be granted by the General Managers in consultation with FA & CAO subject to fulfillment of usual conditions. The General Managers at their discretion may delegate these powers to the Chief personnel Officers or other Heads of Department if no post of Chief Personnel Officer exists.

(iii) Drawl of these allowances during the period of leave in excess of 180 days availed of on grounds other than those specified in sub-rule (ii) above, shall be subject to the Railway employee certifying that:--

- (i) he or his family or both continued for the period for which Compensatory (City) Allowance is claimed to reside at the same station from where he proceeded on leave.
- (ii) he continued for the period for which house rent allowance is claimed, to retain the house of the same station whether within the qualifying limits or in an adjoining areas from where he proceeded on leave and paid rent for

it and did not sublet whole of it.

NOTE. -1. In the case of Railway servants who are originally granted leave on medical certificates exceeding 180 days and have ultimately to retire from Government service on grounds of invalidity, the entire leave thus becoming leave preparatory to retirement, the recovery of compensatory (city) and house rent allowances already drawn need not be effected.

2. The drawl of these allowances during periods of vacation whether combined with leave or not, shall be regulated in the same way as during leave.

3. In cases, where a Railway servant who is sanctioned leave whether on medical grounds or otherwise, does not join duty after availing himself of such leave, and resigns, he shall not be eligible for Compensatory (City) and House Rent Allowances for the entire period of such leave. The competent authority concerned shall ensure that the entire amount drawn on this account is recovered before resignation, etc. is accepted.

(Board's letter No. E (S)66/CPC/AL/10, dt. 13-7-66 and PC-60/HRA-1/MOF/6 dt. 11-2-71.)

1708. The grant of Compensatory (City) Allowance and House Rent Allowance to a Railway employee under suspension shall be regulated with reference to Rule 1342 (FR-53) and Rule 1343 (FR-54) of Indian Railway Establishment Code Vol.II, subject to the employee furnishing similar certificate as prescribed in Rule 1707 (iii) above.

1709. In case of temporary transfer, a Railway employee shall draw Compensatory (City) Allowance and House Rent Allowance at the same rate at which he was entitled to them at the time of transfer provided-

- (i) the authority sanctioning the temporary transfer certifies that the Railway employee is likely, on the expiry of the transfer, to return to duty at the station from which he proceeded on transfer or to another station at which he will be entitled to an allowance of the same nature; and
- (ii) the Railway employee furnishes a certificate similar to the certificate prescribed in Rule 1707 (iii) above.

1710. Railway employees going abroad on deputation shall be eligible to draw Compensatory (City) Allowance and House Rent Allowance at the rates admissible to them from time to time at the station from where they proceeded abroad on deputation in the following manner:-

- (i) Case of deputation abroad not exceeding one year. --Compensatory (City) Allowance and House Rent Allowance will be admissible for the entire period of deputation subject to the employee furnishing a similar certificate as prescribed in Rule 1707 (iii) above.
- (ii) Cases of deputation abroad exceeding one year. --A Railway employee proceeding on deputation abroad for a period exceeding one year will be eligible for Compensatory (City) Allowance/House Rent Allowance till such time as the family remains at the last place of his duty, subject to the employee furnishing a similar certificate as prescribed in Rule 1707 (ii) above. In the event of an employee applying for family passage to the place of deputation abroad or for Transfer Traveling Allowance in respect of his family's journey from the headquarters in India to home town or any other station, he will not be required to refund the amount of Compensatory (City) Allowance/House Rent Allowance upto the date upto which the family actually resides at the last Headquarters of the employee in India.
- (iii) Deputation initially not exceeding one year but subsequently extended beyond one year. --Compensatory (City) Allowance and house rent allowance will be admissible upto the date of orders extending the period of deputation beyond one year. Thereafter, the allowance shall be admissible as per sub-para (ii) above.

1711. During joining time, a Railway employee shall continue to draw Compensatory (City) Allowance and House Rent Allowance at the same rates at which he was drawing these allowances at the station from where he was transferred. In cases where joining time is affixed to leave, the joining time shall be added to the period of 180 days referred to in Rule 1707 above.

1712. The grant of Compensatory (City) Allowance and House Rent Allowance in the case of re-employed pensioners, shall be regulated as indicated below:-

- (i) In the case of re-employed Pensioner, the allowances would be granted with reference to the pay fixed on re-employment before deduction of the non ignorable part of the pension. In the case of those re-employed pensioners whose initial pay is fixed by ignoring the full pension which they receive as pensioners, the pay that will be taken into account for fixing of allowances will be the pay which they get on re-employment. Pension will not be added to this pay for the purpose of calculation of the allowances.

(ii) Deleted

(Authority:- Railway Board's letter No. E(G)99 EM 1/2 dated 2.11.01)

1713. (a) A Railway employee who is deputed for training abroad under the various training schemes sponsored by the Govt. of India or operated through non-official channels, shall be entitled to draw Compensatory (City) Allowance and House Rent Allowance during the entire period of such training at the rates admissible to him from time to time at the station from where he was deputed abroad for training subject to the production of similar certificates as prescribed in Rule 1707 (iii).

(b) A Railway employee who is sent on training in India and whose period of training is treated as duty under rule 103 (16), shall be entitled to draw during the entire period of such training Compensatory (City) Allowance and House Rent Allowance at the rates admissible to him, from time to time, at either the place of training or the place of duty from where he proceeded on training, whichever is more favorable to him. For claiming the allowances admissible at the place of duty from where the Railway employee proceeded on training, the certificate prescribed in Rule 1707 (iii) will have to be furnished.

NOTE. --A Railway employee who is allowed Traveling allowance as on tour and draws daily allowance at the place of training, will draw House Rent Allowance and Compensatory (City) Allowance only at the rates admissible to him at the headquarters from where he proceeded on training.

1714. Drawl of allowances during the periods specially treated as duty. --The grant of compensatory allowance during any period specially treated as duty under Rule 103 (16) of the Indian Railway Establishment Code, Vol.I, shall be regulated by general or special orders as may be issued by the President in this behalf.

1715. Railway employees to whom the rules do not apply.--The rules in this chapter shall not apply to-

- (i) Railway servants appointed on ad-hoc rates of pay who are not specifically allowed under the orders sanctioning their appointments to draw allowance admissible under these rules or whose pay has been fixed with reference to the conditions of living and high rents prevailing at the place where they are stationed;
- (ii) Railway employees specifically exempted from the operation of these rules by the President.

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CHAPTER 18
RETIREMENT

1801. (F.R. 56).—(a) Except as otherwise provided in this Rule, or any other Rule or order for the time being in force, every Railway servant shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty years:

Provided that a Railway servant whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years.

“Provided further that a Government servant who has attained the age of fifty eight years on or before the first day of May, 1998 and is on extension in service, shall retire from service on expiry of his extended period of service.”

NOTE.—The date on which a Railway servant attains the age of sixty years, shall be determined with reference to the date of birth as recorded in terms of Rule 225-R.I, read with administrative instructions there under.

(b) No Railway servant shall be granted extension in service beyond the age or retirement of 60 years.

(c) Notwithstanding anything contained in these rules, or any other rule or order for the time being in force, the competent authority may require a railway servant under suspension to continue in service beyond the date of his retirement in which case he shall not be permitted by that authority to retire from service and shall be retained in service till such time as require by that authority.

(Authority:- Railway Board's letter No.E(P&A)/98/RT-6 dated 14.05.98 , 22.7.98 & 31.8.98)

(d) In the absence of specific orders to the contrary, every Railway servant shall demit service on the due date of superannuation. In case, for whatever reason other than specific orders to that effect, a Railway servant continues in service, beyond such due date, the period of over-stay shall be treated as irregular and the pay/allowance etc. drawn during the said period shall be recovered.

(Authority:- Railway Board's letter No.E(G)97/RT1/1 dated 7.7.99)

Railway Board's orders

Rule 1801 has been made permissive to enable the competent authorities to come to a decision in each case, depending upon the merits, as to whether a railway servant under suspension should be retained in service or retired on attaining the age of superannuation. As there are differences in the Government's hold over the retirement benefits of retired employees under the Pension Scheme and the Provident Fund Scheme, the decision regarding the retention in service beyond the age of superannuation or not will have to be mainly based on the scheme of retirement benefits by which the Railway servant is governed.

The Railway Board have decided that Railway servants governed by the Pension rules must be retired on the due date of superannuation even if they remain on suspension on that date and the enquires into the charge are still in progress, as the extant orders provide for the continuance of and initiation of proceedings against even retired railway servants under certain conditions.

