भारत सरकार
रेल मंत्रालय
(रेलवे बोर्ड)
सं.एफ(ई)III/2008/पीपैन1/12
नई दिल्ली, दिनांक 3.04.2016

महाप्रबंधक/विद्त सलाहकार एवं गुरुव लेखाधिकारी,
सभी भारतीय रेलें/उत्पादन उपक्रम (डाक-सूची के अनुसार)

विषय: 2006 से पहले के पेशनभौतिक के पेशन में संशोधन - 33 वर्ष की अधिक सेवा
से संशोधित पेशन को अलग करना।

*****

उपरुपक्त विषय पर पेशन एवं पेशनभौति कल्याण विभाग (डीओपी एण्ड पीडब्लयू) के
दिनांक 06.04.2016 के कार्यालय जापन सं. 38/37/08-पीएण्डपीडब्लयू(ए) की एक प्रति
सूचना और अनुप्राणण के लिए संलग्न है। ये अनुदेश रेलों में भी यथोचित परिवर्तनों के साथ
लागू होंगे।

2. संलग्न कार्यालय जापन में दिए गए डीओपी एण्ड पीडब्लयू के अनुदेशों और रेलवे बोर्ड
के तदनुसंबंधित अनुदेशों का विवरण नीचे दिया गया है:

<table>
<thead>
<tr>
<th>क्र. सं.</th>
<th>डीओपी एण्ड पीडब्लयू के अनुदेश</th>
<th>रेलवे बोर्ड के तदनुसंबंधित अनुदेश</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>दिनांक 01.09.2008 का कार्यालय जापन सं. 38/37/08-पीएण्डपीडब्लयू(ए)</td>
<td>दिनांक 08.09.2008 का समसंस्थाक पत्र</td>
</tr>
<tr>
<td>2.</td>
<td>दिनांक 03.10.2008 का कार्यालय जापन सं. 38/37/08-पीएण्डपीडब्लयू(ए)</td>
<td>दिनांक 08.10.2008 का समसंस्थाक पत्र</td>
</tr>
<tr>
<td>3.</td>
<td>दिनांक 28.01.2013 का कार्यालय जापन सं. 38/37/08-पीएण्डपीडब्लयू(ए)</td>
<td>दिनांक 11.02.2013 का समसंस्थाक पत्र</td>
</tr>
<tr>
<td>4.</td>
<td>दिनांक 30.07.2015 का कार्यालय जापन सं. 38/37/08-पीएण्डपीडब्लयू(ए)</td>
<td>दिनांक 31.07.2015 का समसंस्थाक पत्र</td>
</tr>
</tbody>
</table>

3. कृपया पात्रता दें।

(संजय पाराकार)
उप निदेशक,विद्त (स्था.)III,
रेलवे बोर्ड।

संयुक्त : एक
F (E) III S
GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No. F(E)III/2008/PN1/12


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

Subject: Revision of pension of pre-2006 pensioners – delinking of revised pension from qualifying service of 33 years.

*****

A copy of Department of Pension and Pensioners' Welfare(DOP&PW)'s O.M. No. 38/37/08-P&PW(A) dated 06.04.2016 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also.

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>Railway Board’s corresponding instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>O.M. No. 38/37/08-P&amp;PW(A) dated 01.09.2008</td>
<td>Letter of even number dated 08.09.2008</td>
</tr>
<tr>
<td>2.</td>
<td>O.M. No. 38/37/08-P&amp;PW(A) dated 03.10.2008</td>
<td>Letter of even number dated 08.10.2008</td>
</tr>
<tr>
<td>3.</td>
<td>O.M. No. 38/37/08-P&amp;PW(A) dated 28.01.2013</td>
<td>Letter of even number dated 11.02.2013</td>
</tr>
<tr>
<td>4.</td>
<td>O.M. No. 38/37/08-P&amp;PW(A) dated 30.07.2015</td>
<td>Letter of even number dated 31.07.2015</td>
</tr>
</tbody>
</table>

3. Please acknowledge receipt.

(Sanjay Prashar)
Deputy Director, Finance (Estt.)III,
Railway Board.

