

GOVERNMENT OF INDIA (EMERIT D.I.K.R.)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No.E(P&A)I-84/CPC/LE-5

New Delhi, Dtd. 26.3.1985.

The General Managers,
All Indian Railways, CLW, DLW, ICF, Metro Rail, Calcutta.
Wheel & Axle Plant, Bangalore.

The General Managers (Const.),
Southern Railway, Bangalore.
Northeast Frontier Railway, Maligaon.

The Director General, R.D.S.O., Lucknow.

The Chairman, Railway Service Commission, Allahabad/Bombay/
Calcutta/Madras/Muzaffarpur/Secunderabad/Gauhati/Bangalore/
Patna/Trivandrum/Bhopal/Bhubaneswar/Chandigarh/Ajmer/
Ahmedabad/Firozpur.

The Chief Administrative Officer, Central Organisation for
Modernisation of Workshops, 1-Eastern Avenue, Maharani Bagh,
New Delhi.

The Chief Engineer, Railway Electrification, Allahabad.

The Principal, Railway Staff College, Vadodra.

The Chief Administrative Officer, MTP(Railways), Delhi/
Bombay/Madras.

The Principal, Indian Railways Institute of Mechanical &
Electrical Engineering, Jamalpur.

The Principal, Indian Railways Institute of Signal Engg. &
Telecommunications, Secunderabad.

The Principal, Indian Railways Institute of Advanced Track
Technology, Pune.

The Secretary, Railway Rates Tribunal, Madras-28.

The Railway Liaison Officer, New Delhi.

The Director, Rail Movement, Calcutta.

The Joint Director, Rail Movement, Mughalsarai.

The Chief Mining Adviser, Ministry of Railways, Dhanbad.

The Joint Director, Iron & Steel, 3-Koilghat Street, Calcutta.

The Chief Administrative Officer, Indian Railways Diesel
Engines Works, Nabha Road, Patiala.

The Director, Railway Safety, Lucknow.

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Sub: Determination of 'last pay drawn' for the purpose of drawal of leave salary in the case of officers on secondment to other organisations for service outside India and treatment of the period between the date of return to India and joining the new post on Railways.

When Railway servants are transferred to foreign service for "secondment abroad" but are not posted to regularly constituted ex-cadre posts under the Central Government, the standard terms of "secondment abroad" include the following two conditions:-

- (i) Leave: under the rules applicable to the officers, no leave will accrue during the period they are in foreign service. The officers will not be allowed to enjoy leave earned during their foreign service, after their return to their parent posts. No leave salary contribution shall, however, be made as this period will be treated as dies non for leave; and
- (ii) the secondment of the officers shall be deemed to commence from the date of their departure from India and will terminate on the date of their arrival in India on completion of the assignment; the intervening period, if any, between their release from the posts in India and their departure from India and between their arrival in India and joining the posts in India, being treated as leave of the kind due.

In the light of these provisions it has come to the notice of the Ministry that if an officer returns from secondment abroad and rejoins the Railways, leave salary for periods of leave taken immediately on reporting back to the Railways and before joining his new post is determined on the basis of 'last pay drawn' by the officer, immediately prior to relinquishing charge and proceeding abroad.

2. The Ministry of Railways desire to clarify that in such cases, the pay for determining the 'last pay drawn' shall be the pay the officer would have otherwise drawn had he been on duty in India but for foreign service. Accordingly, for the purpose of determining the pay, benefits of increments the officer would have drawn had he remained in India as well as the benefit of proforma promotions the officer may have earned, had he remained in India, on the basis of the certificate under the 'next below rule' will have to be given. Past cases which may have been decided otherwise may be reviewed and the leave salary paid to the officers correctly reworked on the basis of this clarification and arrears, if any due, may be paid.

3. This would also imply that for the purpose of fixation of pay on return from secondment abroad and on joining the new post, the benefit of notional increments drawn by the officer had he remained in India as well as proforma promotions earned by him on the basis of a certificate under 'the next below rule' will have to be given to the officers.

4. The Ministry of Railways further desire to clarify that the period between the date of the officers reporting for duty on his return to India and the date of joining the new posts may, in future, be treated as duty as "waiting for posting orders", depending on the merits of each case.

5. It is therefore expected from the officers returning to India to intimate the railway administration sufficiently in advance about the dates of their arrival. Sufficient care should, however, be taken to ensure that where such postings are decided at the zonal levels, the period of waiting for posting is kept as short as possible and all such cases should have the personal approval of the General Manager and the concurrence of the FA & CAO. Past cases decided otherwise on this account are not, however to be re-opened.

6. These orders will not, however, apply to officers posted abroad against regularly constituted ex-cadre posts for whom the terms and conditions of such postings are different. In their cases the existing rules and orders on the subject will continue to remain in force.

7. Hindi version will follow.

K. Venkatesan

(K. Venkatesan)

Adl. Director, Estt. (P&A)
Railway Board.

No. E(P&A) I-84/CPC/LE-5

New Delhi, Dtd. 26.3.85.

Copy (with 40 spares) forwarded to the A.D.A.I. (Railways),
New Delhi.

[Signature]
for Financial Commissioner,
Railways.

No. E(P&A) I-84/CPC/LE-5

New Delhi, Dtd. 26.3.85.

Copy forwarded to:-

FA & CAOs, All Indian Railways, CLW, DLW, ICF, Metro Rail,
Calcutta, MTP(R), Delhi/Bombay/Madras.

Wheel & Axle Plant, Bangalore.

East Frontier Railways(C), Maligaon.

South Railway(C), Bangalore.

: 4 :

COFMOW, Maharani Bagh, New Delhi.

Diesel Component Works, Patiala.

Joint Director, Finance, RDSO, Lucknow.

Pay & Accounts Officer, Ministry of Railways, Rail Bhavan,
New Delhi.

The General Secretary, IRCA, New Delhi for information.

K. Venkatesan
(K. Venkatesan)
Addl. Director, Estt. (P&A)
Railway Board.

Copy to:

1. Smt. Subhadra S., Under Secretary, Government of India, Department of Personnel & A.R., Ministry of Home Affairs, North Block, New Delhi, with reference to correspondence resting with your D.O. letter No. 215-Estt(L)/85 dated 16.2.1985.
2. PSS to C.R.B., M.E., M.T., M.M., F.C., Adv(F), Adv(IR) Secy.
3. SPA to JS(E), J.S(G), ADE(N), ADE(P&A), DS(C), E(O)I, E(O)II, E(O)III, ERB(I), ERB(II), ERB(III), Cash-III, E(NG)I, F(E)I, F(E)II (with 5 spares), F(E)Spl. and F(E)III.