

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION

W.P.(C). No _____ of 2024

IN THE MATTER OF:

Union of India & Ors

.....Petitioners

Versus

All India BSNL Pensioners Welfare
Association & Ors

.....Respondents

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Petitioners

New Delhi

Dated 21.03.2024

Through

 for.

Himanshu Pathak

Counsel for the Petitioners

Senior Panel Counsel

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Chamber No 29

Patiala House Court

New Delhi 110001

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IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

1.

IN THE MATTER OF:

Union of India & Ors

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All India BSNL Pensioners
Welfare Association & Ors

.....Respondents

URGENT APPLICATION

To,
The Registrar
Delhi High Court
New Delhi
Sir,

Kindly treat the accompanying Writ Petition as urgent one as per
High Court Rules as urgent relief is prayed for.

New Delhi
Date: 21/03/24

Petitioners

Through



HIMANSHU PATHAK
Counsel for the Petitioners

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

IN THE MATTER OF:

Union of India & Ors

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All India BSNL Pensioner's
Welfare Association & Ors

.....Respondents

NOTICE OF MOTION

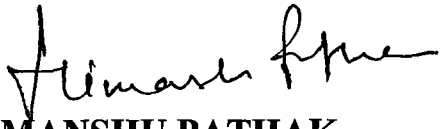
Take notice that the accompanying Writ Petition will be listed before the Hon'ble Court on _____ at 10:30/12 or so soon thereafter as may be convenient to the Hon'ble Court.

New Delhi

Date: 21/03/24

Petitioners

Through


HIMANSHU PATHAK
Counsel for the Petitioners

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

MEMO OF PARTIES

1. **Union of India,**
Through its Secretary,
Department of Telecommunications,
Sanchar Bhavan, No. 20,
Ashok Road, New Delhi- 110001
2. **The Department of Pension and Pensioners' Welfare,**
Through its Secretary,
Lok Nayak Bhavan,
Khan market, New Delhi- 110003
3. **Department of Expenditure**
Through its Secretary
129-A North Block,
New Delhi- 110001

...Petitioners

VERSUS

1. **All India BSNL Pensioners' Welfare Association**
Through its General Secretary,
Potharaju Gangadhara Rao,
S/o Late Sh. P. Sudharshanam, Aged about 72 years,
Residing at : No. 6 G No. 12th Street,
Jogupalaya, Halasuru, Bengaluru – 560008.
2. **Shri Ramankutty Nair PS,**
S/o Late R. Sivaraman Nair, Aged about 76 years,
Residing at TC 52/2369, CTO Colony,
Pappanamcode,
Thiruvananthapuram – 695018
3. **Shri Anupam Kaul,**
S/o Sh. Jagan Nath kaul, Aged about 66 years,
Residing at A-402, PMO Apartments,
C-58/20, Sector 62, Noida

4.. **V. Latha, W/o S Vijayan,**
Aged about 59 years
Residing at New 7 Old 44/2,
VV Colony First Street,
Adambakkam, Chennai – 600088

.... Respondents

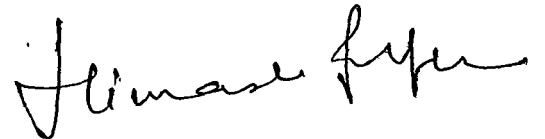
**WRIT PETITION UNDER ARTICLE 226 AND 227 OF
THE CONSTITUTION OF INDIA INTER ALIA SEEKING
ISSUANCE OF WRITS/ORDERS/DIRECTIONS IN
NATURE OF CERTIORARY TO QUASH/SET ASIDE THE
IMPUNGED ORDER/JUDGMENT DATED 20.09.2023
PASSED BY THE CENTRAL ADMINISTRATIVE
TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN O.A.
NO. 1329/2020 ALONG WITH CONNECTED MATTERS.**

New Delhi

Date: 21/03/24

Petitioners

Through



HIMANSHU PATHAK
Counsel for the Petitioners

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

IN THE MATTER OF:

Union of India & Ors

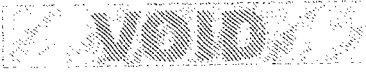


.....Petitioners

Versus

All India BSNL Pensioners
Welfare Association & Ors

.....Respondents

CONSOLIDATED COURT FEE

		AM 0000106587
GOVERNMENT OF NCT OF DELHI		
e-Court Fee		
		
DATE & TIME :	21-MAR-2024 14:50:42	
NAMES OF THE ACC/ REGISTERED USER :	SHCIL	
LOCATION :	PATIALA COURT	
e-COURT RECEIPT NO :	DLCT2101C24500261	
e-COURT FEE AMOUNT :	₹ 500	
	(Rupees Five Hundred Only)	
		
DLCT2101C24500261		
Statutory Alert : The authenticity of this e-Court fee receipt should be verified at www.shcilestamp.com . Any discrepancy in the details on this receipt and as available on the website renders it invalid. In case of any discrepancy please inform the Competent Authority. This receipt is valid only after verification & locking by the Court Official.		

6.

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

IN THE MATTER OF:

Union of India & Ors

.....Petitioners

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All India BSNL Pensioners
Welfare Association & Ors

.....Respondents

SYNOPSIS AND LIST OF DATES

By way of present writ petition the petitioners seeks to assail the order/judgment dated 20.09.2023 passed by the Central Administrative Tribunal, Principal Bench, New Delhi in three connected matters namely Original Application No. 1272/2020, 1271 of 2020 and 1329 of 2020.

The learned Tribunal by virtue of impugned order/judgment observed that the permanently absorbed employees of BSNL and MTNL will be treated at par with the Central Government Employees despite the fact that after absorption in the public sector undertaking, the terms and conditions of service governing absorbed employee were not to remain the same as in the case of Central Government Employees. The learned Tribunal hold that the benefit of 7th Central Pay Commission will also be applicable to the absorbed BSNL and MTNL employees and therefore the absorbed employee are entitled for revision of pension at par with Central Government Employees.

The respondent had filed the Original Application seeking direction of the Tribunal that to the effect that the respondents are entitled to have parity with Central Government pensioners in the

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matter of revision of pension on the same yardstick as granted to the Central Government Pensioners and to direct the petitioners herein to revise the pension of the members of the respondent association in terms of the recommendations of 7th Central Pay Commission.

The decision of the learned Tribunal is contrary to the record and settled law. It is stated that the learned Tribunal without any occasion & even without giving any reason completely ignored and sideline the judgment of co-ordinate benches on the similar & identical issues namely:

- a. *O.A. No. 346/2018 decided on 30.10.2019 by the Ernakulam Bench, Central Administrative Tribunal.*
- b. *O.A. No. 116-134/2018 decided on 27.11.2019 of the Bangalore Bench, Central Administrative Tribunal.*
- c. *O.A. No. 813/2017 decided on 11.01.2019 by Hyderabad Bench, Central Administrative Tribunal.*

Otherwise also; the impugned judgment is untenable because after absorption in BSNL, those employees ceased to be the Government Servant and they were deemed to have retired from the Service from the date of absorption as per Sub Rule 4 of Rule 37-A of CCS (Pension) Rules, 1972. As per sub-rule 8 of Rule 37-A of CCS (pension) Rules, 1972, these absorbed employees were only eligible for pensionary benefit on the basis of the combined service rendered by them with the Central Government and BSNL/MTNL in accordance with the formula for calculation of pension and family pension under CCS (Pension) Rule, 1972 at the time of their retirement from BSNL and MTNL. For the purpose of formula for calculation of pension under CCS(Pension) Rules, 1972, Sub-rule 2 of Rule 49 of CCS(Pension) 1972 states that in the case of a Government

servant retiring in accordance with the provisions of these rules after completing qualifying service of not less than ten years, the amount of pension shall be calculated at fifty per cent of emoluments or average emoluments, whichever is more beneficial to him. Sub-Rule 8 of Rule-37(A) of CCS(Pension) Rules, 1972 advocates the same spirit of Rule 49 for the purpose of formula for calculation of Pension. In the similar manner, the calculation of other retirement benefits such as Gratuity, Family Pension, Commutation of pension is to be done with the same formula that is accounted for Central Government Employees.

The term emoluments is specified in the Rule 33 of CCS(Pension) Rules, 1972 which states that The expression 'emoluments' means basic pay as defined in Rule 9 (21) (a) (i) of the Fundamental Rules which a Government servant was receiving immediately before his retirement or on the date of his death, whereas regarding average emoluments Rule 34 of CCS(Pension) Rules, 1972 states that Average emoluments shall be determined with reference to the emoluments drawn by a Government servant during the last ten months of his service. If the Sub-Rule 8 of Rule 37(A) of CCS(Pension) Rules, 1972 is applied together with the spirit of Rule 33, 34 and 49, pension of BSNL/MTNL combined service is to be calculated fifty percent of emoluments, which is last basic pay of the employee on Industrial Dearness Allowance (IDA) scales or average emoluments, which is more beneficial. In the similar way, amount of other retirement benefits i.e. Gratuity, Family Pension, Commutation of Pension is to be calculated on IDA scales with the same calculation formula used for Central Government Employees.

The permanent absorbed BSNL and MTNL employees cannot be treated at par with the Central Government employees because the terms and conditions of services, salary, allowances etc. are different and governed by different set of rules. Sub- Rule 7 of CCS(Pension) Rules, 1972 states that the employees including quasi-permanent and temporary employees but excluding casual labourers, who opt for permanent absorption in the Public Sector Undertaking shall, on and from the date of absorption, be governed by the rules and regulations or bye-laws of the Public Sector Undertaking. Therefore whatever the service conditions, allowances and other perks are to be decided that is under the domain of BSNL/MTNL.

The absorbed employees are only entitled for pension as stated above, however, they were not entitled for the revision of pension because there is no provision of revision of pension under the CCS (Pension) Rule, 1972. The respondent being the absorbed employee cannot claim revision of pension as a matter of right.

The learned Tribunal failed to appreciate that the Central Pay Commission is applicable to the Government Employees and are not for the employees of Central Public Sector Enterprises (CPSEs). The revision of salary of employee of the Central Public Sector Enterprises (CPSEs) is governed by the Pay Revision Committee Report, constituted by Department of Public Enterprises. The pay revision committee previously recommended wage revision for the employees of CPSEs w.e.f. 01.01.2017 vide Department of Public Enterprises Office Memorandum dated 03.08.2017. In case of BSNL and MTNL, pay and pension of BSNL/MTNL employees have already been

revised as per the recommendations of 2nd Pay Revision Committee. However, the benefit of the 3rd Pay Revision Committee has not yet been extended to the employees of BSNL and MTNL due to the affordability clauses cited in the recommendations of 3 Pay Revision Committee, as, BSNL and MTNL are continuously making financial losses. As, the pay revision of BSNL and MTNL employees has not yet been occurred, there is no fundamental need for Pension Revision, as there is absolute parity maintained between the serving employees of BSNL and MTNL and retired employees of BSNL and MTNL.

The Tribunal failed to appreciate that the respondents were given higher Industrial Dearness Allowances (IDA) pay scales as compared to their counter-parts in the Government Service receiving the pay scales on Central Dearness Allowances (CDA) pattern at the time of absorption and thereafter. In terms of salary and other allowances the respondents were always at the beneficial position in comparison to their counter-part government employees. At then considering the benefits etc. the respondents voluntarily on their own volition opted to get absorbed in BSNL and MTNL. It is stated that unfortunately on account of financial issues in BSNL and MTNL the report of 3rd PRC was not implemented and therefore salary of BSNL and MTNL employees has not yet been revised. Therefore, the retired absorbed employees of the BSNL and MTNL tried to have the financial benefit of the 7th CPC and lastly instituted the present matter, ignoring the fact that the Central Public Sector Enterprises Employees and Central Government Employees are altogether two different categories and governed with two different types of Pay scales i.e. CDA scales for Central

Government Employees and IDA scales for Central Public Sector Enterprises Employees. The Tribunal failed to observe that the respondents desire is to have the benefit of higher scales of PSU (IDA scales) and better pensionary award of Government by having the scales and fitment factors of the Government which are for Central Government Employees only and this cannot be allowed to choose what suits them at a particular juncture as the same is violation of rule of law.

Hence this writ petition.

LIST OF DATES & EVENTS

Dates	Particulars
01.10.2000	The BSNL was formed on 01.10.2000 by conversion of the erstwhile Department of Telecom Services (DTS) and Department of Telecom Operations (DTO) into a Public Sector Undertaking.
14.01.2002	The government employees in DTS & DTO were first transferred en-masse to BSNL on deemed deputation basis. The employees who were in deputation in BSNL were given option to either continue to be in government service or to seek permanent absorption in BSNL
01.06.2006	The revised rule of pension calculation as per 6 th Central Pay Commission (hereinafter referred as CPC) was made applicable to Government Pensioners who retired before 01.01.2006.
01.01.2007	Pursuant to 2 nd Pay Revision Committee Report (hereinafter referred as PRC), the pay of BSNL employee was revised.

15.03.2011	The benefits of revision of pay scale in PSU qua consequential benefit of revision of pension were extended to the retired ex-absorbed employee of BSNL who retired before 01.01.2007
04.08.2016	The OM issued by Ministry of Personnel, Public Grievances and Pension in respect of implementation of pension revision for pre 2016 government pensioners.
03.08.2017	<p>On the recommendations of the 3rd PRC on wage revision of employees of CPSEs, the Department of Public Enterprises(DPE) issued orders laying down the effective date of implementation, vide its OM No. 02/0028/2017-DPE (WC)-GL-XIII/17 dated 03.08.2017 wherein it was indicating that the revised pay scales of the Board Level and below board level executives and non- unionised supervisors would be implemented by issue of Presidential Directive in respect of each CPSE separately by the concerned Administrative Ministry/Department.</p> <p>However, the recommendation of 3rd PRC on wage revision of employees for employees in Central Public Sector Enterprises (CPSEs), as contained in DPE'S OM 02/0028/2017-DPE (WC)-GL- XIII/17 dated 03.08.2017 , which put the pre-condition of profitability of the PSU for its implementation, hence pay revision based on this OM could not be extended to the employees of BSNL with effect from 01.01.2017 as BSNL was recurring losses continuously year after year and the CPSU could not afford extra burden on revision of pay scales of its employees/executives.</p>

	As result thereof; the pay scales of the employees/executives of BSNL could not be revised with effect from 01.01.2017 on implementation of the recommendations of 3rd PRC and therefore, the pension/family pension of absorbed combined service pension optee of BSNL also could not be revised with effect from that date.
September 2020	The respondent had filed the OA seeking direction of the Tribunal that the respondents are entitled to parity with Central Government pensioners in the matter of revision of pension on the same yardstick as granted to the Central Government pensioners and to direct the petitioners herein to revise the pension of the members of the respondent association in terms of the recommendations of 7th CPC
	The Tribunal vide order/judgment dated 20.09.2023 in three connected matter namely Original Application No. 1272/2020, 1271 of 2020 and 1329 of 2020 allowed the petition.
	Since the impugned order is untenable in law hence this petition.

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

IN THE MATTER OF :

1.- Union of India,

Through its Secretary,
Department of Telecommunications,
Sanchar Bhavan, No. 20,
Ashok Road, New Delhi- 110001

2. The Department of Pension and Pensioners' Welfare,

Through its Secretary,
Lok Nayak Bhavan,
Khan market, New Delhi- 110003

3.- Department of Expenditure

Through its Secretary
129-A North Block,
New Delhi- 110001

...Petitioners

VERSUS

1. All India BSNL Pensioners' Welfare Associatio

Through its General Secretary,
Potharaju Gangadhara Rao,
S/o Late Sh. P. Sudharshanam, Aged about 72 years,
Residing at : No. 6 G No. 12th Street,
Jogupalaya, Halasuru, Bengaluru – 560008.

2. Shri Ramankutty Nair PS,

S/o Late R. Sivaraman Nair, Aged about 76 years,
Residing at TC 52/2369, CTO Colony,
Pappanamcode,
Thiruvananthapuram – 695018

3. Shri Anupam Kaul,

S/o Sh. Jagan Nath kaul, Aged about 66 years,
Residing at A-402, PMO Apartments,
C-58/20, Sector 62, Noida

4. **V. Latha, W/o S Vijayan,**
 Aged about 59 years
 Residing at New 7 Old 44/2,
 VV Colony First Street,
 Adambakkam, Chennai – 600088

.... Respondents

WRIT PETITION UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA INTER ALIA SEEKING ISSUANCE OF WRITS/ORDERS/DIRECTIONS IN NATURE OF CERTIORARY TO QUASH/SET ASIDE THE IMPUNGED ORDER/JUDGMENT DATED 20.09.2023 PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN O.A. NO.1329/2020 TITLED “ALL INDIA BSNL PENSIONERS WELFARE ASSOCIATION & ORS VERSUS UNION OF INDIA & ORS.”

MOST RESPECTFULLY SHOWETH:

1. That the present writ petition is preferred against the order/judgment dated 20.09.2023 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred as learned Tribunal) in three connected matters namely Original Application No. 1272/2020, 1271 of 2020 and 1329 of 2020 whereby, the Learned Tribunal had decided the aforesaid original applications in favour of the respondent herein.
2. That the respondents in aforesaid three connected matter were agitated similar grievance as they are all identically placed and seek identical reliefs; barring number of paragraphs and paginations, facts, circumstances and the issues in all the OAs were identical. Accordingly, the learned Tribunal had taken all the O.A(s) together for disposal and decided the same by a common order dated

20.09.2023. The impugned order dated 20.09.2023 is untenable in the eyes of law and is liable to be set aside. The certified copy of the impugned order dated 20.09.2023 passed by the Central Administrative Tribunal, Principal Bench, New Delhi is annexed herewith as **Annexure-P-1**.

3. The brief facts of the case necessary for adjudication of present petition are as under:

a. That the BSNL was formed on 01.10.2000 by conversing the erstwhile Department of Telecom Services and Department of Telecom Operation into a Public Sector Undertaking, whereas MTNL was formed on 01.04.1986 by conversing erstwhile Delhi and Mumbai Telephones units of DoT.

b. That the government employees in these departments were first transferred en-masse to BSNL/MTNL on deemed deputation basis. The employees who were on deemed deputation in BSNL and MTNL were given option to either continue to be in government service or to seek permanent absorption in BSNL/MTNL.

c. It is matter of record that:

i. At the time of absorption in the BSNL and MTNL the government had provided the provision for pension to the absorbed employees. However, the salary of absorbed employee would be independently regulated as per the norms & rules of PSU. The salary of PSU including BSNL and MTNL governed on IDA pattern and is regulated by Pay Revision Committee (PRC).

- ii. As matter of course at the time of absorption in the BSNL and MTNL, the salary of these absorbed employees is often more than that of government employee and the chances of number of promotion/ career progression were always better than the Government. Succinctly speaking; at the time of inception of BSNL and MTNL, the service there in was more lucrative as compared to the Government service therefore the employees opted for absorption in BSNL and MTNL.
- iii. Apart thereof; often the quantum of pension of absorbed employee of BSNL and MTNL remains on higher side as compared to the pension of their counterpart government employees.
- iv. At then in PSU, the scheme of pension to be paid from Government was not matter of right, however, at the time of inception of BSNL and MTNL, the pension to absorbed employees was offered as a special dispensation so that more employees can opt for absorption in BSNL and MTNL. Thus, the government employees finding better salary option along with pension in comparison to the counter-part Government employees opted for absorption in the BSNL/MTNL, on their own volition.
- d. It is stated that for those employees who opted for permanent absorption in BSNL, the Presidential Orders were issued in their favour laying down comprehensive terms and conditions of their

absorption in BSNL and MTNL in accordance with Rule 37-A of CCS (Pension) Rules, 1972.

- e. It is stated that after absorption in BSNL and MTNL, these employees, ceased to be the Government Servant and they were deemed to have retired from the Government service from the date of absorption as per Sub Rule 4 of Rule ibid. As per sub-rule 8 of Rule 37-A of CCS (pension) Rules, 1972, these absorbed employee were only eligible for pensionary benefit on the basis of the combined service rendered by them with the Central Government and BSNL in accordance with the formula for calculation of pension and family pension under CCS (pension) Rule, 1972 at the time of their retirement from BSNL.
- f. It is stated that pension is calculated on fifty percent of last pay drawn/emoluments or average emoluments for last 10 month of the service before retirement, whichever is beneficial for Government servant as per the Rule 44 of CCS(Pension) Rules, 2021. In case of Central Government Employee the pension is calculated on Central Dearness Allowance (CDA) pattern, as they receive their last pay at the time of retirement on CDA pattern, whereas in case of CPSEs, pension is calculated on IDA pattern, as they receive their last pay on IDA pattern. It is the matter of record that majority of IDA pensioners of BSNL and MTNL, more than 98 %, are getting

more pension comparing to their counterparts in Government who opted to remain in Government at the time of absorption.

- g. As per sub rule 9 & 10 of Rule 37A of CCS(Pension) Rules, 1972, the absorbed employee of BSNL and MTNL who retired after 01.10.2000 are getting pension and dearness relief thereon in IDA pattern on the basis of last pay/emoluments or last ten month average pay/average emoluments, whichever is more beneficial. The pension to absorbed employees of BSNL and MTNL is paid by Government as per Sub-Rule 22 of Rule ibid.
- h. In case of BSNL absorbed employees, who opted for combined service pension, IDA pension was made applicable with effect from 01.10.2000 onwards, whereas in case of MTNL group C & D employees, who opted for absorption in MTNL and pension on combined service, IDA pension was made applicable w.e.f. 01.11.1998 and for group A & B employees w.e.f. 01.10.2000. Therefore, the respondents herein are ex-absorbed combined services pension optees of BSNL and MTNL and they are getting their pension/family pension on IDA pattern from the Government as per Rule 37-A of CCS (Pension) Rules, 1972.
- i. This is the settled law that revision in pension is directly proportional to the increase in the Pay Scale. It is stated that in the year 2006 on

implementation of the recommendations of the 6th CPC, the pay scales of the Central Government Employee were revised and accordingly, pension of Central Government pensioners was also revised and benefits of recommendations of 6th CPC were also extended to Central Government Pensioners.

- j. That roughly after a year of implementation of the 6th CPC; on the recommendations of the 2nd Pay Revision Committee (PRC) on wage revision of employees of Central Public Sector Enterprises (CPSEs), the Department of Public Enterprises issued orders laying down the effective date of implementation, vide its OM No. 2(70)/08-DPE (WC)-GL-XVL/08 dated 26.11.2008 indicating that the revised pay scales of the Board Level and below board level executives and non-unionised supervisors would be implemented by issue of Presidential Directive in respect of each CPSE separately by the concerned Administrative Ministry/Department. The revised pay scales are to be effective from 01.01.2007.
- k. In case of PSU, the Board of Directors of each CPSE would be required to consider the proposal of pay revision based on their affordability to pay and submit the same to the Administrative Ministry/Department for approval. The concerned Administrative Ministry with the concurrence of its Financial Advisor is to issue the Presidential Directive. The revised pay scales for employees in

Central Public Sector Enterprises (CPSEs), as contained in DPE OM No.2(70)/08-DPE(WC)-GL-XVL/08 dated 26.11.2008 were extended to the employees of BSNL, with effect from 01.01.2007, vide letter No.26-01/2009-SU dated 27.02.2009 and in case of MTNL, benefits of pay revision as per DPE OM dated 26.11.2008 were extended to the employees of MTNL with effect from 01.01.2007 vide letter No. 11-1/2009-SU-II dated 13.05.2009.

- l. Thus as a result, employees who retired from BSNL and MTNL after 01.01.2007 started to get higher pension than the employees who retired before 01.01.2007. In another words, after revision of the pay scales, the employee who retired after such revision on revised pay scales started to get enhanced pension compared to the employee who retired before 01.01.2007 on pre-revised scales.
- m. Given, the conditions that there are no provisions related to revision of pension in Rule 37-A of CCS(Pension) Rules, 1972 , Government, in order to remove the anomaly in pension of those BSNL pensioners who retired between 01.10.2000 and 01.01.2007, revised the pension/family pension as per the recommendations of 2nd PRC and with the same fitment benefit that was given to the serving employees in wage revision, with the approval of Union Cabinet. Accordingly, necessary orders were issued, vide order No.40-

70/2008-Pen (T) (Vol.III) dated 15.03.2011). Thus, the benefits of revision of pay scale in PSU qua consequential benefit of revision of pension were extended to the retired ex-absorbed employee of BSNL who were retired before 01.01.2007. Similarly, the benefits of 2nd PRC recommendations were also extended to the MTNL Combined service Pensioners vide MTNL Office Order No. MTNL/IRW/21(119)/2004/317 dated 01.10.2012, after consultation with Department of Telecommunications.

- n. That pension being derivative of pay needs to be revised in line with the applicable last pay drawn of the existing pay scales. Making any deviation in the existing criteria of pension fixation may have grave repercussions.
- o. That as stated above the revision in pension is directly proportional to the increase in the Pay Scales. It is stated that in the year 2016 on implementation of the recommendations of the 7th CPC, the pay scales of the Central Government Employee were revised and accordingly, in order to remove anomaly between pre and post 7th CPC retirees, Government, extended the benefits of 7th CPC to the Central Government Pensioners.
- p. Later, on the recommendations of the 3rd PRC on wage revision of employees of CPSEs, the DPE issued orders laying down the effective date of implementation, vide its OM No. 02/0028/2017-

DPE (WC)-GL-XIII/17 dated 03.08.2017 wherein it was indicated that the revised pay scales of the Board Level and below board level Executives and Non- Unionised Supervisors would be implemented by issue of Presidential Directives in respect of each CPSE separately by the concerned Administrative Ministry/ Department. The revised pay scales are effective from 01.01.2017. The implementation would be from the date of issue of Presidential Directive. The Board of Directors of each CPSE would be required to consider the proposal of pay revision based on their affordability to pay and submit the same to the Administrative Ministry/Department for approval. The concerned Administrative Ministry with the concurrence of its Financial Advisor is to issue the Presidential Directive.

- q. However, the recommendations of 3rd PRC on wage revision for employees in Central Public Sector Enterprises (CPSEs), as contained in DPE'S OM 02/0028/2017-DPE (WC)-GL-XIII/17 dated 03.08.2017 could not yet be extended to the employees of BSNL and MTNL as BSNL and MTNL are continuously incurring losses and these PSUs are not fulfilling the affordability criteria as per the DPE OM dated 03.08.2017 for wage revision.
- r. As a result thereof, since there is no anomaly in the pension between pre and post 01.01.2017 combined service optee retirees, the

pension/family pension of combined service optee retirees of BSNL and MTNL who retired prior to 01.01.2017 could also be not revised with effect from that date.

- s. This was due to the fact that had the IDA pension of combined service pension optee of BSNL and MTNL pensioners/family pensioners been revised with effect from 01.01.2017 by adopting special provisions, an anomalous situation would have arisen as absorbed employees who retired or would retire from BSNL and MTNL after 01.01.2017, have to get lesser pension than those BSNL and MTNL IDA pensioners who had retired before 01.01.2017.
- t. Thus, since the pay scales of the BSNL and MTNL have not yet been revised there is no driving force that necessitates revision of pension of the retired employees.
- u. However, it was contended by the applicants that pursuant to the recommendations of the various Central Pay Commissions (CPCs), necessary benefits as recommended by the CPCs and accepted by the Government have also been extended in favour of the applicants except for revision of pensionary benefits pursuant to Pay Commission recommendations. Thus aggrieved by the same, the respondent sought the following relief(s) before the Tribunal:-

(a) Pass an Order directing the Telecommunications to revise the Department of pension/family pension/minimum pension w.e.f. 01.01.2017 for the BSNL combined service Pensioners, who were absorbed from DOT/DTS/DTO w.e.f. 01.10.2000 and retired prior to 01.01.2017 by applying the fitment formula on IDA pension as on 01.01.2017;

(b) Pass an Telecommunications Order directing the Department of to revise the pension/family pension/minimum pension w.e.f. 01.01.2017 for the BSNL combined service Pensioners, who were absorbed from DOT/DTS/DTO w.e.f. 01.10.2000 analogous to the revision of pension/family pension/minimum pension for the Central Government Pensioners based on the recommendations of the 7th Central Pay Commission;

(c) Pass an Order directing the Department Telecommunications to revise the pension for, BSNL combined service pensioners parallel to the revision of pension the Central government servants without linking with Pay revision in BSNL:

(d) Pass such other further order (s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case and in the interest of justice."

- v. That, the recommendations of various CPCs such as enhancing the ceiling limit of Gratuity was extended in favour of BSNL/MTNL absorbees due to the statutory rules i.e. Rule 37-A of CCS(Pension) Rules, which implies the retirement

benefits shall be calculated in the same manner, since, for these combined service absorbed employees, the calculation of gratuity is done on IDA scales with same formula as used in Central Government, the ceiling amount as enhanced in Central Government, was extended for them also. Similarly, facilities of CGHS to these absorbed pensioners were extended because of the sub-rule 22 of CCS(Pension) Rules, which mandates Government to pay the pension to these absorbed employees. As these employees receive pension from civil estimates, therefore as per the rules of CGHS, facility of CGHS was extended to these absorbed pensioners. However, it is worth to mention that these absorbed employees do not get the benefits of CGHS during their service time. So, whatever the benefits were extended to them are because of the statutory rule 37-A. There are various other recommendations also, which have not been extended in favour of the absorbed employees of BSNL and MTNL such as MACP, rate of dearness allowance (which is altogether different for BSNL and MTNL employees), date of increment etc. It is also worth to mention that minimum pension/family i.e. 9000/- as recommended by 7th Central Pay commission is also not applicable to these IDA pensioners, as their IDA scales are different.

- w. That it is matter of record that the retired absorbed BSNL and MTNL employees were always on the

beneficial position as compared to their counterparts in Central Government, as the IDA scales offered to them were higher to the existing CDA scales at the time of retirement and further they had better career opportunities in the PSU because of the time bound promotion policies of BSNL and MTNL. They were enjoying the more financial benefits till the PSU was a profitable institution. On account of financial loss and breakdown of BSNL/MTNL, the recommendations of 3rd PRC could not be extended to the BSNL and MTNL employees and thus the pay scales of these employees are not yet revised. Therefore; the retired absorbed employees demand unethical and illegal advantages by claiming benefit of revision of their pension as per 7th CPC withstanding the fact that 3rd PRC could not be implemented. The following table demonstrate the stated fact:

Parameters	Case : 1 Employee A who opted to remain in the Government in the year 2000	Case : 2 Employee B who opted to be absorbed in BSNL in year 2000
<u>Pay drawn before absorption process as on 30.09.2000.</u>	Assume, employee A was getting the pay of Rs. 5000 in the Government (CDA) pay scale of 4500-125- 7000.	Since, before the absorption process, employee B was also equivalent to employee A and was

		drawing Rs. 5000 in the Government (CDA) pay scale of 4500-125-7000.
<u>Pay drawn just after the absorption process in BSNL as on 01.10.2000.</u>	Since, employee A did not opt for absorption, he continued to draw Rs. 5000 in the CDA pay scale of 4500-125-7000	As, employee B opted for absorption in BSNL w.e.f. 01.10.2000. his CDA pay scale 4500-125-7000 was converted to IDA (PSU) pay scale of 6550-185-9325. And the pay of employee B was fixed to Rs. 7290 in the IDA(PSU) pay scale of 6550-185-9325.
<u>Pay revision</u>	After the absorption process in BSNL, the employee who remained in Government availed benefits of 6 th Pay Commission w.e.f. 01.01.2006 and 7 th Pay Commission w.e.f. 01.01.2016.	The employee B who opted for absorption in BSNL availed the benefit of 2 nd Pay revision committee w.e.f. 01.01.2007.
<u>Pay after</u>	Earlier pay (Rs.	Earlier pay

<u>respective pay revisions</u>	5000) of employee A was revised to Rs. 12100 w.e.f. 01.01.2006 in 6 th Central Pay Commission and Rs. 31900 w.e.f. 01.01.2016 in 7 th Central Pay Commission.	(Rs. 7290) of Employee B was revised to Rs. 16890 w.e.f. 01.01.2007 after wage revision as per 2 nd Pay revision Committee
<u>Assume both employees retired on 01.01.2017</u>	Basic pension of Employee A = $31900/2 = \text{Rs. } 15950/-$	Basic Pension of Employee B = $16890/2 = \text{Rs. } 8445/-$
<u>Gross Pension as on 01.01.2017</u>	Gross Pension of Employee A with Central Dearness relief 4% = $15950 \times 1.04 = \text{Rs. } 16588/-$ (Central Dearness Relief was 4% as on 01.01.2017.)	Gross Pension of Employee B with Industrial Dearness relief 119.5% = $8445 \times 2.195 = \text{Rs. } 18537/-$ (Industrial Dearness Relief was 119.5% as on 01.01.2017.)
<u>Conclusion</u>	It is clearly indicating that employee B is at advantageous stage to employee A who opted to remain in Government. It is also evident that employee A availed benefits of two central pay commissions whereas employee B availed benefits of only one wage revision, even thereafter, employee B is at advantageous stage.	

Assumptions : Annual increment in both the cases have not been accounted for. Career progression/Promotion avenues have also not been accounted in both the cases. If it is also accounted for, employee B would be at more advantageous stage as career progression in BSNL is comparatively better due to Executives Promotion Policy (EPP)/Non Executives Promotion Policy (NEPP).

- x. That the petitioner herein had filed the counter affidavit and contested the matter. The learned Tribunal vide order/judgment dated 20.09.2023 allowed the Original Applications and directed the petitioner herein *"to forthwith revise the pension and family pension wherever applicable, strictly in accordance with the relevant rules and the entitlement governing pension to various sets of employees of the Central Government, maintaining strict parity. It is clarified that the benefits of revision of pension and family pension as notified by the Central Government the recommendations of the Pay Commission, shall stand extended in favour of the applicants, analogous to the revision of such pension in case of Central Government pensioners"* The copies of the entire Tribunal record are annexed herewith as **Annexure P-2**.

4. It is submitted that the impugned order is not sustainable in the eye of law on the following amongst the other grounds:-

- A. **BECAUSE** the impugned order is based upon surmises and conjecture and passed in pre-determined manner. Apart thereof, the impugned

order is not sustainable and suffers from various infirmities both in law and fact, therefore, is liable to be set aside.

- B. **BECAUSE** it is settled law that a policy decision taken by Government is not liable to interference unless the court is satisfied that the rule making authority has acted arbitrarily or in violation of fundamental rights. Hon'ble Supreme Court of India has also laid down the guidelines that matters involving the policy issues are within the exclusive domain of executive and the same can be resolved only through an executive/administration related decision. The policy matters which have wider implications, Hon'ble Tribunal is to settle the point of law in rem before cautiously before pronouncing the decision on the individual representation.
- C. **BECAUSE** the impugned order leads to framing of a clause in the CPC i.e. policy itself which is in contravention of the law as settled by the Hon'ble Supreme Court of India. The impugned judgment leads to intervention in the policy making without any justified ground.
- D. **BECAUSE** the learned Tribunal failed to appreciate the moot question under consideration that whether without revision of the pay scale the pension could be revised or not. The Tribunal without any justified ground put unwanted huge financial burden on the Government of India.
- E. **BECAUSE** the learned Tribunal failed to appreciate that the prayers of the respondent in OA were

absurd. The implementation of order of the learned Tribunal leads to violation of the right to equality as enshrined under the Constitution of India.

- F. **BECAUSE** the learned Tribunal failed to appreciate that the CPC is applicable to the Government Employees notfor employees of Central Public Sector Enterprises (CPSEs). The Tribunal failed to appreciate that the respondentswere given higher IDA pay scale as compare to their counter-part in the Government Service receiving CDA pay scale.
- G. **BECAUSE** the learned Tribunal failed to appreciate that the DoP&PW issued OM dated 04.08.2016 revising pension/family pension of government pensioners who were drawing pension/family pension as on 31.12.2015 (pre-2016 pensioners/family pensioners). DOP&PW further issued OM dated 12.05.2017. Para 7 (a) of DoP&PW OM dated 04.08.2016 and para 12 of OM dated 12.05.2017 clearly indicates that when the Government servant on permanent absorption in PSU/s continue to draw pension from the Government separately, the pension of such absorbees will be updated in terms of these orders. These OMs are applicable to the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government only. Therefore, OM No. 38/37/2016-PPW (A) dated 12.05.2017 issued by DoP & PW consequent to the recommendations of the 7th

Central Pay Commission (CPC) revising the pension/family pension of pre-2016 pensioners/family pensioners are applicable to only Government pensioners/family pensioners and not applicable to ex-absorbed combined service pension optees of BSNL/MTNL i.e. the respondents herein.

H. **BECAUSE**, the learned Tribunal failed to appreciate that these combined service optees employees/pensioners of BSNL and MTNL had option to receive pro-rata pension based on their service in the Government at the time of absorption in PSU. However, the respondents on their own volition opted for combined service pension on IDA scale because of the assured and enhanced pension. Had they opted pro-rata pension on CDA scales, it would have already been revised on the recommendations of the Central Pay Commissions. Now they selectively are asking to revise their IDA combined service pension as per the recommendations of Central Pay Commission following the CDA pattern.

I. **BECAUSE** the learned Tribunal failed to appreciate that the General Terms and Conditions governing the absorption of erstwhile employees of the Department of Telecommunication into BSNL/MTNL wherein clause 5, which reads as under:-

Payment of Pension

The officers who opt for permanent absorption in BSNL would be governed by the provisions of Rule 37 - A of CCS (Pension) Rules, notification for

which was issued by the Department of Pension & Pensioners Welfare on 30.09.2000. For the purpose of reckoning emoluments for calculation of pension and pensionary benefits, the emoluments as defined in CCS (Pension) Rules, in PSU in the IDA pay scales shall be taken. Administrative

- J. **BECAUSE** the learned Tribunal failed to appreciate that as per CCS (Pension) Rule there is no provision for the revision of pension per se and that too in case where the pay scale is itself not implemented in favour of BSNL employees. Apart thereof after absorption in BSNL, those employees ceased to be the Government Servant and they were deemed to have retired from the Service from the date of absorption as per Sub Rule 4 of Rule 37-A of CCS (pension) Rules, 1972. As per sub-rule 8 of Rule 37-A of CCS (pension) Rules, 1972, these absorbed employee were eligible for pensionary benefit on the basis of the combined service render by them with the Central Government and BSNL in accordance with the formula for calculation of pension and family pension under CCS (Pension) Rule, 1972 at the time of their retirement from BSNL. Thus, the observance of the Tribunal in para 22 of the impugned order that “.....erstwhile employees of the Department of Telecommunication shall continue to be governed by their existing terms and conditions of the service which means that they shall continue to be treated as government servants for all intents and purposes.....” is contrary to record and therefore untenable.

K. **BECAUSE** the learned Tribunal failed to misread the Rule 37 (A) of CCS Pension Rules and therefore wrongly hold in para 23 of the impugned order that same terms and condition will be application without any qualification. Thus, in effect the learned Tribunal abolished the concept of deputation and absorption in government service.

L. **BECAUSE** the observance of the learned Tribunal in para 26 of the impugned order that "*We reiterate that even on their absorption in the corporate undertaking, the terms and conditions of services governing them were to remain the same as they existed when they are employees of the Department of Telecommunications. Further, these terms and conditions include pension and family pension and this has been expressly stated in the rules and several subsequent communications*" is contrary to record and therefore untenable.

M. **BECAUSE** the learned Tribunal failed to appreciate that on earlier occasion on the recommendations of 2nd PRC, the pay scale of the BSNL were revised and in order to remove the anomaly in pension of those BSNL and MTNL pensioners who retired between 01.10.2000 and 01.01.2007, approval of Union Cabinet was sought for revision of their pension and therefore the Government of India had granted the benefit to the employees who retired between 01.10.2000 and 01.01.2007.

N. **BECAUSE** the learned Tribunal failed to appreciate that employees of BSNL cannot claim revision of

pension even without revision of pay scale as matter of right as they ceased to be government employee with effect from date of permanent absorption.

O. **BECAUSE** the learned Tribunal wrongly observed in para 27 of the impugned order that the petitioners have ever made any promise for revision of pay as observed by the Tribunal. The said observation is contrary to record.

P. **BECAUSE** the learned Tribunal failed to appreciate that the counter-part employees of Central Government and the permanent absorbed employees of BSNL and MTNL cannot be treated at par with each other qua the salary and pension as both governed by different rules. The Tribunal failed to appreciate that the benefit of recommendation of CPC cannot be extended per se to the absorbed employees of BSNL.

Q. **BECAUSE** the learned Tribunal failed to appreciate that as alleged by the respondents that the all the benefit of 7th CPC except for revision of pension have been extended in favour of the respondent is factually incorrect.

R. **BECAUSE** the learned Tribunal failed to appreciate that the respondents had opted for absorption under a Public Sector Undertaking (PSU) and therefore they shall be governed under the provisions of salary, allowances and pension governing such public sector employees. The Tribunal failed to observe that the respondent desire is to have the benefit of higher scales of PSU and better

pensionary award of the Government and this cannot be allowed to choose what suits them at a particular juncture as the same is violation of rule of law.

S. **BECAUSE** the learned Tribunal failed to appreciate that respondents are seeking preferential treatment to the detriment of other employees of BSNL. The Tribunal failed to appreciate that the same organization cannot create two sets of employees in terms of financial benefits.

T. **BECAUSE** the learned Tribunal failed to appreciate that pension revision as per the recommendations of 2nd PRC was done to redress the anomaly in pension between past and future retirees of the BSNL employees, however, the Tribunal allowing the respondent's prayer created another set of anomalies because in respect of 3rd PRC the pay scales of the BSNL and MTNL employees have not revised yet as was in case of 2nd PRC.

U. **BECAUSE** the learned Tribunal without any occasion and without giving any reason ignored the judgment of co-ordinate bench on the similar issues namely

- a. O.A. No. 346/2018 decided on 30.10.2019 by the Ernakulam Bench, Central Administrative Tribunal.
- b. O.A. No. 116-134/2018 decided on 27.11.2019 of the Bangalore Bench, Central Administrative Tribunal.

c. RA No. 021/02/2019 in O.A. No. 813/2017,
decided on 11.01.2019 by Hyderabad Bench,
Central Administrative Tribunal.

In OA No. 116-134/2018 decided by Hon'ble CAT, Bengaluru bench on 21.11.2019, Hon'ble Tribunal observed that the retired employees of BSNL have not a pre-dominating right to claim parity because their existence and enhancement depends on commercial viability of their organization and not on the parity to be provided to the government employees universally across the board in Government service. Therefore, having elected to be in BSNL, they are now estopped by the implied promise that they had given to go by the BSNL tents and to grow on it, If the BSNL can not grow on it, naturally the employees will suffer a little diminishment. At this point of time they can not turn around and say that the DoT employees may have stolen a march over them. As they have already made their choice, they have to abide by it.

Whereas, in OA No. 813/2017 Hon'ble CAT, Hyderabad bench observed that being a BSNL employee the applicant cannot compare himself with DoT employee and allege discrimination. One is a Govt. Department and the other is a PSU. Therefore no parallels can be drawn in regard to the issue in question. To sum up, the applicant is not a Government employee and hence he does not come under the ambit of 7th CPC.

5. That the petitioner has not filed any other petition before this Hon'ble Court or any other court challenging the impugned order.

6. That there is no other efficacious and statutory remedy available qua the order passed by and therefore this Writ Petition is filed.
7. That this Hon'ble Court has jurisdiction to entertain the present writ petition as the impugned judgment/order has been passed at Delhi by the Central Administrative Tribunal, Principal Bench, Delhi.
8. That there is no undue delay and laches in filling the present writ petition. The impugned order was passed on 20.09.2023. After getting approval from the department, the petitioners sought legal opinion and thereafter the file was sent to Litigation Branch, Delhi High Court for appointment of the Counsel. The department gets the certified copy of entire record on _____ and accordingly handed over the same to the Counsel. Since the records are voluminous and all the connected three matter runs into more than thousand pages, therefore, conferences, discussion, research and draft work takes some time. The counsel sends the draft petition for vetting on 27.12.2023. The petitioners send the draft petition on ^{19/03/24}_____ for filling.
9. That the annexure are certified copy of the Original.


PRAYER

In view of the above-mentioned facts and circumstances of the case, it is most respectfully prayed before this Hon'ble Court that this court may graciously be pleased to:

- a. issue the Writs/Orders/Directions in nature of Certiorari, thereby quashing or setting aside order/judgment dated 20.09.2023 passed by the Central Administrative Tribunal,


Principal Bench, New Delhi (hereinafter referred as Tribunal) in Original Application No. 1329/2020 titled "*All India BSNL Pensioners Welfare Association & Ors Versus Union Of India & Ors*".

- b. Pass any other appropriate order/direction which this Hon'ble Court deem fit and proper in the favour of petitioners and against the respondents.


रवि कुमार चौधरी / RAVI KUMAR CHAUDHARY
सहायक नियंत्रक / Asstt. Controller
कार्यालय प्रधान नियंत्रक, प्रसाद नगर / O/o. PR. CCA
प्रसाद नगर, नई दिल्ली-110005
Prasad Nagar, New Delhi-110005

New Delhi
Date: 21/03/24

Through


(HIMANSHU PATHAK)
Advocate
Counsel for the Petitioners

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

IN THE MATTER OF:

Union of India & Ors

.....Petitioners

Versus

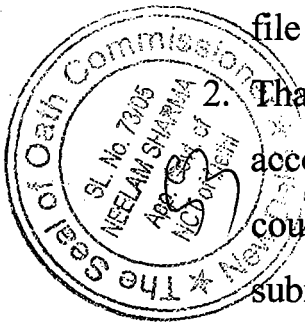
All India BSNL Pensioners
 Welfare Association & Ors

.....Respondents

AFFIDAVIT

I, Ravi Kumar Chaudhary S/o Shri Raj Kumar Chaudhary aged about 31 years working as Assistant Controller of Communication Accounts, O/o Principal Controller of Communication Accounts, Department of Telecommunications, Sanchar Lekha Bhawan, New Delhi-110005 do hereby solemnly affirm and declare as under:-

1. That I am well conversant with the facts and circumstances of this case as per official records and duly authorized to file this affidavit on behalf of all the petitioners No. 1 to 4.



2. That I have read over and understand the contents of the accompanying Writ Petition, which has been drafted by the counsel on my instructions and the statement of facts and submissions made therein are true and correct to my knowledge and the same be read as part and parcel of the affidavit to avoid repetition. The legal submissions made therein are as per advice received and believed to be correct.
3. That contents of synopsis and list of date and events qua deponent are true and correct to my knowledge.

4. That the factual averment made qua the petitioner from para 1 to 3 of writ petition are true and correct to my knowledge.

5. That the ground and legal averment made to para 4 to para 9 and the Prayer is based on the legal advice which I believe to be correct.

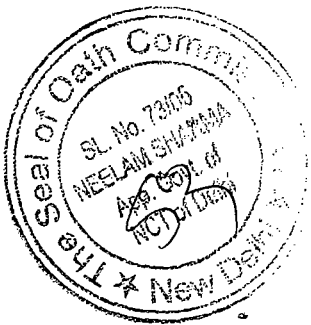
6. That the annexure qua the deponent annexed with the Writ Petition are true copies of respective originals.

Ravi
रवि कुमार चौधरी / RAVI KUMAR CHAUDHARY
सहायक नियंत्रक / Asstt. Controller
कार्यालय प्रधान नियंत्रक सचिव लेखा / O/o. PR. CCA
प्रसाद नगर, नई दिल्ली-110005
Prasad Nagar, New Delhi-110005

VERIFICATION

20 MAR 2024

Verified at New Delhi, on this _____ that the contents of paras 1 and 6 of the above affidavit are true and correct to my knowledge. Nothing is false and nothing material has been concealed therefrom.



Ravi
रवि कुमार चौधरी / RAVI KUMAR CHAUDHARY
सहायक नियंत्रक / Asstt. Controller
कार्यालय प्रधान नियंत्रक सचिव लेखा / O/o. PR. CCA
प्रसाद नगर, नई दिल्ली-110005
Prasad Nagar, New Delhi-110005

Arman K
I identified the deponent who has signed in my presence

CERTIFICATE THAT THE DEPENDENT
SIGNATURE
ON 20 MAR 2024
At _____
Before me
On 20 MAR 2024
That the content of the affidavit which have been
read & explained to him/her are true & correct to
his/her knowledge.

Ravi
Arman K

Oath Commissioner, New Delhi

20 MAR 2024

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1272/2020
M.A. No. 1581/2020,
M.A. No. 76/2020,
M.A. No. 1582/2020

With

O.A. No. 1271/2020 &
O.A. No. 1329/2020

Reserved on : 24.08.2023
Pronounced on : 20.09.2023

Hon'ble Mr. Tarun Shridhar, Member (A)
Hon'ble Mrs. Pratima K. Gupta, Member (J)

OA No 1272/2020

1. All India Retired Bharat Sanchar Nigam Limited
Executive Welfare Association
Through its General Secretary
Shri Prahlad Rai
Registration Number: S/00108/NE-12010 C-8/230,
Having its registered office at:
8/230, Yamuna Vihar,
Delhi-110053

2. Sanchar Nigam Pensioners Welfare Association
Through its General Secretary
Shri Girdhari Lal Jogi
Having its office at:
SNEA Bhawan, B-11/1&2, Ground Floor,
Opp. to Sanatan Dharma Mandir.
Ramesh Nagar, New Delhi-110015

**3. Shri Ashim Kumar Dey****Group: B****Designation: Ex. Accounts officer, Calcutta
Telephones, BSNL****Aged about 68 years****S/o Late Shri Ramendra Nath Dey****R/o Kingshuk Apartment, 3rd Floor, Flat-
7, 344 Parnashree Pally, Kolkata -700060****4. Shri Subhas Chandra Mitra****Group: C****Designation: Ex TTA, Calcutta Telephones, BSNL****Aged about 71 years****S/O Late Shri Prafulla Chandra Mitra****R/o 22 Hind Road, Flat 6, 3rd Floor
New Santoshpur, Kolkata- 700075****5. Shri Gopal Chandra Naskar****Group: D****Designation: Ex Canteen Bearer, Calcutta
Telephones, BSNL****Aged about 66 years****S/o Late Shri Bhusan Chandra Naskar****R/o 41/A Biren Roy Road (East),
Kolkata -700008****6. Shri Rajendra Singh****Group: B****Designation: Ex SDE****Aged about 65 years****S/o Late Shri Sohan Singh****R/o 43, Shahbad Ext (Gail-2), Sector 17,
Rohini, Delhi- 110081**



7. Shri Kiran Kumar Prabhakar

Group: B

Designation: Ex SDE

Aged about 67 years

S/o Late Shri M. L. Prabhakar

R/o Flat no 201, 2nd Floor, BSNL Govt. Employee

Diamond CGHS LTD., Plot no GHS-07,

Sector 65, Bullabgarh,

Faridabad 121004

8. Shri S. Sundara Murthy

Group: C

Designation: Telecom Mechanic

Aged about 66 years

S/o Shri Saminathan

R/o 28, Tirupatcheeswaran, Ayanavaram,

Chennai - 4000023

....Applicants

[By Advocate : Ms. Gauri Puri and Ms. Aditi Gupta]

VERSUS

1. Union of India, •

Through its Secretary,

Department of Telecommunications,

Sanchar Bhavan, 20, Ashok Road,

New Delhi- 110001

2. Bharat Sanchar Nigam Ltd.

Through its CMD,

Having its registered office at:



O.A. No. 1272/2020, 1271/2020, 1329/2020



Bharat Sanchar Bhawan,
Harish Chandra Mathur Lane, Janpath,
New Delhi-110001

3. Department of Pension & Pensioners' Welfare
Through its Secretary
3rd Floor, Lok Nayak Bhawan,
Khan market,
New Delhi- 110003

4. Department of Public Enterprises
Through its Secretary
Public Enterprises Bhawan
Block No.14, CGO Complex,
Lodhi Road,
New Delhi- 10003

.... RESPONDENTS

[By Advocate : Mr. R.V. Sinha and Mr. Amit Sinha for R-2, Mr.
S.N. Verma]

OA No 1271/2020

1. Retired Telecom Officers' Welfare Association,
New Delhi
Through its General Secretary
Shri Shyam Sunder Nanda
Registration Number: S/57799/2007
Having its registered office at:
C-20, Mukhram Garden
Tilak Nagar, New Delhi -110018



2. Retired Telecom Officers' Welfare Association,
Mumbai

Through its President

Shri K. Jawahar

Registration Number: F-37187 / Mumbai of 2008

Having its office at:

402, Gayatri Avenue, 90' Road, Thakur Complex,

Kandivali (E)

Mumbai-400 101

3 MTNL Pensioners' Welfare Association,
Mumbai

Through its General Secretary

Shri Sadanand Mahadev Sawant

Having its office at:

1st Floor, Sai Ganesh Niwas,

Shivaji Nagar, S.R. Marg, Ville Parle (E)

Mumbai- 400057

4. Shri Ranbir Singh

Group: B

Designation: SDE, MTNL

Aged about 63 years

R/o A-502, Prince Apartment, Plot No. 54

I.P. Extension, Delhi - 110092

5. Shri Manish Kumar Bagchi

Group: B

Designation: SDE, MTNL

Aged about 76 years

S/o Late Shri Sachindra Narayan Bagchi

R/o A-106, U/G Floor, Shankar Garden,



New Delhi -110018

6. Shri Rajendra Kumar

Group: B

Designation: SDE, MTNL

Aged about 67 years

S/o Late Shri R.D. Mudgal.

R/o G-3/83, Sector -11, Rohini, Delhi - 110085

7. Shri Ajay Kumar Kapoor

Group: B

Designation: A.O., MTNL

Aged about 64 year

C-103, 11th Floor, Kunj Vihar C.G.H.S. Ltd., Plot

No. 19, Sector- 12, Dwarka,

New Delhi-110075.

8 Shri Badri R. Pathak

Group: B

Designation: SDE

S/o Rameshwar Pathak

Aged about 70 years,

R/o G-104, shri Swami Samarth CHS.,

Bedurkar Pata, Near Hindustan Bank,

Kalyan (W)

Mumbaj- 421301

9. Shri Janardan Singh Yadav

Group: B

Designation: Deputy Manager, MTNL

Aged about 65 years

S/o Jagannath Chaudhury

R/o Residing at A-402, Gayatri Avenue,



90 Road, Thakur Complex, Kandivali (E)
Mumbai-400 101

10. Shri Virendra Singh

Group: B

Designation: Deputy Manager, MTNL

Aged about 64

S/o Ajab Singh

R/o B-202, Mangal Murti Apartment,

Nalasopara Virar Link Rd,

Moregaon, Nalasopara (E) asai-401 209,

11. Shri Kishore A. Haldankar

Group: C

Designation: Sr. TOA(G), MTNL

Aged about 64 years

S/o Late Ankush Sahdev Haldankar

R/o 9/16, Topiwala Lane, D.B. Marg,

Mumbai- 400007

12. Shri Eknath Maruti Rajpure

Group: C

Designation: Sr. TOA(P), MTNL

Aged about 58 years

S/o Late Maruti Shankar Rajpure

R/o 1/109, Gharkul Building, NM Joshi Marg,

1st Cross Lane, Byculla (West)

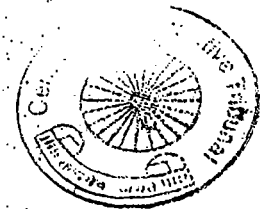
Mumbai- 400011


13. Shri Shrinath Kisun Yadav

Group: C

Designation: Works Assistant, MTNL

Aged about 62 years





S/o Late Kisun Yadav
R/o 14/15, Shyamraj Yadav Chawl,
Behram Bagh, Jogeshwari (W),
Mumbai- 400102

.....Applicants

[By Advocate : Ms. Gauri Puri and Ms. Aditi Gupta]

VERSUS

1. Union of India,
Through its Secretary,
Department of Telecommunications,
Sanchar Bhavan, 20, Ashok Road,
New Delhi- 110001
2. Mahanagar Telephone Nigam Limited
Through its CMD,
Having its registered office at:
Bharat Sanchar Bhawan,
Harish Chandra Mathur Lane, Janpath,
New Delhi-110001.
3. Department of Pension & Pensioners' Welfare
Through its Secretary
3rd Floor, Lok Nayak Bhawan,
Khan market,
New Delhi- 110003
4. Department of Public Enterprises
Through its Secretary
Public Enterprises Bhawan
Block No. 14, CGO Complex,



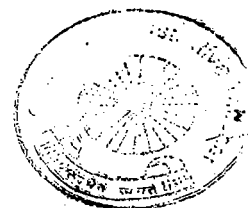
Lodhi Road,
New Delhi- 10003

... RESPONDENTS

[By Advocate : Mr. S.N. Verma]

OA No 1329/2020

1. All India BSNL Pensioners' Welfare Association
Represented by General Secretary,
Potharaju Gangadhara Rao,
S/o Late Sh. P. Sudharshanam,
Aged about 72 years,
Residing at : No. 6 G No. 12th Street,
Jogupalaya, Halasuru,
Bengaluru - 560008.
2. Shri Ramankutty Nair PS,
S/o Late R. Sivaraman Nair,
Aged about 76 years,
Residing at TC 52/2369, CTO Colony,
Pappanamcode,
Thiruvananthapuram - 695018
3. Shri Anupam Kaul,
S/o Sh. Jagan Nath kaul,
Aged about 66 years,
Residing at A-402,
PMO Apartments,
C-58/20, Sector 62, Noida
4. V. Latha,
W/o S Vijayan,



O.A. No. 1272/2020, 1271/2020, 1329/2020



Aged about 59 years
Residing at New 7 Old 44/2,
VV Colony First Street,
Adambakkam,
Chennai - 600088

....Applicants

[By Advocate : Mr. Sanjoy Ghose, Senior Advocate assisted by
Mr. Gautam Narayan, Ms. Asmita Singh, Mr. Rohan Mandal,
Mr. Harshit Goel, Ms. Akriti Arya and Mr. Siddhant Singh]

VERSUS

1. Union of India,
Represented by its Secretary,
Department of Telecommunications,
Sanchar Bhavan, No. 20, Ashok Road,
New Delhi- 110001

2. The Department of Pension and Pensioners' Welfare,
Represented by its Secretary,
Lok Nayak Bhavan,
Khan market,
New Delhi- 110003

3. Department of Expenditure
Represented by its Secretary
129-A North Block,
New Delhi- 110001

..... RESPONDENTS

[By Advocate : Mr. R.V. Sinha and Mr. Amit Sinha for R-4, Mr.
N.D. Kaushik]



ORDER

Hon'ble Mr. Tarun Shridhar, Member (A)

In all these O.A(s), the applicants are agitating similar grievance as they are all identically placed and seek identical reliefs; barring number of paragraphs and paginations, facts, circumstances and the issues in all the OAs are identical. Accordingly, with the request and consent of learned counsel for the parties, all the O.A(s) have been taken up together for disposal and these are being decided by a common order. However, facts of only OA No. 1272/2020 are being discussed.

2. Arguments on behalf of the applicants have been collectively put forth, led by Mr. Sanjay Ghosh, learned Senior Advocate, assisted by Mr. Gautam Narayan, Ms. Asmita Singh, Mr. Rohan Mandal, Mr. Harshit Goel, Ms. Akriti Arya and Mr. Siddhant Singh in OA No. 1329/2020 and Ms. Gauri Puri and Ms. Aditi Gupta in OA No. 1272/2020 and OA No. 1329/2020.

3. Arguments on behalf of the respondents have been collectively led by Mr. S.N. Verma, Mr. N.D. Kaushik and Mr. R.V. Sinha, assisted by Mr. Amit Sinha.

4. The applicants were erstwhile employees of the Department of Telecom (DoT), Government of India. The

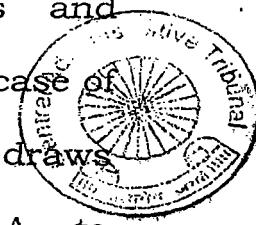
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terms and conditions of their service were in accordance with the service rules applicable upon regular government employees. Subsequent to the corporatization leading to creation of Bharat Sanchar Nigam Limited (BSNL) and Mahanagar Telephone Nigam Limited (MTNL) their services were placed at the disposal of these two organizations.

5. The background and history of the case as briefly explained by Shri Sanjay Ghosh, learned senior advocate for the applicants is that at the time of their initial placement and absorption in BSNL and MTNL, it was stipulated that they shall continue to be governed by the terms and conditions of service as were applicable upon them in their capacity as government servants prior to corporatization.

6. Learned counsel clarifies that the terms and conditions which were to remain in operation in the case of the applicants included pensionary benefits; he draws attention to the documents annexed to the O.A. to substantiate this claim. He further informs that pursuant to the recommendations of the various Central Pay Commissions (CPCs) necessary benefits as recommended by the CPCs and accepted by the Government have been



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extended in favour of the applicants except for revision of pensionary benefits pursuant to Pay Commission recommendations. Aggrieved by the same, they seek the following relief(s) by way of the present O.A.:-

"(a) Pass an Order directing the Department of Telecommunications to revise the pension/family pension/minimum pension w.e.f. 01.01.2017 for the BSNL combined service Pensioners, who were absorbed from DOT/DTS/DTO w.e.f. 01.10.2000 and retired prior to 01.01.2017 by applying the fitment formula on IDA pension as on 01.01.2017;

(b) Pass an Order directing the Department of Telecommunications to revise the pension/family pension/minimum pension w.e.f. 01.01.2017 for the BSNL combined service Pensioners, who were absorbed from DOT/DTS/DTO w.e.f. 01.10.2000 analogous to the revision of pension/family pension/minimum pension for the Central Government Pensioners based on the recommendations of the 7th Central Pay Commission;

(c) Pass an Order directing the Department of Telecommunications to revise the pension for BSNL combined service pensioners parallel to the revision of pension of Central government servants without linking with Pay revision in BSNL;

(d) Pass such other further order (s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case and in the interest of justice."

7. Learned senior counsel also draws attention towards a communication dated 08.03.2019 placed at page 245 of

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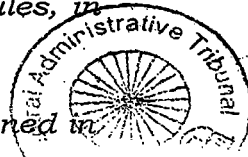
the convenience compilation which is a communication from the Department of Pensions and Public Grievances seeking clarification from the DoT as to why benefit of revision of pension is not being extended to these employees.

8. Learned counsel refers to the General Terms and Conditions governing the absorption of erstwhile employees of the Department of Telecommunication into BSNL/MTNL. Particular attention is drawn to clause 5, which reads as under:-

"5. Payment of Pension

The officers who opt for permanent absorption in BSNL would be governed by the provisions of Rule 37 - A of CCS (Pension) Rules, notification for which was issued by the Department of Pension & Pensioners Welfare on 30.09.2000. For the purpose of reckoning emoluments for calculation of pension and pensionary benefits, the emoluments as defined in CCS (Pension) Rules, in RSU in the IDA pay scales shall be taken.

DOT has already clarified that the word "formula" mentioned in clause 8 of Rule 37 -A means payment of pension as per Government Rules in force at that time. BSNL will not dismiss/ remove an absorbed officer without prior approval of the Administrative Ministry/Department."



9. Learned counsel would argue that in view of the unambiguous provision contained in the said clause, the respondents cannot absolve themselves of the obligation of

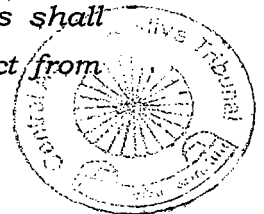
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making an appropriate revision of the pension of the applicants in accordance with such a revision which has been extended in favour of regular government pensioners. Further attention is drawn to a notification dated 21.12.2012 vide which Central Civil Services (Pension) Rules have been amended. The amendment to Rule 37A of the CCS (Pension) Rules has been done vide Rule 10 of the Amendment Rules, the relevant extracts of which reads as under:-

"37A. Conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Public Sector Undertaking. -

(1) On conversion of a department of the Central Government into a Public Sector Undertaking, all Government servants of that Department shall be transferred en-masse to that Public Sector undertaking, on terms of foreign service without any deputation allowance till such time as they get absorbed in the said undertaking, and such transferred Government servants shall be absorbed in the Public Sector Undertaking with effect from such date as may be notified by the Government."



"(21) Nothing contained in sub-rules(13) to (20) shall apply in the case of conversion of the Departments of Telecom Services and Telecom Operations into Bharat Sanchar Nigam Limited, in which case the pensionary benefits including family pension shall be paid by the Government."

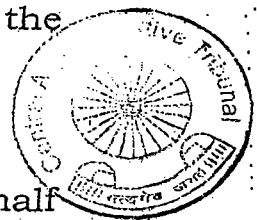
10. Learned counsel would argue that it may be noted that a specific provision has been placed in the said

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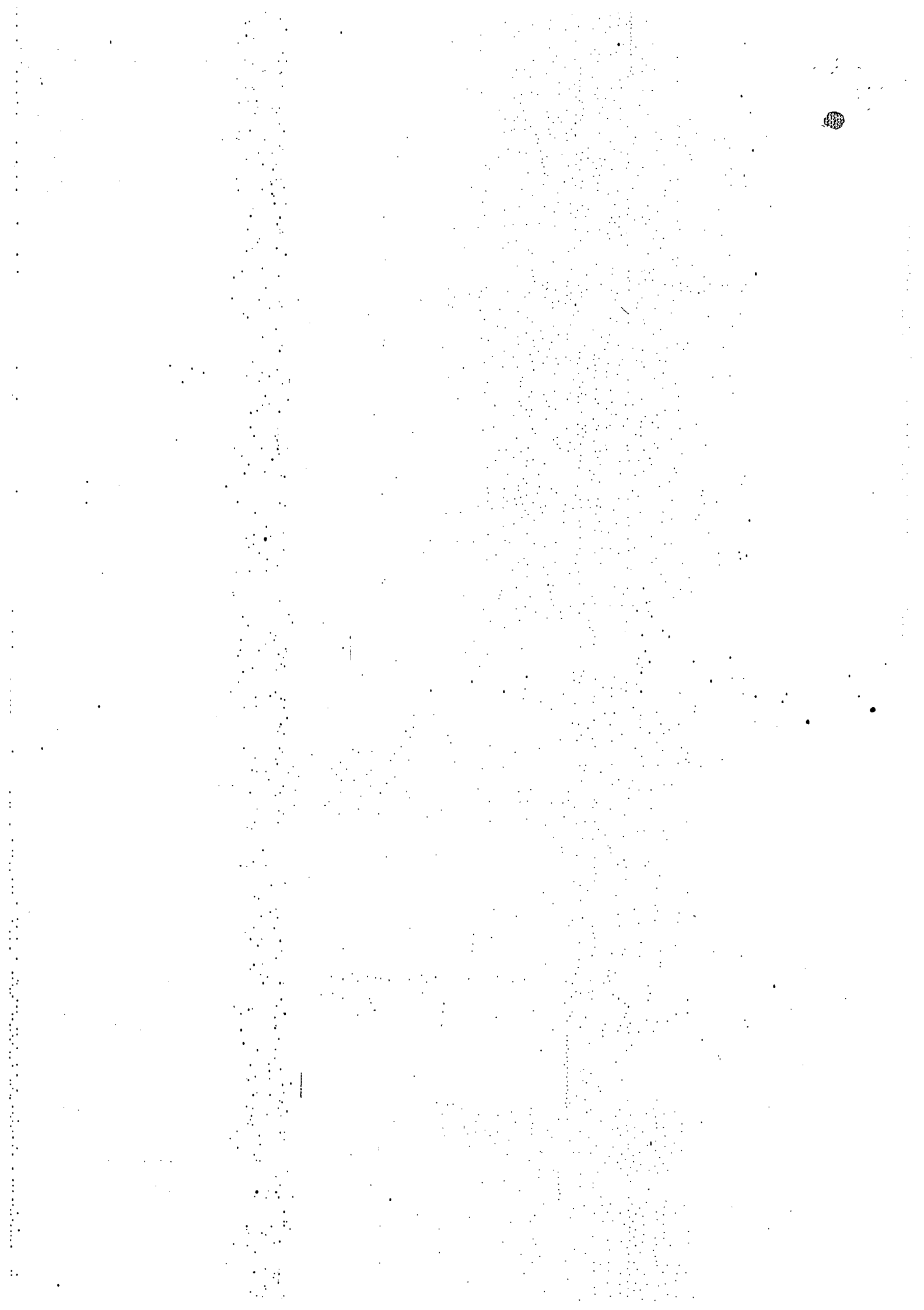
amendment rules with respect to those employees who were absorbed in BSNL from the Department of Telecommunication (DOT). The amendment categorically states that the liability of pension in case of such employees vests with the Government through the concerned Ministry.

11. Learned counsel reiterates the arguments put forth previously that the Ministry of Personnel, Pensioners and Public Grievances under the DoP&T had also categorically sought a clarification from DOT as to why the benefit of revision of pension was not extended in favour of employees who have been absorbed in BSNL/MTNL from DoT. He has clarified that pursuant to the recommendations of the 7th CPC all other benefits except for revision of pension have been extended in favour of the applicants.



12. Mr. R.V. Sinha, learned counsel appearing on behalf of respondent No. 2 (MTNL in O.A. No. 1272/2020) submits that the liability of pension is to be borne by the Government of India and in this case the relief being sought is directed towards respondent No. 1.

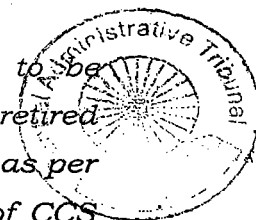
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13. Mr. SN Verma, learned counsel for the respondents submits that showing any indulgence to the claim of applicants is going to result in discrimination against another set of employees of BSNL/MTNL. Further, what the applicants seeks is a benefit of both the Government as also the PSU. Once they had consciously opted for absorption under a Public Sector Undertaking (PSU), they shall be governed under the provisions of salary, allowances and pension governing such public sector employees. He argues that, in fact, what the applicants desire is the benefit of higher scales of PSU and better pensionary award of the Government. And they cannot be allowed to choose what suits them at a particular juncture, he submits. He draws strength from the averments made in the counter-reply, specifically, in para 2 and 3, which read as under :

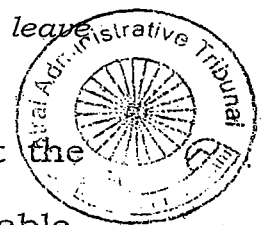
2. After absorption in BSNL, these employees ceased to be Government servants and they were deemed to have retired from Government service from the date of their absorption as per Sub-rule 4 of Rule *ibid*. As per Sub-rule 8 of Rule 37-A of CCS (Pension) Rules, 1972, these absorbed employees were eligible for pensionary benefits on the basis of the combined service rendered by them with the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL. The absorbed employees of BSNL, who retired after 01.10.2000 got pension and dearness relief thereon





in IDA pattern on the basis of last pay or last ten months' average pay, whichever is more beneficial, as per Sub-Rules 9 & 10 of Rule *ibid*. The pension to absorbed employees of BSNL is paid by Government as per Sub-rule 21 of Rule *ibid*.

3. In case of BSNL absorbed employees, IDA pension was made applicable with effect from 01.10.2000 onwards. Therefore, the applicants of the present OA are ex-absorbed combined services pension optees of BSNL and they are getting their pension/family pension in IDA pattern from Government as per Rule 37-A of CCS (Pension) Rules, 1972 (Annexure A-4 of the OA). Subsequently, on implementation of the recommendations of the 6th CPC, DoP&PW issued OM dated 01.09.2008 and 02.09.2008 revising pension/family pension of Government pensioners/family pensioners, who were drawing pension/family pension as on 31.12.2005 (pre-2006 pensioners/family pensioners) and revised rules for grant of pension/Gratuity and Commutation of Pension etc. for Government employees retiring after 01.01.2006 (post-2006 pensioners). However, a substantial number of its recommendations, as contained in DOP&PW's OM No.38/37/08-P&PW(A) dated 01.09.2008, were extended and made applicable to the BSNL DA pensioners also with effect from 01.01.2006, viz (i) calculation of pension, (ii) additional pension with maturity of age, (iii) qualifying service for full pension (iv) commutation (v) limit of gratuity (vi) family pension (vii) leave encashment amount etc.



14. Mr. ND Kaushik, learned counsel submits that the relief being sought by the applicants is not maintainable.

Drawing strength from the averments made in the counter reply he too argues that what the applicants are seeking is preferential treatment to the detriment of other employees of BSNL and the same organisation cannot and should not

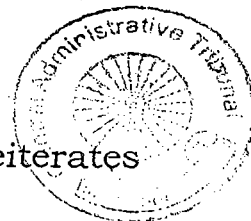
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create two sets of employees in terms of financial benefits. Assisted by Mr. Raj Kumar, Director (Establishment) in the Department of Telecommunication, he clarifies that right now BSNL is not in a position to bear the financial liability of pension and in case, the relief sought for by the applicants is awarded in their favour, similar demand on the ground of discriminatory treatment is likely to be raised by other BSNL employees, thus, placing unbearable financial burden on BSNL, which is already reeling under losses.

15. Learned counsel appearing on behalf of BSNL and MTNL submit that in terms of the relief sought and the rules governing the same, the issue is to be decided by the Government and in case there is a financial liability, the same is to be borne by the Government. BSNL and MTNL have neither any role to play nor any responsibility / obligation to discharge.

16. Mr. Sanjoy Ghose, learned senior counsel reiterates that the claim preferred by the applicants in this O.A. is fully covered under the Central Civil Services (Pension) Amendment Rules 2000, wherein Rule 37 A has been inserted. He argues that while provision for a pension fund to be managed by a trust has been incorporated in the said





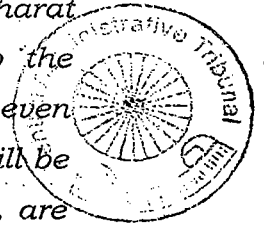
Amendment Rules, there is a specific dispensation with respect to the erstwhile employees of Department of Telecommunications who was absorbed in BSNL. He again quotes Rule 21 of the said Rules which, though quoted earlier, is reproduced as under:-

"(21) Nothing contained in sub-rules (12) to (20) shall apply in the case of conversion of the Departments of Telecom Services and Telecom Operations into Bharat Sanchar Nigam Limited, in which case the pensionary benefits including family pension shall be paid by the Government."

He further draws attention to a communication of the Department of Telecommunications dated 09.11.2000 which reads as under:-

"Subject: Entitlement for Pension, other Retirement Benefits, Job Security and Carry over of Leave in respect of Employees to be Absorbed in BSNL."

It has been decided by the Government that the employees of DOT who will be absorbed in Bharat Sanchar Nigam Limited (BSNL) will be entitled to the Government's scheme of pension/family pension even after their absorption in BSNL. Payment of pension will be made by the Government and for this, arrangements, are being worked out for obtaining pension contribution from BSNL to be deposited with the Government. It has also been decided that dismissal or removal from service of an employee after his absorption in the PSU for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the service rendered under the Government and in the event of his dismissal, removal or retrenchment the decisions of BSNL shall be subject to



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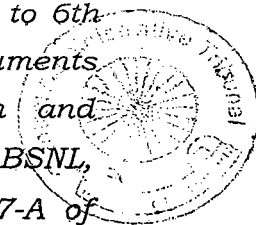
review by the Administrative Ministry. The Government has already issued Notification dated 30.9.2000 to this effect wherein the pension framework has been made part of the CCS (Pension) Rules, amending Rule 37 using powers under Article 309 of the Constitution of India (Copy enclosed).

It has further been decided that the Earned Leave and the Half Pay Leave at the credit of the employees on the date of absorption shall stand transferred to the PSU.

May be widely circulated in your circle/ unit so that the employees are duly informed of the decision taken by the Government"

In addition, he refers to a clarification issued by the Department of Pension & Pensioners' Welfare on 27.04.2009, with respect to the applicability of revised rules for determining qualifying service of ex-DOT employees who were absorbed in BSNL. The said communication reads as under:-

"Subject: Regarding clarification about the applicability of revised rules with effect from 01.01.2006 with reference to 6th CPC on enhanced amount of DCRG, calculation of emoluments for pension/family pension, Commutation of pension and qualifying service to ex-DOT employees absorbed in BSNL, whose pensionary benefits are regulated under Rule 37-A of CCS (Pension) Rules, 1972.



The Department of Telecom is requested to refer to their ID No. 40-31/2008-Pen (T) dated 18.3.09 for clarification on applicability of DoP&PW O.M. dated 2.9.2008. The Department of Telecom has submitted as under:

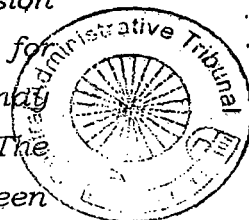
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Consequent upon the implementation of the Government decision on the recommendation of 6th Central Pay Commission and as per Department of Pension and Employees Welfare OM dated 01.09.2008 (read 2.9.2008), rule regarding limit of DCRG, Calculation of emoluments for pension/ family pension Commutation of pension and qualifying service etc. have changes with effect from 01.01.2006.

In this connection, it is submitted that the Explanation given under Sub-Rule (8) of Rule 37-A of CCS (Pension) Rules, 1972 says that the amount of pension/family pension of the absorbed employees on superannuation from PSU/AB shall be calculated in the same way as would be the case with a Central Government servant retiring on superannuation, on the same date it is worthwhile to add that BSNL is the only PSU that has been granted a special dispensation under sub-rule (21) of Rule 37-A of CCS (Pension) Rules, 1972 to the effect that the pensionary benefits including family pension to the absorbed employees of BSNL is paid by the Government. This Department is of the view that the change as per DoP&PW's OM dated 02.09.2008 mentioned in para 2 above are also applicable to IDA pensioners of BSNL.

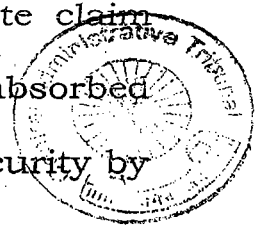
2 The en-mass transferred absorbees opting for pension for combined service in Govt. and PSU/CAB are entitled for pension in terms of Rule 37A(8) "in accordance with the formula for calculation of pension/family pension under these rules as may be in force at the time of his retirement from the PSU/CAB". The formula applicable to Central Govt. pensioners has been changed vide DoP&PW OM. dated 2.9.2008 and therefore, the changed formula provided in OM. dated 2.9.2008 is applicable to such absorbees also. The DoP&PW OM dated 1.9.2008 referred to in Deptt. Of Telecommunication reference has no relevance as this OM contains instructions for revision of pension of pre 2006 central Government pensioners only."





17. He argues that it is abundantly clear that not only is the claim of pension of the applicants, being ex-employees of DOT who were absorbed in BSNL, to be determined strictly on the pattern of entitlement of regular Government employees but it is to be revised from time to time, without exception, strictly on the same analogy.

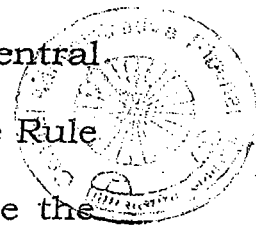
18. Ms. Gauri Puri, learned counsel for the applicants in **O.A. Nos. 1271/2020 and 1272/2020** argues that right from the stage of deputation of the applicants from DOT to BSNL till the clarification of 2009, each and every communication/document/notification establishes that the applicants are to be governed by pension and family pension in accordance with the entitlement of regular Government employees. She emphatically states that their initial terms of deputation leading to absorption have specific terms and conditions to this effect. Reversing the situation now amounts to denying their legitimate claim and expectation. These employees agreed to get absorbed in BSNL only on account of assurance of social security by way of pension which was made applicable to them in their status as the Government servants. She also draws attention to the Office Memorandum dated 20.07.2016 which states that pension liability in respect of employees





of DOT who were absorbed in BSNL and retired on 01.10.2000 is solely to be borne by the Government of India; she clearly mentions that BSNL has no liability in respect of these employees. She further submits that a condition imposed earlier that the liability of pension shall not consist more than 60% of the annual revenue; however, this condition has also been since rescinded. Alleging discrimination she submits that the benefits of revision on account of recommendations of the 7th Central Pay Commission have been extended to serving absorbed BSNL and MTNL employees except for the ones who had retired. This is in contravention to what has been set forth in the amended Central Civil Services Pension Rules, specifically Rule 37 A.

19. Vehemently contesting the averments and the arguments put forth by the learned counsel for the applicants, Mr. S N Verma, learned Senior Central Government Standing Counsel, draws attention to the Rule 375 of CCS (Pension) Rules, 2020 and submits, once the applicants opted to be absorbed in BSNL, they ceased to be Government employees with effect from the date of such absorption. The provisions of CCS Pension Rules which provide for fixation and subsequent revision of pensions is



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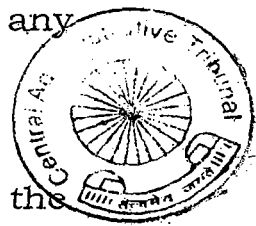


a general provision applicable on the Government pensioners. Once the applicants have ceased to possess the status of the Government employee and got absorbed in a public sector, they would be outside the purview of these rules as they govern only govt. servants. The provision of revision of pension pursuant to the recommendation of Central Pay Commission was incorporated to redress the anomaly in pension between past and future retirees. In the instant case, if the applicants' prayer is allowed, such anomalies are likely to be created once again. He submits that once the applicants have been absorbed in BSNL, they cannot claim to be governed under CCS Pension Rules. The reason these employees continue to get pension is solely on account of their being erstwhile DOT employees. They cannot claim an open-ended and indefinite benefit of the provisions of CCS Pension Rules considering the fact that when they retired, they were not the employees of the government but of BSNL. The provisions of Rule 37 being quoted by the applicants through their learned counsel is a special dispensation given to these employees and they continue to enjoy the same. However, revision on account of Central Pay Commission is a subsequent event, and hence cannot be automatically extended in their favour.

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The Central Pay Commission domain is only for Government employees and not employees of public sector undertakings even though they may have been absorbed, he adds. He further argues that these employees having retired, in this case from BSNL, are already enjoying a different set of benefits and rewards as are extended to PSU employees. Sh. Verma further submits that the issue under consideration in this OA has been a subject of O.A. No. 346/2018 decided on 30.10.2019 by the Ernakulam Bench as also another O.A. No. 116-134/2018 dated 27.11.2019 of the Bangalore Bench. Both these Benches have held that BSNL was a commercial and corporate entity, and once an employee has consciously chosen to opt for absorption in a corporate body, he could not claim the benefits available to a Government employee nor can he claim parity in any other respect.



20. Mr. N.D. Kaushik, learned counsel for the respondents while supporting the arguments put forth by Mr. S N Verma, learned counsel, further informs that the issue has been settled by the Hyderabad Bench of this Tribunal in O.A. No. 813/2017 dated 11.01.2019, besides the Ernakulam Bench and Bangalore Bench and the said Benches have also identically held that once absorbed in a

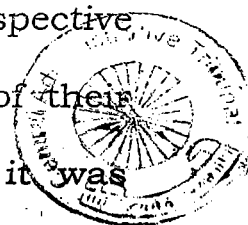
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public sector undertaking, the applicants cannot be claiming the benefits available to the Government employees. He also places on record, for our consideration, a judgment of Hon'ble Apex Court in Civil Appeal No. 3520/1991 decided on 25.07.1997. The said judgment has extensively discussed the doctrine of precedence and impressed upon maintaining consistency and uniformity in judicial verdicts. He reiterates that once the co-ordinate Benches of the Tribunal have adjudicated this issue, we are bound to adjudicate it on similar lines.

21. We have gone through the voluminous pleadings on record and also heard the detailed arguments put forth by the learned counsel on more than a couple of occasions.

22. The facts of the case are not disputed, nor is questioned any documents relied upon by the respective parties. There is no ambiguity that at the time of their placement and absorption in BSNL and MTNL, it was categorically stated that the erstwhile employees of the Department of Telecommunication shall continue to be governed by their existing terms and conditions of the service which means that they shall continue to be treated as government servants for all intents and purposes. It is also not in dispute that from time to time, the



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recommendations of the Central Pay Commission, as accepted and notified by the government, were made applicable in their case too. There is no ambiguity with respect to the general terms and conditions governing absorption, as circulated and quoted in para 5 of this order, stating categorically that provisions of Rule 37 (A) of the CCS (Pension) Rules, shall guide payment of pension to these employees.

23. Section 37 (A) of the CCS (Pension) Rules has to be read in totality and sub para 21 of the same further clarifies that pensionary benefits of these employees, including family pension shall be paid by the government. In fact, several communications and memoranda, extracts of which have been quoted in this judgment, lead only to one inference that a very well-considered conscious decision was taken and expressly stated that the terms and conditions of the service of employees of Department of Telecommunications shall remain protected even on their absorption in BSNL/MTNL and further, it has been emphasized that these terms and conditions are inclusive of pension and family pension.

24. The relevant rules as quoted above have further clarified that since BSNL and MTNL are corporate entities,



the liability of pension and family pension shall be borne by the government. We do appreciate the arguments put forth by the learned counsel for the respondents, especially the fact that once the applicants have ceased to be government employees, they should not and cannot expect the benefits available to government employees in perpetuity. Further, we also appreciate that there may have been specific facts and circumstances at the relevant time of their absorption when the decision to protect their terms and conditions was taken. However, no document has been shown to us which would substantiate these arguments that protection was to be available for a specific period only.

25.. Learned counsels have submitted that the applicants have now ceased to be governed by the CCS (Pension) Rules and in case they are allowed to agitate their claim at this juncture, it would open up the Pandora box and thus, strike at the very roots of the governance of corporate entities.

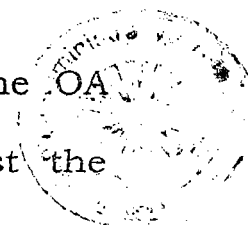
26. We are not inclined to consider the extended arguments on behalf of the respondents even though we acknowledge some merit in these. The decision qua these employees, as further reflected under innumerable communications, is unambiguous and has been, so far,



implemented also. We reiterate that even on their absorption in the corporate undertaking, the terms and conditions of services governing them were to remain the same as they existed when they are employees of the Department of Telecommunications. Further, these terms and conditions include pension and family pension and this has been expressly stated in the rules and several subsequent communications which have been elaborately quoted in some of the preceding paragraphs of this order.

27. We have no hesitation in concluding that the present application deserves positive consideration. The government had given a promise and stated it in black and white. How could it now retract from the promise, that too not by any law or rules but by simply a refusal to honour it?

28. In view of the elaborate discussion above, the OA stands allowed. The competent authority amongst the respondents is directed to forthwith revise the pension and family pension wherever applicable, strictly in accordance with the relevant rules and the entitlement governing pension to various sets of employees of the Central Government, maintaining strict parity. It is clarified that the benefits of revision of pension and family pension as





notified by the Central Government on the recommendations of the Pay Commission, shall stand extended in favour of the applicants, analogous to the revision of such pension in case of Central Government pensioners.

29. The directions contained herein shall be complied with within a period of ten weeks from the date of receipt of a certified copy of this order.

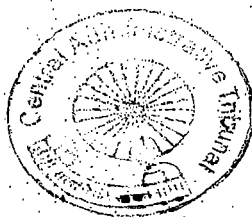
30. The OA stand allowed against the background of the aforesaid directions. Pending MA(s), if any, stands disposed of accordingly.

There shall be no orders as to costs.

(Pratima K. Gupta)
Member (J)

(Tarun Shridhar)
Member (A)

/NISHA/



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74

Re: Fresh OA (All India BSNL Pensioners' Welfare Association & Ors. v. Union of India & Ors.)

OA 1329/20
MA 1658/20 & 1659/20

From : g.narayanoffice <g.narayanoffice@gmail.com>

Tue, Sep 15, 2020 11:57 PM

Subject : Re: Fresh OA (All India BSNL Pensioners' Welfare Association & Ors. v. Union of India & Ors.)

To : Sulakshan <judicial-pb-cat@gov.in>

Dear Sir,

PFA the revised draft after curing of defects notified by you. Kindly clear the same for listing on 18.09.2020 (Friday).

OA-Compiled-Final-15-09-2020.pdf

Best,
Gautam Narayan & Associates,
Counsels for the Applicants,
9643520339

Gautam Narayan
Advocate on Record
Supreme Court of India
D-17, Lower Ground Floor
Lajpat Nagar Part-III
New Delhi-110024
Ph: 91 11 29834841, 461421

On Thu, Sep 10, 2020 at 7:28 PM Gautam Narayan <g.narayanoffice@gmail.com> wrote:
Dear Ma'am/ Sir,

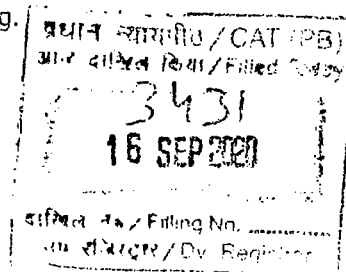
PFA a fresh Original Application.

Kindly intimate the defects and date of listing.

Best,
Gautam Narayan & Associates,
Counsels for the Applicants

OA-10-09-Final.pdf

Gautam Narayan
Advocate on Record



<https://email.gov.in/printmessage?id=C:7966&tz=Asia:Kolkata&xim=1>

*Pl check the OA in show folder
16/9/20*

SHD

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 1327 OF 2020
MA/658/20 & 659/20

IN THE MATTER OF:

All India BSNL Pensioners' Welfare Association & Ors.

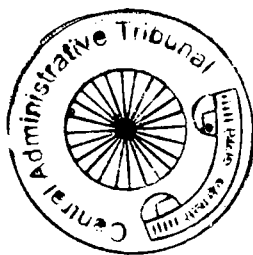
Applicants

Versus

Union of India & Ors.

Respondents

ORIGINAL APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE
TRIBUNALS ACT, 1985 CHALLENGING THE DENIAL OF REVISION OF
PENSION TO THE APPLICANTS



PAPERBOOK
(FOR INDEX PLEASE SEE INSIDE)

ADVOCATES FOR THE APPLICANTS: GAUTAM NARAYAN AND ASSOCIATES

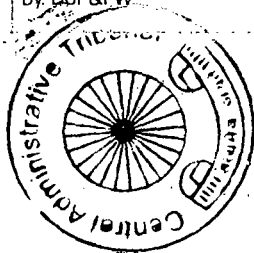
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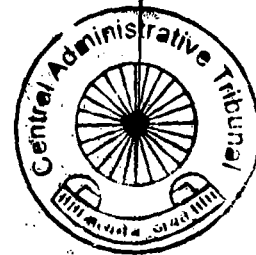
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Through

Applicants

Gautam Narayan
 Gautam Narayan & Associates,
 Advocate for the Applicants
 D-17, Basement,
 Lajpat Nagar, Part 3,
 New Delhi - 110 024

Place: New Delhi
 Dated: 10th September, 2020



**BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 1399 OF 2020**

IN THE MATTER OF:

1. All India BSNL Pensioners' Welfare Association
Represented by General Secretary
Potharaju Gangadhara Rao,
S/o Late Sh. P. Sudharshanam,
Aged about 72 years,
Residing at: No.6 G No.12th Street,
Jogupalaya, Halasuru,
Bengaluru-560008
2. Shri Ramankutty Nair PS,
S/o Late R. Sivaraman Nair,
Aged about 76 years,
Residing at TC 52/2369, CTO Colony,
Pappanamcode,
Thiruvananthapuram-695018
3. Shri Anupam Kaul,
S/o Sh. Jagan Nath Kaul,
Aged about 66 years,
Residing at A-402,
PMO Apartments,
C-58/20, Sector 62, Noida
4. V Latha,
W/o S Vijayan,
Aged about 59 years,
Residing at New 7 Old 44/2,
VV Colony First Street,
Adambakkam,
Chennai-600088

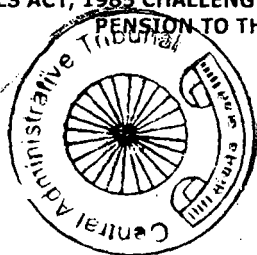
Applicants

Versus

1. Union of India,
Represented by its Secretary,
Department of Telecommunications,
Sanchar Bhavan, No.20, Ashoka Road,
New Delhi-110001
2. The Department of Pension and Pensioners' Welfare,
Represented by its Secretary,
Lok Nayak Bhavan,
Khan Market, New Delhi-110003
3. The Department of Expenditure,
Represented by its Secretary,
29-A North Block,
New Delhi-110001

Respondents

**ORIGINAL APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE
TRIBUNALS ACT, 1985 CHALLENGING THE DENIAL OF REVISION OF
PENSION TO THE APPLICANTS**



TO,

THE HON'BLE CHAIRMAN, VICE-CHAIRMAN AND
MEMBERS OF THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI.

THE HUMBLE APPLICATION OF THE
APPLICANTS ABOVE NAMED:

MOST RESPECTFULLY SHOWETH:

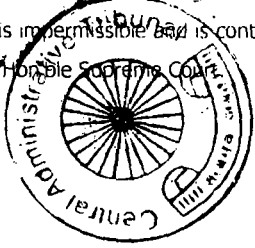
1. PARTICULARS OF THE ORDER AGAINST WHICH APPLICATION IS MADE:

- 1.1 The Applicant No.1 is a registered pensioners' association (hereinafter referred to as '**Applicant Association**'/'**Association**') was formed in August, 2009 and comprises of thousands of members who are all pensioners having retired from BSNL after being absorbed from DOT and as such, has filed the present petition in a representative capacity espousing the grievance of all the pensioners who are seeking revision of pension. A true copy of the registration certificate dated 09.12.2009 of the Association alongwith translated copy thereof is annexed herewith as **AnnexureA-1**.
- 1.2 The Applicant Nos.2, 3 and 4 are members of the Applicant Association, and are identically situated as its other members. The Applicant Nos.2, 3 and 4 are erstwhile employees of Department of Telecommunications (hereinafter referred to as '**DOT**') who were absorbed into the newly incorporated Bharat Sanchar Nigam Ltd. (hereinafter referred to as the '**BSNL**') which was established on 01.10.2000 and are covered under the CCS (Pension) Rules, 1972. At the time of absorption, a 'Presidential Order' was issued which held out an assurance, that the pension payable for combined service in DOT and BSNL, to all employees who choose to get absorbed in BSNL, would be paid by the Central Government, as incorporated under Rule 37-A of the CCS (Pension) Rules, 1972 (hereinafter referred to as the '**1972 Rules**'). This unique condition, which, is specific to BSNL viz., retention of status of government servant upon retirement, for the purpose of entitlement to pension, was one of the primary reasons that motivated the Applicants to opt for absorption in BSNL. However, unfortunately, even after a lapse of almost 3 years of the adoption of the recommendations of the 7th Central Pay Commission ('**CPC**') by the Central Government, revising pay scales of government employees, simultaneously revising pension payable to retirees, the pension being paid to the Applicants has not been revised, which act of omission and commission is in the teeth of the assurances held out to the Applicants and also violative of Rule 37-A of the 1972 Rules. A true copy of the Presidential Order issued to Applicant No.2 at the time of absorption dated



15.01.2002 is annexed herewith as **Annexure A-2**. A true copy of the Presidential Order issued to Applicant No.4 at the time of absorption dated 15.01.2002 is annexed herewith as **Annexure A-3**.

- 1.3 It is submitted that the Applicant Association has raised the aforesaid grievance and sought revision of pension of retirees of BSNL in terms of the recommendations of the 7th CPC *vide* representation dated 02.07.2019 to DOT, however, till date neither has the Applicant received any response to the same, nor has any corrective action been taken to set right the patent anomaly and revise the pension of the BSNL pensioners/family pensioners.
- 1.4 The Applicants most of whom, after having rendered long years of service and devoted their entire productive working lives to the Government, are deeply anguished at the treatment being meted out to them in the twilight of their lives and are being compelled to run from pillar to post to enforce their lawful and legal dues.
- 1.5 The Applicants have been constrained to approach this Hon'ble Tribunal to assail the said arbitrary, whimsical, perverse and unlawful acts of conscious omission and commission on part of the Respondents of denying to the Applicants, their vested right to receive pension revision consequent to the adoption of the recommendations of the 7th CPC. It is learnt that the stand of the DOT is that the formula for calculation of pension of BSNL absorbees, will remain unchanged with effect from 01.01.2016 and will not be affected by the revision consequent to implementation of recommendations of the 7th CPC. It is indisputable that the right to receive pension and revision thereof is a vested and recurring right and accrues to retirees on every succeeding month and therefore constitutes a continuing cause of action.
- 1.6 It is respectfully stated that, the aforesaid stand is contrary to the extant position of law, is arbitrary, perverse, vitiated by non-application of mind, amounts to a colourable exercise of power and the first Respondent is barred by principles of promissory estoppel from taking the impugned action. In doing so the Respondents are attempting to alter a settled state of affairs that has prevailed over a long period of time. Furthermore, by the impugned action, the Respondents are attempting to change the rules of the game after it has begun, which is impermissible and is contrary to the extant position of the law laid down by the Hon'ble Supreme Court.