D.A.: One.
No. F(E)III/2008/PN1/12


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, 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 Bhavan.
6. The Secretary, RBSS Group "B" Officers' Association.
7. The Secretary General, IRPOF, Room No. 288, 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 Promotive 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/2008/PN1/12


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, CORMOW/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, IRCEEN/Nasik Road, IRIMEE/Jaipur, IRISSET/Secunderabad.
9. The Managing Director, IRCON, IRFC, MRVC, IRWO, IRC&TC, CONCOR of India Limited, Executive Director, CRS.
10. The Chairman -cum-Managing Director, KRC Limited/New Delhi.
12. The Director (Movement) Railways/Kolkata.
13. The Joint Director, Mili Rail, Ministry of Defence.
14. The Joint Secretary, Iron & Steel, 5 Kolkata 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, RTGS.
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: mgprnk@rrda.in
29. The Chief Mechanical Engineer, Indian Railway Organisation for Alternate Fuels, 12th Floor, Core-1, Scope Minor, 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/Raebareilly Project, Kishanganj, Delhi-77.
Copy to:-
1. Sri V.K. Sthunurathan, President, National Federation of Railway Pensioners, 38 Venkataranarayana Road, T. Nagar, Chennai-600 017.
3. Sri Y.N. Sastry, President, AIRR, Riy Block-303, Railway Colony High School, Chilkalaguda, Secunderabad-500 025.
4. B. Jayajay Rao, President, All India Retired Railway Office’s Association, 12-13-261 (505) New, Street-2, Lane 9, Thanaka, Secunderabad-500 017.
5. The General Secretary, Railway Pensioners’ Council K.K. Kulir, Larkania Tola, Katihar.
6. The General Secretary, All India Federation of Pensioners Association, T.P.M Hall, 22, Kavirai Street, Saidapet, Chennai-600 015.
7. Shri S.S. Ramachandra, Secretary General, All India Central Committee of Pensioners Association. Flat No. 144, New Suryakan Apartments, Plot No. 65, Patparganj, N.Delhi-110092.
8. Shri M.S. Solanki, General Secretary, Central and AJS Pensioners Association, E-164, Arena Colony, Bhopal( MP) 462 016.
9. Shri Nirmal Dass Gupta, Vice President, Federation of Central Government Pensioners’ Organisation, P-24C, Sagar Menna Road, Kolkata. 700 020.
10. Shri B.S. Dard, Secretary General, Central Government Pensioners’ Association, 1874/2, Sector-64, S.A.S. Nagar, Chandigarh 160 016.
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.
15. The General Secretary, Retired Railway Employees Welfare Association(Regd), 490A/16, Gurudwara Road, Gurgaon.

Copy to:-
PS to MR, PS to MoS(R), EDPG to MR and Adv (PG) to MoS (R).
PSOs/Sr. PSOs/Ps to 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) & II, DE(GC), DE(G), DE(N), DE (Rep), DPC-I, II, DS(D), DS(E), DS(G), JDMPP), JDE(N), JDE(E), JDE(Rep), JDCP-3, JDE(G), JDE(D&A), JDE(P&A). JDE(Gaz), JDE(V), JDE(GP), JDE(Res), JDE(L), JDE(LR), DDF(E), II DDF(R)I, III DDF(R)I, DDE(D&A), DDE(P&A) II, III, DDE(Rep), US(A), US(E), W.O./Railway Board.

(Copy to Department of Pension & Pensioners' Welfare (DOP&PW) w.r.t. their O.M. No. 38/37/08-P&PW (A) dated 06.04.2016)
OFFICE MEMORANDUM

Sub:- Revision of pension of pre-2006 pensioners – delinking of revised pension from qualifying service of 33 years.

The undersigned is directed to say that as per Para 4.2 of this Department’s OM of even number dated 1.9.2008 relating to revision of pension of pre-2006 pensioners w.e.f. 1.1.2006, the revised pension w.e.f. 1.1.2006, in no case, shall be lower than 50% of the sum of the minimum of pay in the pay band and the grade pay thereon corresponding to the pre-revised pay scale from which the pensioner had retired. A clarification was issued vide DoP&PW OM of even number dated 3.10.2008 that the pension calculated at 50% of the minimum of pay in the pay band plus grade pay would be calculated at the minimum of the pay in the pay band (irrespective of the pre-revised scale of pay) plus the grade pay corresponding to the pre-revised pay scale.

