

SOUTH CENTRAL RAILWAY

Headquarters Office
Personnel Branch
Secunderabad.
Date: 26.06.2018

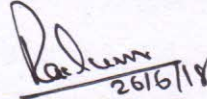
No. P[R]227/XVII

ALL CONCERNED

PERSONNEL BRANCH SERIAL CIRCULAR No. III /2018

Sub: Withholding of increment under RS[D&A] Rules, 1968

Copy of this Railway's letter dated 10.05.2016 on the above subject together with Board's reply thereto given under their letter No. E[D&A]/2016/RG6-10 dated 06.11.2017 addressed to GS/AIRF and copied to this Railway, is forwarded for information, guidance and necessary action.


[K. RAVI KUMAR]
Secy. to PCPO

For Principal Chief Personnel Officer

Copy of this office letter No. P[R] /227/XVII dated :10.05.2016

Sub: Withholding of increment under RS[D&A] Rules, 1968

Rule 1318 of IREC stipulates that 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.

Attention is also invited to Master Circular No. 66 circulated under Board's letter dated 19.10.2001 on Penalties and Disciplinary Authorities. According to the illustrations below para 16 of the above M.C., where the penalty of withholding of increment for two or more years is imposed, the pay remains static at that stage without further increments till the penalty ceases to operate. In the case of withholding of increments [non-recurring] all the increments withheld are released along with the increment which becomes due after the expiry of the penalty whereas in the case of withholding of increment with recurring effect, increments withheld are not released, only the increment which becomes due on expiry of the penalty is granted.

The organized labour [SCRMU] have pointed out in the PNM meeting held at the zonal level that an employee who is imposed punishment of withholding of one increment for a period of 3 years is not granted increments for the entire period of 3 years of punishment. The intention of the DA is that only the first year increment for three years is to be withheld with reference to the gravity of the offence. But in effect, the second and third subsequent years' increments for two years and one year respectively, are also withheld, resulting in the employee suffering double the punishment than intended by the DA, which is also in contravention to the provision contained in Rule 1318 of IREC, supra.

...2/-

It was explained that where withholding of increment for two or more years is imposed under RS[D&A] Rules, the employee is not eligible to draw subsequent increments as clearly enumerated in the illustration given in M.C.66.

Since Rule 1318 envisages that 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 and since there is a point in their argument, it was agreed to refer the matter to Board for clarification.

In view of the foregoing, Board are requested to kindly examine and advise in the matter early.

Copy of Board's letter No.E[D&A]/2016/RG6-10 dated 06.11.2017

Sub: Item No.25/2016 of PNM/AIRF meeting held on 16.06.2017

The undersigned is directed to refer to the minutes of the PNM/AIRF meeting held on 16.06.2017, with reference to item 25/2016 and to state that the demand made by the Federation cannot be accepted as it is not in conformity with the statutory provision of Rule 6[iv] of Railway Servants [Discipline & Appeal] Rules, 1968. Also, the next increment of a railway servant undergoing the penalty of withholding of increment, would become due only after the earlier increment is availed. Since, in such case, the railway servant does not draw the earlier increment [which is withheld], the question of drawing the next increment does not arise.

In view of the aforesaid the demand made by the Federation vide the subject PNM item, cannot be agreed to.

INDEX No. 1033 DISCIPLINE AND APPEAL RULES	S.C.No.
<u>Withholding of increment for two or more years imposed on a railway employee under RS[D&A] Rules:-</u> Board have clarified that the next increment of a Railway servant undergoing the penalty of withholding of increment would become due only after the earlier increment is availed. Since, in such case, the railway servant does not draw the earlier increment [which is withheld], the question of drawing the next increment does not arise.	111 /2018