- 1.7 The Applicants most respectfully seek a positive direction to the Respondents to grant revision of pension as per the fitment formula recommended by the 7th CPC with respect to retirees of BSNL who were absorbed from the Department of Telecommunication.

2. **JURISDICTION OF THE TRIBUNAL:**

The Applicants submit that the Respondents are situated within the jurisdiction of this Hon'ble Tribunal and therefore the Hon'ble Tribunal has jurisdiction over the present dispute.

3. **LIMITATION:**

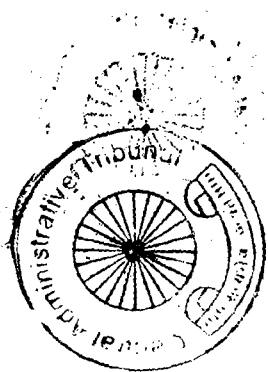
The Applicants declare that the Original Application is within the period of limitation prescribed under Section 21 of the Administrative Tribunals Act, 1985.

4. **FACTS:**

- 4.1 The Department of Pension and Pensioners' Welfare ('DoP&PW') vide its OM dated 05.07.1989, modified the terms of pension payable, consequent to the conversion of a Government Department or a segment thereof or a Government office into a Central Public Sector Undertaking/ autonomous body or in case of *en masse* transfer of employees. The said OM permitted Government servants to retain the pensionary benefits available to them under Government rules or alternatively to be governed by the rules of the Public Sector Undertaking/ autonomous body. In furtherance of this provision, the OM also stated that, Government servants who opt to be governed by the pensionary benefits available under the Government, shall at the time of their retirement, be entitled to pension etc. in accordance with the Central Government rules in force at the time. A true copy of OM dated 05.07.1989 of the Department of Pension & Pensioners' Welfare, Ministry of Personnel, Public Grievances and Pensions, Government of India is annexed herewith as **Annexure A-4**.

- 4.2 Prior to formation of BSNL, DOT had two structural formations: Department of Telecom Services and Department of Telecom Operations. As per the new telecom policy, the said two Departments were converted into BSNL on 01.10.2000. Almost all the personnel of Department of Telecom Services and Department of Telecom Operations were *en-masse* transferred to BSNL on





deemed deputation basis initially and later were permanently absorbed in BSNL w.e.f. 01.10.2000.

- 4.3 On 25.09.2000, DOT prepared a 'Note for the Cabinet' vide No.2-2/99- Restg.(Vol.I). At Para.4.4 of the said Note, the following recommendations were given by DOT in respect of "Pension and Retirement benefits" viz:

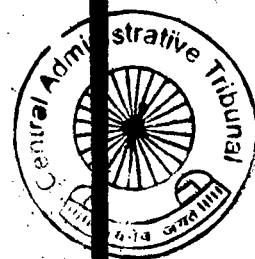
- (i) *All employees will be entitled to Government's scheme of pension/family pension even after their absorption;*
- (ii) *Technical resignation will not be required;*
- (iii) *Payment of pension would be made by Government;*
- (iv) *Arrangements would be worked out for obtaining pension contribution from the PSU to be deposited with the Government;*
- (v) *Facility to carry over Earned Leave and Half Pay Leave would be provided;*
- (vi) *The pension framework was made part of the CCS Pension Rules by amending Rule 37 using powers under Article 309 of the Constitution of India.*

The aforementioned note was accepted by the Cabinet. A true copy of the Note for the Cabinet prepared by DOT dated 25.09.2000 is annexed herewith as **Annexure A-5**.

- 4.4 Thereafter, on 30.09.2000, i.e., one day prior to formation of BSNL, a Notification No.4/61/99-P&PW(D) was issued by the DoP&PW under proviso to Article 309 and Article 148(5) of Constitution of India, to amend the CCS (Pension) Rules, 1972 by incorporating Rule 37-A. A true copy of the Notification No.4/61/99-P&PW(D) dated 30.09.2000 along with Rule 37-A of CCS (Pension) Rules, 1972 is annexed herewith as **Annexure A-6**.

- 4.5 The clarifications of the terms of settlement between DOT and BSNL also provided that BSNL will make pension contribution at the maximum of the scale of the post held by the official at rates varying with the length of service. A true copy of the clarifications on items of settlement between BSNL and DOT dated 31.07.2000 is annexed herewith as **Annexure A-7**.

- 4.6 Rule 37-A pertains to conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Central autonomous body or a public sector undertaking. The rules which were retained for BSNL employees demonstrate that the Government washed its hands-off employees of other Public Sector Undertakings qua pension save and except a one-time obligation. However, in so far as Government servants who opted for absorption in BSNL are concerned, a distinct and *sui generis* criterion was



evolved as reflected in Rule 37-A. The extant 37-A(22), (23) and (24) are extracted hereunder for ready reference:

(22) *Nothing contained in sub-rules (13) to (21) shall apply in the case of conversion of the Departments of Telecom Services and Telecom Operations into Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited in which case the pensionary benefits including family pension shall be paid by the Government.*

(23) *For the purposes of payments of pensionary benefits including family pension referred to in sub-rule (22), the Government shall specify the arrangements and manner including the rate of pensionary contributions to be made by Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited to the Government and the manner in which financial liabilities on this account shall be met.*

(24) *The arrangements under sub-rule (23) shall be applicable to the existing pensioners and to the employees who are deemed to have retired from the Government service for absorption in Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited shall not apply to the employees directly recruited by the Bharat Sanchar Nigam Limited for whom it shall devise its own pension scheme and make arrangements for funding and disbursing the pensionary benefits.*

4.7 In addition to the same, in Explanation to sub-rule 8, it is specified as follows:

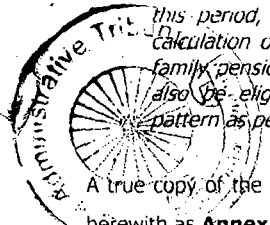
Explanation: The amount of pension / family pension in respect of the absorbed employee on retirement from the Public Sector Undertaking or on death shall be calculated in the same way as would be the case with a Central Government servant, retiring or dying, on the same day.

A true copy of notification dated 21.12.2012 is annexed herewith as **Annexure A-8**. A true copy of notification dated 03.03.2014 is annexed herewith as **Annexure A-9**.

4.8 On 20.12.2002, DoP&PW issued a clarification to sub-rule 9 of Rule 37-A stating as under:

It is hereby clarified that for the calculation of pensionary benefits under sub-rule (9) of Rule 37-A, average emoluments will be calculated on the basis of pay drawn by the absorbed employee during the last 10 months in the PSU prior to retirement and wherever the absorbed employee is drawing the IDA scale during this period, his pay in IDA scale will be taken into account for calculation of average emoluments. In addition to the pension or family pension, as the case may be, such absorbed employee shall also be eligible to receive dearness relief as per Industrial DA pattern as per the provisions of sub-rule (10) of Rule 37-A.

A true copy of the clarification dated 20.12.2002 issued by DoP&PW is annexed herewith as **Annexure A-10**.



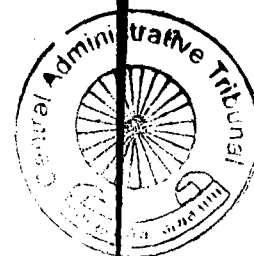
4.9 On perusal of the aforesaid rules and the explanation, the following points emerge:

- i. Specific and special rules are made with regard to BSNL (in comparison with other PSUs), in the matters pertaining to pension. Therefore, persons who opted for absorption into BSNL retain their status as government servants atleast for the purpose of grant of pension.
- ii. The Government alone is the authority responsible and liable to pay pension to the personnel absorbed into BSNL from the Government.
- iii. The Government can decide only the arrangements regarding the pensionary contributions by BSNL; however, the liability to pay pension shall be that of the Government.
- iv. A distinct class among the employees of the BSNL is constituted of those employees who joined Government service and were absorbed into BSNL, to whom the aforesaid rules apply. Different from this, is the class of employees who are recruited directly by the BSNL and for whom BSNL is responsible to formulate the scheme and make arrangements for funding and disbursing pension.
- v. Employees of DOT who were absorbed in BSNL (who opted for Government pension on combined service) should be paid pension on the basis of the same method of calculation as that for Government servants.

4.10 Pursuant to absorption, the Earned Leave and Half-pay leave of the employees earned by them during their service in Government was carried over to BSNL. Similarly, General Provident Fund (GPF) balance was also carried over to BSNL which continued.

4.11 However, contrary to the position under Rule 37-A, DOT, vide a letter dated 15.06.2006, stated that the annual pension liability of the Government qua employees, who retired from DOT prior to 01.10.2000 and towards absorbees of DOT in BSNL, shall not exceed 60% of the annual receipts of the Government from the BSNL in the form of: a) Dividend income; b) License fee and c) Corporate Tax / Excise Duty / Service Tax. It further stated that any expenditure for pension over and above the aforesaid limit shall be borne by BSNL. A true copy of the letter dated 15.06.2006 is annexed herewith as **Annexure A-11**.

4.12 Thereafter, pursuant to letters dated 02.08.2006 and 09.01.2007 of BSNL, the DOT, vide O.M. dated 20.07.2016, decided to rescind the aforesaid arrangement i.e. the imposition of a cap on annual pensionary liability of Government to the



extent of 60%. Infact, prior to that, even on 21.10.2008, DOT stated that in terms Rule 37-A of the CCS (Pension) Rules, 1972, the entire pension liability in respect of BSNL absorbees was of the Central Government. Thus, the cap to the extent of 60% of the remittances from the BSNL was removed, signifying that the entire burden of pension, irrespective of the remittances by BSNL, lies with the Government. A true copy of letter dated 02.08.2006 is annexed herewith as **Annexure A-12**. A true copy of letter dated 09.01.2007 is annexed herewith as **Annexure A-13**. A true copy of letter dated 21.10.2008 of DOT is annexed herewith as **Annexure A-14**. A true copy of the said O.M dated 20.07.2016 is annexed herewith as **Annexure A-15**.

4.13 Various recommendations of 6th CPC were considered by the Government and implemented by the Government for Central Government pensioners in the Central Dearness Allowance (CDA) Scale vide OM's dated 01.09.2008 and 02.09.2008. A true copy of the OM's dated 01.09.2008 and 02.09.2008 of the DoP&PW is annexed herewith as **Annexure A-16 (Colly)**.

4.14 DOT, however, lacked clarity regarding implementation of the recommendations for BSNL pensioners who were in the Industrial Dearness Allowance (IDA) Scale. Accordingly, a reference was made by DOT to DoP&PW seeking its opinion, since DoP&PW is the nodal department in matters of pension.

4.15 The DoP&PW vide a letter dated 27.04.2009, clarified the position and stated that:

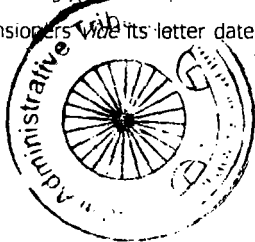
Consequent upon the implementation of the Government decision on the recommendation of 6th CPC and as per DoP&PW O.M. dated 2/9/2008, rule regarding limit of DCRG, Calculation of emoluments for pension/family pension, Commutation of pension and qualifying service etc. have changes with effect from 1/1/2006.

Further, Para 3 of the said O.M. stated that:

It is worthwhile to add that BSNL is the only PSU that has been granted a special dispensation under sub-rule (21) of Rule 37-A of CCS (Pension) Rules, 1972 to the effect that the pensionary benefits including family pension to the absorbed employees of BSNL is paid by the Government. This department is of the view that the change as per DoP&PW's O.M. dated 2/9/2008 as mentioned in para.2 above are also applicable to IDA pensioners of BSNL."

A true copy of the OM dated 27.04.2009 issued by DoP&PW is annexed herewith as **Annexure A-17**.

4.16 Accordingly, DOT implemented recommendations of the 6th CPC for BSNL IDA pensioners vide its letter dated 4th/15th May 2009 and 12th August 2009. A true



copy of the letter dated 4/15.05.2009 is annexed herewith as **Annexure A-18**.

A true copy of the letter 12.08.2009 is annexed herewith as **Annexure A-19**.

4.17 Meanwhile, the 2nd Pay Revision Committee (PRC), was constituted to consider revision of pay/perks of the Executives of Central Public Sector Undertakings. The recommendations of the PRC were only applicable to the Executives of CPSUs and for the Non-executives, pay/perks revision was based on bilateral settlement between the respective management and the recognized union/unions. It is pertinent to note that the financial implication for implementation of the recommendations of the PRC lies solely with the CPSU. This also evident from the guidelines for implementation of the 3rd PRC. The Applicants have reliably learnt that the reason for denial of pension revision is that, pay of employees of BSNL has not been revised since 01.01.2017 in accordance with the recommendations of the 3rd PRC as adopted by the Department of Public Enterprises vide OM dated 03.08.2017. Moreover, it is reiterated that the position of absorbees of DOT in BSNL is on par with Central Government employees qua retirement benefits. It is, therefore, submitted that the PRC recommendations have no application to the Applicants in so far as eligibility to and revision of pension is concerned as the responsibility for their retirement benefits has to be borne by the Central Government and not BSNL under Rule 37-A. A true copy of the OM dated 26.11.2008 of DPE is annexed herewith as **Annexure A-20**. A true copy of OM dated 02.04.2009 of the DPE is annexed herewith as **Annexure A-21**. A true copy of the OM dated 03.08.2017 of the DPE is annexed herewith as **Annexure A-22**.

4.18 On the basis of the recommendations of the 2nd PRC, BSNL, with the concurrence of DOT, revised the pay of the BSNL Executives w.e.f. 01.01.2007. On the basis of bilateral settlement between BSNL and the recognized unions, BSNL issued orders for pay revision of non-executive employees w.e.f. 01.01.2007, after seeking approval from DOT on 07.05.2010. The formula for pay revision for both executives and non-executives was existing basic pay plus existing DA as on 01.01.2007 plus 30% weightage of both. However, the pension for those who retired prior to 01.01.2007 was not revised along with pay revision. The employees who retired after 01.01.2007 from BSNL got more pension based on their revised pay. However, the employees who retired prior to 01.01.2007 including even one day prior got less pension. In order to correct this anomalous situation, DOT prepared a Cabinet Note for pension revision for pre-2007 retirees, which was approved by the Cabinet on 20.01.2011, based on which DOT issued an O.M. on 15.03.2011 for pension revision from 01.01.2007 for



those who retired prior to 01.01.2007. Para 4.1 of this O.M is extracted hereunder for ready reference:

The pension/family pension of pre-2007 BSNL pensioners family pensioners will be consolidated with effect from 1/1/2007 by adding together:

- I. The existing pension/family pension, including commuted portion of pension, if any;*
- II. Dearness Relief upto AICPI (IW) average index 128-6.33 (Base year 2001=100) i.e. @ 68.8% of Basic Pension/Basic family pension*
- III. Fitment weightage @ 30% of the sum of existing pension family pension and Dearness Relief thereon.*

The amount so arrived at will be regarded as consolidated pension/family pension with effect from 1/1/2007.

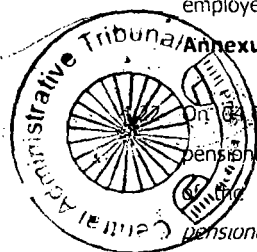
Further, Para 4.4 of the said O.M. stated that "[T]he lower and upper ceiling on pension/family pension shall be Rs.3,500/- and Rs.45,000/- respectively". It is submitted that this was at par with Central Govt. pensioners at that point of time. A true copy of the Cabinet Note dated 29.12.2010 is annexed herewith as **Annexure A-23**. A true copy of this OM dated 15.03.2011 issued by DOT is submitted herewith as **Annexure A-24**.

4.19 Qualifying service for full pension, quantum of pension, ceiling on gratuity, commutation table, enhanced family pension in case of death in harness, age-related additional pension etc. were made identical for BSNL IDA pensioners on par with Central Government CDA pensioners w.e.f. 01.01.2006. A true copy of OM dated 23.06.2011 is annexed herewith as **Annexure A-25**.

4.20 The CCS (Pension) Rules, 1972 were amended vide notification dated 21.12.2012. It is pertinent to note that, sub-rule 22 on the lines of erstwhile sub-rule 21, provided that, the responsibility for payment of pension to persons who had retired from DOT and absorbees in BSNL was of the Government.

4.21 It is pertinent to note that DOT has clarified that the absorbee pensioners of BSNL require qualifying service of only 10 years to be eligible for grant of pension and therefore to this extent enjoy parity with Central Government employees. A true copy of OM dated 03.06.2016 is annexed herewith as **Annexure A-26**.

On 03.08.2016, DoP&PW issued an OM for revision of pension of pre-2016 pensioners/family pensioners on the basis of 7th CPC recommendations. Para 2.1 of the said OM states "[T]hese orders shall apply to all pensioners/family pensioners who were drawing pension/family pension before 1/1/2016 under the



Central Civil Services (Pension) Rules, 1972. Further, Para 4.1 of this OM stated that the existing pension should be multiplied by 2.57 (i.e. pension 100 rupees plus dearness relief of 125% as on 01.01.2016 plus 32% of basic pension as weightage). Similarly, vide another OM of the same date, DoP&PW also revised the pension for post-2016 retirees in terms of recommendations of the 7th CPC. A true copy of the OM F No.38/37/2016-P&PW(A)(i) dated 04.08.2016 issued by the DoP&PW is annexed herewith as **Annexure A-27**. A true copy of OM F No.38/37/2016-P&PW(A)(ii) dated 04.08.2016 issued by the DoP&PW is annexed herewith as **Annexure A-28**.

- 4.23 It is pertinent to note that DOT has also circulated the aforesaid OMs dated 04.08.2016 for implementation for its own employees vide OM dated 22.08.2016. Thereafter, vide OM dated 19.05.2017, DOT has also adopted the modality for implementation of the recommendation of the 7th CPC by the DoP&PW. A true copy of OM dated 22.08.2016 of DOT is annexed herewith as **Annexure A-29**. A true copy of OM dated 12.05.2017 of DoP&PW is annexed herewith as **Annexure A-30**. A true copy of OM dated 19.05.2017 issued by the DOT is annexed herewith as **Annexure A-31**.
- 4.24 Gratuity and commutation are two components of retirement benefits, other than pension. Gratuity and commutation are calculated in the same way for both, Central Government CDA pensioners (on the basis of CDA pay) and BSNL IDA pensioners (on the basis of IDA pay), as per 7th CPC recommendations from 01.01.2016. On the basis of the aforesaid materials, it is evident that pensioners of the Central Government and absorbee pensioners of BSNL are identically placed in so far as the issue of retirement benefits is concerned. Therefore, it is logical and rational that the pension revision factor for both should also be calculated identically.
- 4.25 The benefits of 7th CPC recommendations were implemented for Central Government CDA pensioners with effect from 01.01.2016 since their pension was last revised from 01.01.2006. In view of the fact that under Rule 37-A, the Applicants, who are BSNL IDA pensioners, are treated on par with Government servants in so far as eligibility for pension and revision thereof is concerned, it is submitted that, they were entitled to a revision of their pension w.e.f. 1.1.2006 in terms of the recommendations of the 6th CPC and from 1.1.2016 in terms of the 7th CPC. In the case of BSNL IDA pensioners, the last pension revision was, granted w.e.f 01.01.2007.





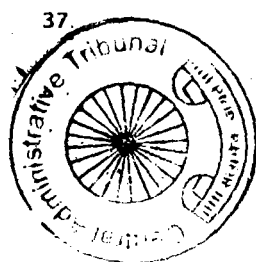
4.26 It is submitted that the Respondents cannot deny pension revision as per 7th CPC recommendations to the Applicants on the pretext that they are getting IDA scales. It is respectfully submitted that the implementation of the IDA pay scale for CPSU employees is mandated vide OM dated 12.06.1990 of the Department of Public Enterprises in compliance with the judgment of the Supreme Court dated 03.05.1990. The aforesaid OM explicitly states that employees appointed in PSUs after 01.01.1989 would be deemed to have been governed by the IDA pay scales. Therefore, rejection of pay revision on this ground is erroneous. A true copy of OM dated 12.06.1990 is annexed herewith as **Annexure A-32**.

4.27 Applicant No.1 made several representations to DOT between 23.02.2015 and 02.07.2019 requesting for pension revision on the basis of 7th CPC fitment factor. A true copy of the representations dated 06.03.2018 and 02.07.2019 submitted by Applicant No.1 to the DOT is submitted as **Annexure A-33 (Colly)**.

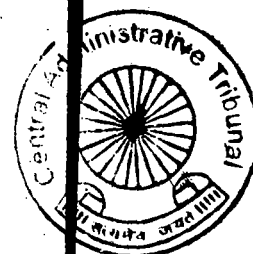
4.28 While no response has been received to the aforementioned representations, DOT's stand remains that there can be no pension revision without pay revision. It is reiterated that the stand of DOT is untenable because absorbees into BSNL constitute a unique class different from other CPSEs in the matter of eligibility to pension on par with government servants, and while pay revision depends upon the financial position of BSNL, pension revision does not depend upon the financial position of BSNL because 100 percent liability of paying pension/family pension for them lies with Government of India which is borne out from Rule 37 A of the Rules.

4.29 The unique position of BSNL absorbees is also evident from the fact that while employees of BSNL are not entitled for Central Govt. Health Scheme (CGHS), the combined service pensioners are entitled for this facility because their pension/family pension is paid from the Central Civil Estimate similar to Central Government pensioners. However, employees recruited by BSNL are not eligible for this benefit. A true copy of OM dated 20.02.2014 is annexed herewith as **Annexure A-34**. A true copy of the OM dated 31.8.2016 issued by DOT is annexed herewith as **Annexure A-35**. A true copy of OM dated 01.07.2019 is annexed herewith as **Annexure A-36**.

4.30 Moreover, the widowed/ unmarried or divorced daughters of absorbee pensioners are granted family pension without the restriction of any upper-age limit. A true copy of OM dated 31.08.2010 is annexed herewith as **Annexure A-**



- 4.31 It is pertinent to note that absorbee BSNL pensioners, like pensioners of the Central Government, are eligible for grant of two family pensions for military and/or civil employments. A true copy of OM dated 16.01.2013 issued by DoP&PW is annexed herewith as **Annexure A-38**.
- 4.32 Despite implementation of the recommendations of the 7th CPC for pre-2016 Central Government pensioners as well as its own pensioners, DOT has illegally and unlawfully denied, vide OM dated 16.03.2017, benefit of the recommendations of the 7th CPC to pre-2017 retirees of BSNL who were absorbed from DOT. The Applicant has sought to get recommendations of the 7th CPC implemented for DOT absorbees vide representations dated 06.03.2018 and 02.07.2019 to the DOT and 12.02.2019 and 16.07.2019 to the DoP&PW and has thereby effectively sought a review of the view expressed by the DOT in OM dated 16.03.2017. However, the Applicants have not received any response thereto. A true copy of OM dated 16.03.2017 of DOT is annexed herewith as **Annexure A-39**.
- 4.33 The revision of pension of pre-2016 pensioners on the basis of the recommendations of the 7th CPC was adopted by the Department of Telecommunications. A true copy of the OM dated 28.07.2017 of the Department of Telecommunications, Ministry of Communication & IT is annexed herewith as **Annexure A-40**.
- 4.34 The combined service optees of BSNL, on retirement, are getting their gratuity in accordance with CCS (Pension) Rules, 1972 and not according to Payment of Gratuity Act, 1972. However, the retirees from other CPSEs are getting gratuity as per Payment of Gratuity Act, 1972. Therefore, it is evident that the retirees from BSNL are different from retirees of other CPSEs with regard to retirement benefits and cannot be placed in the same class or category. Infact, it is owing to this distinction in calculation of gratuity that all Applicants have received a lower amount as gratuity than their counterparts in CPSEs and as an illustration it is pertinent to note that Applicant No.2 got Rs.91,674/- less than his counterpart in CPSE as gratuity.
- 4.35 During discussions of Applicant No.1 with DOT for grant of benefit of 7th CPC, another objection raised by DOT was that the combined service optees of BSNL cease to be Government servants from the date of absorption and they shall be deemed to have retired from Government service as per sub-rule 4 of Rule 37-A of CCS (Pension) Rules, 1972. It is submitted that equating of absorbees in



CPSUs with persons who have been recruited by the CPSU, for the purpose of retirement benefits, on the ground that pursuant to absorption, the absorbees cease to be Government servants has been rejected by the Hon'ble Supreme Court vide judgment dated 15.12.1995 in WP (C) No.11855 of 1985, in the context of a similar provision incorporated in OM dated 05.03.1987 of the DoP&PW and the said judgment was implemented by the DoP&PW vide OM dated 30.09.1996. In addition to being contrary to the explicit position under Rule 37-A, the stand of DOT, it is submitted is also contrary to the aforesaid decision of the Hon'ble Supreme Court and its implementation by DoP&PW. A true copy of the judgment of the Hon'ble Supreme Court dated 15.12.1995 in WP (C) No.11855 of 1985 is annexed herewith and marked as **Annexure A-41**. A true copy of OM dated 05.03.1987 is annexed herewith as **Annexure A-42**. A true copy of OM dated 14.07.1998 is annexed herewith as **Annexure A-43**.

4.36 The Applicants respectfully submit that the employees who were absorbed in CPSEs from the Government and those who opted for pro-rata monthly pension for the service rendered in Government; and, the employees who were in Government service but resigned their post, joined a CPSU, and got 100% commutation, are all entitled for the benefits of Central Pay Commission.

4.37 It is pertinent to note that O.M. dated 23.06.2017 has been issued by the DoP&PW, Para 8, whereof states:

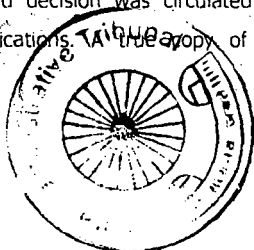
It has been decided to extend the benefit of order dated 2/8/2007 of the Hon. Madras High Court and the order dated 1/9/2016 of the Hon. Supreme Court to all similarly placed absorbee pensioners. Accordingly, all such absorbee pensioners who had taken 100% lump-sum amount in lieu of pension on absorption in PSU/Autonomous Bodies in accordance with the then existing Rule 37-A and in whose case 1/3 pension had been restored after 15 years, may be allowed restoration of full pension after expiry of commutation period of 15 years from the date of payment of 100% lump-sum amount.

Para 9 of the said O.M. states that:

The absorbee pensioners whose full pension is restored in terms of the above instructions would also be entitled to revision of their pension in accordance with the instructions issued from time to time in implementation of the Pay Commissions, including the 7th Central Pay Commission.

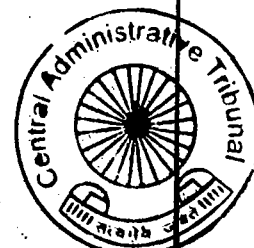
A true copy of the DoP&PW O.M. dated 23.06.2017 is annexed herewith as **Annexure A-44**.

4.38 The aforesaid decision was circulated for implementation by Department of Telecommunications. A true copy of OM dated 06.07.2017 issued by the



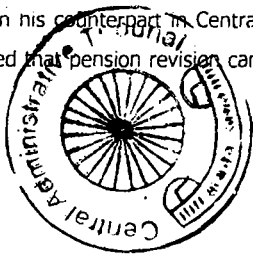
Department of Telecommunications, Ministry of Communication & IT is annexed herewith as **Annexure A-45**.

- 4.39 It is respectfully submitted that when the employees who resigned from Central Government service and got 100% lump-sum in lieu of pension are entitled for full pension after 15 years with attendant benefits including pension revision as per 7th CPC recommendations, there is no reason or logic to deny the benefit to the combined service optees who get their monthly pension from the Central Government from the day after their retirement.
- 4.40 It is reiterated that Government employees of Department of Telecom Services and Department of Telecom Operations who were permanently absorbed in BSNL had only one option before them i.e. Government pension on combined service. They had no option either for pro-rata pension or for 100 percent commutation. In light of this fact, it is respectfully submitted that there is no basis for treating the absorbees in BSNL differently from the Central Government employees in so far as retirement benefits such as pension are concerned.
- 4.41 The Applicants submitted representation dated 12.02.2019 to DoP&PW for revision of pension is in accordance with the recommendations of the 7th CPC. Thereafter, the Applicants also submitted representation dated 16.07.2019 to the DoP&PW. A true copy of the representation dated 12.02.2019 is annexed herewith as **Annexure A-46**. A true copy of representation dated 16.07.2019 is annexed herewith as **Annexure A-47**.
- 4.42 In response to the representation of the Applicants, DoP&PW has issued an OM wherein it has referred to proposal of DOT for revision of pension of combined service absorbee pensioners of BSNL/MTNL. It appears that DOT has stated that pay of employees of BSNL has not been revised in implementation of the recommendations of the 3rd PRC and therefore revision in pension of the absorbee pensioners would result in an anomalous situations whereby their pension would become higher than pension of existing employees. DoP&PW has sought proposals from DOT for resolution of this anomaly. It has also directed DOT to consider the representation dated 12.02.2019 of the Applicants and send comments on the same along with clarifications sought vide note dated 14.01.2019 of the DoP&PW. However, DOT has failed to respond to the DoP&PW and to suggest measures to resolve the anomalous situation resulting in prejudice to the Applicants. A true copy of OM dated 08.03.2019 of the DoP&PW is annexed herewith as **Annexure A-48**.





- 4.43 The Applicants have learnt that DOT has not given any concrete proposal in terms of OM dated 08.03.2019 till date and has failed to take any action for revising the pension of the Applicants and similarly placed persons in terms of recommendations of the 7th CPC. In effect, therefore, pursuant to the said OM dated 08.03.2019 of DoP&PW whereby it has asked DOT to reconsider the request of the Applicant Association as stated in the representation dated 12.02.2019, the DoP&PW being the governing department in the matter of decisions on the eligibility to receive pension, the DOT is obliged to apply its mind to the case set up by the Applicants herein. However, to the best knowledge of the Applicants, DOT has not done so till date. Therefore, the Applicants are constrained to approach this Hon'ble Tribunal especially keeping in view the fact that the right to receive pension in accordance with the rules applicable to them is a vested and recurring right. It is further submitted that every month in which the Applicants are deprived of full and complete pension confers a fresh cause of action on the Applicants.
- 4.44 As already stated, Rule 37-A creates a *sui-generis* group of combined service absorbee pensioners. All the absorbed BSNL pensioners were in Government service for more than 20 years and a maximum of only 17 years' service in BSNL.
- 4.45 It is respectfully submitted that in terms of the recommendations of the 3rd PRC only pay of an employee can be dependent upon the financial position of BSNL, however, since Rule 37-A categorically provides that pension of absorbee pensioners has to be borne by the Central Government, the same cannot be made dependent upon the financial position of the company. A contrary stand will lead to absurd and anomalous result in situations such as closure of BSNL when it may not have even a single employee but that can surely not have any impact on the liability for pension towards retired employees. It is pertinent to note that the revision of pension in terms of the recommendations of the 7th CPC is a result of recognition in the increase of cost of living and therefore benefit of the same cannot be deprived to the Applicants who were promised treatment on par with Central Government employees at the time of their absorption.
- 4.46 Due to non-revision of pension for absorbed BSNL IDA pensioners they are getting pension at a lower rate than their counterparts in Central Government i.e. CDA pensioners. For example, Applicant No.2 is getting Rs.1677/- per month less than his counterpart in Central Government as on 01.01.2017. It is further submitted that pension revision cannot be denied to the absorbee pensioners on



the ground of absence of pay revision because the revision of their pension is protected due to their status as absorbees enjoying parity with Central Government employees in matters of pension.

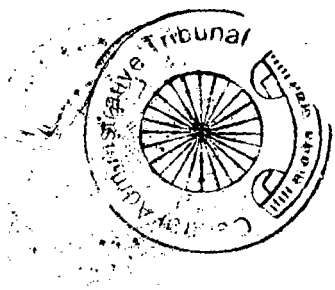
- 4.47 Moreover, as a result of denial of revision of pension in terms of the recommendations of the 7th CPC, members of the Applicant Association are being denied the minimum pension of Rs.9,000/- which is being paid to Central Government pensioners in terms of OM's dated 04.08.2016 by which the recommendations of the 7th CPC were implemented for them. Consequently, thousands of members of the Applicant Association are getting Rs.1,317/- per month less than their counterparts in the Central Government as pension. It is respectfully submitted that the burden of denial of revision in pension on the basis of the recommendations of the 7th CPC to the Applicants who are in the twilight years of their life is extremely grave apart from being blatantly unconstitutional and illegal and therefore they are constrained to approach this Hon'ble Tribunal. A true copy of representation dated 05.07.2019 is annexed herewith as **Annexure A-49**.

5. **GROUND:**

That the Applicants, being aggrieved of the inaction on the part of the Respondents in not revising their pension, have filed this OA and urge the following among other grounds:

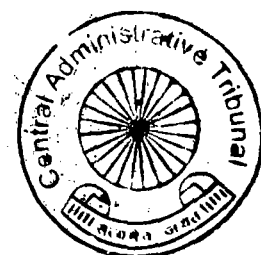
- A. BECAUSE denial of revision of pension of the absorbee pensioners of BSNL on the ground that pay revision has not occurred since 01.01.2017 is contrary to the scheme laid down under Rule 37-A of the CCS (Pension) Rules, 1972. It is submitted that Rule 37-A(22) read with 37-A(24) explicitly lays down that the responsibility for payment of pension of officers who have retired from DOT and absorbees in BSNL lies with the Government of India. It is, therefore, submitted that absorbee pensioners of BSNL enjoy parity with Central Government employees and consequently the revision of their pension cannot be linked to pay revision of employees of BSNL which is dependent on profitability of BSNL.
- B. BECAUSE, indisputably, the absorbee pensioners of BSNL, enjoy parity with Central Government employees, on the issue of pension, as is evident from Rule 37-A(22) read with 37-A(24) of the CCS (Pension) Rules, 1972. It is submitted that, the benefit of the recommendations of the 7th CPC for pension revision has already been extended to the retired employees of the Central Government and

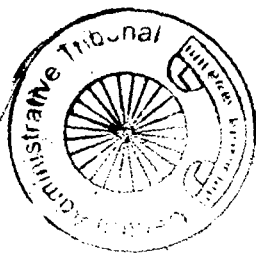




therefore denial of such benefit to absorbee pensioners of BSNL amounts to treating equals in an unequal manner leading to class discrimination and is therefore, in violation of Article 14 of the Constitution of India, and is also arbitrary and suffers from non-application of mind.

- C. BECAUSE the presidential order for appointment of the Applicants in BSNL, emphatically provided that, their absorption will be governed by Rule 37-A. As stated above, under Rule 37-A(22) read with 37-A(24), the liability for payment of pension of the Applicants lies with the Central Government and therefore it cannot be linked with pay revision, which has been subsequently made to be dependent on profitability of the Central Public Sector Undertaking. It is, therefore, submitted that the failure of the Respondents to revise the pension of the Applicants is contrary to the Presidential Order of their appointment.
- D. BECAUSE, the impugned action of the Respondents is contrary to the well settled position of law, that, the right to revision of pension at par with other Central Government pensioners cannot be taken away by a mere executive fiat or administrative instruction. Pension and gratuity are not mere bounties; or, given out of generosity by the employer. An employee earns these benefits by virtue of his long, continuous, faithful and un-blemished service. Pension has been held to be deferred salary and once it has been revised for similarly situated persons, its denial to the Applicants cannot be countenanced or permitted.
- E. BECAUSE, the Applicants have been granted parity with Central Government pensioners in matters of (a) Grant of full pension on rendering ten years of qualifying service, in place of 33 years; (b) Grant of full pension at 50% of last pay drawn instead of ten months average pay; (c) Family pension to unmarried/ divorced/ mentally retarded/physically retarded daughters without any upper age limit; (d) Grant of two family pensions from military and from BSNL in case of those ex Servicemen who worked in BSNL and retired from BSNL; (e) Grant of benefit of CGHS. In view of the above, it is submitted that the Applicants enjoy parity with Central Government pensioners qua retirement benefits and they cannot be denied the benefit of revision of pension at par with Central Government pensioners.
- F. BECAUSE denial of benefit of the recommendations of the Seventh Central Pay Commission to the absorbee pensioners of BSNL who enjoy parity with Central Government pensioners, who have been granted the said benefit is contrary to the law laid down by the Hon'ble Supreme Court in *DS Nakara & Ors. v. Union of India*, (1983) 1 SCC 305 that an artificial distinction between a homogenous class





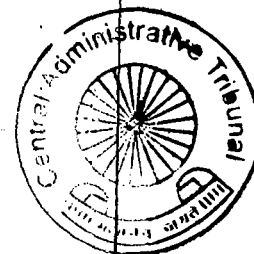
of pensioners resulting in lower pension to some is in violation of Article 14. The relevant observations of the Court are being reproduced herewith:

20. The antiquated notion of pension being a bounty, a gratuitous payment depending upon the sweet will or grace of the employer not claimable as a right and, therefore, no right to pension can be enforced through Court has been swept under the carpet by the decision of the Constitution Bench in Deoki Nandan Prasad v. State of Bihar and Ors⁷ : wherein this Court authoritatively ruled that pension is a right and the payment of it does not depend upon the discretion of the Government but is governed by the rules and a Government servant coming within those rules is entitled to claim pension. It was further held that the grant of pension does not depend upon any one's discretion. It is only for the purpose of quantifying the amount having regard to service and other allied matters that it may be necessary for the authority to pass an order to that effect but the right to receive pension flows to the officer not because of any such order but by virtue of the rules. This view was reaffirmed in State of Punjab and Anr. v. Iqbal Singh.

42. If it appears indisputable, as it does to us that the pensioners for the purpose of pension benefits form a class, would its upwards revision permit a homogeneous class to be divided by arbitrarily fixing an eligibility criteria unrelated to purpose of revision and would such classification be founded on some rational principle?

- G. BECAUSE the impugned action is contrary to the law laid down by the Hon'ble Supreme Court in the judgment in *State of Jharkhand v. Jitendra Kumar Srivastava & Ors.* (2013) 12 SCC 210, wherein it was held that, pension is "property" within the meaning of Article 300A of the Constitution, and executive instructions which do not have any statutory sanction cannot be termed as "law" within the meaning of Article 300A. It was further held that in the absence of statutory rules permitting withholding of pension or gratuity, the State could not do so by way of executive instructions.
- H. BECAUSE the Hon'ble Supreme Court in *U.P. Raghavendra Acharya v. State of Karnataka*, (2006) 9 SCC 630 has reiterated that pension is a vested right and the increase in pension due to grant of revised scale of pay cannot be modified by way of an executive instruction. The relevant observations of the judgment are being reproduced hereinunder:

23. The stand of the State of Karnataka that the pensionary benefits had been conferred on the appellants w.e.f. 1-4-1998 on the premise that the benefit of the revision of scales of pay to its own employees had been conferred from 1-1-1998, in our opinion, is wholly misconceived. Firstly, because the employees of the State of Karnataka and the appellants, in the matter of grant of benefit of revised scales of pay, do not stand on the same footing as revised scales of pay had been made applicable to their cases from a different date. Secondly, the appellants had been given the benefit of the revised scales of pay w.e.f. 1-1-1996. It is now well settled that a notification can be issued

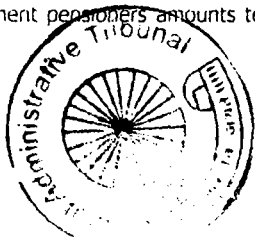


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by the State accepting the recommendations of the Pay Revision Committee with retrospective effect as it was beneficial to the employees. Once such a retrospective effect is given to the recommendations of the Pay Revision Committee, the employees concerned despite their reaching the age of superannuation in between the said dates and/or the date of issuance of the notification would be deemed to be getting the said scales of pay as on 1-1-1996. By reason of such notification, as the appellants had been deprived of a vested right, they could not have been deprived therefrom and that too by reason of executive instructions.

It is respectfully submitted that the revised pension in terms of the recommendations of the 7th CPC have already been implemented for all Central Government retirees vide OMs dated 04.08.2016; and, infact, since the DOT has also implemented this revision for its own employees, the Petitioners cannot be deprived of its benefit on the basis of OM dated 16.03.2017 which is merely an executive instruction.

1. BECAUSE the Hon'ble Supreme Court in a catena of judgments has asserted that the Constitution has promised workers a 'living wage' which includes earnings that are sufficient to constitute a measure of security in old age. Moreover, the Court has also reiterated the need to fix the remuneration structures in terms of prevailing prices to safeguard an employee against rise in prices and inflation. It is respectfully submitted that the purpose of revision of pension is to enable retired employees to grapple with the increase in cost of living and lead a dignified life in old age and therefore, denial of such a benefit to the Applicants herein is in violation of the law laid down by this Hon'ble Court in *Workmen v. Reptakos Brett & Co. Ltd.*, (1992) 1 SCC 290.
1. BECAUSE denial of the benefit of the recommendations of the 7th CPC to the Applicants herein is resulting in a significant loss to them as they are getting less pension compared with their contemporary retirees from Central Government. The case of Applicant No.2 is illustrative of this phenomenon as he is getting Rs.1,677/- per month less in pension compared to contemporary retirees of the Central Government. The Applicants are therefore being treated differently from Central Government pensioners due to denial of revision of their pension in terms of the recommendations of the 7th CPC despite being similarly situated to them in so far as the issue of retirement benefits is concerned. It is, therefore, submitted that the denial in revision of pension to the Applicants on the basis of the recommendations of the 7th CPC despite grant of the same to Central Government pensioners amounts to treating similarly placed persons differently



and is a violation of the right to equality guaranteed to them under Article 14 of the Constitution.

- K. BECAUSE as a result of denial of revision of pension in terms of the recommendations of the 7th CPC, members of the Applicant Association are being denied the minimum pension of Rs.9,000/- which is being paid to Central Government pensioners in terms of OMs dated 04.08.2016 by which the recommendations of the 7th CPC were implemented for them which is discriminatory, arbitrary and a violation of Article 14.
- L. BECAUSE the combined service optees of BSNL, on retirement, are getting their gratuity in accordance with CCS (Pension) Rules, 1972 and not according to Payment of Gratuity Act, 1972. However, the retirees from other CPSEs are getting gratuity as per Payment of Gratuity Act, 1972. Therefore, it is evident that the retirees from BSNL are different from retirees of other CPSEs with regard to retirement benefits and cannot be placed in the same class or category. Infact, it is owing to this distinction in calculation of gratuity that all Applicants have received a lower amount as gratuity than their counterparts in CPSEs and as an illustration it is pertinent to note that Applicant No.2 got Rs.91,674/- less than his counterpart in CPSE as gratuity.
- M. BECAUSE the Government has acknowledged that the responsibility for payment of pension to retirees from DOT and absorbees in BSNL is its absolute liability, vide OM dated 20.07.2016 and therefore revision in pension of the persons covered under Rule 37-A(22) read with 37-A(24) cannot be made dependent upon revision of pay which is dependent on the profitability of BSNL under guidelines dated 03.08.2017 for pay revision in Central Public Sector Enterprises. Therefore, the impugned action of the Respondents is contrary to settled past practice.
- N. BECAUSE it is not open to the Respondents to introduce an artificial criterion to create a distinction between persons whose status has been generated by a statutory provision.
- O. BECAUSE this Hon'ble Tribunal vide order dated 04.06.2007 in OA No 1640/2006 (*Iqbal Singh Vedi & Ors. v. DGCA*) in the context of absorbees of Directorate General of Civil Aviation ("DGCA") in the National Airports Authority ("NAA") now Airports Authority of India ("AAI") has directed that the pension of the Applicant be revised in terms of the recommendations of the 5th CPC.



- P. BECAUSE the order dated 04.06.2007 of this Hon'ble Tribunal has also been upheld by the Hon'ble High Court of Delhi at New Delhi vide judgment dated 06.03.2017 in WP (C) No.5687 of 2007 (*Director General of Civil Aviation v. Iqbal Singh Vedi & Ors.*) and therefore the order of this Tribunal dated 04.06.2007 has attained finality and ought to govern the rights of the parties herein.
- Q. BECAUSE the absorbees who had withdrawn 100% pension as lump sum have been accorded the benefit of restoration of full pension after 15 years from date of payment of 100% lump sum on par with Central Government pensioners vide OM dated 23.06.2017 of the DoP&PW. Therefore, there is no ground to deny absorbees in BSNL the benefit of revision of pension on lines of the recommendations of the 7th CPC which have been implemented for other Central Government pensioners.
- R. BECAUSE the denial of revision of pension to the members of the Applicant Association is in violation of the sovereign guarantee undertaken by the Respondents that the pensionary benefits of the Applicants will not be prejudiced on account of absorption in BSNL from DOT on which basis they consented to the absorption.

6. **DETAILS OF REMEDIES EXHAUSTED:**

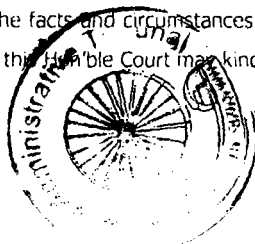
It is submitted that the first Applicant submitted several representations to Respondent Nos.1 and 2 and the latest ones being representation dated 02.07.2019 and 16.07.2019, respectively. However, they are yet to receive any response from the Respondents. The Applicants have, therefore, exhausted all remedies available to them.

7. **MATTER NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT:**

The Applicants declare that they have not previously filed any application, writ petition or suit before any court of law or any other authority or bench of the Tribunal regarding the matter in respect of which this application has been made and no such application, writ petition or suit is pending before them.

8. **RELIEF/s SOUGHT:**

In light of the facts and circumstances set out hereinabove, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to -



- i. Declare that the members of the Applicant Association are entitled to parity with Central Government pensioners in the matter of revision of pension on the same yardstick as granted to Central Government pensioners;
- ii. Direct the Respondents to revise the pension of the members of the Applicant Association in terms of the recommendations of the 7th Central Pay Commission;
- iii. Direct Respondents to de-link the issue of revision of pension from pay revision for absorbee pensioners of BSNL;
- iv. Pass such other order/s as may be deemed fit and proper in the facts of the present case.

9. INTERIM RELIEF

No interim relief has been prayed for.

10. PARTICULARS OF BANK DRAFT

- a. Demand Draft Nos. 771560 and 767818
- b. Issuing Branch: UCO Bank, Delhi High Court
- c. Dated: 10.09.2020 and 11.09.2020
- d. In favour of: Registrar CAT Principal Bench

11. Application has been sent through email to judicial-pb-cat@gov.in. Applicants desire to have oral hearing at admission stage.

12. LIST OF ENCLOSURES:

As per index.

VERIFICATION

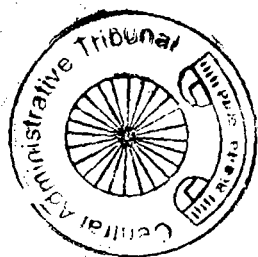
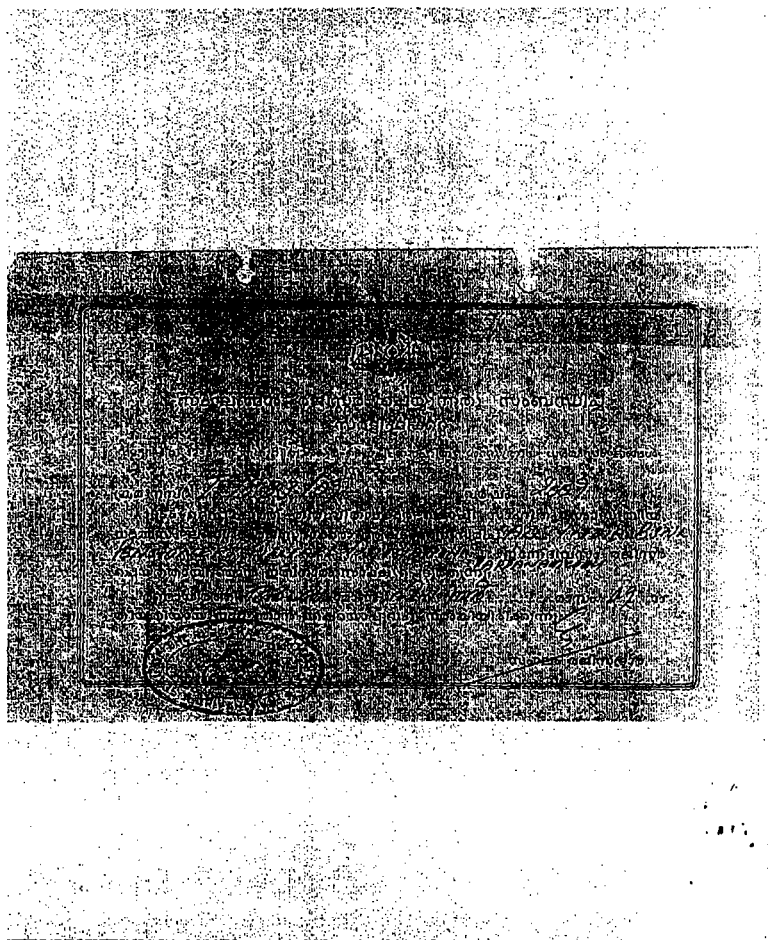
I, Gangadhar Rao, Secretary of Applicant No.1, S/o P. Sudarshanam, aged 72 years, Residing at No.6, G No.12th Street, Jogupalaya, Halasuru, Bangalore- 560008, do hereby verify that the contents of paras 1.1 to 1.4, 4.1 to 4.43, 4.47, 6, 7, 10 are true to my personal knowledge and paras 1.5 to 1.7, 2, 3, 5, 8 believed to be true on legal advice and that I have not suppressed any material fact. I am authorized to verify the Application for all Applicants.

Date : 10.09.2020
Place : New Delhi

Signature of the Applicant



ANNEXURE A-1



[Emblem of Government of Kerala]

CERTIFICATE REGARDING REGISTRATION OF SOCIETIES

**Under 12th of Travancore-Cochin Literary, Scientific and Charitable Societies
Registration Act of 1955**

Sl. No. T 1833/09

Year 2009

I hereby certify that ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION is registered on this day Under 12th of Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act of 1955.

Signed on this Ninth Day of December of the year, Two Thousand and Nine.

[Seal]

Sd/-
Registrar of Societies

TRUE TRANSLATED COPY



104.

ANNEXURE A-2

GOVERNMENT OF INDIA
DEPARTMENT OF TELECOMMUNICATIONS

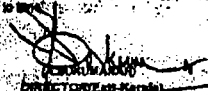
No. 27-1/1001/TRA/Telecom (Pension) dated 07/12/2000

Dated: 18-1-2002

ORDER

Sub: Permanent absorption of Shri RAMAKRISHNAN NARAYAN, Telegraph Master, Staff No. 5355 in Bharat Sanchar Nigam Limited

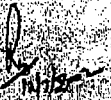
1. Pursuant to letter No. 25014/TRA/2000 dated 2.1.2001 on the above subject, and in accordance with the provisions of Rule 37-A of CCS (Pension) Rules, as amended from time to time, sanction of Shri President, in telegraph conveyed to the permanent absorption of Shri RAMAKRISHNAN NARAYAN, a permanent employee of the Department of Telecommunications, in BSNL, with effect from the date and under the terms and conditions as indicated below.
2. Date of effect: The permanent absorption shall take effect from 01.10.2000, onwards.
3. Pension/Cash: Shri RAMAKRISHNAN NARAYAN shall be eligible for pensionary benefits including gratuity as per the provisions of Rule 37-A of the CCS (Pension) Rules, as amended from time to time.
4. Family Pension: The family of Shri RAMAKRISHNAN NARAYAN shall be eligible for family pension as per provisions of Rule 37-A read with Rule 64 (3) of CCS (Pension) Rules, 1972, as amended from time to time.
5. Regulation of pay on absorption: To be regulated in terms of para 4 of DOP EPW.O.M. No. 11807-EPW (2) dated 3.2.1998.
6. Leave: The Earned Leave and Half Pay Leave at the credit of Shri RAMAKRISHNAN NARAYAN shall be transferred to BSNL on the date of absorption as provided for under sub-rule 240 of Rule 37-A of the CCS (Pension) Rules.
7. Provident Fund: The amount of subscription against NRI Interest Free on standing to the credit of Shri RAMAKRISHNAN NARAYAN in the General Provident Fund account will be transferred to the new Provident Fund Account under the BSNL, as provided for under sub-rule 2 (k) of Rule 37-A of the CCS (Pension) Rules, as amended from time to time.

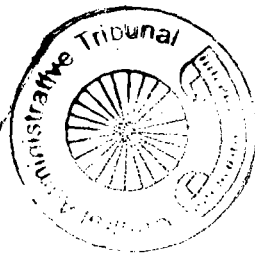

DIRECTOR (PENSION)
DEPARTMENT OF TELECOM

To
Chairman and Managing Director
Bharat Sanchar Nigam Limited
20, Ansari Road, New Delhi

Copy to:

1. Director (Pension), BSNL Office in charge for maintaining the service book for keeping this order in the service book along with suitable entries
2. Official concerned
3. CGM/Kerala Telecom Circle


11/12



ANNEXURE A-3

**GOVERNMENT OF INDIA
DEPARTMENT OF TELECOMMUNICATIONS**

No 24/19/200-CHRYN/2001/2007

Dated 15/01/02

ORDER

Subject: Permanent Absorption of Shri/Smt/Kumari LATHIAV, SS(C), Staff
No.122 in Bharath Sanchar Nigam Limited.

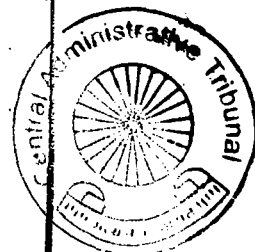
1. Pursuant to letter no. 1820/1/200 dated 28/2/01 on the above subject, and in accordance with the provisions of Rule 37-A of CCS (Pension) Rules, as amended from time to time, and of the President's Order dated 28/2/01 on the permanent absorption of Shri/Smt/Kumari LATHIAV, a permanent temporary employee of the Department of Telecommunications, to BSNL with effect from the date indicated below, and conditions indicated below.
2. Date of effect: The permanent absorption shall take effect from 01-10-2000 (forenoon).
3. Pension/Guaranty: Shri/Smt/Kumari LATHIAV shall be eligible for pensionary benefits including guaranty as per the provision of Rule 37-A of the CCS (Pension) Rules as amended from time to time.
4. Family Pension: The family of Shri/Smt/Kumari LATHIAV shall be eligible for family pension as per provision of Rule 17-A read with Rule 34 (13-B) of CCS (Pension) Rules, 1972 as amended from time to time.
5. Regulation of Pay on absorption: To be regulated in terms of para 4 of DOP&P.W OM No.4/16/87-P&P.W (D) dated 27.7.1989.
6. Leave: The Earned Leave and Half Pay Leave at the credit of Shri/Smt/Kumari LATHIAV stand transferred to BSNL on the date of absorption as provided for under Sub-rule 24(b) of Rule 37-A of the CCS (Pension) Rules.
7. Provident Fund: The amount of subscription together with interest thereon standing to the credit of Shri/Smt/Kumari LATHIAV in the General Provident Fund account will be transferred to his/her new Provident Fund account with the BSNL as provided for under Sub-rule 24(c) of Rule 37-A of the CCS (Pension) Rules as amended from time to time.

**SIRAJUDDIN VERMAN
DIRECTOR (CHRYN)
DOT**

To,
Chairman and Managing Director,
Bharath Sanchar Nigam Limited,
20, Anand Road, New Delhi.

Copy to:

1. S&T Officer in Charge for maintaining the service book for keeping this order in the service book along with other entries.
2. C.O. concerned.
3. G.O. of the concerned working office.



ANNEXURE A-4

Page 1 of 3

S.No

No.4/18/87-P&PW (D)

Government of India

Ministry of Personnel, Public Grievances & Pensions
(Department of Pension & Pensioners' Welfare)6th Floor, Nirvachan Sadan
New Delhi, dated the 5th July, 1989OFFICE MEMORANDUM**Subject:- Settlement of pensionary terms etc., in respect of Government employees transferred en masse to Central Public Sector Undertakings/Central Autonomous bodies.**

The undersigned is directed to refer to this Department's Office Memorandum No. 4(8)/85-P&PW dated 13th January 1986 and Office Memorandum of even number dated 30th October, 1986 on the above subject. The question of settlement of pensionary terms on conversion of a Government Department or a segment thereof or a Government office into a Central Public Sector Undertaking/autonomous body has been reviewed in the light of the recommendations of the Committee of the National Council (JCM). The President is now please to decide that, in a partial modification of above mentioned Office Memoranda, the following terms and conditions will be applicable in the case of en masse transfer of employees:

a) The permanent Government servants shall have an option to retain the pensionary benefits available to them under the Government rules or be governed by the rules of the Public Sector Undertaking/Autonomous Body. This option shall also be available to quasi-permanent and temporary employees after they have been conformed in the Public Sector Undertaking/Autonomous Body.

b) The Government servants who opt to be governed by the pensionary benefits available under the Government, shall at the time of their retirement, be entitled to pension etc. in accordance with the Central Government rules in force at that time.

c) The permanent Government servants with less than 10 years service, quasi permanent employees and temporary employees who opt for the rules of the PSU/Autonomous Body shall be entitled to an amount equal to Provident Fund contribution for the period of their service under the Government upto the date of permanent absorption in the PSU/Autonomous Body with simple interest at 6% per annum as opening balance in their CPF account with the Public Sector Undertaking/Autonomous Body.

The permanent Central Government servants who have completed 10 years or more of service and who opt for the retirement benefits of a PSU/Autonomous Body will receive pro-rata retirement benefits for the service rendered under the Government. These will be regulated as follows:-

- i) Employees who have an option either to draw pro-rata pension monthly or to draw a lump sum amount in lieu of 100% pro-rata pension.
- ii) Where the employees opt in favor of monthly payment of pro-rata pension, the same shall be allowed to be drawn with effect from the date of permanent absorption in a



PSU/Autonomous Body. No part of pro-rata pension will be allowed to be commuted either at the time of permanent absorption or any time thereafter.

- iii) In the case of employees who opt in favor of a lumpsum amount in lieu of 100% pro-rata pension, the lumpsum value shall be worked out on the basis of table prescribed under the CCS (Commutation of Pension) Rules, 1981.
- iv) In the case of employees covered by clause (ii), the retirement gratuity and for those covered by clause (iii) above, both retirement gratuity as well as lumpsum commuted value shall be paid on the expiry of a period of 7 years from the date of permanent absorption. The amounts, however, can be paid earlier in the event of death/retirement/resignation/discharge from service.
- v) The amounts of retirement gratuity and lump sum value in lieu of pension mentioned in clause (iv) above shall remain with the Government, and earn interest at the rate prescribed for General provident Fund deposits from time to time for the period they remain with the Government.

2. The family pension entitlements will be regulated in accordance with the instructions being issued separately.

3. As soon as a Central Government Department, Office or segment of a Government Department is converted into a PSU/Autonomous Body, the concerned Government servants will be transferred to such new organisation on foreign service terms in the initial period. The Government servants will be permanently absorbed in the PSU/Autonomous Body with effect from prospective date to be fixed by the concerned administrative Ministry/Department and from that date they will cease to be Government servants. Such of the Government servants who are not willing to be absorbed will have an option to revert back to Govt. service. In that event, if no suitable vacancies are available in the Office/Department/Ministry for such employees, their names will be transferred to Surplus Staff Cell.

4. The Public Sector Undertaking/Autonomous Body will formulate the terms and conditions of service in the new body at the earliest possible date. The employees will however have an option to retain Government pay scales till their promotion or retirement (whichever is earlier) or to come over to the service conditions of the PSU/Autonomous Body. However, until the exercise of this option, they will continue to be governed by the pay scales, leave entitlements and terminal benefits under the Government.

5. Dismissal/removal from the service of a PSU/Autonomous Body after absorption for any subsequent misconduct shall not amount to forfeiture of his retirement benefits for the service rendered in the Central Government. Also in the event of dismissal/removal of a transferred employees from the PSU/autonomous body, the employee concerned will be allowed protection to the extent that the administrative Ministry/Department will review order before taking a final decision.

6. The other terms and conditions stipulated in Department's Office Memoranda dated 13th January 1986 and 30th October, 1986 referred above, which have not been specifically modified, will continue to remain operative.

7. These orders will also be applicable to those Government servants who would be absorbed in the Mahanagar Telephone Nigam Ltd./ Videsh Sanchar Nigam Ltd./ National Airports Authority of India etc.

8. In their application to the employees serving in the Indian Audit & Accounts Department, these orders issue in consultation with the Comptroller & Auditor General of India.





No

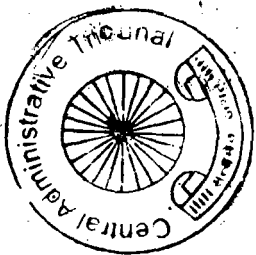
Page 3 of 3

Hindi version will follow.

Sd/-
(Ashish Kumar)
Dy. Secretary to the Government of India

To

All Ministries/Departments of the Government of India



ANNEXURE A-5

No. 14-4/2000-8

~~Annexure-I~~

Annexure-I

To: SA 24-30-2004

SECRET

Copy No. -

No. 2-299-Regis (Vol. I)
 Government of India
 Ministry of Communications
 Department of Telecom Services

New Delhi, the 25th September 2000**NOTE FOR THE CABINET**

Subject: Approval for HRD and financial issues arising out of the corporatisation of the Department of Telecom Services and of the Department of Telecom Operations.

1. Introduction

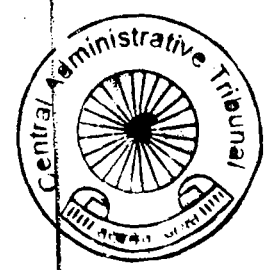
1.1 Commencement of business with effect from 1st October, 2000 is to take place by the corporate entity Bharat Sanchar Nigam Ltd. - BSNL (being set up by corporatisation of the Department of Telecom Services and Department of Telecom Operations).

1.2 This Note is being submitted to seek approval of the Cabinet for the HRD and financial issues related to corporatisation.

2. Present structure of BSNL

2.1 The Department of Telecom Operations (DTO) operates telegraph/telecom services throughout the length and breadth of the country, except telecom services in the metropolitan areas of Mumbai and Delhi.

2.2 As on 31st August 2000, about 23.8 million lines are operational, with about 20% of them working in rural/remote areas of the country. To support this network, 29.22 million lines switching capacity, 2 million lines of Trunk Automatic Exchange capacity, 1,85,000 route kilometers of optical fibre cable systems, 1,50,000 route kilometers of microwave system, and about 416 satellite stations are operational. In addition, about 3.8 lakh villages out of a total of over 5 lakh villages have been covered with village public telephones.

SECRET

18-4/2002-B

Department of Telecommunications

SECRET

FIGING 2.2/29/RS/001/001

Department of Telecom Services

2.3 This vast network is managed and operated through 29 territorial circles, two metro districts, four project circles, four maintenance regions, and supported by specialized telecom units (Telecommunications Engineering Centre, Quality Assurance etc.) and many training institutions and other units such as Telecom Facilities, Telecom Stores etc. There are about 2.63 lakh employees in the three Departments of DOT/DS/DTE of which about 2.66 lakh belong to Group 'C', 0.73 lakh to Group 'D', 0.18 lakh to Group 'B' and about 5,446 to Group 'A'.

2.4 The corporatisation of DOT/DS/DTE involves transfer of officers and staff engaged in service providing functions initially on deemed deputation basis without deputation allowances and other transfer of complex operations spread throughout the country, evolved over the years and encompassing a spectrum of technologies, to the new corporate entity, Bharat Sanchar Nigam Ltd (BSNL). BSNL would also be the successor organisation to DOT/DS/DTE, and accordingly all contracts, legal issues etc. would need to be transferred from DOT/DS/DTE to BSNL through appropriate measures. The assets and liabilities are proposed to be transferred at a provisional value, and through appropriate Government orders. The staff are proposed to be transferred on as is where is basis on deemed deputation without deputation allowances. This will necessarily involve decisions on a number of HRD, financial and operational issues, as given in the succeeding para.

3. Background and cabinet approval to certain issues related to legal status etc.

3.1 In connection with the launching of BSNL on 1st October 2000, the Cabinet in its meeting on 31st August 2000 had approved the following proposals (as contained in DoT's Cabinet Note dated 17th August):

(i) The corporate entity be incorporated as a public limited company under the Companies Act 1956. The name of the corporate entity will be "Bharat Sanchar Nigam Limited" as already announced by the Prime Minister.

(ii) The registered and corporate offices of the corporate entity be in New Delhi.

(iii) The authorised share capital of the corporate entity be Rs.10,000 crores (Rupees Ten Thousand crores) and its paid up share capital be Rs.5,000 crores (Rupees Five Thousand crores). The value of each share be kept at Rs.10/- (Rupees Ten).

SECRET

File No. 2/99-Resg. (Vol. I)
Department of Telecom Services

No. 16-472001-8
Department of Telecom Services

(iv) Keeping in view the time limit of 1.10.2000, the Telecom Commission may be authorised to approve the Memorandum of Association and Articles of Association and take the requisite procedural steps to get the corporate entity incorporated well before 1.10.2000.

3.2. Further action had accordingly been taken in pursuance of the above Cabinet approval. BSNE has since been incorporated, and has also obtained from the Registrar of Companies the certificate for commencement of business.

3.3. It had also been mentioned in para 9.1 of DoT's Cabinet Note dated 17th August that in connection with corporatisation, a number of financial and personnel related issues would also need to be finalised, and that it was proposed to seek Cabinet approval on these issues around mid September, based on examination of Vol. I of the Final Report of the Consultants.

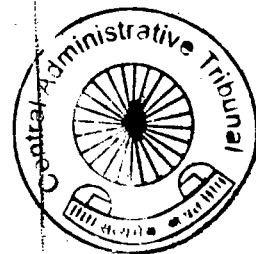
3.4. The said report has since been received and examined, particularly with reference to the financial analysis of the corporate entity done by the consultants, and their recommendations thereon. Accordingly, this Cabinet Note is being submitted to seek approval on the HRD and financial issues.

4. HRD Issues

4.1. With over 3.63 lakh employees working in the three Departments, having a large number of unions and associations representing various segments of employees and officers, the HRD dimension assumed significant importance. In connection with corporatisation concern was expressed by the unions/associations representing various segments of employees and officers that their interests will be adversely affected on corporatisation, and also that the corporate entity will not be financially viable.

4.2. The decision of the Government in June 2000 to achieve the corporatisation by 1.10.2000 activated all federations, staff unions of Group 'C' & 'D' and associations of Group 'A' & 'B' to put forth demands pertaining to their respective cadre categories to be settled before corporatisation. A large number of these required interaction with, and approval of, other Ministries such as DoP&T, Department of Expenditure, Ministry of Finance, Ministry of Labour etc. For examining and settling these issues, the Government constituted in pursuance of a Cabinet meeting held on 24.6.2000 a Group of Ministers under the chairmanship of Minister of Communications with Finance Minister, Minister of HRD, Minister of Commerce and Industries, Minister of Labour and Minister of State for Personnel and Training as its Members. The GOV has already met six times.

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4.3 The concerns expressed by the employees and officers can broadly be categorized into three. The first category relates to those issues which various categories of employees would have to settle before corporatisation. The second category broadly covers issues relating to their terms and conditions of service on corporatisation including their retirement benefits, and the third concern relates to the viability of the corporate entity.

4.4 The main issues raised by the representatives of the Employees Federations representing Group 'C' & 'D' related to pension and retirement benefits, job security and financial viability of the corporate entity. A large number of other issues/demands have also been raised, many of which were internal to the Department. Most of these have been resolved.

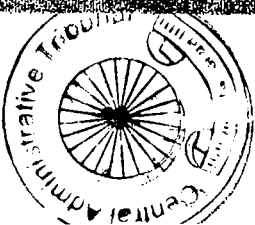
In relation to pension and retirement benefits a framework has been approved on the basis of decisions taken by the GOM which is at Annexure-1. The salient features are given below.

Pension and Retirement benefits

- (i) All employees will be assimilated to Government's scheme of pension/family pension even after their absorption.
- (ii) Technical resignation will not be required.
- (iii) Payment of pension would be made by Government.
- (iv) Arrangements would be worked out for obtaining pension contribution from the PSU to be deposited with the Government.
- (v) Facility to carry over Earned Leave and Half Pay Leave would be provided.
- (vi) The pension framework has been made part of the CCS Pension Rules by amending Rule 3 using power under Article 309 of the Constitution of India.

Job Security

4.5 Any order of removal/dismissal from the PSU would be reviewed by the Administrative Ministry.

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Financial Viability

4.6 In regard to financial viability, the GOM has in its interactive meetings with the Federations given them assurance that:-

- (i) Bharat Sanchar Nigam Ltd. would be duly compensated for discharging obligations in regard to rural telephony or any other uneconomic service in accordance with any Government directive for the implementation of NTP-99.
- (ii) GOM has further decided that under no circumstances Bharat Sanchar Nigam Ltd. would be allowed to become non viable as this would be a potent instrument in the hands of the Government for achieving its NTP-99 objectives.

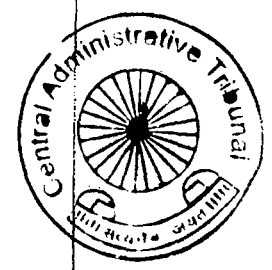
4.7 The main demands/grievances of Group 'B' officers were regarding cadre review and revision of pay scales. The details of the major HRD issues dealt by the GOM are given in Annexure I.

4.8 Class 'A' officers in the Department of Telecom Services have expressed their concerns very forcefully. The Indian Telecom Service Association (ITSA) having a strength of approximately 1000 officers has represented that it is one of the oldest engineering services and is recruited by UPSC through the competitive examination. In the new era of convergence, the telecommunication engineers would have a major role to play in the Government, including the State Governments for spreading telecommunications and IT enabled services. There has been a persistent demand from ITSA for continuing their cadre and for retaining the Civil Service status which would enable them not only work in BSNL but also in Central/State Governments and in other PSUs and international organisations. They also want recruitment through UPSC as normal.

The Indian Posts & Telecom Accounts and Finance Service (IP&TAFS) has been pressing for retention of their Civil Service status especially in view of the fact that a very large number of their officers are in a comparatively young age group (the service itself was founded only in 1974). Alternatively, they have suggested, that being a small number of directly recruited officers (approximate strength of 270) the officers could be absorbed into other Central and Account Services. They feel that in the new era of convergence they will have a useful role to play as Government officers serving the sector even outside the part which is now being corporatised. Another suggestion made by them is that an All India Finance Service may be formed into which all of them could be absorbed.

There are also Civil, Electrical, Architectural cadres and others in the Department who also have similar demands. These cadres wanted that the vast disparities be removed in their promotion prospects as available to other Class I cadres recruited in the same year. The major grievances of Class 'A' officers are indicated below:-

- (i) Continuation of civil service status.



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(i) Retaining the identity of the existing cadres and continuation of recruitment through UPSC.

(ii) BSNL to become holding company for MTNL, VSNL, TCIL, TEL and HTL to maintain synergy of all Telecom PSUs.

(iv) The officers of IP/PA/AS may be absorbed in other Central and Accounts Services, or Indian Finance Service under the Ministry of Finance may be formed into which all of them could be absorbed.

(v) Cadre review (cbs) considered to improve promotion prospects.

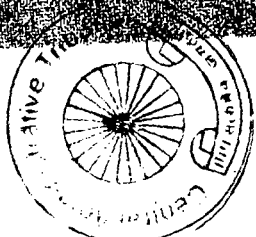
4.9. PSUs have during further discussions indicated that the Group 'A' officers may be given an initial extended period of deemed deputation (foreign service) for a period of ten years to be reviewed thereafter. During this period, all posts may be encashed and recruitment may be continued through UPSC as per prevalent rules. It may, however, be stated that even this approach would result in the same type of anomalous situation, management difficulties etc. as have been experienced in the case of MTNL, where absorption of Group 'A' officers has still not taken place since 1986. This may also lead to similar demands from Groups 'B', 'C' and 'D' officers/officers. Therefore, taking all the above concerns into consideration regarding future issues and also the view taken by COS regarding the period of deemed deputation, the following broad approach is proposed to be adopted which may be approved.

(i) All officers and employees other than those being retained in the Department Telecommunications (DOT), would be transferred w.e.f. 1.10.2000 on deemed deputation without deputation allowance to Bharat Sanchar Nigam Ltd. on as is where is basis along with their posts. Their status as Central Government employees would continue till the date of absorption.

(ii) As per agreement with the C & D categories of employees entered into on 6th & 8th September 2000, such of those who agree to get absorbed w.e.f. 1.10.2000 would be given the benefit of the pay scale of the PSU, as and when they get fixed, and an ad hoc amount Rs.1000/- would be given to be adjusted against their future salary. A cut off date would be given for giving their options.

(iii) Suitable cut off date would be given with a reasonable degree of flexibility to Group 'B' officers.

(iv) Group 'A' officers may be given an extended period of deemed deputation while deciding upon the cut off date.



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vi) The facility of general pool housing accommodation and CGHS facilities would be continued during their period of deemed deputation.

vii) Pension & retirement, job security benefits would be as per the scheme at Annexure II.

viii) An expert committee would be constituted to work out arrangements and future strategy in regard to cadre management, recruitment against Class A posts with a view to ensuring proper management control by the BSNL over its employees.

ix) As long as the telecom employees remain Government servants, i.e., till the date of their absorption in the new corporation, they will have to seek redressal of their grievances through the procedure laid down in the ICM. Consequently, any decision taken by this "ICM route" will be applicable to them till the date of their absorption. The corporation would be asked to set up a Board sub-committee to look into the remaining HRD issues concerning the officers and employees and settle them in a time bound manner, in consultation with the Government.

CSS Staff

4.10 Besides the Telecom staff, there are nearly 1500 Secretariat and other employees of various categories employed in the Telecom HQ and the Chief Engineer offices. Presently they are servicing all the three Departments, viz., DoT/DTS/DTO. Subsequent upon corporatisation, it is proposed that they would form part of the residual DoT and the BSNL on "as is where is" basis. In their case, the HRD issues have been resolved in consultation with the Office Council of the ICM and have been referred vide DoT's letter dated 19.9.2000, to the DoPT which is their cadre controlling authority. The broad approach is as follows:-

- i) The Secretariat employees would be given option to be absorbed in the BSNL. This option would be given to all Secretariat employees in the residual DoT and those going over to BSNL on "as is where is" basis.
- ii) The Secretariat staff would normally remain attached in the Corporate Headquarters but depending on exigencies may have to move out on transfer.
- iii) A cut-off date for exercise of option on absorption will be given to the Secretariat employees.
- iv) Secretariat employees would be allowed to retain lien in the Government service till the date of their absorption in the BSNL.

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5. Financial Issues

5.1 Transfer value of assets and liabilities

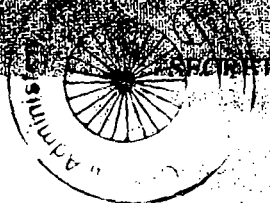
5.1.1 The assets and liabilities of Government currently deemed to be held by the Department of Telecom Services (DTS)/Department of Telecom Operations (DTO) are proposed to be transferred to BSNL as on 1st October 2000 at book value. For this purpose, the Balance Sheet and Profit & Loss account of DTS/DTO would need to be prepared as on that date. However, at present, though the accounts are available upto 31.3.2000, these have not been audited yet. Beyond this period, the accounts are being compiled on a monthly basis.

5.1.2 Accordingly, it is proposed that transfer of assets and liabilities as on 1.10.2000 may at this stage be done at a provisional value, subject to revision and finalisation subsequently. This provisional value may be taken as equivalent to the indicative net worth at book value of DTS/DTO as on 31.3.2000.

5.1.3 To calculate the net worth of DTS/DTO as on 31.3.2000, an indicative balance of assets and liabilities as on March 31, 2000 has been worked out. To this amount of Rs. 67,867 crores, certain adjustments would need to be made. The main adjustments of the assets side would relate to the GOI/DoT investments in MTNL (Rs. 354 crores - to be retained by GOI) and the liabilities side, the main adjustments would be on account of various deposits from customers and contingent liabilities (amount yet to be compiled, though not expected to be significant). On this basis (taking into account existing loans, MTNL Rs. 3,074 crores, GOI Rs. 2,034 crores), the net worth at book value of DTS/DTO as on 31.3.2000 is approximately Rs. 63,000 crores.

5.1.4 It is accordingly proposed to transfer the assets and liabilities to BSNL at this non-provisional value of Rs. 63,000 crores.

5.1.5 The accounts relating to DTS/DTO are to be closed as on 30.9.2000. The final figures of this closing after due diligence may be used as data for the balance sheet for BSNL as on 1st October 2000. This will then determine the final value of transfer of assets and liabilities, for which Cabinet approval will be sought at that stage. In case this creates an impact on the capital structure of BSNL as against the capital structure proposed in this Note, any variation will also be reported to Cabinet for approval.



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5.2 Capital Structure of BSNL

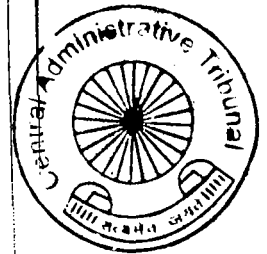
5.2.1 The Cabinet in its meeting on 31st August had inter alia approved DoT's proposal that the paid up share capital of BSNL be Rs. 5,000 crores (reference para 5.1 (iii) above).

5.2.2 Considering the net worth (as calculated in para 5.1.2 above) of Rs. 63,000 crores, the capital structure of BSNL has to be decided carefully, keeping in view various considerations, such as debt-equity ratio, future investment plans, dividend payout, impact on future market value per share etc. and general ability of the future company to raise resources in the capital market. It has been pointed out by the consultants that internationally telecom companies have been funded largely by equity, with the debt-equity ratio generally being less than 1:1. To meet the projected telephone demand and also the NTP-99 objectives, it has been estimated that the required capital outlay over the next five years (2001-02 to 2005-06) would be approximately Rs. 1,000 to Rs. 1,100 crore. As the internal accruals may not be adequate to meet the projected capital outlay, this would require substantial market borrowings by BSNL. It is therefore necessary for BSNL to have a strong equity base, so as to ensure a comfortable debt-equity ratio in the coming years. On the other hand, an excessively high level of share capital would lead to a high payout ratio, which would affect the internal accruals & retained earnings of BSNL available for financing the required capital outlay. A balance between the two has therefore to be maintained in the long run.

5.2.3 The consultant has suggested two alternative capital structures for BSNL. Alternative-I with an equity share capital of Rs. 5,000 crores, GOI loan component of Rs. 45,000 crores and the balance as free reserves; and Alternative-II with an equity share capital of Rs. 5,000 crores, Preference Shares of Rs. 5,000 crores, nil GOI loan component and the balance as free reserves.

5.2.4 In the capital structure of BSNL as proposed by the consultants, a loan component has been considered as a means to service Government's liability for pension payments. It needs appreciation that this is irrelevant in so far as pension for the period of Government service is *in vitro* the liability of the Government and this cannot legitimately be a charge on BSNL finances. The system followed at present whereby all expenses including terminal benefits are charged off up-front before arriving at the "surplus" figure which in turn is ploughed back, has resulted in build-up of assets which are being passed on to the BSNL. But this cannot be a justification for conceiving a pension loan figure for the corporate entity either on account of so called pension liability or any other consideration. This would create an unwarranted liability for the company and in due course, strain its cash flows. However, there are

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two genuine loan components in the books of the Dept. of Telecom at present. These consist of two elements, viz., (i) contribution from general revenues (amounting to Rs.2034 crores as on 31.3.2000) which bears a perpetual dividend liability and (ii) market borrowing (amounting to Rs.3071 cr.). Therefore, the Department considers that for the present the loan component could at the most be the total of these two figures, viz., about Rs.5105 crores. Thus equity of Rs.5000 crores together with free reserves and surplus amounting to Rs.58,000 crores will place the company in a comfortable position in respect of its future borrowing needs. Thus the capital structure of BSNL is proposed as follows:-

Particulars	Rs. Crores	% Share
Equity Share Capital	5,000	
Reserves	58,000	
Total Shareholder fund	63,000	92.5%
Loans - MTNL	3,000	
Loans - GOI	2,000	
Total Debt	5,000	7.5%
Total Capital Employed	68,000	100%

5.2.5 The revised capital structure as suggested above would benefit both the GOI & BSNL in the long run. If the loan component as suggested by the Consultant is treated as reserves, it will enhance the networth of the company which can be exploited or encashed by the Government at a later stage through disinvestments. Also if BSNL has a favourable debt equity ratio backed by large unencumbered reserves, it would give the company strength to access the primary market for the funds required for its capital outlay in future.

5.3 Financial viability of BSNL

5.3.1 The telecom infrastructure in India has so far been developed almost entirely by the Government, though there has been some private involvement in the recent past. The compound annual growth rate of over 23% witnessed in the last 10 years is attributable almost solely to the Governmental efforts. The New Telecom Policy 1999 (NTP-99) has laid down major policy objectives to be achieved in a time bound manner, particularly with regard to development of a world class telecommunication infrastructure, development of the telecom infrastructure in rural areas, making available telephone on demand by the year 2002 and sustaining it thereafter so as to achieve a tele-density of 7 by the year 2005, and 15 by the year 2010. Availability of affordable and effective communication for the citizens is at the core of the vision and goal of the NTP-99.



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5.3.2 The process of corporatisation is likely to increase competitiveness/efficiency and reduce costs. Alongside however, the ongoing process of opening up of National Infrastructure and rebalancing of tariff are likely to put a lot of pressure in the immediate time frame on the income streams of the corporate entity, as it will be one after the other, the parent organization itself has shed its monopoly status in these areas. Simultaneously, there will also be additional costs directly attributable to the change of trustee from one of a Government department to that of a corporate entity. These are employee related payments, corporate tax, dividend, sales tax, stamp duty, other taxes, property taxes, vehicle tax etc., insurance charges, etc. Therefore, certain apprehensions have been expressed about the resource generation capacity of BSNL. These need to be viewed in an overall perspective. The financial health of any enterprise is dependent on a large number of factors. The interplay of various forces, including the environment in which the business entity operates, make a major difference to the financials of the entity. An attempt has been made in the following paragraph to correlate future post-corporatisation financial projections with those already available in the form of the Perspective Plan for 10 years from year 2000 to year 2010 so as to gauge the extent and magnitude of these apprehensions.

5.3.3 The Department of Telecom had prepared a comprehensive perspective plan for a 10 year period from 2000 to 2010 to chalk out specific plans of action on the ground to achieve NTP-99 objectives. That document envisages net addition of 1540 lakh lines to the network. Assuming that private sector operators will share about 40% of this burden, the corporate entity, as the incumbent operator, plans to scale down its commitment to provide 925 lakh lines (without taking into account additions by MTNL). The investment outlay required for this purpose would be approximately Rs. 2,22,000 crores. In case there is any slippage on the part of the private sector in rolling out the network as assumed, the task on the shoulders of BSNL would be heavier. The present performance of the private sector in this regard has not been too encouraging. It is expected that with the recent migration package offered to the industry in the form of license fee as revenue share, instead of fixed license fee upfront, and the other measures announced to boost investment in the telecom sector, there should, in future, be a better response to the needs of the economy from the private sector. Therefore, the indicative figure of resource generation of Rs. 2,22,000 crores on the part of BSNL is not being increased at this point.

5.3.4 Relevant figures in support of the above paragraph are furnished in Annexure-II. It may be noted that as against the projected requirement of Rs. 2,22,000 crores, the internal resources likely to be generated on the best possible assumptions would be Rs. 1,86,528 crores. This would leave a sizeable gap of Rs. 35,568 crores. If the costs directly attributable to corporatisation as referred to in para 5.3.2 above are added to this, the resource gap would increase to Rs. 68,422 crores (an increase of Rs. 32,856

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crores). This resource gap to the tune of almost 40% of the total Plan outlay would not only place undue strain on the capital market if it were to be raised through that source but it would also deplete current surpluses of BSNL to such an extent that the corporate entity will not be able to pursue the NTP-99 objectives. Therefore, this issue has to be seen in the broader context of the crucial role that the telecom sector and its dominant operator, viz., BSNL, is destined to play in improving the competitiveness of the whole Indian economy globally. To this end some specific measures are suggested in para 5.4 below.

5.4 Neutralisation of impact of corporatisation on BSNL's resource base

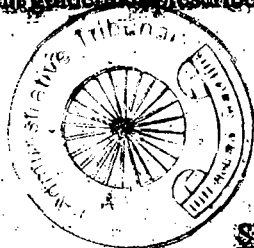
Keeping in view the above analysis, the following specific relief measures are suggested for BSNL:

5.4.1 Exemption from Income Tax Liability or removal of the "anomaly" in tax payment vis-à-vis existing private operators:-

DTS/DTC as Departments are not subject to Income Tax, which they would be in their corporatised PSU form. BSNL needs exemption from Income tax for the first five years to find its feet in the competitive market. Alternatively, BSNL should be allowed the benefit of Sec 80 IA enjoyed by private telecom operators for a level playing field. Under Section 80 IA of the Income Tax Act 1961, telecom undertakings are allowed tax deductions provided they had started providing telecom services between 1st April 1995 and 31st March 2000. Since BSNL would be commencing business with effect from 1st October 2000, it is proposed that the above concession be made applicable to it by extending the period upto 31.12.2000 or specifically declaring BSNL as eligible for this concession. If amendment of the Income Tax Act as suggested is not feasible, GOI should suitably reimburse BSNL for such tax.

5.4.2 Dividend payments:-

Current Government guidelines provide that profitable PSU's should pay a minimum of 20% of equity as dividend. Assuming a dividend rate of 20% (including dividend tax) on the proposed equity capital base of Rs.5,000 crores, the annual dividend payment would be approximately Rs.1,000 crores. Keeping in view BSNL's need for investible surplus, it is proposed that BSNL be exempted from following General Government guidelines prescribed in the matter.



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SECRET**File No. 2-299-Resg. (Vol. I)**
Department of Telecom Services**5.4.3 Reimbursement of Licence Fee:-**

It is important to bear in mind that the existing vast telecom network has been developed over the years not as a purely commercial network, but in many cases which have major adverse revenue impact, as per the Government's policies, security requirements, Government's directions etc. It is therefore proposed that BSNL be exempted from licence fee on what may be termed 'Legacy services', i.e. basic fixed service and NLDG where it is already an operation. In the case of new services such as Cellular, licence fee may be reimbursed.

5.4.4 Sales Taxes:-

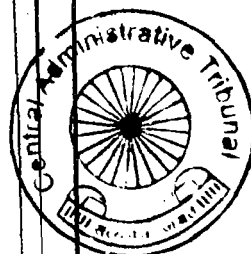
After corporatisation, BSNL will no longer be able to avail the 4% concessional sales tax under the Central Sales Tax Act, 1955 presently available to DTS/DTG as a Government Department; similarly, adverse impact may occur on account of local State sales taxes also. It is therefore proposed that BSNL should be appropriately reimbursed the additional amount which it will have to annually incur (approximately Rs. 700-800 crores) in procurement of various telecom-related items and stores.

5.4.5 Wireless Spectrum Charges:-

The Department is the largest user of frequency spectrum since it has provided radio connectivity to far-flung areas including rural and unprofitable/remote areas. After the Department's corporatisation as BSNL, it will be liable to pay Rs. 400-500 crores annually, as royalty/licence fee for the spectrum utilized. It is proposed that BSNL may be exempted from payment of the spectrum charges for the systems already installed upto 30.9.2000, and future expansions of the basic service network.

5.4.6 Stamp duty on transfer of assets to BSNL:-

The transfer of assets to BSNL could attract stamp duty and other local transfer charges. In case of MTNL, it was provided in the transfer deed that stamp duty has been agreed to be paid by the vendor (i.e. the President of India). Due to this no duty was paid by MTNL. In the case of BSNL also, the above charges should be agreed to be paid by the GOI. Thus there would be no financial implication for BSNL on this account.

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5. Financial support to BSNL for NTP-99 objectives

The above mentioned relief will specifically neutralize the extra cost attributed to corporatisation as referred to in parts 5.3.2 and 5.3.4. However, this would still leave a large enough resource gap amounting to over Rs. 55,000 crores in the next 10 years which are attributable to changes in the telecom's operating environment such as opening up of NLD, tariff rationalising etc. A large resource gap of this magnitude will make it difficult for the corporate entity to meet the national priorities and objectives as enshrined in the NTP-99 which will include a large component of un-enumerative projects. Since realisation of NTP-99 targets is a matter of national priority, requirement to fulfill these objectives will place an extra burden on BSNL. It has been estimated that receipt of licence fee dues from private operators in the form of revenue share during the next 10 years would be of the order of Rs. 33,000 crores. It is suggested that at least 50% of the likely receipt may be earmarked for being retained by the DoT which in turn will release it in favour of BSNL for developmental projects as per NTP-99. The receipts from USO fund net of BSNL contribution will not be very significant and therefore additonality of resources would become imperative. Even after this extra contribution in the form of "part of revenue share", BSNL will have to borrow considerable amounts from the market on a year to year basis.

6. Financial and administrative powers for BSNL

The proposed conversion of the complex and country wide operations spread throughout the length and breadth of the country, and involving transfer of more than two and a half lakh staff is without parallel. In terms of DBLs, the Department has 45 lakh DBLs during 1999-2000. As of end Aug. 2000, the total number of DBLs is 238 lakh, making this one of the largest telecom systems in the world. The revenue earned in 1999-2000 was Rs. 18,250 crore, the capital expenditure was Rs. 12,532 crore, and the cumulative capital outlay as on 31.3.2000 was Rs. 75,779 crore. It is therefore imperative that the Government agrees to conferring "Navratna" powers on the Board of BSNL immediately. Since exercise of "Navratna" status is dependent upon fulfilment of certain conditions, it is also necessary that in the interim BSNL Board is authorized to sanction its Plan projects and procure materials therefor without any monetary limits.

7. DoT's role for management of terminal benefits

An issue which needs to be specifically addressed is with regard to payment of terminal benefits which, as per the Government decision, will continue to be Government's liability. This liability is likely to be approximately Rs. 12,000 crores



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(at present value). A mechanism is needed both for its funding and disbursement. As per preliminary estimates, it appears that the receipts in the form of pensionary contribution etc. from BSNL may be adequate in the initial years to enable the Government to meet the liability fully. Later on, there may not be enough accruals to match the entire liability. However, if receipt of licence fee from VSNL and MTNL, and later from BSNL (which is presently a part of the account of the DOT), is taken into account, the funds available over the next 10 years and thereafter would be adequate to meet the entire liability on account of terminal benefits. Therefore, DOT will have to set up a mechanism to create a corpus for this purpose as part of its budget, and also keep a small skeleton unit in each operating field unit to disburse these payments. In the unlikely event of the accruals mentioned in this para being found insufficient at any stage in future, the general exchequer will need to make good the shortfall in whatever manner considered feasible.

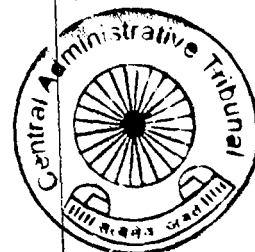
8. Switch-over of financial operations from Government to Corporate system

Normally this switch over would have been easier to handle if the transaction were to take place to coincide with the close of the financial year. However, in view of Government's decision to corporatise DOT/DOTQ and commence business as a corporate entity with effect from 1st October, 2000 (mid-financial year), special steps have been taken to ensure that the change over occurs with minimal disruption of operations. Among the steps taken are

- (a) closure of Government accounts of DOT on 30.9.2000;
- (b) termination of banking arrangements with RBI;
- (c) setting up of BSNL banking arrangements;
- (d) adjustment of budget grant to meet Parliamentary reporting requirements.

9. Structure of the Board of Directors

9.1 It is proposed to follow the DPH guidelines while structuring BSNL's Board of Directors (BOD). The composition of the BOD would however depend upon a number of considerations, such as the need for functional representation, regional representation etc. The consultants, as per their terms of reference, would be submitting their recommendations on this aspect in Vol II of their final report, which is expected to be submitted by 15th Nov. 2000. Pending the detailed composition of the BOD, it is proposed to appoint a first Board comprising of a few important functional Directors, with effect from 1st October 2000. A "Search Committee" has been constituted for this purpose.



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9.2. Meanwhile, in order to enable BSNL to immediately commence operations with effect from 1st October, 2000, it had been decided, with the approval of the Minister of Communications, to appoint four senior Departmental officers as BSNL's first Directors. These four Directors were appointed in order to take the requisite procedural steps for obtaining the certificate of incorporation for BSNL, and thereafter to apply for the certificate for commencement of business.

10. Functions of the Department of Telecommunications after the corporatisation of DTS/DTO

10.1 The Telecom Commission (TC) was constituted in April 1989, "in order to promote rapid development in all aspects of telecommunications including technology, production and services...". It has thus functioned as a 'single window' decision maker, which has enabled the extremely rapid growth witnessed in this sector during the last few years. In the post corporatised scenario, the TC will necessarily have to continue to ensure achievement of the already announced NTP-99 policy objectives, and those to be announced from time to time. This task will be all the more challenging now, with the increasing involvement and participation of the private sector. The TC will accordingly have to function like a 'think tank', to quickly evolve new policy initiatives to deal with the emerging and rapidly changing domestic and global telecom scenario, and also act as a final decision making body in this regard.

10.2 The functions presently being performed by the Department of Telecommunications (DoT) are as specified in the 29th November, 1999 notification allocating business between the DoT and the DTS. It has been stipulated in the Cabinet Secy. notification dated 1st July 2000, against both Department of Telecom Services and Department of Telecom Operations, that "On corporatisation of this temporary Department, residual work, if any, will stand allocated to the Department of Telecommunications." Accordingly, post corporatisation, DoT will perform certain additional functions, which would include becoming the administrative Department for Bharat Sanchar Nigam Ltd. i.e. the corporatised DTS/DTO, the existing PSUs of MTNL, VSNL and TCI, the Centre for Development of Teleinformatics (C-DOT), administration of the proposed Universal Access Levy, residual work of the erstwhile DTS/DTO (including issues such as pension settlement, cadre management) etc.

11. Comments of other Ministries

11.1 A copy of this note has been sent to the Ministry of Finance, the Department of Economic Affairs, the Department of Expenditure, the Department of Personnel & Training, the Department of Legal Affairs, the Department of Company Affairs, the

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Department of Public Enterprises, the Ministry of Urban Development, and the Ministry of Health & Family Welfare.

11.2. In view of the shortage of time, they have been requested to place their views in the meeting of the Cabinet.

12. Approvals Sought

Accordingly, approval of the Cabinet is sought to the following:

(A) Approval for ERD Issues (reference para 4 above)

(a) All officers and employees other than those being retained in the Department of Telecommunications (DoT), would be transferred w.e.f. 1.10.2000 on deemed deputation without deputation allowances to Bharat Sanchar Nigam Ltd. on as is where is basis along with their posts on existing terms and conditions. Their status as Central Government employees would continue till the date of absorption.

(b) As per agreement with the 'C' & 'D' categories of employees, such of those who agree to get absorbed w.e.f. 1.10.2000 would be given the benefit of the pay scale of PSU as and when they get fixed and an ad-hoc sum of Rs. 10,00/- would be given to be adjusted against their future salary. A cut off date would be given for giving their options.

(c) A suitable cut off date would be given with a reasonable degree of flexibility to Group 'B' officers.

(d) Group 'A' officers may be given an extended period of deemed deputation while deciding upon the cut off date.

(e) Pension & retirement, job security benefits would be as per the scheme at Annexure-I.

(i) All employees will be entitled to Government's scheme of pension/family pension even after their absorption.

(ii) Payment of pension would be made by Government.

(iii) Arrangements would be worked out for obtaining pension contribution from the PSU to be deposited with the Government.

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Department of Telecom

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File No. 2/259-Resta (Vold)
Department of Telecom Services

(iv) The existing GPF amount of the employees will be transferred to their new GPF accounts to be operated by the PSU.

(v) Facility to carry over Earned Leave and Half Pay Leave would be provided.

(vi) The pension framework has been made part of the CCS Pension Rules by amending Rule 37 using powers under Article 309 of the Constitution of India.

(vii) Any order of removal/dismissal from the PSU would be reviewed by the Administrative Ministry.

(viii) The facility of general pool housing accommodation and CGHS facilities would be continued during their period of deemed deputation.