In the case of non-pensionable railway servants the competent authority will have to take a specific decision in each case, on merits, whether or not to continue in service beyond the date of superannuation, railway servants under suspension. In arriving at a decision, the considerations indicated below shall be kept in view. Only in those cases, where the prospect of a dismissal is nearly certain with the attendant possibility of denying the employee Government's contribution to Provident Fund, need a railway servant under suspension be retained in service beyond the date of superannuation. In other cases, where dismissals are not likely to result, the railway servants concerned shall be retired on the date of attaining superannuation, subject to withholding of special contribution to Provident Fund and also postponement of settlement of Government contribution Provident Fund in terms of Provident Fund Rules, unless there is need for making an exception in any particular case. Departmental proceedings in such cases shall nevertheless be continued and processed to finality expeditiously so that the liabilities established in such proceedings can be adjusted against the Government contribution to Provident Fund held back. While deciding to make exceptions in individual cases for retaining

the railway servants beyond the date of superannuation, due regard will have to be paid to the considerations that such employees will have to be paid subsistence allowance during the period of suspension and full pay and allowances to which they would become entitled in the even of their being completely exonerated of the charges against them, and that deductions can be made from the Government contribution to Provident Fund only in terms of Provident Funds Rules.

1802. (a) Notwithstanding anything contained in this Rule, the appointing authority shall if it is of the opinion that it is in the public interest to do so, have the absolute right to retire any Government servant by giving him notice of not less than three months in writing or three months pay and allowances in lieu of such notice: -

- (i) If he is in Group 'A' or Group 'B' service or post in a substantive or temporary capacity and had entered Government service before attaining the age of 35 years, after he has attained the age of 50 years.
- (ii) In any other case, after he has attained the age of 55 years.

(Authority:- Railway Board's letter No. E(P&A)I-88/JCM/NC-2 dated 6.7.89)

- (b) (1) Any railway servant may by giving notice of not less than three months in writing to the appropriate authority, retire from service after he has attained the age of fifty years if he is in Group 'A' or Group 'B' service or post (and had entered Government service before attaining the age of 35 years) and in all other cases after he has attained the age of 55 years:

Provided that it shall be open to the appropriate authority to withhold permission to a railway servant under suspension who seeks to retire under this clause.

(2) A railway servant, referred to in sub-rule (1) may make a request in writing to the *appointing authority* to accept a notice of less than three months, giving reasons therefore. On receipt of a request under this sub-rule, the *appointing authority* may consider such request for curtailment of the period of notice of three months on merits and, if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months, on the condition that the railway servant shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months.

1803. (a) Notwithstanding anything contained in these rules, or any other rule or order for the time being in force, the appointing authority shall, if it is of the opinion that it is in public interest to do so, have the absolute right to retire a railway servant governed by any Pension Rules after he has completed thirty years service qualifying for pension after giving a notice in writing in this behalf to the railway servant at least three months before the date on which he is required to retire, or three months pay and allowances in lieu of such notice.

(b) (1) A railway servant who is governed by any of the pension rules, may retire from service at any time after completion of 30 years of service qualifying for pension, after giving notice in writing to the appropriate authority, at least three months before the intended date of retirement:

Provided that it shall be open to the appropriate authority to withhold permission to a railway servant under suspension, who seeks to retire under this clause.

(b) (2) A railway servant, referred to in Sub-rule (b) (1) may make a request in writing to the appointing authority to accept a notice of less than three months, giving reasons therefore. On receipt of a request under this sub-rule, the appointing authority may consider such request for curtailment of the period of notice on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months, on the condition that the railway servant shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months.

(Authority:- Railway Board's letter No.E(P&A)I-92/RT-5 dated 13.7.92)

NOTE.--Both in the cases falling under Rule 1803 (a) and (b) (1) orders permitting /requiring a railway servant to retire after completing 30 years qualifying service should, as a rule, not be issued until/after the fact, that the railway servant has indeed completed the qualifying service of thirty years, has been verified in consultation with the Accounts Officer.

1804. --(a) Notwithstanding anything contained in clause (a), of rule 1802, the appointing authority shall, if it is of the opinion that it is in public interest to do so, have the absolute right to retire a railway servant in Group 'C' service or post who is not governed by any Pension Rules after he has completed thirty years service by giving him notice of not less than three months in writing or three months pay and allowances in lieu of such notice.

(b) A railway servant in Group 'C' service or post who is not governed by any Pension Rules, may by giving notice of not less than 3 months in writing to the appointing authority, retire from service after he has completed thirty years

service.

1805. (1) If on a review of the case referred to in Rule 1802 (a), 1803 (a) and 1804 (a), either on representation from the railway servant retired prematurely or otherwise, it is decided to reinstate the railway servant in service, the authority ordering reinstatement may regulate the intervening period between the date of premature retirement and the date of reinstatement as duty or as leave of the kind due and admissible, including extra-ordinary leave, or by treating it as *dies non* depending upon the facts and circumstances of the case:

Provided that the intervening period shall be treated as a period spent on duty for all purposes including pay and allowances, if it is specifically held by the authority ordering reinstatement that the premature retirement was itself not justified in the circumstances of the case, or if the order of premature retirement is set aside by a Court of law.

(2) Where the order of premature retirement is set aside by a Court of law with specific directions in regard to regulation of the period between the date of premature retirement and the date of reinstatement and no further appeal is proposed to be filed, the aforesaid period shall be regulated in accordance with the directions of the Court.

NOTE (1).--Appropriate authority, referred to in these Rules, means the authority which has the power to make substantive appointments to the post or service from which the railway servant is required or wants to retire.

NOTE (2).--'Appointing Authority' means the authority competent to make the first appointment to the grade which the railway servant for the time being holds.

NOTE (3).--The 3 months notice referred to in these rules may be given before the railway servant attains the age specified in Clauses (a) and (b) of Rule 1802 or has completed thirty years of service specified in Clause (a) and (b) (1) of Rule 1803 or has completed thirty years of service specified in clauses (a) and (b) of Rule 1804:

Provided that the retirement takes place after he has attained the relevant age or has completed 30 years service as the case may be.

NOTE (4).--In computing the notice period of three months referred to in Rules 1802 to 1804, date of service of the notice and the date of its expiry shall be excluded.

NOTE (5).--A railway servant who has served a notice of retirement under Rule 1802 (b) or Rule 1803 (b) (1) or Rule 1804(b), as the case may be, shall be precluded from withdrawing his election subsequently, except with the specific approval of such authority:

Provided that the request for withdrawal shall be within the intended date of his retirement.

GOVERNMENT OF INDIA'S ORDERS

(1). No specific orders are necessary for retirement on due date:-- A question has been raised whether the retirement of a Government servant is automatic on the date on which he attains the age of compulsory retirement or some specific orders by a competent authority are necessary specifying the date on which they should retire.

The rules regulating the age of superannuation or the terms and conditions may provide for the compulsory retirement of a Government servant on his attaining a specific age or after completion of a specified period of service. In all such cases retirement is automatic and in the absence of specific orders to the contrary by the competent authority, a Government servant must retire on the due date. It is the responsibility of the administrative authorities concerned to ensure that the Government servant under their control so retire. The date of compulsory retirement of a Government servant is known in advance and there should be no question of failure to make arrangements for his relief sufficiently in advance and complete any formalities required in that behalf. For this purpose, the authorities concerned should maintain a proper record of the date of retirement of the Government servants working under them and take such appropriate action as may be necessary for their retirement on the due dates.

At the same time, a Government servant cannot take advantage of the non-receipt of formal orders regarding his relief, etc., to say that he has been granted an extension of service. If the Government servant desires to take any leave preparatory to retirement he will naturally apply for it in good time. If not, he should bring the fact that he is attaining the age of superannuation or completing the period of service after which he has to retire, to the notice of the head of the office in which he is serving or if he is himself the head of the office, to that of his immediate superior. Unless he receives specific orders that he should continue in service, he should make over charge on the due date to the head of the office (or such officer as may be nominated by the latter), or if he is himself the head of the office to the next senior most officer in the office who would normally be placed in charge of the office in his absence.

(Govt. of India, Min. of Home Affairs, O.M. No.33/6/56-Ests.(A), dated the 10th December, 1965.)

