RBE No. J19/2014

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


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

Subject: Revision of pension of pre-1996 pensioners' – inclusion of Non-Practicing Allowance (NPA) for revision of pension of Retired Medical Officers w.e.f. 01.01.1996.

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A copy of Department of Pension and Pensioners' Welfare(DOP&PW)'s O.M. No. 38/31/11-P&PW(A)(Vol. IV) dated 14.10.2014 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways.

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

<table>
<thead>
<tr>
<th>S.No.</th>
<th>DOP&amp;PW's instructions</th>
<th>Corresponding instructions of Railway Board</th>
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<td>1.</td>
<td>45/10/98-P&amp;PW(A) dated 17.12.1998</td>
<td>F(E)III/98/PN1/29 dated 15.01.1999</td>
</tr>
</tbody>
</table>

3. Please acknowledge receipt.

(Amitabh Joshi)

D.A.: One. Deputy Director Finance (Estt.)III, Railway Board.

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

for Financial Commissioner/Railways.

1. The General Secretary, NFIR, Room No. 256-E, Rail Bhavan, New Delhi (with 35 spares)
2. The General Secretary, AIFR, 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 Bhavan.
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 Promotee 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.


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 CAO and 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/Jaipur, IRISIT/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
12. The Director(Movement) Railways/Kolkata.
13. The Joint Director, Mill Rail, Ministry of Defence.
14. The Joint Secretary, Iron & Steel,5 Kolia 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, Bhubaneswar, 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, Motiabagh-1, New Delhi -110021. Email: morhrd@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, Kishangarh, Delhi-7.

Copy to:-
1. Shri V.K. Sthanunathan, National President, National Federation of Railway Pensioners,36, Venkatnarayana Road, T. Nagar, Chennai-600 017.
3. Shri Y.N. Sastry, President, AIRRF, Rly Block-303, Railway Colony High School, Chilkalguda, Secunderabad-500 025.
4. B. Jayajayya Rao, President, All India Retired Railway Officer's Association, 12-13-268 (505)New, Street-2, Lane 9, Tamaka, Secunderabad-500 017.
5. The General Secretary, Railway Pensioners' Council Kiran Kutir, Larkania Tola, Kathihar.
6. The General Secretary, All India Federation of Pensioners Association, T.P.M Hall, 22, Kaviri Street, Saidapat West, Chennai-600 015.
7. Shri S.S. Ramachandra, Secretary General, All India Central Committee of Pensioners' Association, Flat No. 44, New Suryakiran Apartments, Plot No. 65, Patparganj, N. Delhi-110092.
8. Shri M.S. Somanand, General Secretary, Central and AIS Pensioners' Association, E-164, Arena Colony, Bhopal (M.P) 462 016
9. Shri Nirmal Dass Gupta, Vice President, Federation of Central Government Pensioners' Organisation, P-24/1, Sagar Manna Road, Kolkata-700 005
10. Shri B.S. Dhar, Secretary General, Central Government Pensioners' Association, 1874/2, Sector-64, S.A.S. Nagar, Chandigarh 160 011.
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, Supertech Residency, Sector-5, Plot No. 6A, Ghaziabad-201010.
15. The General Secretary, Retired Employees Welfare Association (Regd.), 490A/16, Gurudwara Road, Gurgaon.

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


(Copy to Department of Pension & Pensioners' Welfare (DOP&PW) w.r.t. their O.M.No.38/31/11-P&PW(A)(Vol. IV) dated 14.10.2014)
OFFICE MEMORANDUM

Subject: Revision of pension of pre-1996 pensioners – inclusion of Non-Practicing Allowance (NPA) for revision of pension of retired medical officers w.e.f. 1.1.1996.

The undersigned is directed to say that in this Department’s OM No.45/10/98-P&PW(A) dated 17.12.1998, it was provided that pension of all pensioners irrespective of their date of retirement would not be less than 50% of the minimum of the revised scale of pay introduced w.e.f. 1.1.1996. In this Department’s OM No.45/3/99-P&PW(A) dated 29.10.1999, it was clarified that in the case of retired medical officers, Non-Practicing Allowance (NPA) was not to be added to the minimum of the revised scale of pay as on 1.1.1996 for stepping up of the consolidated pension/family pension to 50% / 30% respectively, in terms of the OM dated 17.12.1998.

2. In its judgment dated 27.11.2013 in Civil Appeal No.10640-46/2013 and other connected matters, Hon’ble Supreme Court has observed that in accordance with Ministry of Health and Family Welfare’s OM No.45012/11/97-CHS.V dated 7.4.1998, NPA counts as pay for all service benefits including retirement benefits. Hon’ble Supreme Court has further observed that clarification issued vide this Department’s aforesaid OM dated 29.10.1999 is legally unsustainable. Hon’ble Supreme Court has directed to recalculate the pension payable to the Applicants (i.e. pre-1996 retired medical officers) by adding the element of NPA. The Review Petitions filed by the Government against the above mentioned judgment have been dismissed by Hon’ble Supreme Court on 31.7.14.

3. It has now been decided, in consultation with Ministry of Finance, Department of Expenditure and Ministry of Law, Department of Legal Affairs to implement the judgment dated 27.11.2013 of Hon’ble Supreme Court in CA No.10640-46 of 2013 and other connected matters. Accordingly, in the case of pre-1996 retired medical officers, NPA @ 25% shall be added to the minimum of the revised scale of pay as on 1.1.1996 corresponding to the pre-1996 pay scales from which the pensioner had retired, in cases where consolidated pension/family pension was to be stepped up to 50% / 30% respectively of the minimum of revised pay-scale in terms of OM No.45/10/98-P&PW(A) dated 17.12.1998 read with OM No.45/86/97-P&PW(A)(Pt.) dated 11.5.2001.

4. This issues with the approval of Ministry of Finance, Department of Expenditure vide their I.D. No. 518/E-V/2014 dated 29.9.2014.

5. Hindi version will follow.

(SriTripti P. Ghosh)
Director

To
(i) All Ministries/Departments of Government of India.
(ii) O/o CAG/CGDA