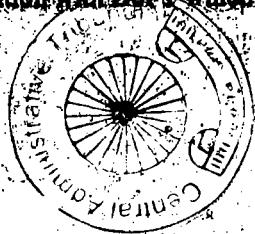
(ix) Bharat Sanchar Nigam Ltd. would be fully compensated for discharging obligations in regard to rural telephony or any other uneconomical service in accordance with any Government directive for the implementation of NTP-99.

(x) Bharat Sanchar Nigam Ltd. would not be allowed to become non viable as this would be a potent impediment in the hands of the Government for achieving its social objectives or achieving NTP-99 objectives.

(xi) An expert committee would be constituted to work out arrangements and future strategy in regard to cadre management, recruitment of Class A posts with a view to ensure proper management control by the BSNL over its employees.

(xii) As long as the telecom employees remain Government servants, i.e., till the date of their absorption in the new corporation, they will have to seek redressal of their grievances through the procedure laid down in the JCM. Consequently, any decision taken by this "JCM committee" will be applicable to them till the date of their absorption. The corporate entity would be asked to set up a Board sub-committee to look into the remaining HR issues concerning the employees and settle them in a time bound manner in consultation with the Government.

(xiii) The issues relating to CCS employees would be decided by DoT in consultation with DoPT which is the cadre controlling authority of CCS.



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Department of Telecom Services

No. 16-4/12003-A

Definitive by Telecom. Ctr.

(B) Approval for Financial Issues

(i) Transfer of assets and liabilities to BSNL on 1st October 2000 on a provisional value of Rs. 63,000 crores, subject to finalisation of the transfer value by 31.3.2001 (reference para 5.1.4 above). In consideration of equity of Rs. 5,000 crores in favour of GOI and the balance appearing as reserves in the books of BSNL.

(ii) Capital structure of BSNL as given in para 5.2.4 above.

(iii) BSNL be given the following fiscal/monetary reliefs:-

(a) Exemption from IT liability for a period of five years to be reviewed. Or, remove the anomaly in tax payment vis-à-vis existing private operators, either by amendment of the Income Tax Act (by extending general applicability or specifically exempting BSNL) or by reimbursement to BSNL of the difference arising on account of payment of corporate tax without amendment to the Act (reference para 5.4.1 above).

(b) Exemption from the Application of Government guidelines on dividend payment for a period of ten years (reference para 5.4.2 above).

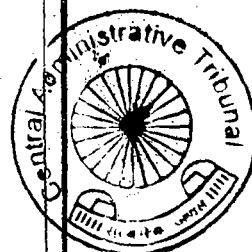
(c) Reimbursement, net of taxes of the annual license fee payable by it for all the telecom services provided by it, till 2010 (reference para 5.4.3 above).

(d) Reimbursement till 2010, the additional amount which it will have to annually incur on account of enhanced rate of sales tax, on procurement of various telecom-related items and stores (reference para 5.4.4 above).

(e) Exemption from payment of the annual spectrum charges for the systems already installed upto 30.9.2000. In addition, reimburse to BSNL the spectrum charges for providing radio connectivities in the rural/unprofitable/remote areas in future (reference para 5.4.5 above).

(f) GOI to bear Stamp Duty on transfer of GOI assets to BSNL (reference para 5.4.6 above).

(g) Reimburse BSNL for any non-commercial activity which GOI may direct it to perform (reference para 5.5 above).

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FWO 15-4/2001-2

Department of Telecommunications

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Director General, BSNL

Department of Telecom Services

(4) Except the amount being contributed to BSNL on the above terms/concessions from Income Tax. For this purpose, necessary amendments to the Income Tax Act may also be carried out.

(5) Continuance of these rights/concessions till such time as BSNL continues to be a Government Company.

(6) Authorize DTF to administer payment of terminal benefits (reference para 7 above).

(7) Approval for other matters.

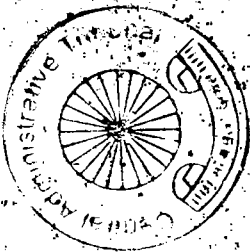
(8) Confer on BSNL "Navratna" status (reference para 5 above).

(9) BSNL be permitted to undertake, without any monetary ceiling, capital expenditure on purchase of new plant and its replacement (reference para 5 above).

(10) The statement of implementation schedule in respect of the above proposals has been given in Appendix to the Memo.

(11) This Memo stands with the approval of the Minister of Communications.


(Anil Kumar)
Joint Secretary



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APPENDIX
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No. 2-2794-Reseg (Vol. 1)
Ministry of Communications
Department of Telecom Services

STATEMENT OF IMPLEMENTATION SCHEDULE

Subject: Approval for HRD and financial issues arising out of the corporatisation of the Department of Telecom services and of the Department of Telecom Operations
List of action required

Approval of the Cabinet is sought on various HRD and financial issues arising out of the corporatisation of the Department of Telecom services and of the Department of Telecom Operations.	Proposed Results	Time frame and manner of implementation/Reporting to Cabinet Secretariat
Approval of the Cabinet is sought on various HRD and financial issues arising out of the corporatisation of the Department of Telecom services and of the Department of Telecom Operations.	The approvals sought will enable successful operationalisation of the corporate entity.	The Department will take appropriate follow-up action to operationalise the corporate entity from 1 st October 2000.


(Anil Kumar)
Joint Secretary

SECRET



No. 1184/1001-11
Department of Telecommunications

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File No. 52/99-Res. (Vol. I)
Department of Telecommunications

Annexure-I

In the Central Civil Services (Pension) Rules, 1972, the following shall be inserted after Rule 37 and before Rule 38, namely:-

A. Pension on absorption consequent upon conversion of a Government Department into a Central Autonomous Body or Public Sector Undertaking.

On conversion of a Government Department into a PSU/Autonomous Body, all employees of the Department shall be transferred en-masse to the PSU/Autonomous Body on foreign service terms without deputation allowance till such time as they get absorbed in the new organization. The transferred Government servants will be permanently absorbed in the PSU/Autonomous Body with effect from a date to be notified by the Government.

The transferred employees shall be given the option to revert back to Government or to seek permanent absorption in the PSU/Autonomous Body. They shall exercise the option in such manner and within such period as may be stipulated by the Government. The permanent absorption in the PSU/Autonomous Body shall take effect from the date their option is accepted by the Government and from that date, they will cease to be Government servants. They shall be deemed to have retired from the Government service and their posts in the Government will automatically stand abolished. Such of the Government servants who opt to revert back to Government shall be redeployed through the Surplus Cell.

Those employees including quasi permanent and temporary but excluding casual labourers who opt to be permanently absorbed in the PSU, shall, from the date of such absorption, be governed by the service rules etc. of the PSU. The permanent employees shall, however, be eligible for pensionary benefits on the basis of combined service in the Government and the PSU, in accordance with the formula for calculation of pension/family pension under the Central Government Rules in force at the time. The benefits will be calculated on the last ten months' average pay drawn in BPA scale in the PSU. In addition to pension/family pension, they shall also be eligible to dearness relief as per BPA pattern. These benefits shall also be available to quasi permanent/temporary employees after they have been confirmed in the PSU/Autonomous Body.

Pensionary benefits of absorbed employees shall be paid out of a Pension Fund in the form of a Trust to be created by the Government. The Secretary of the Administrative Ministry of the PSU shall be the Chairman of the Board of



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Department of Telecom Services

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Trustees which will include representatives of the Minister of Finance, Personnel, Labour, PSU, employees and other experts in the field. The procedure and the manner in which pensionary benefits are to be sanctioned and disbursed will be determined by the Government on the recommendation of the Board of Trustees.

- (5) The Government will discharge its pensionary liability by paying in lump-sum as a one time payment to the Pension Fund, the pro rata pension/service gratuity/retirement gratuity for the service rendered till the date of transfer of the Government Employees from the Government Department to the PSU. The mechanism of sharing the financial liability by the PSU on this account will be determined by Government. Lump sum amount of the pro rata pension will be determined with reference to Commutation Table laid down in CCS (Commutation of Pension) Rules, as amended from time to time. For the period of service to be rendered under the PSU, the PSU shall make pensionary contribution to the Pension Fund at the rates as may be determined by the Board of Trustees so that the Pension Fund becomes self-supporting.

- (6) If, for any financial or operational reason, the Trust is unable to discharge its commitments fully from the Pension Fund and the PSU is also not able to meet the shortfall, the Government shall undertake this responsibility and debit the expenditure on that account to either the Fund or the PSU as the case may be. Payments of Pensionary benefits of the existing pensioners of the Government Department shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account will be determined by the Government.

Note: The provisions of sub-rules (4), (5) & (6) will not apply in the case of conversion of the Departments of Telecom Services and Telecom Operations into Bharat Sanchar Nigam Limited, in whose case Government have decided that the pensionary benefits including family pension shall be paid by the Government. For this purpose, the Government will devise a suitable mechanism including the rate of pensionary contributions to be made by Bharat Sanchar Nigam Limited to the Government and the manner in which financial liabilities on this account will be met. These arrangements will be applicable only to the existing pensioners and to the employees who are deemed to have retired from the Government service for absorption in Bharat Sanchar Nigam Limited and will not apply to the employees directly recruited by Bharat Sanchar Nigam Limited for whom it shall devise its own pension scheme.

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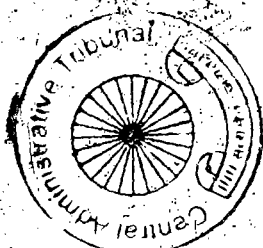
File No. 2/229-Rasia (Vol. II)
Department of Telecom Services

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Department of Telecom Services

and make arrangements for funding and disbursing the pensionary benefits to these employees.

- (7) The GPF balance, standing at the credit of the employees on the date of absorption, shall be transferred to the new Provident Fund Account of the employees in the PSU/Autonomous Body, with the consent of the body.
- (8) Earned leave and Half Pay Leave at the credit of the employees on the date of absorption shall stand transferred to the PSU/Autonomous Body.
- (9) Dismissal/Removal from service of the PSU after absorption for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the service rendered under the Government. Also, in the event of dismissal/removal/recommendation concerning the absorbed employees, the decisions of the PSU/Autonomous Body shall be subject to review by the administrative Ministry.
- (10) If at a future date, the Government decides to disinvest its equity in the PSU to the extent of 51% or more, it shall ensure that adequate safeguards are provided to protect the interests of the absorbed employees of the PSU. These safeguards, inter alia, will include option for voluntary retirement or continued service in the Corporation or voluntary retirement benefits on terms applicable to Government employees or PSU employees as per option of the employees, assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government.



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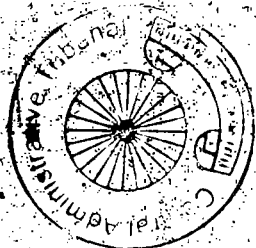
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Doc. No. 2/200-Resg. (Vol. 1)
Department of Telecom Services

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Doc. No. 2/200-Resg. (Vol. 1)
Department of Telecom Services

11	Unrepresented issues	GOM has decided that these may be left to be considered by the management of BSNL in consultation with the Government as JCM route would need to be adopted wherever necessary for deciding cases during the period of deemed deputation. This may be done in a time bound manner by setting up a sub-committee of the Board.
12	Continuing of past services of casual labour for pension Group 'A' issues	GOM decided that the existing Rules in this matter should be strictly followed. GOM decides that the Committee of Secretaries may look into these issues and give their recommendations.



Not to be published

Department of Telecommunications

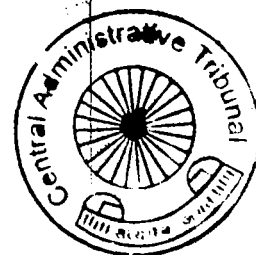
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File No. 2-202-Resg (Vol. I)
Department of Telecom Services

Annexure-II

Revised Resource Gap Consequent to Corporatisation

Year	Addition to BSA (lacs)	Investment Required (cr)	Internal Resources (cr)	Resource Gap (cr)	Addl Gap, on Corporatisation	Total Revised Gap
01-01	53.5	16300	13848	2562	691	3253
01-02	69.14	20352	13526	7036	4157	11190
02-03	64.47	16866	12133	3732	3034	8766
03-04	70.87	20110	13328	6591	3430	10121
04-05	81.27	20593	12585	7710	1388	9099
05-06	93.08	23120	17153	5976	3114	9092
06-07	99.8	22879	16436	6423	1894	8317
07-08	107.28	23356	20996	4560	4191	8751
08-09	119.03	26699	20999	5700	4716	10416
09-00	131.54	29809	23851	5658	6141	11799
Total	891.19	220154	166628	53566	32856	86422



No. 16-6/2001-15
 Department of Telecom Services
SECRET
 Copy No. _____

No. 2/99-Resg (Vol II)
 Government of India
 Ministry of Communications
 Department of Telecom Services

New Delhi, the 25th September 2000


CORRIGENDUM TO CABINET NOTE

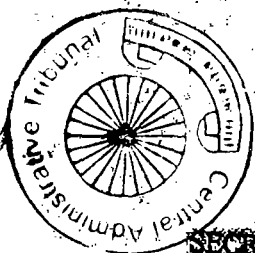
Subject: Approval for HRA and financial issues arising out of the corporatisation of the Department of Telecom Services and of the Department of Telecom Operations.

Reference:

In this Department's Cabinet Note No. 2/99-Resg (Vol II) dated 25th September 2000 on the above subject, the following corrections may be made:

1. In para 4.9(a), in the fourth line, after the words "sum of Rs. 1000/-" and before the words "would be given", the words "per month" may be added.
2. Similarly, in para 4.9(b), in the third line, after the words "sum of Rs. 1000/-" and before the words "would be given", the words "per month" may be added.
3. In Annexure-I, in para (a), in the eighth line, after the words "last ten months' average pay drawn", the words "in DA scale in the PSU" may be deleted.


 (Anil Kumar)
 Joint Secretary



SECRET

ANNEXURE A-6

Ne. 161/97-P&PW (I)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Pension & Pensioners' Welfare)

New Delhi, 30th September, 2009

NOTIFICATION

S.O. 904 (E). In exercise of the powers conferred by the proviso to article 309 and clause (3) of article 143 of the Constitution and after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely:-

1. (1) These rules may be called the Central Civil Services (Pension) Amendment Rules, 2009.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Central Civil Services (Pension) Rules, 1972, after rule 37, the following rule shall be inserted, namely:-

"37A. Conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Central autonomous body or a Public Sector Undertaking:-

(1) On conversion of a department of the Central Government into a public sector undertaking or an autonomous body, all Government servants of that Department shall be transferred en-masse to that public sector undertaking or autonomous body, as the case may be, on terms of foreign service without any deputation allowance till such time as they get absorbed in the said undertaking or body, as the case may be, and such transferred Government servants shall be absorbed in the public sector undertaking or autonomous body, as the case may be,



with effect from such date as may be notified by the Government.

(2) The Central Government shall allow the transferred Government servants an option to revert back to the Government or to seek permanent absorption in the public sector undertaking or autonomous body, as the case may be.

(3) The option referred to in sub-rule (2) shall be exercised by every transferred Government servant in such manner and within such period as may be specified by the Government.

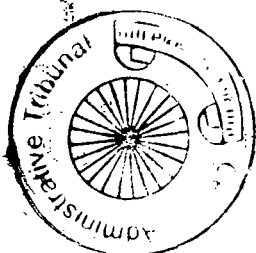
(4) The permanent absorption of the Government servants of the public sector undertaking or autonomous body shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from Government service.

(5) Upon absorption of Government servants in the public sector undertaking or autonomous body, the posts which they were holding in the Government before such absorption shall stand abolished.

(6) The employees who opt to revert to Government service shall be re-deployed through the regular staff of the Government.

(7) The employees including quasi-permanent and temporary employees but excluding casual laborers, who opt for permanent absorption in the public sector undertaking or autonomous body, shall on and from the date of absorption, be governed by the rules and regulations or bye-laws of the public sector undertaking or autonomous body, as the case may be.

(8) A permanent Government servant who has been absorbed as an employee of a public sector undertaking or autonomous body shall be eligible for pensionary benefits on the basis of combined service rendered by him in the Government and in the public sector undertaking or autonomous body in accordance with the formula for calculation of pension/family pension under these rules as may be in force at the time of his retirement from the public sector undertaking or autonomous body, as the case may be, or at his option, to receive pro-rata benefits for the service rendered under the Central Government in accordance with the orders issued by the Central Government.

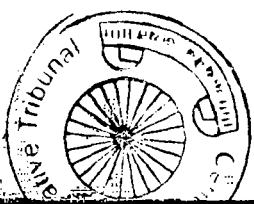


EXPLANATION: The amount of pension/family pension of the absorbed employee on superannuation from public sector undertaking/autonomous body shall be calculated in the same way as would be the case with a Central Government servant retiring on superannuation on the same.

- (9) The pension of an employee under sub-rule (8) shall be calculated on the basis of his last then months average pay.
- (10) In addition to pension or family pension, as the case may be, the employees shall also be eligible to dearness relief as per industrial dearness allowance pattern.
- (11) The benefits of pension and family pension shall be available to quasi-permanent and temporary transferred Government servants after they have been confirmed in the public sector undertaking/autonomous body.
- (12) The Central Government shall create a Pension Fund in the form of a trust and the pensionary benefits of absorbed employees shall be paid out of such Pension Fund.
- (13) The Secretary of the Administrative Ministry of the public sector undertaking or autonomous body shall be the Chairman of the Board of Trustees which shall include representatives of the Ministries of Finance, Personnel, Public Grievances and Pensions, Labour, concerned public sector undertaking or autonomous body and their employees and experts in the relevant field to be nominated by the Central Government.
- (14) The procedure and the manner in which pensionary benefits are to be sanctioned and disbursed from the Pension Fund shall be determined by the Government on the recommendation of the Board of Trustees.
- (15) The Government shall discharge its pensionary liability by paying in lump sum as one time payment to the Pension Fund the pro-rata pension or service gratuity and retirement gratuity for the service rendered till the date of absorption of the Government servant in the public sector undertaking or autonomous body.
- (16) The manner of sharing the financial liability on account of payment of pensionary benefits by the public sector undertaking or autonomous body shall be determined by the Government.



- (17) Lump sum amount of the pro-rata pension shall be determined with reference to Commutation Table laid down in Central Civil Services (Commutation of Pension) Rules, 1981.
- (18) The public sector undertaking or autonomous body shall make pensionary contribution to the Pension Fund for the period of service rendered by the concerned employees under that undertaking or body at the rates as may be determined by the Board of Trustees so that the Pension Fund shall be self-sustaining.
- (19) If for any financial or operational reason, the Trust is unable to discharge its liabilities fully from the Pension Fund and the public sector undertaking or autonomous body is also not in a position to meet the shortfall, the Government shall be liable to meet such expenditure and such expenditure shall be debited to either the Fund or to the public sector undertaking or autonomous body, as the case may be.
- (20) Payments of pensionary benefits of the pensioners of a Government Department on the date of conversion of it into a public sector undertaking or autonomous body shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account shall be determined by the Government.
- (21) Nothing contained in sub-rules (14) to (20) shall apply in the case of conversion of the Departments of Telecom Services and Telecom Operations into Bharat Sanchar Nigam Limited, in which case the pensionary benefits including family pension shall be paid by the Government.
- (22) For the purposes of payment of pensionary benefits including family pension referred to in sub-rule (21), the Government shall specify the arrangements and manner including the rate of pensionary contributions to be made by Bharat Sanchar Nigam Limited to the Government and the manner in which financial liabilities on this account shall be met.
- (23) The arrangements under sub-rule (22) shall be applicable to the existing pensioners and to the employees who are deemed to have retired from the Government.
- (24) Upon conversion of a Government Department into a public sector undertaking or autonomous body.



- (a) the balance of provident fund standing at the credit of the absorbed employees on the date of their absorption in the public sector undertaking or autonomous body shall, with the consent of such undertaking or body, be transferred to the new Provident Fund Account of the employees in such undertaking or body, as the case may be;
- (b) earned leave and half pay leave at the credit of the employees on the date of absorption shall stand transferred to such undertaking or body, as the case may be;
- (c) the dismissal or removal from service of the public sector undertaking or autonomous body of any employee after his absorption in such undertaking or body for any subsequent misconduct shall be tantamount to forfeiture of the retirement benefits for the services rendered under the Government and in the event of his dismissal or removal or retrenchment the decisions of the undertaking or body shall be subject to review by the Ministry administratively concerned with the undertaking or body.

(25) In case the Government disinvests its equity in any public sector undertaking or autonomous body to the extent of fifty per cent or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such public sector undertaking or autonomous body.

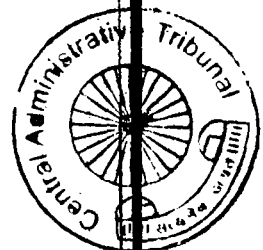
(26) The safeguards specified under sub-rule (25) shall include option for voluntary retirement or continued service in the undertaking or body, as the case may be, or voluntary retirement benefits on terms applicable to Government employees or employees of the public sector undertaking or autonomous body to per centum of the employees, assured payment of defined pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government.

S-7

(P.K. BRAHMA)

Additional Secretary to the Government of India

Noted vide S.O. No. 100 dated 12/10/05
 and vide S.O. No. 1000 dated 28/12/02



ANNEXURE A-7

Government of India
Ministry of Communication and Information Technology
Department of Telecommunication
20 Ashoka Road, Sanchar Bhawan
New Delhi - 110001

To

1. C.M.D., BSNL, Statesman Bldg., Bara Khamba Road, New Delhi.
2. All F.A.s, BSNL Telecom Circles.
3. All Controller of Communication Accounts /
Joint Controller of Communication Accounts /
Deputy Controller of Communication Accounts /

File No: 7-1/2000/TA-1/17

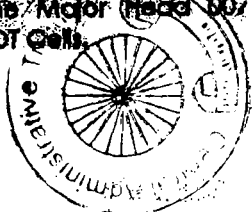
Dated: 31.7.2002

Subject: Clarifications on items of settlement between BSNL & DOT.

1. With the formation of the BSNL on 1.10.2000, a number of procedures came into operation that would have to be acted upon regularly by the Company's units and the DOT Cells. These related to pension contribution, leave salary contribution, leave encashment, CGEGIS, GPF final payment, the transfer of assets and liabilities and the loans and advances granted to BSNL's employees. The Deptt. of Telecom issued instructions on all the items but one or the other DOT Cell / BSNL unit still either expressed doubts on some items or failed to implement them. A comprehensive set of clarifications are now being issued. They may please be read carefully and implemented with consistency as they derive their authority from Govt. rules / orders on each subject.

2. The clarifications are as follows:

(i) **PENSION CONTRIBUTION**: Pension contribution is payable by BSNL (both for the deemed deputationists of all categories as well as the absorbed employees of the Groups 'C' and 'D') as per rates of contribution prescribed in the Fundamental Rules 116 & 117 under Appendix 2 of Swamy's Compilation. These will be calculated at the maximum of the scale of the post held by the official at rates varying with the length of service given in the Annexure of appendix 2 (FRs 116 & 117). To avoid the Company having to pay penal interest on delayed pension contributions, as required by rules, the BSNL Circles will pay pension contribution to the DOT Cell within 15 days of the end of each month in which the employees' pay is drawn. Pension Contribution so recovered will be credited to the Major Head 0071 01 101 Subscriptions and Contributions, by the DOT Cells.



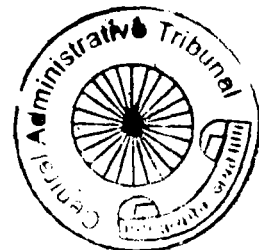
-2-

(ii) **LEAVE SALARY CONTRIBUTIONS:** Leave salary contribution is payable at 11% of the pay drawn, as per F.Rs 116 & 117 under Appendix 2 of Swamy's Compilation, but only for the deemed deputationists (not for absorbed employees) working in BSNL. To avoid payment of penal interest on delayed leave salary contribution, as required by rules, the BSNL Circle will pay leave salary contribution within 15 days of the end of the month in which the employees' pay is drawn. Leave salary contribution received by the DOT Cells will be booked to the Head - 1275 00 800 Other Receipts.

(iii) **LEAVE ENCASHMENT AT THE END OF SERVICE:** Regarding the Groups 'C' & 'D' who stand absorbed in the BSNL, payment in encashment of leave will be made by the BSNL - at earned leave and half-pay leave at the credit of the absorbed Group 'C' & 'D' employees stands transferred to the BSNL. Instructions issued vide this office letter no. 7-1/2000 TA-I/17 dated 18.10.2000 will thus hold good. Leave encashment will be paid by the DOT Cells for the Groups 'A' & 'B'. Payments made by the DOT Cells will be booked under the Head - 2071011501 Leave Encashment (Tact Code 1405).

(iv) **CGEIS & CGES - PAYMENT AT THE END OF SERVICE:** As per the instructions contained in this office letter no. 7-1/2000 TA-I/17 dated 18.10.2000, CGEIS for the absorbed employees of DOT/DTS/DTO was to be paid by the BSNL. The position has been reviewed and the payment can continue to be made by the DOT Cells till the BSNL has a clear Groups Insurance Scheme for its employees. Recoveries from the employees' pay by the BSNL units will continue to be paid to the DOT Cell for the present. Recoveries of CGEIS - 1977 will be accounted for under the Head - 02350105 - C.G.E. Insurance Scheme, and those relating to the CGEIS - 1980 will be accounted for under the Head - 8011010303 - CGEIS by the DOT Cells.

(v) **GPF FINAL PAYMENT AT THE END OF SERVICE:** The BSNL Corporate Office has been asked to take over the balances of Provident Fund lying at the credit of its absorbed employees, for which a positive response is still awaited. For the present, final payments of GPF balances may continue to be made by the DOT Cells to all employees of the Groups 'A', 'B', 'C' & 'D' of BSNL till the BSNL formalises a scheme for the administration of its employees' provident fund accounts. Instructions contained in this office letter no. 7-1/2000-TA-I/17 dated 18.10.2000 thus stand modified. It must, however, be ensured by the DOT Cells that the balances paid to them are tallied with the Broadsheet figures maintained by them (DOT - Cells).



(VI) **TRANSFER OF ASSETS AND LIABILITIES TO BSNL** : According to the instructions contained in the O.M. 23/2000 Regd dated 30.09.2000, the Government of India transferred all its assets and liabilities related to operations to the BSNL with effect from 01.10.2000. In compliance with the said O.M., transfer of balances under assets and liabilities of the erstwhile DTS / DTC (as reflected in the Union Finance Accounts of DOT), have been proposed to CGA for transfer to the BSNL. These assets include all advances given to other organizations and deposits from telephone subscribers, contractors, PCO Operators etc., such as security deposits, earnest money deposits, etc.

It is thus reiterated that no claims for the refund of revenue or advances paid out / deposits received from telephone subscribers, contractors, PCO Operators, eg. security deposits, earnest money deposits etc. (excepting under MP 7610) or any other claims of salary arrears, allowances etc are to be entertained from BSNL by the DOT Cells.

(VII) **LOANS & ADVANCES TO GOVT. EMPLOYEES (Major Head - 7610)** : For house building advance, motor car advance, scooter advance and computer advance etc, it was communicated vide letter no. 7-1/201-TA-1/17 dated 18.10.2000 that payment will be made by the DOT Cells to all employees on deemed deputation from DOT, but not to those who have been absorbed in BSNL before 01.04.2001. It was indicated that from 01.04.2001 onwards BSNL will have to pay the advances to all employees from its own fund, including to those on deemed deputation. The question of reimbursement by the DOT Cells for the period from 1.4.2001 does not arise.

In respect of loans and advances already paid by the govt. to employees working in BSNL, DOT Cell should be receiving the recoveries on the loans / advances from the BSNL Circle Accounting Units along with schedules, on monthly basis. Breadsheets have to be maintained by the DOT Cells, taking the outstanding balances as on 30.9.2000 from BSNL. These breadsheets have to be updated at the earliest and the figure of the outstanding balances under each long term advance recoverable from BSNL at the end of 30.6.2002 finalise. If Breadsheets are not maintained and full recoveries on a loan / advances given by the Govt. fail to take place before an employee's retirement, responsibility will be fixed on the concerned officials of both the DOT Cells and BSNL.

(VIII) **SETTLEMENT OF SUSPENSE, REMITTANCE & BANKING TRANSACTIONS PERIOD ENDING 30.9.2000** : On the formation of BSNL on 1.10.2000, the DOT could have passed on all the balances accumulated for decades by the SSA under the above heads immediately to the BSNL to adjust and capitalize. To help the BSNL reduce its balances, however, it was

-4-

prescribed vide para 1(a) & (b) of this office letter no. 7-1/2000-TA-I/22 dated 4.12.2000 that the debts / credits raised by the SSAs / PAUs in the same Circle / by one Circle another have to be settled latest by 31.12.2000. Settlement of these transactions (ATDs / ATCs) was to be entered in the DOT's Account for which a monthly Circle Abstract (Cash & Stores) had to be furnished by the BSNL. These transactions have not been settled completely even up to the present. Thus the Circle Abstract in this connection continues to be called for from the BSNL's units.

The action required by the BSNL units on Remittance / Suspense / Banking items up to 30.9.2000 was again re-iterated in the instructions for the Closure of A/cs 2000-2001 (Letter No. 41-1/2001-TA-II dated 10.4.2001) and yet again for the Closure of Annual A/cs for 2001-2002 (Letter dated 8.4.2002). The BSNL Circle Accounting Units will thus continue to submit the Circle Abstract (Cash & Stores) till all the O/s balances under MH-8662 Suspense A/c, MH-8782 Remittance (Different Circle + Same Circle), MH-8670 Drawing from Bank and MH-8677 Remittance from Bank are adjusted or passed on by DOT to the BSNL. It is in the BSNL's own interest to ensure that the outstanding balances are cleared immediately so that only the minimum remains pending in the books of BSNL.

(ix) GENERAL: It is learnt that GPF subscriptions and recoveries against advances, CGEGIS recoveries and recoveries against loans and advances etc. are not being passed on to the DOT Cells monthly (by cheque or D.D.) by certain Circles of the BSNL. It has now been decided that the BSNL Circle will give separate cheques in respect of recoveries of GPF, CGEGIS, Loan and Advance Recoveries, Pension Contribution and Leave Salary Contribution to the concerned DOT Cells, with a separate schedule for each category. There is to be no netting of BSNL's claims against the GPF Contribution or pension contribution or leave salary contribution etc. Also, as far as possible, a soft copy (floppy) and hard copy (printout) of the schedule is to be given.

This has the approval of Member (F), Telecom Commission.

Hindi version will follow.


(J.K. Gupta) 3/7
Director (DOT Cell - A/cs)

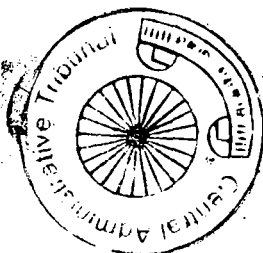
Copy for information to:-

1. Sr. P.P.S. to Chairman Telecom Commission, Sanchar Bhawan, New Delhi.

2. Sr. P.S. to Member (Finance) Telecom Commission, Sanchar Bhawan, New Delhi.
3. Advisor (Finance), DOT, Sanchar Bhawan, New Delhi.
4. Director (Finance), BSNL Board, Statesman Building, Barakhamba Road, New Delhi.
5. Shri A.S. Roy, DDG (Corporate Accounts), BSNL, Statesman Building, Barakhamba Road, New Delhi.
6. DDG (PF) / DDG (FEB) / DDG (WCF) / DDG (LF) & DDG (DOT Cell - A/c), DOT, Sanchar Bhawan, New Delhi.
7. Director General of Audit (P & T), Civil Lines, Near Old Secretariat, Delhi - 54.
8. Director (SEA), DOT for attending their G.M. No. 34-31/2000-SEA-I dated 30.01.2001 suitably.

Copy for information and necessary action to :-

9. Sr. DDG (TEC), Khurshid Lal Bhawan, New Delhi.
10. PAO (HQ), DOT, Sanchar Bhawan, New Delhi.
11. Resident Audit Officer, Sanchar Bhawan, New Delhi.
12. S.A.O. (TA-II) / AO (TA-II) / AO (TA-II) / AO (PFP) / ADG (Cash) and SO (PB), DOT, Sanchar Bhawan, New Delhi.
13. Guard File.
14. File No. 7-1/2000-TA-I/22.
15. Spare.



(P. Krishna Moorthy)
ADG (DOT Cell - A/c)

ANNEXURE A-8

8

THE GAZETTE OF INDIA : EXTRAORDINARY

[PART II—Sec. 3(i)]

35. का.आ. 1028 (अ), तारीख 25 अप्रैल, 2008

36. का.आ. 829(अ), तारीख 12 अप्रैल, 2010

37. सा.का.नि.178, तारीख 8 जून, 2011

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Pension and Pensioner's Welfare)

NOTIFICATION

New Delhi, the 21st December, 2012

G.S.R. 928(E).—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and, after consultation with the Comptroller and Auditor General of India in relation to conditions of service of persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely:-

(1) These rules may be called the Central Civil Services (Pension) Amendment Rules, 2012.

(2) Save as otherwise provided, these rules shall come into force on the date of their publication in the Official Gazette.

2. In the Central Civil Services (Pension) Rules, 1972, (hereinafter referred to as the said rules) in rule 5, in sub-rule (2), the proviso shall be omitted and shall be deemed to have been omitted with effect from the 1st Day of January, 1986.

3. In the said rules, rule 29 shall be omitted.

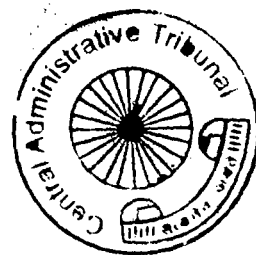
4. In the said rules, for rule 29A, the following rule shall be substituted, namely:-

"29A - Ex-gratia under Special Voluntary Retirement Scheme.- A permanent Government servant, who, on being declared surplus to the establishment in which he was serving, opts for Special voluntary Retirement Scheme, shall be entitled for determination of ex-gratia in addition to the pension".

5. In the said rules, rule 30 shall be omitted.

6. In the said rules, for rule 31, the following rule shall be substituted, namely :-

"31. Deputation to United Nations and other organisations.—A Government servant who is deputed on foreign service to the United Nations' Secretariat or other United Nations' Bodies or the International Monetary Fund or the International Bank of Reconstruction and Development or the Asian Development Bank or the Commonwealth Secretariat or any other



International organization and who becomes entitled for pensionary benefits from that Organization, may at his option,—

- (a) pay the pension contributions in respect of his foreign service and count such service as qualifying for pension under these rules; or
- (b) avail the retirement benefits admissible under the rules of the aforesaid organization and not count such service as qualifying for pension under these rules:

Provided that where a Government servant opts for clause (b), retirement benefits shall be payable to him in India in rupees from such date and in such manner as the Government may, by order, specify.

Provided further that pension contributions, if any, paid by the Government servant, shall be refunded to him".

7. In the said rules, in the rule 32.—

- (a) for the marginal heading, the following heading shall be substituted, namely:—

"Verification of qualifying service after eighteen years' service or five years before retirement.—";

- (b) in sub-rule(1), for the words "twenty-five years", the words "eighteen years" shall be substituted.

8. In the said rules, in rule 36, in clause (b), for the words "Rule 29 of these rules" the words "Special Voluntary Retirement Scheme relating to voluntary retirement of surplus employees." shall be substituted.

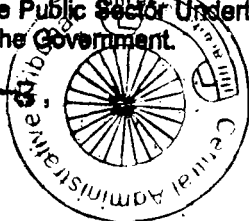
9. In the said rules, in rule 37, in sub-rule (3), the words "pro-rata" shall be omitted.

10. In the said rules, for rule 37A, the following rule shall be substituted, namely:—

"37A. Conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Public Sector Undertaking.—

- (1) On conversion of a department of the Central Government into a Public Sector Undertaking, all Government servants of that Department shall be transferred en-masse to that Public Sector Undertaking, on terms of foreign service without any deputation allowance till such time as they get absorbed in the said undertaking, and such transferred Government servants shall be absorbed in the Public Sector Undertaking with effect from such date as may be notified by the Government.

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(2) The Central Government shall allow the transferred Government servants an option to revert back to the Government or to seek permanent absorption in the Public Sector Undertaking.

(3) The option referred to in sub-rule (2) shall be exercised by every transferred Government servant in such manner and within such period as may be specified by the Government.

(4) The permanent absorption of the Government servants as employees of the Public Sector Undertaking shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from Government service.

(5) Upon absorption of Government servants in the Public Sector Undertaking, the posts which they were holding in the Government before such absorption shall stand abolished.

(6) The employees who opt to revert to Government service shall be re-deployed through the surplus cell of the Government.

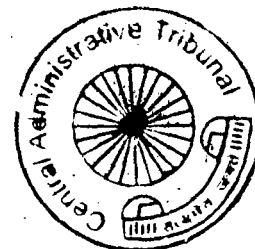
(7) The employees including quasi-permanent and temporary employees but excluding casual labourers, who opt for permanent absorption in the Public Sector Undertaking shall, on and from the date of absorption, be governed by the rules and regulations or bye-laws of the Public Sector Undertaking.

(8) A permanent Government servant who has been absorbed as an employee of a Public Sector Undertaking and his family shall be eligible for pensionary benefits (including commutation of pension, gratuity, family pension or extra-ordinary pension), on the basis of combined service rendered by the employee in the government and in the Public Sector Undertaking in accordance with the formula for calculation of such pensionary benefits as may be in force at the time of his retirement from the Public Sector Undertaking or his death or at his option, to receive benefits for the service rendered under the Central Government in accordance with the orders issued by the Central Government.

"Explanation:- The amount of pension or family pension in respect of the absorbed employee on retirement from the Public Sector Undertaking or on death shall be calculated in the same way as calculated in the case of a Central Government servant retiring or dying, on the same day".

(9) The pension of an employee under sub-rule (8) shall be calculated on fifty percent of emoluments or average emoluments, whichever is more beneficial to him.

(10) In addition to pension or family pension, as the case may be, the employee who opts for pension on the basis of combined service shall also be eligible to dearness relief as per Industrial Dearness Allowance pattern.



(11) The benefits of pension and family pension shall be available to quasi-permanent and temporary transferred Government servants after they have been confirmed in the Public Sector Undertaking.

(12) A Permanent Government servant absorbed in a Public Sector Undertaking or a temporary or quasi-permanent Government servant who has been confirmed in the a Public Sector Undertaking subsequent to his absorption therein, shall be eligible to seek voluntary retirement after completing ten years of qualifying service with the Government and the Public Sector Undertaking taken together, and such person shall be eligible for pensionary benefits on the basis of qualifying service.

(13) The Central Government shall create a Pension Fund in the form of a trust and the pensionary benefits of absorbed employees shall be paid out of such Pension Fund.

(14) The Secretary of the administrative Ministry of the Public Sector Undertaking shall be the Chairperson of the Board of Trustees which shall include representatives of the Ministries of Finance, Personnel, Public Grievances and Pensions, Labour, concerned Public Sector Undertaking and their employees and experts in the relevant field to be nominated by the Central Government.

(15) The procedure and the manner in which pensionary benefits are to be sanctioned and disbursed from the Pension Fund shall be determined by the Government on the recommendation of the Board of Trustees.

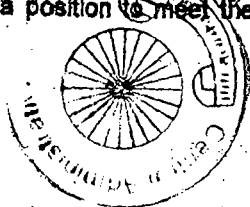
(16) The Government shall discharge its pensionary liability by paying in lump sum as a one time payment to the Pension Fund the pension or service gratuity and retirement gratuity for the service rendered till the date of absorption of the Government servant in the Public Sector Undertaking.

(17) The manner of sharing the financial liability on account of payment of pensionary benefits by the Public Sector Undertaking shall be determined by the Government.

(18) Lump sum amount of the pension shall be determined with reference to Commutation Table laid down in Central Civil Services (Commutation of Pension) Rules, 1981.

(19) The Public Sector Undertaking shall make pensionary contribution to the Pension Fund for the period of service to be rendered by the concerned employees under that undertaking at the rates as may be determined by the Board of Trustees so that the Pension Fund shall be self-supporting.

(20) If, for any financial or operational reason, the Trust is unable to discharge its liabilities fully from the Pension Fund and the Public Sector Undertaking is also not in a position to meet the shortfall, the Government



shall be liable to meet such expenditure and such expenditure shall be debited to either the Fund or to the Public Sector Undertaking.

(21) Payments of pensionary benefits of the pensioners of a Government Department on the date of conversion of it into a Public Sector Undertaking shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account shall be determined by the Government.

(22) Nothing contained in sub-rules (13) to (21) shall apply in the case of conversion of the Departments of Telecom Services and Telecom Operations into Bharat Sanchar Nigam Limited, in which case the pensionary benefits including family pension shall be paid by the Government.

(23) For the purposes of payment of pensionary benefits including family pension referred to in sub-rule (22), the Government shall specify the arrangements and the manner including the rate of pensionary contributions to be made by Bharat Sanchar Nigam Limited to the Government and the manner in which financial liabilities on this account shall be met.

(24) The arrangements under sub-rule (23) shall be applicable to the existing pensioners and to the employees who are deemed to have retired from the Government.

(25) Upon conversion of a Government Department into a Public Sector Undertaking,-

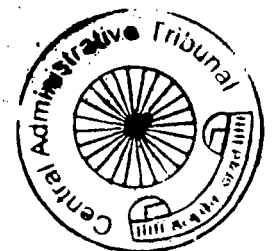
(a) the balance of provident fund standing at the credit of the absorbed employees on the date of their absorption in the Public Sector Undertaking shall, with the consent of such undertaking, be transferred to the new Provident Fund Account of the employees in such undertaking;

(b) earned leave and half pay leave at the credit of the employees on the date of absorption shall stand transferred to such undertaking;

(c) the dismissal or removal from service of the Public Sector Undertaking of any employee after his absorption in such undertaking for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the service rendered under the Government and in the event of his dismissal or removal or retrenchment the decisions of the undertaking shall be subject to review by the Ministry administratively concerned with the undertaking.

(26) In case the Government disinvests its equity in any public sector's undertakings to the extent of fifty-one per cent or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such Public Sector Undertaking.

(27) The safeguards specified under sub-rule (26) shall include option for voluntary retirement or continued service in the undertaking or voluntary retirement benefits on terms applicable to Government employees or



employees of the Public Sector Undertaking as per option of the employees and assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government."

(11) In the said rules, after rule 37A, the following rule shall be inserted, namely:—

"37B. Conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Central Autonomous Body.—

(1) On conversion of a department of the Central Government into an Autonomous Body, all Government servants of that Department shall be transferred *en-masse* to that Autonomous Body on terms of foreign service without any deputation allowance till such time as they get absorbed in the said body and such transferred Government servants shall be absorbed in the Autonomous Body with effect from such date as may be notified by the Government.

(2) The Central Government shall allow the transferred Government servants an option to revert back to the Government or to seek permanent absorption in the Autonomous Body.

(3) The option referred to in sub-rule (2) shall be exercised by every transferred Government servant in such manner and within such period as may be specified by the Government.

(4) The permanent absorption of the Government servants of the Autonomous Body shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from Government service.

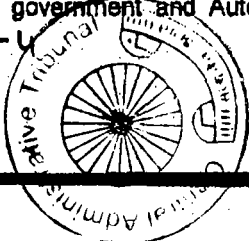
(5) Upon absorption of Government servants in the Autonomous Body, the posts which they were holding in the Government before such absorption shall stand abolished.

(6) The employees who opt to revert to Government service shall be re-deployed through the surplus cell of the Government.

(7) The employees including quasi-permanent and temporary employees but excluding casual labourers, who opt for permanent absorption in the Autonomous Body, shall on and from the date of absorption, be governed by the rules and regulations or bye-laws of the Autonomous Body.

(8) A permanent Government servant who has been absorbed as an employee of an Autonomous Body and his family shall be eligible for pensionary benefits (including commutation of pension, gratuity, family pension or extra-ordinary pension), on the basis of combined service rendered by him in the government and Autonomous Body in accordance with the

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formula for calculation of such pensionary benefits as may be in force at the time of his retirement from the Autonomous Body/death or at his option, to receive benefits for the service rendered under the Central Government in accordance with the orders issued by the Central Government.

Explanation:- The amount of pension or family pension in respect of the absorbed employee on retirement from Autonomous Body or death shall be calculated in the same way as would be the case with a Central Government servant retiring or dying, on the same day.

(9) The pension of an employee under sub-rule (8) shall be calculated at fifty percent of emoluments or average emoluments, whichever is more beneficial to him.

(10) In addition to pension or family pension, as the case may be, the absorbed employees who opt for pension on the basis of combined service shall also be eligible to dearness relief as per central dearness allowance pattern.

(11) The benefits of pension and family pension shall be available to quasi-permanent and temporary transferred Government servants after they have been confirmed in the Autonomous Body.

(12) The Central Government shall create a Pension Fund in the form of a trust and the pensionary benefits of absorbed employees shall be paid out of such Pension Fund.

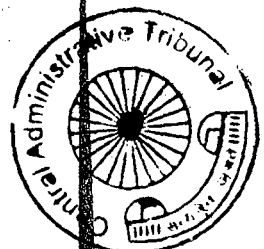
(13) The Secretary of the administrative Ministry of the autonomous body shall be the Chairperson of the Board of Trustees which shall include representatives of the Ministries of Finance, Personnel, Public Grievances and Pensions, Labour, concerned Autonomous Body and their employees and experts in the relevant field to be nominated by the Central Government.

(14) The procedure and the manner in which pensionary benefits are to be sanctioned and disbursed from the Pension Fund shall be determined by the Government on the recommendation of the Board of Trustees.

(15) The Government shall discharge its pensionary liability by paying in lump sum as a one time payment to the Pension Fund the pension or service gratuity and retirement gratuity for the service rendered till the date of absorption of the Government servant in the Autonomous Body.

(16) The manner of sharing the financial liability on account of payment of pensionary benefits by the Autonomous Body shall be determined by the Government.

(17) Lump sum amount of the pension shall be determined with reference to Commutation Table laid down in Central Civil Services (Commutation of Pension) Rules, 1981.



(18) The Autonomous Body shall make pensionary contribution to the Pension Fund for the period of service to be rendered by the concerned employees under that body at the rates as may be determined by the Board of Trustees so that the Pension Fund shall be self-supporting.

(19) If, for any financial or operational reason, the Trust is unable to discharge its liabilities fully from the Pension Fund and the Autonomous Body is also not in a position to meet the shortfall, the Government shall be liable to meet such expenditure and such expenditure shall be debited to either the Fund or to the Autonomous Body, as the case may be.

(20) Payments of pensionary benefits of the pensioners of a Government Department on the date of conversion of it into an Autonomous Body shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account shall be determined by the Government.

(21) Upon conversion of a Government Department into an Autonomous Body, —

(a) the balance of provident fund standing at the credit of the absorbed employees on the date of their absorption in the Autonomous Body shall, with the consent of such body, be transferred to the new Provident Fund Account of the employees in such body.

(b) earned leave and half pay leave at the credit of the employees on the date of absorption shall stand transferred to such body.

(c) the dismissal or removal from service of the Autonomous Body of any employee after his absorption in such body for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the service rendered under the Government and in the event of his dismissal or removal or retrenchment the decisions of the body shall be subject to review by the Ministry administratively concerned with the body.

(22) In case the Government disinvests its equity in any Autonomous Body to the extent of fifty-one per cent or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such Autonomous Body.

(23) The safeguards specified under sub-rule (22) shall include option for voluntary retirement or continued service in the body, as the case may be, or voluntary retirement benefits on terms applicable to Government employees or employees of the Autonomous Body as per option of the employees, assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government.

(24) Nothing contained in this rule shall be applicable to the officers or employees including members of Indian Information Service, Central Secretariat service or any other service or to the persons borne on cadres outside Akashvani and Doordarshan, serving in the Akashvani and

Doordarshan and engaged in the performance of functions transferred to Prasar Bharati established under Prasar Bharati (Broadcasting Corporation of India) Act, 1990.

(12) In the said rules, in rule 48A,-

(i) sub-rule (5) shall be omitted.

(ii) in sub-rule (6), for clause (a), the following clause shall be substituted, namely:-

"(a) retires under the Special Voluntary Retirement Scheme relating to voluntary retirement of surplus employees, or"

(13) In the said rules, rule 48B shall be omitted;

(14) In the said rules, rule 48C shall be omitted;

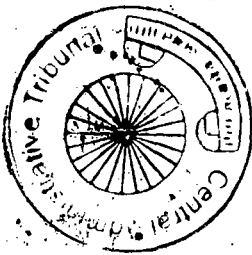
[R. No. 38/80/08-P&PW]

TRIPTI P. GHOSH, Director

Note : The principal rules were published vide notification number S.O.934, dated the 1st April, 1972 and were subsequently amended vide notification number—

1. S.O.254, dated the 4th February, 1989
2. S.O.970, dated the 6th May, 1989
3. S.O.2487, dated the 7th October, 1989
4. S.O.699, dated the 14th April, 1990
5. S.O.1454, dated the 26th May, 1990
6. S.O.2329, dated the 8th September, 1990
7. S.O.3269, dated the 8th December, 1990
8. S.O.3270, dated the 8th December, 1990
9. S.O.3273, dated the 8th December, 1990
10. S.O.409, dated the 9th February, 1991
11. S.O.484, dated the 16th February, 1991
12. S.O.2287, dated the 7th September, 1991
13. S.O.2740, dated the 2nd November, 1991
14. GSR 677, dated the 7th December, 1991
15. GSR 399, dated the 1st February, 1992
16. GSR 55, dated the 15th February, 1992
17. GSR 579, dated the 16th December, 1992
18. S.O.258, dated the 13th February, 1993
19. S.O.1673, dated the 7th August, 1993
20. GSR 449, dated the 11th September, 1993
21. S.O.1984, dated the 25th September, 1993

22. GSR 389(E), dated the 18th April, 1994
23. S.O.1775, dated the 19th July, 1997
24. S.O.259, dated the 30th January, 1999
25. S.O.904(E), dated the 30th September, 2000
26. S.O.717(E), dated the 27th July, 2001
27. GSR 75(E), dated the 1st February, 2002
28. S.O.4000, dated the 28th December, 2002
29. S.O. 860(E), dated the 28th July, 2003
30. S.O. 1483 (E), dated the 30th December, 2003
31. S.O. 1487 (E), dated the 14th October, 2005
32. GSR 723(E), dated the 23rd November, 2006
33. S.O. 1821 (E), dated the 25th October, 2007
34. GSR 258 (E), dated the 31st March, 2008
35. S.O. 1028 (E), dated the 25th April, 2008
36. S.O. 829(E), dated the 12th April, 2010
37. GSR No. 176 dated 5th June 2011



ANNEXURE A-9

रजिस्ट्री सं० डी० एल०-13004/09

REGD. NO. D.L.-33004/09

भारत का राजपत्र

The Gazette of India

सामान्य

EXTRAORDINARY

PART II—SECT 3—Sub-section (1)

PUBLISHED BY AUTHORITY

प्रतिष्ठापित

PUBLISHED BY AUTHORITY

नं. 100]

नई दिल्ली, बुधवार, मार्च 5, 2014/फाल्गुन 12, 1935

No. 100]

NEW DELHI, MONDAY, MARCH 5, 2014/FALGUNA 12, 1935

जनिक, लोक शिक्षा एवं सेवा विभाग

(विधान एवं पेंशन संबंधी कल्याण विभाग)

अतिरिक्त

नई दिल्ली, 3 मार्च, 2014

सा.प्र.नि. 138(अ).— राज्यसद्वि, संविधान के अनुच्छेद 309 के अंतर्गत और अनुच्छेद 148 के अंतर्गत 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय सेवा-परिभाषा और सेवा विभाग में कार्यरत कार्यवाहियों की सेवा शर्तों के संबंध में भारत के सिविल और महासेवा-परिभाषा से परास्तर करने के पश्चात् केंद्रीय सिविल सेवा (विधान) नियम, 1972 में संशोधन करते हुए प्रस्तावित निम्नलिखित नियम बनाते हैं—

1. (1) इन नियमों का संक्षिप्त नाम केंद्रीय सिविल सेवा (विधान) दूधों संशोधन विधम, 2014 है।

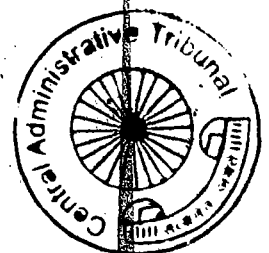
(2) ये 1 अक्टूबर, 2009 से प्रवृत्त हुए माने जाएंगे।

2. केंद्रीय सिविल सेवा (विधान) नियम, 1972 के नियम 57 क, में

(क) उप नियम (22) एवं उप नियम (23) में दी गई शब्दावली में जो 'भारत सरकार विभाग लिमिटेड' शब्दों के अभाव में 'भारत सरकार के विभाग लिमिटेड' शब्दों के अभाव में लिखा था उसे 'भारत सरकार के विभाग लिमिटेड' शब्दों के अभाव में लिखा जाएगा।

(ख) उप नियम (24) के अंतर्गत पर निम्नलिखित उप नियम रखा जाएगा अर्थात्—

"(24) उपनियम (23) के अंतर्गत दी गई व्यवस्था विधान विभाग पेंशन शर्तों तथा उन कार्यवाहियों को लागू होगी जिन्हें भारत सरकार विभाग लिमिटेड और महासेवा-परिभाषा विभाग लिमिटेड में कनेक्शन के अभाव में सरकारी सेवा से संबंधित हुए या माना गया है और महासेवा-परिभाषा विभाग लिमिटेड एवं भारत सरकार विभाग लिमिटेड द्वारा दी गई



महोदय द्वारा नियुक्त हुए कर्मियों पर यह लागू नहीं होगी जिनके लिए वे स्वयं की पेंशन स्कीमों का उपाय करेंगे तथा उसके लिए निश्चिन्ता तथा पैसाविक कार्यों के संवितरण की व्यवस्था करेंगे।"

[क्र. सं. 4/23/2013-पी एवं पीडब्ल्यू(सी)]

बंशमा शर्मा, संयुक्त सचिव

विषय: पूर्व नियम अधिनियम संख्या क्र. 334 तारीख 1 अगस्त, 1972 द्वारा प्रकटित किए गए थे तथा तत्पश्चात् विभिन्न अधिनियमों द्वारा समायोजन पर संशोधित किए गए-

- | | |
|---|--|
| 1. क्र.सं. 254 तारीख 4 फरवरी, 1989 | 21. क्र.सं. 1984, तारीख 25 सितंबर, 1993 |
| 2. क्र.सं. 970 तारीख 8 मई, 1989 | 22. सा.सं.नि. 389(अ), तारीख 18 जून, 1994 |
| 3. क्र.सं. 2467 तारीख 7 जनवरी, 1989 | 23. क्र.सं. 1775, तारीख 19 जुलाई, 1997 |
| 4. क्र.सं. 899 तारीख 14 मई, 1990 | 24. क्र.सं. 259 तारीख 30 जनवरी, 1999 |
| 5. क्र.सं. 1454 तारीख 26 मई, 1990 | 25. क्र.सं. 804 (अ) तारीख 30 सितंबर, 2000 |
| 6. क्र.सं. 2329 तारीख 3 सितंबर, 1990 | 26. क्र.सं. 717 (अ) तारीख 27 जुलाई, 2001 |
| 7. क्र.सं. 2299 तारीख 3 सितंबर, 1990 | 27. क्र.सं.नि. 76 (अ) तारीख 1 जनवरी, 2002 |
| 8. क्र.सं. 3270 तारीख 5 सितंबर, 1990 | 28. क्र.सं. 4000, (अ) तारीख 28 दिसंबर, 2002 |
| 9. क्र.सं. 3273 तारीख 3 दिसंबर, 1990 | 29. क्र.सं. 880 (अ) तारीख 23 जुलाई, 2003 |
| 10. क्र.सं. 409 तारीख 9 फरवरी, 1991 | 30. क्र.सं. 1483 (अ) तारीख 20 सितंबर, 2003 |
| 11. क्र.सं. 464 तारीख 16 फरवरी, 1991 | 31. क्र.सं. 1407 (अ) तारीख 14 सितंबर, 2006 |
| 12. क्र.सं. 2287 तारीख 7 सितंबर, 1991 | 32. सा.सं.नि. 723 (अ) तारीख 23 नवंबर, 2006 |
| 13. क्र.सं. 2740 तारीख 2 नवंबर, 1991 | 33. क्र.सं. 1821 (अ) तारीख 28 जनवरी, 2007 |
| 14. सा.सं.नि. 677 तारीख 7 सितंबर, 1991 | 34. सा.सं.नि. 258 (अ) तारीख 31 मार्च, 2008 |
| 15. सा.सं.नि. 399 तारीख 1 फरवरी, 1992 | 35. क्र.सं. 1028 (अ) तारीख 25 नवंबर, 2008 |
| 16. सा.सं.नि. 55 तारीख 18 फरवरी, 1992 | 36. क्र.सं. 822 (अ) तारीख 12 नवंबर, 2010 |
| 17. सा.सं.नि. 570 तारीख 18 सितंबर, 1992 | 37. सा.सं.नि. सं. 178 तारीख 5 जून, 2011 |
| 18. क्र.सं. 258 तारीख 13 फरवरी, 1993 | 38. सा.सं.नि. सं. 224(अ) तारीख 21 सितंबर, 2012 |
| 19. क्र.सं. 1673 तारीख 7 जनवरी, 1993 | 39. सा.सं.नि. सं. 88 (अ) तारीख 27 दिसंबर, 2012 |
| 20. सा.सं.नि. 448 तारीख 11 सितंबर, 1993 | |

स्पष्टीकरण

महानगर टेनीफोन नियम लिमिटेड में आवेगित सभी कर्मियों (समूह ए, बी, सी, डी) के पहले के सरकारी कर्मचारी जिन्होंने संयुक्त सेवा पेंशन का विकल्प चुना है उनके पेंशन हितधारियों का प्रस्ताव तारीख 01 जनवरी, 2000 से लागू संशोधन नियम लिमिटेड की ही भांति सरकार द्वारा दिया जाएगा तारीख 01 नवंबर, 1998 से महानगर टेनीफोन नियम लिमिटेड में आवेगित कर्मचारियों सहित पहले के सरकारी कर्मियों तथा टीओपी एंड रीटायर्स के सम्बन्ध में क्र.सं. 4/19/87-पी एवं पीडब्ल्यू (सी) तारीख 06.07.1989 के अनुसार शर्तित कर्मियों तारीख 01 जनवरी, 2000 से इन नियमों के अंतर्गत आवेगित हितधारियों द्वारा गृह मंत्रालय द्वारा जारी है कि इस अधिनियम को लागू करने के लिए पर्याप्त प्रमाण प्रदान किया गया है।

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Pension and Pensioners' Welfare)

NOTIFICATION

New Delhi, the 3rd March, 2014

G.S.R. 158 (X).—In exercise of the powers conferred by the proviso to article 309 and clause (2) of article 146 of the Constitution and, after consultation with the Comptroller and Auditor General of India in relation to conditions of service of persons serving in the Indian Audit and Accounts Department the President hereby makes the

following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely:-

1. (1) These rules may be called the Central Civil Services (Pension) Second Amendment Rules, 2014.
- (2) They shall be deemed to have come into force with effect from the 1st October, 2000.
2. In the Central Civil Services (Pension) Rules, 1972, in rule 37A, —

(a) in sub-rule (22) and sub-rule (23), after the words "Bharat Sanchar Nigam Limited" in both the places where they occur, the words "and Mahanagar Telephone Nigam Limited" shall be inserted;

(b) the sub-rule (24), the following sub-rule shall be substituted, namely:—

"(24) The arrangements under sub-rule (23) shall be applicable to the existing pensioners and to the employees who are deemed to have retired from the Government service for absorption in Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited and shall not apply to the employees directly recruited by the Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited for whom they shall devise their own pension schemes and make arrangements for funding and disbursing the pecuniary benefits."

(P. No. 4/23/2013-P&PW(D))

VANDANA SHARMA, Jr. Secy.

Note: The principal rules were published vide notification number S.O. 924, dated the 1st April, 1972 and were subsequently amended vide notification number—

- | | |
|--|--|
| 1. S.O. 254, dated the 4 th February, 1980 | 22. GSR. 329(E), dated the 16 th April, 1994 |
| 2. S.O. 970, dated the 6 th May, 1983 | 23. S.O. 1775, dated the 19 th July, 1997 |
| 3. S.O. 2467, dated the 7 th October, 1989 | 24. S.O. 259, dated the 20 th January, 1999 |
| 4. S.O. 899, dated the 14 th April, 1990 | 25. S.O. 904(E), dated the 30 th September, 2000 |
| 5. S.O. 1454, dated the 26 th May, 1990 | 26. S.O. 717(E), dated the 27 th July, 2001 |
| 6. S.O. 2329, dated the 8 th September, 1990 | 27. G.S.R. 75(E), dated the 1 st February, 2002 |
| 7. S.O. 3269, dated the 8 th December, 1990 | 28. S.O. 4000, dated the 28 th December, 2002 |
| 8. S.O. 3270, dated the 8 th December, 1990 | 29. S.O. 860(E), dated the 28 th July, 2003 |
| 9. S.O. 3273, dated the 8 th December, 1990 | 30. S.O. 1483 (E), dated the 30 th December, 2003 |
| 10. S.O. 409, dated the 9 th February, 1991 | 31. S.O. 1487 (E), dated the 14 th October, 2005 |
| 11. S.O. 464, dated the 16 th February, 1991 | 32. G.S.R. 723(E), dated the 23 rd November, 2006 |
| 12. S.O. 2287, dated the 7 th September, 1991 | 33. S.O. 1821 (E), dated the 25 th October, 2007 |
| 13. S.O. 2740, dated the 2 nd November, 1991 | 34. G.S.R. 258 (E), dated the 31 st March, 2008 |
| 14. G.S.R. 677, dated the 7 th December, 1991 | 35. S.O. 1024 (E), dated the 25 th April, 2008 |
| 15. G.S.R. 399, dated the 1 st February, 1992 | 36. S.O. 820(E), dated the 12 th April, 2010 |
| 16. G.S.R. 55, dated the 15 th February, 1992 | 37. G.S.R. No. 176 dated 6 th June 2011 |
| 17. G.S.R. 570, dated the 15 th December, 1992 | 38. G.S.R. No. 938(E) dated 21 st December, 2012 |
| 18. S.O. 258, dated the 13 th February, 1993 | 39. G.S.R. No. 838(E) dated 27 th December, 2012 |
| 19. S.O. 1673, dated the 7 th August, 1993 | |
| 20. G.S.R. 449, dated the 11 th September, 1993 | |
| 21. S.O. 1964, dated the 25 th September, 1993 | |

EXPLANATORY MEMORANDUM

Payment of pensionary benefits to all employees of the erstwhile employees of the Government (Group A, B, C and D) absorbed in Mahanagar Telephone Nigam Limited who have opted for pension as combined service will be made by the Government in the same manner as in Bharat Sanchar Nigam Limited with effect from 1st October, 2000. Such erstwhile Government employees including those absorbed in Mahanagar Telephone Nigam Limited with effect from 1st November, 1998 and governed vide DOP&PW's O.M.No. 4/18/87-P&PW(D) dated 5.7.1989 shall be brought within the purview of these rules with effect from 1st October, 2000. This is certified by the Department of Telecommunication that no one shall be adversely affected by giving retrospective effect to this notification.

ANNEXURE A-10

No.4/61/99-P&PW (D)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Pension & Pensioners' Welfare)

New Delhi, dated the 20th December, 2002

OFFICE MEMORANDUM

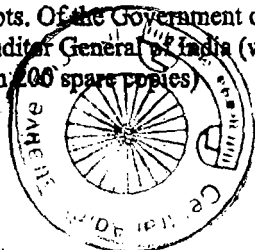
Subject:-Terms and conditions of payment of pensionary benefits in respect of Central Government employees transferred to Autonomous bodies/public sector undertakings consequent upon conversion of Govt. Dept./Office into autonomous body/public sector undertaking.

Sub-rule (9) of Rule: 7 A of CCS(Pension) Rules provides that the pension of an employee under sub-rule (8) shall be calculated on the basis of his last 10 months average pay. References have been received by this Dept. seeking clarification as to whether the pay of an employee in PSU in the IDA scale should be taken into consideration for calculating average emoluments under sub-rule (9). It is hereby clarified that for the calculation of pensionary benefits under sub-rule (9) of rule 37 A, average emoluments will be calculated on the basis of pay drawn by the absorbed employee during the last 10 months in the PSU prior to retirement and wherever the absorbed employee is drawing pay in IDA scale during this period, his pay in IDA scale will be taken into account for calculation of average emoluments. In addition to the pension or family pension, as the case may be, such absorbed employee shall also be eligible to receive dearness relief as per Industrial DA pattern as per the provisions of sub-rule (10) of Rule 37 A.

(Sujit Datta)
Director (PW)

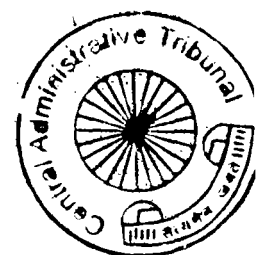
To

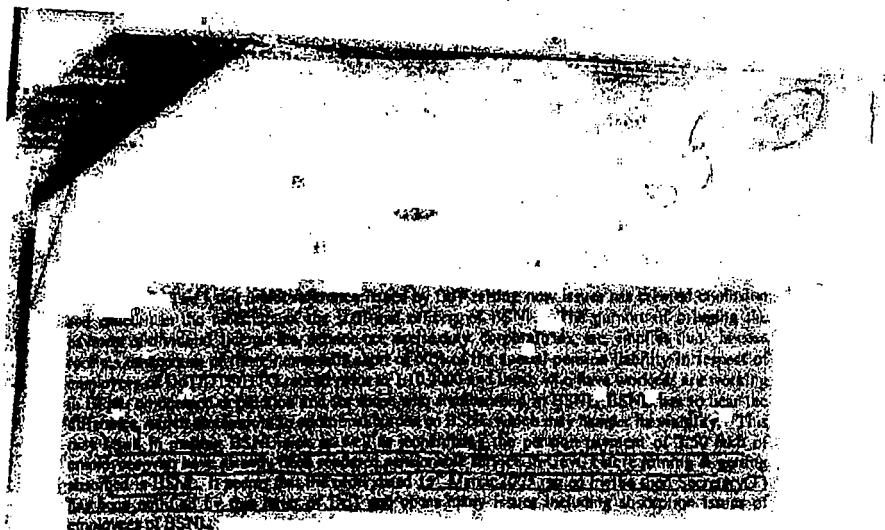
1. All Ministries/Depts. Of the Government of India
2. Comptroller & Auditor General of India (with 200 spare copies)
3. CGA/CGDA (with 200 spare copies)



[illegible][illegible]

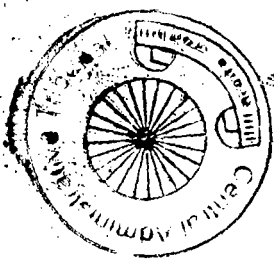
On 12/15/2001, the U.S. Coast Guard received information from a confidential source that a vessel, identified as the "M/V [redacted]", was en route to the port of [redacted] in the [redacted] area. The vessel was reported to be carrying a large quantity of [redacted] and was expected to arrive at the port on [redacted]. The source provided additional information regarding the vessel's [redacted] and the [redacted] of the cargo. The U.S. Coast Guard is currently [redacted] the vessel and its cargo, and is working to [redacted] the source of the information.

[illegible]

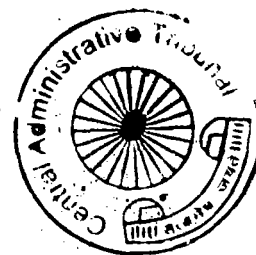
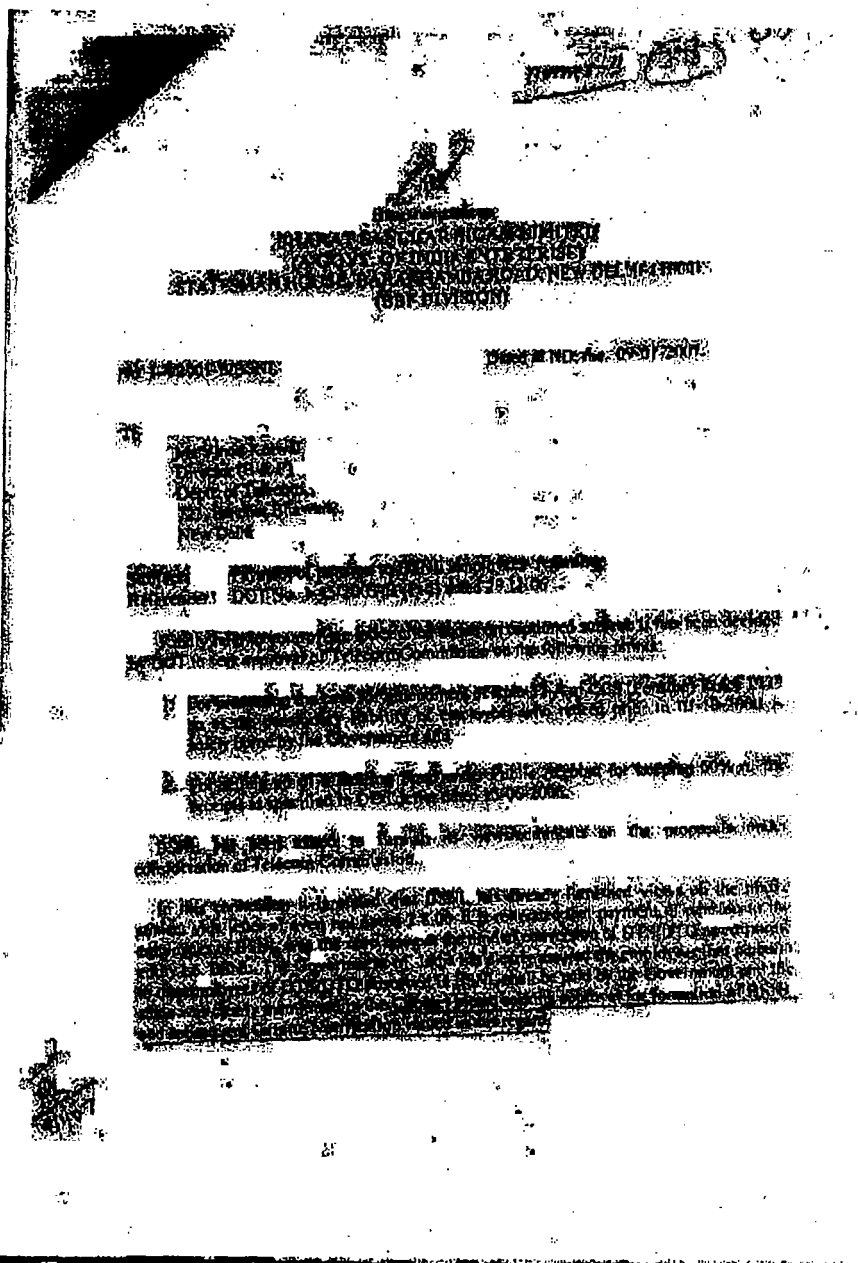


It is the policy of the United States Government to provide for the protection of persons by Confidential Informants and to provide for the protection of persons by Confidential Informants. This policy is based on the fact that the United States Government has a duty to protect the lives and property of its citizens and to provide for the protection of persons by Confidential Informants.

For information
 [illegible]
 [illegible]



ANNEXURE A13



[REDACTED]

[REDACTED]

[REDACTED]

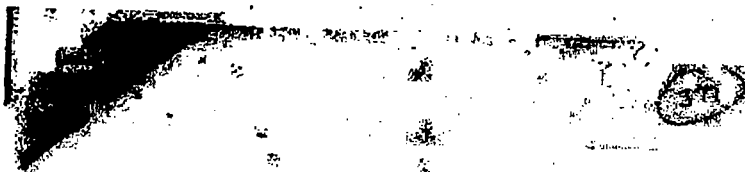
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

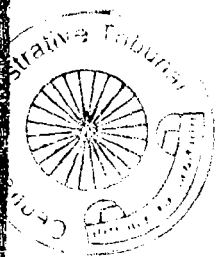
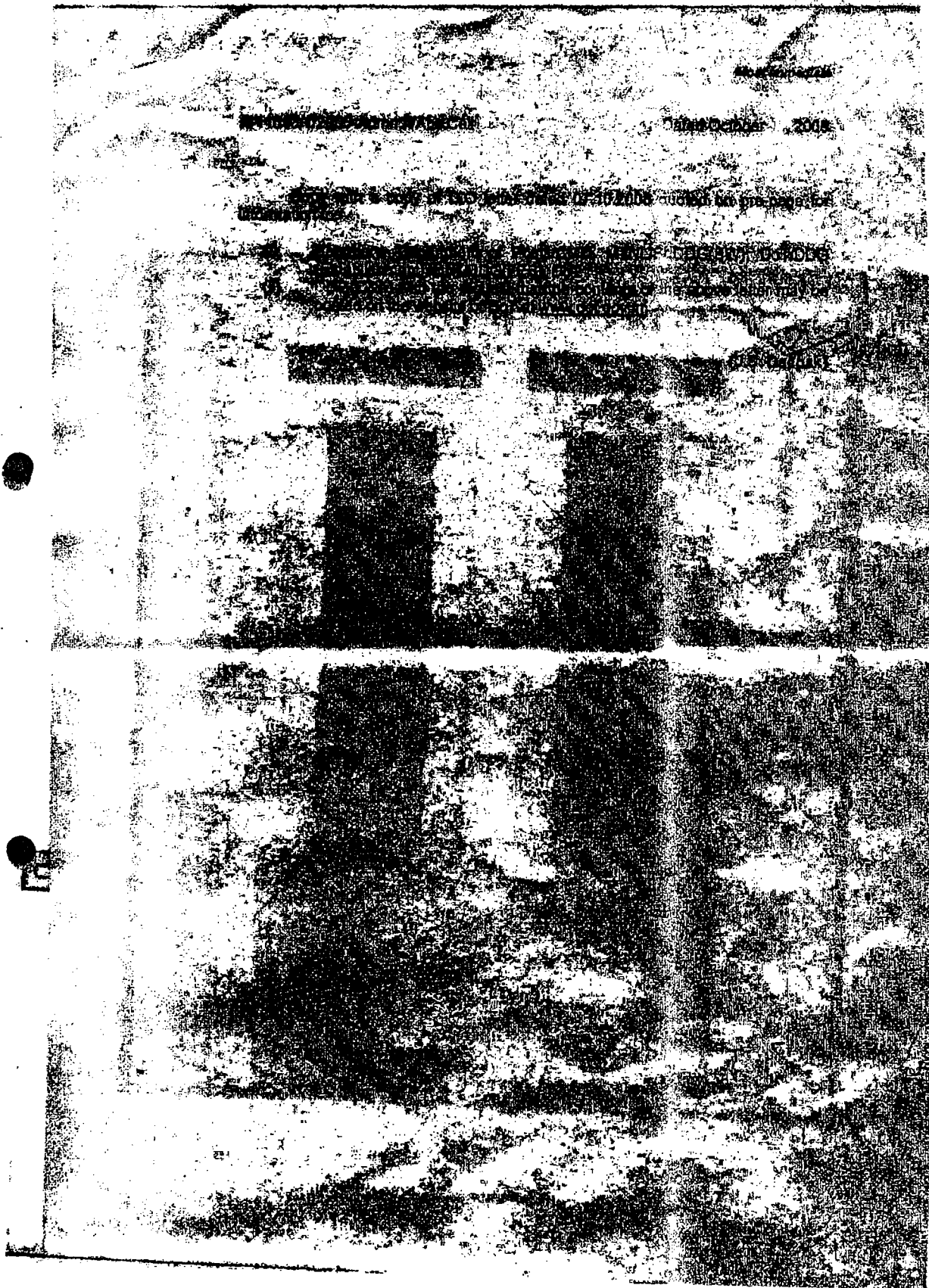
[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]



ANNEXURE A-15

No. 40-13/2013-Pen (T)
Government of India
Ministry of Communications
Department of Telecommunications

Dated 20.07.2016

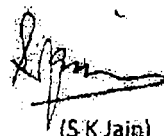
OFFICE MEMORANDUM

Subj: Modifying the liability of BSNL towards the payment of pensionary benefits to the retired employees

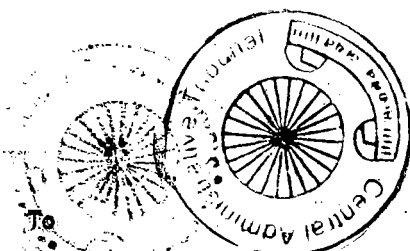
As stipulated in Rule 37-A of CCS (Pension) Rules, 1972, the pensionary benefits in the case of BSNL shall be paid by the Government, and the Government shall specify the arrangement and the manner including the rate of pensionary contribution to be made by BSNL and the manner in which financial liabilities on this account shall be met. As per sub-rule 24 of the said Rule, the arrangement thus worked out shall be applicable to the existing pensioners and to the employees who are deemed to have retired from Government.

2. The instructions with regard to the financial liability on this account were issued vide DoT's letter no. 1-49/2003-B dated 15.06.2006. Subsequently, the matter of modifying the Pension liability of BSNL towards the payment of pensionary benefits including family pension to the retired employees has been considered by the Government, and the following has been decided:

- (a) The pension liability in respect of employees of DOT/DLS/DTO who retired prior to 01.10.2000 is solely borne by Government of India and the BSNL will have no liability in respect of these employees.
- (b) The liability towards pensionary benefits including family pension to the BSNL employees (excepting those recruited after 01.10.2000), as per sub-Rule 22 of Rule 37-A of CCS (Pension) Rules, 1972, lies with the Government of India. The condition that the annual pension liability of the government shall not exceed 60% of the annual receipts to Government from the items specified in the O.M. dated 15.06.2006, is hereby rescinded.
- (c) BSNL will continue to discharge pension liability by way of pension contribution in accordance with FR 118.


(S.K. Jain)

DDG (Establishment)
Tel 2303 6500
Fax 23372302



Chairman and Managing Director, BSNL, New Delhi

No. 40-13/2013-Pen (T) dated 20.7.2016

Copy to:

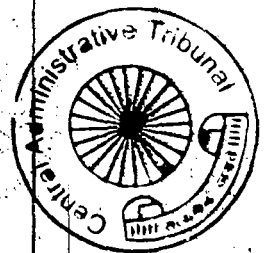
1. DDG (B&PEF)/ DDG (Accounts), DoT, New Delhi.
2. Director (IT), DoT, New Delhi for uploading this O.M. on DoT website

Copy for information to:

1. PS to Hon'ble MOS (IC), Ministry of Communications
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5. Director (Estt.), DoT, New Delhi

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2. Secretary, Department of Expenditure
3. Secretary, DoP&PW
4. Secretary, Department of Legal Affairs
5. Secretary, Department of Public Enterprise



ANNEXURE A-6 (Copy)

F.No.38/37/08-P&PW(A)
 Government of India
 Ministry of Personnel, Public Grievances & Pensions
 Department of Pension & Pensioners' Welfare
 Lok Nayak Bhawan, New Delhi-110003

Dated the 1st September, 2008

OFFICE MEMORANDUM

Sub: Implementation of Government's decision on the recommendations of the Sixth Central Pay Commission - Revision of pension of pre-2006 pensioners/family pensioners etc.

1. The undersigned is directed to say that in pursuance of Government's decision on the recommendations of Sixth Central Pay Commission, sanction of the President is hereby accorded to the regulation, with effect from 1.1.2006, of pension/ family pension of all the pre-2006 pensioners/ family pensioners in the manner indicated in the succeeding paragraphs. Separate orders will be issued in respect of employees who retired/died on or after 1.1.2006.

2.1 These orders apply to all pensioners/family pensioners who were drawing pension/family pension on 1.1.2006 under the Central Civil Services (Pension) Rules, 1972, CCS (Extraordinary Pension) Rules and the corresponding rules applicable to Railway pensioners and pensioners of All India Services, including officers of the Indian Civil Service retired from service on or after 1.1.1973.

2.2 Separate orders will be issued by the Ministry of Defence in regard to Armed Forces pensioners/family pensioners.

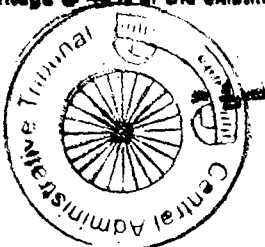
2.3 These orders do not also apply to retired High Court and Supreme Court Judges and other Constitutional/Statutory Authorities whose pension etc. is governed by separate rules/orders.

3.1 In these orders :

- a. Existing pensioner or Existing Family pensioner means a pensioner who was drawing/entitled to pension/family pension on 31.12.2005.
- b. Existing pension means the basic pension inclusive of commuted portion, if any, due on 31.12.2005. It covers all classes of pension under the CCS (Pension) Rules, 1972 as also Disability Pension under the CCS (Extraordinary Pension) Rules and the corresponding rules applicable to Railway employees and Members of All India Services.
- c. Existing family pension means the basic family pension drawn on 31.12.2005 under the CCS (Pension) Rules and the corresponding rules applicable to Railway employees and Members of All India Services.

4.1 The pension/family pension of existing pre-2006 pensioners/family pensioners will be consolidated with effect from 1.1.2006 by adding together:-

- I. The existing pension/family pension.
- II. Dearness Pension, where applicable
- III. Dearness Relief upto AICPI (IW) average index 536 (Base year 1982=100) i.e. @ 24% of Basic Pension/Basic family pension plus dearness pension as admissible vide this Department's O.M. No. 42/2/2006-P&PW(G) dated 5.4.2006
- IV. Fitment weightage @ 40% of the existing pension/family pension.



Where the existing pension in (i) above includes the effect of merger of 50% of dearness relief w.e.f. 1.4.2004, the existing pension for the purpose of fitment weightage will be re-calculated after excluding the merged dearness relief of 50% from the pension.

The amount so arrived at will be regarded as consolidated pension/family pension with effect from 1.1.2006.

4.2 The fixation of pension will be subject to the provision that the revised pension, in no case, shall be lower than fifty percent of the minimum of the pay in the pay band plus the grade pay corresponding to the pre-revised pay scale from which the pensioner had retired. In the case of HAG+ and above scales, this will be fifty percent of the minimum of the revised pay scale.

4.3 Since the consolidated pension will be inclusive of commuted portion of pension, if any, the commuted portion will be deducted from the said amount while making monthly disbursements.

4.4 The upper ceiling on pension/family pension laid down in the Department of Pension and Pensioners Welfare Office Memorandum No 45/86/97-P&PW(A)(Part-I) dated 27.10.1997 has been increased from Rs. 15000/- and Rs. 9000/- to 50% and 30% respectively of the highest pay in the Government (The highest pay in the Government is Rs. 90,000 since 1.1.2006).

4.5 The quantum of pension/family pension available to the old pensioners/ family pensioners shall be increased as follows:-

Age of pensioner/family pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of revised basic pension / family pension
From 85 years to less than 90 years	30% of revised basic pension / family pension
From 90 years to less than 95 years	40% of revised basic pension / family pension
From 95 years to less than 100 years	50% of revised basic pension / family pension
100 years or more	100% of revised basic pension / family pension

The amount of additional pension will be shown distinctly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and his/her consolidated pension in terms para 4.1 and 4.2 above is Rs.10,000 pm, the pension will be shown as (i).Basic pension=Rs.10,000 and (ii) Additional pension = Rs.2,000 pm. The pension on his/her attaining the age of 85 years will be shown as (i).Basic Pension = Rs.10,000 and (ii) additional pension = Rs.3,000 pm.

4.6 Some of the existing pensioners who retired between 31.3.1985 and 31.12.1985 are in receipt of personal pension. The said personal pension will continue to be granted as a separate element and will not be merged into the pension as consolidated above.

4.7 Since the consolidated pension/family pension arrived at as per paragraph 4.1. includes dearness relief upto average index level 536 (Base year 1982=100), dearness relief will be admissible thereon only beyond index average 536 (Base year 1982=100) in accordance with the revised scheme of dearness relief for which orders are being issued separately. The four instalments of dearness relief sanctioned earlier from 1.7.2006, 1.1.2007, 1.7.2007 and 1.1.2008 in this Department's Office Memorandum No. 42/2/2006-P&PW(G) dated the 15.9.2006, Office Memorandum No. 42/2/2006-P&PW(G) dated the 23.3.2007, Office Memorandum No. 42/2/2006-P&PW(G) dated the 18.9.2007 and Office Memorandum No. 42/2/2006-P&PW(G) dated the 19.3.2008 respectively shall be adjusted against revised Dearness Relief becoming due on the consolidated pension/family pension.



5.1 Where the consolidated pension/family pension in terms of paragraph 4 above works out to an amount less than Rs. 3500/- the same shall be stepped up to Rs. 3500/-. This will be regarded as pension/family pension with effect from 1.1.2006. In the case of pensioners who are in receipt of more than one pension, the floor ceiling of Rs. 3500/- will apply to the total of all pensions taken together.

5.2 Where the disability pension under the CCS(EOP) Rules, is drawn in addition to Invalid pension under the CCS (Pension) Rules, 1972, the minimum limit of Rs. 3500/- will apply to total of two pensions as indicated in paragraph 5.1. Where the disability pension is drawn in isolation, the minimum limit of Rs. 3500/- will apply for 100% disability. For lesser degree of disability the minimum limit will be proportionately less.

6. The employed/re-employed pensioners/family pensioners are not getting dearness relief on pension at present under the extant orders. In their case the notional dearness relief which would have been admissible to them but for their employment/re-employment will be taken into account for consolidation of their pension in terms of paragraph 4.1. above as if they were drawing the dearness relief. Their pay will be re-fixed w.e.f. 1.1.2006 with reference to consolidated pension becoming admissible to them. Dearness relief beyond 1.1.2006 will, however, not be admissible to them during the period of employment/re-employment.

7. The cases of Central Government employees who have been permanently absorbed in public sector undertakings/autonomous bodies will be regulated as follows:-

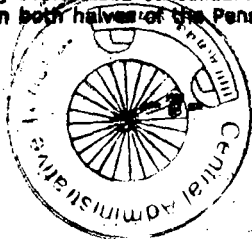
(a) PENSION

Where the Government servants on permanent absorption in public sector undertakings/autonomous bodies continue to draw pension separately from the Government, the pension of such absorbees will be updated in terms of these orders. In cases where the Government servants have drawn one time lump sum terminal benefits equal to 100% of their pensions and have become entitled to the restoration of one-third commuted portion of pension as per Supreme Court judgement dated 15.12.1995, their cases will not be covered by these orders.

(b) FAMILY PENSION

In cases where, on permanent absorption in public sector undertakings/autonomous bodies, the terms of absorption permit grant of family pension under the CCS (Pension) Rules, 1972 or the corresponding rules applicable to Railway employees/members of All India Services, the family pension being drawn by family pensioners will be updated in accordance with these orders.

8. All Pension Disbursing Authorities including Public Sector Banks handling disbursement of pension to the Central Government pensioners are hereby authorised to pay pension/family pension to existing pensioners/family pensioners at the consolidated rates in terms of para 4.1 above without any further authorisation from the concerned Accounts Officers/Head of Office etc. A table indicating the existing basic pension/family pension without Dearness Pension, the basic pension/family pension with dearness pension and the revised consolidated pension/family pension is enclosed for ready reference. (Annexure I). This table may be used where the pensioner is in receipt of a single pension only. Where a pensioner is in receipt of more than one pension, consolidation may be done separately in terms of paragraph 4.1 and as indicated in paragraph 5 floor ceiling of Rs. 3500/- may be applied to total pension from all sources taken together. Wherever the age of pensioner/ family pensioner is available on the pension payment order, the additional pension/ family pension in terms of para 4.5. above may also be paid by the pension disbursing authorities immediately without any further authorisation from the concerned Account Officer/ Head of Office, etc. A suitable entry regarding the revised consolidated pension shall be recorded by the pension Disbursing Authorities in both halves of the Pension Payment Order. An intimation regarding



disbursement of revised pension may be sent by the pension disbursing authorities to the Office of CPAO and Accounts Officer which had issued the PPO in the form given at Annexure-II so that the latter can update the Pension payment Order Register maintained by him. An acknowledgement shall be obtained by the Pension Disbursing Authorities from Office of CPAO and the respective Accounts Officers in this behalf.

9 The consolidated pension/family pension as worked out in accordance with provisions of Para 4.1. above shall be treated as final 'Basic Pension' with effect from 1.1.2006 and shall qualify for grant of Dearness Relief sanctioned thereafter.

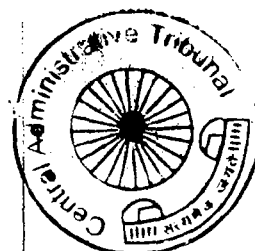
10 40% of the arrears of pension will be paid in the year 2008-09 and the remaining 60% in the year 2009-10.

11. It shall be the responsibility of the Head of the Department of the Ministry, Department, Office, etc. from which the government servant had retired or where he was working prior to his demise to revise the pension/family pension of all pensioners/ family pensioners with effect from 1st January 2006 in accordance with the provisions mentioned in para 4.1 and 4.2 above and to issue revised Pension Payment Order (PPOs). Action to revise pension/ family pension in terms of these provisions shall be initiated suo moto by the concerned Heads of Departments. In the case of the Defence Civilian Employees, however, the procedure prescribed in this regard by the Ministry of Defence shall be followed. It is emphasised that the Pension Sanctioning Authority, in no case, will ask the pensioner/ family pensioner to surrender his/ her original Pension Payment Order (PPO) for issuing revised authority. In case, however, the age of pensioner/family pensioner is not available on the PPO/office records, the same shall be obtained from the pensioner/family pensioner and indicated in the revised PPO. The authenticity of the age declared by the pensioner/family pensioner shall be verified by the pension sanctioning authority. It may also be ensured that a copy of the revised PPO should be invariably endorsed to the pensioner/ family pensioner.

12. It is considered desirable that the benefit of these orders should reach the pensioners as expeditiously as possible. To achieve this objective it is desired that all Pension Disbursing Authorities should ensure that the revised pension and the first instalment of arrears due to the pensioners in terms of para 4.1. and para 4.5 above is paid to the pensioners or credited to their account by 30th September, 2008 or before positively. Instructions regarding release of second instalment of arrears will be issued later. Concerted efforts should be made by all the authorities concerned to ensure that the revised PPO's are issued, wherever necessary, with the utmost expedition in terms of para 4.1, 4.2. and 4.5 above and arrears are paid in terms of para 10 above within two months from the date of issue of this O.M.

13. In their application to the persons belonging to Indian Audit and Accounts Department these orders issue in consultation with the Comptroller and Auditor General of India.