(2) Relinquishment of charge on a holiday:-- A question has been raised regarding the procedure to be followed for relinquishment of charge of office in the case of a retiring Government servant when the day on which he is due to retire happens to be a closed holiday. Since a Government servant shall retire from service with effect from the afternoon of the last day of the month in which his/her date of retirement falls, the retiring Government servant should formally relinquish charge of office on the afternoon of that day itself even if it happens to be a closed holiday.

(ii) In cases in which handing over of cash, stores, etc., is involved, these may be made over by the retiring officer (to the relieving officer or, in the absence of the relieving officer, to the next senior officer of the Department present) on the close of the previous working day on the analogy of Government of India's Decision (3) below Rule 78 of the General Financial Rules. Therefore, the actual relinquishment of charge of office shall be made in the prescribed form on the last day of service for which the physical presence of the officer in the office need not be insisted upon.

(Govt. of India, Min. of Finance O.M. No. 19050/8/76-E.IV(B), dated the 21st February, 1977.)

(3) Withholding of permission to retire when placed under suspension after receipt of notice.--Attention is invited to proviso (b) to clause (k) (1) of Rule 56 of the Fundamental Rules embodied in the Notification No. 25013/25/83-Estt. (A), dated the 25th February, 1984, wherein it is provided that it shall be open to the appropriate authority to withhold permission to a Government servant under suspension who seeks to retire thereunder. A question has been raised whether the right conferred on the appropriate authority under this proviso can be exercised by that authority in respect of a Government servant who is placed under suspension after he has given the notice of retirement. The question has been considered carefully and it is clarified that the right conferred on the appropriate authority under the above proviso can be exercised by that authority even if a Government servant is placed under suspension after giving the notice for retirement, but such right shall be exercised by the said authority before the expiry of the period of notice given by a Government servant.

(Govt. of India., Min. of Home Affairs., (Deptt. Of Personnel & AR), O.M. No. 25013/31/83-Estt. (A), dated the 30th March, 1984.)

AUDIT INSTRUCTIONS

Clause (a) of F.R.56 (corresponding to clause (a) of Rule 1801 of this Chapter) apply to all Government servants to whom the Fundamental Rules as a whole apply, whether they be holding temporary or permanent posts substantively or in an officiating capacity. When a Government servant holding a permanent post substantively is officiating in another post, Fundamental Rule 56 (a) (corresponding to rule 1801 (a)) should be applied according to the character of the post in which he is officiating and not according to the character of the permanent post held substantively by him.

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CHAPTER 19
CONFIDENTIAL REPORTS

DELETED

(Authority Railway Board's letter No. 2000/289-B/ Secy. Administration dated 2-2-2001)

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CHAPTER 20 FOREIGN SERVICE AND DEPUTATION

Section A – Foreign Service

2001. (F.R. 110) Conditions of Transfer.– (a) No Railway servant may be transferred to foreign service against his will:

Provided that this sub-rule shall not apply to the transfer of a railway servant to the service of a body, incorporated or not which is wholly or substantially owned or controlled by the Government.

(b) A transfer to foreign service outside India shall not be sanctioned by an authority other than the President.

(c) subject to any restrictions which the President may by general order impose in the case of transfer to the service of an Indian State, a transfer to foreign service in India may be sanctioned by a competent authority.

2002. (F.R.111).– A transfer to foreign service is not admissible unless—

(a) the duties to be performed after the transfer are such as should, for public reasons, be rendered by a railway servant; and

(b) the railway servant transferred holds, at the time of transfer, a post paid from the Consolidated Fund of India or holds a lien on a permanent post, or would hold a lien on such a post had his lien not been suspended.

2003. (F.R.112).– **Transfer to foreign Service during leave.**– If a railway servant is transferred to foreign service while on leave, he ceases, from the date of such transfer, to be on leave and to draw leave-salary.

2004. (F.R. 113).– **Promotions during Foreign Service.**–(1) A railway servant transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer, and may be given, subject to the conditions prescribed under the second proviso of rule 1325 (F.R..30(1)) such substantive or officiating promotion in those cadres as the authority competent to order promotion may decide. In giving promotion, such authority shall also take into account the nature of the work performed in foreign service.

(2) Nothing in this rule shall prevent a member of a subordinate service from receiving such other promotion in Government service as the authority, who would have been competent to grant the promotion had he remained in Government service, may decide.

2005. (F.R. 114).– A railway servant foreign in service will draw pay from the foreign employer from the date on which he relinquishes charge of his post in Government service. Subject to any restrictions which the President may by general order impose, the amount of his pay, the amount of joining time admissible to him and his pay during such joining time, will be fixed by the authority sanctioning the transfer in consultation with the foreign employer.

Government of India's decision: The President is pleased to issue, under Rule 2005 (F.R. 114), the following orders regulating the amount of remuneration which may be sanctioned by a competent authority for a railway servant transferred to foreign service:

- (i) When the transfer of a railway servant to foreign service is sanctioned, the pay which he shall receive in such service must be precisely specified in the order sanctioning the transfer. If it is intended that he shall receive any remuneration, or enjoy any concession of pecuniary value in addition to his pay proper, the exact nature of such remuneration or concession must be similarly specified. No railway servant will be permitted to receive any remuneration or enjoy any concession which is not so specified; and if the order is silent as to any particular remuneration or concession, it must be assumed that the intention is that it shall not be enjoyed.
- (ii) The following two general principles must be observed by the competent authority in sanctioning the conditions of transfer-

- (a) The terms granted to the railway servant must not be such as to impose an unnecessarily heavy burden on the foreign employer which employs him.
- (b) The terms granted must not be so greatly in excess of the remuneration which the railway servant would receive in Government service as to render foreign service appreciably more attractive than Government service:

Provided that if his transfer to foreign service involves the assumption of duties and responsibilities of far greater importance than those attached to his post in Government Service, his pay in foreign service may be specially fixed with due regard both to his status and pay in Government Service and to the nature of the work for which he is transferred.

- (iii) Provided that the two principles laid down in paragraph (ii) above are observed, a competent authority may sanction the grant of the following concession by the foreign employer. Such concession must not be sanctioned as a matter of course, but in those cases only in which the competent authority considers that circumstances justify their grant-
 - (a) The payment of contributions towards leave-salary and pension under the ordinary rules regulating such contributions.
 - (b) The grant of traveling allowance under the ordinary traveling allowance rules applicable to railway servants and of permanent traveling allowance, conveyance allowance.
 - (c) The use of State tents, boats and transport on tour; provided that this is accompanied by a corresponding reduction in the amount of traveling allowance admissible.
 - (d) The grant of free residential accommodation, which may be furnished, in cases in which the competent authority considers this to be desirable, on such scales as may seem proper to the competent authority.
 - (e) The use of foreign employer's motors, carriages and animals.
- (iv) The grant of any concession not specified in paragraph (iii) above requires the sanction of the President.

2006. (F.R. 115).--Foreign Service Contributions.-- (a) While a railway servant is in foreign service, contribution towards the cost of his pension must be paid to general revenues on his behalf.

(b) If the foreign service is in India, contributions must be paid on account of the cost of leave-salary also.

(c) Contributions due under clause (a) and (b) above shall be paid by the railway servant himself unless the foreign employer consents to pay them. They shall not be payable during leave taken while in foreign service.

(d) By special arrangement made under Rule 2017 (b) (F.R.123(b)) contributions on account of leave-salary may be required in the case of foreign service out of India also; the contributions being paid by the foreign employer.

NOTE. Pensions, throughout this Chapter include Government contribution, if any, payable to a railway servant's credit in a Provident Fund.

2007. (F.R. 116).--Rates of Contributions.--The rate of contributions payable on account of pension and leave-salary shall be as prescribed in Appendix I.

2008. (F.R. 117).--(a) The rates of pension contribution prescribed in Appendix I have been designed to secure to the railway servant the pension that he would have earned by service under Government if he had not been transferred to foreign service.

(b) The rates of contribution for leave-salary will be designed to secure to the railway servant leave-salary on the scale and under the conditions applicable to him. In calculating the rate of leave salary admissible, the pay drawn in foreign service, less in the case of railway servants paying their own contributions, such part of pay as may be paid as contribution, will count as pay for the purpose of Rule 103(35) (F.R. 9(2)).

2009. (1) Procedure for payment of contribution.-- A copy of the orders sanctioning a railway servant's transfer to foreign service must always be communicated to the Accounts Officer by the authority by whom the transfer is sanctioned. The railway servant himself should, without delay, communicate a copy to the Accounts Officer and take his instructions as to the officer to whom he is to account for the contribution; report to the latter officer the time and date of all transfers of charge to which he is a party when proceeding on, while in, and on return from, foreign service and furnish from

time to time particulars regarding his pay in foreign service, leave taken by him, his postal address and any other information which that Accounts officer may require.

