RBE No. 130 /2013

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No. F(E)III/2005/PN1/23 **New Delhi, Dated: 11 .12.2013.**

The GMs/FA&CAOs,
All Indian Railways/Production Units/RDSO.
(As per mailing list)

Subject: Revision of 1/3rd commuted portion of pension in respect of Government servants who had drawn lump sum payment on absorption in Central Public Sector Undertakings/Central Autonomous Bodies – Implementation of Government's decision on the recommendations of the 6th Central Pay Commission.

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A copy of Department of Pension and Pensioners' Welfare(DOP&PW)'s O.M. No. 4/30/2010 -P&PW(D) dated 28.10.2013 is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also.

2. A concordance of DOP&PW's O.Ms. referred to in the enclosed O.M. and Railway Board's corresponding instructions is given below:-

S.No.	DOP&PW's O.M.	Railway Board's corresponding instructions
1.	O.M. No.4/38/2008-P&PW(D) dated 15.09.2008.	Letter No. F(E)III/2005/PN1/23 dated 22.09.2008.
2.	O.M. No.4/30/2010-P&PW(D) dated 11.07.2013.	Letter No. F(E)III/2005/PN1/23 dated 31.07.2013.

3. Please acknowledge receipt.

(Mrs.SUKHENDER KAUR)
Joint Director Finance (Estt.),
Railway Board.

D.A.: One.

No. F(E)III/2005/PN1/23 **New Delhi, Dated: 11.12.2013.**

Copy to Deputy Comptroller and Auditor General of India (Railways), Room No.224, Rail Bhavan, New Delhi (40 spares).

for Financial Commissioner/Railways.

आरबीई सं./30 /2013

भारत सरकार
रेल मंत्रालय
(रेलवे बोर्ड)

सं एफ(ई)III/2005/पीएन1/23 नई दिल्ली, दिनांक 11.12.2013

महाप्रबंधक/ वित्त सलाहकार एवं मुख्य लेखा अधिकारी
सभी भारतीय रेलें/उत्पादन इकाइयाँ / अ.अ.मा.सं.
(डाक सूची के अनुसार)

विषय: उन सरकारी कर्मचारियों जिन्होंने केन्द्रीय सार्वजनिक क्षेत्र के उपक्रमों/केन्द्रीय स्वायत्त निकायों में समाहित होने पर एक मुश्त राशि प्राप्त की थी, के संबंध में पेंशन के एक तिहाई संराशीकृत भाग का संशोधन - छठे केन्द्रीय वेतन आयोग की सिफारिशों पर सरकार के निर्णय को लागू करना।

पेंशन एंव पेंशनर कल्याण विभाग (डीओपीएण्डपीडब्ल्यू) के दिनांक 28/10/2013 के कार्यालय ज्ञापन संख्या 4/30/2010-पी एण्ड पी डब्ल्यू (डी) की एक प्रति सूचना एवं अनुपालन हेतु संलग्न है। ये अनुदेश यथोचित परिवर्तनों सहित रेलों पर भी लागू होंगे।

2. संलग्न कार्यालय ज्ञापन में उल्लिखित डीओपीएण्डपीडब्ल्यू के कार्यालय ज्ञापन तथा रेलवे बोर्ड के तदनुरूपी अनुदेश नीचे आमने-सामने दिए गए हैं:-

क्रम सं.	डीओपीएण्डपीडब्ल्यू का कार्यालय ज्ञापन	रेलवे बोर्ड के तदनुरूपी अनुदेश
1.	दिनांक 15.09.2008 का का.ज्ञा. सं. 4/38/2008-पीएण्डपीडब्ल्यू(डी)	दिनांक 22.09.2008 का पत्र सं. एफ(ई)III/2005/पीएन1/23
2.	दिनांक 11.07.2013 का का.ज्ञा. सं. 4/30/2010-पीएण्डपीडब्ल्यू(डी)	दिनांक 31.07.2013 का पत्र सं. एफ(ई)III/2005/पीएन1/23