ॐ नमः शिवाय



14. 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 on a top priority basis. All pension disbursing offices are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

15. Hindi version will follow.

P. Razdan

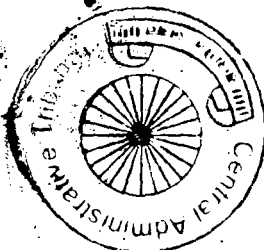
(Pajni Razdan)

Secretary to the Government of India

To

All Ministries/ Departments of Government of India

Copy to : as per mailing list

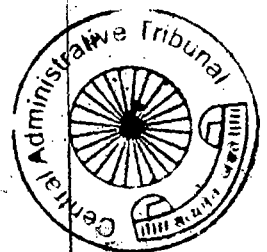


Annexure - I

Table Showing existing Basic Pension/Family Pension without Dearness Pension/Family Dearness Pension (column 1), Basic Pension/Family Pension with Dearness Pension/Family Dearness Pension (column 2) and Revised Consolidated Pension/Family Pension (column 3)

BP (pre2006) without DP	BP Revised (pre Consolidated) with DP	BP Revised (pre Consolidated) with DP	BP (pre2006) without DP	BP Revised (pre Consolidated) with DP	BP Revised (pre Consolidated) with DP	BP (pre2006) without DP	BP Revised (pre Consolidated) with DP	BP Revised (pre Consolidated) with DP	BP (pre2006) without DP	BP Revised (pre Consolidated) with DP	BP Revised (pre Consolidated) with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
1275	1913	3500	1329	1994	3500	1383	2075	3500	1437	2156	3500
1276	1914	3500	1330	1995	3500	1384	2076	3500	1438	2157	3500
1277	1916	3500	1331	1997	3500	1385	2078	3500	1439	2159	3500
1278	1917	3500	1332	1998	3500	1386	2079	3500	1440	2160	3500
1279	1919	3500	1333	2000	3500	1387	2081	3500	1441	2162	3500
1280	1920	3500	1334	2001	3500	1388	2082	3500	1442	2163	3500
1281	1922	3500	1335	2003	3500	1389	2084	3500	1443	2165	3500
1282	1923	3500	1336	2004	3500	1390	2085	3500	1444	2166	3500
1283	1925	3500	1337	2006	3500	1391	2087	3500	1445	2168	3500
1284	1926	3500	1338	2007	3500	1392	2088	3500	1446	2169	3500
1285	1928	3500	1339	2009	3500	1393	2090	3500	1447	2171	3500
1286	1929	3500	1340	2010	3500	1394	2091	3500	1448	2172	3500
1287	1931	3500	1341	2012	3500	1395	2093	3500	1449	2174	3500
1288	1932	3500	1342	2013	3500	1396	2094	3500	1450	2175	3500
1289	1934	3500	1343	2015	3500	1397	2096	3500	1451	2177	3500
1290	1935	3500	1344	2016	3500	1398	2097	3500	1452	2178	3500
1291	1937	3500	1345	2018	3500	1399	2099	3500	1453	2180	3500
1292	1938	3500	1346	2019	3500	1400	2100	3500	1454	2181	3500
1293	1940	3500	1347	2021	3500	1401	2102	3500	1455	2183	3500
1294	1941	3500	1348	2022	3500	1402	2103	3500	1456	2184	3500
1295	1943	3500	1349	2024	3500	1403	2105	3500	1457	2186	3500
1296	1944	3500	1350	2025	3500	1404	2106	3500	1458	2187	3500
1297	1946	3500	1351	2027	3500	1405	2108	3500	1459	2189	3500
1298	1947	3500	1352	2028	3500	1406	2109	3500	1460	2190	3500
1299	1949	3500	1353	2030	3500	1407	2111	3500	1461	2192	3500
1300	1950	3500	1354	2031	3500	1408	2112	3500	1462	2193	3500
1301	1952	3500	1355	2033	3500	1409	2114	3500	1463	2195	3500
1302	1953	3500	1356	2034	3500	1410	2115	3500	1464	2196	3500
1303	1955	3500	1357	2036	3500	1411	2117	3500	1465	2198	3500
1304	1956	3500	1358	2037	3500	1412	2118	3500	1466	2199	3500
1305	1958	3500	1359	2039	3500	1413	2120	3500	1467	2201	3500
1306	1959	3500	1360	2040	3500	1414	2121	3500	1468	2202	3500
1307	1961	3500	1361	2042	3500	1415	2123	3500	1469	2204	3500
1308	1962	3500	1362	2043	3500	1416	2124	3500	1470	2205	3500
1309	1964	3500	1363	2045	3500	1417	2126	3500	1471	2207	3500
1310	1965	3500	1364	2046	3500	1418	2127	3500	1472	2208	3500
1311	1967	3500	1365	2048	3500	1419	2129	3500	1473	2210	3500
1312	1968	3500	1366	2049	3500	1420	2130	3500	1474	2211	3500
1313	1970	3500	1367	2051	3500	1421	2132	3500	1475	2213	3500
1314	1971	3500	1368	2052	3500	1422	2133	3500	1476	2214	3500
1315	1973	3500	1369	2054	3500	1423	2135	3500	1477	2216	3500
1316	1974	3500	1370	2055	3500	1424	2136	3500	1478	2217	3500
1317	1976	3500	1371	2057	3500	1425	2138	3500	1479	2219	3500
1318	1977	3500	1372	2058	3500	1426	2139	3500	1480	2220	3500
1319	1979	3500	1373	2060	3500	1427	2141	3500	1481	2222	3500
1320	1980	3500	1374	2061	3500	1428	2142	3500	1482	2223	3500
1321	1982	3500	1375	2063	3500	1429	2144	3500	1483	2225	3500
1322	1983	3500	1376	2064	3500	1430	2145	3500	1484	2226	3500
1323	1985	3500	1377	2066	3500	1431	2147	3500	1485	2228	3500
1324	1986	3500	1378	2067	3500	1432	2148	3500	1486	2229	3500
1325	1988	3500	1379	2069	3500	1433	2150	3500	1487	2231	3500
1326	1989	3500	1380	2070	3500	1434	2151	3500	1488	2232	3500
1327	1991	3500	1381	2072	3500	1435	2153	3500	1489	2234	3500
1328	1992	3500	1382	2073	3500	1436	2154	3500	1490	2235	3500

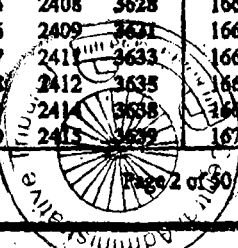
(M. P. SINGH)
Director (P. P.)
Dept. of Pension & P. W.
Govt. of India



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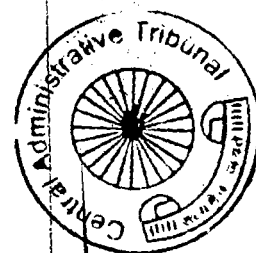
BP (pre2006) without DP	BP Revised (pre 2006) Consolidated with DP	BP Revised (pre 2006) Consolidated with DP	BP (pre2006) without DP	BP Revised (pre 2006) Consolidated with DP	BP Revised (pre 2006) Consolidated with DP	BP (pre2006) without DP	BP Revised (pre 2006) Consolidated with DP	BP Revised (pre 2006) Consolidated with DP	BP (pre2006) without DP	BP Revised (pre 2006) Consolidated with DP	BP Revised (pre 2006) Consolidated with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
1491	2237	3500	1551	2327	3507	1611	2417	3643	1671	2507	3778
1492	2238	3500	1552	2328	3508	1612	2418	3644	1672	2508	3779
1493	2240	3500	1553	2330	3512	1613	2420	3647	1673	2510	3783
1494	2241	3500	1554	2331	3513	1614	2421	3649	1674	2511	3784
1495	2243	3500	1555	2333	3515	1615	2423	3651	1675	2513	3787
1496	2244	3500	1556	2334	3518	1616	2424	3653	1676	2514	3789
1497	2246	3500	1557	2336	3520	1617	2426	3656	1677	2516	3791
1498	2247	3500	1558	2337	3522	1618	2427	3658	1678	2517	3794
1499	2249	3500	1559	2339	3525	1619	2429	3660	1679	2519	3796
1500	2250	3500	1560	2340	3526	1620	2430	3662	1680	2520	3797
1501	2252	3500	1561	2342	3530	1621	2432	3665	1681	2522	3801
1502	2253	3500	1562	2343	3531	1622	2433	3666	1682	2523	3802
1503	2255	3500	1563	2345	3534	1623	2435	3670	1683	2525	3805
1504	2256	3500	1564	2346	3536	1624	2436	3671	1684	2526	3807
1505	2258	3500	1565	2348	3538	1625	2438	3674	1685	2528	3809
1506	2259	3500	1566	2349	3540	1626	2439	3676	1686	2529	3811
1507	2261	3500	1567	2351	3543	1627	2441	3678	1687	2531	3814
1508	2262	3500	1568	2352	3545	1628	2442	3681	1688	2532	3816
1509	2264	3500	1569	2354	3547	1629	2444	3683	1689	2534	3819
1510	2265	3500	1570	2355	3549	1630	2445	3684	1690	2535	3820
1511	2267	3500	1571	2357	3552	1631	2447	3688	1691	2537	3823
1512	2268	3500	1572	2358	3553	1632	2448	3689	1692	2538	3825
1513	2270	3500	1573	2360	3557	1633	2450	3692	1693	2540	3828
1514	2271	3500	1574	2361	3558	1634	2451	3694	1694	2541	3829
1515	2273	3500	1575	2363	3561	1635	2453	3696	1695	2543	3832
1516	2274	3500	1576	2364	3563	1636	2454	3698	1696	2544	3834
1517	2276	3500	1577	2366	3565	1637	2456	3701	1697	2546	3837
1518	2277	3500	1578	2367	3568	1638	2457	3703	1698	2547	3839
1519	2279	3500	1579	2369	3570	1639	2459	3706	1699	2549	3841
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1525	2288	3500	1585	2378	3583	1645	2468	3719	1705	2558	3854
1526	2289	3500	1586	2379	3585	1646	2469	3721	1706	2559	3857
1527	2291	3500	1587	2381	3588	1647	2471	3724	1707	2561	3859
1528	2292	3500	1588	2382	3590	1648	2472	3726	1708	2562	3861
1529	2294	3500	1589	2384	3593	1649	2474	3728	1709	2564	3864
1530	2295	3500	1590	2385	3594	1650	2475	3729	1710	2565	3865
1531	2297	3500	1591	2387	3597	1651	2477	3733	1711	2567	3869
1532	2298	3500	1592	2388	3599	1652	2478	3734	1712	2568	3871
1533	2300	3500	1593	2390	3602	1653	2480	3738	1713	2570	3873
1534	2301	3500	1594	2391	3603	1654	2481	3739	1714	2571	3875
1535	2303	3500	1595	2393	3606	1655	2483	3741	1715	2573	3877
1536	2304	3500	1596	2394	3608	1656	2484	3744	1716	2574	3879
1537	2306	3500	1597	2396	3611	1657	2486	3746	1717	2576	3882
1538	2307	3500	1598	2397	3613	1658	2487	3748	1718	2577	3884
1539	2309	3500	1599	2399	3615	1659	2489	3751	1719	2579	3886
1540	2310	3500	1600	2400	3616	1660	2490	3752	1720	2580	3888
1541	2312	3500	1601	2402	3620	1661	2492	3756	1721	2582	3891
1542	2313	3500	1602	2403	3621	1662	2493	3757	1722	2583	3892
1543	2315	3500	1603	2405	3625	1663	2495	3760	1723	2585	3896
1544	2316	3500	1604	2406	3626	1664	2496	3762	1724	2586	3897
1545	2318	3500	1605	2408	3628	1665	2498	3764	1725	2588	3900
1546	2319	3500	1606	2409	3631	1666	2499	3766	1726	2589	3902
1547	2321	3500	1607	2411	3633	1667	2501	3769	1727	2591	3904
1548	2322	3500	1608	2412	3635	1668	2502	3771	1728	2592	3907
1549	2324	3502	1609	2414	3638	1669	2504	3773	1729	2594	3909
1550	2325	3503	1610	2415	3639	1670	2505	3775	1730	2595	3910

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BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension with DP			BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension with DP			BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
1731	2597	3914	1791	2687	4049	1851	2777	4185	1911	2867	4321	1911	2867	4321	1911	2867	4321
1732	2598	3915	1792	2688	4051	1852	2778	4186	1912	2868	4322	1912	2868	4322	1912	2868	4322
1733	2600	3918	1793	2690	4054	1853	2780	4190	1913	2870	4325	1913	2870	4325	1913	2870	4325
1734	2601	3920	1794	2691	4055	1854	2781	4191	1914	2871	4327	1914	2871	4327	1914	2871	4327
1735	2603	3922	1795	2693	4058	1855	2783	4193	1915	2873	4329	1915	2873	4329	1915	2873	4329
1736	2604	3924	1796	2694	4060	1856	2784	4196	1916	2874	4331	1916	2874	4331	1916	2874	4331
1737	2606	3927	1797	2696	4063	1857	2786	4198	1917	2876	4334	1917	2876	4334	1917	2876	4334
1738	2607	3929	1798	2697	4065	1858	2787	4200	1918	2877	4336	1918	2877	4336	1918	2877	4336
1739	2609	3932	1799	2699	4067	1859	2789	4203	1919	2879	4338	1919	2879	4338	1919	2879	4338
1740	2610	3933	1800	2700	4068	1860	2790	4204	1920	2880	4340	1920	2880	4340	1920	2880	4340
1741	2612	3936	1801	2702	4072	1861	2792	4208	1921	2882	4343	1921	2882	4343	1921	2882	4343
1742	2613	3938	1802	2703	4073	1862	2793	4209	1922	2883	4344	1922	2883	4344	1922	2883	4344
1743	2613	3941	1803	2705	4077	1863	2795	4212	1923	2885	4348	1923	2885	4348	1923	2885	4348
1744	2616	3942	1804	2706	4078	1864	2796	4214	1924	2886	4349	1924	2886	4349	1924	2886	4349
1745	2618	3945	1805	2708	4080	1865	2798	4216	1925	2888	4352	1925	2888	4352	1925	2888	4352
1746	2619	3947	1806	2709	4083	1866	2799	4218	1926	2889	4354	1926	2889	4354	1926	2889	4354
1747	2621	3950	1807	2711	4085	1867	2801	4221	1927	2891	4356	1927	2891	4356	1927	2891	4356
1748	2622	3952	1808	2712	4087	1868	2802	4223	1928	2892	4359	1928	2892	4359	1928	2892	4359
1749	2624	3954	1809	2714	4090	1869	2804	4225	1929	2894	4361	1929	2894	4361	1929	2894	4361
1750	2625	3955	1810	2715	4091	1870	2805	4227	1930	2895	4362	1930	2895	4362	1930	2895	4362
1751	2627	3959	1811	2717	4095	1871	2807	4230	1931	2897	4366	1931	2897	4366	1931	2897	4366
1752	2628	3960	1812	2718	4096	1872	2808	4231	1932	2898	4367	1932	2898	4367	1932	2898	4367
1753	2630	3964	1813	2720	4099	1873	2810	4235	1933	2900	4370	1933	2900	4370	1933	2900	4370
1754	2631	3965	1814	2721	4101	1874	2811	4236	1934	2901	4372	1934	2901	4372	1934	2901	4372
1755	2633	3967	1815	2723	4103	1875	2813	4239	1935	2903	4374	1935	2903	4374	1935	2903	4374
1756	2634	3970	1816	2724	4105	1876	2814	4241	1936	2904	4376	1936	2904	4376	1936	2904	4376
1757	2636	3972	1817	2726	4108	1877	2816	4243	1937	2906	4379	1937	2906	4379	1937	2906	4379
1758	2637	3974	1818	2727	4110	1878	2817	4246	1938	2907	4381	1938	2907	4381	1938	2907	4381
1759	2639	3977	1819	2729	4112	1879	2819	4248	1939	2909	4384	1939	2909	4384	1939	2909	4384
1760	2640	3978	1820	2730	4114	1880	2820	4249	1940	2910	4385	1940	2910	4385	1940	2910	4385
1761	2642	3982	1821	2732	4117	1881	2822	4253	1941	2912	4388	1941	2912	4388	1941	2912	4388
1762	2643	3983	1822	2733	4118	1882	2823	4254	1942	2913	4390	1942	2913	4390	1942	2913	4390
1763	2645	3986	1823	2735	4122	1883	2825	4257	1943	2915	4393	1943	2915	4393	1943	2915	4393
1764	2646	3988	1824	2736	4123	1884	2826	4259	1944	2916	4394	1944	2916	4394	1944	2916	4394
1765	2648	3990	1825	2738	4126	1885	2828	4261	1945	2918	4397	1945	2918	4397	1945	2918	4397
1766	2649	3992	1826	2739	4128	1886	2829	4263	1946	2919	4399	1946	2919	4399	1946	2919	4399
1767	2651	3995	1827	2741	4130	1887	2831	4266	1947	2921	4402	1947	2921	4402	1947	2921	4402
1768	2652	3997	1828	2742	4133	1888	2832	4268	1948	2922	4404	1948	2922	4404	1948	2922	4404
1769	2654	3999	1829	2744	4135	1889	2834	4271	1949	2924	4406	1949	2924	4406	1949	2924	4406
1770	2655	4001	1830	2745	4136	1890	2835	4272	1950	2925	4407	1950	2925	4407	1950	2925	4407
1771	2657	4004	1831	2747	4140	1891	2837	4275	1951	2927	4411	1951	2927	4411	1951	2927	4411
1772	2658	4005	1832	2748	4141	1892	2838	4277	1952	2928	4412	1952	2928	4412	1952	2928	4412
1773	2660	4009	1833	2750	4144	1893	2840	4280	1953	2930	4416	1953	2930	4416	1953	2930	4416
1774	2661	4010	1834	2751	4146	1894	2841	4281	1954	2931	4417	1954	2931	4417	1954	2931	4417
1775	2663	4013	1835	2753	4148	1895	2843	4284	1955	2933	4419	1955	2933	4419	1955	2933	4419
1776	2664	4015	1836	2754	4150	1896	2844	4286	1956	2934	4422	1956	2934	4422	1956	2934	4422
1777	2666	4017	1837	2756	4153	1897	2846	4289	1957	2936	4424	1957	2936	4424	1957	2936	4424
1778	2667	4020	1838	2757	4155	1898	2847	4291	1958	2937	4426	1958	2937	4426	1958	2937	4426
1779	2669	4022	1839	2759	4158	1899	2849	4293	1959	2939	4429	1959	2939	4429	1959	2939	4429
1780	2670	4023	1840	2760	4159	1900	2850	4294	1960	2940	4430	1960	2940	4430	1960	2940	4430
1781	2672	4027	1841	2762	4162	1901	2852	4298	1961	2942	4434	1961	2942	4434	1961	2942	4434
1782	2673	4028	1842	2763	4164	1902	2853	4299	1962	2943	4435	1962	2943	4435	1962	2943	4435
1783	2675	4031	1843	2765	4167	1903	2855	4303	1963	2945	4438	1963	2945	4438	1963	2945	4438
1784	2676	4033	1844	2766	4168	1904	2856	4304	1964	2946	4440	1964	2946	4440	1964	2946	4440
1785	2678	4035	1845	2768	4171	1905	2858	4306	1965	2948	4442	1965	2948	4442	1965	2948	4442
1786	2679	4037	1846	2769	4173	1906	2859	4309	1966	2949	4444	1966	2949	4444	1966	2949	4444
1787	2681	4040	1847	2771	4176	1907	2861	4311	1967	2951	4447	1967	2951	4447	1967	2951	4447
1788	2682	4042	1848	2772	4178	1908	2862	4313	1968	2952	4449	1968	2952	4449	1968	2952	4449
1789	2684	4045	1849	2774	4180	1909	2864	4316	1969	2954	4451	1969	2954	4451	1969	2954	4451
1790	2685	4046	1850	2775	4181	1910	2865	4317	1970	2955	4453	1970	2955	4453	1970	2955	4453

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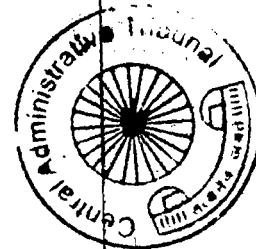
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BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
1971	2957	4456	2031	3047	4592	2091	3137	4727	2151	3227	4863
1972	2958	4457	2032	3048	4593	2092	3138	4729	2152	3228	4864
1973	2960	4461	2033	3050	4596	2093	3140	4732	2153	3230	4868
1974	2961	4462	2034	3051	4598	2094	3141	4733	2154	3231	4869
1975	2963	4465	2035	3053	4600	2095	3143	4736	2155	3233	4871
1976	2964	4467	2036	3054	4602	2096	3144	4738	2156	3234	4874
1977	2966	4469	2037	3056	4605	2097	3146	4741	2157	3236	4876
1978	2967	4472	2038	3057	4607	2098	3147	4743	2158	3237	4878
1979	2969	4474	2039	3059	4610	2099	3149	4745	2159	3239	4881
1980	2970	4475	2040	3060	4611	2100	3150	4746	2160	3240	4882
1981	2972	4479	2041	3062	4614	2101	3152	4750	2161	3242	4886
1982	2973	4480	2042	3063	4616	2102	3153	4751	2162	3243	4887
1983	2975	4483	2043	3065	4619	2103	3155	4755	2163	3245	4890
1984	2976	4485	2044	3066	4620	2104	3156	4756	2164	3246	4892
1985	2978	4487	2045	3068	4623	2105	3158	4758	2165	3248	4894
1986	2979	4489	2046	3069	4625	2106	3159	4761	2166	3249	4896
1987	2981	4492	2047	3071	4628	2107	3161	4763	2167	3251	4899
1988	2982	4494	2048	3072	4630	2108	3162	4765	2168	3252	4901
1989	2984	4497	2049	3074	4632	2109	3164	4768	2169	3254	4903
1990	2985	4498	2050	3075	4633	2110	3165	4769	2170	3255	4905
1991	2987	4501	2051	3077	4637	2111	3157	4773	2171	3257	4908
1992	2988	4503	2052	3078	4638	2112	3158	4774	2172	3258	4909
1993	2990	4506	2053	3080	4642	2113	3170	4777	2173	3260	4913
1994	2991	4507	2054	3081	4643	2114	3171	4779	2174	3261	4914
1995	2993	4510	2055	3083	4645	2115	3173	4781	2175	3263	4917
1996	2994	4512	2056	3084	4648	2116	3174	4783	2176	3264	4919
1997	2996	4515	2057	3086	4650	2117	3176	4786	2177	3266	4921
1998	2997	4517	2058	3087	4652	2118	3177	4788	2178	3267	4924
1999	2999	4519	2059	3089	4655	2119	3179	4790	2179	3269	4926
2000	3000	4520	2060	3090	4656	2120	3180	4792	2180	3270	4927
2001	3002	4524	2061	3092	4660	2121	3182	4795	2181	3272	4931
2002	3003	4525	2062	3093	4661	2122	3183	4796	2182	3273	4932
2003	3005	4529	2063	3095	4664	2123	3185	4800	2183	3275	4935
2004	3006	4530	2064	3096	4666	2124	3186	4801	2184	3276	4937
2005	3008	4532	2065	3098	4668	2125	3188	4804	2185	3278	4939
2006	3009	4535	2066	3099	4670	2126	3189	4806	2186	3279	4941
2007	3011	4537	2067	3101	4673	2127	3191	4808	2187	3281	4944
2008	3012	4539	2068	3102	4675	2128	3192	4811	2188	3282	4946
2009	3014	4542	2069	3104	4677	2129	3194	4813	2189	3284	4949
2010	3015	4543	2070	3105	4679	2130	3195	4814	2190	3285	4950
2011	3017	4547	2071	3107	4682	2131	3197	4818	2191	3287	4953
2012	3018	4548	2072	3108	4683	2132	3198	4819	2192	3288	4955
2013	3020	4551	2073	3110	4687	2133	3200	4822	2193	3290	4958
2014	3021	4553	2074	3111	4688	2134	3201	4824	2194	3291	4959
2015	3023	4555	2075	3113	4691	2135	3203	4826	2195	3293	4962
2016	3024	4557	2076	3114	4693	2136	3204	4828	2196	3294	4964
2017	3026	4560	2077	3116	4695	2137	3206	4831	2197	3296	4967
2018	3027	4562	2078	3117	4698	2138	3207	4833	2198	3297	4969
2019	3029	4564	2079	3119	4700	2139	3209	4836	2199	3299	4971
2020	3030	4566	2080	3120	4701	2140	3210	4837	2200	3300	4972
2021	3032	4569	2081	3122	4705	2141	3212	4840	2201	3302	4976
2022	3033	4570	2082	3123	4706	2142	3213	4842	2202	3303	4977
2023	3035	4574	2083	3125	4709	2143	3215	4845	2203	3305	4981
2024	3036	4575	2084	3126	4711	2144	3216	4846	2204	3306	4982
2025	3038	4578	2085	3128	4713	2145	3218	4849	2205	3308	4984
2026	3039	4580	2086	3129	4715	2146	3219	4851	2206	3309	4987
2027	3041	4582	2087	3131	4718	2147	3221	4854	2207	3311	4989
2028	3042	4585	2088	3132	4720	2148	3222	4856	2208	3312	4991
2029	3044	4587	2089	3134	4723	2149	3224	4858	2209	3314	4994
2030	3045	4588	2090	3135	4724	2150	3225	4859	2210	3315	4995

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BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
2211	3317	4999	2271	3407	5134	2331	3497	5270	2391	3587	5405
2212	3318	5000	2272	3408	5135	2332	3498	5271	2392	3588	5407
2213	3320	5003	2273	3410	5139	2333	3500	5274	2393	3590	5410
2214	3321	5005	2274	3411	5140	2334	3501	5276	2394	3591	5411
2215	3323	5007	2275	3413	5143	2335	3503	5278	2395	3593	5414
2216	3324	5009	2276	3414	5145	2336	3504	5280	2396	3594	5416
2217	3326	5012	2277	3416	5147	2337	3506	5283	2397	3596	5419
2218	3327	5014	2278	3417	5150	2338	3507	5285	2398	3597	5421
2219	3329	5016	2279	3419	5152	2339	3509	5288	2399	3599	5423
2220	3330	5018	2280	3420	5153	2340	3510	5289	2400	3600	5424
2221	3332	5021	2281	3422	5157	2341	3512	5292	2401	3602	5428
2222	3333	5022	2282	3423	5158	2342	3513	5294	2402	3603	5429
2223	3335	5026	2283	3425	5161	2343	3515	5297	2403	3605	5433
2224	3336	5027	2284	3426	5163	2344	3516	5298	2404	3606	5434
2225	3338	5030	2285	3428	5165	2345	3518	5301	2405	3608	5436
2226	3339	5032	2286	3429	5167	2346	3519	5303	2406	3609	5439
2227	3341	5034	2287	3431	5170	2347	3521	5306	2407	3611	5441
2228	3342	5037	2288	3432	5172	2348	3522	5308	2408	3612	5443
2229	3344	5039	2289	3434	5175	2349	3524	5310	2409	3614	5446
2230	3345	5040	2290	3435	5176	2350	3525	5311	2410	3615	5447
2231	3347	5044	2291	3437	5179	2351	3527	5315	2411	3617	5451
2232	3348	5045	2292	3438	5181	2352	3528	5316	2412	3618	5452
2233	3350	5048	2293	3440	5184	2353	3530	5320	2413	3620	5455
2234	3351	5050	2294	3441	5185	2354	3531	5321	2414	3621	5457
2235	3353	5052	2295	3443	5188	2355	3533	5323	2415	3623	5459
2236	3354	5054	2296	3444	5190	2356	3534	5326	2416	3624	5461
2237	3356	5057	2297	3446	5193	2357	3536	5328	2417	3626	5464
2238	3357	5059	2298	3447	5195	2358	3537	5330	2418	3627	5466
2239	3359	5062	2299	3449	5197	2359	3539	5333	2419	3629	5468
2240	3360	5063	2300	3450	5198	2360	3540	5334	2420	3630	5470
2241	3362	5066	2301	3452	5202	2361	3542	5338	2421	3632	5473
2242	3363	5068	2302	3453	5203	2362	3543	5339	2422	3633	5474
2243	3365	5071	2303	3455	5207	2363	3545	5342	2423	3635	5478
2244	3366	5072	2304	3456	5208	2364	3546	5344	2424	3636	5479
2245	3368	5075	2305	3458	5210	2365	3548	5346	2425	3638	5482
2246	3369	5077	2306	3459	5213	2366	3549	5348	2426	3639	5484
2247	3371	5080	2307	3461	5215	2367	3551	5351	2427	3641	5486
2248	3372	5082	2308	3462	5217	2368	3552	5353	2428	3642	5489
2249	3374	5084	2309	3464	5220	2369	3554	5355	2429	3644	5491
2250	3375	5085	2310	3465	5221	2370	3555	5357	2430	3645	5492
2251	3377	5089	2311	3467	5225	2371	3557	5360	2431	3647	5496
2252	3378	5090	2312	3468	5226	2372	3558	5361	2432	3648	5497
2253	3380	5094	2313	3470	5229	2373	3560	5365	2433	3650	5500
2254	3381	5095	2314	3471	5231	2374	3561	5366	2434	3651	5502
2255	3383	5097	2315	3473	5233	2375	3563	5369	2435	3653	5504
2256	3384	5100	2316	3474	5235	2376	3564	5371	2436	3654	5506
2257	3386	5102	2317	3476	5238	2377	3566	5373	2437	3656	5509
2258	3387	5104	2318	3477	5240	2378	3567	5376	2438	3657	5511
2259	3389	5107	2319	3479	5242	2379	3569	5378	2439	3659	5514
2260	3390	5108	2320	3480	5244	2380	3570	5379	2440	3660	5515
2261	3392	5112	2321	3482	5247	2381	3572	5383	2441	3662	5518
2262	3393	5113	2322	3483	5248	2382	3573	5384	2442	3663	5520
2263	3395	5116	2323	3485	5252	2383	3575	5387	2443	3665	5523
2264	3396	5118	2324	3486	5253	2384	3576	5389	2444	3666	5524
2265	3398	5120	2325	3488	5256	2385	3578	5391	2445	3668	5527
2266	3399	5122	2326	3489	5258	2386	3579	5393	2446	3669	5529
2267	3401	5125	2327	3491	5260	2387	3581	5396	2447	3671	5532
2268	3402	5127	2328	3492	5263	2388	3582	5398	2448	3672	5534
2269	3404	5129	2329	3494	5265	2389	3584	5401	2449	3674	5536
2270	3405	5131	2330	3495	5266	2390	3585	5402	2450	3675	5537

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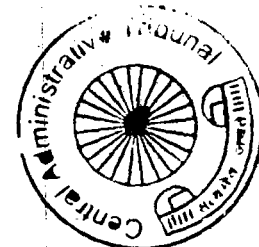


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BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre Consolidated) without DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre Consolidated) without DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre Consolidated) without DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre Consolidated) without DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
2451	3677	5541	2511	3767	5677	2571	3857	5812	2631	3947	5948
2452	3678	5542	2512	3768	5678	2572	3858	5813	2632	3948	5949
2453	3680	5546	2513	3770	5681	2573	3860	5817	2633	3950	5952
2454	3681	5547	2514	3771	5683	2574	3861	5818	2634	3951	5954
2455	3683	5549	2515	3773	5685	2575	3863	5821	2635	3953	5956
2456	3684	5552	2516	3774	5687	2576	3864	5823	2636	3954	5958
2457	3686	5554	2517	3776	5690	2577	3866	5825	2637	3956	5961
2458	3687	5556	2518	3777	5692	2578	3867	5828	2638	3957	5963
2459	3689	5559	2519	3779	5694	2579	3869	5830	2639	3959	5966
2460	3690	5560	2520	3780	5696	2580	3870	5831	2640	3960	5967
2461	3692	5564	2521	3782	5699	2581	3872	5835	2641	3962	5970
2462	3693	5565	2522	3783	5700	2582	3873	5836	2642	3963	5972
2463	3695	5568	2523	3785	5704	2583	3875	5839	2643	3965	5975
2464	3696	5570	2524	3786	5705	2584	3876	5841	2644	3966	5976
2465	3698	5572	2525	3788	5708	2585	3878	5843	2645	3968	5979
2466	3699	5574	2526	3789	5710	2586	3879	5845	2646	3969	5981
2467	3701	5577	2527	3791	5712	2587	3881	5848	2647	3971	5984
2468	3702	5579	2528	3792	5715	2588	3882	5850	2648	3972	5986
2469	3704	5581	2529	3794	5717	2589	3884	5853	2649	3974	5988
2470	3705	5583	2530	3795	5718	2590	3885	5854	2650	3975	5989
2471	3707	5586	2531	3797	5722	2591	3887	5857	2651	3977	5993
2472	3708	5587	2532	3798	5723	2592	3888	5859	2652	3978	5994
2473	3710	5591	2533	3800	5726	2593	3890	5862	2653	3980	5998
2474	3711	5592	2534	3801	5728	2594	3891	5863	2654	3981	5999
2475	3713	5595	2535	3803	5730	2595	3893	5866	2655	3983	6001
2476	3714	5597	2536	3804	5732	2596	3894	5868	2656	3984	6004
2477	3716	5599	2537	3806	5735	2597	3896	5871	2657	3986	6006
2478	3717	5602	2538	3807	5737	2598	3897	5873	2658	3987	6008
2479	3719	5604	2539	3809	5740	2599	3899	5875	2659	3989	6011
2480	3720	5605	2540	3810	5741	2600	3900	5876	2660	3990	6012
2481	3722	5609	2541	3812	5744	2601	3902	5880	2661	3992	6016
2482	3723	5610	2542	3813	5746	2602	3903	5881	2662	3993	6017
2483	3725	5613	2543	3815	5749	2603	3905	5885	2663	3995	6020
2484	3726	5615	2544	3816	5750	2604	3906	5886	2664	3996	6022
2485	3728	5617	2545	3818	5753	2605	3908	5888	2665	3998	6024
2486	3729	5619	2546	3819	5755	2606	3909	5891	2666	3999	6026
2487	3731	5622	2547	3821	5758	2607	3911	5893	2667	4001	6029
2488	3732	5624	2548	3822	5760	2608	3912	5895	2668	4002	6031
2489	3734	5627	2549	3824	5762	2609	3914	5898	2669	4004	6033
2490	3735	5628	2550	3825	5763	2610	3915	5899	2670	4005	6035
2491	3737	5631	2551	3827	5767	2611	3917	5903	2671	4007	6038
2492	3738	5633	2552	3828	5768	2612	3918	5904	2672	4008	6039
2493	3740	5636	2553	3830	5772	2613	3920	5907	2673	4010	6043
2494	3741	5637	2554	3831	5773	2614	3921	5909	2674	4011	6044
2495	3743	5640	2555	3833	5775	2615	3923	5911	2675	4013	6047
2496	3744	5642	2556	3834	5778	2616	3924	5913	2676	4014	6049
2497	3746	5645	2557	3836	5780	2617	3926	5916	2677	4015	6051
2498	3747	5647	2558	3837	5782	2618	3927	5918	2678	4017	6054
2499	3749	5649	2559	3839	5785	2619	3929	5920	2679	4019	6056
2500	3750	5650	2560	3840	5786	2620	3930	5922	2680	4020	6057
2501	3752	5654	2561	3842	5790	2621	3932	5925	2681	4022	6061
2502	3753	5655	2562	3843	5791	2622	3933	5926	2682	4023	6062
2503	3755	5659	2563	3845	5794	2623	3935	5930	2683	4025	6065
2504	3756	5660	2564	3846	5796	2624	3936	5931	2684	4026	6067
2505	3758	5662	2565	3848	5798	2625	3938	5934	2685	4028	6069
2506	3759	5665	2566	3849	5800	2626	3939	5936	2686	4029	6071
2507	3761	5667	2567	3851	5803	2627	3941	5938	2687	4031	6074
2508	3762	5669	2568	3852	5805	2628	3942	5941	2688	4032	6076
2509	3764	5672	2569	3854	5807	2629	3944	5943	2689	4034	6079
2510	3765	5673	2570	3855	5809	2630	3945	5944	2690	4035	6080

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BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
2691	4037	6083	2751	4127	6219	2811	4217	6355	2871	4307	6490
2692	4038	6085	2752	4128	6220	2812	4218	6356	2872	4308	6491
2693	4040	6088	2753	4130	6224	2813	4220	6359	2873	4310	6495
2694	4041	6089	2754	4131	6225	2814	4221	6361	2874	4311	6496
2695	4043	6092	2755	4133	6227	2815	4223	6363	2875	4313	6499
2696	4044	6094	2756	4134	6230	2816	4224	6365	2876	4314	6501
2697	4046	6097	2757	4136	6232	2817	4226	6368	2877	4316	6503
2698	4047	6099	2758	4137	6234	2818	4227	6370	2878	4317	6506
2699	4049	6101	2759	4139	6237	2819	4229	6372	2879	4319	6508
2700	4050	6102	2760	4140	6238	2820	4230	6374	2880	4320	6509
2701	4052	6106	2761	4142	6242	2821	4232	6377	2881	4322	6513
2702	4053	6107	2762	4143	6243	2822	4233	6378	2882	4323	6514
2703	4055	6111	2763	4145	6246	2823	4235	6382	2883	4325	6517
2704	4056	6112	2764	4146	6248	2824	4236	6383	2884	4326	6519
2705	4058	6114	2765	4148	6250	2825	4238	6386	2885	4328	6521
2706	4059	6117	2766	4149	6252	2826	4239	6388	2886	4329	6523
2707	4061	6119	2767	4151	6255	2827	4241	6390	2887	4331	6526
2708	4062	6121	2768	4152	6257	2828	4242	6393	2888	4332	6528
2709	4064	6124	2769	4154	6259	2829	4244	6395	2889	4334	6531
2710	4065	6125	2770	4155	6261	2830	4245	6396	2890	4335	6532
2711	4067	6129	2771	4157	6264	2831	4247	6400	2891	4337	6535
2712	4068	6130	2772	4158	6265	2832	4248	6401	2892	4338	6537
2713	4070	6133	2773	4160	6269	2833	4250	6404	2893	4340	6540
2714	4071	6135	2774	4161	6270	2834	4251	6406	2894	4341	6541
2715	4073	6137	2775	4163	6273	2835	4253	6408	2895	4343	6544
2716	4074	6139	2776	4164	6275	2836	4254	6410	2896	4344	6546
2717	4076	6142	2777	4166	6277	2837	4256	6413	2897	4346	6549
2718	4077	6144	2778	4167	6280	2838	4257	6415	2898	4347	6551
2719	4079	6146	2779	4169	6282	2839	4259	6418	2899	4349	6553
2720	4080	6148	2780	4170	6283	2840	4260	6419	2900	4350	6554
2721	4082	6151	2781	4172	6287	2841	4262	6422	2901	4352	6558
2722	4083	6152	2782	4173	6288	2842	4263	6424	2902	4353	6559
2723	4085	6156	2783	4175	6291	2843	4265	6427	2903	4355	6563
2724	4086	6157	2784	4176	6293	2844	4266	6428	2904	4356	6564
2725	4088	6160	2785	4178	6295	2845	4268	6431	2905	4358	6566
2726	4089	6162	2786	4179	6297	2846	4269	6433	2906	4359	6569
2727	4091	6164	2787	4181	6300	2847	4271	6436	2907	4361	6571
2728	4092	6167	2788	4182	6302	2848	4272	6438	2908	4362	6573
2729	4094	6169	2789	4184	6305	2849	4274	6440	2909	4364	6576
2730	4095	6170	2790	4185	6306	2850	4275	6441	2910	4365	6577
2731	4097	6174	2791	4187	6309	2851	4277	6445	2911	4367	6581
2732	4098	6175	2792	4188	6311	2852	4278	6446	2912	4368	6582
2733	4100	6178	2793	4190	6314	2853	4280	6450	2913	4370	6585
2734	4101	6180	2794	4191	6315	2854	4281	6451	2914	4371	6587
2735	4103	6182	2795	4193	6318	2855	4283	6453	2915	4373	6589
2736	4104	6184	2796	4194	6320	2856	4284	6456	2916	4374	6591
2737	4106	6187	2797	4196	6323	2857	4286	6458	2917	4376	6594
2738	4107	6189	2798	4197	6325	2858	4287	6460	2918	4377	6596
2739	4109	6192	2799	4199	6327	2859	4289	6463	2919	4379	6598
2740	4110	6193	2800	4200	6328	2860	4290	6464	2920	4380	6600
2741	4112	6196	2801	4202	6332	2861	4292	6468	2921	4382	6603
2742	4113	6198	2802	4203	6333	2862	4293	6469	2922	4383	6604
2743	4115	6201	2803	4205	6337	2863	4295	6472	2923	4385	6608
2744	4116	6202	2804	4206	6338	2864	4296	6474	2924	4386	6609
2745	4118	6205	2805	4208	6340	2865	4298	6476	2925	4388	6612
2746	4119	6207	2806	4209	6343	2866	4299	6478	2926	4389	6614
2747	4121	6210	2807	4211	6345	2867	4301	6481	2927	4391	6616
2748	4122	6212	2808	4212	6347	2868	4302	6483	2928	4392	6619
2749	4124	6214	2809	4214	6350	2869	4304	6485	2929	4394	6621
2750	4125	6215	2810	4215	6351	2870	4305	6487	2930	4395	6622



BP (pre2006) without DP			BP Revised (pre2006) Pension with DP			BP (pre2006) without DP			BP Revised (pre2006) Pension with DP			BP (pre2006) without DP			BP Revised (pre2006) Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
2931	4397	6626	2991	4487	6761	3051	4577	6897	3111	4667	7033						
2932	4398	6627	2992	4488	6763	3052	4578	6898	3112	4668	7034						
2933	4400	6630	2993	4490	6766	3053	4580	6902	3113	4670	7037						
2934	4401	6632	2994	4491	6767	3054	4581	6903	3114	4671	7039						
2935	4403	6634	2995	4493	6770	3055	4583	6905	3115	4673	7041						
2936	4404	6636	2996	4494	6772	3056	4584	6908	3116	4674	7043						
2937	4406	6639	2997	4496	6775	3057	4586	6910	3117	4676	7046						
2938	4407	6641	2998	4497	6777	3058	4587	6912	3118	4677	7048						
2939	4409	6644	2999	4499	6779	3059	4589	6915	3119	4679	7050						
2940	4410	6645	3000	4500	6780	3060	4590	6916	3120	4680	7052						
2941	4412	6648	3001	4502	6784	3061	4592	6920	3121	4682	7055						
2942	4413	6650	3002	4503	6785	3062	4593	6921	3122	4683	7056						
2943	4415	6653	3003	4505	6789	3063	4595	6924	3123	4685	7060						
2944	4416	6654	3004	4506	6790	3064	4596	6926	3124	4686	7061						
2945	4418	6657	3005	4508	6792	3065	4598	6928	3125	4688	7064						
2946	4419	6659	3006	4509	6795	3066	4599	6930	3126	4689	7066						
2947	4421	6662	3007	4511	6797	3067	4601	6933	3127	4691	7068						
2948	4422	6664	3008	4512	6799	3068	4602	6935	3128	4692	7071						
2949	4424	6666	3009	4514	6802	3069	4604	6937	3129	4694	7073						
2950	4425	6667	3010	4515	6803	3070	4605	6939	3130	4695	7074						
2951	4427	6671	3011	4517	6807	3071	4607	6942	3131	4697	7078						
2952	4428	6672	3012	4518	6808	3072	4608	6943	3132	4698	7079						
2953	4430	6676	3013	4520	6811	3073	4610	6947	3133	4700	7082						
2954	4431	6677	3014	4521	6813	3074	4611	6948	3134	4701	7084						
2955	4433	6679	3015	4523	6815	3075	4613	6951	3135	4703	7086						
2956	4434	6682	3016	4524	6817	3076	4614	6953	3136	4704	7088						
2957	4436	6684	3017	4526	6820	3077	4616	6955	3137	4706	7091						
2958	4437	6686	3018	4527	6822	3078	4617	6958	3138	4707	7093						
2959	4439	6689	3019	4529	6824	3079	4619	6960	3139	4709	7096						
2960	4440	6690	3020	4530	6826	3080	4620	6961	3140	4710	7097						
2961	4442	6694	3021	4532	6829	3081	4622	6965	3141	4712	7100						
2962	4443	6695	3022	4533	6830	3082	4623	6966	3142	4713	7102						
2963	4445	6698	3023	4535	6834	3083	4625	6969	3143	4715	7105						
2964	4446	6700	3024	4536	6835	3084	4626	6971	3144	4716	7106						
2965	4448	6702	3025	4538	6838	3085	4628	6973	3145	4718	7109						
2966	4449	6704	3026	4539	6840	3086	4629	6975	3146	4719	7111						
2967	4451	6707	3027	4541	6842	3087	4631	6978	3147	4721	7114						
2968	4452	6709	3028	4542	6845	3088	4632	6980	3148	4722	7116						
2969	4454	6711	3029	4544	6847	3089	4634	6983	3149	4724	7118						
2970	4455	6713	3030	4545	6848	3090	4635	6984	3150	4725	7119						
2971	4457	6716	3031	4547	6852	3091	4637	6987	3151	4727	7123						
2972	4458	6717	3032	4548	6853	3092	4638	6989	3152	4728	7124						
2973	4460	6721	3033	4550	6856	3093	4640	6992	3153	4730	7128						
2974	4461	6722	3034	4551	6858	3094	4641	6993	3154	4731	7129						
2975	4463	6725	3035	4553	6860	3095	4643	6996	3155	4733	7131						
2976	4464	6727	3036	4554	6863	3096	4644	6998	3156	4734	7134						
2977	4466	6729	3037	4556	6865	3097	4646	7001	3157	4736	7136						
2978	4467	6732	3038	4557	6867	3098	4647	7003	3158	4737	7138						
2979	4469	6734	3039	4559	6870	3099	4649	7005	3159	4739	7141						
2980	4470	6735	3040	4560	6871	3100	4650	7006	3160	4740	7142						
2981	4472	6739	3041	4562	6874	3101	4652	7010	3161	4742	7146						
2982	4473	6740	3042	4563	6876	3102	4653	7011	3162	4743	7147						
2983	4475	6743	3043	4565	6879	3103	4655	7015	3163	4745	7150						
2984	4476	6745	3044	4566	6880	3104	4656	7016	3164	4746	7152						
2985	4478	6747	3045	4568	6883	3105	4658	7018	3165	4748	7154						
2986	4479	6749	3046	4569	6885	3106	4659	7021	3166	4749	7156						
2987	4481	6752	3047	4571	6888	3107	4661	7023	3167	4751	7159						
2988	4482	6754	3048	4572	6890	3108	4662	7025	3168	4752	7161						
2989	4484	6757	3049	4574	6892	3109	4664	7028	3169	4754	7163						
2990	4485	6758	3050	4575	6893	3110	4665	7029	3170	4755	7165						

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 Dept. of Pension & P. W.
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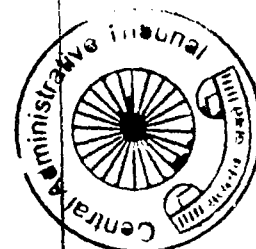
BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
3171	4757	7168	3231	4847	7304	3291	4937	7439	3351	5027	7575	3171	4757	7168
3172	4758	7169	3232	4848	7305	3292	4938	7441	3352	5028	7576	3172	4758	7169
3173	4760	7173	3233	4850	7308	3293	4940	7444	3353	5030	7580	3173	4760	7173
3174	4761	7174	3234	4851	7310	3294	4941	7445	3354	5031	7581	3174	4761	7174
3175	4763	7177	3235	4853	7312	3295	4943	7448	3355	5033	7583	3175	4763	7177
3176	4764	7179	3236	4854	7314	3296	4944	7450	3356	5034	7586	3176	4764	7179
3177	4766	7181	3237	4856	7317	3297	4946	7453	3357	5036	7588	3177	4766	7181
3178	4767	7184	3238	4857	7319	3298	4947	7455	3358	5037	7590	3178	4767	7184
3179	4769	7186	3239	4859	7322	3299	4949	7457	3359	5039	7593	3179	4769	7186
3180	4770	7187	3240	4860	7323	3300	4950	7458	3360	5040	7594	3180	4770	7187
3181	4772	7191	3241	4862	7326	3301	4952	7462	3361	5042	7598	3181	4772	7191
3182	4773	7192	3242	4863	7328	3302	4953	7463	3362	5043	7599	3182	4773	7192
3183	4775	7195	3243	4865	7331	3303	4955	7467	3363	5045	7602	3183	4775	7195
3184	4776	7197	3244	4866	7332	3304	4956	7468	3364	5046	7604	3184	4776	7197
3185	4778	7199	3245	4868	7335	3305	4958	7470	3365	5048	7606	3185	4778	7199
3186	4779	7201	3246	4869	7337	3306	4959	7473	3366	5049	7608	3186	4779	7201
3187	4781	7204	3247	4871	7340	3307	4961	7475	3367	5051	7611	3187	4781	7204
3188	4782	7206	3248	4872	7342	3308	4962	7477	3368	5052	7613	3188	4782	7206
3189	4784	7209	3249	4874	7344	3309	4964	7480	3369	5054	7615	3189	4784	7209
3190	4785	7210	3250	4875	7345	3310	4965	7481	3370	5055	7617	3190	4785	7210
3191	4787	7213	3251	4877	7349	3311	4967	7485	3371	5057	7620	3191	4787	7213
3192	4788	7215	3252	4878	7350	3312	4968	7486	3372	5058	7621	3192	4788	7215
3193	4790	7218	3253	4880	7354	3313	4970	7489	3373	5060	7625	3193	4790	7218
3194	4791	7219	3254	4881	7355	3314	4971	7491	3374	5061	7626	3194	4791	7219
3195	4793	7222	3255	4883	7357	3315	4973	7493	3375	5063	7629	3195	4793	7222
3196	4794	7224	3256	4884	7360	3316	4974	7495	3376	5064	7631	3196	4794	7224

BP (pre 2006) without DP			BP Revised (pre Consolidated) 2006 Pension with DP			BP (pre 2006) without DP			BP Revised (pre Consolidated) 2006 Pension with DP			BP (pre 2006) without DP			BP Revised (pre Consolidated) 2006 Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
3411	5117	7711	3471	5207	7846	3531	5297	7982	3591	5387	8117	3591	5387	8117	3591	5387	8117
3412	5118	7712	3472	5208	7847	3532	5298	7983	3592	5388	8119	3592	5388	8119	3592	5388	8119
3413	5120	7715	3473	5210	7851	3533	5300	7986	3593	5390	8122	3593	5390	8122	3593	5390	8122
3414	5121	7717	3474	5211	7852	3534	5301	7988	3594	5391	8123	3594	5391	8123	3594	5391	8123
3415	5123	7719	3475	5213	7855	3535	5303	7990	3595	5393	8126	3595	5393	8126	3595	5393	8126
3416	5124	7721	3476	5214	7857	3536	5304	7992	3596	5394	8128	3596	5394	8128	3596	5394	8128
3417	5126	7724	3477	5216	7859	3537	5306	7995	3597	5396	8131	3597	5396	8131	3597	5396	8131
3418	5127	7726	3478	5217	7862	3538	5307	7997	3598	5397	8133	3598	5397	8133	3598	5397	8133
3419	5129	7728	3479	5219	7864	3539	5309	8000	3599	5399	8135	3599	5399	8135	3599	5399	8135
3420	5130	7730	3480	5220	7865	3540	5310	8001	3600	5400	8136	3600	5400	8136	3600	5400	8136
3421	5132	7733	3481	5222	7869	3541	5312	8004	3601	5402	8140	3601	5402	8140	3601	5402	8140
3422	5133	7734	3482	5223	7870	3542	5313	8006	3602	5403	8141	3602	5403	8141	3602	5403	8141
3423	5135	7738	3483	5225	7873	3543	5315	8009	3603	5405	8145	3603	5405	8145	3603	5405	8145
3424	5136	7739	3484	5226	7875	3544	5316	8010	3604	5406	8146	3604	5406	8146	3604	5406	8146
3425	5138	7742	3485	5228	7877	3545	5318	8013	3605	5408	8148	3605	5408	8148	3605	5408	8148
3426	5139	7744	3486	5229	7879	3546	5319	8015	3606	5409	8151	3606	5409	8151	3606	5409	8151
3427	5141	7746	3487	5231	7882	3547	5321	8018	3607	5411	8153	3607	5411	8153	3607	5411	8153
3428	5142	7749	3488	5232	7884	3548	5322	8020	3608	5412	8155	3608	5412	8155	3608	5412	8155
3429	5144	7751	3489	5234	7887	3549	5324	8022	3609	5414	8158	3609	5414	8158	3609	5414	8158
3430	5145	7752	3490	5235	7888	3550	5325	8023	3610	5415	8159	3610	5415	8159	3610	5415	8159
3431	5147	7756	3491	5237	7891	3551	5327	8027	3611	5417	8163	3611	5417	8163	3611	5417	8163
3432	5148	7757	3492	5238	7893	3552	5328	8028	3612	5418	8164	3612	5418	8164	3612	5418	8164
3433	5150	7760	3493	5240	7896	3553	5330	8032	3613	5420	8167	3613	5420	8167	3613	5420	8167
3434	5151	7762	3494	5241	7897	3554	5331	8033	3614	5421	8169	3614	5421	8169	3614	5421	8169
3435	5153	7764	3495	5243	7900	3555	5333	8035	3615	5423	8171	3615	5423	8171	3615	5423	8171
3436	5154	7766	3496	5244	7902	3556	5334	8038	3616	5424	8173	3616	5424	8173	3616	5424	8173
3437	5156	7769	3497	5246	7905	3557	5336	8040	3617	5426	8176	3617	5426	8176	3617	5426	8176
3438	5157	7771	3498	5247	7907	3558	5337	8042	3618	5427	8178	3618	5427	8178	3618	5427	8178
3439	5159	7774	3499	5249	7909	3559	5339	8045	3619	5429	8180	3619	5429	8180	3619	5429	8180
3440	5160	7775	3500	5250	7910	3560	5340	8046	3620	5430	8182	3620	5430	8182	3620	5430	8182
3441	5162	7778	3501	5252	7914	3561	5342	8050	3621	5432	8185	3621	5432	8185	3621	5432	8185
3442	5163	7780	3502	5253	7915	3562	5343	8051	3622	5433	8186	3622	5433	8186	3622	5433	8186
3443	5165	7783	3503	5255	7919	3563	5345	8054	3623	5435	8190	3623	5435	8190	3623	5435	8190
3444	5166	7784	3504	5256	7920	3564	5346	8056	3624	5436	8191	3624	5436	8191	3624	5436	8191
3445	5168	7787	3505	5258	7922	3565	5348	8058	3625	5438	8194	3625	5438	8194	3625	5438	8194
3446	5169	7789	3506	5259	7925	3566	5349	8060	3626	5439	8196	3626	5439	8196	3626	5439	8196
3447	5171	7792	3507	5261	7927	3567	5351	8063	3627	5441	8198	3627	5441	8198	3627	5441	8198
3448	5172	7794	3508	5262	7929	3568	5352	8065	3628	5442	8201	3628	5442	8201	3628	5442	8201
3449	5174	7796	3509	5264	7932	3569	5354	8067	3629	5444	8203	3629	5444	8203	3629	5444	8203
3450	5175	7797	3510	5265	7933	3570	5355	8069	3630	5445	8204	3630	5445	8204	3630	5445	8204
3451	5177	7801	3511	5267	7937	3571	5357	8072	3631	5447	8208	3631	5447	8208	3631	5447	8208
3452	5178	7802	3512	5268	7938	3572	5358	8073	3632	5448	8209	3632	5448	8209	3632	5448	8209
3453	5180	7806	3513	5270	7941	3573	5360	8077	3633	5450	8212	3633	5450	8212	3633	5450	8212
3454	5181	7807	3514	5271	7943	3574	5361	8078	3634	5451	8214	3634	5451	8214	3634	5451	8214
3455	5183	7809	3515	5273	7945	3575	5363	8081	3635	5453	8216	3635	5453	8216	3635	5453	8216
3456	5184	7812	3516	5274	7947	3576	5364	8083	3636	5454	8218	3636	5454	8218	3636	5454	8218
3457	5186	7814	3517	5276	7950	3577	5366	8085	3637	5456	8221	3637	5456	8221	3637	5456	8221
3458	5187	7816	3518	5277	7952	3578	5367	8088	3638	5457	8223	3638	5457	8223	3638	5457	8223
3459	5189	7819	3519	5279	7954	3579	5369	8090	3639	5459	8226	3639	5459	8226	3639	5459	8226
3460	5190	7820	3520	5280	7956	3580	5370	8091	3640	5460	8227	3640	5460	8227	3640	5460	8227
3461	5192	7824	3521	5282	7959	3581	5372	8095	3641	5462	8230	3641	5462	8230	3641	5462	8230
3462	5193	7825	3522	5283	7960	3582	5373	8096	3642	5463	8232	3642	5463	8232	3642	5463	8232
3463	5195	7828	3523	5285	7964	3583	5375	8099	3643	5465	8235	3643	5465	8235	3643	5465	8235
3464	5196	7830	3524	5286	7965	3584	5376	8101	3644	5466	8236	3644	5466	8236	3644	5466	8236
3465	5198	7832	3525	5288	7968	3585	5378	8103	3645	5468	8239	3645	5468	8239	3645	5468	8239
3466	5199	7834	3526	5289	7970	3586	5379	8105	3646	5469	8241	3646	5469	8241	3646	5469	8241
3467	5201	7837	3527	5291	7972	3587	5381	8108	3647	5471	8244	3647	5471	8244	3647	5471	8244
3468	5202	7839	3528	5292	7975	3588	5382	8110	3648	5472	8246	3648	5472	8246	3648	5472	8246
3469	5204	7841	3529	5294	7977	3589	5384	8113	3649	5474	8248	3649	5474	8248	3649	5474	8248
3470	5205	7843	3530	5295	7978	3590	5385	8114	3650	5475	8249	3650	5475	8249	3650	5475	8249

(Mr. P. SINGH)
Under Secretary (P. P.)
Ministry of Pension & P. W.
New Delhi, India

BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Consolidated (pre2006)	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Consolidated (pre2006)	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Consolidated (pre2006)	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Consolidated (pre2006)
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
3651	5477	8253	3711	5567	8389	3771	5657	8524	3831	5747	8660
3652	5478	8254	3712	5568	8390	3772	5658	8525	3832	5748	8661
3653	5480	8258	3713	5570	8393	3773	5650	8529	3833	5750	8664
3654	5481	8259	3714	5571	8395	3774	5661	8530	3834	5751	8666
3655	5483	8261	3715	5573	8397	3775	5663	8533	3835	5753	8668
3656	5484	8264	3716	5574	8399	3776	5664	8535	3836	5754	8670
3657	5486	8266	3717	5576	8402	3777	5666	8537	3837	5756	8673
3658	5487	8268	3718	5577	8404	3778	5667	8540	3838	5757	8675
3659	5489	8271	3719	5579	8406	3779	5669	8542	3839	5759	8678
3660	5490	8272	3720	5580	8408	3780	5670	8543	3840	5760	8679
3661	5492	8276	3721	5582	8411	3781	5672	8547	3841	5762	8682
3662	5493	8277	3722	5583	8412	3782	5673	8548	3842	5763	8684
3663	5495	8280	3723	5585	8416	3783	5675	8551	3843	5765	8687
3664	5496	8282	3724	5586	8417	3784	5676	8553	3844	5766	8688
3665	5498	8284	3725	5588	8420	3785	5678	8555	3845	5768	8691
3666	5499	8286	3726	5589	8422	3786	5679	8557	3846	5769	8693
3667	5501	8289	3727	5591	8424	3787	5681	8560	3847	5771	8696
3668	5502	8291	3728	5592	8427	3788	5682	8562	3848	5772	8698
3669	5504	8293	3729	5594	8429	3789	5684	8565	3849	5774	8700
3670	5505	8295	3730	5595	8430	3790	5685	8566	3850	5775	8701
3671	5507	8298	3731	5597	8434	3791	5687	8569	3851	5777	8705
3672	5508	8299	3732	5598	8435	3792	5688	8571	3852	5778	8706
3673	5510	8303	3733	5600	8438	3793	5690	8574	3853	5780	8710
3674	5511	8304	3734	5601	8440	3794	5691	8575	3854	5781	8711
3675	5513	8307	3735	5603	8442	3795	5693	8578	3855	5783	8713
3676	5514	8309	3736	5604	8444	3796	5694	8580	3856	5784	8716
3677	5516	8311	3737	5606	8447	3797	5696	8583	3857	5786	8718
3678	5517	8314	3738	5607	8449	3798	5697	8585	3858	5787	8720
3679	5519	8316	3739	5609	8452	3799	5699	8587	3859	5789	8723
3680	5520	8317	3740	5610	8453	3800	5700	8588	3860	5790	8724
3681	5522	8321	3741	5612	8456	3801	5702	8592	3861	5792	8728
3682	5523	8322	3742	5613	8458	3802	5703	8593	3862	5793	8729
3683	5525	8325	3743	5615	8461	3803	5705	8597	3863	5795	8732
3684	5526	8327	3744	5616	8462	3804	5706	8598	3864	5796	8734
3685	5528	8329	3745	5618	8465	3805	5708	8600	3865	5798	8736
3686	5529	8331	3746	5619	8467	3806	5709	8603	3866	5799	8738
3687	5531	8334	3747	5621	8470	3807	5711	8605	3867	5801	8741
3688	5532	8336	3748	5622	8472	3808	5712	8607	3868	5802	8743
3689	5534	8339	3749	5624	8474	3809	5714	8610	3869	5804	8745
3690	5535	8340	3750	5625	8475	3810	5715	8611	3870	5805	8747
3691	5537	8343	3751	5627	8479	3811	5717	8615	3871	5807	8750
3692	5538	8345	3752	5628	8480	3812	5718	8616	3872	5808	8751
3693	5540	8348	3753	5630	8484	3813	5720	8619	3873	5810	8755
3694	5541	8349	3754	5631	8485	3814	5721	8621	3874	5811	8756
3695	5543	8352	3755	5633	8487	3815	5723	8623	3875	5813	8759
3696	5544	8354	3756	5634	8490	3816	5724	8625	3876	5814	8761
3697	5546	8357	3757	5636	8492	3817	5726	8628	3877	5816	8763
3698	5547	8359	3758	5637	8494	3818	5727	8630	3878	5817	8766
3699	5549	8361	3759	5639	8497	3819	5729	8632	3879	5819	8768
3700	5550	8362	3760	5640	8498	3820	5730	8634	3880	5820	8769
3701	5552	8366	3761	5642	8502	3821	5732	8637	3881	5822	8773
3702	5553	8367	3762	5643	8503	3822	5733	8638	3882	5823	8774
3703	5555	8371	3763	5645	8506	3823	5735	8642	3883	5825	8777
3704	5556	8372	3764	5646	8508	3824	5736	8643	3884	5826	8779
3705	5558	8374	3765	5648	8510	3825	5738	8646	3885	5828	8781
3706	5559	8377	3766	5649	8512	3826	5739	8648	3886	5829	8783
3707	5561	8379	3767	5651	8515	3827	5741	8650	3887	5831	8786
3708	5562	8381	3768	5652	8517	3828	5742	8653	3888	5832	8788
3709	5564	8384	3769	5654	8519	3829	5744	8655	3889	5834	8791
3710	5565	8385	3770	5655	8521	3830	5745	8656	3890	5835	8792

(M. P. SINGH)
Director (P.P.)
Dept. of Pension & P. M.
Govt. of India



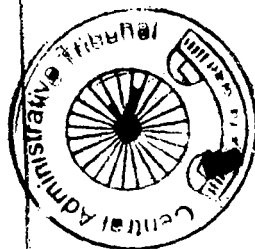
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BP (pre2006) without DP			BP Revised (pre Consolidated) 2006 Pension			BP (pre2006) without DP			BP Revised (pre Consolidated) 2006 Pension			BP (pre2006) without DP			BP Revised (pre Consolidated) 2006 Pension		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
3891	5837	8795	3931	5927	8931	4011	6017	9067	4071	6107	9202	4071	6107	9202	4071	6107	9202
3892	5838	8797	3932	5928	8932	4012	6018	9068	4072	6108	9203	4072	6108	9203	4072	6108	9203
3893	5840	8800	3933	5930	8936	4013	6020	9071	4073	6110	9207	4073	6110	9207	4073	6110	9207
3894	5841	8801	3934	5931	8937	4014	6021	9073	4074	6111	9208	4074	6111	9208	4074	6111	9208
3895	5843	8804	3935	5933	8939	4015	6023	9075	4075	6113	9211	4075	6113	9211	4075	6113	9211
3896	5844	8806	3936	5934	8942	4016	6024	9077	4076	6114	9213	4076	6114	9213	4076	6114	9213
3897	5846	8809	3937	5936	8944	4017	6026	9080	4077	6116	9215	4077	6116	9215	4077	6116	9215
3898	5847	8811	3938	5937	8946	4018	6027	9082	4078	6117	9218	4078	6117	9218	4078	6117	9218
3899	5849	8813	3939	5939	8949	4019	6029	9084	4079	6119	9220	4079	6119	9220	4079	6119	9220
3900	5850	8814	3960	5940	8950	4020	6030	9086	4080	6120	9221	4080	6120	9221	4080	6120	9221
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3902	5853	8819	3962	5943	8953	4022	6033	9090	4082	6123	9226	4082	6123	9226	4082	6123	9226
3903	5855	8823	3963	5945	8958	4023	6035	9094	4083	6125	9229	4083	6125	9229	4083	6125	9229
3904	5856	8824	3964	5946	8960	4024	6036	9095	4084	6126	9231	4084	6126	9231	4084	6126	9231
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3906	5859	8829	3966	5949	8964	4026	6039	9100	4086	6129	9235	4086	6129	9235	4086	6129	9235
3907	5861	8831	3967	5951	8967	4027	6041	9102	4087	6131	9238	4087	6131	9238	4087	6131	9238
3908	5862	8833	3968	5952	8969	4028	6042	9105	4088	6132	9240	4088	6132	9240	4088	6132	9240
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3911	5867	8841	3971	5957	8976	4031	6047	9112	4091	6137	9247	4091	6137	9247	4091	6137	9247
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3916	5874	8851	3976	5964	8987	4036	6054	9122	4096	6144	9258	4096	6144	9258	4096	6144	9258
3917	5876	8854	3977	5966	8989	4037	6056	9125	4097	6146	9261	4097	6146	9261	4097	6146	9261
3918	5877	8856	3978	5967	8992	4038	6057	9127	4098	6147	9263	4098	6147	9263	4098	6147	9263
3919	5879	8858	3979	5969	8994	4039	6059	9130	4099	6149	9265	4099	6149	9265	4099	6149	9265
3920	5880	8860	3980	5970	8995	4040	6060	9131	4100	6150	9266	4100	6150	9266	4100	6150	9266
3921	5882	8863	3981	5972	8999	4041	6062	9134	4101	6152	9270	4101	6152	9270	4101	6152	9270
3922	5883	8864	3982	5973	9000	4042	6063	9136	4102	6153	9271	4102	6153	9271	4102	6153	9271
3923	5885	8868	3983	5975	9003	4043	6065	9139	4103	6155	9275	4103	6155	9275	4103	6155	9275
3924	5886	8869	3984	5976	9005	4044	6066	9140	4104	6156	9276	4104	6156	9276	4104	6156	9276
3925	5888	8872	3985	5978	9007	4045	6068	9143	4105	6158	9278	4105	6158	9278	4105	6158	9278
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3927	5891	8876	3987	5981	9012	4047	6071	9148	4107	6161	9283	4107	6161	9283	4107	6161	9283
3928	5892	8879	3988	5982	9014	4048	6072	9150	4108	6162	9285	4108	6162	9285	4108	6162	9285
3929	5894	8881	3989	5984	9017	4049	6074	9152	4109	6164	9288	4109	6164	9288	4109	6164	9288
3930	5895	8882	3990	5985	9018	4050	6075	9153	4110	6165	9289	4110	6165	9289	4110	6165	9289
3931	5897	8886	3991	5987	9021	4051	6077	9157	4111	6167	9293	4111	6167	9293	4111	6167	9293
3932	5898	8887	3992	5988	9023	4052	6078	9158	4112	6168	9294	4112	6168	9294	4112	6168	9294
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3934	5901	8892	3994	5991	9027	4054	6081	9163	4114	6171	9299	4114	6171	9299	4114	6171	9299
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3945	5918	8917	4005	6008	9052	4065	6098	9188	4125	6188	9324	4125	6188	9324	4125	6188	9324
3946	5919	8919	4006	6009	9055	4066	6099	9190	4126	6189	9326	4126	6189	9326	4126	6189	9326
3947	5921	8922	4007	6011	9057	4067	6101	9193	4127	6191	9328	4127	6191	9328	4127	6191	9328
3948	5922	8924	4008	6012	9059	4068	6102	9195	4128	6192	9331	4128	6192	9331	4128	6192	9331
3949	5924	8926	4009	6014	9062	4069	6104	9197	4129	6194	9333	4129	6194	9333	4129	6194	9333
3950	5925	8927	4010	6015	9063	4070	6105	9199	4130	6195	9334	4130	6195	9334	4130	6195	9334

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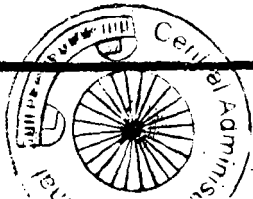
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(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
4131	6197	9338	4191	6287	9473	4251	6377	9609	4311	6467	9745
4132	6198	9339	4192	6288	9475	4252	6378	9610	4312	6468	9746
4133	6200	9342	4193	6290	9478	4253	6380	9614	4313	6470	9749
4134	6201	9344	4194	6291	9479	4254	6381	9615	4314	6471	9751
4135	6203	9346	4195	6293	9482	4255	6383	9617	4315	6473	9753
4136	6204	9348	4196	6294	9484	4256	6384	9620	4316	6474	9755
4137	6206	9351	4197	6296	9487	4257	6386	9622	4317	6476	9758
4138	6207	9353	4198	6297	9489	4258	6387	9624	4318	6477	9760
4139	6209	9356	4199	6299	9491	4259	6389	9627	4319	6479	9762
4140	6210	9357	4200	6300	9492	4260	6390	9628	4320	6480	9764
4141	6212	9360	4201	6302	9496	4261	6392	9632	4321	6482	9767
4142	6213	9362	4202	6303	9497	4262	6393	9633	4322	6483	9768
4143	6215	9365	4203	6305	9501	4263	6395	9636	4323	6485	9772
4144	6216	9366	4204	6306	9502	4264	6396	9638	4324	6486	9773
4145	6218	9369	4205	6308	9504	4265	6398	9640	4325	6488	9776
4146	6219	9371	4206	6309	9507	4266	6399	9642	4326	6489	9778
4147	6221	9374	4207	6311	9509	4267	6401	9645	4327	6491	9780
4148	6222	9376	4208	6312	9511	4268	6402	9647	4328	6492	9783
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4150	6225	9379	4210	6315	9515	4270	6405	9651	4330	6495	9786
4151	6227	9383	4211	6317	9519	4271	6407	9654	4331	6497	9790
4152	6228	9384	4212	6318	9520	4272	6408	9655	4332	6498	9791
4153	6230	9388	4213	6320	9523	4273	6410	9659	4333	6500	9794
4154	6231	9389	4214	6321	9525	4274	6411	9660	4334	6501	9796
4155	6233	9391	4215	6323	9527	4275	6413	9663	4335	6503	9798
4156	6234	9394	4216	6324	9529	4276	6414	9665	4336	6504	9800
4157	6236	9396	4217	6326	9532	4277	6416	9667	4337	6506	9803
4158	6237	9398	4218	6327	9534	4278	6417	9670	4338	6507	9805
4159	6239	9401	4219	6329	9536	4279	6419	9672	4339	6509	9808
4160	6240	9402	4220	6330	9538	4280	6420	9673	4340	6510	9809
4161	6242	9406	4221	6332	9541	4281	6422	9677	4341	6512	9812
4162	6243	9407	4222	6333	9542	4282	6423	9678	4342	6513	9814
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4164	6246	9412	4224	6336	9547	4284	6426	9683	4344	6516	9818
4165	6248	9414	4225	6338	9550	4285	6428	9685	4345	6518	9821
4166	6249	9416	4226	6339	9552	4286	6429	9687	4346	6519	9823
4167	6251	9419	4227	6341	9554	4287	6431	9690	4347	6521	9826
4168	6252	9421	4228	6342	9557	4288	6432	9692	4348	6522	9828
4169	6254	9423	4229	6344	9559	4289	6434	9695	4349	6524	9830
4170	6255	9425	4230	6345	9560	4290	6435	9696	4350	6525	9831
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4174	6261	9434	4234	6351	9570	4294	6441	9705	4354	6531	9841
4175	6263	9437	4235	6353	9572	4295	6443	9708	4355	6533	9843
4176	6264	9439	4236	6354	9574	4296	6444	9710	4356	6534	9846
4177	6266	9441	4237	6356	9577	4297	6446	9713	4357	6536	9848
4178	6267	9444	4238	6357	9579	4298	6447	9715	4358	6537	9850
4179	6269	9446	4239	6359	9582	4299	6449	9717	4359	6539	9853
4180	6270	9447	4240	6360	9583	4300	6450	9718	4360	6540	9854
4181	6272	9451	4241	6362	9586	4301	6452	9722	4361	6542	9858
4182	6273	9452	4242	6363	9588	4302	6453	9723	4362	6543	9859
4183	6275	9455	4243	6365	9591	4303	6455	9727	4363	6545	9862
4184	6276	9457	4244	6366	9592	4304	6456	9728	4364	6546	9864
4185	6278	9459	4245	6368	9595	4305	6458	9730	4365	6548	9866
4186	6279	9461	4246	6369	9597	4306	6459	9733	4366	6549	9868
4187	6281	9464	4247	6371	9600	4307	6461	9735	4367	6551	9871
4188	6282	9466	4248	6372	9602	4308	6462	9737	4368	6552	9873
4189	6284	9469	4249	6374	9604	4309	6464	9740	4369	6554	9875
4190	6285	9470	4250	6375	9605	4310	6465	9741	4370	6555	9877

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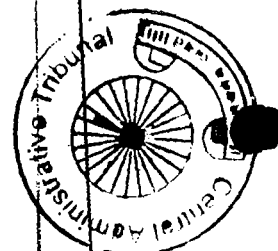
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(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
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4373	6560	9883	4433	6650	10020	4493	6740	10156	4553	6830	10292
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4378	6567	9896	4438	6657	10031	4498	6747	10167	4558	6837	10302
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4380	6570	9899	4440	6660	10035	4500	6750	10170	4560	6840	10306
4381	6572	9903	4441	6662	10038	4501	6752	10174	4561	6842	10310
4382	6573	9904	4442	6663	10040	4502	6753	10175	4562	6843	10311
4383	6575	9907	4443	6665	10043	4503	6755	10179	4563	6845	10314
4384	6576	9909	4444	6666	10044	4504	6756	10180	4564	6846	10316
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4386	6579	9913	4446	6669	10049	4506	6759	10183	4566	6849	10320
4387	6581	9916	4447	6671	10052	4507	6761	10187	4567	6851	10323
4388	6582	9918	4448	6672	10054	4508	6762	10189	4568	6852	10325
4389	6584	9921	4449	6674	10056	4509	6764	10192	4569	6854	10327
4390	6585	9922	4450	6675	10057	4510	6765	10193	4570	6855	10329
4391	6587	9925	4451	6677	10061	4511	6767	10197	4571	6857	10332
4392	6588	9927	4452	6678	10062	4512	6768	10198	4572	6858	10333
4393	6590	9930	4453	6680	10066	4513	6770	10201	4573	6860	10337
4394	6591	9931	4454	6681	10067	4514	6771	10203	4574	6861	10338
4395	6593	9934	4455	6683	10069	4515	6773	10205	4575	6863	10341
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4398	6597	9941	4458	6687	10076	4518	6777	10212	4578	6867	10348
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4403	6605	9953	4463	6695	10088	4523	6785	10224	4583	6875	10359
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4406	6609	9959	4466	6699	10094	4526	6789	10230	4586	6879	10365
4407	6611	9961	4467	6701	10097	4527	6791	10232	4587	6881	10368
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4409	6614	9966	4469	6704	10101	4529	6794	10237	4589	6884	10373
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4429	6644	10011	4489	6734	10147	4549	6824	10282	4609	6914	10418
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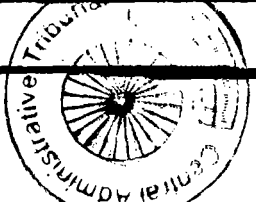
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4612	6918	10424	4672	7008	10559	4732	7098	10695	4792	7188	10831
4613	6920	10427	4673	7010	10563	4733	7100	10698	4793	7190	10834
4614	6921	10429	4674	7011	10564	4734	7101	10700	4794	7191	10835
4615	6923	10431	4675	7013	10567	4735	7103	10702	4795	7193	10838
4616	6924	10433	4676	7014	10569	4736	7104	10704	4796	7194	10840
4617	6926	10436	4677	7016	10571	4737	7106	10707	4797	7196	10843
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4620	6930	10442	4680	7020	10577	4740	7110	10713	4800	7200	10848
4621	6932	10445	4681	7022	10581	4741	7112	10716	4801	7202	10852
4622	6933	10446	4682	7023	10582	4742	7113	10718	4802	7203	10853
4623	6935	10450	4683	7025	10585	4743	7115	10721	4803	7205	10857
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4625	6938	10454	4685	7028	10589	4745	7118	10725	4805	7208	10860
4626	6939	10456	4686	7029	10591	4746	7119	10727	4806	7209	10863
4627	6941	10458	4687	7031	10594	4747	7121	10730	4807	7211	10865
4628	6942	10461	4688	7032	10596	4748	7122	10732	4808	7212	10867
4629	6944	10463	4689	7034	10599	4749	7124	10734	4809	7214	10870
4630	6945	10464	4690	7035	10600	4750	7125	10735	4810	7215	10871
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4657	6986	10526	4717	7076	10662	4777	7166	10797	4837	7256	10933
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4670	7005	10555	4730	7095	10690	4790	7185	10826	4850	7275	10961

Mr. P. Srinivas
Deputy Director (P.P.)
Director of Pension & P. v.
Joint Secy of India

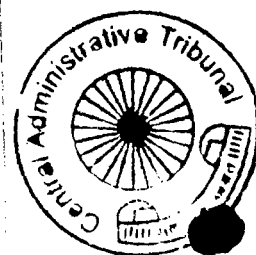


BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
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4852	7278	10966	4912	7368	11102	4972	7458	11237	5032	7548	11373
4853	7280	10970	4913	7370	11105	4973	7460	11241	5033	7550	11376
4854	7281	10971	4914	7371	11107	4974	7461	11242	5034	7551	11378
4855	7283	10973	4915	7373	11109	4975	7463	11245	5035	7553	11380
4856	7284	10976	4916	7374	11111	4976	7464	11247	5036	7554	11382
4857	7286	10978	4917	7376	11114	4977	7466	11249	5037	7556	11385
4858	7287	10980	4918	7377	11116	4978	7467	11252	5038	7557	11387
4859	7289	10983	4919	7379	11118	4979	7469	11254	5039	7559	11390
4860	7290	10984	4920	7380	11120	4980	7470	11255	5040	7560	11391
4861	7292	10988	4921	7382	11123	4981	7472	11259	5041	7562	11394
4862	7293	10989	4922	7383	11124	4982	7473	11260	5042	7563	11396
4863	7295	10992	4923	7385	11128	4983	7475	11263	5043	7565	11399
4864	7296	10994	4924	7386	11129	4984	7476	11265	5044	7566	11400
4865	7298	10996	4925	7388	11132	4985	7478	11267	5045	7568	11403
4866	7299	10998	4926	7389	11134	4986	7479	11269	5046	7569	11405
4867	7301	11001	4927	7391	11136	4987	7481	11272	5047	7571	11408
4868	7302	11003	4928	7392	11139	4988	7482	11274	5048	7572	11410
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4870	7305	11007	4930	7395	11142	4990	7485	11278	5050	7575	11413
4871	7307	11010	4931	7397	11146	4991	7487	11281	5051	7577	11417
4872	7308	11011	4932	7398	11147	4992	7488	11283	5052	7578	11418
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4874	7311	11016	4934	7401	11152	4994	7491	11287	5054	7581	11423
4875	7313	11019	4935	7403	11154	4995	7493	11290	5055	7583	11425
4876	7314	11021	4936	7404	11156	4996	7494	11292	5056	7584	11428
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4878	7317	11026	4938	7407	11161	4998	7497	11297	5058	7587	11432
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4887	7331	11046	4947	7421	11182	5007	7511	11317	5067	7601	11453
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4895	7343	11064	4955	7433	11199	5015	7523	11335	5075	7613	11471
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4902	7353	11079	4962	7443	11215	5022	7533	11350	5082	7623	11486
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4906	7359	11089	4966	7449	11224	5026	7539	11360	5086	7629	11495
4907	7361	11091	4967	7451	11227	5027	7541	11362	5087	7631	11498
4908	7362	11093	4968	7452	11229	5028	7542	11365	5088	7632	11500
4909	7364	11096	4969	7454	11231	5029	7544	11367	5089	7634	11503
4910	7365	11097	4970	7455	11233	5030	7545	11368	5090	7635	11504

(M. P. Singh)
Director (P.P.)
Dept. of Pension & P.W.
Govt. of India

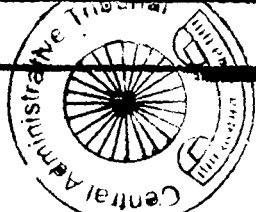


BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
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5092	7638	11509	5152	7728	11644	5212	7818	11780	5272	7908	11915
5093	7640	11512	5153	7730	11648	5213	7820	11783	5273	7910	11919
5094	7641	11513	5154	7731	11649	5214	7821	11785	5274	7911	11920
5095	7643	11516	5155	7733	11651	5215	7823	11787	5275	7913	11923
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5143	7715	11625	5203	7805	11761	5263	7895	11896	5323	7985	12032
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5149	7724	11638	5209	7814	11774	5269	7904	11909	5329	7994	12045
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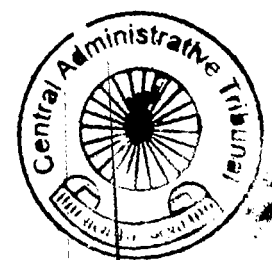
BP (pre2006) without DP			BP Revised (pre Consolidated) 2006 Pension			BP (pre2006) without DP			BP Revised (pre Consolidated) 2006 Pension			BP (pre2006) without DP			BP Revised (pre Consolidated) 2006 Pension		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
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5339	8009	12068	5399	8099	12203	5459	8189	12339	5519	8279	12474	5339	8009	12068	5399	8099	12203
5340	8010	12069	5400	8100	12204	5460	8190	12340	5520	8280	12476	5340	8010	12069	5400	8100	12204
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5342	8013	12074	5402	8103	12209	5462	8193	12345	5522	8283	12480	5342	8013	12074	5402	8103	12209
5343	8015	12077	5403	8105	12213	5463	8195	12348	5523	8285	12484	5343	8015	12077	5403	8105	12213
5344	8016	12078	5404	8106	12214	5464	8196	12350	5524	8286	12485	5344	8016	12078	5404	8106	12214
5345	8018	12081	5405	8108	12216	5465	8198	12352	5525	8288	12488	5345	8018	12081	5405	8108	12216
5346	8019	12083	5406	8109	12219	5466	8199	12354	5526	8289	12490	5346	8019	12083	5406	8109	12219
5347	8021	12086	5407	8111	12221	5467	8201	12357	5527	8291	12492	5347	8021	12086	5407	8111	12221
5348	8022	12088	5408	8112	12223	5468	8202	12359	5528	8292	12495	5348	8022	12088	5408	8112	12223
5349	8024	12090	5409	8114	12226	5469	8204	12361	5529	8294	12497	5349	8024	12090	5409	8114	12226
5350	8025	12091	5410	8115	12227	5470	8205	12363	5530	8295	12498	5350	8025	12091	5410	8115	12227
5351	8027	12094	5411	8117	12231	5471	8207	12366	5531	8297	12502	5351	8027	12094	5411	8117	12231
5352	8028	12096	5412	8118	12232	5472	8208	12367	5532	8298	12503	5352	8028	12096	5412	8118	12232
5353	8030	12100	5413	8120	12235	5473	8210	12371	5533	8300	12506	5353	8030	12100	5413	8120	12235
5354	8031	12101	5414	8121	12237	5474	8211	12372	5534	8301	12508	5354	8031	12101	5414	8121	12237
5355	8033	12103	5415	8123	12239	5475	8213	12375	5535	8303	12510	5355	8033	12103	5415	8123	12239
5356	8034	12106	5416	8124	12241	5476	8214	12377	5536	8304	12512	5356	8034	12106	5416	8124	12241
5357	8036	12108	5417	8126	12244	5477	8216	12379	5537	8306	12515	5357	8036	12108	5417	8126	12244
5358	8037	12110	5418	8127	12246	5478	8217	12382	5538	8307	12517	5358	8037	12110	5418	8127	12246
5359	8039	12113	5419	8129	12248	5479	8219	12384	5539	8309	12520	5359	8039	12113	5419	8129	12248
5360	8040	12114	5420	8130	12250	5480	8220	12385	5540	8310	12521	5360	8040	12114	5420	8130	12250
5361	8042	12118	5421	8132	12253	5481	8222	12389	5541	8312	12524	5361	8042	12118	5421	8132	12253
5362	8043	12119	5422	8133	12254	5482	8223	12390	5542	8313	12526	5362	8043	12119	5422	8133	12254
5363	8045	12122	5423	8135	12258	5483	8225	12393	5543	8315	12529	5363	8045	12122	5423	8135	12258
5364	8046	12124	5424	8136	12259	5484	8226	12395	5544	8316	12530	5364	8046	12124	5424	8136	12259
5365	8048	12126	5425	8138	12262	5485	8228	12397	5545	8318	12533	5365	8048	12126	5425	8138	12262
5366	8049	12128	5426	8139	12264	5486	8229	12399	5546	8319	12535	5366	8049	12128	5426	8139	12264
5367	8051	12131	5427	8141	12266	5487	8231	12402	5547	8321	12538	5367	8051	12131	5427	8141	12266
5368	8052	12133	5428	8142	12269	5488	8232	12404	5548	8322	12540	5368	8052	12133	5428	8142	12269
5369	8054	12135	5429	8144	12271	5489	8234	12407	5549	8324	12542	5369	8054	12135	5429	8144	12271
5370	8055	12137	5430	8145	12272	5490	8235	12408	5550	8325	12543	5370	8055	12137	5430	8145	12272
5371	8057	12140	5431	8147	12276	5491	8237	12411	5551	8327	12547	5371	8057	12140	5431	8147	12276
5372	8058	12141	5432	8148	12277	5492	8238	12413	5552	8328	12548	5372	8058	12141	5432	8148	12277
5373	8060	12145	5433	8150	12280	5493	8240	12416	5553	8330	12552	5373	8060	12145	5433	8150	12280
5374	8061	12146	5434	8151	12282	5494	8241	12417	5554	8331	12553	5374	8061	12146	5434	8151	12282
5375	8063	12149	5435	8153	12284	5495	8243	12420	5555	8333	12555	5375	8063	12149	5435	8153	12284
5376	8064	12151	5436	8154	12286	5496	8244	12422	5556	8334	12558	5376	8064	12151	5436	8154	12286
5377	8066	12153	5437	8156	12289	5497	8246	12425	5557	8336	12560	5377	8066	12153	5437	8156	12289
5378	8067	12156	5438	8157	12291	5498	8247	12427	5558	8337	12562	5378	8067	12156	5438	8157	12291
5379	8069	12158	5439	8159	12294	5499	8249	12429	5559	8339	12565	5379	8069	12158	5439	8159	12294
5380	8070	12159	5440	8160	12295	5500	8250	12430	5560	8340	12566	5380	8070	12159	5440	8160	12295
5381	8072	12163	5441	8162	12298	5501	8252	12434	5561	8342	12570	5381	8072	12163	5441	8162	12298
5382	8073	12164	5442	8163	12300	5502	8253	12435	5562	8343	12571	5382	8073	12164	5442	8163	12300
5383	8075	12167	5443	8165	12303	5503	8255	12439	5563	8345	12574	5383	8075	12167	5443	8165	12303
5384	8076	12169	5444	8166	12304	5504	8256	12440	5564	8346	12576	5384	8076	12169	5444	8166	12304
5385	8078	12171	5445	8168	12307	5505	8258	12442	5565	8348	12578	5385	8078	12171	5445	8168	12307
5386	8079	12173	5446	8169	12309	5506	8259	12445	5566	8349	12580	5386	8079	12173	5446	8169	12309
5387	8081	12176	5447	8171	12312	5507	8261	12447	5567	8351	12583	5387	8081	12176	5447	8171	12312
5388	8082	12178	5448	8172	12314	5508	8262	12449	5568	8352	12585	5388	8082	12178	5448	8172	12314
5389	8084	12181	5449	8174	12316	5509	8264	12452	5569	8354	12587	5389	8084	12181	5449	8174	12316
5390	8085	12182	5450	8175	12317	5510	8265	12453	5570	8355	12589	5390	8085	12182	5450	8175	12317

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 L. P. Singh
 Under Secy
 of Pension & P. M.
 Govt. of India



BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre2006) Pension with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
5571	8357	12592	5631	8447	12728	5691	8537	12863	5751	8627	12999
5572	8358	12593	5632	8448	12729	5692	8538	12865	5752	8628	13000
5573	8360	12597	5633	8450	12732	5693	8540	12868	5753	8630	13004
5574	8361	12598	5634	8451	12734	5694	8541	12869	5754	8631	13005
5575	8363	12601	5635	8453	12736	5695	8543	12872	5755	8633	13007
5576	8364	12603	5636	8454	12738	5696	8544	12874	5756	8634	13010
5577	8366	12605	5637	8456	12741	5697	8546	12877	5757	8636	13012
5578	8367	12608	5638	8457	12743	5698	8547	12879	5758	8637	13014
5579	8369	12610	5639	8459	12746	5699	8549	12881	5759	8639	13017
5580	8370	12611	5640	8460	12747	5700	8550	12882	5760	8640	13018
5581	8372	12615	5641	8462	12750	5701	8552	12886	5761	8642	13022
5582	8373	12616	5642	8463	12752	5702	8553	12887	5762	8643	13023
5583	8375	12619	5643	8465	12755	5703	8555	12891	5763	8645	13026
5584	8376	12621	5644	8466	12756	5704	8556	12892	5764	8646	13028
5585	8378	12623	5645	8468	12759	5705	8558	12894	5765	8648	13030
5586	8379	12625	5646	8469	12761	5706	8559	12897	5766	8649	13032
5587	8381	12628	5647	8471	12764	5707	8561	12899	5767	8651	13035
5588	8382	12630	5648	8472	12766	5708	8562	12901	5768	8652	13037
5589	8384	12633	5649	8474	12768	5709	8564	12904	5769	8654	13039
5590	8385	12634	5650	8475	12769	5710	8565	12905	5770	8655	13041
5591	8387	12637	5651	8477	12773	5711	8567	12909	5771	8657	13044
5592	8388	12639	5652	8478	12774	5712	8568	12910	5772	8658	13045
5593	8390	12642	5653	8480	12778	5713	8570	12913	5773	8660	13049
5594	8391	12643	5654	8481	12779	5714	8571	12915	5774	8661	13050
5595	8393	12646	5655	8483	12781	5715	8573	12917	5775	8663	13053
5596	8394	12648	5656	8484	12784	5716	8574	12919	5776	8664	13055
5597	8396	12651	5657	8486	12786	5717	8576	12922	5777	8666	13057
5598	8397	12653	5658	8487	12788	5718	8577	12924	5778	8667	13060
5599	8399	12655	5659	8489	12791	5719	8579	12926	5779	8669	13062
5600	8400	12656	5660	8490	12792	5720	8580	12928	5780	8670	13063
5601	8402	12660	5661	8492	12796	5721	8582	12931	5781	8672	13067
5602	8403	12661	5662	8493	12797	5722	8583	12932	5782	8673	13068
5603	8405	12665	5663	8495	12800	5723	8585	12936	5783	8675	13071
5604	8406	12666	5664	8496	12802	5724	8586	12937	5784	8676	13073
5605	8408	12668	5665	8498	12804	5725	8588	12940	5785	8678	13075
5606	8409	12671	5666	8499	12806	5726	8589	12942	5786	8679	13077
5607	8411	12673	5667	8501	12809	5727	8591	12944	5787	8681	13080
5608	8412	12675	5668	8502	12811	5728	8592	12947	5788	8682	13082
5609	8414	12678	5669	8504	12813	5729	8594	12949	5789	8684	13085
5610	8415	12679	5670	8505	12815	5730	8595	12950	5790	8685	13086
5611	8417	12683	5671	8507	12818	5731	8597	12954	5791	8687	13089
5612	8418	12684	5672	8508	12819	5732	8598	12955	5792	8688	13091
5613	8420	12687	5673	8510	12823	5733	8600	12958	5793	8690	13094
5614	8421	12689	5674	8511	12824	5734	8601	12960	5794	8691	13095
5615	8423	12691	5675	8513	12827	5735	8603	12962	5795	8693	13098
5616	8424	12693	5676	8514	12829	5736	8604	12964	5796	8694	13100
5617	8426	12696	5677	8516	12831	5737	8606	12967	5797	8696	13103
5618	8427	12698	5678	8517	12834	5738	8607	12969	5798	8697	13105
5619	8429	12700	5679	8519	12836	5739	8609	12972	5799	8699	13107
5620	8430	12702	5680	8520	12837	5740	8610	12973	5800	8700	13108
5621	8432	12705	5681	8522	12841	5741	8612	12976	5801	8702	13112
5622	8433	12706	5682	8523	12842	5742	8613	12978	5802	8703	13113
5623	8435	12710	5683	8525	12845	5743	8615	12981	5803	8705	13117
5624	8436	12711	5684	8526	12847	5744	8616	12982	5804	8706	13118
5625	8438	12714	5685	8528	12849	5745	8618	12985	5805	8708	13120
5626	8439	12716	5686	8529	12851	5746	8619	12987	5806	8709	13123
5627	8441	12718	5687	8531	12854	5747	8621	12990	5807	8711	13125
5628	8442	12721	5688	8532	12856	5748	8622	12992	5808	8712	13127
5629	8444	12723	5689	8534	12859	5749	8624	12994	5809	8714	13130
5630	8445	12724	5690	8535	12860	5750	8625	12995	5810	8715	13131

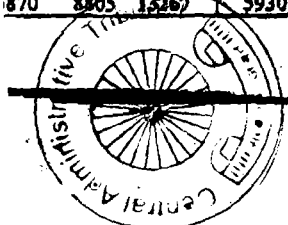
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BP (pre2006) without DP			BP Revised (pre Consolidated) 2006 Pension			BP (pre2006) without DP			BP Revised (pre Consolidated) 2003 Pension			BP (pre2006) without DP			BP Revised (pre Consolidated) 2006 Pension		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
5811	8717	13135	5871	8807	13270	5931	8897	13406	5991	8987	13541	5991	8987	13541			
5812	8718	13136	5872	8808	13271	5932	8898	13407	5992	8988	13543	5992	8988	13543			
5813	8720	13139	5873	8810	13273	5933	8900	13410	5993	8990	13546	5993	8990	13546			
5814	8721	13141	5874	8811	13276	5934	8901	13412	5994	8991	13547	5994	8991	13547			
5815	8723	13143	5875	8813	13279	5935	8903	13414	5995	8993	13550	5995	8993	13550			
5816	8724	13145	5876	8814	13281	5936	8904	13416	5996	8994	13552	5996	8994	13552			
5817	8726	13148	5877	8816	13283	5937	8906	13419	5997	8996	13555	5997	8996	13555			
5818	8727	13150	5878	8817	13286	5938	8907	13421	5998	8997	13557	5998	8997	13557			
5819	8729	13152	5879	8819	13288	5939	8909	13424	5999	8999	13559	5999	8999	13559			
5820	8730	13154	5880	8820	13289	5940	8910	13425	6000	9000	13560	6000	9000	13560			
5821	8732	13157	5881	8822	13293	5941	8912	13428	6001	9002	13564	6001	9002	13564			
5822	8733	13158	5882	8823	13294	5942	8913	13430	6002	9003	13565	6002	9003	13565			
5823	8735	13162	5883	8825	13297	5943	8915	13433	6003	9005	13569	6003	9005	13569			
5824	8736	13163	5884	8826	13299	5944	8916	13434	6004	9006	13570	6004	9006	13570			
5825	8738	13166	5885	8828	13301	5945	8918	13437	6005	9008	13572	6005	9008	13572			
5826	8739	13168	5886	8829	13303	5946	8919	13439	6006	9009	13575	6006	9009	13575			
5827	8741	13170	5887	8831	13306	5947	8921	13442	6007	9011	13577	6007	9011	13577			
5828	8742	13173	5888	8832	13308	5948	8922	13444	6008	9012	13579	6008	9012	13579			
5829	8744	13175	5889	8834	13311	5949	8924	13446	6009	9014	13582	6009	9014	13582			
5830	8745	13176	5890	8835	13312	5950	8925	13447	6010	9015	13583	6010	9015	13583			
5831	8747	13180	5891	8837	13315	5951	8927	13451	6011	9017	13587	6011	9017	13587			
5832	8748	13181	5892	8838	13317	5952	8928	13452	6012	9018	13588	6012	9018	13588			
5833	8750	13184	5893	8840	13320	5953	8930	13456	6013	9020	13591	6013	9020	13591			
5834	8751	13186	5894	8841	13321	5954	8931	13457	6014	9021	13593	6014	9021	13593			
5835	8753	13188	5895	8843	13324	5955	8933	13459	6015	9023	13595	6015	9023	13595			
5836	8754	13190	5896	8844	13326	5956	8934	13462	6016	9024	13597	6016	9024	13597			
5837	8756	13193	5897	8846	13329	5957	8936	13464	6017	9026	13600	6017	9026	13600			
5838	8757	13195	5898	8847	13331	5958	8937	13466	6018	9027	13602	6018	9027	13602			
5839	8759	13198	5899	8849	13333	5959	8939	13469	6019	9029	13604	6019	9029	13604			
5840	8760	13199	5900	8850	13334	5960	8940	13470	6020	9030	13606	6020	9030	13606			
5841	8762	13202	5901	8852	13338	5961	8942	13474	6021	9032	13609	6021	9032	13609			
5842	8763	13204	5902	8853	13339	5962	8943	13475	6022	9033	13610	6022	9033	13610			
5843	8765	13207	5903	8855	13343	5963	8945	13478	6023	9035	13614	6023	9035	13614			
5844	8766	13208	5904	8856	13344	5964	8946	13480	6024	9036	13615	6024	9036	13615			
5845	8768	13211	5905	8858	13346	5965	8948	13482	6025	9038	13618	6025	9038	13618			
5846	8769	13213	5906	8859	13349	5966	8949	13484	6026	9039	13620	6026	9039	13620			
5847	8771	13216	5907	8861	13351	5967	8951	13487	6027	9041	13622	6027	9041	13622			
5848	8772	13218	5908	8862	13353	5968	8952	13489	6028	9042	13625	6028	9042	13625			
5849	8774	13220	5909	8864	13356	5969	8954	13491	6029	9044	13627	6029	9044	13627			
5850	8775	13221	5910	8865	13357	5970	8955	13493	6030	9045	13628	6030	9045	13628			
5851	8777	13225	5911	8867	13361	5971	8957	13496	6031	9047	13632	6031	9047	13632			
5852	8778	13226	5912	8868	13362	5972	8958	13497	6032	9048	13633	6032	9048	13633			
5853	8780	13230	5913	8870	13365	5973	8960	13501	6033	9050	13636	6033	9050	13636			
5854	8781	13231	5914	8871	13367	5974	8961	13502	6034	9051	13638	6034	9051	13638			
5855	8783	13233	5915	8873	13369	5975	8963	13505	6035	9053	13640	6035	9053	13640			
5856	8784	13236	5916	8874	13371	5976	8964	13507	6036	9054	13642	6036	9054	13642			
5857	8786	13238	5917	8876	13374	5977	8966	13509	6037	9056	13645	6037	9056	13645			
5858	8787	13240	5918	8877	13376	5978	8967	13512	6038	9057	13647	6038	9057	13647			
5859	8789	13243	5919	8879	13378	5979	8969	13514	6039	9059	13650	6039	9059	13650			
5860	8790	13244	5920	8880	13380	5980	8970	13515	6040	9060	13651	6040	9060	13651			
5861	8792	13248	5921	8882	13383	5981	8972	13519	6041	9062	13654	6041	9062	13654			
5862	8793	13249	5922	8883	13384	5982	8973	13520	6042	9063	13656	6042	9063	13656			
5863	8795	13252	5923	8885	13388	5983	8975	13523	6043	9065	13659	6043	9065	13659			
5864	8796	13254	5924	8886	13389	5984	8976	13525	6044	9066	13660	6044	9066	13660			
5865	8798	13256	5925	8888	13392	5985	8978	13527	6045	9068	13663	6045	9068	13663			
5866	8799	13258	5926	8889	13394	5986	8979	13529	6046	9069	13665	6046	9069	13665			
5867	8801	13261	5927	8891	13396	5987	8981	13532	6047	9071	13668	6047	9071	13668			
5868	8802	13263	5928	8892	13399	5988	8982	13534	6048	9072	13670	6048	9072	13670			
5869	8804	13265	5929	8894	13401	5989	8984	13537	6049	9074	13672	6049	9074	13672			
5870	8805	13267	5930	8895	13402	5990	8985	13538	6050	9075	13673	6050	9075	13673			