(2) Rule regarding leave and the grant of leave .-- A railway servant on foreign service in India is himself personally responsible for his observance of the rule contained in Rule 2016 (F.R. 122). By accepting leave to which he is not entitled under the rules, he renders himself liable to refund leave-salary irregularly drawn, and in the event of his refusing to refund, to forfeit his previous service under Government, and to cease to have any claim on Government in respect of either pension or leave-salary.

2010. Foreign service contribution towards pension/provident fund/gratuity etc. by recognized Unions/Federations will not be realised in respect of: --

- (1) two persons in the case of each recognised Federation;
- (2) two persons in the case of each recognized central Union at the Zonal level; and
- (3) one person in each division of Railway for each recognized Union.

As regards contribution towards leave salary, the Union concerned should bear the liability for the same in respect of individuals concerned for the leave earned during the period of service with the Union and pay him the leave salary whenever the individual takes leave. Leave earned during the period of such deputation will lapse on reversion to the parent office.

(ELR 3-78-UTF-4 dated 29th June, 1978.)

2011. (F.R. 119).--In the case of transfer to foreign service, a competent authority sanctioning a transfer to foreign service may

- (a) remit the contributions due in any specified case or class of cases, and
- (b) interest on overdue contributions shall be levied in accordance with rule 2012.

2012. (S.R. 307).--Interest or overdue contributions.-(1) contribution for leave salary or pension due in respect of a railway servant on foreign service may be paid annually within 15 days from the end of each financial year or at the end of the foreign service if the deputation on foreign service expires before the end of a financial year, and if the payment is not made within the said period, interest must be paid to Government on the unpaid contribution, unless it is specifically remitted by the president at the rate of two paise a day per Rs.100 from the date of expiry of the period of 15 days upto the date on which the contribution is finally paid. The interest shall be paid by the railway servant or the foreign employer according as the contribution is paid by the former or the latter.

(2) The leave salary and pension contributions should be paid separately as they are creditable to different heads of accounts and no dues recoverable from Government, on any account, should be set apart against these contributions.

2013. (S.R. 307 A).--Travelling Allowance.-The traveling allowance of a railway servant both in respect of the journey on transfer to foreign service and the journey on reversion therefrom to railway service will be borne by the foreign employer.

NOTE 1.--The above rule applies even in cases where the railway servant lent takes leave on reversion before joining duty under Government.

NOTE 2.--A railway servant proceeding on deputation to other Government Department/Undertaking/Organisations and returning therefrom will be governed by Railway Travelling Allowance Rules during joining time (both ways) only (and not for any other journey undertaken during deputation). The railway office concerned will issue Railway passes on transfer account for the Railway servant and his family and pay him traveling allowance, etc., as admissible under railway rules. The borrowing authority will arrange to credit to the Financial Adviser & Chief Accounts Officer concerned an amount equal to the Travelling allowance, and incidental charges admissible under their rules in respect of the two journeys taken by the Railway servant, viz., for taking up the new assignment and his return therefrom. The difference between the amount payable to the railway servant under Railway Rules and the amount credited by the borrowing authorities which will cover partly the cost of haulage of the kit wagon/wagons will be credited by the concerned Railway to miscellaneous earnings. In the case of the deputation to purely private Bodies, the concession of Railway Travelling Allowance Rule during joining time

(both ways) will be admissible only if the private Bodies agree to reimburse the entire cost of travelling under Railway Rules.

2014. (F.R.120).--Withholding of Contributions.-- A railway servant in foreign service may not elect to withhold contributions and to forfeit the right to count as duty in railway service the time spent in foreign employ. The contributions paid on his behalf maintains his claim to pension or to pension and leave-salary as the case may be, in accordance with the rules of the service of which he is a member. Neither he nor the foreign employer has any right of property in contribution paid and no claim for refund can be entertained.

2015. (F.R. 121).--Payment by Foreign Employer of Pension or Gratuity.--A railway servant transferred to foreign service may not, without the sanction of the President, accept a pension or gratuity from his foreign employer in respect of such service.

2016. F.R. 122)--Leave during Foreign Service in India.--A railway servant in foreign service in India may not be granted leave otherwise than in accordance with the rules applicable to the service of which he is a member, and may not take leave or receive leave-salary from Government unless he actually quits duty and goes on leave.

2017. (F.R. 123)--Leave during Foreign Service out of India.--(a) A railway servant in foreign service out of India may be granted leave by his employer on such conditions as the employer may determine. In any individual case, the authority sanctioning the transfer may determine before hand, in consultation with the employer, the conditions on which leave will be granted by the employer. The leave-salary in respect of leave granted by the employer will be paid by the employer and the leave will not be debited against the railway servant's leave account.

(b) In special circumstances, the authority sanctioning a transfer to foreign service out of India may make an arrangement with the foreign employer, under which leave may be granted to the railway servant in accordance with the rules applicable to him as a railway servant, if the foreign employer pays to Central Government leave contribution at the rate prescribed under Rule 2007 (F.R. 116).

2018. (F.R. 124)--Fixation of Pay on Officiating Promotion.--A railway servant in foreign service, if appointed to officiate in a post in Government service, will draw pay calculated on the pay of the post in Government service on which he holds a lien or would hold a lien had his lien not been suspended and that of the post in which he officiates. His pay in Foreign Service will not be taken into account in fixing his pay.

2019. (F.R. 125)--Reversion from Foreign Service-- A railway servant reverts from foreign service to Government service on the date on which he take charge of his post in government service; provided that, if he takes leave on the conclusion of foreign service before rejoining his post, his reversion shall take effect from such date as the competent authority may decide.

2020. (F.R. 126).--When a railway servant reverts from foreign service to Government service, his pay will cease to be paid by the foreign employer, and his contributions will be discontinued, with effect from the date of reversion.

2021. (F.R. 127).--When an addition is made to a regular establishment on the condition that its cost or a definite portion of its cost shall be recovered from the persons for whose benefit the additional establishment is created, recoveries shall be made under the following rules:-

- (a) the amount to be recovered shall be the gross sanctioned cost of the service, or the portion of the service as the case may be, and shall not vary with the actual expenditure of any month.
- (b) the cost of the service shall include contributions at such rates as may be laid down under rule 2007 (F.R. 116) and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.
- (c) The Central Government may reduce the amount of recoveries or entirely forego them.

2022. (F.R. 130).-- Persons transferred to railway service from a local Fund which is not administered by Government will be treated as joining a first post under Government and their previous service will not count as duty performed. A competent authority may, however, allow previous service in such cases to count as duty performed on such terms as it thinks fit.

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CHAPTER 20 FOREIGN SERVICE AND DEPUTATION

Section B. - Transfer of Railway employees to other governments, departments, Companies, Corporations etc.

2023. Application:--These orders will apply to all Central Govt. employees including Railway employees who are regularly appointed on deputation/foreign service in accordance with Recruitment Rules of the ex-cadre posts under the same or some other Departments of Central Government or under the State Governments/Union Territories Administration/Local Bodies or Under Central/State PSUs/Autonomous Bodies etc. (where such foreign service has been permitted in relaxation of appointment on immediate absorption conditions). These orders will also cover the cases of regular appointment as per Recruitment rules in the Central Government on deputation/foreign service of employees of State Governments/Central/State PSUs/Autonomous bodies, Local Bodies etc. However, the following cases shall not be covered under these orders for whom separate orders exist.

- (a) Members of the All India Services and those deputed to posts whose terms are regulated under specific statutory rules or orders;
- (b) Officers appointed on deputation to posts in the Central Secretariat such as Under Secretary, Deputy Secretary, Director, Joint Secretary, Additional Secretary, Secretary etc. for whom separate orders as issued from time to time will continue to apply;
- (c) Deputation to posts outside India;
- (d) Appointments of a specific category or employees to a specified class of posts where special orders are already in existence such as appointments made in the personal staff of Ministers etc., to the extent the provisions contained therein are at a variance with those contained in these orders;
- (e) Appointments of the nature of deemed deputation or transfers to ex-cadre posts made in exigencies of services with the specific conditions that no deputation (duty) allowance to be admissible e.g. (i) interim arrangements in the event of conversion of a Government office/Organisation or a portion thereof into a PSU/Autonomous Body or vice versa; and (ii) appointments to the same post in another cadre.