2. Several petitions were filed in the Central Administrative Tribunal, Principal Bench, New Delhi inter alia claiming that the revised pension of the pre-2006 pensioners should not be less than 50% of the minimum of the pay band + grade pay, corresponding to the pre-revised pay scale from which pensioner had retired, as arrived at with reference to the fitted tables annexed to Ministry of Finance, Department of Expenditure OM No. 1/1/2008-IC dated 30th August, 2008. Hon’ble CAT, Principal Bench, New Delhi vide its common order dated 1.11.2011 in OA No.655/2010 and three other connected OAs directed to re-fix the pension of all pre-2006 retirees w.e.f. 1.1.2006 based on the Resolution dated 29.8.2008 of the Department of Pension & Pensioners’ Welfare and in the light of the observations of Hon’ble CAT in that order.

3. Orders were issued vide this Department’s OM of even number dated 28.1.2013 for stepping up of pension of pre-2006 pensioners w.e.f. 24.9.2012 to 50% of the minimum of pay in the pay band and grade pay corresponding to pre-revised pay scale from which the pensioner retired. Para 5 of this OM provides that in case the consolidated pension/family pension calculated as per para 4.1 of O.M. No.38/37/08-P&PW (A) dated 1.9.2008 is higher than the pension/family pension calculated in the manner indicated in the O.M. dated 28.1.2013, the same (higher consolidated pension/family pension) will continue to be treated as basic pension/family pension.

4. Subsequently, in compliance of the order dated 1.11.2011 of the Hon’ble CAT, Principal Bench in OA No. 655/2010, order dated 29.4.2013 of Hon’ble High Court of Delhi in WP (C) No. 1535/2012 and order dated 17.3.2015 of Hon’ble Supreme Court in SLP (C) No. 36148/2013, order were issued vide this Department’s OM of even number dated 30.7.2015 that the pension/family pension of all pre – 2006 pensioners/family pensioners may be revised in accordance with this Department’s O.M. No.38/37/08-P&PW(A) dated 28.1.2013 with effect from 1.1.2006 instead of 24.9.2012.
5. In accordance with the order issued in implementation of the recommendation of the 6th CPC, the pension of Government servants retired/retiring on or after 1.1.2006 has been delinked from qualifying service of 33 years. In OA No. 715/2012 filed by Shri M.O. Inasu, a pre-2006 pensioner, Hon'ble CAT, Ernakulam Bench, vide its order dated 16.8.2013 directed that the revised pension w.e.f. 1.1.2006 under para 4.2 of OM dated 1.9.2006 would not be reduced based on the qualifying service of less than 33 years. The appeals filed by Department of Revenue in the Hon'ble High Court of Kerala and in the Hon'ble Supreme Court have also been dismissed. Similar orders have been passed by Hon'ble CAT/High Court in several other cases also.

6. The matter has been examined in consultation with the Ministry of Finance (Department of Expenditure). It has now been decided that the revised consolidated pension of pre-2006 pensioners shall not be lower than 50% of the minimum of the pay in the Pay Band and the grade pay (wherever applicable) corresponding to the pre-revised pay scale as per fitment table without pro-rata reduction of pension even if they had qualifying service of less than 33 years at the time of retirement. Accordingly, Para 5 of this Department's OM of even number dated 28.1.2013 would stand deleted. The arrears of revised pension would be payable with effect from 1.1.2006.

7. Ministry of Agriculture, etc. are requested to bring the contents of these orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and Subordinate Offices under them for revising the pension of all those pre-2006 pensioners who had rendered less than 33 years of qualifying service at the time of retirement in the manner as indicated above on top priority. Revised Pension Payment Orders in all these cases may also be issued immediately.

8. All pension disbursing offices/banks are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

9. This issues with the approval of Ministry of Finance, Deptt. of Expenditure vide ID Note No. 2(9)/EV/2015, dated 15.3.2016.

10. Hindi version will follow.

(Seema Gupta)
Deputy Secretary to the Government of India

To

1. All Ministries/Departments of Government of India. (as per standard mailing list).
2. All SCOVA Members
3. All identified Pensioners Association

Copy to
(i) NIC Cell for uploading on the website of the Department
(ii) AD (OL), DoFPW for Hindi Version