MA. P. SHARMA
Director (P.P.)
Dept. of Pension & P.W.
Govt. of India

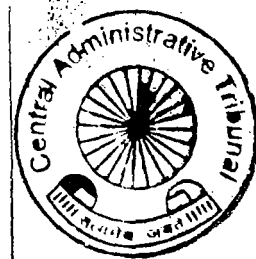


BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
6051	9077	13677	6111	9167	13813	6171	9257	13948	6231	9347	14084
6052	9078	13678	6112	9168	13814	6172	9258	13949	6232	9348	14085
6053	9080	13682	6113	9170	13817	6173	9260	13953	6233	9350	14088
6054	9081	13683	6114	9171	13819	6174	9261	13954	6234	9351	14090
6055	9083	13685	6115	9173	13821	6175	9263	13957	6235	9353	14092
6056	9084	13688	6116	9174	13823	6176	9264	13959	6236	9354	14094
6057	9086	13690	6117	9176	13826	6177	9266	13961	6237	9356	14097
6058	9087	13692	6118	9177	13828	6178	9267	13964	6238	9357	14099
6059	9089	13695	6119	9179	13830	6179	9269	13966	6239	9359	14102
6060	9090	13696	6120	9180	13832	6180	9270	13967	6240	9360	14103
6061	9092	13700	6121	9182	13835	6181	9272	13971	6241	9362	14106
6062	9093	13701	6122	9183	13836	6182	9273	13972	6242	9363	14108
6063	9095	13704	6123	9185	13840	6183	9275	13975	6243	9365	14111
6064	9096	13706	6124	9186	13841	6184	9276	13977	6244	9366	14112
6065	9098	13708	6125	9188	13844	6185	9278	13979	6245	9368	14115
6066	9099	13710	6126	9189	13846	6186	9279	13981	6246	9369	14117
6067	9101	13713	6127	9191	13848	6187	9281	13984	6247	9371	14120
6068	9102	13715	6128	9192	13851	6188	9282	13986	6248	9372	14122
6069	9104	13717	6129	9194	13853	6189	9284	13989	6249	9374	14124
6070	9105	13719	6130	9195	13854	6190	9285	13990	6250	9375	14125
6071	9107	13722	6131	9197	13858	6191	9287	13993	6251	9377	14129
6072	9108	13723	6132	9198	13859	6192	9288	13995	6252	9378	14130
6073	9110	13727	6133	9200	13862	6193	9290	13998	6253	9380	14134
6074	9111	13728	6134	9201	13864	6194	9291	13999	6254	9381	14135
6075	9113	13731	6135	9203	13866	6195	9293	14002	6255	9383	14137
6076	9114	13733	6136	9204	13868	6196	9294	14004	6256	9384	14140
6077	9116	13735	6137	9206	13871	6197	9296	14007	6257	9386	14142
6078	9117	13738	6138	9207	13873	6198	9297	14009	6258	9387	14144
6079	9119	13740	6139	9209	13876	6199	9299	14011	6259	9389	14147
6080	9120	13741	6140	9210	13877	6200	9300	14012	6260	9390	14148
6081	9122	13745	6141	9212	13880	6201	9302	14016	6261	9392	14152
6082	9123	13746	6142	9213	13882	6202	9303	14017	6262	9393	14153
6083	9125	13749	6143	9215	13885	6203	9305	14021	6263	9395	14156
6084	9126	13751	6144	9216	13886	6204	9306	14022	6264	9396	14158
6085	9128	13753	6145	9218	13889	6205	9308	14024	6265	9398	14160
6086	9129	13755	6146	9219	13891	6206	9309	14027	6266	9399	14162
6087	9131	13758	6147	9221	13894	6207	9311	14029	6267	9401	14165
6088	9132	13760	6148	9222	13896	6208	9312	14031	6268	9402	14167
6089	9134	13763	6149	9224	13898	6209	9314	14034	6269	9404	14169
6090	9135	13764	6150	9225	13899	6210	9315	14035	6270	9405	14171
6091	9137	13767	6151	9227	13903	6211	9317	14039	6271	9407	14174
6092	9138	13769	6152	9228	13904	6212	9318	14040	6272	9408	14175
6093	9140	13772	6153	9230	13908	6213	9320	14043	6273	9410	14179
6094	9141	13773	6154	9231	13909	6214	9321	14045	6274	9411	14180
6095	9143	13776	6155	9233	13911	6215	9323	14047	6275	9413	14183
6096	9144	13778	6156	9234	13914	6216	9324	14049	6276	9414	14185
6097	9146	13781	6157	9236	13916	6217	9326	14052	6277	9416	14187
6098	9147	13783	6158	9237	13918	6218	9327	14054	6278	9417	14190
6099	9149	13785	6159	9239	13921	6219	9329	14056	6279	9419	14192
6100	9150	13786	6160	9240	13922	6220	9330	14058	6280	9420	14193
6101	9152	13790	6161	9242	13926	6221	9332	14061	6281	9422	14197
6102	9153	13791	6162	9243	13927	6222	9333	14062	6282	9423	14198
6103	9155	13795	6163	9245	13930	6223	9335	14066	6283	9425	14201
6104	9156	13796	6164	9246	13932	6224	9336	14067	6284	9426	14203
6105	9158	13798	6165	9248	13934	6225	9338	14070	6285	9428	14205
6106	9159	13801	6166	9249	13936	6226	9339	14072	6286	9429	14207
6107	9161	13803	6167	9251	13939	6227	9341	14074	6287	9431	14210
6108	9162	13805	6168	9252	13941	6228	9342	14077	6288	9432	14212
6109	9164	13808	6169	9254	13943	6229	9344	14079	6289	9434	14215
6110	9165	13809	6170	9255	13945	6230	9345	14080	6290	9435	14216



BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
6531	9797	14762	6591	9887	14897	6651	9977	15033	6711	10067	15169
6532	9798	14763	6592	9888	14899	6652	9978	15034	6712	10068	15170
6533	9800	14766	6593	9890	14902	6653	9980	15038	6713	10070	15173
6534	9801	14768	6594	9891	14903	6654	9981	15039	6714	10071	15175
6535	9803	14770	6595	9893	14906	6655	9983	15041	6715	10073	15177
6536	9804	14772	6596	9894	14908	6656	9984	15044	6716	10074	15179
6537	9806	14775	6597	9896	14911	6657	9986	15046	6717	10076	15182
6538	9807	14777	6598	9897	14913	6658	9987	15048	6718	10077	15184
6539	9809	14780	6599	9899	14915	6659	9989	15051	6719	10079	15186
6540	9810	14781	6600	9900	14916	6660	9990	15052	6720	10080	15188
6541	9812	14784	6601	9902	14920	6661	9992	15056	6721	10082	15191
6542	9813	14786	6602	9903	14921	6662	9993	15057	6722	10083	15192
6543	9815	14789	6603	9905	14925	6663	9995	15060	6723	10085	15196
6544	9816	14790	6604	9906	14926	6664	9995	15062	6724	10086	15197
6545	9818	14793	6605	9908	14928	6665	9998	15064	6725	10088	15200
6546	9819	14795	6606	9909	14931	6666	9999	15066	6726	10089	15202
6547	9821	14798	6607	9911	14933	6667	10001	15069	6727	10091	15204
6548	9822	14800	6608	9912	14935	6668	10002	15071	6728	10092	15207
6549	9824	14802	6609	9914	14938	6669	10004	15073	6729	10094	15209
6550	9825	14803	6610	9915	14939	6670	10005	15075	6730	10095	15210
6551	9827	14807	6611	9917	14943	6671	10007	15078	6731	10097	15214
6552	9828	14808	6612	9918	14944	6672	10008	15079	6732	10098	15215
6553	9830	14812	6613	9920	14947	6673	10010	15083	6733	10100	15218
6554	9831	14813	6614	9921	14949	6674	10011	15084	6734	10101	15220
6555	9833	14815	6615	9923	14951	6675	10013	15087	6735	10103	15222
6556	9834	14818	6616	9924	14953	6676	10014	15089	6736	10104	15224
6557	9836	14820	6617	9926	14956	6677	10016	15091	6737	10106	15227
6558	9837	14822	6618	9927	14958	6678	10017	15094	6738	10107	15229
6559	9839	14825	6619	9929	14960	6679	10019	15096	6739	10109	15232
6560	9840	14826	6620	9930	14962	6680	10020	15097	6740	10110	15233
6561	9842	14830	6621	9932	14965	6681	10022	15101	6741	10112	15236
6562	9843	14831	6622	9933	14966	6682	10023	15102	6742	10113	15238
6563	9845	14834	6623	9935	14970	6683	10025	15105	6743	10115	15241
6564	9846	14836	6624	9936	14971	6684	10026	15107	6744	10116	15242
6565	9848	14838	6625	9938	14974	6685	10028	15109	6745	10118	15245
6566	9849	14840	6626	9939	14976	6686	10029	15111	6746	10119	15247
6567	9851	14843	6627	9941	14978	6687	10031	15114	6747	10121	15250
6568	9852	14845	6628	9942	14981	6688	10032	15116	6748	10122	15252
6569	9854	14847	6629	9944	14983	6689	10034	15119	6749	10124	15254
6570	9855	14849	6630	9945	14984	6690	10035	15120	6750	10125	15255
6571	9857	14852	6631	9947	14988	6691	10037	15123	6751	10127	15259
6572	9858	14853	6632	9948	14989	6692	10038	15125	6752	10128	15260
6573	9860	14857	6633	9950	14992	6693	10040	15128	6753	10130	15264
6574	9861	14858	6634	9951	14994	6694	10041	15129	6754	10131	15265
6575	9863	14861	6635	9953	14996	6695	10043	15132	6755	10133	15267
6576	9864	14863	6636	9954	14998	6696	10044	15134	6756	10134	15270
6577	9866	14865	6637	9956	15001	6697	10046	15137	6757	10136	15272
6578	9867	14868	6638	9957	15003	6698	10047	15139	6758	10137	15274
6579	9869	14870	6639	9959	15006	6699	10049	15141	6759	10139	15277
6580	9870	14871	6640	9960	15007	6700	10050	15142	6760	10140	15278
6581	9872	14875	6641	9962	15010	6701	10052	15146	6761	10142	15282
6582	9873	14876	6642	9963	15012	6702	10053	15147	6762	10143	15283
6583	9875	14879	6643	9965	15015	6703	10055	15151	6763	10145	15286
6584	9876	14881	6644	9966	15016	6704	10056	15152	6764	10146	15288
6585	9878	14883	6645	9968	15019	6705	10058	15154	6765	10148	15290
6586	9879	14885	6646	9969	15021	6706	10059	15157	6766	10149	15292
6587	9881	14888	6647	9971	15024	6707	10061	15159	6767	10151	15295
6588	9882	14890	6648	9972	15026	6708	10062	15161	6768	10152	15297
6589	9884	14893	6649	9974	15028	6709	10064	15164	6769	10154	15299
6590	9885	14894	6650	9975	15029	6710	10065	15165	6770	10155	15301

Mr. P. SINGH
Deputy Director (P & F)
Dept. of Pension & F. M.
Govt. of India



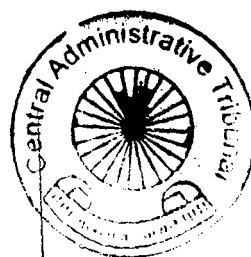
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BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
6771	10157	15304	6831	10247	15440	6891	10337	15575	6951	10427	15711
6772	10158	15305	6832	10248	15441	6892	10338	15577	6952	10428	15712
6773	10160	15309	6833	10250	15444	6893	10340	15580	6953	10430	15716
6774	10161	15310	6834	10251	15446	6894	10341	15581	6954	10431	15717
6775	10163	15313	6835	10253	15448	6895	10343	15584	6955	10433	15719
6776	10164	15315	6836	10254	15450	6896	10344	15586	6956	10434	15722
6777	10166	15317	6837	10255	15453	6897	10346	15589	6957	10436	15724
6778	10167	15320	6838	10257	15455	6898	10347	15591	6958	10437	15726
6779	10169	15322	6839	10259	15458	6899	10349	15593	6959	10439	15729
6780	10170	15323	6840	10260	15459	6900	10350	15594	6960	10440	15730
6781	10172	15327	6841	10262	15462	6901	10352	15598	6961	10442	15734
6782	10173	15328	6842	10263	15464	6902	10353	15599	6962	10443	15735
6783	10175	15331	6843	10265	15467	6903	10355	15603	6963	10445	15738
6784	10176	15333	6844	10266	15468	6904	10356	15604	6964	10446	15740
6785	10178	15335	6845	10268	15471	6905	10358	15606	6965	10448	15742
6786	10179	15337	6846	10269	15473	6906	10359	15609	6966	10449	15744
6787	10181	15340	6847	10271	15476	6907	10361	15611	6967	10451	15747
6788	10182	15342	6848	10272	15478	6908	10362	15613	6968	10452	15749
6789	10184	15345	6849	10274	15480	6909	10364	15616	6969	10454	15751
6790	10185	15346	6850	10275	15481	6910	10365	15617	6970	10455	15753
6791	10187	15349	6851	10277	15485	6911	10367	15621	6971	10457	15756
6792	10188	15351	6852	10278	15486	6912	10368	15622	6972	10458	15757
6793	10190	15354	6853	10280	15490	6913	10370	15625	6973	10460	15761
6794	10191	15355	6854	10281	15491	6914	10371	15627	6974	10461	15762
6795	10193	15358	6855	10283	15493	6915	10373	15629	6975	10463	15765
6796	10194	15360	6856	10284	15496	6916	10374	15631	6976	10464	15767
6797	10196	15363	6857	10286	15498	6917	10376	15634	6977	10466	15769
6798	10197	15365	6858	10287	15500	6918	10377	15636	6978	10467	15772
6799	10199	15367	6859	10289	15503	6919	10379	15638	6979	10469	15774
6800	10200	15368	6860	10290	15504	6920	10380	15640	6980	10470	15775
6801	10202	15372	6861	10292	15508	6921	10382	15643	6981	10472	15779
6802	10203	15373	6862	10293	15509	6922	10383	15644	6982	10473	15780
6803	10205	15377	6863	10295	15512	6923	10385	15648	6983	10475	15783
6804	10206	15378	6864	10296	15514	6924	10386	15649	6984	10476	15785
6805	10208	15380	6865	10298	15516	6925	10388	15652	6985	10478	15787
6806	10209	15383	6866	10299	15518	6926	10389	15654	6986	10479	15789
6807	10211	15385	6867	10301	15521	6927	10391	15656	6987	10481	15792
6808	10212	15387	6868	10302	15523	6928	10392	15659	6988	10482	15794
6809	10214	15390	6869	10304	15525	6929	10394	15661	6989	10484	15797
6810	10215	15391	6870	10305	15527	6930	10395	15662	6990	10485	15798
6811	10217	15395	6871	10307	15530	6931	10397	15666	6991	10487	15801
6812	10218	15396	6872	10308	15531	6932	10398	15667	6992	10488	15803
6813	10220	15399	6873	10310	15535	6933	10400	15670	6993	10490	15806
6814	10221	15401	6874	10311	15536	6934	10401	15672	6994	10491	15807
6815	10223	15403	6875	10313	15539	6935	10403	15674	6995	10493	15810
6816	10224	15405	6876	10314	15541	6936	10404	15676	6996	10494	15812
6817	10226	15408	6877	10316	15543	6937	10406	15679	6997	10496	15815
6818	10227	15410	6878	10317	15546	6938	10407	15681	6998	10497	15817
6819	10229	15412	6879	10319	15548	6939	10409	15684	6999	10499	15819
6820	10230	15414	6880	10320	15549	6940	10410	15685	7000	10500	15820
6821	10232	15417	6881	10322	15553	6941	10412	15688	7001	10502	15824
6822	10233	15418	6882	10323	15554	6942	10413	15690	7002	10503	15825
6823	10235	15422	6883	10325	15557	6943	10415	15693	7003	10505	15829
6824	10236	15423	6884	10326	15559	6944	10416	15694	7004	10506	15830
6825	10238	15426	6885	10328	15561	6945	10418	15697	7005	10508	15832
6826	10239	15428	6886	10329	15563	6946	10419	15699	7006	10509	15835
6827	10241	15430	6887	10331	15566	6947	10421	15702	7007	10511	15837
6828	10242	15433	6888	10332	15568	6948	10422	15704	7008	10512	15839
6829	10244	15435	6889	10334	15571	6949	10424	15706	7009	10514	15842
6830	10245	15436	6890	10335	15572	6950	10425	15707	7010	10515	15843

1. A. P. SINGH
DIRECTOR (P. P.)
Dept. of Pension & P. W.
Govt. of India

BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
7011	10517	15847	7071	10607	15982	7131	10697	16118	7191	10787	16253
7012	10518	15848	7072	10608	15983	7132	10698	16119	7192	10788	16255
7013	10520	15851	7073	10610	15987	7133	10700	16122	7193	10790	16258
7014	10521	15853	7074	10611	15988	7134	10701	16124	7194	10791	16259
7015	10523	15855	7075	10613	15991	7135	10703	16126	7195	10793	16262
7016	10524	15857	7076	10614	15993	7136	10704	16128	7196	10794	16264
7017	10526	15860	7077	10615	15995	7137	10706	16131	7197	10796	16267
7018	10527	15862	7078	10617	15998	7138	10707	16133	7198	10797	16269
7019	10529	15864	7079	10619	16000	7139	10709	16136	7199	10799	16271
7020	10530	15866	7080	10620	16001	7140	10710	16137	7200	10800	16272
7021	10532	15869	7081	10622	16005	7141	10712	16140	7201	10802	16276
7022	10533	15870	7082	10623	16006	7142	10713	16142	7202	10803	16277
7023	10535	15874	7083	10625	16009	7143	10715	16145	7203	10805	16281
7024	10536	15875	7084	10626	16011	7144	10716	16146	7204	10806	16282
7025	10538	15878	7085	10628	16013	7145	10718	16149	7205	10808	16284
7026	10539	15880	7086	10629	16015	7146	10719	16151	7206	10809	16287
7027	10541	15882	7087	10631	16018	7147	10721	16154	7207	10811	16289
7028	10542	15885	7088	10632	16020	7148	10722	16156	7208	10812	16291
7029	10544	15887	7089	10634	16023	7149	10724	16158	7209	10814	16294
7030	10545	15888	7090	10635	16024	7150	10725	16159	7210	10815	16295
7031	10547	15892	7091	10637	16027	7151	10727	16163	7211	10817	16299
7032	10548	15893	7092	10638	16029	7152	10728	16164	7212	10818	16300
7033	10550	15896	7093	10640	16032	7153	10730	16168	7213	10820	16303
7034	10551	15898	7094	10641	16033	7154	10731	16169	7214	10821	16305
7035	10553	15900	7095	10643	16036	7155	10733	16171	7215	10823	16307
7036	10554	15902	7096	10644	16038	7156	10734	16174	7216	10824	16309
7037	10556	15905	7097	10646	16041	7157	10736	16176	7217	10826	16312
7038	10557	15907	7098	10647	16043	7158	10737	16178	7218	10827	16314
7039	10559	15910	7099	10649	16045	7159	10739	16181	7219	10829	16316
7040	10560	15911	7100	10650	16046	7160	10740	16182	7220	10830	16318
7041	10562	15914	7101	10652	16050	7161	10742	16186	7221	10832	16321
7042	10563	15916	7102	10653	16051	7162	10743	16187	7222	10833	16322
7043	10565	15919	7103	10655	16055	7163	10745	16190	7223	10835	16326
7044	10566	15920	7104	10656	16056	7164	10746	16192	7224	10836	16327
7045	10568	15923	7105	10658	16058	7165	10748	16194	7225	10838	16330
7046	10569	15925	7106	10659	16061	7166	10749	16196	7226	10839	16332
7047	10571	15928	7107	10661	16063	7167	10751	16199	7227	10841	16334
7048	10572	15930	7108	10662	16065	7168	10752	16201	7228	10842	16337
7049	10574	15932	7109	10664	16068	7169	10754	16203	7229	10844	16339
7050	10575	15933	7110	10665	16069	7170	10755	16205	7230	10845	16340
7051	10577	15937	7111	10667	16073	7171	10757	16208	7231	10847	16344
7052	10578	15938	7112	10668	16074	7172	10758	16209	7232	10848	16345
7053	10580	15942	7113	10670	16077	7173	10760	16213	7233	10850	16348
7054	10581	15943	7114	10671	16079	7174	10761	16214	7234	10851	16350
7055	10583	15945	7115	10673	16081	7175	10763	16217	7235	10853	16352
7056	10584	15948	7116	10674	16083	7176	10764	16219	7236	10854	16354
7057	10586	15950	7117	10676	16086	7177	10766	16221	7237	10856	16357
7058	10587	15952	7118	10677	16088	7178	10767	16224	7238	10857	16359
7059	10589	15955	7119	10679	16090	7179	10769	16226	7239	10859	16362
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7061	10592	15960	7121	10682	16095	7181	10772	16231	7241	10862	16366
7062	10593	15961	7122	10683	16096	7182	10773	16232	7242	10863	16368
7063	10595	15964	7123	10685	16100	7183	10775	16235	7243	10865	16371
7064	10596	15966	7124	10686	16101	7184	10776	16237	7244	10866	16372
7065	10598	15968	7125	10688	16104	7185	10778	16239	7245	10868	16375
7066	10599	15970	7126	10689	16106	7186	10779	16241	7246	10869	16377
7067	10601	15973	7127	10691	16108	7187	10781	16244	7247	10871	16380
7068	10602	15975	7128	10692	16111	7188	10782	16246	7248	10872	16382
7069	10604	15977	7129	10694	16113	7189	10784	16249	7249	10874	16384
7070	10605	15979	7130	10695	16114	7190	10785	16250	7250	10875	16385

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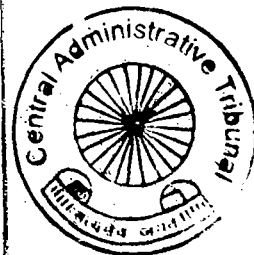
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BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
7251	10877	16389	7311	10967	16525	7371	11057	16660	7431	11147	16796
7252	10878	16390	7312	10968	16526	7372	11058	16661	7432	11148	16797
7253	10880	16394	7313	10970	16529	7373	11060	16665	7433	11150	16800
7254	10881	16395	7314	10971	16531	7374	11061	16666	7434	11151	16802
7255	10883	16397	7315	10973	16533	7375	11063	16669	7435	11153	16804
7256	10884	16400	7316	10974	16535	7376	11064	16671	7436	11154	16806
7257	10886	16402	7317	10976	16538	7377	11066	16673	7437	11156	16809
7258	10887	16404	7318	10977	16540	7378	11067	16676	7438	11157	16811
7259	10889	16407	7319	10979	16542	7379	11069	16678	7439	11159	16814
7260	10890	16408	7320	10980	16544	7380	11070	16679	7440	11160	16815
7261	10892	16412	7321	10982	16547	7381	11072	16683	7441	11162	16818
7262	10893	16413	7322	10983	16548	7382	11073	16684	7442	11163	16820
7263	10895	16416	7323	10985	16552	7383	11075	16687	7443	11165	16823
7264	10896	16418	7324	10986	16553	7384	11076	16689	7444	11166	16824
7265	10898	16420	7325	10988	16556	7385	11078	16691	7445	11168	16827
7266	10899	16422	7326	10989	16559	7386	11079	16693	7446	11169	16829
7267	10901	16425	7327	10991	16560	7387	11081	16696	7447	11171	16832
7268	10902	16427	7328	10992	16563	7388	11082	16698	7448	11172	16834
7269	10904	16429	7329	10994	16565	7389	11084	16701	7449	11174	16836
7270	10905	16431	7330	10995	16566	7390	11085	16702	7450	11175	16837
7271	10907	16434	7331	10997	16570	7391	11087	16705	7451	11177	16841
7272	10908	16435	7332	10998	16571	7392	11088	16707	7452	11178	16842
7273	10910	16439	7333	11000	16574	7393	11090	16710	7453	11180	16846
7274	10911	16440	7334	11001	16576	7394	11091	16711	7454	11181	16847
7275	10913	16443	7335	11003	16578	7395	11093	16714	7455	11183	16849
7276	10914	16445	7336	11004	16580	7396	11094	16716	7456	11184	16852
7277	10916	16447	7337	11006	16583	7397	11096	16719	7457	11186	16854
7278	10917	16450	7338	11007	16585	7398	11097	16721	7458	11187	16856
7279	10919	16452	7339	11009	16588	7399	11099	16723	7459	11189	16859
7280	10920	16453	7340	11010	16589	7400	11100	16724	7460	11190	16860
7281	10922	16457	7341	11012	16592	7401	11102	16728	7461	11192	16864
7282	10923	16458	7342	11013	16594	7402	11103	16729	7462	11193	16865
7283	10925	16461	7343	11015	16597	7403	11105	16733	7463	11195	16868
7284	10926	16463	7344	11016	16598	7404	11106	16734	7464	11196	16870
7285	10928	16465	7345	11018	16601	7405	11108	16736	7465	11198	16872
7286	10929	16467	7346	11019	16603	7406	11109	16739	7466	11199	16874
7287	10931	16470	7347	11021	16606	7407	11111	16741	7467	11201	16877
7288	10932	16472	7348	11022	16608	7408	11112	16743	7468	11202	16879
7289	10934	16475	7349	11024	16610	7409	11114	16746	7469	11204	16881
7290	10935	16476	7350	11025	16611	7410	11115	16747	7470	11205	16883
7291	10937	16479	7351	11027	16615	7411	11117	16751	7471	11207	16886
7292	10938	16481	7352	11028	16616	7412	11118	16752	7472	11208	16887
7293	10940	16484	7353	11030	16620	7413	11120	16755	7473	11210	16891
7294	10941	16485	7354	11031	16621	7414	11121	16757	7474	11211	16892
7295	10943	16488	7355	11033	16623	7415	11123	16759	7475	11213	16895
7296	10944	16490	7356	11034	16626	7416	11124	16761	7476	11214	16897
7297	10946	16493	7357	11036	16628	7417	11126	16764	7477	11216	16899
7298	10947	16495	7358	11037	16630	7418	11127	16766	7478	11217	16902
7299	10949	16497	7359	11039	16633	7419	11129	16768	7479	11219	16904
7300	10950	16498	7360	11040	16634	7420	11130	16770	7480	11220	16905
7301	10952	16502	7361	11042	16638	7421	11132	16773	7481	11222	16909
7302	10953	16503	7362	11043	16639	7422	11133	16774	7482	11223	16910
7303	10955	16507	7363	11045	16642	7423	11135	16778	7483	11225	16913
7304	10956	16508	7364	11046	16644	7424	11136	16779	7484	11226	16915
7305	10958	16510	7365	11048	16646	7425	11138	16782	7485	11228	16917
7306	10959	16513	7366	11049	16648	7426	11139	16784	7486	11229	16919
7307	10961	16515	7367	11051	16651	7427	11141	16786	7487	11231	16922
7308	10962	16517	7368	11052	16653	7428	11142	16789	7488	11232	16924
7309	10964	16520	7369	11054	16655	7429	11144	16791	7489	11234	16927
7310	10965	16521	7370	11055	16657	7430	11145	16792	7490	11235	16928

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BP (pre2006) without DP	BP Revised (pre 2006) Consolidated with DP	BP Revised (pre 2006) Consolidated Pension	BP (pre2006) without DP	BP Revised (pre 2006) Consolidated with DP	BP Revised (pre 2006) Consolidated Pension	BP (pre2006) without DP	BP Revised (pre 2006) Consolidated with DP	BP Revised (pre 2006) Consolidated Pension	BP (pre2006) without DP	BP Revised (pre 2006) Consolidated with DP	BP Revised (pre 2006) Consolidated Pension
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
7491	11237	16931	7551	11327	17067	7611	11417	17203	7671	11507	17338
7492	11238	16933	7552	11328	17068	7612	11418	17204	7672	11508	17339
7493	11240	16936	7553	11330	17072	7613	11420	17207	7673	11510	17343
7494	11241	16937	7554	11331	17073	7614	11421	17209	7674	11511	17344
7495	11243	16940	7555	11333	17075	7615	11423	17211	7675	11513	17347
7496	11244	16942	7556	11334	17078	7616	11424	17213	7676	11514	17349
7497	11246	16945	7557	11336	17080	7617	11426	17216	7677	11516	17351
7498	11247	16947	7558	11337	17082	7618	11427	17218	7678	11517	17354
7499	11249	16949	7559	11339	17085	7619	11429	17220	7679	11519	17356
7500	11250	16950	7560	11340	17086	7620	11430	17222	7680	11520	17357
7501	11252	16954	7561	11342	17090	7621	11432	17225	7681	11522	17361
7502	11253	16955	7562	11343	17091	7622	11433	17226	7682	11523	17362
7503	11255	16959	7563	11345	17094	7623	11435	17230	7683	11525	17365
7504	11256	16960	7564	11346	17096	7624	11436	17231	7684	11526	17367
7505	11258	16962	7565	11348	17098	7625	11438	17234	7685	11528	17369
7506	11259	16965	7566	11349	17100	7626	11439	17236	7686	11529	17371
7507	11261	16967	7567	11351	17103	7627	11441	17238	7687	11531	17374
7508	11262	16969	7568	11352	17105	7628	11442	17241	7688	11532	17376
7509	11264	16972	7569	11354	17107	7629	11444	17243	7689	11534	17379
7510	11265	16973	7570	11355	17109	7630	11445	17244	7690	11535	17380
7511	11267	16977	7571	11357	17112	7631	11447	17248	7691	11537	17383
7512	11268	16978	7572	11358	17113	7632	11448	17249	7692	11538	17385
7513	11270	16981	7573	11360	17117	7633	11450	17252	7693	11540	17388
7514	11271	16983	7574	11361	17118	7634	11451	17254	7694	11541	17389
7515	11273	16985	7575	11363	17121	7635	11453	17256	7695	11543	17392
7516	11274	16987	7576	11364	17123	7636	11454	17258	7696	11544	17394
7517	11276	16990	7577	11366	17125	7637	11456	17261	7697	11546	17397
7518	11277	16992	7578	11367	17128	7638	11457	17263	7698	11547	17399
7519	11279	16994	7579	11369	17130	7639	11459	17266	7699	11549	17401
7520	11280	16996	7580	11370	17131	7640	11460	17267	7700	11550	17402
7521	11282	16999	7581	11372	17135	7641	11462	17270	7701	11552	17406
7522	11283	17000	7582	11373	17136	7642	11463	17272	7702	11553	17407
7523	11285	17004	7583	11375	17139	7643	11465	17275	7703	11555	17411
7524	11286	17005	7584	11376	17141	7644	11466	17276	7704	11556	17412
7525	11288	17008	7585	11378	17143	7645	11468	17279	7705	11558	17414
7526	11289	17010	7586	11379	17145	7646	11469	17281	7706	11559	17417
7527	11291	17012	7587	11381	17148	7647	11471	17284	7707	11561	17419
7528	11292	17015	7588	11382	17150	7648	11472	17286	7708	11562	17421
7529	11294	17017	7589	11384	17153	7649	11474	17288	7709	11564	17424
7530	11295	17018	7590	11385	17154	7650	11475	17289	7710	11565	17425
7531	11297	17022	7591	11387	17157	7651	11477	17293	7711	11567	17429
7532	11298	17023	7592	11388	17159	7652	11478	17294	7712	11568	17430
7533	11300	17026	7593	11390	17162	7653	11480	17298	7713	11570	17433
7534	11301	17028	7594	11391	17163	7654	11481	17299	7714	11571	17435
7535	11303	17030	7595	11393	17166	7655	11483	17301	7715	11573	17437
7536	11304	17032	7596	11394	17168	7656	11484	17304	7716	11574	17439
7537	11306	17035	7597	11396	17171	7657	11486	17306	7717	11576	17442
7538	11307	17037	7598	11397	17173	7658	11487	17308	7718	11577	17444
7539	11309	17040	7599	11399	17175	7659	11489	17311	7719	11579	17446
7540	11310	17041	7600	11400	17176	7660	11490	17312	7720	11580	17448
7541	11312	17044	7601	11402	17180	7661	11492	17316	7721	11582	17451
7542	11313	17046	7602	11403	17181	7662	11493	17317	7722	11583	17452
7543	11315	17049	7603	11405	17185	7663	11495	17320	7723	11585	17456
7544	11316	17050	7604	11406	17186	7664	11496	17322	7724	11586	17457
7545	11318	17053	7605	11408	17188	7665	11498	17324	7725	11588	17460
7546	11319	17055	7606	11409	17191	7666	11499	17326	7726	11589	17462
7547	11321	17058	7607	11411	17193	7667	11501	17329	7727	11591	17464
7548	11322	17060	7608	11412	17195	7668	11502	17331	7728	11592	17467
7549	11324	17062	7609	11414	17198	7669	11504	17333	7729	11594	17469
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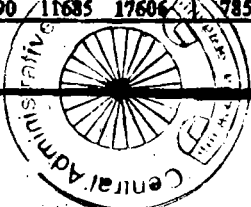
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BP (2006) without DP	BP Revised (pre Consolidated without 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated without 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated without 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated without 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated without 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated without 2006) Pension with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
7731	11597	17474	7791	11687	17609	7851	11777	17745	7911	11867	17881
7732	11598	17475	7792	11688	17611	7852	11778	17746	7912	11868	17882
7733	11600	17478	7793	11690	17614	7853	11780	17750	7913	11870	17885
7734	11601	17480	7794	11691	17615	7854	11781	17751	7914	11871	17887
7735	11603	17482	7795	11693	17618	7855	11783	17753	7915	11873	17889
7736	11604	17484	7796	11694	17620	7856	11784	17756	7916	11874	17891
7737	11606	17487	7797	11696	17623	7857	11786	17758	7917	11876	17894
7738	11607	17489	7798	11697	17625	7858	11787	17760	7918	11877	17896
7739	11609	17492	7799	11699	17627	7859	11789	17763	7919	11879	17898
7740	11610	17493	7800	11700	17628	7860	11790	17764	7920	11880	17900
7741	11612	17496	7801	11702	17632	7861	11792	17768	7921	11882	17903
7742	11613	17498	7802	11703	17633	7862	11793	17769	7922	11883	17904
7743	11615	17501	7803	11705	17637	7863	11795	17772	7923	11885	17908
7744	11616	17502	7804	11706	17638	7864	11796	17774	7924	11886	17909
7745	11618	17505	7805	11708	17640	7865	11798	17776	7925	11888	17912
7746	11619	17507	7806	11709	17643	7866	11799	17778	7926	11889	17914
7747	11621	17510	7807	11711	17645	7867	11801	17781	7927	11891	17916
7748	11622	17512	7808	11712	17647	7868	11802	17783	7928	11892	17919
7749	11624	17514	7809	11714	17650	7869	11804	17785	7929	11894	17921
7750	11625	17515	7810	11715	17651	7870	11805	17787	7930	11895	17922
7751	11627	17519	7811	11717	17655	7871	11807	17790	7931	11897	17926
7752	11628	17520	7812	11718	17656	7872	11808	17791	7932	11898	17927
7753	11630	17524	7813	11720	17659	7873	11810	17795	7933	11900	17930
7754	11631	17525	7814	11721	17661	7874	11811	17796	7934	11901	17932
7755	11633	17527	7815	11723	17663	7875	11813	17799	7935	11903	17934
7756	11634	17530	7816	11724	17665	7876	11814	17801	7936	11904	17936
7757	11636	17532	7817	11726	17668	7877	11816	17803	7937	11906	17939
7758	11637	17534	7818	11727	17670	7878	11817	17806	7938	11907	17941
7759	11639	17537	7819	11729	17672	7879	11819	17808	7939	11909	17944
7760	11640	17538	7820	11730	17674	7880	11820	17809	7940	11910	17945
7761	11642	17542	7821	11732	17677	7881	11822	17813	7941	11912	17948
7762	11643	17543	7822	11733	17678	7882	11823	17814	7942	11913	17950
7763	11645	17546	7823	11735	17682	7883	11825	17817	7943	11915	17953
7764	11646	17548	7824	11736	17683	7884	11826	17819	7944	11916	17954
7765	11648	17550	7825	11738	17686	7885	11828	17821	7945	11918	17957
7766	11649	17552	7826	11739	17688	7886	11829	17823	7946	11919	17959
7767	11651	17555	7827	11741	17690	7887	11831	17826	7947	11921	17962
7768	11652	17557	7828	11742	17693	7888	11832	17828	7948	11922	17964
7769	11654	17559	7829	11744	17695	7889	11834	17831	7949	11924	17966
7770	11655	17561	7830	11745	17696	7890	11835	17832	7950	11925	17967
7771	11657	17564	7831	11747	17700	7891	11837	17835	7951	11927	17971
7772	11658	17565	7832	11748	17701	7892	11838	17837	7952	11928	17972
7773	11660	17569	7833	11750	17704	7893	11840	17840	7953	11930	17976
7774	11661	17570	7834	11751	17706	7894	11841	17841	7954	11931	17977
7775	11663	17573	7835	11753	17708	7895	11843	17844	7955	11933	17979
7776	11664	17575	7836	11754	17710	7896	11844	17846	7956	11934	17982
7777	11666	17577	7837	11756	17713	7897	11846	17849	7957	11936	17984
7778	11667	17580	7838	11757	17715	7898	11847	17851	7958	11937	17986
7779	11669	17582	7839	11759	17718	7899	11849	17853	7959	11939	17989
7780	11670	17583	7840	11760	17719	7900	11850	17854	7960	11940	17990
7781	11672	17587	7841	11762	17722	7901	11852	17858	7961	11942	17994
7782	11673	17588	7842	11763	17724	7902	11853	17859	7962	11943	17995
7783	11675	17591	7843	11765	17727	7903	11855	17863	7963	11945	17998
7784	11676	17593	7844	11766	17728	7904	11856	17864	7964	11946	18000
7785	11678	17595	7845	11768	17731	7905	11858	17866	7965	11948	18002
7786	11679	17597	7846	11769	17733	7906	11859	17869	7966	11949	18004
7787	11681	17600	7847	11771	17736	7907	11861	17871	7967	11951	18007
7788	11682	17602	7848	11772	17738	7908	11862	17873	7968	11952	18009
7789	11684	17605	7849	11774	17740	7909	11864	17876	7969	11954	18011
7790	11685	17606	7850	11775	17741	7910	11865	17877	7970	11955	18013

(Mr. P. S. SINGH)
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Ministry of Pension & P. W.
Govt. of India



BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
7971	11957	18016	8031	12047	18152	8091	12137	18287	8151	12227	18423
7972	11958	18017	8032	12048	18153	8092	12138	18289	8152	12228	18424
7973	11960	18021	8033	12050	18156	8093	12140	18292	8153	12230	18428
7974	11961	18022	8034	12051	18158	8094	12141	18293	8154	12231	18429
7975	11963	18025	8035	12053	18160	8095	12143	18296	8155	12233	18431
7976	11964	18027	8036	12054	18162	8096	12144	18298	8156	12234	18434
7977	11966	18029	8037	12056	18165	8097	12146	18301	8157	12236	18436
7978	11967	18032	8038	12057	18167	8098	12147	18303	8158	12237	18438
7979	11969	18034	8039	12059	18170	8099	12149	18305	8159	12239	18441
7980	11970	18035	8040	12060	18171	8100	12150	18306	8160	12240	18442
7981	11972	18039	8041	12062	18174	8101	12152	18310	8161	12242	18446
7982	11973	18040	8042	12063	18176	8102	12153	18311	8162	12243	18447
7983	11975	18043	8043	12065	18179	8103	12155	18315	8163	12245	18450
7984	11976	18045	8044	12066	18180	8104	12156	18316	8164	12246	18452
7985	11978	18047	8045	12068	18183	8105	12158	18318	8165	12248	18454
7986	11979	18049	8046	12069	18185	8106	12159	18321	8166	12249	18456
7987	11981	18052	8047	12071	18188	8107	12161	18323	8167	12251	18459
7988	11982	18054	8048	12072	18190	8108	12162	18325	8168	12252	18461
7989	11984	18057	8049	12074	18192	8109	12164	18328	8169	12254	18463
7990	11985	18058	8050	12075	18193	8110	12165	18329	8170	12255	18465
7991	11987	18061	8051	12077	18197	8111	12167	18333	8171	12257	18468
7992	11988	18063	8052	12078	18198	8112	12168	18334	8172	12258	18469
7993	11990	18066	8053	12080	18202	8113	12170	18337	8173	12260	18473
7994	11991	18067	8054	12081	18203	8114	12171	18339	8174	12261	18474
7995	11993	18070	8055	12083	18205	8115	12173	18341	8175	12263	18477
7996	11994	18072	8056	12084	18208	8116	12174	18343	8176	12264	18479
7997	11996	18075	8057	12086	18210	8117	12176	18346	8177	12266	18481
7998	11997	18077	8058	12087	18212	8118	12177	18348	8178	12267	18484
7999	11999	18079	8059	12089	18215	8119	12179	18350	8179	12269	18486
8000	12000	18080	8060	12090	18216	8120	12180	18352	8180	12270	18487
8001	12002	18084	8061	12092	18220	8121	12182	18355	8181	12272	18491
8002	12003	18085	8062	12093	18221	8122	12183	18356	8182	12273	18492
8003	12005	18089	8063	12095	18224	8123	12185	18360	8183	12275	18495
8004	12006	18090	8064	12096	18226	8124	12186	18361	8184	12276	18497
8005	12008	18092	8065	12098	18228	8125	12188	18364	8185	12278	18499
8006	12009	18095	8066	12099	18230	8126	12189	18366	8186	12279	18501
8007	12011	18097	8067	12101	18233	8127	12191	18368	8187	12281	18504
8008	12012	18099	8068	12102	18235	8128	12192	18371	8188	12282	18506
8009	12014	18102	8069	12104	18237	8129	12194	18373	8189	12284	18509
8010	12015	18103	8070	12105	18239	8130	12195	18374	8190	12285	18510
8011	12017	18107	8071	12107	18242	8131	12197	18378	8191	12287	18513
8012	12018	18108	8072	12108	18243	8132	12198	18379	8192	12288	18515
8013	12020	18111	8073	12110	18247	8133	12200	18382	8193	12290	18518
8014	12021	18113	8074	12111	18248	8134	12201	18384	8194	12291	18519
8015	12023	18115	8075	12113	18251	8135	12203	18386	8195	12293	18522
8016	12024	18117	8076	12114	18253	8136	12204	18388	8196	12294	18524
8017	12026	18120	8077	12116	18255	8137	12206	18391	8197	12296	18527
8018	12027	18122	8078	12117	18258	8138	12207	18393	8198	12297	18529
8019	12029	18124	8079	12119	18260	8139	12209	18396	8199	12299	18531
8020	12030	18126	8080	12120	18261	8140	12210	18397	8200	12300	18532
8021	12032	18129	8081	12122	18265	8141	12212	18400	8201	12302	18536
8022	12033	18130	8082	12123	18266	8142	12213	18402	8202	12303	18537
8023	12035	18134	8083	12125	18269	8143	12215	18405	8203	12305	18541
8024	12036	18135	8084	12126	18271	8144	12216	18406	8204	12306	18542
8025	12038	18138	8085	12128	18273	8145	12218	18409	8205	12308	18544
8026	12039	18140	8086	12129	18275	8146	12219	18411	8206	12309	18547
8027	12041	18142	8087	12131	18278	8147	12221	18414	8207	12311	18549
8028	12042	18145	8088	12132	18280	8148	12222	18416	8208	12312	18551
8029	12044	18147	8089	12134	18283	8149	12224	18418	8209	12314	18554
8030	12045	18148	8090	12135	18284	8150	12225	18419	8210	12315	18555

Dr. P. Srinivas
Secretary (P.P.)
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BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
8211	12317	18559	8271	12407	18694	8331	12497	18830
8212	12318	18560	8272	12408	18695	8332	12498	18831
8213	12320	18563	8273	12410	18699	8333	12500	18834
8214	12321	18565	8274	12411	18700	8334	12501	18836
8215	12323	18567	8275	12413	18703	8335	12503	18838
8216	12324	18569	8276	12414	18705	8336	12504	18840
8217	12326	18572	8277	12416	18707	8337	12506	18843
8218	12327	18574	8278	12417	18710	8338	12507	18845
8219	12329	18576	8279	12419	18712	8339	12509	18848
8220	12330	18578	8280	12420	18713	8340	12510	18849
8221	12332	18581	8281	12422	18717	8341	12512	18852
8222	12333	18582	8282	12423	18718	8342	12513	18854
8223	12335	18586	8283	12425	18721	8343	12515	18857
8224	12336	18587	8284	12426	18723	8344	12516	18858
8225	12338	18590	8285	12428	18725	8345	12518	18861
8226	12339	18592	8286	12429	18727	8346	12519	18863
8227	12341	18594	8287	12431	18730	8347	12521	18866
8228	12342	18597	8288	12432	18732	8348	12522	18868
8229	12344	18599	8289	12434	18735	8349	12524	18870
8230	12345	18600	8290	12435	18736	8350	12525	18871
8231	12347	18604	8291	12437	18739	8351	12527	18875
8232	12348	18605	8292	12438	18741	8352	12528	18876
8233	12350	18608	8293	12440	18744	8353	12530	18880
8234	12351	18610	8294	12441	18745	8354	12531	18881
8235	12353	18612	8295	12443	18748	8355	12533	18883
8236	12354	18614	8296	12444	18750	8356	12534	18886
8237	12356	18617	8297	12446	18753	8357	12536	18888
8238	12357	18619	8298	12447	18755	8358	12537	18890
8239	12359	18622	8299	12449	18757	8359	12539	18893
8240	12360	18623	8300	12450	18758	8360	12540	18894
8241	12362	18626	8301	12452	18762	8361	12542	18898
8242	12363	18628	8302	12453	18763	8362	12543	18899
8243	12365	18631	8303	12455	18767	8363	12545	18902
8244	12366	18632	8304	12456	18768	8364	12546	18904
8245	12368	18635	8305	12458	18770	8365	12548	18906
8246	12369	18637	8306	12459	18773	8366	12549	18908
8247	12371	18640	8307	12461	18775	8367	12551	18911
8248	12372	18642	8308	12462	18777	8368	12552	18913
8249	12374	18644	8309	12464	18780	8369	12554	18915
8250	12375	18645	8310	12465	18781	8370	12555	18917
8251	12377	18649	8311	12467	18785	8371	12557	18920
8252	12378	18650	8312	12468	18786	8372	12558	18921
8253	12380	18654	8313	12470	18789	8373	12560	18925
8254	12381	18655	8314	12471	18791	8374	12561	18926
8255	12383	18657	8315	12473	18793	8375	12563	18929
8256	12384	18660	8316	12474	18795	8376	12564	18931
8257	12386	18662	8317	12476	18798	8377	12566	18933
8258	12387	18664	8318	12477	18800	8378	12567	18936
8259	12389	18667	8319	12479	18802	8379	12569	18938
8260	12390	18668	8320	12480	18804	8380	12570	18939
8261	12392	18672	8321	12482	18807	8381	12572	18943
8262	12393	18673	8322	12483	18808	8382	12573	18944
8263	12395	18676	8323	12485	18812	8383	12575	18947
8264	12396	18678	8324	12486	18813	8384	12576	18949
8265	12398	18680	8325	12488	18816	8385	12578	18951
8266	12399	18682	8326	12489	18818	8386	12579	18953
8267	12401	18685	8327	12491	18820	8387	12581	18956
8268	12402	18687	8328	12492	18823	8388	12582	18958
8269	12404	18689	8329	12494	18825	8389	12584	18961
8270	12405	18691	8330	12495	18826	8390	12585	18962
8391	12587	18965	8392	12588	18967	8393	12590	18970
8394	12591	18971	8395	12593	18974	8396	12594	18976
8397	12596	18979	8398	12597	18981	8399	12599	18983
8400	12600	18984	8401	12602	18988	8402	12603	18989
8403	12605	18993	8404	12606	18994	8405	12608	18996
8406	12609	18999	8407	12611	19001	8408	12612	19003
8409	12614	19006	8410	12615	19007	8411	12617	19011
8412	12618	19012	8413	12620	19015	8414	12621	19017
8415	12623	19019	8416	12624	19021	8417	12626	19024
8418	12627	19026	8419	12629	19028	8420	12630	19030
8421	12632	19033	8422	12633	19034	8423	12635	19038
8424	12636	19039	8425	12638	19042	8426	12639	19044
8427	12641	19046	8428	12642	19049	8429	12644	19051
8430	12645	19052	8431	12647	19056	8432	12648	19057
8433	12650	19060	8434	12651	19062	8435	12653	19064
8436	12654	19066	8437	12656	19069	8438	12657	19071
8439	12659	19074	8440	12660	19075	8441	12662	19078
8442	12663	19080	8443	12665	19083	8444	12666	19084
8445	12668	19087	8446	12669	19089	8447	12671	19092
8448	12672	19094	8449	12674	19096	8450	12675	19097

(M. P. Sharma)
Director (P. P.)
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Govt. of India

BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre2006) (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre2006) (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre2006) (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre2006) (pre 2006) Pension with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
8451	12677	19101	8511	12767	19237	8571	12837	19372	8631	12947	19508
8452	12678	19102	8512	12768	19238	8572	12838	19373	8632	12948	19509
8453	12680	19106	8513	12770	19241	8573	12860	19377	8633	12950	19512
8454	12681	19107	8514	12771	19243	8574	12861	19378	8634	12951	19514
8455	12683	19109	8515	12773	19245	8575	12863	19381	8635	12953	19516
8456	12684	19112	8516	12774	19247	8576	12864	19383	8636	12954	19518
8457	12686	19114	8517	12776	19250	8577	12866	19385	8637	12956	19521
8458	12687	19116	8518	12777	19252	8578	12867	19388	8638	12957	19523
8459	12689	19119	8519	12779	19254	8579	12869	19390	8639	12959	19526
8460	12690	19120	8520	12780	19256	8580	12870	19391	8640	12960	19527
8461	12692	19124	8521	12782	19259	8581	12872	19393	8641	12962	19530
8462	12693	19125	8522	12783	19260	8582	12873	19396	8642	12963	19532
8463	12695	19128	8523	12785	19264	8583	12875	19399	8643	12965	19535
8464	12696	19130	8524	12786	19265	8584	12876	19401	8644	12966	19536
8465	12698	19132	8525	12788	19268	8585	12878	19403	8645	12968	19539
8466	12699	19134	8526	12789	19270	8586	12879	19405	8646	12969	19541
8467	12701	19137	8527	12791	19272	8587	12881	19408	8647	12971	19544
8468	12702	19139	8528	12792	19275	8588	12882	19410	8648	12972	19546
8469	12704	19141	8529	12794	19277	8589	12884	19413	8649	12974	19548
8470	12705	19143	8530	12795	19278	8590	12885	19414	8650	12975	19549
8471	12707	19146	8531	12797	19282	8591	12887	19417	8651	12977	19553
8472	12708	19147	8532	12798	19283	8592	12888	19419	8652	12978	19554
8473	12710	19151	8533	12800	19286	8593	12890	19422	8653	12980	19558
8474	12711	19152	8534	12801	19288	8594	12891	19423	8654	12981	19559
8475	12713	19155	8535	12803	19290	8595	12893	19426	8655	12983	19561
8476	12714	19157	8536	12804	19292	8596	12894	19428	8656	12984	19564
8477	12716	19159	8537	12806	19295	8597	12896	19431	8657	12986	19566
8478	12717	19162	8538	12807	19297	8598	12897	19433	8658	12987	19568
8479	12719	19164	8539	12809	19300	8599	12899	19435	8659	12989	19571
8480	12720	19165	8540	12810	19301	8600	12900	19436	8660	12990	19572
8481	12722	19169	8541	12812	19304	8601	12902	19440	8661	12992	19576
8482	12723	19170	8542	12813	19306	8602	12903	19441	8662	12993	19577
8483	12725	19173	8543	12815	19309	8603	12905	19445	8663	12995	19580
8484	12726	19175	8544	12816	19310	8604	12906	19446	8664	12996	19582
8485	12728	19177	8545	12818	19313	8605	12908	19448	8665	12998	19584
8486	12729	19179	8546	12819	19315	8606	12909	19451	8666	12999	19586
8487	12731	19182	8547	12821	19318	8607	12911	19453	8667	13001	19589
8488	12732	19184	8548	12822	19320	8608	12912	19455	8668	13002	19591
8489	12734	19187	8549	12824	19322	8609	12914	19458	8669	13004	19593
8490	12735	19188	8550	12825	19323	8610	12915	19459	8670	13005	19595
8491	12737	19191	8551	12827	19327	8611	12917	19463	8671	13007	19598
8492	12738	19193	8552	12828	19328	8612	12918	19464	8672	13008	19599
8493	12740	19196	8553	12830	19332	8613	12920	19467	8673	13010	19603
8494	12741	19197	8554	12831	19333	8614	12921	19469	8674	13011	19604
8495	12743	19200	8555	12833	19335	8615	12923	19471	8675	13013	19607
8496	12744	19202	8556	12834	19338	8616	12924	19473	8676	13014	19609
8497	12746	19205	8557	12836	19340	8617	12926	19476	8677	13016	19611
8498	12747	19207	8558	12837	19342	8618	12927	19478	8678	13017	19614
8499	12749	19209	8559	12839	19345	8619	12929	19480	8679	13019	19616
8500	12750	19210	8560	12840	19346	8620	12930	19482	8680	13020	19617
8501	12752	19214	8561	12842	19350	8621	12932	19485	8681	13022	19621
8502	12753	19215	8562	12843	19351	8622	12933	19486	8682	13023	19622
8503	12755	19219	8563	12845	19354	8623	12935	19490	8683	13025	19625
8504	12756	19220	8564	12846	19356	8624	12936	19491	8684	13026	19627
8505	12758	19222	8565	12848	19358	8625	12938	19494	8685	13028	19629
8506	12759	19225	8566	12849	19360	8626	12939	19496	8686	13029	19631
8507	12761	19227	8567	12851	19363	8627	12941	19498	8687	13031	19634
8508	12762	19229	8568	12852	19365	8628	12942	19501	8688	13032	19636
8509	12764	19232	8569	12854	19367	8629	12944	19503	8689	13034	19639
8510	12765	19233	8570	12855	19369	8630	12945	19504	8690	13035	19640



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BP (pre2006) without DP			BP Revised (pre Consolidated) Pension			BP (pre2006) without DP			BP Revised (pre Consolidated) Pension			BP (pre2006) without DP			BP Revised (pre Consolidated) Pension		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
8691	13037	19643	8751	13127	19773	8811	13217	19915	8871	13307	20050	8691	13037	19643	8751	13127	19773
8692	13038	19644	8752	13128	19780	8812	13218	19916	8872	13308	20051	8692	13038	19644	8752	13128	19780
8693	13040	19648	8753	13130	19784	8813	13220	19919	8873	13310	20055	8693	13040	19648	8753	13130	19784
8694	13041	19649	8754	13131	19785	8814	13221	19921	8874	13311	20056	8694	13041	19649	8754	13131	19785
8695	13043	19652	8755	13133	19787	8815	13223	19923	8875	13313	20059	8695	13043	19652	8755	13133	19787
8696	13044	19654	8756	13134	19790	8816	13224	19925	8876	13314	20061	8696	13044	19654	8756	13134	19790
8697	13046	19657	8757	13136	19792	8817	13226	19928	8877	13316	20063	8697	13046	19657	8757	13136	19792
8698	13047	19659	8758	13137	19794	8818	13227	19930	8878	13317	20066	8698	13047	19659	8758	13137	19794
8699	13049	19661	8759	13139	19797	8819	13229	19932	8879	13319	20068	8699	13049	19661	8759	13139	19797
8700	13050	19662	8760	13140	19798	8820	13230	19934	8880	13320	20069	8700	13050	19662	8760	13140	19798
8701	13052	19666	8761	13142	19802	8821	13232	19937	8881	13322	20073	8701	13052	19666	8761	13142	19802
8702	13053	19667	8762	13143	19803	8822	13233	19938	8882	13323	20074	8702	13053	19667	8762	13143	19803
8703	13055	19671	8763	13145	19806	8823	13235	19942	8883	13325	20077	8703	13055	19671	8763	13145	19806
8704	13056	19672	8764	13146	19808	8824	13236	19943	8884	13326	20079	8704	13056	19672	8764	13146	19808
8705	13058	19674	8765	13148	19810	8825	13238	19946	8885	13328	20081	8705	13058	19674	8765	13148	19810
8706	13059	19677	8766	13149	19812	8826	13239	19948	8886	13329	20083	8706	13059	19677	8766	13149	19812
8707	13061	19679	8767	13151	19815	8827	13241	19950	8887	13331	20086	8707	13061	19679	8767	13151	19815
8708	13062	19681	8768	13152	19817	8828	13242	19953	8888	13332	20088	8708	13062	19681	8768	13152	19817
8709	13064	19684	8769	13154	19819	8829	13244	19955	8889	13334	20091	8709	13064	19684	8769	13154	19819
8710	13065	19685	8770	13155	19821	8830	13245	19956	8890	13335	20092	8710	13065	19685	8770	13155	19821
8711	13067	19689	8771	13157	19824	8831	13247	19960	8891	13337	20095	8711	13067	19689	8771	13157	19824
8712	13068	19690	8772	13158	19825	8832	13248	19961	8892	13338	20097	8712	13068	19690	8772	13158	19825
8713	13070	19693	8773	13160	19829	8833	13250	19964	8893	13340	20100	8713	13070	19693	8773	13160	19829
8714	13071	19695	8774	13161	19830	8834	13251	19966	8894	13341	20101	8714	13071	19695	8774	13161	19830
8715	13073	19697	8775	13163	19833	8835	13253	19968	8895	13343	20104	8715	13073	19697	8775	13163	19833
8716	13074	19699	8776	13164	19835	8836	13254	19970	8896	13344	20106	8716	13074	19699	8776	13164	19835
8717	13076	19702	8777	13166	19837	8837	13256	19973	8897	13346	20109	8717	13076	19702	8777	13166	19837
8718	13077	19704	8778	13167	19840	8838	13257	19975	8898	13347	20111	8718	13077	19704	8778	13167	19840
8719	13079	19706	8779	13169	19842	8839	13259	19978	8899	13349	20113	8719	13079	19706	8779	13169	19842
8720	13080	19708	8780	13170	19843	8840	13260	19979	8900	13350	20114	8720	13080	19708	8780	13170	19843
8721	13082	19711	8781	13172	19847	8841	13262	19982	8901	13352	20118	8721	13082	19711	8781	13172	19847
8722	13083	19712	8782	13173	19848	8842	13263	19984	8902	13353	20119	8722	13083	19712	8782	13173	19848
8723	13085	19716	8783	13175	19851	8843	13265	19987	8903	13355	20123	8723	13085	19716	8783	13175	19851
8724	13086	19717	8784	13176	19853	8844	13266	19988	8904	13356	20124	8724	13086	19717	8784	13176	19853
8725	13088	19720	8785	13178	19855	8845	13268	19991	8905	13358	20126	8725	13088	19720	8785	13178	19855
8726	13089	19722	8786	13179	19857	8846	13269	19993	8906	13359	20129	8726	13089	19722	8786	13179	19857
8727	13091	19724	8787	13181	19860	8847	13271	19996	8907	13361	20131	8727	13091	19724	8787	13181	19860
8728	13092	19727	8788	13182	19862	8848	13272	19998	8908	13362	20133	8728	13092	19727	8788	13182	19862
8729	13094	19729	8789	13184	19865	8849	13274	20000	8909	13364	20136	8729	13094	19729	8789	13184	19865
8730	13095	19730	8790	13185	19866	8850	13275	20001	8910	13365	20137	8730	13095	19730	8790	13185	19866
8731	13097	19734	8791	13187	19869	8851	13277	20005	8911	13367	20141	8731	13097	19734	8791	13187	19869
8732	13098	19735	8792	13188	19871	8852	13278	20006	8912	13368	20142	8732	13098	19735	8792	13188	19871
8733	13100	19738	8793	13190	19874	8853	13280	20010	8913	13370	20145	8733	13100	19738	8793	13190	19874
8734	13101	19740	8794	13191	19875	8854	13281	20011	8914	13371	20147	8734	13101	19740	8794	13191	19875
8735	13103	19742	8795	13193	19878	8855	13283	20013	8915	13373	20149	8735	13103	19742	8795	13193	19878
8736	13104	19744	8796	13194	19880	8856	13284	20016	8916	13374	20151	8736	13104	19744	8796	13194	19880
8737	13106	19747	8797	13196	19883	8857	13286	20018	8917	13376	20154	8737	13106	19747	8797	13196	19883
8738	13107	19749	8798	13197	19885	8858	13287	20020	8918	13377	20156	8738	13107	19749	8798	13197	19885
8739	13109	19752	8799	13199	19887	8859	13289	20023	8919	13379	20158	8739	13109	19752	8799	13199	19887
8740	13110	19753	8800	13200	19888	8860	13290	20024	8920	13380	20160	8740	13110	19753	8800	13200	19888
8741	13112	19756	8801	13202	19892	8861	13292	20028	8921	13382	20163	8741	13112	19756	8801	13202	19892
8742	13113	19758	8802	13203	19893	8862	13293	20029	8922	13383	20164	8742	13113	19758	8802	13203	19893
8743	13115	19761	8803	13205	19897	8863	13295	20032	8923	13385	20168	8743	13115	19761	8803	13205	19897
8744	13116	19762	8804	13206	19898	8864	13296	20034	8924	13386	20169	8744	13116	19762	8804	13206	19898
8745	13118	19765	8805	13208	19900	8865	13298	20036	8925	13388	20172	8745	13118	19765	8805	13208	19900
8746	13119	19767	8806	13209	19903	8866	13299	20038	8926	13389	20174	8746	13119	19767	8806	13209	19903
8747	13121	19770	8807	13211	19905	8867	13301	20041	8927	13391	20176	8747	13121	19770	8807	13211	19905
8748	13122	19772	8808	13212	19907	8868	13302	20043	8928	13392	20179	8748	13122	19772	8808	13212	19907
8749	13124	19774	8809	13214	19910	8869	13304	20045	8929	13394	20181	8749	13124	19774	8809	13214	19910
8750	13125	19775	8810	13215	19911	8870	13305	20047	8930	13395	20182	8750	13125	19775	8810	13215	19911

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BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
8931	13397	20186	8991	13487	20321	9051	13577	20457	9111	13667	20593
8932	13398	20187	8992	13488	20323	9052	13578	20458	9112	13668	20594
8933	13400	20190	8993	13490	20326	9053	13580	20462	9113	13670	20597
8934	13401	20192	8994	13491	20327	9054	13581	20463	9114	13671	20599
8935	13403	20194	8995	13493	20330	9055	13583	20465	9115	13673	20601
8936	13404	20196	8996	13494	20332	9056	13584	20468	9116	13674	20603
8937	13406	20199	8997	13496	20335	9057	13586	20470	9117	13676	20606
8938	13407	20201	8998	13497	20337	9058	13587	20472	9118	13677	20608
8939	13409	20204	8999	13499	20339	9059	13589	20475	9119	13679	20610
8940	13410	20205	9000	13500	20340	9060	13590	20476	9120	13680	20612
8941	13412	20208	9001	13502	20344	9061	13592	20480	9121	13682	20615
8942	13413	20210	9002	13503	20345	9062	13593	20481	9122	13683	20616
8943	13415	20213	9003	13505	20349	9063	13595	20484	9123	13685	20620
8944	13416	20214	9004	13506	20350	9064	13596	20486	9124	13686	20621
8945	13418	20217	9005	13508	20352	9065	13598	20488	9125	13688	20624
8946	13419	20219	9006	13509	20355	9066	13599	20490	9126	13689	20626
8947	13421	20222	9007	13511	20357	9067	13601	20493	9127	13691	20628
8948	13422	20224	9008	13512	20359	9068	13602	20495	9128	13692	20631
8949	13424	20226	9009	13514	20362	9069	13604	20497	9129	13694	20633
8950	13425	20227	9010	13515	20363	9070	13605	20499	9130	13695	20634
8951	13427	20231	9011	13517	20367	9071	13607	20502	9131	13697	20638
8952	13428	20232	9012	13518	20368	9072	13608	20503	9132	13698	20639
8953	13430	20236	9013	13520	20371	9073	13610	20507	9133	13700	20642
8954	13431	20237	9014	13521	20373	9074	13611	20508	9134	13701	20644
8955	13433	20239	9015	13523	20375	9075	13613	20511	9135	13703	20646
8956	13434	20242	9016	13524	20377	9076	13614	20513	9136	13704	20648
8957	13436	20244	9017	13526	20380	9077	13616	20515	9137	13706	20651
8958	13437	20246	9018	13527	20382	9078	13617	20518	9138	13707	20653
8959	13439	20249	9019	13529	20384	9079	13619	20520	9139	13709	20656
8960	13440	20250	9020	13530	20386	9080	13620	20521	9140	13710	20657
8961	13442	20254	9021	13532	20389	9081	13622	20525	9141	13712	20660
8962	13443	20255	9022	13533	20390	9082	13623	20526	9142	13713	20662
8963	13445	20258	9023	13535	20394	9083	13625	20529	9143	13715	20665
8964	13446	20260	9024	13536	20395	9084	13626	20531	9144	13716	20666
8965	13448	20262	9025	13538	20398	9085	13628	20533	9145	13718	20669
8966	13449	20264	9026	13539	20400	9086	13629	20535	9146	13719	20671
8967	13451	20267	9027	13541	20402	9087	13631	20538	9147	13721	20674
8968	13452	20269	9028	13542	20405	9088	13632	20540	9148	13722	20676
8969	13454	20271	9029	13544	20407	9089	13634	20543	9149	13724	20678
8970	13455	20273	9030	13545	20408	9090	13635	20544	9150	13725	20679
8971	13457	20276	9031	13547	20412	9091	13637	20547	9151	13727	20683
8972	13458	20277	9032	13548	20413	9092	13638	20549	9152	13728	20684
8973	13460	20281	9033	13550	20416	9093	13640	20552	9153	13730	20688
8974	13461	20282	9034	13551	20418	9094	13641	20553	9154	13731	20689
8975	13463	20285	9035	13553	20420	9095	13643	20556	9155	13733	20691
8976	13464	20287	9036	13554	20422	9096	13644	20558	9156	13734	20694
8977	13466	20289	9037	13556	20425	9097	13646	20561	9157	13736	20696
8978	13467	20292	9038	13557	20427	9098	13647	20563	9158	13737	20698
8979	13469	20294	9039	13559	20430	9099	13649	20565	9159	13739	20701
8980	13470	20295	9040	13560	20431	9100	13650	20566	9160	13740	20702
8981	13472	20299	9041	13562	20434	9101	13652	20570	9161	13742	20706
8982	13473	20300	9042	13563	20436	9102	13653	20571	9162	13743	20707
8983	13475	20303	9043	13565	20439	9103	13655	20575	9163	13745	20710
8984	13476	20305	9044	13566	20440	9104	13656	20576	9164	13746	20712
8985	13478	20307	9045	13568	20443	9105	13658	20578	9165	13748	20714
8986	13479	20309	9046	13569	20445	9106	13659	20581	9166	13749	20716
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8988	13482	20314	9048	13572	20450	9108	13662	20585	9168	13752	20721
8989	13484	20317	9049	13574	20452	9109	13664	20588	9169	13754	20723
8990	13485	20318	9050	13575	20453	9110	13665	20589	9170	13755	20725

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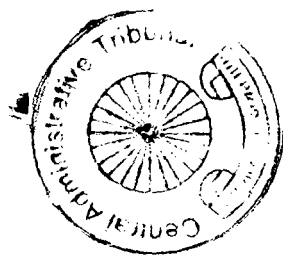
BP Revised (pre2006) (pre Consolidated) Pension without DP with DP			BP Revised (pre2006) (pre Consolidated) Pension without DP with DP			BP Revised (pre2006) (pre Consolidated) Pension without DP with DP			BP Revised (pre2006) (pre Consolidated) Pension without DP with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
9171	13757	20728	9231	13847	20864	9291	13937	20999	9351	14027	21135
9172	13758	20729	9232	13848	20865	9292	13938	21001	9352	14028	21136
9173	13760	20733	9233	13850	20868	9293	13940	21004	9353	14030	21140
9174	13761	20734	9234	13851	20870	9294	13941	21005	9354	14031	21141
9175	13763	20737	9235	13853	20872	9295	13943	21008	9355	14033	21143
9176	13764	20739	9236	13854	20874	9296	13944	21010	9356	14034	21146
9177	13766	20741	9237	13856	20877	9297	13946	21013	9357	14036	21148
9178	13767	20744	9238	13857	20879	9298	13947	21015	9358	14037	21150
9179	13769	20746	9239	13859	20882	9299	13949	21017	9359	14039	21153
9180	13770	20747	9240	13860	20883	9300	13950	21018	9360	14040	21154
9181	13772	20751	9241	13862	20886	9301	13952	21022	9361	14042	21158
9182	13773	20752	9242	13863	20888	9302	13953	21023	9362	14043	21159
9183	13775	20755	9243	13865	20891	9303	13955	21027	9363	14045	21162
9184	13776	20757	9244	13866	20892	9304	13956	21028	9364	14046	21164
9185	13778	20759	9245	13868	20895	9305	13958	21030	9365	14048	21166
9186	13779	20761	9246	13869	20897	9306	13959	21033	9366	14049	21168
9187	13781	20764	9247	13871	20900	9307	13961	21035	9367	14051	21171
9188	13782	20766	9248	13872	20902	9308	13962	21037	9368	14052	21173
9189	13784	20769	9249	13874	20904	9309	13964	21040	9369	14054	21175
9190	13785	20770	9250	13875	20905	9310	13965	21041	9370	14055	21177
9191	13787	20773	9251	13877	20909	9311	13967	21045	9371	14057	21180
9192	13788	20775	9252	13878	20910	9312	13968	21046	9372	14058	21181
9193	13790	20778	9253	13880	20914	9313	13970	21049	9373	14060	21185
9194	13791	20779	9254	13881	20915	9314	13971	21051	9374	14061	21186
9195	13793	20782	9255	13883	20917	9315	13973	21053	9375	14063	21189
9196	13794	20784	9256	13884	20920	9316	13974	21055	9376	14064	21191
9197	13796	20787	9257	13886	20922	9317	13976	21058	9377	14066	21193
9198	13797	20789	9258	13887	20924	9318	13977	21060	9378	14067	21196
9199	13799	20791	9259	13889	20927	9319	13979	21062	9379	14069	21198
9200	13800	20792	9260	13890	20928	9320	13980	21064	9380	14070	21199
9201	13802	20796	9261	13892	20932	9321	13982	21067	9381	14072	21203
9202	13803	20797	9262	13893	20933	9322	13983	21068	9382	14073	21204
9203	13805	20801	9263	13895	20936	9323	13985	21072	9383	14075	21207
9204	13806	20802	9264	13896	20938	9324	13986	21073	9384	14076	21209
9205	13808	20804	9265	13898	20940	9325	13988	21076	9385	14078	21211
9206	13809	20807	9266	13899	20942	9326	13989	21078	9386	14079	21213
9207	13811	20809	9267	13901	20945	9327	13991	21080	9387	14081	21216
9208	13812	20811	9268	13902	20947	9328	13992	21083	9388	14082	21218
9209	13814	20814	9269	13904	20949	9329	13994	21085	9389	14084	21221
9210	13815	20815	9270	13905	20951	9330	13995	21086	9390	14085	21222
9211	13817	20819	9271	13907	20954	9331	13997	21090	9391	14087	21225
9212	13818	20820	9272	13908	20955	9332	13998	21091	9392	14088	21227
9213	13820	20823	9273	13910	20959	9333	14000	21094	9393	14090	21230
9214	13821	20825	9274	13911	20960	9334	14001	21096	9394	14091	21231
9215	13823	20827	9275	13913	20963	9335	14003	21098	9395	14093	21234
9216	13824	20829	9276	13914	20965	9336	14004	21100	9396	14094	21236
9217	13826	20832	9277	13916	20967	9337	14006	21103	9397	14096	21239
9218	13827	20834	9278	13917	20970	9338	14007	21105	9398	14097	21241
9219	13829	20836	9279	13919	20972	9339	14009	21108	9399	14099	21243
9220	13830	20838	9280	13920	20973	9340	14010	21109	9400	14100	21244
9221	13832	20841	9281	13922	20977	9341	14012	21112	9401	14102	21248
9222	13833	20842	9282	13923	20978	9342	14013	21114	9402	14103	21249
9223	13835	20846	9283	13925	20981	9343	14015	21117	9403	14105	21253
9224	13836	20847	9284	13926	20983	9344	14016	21118	9404	14106	21254
9225	13838	20850	9285	13928	20985	9345	14018	21121	9405	14108	21256
9226	13839	20852	9286	13929	20987	9346	14019	21123	9406	14109	21259
9227	13841	20854	9287	13931	20990	9347	14021	21126	9407	14111	21261
9228	13842	20857	9288	13932	20992	9348	14022	21128	9408	14112	21263
9229	13844	20859	9289	13934	20995	9349	14024	21130	9409	14114	21266
9230	13845	20860	9290	13935	20996	9350	14025	21131	9410	14115	21267

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BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre Consolidated) with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre Consolidated) with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre Consolidated) with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre Consolidated) with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
9411	14117	21271	9471	14207	21406	9531	14297	21542	9591	14387	21677
9412	14118	21272	9472	14208	21407	9532	14298	21543	9592	14388	21679
9413	14120	21275	9473	14210	21411	9533	14300	21546	9593	14390	21682
9414	14121	21277	9474	14211	21412	9534	14301	21548	9594	14391	21683
9415	14123	21279	9475	14213	21415	9535	14303	21550	9595	14393	21686
9416	14124	21281	9476	14214	21417	9536	14304	21552	9596	14394	21688
9417	14126	21284	9477	14216	21419	9537	14306	21555	9597	14396	21691
9418	14127	21286	9478	14217	21422	9538	14307	21557	9598	14397	21693
9419	14129	21288	9479	14219	21424	9539	14309	21560	9599	14399	21695
9420	14130	21290	9480	14220	21425	9540	14310	21561	9600	14400	21696
9421	14132	21293	9481	14222	21429	9541	14312	21564	9601	14402	21700
9422	14133	21294	9482	14223	21430	9542	14313	21566	9602	14403	21701
9423	14135	21298	9483	14225	21433	9543	14315	21569	9603	14405	21705
9424	14136	21299	9484	14226	21435	9544	14316	21570	9604	14406	21706
9425	14138	21302	9485	14228	21437	9545	14318	21573	9605	14408	21708
9426	14139	21304	9486	14229	21439	9546	14319	21575	9606	14409	21711
9427	14141	21306	9487	14231	21442	9547	14321	21578	9607	14411	21713
9428	14142	21309	9488	14232	21444	9548	14322	21580	9608	14412	21715
9429	14144	21311	9489	14234	21447	9549	14324	21582	9609	14414	21718
9430	14145	21312	9490	14235	21448	9550	14325	21583	9610	14415	21719
9431	14147	21316	9491	14237	21451	9551	14327	21587	9611	14417	21723
9432	14148	21317	9492	14238	21453	9552	14328	21588	9612	14418	21724
9433	14150	21320	9493	14240	21456	9553	14330	21592	9613	14420	21727
9434	14151	21322	9494	14241	21457	9554	14331	21593	9614	14421	21729
9435	14153	21324	9495	14243	21460	9555	14333	21595	9615	14423	21731
9436	14154	21326	9496	14244	21462	9556	14334	21598	9616	14424	21733
9437	14156	21329	9497	14246	21465	9557	14336	21600	9617	14426	21736
9438	14157	21331	9498	14247	21467	9558	14337	21602	9618	14427	21738
9439	14159	21334	9499	14249	21469	9559	14339	21605	9619	14429	21740
9440	14160	21335	9500	14250	21470	9560	14340	21606	9620	14430	21742
9441	14162	21338	9501	14252	21474	9561	14342	21610	9621	14432	21745
9442	14163	21340	9502	14253	21475	9562	14343	21611	9622	14433	21746
9443	14165	21343	9503	14255	21479	9563	14345	21614	9623	14435	21750
9444	14166	21344	9504	14256	21480	9564	14346	21616	9624	14436	21751
9445	14168	21347	9505	14258	21482	9565	14348	21618	9625	14438	21754
9446	14169	21349	9506	14259	21485	9566	14349	21620	9626	14439	21756
9447	14171	21352	9507	14261	21487	9567	14351	21623	9627	14441	21758
9448	14172	21354	9508	14262	21489	9568	14352	21625	9628	14442	21761
9449	14174	21356	9509	14264	21492	9569	14354	21627	9629	14444	21763
9450	14175	21357	9510	14265	21493	9570	14355	21629	9630	14445	21764
9451	14177	21361	9511	14267	21497	9571	14357	21632	9631	14447	21768
9452	14178	21362	9512	14268	21498	9572	14358	21633	9632	14448	21769
9453	14180	21366	9513	14270	21501	9573	14360	21637	9633	14450	21772
9454	14181	21367	9514	14271	21503	9574	14361	21638	9634	14451	21774
9455	14183	21369	9515	14273	21505	9575	14363	21641	9635	14453	21776
9456	14184	21372	9516	14274	21507	9576	14364	21643	9636	14454	21778
9457	14186	21374	9517	14276	21510	9577	14366	21645	9637	14456	21781
9458	14187	21376	9518	14277	21512	9578	14367	21648	9638	14457	21783
9459	14189	21379	9519	14279	21514	9579	14369	21650	9639	14459	21786
9460	14190	21380	9520	14280	21516	9580	14370	21651	9640	14460	21787
9461	14192	21384	9521	14282	21519	9581	14372	21655	9641	14462	21790
9462	14193	21385	9522	14283	21520	9582	14373	21656	9642	14463	21792
9463	14195	21388	9523	14285	21524	9583	14375	21659	9643	14465	21795
9464	14196	21390	9524	14286	21525	9584	14376	21661	9644	14466	21796
9465	14198	21392	9525	14288	21528	9585	14378	21663	9645	14468	21799
9466	14199	21394	9526	14289	21530	9586	14379	21665	9646	14469	21801
9467	14201	21397	9527	14291	21532	9587	14381	21668	9647	14471	21804
9468	14202	21399	9528	14292	21535	9588	14382	21670	9648	14472	21806
9469	14204	21401	9529	14294	21537	9589	14384	21673	9649	14474	21808
9470	14205	21403	9530	14295	21538	9590	14385	21674	9650	14475	21809

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IP 2006 thru DP	BP (pre 2006) with DP	Revised Consolidated Pension	BP (pre 2006) without DP	BP (pre 2006) with DP	Revised Consolidated Pension	BP (pre 2006) without DP	BP (pre 2006) with DP	Revised Consolidated Pension	BP (pre 2006) without DP	BP (pre 2006) with DP	Revised Consolidated Pension	BP (pre 2006) without DP	BP (pre 2006) with DP	Revised Consolidated Pension
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
9651	14477	21813	9711	14567	21949	9771	14657	22084	9831	14747	22220	9891	14837	22352
9652	14478	21814	9712	14568	21950	9772	14658	22085	9832	14748	22221	9892	14838	22353
9653	14480	21818	9713	14570	21953	9773	14660	22089	9833	14750	22224	9893	14840	22356
9654	14481	21819	9714	14571	21955	9774	14661	22090	9834	14751	22226	9894	14841	22357
9655	14483	21821	9715	14573	21957	9775	14663	22093	9835	14753	22228	9895	14843	22359
9656	14484	21824	9716	14574	21959	9776	14664	22095	9836	14754	22230	9896	14844	22360
9657	14486	21826	9717	14576	21962	9777	14666	22097	9837	14756	22233	9897	14846	22363
9658	14487	21828	9718	14577	21964	9778	14667	22100	9838	14757	22235	9898	14847	22365
9659	14489	21831	9719	14579	21966	9779	14669	22102	9839	14759	22238	9899	14849	22368
9660	14490	21832	9720	14580	21968	9780	14670	22103	9840	14760	22239	9900	14850	22369
9661	14492	21836	9721	14582	21971	9781	14672	22107	9841	14762	22242			
9662	14493	21837	9722	14583	21972	9782	14673	22108	9842	14763	22244			
9663	14495	21840	9723	14585	21976	9783	14675	22111	9843	14765	22247			
9664	14496	21842	9724	14586	21977	9784	14676	22113	9844	14766	22248			
9665	14498	21844	9725	14588	21980	9785	14678	22115	9845	14768	22251			
9666	14499	21846	9726	14589	21982	9786	14679	22117	9846	14769	22253			
9667	14501	21849	9727	14591	21984	9787	14681	22120	9847	14771	22256			
9668	14502	21851	9728	14592	21987	9788	14682	22122	9848	14772	22258			
9669	14504	21853	9729	14594	21989	9789	14684	22125	9849	14774	22260			
9670	14505	21855	9730	14595	21990	9790	14685	22126	9850	14775	22261			
9671	14507	21858	9731	14597	21994	9791	14687	22129	9851	14777	22265			
9672	14508	21859	9732	14598	21995	9792	14688	22131	9852	14778	22266			
9673	14510	21863	9733	14600	21998	9793	14690	22134	9853	14780	22270			
9674	14511	21864	9734	14601	22000	9794	14691	22135	9854	14781	22271			
9675	14513	21867	9735	14603	22002	9795	14693	22138	9855	14783	22273			
9676	14514	21869	9736	14604	22004	9796	14694	22140	9856	14784	22276			
9677	14516	21871	9737	14606	22007	9797	14696	22143	9857	14786	22278			
9678	14517	21874	9738	14607	22009	9798	14697	22145	9858	14787	22280			
9679	14519	21876	9739	14609	22012	9799	14699	22147	9859	14789	22283			
9680	14520	21877	9740	14610	22013	9800	14700	22148	9860	14790	22284			
9681	14522	21881	9741	14612	22016	9801	14702	22152	9861	14792	22288			
9682	14523	21882	9742	14613	22018	9802	14703	22153	9862	14793	22289			
9683	14525	21885	9743	14615	22021	9803	14705	22157	9863	14795	22292			
9684	14526	21887	9744	14616	22022	9804	14706	22158	9864	14796	22294			
9685	14528	21889	9745	14618	22025	9805	14708	22160	9865	14798	22296			
9686	14529	21891	9746	14619	22027	9806	14709	22163	9866	14799	22298			
9687	14531	21894	9747	14621	22030	9807	14711	22165	9867	14801	22301			
9688	14532	21896	9748	14622	22032	9808	14712	22167	9868	14802	22303			
9689	14534	21899	9749	14624	22034	9809	14714	22170	9869	14804	22305			
9690	14535	21900	9750	14625	22035	9810	14715	22171	9870	14805	22307			
9691	14537	21903	9751	14627	22039	9811	14717	22175	9871	14807	22310			
9692	14538	21905	9752	14628	22040	9812	14718	22176	9872	14808	22311			
9693	14540	21908	9753	14630	22044	9813	14720	22179	9873	14810	22315			
9694	14541	21909	9754	14631	22045	9814	14721	22181	9874	14811	22316			
9695	14543	21912	9755	14633	22047	9815	14723	22183	9875	14813	22319			
9696	14544	21914	9756	14634	22050	9816	14724	22185	9876	14814	22321			
9697	14546	21917	9757	14636	22052	9817	14726	22188	9877	14816	22323			
9698	14547	21919	9758	14637	22054	9818	14727	22190	9878	14817	22326			
9699	14549	21921	9759	14639	22057	9819	14729	22192	9879	14819	22328			
9700	14550	21922	9760	14640	22058	9820	14730	22194	9880	14820	22329			
9701	14552	21926	9761	14642	22062	9821	14732	22197	9881	14822	22333			
9702	14553	21927	9762	14643	22063	9822	14733	22198	9882	14823	22334			
9703	14555	21931	9763	14645	22066	9823	14735	22202	9883	14825	22337			
9704	14556	21932	9764	14646	22068	9824	14736	22203	9884	14826	22339			
9705	14558	21934	9765	14648	22070	9825	14738	22206	9885	14828	22341			
9706	14559	21937	9766	14649	22072	9826	14739	22208	9886	14829	22343			
9707	14561	21939	9767	14651	22075	9827	14741	22210	9887	14831	22346			
9708	14562	21941	9768	14652	22077	9828	14742	22213	9888	14832	22348			
9709	14564	21944	9769	14654	22079	9829	14744	22215	9889	14834	22351			
9710	14565	21948	9770	14655	22081	9830	14745	22216	9890	14835	22352			

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BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
9891	14837	22355	9951	14927	22491	10011	15017	22627	10071	15107	22762
9892	14838	22357	9952	14928	22492	10012	15018	22628	10072	15108	22763
9893	14840	22360	9953	14930	22496	10013	15020	22631	10073	15110	22767
9894	14841	22361	9954	14931	22497	10014	15021	22633	10074	15111	22768
9895	14843	22364	9955	14933	22499	10015	15023	22635	10075	15113	22771
9896	14844	22366	9956	14934	22502	10016	15024	22637	10076	15114	22773
9897	14846	22369	9957	14936	22504	10017	15026	22640	10077	15116	22775
9898	14847	22371	9958	14937	22506	10018	15027	22642	10078	15117	22778
9899	14849	22373	9959	14939	22509	10019	15029	22644	10079	15119	22780
9900	14850	22374	9960	14940	22510	10020	15030	22646	10080	15120	22781
9901	14852	22378	9961	14942	22514	10021	15032	22649	10081	15122	22785
9902	14853	22379	9962	14943	22515	10022	15033	22650	10082	15123	22786
9903	14855	22383	9963	14945	22518	10023	15035	22654	10083	15125	22789
9904	14856	22384	9964	14946	22520	10024	15036	22655	10084	15126	22791
9905	14858	22386	9965	14948	22522	10025	15038	22658	10085	15128	22793
9906	14859	22389	9966	14949	22524	10026	15039	22660	10086	15129	22795
9907	14861	22391	9967	14951	22527	10027	15041	22662	10087	15131	22798
9908	14862	22393	9968	14952	22529	10028	15042	22665	10088	15132	22800
9909	14864	22396	9969	14954	22531	10029	15044	22667	10089	15134	22803
9910	14865	22397	9970	14955	22533	10030	15045	22668	10090	15135	22804
9911	14867	22401	9971	14957	22536	10031	15047	22672	10091	15137	22807
9912	14868	22402	9972	14958	22537	10032	15048	22673	10092	15138	22809
9913	14870	22405	9973	14960	22541	10033	15050	22676	10093	15140	22812
9914	14871	22407	9974	14961	22542	10034	15051	22678	10094	15141	22813
9915	14873	22409	9975	14963	22545	10035	15053	22680	10095	15143	22816
9916	14874	22411	9976	14964	22547	10036	15054	22682	10096	15144	22818
9917	14876	22414	9977	14966	22549	10037	15056	22685	10097	15146	22821
9918	14877	22416	9978	14967	22552	10038	15057	22687	10098	15147	22823
9919	14879	22418	9979	14969	22554	10039	15059	22690	10099	15149	22825
9920	14880	22420	9980	14970	22555	10040	15060	22691	10100	15150	22826
9921	14882	22423	9981	14972	22559	10041	15062	22694	10101	15152	22830
9922	14883	22424	9982	14973	22560	10042	15063	22696	10102	15153	22831
9923	14885	22428	9983	14975	22563	10043	15065	22699	10103	15155	22835
9924	14886	22429	9984	14976	22565	10044	15066	22700	10104	15156	22836
9925	14888	22432	9985	14978	22567	10045	15068	22703	10105	15158	22838
9926	14889	22434	9986	14979	22569	10046	15069	22705	10106	15159	22841
9927	14891	22436	9987	14981	22572	10047	15071	22708	10107	15161	22843
9928	14892	22439	9988	14982	22574	10048	15072	22710	10108	15162	22845
9929	14894	22441	9989	14984	22577	10049	15074	22712	10109	15164	22848
9930	14895	22442	9990	14985	22578	10050	15075	22713	10110	15165	22849
9931	14897	22446	9991	14987	22581	10051	15077	22717	10111	15167	22853
9932	14898	22447	9992	14988	22583	10052	15078	22718	10112	15168	22854
9933	14900	22450	9993	14990	22586	10053	15080	22722	10113	15170	22857
9934	14901	22452	9994	14991	22587	10054	15081	22723	10114	15171	22859
9935	14903	22454	9995	14993	22590	10055	15083	22725	10115	15173	22861
9936	14904	22456	9996	14994	22592	10056	15084	22728	10116	15174	22863
9937	14906	22459	9997	14996	22595	10057	15086	22730	10117	15176	22866
9938	14907	22461	9998	14997	22597	10058	15087	22732	10118	15177	22868
9939	14909	22464	9999	14999	22599	10059	15089	22735	10119	15179	22870
9940	14910	22465	10000	15000	22600	10060	15090	22736	10120	15180	22872
9941	14912	22468	10001	15002	22604	10061	15092	22740	10121	15182	22875
9942	14913	22470	10002	15003	22605	10062	15093	22741	10122	15183	22876
9943	14915	22473	10003	15005	22609	10063	15095	22744	10123	15185	22880
9944	14916	22474	10004	15006	22610	10064	15096	22746	10124	15186	22881
9945	14918	22477	10005	15008	22612	10065	15098	22748	10125	15188	22884
9946	14919	22479	10006	15009	22615	10066	15099	22750	10126	15189	22886
9947	14921	22482	10007	15011	22617	10067	15101	22753	10127	15191	22888
9948	14922	22484	10008	15012	22619	10068	15102	22755	10128	15192	22891
9949	14924	22486	10009	15014	22622	10069	15104	22757	10129	15194	22893
9950	14928	22487	10010	15015	22623	10070	15105	22759	10130	15195	22894

U.S. Social Security Administration
Division of Pension Services
1100 N. 1st St., N.W.
Washington, D.C. 20540

BP (pre2006) without DP	BP Revised (pre Consolidated) 2006 Pension with DP	BP Revised (pre Consolidated) 2006 Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated) 2006 Pension with DP	BP Revised (pre Consolidated) 2006 Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated) 2006 Pension with DP	BP Revised (pre Consolidated) 2006 Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated) 2006 Pension with DP	BP Revised (pre Consolidated) 2006 Pension with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
10131	15197	22898	10191	15287	23033	10251	15377	23169	10311	15467	23305
10132	15198	22899	10192	15288	23035	10252	15378	23170	10312	15468	23306
10133	15200	22902	10193	15290	23038	10253	15380	23174	10313	15470	23309
10134	15201	22904	10194	15291	23039	10254	15381	23175	10314	15471	23311
10135	15203	22906	10195	15293	23042	10255	15383	23177	10315	15473	23313
10136	15204	22908	10196	15294	23044	10256	15384	23180	10316	15474	23315
10137	15206	22911	10197	15296	23047	10257	15386	23182	10317	15476	23318
10138	15207	22913	10198	15297	23049	10258	15387	23184	10318	15477	23320
10139	15209	22916	10199	15299	23051	10259	15389	23187	10319	15479	23322
10140	15210	22917	10200	15300	23052	10260	15390	23188	10320	15480	23324
10141	15212	22920	10201	15302	23056	10261	15392	23192	10321	15482	23327
10142	15213	22922	10202	15303	23057	10262	15393	23193	10322	15483	23328
10143	15215	22925	10203	15305	23061	10263	15395	23196	10323	15485	23332
10144	15216	22926	10204	15306	23062	10264	15396	23198	10324	15486	23333
10145	15218	22929	10205	15308	23064	10265	15398	23200	10325	15488	23336
10146	15219	22931	10206	15309	23067	10266	15399	23202	10326	15489	23338
10147	15221	22934	10207	15311	23069	10267	15401	23205	10327	15491	23340
10148	15222	22936	10208	15312	23071	10268	15402	23207	10328	15492	23343
10149	15224	22938	10209	15314	23074	10269	15404	23209	10329	15494	23345
10150	15225	22939	10210	15315	23075	10270	15405	23211	10330	15495	23346
10151	15227	22943	10211	15317	23079	10271	15407	23214	10331	15497	23350
10152	15228	22944	10212	15318	23080	10272	15408	23215	10332	15498	23351
10153	15230	22948	10213	15320	23083	10273	15410	23219	10333	15500	23354
10154	15231	22949	10214	15321	23085	10274	15411	23220	10334	15501	23356
10155	15233	22951	10215	15323	23087	10275	15413	23223	10335	15503	23358
10156	15234	22954	10216	15324	23089	10276	15414	23225	10336	15504	23360
10157	15236	22956	10217	15326	23092	10277	15416	23227	10337	15506	23363
10158	15237	22958	10218	15327	23094	10278	15417	23230	10338	15507	23365
10159	15239	22961	10219	15329	23096	10279	15419	23232	10339	15509	23368
10160	15240	22962	10220	15330	23098	10280	15420	23233	10340	15510	23369
10161	15242	22966	10221	15332	23101	10281	15422	23237	10341	15512	23372
10162	15243	22967	10222	15333	23102	10282	15423	23238	10342	15513	23374
10163	15245	22970	10223	15335	23106	10283	15425	23241	10343	15515	23377
10164	15246	22972	10224	15336	23107	10284	15426	23243	10344	15516	23378
10165	15248	22974	10225	15338	23110	10285	15428	23245	10345	15518	23381
10166	15249	22976	10226	15339	23112	10286	15429	23247	10346	15519	23383
10167	15251	22979	10227	15341	23114	10287	15431	23250	10347	15521	23386
10168	15252	22981	10228	15342	23117	10288	15432	23252	10348	15522	23388
10169	15254	22983	10229	15344	23119	10289	15434	23255	10349	15524	23390
10170	15255	22985	10230	15345	23120	10290	15435	23256	10350	15525	23391
10171	15257	22988	10231	15347	23124	10291	15437	23259	10351	15527	23395
10172	15258	22989	10232	15348	23125	10292	15438	23261	10352	15528	23396
10173	15260	22993	10233	15350	23128	10293	15440	23264	10353	15530	23400
10174	15261	22994	10234	15351	23130	10294	15441	23265	10354	15531	23401
10175	15263	22997	10235	15353	23132	10295	15443	23268	10355	15533	23403
10176	15264	22999	10236	15354	23134	10296	15444	23270	10356	15534	23406
10177	15266	23001	10237	15356	23137	10297	15446	23273	10357	15536	23408
10178	15267	23004	10238	15357	23139	10298	15447	23275	10358	15537	23410
10179	15269	23006	10239	15359	23142	10299	15449	23277	10359	15539	23413
10180	15270	23007	10240	15360	23143	10300	15450	23278	10360	15540	23414
10181	15272	23011	10241	15362	23146	10301	15452	23282	10361	15542	23418
10182	15273	23012	10242	15363	23148	10302	15453	23283	10362	15543	23419
10183	15275	23015	10243	15365	23151	10303	15455	23287	10363	15545	23422
10184	15276	23017	10244	15366	23152	10304	15456	23288	10364	15546	23424
10185	15278	23019	10245	15368	23155	10305	15458	23290	10365	15548	23426
10186	15279	23021	10246	15369	23157	10306	15459	23293	10366	15549	23428
10187	15281	23024	10247	15371	23160	10307	15461	23295	10367	15551	23431
10188	15282	23026	10248	15372	23162	10308	15462	23297	10368	15552	23433
10189	15284	23029	10249	15374	23164	10309	15464	23300	10369	15554	23435
10190	15285	23030	10250	15375	23165	10310	15465	23301	10370	15555	23437



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BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension			BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension			BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension			BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
10371	15557	23440	10431	15647	23576	10491	15737	23711	10551	15827	23847	10611	15917	23947	10671	15997	23997	10731	16007	24047	10791	16087	24127
10372	15558	23441	10432	15648	23577	10492	15738	23712	10552	15828	23848	10612	15918	23948	10672	15998	23998	10732	16008	24048	10792	16088	24128
10373	15560	23445	10433	15650	23580	10493	15740	23716	10553	15830	23852	10613	15919	23949	10673	15999	23999	10733	16009	24049	10793	16089	24129
10374	15561	23446	10434	15651	23582	10494	15741	23717	10554	15831	23853	10614	15920	23950	10674	16000	24000	10734	16010	24050	10794	16090	24130
10375	15563	23449	10435	15653	23584	10495	15743	23720	10555	15833	23855	10615	15921	23951	10675	16001	24001	10735	16011	24051	10795	16091	24131
10376	15564	23451	10436	15654	23586	10496	15744	23722	10556	15834	23858	10616	15922	23952	10676	16002	24002	10736	16012	24052	10796	16092	24132
10377	15566	23453	10437	15656	23589	10497	15746	23725	10557	15836	23860	10617	15923	23953	10677	16003	24003	10737	16013	24053	10797	16093	24133
10378	15567	23456	10438	15657	23591	10498	15747	23727	10558	15837	23862	10618	15924	23954	10678	16004	24004	10738	16014	24054	10798	16094	24134
10379	15569	23458	10439	15659	23594	10499	15749	23729	10559	15839	23865	10619	15925	23955	10679	16005	24005	10739	16015	24055	10799	16095	24135
10380	15570	23459	10440	15660	23595	10500	15750	23730	10560	15840	23866	10620	15926	23956	10680	16006	24006	10740	16016	24056	10800	16096	24136
10381	15572	23463	10441	15662	23598	10501	15752	23734	10561	15842	23870	10621	15927	23957	10681	16007	24007	10741	16017	24057	10801	16097	24137
10382	15573	23464	10442	15663	23600	10502	15753	23735	10562	15843	23871	10622	15928	23958	10682	16008	24008	10742	16018	24058	10802	16098	24138
10383	15575	23467	10443	15665	23603	10503	15755	23739	10563	15845	23874	10623	15929	23959	10683	16009	24009	10743	16019	24059	10803	16099	24139
10384	15576	23469	10444	15666	23604	10504	15756	23740	10564	15846	23876	10624	15930	23960	10684	16010	24010	10744	16020	24060	10804	16100	24140
10385	15578	23471	10445	15668	23607	10505	15758	23742	10565	15848	23878	10625	15931	23961	10685	16011	24011	10745	16021	24061	10805	16101	24141
10386	15579	23473	10446	15669	23609	10506	15759	23745	10566	15849	23880	10626	15932	23962	10686	16012	24012	10746	16022	24062	10806	16102	24142
10387	15581	23476	10447	15671	23612	10507	15761	23747	10567	15851	23883	10627	15933	23963	10687	16013	24013	10747	16023	24063	10807	16103	24143
10388	15582	23478	10448	15672	23614	10508	15762	23749	10568	15852	23885	10628	15934	23964	10688	16014	24014	10748	16024	24064	10808	16104	24144
10389	15584	23481	10449	15674	23616	10509	15764	23752	10569	15854	23887	10629	15935	23965	10689	16015	24015	10749	16025	24065	10809	16105	24145
10390	15585	23482	10450	15675	23617	10510	15765	23753	10570	15855	23889	10630	15936	23966	10690	16016	24016	10750	16026	24066	10810	16106	24146
10391	15587	23485	10451	15677	23621	10511	15767	23757	10571	15857	23892	10631	15937	23967	10691	16017	24017	10751	16027	24067	10811	16107	24147
10392	15588	23487	10452	15678	23622	10512	15768	23758	10572	15858	23893	10632	15938	23968	10692	16018	24018	10752	16028	24068	10812	16108	24148
10393	15590	23490	10453	15680	23626	10513	15770	23761	10573	15860	23897	10633	15939	23969	10693	16019	24019	10753	16029	24069	10813	16109	24149
10394	15591	23491	10454	15681	23627	10514	15771	23763	10574	15861	23898	10634	15940	23970	10694	16020	24020	10754	16030	24070	10814	16110	24150
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10397	15596	23499	10457	15686	23634	10517	15776	23770	10577	15866	23905	10637	15943	23973	10697	16023	24023	10757	16033	24073	10817	16113	24153
10398	15597	23501	10458	15687	23636	10518	15777	23772	10578	15867	23908	10638	15944	23974	10698	16024	24024	10758	16034	24074	10818	16114	24154
10399	15599	23503	10459	15689	23639	10519	15779	23774	10579	15869	23910	10639	15945	23975	10699	16025	24025	10759	16035	24075	10819	16115	24155
10400	15600	23504	10460	15690	23640	10520	15780	23776	10580	15870	23911	10640	15946	23976	10700	16026	24026	10760	16036	24076	10820	16116	24156
10401	15602	23508	10461	15692	23644	10521	15782	23779	10581	15872	23915	10641	15947	23977	10701	16027	24027	10761	16037	24077	10821	16117	24157
10402	15603	23509	10462	15693	23645	10522	15783	23780	10582	15873	23916	10642	15948	23978	10702	16028	24028	10762	16038	24078	10822	16118	24158
10403	15605	23513	10463	15695	23648	10523	15785	23784	10583	15875	23919	10643	15949	23979	10703	16029	24029	10763	16039	24079	10823	16119	24159
10404	15606	23514	10464	15696	23650	10524	15786	23785	10584	15876	23921	10644	15950	23980	10704	16030	24030	10764	16040	24080	10824	16120	24160
10405	15608	23516	10465	15698	23652	10525	15788	23788	10585	15878	23923	10645	15951	23981	10705	16031	24031	10765	16041	24081	10825	16121	24161
10406	15609	23519	10466	15699	23654	10526	15789	23790	10586	15879	23925	10646	15952	23982	10706	16032	24032	10766	16042	24082	10826	16122	24162
10407	15611	23521	10467	15701	23657	10527	15791	23792	10587	15881	23928	10647	15953	23983	10707	16033	24033	10767	16043	24083	10827	16123	24163
10408	15612	23523	10468	15702	23659	10528	15792	23795	10588	15882	23930	10648	15954	23984	10708	16034	24034	10768	16044	24084	10828	16124	24164
10409	15614	23526	10469	15704	23661	10529	15794	23797	10589	15884	23933	10649	15955	23985	10709	16035	24035	10769	16045	24085	10829	16125	24165
10410	15615	23527	10470	15705	23663	10530	15795	23798	10590	15885	23934	10650	15956	23986	10710	16036	24036	10770	16046	24086	10830	16126	24166
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10412	15618	23532	10472	15708	23667	10532	15798	23803	10592	15888	23939	10652	15958	23988	10712	16038	24038	10772	16048	24088	10832	16128	24168
10413	15620	23535	10473	15710	23671	10533	15800	23806	10593	15890	23942	10653	15959	23989	10713	16039	24039	10773	16049	24089	10833	16129	24169
10414	15621	23537	10474	15711	23672	10534	15801	23808	10594	15891	23943	10654	15960	23990	10714	16040	24040	10774	16050	24090	10834	16130	24170
10415	15623	23539	10475	15713	23675	10535	15803	23810	10595	15893	23946	10655	15961	23991	10715	16041	24041	10775	16051	24091	10835	16131	24171
10416	15624	23541	10476	15714	23677	10536	15804	23812	10596	15894	23948	10656	15962	23992	10716	16042	24042	10776	16052	24092	10836	16132	24172
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10418	15627	23546	10478	15717	23682	10538	15807	23817	10598	15897	23953	10658	15964	23994	10718	16044	24044	10778	16054	24094	10838	16134	24174
10419	15629	23548	10479	15719	23684</																		

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BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension			BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension			BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
10611	15917	23983	10671	16007	24118	10731	16097	24254	10791	16187	24389	10851	16277	24491	10911	16367	24593
10612	15918	23984	10672	16008	24119	10732	16098	24255	10792	16188	24390	10852	16278	24492	10912	16368	24594
10613	15920	23987	10673	16010	24123	10733	16100	24258	10793	16190	24394	10853	16279	24493	10913	16369	24595
10614	15921	23989	10674	16011	24124	10734	16101	24260	10794	16191	24395	10854	16280	24494	10914	16370	24596
10615	15923	23991	10675	16013	24127	10735	16103	24262	10795	16193	24398	10855	16281	24495	10915	16371	24597
10616	15924	23993	10676	16014	24129	10736	16104	24264	10796	16194	24400	10856	16282	24496	10916	16372	24598
10617	15926	23996	10677	16016	24131	10737	16106	24267	10797	16196	24403	10857	16283	24497	10917	16373	24599
10618	15927	23998	10678	16017	24134	10738	16107	24269	10798	16197	24405	10858	16284	24498	10918	16374	24600
10619	15929	24000	10679	16019	24136	10739	16109	24272	10799	16199	24407	10859	16285	24499	10919	16375	24601
10620	15930	24002	10680	16020	24137	10740	16110	24273	10800	16200	24408	10860	16286	24500	10920	16376	24602
10621	15932	24005	10681	16022	24141	10741	16112	24276	10801	16202	24412	10861	16287	24501	10921	16377	24603
10622	15933	24006	10682	16023	24142	10742	16113	24278	10802	16203	24413	10862	16288	24502	10922	16378	24604
10623	15935	24010	10683	16025	24145	10743	16115	24281	10803	16205	24417	10863	16289	24503	10923	16379	24605
10624	15936	24011	10684	16026	24147	10744	16116	24282	10804	16206	24418	10864	16290	24504	10924	16380	24606
10625	15938	24014	10685	16028	24149	10745	16118	24285	10805	16208	24420	10865	16291	24505	10925	16381	24607
10626	15939	24016	10686	16029	24151	10746	16119	24287	10806	16209	24423	10866	16292	24506	10926	16382	24608
10627	15941	24018	10687	16031	24154	10747	16121	24290	10807	16211	24425	10867	16293	24507	10927	16383	24609
10628	15942	24021	10688	16032	24156	10748	16122	24292	10808	16212	24427	10868	16294	24508	10928	16384	24610
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10630	15945	24024	10690	16035	24160	10750	16125	24295	10810	16215	24431	10870	16296	24510	10930	16386	24612
10631	15947	24028	10691	16037	24163	10751	16127	24299	10811	16217	24435	10871	16297	24511	10931	16387	24613
10632	15948	24029	10692	16038	24165	10752	16128	24300	10812	16218	24436	10872	16298	24512	10932	16388	24614
10633	15950	24032	10693	16040	24168	10753	16130	24304	10813	16220	24439	10873	16299	24513	10933	16389	24615
10634	15951	24034	10694	16041	24169	10754	16131	24305	10814	16221	24441	10874	16300	24514	10934	16390	24616
10635	15953	24036	10695	16043	24172	10755	16133	24307	10815	16223	24443	10875	16301	24515	10935	16391	24617
10636	15954	24038	10696	16044	24174	10756	16134	24310	10816	16224	24445	10876	16302	24516	10936	16392	24618
10637	15956	24041	10697	16046	24177	10757	16136	24312	10817	16226	24448	10877	16303	24517	10937	16393	24619
10638	15957	24043	10698	16047	24179	10758	16137	24314	10818	16227	24450	10878	16304	24518	10938	16394	24620
10639	15959	24046	10699	16049	24181	10759	16139	24317	10819	16229	24452	10879	16305	24519	10939	16395	24621
10640	15960	24047	10700	16050	24182	10760	16140	24318	10820	16230	24454	10880	16306	24520	10940	16396	24622
10641	15962	24050	10701	16052	24186	10761	16142	24322	10821	16232	24457	10881	16307	24521	10941	16397	24623
10642	15963	24052	10702	16053	24187	10762	16143	24323	10822	16233	24458	10882	16308	24522	10942	16398	24624
10643	15965	24055	10703	16055	24191	10763	16145	24326	10823	16235	24462	10883	16309	24523	10943	16399	24625
10644	15966	24056	10704	16056	24192	10764	16146	24328	10824	16236	24463	10884	16310	24524	10944	16400	24626
10645	15968	24059	10705	16058	24194	10765	16148	24330	10825	16238	24466	10885	16311	24525	10945	16401	24627
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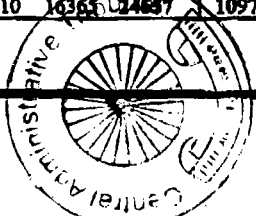


Dr. P. S. S. S. S.
Director (P. S. S. S.)
Dept. of Pension (P. S. S.)