2. Scope of Term 'deputation/foreign service'-Restrictions on treating an appointment as on deputation/foreign service.

2.1 The terms deputation/foreign service will cover only those appointments that are made by transfer on a temporary basis provided the transfer is outside the normal field of deployment and is in the public interest.

The question whether the transfer is outside the normal field of deployment or not will be decided by the authority which controls the service or post from which the employee is transferred.

2.2 Appointment of service employees made either by promotion or by direct recruitment with open market candidates whether on permanent or temporary basis shall not be regarded as deputation/foreign service.

2.3 Permanent appointments made by transfer will also not be treated as deputation/foreign service.

2.4 Temporary appointment made on the basis of personal requests of employees will also not be treated as deputation/foreign service.

2.5 In case of appointments on deputation/foreign service from Central Government to Central Government and in those cases where the scale of pay and dearness allowance in the parent cadre post and ex-cadre post are similar, a person in a higher scale of pay shall not be appointed on deputation to a post in a lower scale of pay.

2.6 In case of appointment on deputation/foreign service from Central Government to Public Sector Undertaking and in those cases where the pay scale and DA in the parent cadre post and ex-cadre post are dissimilar, no appointment/foreign service shall be made if by raising the grade pay by one increment plus dearness allowance(s)

including interim relief, if any, admissible to a person in parent cadre post exceeds the emoluments comprising pay plus dearness allowance(s) including interim relief, if any at the maximum of the ex-cadre post.

3. Exercise of option

3.1 An employee appointed on deputation/foreign service may elect to draw either the pay in the scale of pay of deputation /foreign service post or his basic pay in the parent cadre plus deputation (duty) allowance thereon plus personal pay, if any.

3.2 The borrowing authority should obtain the option of the employee within one month from the date of joining the ex-cadre post unless the employee has himself furnished the option.

3.3 The option once exercised shall be final. However, the employees may revise the option under the following circumstances which will be effective from the date of occurrence of the same.

- (a) when he receives proforma promotion or is appointed to non-functional selection grade in his parent cadre.
- (b) When he is reverted to a lower grade in his parent cadre.
- (c) When the scale of pay of the parent post on the basis of which his emoluments are regulated during deputation/foreign service or of the ex-cadre post held by the employee on deputation /foreign service is revised either prospectively or from a retrospective date.
- (d) Based on the revised/same option of the employees, in the event of proforma promotion appointment to non-functional selection Grade revision of scales of pay in the parent cadre, the pay of deputationists will be refixed with reference to the revised entitlement of pay in the parent cadre. However, if the initial option was for the pay scale of the deputation post and no change in option already exercised is envisaged the pay already drawn in deputation post will be protected if the pay refixed is less.

NOTE: -- Revision in the rates of DA, HRA or other allowances either in the parent or borrowing organization shall not be on occasion for revision of the earlier option.

3.4 If the pay of an employee in his cadre post under-goes downward revision, the pay in the ex-cadre post is also liable to be re-fixed in the basis of revised pay and in accordance with the revised option or existing option if the employee does not revise his option.

4. Pay Fixation: --

4.1 When an employee on deputation/foreign service elects to draw pay in the scale of pay attached to the ex-cadre post, his pay may be fixed as under :

(i) Deputation from Central Govt. to Central Govt._

Pay may be fixed under normal rules.

(ii) In foreign service/Reverse Foreign Service.

- (a) when the pay scale of the post in the parent cadre and that attached to ex-cadre post are based on same index level and the DA pattern is also same, the pay may be fixed under the normal fundamental Rules.
- (b) if the appointment is made to a post whose pay structure and/or DA pattern is dissimilar to that in the parent organization, pay may be fixed by adding to his grade pay, one increment in the scale of his regular parent post) and if he was drawing pay at the maximum of the scale, by the increment last drawn) and equating the pay so raised plus dearness allowance (and additional or ad-hoc dearness allowance, Interim relief etc., if any) with emoluments comprising of pay plus DA, ADA, Interim relief etc., if any, admissible in the borrowing Organisation and the pay may be fixed at the stage in the pay scale of admissible in ex-cadre post as above equal the emoluments drawn in the cadre and if there is no such stage, pay may be fixed at the next higher stage.
- (iii) Pay fixed under (i) and (ii) shall neither be less than the minimum of the scale of the ex-cadre post nor shall it exceed the maximum of that scale.

4.2 In cases of appointments from one ex-cadre to another ex-cadre post where the employee opts to draw pay in the scale of the ex-cadre post, the pay in the second or subsequent ex-cadre post, should be fixed under the normal rule as

with reference to pay in the cadre post only. In respect of appointments to ex-cadre posts on time scale of pay identical with the time scale of pay of ex-cadre post held on an earlier occasion(s) the benefit of proviso I (iii) to FR 22 will be admissible.

4.3 In cases of appointment to a second or subsequent ex-cadre post(s) in a higher pay scale than that of the previous ex-cadre post, the pay may be fixed with reference to the pay drawn in the cadre post and if the pay so fixed happens to be less than the pay drawn in the previous ex-cadre post, the difference may be allowed as personal pay to be absorbed in future increases in pay. This is subject to the condition that on both the occasions the employees should have opted to draw pay in the scales of pay attached to the ex.-cadre post.

Note: --1. The term parent post basic pay means the post held on regular basis in the parent Organisation and pay drawn/admissible in such a post respectively.

2. An officer who may be holding a higher post on ad-hoc basis in the cadre at the time of proceeding on deputation/foreign service would be considered to have vacated the post held on ad-hoc basis and proceeded on deputation/foreign service from his regular post. During his deputation/foreign service, he shall earn notional increments, in his regular post only. On his reversion if he is re-appointed to the higher post on regular or ad-hoc basis his pay will get fixed w.r.t. the pay admissible in the lower post as on date of promotion. In such cases, if his pay gets fixed at a stage lower than that of his junior(s) who continued to serve in the cadre, no stepping up will be admissible as per extant rules in so far as Central Govt. employees are concerned. However, if the pay so fixed is less than the pay drawn earlier while holding the post on ad-hoc basis the pay earlier drawn will be protected. Therefore, those Central Govt. employees who are already holding a higher post on ad-hoc basis on or expecting it shortly in the parent cadre may weight all the relevant considerations before opting for deputation/foreign service. This note of caution will be applicable to employees of other organizations wishing to apply for posts on deputation in Central Govt. if governed by similar rules in parent organization.
3. Pay of officer appointed on deputation/foreign service on ad-hoc basis pending selection of a regular incumbent may also be regulated in accordance with provisions of para 4.1 & 5.1 subject to the condition that if the said officer does not fulfil the eligibility conditions laid down in the Recruitment Rules of the ex-cadre post, his pay in the scale of the ex-cadre post, if so opted, shall be subject to the restrictions under FR 35. Where the Recruitment Rules of the post have not been notified such restrictions may be enforced if he is ineligible to hold a post in equivalent/ analogous grade in his own cadre. This will also cover appointments on personal staff of dignitaries other than Ministers who have been allowed to make appointments of their personal staff at their discretion.
4. The provisions of this Rule as well as Rule-5 will not apply to appointments on Personal Staff of Minister. Such appointment will be regulated by separate specific order issued by the govt. in that behalf.

5. Deputation (duty) allowance:

5.1 The deputation (duty) allowance admissible shall be at the following rates:

- (a) 5% of the employee's basic pay subject to a maximum of Rs.500/- p.m. when the transfer is within the same station;
- (b) 10% of the employee's basic pay subject to a maximum of Rs.1000/- p.m. in all other cases;

The deputation (duty) allowance as above shall be further restricted as under:-

- (i) Pay Plus Deputation (duty) Allowance does not exceed the maximum of scale of pay of ex-cadre post,
- (ii) In the cases where pay scales are dissimilar then pay plus deputation (duty) allowance plus DA/ADA/IR etc. does not exceed the pay at the maximum of ex-cadre post plus DA & IR etc. thereon.
- (iii) Pay plus deputation (duty) allowance as above shall at no time exceed Rs. 22,400/- p.m.

NOTE: 1 The term 'same station' for this purpose will be determined with reference to the station where the person was on duty before proceeding on deputation/foreign service.

NOTE: 2 When there is no change in the headquarters with reference to the last post held, the transfer should be treated as within the same station and when there is change in headquarters it would be treated as not in the same station. So far as places falling within the same urban agglomeration of the old headquarters are concerned, they would be treated as transfer within the same station.