3. कृपया पावती दें।

(श्रीमती सुखेंदर कौर)
संयुक्त निदेशक वित्त(स्थापना)
रेलवे बोर्ड

संलग्नक : एक

PENSION

No. F(E)III/2005/PN1/23 **New Delhi, Dated: 11.12.2013.**

1. The General Secretary, NFIR, Room No. 256-E, Rail Bhavan, New Delhi (with 35 spares)
2. The General Secretary, AIRF, Room No. 253, Rail Bhavan, New Delhi (with 35 spares)
3. The Members of the National Council, Departmental Council and Secretary Staff Side, National Council, 13-c, Feroze Shah Road, New Delhi (with 60 spares).
4. The Secretary General, FROA, Room No. 256-A, Rail Bhavan, New Delhi (with 5 spares).
5. The Secretary, RBSS, Group "A" Officers Association, Room No. 402, Rail Bhawan.
6. The Secretary, RBSS Group "B" Officers' Association.
7. The Secretary General, IRPOF, Room No. 268, Rail Bhavan, New Delhi (with 5 spares)
8. The Secretary, Railway Board Ministerial Staff Association.
9. The Secretary, Railway Board Class IV Staff Association.
10. The Secretary General, All India RPF Association, Room No. 256-D, Rail Bhavan, New Delhi-110 001. (5 spares)
11. The Secretary, Railway Board Promottee Officers Association, Room No. 341-C, Rail Bhavan, New Delhi.
12. The General Secretary, All India SC/ST Railway Employees Association, Room No. 7, Ground Floor, Rail Bhavan, New Delhi.

for Secretary/Railway Board.

No. F(E)III/2005/PN1/23 **New Delhi, Dated: 11.12.2013.**

1. The G.M, N.F Railway(Const.).
2. The Director General and Ex.officio General Manager, RDSO/Lucknow.
3. The General Manager and FA&CAO, Metro Railway/Kolkata.
4. The CAOand FA&CAO, COFMOW/New Delhi.
5. The General Manager and FA&CAO, CORE/Allahabad.
6. Director General, Railway Staff College/Vadodara.
7. The Executive Director, CAMTECH/Gwalior-474020
8. The Director, IRICEN/Pune, IRIEEN/Nasik Road,IRIMEE/Jamalpur, IRISET/ Secunderabad.
9. The Managing Director, IRCON, IRFC, MRVC, IRWO, IRC&TC, CONCOR of India Limited, Executive Director, CRIS.
10. The Chairman –cum-Managing Director, KRC Limited/New Delhi
11. Office of the Chief Project Administrator(Telecom), Indian Railway Central Organisation for Telecom(IRCOT) Consultancy, Shivaji Bridge/New Delhi.
12. The Director(Movement) Railways/Kolkata.
13. The Joint Director, Mil Rail, Ministry of Defence.
14. The Joint Secretary, Iron & Steel,5 Koila Ghat Street/Kolkata.
15. Chief Mining Advisor, Ministry of Railway, Dhanbad, Bihar
16. The Chairman, RCC,Lok Sabha Secretariat/New Delhi.
17. The Chairman, RCT/Delhi.
18. The Chairman,RRT, Chennai.
19. The Chairman,RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneshwar, Chandigarh, Chennai, Kolkata, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad, and Trivandrum.
20. The Editor, " Bharatiya Rail".
21. The Editor " Indian Railways"
22. The Pay & Accounts Officer, Ministry of Railways(Railway Board)
23 The General Secretary, IRCA/New Delhi.
24 The Chief Commissioner of Railway Safety/Lucknow.
25 Chairman, RITES.
26 Chairman, CAT.
27. The Managing Director, Rail Vikas Nigam Ltd., Plot No. 25, First Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110 066.

28. Manager/HRD,Rail Land Development Authority, Near Safdarjung Railway Station, Motibagh-1,New Delhi – 110021. Email: mgrhrd@rlda.in
29.The Chief Mechanical Engineer, Indian Railway Organisation for Alternate Fuels, 12th Floor, Core-1, Scope Minar, District Centre, Laxmi Nagar, Delhi-92.
30. Office of the Chief Administrative Officer, Indian Railways (Workshop Projects), Chamber Bhawan, Judge's Court Road,Anta Ghat,Patna-800001, Bihar.
31. The Chief Administrative Officer, Rail Coach Factory/Raebareli Project, Kishanganj,Delhi-7.