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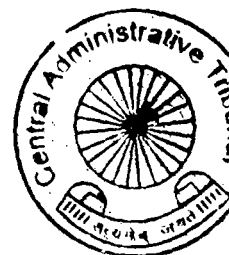
BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP Revised (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre 2006) Pension with DP
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10865	16298	24556	10925	16388	24692	10985	16478	24827	11045	16568	24963
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10870	16305	24567	10930	16395	24702	10990	16485	24838	11050	16575	24973
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C. S. S. S. S.
Copy of Pension of P. S. S.
Copy of Pension of P. S. S.



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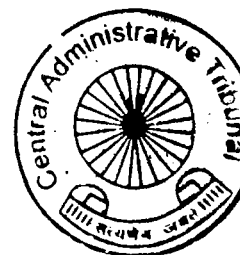
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11115	16673	25121	11175	16763	25257	11235	16853	25392
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11119	16679	25130	11179	16769	25266	11239	16859	25402
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BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP
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11390	17085	25742	11450	17175	25877	11510	17265	26013	11570	17355	26149

Mr. A. S. Srinivas
Joint Secy (P)
Dept. of Pension & Ret.
Govt. of Andhra Pradesh

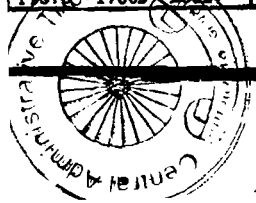
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BP (pre2006) without DP			BP Revised (pre2006) with DP			BP (pre2006) without DP			BP Revised (pre2006) with DP			BP (pre2006) without DP			BP Revised (pre2006) with DP		
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(M. P. SINGH)
Director (P. P.)
Dept. of Pension & P. V.
Govt. of India



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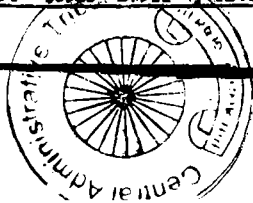
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12073	18110	27287	12133	18200	27422	12193	18290	27558	12253	18380	27694	12074	18111	27288	12134	18201	27424	12194	18291	27559	12254	18381	27695
12075	18113	27291	12135	18203	27426	12195	18293	27562	12255	18383	27697	12076	18114	27293	12136	18204	27428	12196	18294	27564	12256	18384	27700
12077	18116	27295	12137	18206	27431	12197	18296	27567	12257	18386	27702	12078	18117	27298	12138	18207	27433	12198	18297	27569	12258	18387	27704
12079	18119	27300	12139	18209	27436	12199	18299	27571	12259	18389	27707	12080	18120	27301	12140	18210	27437	12200	18300	27572	12260	18390	27708
12081	18122	27305	12141	18212	27440	12201	18302	27576	12261	18392	27712	12082	18123	27306	12142	18213	27442	12202	18303	27577	12262	18393	27713
12083	18125	27309	12143	18215	27445	12203	18305	27581	12263	18395	27716	12084	18126	27311	12144	18216	27446	12204	18306	27582	12264	18396	27718
12085	18128	27313	12145	18218	27449	12205	18308	27584	12265	18398	27720	12086	18129	27315	12146	18219	27451	12206	18309	27587	12266	18399	27722
12087	18131	27318	12147	18221	27454	12207	18311	27589	12267	18401	27725	12088	18132	27320	12148	18222	27456	12208	18312	27591	12268	18402	27727
12089	18134	27323	12149	18224	27458	12209	18314	27594	12269	18404	27729	12090	18135	27324	12150	18225	27459	12210	18315	27595	12270	18405	27731
12091	18137	27327	12151	18227	27463	12211	18317	27599	12271	18407	27734	12092	18138	27329	12152	18228	27464	12212	18318	27600	12272	18408	27735
12093	18140	27332	12153	18230	27468	12213	18320	27603	12273	18410	27739	12094	18141	27333	12154	18231	27469	12214	18321	27605	12274	18411	27740
12095	18143	27336	12155	18233	27471	12215	18323	27607	12275	18413	27743	12096	18144	27338	12156	18234	27474	12216	18324	27609	12276	18414	27745
12097	18146	27341	12157	18236	27476	12217	18326	27612	12277	18416	27747	12098	18147	27343	12158	18237	27478	12218	18327	27614	12278	18417	27750
12099	18149	27345	12159	18239	27481	12219	18329	27616	12279	18419	27753	12100	18150	27346	12160	18240	27482	12220	18330	27618	12280	18420	27755
12101	18152	27350	12161	18242	27486	12221	18332	27621	12281	18422	27757	12102	18153	27351	12162	18243	27487	12222	18333	27622	12282	18423	27758
12103	18155	27355	12163	18245	27490	12223	18335	27626	12283	18425	27761	12104	18156	27356	12164	18246	27492	12224	18336	27627	12284	18426	27763
12105	18158	27358	12165	18248	27494	12225	18338	27630	12285	18428	27765	12106	18159	27361	12166	18249	27496	12226	18339	27632	12286	18429	27767
12107	18161	27363	12167	18251	27499	12227	18341	27634	12287	18431	27770	12108	18162	27365	12168	18252	27501	12228	18342	27637	12288	18432	27772
12109	18164	27368	12169	18254	27503	12229	18344	27639	12289	18434	27775	12110	18165	27369	12170	18255	27505	12230	18345	27640	12290	18435	27776

For
Signature of
Secretary (P)
Dept. of Pension & P.
Govt. of India



BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension with DP			BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension with DP			BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
12291	18437	27779	12331	18527	27915	12411	18617	28051	12471	18707	28186	12551	18793	28318	12631	18879	28445
12292	18438	27781	12352	18528	27916	12412	18618	28052	12472	18708	28187	12552	18794	28319	12632	18880	28446
12293	18440	27784	12353	18530	27920	12413	18620	28055	12473	18710	28191	12553	18795	28320	12633	18881	28447
12294	18441	27785	12354	18531	27921	12414	18621	28057	12474	18711	28192	12554	18796	28321	12634	18882	28448
12295	18443	27788	12355	18533	27923	12415	18623	28059	12475	18713	28195	12555	18797	28322	12635	18883	28449
12296	18444	27790	12356	18534	27926	12416	18624	28061	12476	18714	28197	12556	18798	28323	12636	18884	28450
12297	18446	27793	12357	18536	27928	12417	18626	28064	12477	18716	28199	12557	18799	28324	12637	18885	28451
12298	18447	27795	12358	18537	27930	12418	18627	28066	12478	18717	28202	12558	18800	28325	12638	18886	28452
12299	18449	27797	12359	18539	27933	12419	18629	28068	12479	18719	28204	12559	18801	28326	12639	18887	28453
12300	18450	27798	12360	18540	27934	12420	18630	28070	12480	18720	28205	12560	18802	28327	12640	18888	28454
12301	18452	27802	12361	18542	27938	12421	18632	28073	12481	18722	28209	12561	18803	28328	12641	18889	28455
12302	18453	27803	12362	18543	27939	12422	18633	28074	12482	18723	28210	12562	18804	28329	12642	18890	28456
12303	18455	27807	12363	18545	27942	12423	18635	28078	12483	18725	28213	12563	18805	28330	12643	18891	28457
12304	18456	27808	12364	18546	27944	12424	18636	28079	12484	18726	28215	12564	18806	28331	12644	18892	28458
12305	18458	27810	12365	18548	27946	12425	18638	28082	12485	18728	28217	12565	18807	28332	12645	18893	28459
12306	18459	27813	12366	18549	27948	12426	18639	28084	12486	18729	28219	12566	18808	28333	12646	18894	28460
12307	18461	27815	12367	18551	27951	12427	18641	28086	12487	18731	28222	12567	18809	28334	12647	18895	28461
12308	18462	27817	12368	18552	27953	12428	18642	28089	12488	18732	28224	12568	18810	28335	12648	18896	28462
12309	18464	27820	12369	18554	27955	12429	18644	28091	12489	18734	28227	12569	18811	28336	12649	18897	28463
12310	18465	27821	12370	18555	27957	12430	18645	28092	12490	18735	28228	12570	18812	28337	12650	18898	28464
12311	18467	27825	12371	18557	27960	12431	18647	28096	12491	18737	28231	12571	18813	28338	12651	18899	28465
12312	18468	27826	12372	18558	27961	12432	18648	28097	12492	18738	28233	12572	18814	28339	12652	18900	28466
12313	18470	27829	12373	18560	27965	12433	18650	28100	12493	18740	28236	12573	18815	28340	12653	18901	28467
12314	18471	27831	12374	18561	27966	12434	18651	28102	12494	18741	28237	12574	18816	28341	12654	18902	28468
12315	18473	27833	12375	18563	27969	12435	18653	28104	12495	18743	28240	12575	18817	28342	12655	18903	28469
12316	18474	27835	12376	18564	27971	12436	18654	28106	12496	18744	28242	12576	18818	28343	12656	18904	28470
12317	18476	27838	12377	18566	27973	12437	18656	28109	12497	18746	28245	12577	18819	28344	12657	18905	28471
12318	18477	27840	12378	18567	27976	12438	18657	28111	12498	18747	28247	12578	18820	28345	12658	18906	28472
12319	18479	27842	12379	18569	27978	12439	18659	28114	12499	18749	28249	12579	18821	28346	12659	18907	28473
12320	18480	27844	12380	18570	27979	12440	18660	28115	12500	18750	28250	12580	18822	28347	12660	18908	28474
12321	18482	27847	12381	18572	27983	12441	18662	28118	12501	18752	28254	12581	18823	28348	12661	18909	28475
12322	18483	27848	12382	18573	27984	12442	18663	28120	12502	18753	28255	12582	18824	28349	12662	18910	28476
12323	18485	27852	12383	18575	27987	12443	18665	28123	12503	18755	28259	12583	18825	28350	12663	18911	28477
12324	18486	27853	12384	18576	27989	12444	18666	28124	12504	18756	28260	12584	18826	28351	12664	18912	28478
12325	18488	27856	12385	18578	27991	12445	18668	28127	12505	18758	28262	12585	18827	28352	12665	18913	28479
12326	18489	27858	12386	18579	27993	12446	18669	28129	12506	18759	28265	12586	18828	28353	12666	18914	28480
12327	18491	27860	12387	18581	27996	12447	18671	28132	12507	18761	28267	12587	18829	28354	12667	18915	28481
12328	18492	27863	12388	18582	27998	12448	18672	28134	12508	18762	28269	12588	18830	28355	12668	18916	28482
12329	18494	27865	12389	18584	28001	12449	18674	28136	12509	18764	28272	12589	18831	28356	12669	18917	28483
12330	18495	27866	12390	18585	28002	12450	18675	28137	12510	18765	28273	12590	18832	28357	12670	18918	28484
12331	18497	27870	12391	18587	28005	12451	18677	28141	12511	18767	28277	12591	18833	28358	12671	18919	28485
12332	18498	27871	12392	18588	28007	12452	18678	28142	12512	18768	28278	12592	18834	28359	12672	18920	28486
12333	18500	27874	12393	18590	28010	12453	18680	28146	12513	18770	28281	12593	18835	28360	12673	18921	28487
12334	18501	27876	12394	18591	28011	12454	18681	28147	12514	18771	28283	12594	18836	28361	12674	18922	28488
12335	18503	27878	12395	18593	28014	12455	18683	28149	12515	18773	28285	12595	18837	28362	12675	18923	28489
12336	18504	27880	12396	18594	28016	12456	18684	28152	12516	18774	28287	12596	18838	28363	12676	18924	28490
12337	18506	27883	12397	18596	28019	12457	18686	28154	12517	18776	28290	12597	18839	28364	12677	18925	28491
12338	18507	27885	12398	18597	28021	12458	18687	28156	12518	18777	28292	12598	18840	28365	12678	18926	28492
12339	18509	27888	12399	18599	28023	12459	18689	28159	12519	18779	28294	12599	18841	28366	12679	18927	28493
12340	18510	27889	12400	18600	28024	12460	18690	28160	12520	18780	28296	12600	18842	28367	12680	18928	28494
12341	18512	27892	12401	18602	28028	12461	18692	28164	12521	18782	28299	12601	18843	28368	12681	18929	28495
12342	18513	27894	12402	18603	28029	12462	18693	28165	12522	18783	28300	12602	18844	28369	12682	18930	28496
12343	18515	27897	12403	18605	28033	12463	18695	28168	12523	18785	28304	12603	18845	28370	12683	18931	28497
12344	18516	27898	12404	18606	28034	12464	18696	28170	12524	18786	28305	12604	18846	28371	12684	18932	28498
12345	18518	27901	12405	18608	28036	12465	18698	28172	12525	18788	28308	12605	18847	28372	12685	18933	28499
12346	18519	27903	12406	18609	28039	12466	18699	28174	12526	18789	28310	12606	18848	28373	12686	18934	28500
12347	18521	27906	12407	18611	28041	12467	18701	28177	12527	18791	28312	12607	18849	28374	12687	18935	28501
12348	18522	27908	12408	18612	28043	12468	18702	28179	12528	18792	28315	12608	18850	28375	12688	18936	28502
12349	18524	27910	12409	18614	28046	12469	18704	28181	12529	18794	28317	12609	18851	28376	12689	18937	28503
12350	18525	27911	12410	18615	28047	12470	18705	28183	12530	18795	28318	12610	18852	28377	12690	18938	28504

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BP (pre2006) without 2006 Pension DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without 2006 Pension DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without 2006 Pension DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP	BP (pre2006) without 2006 Pension DP	BP Revised (pre Consolidated 2006) Pension with DP	BP Revised (pre Consolidated 2006) Pension with DP
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
12531	18797	28322	12591	18887	28457	12651	18977	28593	12711	19067	28729
12532	18798	28323	12592	18888	28459	12652	18978	28594	12712	19068	28730
12533	18800	28326	12593	18890	28462	12653	18980	28598	12713	19070	28733
12534	18801	28328	12594	18891	28463	12654	18981	28599	12714	19071	28735
12535	18803	28330	12595	18893	28466	12655	18983	28601	12715	19073	28737
12536	18804	28332	12596	18894	28468	12656	18984	28604	12716	19074	28739
12537	18806	28335	12597	18896	28471	12657	18986	28606	12717	19076	28742
12538	18807	28337	12598	18897	28473	12658	18987	28608	12718	19077	28744
12539	18809	28340	12599	18899	28475	12659	18989	28611	12719	19079	28746
12540	18810	28341	12600	18900	28476	12660	18990	28612	12720	19080	28748
12541	18812	28344	12601	18902	28480	12661	18992	28616	12721	19082	28751
12542	18813	28346	12602	18903	28481	12662	18993	28617	12722	19083	28752
12543	18815	28349	12603	18905	28485	12663	18995	28620	12723	19085	28756
12544	18816	28350	12604	18906	28486	12664	18996	28622	12724	19086	28757
12545	18818	28353	12605	18908	28488	12665	18998	28624	12725	19088	28760
12546	18819	28355	12606	18909	28491	12666	18999	28626	12726	19089	28762
12547	18821	28358	12607	18911	28493	12667	19001	28629	12727	19091	28764
12548	18822	28360	12608	18912	28495	12668	19002	28631	12728	19092	28767
12549	18824	28362	12609	18914	28498	12669	19004	28633	12729	19094	28769
12550	18825	28363	12610	18915	28499	12670	19005	28635	12730	19095	28770
12551	18827	28367	12611	18917	28503	12671	19007	28638	12731	19097	28774
12552	18828	28368	12612	18918	28504	12672	19008	28639	12732	19098	28775
12553	18830	28372	12613	18920	28507	12673	19010	28643	12733	19100	28778
12554	18831	28373	12614	18921	28509	12674	19011	28644	12734	19101	28780
12555	18833	28375	12615	18923	28511	12675	19013	28647	12735	19103	28782
12556	18834	28378	12616	18924	28513	12676	19014	28649	12736	19104	28784
12557	18836	28380	12617	18926	28516	12677	19016	28651	12737	19106	28787
12558	18837	28382	12618	18927	28518	12678	19017	28654	12738	19107	28789
12559	18839	28385	12619	18929	28520	12679	19019	28656	12739	19109	28792
12560	18840	28386	12620	18930	28522	12680	19020	28657	12740	19110	28793
12561	18842	28390	12621	18932	28525	12681	19022	28661	12741	19112	28796
12562	18843	28391	12622	18933	28526	12682	19023	28662	12742	19113	28798
12563	18845	28394	12623	18935	28530	12683	19025	28665	12743	19115	28801
12564	18846	28396	12624	18936	28531	12684	19026	28667	12744	19116	28802
12565	18848	28398	12625	18938	28534	12685	19028	28669	12745	19118	28805
12566	18849	28400	12626	18939	28536	12686	19029	28671	12746	19119	28807
12567	18851	28403	12627	18941	28538	12687	19031	28674	12747	19121	28810
12568	18852	28405	12628	18942	28541	12688	19032	28676	12748	19122	28812
12569	18854	28407	12629	18944	28543	12689	19034	28679	12749	19124	28814
12570	18855	28409	12630	18945	28544	12690	19035	28680	12750	19125	28815
12571	18857	28412	12631	18947	28548	12691	19037	28683	12751	19127	28819
12572	18858	28413	12632	18948	28549	12692	19038	28685	12752	19128	28820
12573	18860	28417	12633	18950	28552	12693	19040	28688	12753	19130	28824
12574	18861	28418	12634	18951	28554	12694	19041	28689	12754	19131	28825
12575	18863	28421	12635	18953	28556	12695	19043	28692	12755	19133	28827
12576	18864	28423	12636	18954	28558	12696	19044	28694	12756	19134	28830
12577	18866	28425	12637	18956	28561	12697	19046	28697	12757	19136	28832
12578	18867	28428	12638	18957	28563	12698	19047	28699	12758	19137	28834
12579	18869	28430	12639	18959	28566	12699	19049	28701	12759	19139	28837
12580	18870	28431	12640	18960	28567	12700	19050	28702	12760	19140	28838
12581	18872	28435	12641	18962	28570	12701	19052	28706	12761	19142	28842
12582	18873	28436	12642	18963	28572	12702	19053	28707	12762	19143	28843
12583	18875	28439	12643	18965	28575	12703	19055	28711	12763	19145	28846
12584	18876	28441	12644	18966	28576	12704	19056	28712	12764	19146	28848
12585	18878	28443	12645	18968	28579	12705	19058	28714	12765	19148	28850
12586	18879	28445	12646	18969	28581	12706	19059	28717	12766	19149	28852
12587	18881	28448	12647	18971	28584	12707	19061	28719	12767	19151	28855
12588	18882	28450	12648	18972	28586	12708	19062	28721	12768	19152	28857
12589	18884	28453	12649	18974	28588	12709	19064	28724	12769	19154	28859
12590	18885	28454	12650	18975	28589	12710	19065	28725	12770	19155	28861

M. P. S. S. S. S.
Director (P. P.)
Dept. of Pension (P. P.)
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BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension with DP			BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension with DP			BP (pre2006) without DP			BP Revised (pre Consolidated 2006) Pension with DP		
(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
12771	19137	28864	12831	19247	29000	12891	19337	29135	12951	19437	29271	12771	19137	28864	12831	19247	29000
12772	19158	28865	12832	19248	29001	12892	19338	29137	12952	19438	29272	12772	19158	28865	12832	19248	29001
12773	19160	28869	12833	19250	29004	12893	19340	29140	12953	19439	29276	12773	19160	28869	12833	19250	29004
12774	19161	28870	12834	19251	29006	12894	19341	29141	12954	19439	29277	12774	19161	28870	12834	19251	29006
12775	19163	28873	12835	19253	29008	12895	19343	29144	12955	19439	29279	12775	19163	28873	12835	19253	29008
12776	19164	28875	12836	19254	29010	12896	19344	29146	12956	19439	29282	12776	19164	28875	12836	19254	29010
12777	19166	28877	12837	19256	29013	12897	19346	29149	12957	19439	29284	12777	19166	28877	12837	19256	29013
12778	19167	28880	12838	19257	29015	12898	19347	29151	12958	19437	29286	12778	19167	28880	12838	19257	29015
12779	19169	28882	12839	19259	29018	12899	19349	29153	12959	19439	29289	12779	19169	28882	12839	19259	29018
12780	19170	28883	12840	19260	29019	12900	19350	29154	12960	19440	29290	12780	19170	28883	12840	19260	29019
12781	19172	28887	12841	19262	29022	12901	19352	29158	12961	19442	29294	12781	19172	28887	12841	19262	29022
12782	19173	28888	12842	19263	29024	12902	19353	29159	12962	19443	29295	12782	19173	28888	12842	19263	29024
12783	19175	28891	12843	19265	29027	12903	19355	29163	12963	19445	29298	12783	19175	28891	12843	19265	29027
12784	19176	28893	12844	19266	29028	12904	19356	29164	12964	19446	29300	12784	19176	28893	12844	19266	29028
12785	19178	28895	12845	19268	29031	12905	19358	29166	12965	19448	29302	12785	19178	28895	12845	19268	29031
12786	19179	28897	12846	19269	29033	12906	19359	29169	12966	19449	29304	12786	19179	28897	12846	19269	29033
12787	19181	28900	12847	19271	29036	12907	19361	29171	12967	19451	29307	12787	19181	28900	12847	19271	29036
12788	19182	28902	12848	19272	29038	12908	19362	29173	12968	19452	29309	12788	19182	28902	12848	19272	29038
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12792	19188	28911	12852	19278	29046	12912	19368	29182	12972	19458	29317	12792	19188	28911	12852	19278	29046
12793	19190	28914	12853	19280	29050	12913	19370	29185	12973	19460	29321	12793	19190	28914	12853	19280	29050
12794	19191	28915	12854	19281	29051	12914	19371	29187	12974	19461	29322	12794	19191	28915	12854	19281	29051
12795	19193	28918	12855	19283	29053	12915	19373	29189	12975	19463	29325	12795	19193	28918	12855	19283	29053
12796	19194	28920	12856	19284	29056	12916	19374	29191	12976	19464	29327	12796	19194	28920	12856	19284	29056
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12798	19197	28925	12858	19287	29060	12918	19377	29196	12978	19467	29332	12798	19197	28925	12858	19287	29060
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12804	19206	28938	12864	19296	29074	12924	19386	29209	12984	19476	29345	12804	19206	28938	12864	19296	29074
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12817	19226	28968	12877	19316	29103	12937	19406	29239	12997	19495	29375	12817	19226	28968	12877	19316	29103
12818	19227	28970	12878	19317	29106	12938	19407	29241	12998	19497	29377	12818	19227	28970	12878	19317	29106
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12821	19232	28977	12881	19322	29113	12941	19412	29248	*13000	19500	40000	12821	19232	28977	12881	19322	29113
12822	19233	28978	12882	19323	29114	12942	19413	29250	*15000	22500	45000	12822	19233	28978	12882	19323	29114
12823	19235	28982	12883	19325	29117	12943	19415	29253				12823	19235	28982	12883	19325	29117
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12825	19238	28986	12885	19328	29121	12945	19418	29257				12825	19238	28986	12885	19328	29121
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12829	19244	28995	12889	19334	29131	12949	19424	29266				12829	19244	28995	12889	19334	29131
12830	19245	28998	12890	19335	29132	12950	19425	29267				12830	19245	28998	12890	19335	29132

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Note : 1. Basic Pension includes commuted value of Pension

2. BP (pre 2006) without DP (column 1) means Basic Pension/Family Pension without Dearness Pension/Family Dearness Pension before 1.4.2004

3. BP (pre 2006) with DP (column 2) means Basic Pension/Family Pension with Dearness Pension/ Family Dearness Pension after 1.4.2004

* Revised Consolidated Pension in respect of fixed scales of Pay of Secretary and Cabinet Secretary

M. B. S.
Director
Deptt. of Pension
Govt. of India



ANNEXURE II

Form of intimation by the Pension Disbursing Authority to the Central Pension Accounting Office/Pay and Accounts Office regarding consolidation of pension in terms of Department of Pension and Pensioners Welfare Office Memorandum No. No.38/37/08-P&PW(A)-Part-II dated

1. Name of the Pensioner/Family Pensioner
2. PPO No.
3. Date of Birth/age
4. Date of retirement/Death (In case of family pension)
5. Savings Bank A/C No.
6. Name of the Bank/Paying Branch
7. Bank Code No.
8. Computation of consolidated pension/family pension
Pension / Family Pension / Family Pension (At enhanced rate)

Pension	Family Pension/Enhanced Family Pension
(A) Existing basic pension (inclusive of commuted portion) (excluding the effect of merger of 50% of dearness relief)	(A) Existing basic Family Pension /Enhanced family pension (excluding the effect of merger of 50% of dearness relief)
(B) Dearness Pension	(B) Dearness Pension
(C) Dearness Relief upto CPI 550(Base year 1982=100) i.e. 24% of Family Pension as drawn.	(C) Dearness Relief upto CPI 550(Base year 1982=100) i.e. 24% of Family Pension as drawn.
(D) 40% of the Basic Pension as at (A) above.	(D) 40% of the Basic Family Pension as at (A) above.
(F) Consolidated Pension (A+B+C+D)	(F) Consolidated Family Pension (A+B+C+D)

Note:

1. The final revision of pension in respect of pensioners will be done by the Pay & Accounts Office concerned.

2. The final revision of Family Pension will also be done by the Pay & Accounts Office concerned.

If not applicable draw a line across.)

9. Whether consolidated pension/family pension is final or allowed as immediate relief.
10. Remarks, if any.

SIGNATURE OF PENSION DISBURSING AUTHORITY

To
1. Central Pension Accounting Office
Ministry of Finance,
Department of Expenditure,
Trikoat-II, Bhikaji Cama Place,
New Delhi - 110 066.

2. Concerned Pay & Accounts Office

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F. No 38/37/08-P&PW(A)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners' Welfare
Lok Nayak Bhawan, New Delhi-110003

Dated, the 2nd September, 2008

OFFICE MEMORANDUM

Sub: Implementation of Government's decision on the recommendation of the Sixth Central Pay Commission - Revision of provisions regulating pension/gratuity/commutation of pension/family pension/disability pension/ex-gratia lump-sum compensation.

1. The undersigned is directed to state that in pursuance of Government's decision on the recommendation of the Sixth Central Pay Commission, the President is pleased to introduce the following modifications in the rules regulating pension, Retirement/Death/Service Gratuity/Family Pension/disability pension and ex-gratia lump-sum compensation under the CCS (Pension) Rules, 1972 (hereafter referred to as Pension Rules) and Commutation of Pension under CCS (Commutation of Pension) Rules, 1981, CCS (Extraordinary Pension) Rules, 1939, etc.

These orders apply to Central Government Employees governed by the CCS (Pension) Rules, 1972. Separate orders will be issued by the Ministry of Defence, Ministry of Railways and the AIS Division of the DOPT in respect of Armed Forces personnel, Railway employees and the officers of All India services respectively on the basis of these orders.

DATE OF EFFECT

- 3.1 Save as otherwise mentioned in these orders, the revised provisions as per these orders shall apply to Government servants who retire/die in harness on or after 1.1.2006. Separate orders have been issued in respect of employees who retired/died before 1.1.2006.
- 3.2 Where pension/family pension/Gratuity/Commutation of pension, etc has already been sanctioned in cases occurring on or after 1.1.2006, the same shall be revised in terms of these orders. In cases where pension has been finally sanctioned on the pre-revised orders and if it happens to be more beneficial than the pension becoming due under these orders, the pension already sanctioned shall not be revised to the disadvantage of the pensioner in view of Rule 70 of the CCS (Pension) Rules, 1972.

EMOLUMENTS

- 4.1 The term 'Emoluments' for purposes of calculating various pensionary benefits other than various kinds of Gratuity shall have the same meaning as in Rule 33 of the Central Civil Services (Pension) Rules, 1972.
- 4.2 Basic pay in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay, etc.
- 4.3 In the case of all kinds of Gratuity, DA admissible on the date of retirement/death shall continue to be treated as emoluments along with the emoluments as defined in Paragraph 4.1 above.

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PENSION

- 5.1 A Government servant retiring in accordance with the provisions of the CCS(Pension) Rules, 1972 before completing qualifying service of ten years shall not be entitled to pension but he shall continue to be entitled to service gratuity in terms of Rule 49(1) of the CCS(Pension) Rules, 1972.
- 5.2 Linkage Of full pension with 33 years of qualifying service shall be dispensed with. Once a Government servant has rendered the minimum qualifying service of twenty years, pension shall be paid at 50% of the emolument or average emoluments received during the last 10 months, whichever is more beneficial to him.
- 5.3 In cases where Government servant becomes entitled to pension on completion of 10 years of qualifying service in accordance with Rule 49(2) of the CCS (Pension) Rules, 1972, pension in those cases shall also be paid at 50% of the emoluments or average emoluments, whichever is more beneficial to the Government servant.
- 5.4 The revised provisions for calculation of pension in para 5.2 and para 5.3 above shall come into force with effect from the date of issue of this O.M. and shall be applicable to Government servants retiring on or after that date. The government servants who have retired on or after 1.1.2006 but before the date of issue of this O.M. will continue to be governed by the Rules/ orders which were in force immediately before coming into effect of these orders.
- 5.5 The amount of pension shall be subject to a minimum of Rs.3500/- and maximum upto 50% of highest pay in the Government (The highest pay in the Govt. is Rs. 90,000 since 1.1.2006).
- 5.6 The provisions of clauses (a) to (c) of sub-rule (2) of Rule 49 of the Pension Rules shall stand modified to the extent mentioned in para 5.1 to para 5.5 above. The other provisions contained in Rule 49 shall continue to apply.
- 5.7 The quantum of pension available to the old pensioners shall be increased as follows:-

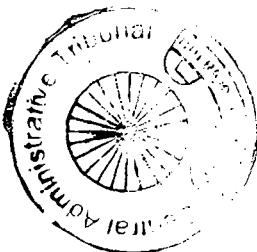
Age of Pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of basic pension
From 85 years to less than 90 years	30% of basic pension
From 90 years to less than 95 years	40% of basic pension
From 95 years to less than 100 years	50% of basic pension
100 years or more	100% of basic pension

The Pension Sanctioning Authorities should ensure that the date of birth and the age of a pensioner is invariably indicated in the pension payment order to facilitate payment of additional pension by the Pension Disbursing Authority as soon as it becomes due. The amount of additional pension will be shown distinctly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and his pension is Rs.10,000 pm, the pension will be shown as (i) Basic pension=Rs.10,000 and (ii) Additional pension = Rs.2,000 pm. The pension on his attaining the age of 85 years will be shown as (i).Basic Pension = Rs.10,000 and (ii) additional pension = Rs.3,000 pm.

GRATUITY

- 6.1 The maximum limit of all kinds of gratuity shall be Rs. 10 lakh. Accordingly, first proviso under Rule 50(1)(b) of Pension Rules shall stand modified to the effect that the

R.Ragdan



amount of retirement gratuity or death gratuity payable under this Rule shall in no case exceed Rs. 10 lakh.

ADDITION TO QUALIFYING SERVICE

- 7.1 In view of revised provisions for computation of pension in para 5 above, the extant benefit of adding years of qualifying service for the purpose of computation of pension shall stand withdrawn with effect from the date of issue of this O.M. Rules 29, 29-A, 30, 48-B and 48-C of the CCS(Pension) Rules, 1972 shall stand modified to this extent.

FAMILY PENSION 1964

- 8.1 Family pension shall be calculated at a uniform rate of 30% of basic pay in all cases and shall be subject to a minimum of Rs.3500/-p.m. and maximum of 30% of the highest pay in the Government. (The highest pay in the Govt. is Rs.90,000 since 1.1.2006). Rule 54(2) relating to Family Pension, 1964 under Pension Rules shall stand modified to this extent.
- 8.2 The enhanced family pension under Rule 54(3)(a)(i) shall be payable to the family of a Government servant who dies in service from the date of death of the Government servant for a period of ten years, without any upper age limit. Rule 54(3)(a)(i) shall stand modified to this extent. There will be no change in the period for payment of enhanced family pension to the family in the case of death of a pensioner.
- 8.3 The quantum of family pension available to the old family pensioners shall be increased as follows:-

Age of family pensioner	Additional quantum of family pension
From 80 years to less than 85 years	20% of basic family pension
From 85 years to less than 90 years	30% of basic family pension
From 90 years to less than 95 years	40% of basic family pension
From 95 years to less than 100 years	50% of basic family pension
100 years or more	100% of basic family pension

The Pension Sanctioning Authorities should ensure that the date of birth and the age of a family pensioner is invariably indicated in the Form 3 (regarding details of family) and the pension payment order to facilitate payment of additional family pension by the pension disbursing authority as soon as it becomes due. The amount of additional family pension will be shown distinctly in the pension payment order. For example, in case where a family pensioner is more than 80 years of age and his/her family pension Rs.10,000 pm, the pension will be shown as (i).Basic family pension=Rs.10,000 and (ii) Additional family pension = Rs.2,000 pm. The family pension on his/her attaining the age of 85 years will be shown as (i).Basic family Pension = Rs.10,000 and (ii) additional pension = Rs.3,000 pm.

- 8.4 For the purpose grant of Family Pension, the 'Family' shall be categorised as under:

Category-I

- (a) Widow or widower, upto the date of death or re-marriage, whichever is earlier;
 (b) Son/daughter(including widowed daughter), upto the date of his/her marriage/re-marriage or till the date he/she starts earning or till the age of 25 years, whichever is the earliest.

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- 3 -



Category-II

- (c) Unmarried/Widowed/Divorced daughter, not covered by Category I above, upto the date of marriage/re-marriage or till the date she starts earning or upto the date of death, whichever is earliest
- (d) Parents who were wholly dependent on the Government servant when he/she was alive provided the deceased employee had left behind neither a widow nor a child. Family pension to dependent parents unmarried/divorced/widowed daughter will continue till the date of death.

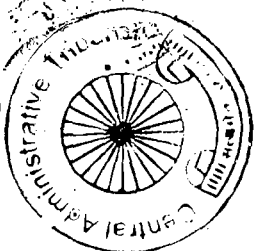
Family pension to Unmarried/ widowed/ divorced daughters in Category II and dependent parents shall be payable only after the other eligible family members in Category I have ceased to be eligible to receive family pension and there is no disabled child to receive the family pension. Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension in that category.

- 8.5 The dependency criteria for the purpose of family pension shall be the minimum family pension along with dearness relief thereon.
- 8.6 The childless widow of a deceased Government employee shall continue to be paid family pension even after her remarriage subject to the condition that the family pension shall cease once her independent income from all other sources becomes equal to or higher than the minimum prescribed family pension in the Central Government. The family pensioner in such cases would be required to give a declaration regarding her income from other sources to the pension disbursing authority every six months.

COMMUTATION OF PENSION

- 9.1 A Government servant shall continue to be entitled to commute for a lumpsum payment up to 40% of his pension.
- 9.2 The existing Table of Commutation Value for Pension Annexed to the CCS (Commutation of Pension) Rules, 1981 shall be substituted by a new Table at Annex. I of this O.M.
- 9.3 The revised Table of Commutation Value for Pension will be used for all commutations of pension which become absolute after the date of issue of this O.M. In the case of those pensioners, in whose case commutation of pension became absolute on or after 1.1.2006 but before the issue of this OM, the pre-revised Table of Commutation Value for Pension will be used for payment of commutation of pension based on pre-revised pay/pension. Such pensioners shall have an option to commute the amount of pension that has become additionally commutable on account of retrospective revision of pay/pension on implementation of the recommendations of the Sixth Central Pay Commission. On exercising such an option by the pensioner, the revised Table of Commutation Value for Pension will be used for the commutation of the additional amount of pension that has become commutable on account of retrospective revision of pay/pension. In all cases where the date of retirement/commutation of pension is on or after the date of issue of this OM, the revised Table of Commutation Value for Pension will be used for commutation of entire pension.
- 9.4 Provisions of CCS (Commutation of Pension) Rules, 1981 shall stand modified in accordance with para 9.2 and 9.3 above.

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CONSTANT ATTENDANT ALLOWANCE

- 10.1 In the case of pensioners who retired on disability pension under the CCS (Extraordinary) Pension Rules, 1939, for 100% disability (where the individual is completely dependent on somebody else for day to day functions), a Constant Attendant Allowance of Rs. 3000/- p.m. shall be allowed in addition to the disability pension on the lines existing in Defence Forces. The CCS (Extraordinary) Pension Rules, 1939 shall stand modified to this extent.

EX GRATIA LUMP SUM COMPENSATION

11. In terms of Department of Pension & PW O.M.No.45/55/97-P&PW(C) dated 11.9.1998, an ex gratia lump sum compensation is available to the families of Central Government Civilian employees, who die in the performance of their *bona fide* official duties under various circumstances. The amount of this ex-gratia lump sum compensation shall be revised as under:

- (a) Death occurring due to accidents in the course of performance of duties Rs. 10.00 lakh
- (b) Death occurring in the course of performance of duties attributable to acts of violence by terrorists, anti-social elements, etc. Rs. 10.00 lakh
- (c) Death occurring (a) enemy action in international war or border skirmishes and (b) action against militants, terrorists, extremists etc. Rs. 15.00 lakh
- (d) Death occurring while on duty in the specified high altitude, inaccessible border posts, etc on account of natural disasters, extreme weather conditions. Rs. 15.00 lakh

The Department of Pension & PW O.M.No.45/55/97-P&PW(C) dated 11.9.1998 shall stand modified to this extent.

12. For the purpose of computing average emoluments in the case of Government servants who have opted for fixation of pay in the revised Pay Structure and retire within 10 months from the date of coming over to the revised Pay Structure, basic pay for 10 months period preceding retirement shall be calculated by taking into account pay as follows:
- (i) For the period during which pay is drawn in revised Pay Structure- Pay drawn in the prescribed pay band plus the applicable grade pay
 - (ii) For the remaining period during which pay is drawn in pre-revised scale of pay-Basic pay plus dearness pay and actual D.A. appropriate to the basic pay at the rates in force on 1.1.2006 drawn during the relevant period.

SPECIAL PROVISION FOR THOSE WHO RETAIN THE PRE-REVISED SCALE OF PAY.

13. The pension and death-cum-retirement gratuity of those, who have elected to continue to draw pay in the pre-revised scale of pay in terms of Rule 5 of the Central Civil Services (Revised Pay) Rules, 2008 and have retired or will be retiring after 01.01.2006, shall be regulated as follows:

R Razdan



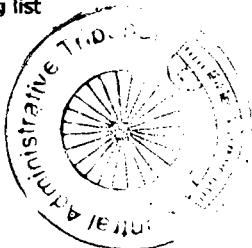
- (i) The term 'Emoluments' will mean 'Pay' as defined in FR 9(21)(a)(i) and will include Dearness pay and DA upto average AICPI 536 (Base year 1982=100).
 - (ii) Pension will be calculated at 50% of emoluments or average emoluments whichever is more beneficial to the employee.
 - (iii) Death-cum-retirement gratuity shall be admissible with reference to emoluments at (i) above plus dearness allowance, under the order in force immediately before coming into effect of these orders. The maximum amount of gratuity shall not exceed Rs. 3,50,000/- in terms of Department of Pension and Pensioners Welfare Office Memorandum No. 45/86/97-P&PW(A) (Part-I) dated 27.10.1997.
 - (iv) Commutation of pension shall be admissible in accordance with the orders in force immediately before coming into effect of these orders.
 - (v) Family pension shall be allowed in accordance with orders applicable prior to the issue of these orders and shall be calculated with reference to basic pay in the pre-revised scale. To the family pension so calculated dearness relief upto average AICPI 536 (Base year 1982=100) at the rate contained in this Department's Office Memorandum No. 42/2/2006-P&PW(G) dated 5.4.2006 shall be added. The amount so arrived at will be regarded as the family pension for regulating payment of dearness relief beyond average AICPI 536.
14. Formal amendments to CCS (Pension) Rules, 1972, CCS (Extraordinary) Pension Rules, 1939 and CCS (Commutation of Pension) Rules, 1981 in terms of the decisions contained in this order will issue in due course. Provisions of the CCS (Pension) Rules 1972, CCS (Extraordinary) Pension Rules, 1939, and CCS(Commutation of Pension) Rules, 1981 which are not specifically modified by these orders, will remain unaffected.
 15. The pension/family pension in terms of these orders will qualify for dearness relief beyond average AICPI 536 under the revised pattern being introduced on the recommendations of the Sixth Central Pay Commission.
 16. These orders issue with approval of the Ministry of finance Department of Expenditure vide their U.O. No4871/SE/2008 dated 2.9.2008.
 17. In their application to the employees of the Indian Audit and Accounts Department, these orders issue in consultation with Comptroller and Auditor General of India.
 18. 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 on a top priority basis.
 19. Hindi version will follow.

Rajni Razdan
Rajni Razdan,

Secretary to the Government of India

To

All Ministries/ Departments of Government of India
As per mailing list



ANNEXURE

COMMUTATION VALUE FOR A PENSION OF Re.1 PER ANNUM

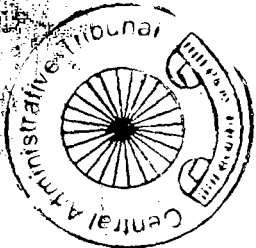
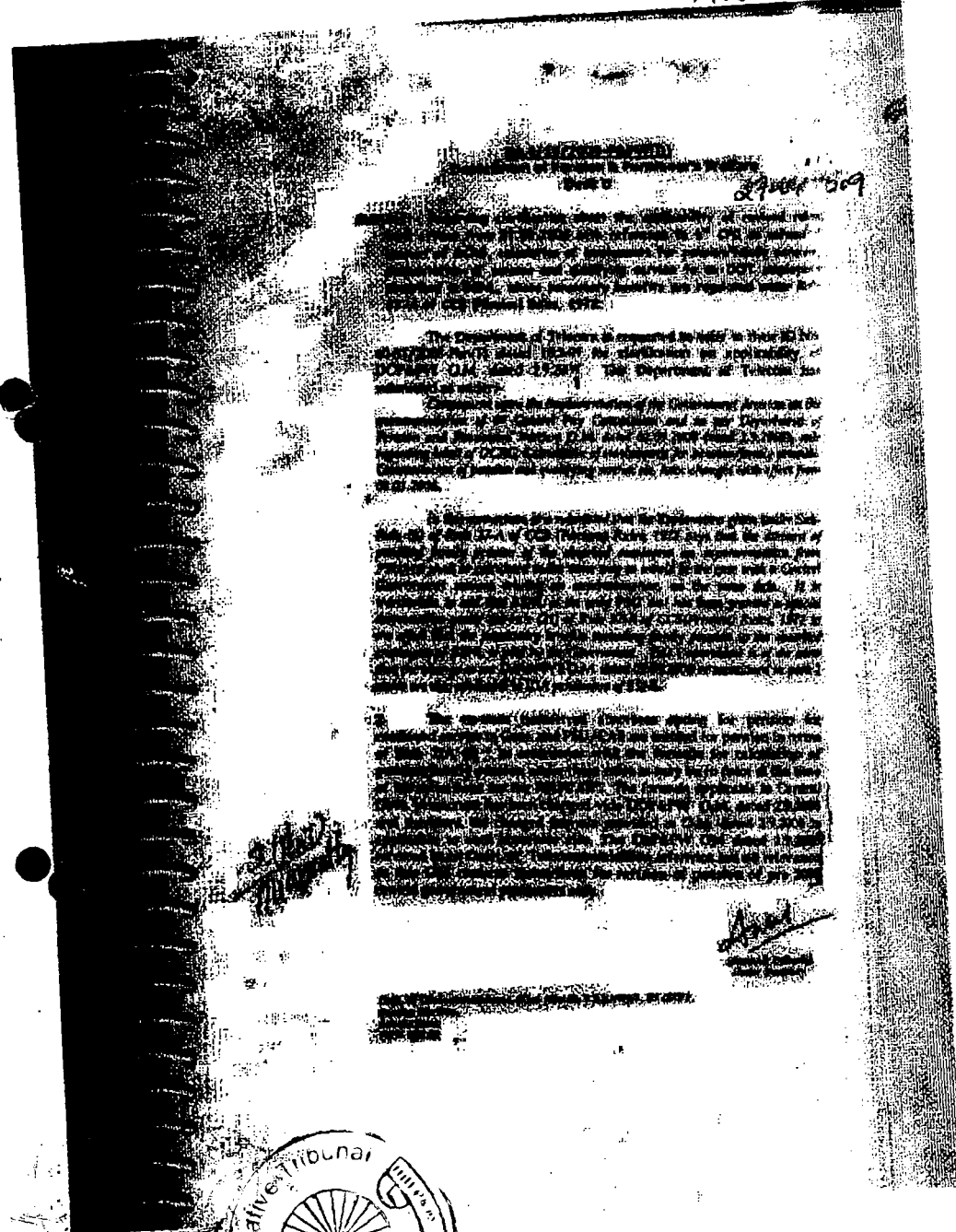
Age next birthday	Commutation value expressed as number of year's purchase	Age next birthday	Commutation value expressed as number of year's purchase	Age next birthday	Commutation value expressed as number of year's purchase
20	9.188	41	9.075	62	8.093
21	9.187	42	9.059	63	7.982
22	9.186	43	9.040	64	7.862
23	9.185	44	9.019	65	7.731
24	9.184	45	8.996	66	7.591
25	9.183	46	8.971	67	7.431
26	9.182	47	8.943	68	7.262
27	9.180	48	8.913	69	7.083
28	9.178	49	8.881	70	6.897
29	9.176	50	8.846	71	6.703
30	9.173	51	8.808	72	6.502
31	9.169	52	8.768	73	6.296
32	9.164	53	8.724	74	6.085
33	9.159	54	8.678	75	5.872
34	9.152	55	8.627	76	5.657
35	9.145	56	8.572	77	5.443
36	9.136	57	8.512	78	5.229
37	9.126	58	8.446	79	5.018
38	9.116	59	8.371	80	4.812
39	9.103	60	8.287	81	4.611
40	9.090	61	8.194		

[Basis: LIC (94-96) Ultimate Tables and 8.00% interest]

M. B. S.
 P. P. S. (P. P.)
 Director (P. P.)
 Dept. of Pension & P. W.
 Govt. of India



ANNEXURE A-17



ANNEXURE A-18

Government of India
Ministry of Communications & IT
Department of Telecommunications
Sanchar Bhavan, Ashok Road, New Delhi

No. 40-31/2008-Pent-1

Date: 4th May 2009

To :

- i) All Principle CCAs/CCAs
- ii) CMD, BSNL

Subject : Applicability of revised rules of pension calculation as per 6th CPC with regard to limit of DGRG, commutation table, emoluments, qualifying service, etc. to IDA pensioners of BSNL.

The undersigned is directed to intimate that the revised rules for pension calculation as per 6th CPC with regard to limit of DGRG, commutation table, emoluments, qualifying service, etc. is applicable to IDA pensioners of BSNL covered under rule 37-A, w.e.f. 01.01.2006.

This issued with the concurrence of Member (Finance), DOT.



(B.K. Singh)
Director (Estt.)

Copy :

- (i) DDC (Accounts), DOT
- (ii) DDC (Estt.), DOT



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ANNEXURE 1-19

Government of India
Ministry of Communications & I.T.
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road,
New Delhi-1100 01

F.No.40-31/2008-Pen(T)

dated 12th August, 2009

To

- (i). All Principal CCAs/CCAs/Joint CCAs
(ii) CMD, BSNL

Subject: Applicability of revised rules of CCS (Pension) Rules, 1972 consequent to the 6th CPC to the Government employees absorbed in BSNL.
Clarification.

Sir,

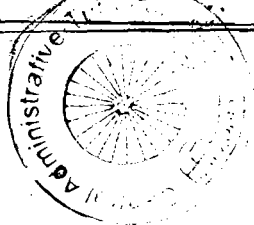
I am directed to refer to this Department's letter of even number dated 4th/15th May, 2009 to give the following clarification on the applicability of revised rules of CCS (Pension) Rules, 1972 consequent to 6th CPC to the Government employees absorbed in BSNL with regard to emoluments, qualifying service, family pension, DCRG and commutation of pension:-

Pension

1. Emoluments: The emoluments for the purpose of all pensionary benefits (other than gratuity) shall be equal to Basic pay plus Dearness Pay (wherever applicable). The para 5.2 and 5.3 of DOP & PW shall be applicable from 1.1.2006 subject to provisions of para 2 of DOP & PW's O.M No.38/37/08-P&PW(A) dated 11.12.2008.
2. Qualifying Service: The revised rules shall be applicable from 2.9.2008.
3. Minimum Pension: The present method of calculation of minimum pension which is 50% of the minimum of the lowest pay scale shall continue.
4. Minimum Family Pension: The minimum family pension shall be 50% of the minimum of the lowest pay scale.

DCRG

1. Emoluments: Emoluments for the purpose of all types of gratuity shall be equal to Basic pay plus Dearness Pay (wherever applicable) plus IDA (as applicable).
2. Enhancement in maximum limit of DCRG: The enhanced limit for all kinds of gratuities may be made applicable from 1.1.2006.



-2-

Commutation of Pension

1. For those retiring between 1.1.2006 to 1.2.2008 (both inclusive):
Cases have not become absolute as on 2.9.2008: New table shall be made applicable with prevalent pay scale as on date of retirement.
Cases which have already become absolute: The additional amount of commutable pension due to revision of pay shall be commuted in accordance with new table.
2. For those retiring on or after 2.9.2008: New commutation table shall apply with prevalent pay scale as on date of retirement.

This issues with the approval of the competent authority.

Yours faithfully,


(R. S. RAWAT)

Under Secretary (STP)
Tele: 2303685

Copy for information to :

1. Sr. P.P.S. to Chairman, Telecom Commission, New Delhi.
2. Sr. P.P.S. to all Members, Telecom Commission, Sanchar Bhawan, New Delhi.
3. Sr. P.P.S. to all Advisors, DOT, Sanchar Bhawan, New Delhi.
4. Sr. D.D.G. (TBC), Khurshid Lal Bhawan, New Delhi.
5. Controller General of Accounts, MOP, 7th Floor, L.N. Bhawan, New Delhi-3.
6. DG of Audit (P&T), Sharn Nath Marg, Near Old Sect., Civil Lines, New Delhi-4.
7. DDG(A/C)/DDG(FEB)/DDG(LF)/DDG(WFF)/DDG(TFP)
8. All Sr. DDGs, /DDGs, DOT, Sanchar Bhawan, New Delhi.
9. DDG (Corporate Accounts), BSNL, Statesman House, New Delhi.
10. DDG (PAF), Dak Bhawan, New Delhi.
11. Pay Bill/Cash Section, DOT, Sanchar Bhawan, New Delhi.
12. Guard File/Reference Folder



They do not all have the same effect, however: the $\Delta\mu$ of the main chain is the same for all three, but the $\Delta\mu$ of the side chain is different.

These two conditions are not only necessary, but also sufficient, for the existence of a unique solution to the problem. The proof of this theorem is given in the next section.

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DATE _____ DAY _____

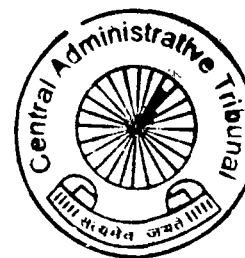
100. The Board has also been informed that the Government of India has been successful in securing a loan of Rs. 100 crores from the International Bank for Reconstruction and Development (IBRD) for the purpose of financing the construction of the proposed new airport at Cochin. The Government of India has also been successful in securing a loan of Rs. 100 crores from the IBRD for the purpose of financing the construction of the proposed new airport at Cochin.

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Due to the large number of non-responders of the survey, the use of a level of 5% significance was not appropriate. The reason for this is that the size of the sample is not large enough. The sample size of the survey is 100, which is not large enough to use a level of 5% significance. The sample size of the survey is 100, which is not large enough to use a level of 5% significance.

GRUPO EDITORIAL EL COMERCIO S.A. - Calle 14 de Julio 1050 - Montevideo - Uruguay

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1. The Board of Directors of the Corporation shall have the honor to inform the Board of Directors of the Corporation that the Board of Directors of the Corporation has decided to accept the offer of the Corporation to purchase the shares of the Corporation at the price of Rs. 100/- per share.

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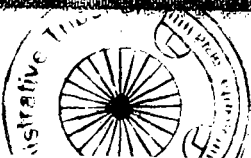
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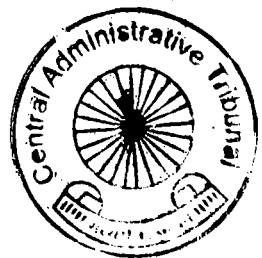
The Commission has been established to investigate the activities of the Government of India in the field of public administration. The Commission is composed of members from various departments of the Government of India, including the Ministry of Public Administration, the Ministry of Law, and the Ministry of Finance. The Commission is headed by a Chairman, who is a senior official of the Government of India. The Commission is empowered to inquire into the activities of the Government of India in the field of public administration, and to report to the President of India on the results of its inquiries. The Commission is also empowered to recommend measures for the improvement of public administration in India.

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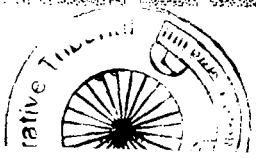
1. The Government of India has decided to set up a Special Group of Secretaries (SGS) and to appoint 25 members to it. The members of the SGS will be selected from among the Secretaries to Government and will be appointed for a period of three years. The SGS will be responsible for the coordination and supervision of the work of the Secretaries to Government and will be required to submit a report to the Government at the end of each year.

2. The SGS will be headed by a Secretary to Government who will be appointed by the Government. The members of the SGS will be appointed by the Government on the recommendation of the Secretary to Government. The SGS will be required to submit a report to the Government at the end of each year.

3. The SGS will be responsible for the coordination and supervision of the work of the Secretaries to Government and will be required to submit a report to the Government at the end of each year. The SGS will be required to submit a report to the Government at the end of each year.

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5. The SGS will be responsible for the coordination and supervision of the work of the Secretaries to Government and will be required to submit a report to the Government at the end of each year. The SGS will be required to submit a report to the Government at the end of each year.



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ANNEXURE A-21

No. 2/2009-PP-IV (G.O. No. 274/09)
Government of India
Ministry of Heavy Industries & Public Enterprises
Department of Public Enterprises

Public Enterprises Bhawan
Block No. 4, CGO Complex, Lodi Road
New Delhi, India - 110003
Date: 22 April, 2009

OFFICE MEMORANDUM

Subject: Revision of scales of pay for employees at Board level and below
Public Enterprises, Central and Non-Unionised Enterprises in Central
Public Sector Enterprises (CPESE). Report of the Committee of
Ministers.

The undersigned is directed to refer to the report of the Committee of
Ministers dated 26.1.2008 and 02.02.2008 regarding the revision of scales of pay
for employees of CPESE of 01.01.2007. Subsequent to issue of O.M.
dated 26.1.2008, the Government constituted an ad-hoc Committee of Ministers to look into
the demands raised by CPESE employees of Oil Refineries Sector.

2. After Government takes the final decision on the recommendations of the
Committee of Ministers, the undersigned shall be guided by the same.

3. In the event of merger of 100% DA with Basic Pay for merit purpose, the
benefit of merger of 100% DA with Basic Pay w.e.f. 01.01.2007 effectively
amounting to 35% increase in the basic pay for merit and pay fixation in
thereafter pay scales (w.e.f. 01.01.2007) dated 26.1.2008.

4. Supervannation: Employees who are on day towards superannuation
benefits will be entitled to Basic Pay plus DA and superannuation. Any
superannuation benefit will be in the form of gratuity benefit and not under
any other benefit scheme. If 5% or more of superannuation scheme may
be provided to employees and the same is approved by the Administrative Ministry
to cover the employees of the concerned enterprise, the same may be allowed
w.e.f. 01.01.2007. O.M. dated 26.1.2008.

5. House Rent Allowance: Employees who are on day towards superannuation
benefits will be entitled to House Rent Allowance (HRA) as provided in
O.M. dated 26.1.2008. However, in case the actual amount of House Rent
Allowance is less than the actual amount of HRA drawn, the difference will be allowed to be
drawn from the House Rent Allowance until the difference is eliminated in
course of the year. The condition that the difference will be submitted within
the prescribed period of time and allowed as per para 7 of O.M. dated
26.1.2008.

6. Other benefits and allowances: Pay of 01.01.2007 dated 26.1.2008
may be drawn and in place of the same, the same may be drawn as per the
provisions of the same.



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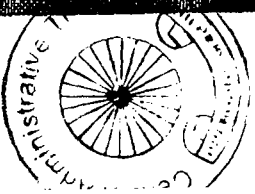
It is also a common mistake to suppose that the value of a commodity is determined by the quantity of labor it contains. But this is not the case. The value of a commodity is determined by the quantity of labor it contains, but only in so far as the quantity of labor is measured in terms of the labor time required to produce it. The value of a commodity is not determined by the quantity of labor it contains, but by the quantity of labor it contains, measured in terms of the labor time required to produce it.

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1. The first step in the process of obtaining a passport is to complete the application form. This form is available at the passport office or can be downloaded from the official website. The form must be filled out accurately, providing personal details such as name, date of birth, and current address.

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Since the total amount of the investment is not known, the maximum amount of the investment is assumed to be the maximum amount of the investment. The maximum amount of the investment is assumed to be the maximum amount of the investment.

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Signature of witness, independent, to be given by name of the Government of

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THE END

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www.ck12.org

Department of Psychiatry, University of California, San Francisco, CA, USA

Mail: Chairman, Office of the Inspector General, U.S. Department of Justice, Room 5638, 440 Constitution Avenue, N.W., Washington, D.C. 20535

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 2. **Background**
 3. **Methodology**
 4. **Results**
 5. **Discussion**
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~~Under Security~~



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ANNEXURE A-22

No. W-02/0075/2017-DPE (WO-OL-XIII/17)
 Government of India
 Ministry of Heavy Industries and Public Enterprises
 Department of Public Enterprises

Public Enterprises Bhawan
 Block No. 11, C.G.O. Complex,
 Lodhi Road, New Delhi-110003
 Dated: 3rd August, 2017

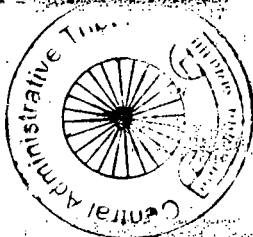
OFFICE MEMORANDUM

Subject: Pay Revision of Board level and below Board level Executives and Non-Unionized Supervisors of Central Public Sector Enterprises (CPSEs) w.e.f. 01.01.2017.

The last revision of the scale of pay of Board level and below Board level Executives and Non-Unionized Supervisors of Central Public Sector Enterprises (CPSEs) was made effective from 01.01.2007 for a period of 10 years. As the next Pay Revision became due from 01.01.2017, the Government had set up the 3rd Pay Revision Committee (PRC) under the chairmanship of Justice Satish Chandra (Retd) to recommend revision of pay and allowances for above categories of employees following FBA pattern of pay scales with effect from 01.01.2017. The Government, after due consideration of the recommendations of the 3rd PRC have decided as follows:

2. **Revised Pay Scales** - The revised Pay scales for Board and below Board level executives would be as indicated in Annexure-I. There will be no change in the number and structure of pay scales and every executive has to be fitted into the corresponding new pay scale. In case of CPSEs which are yet to be categorized, the revised pay scales as applicable to the Schedule 'D' CPSEs would be applicable.

3. **Affordability** The revised pay scales would be implemented subject to the condition that the additional financial impact in the year of implementing the revised pay-package for Board level executives, Below Board level executives and Non-Unionized Supervisors should not be more than 80% of the average Profit Before Tax (PBT) of the last three financial years preceding the year of implementation.



Fitment Benefit

(i) In case additional financial impact in the year of implementing the revised pay package of a CPSE is within 20% of average PBT of last 5 years, a uniform full fitment benefit of 16% would be provided.

(ii) If the additional financial impact in the year of implementing the revised pay package is more than 20% of the average PBT of last 5 Financial Years (FYs), then the revised pay package with recommended fitment benefit of 16% of BP+DA should not be implemented in full but only partly, as per the part stages recommended below:-

Part stages	Additional financial impact of the full revised pay package as a % of average PBT of last 5 FYs	Fitment benefit (% of BP+DA)
I	More than 20% but upto 30% of average PBT of last 5 FYs	16%
II	More than 30% but upto 40% of average PBT of last 5 FYs	8%

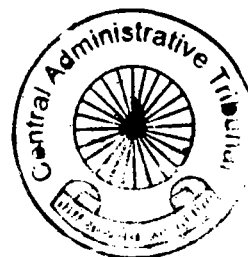
No fitment or any other benefit of pay revision will be implemented to the CPSEs where the additional financial impact of the revised pay package is more than 40% of the average PBT of last 5 financial years.

(iii) At the time of implementation of pay revision, if the additional financial impact after allowing full / part fitment exceeds 20% of the average PBT of last 5 years, then PBT / payout / allowances should be reduced so as to restrict impact of pay revision within 20%.

(iv) Subsequent to implementation of pay revision, the profitability of a CPSE would be reviewed after every 3 years and

a) if there is improvement in the average PBT of the last 5 years, then full pay package / higher stage of pay package would be implemented while ensuring that total additional impact (sum total of previously implemented part pay package and proposed additional package) stays within 20% of the average of PBT of last 5 years.

b) if the profitability of a CPSE falls in such a way that the earlier pay revision now entails impact of more than 20% of average PBT of last 5



year, then PRP allowances will have to be reduced to bring down impact.

3. **Methodology for pay fixation:** To arrive at the revised Basic Pay as on 01.01.2017, the methodology shall be as under:

A	B	C	D
Basic Pay + Stagnation Increment (as on 31.12.2016) (Personal Pay Special Pay not to be included)	Industrial Dearness Allowance (DA) @ 19.5% as applicable on 1.1.2017 under IDA pattern computation methodology (Director's All India Consumer Price Index (AICPI) 2001=100 as base)	25% / 100/5% of (A+B)	Revised BP as on 01.01.2017 Aggregate amount rounded off to the next Rs 10/-

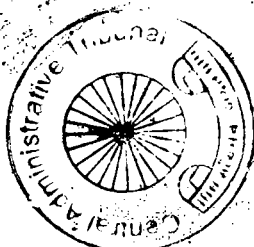
* If the revised BP as on 1.1.2017 arrived so is less than the minimum of the revised pay scale, pay will be fixed at the minimum of the revised pay scale.

4. **Pay revision in respect of Non-uniformized Supervisors of GPSEs:** The revision of scales of pay for Non-uniformized Supervisory staff would be decided by the respective Board of Directors.

5. The applicability of affordability clause in respect of certain types of GPSEs is given at Annexure II.

6. **Increments:** A uniform rate of 5% of BP will be applicable for both annual increment as well as promotion increment. The details regarding Stagnation Increment and Bunching of pay are given at Annexure-III (A).

7. **Dearness Allowance:** 100% DA neutralization would be continued for all the executives and non-uniformed supervisors, who are on IDA pattern of scales of pay w.e.f. 01.01.2017. This DA as on 01.01.2017 will become zero with link point of All India Consumer Price Index (AICPI) 2001=100, which is 277.23 (Average of AICPI for the months of September, October & November, 2016) as on 01.01.2017. The periodicity of adjustment will be once in three months as per the existing practice.



The quarterly DA payable from 01.01.2017 will be as per new DA given at Annexure-III(B).

8. **House Rent Allowance (HRA)/ Lease Accommodation and House Rent Recovery (HRR):** Separate guidelines would be issued later on these allowances. Till then the existing allowance at the existing rate may be continued to be paid at pre-revised pay scales.

9. **Perks & Allowances:** The Board of Directors of CPSEs are empowered to decide on the perks and allowance admissible to the different categories of the executives, under the concept of 'Cafeteria Approach', subject to a ceiling of 35% of BP. Under the concept of 'Cafeteria Approach' the executives are allowed to choose from a set of perks and allowances. The recurring cost incurred on running and maintaining of infrastructure facilities like hospitals, colleges, schools etc. would be outside the ceiling of 35% of BP. As regards company owned accommodation provided to executives, CPSEs would be allowed to bear the Income Tax liability on the non-monetary perquisite of which 50% shall be loaded within the ceiling of 35% of BP on perks and allowances.

10. **Certain other perks & Allowances:** Separate guidelines would be issued on location based Compensatory Allowance, Work based Hardship Duty Allowances and Non-Practicing Allowance. Till then the existing allowances at the existing rate would continue to be paid at the pre-revised pay scales.

11. **Performance Related Pay (PRP):** The admissibility, quantum and procedure for determination of PRP has been given in Annexure-IV. The PRP model will be effective from FY 2017-18 and onwards. For the FY 2017-18, the incremental profit will be based on previous FY 2016-17. The PRP model will be applicable only to those CPSEs which sign Memorandum of Understanding (MOU), and have a Remuneration Committee (headed by an Independent Director) in place to decide on the payment of PRP within the prescribed limits and guidelines.

12. **Superannuation Benefits:** The existing provisions regarding superannuation benefits have been retained as per which CPSEs can contribute upto 50% of BP plus



DA towards Provident Fund (PF), Gratuity, Post-Superannuation Medical Benefits (PRMB) and Pension to their employees.

12.1 The ceiling of gratuity of the executives and non-uniformed supervisors of the CPSEs would be raised from Rs. 10 lakhs to Rs. 20 lakhs with effect from 01.01.2017 and the funding for the entire amount of Gratuity would be met from within the ceiling of 10% of BP plus DA. Besides, the ceiling of gratuity shall increase by 25% whenever BP rises by 20%.

12.2 The existing requirement of superannuation and of minimum of 15 years of service in the CPSE has been dispensed with for the pension.

12.3 The existing Post-Retirement Medical Benefits will continue to be linked to requirement of superannuation and minimum of 15 years of continuous service for other than Board level Executives. The Post-Retirement medical benefits shall be allowed to Board level executives (without any linkage to provision of 15 years of service) upon completion of their tenure or upon attaining the age of retirement, whichever is earlier.

13 Corpus for medical benefits for retirees of CPSEs. The corpus for post-retirement medical benefits and other emergency needs for the employees of CPSEs who have retired prior to 01.01.2007 would be created by contributing the existing ceiling of 1.6% of BP. The formulation of suitable scheme in this regard by CPSEs has to be endorsed by the administrative Ministries/Departments.

14. Club Membership: The CPSEs will be allowed to provide Board level executives with the Corporate Club membership (upto maximum of two clubs), terminus with their tenure.

15. Leave regulations management: CPSEs would be allowed to frame their own leave management policies and the same can be decided based on CPSEs operational and administrative requirements subject to the principles that:

- a. Maximum accumulation of Earned Leave available are not permitted beyond 300 days for an employee of CPSE. The same shall not be permitted for empanelment beyond 300 days at the time of retirement.
- b. CPSEs should adopt 30 days month for the purpose of calculating leave encashment.



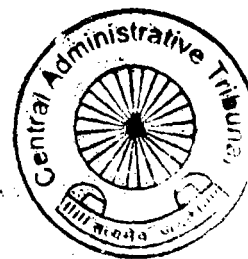
c. Casual and Restricted Leave will continue to be lapsed at the end of the calendar year.

16. Periodicity: The next pay revision would take place in line with the periodicity as decided for Central Government employees but not later than 10 years.

17. Financial Implications: Expenditure on account of pay revision is to be entirely borne by the CPSEs out of their earnings and no budgetary support will be provided by the Government.

18. Issue of Presidential directive, effective Date of implementation and payment of allowances: The revised pay scales will be effective from 01.01.2017 (except the allowances mentioned in the paras 8 and 10 above). The Board of Directors of each CPSE would be required to consider the proposal of pay revision based on their affordability to pay and submit the same to the administrative Ministry for approval. The administrative Ministry concerned will issue the Presidential Directive with the concurrence of its Financial Adviser in respect of each CPSE separately. Similarly presidential directives would be issued by the administrative Ministry concerned based on the results of review which is to be done after every 5 years subsequent to implementation. A copy of the Presidential Directives, issued by the administrative Ministry/Department concerned may be endorsed to the Department of Public Enterprises.

19. Issue of instructions/clarification and provision of Anomalies Committee: The Department of Public Enterprises (DPE) will issue necessary instructions/clarifications wherever required, for implementation of the above decisions. An Anomalies Committee consisting of Secretaries of Department of Public Enterprises (DPE), Department of Expenditure and Department of Personnel & Training is being constituted for a period of two years to look into further specific issues/problems that may arise in implementation of the Government's Decision on 3rd pay revision. Any anomaly should be forwarded with the approval of Board of Directors to the administrative Ministry/Department who will examine the same and dispose of the same. However, if it is not possible for the administrative



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Ministry/Department to work on the issue, they may refer the matter to DPE, with their views for consideration of the Appraisal Committee.

(Rajesh Kumar Chaudhry)

Joint Secretary to the Government of India

Administrative Ministry / Department (Secretary by Name) of the Government of India

Copy to Chief Executives of CPSEs

Copy also to:

- i) Financial Advisor to the Administrative Ministry/Department
- ii) Comptroller & Auditor General of India, 11 Beroz Doyal Upadhyay Marg, New Delhi.
- iii) Department of Expenditure, IX Branch, North Block, New Delhi
- iv) Department of Personnel & Training (DPT) North Block, New Delhi
- v) Chairman, PESB/Secretary, PESB, CGO Complex New Delhi

Copy also to:

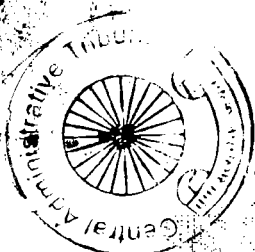
- i) Prime Minister's Office (Shri Parun Bajaj, Addl. Secretary)
- ii) Cabinet Secretariat (Shri S.A.M. Ravi, Joint Secretary)

Copy for information to:

- i) PS to Minister (DPE)
- ii) PS to MoS (DPE)
- iii) PS to Secretary, PE
- iv) AS & FA (PE)
- v) All Offices of DPE
- vi) NIC, SAI, DPE with the request to upload the OM on the DPE website

(Samsul Haque)

Under Secretary to the Government of India



Annexure-I

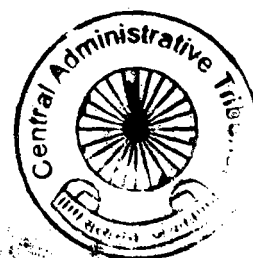
(Para 2)

Grade	Existing(Rs)	Revised(Rs)
E0	12000-32500	20000-120000
E1	16400-45500	40000-140000
E2	20800-49500	50000-160000
E3	24900-50500	60000-180000
E4	29100-54500	70000-200000
E5	32900-58000	80000-220000
E6	38800-62000	90000-240000
E7	43200-66000	100000-260000
E8	51000-75000	120000-280000
E9	62000-80000	150000-300000
Grade	Existing(Rs)	Revised(Rs)
Director(Sch-D)	42000-58000	100000-250000
CMD(D)	51500-72000	120000-260000
Director(Sch-C)	51500-72000	120000-260000
CMD(C)	68000-75000	150000-280000
Director(Sch-B)	65000-75000	150000-280000
CMD(B)	75000-90000	180000-320000
Director(Sch-A)	75000-100000	180000-340000
CMD(A)	80000-122000	200000-370000

*E0 only in CPSEs of Schedule A, B & C

*E9 only in CPSEs of Schedule A & B

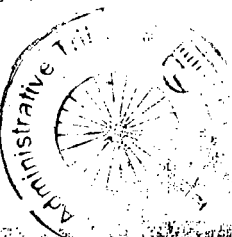
*E9 only in CPSEs of Schedule A



Annexure II (Part 5)

Affordability to certain types of CPSEs:

- a) In respect of Sick CPSEs referred to erstwhile Board for Industrial and Financial Reconstruction (BIFR) / Appellate Authority for Industrial and Financial Reconstruction (AAIFR), the revision of pay scales should be in accordance with rehabilitation packages approved by the Government after providing for the additional expenditure on account of pay revision in these packages.
- b) The affordability condition shall also be applicable to the CPSEs registered under Section 25 of the Companies Act, 1956, or under Section 8 of the Companies Act, 2013 (which by the very nature of their business are not-for-profit companies) for implementation of the revised compensation structure (including Performance Related Pay) as being recommended for other CPSEs.
- c) There are also certain CPSEs which have been formed as independent Government companies under a statute to perform a specific agenda / regulatory functions. The revenue stream of such CPSEs are not linked to profits from the open market in a competitive scenario but are governed through the fees & charges, as prescribed and amended from time to time by the Government. There is no budgetary support provided by the Government to such CPSEs. In consideration that the impact of the revised compensation structure (including Performance Related Pay) would supposedly form the part of revenue stream for such CPSEs, the affordability condition shall not be applicable to these CPSEs; however the implementation of same shall be subject to the approval of Administrative Ministry upon agreeing and ensuring to incorporate the impact of the revised compensation structure into the revenue stream.
- d) As regards the CPSEs under construction which are yet to start their commercial operations, the implementation of pay revision would be decided by the Government based on the proposal of concerned Administrative Ministry and after consideration of their financial viability.
- e) In case of Coal India Limited (CIL), the holding company and its subsidiaries would be considered as a single unit for the affordability clause as per past precedent.



Annexure-III(A)

(Para 6)

Stagnation Increment: In case of reaching the end point of pay scale, an executive would be allowed to draw stagnation increment, one after every two years upto a maximum of three such increments provided the executives gets a performance rating of 'Good' or above.

Bunching of Pay: In CSES where a lower fitment benefit (i.e. 10% or 5%) is granted due to affordability, there is a possibility of bunching at different grades due to revised Basic Pay falling short of reaching starting point of revised pay scale. The revised BP due to bunching of pay in these cases would be the higher of the following:-

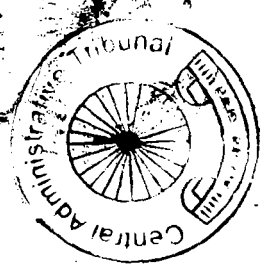
- Adding the difference between the 'pre-revised Basic Pay' and 'the minimum of the pre-revised pay scale' to the starting point of revised pay scale.
- The revised BP as arrived after applying the fitment benefit (i.e. 10% or 5% of BP plus DA).

[Example for Basic Pay revision in cases of bunching in a Grade/level]

Sl. No.	Parameters	Pre-revised pay scale of BP level (Rs./Mo)			
		Minimum Starting of pay scale (A)	Minimum Increment 10% (B)	Minimum Increment 10% (C)	Minimum Increment 5% (D)
1.	E-6 level Pre-revised BP	(31) x (2) = 36600			
2.	DA (21.2017)	As per 120%	43920	45240	46608
3.	Total	(A) + (2) = 80520	80520	85448	88012
4.	Fitment benefit	5% of BP 4026.0	5%	5%	5%
5.	Fitment amount	(A) x (3) = 4026.0	4147.0	4272.4	4401.1
6.	Net amount to arrive at revised BP	(3) + (5) = 84546.0	87087.0	89720.4	92423.1
7.	Rounded off	Next Rs.10/-	87090	89730	92430
8.	Minimum of E-6 starting revised pay scale	90000	90000	90000	90000



9	Difference between the presented basic pay and the minimum of the prescribed pay scale	Linked to point of column (A) in the schedule	(A)-(A)	(B)-(A)	(C)-(A)	(D)-(A)
			Le 35500 35500	Le 37700 36500	Le 38840 36800	Le 40010 36600
10	Difference amount	Le	3	1101	2140	2430
11	Total of difference with the minimum of the prescribed pay scale	(B)-(A)	30010	31100	32240	33410
12	Revised Pay Scale	Higher of (10) or (11)	30000	31100	32240	33410

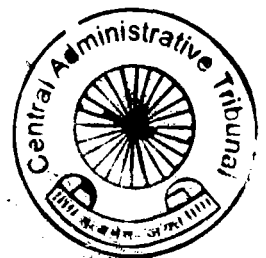


Annexure III (B)

(Part 1)

Rates of Dearness Allowances for the employees of CPSEs following IDA pattern

Effective Date	Rate of Dearness Allowance (in percentage)
01.01.2017	0
01.03.2017	-1.1
01.07.2017	-0.3



Annexure-IV

(para 11)

Performance Related Pay

(i) Allocable profits

a. The overall profits for distribution of PRP shall be limited to 5% of the year's profit accruing only from core business activities (without consideration of interest on bills cash / bank balances), which will be exclusively for executives and for non-unionized supervisors of the CPSE. The ratio of break up of profit accruing from core business activities for payment of PRP between relevant year's profit to incremental profit shall be 60:40 to arrive at the Allocable profits and the Pay Factor.

(i) PRP differentiator components:

(A) PRP payout is to be distributed based on the addition of following parts / components:-

Part-1: CPSE's performance component:-

(a) Weightage = 50% of PRP payout

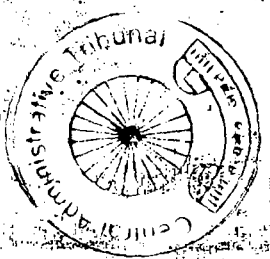
(b) Based on CPSE's MOU rating:

MOU rating	%age eligibility of PRP
Excellent	100%
Very Good	75%
Good	50%
Fair	25%
Poor	Nil

Part-2: Team's performance component:-

(a) Weightage = 50% of PRP payout

(b) Based on Team rating (i.e. linked to Plant / Unit's productivity measures and operational / physical performance)



Team rating	Weight eligibility of PRP
Excellent	100%
Very Good	80%
Good / Average	60%
Fair	40%
Poor	Nil

* In case of a CPSE not having Plants/Units and if there is a no Team Performance area/rating, then the PRP for such CPSE will be determined based specifically on MOU rating after merging the weightage of Team performance component to the Company's performance component.

(c) The Team rating shall be linked to individual Plant / Unit's productivity measures and operational / physical performance, as primarily derived from CPSEs' MOU parameters and as identified by CPSE depending on the nature of industry / business under the following suggested performance areas:-

* Achievement Areas, in which performance has to be maximized (e.g. market shares, sales volume growth, product output / generation, innovations in design or operation, awards and other competitive recognition, etc.); and

* Control Areas in which control has to be maximized (e.g. stock / fuel loss, operating cost control, litigation cost, safety, etc.).

(d) For office locations of CPSEs, the Team rating should be linked to the Plant / Unit as attached to the said office and if there is more than one Plant / Unit attached to an office or in case of Head Office / Corporate Office of the CPSE, the Team rating shall be the weighted average of all such Plants / Units. The weighted average shall be based on the employee manpower strength of the respective Plants / Units.

[Plants/Units shall primarily mean the work place where industry's manufacturing process is carried out and in case of a CPSE not having any manufacturing process, it shall mean the work place where the main business is carried out. The individual department/section within a work place shall not be recognized as a Plant/Unit.]



Part B: Individual performance component

- (a) Weightage = 20% of PRR payout
- (b) Based on Individual performance rating (i.e. as per the CPSE's Performance Management System)

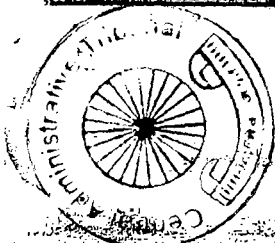
Individual performance rating	Weight eligibility of PRR
Excellent	100%
Very Good	80%
Good / Average	60%
Fair	40%
Poor	Nil

(c) The forced rating of 10% as below par / Poor performer shall not be made mandatory. Consequently, there shall be discontinuation of Bell-curve. The CPSEs are empowered to decide on the ratings to be given to the executives; however, capping of giving Excellent rating to not more than 10% of the total executives in the grade (as below Board level) should be adhered to.

(II) Percentage ceiling of PRR (%age of BP)

- (a) The grade-wise percentage ceiling for award of PRR within the allocable profit has been rationalized as under:-

Grade	Ceiling (% of BP)
E0	40%
E1	40%
E2	40%
E3	40%
E4	50%
E5	50%
E6	60%
E7	70%
E8	80%



BP	80%
Director (GMS)	100%
Director (ASB)	125%
GMD / MD (GMS)	125%
GMD / MD (ASB)	150%

Note:

1. For Non-Unionized supervisors, the PRP as percentage of BP will be decided by the respective Board of Directors of the CPSE.

(III) **Kitty Factor:** After considering the relevant year's profit, incremental profit and the full PRP payout requirement (computed for all executives based on Grade-wise ceiling, CPSE's MOU rating, Team rating & Individual performance rating), there will be two cut-off factors worked out based on the PRP distribution of 65:35. The first cut-off shall be in respect of PRP amount required out of year's profit and the second cut-off shall be in respect of PRP amount required out of incremental profit, which shall be comparable based on the break-up of allocable profit (i.e. year's 65% of profit bifurcated into the ratio of 65:35 towards year's profit and incremental profit).

The sum of first cut-off factor applied on 65% of Grade PRP ceiling and the second cut-off factor applied on 35% of Grade PRP ceiling will result in Kitty factor. The Kitty factor shall not exceed 100%.

(IV) Based on the PRP components specified above, the PRP pay-out to the executives should be computed upon addition of the following three elements:

(a) **Factor X (4% of BP):**

Weightage of 40% Multiplied with Part-1 (CPSE's MOU rating)
Multiplied with Kitty factor

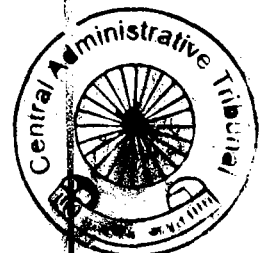
(b) **Factor Y (2% of BP):**

Weightage of 30% Multiplied with Part-2 (Team's performance)
Multiplied with Kitty factor

(c) **Factor Z (2% of BP):**

Weightage of 20% Multiplied with Part-3 (Individual's performance)
Multiplied with Kitty factor

(d) **Net PRP = Factor X + Factor Y + Factor Z = Net %age of Annual BP**



EXAMPLES**Performance Related Pay (PRP) Examples for calculating Kibwa factors/allocable profit**

PRP Kibwa Distribution: within 10% of profit accrual from core business activities (hereinafter, for brevity, referred to as Profit).

