



NORTH CENTRAL RAILWAY  
Headquarters, Office Subedarganj  
Prayagraj - 211015

No. 797-E /L. Cell(P.Br.) /IIQ / RB /Policy(Court Case)/Circulation/23-24 Dated 28.08.2024

All PHOD's / CHOD's / NCR / Allahabad  
PCE, PCSTE, PCME, PCEE, PCMM, PCPO, PCOM, PCCM,  
PFA, PCSO, SDGM, PCMD, CAO/C  
Divisional Railway Manager  
PRYJ, Jhansi & Agra  
Chief Workshop Manager  
Jhansi & STLI (GWI)  
CSTE/NCR-PU/ALD  
Chairman/RRC/NCR/PRYJ  
Chairman/RRB/NCR/PRYJ

**Sub:-** Grant of Notional Increment (as due on 1<sup>st</sup> July/1<sup>st</sup> January ) for the pensionary benefits to those employees how had retired on 30<sup>th</sup> of June before drawing the same -Clarification reg.

**Ref:-** Railway Board letter No. PC-VI/2023/Misc./03 -Vol.II dated 27.08.2024.

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Enclosed please find a copy of Railway Board's letter No. PC-VI/2023/Misc./03 -Vol.II dated 27.08.2024, which is self-explanatory for your kind information and immediate action please.

Policy Letter Circulated under NCRPS/NCRBE is also be available on website [www.ncr.indianrailways.gov.in](http://www.ncr.indianrailways.gov.in)(About us→Department→Personnel→NCR Policy Circulars).

This may be treated as **Most Urgent**.

DA: As above.

(Jitendra Singh)

APO/HQ

for General Manager/P

Copy to:-

- DGM/Law/NCR/HQ: for information & necessary action please.
- Law Officer/PRYJ -Div./NCR: for information & necessary action please.
- Law Officer/AGC Div./NCR: for information & necessary action please.
- Ch. O.S. (Policy) & OS/Settlement PCPO office HQ/NCR for information & necessary action.

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

No. PC-VI/2023/Misc./03-Vol.II

New Delhi, dated: 27.08.2024

**The General Managers/ Principal Financial Advisors,  
All Zonal Railways & Production Units**

**Sub: Grant of notional increment (as due on 1<sup>st</sup> July/1<sup>st</sup> January) for the pensionary benefits to those employees who had retired on 30th of June before drawing the same – Clarification reg.**

**Ref: Board's letter No. PC-VI/2023/Misc./03 dated 21.08.2024.**

A number of references are being received in Board's office from various field units seeking necessary instructions/ guidelines regarding further course of action to be adopted in fresh cases being filed by various retired employees on the issue of grant of benefit of notional increment for pensionary purpose.

2. In above context, it is stated that based on the advice tendered by DOP&T, all field units were advised vide Board's letter dated 09.02.2024 to implement the orders pronounced by various courts of law granting the benefit of notional increment strictly on personam basis, only in those cases where a contempt petition has been filed by the petitioner. As regards to other cases, the matter may be referred to Board's office invariably for further clarification which will be issued separately on receipt of necessary guidelines from DOP&T.
3. Subsequently, it was also clarified vide Board's letter dated 20.05.2024 that while implementing the orders pronounced by various Courts/ Tribunals on 'personam' basis only in contempt cases, payment of arrears would be restricted only to 3 years preceding the date of filing of the case in light of Hon'ble Supreme Court's judgment dated 13.08.2008 passed in Civil Appeal No. 5151-5152 of 2008 titled as Union of India & Ors Vs Tarsem Singh.
4. In continuation to above, after prolonged consultation with the nodal department on the issue of notional increment i.e. DOP&T; a detailed clarification has already been issued to all Zonal Railways/PUs vide Board's letter dated 21.08.2024 (copy enclosed) along with a draft Misc. Application/ Affidavit to be filed before concerned judicial forums in fresh cases being filed on the issue of notional increment. Accordingly, all the field units may be advised that further action in such cases may be taken based on the detailed guidelines circulated vide Board's aforesaid letter.
5. Subsequent to issuance of guidelines vide Board's letter dated 21.08.2024; various queries have been received seeking clarity on the course of action to be adopted. Considering these requests, all the Zonal Railways/PUs are hereby advised to adopt following course of action in cases related to notional increment:

- (i) In fresh cases (O.As/W.Ps) counter reply may be filed based on the draft affidavit circulated vide Board's letter dated 21.08.2024.

① OA - Counter Reply Based on  
draft sent by R.Bd. on  
21.8.24



② If OA allowed - May be challenged before HC.

(ii) In case any adverse judgement is pronounced by Hon'ble Tribunal/ Court despite filing of the counter reply based on the draft affidavit, the said impugned order may immediately be challenged before higher judicial forum.

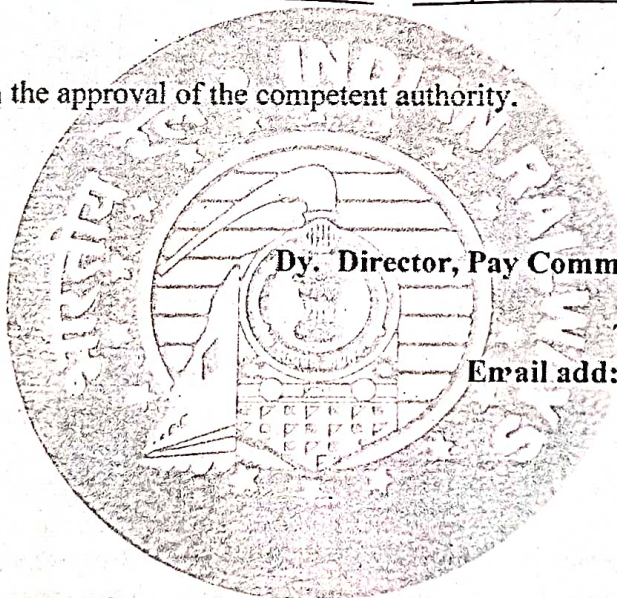
In CP.  
to file MA.

(iii) In contempt cases filed by the petitioners where compliance has not yet been made by implementing the orders, attempts may be made to file a Misc. Application/ Affidavit before the Hon'ble Tribunal/Court seeking interim stay on the impugned order till the Review Petition filed by the nodal department i.e. DOP&T vide Dy. No. 36418/2024 is adjudicated by the Hon'ble Apex Court. However, in cases where Courts are not inclined to grant relief despite best efforts and insisting upon implementation, benefit may be granted as advised vide Board's letters dated 09.02.2024 and 20.05.2024 with the approval of the competent authority.

6. In view of the above, all the references received from various field units seeking guidelines regarding further course of action to be adopted in fresh cases are disposed herewith.

7. This issues with the approval of the competent authority.

DA: As above



*[Signature]*  
22/12/24

(Jaya Kumar G)

Dy. Director, Pay Commission - VII & HRMS

Railway Board

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