5.2 Special rates of deputation (duty) allowance may be admissible under separate orders in any particular area on account of the condition of living there being particularly arduous or unattractive. Where special rate is more favourable than that under para 5.1 above, employees deputed to the area will be given the benefit of the special rate.

5.3 Whenever extension of the period of deputation for the fifth year or the second year in excess of the period prescribed in the Recruitment Rules is granted, it would be on the specific understanding that the officer would not be entitled to draw deputation (duty) allowance. The officers who opted to draw pay in the scale of the ex-cadre post shall however continue to draw pay in that scale during the extended tenure also.

5.4 If an employee with the permission of the competent authority proceeds on deputation/foreign service from one ex-cadre post to another ex-cadre post in the same or another organization without reverting to his parent cadre, and if the second ex-cadre post is at the same station as the first ex-cadre post, then the rate of deputation (duty) allowance would remain unchanged.

5.5 In cases where a person on deputation/foreign service is transferred by the borrowing authority from one station to another without any change in the post held by him, the rate of deputation (duty) allowance will remain the same as was decided at the time of initial posting and will not undergo any change.

6. Admissibility of other pay allowances and benefits while on deputation /foreign service.

6.1 Any project allowance admissible in a project area in the borrowing organization may be drawn in addition to deputation (duty) allowance.

6.2 Any special pay granted to an employee in the parent department under FR 9 (25) or a corresponding rule of parent organization should not be allowed in addition to deputation (duty) allowance. However, the borrowing department may allow in addition to deputation (duty) allowance under special circumstances any special pay attached to the post held by the employee in his/her Parent Department, by suitably restricting the deputation (duty) allowance. This will require the specific and prior approval of Department of Personnel & Training.

6.3 In case special pay is attached to the scale of pay of the ex-cadre post and the employee has opted to draw pay also in that scale, in addition to his pay in that scale he will also be entitled to draw such special pay. However, such special pay will not be admissible if he has opted to draw grade pay plus deputation allowance.

6.4 Personal Pay, if any, drawn by an employee in his parent department will continue to be admissible on deputation/foreign service if he opts to draw grade pay plus deputation allowance. No deputation allowance on this personal pay will however, be admissible.

6.5 Increments:--The employee will draw increment in the parent grade or in the grade attached to the deputation post as the case may be, depending on whether he has opted for his own grade pay plus deputation (duty) allowance or the time scale of the deputation post. If he has opted for time scale of the deputation post, notional increment shall also continue to accrue to him in the post held on regular basis in parent cadre/organization for the purpose of regulation of pay on reversion back to parent post at the end of tenure.

6.6 Admissibility of allowance and benefits while on deputation /foreign service.

(a) Such allowances as are not admissible to regular employees of corresponding status in the borrowing organization, shall not be admissible to the officer on deputation/foreign service, even if they were admissible in the parent organization.

(b) Following allowances will be regulated with mutual consent of the lending and borrowing organization :

- (i) HRA/CCA
- (ii) Joining Time and Joining Time Pay.
- (iii) Travelling Allowances and Transfer T.A.
- (iv) Children Education Allowance
- (v) LTC.

(c) Following Allowances/Facilities will be regulated in accordance with the rules as explained against each.

- (i) Dearness Allowance- The employee shall be entitled to dearness allowance at the rates prevailing in the borrowing organization or in the lending Organisation depending on whether he has opted for to draw pay in the time scale of the ex-cadre post or his own grade pay plus deputation (duty) allowance.
- (ii) Medical Facilities- This will be regulated in accordance with the rules of borrowing Organisation.
- (iii) Leave- An officer on deputation/foreign service shall be regulated by the leave Rules of the parent Organisation. If however, an employee proceeds from vacation department to non-vacation department, or vice-versa, he shall be governed by leave Rules of the borrowing organization. At the same time of reversion from the deputation post to the parent cadre, the borrowing organization may allow him/her leave not exceeding two months. The employee should apply for further leave to his cadre controlling authority.

6.7 Leave, Salary and Pension Contribution:--

As at present allocation of leave salary and pension contribution between different Ministries/Departments of Central Government and between Central and State Governments has been dispensed with. In such cases of deputation from Central Government to State Government and vice-versa, liability for bearing leave salary vests with the department from which the officer proceeds on leave or which sanctions leave and no contributions are payable to the lending organization. Liability for pension/employee's contribution to GPF will be borne by the parent department, to which the Officer permanently belongs at the time of retirement and no proportionate contribution will be recovered.

(ii) In case of deputation of Central Government employees on foreign services to Central Public Sector Undertakings/State Public Sector Undertakings and Autonomous Bodies etc. leave salary contribution (except for the period of leave availed on foreign service) and pension Contribution/CPF (Employers share) contribution are required to be paid either by the employee himself or by the borrowing organization to the Central Government.

(iii) In case of reverse deputation from Central Public Sector Undertakings/State Public Sector Undertakings/Autonomous Bodies to Central Government the question regarding leave salary and pension contribution will be decided by mutual consent.

7. Tenure of deputation /foreign service:

7.1 The period of deputation/foreign service shall be subject to a maximum of three years in all cases except for those posts where a longer period of tenure is prescribed in the Recruitment Rules.

7.2 The Administrative Ministry/borrowing organization may grant extension beyond this limit upto one year, after obtaining orders of their Secretary (in the Central Govt. and Chief Secretary in the State Govt.) Equivalent level officer in other cases where such extension is considered necessary in public interest.

7.3 The borrowing Ministries/Departments/Organisations may extend the period of deputation for the fifth year or for the second year in excess of the period prescribed in the recruitment Rules where absolutely necessary, subject to the following conditions.

(i) While according extension for the fifth year, or the second year in excess of the period prescribed in the Recruitment Rules, the directive issued for rigid application of the tenure rules should be taken into consideration and only in rare and exceptional circumstances such extension should be granted.

(ii) The extension should be strictly in public interest and with the specific prior approval of the concerned Minister of the borrowing Ministry/Department and in respect of other organization, with the approval of the Minister of Ministry/Department with which they are administratively attached.

(iii) Where such extension is granted it would be on the specific understanding that the officer would not be entitled to draw deputation (duty) allowance.

(iv) The extension would be subject to the prior approval of the lending organization, the officer on deputation, and wherever necessary, the UPSC/State Public Service Commission Appointments Committee of the Cabinet (ACC).

(v) If the borrowing organisation wishes to retain an officer beyond the prescribed tenure, it shall initiate action as above for seeking concurrence of lending organization, individual concerned etc. 6 months before the date of expiry of tenure. In no case it should retain an officer beyond the sanctioned term unless concurrence of lending organization has been received.

NOTE: -For extension of foreign service of Central govt. Officers to Public Sector Undertakings beyond 3 year, approval of ACC would be necessary in terms of instructions of Department of Public Enterprises on the subject.

7.4 In cases where extension is beyond the fifth year or second year in excess of the period prescribed in the Recruitment Rules, the same would be allowed only after obtaining the approval of the Department of Personnel and Training. Whether Central Govt. is the lending Organisation or the borrowing organization, proposal in this regard should reach this Department with the approval of the Minister of the borrowing Department at least three months before the expiry of the extended tenure with full particulars. A check-list for such particulars is annexed.

ANNEXURE

Check -List (Vide Para 7.4)

1. Name of the officer.
2. Name of the parent office. Designation of the post held in parent office & pay scale of that post.
3. Present basic pay in the parent cadre post.
4. Designation & pay scale of the post held on Deputation and the present basic pay in the ex-cadre post.
5. Has the officers been given NBR proforma Promotion/?. If so, pay scale of the post to which promoted.
6. Normal period of deputation prescribed in Recruitment Rules for the ex-cadre post.
7. Date of appointment on deputation.
8. Is the officer drawing grade pay + d (d) a?

If so, has the d (d) a been stopped during the 5th year/2nd year in excess of the period prescribed in the Recruitment rules.
9. Whether the extension for 1st Year/2nd year in excess of Period prescribed in the RRs of the post has been given with the approval of the Secy. and Minister incharge of the administrative Ministry/Department respectively.
10. Does the proposed extension also requires the approval of UPSC/ACC ?
11. what is the specific public interest involved in the proposed extension?
12. Whether the concurrence of lending organization/ individual concerned has been obtained for the proposed extension?
13. Efforts made to select a suitable replacement for the officer?
14. According to Recruitment Rules can the post be filled up by promotion? If so, are there any eligible officers available from the feeder cadres (if there is one) and if so, why are they

not being considered for promotion instead of seeking further extension for existing incumbent?