Ratio of relevant year's profit: incremental profit = 95:5%

Example-1

Sl.	Parameters	Amount (Rs.) / %age
1	FY 2016-17	Profit = 2000 crore
2	FY 2017-18 (for which PRP is to be distributed)	Profit = 2000 crore
3	Incremental profit	1000 crore
4	5% of the year's profit	300 crore
5	Allocable profit out of current year's 5% of profit based on distribution in the ratio of 65:35 towards the year's profit and incremental profit	
6	PRP payout from year's profit	195 crore [ie. 95% out of 300 crore]
7	PRP payout from incremental profit	105 crore [ie. 35% out of 300 crore] [105 crore can be fully utilized as incremental profit is 1000 crore.]
8	Full PRP Payout requirement (computed for all executives based on Grade-wise ceiling, CPMI & MOU rating, Team rating & Individual performance rating) - but without applying full factor related to year's profit and incremental profit	300 crore
9	PRP payout breakup based on 65:35 distribution out of year's profit and incremental profit	
a	PRP amount required out of year's profit (ie. 65% of Sl. No. 8)	65% of 300 crore = 325 crore
a1	Cut-off factor (1) (in %age) for year's PRP payout with reference to Sl. No. 8(a) & 1(a)	195 crore / 325 crore = 60.00%
b	PRP amount required out of incremental profit (ie. 35% of Sl. No. 8)	35% of 300 crore = 105 crore
b1	Cut-off factor (2) (in %age) for incremental	105 crore / 195 crore = 53.85%

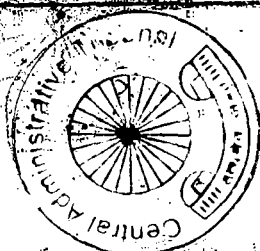


	PRP payment with reference to Sl. No. 6(b)	
8.	Thus, total Profit amount allocated for PRP distribution	105 crore + 105 crore = 210 crore i.e. 1% of Core business / operating profit
9.	Rate factor for respective Grade (in %age)	$[65\% \times \text{Grade PRP ceiling (\%)} \times \text{Cut-off factor (1)}] \div \text{Plan (1)}$ $[55\% \times \text{Grade PRP ceiling} \times \text{Cut-off factor (2)}] = \text{Rate factor}$



PRP Payout to Individual Executives
Example 1: For Grade E-4

Parameter	Amount (Rs.) / Wage payout
EPSE-MOD rating [Weightage = 40%]	75% (Very Good)
Team rating [Weightage = 30%]	100% (Excellent)
Individual's performance rating [Weightage = 20%]	85% (Good/Average)
Grade ceiling (E-4) (Max. of 70% of BP)	40% of BP
Cut-off factor (1)	50.0%
Cut-off factor (2)	60.0%
Risky Factor for Grade E-4 i.e. $[65\% \times E \text{ (Grade PRP ceiling)}]$ $\times E \text{ (Cut-off factor (1))} = 20\%$ $[55\% \times D \text{ (Grade PRP ceiling)}]$ $\times F \text{ (Cut-off factor (2))}$	$[65\% \times 40\% \times 50.00\%] + [55\% \times 40\% \times 60.00\%]$ $= 13.00\% + 13.40\%$ $= 26.40\%$
Net PRP	
Factor-X [Company's performance component]	$Weg(50\%) \times A \times G$
	i.e. $40\% \times 75\% \times 24.00\% = 7.20\%$
Factor-Y [Team's performance component]	$Weg(30\%) \times B \times G$
	i.e. $30\% \times 100\% \times 24.00\% = 7.20\%$
Factor-Z [Individual's performance component]	$Weg(20\%) \times C \times G$
	i.e. $20\% \times 85\% \times 24.00\% = 4.08\%$
PRP payout distribution	Factor X + Factor Y + Factor Z = 18.48% of Basis Pay

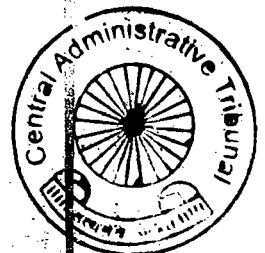


Performance Related Pay (PRP) - Examples for calculating Kity factor/ Allocable profit

- PRP Kity Distribution : Within 5% of profit accruing from core business activities (hereinafter, for brevity, referred to as Profit).
- Ratio of relevant year's profit : incremental profit = 85 : 5%

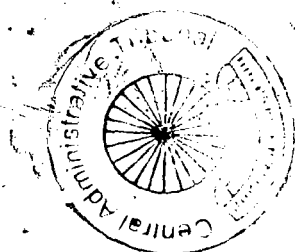
Example - 1

Sl	Parameters	Amount (Rs)/ %age
1	FY 2018-19	PBT - 7000 crore
2	FY 2017-18 [for which PRP is to be distributed]	PBT - 6000 crore
3	Incremental profit	Nil
4	5% of the year's profit	300 crore
5	Allocable profit and of relevant year's 5% of profit based on distribution in the ratio of 85:5% towards the year's profit and incremental profit	
a.	PRP payout from year's profit	195 crore [i.e. 65% out of 300 crore]
b.	PRP payout from incremental profit	105 crore [i.e. 35% out of 300 crore] [Nil amount to be allocated as profit is Nil.]
6	Full PRP Payout requirement (computed for all executives based on Grade-wise ceiling, CPSE's MOS rating, Team rating & Individual performance rating) - but without applying Kity factor related to year's profit or incremental profit	500 crore
7	PRP payout limit as based on 65% distribution out of year's profit and incremental profit	
8	PRP amount released out of year's profit (i.e. 65% of SL No. 6)	65% of 500 crore = 325 crore
9	Cut-off factor (1) (in %age) for year's PRP payout with reference to SL No. 6 (a) & (a)	325 crore / 500 crore = 65.00%
b.	PRP amount required out of incremental profit (i.e. 35% of SL No. 6)	35% of 500 crore = 175 crore
b1	Cut-off factor (2) (in %age) for incremental PRP payout with reference to SL No. 6 (b) & (b)	Nil / 175 crore = 0.00%
8	Thus, total Profit amount allocated for PRP distribution	195 crore + 0 crore = 195 crore [i.e. 39.00% of Core Business/operating profit]
9	Kity factor for respective Grade (in %age)	$\left[65\% \times \text{Grade PRP ceiling (\%)} \times \text{Cut-off factor (1)} \right] \div \left[55\% \times \text{Grade PRP ceiling} \times \text{Cut-off factor (2)} \right] = \text{Kity factor}$



ERP Payout to Individual Executives
Example - 1 for Grade E-1

Sr	Parameters	Amount (Rs.) / %age payout
A	GRSE VOU Rating [Weightage = 30%]	75% (Very Good)
B	Team Rating [Weightage = 20%]	100% (Excellent)
C	Individual's performance rating [Weightage = 50%]	50% (Good/Average)
D	Grade ceiling (G) (Max. of 40% of BP)	40% of BP
E	Cut-off factor (C)	00.0%
F	Cut-off factor (F)	00.0%
G	Key Factor for Grade E-1 i.e. $[30\% \times D \text{ (Grade BP ceiling)}] + [20\% \times E \text{ (Cut-off factor C)}] + [50\% \times F \text{ (Grade BP ceiling)}] + [F \text{ (Cut-off factor F)}]$	$[30\% \times 40\% \times 50.00\%] + [20\% \times 40\% \times 0.00\%]$ $= 15.00\% + 0.00\%$ $= 15.00\%$
H	Net ERP	
I	Factor-X [Company's performance component]	$Wp(30\%) \times A \times G$ i.e. $30\% \times 75\% \times 15.00\% = 3.38\%$
J	Factor-Y [Team's performance component]	$Wp(20\%) \times B \times G$ i.e. $20\% \times 100\% \times 15.00\% = 3.00\%$
K	Factor-Z [Individual's performance component]	$Wp(50\%) \times C \times G$ i.e. $50\% \times 50\% \times 15.00\% = 3.75\%$
L	ERP payout distribution	Factor X + Factor Y + Factor Z = 10.13% o Bank Pay



ANNEXURE A-23

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Public Service Commission
Government of India
Ministry of Communications

Copy No. 70

Dated: 29 December 2010

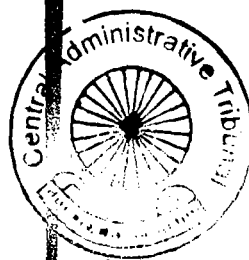
MEMORANDUM TO THE CABINET

SUB: REVISION OF DA pension of employees of ESNL who retired after 01.10.2000 to 01.01.2007.

Background

State Sanctioned Employees' Union (SSNU) was formed on 01.10.2000 by conversion of the erstwhile Department of Telecom Services (DOTS) and Department of Telecom Operations (DPO) into a Public Sector Undertaking (PSU). The sanctioned employees of these departments were transferred to the State Sanctioned Employees' Union (SSNU) on 01.10.2000. The process of absorbing these employees in ESNU took place with effect from 01.10.2000 in accordance with Rule 37A of Government of India (GOI) 1973. At the time of absorption, these absorbed employees started to receive DA as per the DA rules passed by the Government of India. As per the DA rules 37A of GOI 1973, the absorbed employees are entitled to receive DA as per the DA rules in force at the time of absorption. The Government of India (GOI) has decided to revise the DA rules for absorbed employees with effect from 01.01.2007. The absorbed employees of ESNU who retired after 01.10.2000 and before 01.01.2007 are entitled to receive DA as per the DA rules in force at the time of absorption.

Section



SECRET

10/10/15/2007
Government of India
Ministry of Telecommunications

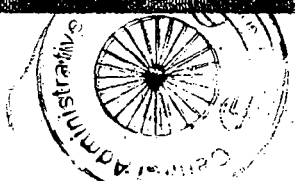
1. The number of employees absorbed on 31.12.2006 is approximately 27,000. The pension of employees absorbed on 31.12.2006 is payable by government as per the rules of pension of employees of Government of India. The BSNL employees absorbed on 31.12.2006 are entitled to the pension as per the rules of pension of employees of Government of India. The pension of employees absorbed on 31.12.2006 is payable by government as per the rules of pension of employees of Government of India.

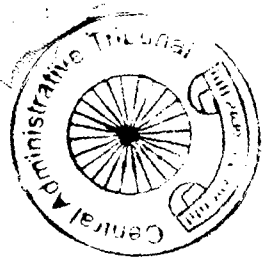
2. The Government of India has issued orders for revision of pay of employees of BSNL with effect from 1.1.2007. No such orders were issued by the government for revision of pension of employees of BSNL. As a result, employees who were absorbed on 31.12.2006 are entitled to the pension as per the rules of pension of employees of Government of India. The pension of employees absorbed on 31.12.2006 is payable by government as per the rules of pension of employees of Government of India.

2. Justification

3. The Government of India has issued orders for revision of pay of employees of BSNL with effect from 1.1.2007. No such orders were issued by the government for revision of pension of employees of BSNL. As a result, employees who were absorbed on 31.12.2006 are entitled to the pension as per the rules of pension of employees of Government of India. The pension of employees absorbed on 31.12.2006 is payable by government as per the rules of pension of employees of Government of India.

SECRET





17/12/2013
Government of India
Department of Telecommunications

SECRET

1. The Department of Telecommunications (DoT) has been directed by the Government of India to consider the proposal for the establishment of a Pension Scheme for the employees of the DoT. The proposal is being considered in the light of the existing pension schemes for the employees of the Government of India and the employees of the DoT.

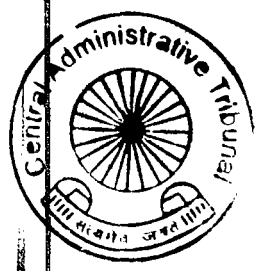
2. The Pension Scheme for the employees of the DoT is being considered in the light of the existing pension schemes for the employees of the Government of India and the employees of the DoT. The proposal is being considered in the light of the existing pension schemes for the employees of the Government of India and the employees of the DoT.

3. The Pension Scheme for the employees of the DoT is being considered in the light of the existing pension schemes for the employees of the Government of India and the employees of the DoT. The proposal is being considered in the light of the existing pension schemes for the employees of the Government of India and the employees of the DoT.

4. The Pension Scheme for the employees of the DoT is being considered in the light of the existing pension schemes for the employees of the Government of India and the employees of the DoT. The proposal is being considered in the light of the existing pension schemes for the employees of the Government of India and the employees of the DoT.

SECRET

Page 4 of 18



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GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
PENSIONERS' BENEFITS

1. Family Pension (i) Dearness Pension (ii) applicable (iii) Dearness Pension (iv) Family Pension (v) Dearness Pension (vi) Dearness Pension (vii) Dearness Pension (viii) Dearness Pension (ix) Dearness Pension (x) Dearness Pension (xi) Dearness Pension (xii) Dearness Pension (xiii) Dearness Pension (xiv) Dearness Pension (xv) Dearness Pension (xvi) Dearness Pension (xvii) Dearness Pension (xviii) Dearness Pension (xix) Dearness Pension (xx) Dearness Pension (xxi) Dearness Pension (xxii) Dearness Pension (xxiii) Dearness Pension (xxiv) Dearness Pension (xxv) Dearness Pension (xxvi) Dearness Pension (xxvii) Dearness Pension (xxviii) Dearness Pension (xxix) Dearness Pension (xxx) Dearness Pension (xxxi) Dearness Pension (xxxii) Dearness Pension (xxxiii) Dearness Pension (xxxiv) Dearness Pension (xxxv) Dearness Pension (xxxvi) Dearness Pension (xxxvii) Dearness Pension (xxxviii) Dearness Pension (xxxix) Dearness Pension (xl) Dearness Pension (xli) Dearness Pension (xlii) Dearness Pension (xliii) Dearness Pension (xliv) Dearness Pension (xlv) Dearness Pension (xlvi) Dearness Pension (xlvii) Dearness Pension (xlviii) Dearness Pension (xlvix) Dearness Pension (xlvx) Dearness Pension (xlvi) Dearness Pension (xlvii) Dearness Pension (xlviii) Dearness Pension (xlvix) Dearness Pension (xlvx) Dearness Pension (xlvi) Dearness Pension (xlvii) Dearness Pension (xlviii) Dearness Pension (xlvix) Dearness Pension (xlvx)

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GOVERNMENT OF INDIA
Department of Administrative Affairs

SECRET

MEMORANDUM

1. The Government of India, in the exercise of the powers conferred by the Government of India Act, 1935, has decided to revise the pension and family pension of the deceased persons.

2. The pension and family pension of the deceased persons shall be revised in accordance with the provisions of the Government of India Act, 1935.

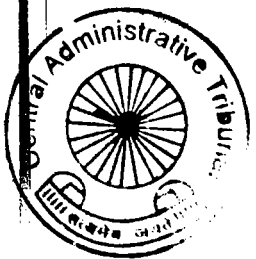
3. The pension and family pension of the deceased persons shall be revised in accordance with the provisions of the Government of India Act, 1935.

4. The pension and family pension of the deceased persons shall be revised in accordance with the provisions of the Government of India Act, 1935.

5. The pension and family pension of the deceased persons shall be revised in accordance with the provisions of the Government of India Act, 1935.

6. The pension and family pension of the deceased persons shall be revised in accordance with the provisions of the Government of India Act, 1935.

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1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

[illegible]

The political and administrative system can no longer exist without a position of
the Council of Ministers of the Republic. It has to be established as a permanent
body of the executive power of the Republic.

POLYMER LETTERS



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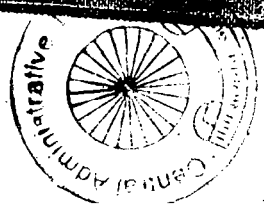
With effect from 1/1/2007, within the prescribed limits as explained in para 6.5 above.

Approval of Pensioners
Approval of pensioners is subject to revision of pension/family pension of existing BSNL pensioners from 1/1/2007. Pensioners/family pensioners from 1/1/2007 by following manner:

- (i) Existing pensioners/family pensioners including consolidated pensioners.
 - (ii) Pensioners/family pensioners @ 68%.
 - (iii) Pensioners/family pensioners @ 80% of the existing pension/family pension and deemed fit for (b) thereon.
- The amount of pension will be regarded as the consolidated pension/family pension. The amount will be subject to the conditions of minimum and maximum existing pension/family pension and additional pension for pensioners and government pensioners. The minimum pension of 1000/- is mentioned in paragraph 6.5 of this order.

Appendix: Multi-currency schedule has been given in Appendix. Page 10 of 10.

SECRET



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Ministry of Communications
Government of India
Department of Telecommunications

This proposal is related to the note is an administrative issue and therefore
pertains to Equity, Innovation and Public Accountability. It is irrelevant in this case.
Department of Equity, Innovation and Public Accountability is attached at
Annexure A for reference.

This note is being sent by Hon'ble Minister of Communications & Information
Technology.

(Malay Srinivasaya)
Joint Secretary to the Govt of India
Telephone No. 23717411
Fax No. 23272049

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APPENDIX 1
(Continued)

IMPLEMENTATION SCHEDULE

Supplement to the Implementation Schedule of the Employment of the Government of India, 1991

Sl. No.	Particulars	Time-frame and manner of implementation
1.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
2.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
3.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
4.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
5.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
6.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
7.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
8.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
9.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
10.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
11.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
12.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991
13.	Establishment of a separate department for the management of the Government of India, 1991	To be completed by the end of 1991

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SECRET

Department of Telecommunications

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SECRET

APPENDIX II
(RAG 1000000/8)

**STATEMENT OF QUALITY, ACCOUNTABILITY AND
INNOVATION**

Subj: Request for proposal for employment of 85% who retired in
Oct 1999 and before Oct 2000.

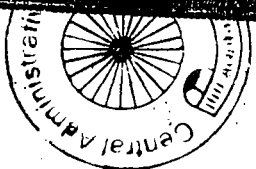
Sl. No. 1. The proposal is for employment of 85% who retired in
Oct 1999 and before Oct 2000.

Quality and Accountability	The proposal covers the entire range of employment of 85% who retired in Oct 1999 and before Oct 2000. The proposal covers the entire range of employment of 85% who retired in Oct 1999 and before Oct 2000.
Public Accountability	The proposal covers the entire range of employment of 85% who retired in Oct 1999 and before Oct 2000. The proposal covers the entire range of employment of 85% who retired in Oct 1999 and before Oct 2000.
Innovation	The proposal covers the entire range of employment of 85% who retired in Oct 1999 and before Oct 2000. The proposal covers the entire range of employment of 85% who retired in Oct 1999 and before Oct 2000.

Yashwantrao Chavan
Minister, Government of India
Office No. 17/1
FAX No. 238 2000

SECRET

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ANNEXURE - 2
 Government of India
 Department of Public Works
 Government of India

ANNEXURE - 2
 Government of India

Total Annual Receipts to Government in Rs. Lakhs

Sl. No.	Description	Amount in Rs. Lakhs
1	Income from land	10.00
2	Income from buildings	15.14
3	Income from BSNL (from 2003-04)	15.14
4	Income from BSNL (from 2004-05)	15.14
5	Income from BSNL (from 2005-06)	15.14
6	Income from BSNL (from 2006-07)	15.14
7	Income from BSNL (from 2007-08)	15.14
8	Income from BSNL (from 2008-09)	15.14
9	Income from BSNL (from 2009-10)	15.14
10	Income from BSNL (from 2010-11)	15.14
11	Income from BSNL (from 2011-12)	15.14
12	Income from BSNL (from 2012-13)	15.14
13	Income from BSNL (from 2013-14)	15.14
14	Income from BSNL (from 2014-15)	15.14
15	Income from BSNL (from 2015-16)	15.14
16	Income from BSNL (from 2016-17)	15.14
17	Income from BSNL (from 2017-18)	15.14
18	Income from BSNL (from 2018-19)	15.14
19	Income from BSNL (from 2019-20)	15.14
20	Income from BSNL (from 2020-21)	15.14
21	Income from BSNL (from 2021-22)	15.14
22	Income from BSNL (from 2022-23)	15.14
23	Income from BSNL (from 2023-24)	15.14
24	Income from BSNL (from 2024-25)	15.14
25	Income from BSNL (from 2025-26)	15.14
26	Income from BSNL (from 2026-27)	15.14
27	Income from BSNL (from 2027-28)	15.14
28	Income from BSNL (from 2028-29)	15.14
29	Income from BSNL (from 2029-30)	15.14
30	Income from BSNL (from 2030-31)	15.14
31	Income from BSNL (from 2031-32)	15.14
32	Income from BSNL (from 2032-33)	15.14
33	Income from BSNL (from 2033-34)	15.14
34	Income from BSNL (from 2034-35)	15.14
35	Income from BSNL (from 2035-36)	15.14
36	Income from BSNL (from 2036-37)	15.14
37	Income from BSNL (from 2037-38)	15.14
38	Income from BSNL (from 2038-39)	15.14
39	Income from BSNL (from 2039-40)	15.14
40	Income from BSNL (from 2040-41)	15.14
41	Income from BSNL (from 2041-42)	15.14
42	Income from BSNL (from 2042-43)	15.14
43	Income from BSNL (from 2043-44)	15.14
44	Income from BSNL (from 2044-45)	15.14
45	Income from BSNL (from 2045-46)	15.14
46	Income from BSNL (from 2046-47)	15.14
47	Income from BSNL (from 2047-48)	15.14
48	Income from BSNL (from 2048-49)	15.14
49	Income from BSNL (from 2049-50)	15.14
50	Income from BSNL (from 2050-51)	15.14
51	Income from BSNL (from 2051-52)	15.14
52	Income from BSNL (from 2052-53)	15.14
53	Income from BSNL (from 2053-54)	15.14
54	Income from BSNL (from 2054-55)	15.14
55	Income from BSNL (from 2055-56)	15.14
56	Income from BSNL (from 2056-57)	15.14
57	Income from BSNL (from 2057-58)	15.14
58	Income from BSNL (from 2058-59)	15.14
59	Income from BSNL (from 2059-60)	15.14
60	Income from BSNL (from 2060-61)	15.14
61	Income from BSNL (from 2061-62)	15.14
62	Income from BSNL (from 2062-63)	15.14
63	Income from BSNL (from 2063-64)	15.14
64	Income from BSNL (from 2064-65)	15.14
65	Income from BSNL (from 2065-66)	15.14
66	Income from BSNL (from 2066-67)	15.14
67	Income from BSNL (from 2067-68)	15.14
68	Income from BSNL (from 2068-69)	15.14
69	Income from BSNL (from 2069-70)	15.14
70	Income from BSNL (from 2070-71)	15.14
71	Income from BSNL (from 2071-72)	15.14
72	Income from BSNL (from 2072-73)	15.14
73	Income from BSNL (from 2073-74)	15.14
74	Income from BSNL (from 2074-75)	15.14
75	Income from BSNL (from 2075-76)	15.14
76	Income from BSNL (from 2076-77)	15.14
77	Income from BSNL (from 2077-78)	15.14
78	Income from BSNL (from 2078-79)	15.14
79	Income from BSNL (from 2079-80)	15.14
80	Income from BSNL (from 2080-81)	15.14
81	Income from BSNL (from 2081-82)	15.14
82	Income from BSNL (from 2082-83)	15.14
83	Income from BSNL (from 2083-84)	15.14
84	Income from BSNL (from 2084-85)	15.14
85	Income from BSNL (from 2085-86)	15.14
86	Income from BSNL (from 2086-87)	15.14
87	Income from BSNL (from 2087-88)	15.14
88	Income from BSNL (from 2088-89)	15.14
89	Income from BSNL (from 2089-90)	15.14
90	Income from BSNL (from 2090-91)	15.14
91	Income from BSNL (from 2091-92)	15.14
92	Income from BSNL (from 2092-93)	15.14
93	Income from BSNL (from 2093-94)	15.14
94	Income from BSNL (from 2094-95)	15.14
95	Income from BSNL (from 2095-96)	15.14
96	Income from BSNL (from 2096-97)	15.14
97	Income from BSNL (from 2097-98)	15.14
98	Income from BSNL (from 2098-99)	15.14
99	Income from BSNL (from 2099-00)	15.14
100	Income from BSNL (from 2100-01)	15.14

As the BSNL is a public sector enterprise, the proposed income of pension and BSNL will be shared with the Government of India.

Signature

Date: 14.01.18



ANSWER - II
निम्नलिखित में से 4 :

Principal Administrators Confirmed

[illegible]

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SECRET
 Ministry of Defence
 Department of Defence Communications

The following is a summary of the proposed amendments to the Pension Scheme for Defence Personnel, which will be implemented from 1st January 1985. The amendments are designed to ensure that the pension scheme remains equitable and sustainable in the long term.

The proposed amendments are as follows:

Category of Pensioner	Proposed Amendment
From 10 years of service	50% of revised basic pension/family pension
From 15 years of service	50% of revised basic pension/family pension
From 20 years of service	50% of revised basic pension/family pension
From 25 years of service	50% of revised basic pension/family pension
From 30 years of service	50% of revised basic pension/family pension

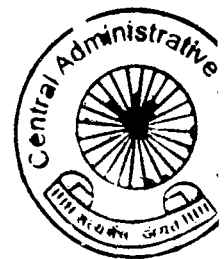
The proposed amendments will be implemented from 1st January 1985. It is expected that the amendments will result in a more equitable and sustainable pension scheme for defence personnel. The amendments will be implemented in accordance with the provisions of the Pension Scheme for Defence Personnel Act, 1974.

The proposed amendments have been incorporated into the draft Bill, which is currently being considered by the House of Commons. It is expected that the Bill will be passed by the House of Commons in the near future.

No further amendments are required.

SECRET

Page 1 of 1



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Some formulae has been avoided for reward of pay on executives as well as non executives with BSKL. Presumption confirmed.

BEVERLY HILLS

Score 34



ANNEXURE A-24

F. No. 40-17/2008-Pen(T)-Vol.III
 Government of India
 Ministry of Communications & Information Technology
 Department of Telecommunications
 Sanchar Bhawan, 20, Ashoka Road, New Delhi-110001.

Dated the 15th March, 2011OFFICE MEMORANDUMSub: Revision of pension of pre-2007 pensioners/ family pensioners of BSNL

1. The employees of erstwhile Department of Telecom (DoT) who were absorbed in BSNL with effect from 1.10.2000 in accordance with Rule 37-A of CCS (Pension) Rules 1972 and have since retired are being paid pension by the Government in accordance with sub-rule 21 of the said rule.

2. The matter regarding revision of Pension in respect of BSNL IDA Pensioners, who retired during the period from 1.10.2000 to 31.12.2006, pursuant to wage revision in BSNL with effect from 1.1.2007 had been under consideration of the Government of India.

3. The undersigned is directed to convey the decision of Government of India to regulate the pension/ family pension of all the BSNL absorbed pensioners/ family pensioners, who retired during the period 1.10.2000 to 31.12.2006, with effect from 1.1.2007, in the manner indicated in the succeeding paragraphs.

3.1. These orders shall apply to all pensioners/family pensioners who were drawing/ entitled to draw pension/ family pension on 1.1.2007 under the provisions of sub-rule 21 of Rule 37-A of Central Civil Services (Pension) Rules, 1972, based upon the combined services rendered in Government and in BSNL.

3.2. In these orders:

- a. Pre-2007 BSNL pensioner / family pensioner means a pensioner/ family pensioner, who, after retirement from BSNL during the period 1.10.2000 to 31.12.2006, was drawing/ entitled to draw pension based upon his combined service in Government and in BSNL, in accordance with sub-rule 21 of Rule 37-A of CCS(Pension) Rules 1972, as on 31.12.2006.

98/12/17
 17/1

[Signature]
 DEPT. SECRETARY
 DEPARTMENT OF TELECOMMUNICATIONS
 SANCHAR BHAWAN, NEW DELHI-110001

Page - 1/5



b. Existing pension means the basic pension inclusive of commuted portion, if any, as on 31.12.2006, covered under sub-rule 21 of Rule 37-A of the CCS (Pension) Rules, 1972.

c. Existing family pension means the basic family pension as on 31.12.2006 under sub-rule 21 of Rule 37-A of the CCS (Pension) Rules 1972.

4.1. The pension/ family pension of pre-2007 BSNL pensioners/ family pensioners will be consolidated with effect from 1.1.2007 by adding together:

- i. The existing pension/family pension, including commuted portion of pension, if any;
- ii. Dearness Relief upto AICPI (IW) average index 126.33 (Base year 2001=100) i.e. @ 68.8% of Basic Pension/ Basic family pension;
- iii. Fitment weightage @ 30% of the sum of existing pension/ family pension and Dearness Relief thereon.

The amount so arrived at will be regarded as consolidated pension/ family pension with effect from 1.1.2007.

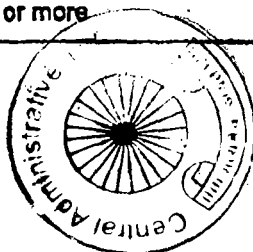
4.2. The fixation of pension will be subject to the provision that the revised pension, in no case, shall be lower than fifty percent of the minimum of the pay in the pay scale corresponding to the pre-revised pay scale from which the BSNL pensioner had retired.

4.3. Since the consolidated pension will be inclusive of commuted portion of pension, if any, the commuted portion will be deducted from the said amount while making monthly disbursements.

4.4. The lower and upper ceiling on pension/ family pension shall be Rs. 3500/- and Rs. 45000/- respectively.

4.5. The quantum of pension/family pension available to the old pensioners/ family pensioners shall be increased as follows:

Age of Pensioner/family pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of revised basic pension/ family pension
From 85 years to less than 90 years	30% of revised basic pension/ family pension
From 90 years to less than 95 years	40% of revised basic pension/ family pension
From 95 years to less than 100 years	50% of revised basic pension/ family pension
100 years or more	100% of revised basic pension/ family pension



Asah
15/3/2011

The amount of additional pension will be shown distinctly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and his/ her consolidated pension in terms para 4.1 and 4.2 above is Rs.10,000 pm, the pension will be shown as (i) Basic pension=Rs.10,000 and (ii) Additional pension = Rs.2,000 pm. The pension on his/ her attaining the age of 85 years will be shown as (i) Basic Pension = Rs.10,000 and (ii) additional pension = Rs.3,000 pm.

4.6. The consolidated pension/family pension arrived at as per paragraph 4.1 includes dearness relief of 68.8% of basic pension corresponding to average Index level upto 126.33 (Base year 2001=100) as on 1.1.07, as per orders issued quarterly by Department of Public Enterprises in respect of serving employees, whose pay scales were revised w.e.f. 1.1.1997. Therefore, dearness relief on the consolidated pension/ family pension will be admissible only beyond index average 126.33 (Base year 2001=100) in accordance with the scheme of dearness allowance which is admissible on pay to serving employees of BSNL, i.e. the quarterly IDA rates notified by Department of Public Enterprises. Sixteen such quarterly installments of Dearness Relief on IDA pension due w.e.f. 1.4.07 upto the date of issue of these orders will be paid on the basis of DPE OM issued from time to time in respect of serving employees of CPSEs whose scales were revised w.e.f. 1.1.07. A table indicating dearness relief admissible w.e.f. 1.4.2007 to 31.3.2011 is as under:

S. No.	IDA effective from	IDA Rates
1.	01-01-2007	0%
2.	01-04-2007	0.8%
3.	01-07-2007	1.3%
4.	01-10-2007	4.2%
5.	01-01-2008	5.8%
6.	01-04-2008	6.3%
7.	01-07-2008	9.2%
8.	01-10-2008	12.9%
9.	01-01-2009	16.6%
10.	01-04-2009	16.9%
11.	01-07-2009	18.5%
12.	01-10-2009	25.3%
13.	01-01-2010	30.9%
14.	01-04-2010	34.8%
15.	01-07-2010	35.1%
16.	01-10-2010	39.8%
17.	01-01-2011	43.0%

4.7. Where the consolidated pension/family pension in terms of paragraph 4 above works out to an amount less than Rs. 3500, the same shall be stepped upto Rs. 3500.

[Signature]
 Joint Secretary
 Department of Public Enterprises
 Ministry of Finance, Govt. of India
 New Delhi



This will be regarded as pension/ family pension with effect from 1.1.2007. In the case of pensioners who are in receipt of more than one pension, the floor ceiling of Rs. 3500/- will apply to the total of all pensions taken together.

4.8. Cases of BSNL pensioners who are in receipt of any other pension may be referred to this office for issue of orders separately.

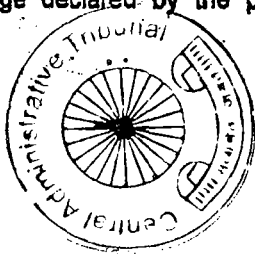
5. The annual pension liability of Government in respect of employees retired from DoT prior to 1.10.2000 and those who are working in BSNL on deemed deputation basis or on absorption shall continue to remain within 80% of annual receipts to Government from (i) dividend income from MTNL/BSNL, (ii) License fee from MTNL/BSNL; and (iii) Corporate Tax/ Excise duty/ Service Tax paid by BSNL after this revision. In case it exceeds 80%, excess liability will be borne by BSNL.

6. All administrative offices of BSNL handling preparation of pension papers to the BSNL pensioners are hereby directed to initiate the process of consolidation of pension/ family pension to existing BSNL pensioners/ family pensioners at the consolidated rates in terms of para 4 above immediately, and forward the same to concerned CCA for authorization. A Table showing pre-revised and revised pay scales in BSNL is given in Annexure-I.

7. A suitable entry regarding the revised consolidated pension shall be recorded by the pension Disbursing Authorities in both halves of the Pension Payment Order. An intimation regarding disbursement of revised pension may be sent by the pension disbursing authorities to the Office of CCA which had issued the PPO in the form given at Annexure-II so that the later can update the Pension Payment Order Register maintained by him. An acknowledgement shall be obtained by the Pension Disbursing Authorities from Office of the respective CCAs in this behalf.

8. The consolidated pension/ family pension as worked out in accordance with provisions of Para 4 above shall be treated as final Basic Pension with effect from 1.1.2007 and shall qualify for grant of Dearness Relief on IDA pattern sanctioned thereafter.

10. It shall be the responsibility of the CCAs/ Heads of the Office, etc. from which the BSNL employee had retired or where he was working prior to his demise to revise the pension/ family pension of all BSNL pensioners/ family pensioners with effect from 1st January 2007 in accordance with the provisions mentioned in para 4.1 and 4.2 above and to issue revised Pension Payment Order (PPOs). Action to revise pension/ family pension in terms of these provisions shall be initiated suo-moto by the concerned Heads of Offices. It is emphasized that the Pension Sanctioning Authority, in no case, will ask the BSNL pensioner/ family pensioner to surrender his/ her original Pension Payment Order (PPO) for issuing revised authority. In case, however, the age of pensioner/family pensioner is not available on the PPO/ office records, the same shall be obtained from the pensioner/ family pensioner and indicated in the revised PPO. The authenticity of the age declared by the pensioner/ family pensioner shall be verified by the pension



Handwritten signature
15/4/2011

sanctioning authority. It may also be ensured that a copy of the revised PPO should be invariably endorsed to the pensioner/ family pensioner.

11. It is considered desirable that the benefit of these orders should reach the pensioners as expeditiously as possible. To achieve this objective it is desired that all Heads of offices should ensure that the calculation for revised pension due to the pensioners in terms of para 4.1 and para 4.5 above is forwarded to the concerned CCA by 30th April 2011 who in turn will issue the revised PPO within one month of receipt of cases completed in all respects positively. Payment of pension at revised rates should start from the month of July 2011 and payment of arrears should be completed by 30th September 2011. Concerted efforts should be made by all the authorities concerned to ensure that the revised PPO's are issued, wherever necessary, with the utmost expedition in terms of para 4.1, 4.2 and 4.5 above.

(Shakeel Ahmad) 15.3.11
Dy. Director General (Establishment)
Ph: 23710035

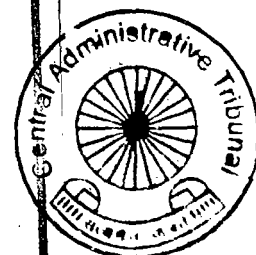
To,
Chairman and Managing Director
Bharat Sanchar Nigam Limited
New Delhi

Copy to:

1. The Cabinet Secretary [Attn: Shri K.L. Sharma, Director (Cabinet)]
2. Secretary, Department of Expenditure
3. Secretary, Department of Pension and Pensioners' Welfare
4. Secretary, Department of Legal Affairs
5. Secretary, Department of Public Enterprises
6. PS to Secretary (T)
7. PS to Members(S)/ (T)/ (F), Telecom Commission
8. DDG(TPF& A/C), DoT, for issuing detailed circular to CCA offices for revision of pension/ family pension as per this order; and to match the liability of government for payment of pension limiting to 60% of receipts as envisaged in para 5 of this order.
9. DDG(FEB)/ Director(Finance)/, DoT

10. Dir (IT) with the request to upload the O.M. in the DoT's web site. Hindi version of the O.M. will be sent shortly.

(D.N. Seh) 15/3/2011
U.S. (STP)

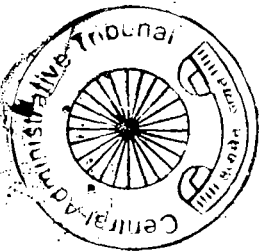


ANNEXURE - I

Pay Scales in BSNL

Pay Scale	Pre-revised	Revised	Min revised Pension
Non-Executive			
NE1	4000-120-5800	7760-13320	3880
NE2	4060-125-5935	7840-14700	3920
NE3	4100-125-5975	7900-14880	3950
NE4	4250-130-6200	8150-15340	4075
NE5	4550-140-6650	8700-16840	4350
NE6	4720-150-6970	9020-17430	4510
NE7	5700-160-8100	10900-20400	5450
NE8	6550-185-9325	12520-23440	6260
NE9	7100-200-10100	13600-25420	6800
NE10	7800-225-11175	14900-27850	7450
NE11	8570-245-12245	16370-30630	8185
Executive			
E1A	9850-250-14600	16400-40500	8200
E2A	11875-300-17275	20600-46500	10300
E3	13000-350-18250	24900-50500	12450
E4	14500-350-18700	29100-54500	14550
E5	16000-400-20800	32900-58000	16450
E6	17500-400-22300	36600-62000	18300
E7	18500-450-23900	43200-66000	21600
E9	23750-600-28550	62000-80000	31000
E9A	25000-650-30200	62000-80000	31000

Asah



ANNEXURE-II

Form of intimation by the Pension Disbursing Authority to the CCA and Concerned Communication Accounts Officer regarding consolidation of pension in terms of Department of Telecom. Office Memorandum No. 40-17/2008-Pen.(T)-Vol.III dated 15-03-2011.

1. Name of the IDA Pensioner/Family Pensioner :
2. PPO No. :
3. Date of Birth/age :
4. Date of retirement/Death (In case of family pension) :
5. Savings Bank Account No. :
6. Name of the Bank/Paying Branch :
7. Bank Code No. :
8. Computation of consolidated IDA pension/family pension:
Pension/*Family Pension/*Family Pension (at enhanced rate)

Pension		Family Pension/Enhanced Family Pension	
(A)	Existing basic pension (inclusive of commuted portion)	(A)	Existing basic Family Pension/Enhanced family pension
(B)	Dearness Relief up to 68.8% of Basic Pension	(B)	Dearness Relief upto 68.8% of Basic Family Pension
(C)	30% of (A) + (B) above	(C)	30% of (A) + (B) above
(D)	Consolidated Pension (A+B+C)	(D)	Consolidated Family Pension (A+B+C)

Note:

- (a) The final revision of IDA pension in respect of pensioners of BSNL will be done by the CCA & Accounts Officer concerned.
- (b) The final revision of IDA Family Pension will also be done by the CCA & Accounts Officer concerned.

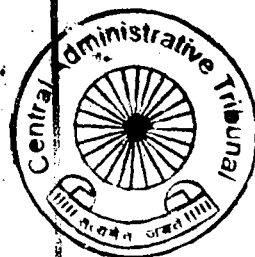
(* If not applicable draw a line across)

9. Whether consolidated IDA pension/family pension is final or allowed as immediate relief.
10. Remarks, if any.

SIGNATURE OF PENSION DISBURSING AUTHORITY

- i. CCA concerned
Ministry of Communications & I.T.
Department of Telecommunications

- ii. Concerned Communications
Accounts Officer



NO.40-31/2008-Pen(T)Vol.I Dated 23rd June 2011
Government of India

Department of Telecommunications
(Pension Section)

ANNEXURE A-25

To

1. All Principal CCAs/CCAs/Jt.CCAs.
2. CMD BSNL

Subject:- Applicability of revised rules of CCS (Pension) Rules 1972 Consequent of the 6th CPC to the Government employees absorbed in BSNL-- Clarification regarding.

Sir,

With reference to this office letter of even number dated 12th August, 2009, it is clarified that the enhanced family pension upto 10 years as mentioned in para 8.2 of PO & PW No.38/37/08-P&PW(A) dated 2-9-2008 and further clarification vide Sl. No.3 of 38/37/08-P&PW(A) Pt.II dated 3-10-2008 are applicable to BSNL IDA pensioners also.

2. The provision contained in Department of pension and pensioners O.M. 8/79/08-P&PW(G) dated 27th, October, 2010 regarding payment of Commutation Value of additional amount of pension in respect of employees who retired on/after 1.1.2006 but before 2-9-2008 and expired before exercising option for commutation of additional amount of pension are applicable to BSNL IDA pensioners also.

Sd/-

Deo Nath Sah)

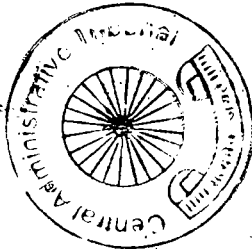
Under Secretary to the Govt. of India
Tel: 2303 6282

Copy for Information to:-

1. Sr. PPS to Chairman, Telecom Commission, New Delhi
2. Sr. PPS to All Members, Telecom Commission, Sanchar Bhavan New Delhi
3. Sr. PPS to All Advisors, DOT, Sanchar Bhavan New Delhi
4. Sr. DDG, TEC, Khurshid Lal Bhavan New Delhi
5. Controller General of Accounts, MoF, Lok 7th, Floor, Nayak Bhavan New Delhi-3
6. DG of Audit (P&T), Sham Nath Marg, Near Old Secretariat, Civil Lines, New Delhi-54
7. DDG(Accounts)/DDG(FEB)/DDG(LF)/DDG(WPF)/DDG(TFP).
8. All Sr. DDGs/DDGs DOT Sanchar Bhavan, New Delhi
9. DDG (Corporate Accounts), BSNL Statesmans House New Delhi
10. Sr. AO(PFP)/Pay Bill/Cash Section, DOT Sanchar Bhavan New Delhi
11. The Director (IT), Computer Cell, DOT Hqs New Delhi with a request to put the circular on website on DOT Headquarters i.e. www.dot.govt.in (kind attention Shri, Manish Kumar Vimal)
12. Hindi Section with the request to translate and send the hindi version of this letter for putting it in the DOT's website.
13. Guard file/Reference Folder
14. Secretary, All India Central Govt. Pensioners Association CHQ Pune, Branch Jalgaon 425 002 (Maharashtra)

For Minimum & Maximum pension – please refer para 4.4 and

For age-related additional pension – please refer para 4.5 of DoT OM dated 15/3/2011



ANNEXURE A-26

No.40-04/2013-Pen (I)
Government of India
Ministry of Communications & IT
Department of Telecommunications
(Pension Section)

516, Sanchar Bhawan, 20, Ashoka Road,
New Delhi-110001

Dated: 30th June, 2016

OFFICE MEMORANDUM

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

The undersigned is directed to refer to DOP&PW's OM No. 38/17/08-P&PW(A) dt. 06.04.2016 regarding delinking of revised pension from qualifying service of 33 years for revision of pension of pre-2006 pensioners. In pursuance, the aforesaid OM has been circulated to the concerned for implementation and necessary action vide this office OM of even no. dated 5.5.2016.

2. Subsequently, a number of references have been received in this Department seeking clarifications in regard to the provisions of the aforesaid OM. The matter was referred to DOP&PW seeking their clarification on the above matter and based on the clarification received from DOP&PW, the queries raised and their corresponding reply are as under:

S.No.	Queries	Clarification furnished by DOP&PW
(i)	Whether DoT employees permanently absorbed in BSNL/MTNL, who opted for pro-rata pension for their DoT service of more than 10 years, are eligible for full pension in view of the Government decision conveyed vide aforesaid OM.	The requirement of qualifying service of 10 years for grant of pension was always there. Therefore, all pre-2006 pensioners are supposed to have completed 10 years of qualifying service at the time of their retirement. Therefore, all pre-2006 pensioners, except those mentioned at Point(ii) below, are eligible for revision of pension in terms of OM dt. 6.4.2016.
(ii)	Whether DoT employees, who received one-time lump sum settlement in lieu of their pension and their 1/3 rd pension was subsequently restored, are also covered under the aforesaid OM.	The orders for revision of notional full pension of the absorbees pensioners who had got lump sum amount for their entire pension would be issued by DOP&PW separately. Therefore, pension of all such pre-2006 pensioners are required to be revised in accordance with the orders issued by DOP&PW from time to time.

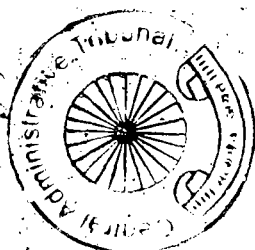
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(iii)	Whether order dt. 6.4.2016 is applicable to the pensioners who retired other than on superannuation i.e. Voluntary, premature, invalid, compensation etc.	Attention is invited to Para 3 of DOP&PW's OM No. 38/37/08-P&PW(A) dated 22.07.2011 wherein it is mentioned that the benefit of Para 4.2 of OM dated 1.9.2008 as clarified in OM dated 3.10.2008 will not be applicable in the case of revision of pension/family pension of those pre-2006 retirees who were in receipt of compulsory retirement pension and compassionate allowance under Rule-40 and 41 of CCS (Pension) Rules, 1972. Therefore, it is clear that the benefit of modified parity has not been extended to these pensioners. The OM dated 6.4.2016 is issued to grant the benefit of full pension instead of pro-rata pension to those pre-2006 retirees who earlier got the benefit of modified parity under Para 4.2 of OM dated 1.9.2008.
-------	---	--

(Rulley Mishra)
Assistant Director General (STP)
Tel No. 23036854

- To:
1. All the CCAs/TERM Cells.
 2. Sr. DDG (TEG), Khurshid Lal Bhawan, Janpath, New Delhi.
 3. DDG (Estt), DDG (Accounts), DoT, Hqs, New Delhi.
 4. Director (Estt), Director (Accounts), Director (Accts II), DoT, Hqs, New Delhi.
 5. CMD, BSNL Corporate Office, Janpath, New Delhi.
 6. CMD, MTNL, New Delhi.
 7. Director (IT), DoT (HQ), Sanchar Bhawan, New Delhi for uploading the same on DoT website.



ANNEXURE A-27

Ministry of Defence, Public Relations & Welfare
 Department of Pension & Gratuity Welfare
 Central Government, New Delhi-110003

Dated: 17th August, 2016

OFFICE MEMORANDUM

Subject: Implementation of Government's decision on the recommendation of the Seventh Central Pay Commission - Revision of provisions regulating pension/gratuity/accumulation of pension/family pension/gratuity/pension ex gratia/lump-sum compensation, etc.

1. The undersigned is pleased to state that in pursuance of Government's decision on the recommendation of the Seventh Central Pay Commission, the President is pleased to introduce the following modifications in the rules regulating pension, gratuity, family pension, disability pension, ex gratia lump-sum compensation, and other the rules (Pension Rules, 1972 and Consolidation of Pension Rules, 1972) and Consolidation of Pension Rules, 1972 and Consolidation of Pension Rules, 1972.

2. These orders apply to Central Government employees governed by the CCS (Pension) Rules, 1972. Separate orders will be issued by the Ministry of Defence, Ministry of Railways and the AIS, Division of the AIS, in respect of Armed Forces personnel, Railway employees and the officers of Air India Services respectively on the basis of these orders.

DATE OF EFFECT

3.1 The revised provisions as per these orders shall apply to Government servants who retire on or after 1.1.2016. Separate order have been issued in respect of employees who retire on or after 1.1.2016.

3.2 Where pension/family pension/gratuity/accumulation of pension, etc has already been sanctioned in cases occurring on or after 1.1.2016, the same shall be revised in terms of these orders in cases where pension has been finally sanctioned on the pre-revised orders and if it happens to be more beneficial than the pension



becoming due under these orders, the pension already sanctioned shall not be revised to the disadvantage of the pensioner in view of Rule 70 of the CCS (Pension) Rules, 1972.

EMOLUMENTS

4.1 The term 'Emoluments' for purposes of calculating various pensionary benefits other than various kinds of gratuity shall have the same meaning as in Rule 33 of the Central Civil Services (Pension) Rules, 1972.

4.2 Basic pay in the revised pay structure means the pay drawn in the prescribed level in the pay matrix with effect from 01.01.2016 but does not include any other type of pay like special pay etc.

4.3 In the case of all kinds of gratuity, dearness allowance admissible on the date of retirement/death shall continue to be treated as emoluments along with the emoluments as defined in Paragraph 4.1 above.

PENSION

5.1 Subject to paragraph 2, there shall be no change in the provisions regulating the amount of pension as contained in Rule 49 of the CCS (Pension) Rules.

5.2 The amount of pension shall be subject to a minimum of Rs 8000/- and the maximum pension would be 80% of highest pay in the Government (The highest pay in the Govt. is Rs 2,60,000 with effect from 1.1.2016). The provisions of sub-rule (2) of Rule 49 of the CCS (Pension) Rules, 1972 shall stand modified to this extent.

5.3 The quantum of additional pension/family pension available to the old pensioners/family pensioners shall continue to be as follows:

Age of pensioner/family pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of revised basic pension / family pension
From 85 years to less than 90 years	30% of revised basic pension / family pension
From 90 years to less than 95 years	40% of revised basic pension / family pension
From 95 years to less than 100 years	50% of revised basic pension / family pension
100 years or more	100% of revised basic pension / family pension

The Pension Sanctioning Authorities should ensure that the date of birth and the age of a pensioner is invariably indicated in the pension payment order to facilitate payment of additional pension by the Pension Disbursing Authority as soon as it becomes due. The

amount of additional pension will be shown clearly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and his pension is Rs. 10,000 p.m., the pension will be shown as (i) Basic Pension = Rs. 10,000 and (ii) Additional Pension = Rs. 3,000 p.m. The pension on his attaining the age of 85 years will be shown as (i) Basic Pension = Rs. 10,000 and (ii) additional pension = Rs. 3,000 p.m.

Retirement/Death Gratuity

6.1 The rates for payment of death gratuity shall be revised as under:

Length of qualifying service	Rate of Death Gratuity
Less than One year	2 times of monthly emoluments
One Year or more but less than 5 years	3 times of monthly emoluments
5 years or more but less than 10 years	12 times of monthly emoluments
10 years or more but less than 20 years	20 times of monthly emoluments
20 years or more	Half month's emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments.

Accordingly, Rule 50(1)(b) of CCS (Pension) Rules, 1972 shall stand modified to this extent.

6.2 The maximum limit of Retirement Gratuity and death gratuity shall be Rs. 20 lakh. The ceiling on gratuity will increase by 25% whenever the dearness allowance rises by 50% of the basic pay. Accordingly, first proviso under Rule 50(1)(b) of CCS (Pension) Rules, 1972 shall stand modified to this extent.

FAMILY PENSION 1984

7.1 Family pension shall be calculated at a uniform rate of 30% of basic pay in the revised pay structure and shall be subject to a minimum of Rs. 9000 p.m. and maximum of 30% of the highest pay in the Government. Rule 5 (2) relating to Family Pension, 1984 under CCS (Pension) Rules, 1972 shall stand modified to this extent.

7.2 The amount of enhanced family pension shall be 40% of basic pay in the revised pay structure and shall be subject to a minimum of Rs. 9000 p.m. and maximum of 50% of the highest pay in the Government. The highest pay in the Govt. is Rs. 2,51,000 with effect from 1-1-2016.

7.3 There will be no other change in the provisions regulating family pension, enhanced family pension and additional family pension to old family pensioners.

COMMUTATION OF PENSION

8.1 There will be no change in the provisions relating to commutation values, the limit upto which the pension can be commuted or the period after which the commuted pension is to be restored.

8.2 The pensionable pension under para 5 and 7 above shall qualify for dearness relief and indexation from time to time in accordance with the relevant rules/instructions.

FIXED MEDICAL ALLOWANCE

10.1 Fixed Medical Allowance to the pensioners who are residing in non-CCHS areas and are not availing OHA facility of CCHS shall continue to be paid at the existing rate till a final decision is taken on the basis of recommendations of the Committee constituted for the purpose.

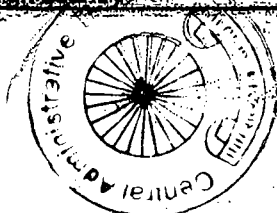
CONSTANT ATTENDANT ALLOWANCE

11.1 The amount of Constant Attendant Allowance to pensioners who retired on disability pension with 100% disability under the CCS (Extraordinary) Pension Rules, 1939, where the individual is completely dependent on somebody else for day to day functions, shall continue to be paid at the existing rate till a final decision is taken on the basis of recommendations of the Committee constituted for the purpose.

EX GRATIA LUMP SUM COMPENSATION

12.1 The amount of ex gratia lump sum compensation available to the families of Central Government Civilian employees, who die in the performance of their *bona fide* official duties under various circumstances shall be revised as under:

Circumstances	Amount
Death occurring due to accidents in course of performance of duties	25 lakh
Death in the course of performance of duties attributed to acts of violence by terrorists and social elements etc.	25 lakh
Death occurring in border skirmishes and action against militants, terrorists, extremists, sea pirates	35 lakh
Death occurring while on duty in the specified high altitude, inaccessible border posts etc. on account of natural disasters, extreme weather conditions.	35 lakh
Death occurring during enemy action in war or such war like engagements, which are specifically notified by Ministry of Defence and death occurring during evacuation of Indian Nationals from a war zone in foreign country.	45 lakh



13.1. Formal instructions to the Government of India, 1922 and 1923 (Extraordinary) Pension Rules, 1929 in force, and decisions contained in this order will be issued in the order of the Government of India, 1922 (Extraordinary) Pension Rules, 1929 and 1923 (Extraordinary) Pension Rules, 1929 and 1923 (Extraordinary) Pension Rules, 1929 which are not specifically mentioned in the order will be issued in the order of the Government of India, 1922 (Extraordinary) Pension Rules, 1929 and 1923 (Extraordinary) Pension Rules, 1929.

13.2. The Government of India, 1922 (Extraordinary) Pension Rules, 1929 and 1923 (Extraordinary) Pension Rules, 1929 will be issued in the order of the Government of India, 1922 (Extraordinary) Pension Rules, 1929 and 1923 (Extraordinary) Pension Rules, 1929.

13.3. The Government of India, 1922 (Extraordinary) Pension Rules, 1929 and 1923 (Extraordinary) Pension Rules, 1929 will be issued in the order of the Government of India, 1922 (Extraordinary) Pension Rules, 1929 and 1923 (Extraordinary) Pension Rules, 1929.

13.4. The Government of India, 1922 (Extraordinary) Pension Rules, 1929 and 1923 (Extraordinary) Pension Rules, 1929 will be issued in the order of the Government of India, 1922 (Extraordinary) Pension Rules, 1929 and 1923 (Extraordinary) Pension Rules, 1929.

Yashwantrao Chavan
Minister of Home Affairs
Joint Secretary to the Government of India

1. At the Ministry of Home Affairs, Government of India
2. Principal Secretary, Ministry of Home Affairs, Government of India, New Delhi
3. Secretary, Ministry of Home Affairs, Government of India, New Delhi
4. Joint Secretary, Ministry of Home Affairs, Government of India, New Delhi



ANNEXURE A-28

F.No.58/37/2016-P&PW(A) (N)

Government of India

Ministry of Personnel, Public Grievances & Pensions

Department of Pension & Pensioners' Welfare

Lok Nayak Bhawan, New Delhi-110003

Dated the 4th August, 2016.OFFICE MEMORANDUM

Sub: Implementation of Government's decisions on the recommendations of the Seventh Central Pay Commission - Revision of pension of pre-2016 pensioners/family pensioners etc.

The undersigned is directed to say that in pursuance of Government's decision on the recommendations of Seventh Central Pay Commission, sanction of the President is hereby accorded to the regulation with effect from 01.01.2016, of pension/ family pension of all the pre-2016 pensioners/family pensioners in the manner indicated in the succeeding paragraphs. Separate orders are being issued in respect of employees who retired/died on or after 01.01.2016.

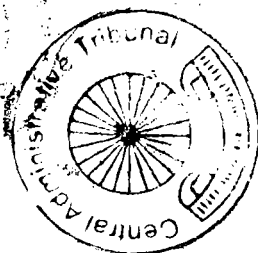
2.1 These orders shall apply to all pensioners/family pensioners who were drawing pension/family pension before 1.1.2016 under the Central Civil Services (Pension) Rules, 1972, Central Civil Services (Extraordinary Pension) Rules and the corresponding rules applicable to Railway pensioners and pensioners of All India Services, including officers of the Indian Civil Service retired from service on or after 1.1.1973. A pensioner/family pensioner who became entitled to pension/family pension with effect from 01.01.2016 consequent on retirement/death of Government servant on 31.12.2015, would also be covered by these orders.

2.2 Separate orders will be issued by the Ministry of Defence in regard to Armed Forces pensioners/family pensioners.

2.3 These orders also do not apply to retired High Court and Supreme Court Judges and other Constitutional Statutory Authorities whose pension etc. is governed by separate rules/orders.

In these orders:

- a. 'Existing pensioner' or 'Existing Family pensioner' means a pensioner/family pensioner to whom these orders are applicable in terms of para 2.1 above.
- b. 'Existing pension' or 'Existing Family Pension' means the basic pension (inclusive of continued pension, if any) or basic family pension, as had been fixed at the time



of implementation of 6th CPC recommendations, which an existing pensioner or family pensioner was entitled to.

4.1 For existing pensioners who have retired before 01.01.2016, the revised pension/family pension with effect from 01.01.2016 shall be determined by multiplying the pension/family pension as had been fixed at the time of implementation of 6th Central Pay Commission (CPC) recommendations, by 2.57. The amount of revised pension/family pension so arrived at shall be rounded off to next higher rupee.

Illustration:

Case I:

Pensioner 'A' retired at last pay drawn of Rs. 79,000 on 31st May, 2015 under the 6th CPC regime in the scale of Rs. 67000-79000:

		Amount in Rs.
1.	Basic Pension fixed in 6 th CPC	39500
2.	Revised Pension fixed under 7 th CPC (using a multiple of 2.57)	101545

Case II:

Pensioner 'B' retired at last pay drawn of Rs. 4,000 on 31st January, 1989 under the 4th CPC regime in the pay scale of Rs. 3000-100-3500-125-4500:

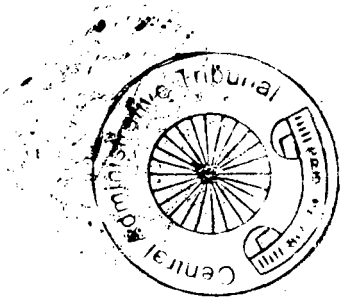
		Amount in Rs.
1.	Basic Pension fixed in 4 th CPC	1940
2.	Basic Pension as revised in 6 th CPC	12600
3.	Revised Pension fixed under 7 th CPC (using a multiple of 2.57)	32,382

4.2 For this purpose, the existing pension/family pension will be the basic pension/family pension only without the element of additional pension available to the old pensioners/family pensioners of the age of 80 years and above. The additional pension/family pension payable to the old pensioners/family pensioners will be worked out in accordance with para 4.5 of this G.M.

4.3 Since the consolidated pension will be inclusive of commuted portion of pension, if any, the commuted portion will be deducted from the said amount while making monthly disbursements.

4.4 The minimum pension with effect from 01.01.2016 will be Rs. 9000/- per month (excluding the element of additional pension to old pensioners). The upper ceiling on pension/family pension will be 60% and 30% respectively of the highest pay in the Government. (The highest pay in the Government is Rs. 2,50,000 with effect from 01.01.2016).





4.5 The quantum of pension/family pension available to the old pensioners' family pensioners shall continue to be as follows:

Age of pensioner/family pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of revised basic pension/family pension
From 85 years to less than 90 years	30% of revised basic pension/family pension
From 90 years to less than 95 years	40% of revised basic pension/family pension
From 95 years to less than 100 years	50% of revised basic pension/family pension
100 years or more	100% of revised basic pension/family pension

The amount of additional pension will be shown distinctly in the pension payment order. For example, if a pensioner is more than 80 years of age and his/her revised pension is Rs. 10,000 and 40% additional pension is Rs. 4,000 p.m. The pension on his/her attaining the age of 85 years will be shown as Rs. 10,000 and 40% additional pension is Rs. 4,000 p.m. Dearness relief will be admissible on the additional pension available to the old pensioners also.

4.6 The revised pension/family pension revised at as per paragraph 4.1 includes dearness relief cancelled from 01.01.2016.

5. When the revised pension/family pension in terms of paragraph 4.1 above works out to an amount less than Rs. 5000, the same shall be topped up to Rs. 5000. This will be regarded as pension/family pension with effect from 01.01.2016.

6. The existing instructions regarding regulation of dearness relief to employed/retired pensioners/family pensioners as contained in Department of Pension & Pensioners' Welfare (DPPW) No. 257/387/34/1989 dated 02.07.1989, as amended from time to time, shall continue to apply.

7. The cases of Central Government employees who have been permanently absorbed in public sector undertakings/autonomous bodies will be regulated as follows:-

(a) PENSION

When the Government servants on permanent absorption in public sector undertakings/autonomous bodies continue to draw pension separately from the Government, the pension of such absorbees will be updated in terms of these orders. In cases where the Government servants have drawn one-time lump sum terminal benefits equal to 100% of their pensions and have become entitled to the restoration of one-third commuted portion of pension as per the instructions issued by this Department from time to time, their cases will not be covered by these orders. Orders for regulating pension of such pensioners will be issued separately.



(b) FAMILY PENSION

In cases where, on permanent absorption in public sector undertakings/autonomous bodies, the terms of absorption and/or the rules permit grant of family pension under the CCS (Pension) Rules, 1974 or the corresponding rules applicable to Railway employees/members of All India Services, the family pension being drawn by family pensioners will be updated in accordance with these orders.

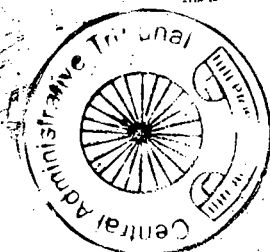
8. The matter regarding Pension Attendant Allowance admissible to the existing pensioners shall be examined by a Committee comprising Finance Secretary and Secretary (Administrative) as Chairman and Secretaries of Home Affairs, Defence, Posts, Health & Family Welfare, Personnel & Training and Chairman, Railway Board as Members. Till a final decision is taken based on the recommendations of the Committee, Pension Attendant Allowance shall be paid at existing rates.

9. All Pension Disbursing Authorities including Public Sector Banks handling disbursement of pensions to the Central Government pensioners are hereby authorised to pay pension/family pension to existing pensioners/family pensioners at the revised rates in terms of para 4.1 and 5 above without any further authorisation from the concerned Accounts Officer/Head of Office. Wherever the age of pensioner/family pensioner is available on the pension payment order, the additional pension/family pension in terms of para 4.4 above may also be paid by the pension disbursing authorities immediately without any further authorisation from the concerned Accounts Officer/Head of Office, etc. A suitable entry regarding the revised pension shall be recorded by the pension Disbursing Authorities in both halves of the Pension Payment Order.

10. The pension/family pension admissible out of provident fund provisions of Para 4.1 and 4.2 above shall be treated as Basic Pension with effect from 01.01.2016. The revised pension/family pension admissible shall be referred to as revised pension/family pension from 1.1.2016 and shall apply to pensioners/dependants of the pensioners/family pensioners.

11. Further orders in regard to revision of pension based on the recommendations of the Committee to be constituted in terms of the Government's decision on Item No. 11 of this Department's Resolution No. 30/37/2016-P&PW (A) dated 4th August, 2016, will be issued as and when required.

12. After a decision as in para 11 above is taken by the Government and orders are issued in this regard, the Head of the Department of the Ministry, Department, Office, etc. from which the Government servant had retired or where he was working prior to his demise will advise the pension/family pension of all pensioners/family pensioners with



Payment Order (PPOs) accordingly.

13. It is considered desirable that the benefit of these orders should reach the pensioners as expeditiously as possible. To achieve this objective it is desired that all Pension Disbursing Authorities should ensure that the revised pension and the arrears due to the pensioners in terms of para 4.1 and para 5 above is paid to the pensioners or credited to their account by 31st August, 2016 or before positively.

14. In their application to the persons belonging to Indian Audit and Accounts Department, these orders, shall be in consultation with the Comptroller and Auditor General of India.

15. 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 on a top priority basis. All pension disbursing offices are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

16. Hindi version will follow.

Udhana
(Udhana Sharma)

Joint Secretary to the Government of India

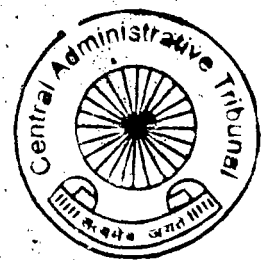
To:

All Ministerial Departments of Government of India

Copy to: As per mailing list

Central Pension Accounting Office, New Delhi

CMDs of All Pension Disbursing Banks



ANNEXURE A-29

No.35-02/2016-Pen.(T)(ii)
 Government of India
 Ministry of Communications
 Department of Telecommunications
 (Pension Section)

516-Sanchar Bhawan, 20, Ashoka Road,
 New Delhi-110001

Dated: 22 August, 2016

OFFICE MEMORANDUM

Subject:- Implementation of Government's decisions on the recommendations of the Seventh Central Pay Commission - Revision of pension of pre-2016 pensioners/family pensioners etc.

The undersigned is directed to circulate DOP&PW's OM No. 38/37/2016-P&PW(A26) dt 4th August, 2016 on the above mentioned subject for implementation and necessary action.

Encl: As above.

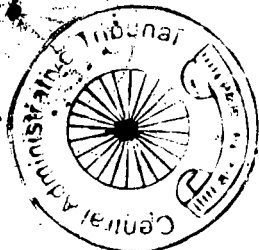


(K.S. Dahiya)

Under Secretary to the Govt. of India
 Tel: 23016854

To:

1. All the CCAs/TERM Cells.
2. Sr. DDG (TEC), Khushid Lal Bhawan, Jangpatti, New Delhi.
3. Sr. DWA, 6th floor, Sanchar Bhawan, 20-Ashoka Rd, New Delhi-110001
4. DDG (Estt. & MDO) (Accounts), DOT, Hqrs, New Delhi.
5. DDG (T&A), NTHRI, Ghaziabad-201002.
6. Director General, National Institute of Communication Finance (NICF), Ghatorai, New Delhi-110047.
7. Director (Estt.), Director (Accts. I), Director (Accts. II), DOT, Hqrs, New Delhi.
8. Executive Director, CENTRE FOR DEVELOPMENT OF TELEMATICS (C-DOT), New Delhi-110030.
9. Director, Telecom Centres of Excellence (TCOE), New Delhi-110030.
10. CMD, BSNL Corporate Office, Jangpatti, New Delhi.
11. CMD, MTNL, Khushid Lal Bhawan, New Delhi.
12. CMD, Bharat Broadband Network Limited (BBNL), New Delhi-110030.
13. CMD, Telecommunications Consultants India Limited (TCIL), New Delhi-110048.
14. CMD, IIT Limited, New Delhi-110001.
15. Director (ID), DOT (ID), Sanchar Bhawan, New Delhi for uploading the same on DoT website.



F.No.38/37/2016-P&PW(A) (11)

Government of India

Ministry of Personnel, Public Grievances & Pensions

Department of Pension & Pensioners' Welfare

Lok Nayak Bhawan, New Delhi-110003

Dated the 4th August, 2016.

OFFICE MEMORANDUM

Subj: Implementation of Government's decisions on the recommendations of the Seventh Central Pay Commission. - Revision of pension of pre-2016 pensioners/family pensioners etc.

The undersigned is directed to say that in pursuance of Government's decision on the recommendations of Seventh Central Pay Commission, sanction of the President is hereby accorded to the regulation, with effect from 01.01.2016, of pension/ family pension of all the pre-2016 pensioners/ family pensioners in the manner indicated in the succeeding paragraphs. Separate orders are being issued in respect of employees who retired/died on or after 01.01.2016.

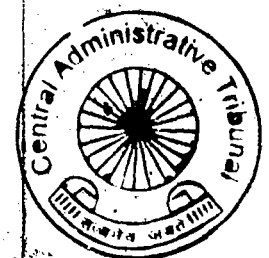
2.1 These orders shall apply to all pensioners/family pensioners who were drawing pension/family pension before 1.1.2016 under the Central Civil Services (Pension) Rules, 1972, Central Civil Services (Extraordinary Pension) Rules and the corresponding rules applicable to Railway pensioners and pensioners of All India Services, including officers of the Indian Civil Service retired from service on or after 1.1.1973. A pensioner/family pensioner who became entitled to pension/family pension with effect from 01.01.2016 consequent on retirement/death of Government servant on 31.12.2015, would also be covered by these orders.

2.2 Separate orders will be issued by the Ministry of Defence in regard to Armed Forces pensioners/family pensioners.

2.3 These orders also do not apply to retired High Court and Supreme Court Judges and other Constitutional/Statutory Authorities whose pension etc. is governed by separate rules/orders.

3. In these orders:

- a. 'Existing pensioner' or 'Existing Family pensioner' means a pensioner/family pensioner to whom these orders are applicable in terms of para 2.1 above.
- b. 'Existing pension' or 'Existing Family Pension' means the basic pension (inclusive of commuted portion, if any) or basic family pension, as had been fixed at the time



of implementation of 6th CPC recommendations, which an existing pensioner or family pensioner was entitled to.

4.1 For existing pensioners, who have retired before 01.01.2016, the revised pension/family pension with effect from 01.01.2016 shall be determined by multiplying the pension/family pension, as had been fixed at the time of implementation of 6th Central Pay Commission (CPC) recommendations, by 2.57. The amount of revised pension/family pension so arrived at shall be rounded off to next higher rupee.

Illustration:

Case I

Pensioner 'A' retired at last pay drawn of Rs. 79,000 on 31st May, 2015 under the 6th CPC regime in the scale of Rs. 67000-79000.

		Amount in Rs.
1.	Basic Pension fixed in 6 th CPC	39500
2.	Revised Pension fixed under 7 th CPC (using a multiple of 2.57)	101516

Case II

Pensioner 'B' retired at last pay drawn of Rs. 4,000 on 31st January, 1989 under the 4th CPC regime in the pay scale of Rs. 2000-100-3500-125-4500.

		Amount in Rs.
1.	Basic Pension fixed in 4 th CPC	1940
2.	Basic Pension as revised in 6 th CPC	12600
3.	Revised Pension fixed under 7 th CPC (using a multiple of 2.57)	32,382

4.2 For this purpose, the existing pension/family pension will be the basic pension/family pension only without the element of additional pension available to the old pensioners/family pensioners of the age of 80 years and above. The additional pension/family pension payable to the old pensioners/family pensioners will be worked out in accordance with para 4.5 of this O.M.

4.3 Since the consolidated pension will be inclusive of commuted portion of pension, if any, the commuted portion will be deducted from the said amount while making monthly disbursements.

4.4 The minimum pension with effect from 01.01.2016 will be Rs. 9000/- per month (excluding the element of additional pension to old pensioners). The upper ceiling on pension/family pension will be 50% and 30% respectively of the highest pay in the Government. (The highest pay in the Government is Rs. 2,50,000 with effect from 01.01.2016).



8

4.5 The quantum of pension/family pension available to the old pensioners/ family pensioners shall continue to be as follows:-

Age of pensioner/family pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of revised basic pension/ family pension
From 85 years to less than 90 years	30% of revised basic pension/ family pension
From 90 years to less than 95 years	40% of revised basic pension/ family pension
From 95 years to less than 100 years	50% of revised basic pension/ family pension
100 years or more	100% of revised basic pension/ family pension

The amount of additional pension will be shown distinctly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and his/her revised pension in terms para 4.1 above is Rs.10,000 pm, the pension will be shown as (i). Basic pension = Rs.10,000 and (ii). Additional pension = Rs.2,000 pm. The pension on his/her attaining the age of 85 years will be shown as (i). Basic Pension = Rs.10,000 and (ii) additional pension = Rs.3,000 pm. Dearness relief will be admissible on the additional pension available to the old pensioners also.

4.6 The revised pension/family pension arrived at as per paragraph 4.1 includes dearness relief sanctioned from 1.1.2016.

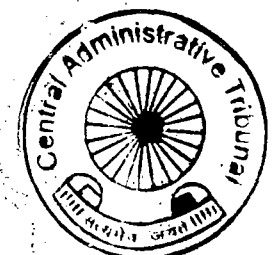
5. Where the revised pension/family pension in terms of paragraph 4.1 above works out to an amount less than Rs. 8000/-, the same shall be stepped up to Rs. 8000/-. This will be regarded as pension/family pension with effect from 1.1.2016.

6. The existing instructions regarding regulation of dearness relief to employed/re-employed pensioners/family pensioners, as contained in Department of Pension & Pensioners Welfare G.M. No. 45/3/97-P&PW(G) dated 02-07-1999, as amended from time to time, shall continue to apply.

7. The cases of Central Government employees who have been permanently absorbed in public sector undertakings/autonomous bodies will be regulated as follows:-

(A) PENSION

Where the Government servants on permanent absorption in public sector undertakings/autonomous bodies continue to draw pension separately from the Government, the pension of such absorbees will be updated in terms of these orders. In cases where the Government servants have drawn one time lump-sum terminal benefits equal to 100% of their pensions and have become entitled to the restoration of one-third commuted portion of pension as per the instructions issued by this Department from time to time, their cases will not be covered by these orders. Orders for regulating pension of such pensioners will be issued separately.



(b) FAMILY PENSION

In cases where, on permanent absorption in public sector undertakings/autonomous bodies, the terms of absorption and/or the rules permit grant of family pension under the CCS (Pension) Rules, 1972 or the corresponding rules applicable to Railway employees/members of All India Services, the family pension being drawn by family pensioners will be updated in accordance with these orders.

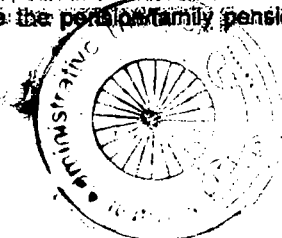
8. The matter regarding Constant Attendant Allowance admissible to the existing pensioners shall be examined by a Committee comprising Finance Secretary and Secretary (Expenditure) as Chairman and Secretaries of Home Affairs, Defence, Posts, Health & Family Welfare, Personnel & Training and Chairman, Railway Board as Members. The final decision is taken based on the recommendations of the Committee. Constant Attendant Allowance shall be paid at existing rates.

9. All Pension Disbursing Authorities including Public Sector Banks handling disbursement of pension to the Central Government pensioners are hereby authorised to pay pension/family pension to existing pensioners/family pensioners at the revised rates in terms of para 4.1 and 5 above without any further authorisation from the concerned Accounts Officers/Head of Office etc. Wherever the age of pensioner/family pensioner is available on the pension payment order, the additional pension/family pension in terms of para 4.4. above may also be paid by the pension disbursing authorities immediately without any further authorisation from the concerned Account Officer/ Head of Office, etc. A suitable entry regarding the revised pension shall be recorded by the pension Disbursing Authorities in both halves of the Pension Payment Order.

10. The pension/family pension as worked out in accordance with provisions of Para 4.1, and 5 above shall be treated as 'Basic Pension' with effect from 01.01.2016. The revised pension/family pension includes Dearness relief sanctioned from 1.1.2016 and shall qualify for grant of Dearness Relief sanctioned thereafter.

11. Further orders in regard to revision of pension based on the recommendations of the Committee to be constituted in terms of the Government's decision on Item No. 11 of this Department's Resolution No. 38/37/2015-P&PW (A) dated 4th August, 2016, will be issued in due course.

12. After a decision as in para 11 above is taken by the Government and orders are issued in this regard, the Head of the Department of the Ministry, Department, Office, etc. from which the government servant had retired or where he was working prior to his demise will revise the pension/family pension of all pensioners/ family pensioners with



effect from 1st January 2018 in accordance with these orders and issue revised Pension Payment Order (PPOs) accordingly.

13. It is considered desirable that the benefit of these orders should reach the pensioners as expeditiously as possible. To achieve this objective it is desired that all Pension Disbursing Authorities should ensure that the revised pension and the arrears due to the pensioners in terms of para 4.1 and para 5 above is paid to the pensioners or credited to their account by 31st August, 2018 or before positively.

14. In their application to the persons belonging to Indian Audit and Accounts Department, these orders issued in consultation with the Comptroller and Auditor General of India.

15. 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 on a top priority basis. All pension disbursing offices are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

16. Hindi version will follow.

(Vandana Sharma)
(Vandana Sharma)

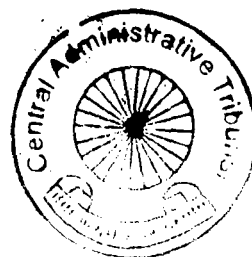
Joint Secretary to the Government of India

To

All Ministries/ Departments of Government of India

Copy for As per mailing list

- Central Pension Accounting Office, New Delhi
- CMs of All Pension Disbursing Banks



ANNEXURE A-30

ANNEXURE A-30
MINISTRY OF PERSONNEL, PUBLIC RELATIONS
DEPARTMENT OF PERSONNEL MANAGEMENT

3rd Floor, Lok Nayak Bhawan
 Kirti Market, New Delhi
 Dated: 12th May, 2017

Chief Memorandum

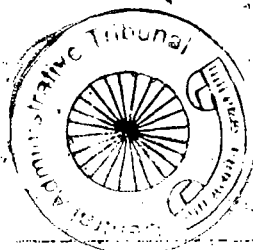
Subject: Implementation of Government of India (GOI) on the recommendations of the 7th Pay Commission - Revision of pension of pre-2016 pensioners/family pensioners.

The Government of India (GOI) has decided to implement the recommendations of the 7th Pay Commission (7th PC) for the revision of pension of pre-2016 pensioners/family pensioners. The Government of India (GOI) has decided to implement the recommendations of the 7th PC for the revision of pension of pre-2016 pensioners/family pensioners. The Government of India (GOI) has decided to implement the recommendations of the 7th PC for the revision of pension of pre-2016 pensioners/family pensioners.

2. In accordance with the decision mentioned in the Government of India (GOI) on the recommendations of the 7th PC, the Government of India (GOI) has decided to implement the recommendations of the 7th PC for the revision of pension of pre-2016 pensioners/family pensioners. The Government of India (GOI) has decided to implement the recommendations of the 7th PC for the revision of pension of pre-2016 pensioners/family pensioners.

3. In accordance with the decision mentioned in the Government of India (GOI) on the recommendations of the 7th PC, the Government of India (GOI) has decided to implement the recommendations of the 7th PC for the revision of pension of pre-2016 pensioners/family pensioners. The Government of India (GOI) has decided to implement the recommendations of the 7th PC for the revision of pension of pre-2016 pensioners/family pensioners.

4. The Government of India (GOI) has decided to implement the recommendations of the 7th PC for the revision of pension of pre-2016 pensioners/family pensioners. The Government of India (GOI) has decided to implement the recommendations of the 7th PC for the revision of pension of pre-2016 pensioners/family pensioners. The Government of India (GOI) has decided to implement the recommendations of the 7th PC for the revision of pension of pre-2016 pensioners/family pensioners.



10. The existing instructions regarding regulation of dearness relief to employees employed in Government service, as contained in Department of Pension & Family Pension, Govt. of India, dated 12.07.1955, as amended from time to time, shall continue to apply.

11. These rules shall apply to all persons in the service of the Government of India, who are entitled to pension under Rule 40 of the CCS (Pension) Rules, 1947, or under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time, and who are entitled to pension under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time, and who are entitled to pension under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time.

12. The pension of the deceased shall be payable to the surviving family members from the Government of India, who are entitled to pension under Rule 40 of the CCS (Pension) Rules, 1947, or under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time, and who are entitled to pension under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time, and who are entitled to pension under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time.

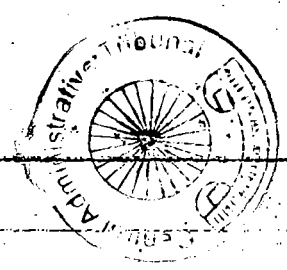
13. In cases where an employee is employed in public sector under the Government of India, the pension shall be payable to the surviving family members from the Government of India, who are entitled to pension under Rule 40 of the CCS (Pension) Rules, 1947, or under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time, and who are entitled to pension under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time, and who are entitled to pension under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time.

14. These rules shall apply to all persons in the service of the Government of India, who are entitled to pension under Rule 40 of the CCS (Pension) Rules, 1947, or under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time, and who are entitled to pension under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time, and who are entitled to pension under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time.

15. The pension of the deceased shall be payable to the surviving family members from the Government of India, who are entitled to pension under Rule 40 of the CCS (Pension) Rules, 1947, or under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time, and who are entitled to pension under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time, and who are entitled to pension under Rule 41 of the CCS (Pension) Rules, 1947, as amended from time to time.

Category of Pensioners	Additional Information
From 15.07.1955 onwards	From 15.07.1955 onwards
From 15.07.1955 onwards	From 15.07.1955 onwards
From 15.07.1955 onwards	From 15.07.1955 onwards
From 15.07.1955 onwards	From 15.07.1955 onwards
From 15.07.1955 onwards	From 15.07.1955 onwards

The report of the pensioners will be shown annually in the pension payment order. For example, in case where a pensioner is more than 60 years of age and



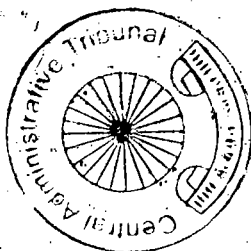
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24. CONFIDENTIAL

Manjit Singh
Director

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1. CONFIDENTIAL



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Blackburn, Paul, 1997, *Blackburn*, London: Duckworth.

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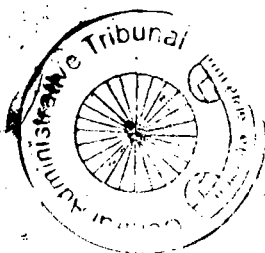
23. Ministry of Agriculture, etc. are requested to bring the contents of these orders to the notice of the Controller of Excise, Tax and Revenue, and the Director of Agriculture, etc. and to take the necessary steps for their implementation. All necessary arrangements are to be made to ensure the smooth functioning of the system of collection of the said duties and to ensure the proper disposal of the same. The necessary steps are to be taken to ensure the proper disposal of the same.

24. ~~Ministry of Agriculture, etc.~~

[Signature]
 Asst. Dir.
 Director

To

1. ~~Ministry of Agriculture, etc.~~
2. ~~Ministry of Agriculture, etc.~~
3. ~~Ministry of Agriculture, etc.~~



ANNEXURE A-31

Ministry of Communications
Department of Telecommunications
(Pension Section)

Sanchar Bhawan, 20, Ashoka Road,
New Delhi-110001

Dated: May, 2017

OFFICE MEMORANDUM

Subject: Implementation of Government's decision on the recommendations of the Seventh Central Pay Commission - fixation of pension of pre-2010 pensioners/family pensioners etc.

The undersigned is directed to circulate GOVT OF INDIA No. 13/1/2015-13000 dated 12th May, 2015 on the above mentioned subject for implementation and necessary action.

Encls. Attached

(S.S. Dahiya)
Under Secretary to the Govt. of India
Tel: 23026854

To:

1. All the GOVT OF INDIA Cells.
2. Mr. P. K. SINGH, Member, L-3 Bhawan, Jodhpur, New Delhi.
3. Mr. D. S. SINGH, Member, L-3 Bhawan, Jodhpur, New Delhi-110001.
4. Mr. S. K. SINGH, Member, L-3 Bhawan, Jodhpur, New Delhi.
5. Mr. S. K. SINGH, Member, L-3 Bhawan, Jodhpur, New Delhi.
6. Director General, Pension Section of Communications, Finance (Pension), All India, New Delhi-110001.
7. Director General, Pension Section, Pension Section, DCT, New Delhi.
8. Executive Director, Pension Section, Department of Telecommunications, New Delhi-110001.
9. Director, Telecom Centre of Excellence (TCOE), New Delhi-110001.
10. Mr. S. K. SINGH, Member, L-3 Bhawan, Jodhpur, New Delhi.
11. Mr. S. K. SINGH, Member, L-3 Bhawan, Jodhpur, New Delhi.
12. Mr. S. K. SINGH, Member, L-3 Bhawan, Jodhpur, New Delhi-110001.
13. Mr. S. K. SINGH, Member, L-3 Bhawan, Jodhpur, New Delhi-110001.
14. Mr. S. K. SINGH, Member, L-3 Bhawan, Jodhpur, New Delhi-110001.
15. Director General, Pension Section, Sanchar Bhawan, New Delhi for spreading the same on PET website.



ANNEXURE A-32

CHAPTER IV

WAGE POLICIES & RELATED MATTERS

(a) Wage Policy/Pay Revision/HPPC Recommendations

DPE/Guidelines/IV(a)/2

High Power Pay Committee—Implementation of its recommendations

In pursuance to directives given by the Hon'ble Supreme Court on 14th March, 1986 in connection with several writ petitions filed by the employees of certain public sector enterprises, Government had appointed a High Power Pay Committee on 7th April, 1986. The Committee under the Chairmanship of Hon'ble Mr. Justice R.B. Misra gave its final report to the Government on 24th November, 1988. The Government after considering all aspects of the Report, filed an affidavit before the Supreme Court on 17th April, 1990 seeking the directions from the Supreme Court in regard to the manner of implementation of the Report. The Hon'ble Supreme Court delivered their judgement on 3rd May, 1990 giving directions for implementation of the Report. A copy of the judgement is enclosed at Annexure-I.

2. The public enterprises which have been following the 3rd/4th CPC DA pattern may be advised to take action as brought out in the following paragraphs. References to paras of the Report have been given wherever applicable which may be consulted for clarifications/elucidations. In case any doubts regarding applicability still persist, the matter may be referred to the Department of Public Enterprises for clarifications.

3. Applicability of the recommendations

(i) **Employees appointed on or after 1.1.1986:** All employees following 3rd CPC DA pattern appointed on or after 1.1.1986 but before 31.12.88 would be deemed to have been appointed in the revised scales.

(ii) **Employees on CDA promoted after 1.1.1986:** Employees who have been promoted after 1.1.86 but were in receipt of central DA on pre-revised pay in posts held by them before their promotion, their pay would be first fixed in the manner indicated in Annexure VI in the lower posts.

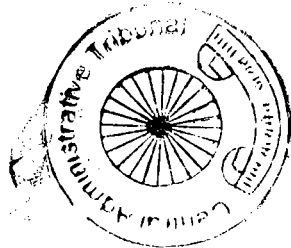
(iii) **Employees appointed on or after 1.1.1989:** All appointments made on or after 1.1.1989 in respect of all categories of employees by these PSEs would be deemed to have been governed by the IDA pay scales and IDA. Appropriate pay scales on the IDA pattern for employees appointed on or after 1.1.1989 may be formulated by the PSEs concerned, in consultation with the administrative Ministry and referred to DPE for approval. (Supreme Court judgement dated 3.5.90 Annexure - I)

(iv) **Employees initially appointed on Industrial DA:** All employees who were earlier appointed on Industrial DA pattern will continue to be governed in accordance with the terms and conditions of their appointment. (SC judgement at 3.5.90 Annexure - I)

(v) **Employees on IDA promoted to executive cadres after 1.1.1989:** Unionised employees and unionised/non-unionised supervisors who have been and are on IDA pattern and related scales of pay on their promotion to the executive posts on or after 1.1.1989 would be entitled to IDA only and their pay will be fixed in scales related to the IDA scheme.

(vi) **Employees who changed over from CDA to IDA since July, 1984:** The unionised and non-unionised employees of enterprises working in PSEs like Food Corporation of India, Hindustan Paper Corporation Ltd., National Hydro-Electric Power Corporation Ltd., Housing and Urban Development Corporation Ltd., Hindustan Cables Ltd., Hindustan Photofilms Ltd. etc. who voluntarily agreed to change over before or after 1.1.1986 but before the Supreme Court Judgement of 3.5.1990 to the Industrial D.A. scheme and related scales of pay on retrospective basis w.e.f. 1.8.1983 or thereafter would not be entitled to the benefits of the recommendations made by the High Power Pay Committee. In such cases, they would get their wage/pay revision as per the norms laid down by the Government for such categories of employees from the date of expiry of their wage/pay settlement.

(vii) **Employees who did not opt for IDA Scheme:** Employees who did not opt for IDA and related scales of pay would get the benefit of revised pay under these orders.



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(vii) **Employees who have ceased to be in service of PSEs after 1.1.1986** : All employees, who were on the rolls of these PSEs as on 1.1.1986, but subsequently ceased to be in service on account of superannuation, resignation, voluntary retirement, termination of employment, death, etc., would be eligible for the benefits of these orders up to the period they were in employment.

4. PAYMENT OF INTERIM RELIEF:

(a) **First Interim relief - quantum**

(Effective Date)

The payment of IR would be regulated in the manner indicated in the Deptt. of expenditure's

O.M.No.7(39)/E.III dated 2.8.1983. (Annexure - II)

1.6.1983

(b) **Second interim relief - quantum**

The payment of second IR would be regulated in the manner indicated in Deptt. of Expenditure's O.M.

No.7(32)E.III/85 dated 29.4.1985. (Annexure - III)

1.3.1985

(Para 16.3 Page 185).

Wherever IRs have been paid by the public enterprises to their employees *suo moto* or under directions of Supreme Court/various High Courts, the amount so paid would be adjusted against the present authorisation. The unionised staff of DTC in whose case revised pay structure has been adopted w.e.f. 1.6.1983 in lieu of the first I.R. would not be eligible for payment of this I.R.

(para 8.107 page 131)

5. PAY SCALES

(a) **Revised Pay Scales w.e.f. 1.1.1986** : The revised scales of pay as set out in the statement enclosed will be adopted by the PSEs concerned in respect of posts specified by the HPPC in toto w.e.f. 1.1.1986 (Annexure-IV). Rates of increments for the revised scales would be as per details given in Annexure-V

(Para 16.1 Page 184)

(b) **Modifications in Existing Pay Scales of PSEs having Fourth Pay Commission Scales:**

(i) MTNL, VSNL and NAA which have been established after 1.1.1986 would adopt the scales as recommended by the Committee. The modifications suggested by the Committee would be made effective from 1.4.1986 in the case of MTNL & VSNL and from 1.6.1986 in the case of NAA (Annexure - IV).

(Para 8.13 Page 64)

(ii) National Instruments Limited which under ad-interim directions of the Calcutta High Court had adopted 4th Pay Commission's scales of pay and DA pattern should modify its pay structure in accordance with Committee's recommendations, details of which are given in Annexure-IV.

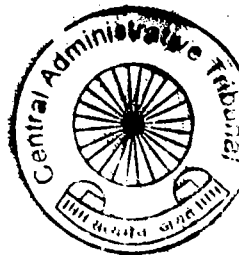
(Para 8.34 page 82)

(c) **Personal Pay Scales, Grant of** : Wherever adoption of the revised scales as recommended by the Committee causes hardship to the employees who were following the 3rd CPC, they would be allowed personal scales of pay indicated in Annexure - IV. If on promotion, the prescribed scales of even the higher posts happen to be less than those of the personal scales, the persons promoted may be allowed to continue to draw pay in their personal scales.

(Paras 9.1 - 9.8 page 140)

(d) **Pay Scales for Below Board level posts-Creation of** : No posts would be created by these PSEs in scales of pay equivalent to those notified by Government for posts at Board level.

(Para 8.25 page 77)



(e) **Modification in the scales of pay recommended by HPPC :** No PSE is authorised to modify the scales recommended by the HPPC. The designations of the posts should correctly reflect the duties and responsibilities.

(Para 8.14 Page 54)

(f) **Pay Scales for Medical Officers :** Designation-wise the existing scales and the revised scales for Medical Officers in public sector enterprises on CDA pattern have been indicated in a separate statement at the end of Annexure-IV.

(g) **Non-Practising Allowance :** The non-Practising Allowance for Medical Officers would be regulated in the following manner:-

(Para 8.102 page 129)

(h) **Post Graduate Allowances** Post Graduate Allowance can be increased by these public enterprises to their Medical Officers to Rs. 100/- in the case of those possessing a recognised Post-Graduate Diploma and to Rs.200/- in the case of those possessing a recognised Post Graduate Degree for Medical Officers in the scale of pay of Rs. 2200-4000 and Sr. Medical Officers in the scale of Rs. 3000-4500. Medical Officers entitled for Post Graduate Allowance of Rs. 100/- p.m. for possession of recognised Post Graduate Diploma could also be granted an additional amount of Rs. 1 00/- in case they have acquired a recognised Post Graduate Degree subsequently. The Post Graduate Allowance would not be admissible to Medical Officers on promotion from the scale of Rs. 3000-4500 to the scale of Rs. 3700-5000. In such cases, their pay has to be fixed as prescribed in the Ministry of Health and Family Welfare O.M.No.A/45012/I/87-CHS.V. dated 24th August, 1987. All other terms and conditions laid down in the MH & FW's O.M. dated 16.10.1975 would also apply.

(Para 8.103 page 130)

(i) **Stagnation Increments :** One stagnation increment on completion of every two years subject to a maximum of three such increments can be granted to such employees who reach the maximum of the scale of pay. The stagnation increment would be equal to the rate of increment last drawn and this would be treated as personal pay. This scheme of stagnation increment would be applicable to all posts upto the scale of Rs. 5900 - 6700. Pay plus stagnation increment should not in any case exceed Rs. 7300/-.

(Para 8.15 Page 65)

(j) **Selection grade :** Selection grades granted by PSEs to the non-unionised employees would stand abolished w.e.f. 1.1.86

(Para 8.15 page 65)

(k) **Flying Pay :** Pilots & Co-pilots appointed as direct recruits by NAA would be paid flying pay @ Rs. 750/- p.m. against Rs. 375/-p.m. w.e.f. 1.1.1986 subject to compliance of other formalities like obtaining flying pay certificate at the end of each month.

(Para 8.104 page 130)

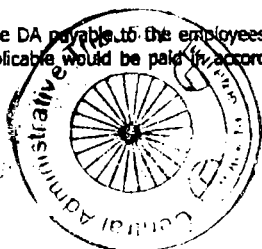
6. FIXATION OF PAY IN REVISED/PERSONAL PAY SCALES : The pay of employees will be fixed in revised pay as indicated in Annexure VI. For Unionised employees of Delhi Transport Corporation, who had a limited pay revision effective from 1.6.1983, fixation of pay will be regulated in the manner indicated in Annexure VII.

(Para 10.2 Page 141-142)

7. DATE OF INCREMENT : Dates for grant of increments in the revised scales of pay would be regulated in the manner indicated in Annexure VIII

(Para 10.3 Page 142)

8. DEARNESS ALLOWANCES: The DA payable to the employees to whom the revised scales of pay as recommended by the HPPC are applicable would be paid in accordance with the DA scheme spelt out in Annexure -IX.



(Para 6.1E Page 50)

The actual percentage of the Dearness Allowance, which has become payable w.e.f. 1.7.1986 and onwards under the revised Dearness Allowance formula has been indicated in Annexure-X.

9. PERQUISITES: The Committee noted that although the CDA PSEs did not have the system of bilateral negotiations as pay revision had taken place as a consequence of Government pay revision, nonetheless negotiations did take place in regard to perquisites. In all PSEs except 32, there is a mixture of IDA and CDA employees and bilateral negotiations had been taking place in these PSEs i.e. IDA employees. Perks being common to all employees, they were, therefore, the subject matter of negotiations. An analysis of the perks enjoyed by the employees of these PSEs by the HPPC showed that they fall broadly into three categories:-

(i) Perks, which are available in almost all the PSEs.

Under this category would fall

a. Compensatory (City) Allowance.

b. House Rent Allowance.

c. Medical facilities.

d. Leave Travel Concession.

(ii) Perquisites which are related to specific working conditions or the hardships of specific areas such as a Project Allowance, a Mining Allowance or a Bad Climate Allowance.

(iii) Others

(Para 111.6 Page 150)

The HPPC have given various specific recommendations regarding perquisites in these PSEs. The Committee have recommended rationalisation of some of these perquisites inter alia providing for discontinuance in some cases. Some of the perquisites are in the nature of ceilings, the actual quantum being left to the Board of Directors of the PSE concerned to decide. While implementing the directions given herein below, the Board of Directors of the PSEs concerned should decide the date from which a particular perquisite is to be introduced/modified/discontinued, unless otherwise a specific date is mentioned in these orders. While taking decisions regarding implementation of these orders, to the extent where discretion has been permitted to the Board of Directors of the PSE concerned, the following observations of the HPPC should be kept in view:

"Taking into consideration the various factors mentioned above, we have adopted a different approach in regard to the perks that fall under item (i) above and in regard to all other items. In regard to perks under item (i), since they are common to all enterprises, we take the view that our recommendations in regard to these perks should be uniformly applicable to all the CDA PSEs. In regard to all other perks, our recommendations may be taken merely as prescribing the rates and the conditions under which they should be given, if they are given. In regard to the question as to whether any particular perk should or should not be given in any particular PSE, the discretion should be left entirely to the PSE concerned. In other words, the approach that the BPE had suggested to us in regard to pay scales and allowances, we have adopted only in regard to the allowances, viz: 'Keeping all these factors the HPPC can suggest a number of pay scales and package of allowances out of which the PSEs can make appropriate choice depending upon their size, sophistication of operation, hierarchical requirements and the capacity to pay'.

(Para 111. 7 Page 150)

The PSEs will also keep in mind the following recommendation appearing in para 16.4 of the Report, which is reproduced below:

"16.4 We have recommended in the respective chapters that the revised rates of House Rent Allowance and City Compensatory Allowance be made effective from a prospective date. Regarding the remaining benefits



recommended in our report, we recommended that the public enterprises may take specific decisions to give effect to them keeping in view all relevant aspects including their financial position."

The above would regulate instructions contained in the sub-paragraphs which cover all perquisites.

9.1 COMMON PERQUISITES:

9.1.1 City Compensatory Allowance: With effect from 1.1.1989, CCA would be paid at rates indicated in the table below:-

**Pay Range (basic pay)
Amount of CCA in class of cities (Rs. Per month)**

A
B1
B2

Below Rs. 950/-
Rs. 950 - 1499
Rs. 1500 - 1999
Rs. 2000 & above
30
45
75
100
25
35
50
75
20
20
20
20

(Para 11.6 page 152)

Between 1.1.1986 to 31.12.1988, CCA would be paid by these public enterprises to their employees to whom the recommendations of this Report are applicable at the existing rates on the notional pay in the pre-revised scales. The existing rates are as indicated in BPE's O.M. dated 5.4.1988.

(Para 11.7 page 153 and Supreme Court Judgement dt. 3.5.1990)

9.1.2. House Rent Allowance:

(I) The HRA would be paid by the PSEs following CDA pattern at the following rates:-

Delhi, Bombay - 30% of basic pay

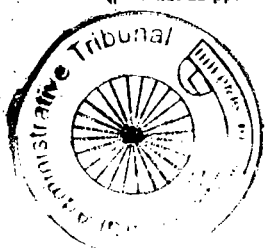
Other A class cities - 25% of basic pay

B1 and B2 class cities - 15% of basic pay

'C' & Unclassified cities - 10% of basic pay

(II) Between 1.1.1986 and 30.11.1988, HRA would be calculated by the enterprises on the notional pay in the pre-revised scale of pay. From 1.12.1988, HRA without production of rent receipt may be paid by these enterprises at the rates notified above on the revised scales of pay subject to a ceiling of Rs.1250/-, Rs.1000/-, Rs.800/-, Rs.340/- and Rs.310/- for Delhi, Bombay, A, B1 and B2 class cities & C class and other unclassified cities respectively.

(para 11. 15 pp. 154 and Supreme Court Judgement dt. 3.5.1990)



(iii) Employees who have been claiming HRA based on production of rent receipt or on the basis of the rental value assessed by the Municipal Authorities of the self-occupied houses would be entitled to HRA on revised basic pay w.e.f. 1.12.1988 provided 10% of their basic pay is borne by them towards house rent.