Copy to:-

1. Shri V.K. Sthanunathan, National President, National Federation of Railway Pensioners,36, Venkatanarayana Road, T. Nagar, Chennai-600 017.
2. Shri K. Gopinath Menon, The Secretary General, National Federation of Railway Pensioners, Kunnathurmedu, Palghat- 678 013.
3. Shri Y.N.Sastry, President, AIRRF, Rly Block-303, Railway Colony High School, Chilkalguda, Secunderabad-500 025.
4. B. Jayajaya Rao, President, All India Retired Railway Officer's Association, 12-13-268 (505)New, Street-2, Lane 9, Tarnaka, Secunderabad-500 017.
5. The General Secretary, Railway Pensioners' Council Kiran Kutir, Larkania Tola, Katihar.
6. The General Secretary, All India Federation of Pensioners Association, T.P.M Hall,22, Kavirai Street, Saidapet West, Chennai-600 015.
7. Shri S.S.Ramachandra, Secretary General , All India Central Committee of Pensioners Association. Flat No.144, New Suryakiran Apartments, Plot No.65,Patparganj, N.Delhi-110092.
8. Shri M.S.Solanki, General Secretary, Central and AIS Pensioners Association, E-i/164, Arena Colony, Bhopal(M.P) 462 016
9. Shri Nirmal Dass Gupta, Vice President, Federation of Central Government Pensioners' Organisation, P-24C, Sagar Manna Road, Kolkata. 700 060
10. Shri B.S Dard, Secretary General, Central Government Pensioners' Association, 1874/2, Sector-64, S.A.S Nagar, Chandigarh 160 061.
11. Shri C.R. Chatwani, Central Government Pensioners' Association, "SHIVANAND", 11/13, Krishna Kunj Society, Chhotunagar-7, Raiya Road, Rajkot 360 001.
12. Secretary General, Bharat Pensioners' Samaj, Post Box 3303, Jangpura Extension, New Delhi-110 014.
13 The Secretary General, National Federation of Railway Pensioners' Organization, 825, Supertech Residency, Sector-5, Plot No. 6A, Ghaziabad-201010.
14. M/s. Bahri Bros., Publishers, Booksellers & Distributors, 742, Lajpat Rai Market, Delhi-110006.
15. The General Secretary, Retired Railway Employees Welfare Association(Regd), 490A/16, Gurudwara Road, Gurgaon.

Copy to:-

PSOs/Sr. PPSs/ PPSs/PSs/PAs to: MR, MSR(A), MSR(M), CRB, FC, MT, ME, MS, MM, ML, DG(RHS), DG(RPF), Secretary, All Additional Members, Adv.(S) , All Executive Directors, IG/RPSF, JS, JS(G), JS(E), DE(Res)I & II, DE(GC), DE(G), DE(N), DE (Rep), DPC-I, II, DS(D), DS(E), DS(G),), JDMPP), JDE(N), JDF(E),JDE(Rep), JDPC-VI, JDE(G), JDE(D&A), JDE(P&A), JDE(Gaz), JDE(W), JDE(GP), JDE(Res), JDE(L), JDE(LR), DDF(E)-I,II DDE(LR)I,II,III, DDE(R)II, DDE(D&A), DDE(P&A)II, III, DDE(Rep)I, US(A), US(E), W.O./Railway Board.

Cash-I, II, III, E(P&A)I/II, E(G), E(NG)I&II, PC-VI, V, IV, III, E(Trg), E(MPP), E(LR)I&II, F(E)-I, II, F(E)Spl, Security(E), Security(ABE), Accounts-III, Accounts (Insp.), ERB-I, II, III, IV, V & D, G(Pass), G(Acc), E(Welfare), E(SCT) I & II, E(O)I, II, III & III(CC), E(GR)I, II, E(GP), E(GC), PR, E(D&A), Budget, O&M, Code Revision Cell(with 2 spares), C&IS (with 2 spares)A/Cs-II, PG, E(Rep)-I, II, III, Railway Board.