15 Any other relevant information considered necessary.

Signature and designation
of Administrative Authority

7.5 When extension of period of deputation/foreign service for the first and the second year in excess of period prescribed in the Recruitment Rules is considered by the borrowing organization under powers delegated to them, the period for extension may be so decided upon so as to ensure that officer concerned is allowed to continue on deputation till the completion of academic year in cases where the officer has school/college going children. No proposal for further extension beyond the second year in excess of period prescribed in the RRs shall be forwarded to this Department on the consideration that the officer has school/college going children. Extension beyond this period will be considered only if it is strictly in public interest.

7.6 For computing the total period of deputation/foreign service the period of deputation/foreign service in another ex-cadre post(s) held preceding the current appointment without break in the same or some other organization shall also be taken into account.

7.7 If during the period of deputation/foreign service the basic pay of an employee exceeds the maximum of the scale of pay of the post or the fixed pay of the post, on account of proforma promotion in his cadre under the Next Below Rule or otherwise, the deputation/foreign service of the employee should be restricted to a maximum period of six months from the date on which his pay exceeds such maximum and he should be reverted to his parent department within the said period.

7.8 If during the period of deputation, on account of proforma promotion in the parent cadre under the Next Below Rule, the employee becomes entitled to a scale of pay higher than the scale of pay attached to the ex-cadre post, he may be allowed to complete the normal tenure of deputation subject to 7.7 above but no further extension of the period of deputation should be allowed in such cases.

8. Premature reversion of deputationist to parent cadre.

Normally, when employee is appointed on deputation/foreign service, his services are placed at the disposal of the parent Ministry/Department at the end of the tenure. However, as and when a situation arises for premature reversion to the parent cadre of the deputationist his services could be so returned after giving advance intimation of reasonable period to the lending Ministry/Department and the employee concerned.

9. Relaxation of conditions.

Any relaxation of these terms and conditions will require the prior concurrence of the Department of Personnel & Training.

Section C — Deputation out of India

2024. (F.R. 50) -- Sanctioning Authority.-- No deputation of a railway servant out of India shall be sanctioned without the previous approval of the Central Government.

2025. (F.R. 51) – Pay during deputation out of India – (1) When a railway servant is, with proper sanction, temporarily deputed for duty out of India either in connection with any special duty on which he may temporarily be placed, he may be allowed by the President to draw during the period of deputation the same pay which he would have drawn had he remained on duty in India.

Provided that a railway servant, who is placed on deputation while already on leave out of India on average pay, may be required by the President to continue to be on leave, in which case he shall be given during that period, in addition to his leave salary, an honorarium of one-sixth of the pay which he would have drawn had he remained on duty in India; the cost of passages from and to India shall be borne by him.

NOTE. -- The portion of the pay which a railway servant may be permitted to draw in foreign currency while on deputation abroad will be determined in accordance with the orders issued by the President in this regard from time to time.

(2) A railway servant on deputation may also be granted a compensatory allowance in a foreign country of such amount as the President may think fit.

(3) The foreign exchange equivalent of the pay, honorarium or compensatory allowance admissible under sub-rule (1) or sub-rule (2) shall be calculated at such rate of exchange as the President may by order prescribe.

2026. (F.R. 51-A) -- When a railway servant is with proper sanction deputed for duty out of India to hold a regularly constituted permanent or quasi-permanent post, other than a post borne on the cadre of the service to which he belongs, his pay shall be regulated by the orders of the Central Government.

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CONCORDANCE

Name in this Editions	Rules in the Indian	Remarks
	Railway Establishment Code Vol. I 1971 Edition and Vol.II- 1973 Edition	
1	2	3
1301	2003	Reference has been made to the definition in IREC Vol. I- 1985 Edition, and the details given in 1973 Edition eliminated.
1302	2013	---
1303	2003(21-A)	---
1304	2003 (20)	---
1305	2003 (23)	---
1306	2003 (24)	---
1307	2003 (26)	---
1308	2003 (27)	---
1309	2003 (28)	---
1310	2003 (31)	---
1311	2015	---
1312	2016	---
1313	2017	... , Amended (Authority Rly.Bd's letter No. F(E)II/89/FR-1/1dt.12-12-91)
1314	2018	---
1315	2018-A	---
1316	2018-B	omitted (Authority Rly. Bd's letter No. F(E)II/89/FR- 1/1dt.12-12-91 and substituted President decisions (3)(i) E (P &A) II/ 90 / PP-2 dt.30-11-90)
1317	2019	---
1318	2020	---
1319	2021	Added (Authority Rly. Bd's letter No. PC-III/92/FE-1/2 dt. 10-8-92)
1320	2022	---
1321	2023	---
1322	2024	
1323	2025	
1324	2025-A	

1325	2026	Omitted (Authority Rly.Bd's letter No. F(E)II/89/FR-1/1dt. 12-12-91)
1326	2027	Omitted (Authority Rly.Bd's letter No. F(E)II/89/FR-1/1dt. 12-12-91)
1327	2027-A	---
1328	2028	---
1329	2029	---
1330	2030	---
1331	2031	---
1331	2032	---
1332	2033	---
1333	2034	---
1334	2035	Substituted (Authority Rly.Bd's letter No.E(G) 89-HO-1-34 dt. 10-9-92)
1336	2037	---
1337	2038	---
1338	2039	---
1339	2040	---
1340	2041	---
1341	2042	---
1342	2043	---
1343	2044	deleted of proviso to sub-rule (4) (Authority Rly.Bd's letter No. F(E)III/91/PN-1/44 dt.13-4-92)
1344	2044-A	deleted of proviso to sub-rule (2)(i)(Authority Rly.Bd's letter No. F(E)III/91/PN-1/44 dt.13-4-92)
1345	2044-B	---
1401 to 1417	---	Newly introduced based on the Civil side Rules and the order issued on the basis of pay Commission's recommendations
1418	421 & 422	With suitable modifications incorporating current provisions.
1419	426	With suitable modifications indicating the current rates with modifications , substituted and note below 4, added 5 and 6 (Authority Rly.Bd's letter No. E (P&A)I-98/AL 6 dt. 12-11-98)
1420	430	Do , substituted sub rule 1,2,&3 (Authority Rly.Bd's letter No. E (P&A)X-98/BDA-I dt. 25-5-99 and sub-rule 4E(P&A)II/BDA1/DC/JCM dated13.8.91)
1421	431	Do , Substituted (Authority Rly.Bd's letter No. E (P&A)I-98/AL 4 dt. 20-8-98)
1422	425	Do , inserted note (2) below note(1) (Authority Rly.Bd's letter No. F(E)I/99/AL-29/4 dt. 6-1-2000)
1423	427	Do
1424	---	New Para (Authority Rly.Bd's letter No. E (P&A)I-98/HL 1 dt. 22-12-98,24-3-99,12-10-99)
1425	---	New Para (Authority Rly.Bd's letter No. E(P&A)I-98/ALL/RPF/3 dt. 25-5-99)

1426	---	New Para (Authority Rly.Bd's letter No. E(P&A)I-98/AL / 2 dt. 29-1-99
1427	---	New Para (Authority Rly.Bd's letter No. E (P&A)I-98/CPC/PA/2 dt.19-11-99)
1501	501	---
1502	502	---
1503	503	---
1504	504	---
1505	505	---
1506	506	---
1507	507	With slight modification
1508	508	With Modifications
1509	509	Do
1510	510	Do
1511	511	As modified, Amended (Authority Rly.Bd's letter No. E (P&A)II/90/FE-2/3 dt. 15-4-91 & 4-6-91)
1512	512	---
1513	513	As modified
1514	---	New Para (Authority Rly.Bd's letter No. E (P&A)II/83/RS/10(i),dt.25-11-92)
1515	---	New Para (Authority Rly.Bd's letter No. E (P&A)II/83/RS/10(ii),dt.25-11-92)
1516	---	New Para (Authority Rly.Bd's letter No. E (P&A)II/83/RS/10(i),dt.9-1-98)

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APPENDIX I (See Rule 2007 and 2008)

RATES OF CONTRIBUTION PAYABLE DURING FOREIGN SERVICE

TABLE 1
Rate of monthly contribution for Payable during active Foreign Service in respect of

Year of service	Group 'A' Employees	Group 'B' Employees	Group 'C' Employees	Group 'D' Employees
1	2	3	4	5
0 – 1Year	7% of the maximum monthly pay of the post in the officiating / substantive grade, as the case may be, held by the officer at the time of proceeding on foreign service	6% of the maximum monthly pay of the post in the officiating/substantive grade, as the case may be, held by the officer at the time of proceeding on foreign service	5% of the maximum monthly pay of the post in the officiating/substantive grade, as the case may be, held by the officer at the time of proceeding on foreign service	4% of the maximum monthly pay of the post in the officiating/substantive grade, as the case may be, held by the officer at the time of proceeding on foreign service
1-2 Year	7% Do	6% Do	6% Do	4% Do
2-3 "	8% Do	7% Do	6% Do	5% Do
3-4 "	8% Do	7% Do	7% Do	5% Do
4-5 "	9% Do	8% Do	7% Do	5% Do
5-6 "	10% Do	8% Do	7% Do	6% Do
6-7 "	10% Do	9% Do	8% Do	6% Do
7-8 "	11% Do	9% Do	8% Do	6% Do
8-9 "	11% Do	10% Do	9% Do	7% Do
9-10 "	12% Do	10% Do	9% Do	7% Do
10-11 "	12% Do	11% Do	10% Do	7% Do
11-12 "	13% Do	11% Do	10% Do	8% Do
12-13 "	14% Do	12% Do	10% Do	8% Do
13-14 "	14% Do	12% Do	11% Do	8% Do
14-15 "	15% Do	13% Do	11% Do	9% Do
15-16 "	15% Do	13% Do	12% Do	9% Do
16-17 "	16% Do	14% Do	12% Do	9% Do
17-18 "	16% Do	14% Do	13% Do	10% Do
18-19 "	17% Do	15% Do	13% Do	10% Do
19-20 "	17% Do	15% Do	13% Do	10% Do
20-21 "	18% Do	16% Do	14% Do	11% Do
21-22 "	19% Do	16% Do	14% Do	11% Do
22-23 "	19% Do	17% Do	15% Do	11% Do

23-24 "	20% Do	17% Do	15% Do	12% Do
24-25 "	20% Do	17% Do	15% Do	12% Do
25-26 "	21% Do	17% Do	16% Do	12% Do
26-27 "	21% Do	18% Do	16% Do	12% Do
27-28 "	21% Do	18% Do	16% Do	13% Do
	22% Do	19% Do	17% Do	13% Do

APPENDIX I Contd.
See Rule 2007 and 2008

RATES OF CONTRIBUTION PAYABLE DURING FOREIGN SERVICE

TABLE I

Rate of monthly contribution for pension payable during active foreign service in respect of

Year of service	Group 'A' employees	Group 'B' employees	Group 'C' employees	Group 'D' employees
1	2	3	4	5
28-29 Years	23% Do	19% Do	17% Do	13% Do
29-30 "	23% Do	20% Do	18% Do	13% Do
Over 30 Years	23% Do	20% Do	18% Do	14% Do

NOTE. (1) "Length of service" in column 1 of this table should be taken to mean the entire continuous service of the Railway servant concerned including his service in the pensionable post.

(2) the rates given in this table include an element for extraordinary pensions.

[Railway Board's letter No. F(P)64, PN-1/16, dated 3rd August, 1967]
(No. 379, dated 1st January 1972)

TABLE I-A

Rates of monthly contribution for pension payable during active foreign service only in respect of Indian commissioned office.

Length of service in years	Rate of contribution (Rs.)
0-1	92
1-2	104
2-3	115
3-4	127
4-5	138
5-6	150
6-7	161
7-8	173
8-9	184
9-10	196
10-11	207

11-12	219
12-13	230
13-14	242
14-15	253
15-16	265
16-17	276
17-18	288
18-19	299
19-20	311
20-21	322
21-22	334
22-23	345
23-24	357
24-25	368
25-26	380
Over 26	391

NOTE 1. -Length of service should be taken to be the total length of past service which would count for pension on retirement as an Indian Commissioned Officer.

NOTE 2. -The rates of contribution for pension in this table shall apply to Indian Commissioned officers in permanent railway employ who re transferred to Foreign service in or out of India on after the 1st April 1939, or who were already in such foreign service on that date.

NOTE 3. -These rates, which will be payable only during active foreign service cover in all cases, the liability for retiring and disability pensions and gratuities and allowances to children in respect of Indian Commissioned officers transferred to foreign service in any circumstances whatsoever.

[Railway Board's letter No. F41-PN/6(1) dated 22nd October, 1941]

TABLE II

Rates of monthly contributions for leave-salary, etc., payable during foreign service

A. Leave Salary

(a) In respect of railway servants whose leave is regulated by leave Rule in this Code.

(i) Members of Railway Services, Class I (Group-A) subject to the Special Leave Rules	16½ per cent of pay drawn in Foreign Service
(ii) Members of Railway services Class I, of Asiatic domicile, other than those subject to the Special Leave Rules.	15 per cent of pay drawn in Foreign Service
(iii) Members of Railway Services, Class II, and non-gazetted railway servant including class-IV Railway servants.	12 per cent of pay drawn in Foreign Service
(iv) Indian Commissioned Officers	15 per cent of pay drawn in foreign service.

NOTE. —This rate shall apply to Indian Commissioned Officers in permanent railway employ who are transferred to foreign service in or out of India on or after the 1st April 1939 or who were already in such foreign service

on that date.

(Railway Board's letter No. F.41/PN/6(1) dated 20th October, 1941.)

NOTE. —Non-recovery of contribution towards leave-salary should be deemed to be a remission by competent authority for the purpose of F.R. 60 and will not affect the title of an inferior servant to leave and leave salary.

(Railway Board's Case No. F.42-LF/(10).)

(b) In respect of railway servants who are governed by the leave Rules, 1930

(i) Gazetted officers of non-Asiatic domicile	15 per cent of pay or leave salary drawn in foreign service.
(ii) Gazetted officers of Asiatic domicile	12 per cent of pay or leave salary drawn in foreign service
(iii) Non-gazetted railway servants of non-Asiatic domicile.	12 per cent of pay or leave salary drawn in foreign service.
(iv) Non-gazetted railway servants of Asiatic domicile including class IV railway servants.	10 per cent of pay or leave salary drawn in foreign service.

The above contribution are payable during foreign service including leave taken during such service.

The rates shown against items (i) to (iv) above, (except for Class IV railway servants the above rules apply from 23rd August, 1961 except that in respect of persons on foreign service/deputation on 23rd August, 1961, these rates apply--

- (i) On the expiry of the then obtaining term of foreign service/deputation if that term is a specified one and is extended after 23rd August, 1961; or
- (ii) On the expiry of a period of three years from the date of original foreign service/deputation, where the foreign service/deputation was for an unspecified period.

(Railway Board's Resolution No. 0191-R/TI R 36 RY, dated 13th September 1941 and letter No. F@ 59-CB/1 dated 16th October 1962.)

(iii) In respect of railway servants who are governed by Leave Rules (1949).

All Classes including Class IV/Group B railway servants.	11per cent of pay drawn in foreign service.
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[Railway Board's letter No. F (E) /64/FS/1 dated 20th May 1964 , No. 288-RII, dated 25th June 1964.]

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|--|---|
| B. Government contribution and special contribution to Provident Fund/Gratuity | At the rate laid down in..... the Indian Railway Financial Code. |
| C. Passage concession-
Members of Railway services, Rs. 50 per mensem (Class I) | Plus any additions contribution at such a rate as may be fixed from time to time. The rates with effect from 11 th Sept. 1941 are- |
| Members of Rly. services, Rs.30 (per mensem) and non-gazetted railway servant Class.II | (i) in respect of superior passages 70 per cent (74 percent in the servants, case of 1st Class C) and

(ii) in respect of non superior passage 108 per cent. |

Note.- (1) The term ' foreign service' used in this appendix is intended to include the period of joining time which may be allowed to a railway servant both on the occasion of his proceeding to and reverting from foreign services and accordingly contributions are leviable in respect of such periods.

(2) Allocation of Leave salary and pensions in respect of railway transferred on deputation to the departments of Central Government and Governments of Union territories with or without Legislatures and vice-versa have been dispensed with from 1-1-1978 in terms of the Ministry of Finance O.M.No. F2 (117) 76/SC dated 26-12-1977 and their O.M. No. S. 11031/78/TA/725 dated 23-2-1979 circulated under Ministry of Rays. letters No.F(E)11/77/IN3/1 dt.15-3-78 and 23-4-1979.

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