(Copy to Department of Pension & Pensioners' Welfare (DOP&PW) w.r.t. their O.M.No.4/30/2010-P&PW(D) dated 28.10.2013)

No.4/30/2010-P&PW(D)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension and Pensioners Welfare
Lok Nayak Bhavan, Khan Market,
New Delhi-110003,

Dated the 28th October, 2013

OFFICE MEMORANDUM

Sub: Revision of 1/3rd commuted pension portion of pension in respect of Government servants who had drawn lump sum payment on absorption in Central Public Sector Undertakings/Central Autonomous Bodies-Implements of Government's decision on the recommendations of the 6th Central Pay Commission.

The undersigned is directed to say that orders have been issued vide this Department's OM of even number dated 11.7.2013 for revision of 1/3rd restored pension of absorbees w.e.f. 1.1.2006 by multiplying pre-revised 1/3rd pension by a factor of 2.26, if it is more beneficial than the revised 1/3rd restored pension as per this Department's O.M. No.4/38/2008-P&PW(D) dated 15.9.2008. These orders have been issued in compliance of the order dated 27.9.2011 of the CAT Hyderabad Bench in OA No.710/2010 read with their order dated 22.4.2013 in C.P. 26/2012.

2. Representations have been received from the absorbees pensioners, who had taken lump-sum payment in lieu of 100% pro-rata pension on absorption, that the benefit allowed to the absorbee pensioners in terms of O.M. dated 11.7.2013 is not adequate. These representations have been examined in this Department. The main thrust of these representation is that the 1/3rd restored pension may be revised w.e.f. 1.1.2006 by adding dearness pension and dearness relief as on 1.1.2006 alongwith 40% fitment benefit to the pre-revised 1/3rd restored pension.

3. The matter has been examined in this Department. The instructions for revision of 1/3rd pension were issued by this Department's O.M. no.4/38/2008-P&PW(D) dated 15.9.2008, keeping in view the formula laid down by Hon'ble High Court of Andhra Pradesh in its judgment dated 24.12.2003 which was accepted in Supreme Court judgment dated 29.11.2006 and 24.7.2007. Hon'ble CAT, Hyderabad Bench in its order dated 27.9.2011 in OA 710/2010 inter-alia observed that the O.M. dated 15.9.2008 was legally sustainable. However, the Hon'ble CAT directed to pass an order so as to equalize the revised 1/3rd restored pension of absorbees with the revised pension of other Central Government pensioners.

4. Keeping in view the above direction of Hon'ble CAT, Hyderabad Bench, which was upheld by High Court of Andhra Pradesh and Supreme Court, orders were issued vide this Department's O.M. of even number dated 11.7.2013 to revise 1/3rd restored pension of absorbee pensioners to 2.26

times of the pre-revised 1/3rd restored pension. This is explained by the following example:

Pre-2006 full pension	Pre-2006 1/3rd restored pension	Revised full pension (for DR, etc.)	Revised 1/3rd restored pension in terms of OM dated 15.9.2008	Revised 1/3rd restored pension in terms of OM dated 11.7.2013
4073	3173	9207	6492	7173

The above formula for revision of 1/3rd pension is also in conformity with the demand made by the staff side in the meeting of National Council (JCM) held on 6.11.2012.

5. In view of the above position, no further change in the 1/3rd restored pension of the absorbee pensioners (who had drawn lump-sum payment of absorption in Central Public Undertaking/Central Autonomous Body) is required to be made. All the representations made by the absrobee pensioners and their Associations in this regard stand disposed off accordingly. All Ministries/All Departments are requested to inform the above position to the absorbee pensioners.

(Harjit Singh)
Deputy Secretary to the Government of India
Tel :24624752

To,

1. All Ministries/ All Departments.
2. All Pensioners Associations as per list.

Copy for Website of DoP&PW