(iv) While Implementing these orders, the following recommendations of the HPPC in para 11.16, p.154 of the Report (reproduced below) may be kept in view:-

"The present rates prescribed by the BPE are in the nature of ceilings. We, however, note that some of the PSEs are sanctioning HRA at rates lower than these. This is perhaps the result of a process which we have discussed in the "Introduction to Perquisites". It is not our intention that such rates should now be raised. The BPE guidelines will continue to be only prescribed ceilings and not obligatory rates."

(v) The above ceilings would be revised after review of BPE's order No. 1(3)/82-BPE (WC) dated 1.7.1983, as recommended by the HPPC. has been completed and revised orders are issued.

(para 11, 15 p. 154 & S. C. Judgement dt. 3.5.1990)

(vi) **Leased Accommodation:** Limit on rental ceiling for leased accommodation in respect of key-officials as laid down in BPE's O.M. No. 1(3)/82-BPE(WC) dated 25.7.1983 and O.M. No.2 (30)/87-BPE(WC) dated 1.4.1987, as amended from time to time, would be strictly observed by these public enterprises.

(para 11.17page 154)

(vii) **Rent Recovery:** Rent recovery for township accommodation or for leased accommodation arranged by the P.S.E. would be at the rate of 10% of basic pay or standard rent. However, the PSEs may prescribe flat rates for each type of accommodation available in the township and recovery of rent on uniform basis for each type of accommodation. Rent recovery in respect of leased accommodation would, however, continue at the existing rates i.e. 10% of the Basic pay.

(Para 11.19 page 155)

9.1.3 Medical Facilities: Public enterprises should modify the Medical, attendance rules in line with parameters spelt out below:

- i. PSEs following CS (MA) Rules, should continue to follow the same rules wherever extended to their employees for both indoor and outdoor treatment. PSEs who have framed their own rules could continue to follow the same, subject to the modifications indicated hereunder:
- ii. For outdoor treatment, PSEs not having their own hospitals/ dispensaries should allow annual reimbursement of medical expenses upto a ceiling of Rs. 2400 or one months basic pay whichever is less, subject to a minimum of Rs. 1000/-. However, in case of special diseases like Cancer and TB, where outdoor treatment is advised, the Chief Executives/their authorised officers may be empowered to allow reimbursement beyond these limits, as a special case. These ceilings should apply to all PSEs irrespective of the Medical Rules being followed by them.
- iii. In some PSEs, there is a system of giving a fixed lumpsum monthly allowance for indoor and outdoor treatment. This should be discontinued.
- iv. The actual expenditure on indoor treatment/hospitalisation be reimbursed provided the treatment is carried out in any (a) Government hospital, (b) Government aided hospital, (c) Trust hospitals established on "no profit no loss basis", or, in (d) selected hospitals specifically approved by the PSEs for such purpose. However, in regard to (d), the PSEs while approving such hospitals should also finalise the rates to be charged by such hospitals from PSE employees, keeping in view the rates fixed by the All India Institute of Medical Sciences (AIIMS). However, diet charges need only be reimbursed to eligible employees as per CS (MA) Rules.
- v. In PSEs, having their own hospitals/dispensaries, the employees should take treatment as indoor or as outdoor patient in such hospitals/dispensaries only and no reimbursement should be allowed. In case sufficient facilities are not available for outdoor/indoor treatment in such hospitals/dispensaries, the Specialists/Doctors of such PSEs, could refer cases to other approved hospitals and in such cases reimbursement could be allowed as per CS (MA) Rules.



vi. Wherever PSEs are having their own hospitals/dispensaries they could extend medical facilities to their superannuated employees and their families, in such hospitals/dispensaries.

vii. The treatment to be carried out in foreign countries would be permitted only as per Central Government orders issued from time to time, for their employees.

viii. For purpose of medical treatment, family would include besides employee's spouse, dependant parents, unmarried sisters, widowed dependant sisters, widowed dependant daughters, minor brothers and children provided they are wholly dependant and residing with the employee and also subject to the condition that their income from all sources put together does not exceed Rs. 500 per month.

ix. While admitting reimbursement claims, the PSEs should strictly disallow the inadmissible medicines, tonics, toilets and medicines as per orders of the Central Government issued from time to time in this regard.

(Para 11.21 page 156)

9.1.4 Leave Travel Concession: The existing LTC Scheme should be reviewed and the LTC scheme available to the Central Government employees i.e., to visit home town once in a block of two years, and to visit any place in India once in a block of four years in lieu of one of the two concessions available to visit to home town, should be adopted by all PSEs uniformly without any deviation:

a. The management of the PSEs could consider permitting their employees who are on pay scales not lower than Rs.4500-5700 to travel by air with their families while availing LTC.

b. Encashment of LTC for home town as well as to visit any place in India wherever it presently exists, should be discontinued.

(para 11.22-11.25 pages 157-158)

9.2 Specific Perquisites: Specific perquisites like Field Allowance, Drilling Allowance, Underground/Mining allowance, Special Compensatory Allowance, etc., as set out in Annexure XI could be granted by PSEs at the rates specified therein subject to the satisfaction of the conditions laid down by the Central government for payment of similar allowance for government servants.

No modification in the rates of these allowances would be carried out by the Management of the CDA PSEs unless and until some changes in these rates are notified by the Government in respect of the Central Govt employees.

(paras 12.1 to 12.23 pages 159-166)

9.3 Other Perquisites

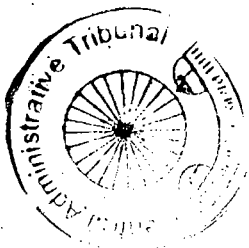
9.3.1 Conveyance Allowance: The managements of public enterprises following central DA could take a decision for payment of conveyance allowance to such of its executives and employees who own and maintain conveyance such as cars, scooters and mopeds and use them for official purposes.

Reimbursement of conveyance expenditure should be discontinued and instead conveyance allowance should be paid subject to the following ceilings :-

Sl.No.	Mode	Pay
	'A' Class cities (per month)	
	Other than 'A' class cities	
	1.	

Maintaining Car

Scale of Rs.3000 - 4500 & above
Rs.450
Rs.400



Maintaining Scooter

(I) BP Rs.3000 and above
Rs.175
Rs.150

(II) BP between
Rs. 1600 & Rs.2999
Rs.150
Rs.125

3.

Maintaining Moped

BP Rs.1400 & above
Rs.125
Rs.100

4.

Transport subsidy

(I) BP below Rs.1400
Rs.40
Rs.40

(II) Not maintaining any vehicle

Employees presently drawing higher conveyance allowance than the ceilings specified above could be allowed to draw the existing conveyance allowance as personal to them till promotion to the next higher grade. In PSEs where conveyance allowance scheme does not exist, the question whether conveyance allowance scheme should be introduced is to be decided by the Board of Directors of the concerned enterprise. They could fix the rate of actual conveyance allowance subject to the ceilings indicated in the preceding table.

The enterprises who decide for payment of conveyance allowance to their employees should adopt the parameters as specified in the Annexure-XII while sanctioning conveyance allowance.

(Para 13.5-13.8 pages 167-168)

9.3.2 Encashment of leave while in service: The Management of the PSEs following Central DA pattern should modify their existing scheme for encashment of earned leave while in service on the basis of the parameters indicated in Annexure - XIII. Wherever such schemes do not exist a decision as to whether such a facility is to be extended to their employees is to be taken by their Board of Directors. The facility is to be extended on prospective basis and would be subject to the terms & conditions specified in Annexure XIII.

(para 13.9-13.10, page 169)

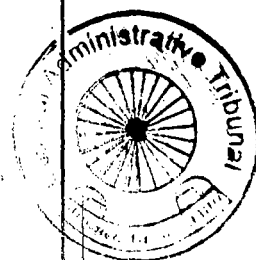
9.3.3 Leave encashment on resignation: An employee who resigns or quits service may be allowed 50% of encashment of non-encashable earned leave to his/her credit on the date of cessation of service. This would be limited to the maximum of 60 days as per BPE's O.M. No. 2(27)/85-BPE(WC) dated 24.4.87

(paras 13.10 (i-vii) page 170)

9.3.4 Half-pay leave: The facility of encashment of half pay leave /sick leave standing to the credit of an employee of a PSE should be discontinued.

9.3.5 Canteen subsidy: The existing provision relating to canteen facility in industrial unit and the scheme for provision of lunch subsidy etc. wherever they exist should be reviewed by the PSEs. This facility should be rationalised in the following manner:

(i) Where canteens are being run as a statutory obligation under various enactments, the existing arrangements could be continued.



(ii) In PSEs having different subsidy provisions, such as canteen subsidy, lunch subsidy, etc. the existing arrangements could be continued.

(iii) The rates of food items, beverages, snacks etc. should be regularly reviewed so as to match the increase in the cost of provisions.

(iv) Cash allowance to employees as existing in some PSEs should be discontinued. The managements, however, should make efforts to make some alternative arrangements and provide at least minimum facilities for tea, beverages, snacks, etc. on the lines indicated above.

(v) In PSEs where due to historical reasons the practice exists of providing tea, coffee, etc. free of cost, the managements of PSEs should review such arrangements and take final decision regarding continuance or otherwise, keeping in view various factors.

(paras 13.11-13.16, page 170)

9.3.6 Entertainment expenses: The guidelines laid down by BPE from time to time, on entertainment should be followed by all PSEs. The entertainment allowance given should also be regulated as per the BPE's OM No.3(15)/79-BPE(WC) dated 9.4.84, 31.7.85, and 3.9.1985.

(para 13.17, page 170)

9.3.7 Children Education Assistance: (a) Children Educational facilities wherever extended by these PSEs should be reviewed. These facilities should only be extended by the PSEs subject to the conditions laid down for Central Government employees. Reimbursement should, however, be restricted as actuals. The following ceilings should be observed:-

(i) Reimbursement of tuition fee:

a) Class X and below Rs.20 p.m. per child

b) Class XI and XII Rs.25 p.m. per child

c) For physically Rs.50 p.m. per child

handicapped & mentally upto XII class

retarded children

(ii) Children Educational Allowance. Rs.50 p.m. per child for

Primary, secondary &

Hr. Secondary class

(iii) Hostel Subsidy Rs.150 p.m. per child

b) Subsidy for purchase of books should be discontinued.

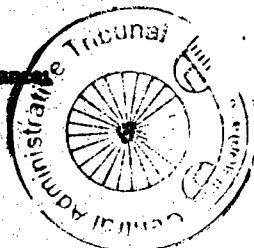
c) In regard to merit scholarship schemes existing in a few PSEs the Board of Directors could consider the need for continuance or otherwise of such scholarships.

d) The above facilities could be extended to all categories of employees without any pay limit but restricted to two children

e) The conditions for grant of educational facilities indicated above will be as applicable to Central Government employees.

(Para 13.18 - 13.24, pages 170-172)

9.3.8 Uniform and uniform Allowances



(a) The PSEs may consider providing employees other than industrial workmen with 2 sets of summer uniforms every alternative year and one set of winter uniform once in 2 years in summer and winter seasons respectively. The uniform should be correlated with the nature of duties. They should not be supplied merely to enable identification by the public. In such cases no uniform need at all be provided. The managements of PSEs could decide about the number and frequency of uniform sets for industrial workmen on CDA taking into account the nature of duties, working conditions, etc. However, on jobs where protective clothing is mandatory under the Factory Act, the employees should be provided the same in accordance with the provisions of such regulations.

(b) The nursing staff/para medical staff in the PSEs be granted uniform allowance at the rates not exceeding the norms prescribed for similar categories of Central Government employees. These facilities if not in existence in a PSE could be introduced by it with the approval of the Board. In the Central Government uniform allowance for the nursing staff has been enhanced from the existing rate of Rs.300 p.a. to Rs.1500 p.a. w.e.f. 1.10.1986. Government has also sanctioned a nursing allowance at the rate of Rs.150 per month to the nursing personnel of all levels w.e.f. 1.10.1986.

(paras 13.25-13.26, page 172)

9.3.9 Washing Allowance: Wherever PSEs are providing uniforms to certain categories of employees, washing allowance for these employees would be as given below:

Category of employees

Rates of washing allowance p.m.

i) Workmen Auxiliary Nurses, Mid-wives and lady Health Visitors

Rs.20

ii) Nursing Staff of all categories at all levels employed in hospitals/ dispensaries run by the PSEs

Rs.75

(Para 13.27, page 172).

9.3.10 Working Hours/Conditions of Service : In respect of the employees connected with manufacture or falling under the definition of workers or governed by the Factories Act, a decision about the number of working hours should be taken by the individual public enterprises having regard to the legal provisions. However, in respect of the employees working in various types of offices, consequent upon introduction of revised pay scales and improvement in various allowances and perquisites, as spelt out in the preceding paragraphs, the Management should ensure that the hours of work in each enterprise is not less than 40 hours per week.

(Para 14.2, page 174)

9.3.11 Employment of dependents: Wherever a PSE is following the practice of giving employment to the dependents of its employees, it should ensure that employment is given, wherever possible only to dependents of such employees who die in harness or who retire due to invalidation. Employment need not be provided to dependents of employees retiring in the normal course.

(para 13.28, page 173)

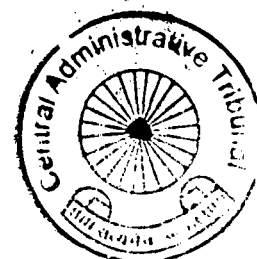
9.3.12 Shift Allowance: Shift duty allowance paid by a PSE should be granted only to those employees who have to work during the night shifts.

(Para 13.29, page 173)

9.3.13 Punctuality Allowance/Attendance Bonus: The practice of payment of Punctuality Allowance/Attendance Bonus to employees for maintaining punctuality in attendance, if any, introduced by the Public Sector Enterprises should be discontinued.

(para 13.30, page 173)

9.3.14 Miscellaneous Items: Any allowance/perquisites which are being extended by some of the PSEs not covered by the HPPC Report, should be reviewed by the managements of the PSEs in consultation with the administrative Ministry and ensure that the benefits are in line with what is applicable to similarly placed Central Government employees.



(Para 13.31, Page 173)

10. PRODUCTIVITY LINKED INCENTIVE SCHEMES

10.1 The existing incentive schemes wherever introduced by PSEs following CDA pattern should be reviewed whether they have provided adequate motivation for higher productivity. The accelerating as well as inability factors affecting the operation of these schemes should be identified for improvement to ensure that the gap between the laid down targets and the actual output is reduced. Selection of a single factor as done presently in some PSEs requires reconsideration. Productivity factors should be limited to a maximum of 2 to 3. Base level production should also be identified beyond which incentive starts operating. The schemes now operated by DTC, HTNL, Modern Food (I) Ltd. NTC (APKKM), NTC (Gujarat) should be reviewed.

10.2 Enterprises which do not have any incentive scheme could introduce the same having regard to the parameters spelt out by the HPPC in paragraph 15.15 on pages 182-183. The provisions of BPE's O.M. No. 2(2)/80-BPE(WC) dated 3.3.1984 should be kept in view while introducing a PLI Scheme.

(Paras 15.10-15.16, pp. 180-183)

11. **NEXT PAY REVISION:** The employees in respect of whom the recommendations of the HPPC are now being implemented under orders of the Supreme Court dated 3.5.1990 would get pay revision only as and when similar changes are effected for the Central Government employees.

(Supreme Court Judgement dated 3.5.1990)

12. **OPTION TO CHANGE OVER TO IDA PATTERN:** These employees will, however, have an option to switch over to the Industrial D.A. pattern and related scales of pay notified by the Government on voluntary basis.

(Supreme Court Judgement dated 3.5.1990)

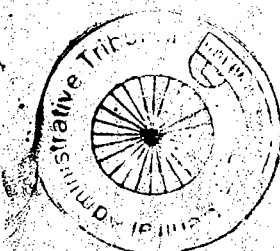
13. **ANOMALIES IN ALLOTMENT OF PAY SCALES :** If any anomalies are noticed in a fitment of the existing scales into the general pattern of scales now notified, these could be reviewed by a Committee set up by the PSE concerned and the formulations processed after taking approval of the administrative Ministry in consultation with their Integrated Finance Wing.

(Para 8.20, p.68)

14. **ADJUSTMENT OF THE AMOUNT ALREADY PAID BY THE PSEs:** The amount already paid by the PSEs following CDA pattern under interim orders given by the Supreme Court/various High Courts by way of I.R., instalment of ADA and ad-hoc DA and on account payment would stand adjusted against the arrear payments that may be admissible to the employees entitled to pay revision benefits under these orders.

15. All administrative Ministries/Departments of the Government of India are requested to bring the foregoing to the notice of public enterprises who are following CDA pattern for their information and necessary action.

(O.M. No. 2(43)/90-DPE (WC) dated 12th June, 1990)



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ANNEXURE A-28 (copy)

All India BSNL Pensioners' Welfare Association (Regd.T.1833/09)

Central Headquarters

AH 189/61, 3rd Street, Auroville Flats, Anna Nagar, Chennai-600040

President: P.S.Ramankutty
Mobile - 09447551555

General Secretary: G.Natarajan
Mobile - 09444929799

Date: 06/03/2018

To
Ms. Aruna Sundararajan,
Secretary, Telecom,
Sanchar Bhawan,
20, Asoka Road, New Delhi-110001.

Respected Madam,

Sub: Fitment factor of 32% recommended by 7th CPC & implemented to Central Govt. pensioners may be extended to 1.5 lakh BSNL IDA pensioners also from 1/1/2017-

We met Hon. MoSC, Shri Manojsinhaji on 12/9/17 and presented a memorandum and explained our demand. He assured to do the needful. We met you, madam, on 8/11/17 and gave a letter and explained the demand. After hearing our views you told us that you need time to study the issue and then only decision can be taken. We do not know anything further in this regard though our representatives met middle-level officers few times. We met Member (S) and Social Secretary on 30/1/2018 and discussed the issue. As per Member (S) advice we gave a letter stating that pension revision may be delinked from pay revision in BSNL.

We understood that leaders of 9 service unions/associations met Hon. MoSC on 24/2/2018 and discussed various issues including pension revision from 1/1/2017. It is reported that Hon. Minister directed Secretary (T) to process the pension revision.

We once again reiterate that 7th CPC fitment factor may be implemented to BSNL IDA pensioners also because Gratuity & Commutation which are two components of retirement benefits, other than pension, are calculated in the same way to both C.G. pensioners and BSNL IDA pensioners. So, it is but logical that pension revision factor also should be identical to both. Pension revision for BSNL IDA pensioners can be from 1/1/2017 (since last pension revision was done in 2007) instead of from 1/1/2016 like C.G pensioners whose earlier pension revision was from 1/1/2006. We seek your kind positive decision in this regard.

Thanking you, madam

Yours faithfully,
(G.Natarajan)
General Secretary.



ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION

Central Head Quarters [Regd. No. T 1833/09]

H. No 6, G No 12th Street, Jogupalya, Halasuru, Bangalore 560008

email: bsnlpensioner@gmail.com

Website: w.bsnlpensioner.in

President: P S Ramankutty
Phone: 9447551555

General Secretary: P Gangadhara ao
Phone: 9448088404

Date: 02/07/2019

Secretary (T),
Sanchar Bhawan,
20, Asoka Road,
New Delhi - 110001

Respected Sir,

Sub: Pension Revision from 1/1/2017 for BSNL/MTNL IDA pensioners

We are constrained to seek your kind help on the above issue.

Background

When the Govt. proposed corporatisation of DoT In 2000, there were protests from the employees. The Govt. appointed a GoM under the chairmanship of Shri Ram Vilas Paswanji, then Communication Minister, to look into the demands of the employees. After several rounds of discussions, GoM had with leaders of unions, Govt. issued a gazette notification on 30/9/2000, one day prior to formation of BSNL, amending CCS (Pension) Rules 1972 by incorporating Rule 37-A.

2. Sub-rule 22 of Rule 37-A states "Nothing contained in sub-rules (13) to (21) shall apply in the case of conversion of the Departments of Telecom Services and Telecom Operations into Bharat Sanchar Nigam Limited and Mahanagar Telephones Nigam limited in which case the pensionary benefits including family pension shall be paid by the Govt."

3. Sub-rule 23 states "The Govt. shall specify the arrangement and the manner including the rate of pensionary contributions to be made by BSNL & MTNL to the Govt. and the manner in which financial liabilities on this account shall be met".

4. Accordingly the absorbees who retired from BSNL/MTNL got their pension including family pension from Govt.

5. In CPSEs, pay of the executives are revised in accordance with Pay Revision Committee (PRC) recommendations. The terms of reference does not include 'pension revision' in any of the three PRCs. The pay of the non-executives are revised as per the agreement between the management and the recognised unions. BSNL revised the pay in accordance with 2nd PRC recommendations (with 30% weightage of pay + DA) w.e.f. 1/1/2007. But simultaneously the pension was not revised for those who retired prior to 1/1/2007.

6. After several struggles and negotiations, DoT issued an order on 15/3/2011 based on Cabinet decision, for revision of pension from 1/1/2007 for those who retired before 1/1/2007. The revision was on the same formula that was given to employees to avoid any anomaly in pension for those who retired prior to 1/1/2007 and those who retired after 1/1/2007.

Changed situation

ANNEXURE A-37.

No. 16-06/2008-Pen(T)
Government of India
Ministry of Communications & IT
Department of Telecommunications

New Delhi, dated the 11 August, 2010.

To

All Controller/Joint Controller of Communications Accounts,
DoT Cell

Subject: Inclusion of names of the widowed or divorced or unmarried daughters/parents/dependant disabled siblings (i.e. brothers and sisters) in the PPO - Procedure for - Regarding.

The undersigned is directed to forward herewith a copy of the Department of Pension and Pensioners' Welfare O.M. No. 1/008-P&PW(E) dated 22nd June, 2010 on the above subject for information and necessary action.

Hindi version will follow.

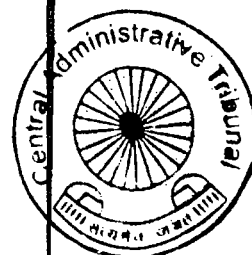
Yours faithfully,

(R.S. Rawat)
Under Secretary (STP)
Tele No. 2303 6854

Encl: as above.

Copy to:

1. Sr. DDCI, TEC, Khurshid Lal Bhawan, New Delhi.
2. DDCI, Accounts with the request that the copies of the OMs may also be circulated to all pension disbursing post offices through the respective Directorates of Postal Accounts.
3. Section Officer, Pay, BHCash/PAO, DoT, New Delhi.
4. Sr. A.O. PPP Section, DoT, New Delhi.
5. All Telecom Enforcement Resources Monitoring (TERMS)
6. All recognized Unions/Associations/Federations, DoT, New Delhi.
7. Director (FI) (Shri Manish Kumar Vimal, Director) with the request to post this circular on the website of DoT.
8. Internet Audit Wing.
9. Hindi Section with the request to furnish the Hindi Version of the OM to upload in the website.
10. All dealing hands in Pension Section.



No. 1/6/08-P&PW (E)
Ministry of Personnel, P.G. & Pensions
Department of Pension & Pensioner's Welfare

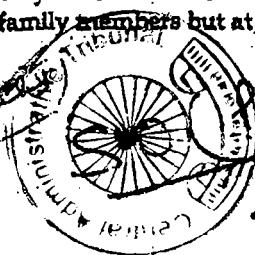
Lok Nayak Bhawan
Khan Market, New Delhi-110003
Dated: 22nd June, 2010

OFFICE MEMORANDUM

Subject: Inclusion of names of the widowed or divorced or unmarried daughter/ parents/ dependent disabled siblings (i.e. brothers and sisters) in the PFO - Procedure for - Regarding.

The undersigned is directed to state that it was clarified earlier vide this Department's O.M.No. 1/21/91-P&PW (E) dated 20.1.1993 that the revised PFO format introduced w.e.f. 1.1.1990 contains provision for entry of details of all members of the family of the pensioner. The PFOs issued prior to 1.1.90, however, do not contain the names/ details of children of the pensioner. In cases where the names of eligible children have not been mentioned in the PFO for various reasons, the pensioner can furnish a list of eligible children to the pension sanctioning authority and obtain an acknowledgement thereof from that authority. This acknowledgement will be produced at the time of submission of family pension claim to the pension sanctioning authority. However, the production of an acknowledgement will not be a condition to the processing of claim for family pension. Even the spouse of the dead Government servant/pensioner can furnish the details of such children, if not furnished by the Government servant/pensioner earlier, to the pension sanctioning authority as clarified vide this Department's O.M. No. 1/21/91-P&PW (E) dt. 15.1.1999.

2. Representations have been received in this Department from Pensioners/family pensioners and Pensioners Associations indicating the reluctance on the part of Ministries/Departments/Organisations to include the names of eligible family members (i.e. widowed/divorced/unmarried daughters; parents and dependent disabled siblings (i.e. brothers and sisters) in the PFO thereby delaying the sanction of family pension to such eligible family members. This is not only a source of frustration and denial of rightful claim to such eligible family members but at times causes undue hardship to them.



27/06/2010
To forward it to
all concerned
25/7/10

1389/10/10
25/7

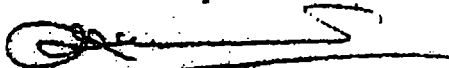
22-08/Admn-2
5/7/2010
17 15/8/2010

3. With a view to streamlining and cut delays in the pension sanctioning process, it is hereby clarified that in cases wherein eligibility of family members (i.e. divorced or widowed or unmarried daughter/parents/dependent disabled siblings (i.e. brothers/sisters) occurs after issue of the PFO, the pensioner himself or his/her spouse may intimate the details/ names of divorced or widowed or unmarried daughter/parents/dependent disabled siblings (i.e. brothers and sisters), to the pension sanctioning authority as per the procedure indicated in para (1) above. Similarly, in cases where the pensioner or his/her spouse has expired, the widowed or divorced or unmarried daughter/parents/dependent disabled sibling can themselves intimate such details to the pension sanctioning authority. However, the family pension in such cases can be processed by the pension sanctioning authority even without such intimation/acknowledgment if sufficient proof of entitlement is produced by the claimant and all other conditions for grant of family pension are fulfilled.

4. This issues with the concurrence of the Ministry of Finance, Department of Expenditure vide their D.O. No.368/EV/2010 dated 25.06.2010.

5. Hindi version will follow.

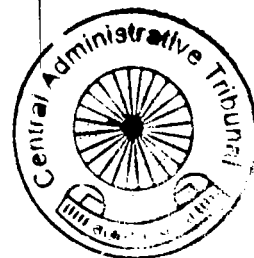
Yours sincerely



(K.S. Chibb)

Deputy Secretary to the Govt. of India

To
All Ministries/Departments of Govt. of India



ANNEXURE A

F.No. 47-63/2015-Pen(T)pt
 Government of India
 Ministry of Communications
 Department of Telecommunications
 Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110001

Dated: 16th March 2017

Office Memorandum

Subject: Implementation of 7th CPC recommendations : Applicability to the BSNL/MTNL absorbees opting for pension for enabled services governed under Rule 37-A of CCS (Pension) Rules, 1972.

The undersigned is directed to refer to this Department's OM No. 36-02/2016-17(A) dated 22.08.2016 and to give the following clarification on the applicability of the old rules of CCS (Pension) Rules, 1972 to the BSNL/MTNL absorbees (opting for pension on enabled service and whose pension is governed under Rule 37-A of CCS (Pension) Rules) consequent to 7th CPC with regard to DoP&PW's OM No. 38/37/16-P&PW(A) dated 8/2016:

The rates for payment of death gratuity shall be revised as per para 6.1 of DoP&PW's No. 38/37/2016-P&PW(A) dated 4th August, 2016. The maximum limit of Death/retirement gratuity shall be Rs. 20 lakh w.e.f. 01.01.2016.

There is no change in the formula for pension/ family pension w.e.f. 01.01.2016. BSNL/MTNL absorbee employees will, therefore, continue to get pension based on the same formula.

There will be no change in the provisions relating to commutation of pension.

This issues with the approval of competent authority.

Yours faithfully,

(Signature)

(K. S. Bhatia)
 Under Secretary (STP)
 Tel. 23036260

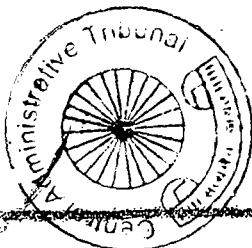
All the CCAs/TERM Calls.

Sr. DDO (IEC), Khursheed Lal Bhawan, Jangpatti, New Delhi.

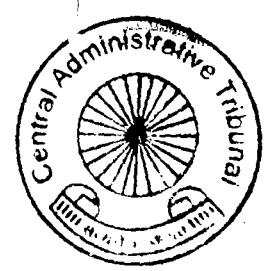
Sr. DWA, 6th Floor, Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110001.

DDG (Estt.)/DDG (Accounts), DoT Hqs., Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110001.

DDG (T&A), NTPRII Admin Building, ALT Centre, Govt. of India Enclave, Near Raj Nagar, Ghaziabad-201002.



Director General, National Institute of Communication Finance, Mehrauli-Gurgaon Road,
Gurgaon, New Delhi - 110047.
Director (Asst.) / Director (Asst. II) / Director (Asst. III), DoT Hqs. New Delhi.
Executive Director, CENTRE FOR DEVELOPMENT OF TELEMATICS, C-DOT
Campus, Mandi Road, Mehrauli, New Delhi - 110030.
Director, Telecom Centre of Excellence, C-DOT Campus, Mandi Road, Mehrauli, New
Delhi - 110030.
CMD, BSNL Corporate Office, Janpath, New Delhi.
CMD, MTNL, Khursheed Lal Bhawan, New Delhi.
CMD, Bharat Broadband Network Limited (BBNL), C-DOT Campus, Mandigaon Road,
Mehrauli, New Delhi - 110030.
CMD, Telecommunications Consultants India Limited, TCIL Bhawan, Greater Kailash-I,
New Delhi - 110048.
CMD, ITI Limited, Regional Office, 201/202, Roha House, 3, Tolstoy Marg, New Delhi
- 110001.
Director (IT), DoT(HQ), Sanchar Bhawan, New Delhi for uploading the same on DoT
website.



ANNEXURE A-39

273

F.No. 47-63/2015-Pen(T)(pt)
Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110001

Dated: 16th March 2017Office Memorandum

Subject: Implementation of 7th CPC recommendations - Applicability to the BSNL/MTNL absorbees opting for pension for combined service governed under Rule 37-A of CCS (Pension) Rules, 1972.

The undersigned is directed to refer to this Department's OM No. 36-02/2016-Pen(T)(i) dated 22.03.2016 and to give the following classification on the applicability of the revised rules of CCS (Pension) Rules, 1972 to the BSNL/MTNL absorbees (opting for pension for combined service and whose pension is governed under Rule 37-A of CCS (Pension) Rules) consequent to 7th CPC with regard to DoP&PW's OM No. 38/37/16-P&PW(A)(i) dated 04.08.2016:

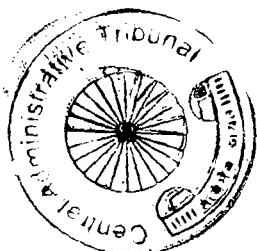
2. The rates for payment of death gratuity shall be revised as per para 6.1 of DoP&PW's O.M. No. 38/37/16-P&PW(A)(i) dated 4th August, 2016. The maximum limit of Death/Retirement gratuity shall be Rs. 20 lakh w.e.f. 01.01.2016.
3. There is no change in the formula for pension/ family pension w.e.f. 01.01.2016. BSNL/MTNL absorbee employees will, therefore, continue to get pension based on the same formula.
4. There will be no change in the provisions relating to commutation of pension.

This issues with the approval of competent authority.

Yours faithfully,

(Signature)

(K. S. Dahiya)
Under Secretary (STP)
Tel. 23036260



To

1. All the CGAs/ TERM Cells.
2. Sr. DDG (TEC), Khurshid Lal Bhawan, Janpath, New Delhi.
3. Sr. DWA, 6th Floor, Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110001.
4. DDG (Estt.), DDG (Accounts), DoT Hqs., Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110001.
5. DDG (T&A), NIPRII, Admin Building, ALT Centre, Govt. of India Enclave, Near Raj Nagar, Ghazabad-201002.

- 274
6. Director General, National Institute of Communication Finance, Mehrauli-Gurgaon Road, Ghazani, New Delhi - 110047.
 7. Director (Enr.) / Director (Accts. II) Director (Accts. II), DoT Hqs. New Delhi.
 8. Executive Director, CENTRE FOR DEVELOPMENT OF TELEMATICS, C-DOT Campus, Mandi Road, Mehrauli, New Delhi - 110030.
 9. Director, Telecom Centres of Excellence, C-DOT Campus, Mandi Road, Mehrauli, New Delhi - 110030.
 10. CMD, BSNL Corporate Office, Janpath, New Delhi.
 11. CMD, MTNL, Kharakpur Lal Bhawan, New Delhi.
 12. CMD, Bharat Broadband Network Limited (BBNL), C-DOT Campus, Mandi Road, Mehrauli, New Delhi - 110030.
 13. CMD, Telecommunications Consultants India Limited, TCIL Bhawan, Greater Kailash-I, New Delhi - 110048.
 14. CMD, IIT Limited, Regional Office, 201/202, Rohini House, 3, Tolstoy Marg, New Delhi - 110001.
 15. Director (IT, DoT HQ), Sanchar Bhawan, New Delhi for uploading the same on DoT website.



ANNEXURE A-40

No.36-02/2016-Pen.(T)
Government of India
Ministry of Communications
Department of Telecommunications
(Pension Section)

516-Sanchar Bhawan, 20, Ashoka Road,
New Delhi-110001

Dated: 12 July, 2017

OFFICE MEMORANDUM

Subject:- Revision of pension of pre-2016 pensioners/family pensioners in implementation of Government's decisions on the recommendations of the 7th Central Pay Commission - Concordance tables - regarding.

The undersigned is directed to circulate DOP&PW's OM No. 38/37/2016-

P&PW(A) dated 18.07.2017 on the above mentioned subject for implementation and necessary action.

Encl: As above.

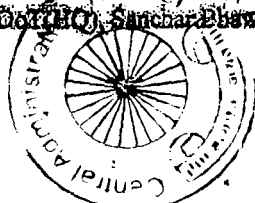
K. S. Dahiya

(K.S. Dahiya)

Under Secretary to the Govt. of India
Tel: 23036854

To:

1. All the CSAs/TERM Cells.
2. JS(Admin), Sanchar Bhawan, 20-Ashoka Rd, New Delhi-110001.
3. Sr. DDG(TEC), Khurshid Lal Bhawan, Janpath, New Delhi.
4. Sr. DWA, 6th floor, Sanchar Bhawan, 20-Ashoka Rd, New Delhi-110001.
5. DDG(Estt.)/DDG(Accounts)/DDG(B&F), DoT, Hqrs, New Delhi.
6. DDG (T&A), TELIPRII, Ghaziabad-201002.
7. Director General, National Institute of Communication Finance (NICE), Ghitiom, New Delhi-110047.
8. Director (Estt.), Director (Accts.I), Director (Accts.II), DoT, Hqrs, New Delhi.
9. Executive Director, CENTRE FOR DEVELOPMENT OF TELEMATICS (C-DOT), New Delhi 110030.
10. Director, Telecom Centres of Excellence (TCOE), New Delhi - 110030.
11. CMD, BSNL Corporate Office, Janpath, New Delhi.
12. CMD, MTNL, Khurshid Lal Bhawan, New Delhi.
13. CMD, Bharat Broadband Network Limited (BBNL), New Delhi - 110030.
14. CMD, Telecommunications Consultants India Limited (TCIL), New Delhi - 110 048.
15. CMD, FPI Limited, New Delhi - 110001.
16. Director (IT), DoT (IT), Sanchar Bhawan, New Delhi for uploading the same on DoT website.



ANNEXURE A-41

JUDIS.NIC.IN

SUPREME COURT OF INDIA

Page 1 of 5

PETITIONER:

WELFARE ASSOCIATION OF ABSORBED CENTRAL GOVERNMENT EMPLOYEES

Vs.

RESPONDENT:

UNION OF INDIA & ANR.

DATE OF JUDGMENT 15/12/1995

JUDGES:

KATASWAMI K. (J)

JUDGES:

KATASWAMI K. (J)

JUDIP SINGH (J)

JUDAD SAGHIR S. (J)

CITATION:

1996 AIR 1201

1996 SCC (2) 187

1995 SCALE (7) 295

ADNOTE:

JUDGMENT:

WITH

WRIT PETITION (C) NO. 567 OF 1995

V. Sundararajan & Anr.

Union of India

JUDGMENT

Venkataswami. J.

These two writ petitions are filed under Article 32 of the Constitution of India. At the time of argument learned counsel appearing in these writ petitions confined their relief to the restoration of one-third portion of the fully commuted pension as per the decision of this Court in Common Cause Registered Society & Ors vs. Union of India (1987) 1 SCR 444, and consequently to quash para 4 of O.M. 3412/86. SPW issued by Government of India Department of Pension and Pensioners' Welfare dated 5.3.1987.

Brief facts leading to the filing of these two writ petitions are as follows:-

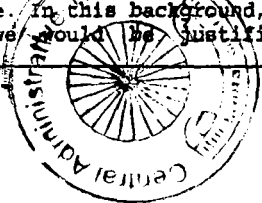
The members of the petitioner's welfare association in P.P.(C) No. 11855/85 and the individual petitioners in P.P.(C) No. 567/85 were Central Govt. Servants. Government of India some years ago decided to start public undertakings/enterprises in the core sector of industries. To start with the Government of India, sent some of their officers to the public undertakings, on deputation. As it was felt that services of the officers having sufficient experience and skill were necessary for the public enterprises, the Government devised measures to induct those willing officers to continue in the public enterprises. Such officers were allowed to be absorbed in those public undertakings/enterprises. The Government offered to deem their retirement as retirement in 'public interest'. Consequently to their deemed retirement, such absorbed/retired Government servants were offered retrial benefits. These



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ns were also offered the usual facility of commuting third of their original pension under Civil Pensions (Commutation) Rules and were also offered additional facility of commuting the balance two-thirds pension also to commute the full pension. This facility therefore creates three categories of these persons (1) the persons who have not commuted their pension and therefore draw full pension from the Government; (2) the persons who have commuted one-third of the pension and therefore will draw a sliced monthly pension, reduced to the extent of the commuted amount; (3) the persons who have commuted the full pension and who will not be given any monthly pension by the Government. The monthly pension of the persons in the first category continues to derive all the benefits of being Government pensioners and get all the relief, liberalization and/or whatever reliefs are granted by the Government to the pensioners. But the persons in the second category are denied these benefits to the extent of "one-third commutation". The third category are worst hit and are totally denied of all these benefits. The above-mentioned second category of the retired Government servants, namely, those who got one-third pension commuted, moved this Court for restoration of their one-third pension by filing a writ petition under Article 32 of the Constitution of India, (Vide "Common Cause" vs. Union of India, (1987) 1 SCR 497). The contention put forward in support of their claim for restoration of the one-third pension was that the lump sum amount paid gets adjusted by the Government at 10 or 12 years and therefore, the Government must be directed to restore the commuted portion of one-third pension. It was also contended that lately there has been a substantial improvement in the life expectancy of the people in India and therefore, there was no justification for denying the restoration of the commuted one-third portion of pension which gets adjusted after a period of 10 or 12 years. When that matter came up before this court, a suggestion was made to the Government to give a new look to the matter. The respondent Government accepting that suggestion came forward with a new formula and after using the same this Court in Common Cause vs. Union of India, (1987) 1 SCR 497 held as follows:-

"As the position now stands, when a pensioner commutes any part of his pension upto the authorised limit, his pension is reduced for the remaining part of his life by deducting the commuted portion from the monthly pension. The petitioner has contended that the commuted portion out of the pension is ordinarily recovered within about 12 years and, therefore there is no justification for fixing the period at 15 years. Commutation brings about certain advantages. The commuting pensioner gets a lump sum amount which ordinarily he would have received in course of a spread over period subject to his continuing to live. Thus two advantages are certainly forthcoming out of commutation - (1) availability of a lump sum amount and (2) the risk factor. Again many of the State Governments have already formulated schemes accepting the 15 year rule. In this background, we do not think we would be justified in



disturbing the 15 year formula so far as civilian pensioners are concerned. The age of superannuation used to be 55 until it was raised to 58. It is not necessary to refer to the age of the commuting pensioner when the benefit would be restored. It is sufficient to indicate that on the expiry of fifteen years from the period of retirement such restoration would take place. The respondent-Government has agreed that this benefit should be extended with effect from 1.4.86. The writ applications were filed in 1983. The matter was placed on board for hearing in February, 1984. The Union Government took some time for responding to the suggestion of the Court and that is how the disposal was initially delayed. Thereafter, the hearing of the matter has again been delayed on account of pressing business in the Court. In these circumstances, we think it just and equitable that the benefit agreed to be extended in respect of the commuted portion of the pension should be effective from 1.4.85 so far as the civilian employees are concerned."

The same was made applicable to the defence personnel as well in the same judgment.

The respondent while giving effect to the above judgment denied the same benefit to the petitioners by inserting para 4 in the impugned O.M. dated 5.3.1987 which reads as follows:-

"Central Government employees who got themselves absorbed under Central Public Sector Undertakings/autonomous bodies and have received/or opted to receive commuted value for 1/3rd of pension as well as terminal benefits equal to the commuted value of the balance amount of the pension left after commuting 1/3rd of pension are not entitled to any benefit under these orders as they have ceased to be Central Government pensioners."

The petitioners in these petitions prayed that the same relief be given to them. As a matter of fact, in this case as well the respondent was directed to consider the case of the petitioners in the light of the judgment in 'Common Cause' case. Unfortunately, the Government did not come forward with favourable reply. Hence this decision on merits.

To appreciate the claim of the petitioners, it is necessary to set out two relevant rules in the C.S.S. Pension Rules 1972. Rule 37 and 37A read as follows :-

Rule 37 : Pension on absorption in or under a corporation, company or body :

(1) A Government servant who has been permitted to be absorbed in a service or post in or under a Corporation or Company wholly or substantially of pension he shall in addition to the (retirement gratuity) be granted :- a) on an application made in this behalf, a



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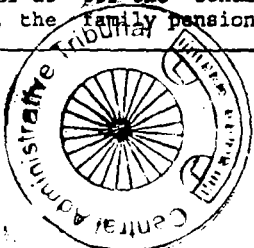
ump sum amount not exceeding the commuted value of one-third of his pension as may be admissible to him in accordance with the provisions of the Civil Pensions (Commutation) Rules, and
b) terminal benefits equal to the commuted value of the balance amount of pension left after commuting one-third of pension to be worked out with reference to the commutation tables obtaining on the date from which the commuted value becomes payable subject to the condition that the Government servant surrenders his right of drawing two-third of his pension."

From the above extracts, it will be seen that a clear distinction is made in Rule 37-A itself between one-portion of pension to be commuted without any condition attached and two-third portion of pension to be commuted as terminal benefits with condition attached with it. It follows that so far as commutation of one-third of pension is concerned, the petitioners herein as well as pensioners in 'Common Cause' case stand on similar footing. No difference. So far as the balance of two-third pension is concerned, the petitioners herein have received commuted value (terminal benefits) on condition of their surrendering of their right of drawing two-thirds of their pension. This was not the case with the petitioners in 'Common Cause' case. That being the position the denial of relief given to 'Common Cause' petitioners to the present petitioners violates Article 14 & 16 of the Constitution. Reasoning for restoring one-third commuted pension in case of 'Common Cause' petitioners equally applies to restoration of one-third commuted pension in the case of the petitioners as well.

No doubt the Government while declining to consider the case of petitioners favorably took into account a decision of this court in Welfare Association of Absorbed Central Government Employees in Public Enterprises vs. Union of India reported in 1991 (2) SCC 265, holding that the petitioners in 'Common Cause' case stand on a different footing than that of the petitioners in the present case. In the present case, Rule 37-A was not brought to the notice of the petitioners. Another reason given by the Government was that the petitioners on commuting their pension in full cease to be Central Government pensioners. This is too broad a contention to be accepted as no statute or rule is quoted in support of this contention. This stand taken by the Government does not appear to be correct in view of their counter-affidavit filed in this case. In para 8 of the counter-affidavit it has been stated as follows :-

"It would be seen from (b) above that the two-third terminal benefits received by the absorbees who have opted for lump sum payment have not only commuted one-third of their pension but also the remaining portion of two-third pension which is termed as 'terminal benefits'. The absorbees have in fact commuted the entire pension and not one-third of pension."

It would be seen from (b) above, two-third terminal benefits received by the absorbees is nothing but pension. Whether as per the condition imposed in the absorption or, the family pension when not provided in the public



undertakings in which the retired Government servants were absorbed, the payment of family pension is continued by the Government. The relevant condition reads as follows :-

"(ii) As regards entitlement to family pension, the condition imposed reads - 'On his permanent absorption in the Company his family will be eligible for family pension subject to the provisions of Rule 54 of CCS (Pension) Rules, 1972 and any other orders issued by the Government of India from time to time provided that he is not covered by any other family pension scheme applicable to the Company Staff.' This was also the condition incorporated in respect of persons who had opted for one-third commutation."

This also indicates that the stand of the Government is not correct. Therefore, the denial of restoration of one-third commuted pension is not justified.

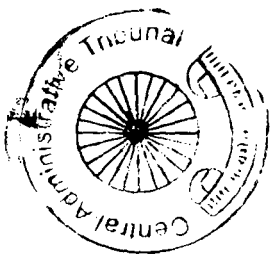
If after the expiry of 15 years, the pensioners who have opted for one-third commutation, becomes entitled to restoration of pension on the ground that the lump sum amount paid had got adjusted before the said period as held in 'Common Cause' case, there is no good reason for not applying the same to the petitioners who have commuted their one-third portion of the pension under Rule 37-A of the Pension Rules 1972 without any commitment for this portion of commutation. Presumably the respondent realising the fallacy have withdrawn the scheme of permitting commutation of full pension by O.M. No. 4/42/91, P&PW (P) dated 2.3.1995. Para 3 of the Office Memorandum reads as follows

"3. The proposal to review the existing terms and conditions of absorption had been under consideration of the Govt. for quite sometime past. The President is now pleased to (sic) that the existing terms and conditions of absorption shall stand partially modified to the extent indicated below :- (a) The existing facility of receiving capitalisation value equivalent to 100% commutation of pension on absorption shall stand withdrawn; (b) The existing facility to draw pro-rata monthly pension from the date of absorption (with option to commute 1/3rd pension wherever admissible shall continue to exist."

This means this issue will not arise in future.

For the foregoing reasons, we hold that the petitioners are entitled to the benefits as given by this Court in 'Common Cause' case so far as it related to restoration of one-third of the commuted pension. Consequently, the impugned para 4 of Office Memorandum dated 5.3.1987 is quashed. The writ petitions are accordingly allowed to the extent indicated above. No costs.





ANNEXURE A-42

MINISTRY OF DEFENCE, GOVERNMENT OF INDIA

MINISTRY OF DEFENCE, GOVERNMENT OF INDIA

New Delhi, the 5th March, 1987.

OFFICE MEMORANDUM

Subject: *Annexure A-42* Commuted portion of pension after 15 years - Implementation of the judgement of the Supreme Court.

The undersigned is directed to inform that Civil Pension Commutation Rules 1972 have continued in Central Civil Services (Commutation of Pension) Rules 1972 and in the Armed Forces (Pension) (Including Officers) Rules 1972. The undersigned is directed to inform that the Government has decided to implement the judgement of the Supreme Court in the matter of *State of Madhya Pradesh vs. Kanhaiya Lal* and to continue the facility of converting a portion of the pension into a lump sum amount. The pensioner receives only the balance amount (full pension minus the commuted portion) for the rest of his lifetime.

2. It has been held by the Supreme Court of India in its judgement dated 20th October, 1986 in Writ Petition No. 3958-61 of 1983 that Central Government employees governed by Central Civil Services (Commutation of Pension) Rules, 1972 and corresponding rules for other services (including officers and other employees of the Railway Post Office) and who have completed the minimum period of their service as entitled to have the commuted portion restored on the expiry of 15 years from the date of retirement.

3. The question relating to implementation of the Supreme Court judgement has been under consideration of the Government. After careful examination of the above judgement, the President has now been pleased to decide that only such Central Government employees who have completed a portion of their pension and on 14.10.1983 or thereafter have completed or will complete 15 years from their respective dates of retirement will have their commuted portion of pension restored.

4. Central Government employees who got themselves absorbed under Central Public Sector Undertakings/autonomous bodies and have received or are entitled to receive commuted portion of 1/3rd of pension as well as terminal benefit equal to the commuted value of the balance amount of pension (an employee receiving 1/3rd of pension are not entitled to any benefit under these rules as they have ceased to be Central Government pensioners).

5. Each pensioner should submit a request in Form A-42 as prescribed in the enclosed prescribed form, duly completed and the request should be submitted to the Pension Officer who will forward the commuted portion of pension if the commuted amount has been mentioned in the Pension Payment Order and will also pay the interest thereon.

6. In cases where the pensioner has completed 15 years from the date of retirement on 14.10.1983 or thereafter and has died subsequently, his/her legal heirs (as well as widows) will receive arrears with effect from 14.10.1983 or from the date of completion of 15 years from the date of retirement (whichever is earlier), till the date of the pensioner's death. For the purpose legal heirs (as well as widows) should submit a request in Form A-42.

7. In cases where the PPO does not contain information regarding commuted portion, Pension Accounting Officers will obtain information from Accounts Officers, when due to the PPO.

8. The Pension Accounting Officers/Accounts Officers will intimate to the Accounts Officer, who had listed the Pension Payment Order and the Pension Accounting Officer will intimate to the Pension Accounting Officer, who had listed the Pension Payment Order, the details of the pensioner's request and the Pension Accounting Officer will intimate to the Pension Accounting Officer, who had listed the Pension Payment Order, the details of the pensioner's request.

9. In case application by pensioners who have retired under Civil and Accounts Department, these orders have been issued after consultation with the Government and Ministry of Defence.

Annexure will follow.

Secretary to the Government of India



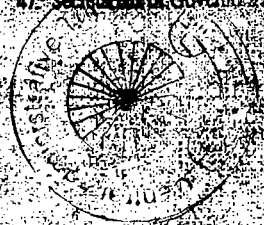
Ref: 37/26-1A-11

Dated: 30 March 1987

Copy with main copies to be distributed to the following with the request that the copies may be retained in all concerned financial, administrative, control and monitoring and Accounts Officer's office for future reference and other agencies (if any) in the field and not sent to any other office including Attached and Subordinate Offices. If additional copies are required, they may be obtained from this Department.

	No. of copies
1. Ministry of Defence (Defence Secretary, New Delhi)	10,000
2. Ministry of Railways	10,000
3. Department of Posts	10,000
4. Department of Telecommunications	2,000
5. Ministry of Pwda (Department of Pwda)	1,000
6. Comptroller and Auditor General of India	1,000
7. Controller General of Accounts	100
8. Controller General of Accounts (Accounts)	1,000
9. All India Institute of Management	100
10. Development Commission	100
11. Director of Public Relations, Ministry of External Affairs, New Delhi	50
12. Director of Public Relations, Ministry of External Affairs, New Delhi	150
13. Director of Public Relations, Ministry of External Affairs, New Delhi	5
14. Director of Public Relations, Ministry of External Affairs, New Delhi	350
15. Director of Public Relations, Ministry of External Affairs, New Delhi	5
16. Director of Public Relations, Ministry of External Affairs, New Delhi	250
17. Controller of Accounts, Ministry of Information and Public Relations, New Delhi	100
18. All India Institute of Management	1,600
19. Bank of India	2,500
20. Bank of India	1,200
21. Bank of India	2,000
22. Central Bank of India	4,000
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24. Indian Overseas Bank	1,500
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27. Punjab National Bank	6,000
28. Union Bank of India	2,000
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31. United Commercial Bank	2,000
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(Signature)
(Name of Signatory)
Date



PROFORMA

Subject: Restoration of discontinued pension of Pension after 15 years of the termination of the services of the Government of India.

Re:

Kindly mark any continued pension of pension in the name of Ministry of Personnel, Public Grievances and Pension Department of Pension and Pensioners Welfare O.M.No. 3472/1987 P.W. dated 24.04.1987.

Particulars of Pensioners:

1. Name of Pensioner

2. Date of Birth

3. T.O.P.O. No.

4. Amount of original pension

5. Amount of pension continued, if any

6. Name of the Pension Officer, with the authority who issued the P.O.

7. Name of Pensioner / Post Office / P.O. / Pension Department / Agency

8. Date of application

9. Date

10. Place Address

Signature of Pensioner

Particulars verified

Signature
Rubber Stamp of Pension Disbursing Authority



Retirement Benefits

ANNEXURE A-40

Absorption in PSU & Pension

No.4/59/97-P&PW(D)

Government of India

Ministry of Personnel, Public Grievances & Pensions

(Department of Pension & Pensioners' Welfare)

Third Floor, Lok Nayak Bhavan, New Delhi,

Dated the 14th July, 1998

OFFICE MEMORANDUM

Restoration of one-third commuted portion of pension after 15 years from the date of commutation or 1.4.85, whichever is later in respect of Government servants who had drawn lumpsum payment on absorption in Public Sector Undertaking/Autonomous Body - Implementation of Supreme Court Judgement dated 15.12.1995 in Writ Petition (C) No.11855/85 as well as Supreme Court order dated 1.5.1998 in Contempt Petition No. 530/97 in Writ Petition (C) No.11855/85.

The undersigned is directed to say that Government servants who had drawn lumpsum payment on absorption in a PSU/Autonomous Body have become entitled to restoration of 1/3rd commuted portion of pension as per the provisions of this Department's O.M.No.34/2/86-P&PW dated 5th March, 1987, after 15 years from the date of commutation or 1.4.1985, whichever is later, based on the Supreme Court judgement dated 15.12.1995 in Writ Petition (C) No.11855/85. Orders in Implementation of the judgement had been issued by this Department vide O.M.No.4/3/86-P&PW(D) dated 30.9.1996. After issue of this OM, a number of clarifications had been sought by various Ministries/Departments/Pensioners' Association etc. on revision of the restored amount of 1/3rd commuted portion of pension, dearness relief/interim relief on the restored amount, payment of minimum pension etc. All these issues were examined and classificatory instructions had been issued by this Department vide O.M.No.4/3/86-P&PW(D) dated 13.1.1998.

2. With reference to the Contempt Petition No.530/97 in Writ Petition (C) No.11855/85, the Supreme Court in its order dated 1.5.1998 has inter-alia ruled that the Respondents are liable to restore not only the pension as ordered by this Court in the said judgement but also all the attendant benefits as given to Central Government Pensioners.

3. The modalities of implementation of the Supreme Court order dated 1.5.1998 have been under active consideration of the government. The President is now pleased to decide that the beneficiaries of the Supreme Court judgement dated 15.12.1995 shall be entitled to the benefit of revision of the restored amount of 1/3rd commuted portion of pension at par with other Central Government pensioners. Accordingly, in supersession of the instructions contained in this Department's O.M.No.4/3/86-P&PW(D) dated 13.1.1998 it has been decided that the cases of absorbed employees for revision of the restored amount of 1/3rd commuted portion of pension etc. shall be regulated as under:-

1. Revision of the restored amount of 1/3rd commuted portion of pension as per the Liberalised Pension Formula of 1979/Fourth-Fifth Central Pay Commission's recommendations where permanent absorption in the PSU/autonomous body had taken place prior to 31.3.1979,

(a) In such cases, the basic pension that was sanctioned at the time of absorption should be first notionally revised as per the Liberalised Pension Formula of 1979. For this purpose, the Ready Reckoner prescribed under Department of

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Expenditure O.M.No.F.1(3)-EV/83 dated 22.10.1983 should be made use of. After the basic pension has been notionally revised, 1/3rd portion of such pension should be worked out and restored after 15 years from the date of commutation or 1.4.1985, whichever is later. Administrative Ministries/Departments may please refer to Table-I of Annexure-I of the enclosed specimen for guidance.

(b) The basic pension after having been notionally revised as in (a) above should be further notionally rationalised as per the decision of the Government on the recommendations made by the Fourth Central Pay Commission. For this purpose, the Table prescribed under this Departments O.M.No.2/1/87-PIC-I dated 16.04.1987 should be made use of. After the revised notional basic pension has been calculated, 1/3rd portion of such pension should be worked out and shall be payable in lieu of the amount arrived at (a) above w.e.f. 1.1.86 or 15 years from the date of commutation, whichever is later. Administrative Ministries/Departments may please refer to Table-II of Annexure-I of the enclosed specimen for guidance.

(c) The basic pension after having been notionally revised and consolidated as in (a) and (b) above should be further notionally revised as per the decision of the Government on the recommendations made by the Fifth Central Pay Commission. For this purpose, the Table prescribed under this Department' O.M. No.45/86/97-P&PW(A)-Part-II dated 27th October, 1997 should be made use of. After the notional basic pension has been so calculated, 1/3rd portion of such pension should be worked out and shall be payable in lieu of the amount arrived at (b) above w.e.f. 1.1.1996 or 15 years from the date of commutation, whichever is later. Administrative Ministries/Departments may please refer to Table-III of Annexure-I of the enclosed specimen for guidance.

2. Revision of the restored amount of 1/3rd commuted portion of pension as per the recommendations made by the Fourth & Fifth Central Pay Commissions where permanent absorption in a PSU/Autonomous Body has taken place on or after 1.4.1979 but prior to 1.1.1986.

(a) The basic pension that was sanctioned at the time of absorption should be first notionally revised as per the decision of the Government on the recommendations made by the Fourth Central Pay Commission based on the Table prescribed under this Department's O.M.No.2/1/87-PIC-I dated 16th April, 1987. Thereafter 1/3rd portion of such pension should be worked out and restored after 15 years from the date of commutation or 1.1.1986, whichever is later. Administrative Ministries/Departments may refer to Table-II of Annexure-I of the enclosed specimen for guidance.

(b) The basic pension after having been notionally revised as in (a) above should be further notionally revised w.e.f. 1.1.1996 as per the decision of the government on the recommendations made by the Fifth Central Pay Commission. For this purpose the Table prescribed under this Department's O.M.No.45/86/97-P&PW(A)-Part-II dated 27th October, 1997 should be made use of. Thereafter 1/3rd portion of such pension should be worked out and shall be payable in lieu of the amount arrived at (a) above w.e.f. 1.1.1996 or 15 years from the date of commutation, whichever is later. Administrative Ministries/Departments may please refer to Table-III of Annexure-I of the enclosed specimen for guidance.

3. Revision of the restored amount of 1/3rd commuted portion of pension as per the recommendations made by the Fifth Central Pay Commission where permanent absorption in a PSU/autonomous body has taken place on or after 1.1.1986 but prior to 31.3.1995.

The basic pension that was sanctioned at the time of absorption should be notionally revised as per the decision of the Government on the recommendations made by the Fifth Central Pay Commission based on the



Table prescribed under this Department's O.M. No. 45/86/97-P&PW (A)-Part-II dated 27th October, 1997. Thereafter 1/3rd portion of such pension should be worked out and restored after 15 years from the date of commutation or 1.1.1996, whichever is later. Administrative Ministries/Departments may refer to Table-III of Annexure-I of the enclosed specimen for guidance.

4. Revision of the restored amount of 1/3rd commuted portion of pension of pre-1986 absorbed employees as per the provisions contained in Department of Pension & Pensioners Welfare O.M.No.45/86/97-P &PW(A)-Part-III dated 10th February, 1998.

(a) After completion of the exercise suggested in (I) and (II) above, the basic pension of pre-1986 absorbed employees should be further notionally revised as per the orders contained in the O.M. dated 10.2.1998 and its 1/3rd component worked out and shall be payable in lieu of the amount arrived at (I) and (II) above w.e.f. 1.1.1996 or 15 years from the date of commutation, whichever is later.

b) Revision of pension in terms of paragraph I(c) and II(b) shall be necessary in cases where implementation of the O.M. dated 10.2.1998 is likely to take sometime so that immediate relief could be provided to absorbed employees. In such cases pension sanctioning authorities should take immediate action to revise the restored amount of 1/3rd commuted portion of pension as provided para 3(I) and (II) above and release the arrears, if any, as well as revised amount of 1/3rd commuted portion of pension to the absorbed employees immediately. Thereafter action should be taken to implement the directions contained in the O.M. dated 10.2.1998 without any further delay.

4. Dearness Relief on the restored amount of 1/3rd commuted portion of pension shall be admissible at the same rate at which it has been made admissible to other Central Government pensioners from time to time. The rates at which D.R. has been released by the Government to its pensioners during the period from 1.4.1985 to 1.1.1998 has been indicated in Annexure-II.

5. Payment of D.R. on the restored amount is subject to the condition that the absorbed employee was not re-employed/employed under the Central Government or a State Government or a Corporation/Company/Body/Bank under them in India or abroad, including permanent absorption in such Corporation/Company/Body/Bank at the time of restoration.

6. It has been further decided that the absorbed employees shall be entitled to the payment of arrears on account of Interim Relief-I and II from 1.4.1995 at the same rate at which I.R. has been made admissible to Central Government Pensioners viz.

I.R.-I	Rs.50%	per	month	w.e.f.	1.4.1995.
I.R.-II	10% of the restored amount of 1/3 rd commuted portion of pension or Rs.50/-	which ever is more,		w.e.f.	1.4.1995.

7. Arrears on account of I.R. shall be payable provided the absorbed employee has become entitled to restoration of 1/3rd commuted portion of pension as on 1.4.1995. Where the 1/3rd commuted portion of pension become due for restoration during the period from 1.4.1995 to 31.12.1995, arrears on account of I.R. shall be admissible for the relevant period only. Payment of arrears of I.R. is subject to the further condition that the absorbed employee was not re-employed/employed under the Central or State Government or a Corporation/Company/Body/Bank under them in India or abroad, including permanent absorption in such Corporation/Company/Body/Bank. I.R. be shown as a separate element and no Dearness Relief on this element will be admissible.

8. The benefit of revision of the restored amount of 1/3rd commuted portion of pension shall be admissible from the date the commuted portion of pension is restored.

9. In so far as extension of family pension benefits under the CCS(Pension) Rules, 1972 is concerned, it is clarified that wherever a Central Government absorbee in a PSU/autonomous body (in individual cases of absorption) had retired from the service of the PSU/autonomous body prior to issue of this Department's O.M.No.1/18/86-P&PW(D) dated 22nd January, 1990 such cases are required to be examined in accordance with the instructions contained in the Department of Expenditure O.M.No. 4(10)-EV (B)/77 dated 10th July, 1978 and this Department's O.M.No.1/3/85-Pension Unit dated 20.9.1985. In other words, the question of extending family pension benefits under the Central Government rules will arise only if the absorbed employee was not compulsorily governed by the family pension scheme of the PSU framed under the EPF and Miscellaneous Provisions Act, 1952 or was not eligible to become a member of the family pension scheme of the PSU because of his drawing more pay than prescribed under the rules etc. It is for the administrative Ministry etc. to examine each case and authorise family pension in the PPO provided the request is covered by the instructions contained in the Office Memorandum dated 10th July, 1978 and 20th September, 1985.

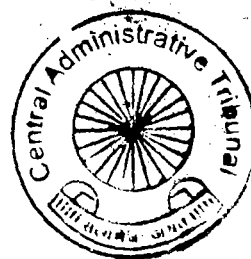
Where the death of an absorbee has taken place after 15 years from the date of commutation of pension or 1.4.1985, whichever is later, and he had become entitled to the benefit of restoration of the commuted portion of pension, the family member(s)/legal heir(s) will be eligible to claim the arrears becoming due in accordance with the provisions contained in this order.

11. The pension sanctioning authorities are requested to ensure that at the time of preparing PPOs in these cases for authorisation of payment, they should clearly superscribe the PPOs as 'PSU/autonomous body absorbees' and also suitably indicate the originally-sanctioned 1/3rd commuted value of pension. This will enable all concerned, whenever any revision/merger takes place in future, to identify these cases and ensure that they do not get merged with regular pensioners.

12. The pension sanctioning authority viz., the Ministry/Department/Office where the absorbed employee was employed prior to absorption, will have to work out the arrears payable on account of revision of the restored amount of 1/3rd commuted portion of pension. DR/IR on such pension and issue necessary sanction through the normal channel viz. CPAO for its payment by the Banks/PDAs etc. It will also be the responsibility of the pension sanctioning authority to ensure that arrears, if any, already paid to the absorbed employee based on O.M.No.4/3/86-P&PW(D) dated 30.9.96 and 13.1.1998 are recovered/adjusted while making payment under these orders. The pension sanctioning authority will have to issue suitable directions through the CPAO etc. to the concerned Bank/PDA for the payment of dearness relief on the restored amount of 1/3rd commuted value of pension at the rate prescribed by the government from time to time. The D.R. table prescribed by this Department from time to time will not be applicable in the case of absorbed employees whose restored amount of 1/3rd commuted portion of pension under these orders happens to be less than the minimum amount of pension indicated in the Dearness Relief table.

13. The provisions contained in para 5 of the Department of Expenditure O.M.No.F.1(3)-EV/83 dated 22.10.1983, para 10(a) of this Department's O.M.No.2/1/87-PIC-I dated 16.4.1987, para 7(a) of this Department's O.M.No. 45/86/97-P&PW(A)-Part-II dated 27.10.1997 and para 19(a) of the O.M.No.45/86/97-P&PW(A)-Part-III dated 10th February, 1998 shall be deemed to have been modified to the extent indicated in these orders.

14. This issues with the concurrence of the Ministry of Finance (Department of



penditure) vide their U.O. No.C-45/EV/98 dated 3.7.1998.

Hindi version of this O.M. will follow.

UNIT
Director (PW)

DATTA)

II Ministries/Departments of the Government of India

Copy to:

Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi (with 200 spare copies) for onward transmission to all A.Gs.

SPECIMEN

ANNEXURE-I TABLE-I

Revision of basic pension as per Liberalised Pension Formula of 1979 for the purpose of working out revised restored amount of 1/3rd commuted portion of pension.

Basic pension sanctioned to a Government servant on absorption in a PSU/autonomous body prior to 31.03.1979.	Basic pension as indicated in Column (1) that would have been admissible as on 01.04.79 as per Department of Expenditure O.M. dated 22.10.1983 in case lumpsum amount had not been drawn (Existing pension as on 1.4.1979)	Revised amount of basic pension that would have been admissible w.e.f. 1.4.1979 as per the Liberalised Pension Formula of 1979 and as per the Ready Reckoner prescribed under Department of Expenditure O.M.No.F.1(3)-EV/83 dated 22.10.1983 in those cases where absorption had taken place during the following period.			One-third commuted portion of revised basic pension indicated in column 3 to be restored after 15 years from the date of commutation or 1.4.1985, whichever is later		
		01.03.76 & 30.03.79 (a)	01.01.73 & 29.02.76 (b)	16.06.67 ** & 31.12.72 (c)	(a)	(b)	(c)
1.	2.	3.			4.		
25*	41	50	52	52	16	17	17
30*	41	50	52	52	16	17	17
40*	41	50	52	52	16	17	17
60	60	73	75	77	24	25	25
100	100	122	124	126	40	41	42
102	102	124	126	131	41	42	43
118	113	144	147	150	48	49	50
160	160	194	200	201	64	66	67
250	250	304	314	317	101	104	105
360	360	437	457	455	145	152	151
*Wherever basic pension		** The concept of payment of lumpsum amount on					

sanctioned on absorption happened to be Rs.40/- or less it should be stepped up to Rs.41/- w.e.f. 1.4.79 as per Department of Expenditure O.M. dated 22.10.83.		absorption in a PSU/Autonomous Body came into existence w.e.f. 16.6.67. Therefore, pre-June, 67 period has not been indicated.			
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SPECIMEN

Table-II

Revision of basic pension w.e.f. 1.1.86 as per the recommendations made by the Fourth Central Pay Commission for the purpose of working out revised restored amount of 1/3rd commuted portion of pension

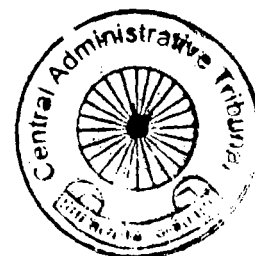
Basic pension as on 31.12.85 that would have been admissible as per Liberalised Pension Formula of 1979 (Table-I) provided the absorbed employee had not opted for lumpsum payment on absorption. (Existing pension on 31.12.85)	Further consolidation of basic pension indicated in column 5 w.e.f. 1.1.86 as per the Fourth Central Pay Commission Recommendations contained in Department of Pension & P.W. O.M.No.2/1/87-PIC-I dated 16.4.87 in respect of pensioners covered by:				1/3 rd commuted portion of revised basic pension indicated in column 6 to be restored after 15 years from the date of commutation or 1.1.86, whichever is later.			
	Para 4.1(A)	Para 4.1(B)	Para 4.1(C)	Para 4.1(D)	(a)	(b)	(c)	(d)
	(a)	(b)	(c)	(d)				
5	6				7			
(Rs.131 or below)	375	375	375	375	125	125	125	125
132	376	375	375	375	125	125	125	125
133	378	375	375	375	126	125	125	125
150	417	375	375	375	139	125	125	125
200	530	465	435	375	176	155	145	125
250	655	571	532	375	218	190	177	125
300	786	686	636	375	262	228	212	125
350	917	800	742	394	305	266	247	131
500	1309	1142	1060	563	436	380	353	187

SPECIMEN

Revision of basic pension w.e.f. 1.1.96 as per the recommendations made by the Fifth Central Pay Commission for the purpose of working out revised restored amount of 1/3rd commuted portion of pension.

Table-III

Basic pension as on 31.12.95 that would have been admissible as per the recommendations	Further consolidation of basic pension indicated in column 8 w.e.f. 1.1.96 as per the	1/3 rd commuted portion of revised basic pension indicated in column 9 to be restored after 15 years
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de by the Fourth tral Pay Commission indicated in column 6 Table-II) provided the sorbed employee had t opted for lumpsum yment on absorption.	recommendations made by the Fifth Central Pay Commission contained in the Department of Pension & P.W. O.M.No.45/86/97- P&PW(A)-Part-II dated 27.10.97.	from the date of commutation or 1.1.96, whichever is later.
8.	9.	10.
375	1275	425
376	1275	425
378	1275	425
417	1302	434
435	1353	451
465	1440	480
530	1630	543
532	1637	545
571	1754	584
636	1947	649
655	2003	667
686	2096	698
742	2263	754
786	2394	798
800	2434	811
917	2784	928
1060	3209	1069
1142	3455	1151
1309	3952	1317

ANNEXURE-II

The rates at which DR was payable during the period from 1.4.85 to 1.1.86 on pension

01.04.85	117.5%
01.05.85	120%
01.08.85	122.5%
01.11.85	125%
01.01.86	127.5%

The rates at which DR was payable during the period from 1.7.86 to 1.1.96 on pension upto Rs.1750/-

01.07.86	4%
01.01.87	8%
01.07.87	13%
01.01.88	18%
01.07.88	23%
01.01.89	29%
01.07.89	34%
01.01.90	38%
01.07.90	43%
01.01.91	51%
01.07.91	60%

01.01.92	71%
01.07.92	83%
01.01.93	92%
01.07.93	97%
01.01.94	104%
01.07.94	114%
01.01.95	125%
01.07.95	136%
01.01.96	148%

The rates at which DR is payable on pension w.e.f. 1.7.96 onwards

01.07.96	4%
01.01.97	8%
01.07.97	13%
01.01.98	16%

Department of Personnel and Training
Department of Administrative Reforms & Public Grievances.

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ANNEXURE A-44

Sl. No. 454/2002-P&PW(D) Vol II
 Government of India
 Ministry of Personnel, Public Grievances & Pensions
 Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan,
 Khan Market, New Delhi
 Dated the 23rd June, 2017

MEMORANDUM

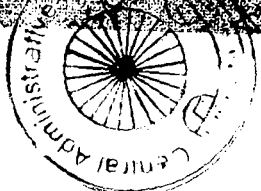
Subject: Restoration of full pension of absorbee pensioners in view of the order dated 01.09.2016 of Hon'ble Supreme Court in Civil Appeal No. 6048/2010 and Civil Appeal No. 6371/2010.

The undersigned is directed to say that in accordance with the instructions which existed before 1.01.1985, a Government servant on absorption in a Public Sector Undertaking or an autonomous body, had the option to draw pro-rata gratuity and a lump sum amount in lieu of pension. The option regarding payment of lump sum amount instead of monthly pension on absorption in a PSU or autonomous body was available in terms of the instructions issued vide Department of Expenditure's O.M. No. 126/88-P.V(B)/73 dated 08.04.1976, Department of Personnel & Training's O.M. No. 280/85-P&PW(D) dated 23.01.1987 and Department of Pension & Pensioners' Welfare's O.M. No. 46/85-P&PW dated 31.03.1987. This option was also available to Government employees on absorption in PSU/autonomous bodies of the State Governments and Joint Sector undertakings in terms of the Department's O.M. No. 543/88-P&PW(D) dated 18.10.1989. The terms and conditions for absorption of Government employees consequent on conversion of a Government Department into a PSU or autonomous body issued vide this Department's O.M. No. 306/87-P&PW(D) dated 5.7.1989 also provided for a similar option of lump sum payment in lieu of monthly pension.

2. In accordance with Rule 27-A of the Central Civil Service (Pension) Rules, 1972, incorporated vide Department of Expenditure's Notification No. 44(1)-P.V/71 dated 07.04.1972, on exercise of the above option, an employee was entitled to a lump sum amount not exceeding the estimated value of the third of the pension and terminal benefit equal to twice the aforesaid lump sum amount, subject to the condition that the Government servant surrendered his right of drawing two-thirds of his pension.

3. The option to draw a lump sum amount in lieu of pension was withdrawn vide this Department's O.M. No. 2742/91-P&PW(D) dated 31st March, 1995. Accordingly, the erstwhile Rule 27-A was omitted from the CCS (Pension) Rules, 1972 vide Notification No. 44(1)-P&PW(D) dated 25.08.1997.

4. In implementation of the Order dated 15.12.1993 of Hon'ble Supreme Court in W.P.(C) No. 1352/93, instructions were issued vide this Department's O.M. No. 45/86-P&PW(D) dated 30.09.1996 for restoration of one-third estimated portion of pension of Government servants who had drawn lump sum payment on absorption in



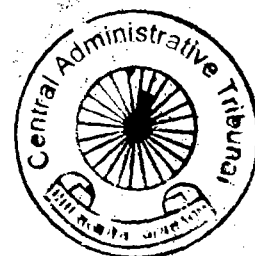
4. PSU/autonomous body. Further instructions were issued from time to time, for computation and revision of the one-third restored pension of such absorbee pensioners and for payment of the attendant benefits like dearness relief, etc. to such absorbee pensioners. Orders for revision of the one-third restored pension w.e.f. 01.01.2006 of such absorbee pensioners were issued vide this Department's O.M. No. 42372008-P&PW(D) dated 15/09/2008, O.M. No. 4/10/2010-P&PW(D) dated 11/07/2010, and O.M. No. 42182008-P&PW(D) dated 04/08/2016. These absorbee pensioners were, however, entitled to dearness relief and age-related additional pension based on the national full pension.

5. Hon'ble High Court of Judicature of Madras, in its judgement dated 02-08-2007 in Writ Petition nos. 22207/2002 filed by one Sh. K. Ganesan, an officer in the office of Controller General of Accounts, held that surrendering of the right for drawal of 2/3rd of Pension after its commutation as provided under Rule 37-A (b), was repugnant to Section 12 of the Pensions Act, 1871 and that the petitioner was lawfully entitled for the restoration of his pension after the expiry of the period of commutation of 2/3rd pension. Hon'ble High Court accordingly directed restoration of 2/3rd pension and payment of arrears accordingly.

6. An SLP (Civil) No. 4034/2008 (converted into Civil Appeal No. 6048/2010) was filed by the Union of India challenging the aforesaid order dated 02-08-2007 of Hon'ble High Court of Judicature of Madras. In its order dated 19-08-2016, Hon'ble Supreme Court found no justification to interfere with the order dated 02-08-2007 of Hon'ble High Court directing restoration of 2/3rd pension in respect of the respondent Shri K. Ganesan after the expiry of the regular period of commutation. The Civil Appeal No. 4034/2008 was accordingly dismissed by Hon'ble Supreme Court in the said judgement dated 19-08-2016. Similar direction was passed by Hon'ble Supreme Court in the Civil Appeal No. 6210/2010 for restoration of 2/3rd pension in respect of the petitioner, Shri K.L. Dhall, an absorbee employee of Ministry of Civil Aviation and member pensioners of Welfare Association of Central Government Officers, CAD Absorbed in PSU.

7. Review Petitions No. 465/2017 and No. 472/2017 were filed by Union of India in the Supreme Court against the aforesaid order dated 19-08-2016. Instructions were separately issued to the office of Controller General of Accounts and the Ministry of Civil Aviation vide O.M. No. 4/34/2002-P&PW(D) Vol II dated 21-12-2016 and O.M. No. 4/34/2002-P&PW(D) Vol II dated 21-12-2016 respectively for implementation of the orders of Hon'ble Supreme Court in respect of the petitioner/respondent pensioners in the aforesaid Civil Appeals, subject to the final outcome of the Review Petitions. The aforesaid Review Petitions No. 465/2017 and No. 472/2017 have been dismissed by Hon'ble Supreme Court on 22.03.2017.

8. The matter has been examined in consultation with the Department of Legal Affairs and the Ministry of Finance (Department of Expenditure). It has been decided to extend the benefit of order dated 02-08-2007 of the Hon'ble Madras High Court and the order dated 01-09-2016 of the Hon'ble Supreme Court to all similarly placed absorbee pensioners. Accordingly, all such absorbee pensioners who had taken 100%



lump-sum amount in lieu of pension on absorption in TSUs Autonomous Bodies in accordance with the instructions Rule 37.3 and in whose case full pension had been granted after 15 years, may be allowed restoration of full pension after expiry of commutation period of 15 years from the date of payment of 100% lump-sum amount.


9. The specified pensioners whose full pension is restored in terms of the above instructions would also be entitled to revision of their pension in accordance with the instructions issued from time to time in implementation of the recommendations of the Pay Commission, including the 7th Central Pay Commission.

10. In their application to the persons belonging to the Indian Audit and Accounts Department, these orders have in consultation with the Comptroller and Auditor General of India.

11. Ministry of Agriculture etc. are requested to bring the contents of these Orders to the notice of Comptroller of Accounts/Pay & Accounts Officers and Attached & subordinate Officers and them on a top priority basis and for taking necessary action for implementation of the above instructions. All pension disbursing offices are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

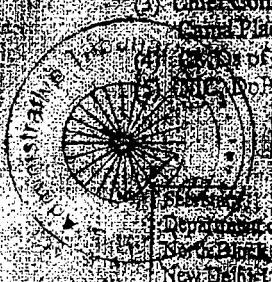
12. This Order with the approval of Ministry of Finance (Department of Expenditure) vide their ID No. 1817/EX/2017 dated 26-05-2017 and dated 13-6-2017.

13. ~~Good version will follow.~~


(Harjit Singh)
Director
Tel. No. 24624752

To: All Ministries/Departments of Government of India (as per standard mailing list)

- Copy to:
- (1) Comptroller and Auditor General of India, Pocket 3, Deen Dayal Upadhyaya Marg, New Delhi-110 021.
 - (2) Comptroller General of Accounts, Mahatma Nandanlal Bhawan, GPO Complex, Block B, 2nd Floor, Connaught Place, New Delhi-110003.
 - (3) Chief Controller (Pension), Central Pension Accounting Office, Trikot-II, Bhikaiji Cama Place, New Delhi-110 066.
 - (4) Heads of All Pension Disbursing Banks.
 - (5) All C/P&PA for uploading on the website.



Department of Revenue
New Delhi-110001

No.36-01/2017-Pen (T)
Government of India
Ministry of Communications
Department of Telecommunications
(Pension Section)

ANNEXURE A-45

516-Sanchar Bhawan, 20, Ashoka Road,
New Delhi-110001

Dated: 6th July, 2017.

OFFICE MEMORANDUM

Subject:- Restoration of full pension of absorbed pensioners in view of the order dated 01.09.2016 of Hon'ble Supreme Court in Civil Appeal No. 6048/2010 and Civil Appeal No. 6371/2010.

The undersigned is directed to circulate the OM No. 4/34/2002-P&PW(D), Vol.II dated 23.08.2017 of Department of Pension and Pensioners' Welfare on the above mentioned subject for implementation and necessary action on the matter.

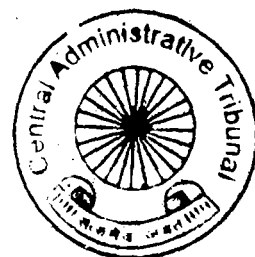
Encl: As above.

[Signature]

(K.S. Dahiya)
Under Secretary to the Govt. of India
Tel: 23036854

To:

1. All the CCAs/TERM Cells.
2. JS(Admin), Sanchar Bhawan, 20-Ashoka Rd, New Delhi-110001.
3. Sr. DDG(TEC), Khurshid Lal Bhawan, Jampath, New Delhi.
4. Sn.DWA, 6th floor, Sanchar Bhawan, 20-Ashoka Rd, New Delhi-110001.
5. DDG(Pen)/DDG(Accounts)/DDG(B&F), DoT, Hqs, New Delhi.
6. DDG(P&A), NIPRI, Ghaziabad-201002.
7. Director General, National Institute of Communication Finance(NICF), Ghitorni, New Delhi-110047.
8. Director(Estt.)/Director(Accts.)/Director(Accts.II), DoT, Hqs, New Delhi.
9. Executive Director, CENTRE FOR DEVELOPMENT OF TELEMATICS(C-DOT) New Delhi 110030.
10. Director, Telecom Centres of Excellence(TCOEs), New Delhi -110030.
11. CMD, BSNL Corporate Office, Jampath, New Delhi.
12. CMD, MTNL, Khurshid Lal Bhawan, New Delhi.
13. CMD, Bharat Broadband Network Limited(BBNL), New Delhi -110090.
14. CMD, Telecommunications Consultants India Limited(TCIL), New Delhi -110048.
15. CMD, ITI Limited, New Delhi-110001.
16. Director(IT), DoT(HQ), Sanchar Bhawan, New Delhi for uploading the same on DoT website.



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ANNEXURE A

Committee of BSNL/MTNL Pensioners' Associations
H. No 6, G No 12th Street, Jogupalya, Halasuru, Bangalore 560008

enior - P.Gangadhara Rao
le - 09448088404

IMPA / Pen. Revision / 2018-19

Dated : 12/02/2019

Sanjeev Narain Mathur
 Secretary (Pension)
 & PW, Govt. India
 Jayak Bhawan, Khan Market
 Delhi - 110003

Respected Sir,

Subject : Revision of Pension of the absorbed combined service pensioners of BSNL/MTNL from 1.1.2017 with a fitment factor of 32% as recommended by 7th CPC by delinking pension revision from pay revision - request for.

We refer to our letter dated 14/12/2018 on the above subject to Secretary, DoP&PW, the copy of which was endorsed to you as well. The copy of the said letter is enclosed herewith for your ready reference. Later we had an opportunity to meet and discuss with you. We got the information that the file was already sent back to DoT seeking certain information. We gained the following impression from that meeting:

- DoP&PW is open to examine if DoT sends a single concrete proposal with due justification for pension revision in the requisite form and format; if found justified then DoE also would be consulted.

With that impression we reverted back to DoT and discussed the issue with the concerned officer in Sanchar Bhawan. We were informed that DoP&PW has virtually rejected the proposal of delinking pension revision from pay revision. We were astonished to hear such an information which is contrary to the stand of DoP&PW. We understood that DoT is not inclined to comply with the requirement sought by DoP&PW and going back to square one i.e. no pension revision without pay revision. Hence we request you, sir, to once again take-up this issue at appropriate level.

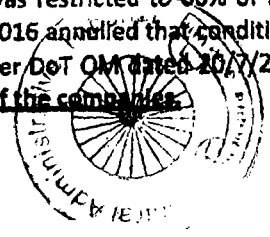
BSNL/MTNL are facing a severe financial crunch and it is not able to pay even the existing salary to the serving employees on due date; BSNL is not able to even pay the electricity bill on due date and hence it may be highly impossible for the companies to revise the pay and DoT is not extending any financial help.

In 2007, BSNL was in a position to implement the 2nd PRC report to revise the pay but the pension for pre-2007 pensioners were not revised immediately. Due to our consistent

-2-

efforts, after two years, pension was revised on the same fitment factor as that of serving employees vide DoT OM dated 15/3/2011 on the basis of Cabinet approval.

As per the Cabinet decision in 2004, the liability of paying pension/FP to absorbed employees was restricted to 60% of the revenue remitted to Govt. by these companies. The Cabinet in 2016 annulled that condition and now 100% liability of paying pension/FP lies with the Govt. as per DoT OM dated 20/7/2016. So, Our pension has nothing to do with the financial position of the companies.



Committee of BSNL/MTNL Pensioners' Associations

H. No 6, G No 12th Street, Jogupalya, Halasuru, Bangalore 560008

Convenor - P. Gangadhara Rao**Mobile - 09448088404**

Date:- 16/07/2019

To

Shri K.V. Eapen, Secretary,
Department of Pension,
Lok Nayak Bhawan,
Khan Market,
New Delhi-110003

Respected sir,

**Sub:- Pension revision from 1/1/2017 to BSNL/MTNL IDA pensioners
(combined service optees) who retired prior to 1/1/2017 - reg**

May we seek your kind intervention on the above subject sir?

Introduction

Committee of BSNL/MTNL Pensioners' Associations (CBMPA) is an umbrella organization consisting of eight organizations of pensioners which represent a very large majority of BSNL/MTNL pensioners.

Background

All India BSNL Pensioners' Welfare Association (AIBSNLPWA) which is a major constituent of CBMPA, of which presently I am the General Secretary, submitted a memorandum to 7th CPC, in which the main demand was for granting the fitment factor recommended by it may please be made applicable to BSNL IDA pensioners also. On behalf of that association, the undersigned had the opportunity to tender oral evidence before the 7th CPC in Bengaluru. The chairman of the 7th CPC, Justice A.K. Mathur, after hearing the arguments, commented that there seems to be a prima-facie and justification in the demand. He also told that they would seek the opinion of the Govt. on this issue. Accordingly 7th CPC forwarded that demand to DoT asking for their comments on this demand vide their letter dated 31/12/2014. But DoT delayed the reply for nearly 8 months. When we met the then telecom secretary Shri Rakesh Garg on 4/8/2015, he assured that even if there is no recommendation from 7th CPC, DoT would take up this issue with nodal department i.e. DoP&PW for taking a policy decision. DoT sent its comments to 7th CPC vide their letter dated 17/8/2015. The last sentence of that letter stated "however, this point can further be examined and deliberated by the nodal

-2-

department i.e. DoP&PW". By that time, 7th CPC was busy with finalizing the recommendations. Hence it did not find a place in 7th CPC recommendations.

At par with C.G. pensioners

The employees of BSNL/MTNL who opted for government pension on combined service are covered under CCS (Pension) Rules 1972, at par with C.G. pensioners. 100% liability of paying pension/family pension lies with Govt and they are also paid from civil estimate. The C.G. pensioners got pension revision from 1/1/2016 (10 years after the last revision) on the basis of 7th CPC recommendations.

BSNL/MTNL is unique

Most of the 6th CPC recommendations, like pension formula, commutation table, enhanced family pension, age-related additional pension, gratuity etc. were made applicable to these IDA pensioners also from 1/1/2006 because these two CPSEs are only covered under CCS (Pension) Rules 1972 which is unique. But we got pension revision from 1/1/2007 on the same formula applied to BSNL/MTNL employees.

BSNL/MTNL financial position has no bearing on pension revision

Now BSNL/MTNL is in deep financial crisis and these two CPSEs are not in a position to fulfill the conditionalities stipulated by 3rd PRC for pay revision. But after retirement, pension is paid by Govt and pension revision has nothing to do with the financial position of BSNL/MTNL. Further, Pay Revision Committees (PRCs) have no terms of reference for pension revision and their terms of reference is only limited to pay/perks revision to the executives of CPSEs. The pay revision of non-executives is decided on the basis of bi-lateral negotiation with recognized union/unions.

Present position

Now, our demand is pension revision from 1/1/2017, i.e. 10 years after the last revision, on the basis of 7th CPC fitment factor, i.e. 32% of basic pension. DoT sent a ID note to DoP&PW in November 2018 seeking permission to delink pension revision from pay revision. We wrote a detailed letter to Secretary (Pension) in this regard on 12/12/2018 itself. DoP&PW sought certain clarifications from DoT vide their letter dated 14/1/2019. We again wrote a letter to Joint Secretary (Pension) on 12/2/2019. Since no reply was received from DoT for their communication dated 4/1/2019, DoP&PW sent another letter dated 8/3/2019 seeking specific details like - DoT's formula for pension revision, its financial implications & the proposal to overcome the likelihood of pension anomaly that may arise for those who retired after 1/1/2017 since their pay was not revised from 1/1/2017. DoP&PW also attached our letter dated 12/2/2019 asking for

-3-

DoT's comments on that. We understood from DoT that they have sent the reply to DoP&PW in the last week of June 2019.

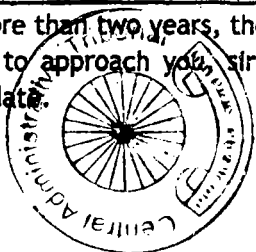
De-linking requested

We also understood that DoT requires a policy decision from DoP&PW for de-linking pension revision from pay revision. If that decision is conveyed, then the DoT would send the pension revision formula with financial implications.

Permanent solution

Application of same fitment factor recommended by CPC to the IDA pensioners, covered under CCS (Pension) Rules 1972, would be a permanent solution. Whenever .G. pensioners get pension revision, BSNL/MTNL IDA pensioners also would get the same fitment factor in IDA. To concede this justified demand, a policy decision is to be taken by DoP&PW for de-linking pension revision from pay revision. Since this issue remains unsettled for more than two years, the file is shuttled between two departments, we are constrained to approach you, sir, for taking a positive policy decision in this regard at an early date.

Thanking you



Yours faithfully,
(P.Gangadhara Rao)
Convenor

ANNEXURE A-48

[illegible]

U.S. DEPARTMENT OF COMMERCE

THE UNIVERSITY OF CHICAGO
LIBRARY

1. **THE STATE OF TEXAS, COUNTY OF DALLAS, ss. I, _____, Clerk of the County of Dallas, Texas, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears from the records of said County of Dallas, Texas.**

[illegible]

7-11-1964 10:44 a.m. 10:44 a.m. 10:44 a.m.
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1990

1. The first step in the process is to identify the problem. This involves gathering information about the situation and understanding the needs of the stakeholders involved.

UNITED STATES DEPARTMENT OF COMMERCE

1150



ANNEXURE A-

ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION**Central Head Quarters [Regd. No. T 1833/09]****H. No 6, G No 12th Street, Jogupalya, Malasuru, Bangalore 560008**email: bsnlpensioner@gmail.comWebsite: www.bsnlpensioner.inPresident: P S Ramankutty
Phone: 9447551555General Secretary: P Gangadhara Rao
Phone: 9448088404

Date: 05/07/2019

To
Shri S.K.Jain,
DDG (Estt.), DoT,
Sanchar Bhawan,
20, Asoka Road,
New Delhi-110001

Sir,

**Sub:- Minimum pension to BSNL IDA pensioners
as per Rule 49(2) of CCS (Pension) Rules, 1972 – regarding****Ref:- Our earlier letter dated 17/8/2017**

In connection with the above subject, we had a discussion on 3/7/2019 with you, sir, during our Delhi visit. We were informed that a committee was appointed to consider the above demand based on our letter and the committee decided that it cannot be extended to BSNL IDA pensioners.

We presume that the committee would have come to such a conclusion because the CDA pensioners were getting 0% DR on 1/1/2016 (after merger of pension + DR) whereas BSNL IDA pensioners were getting a DR of 112.4% as on 1/1/2016 and if the minimum pension is raised to Rs.9000/- then the total pension with DR on IDA would come to Rs.19,116/- whereas total pension of CDA pensioners would only be Rs.9000/- as on 1/1/2016.

To understand this issue and to overcome this, we suggest the following two alternatives for your kind consideration because thousands of family pensioners and few pensioners who retired from the lower-level categories are getting a total pension less than Rs.9000/-.

- 1) The pensioners who were getting a basic pension of Rs.3500/- were receiving a total pension of Rs.7,434/- (3500 + 3934 DR with 112.4%) only whereas CDA pensioners were getting a total pension of Rs.9,000/- which means BSNL IDA pensioners were getting Rs.1566/- less compared to their counter-part in CDA pattern. To overcome this problem the total minimum pension of BSNL IDA

-2-

pensioners can be limited to Rs.9000/- as on 1/1/2016 and they can be brought at par with total minimum pension of CDA pensioners every six months. By this method, amended rule 49(2) can be applied to BSNL IDA pensioners also from 1/1/2016. If this method is not feasible then the following alternative may be considered.

- 2) From 1/1/2017, i.e. ten years after the last pension revision, the minimum pension of Rs.3500 can be merged with DR of Rs.4183 (119.5%) which works out to a total of Rs.7,683/-. It means they were still getting Rs.1,317/- less compared to their CDA

372.

counter-part. Hence their minimum pension can be raised to Rs.9000/- from 1/1/2017 with 0% DR as on that date and the DR may be granted every 3 months from 1/4/2017 onwards as per DPE orders.

We earnestly request you, sir, to have a re-look on this subject-matter and issue necessary orders, if required in consultation with DoP&PW, at the earliest.

Thanking you

Yours faithfully,

(P.Gangadhara Rao)
General Secretary.



**BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

MA NO. 158 OF 2020

IN

ORIGINAL APPLICATION NO. 1329 OF 2020

IN THE MATTER OF:

1. All India BSNL Pensioners' Welfare Association
Represented by General Secretary
Potharaju Gangadhara Rao,
S/o Late Sh. P. Sudharshanam,
Aged about 72 years,
Residing at: No. 6 G No. 12th Street,
Jogupalya, Halasuru,
Bengaluru-560008
2. Shri Ramankutty Nair PS,
S/o Late R. Sivaraman Nair,
Aged about 76 years,
Residing at TC 52/2369, CTO Colony,
Pappanamcode,
Thiruvananthapuram-695018
3. Shri Anupam Kaul,
S/o Sh. Jagan Nath Kaul,
Aged about 66 years,
Residing at A-402,
PMO Apartments,
C-58/20, Sector 62, Noida
4. V Latha,
W/o S Vijayan,
Aged about 59 years,
Residing at New 7 Old 44/2,
VV Colony First Street,
Adambakkam,
Chennai-600088

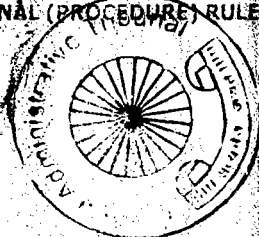
Applicants

Versus

1. Union of India,
Represented by its Secretary,
Department of Telecommunications,
Sanchar Bhavan, No. 20, Ashoka Road,
New Delhi-110001
2. The Department of Pension and Pensioners' Welfare,
Represented by its Secretary,
Lok Nayak Bhavan,
Khan Market, New Delhi-110003
3. The Department of Expenditure,
Represented by its Secretary,
129-A North Block,
New Delhi-110001

Respondents

AN APPLICATION UNDER RULE 4(5) OF THE CENTRAL ADMINISTRATIVE
TRIBUNAL (PROCEDURE) RULES, 1985 SEEKING PERMISSION OF THE



**HON'BLE TRIBUNAL TO FILE A COMMON ORIGINAL APPLICATION UNDER
SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985 ON BEHALF OF
THE APPLICANTS**

TO,

THE HON'BLE CHAIRMAN, VICE-CHAIRMAN AND
MEMBERS OF THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI.

THE HUMBLE APPLICATION OF THE
APPLICANTS ABOVE NAMED:

MOST RESPECTFULLY SHOWETH:

1. By way of the present Miscellaneous Application, the Applicants are seeking permission of this Hon'ble Tribunal to jointly prefer an Original Application under Section 19(1) of the Administrative Tribunals Act, 1985 before this Hon'ble Tribunal. Applicant No.1 is the registered association of the pensioners who have retired from BSNL and were absorbed in BSNL from DOT. Applicant Nos.2-4 are members of Applicant No.1 and were absorbed in BSNL from DOT.
2. The Applicants have filed the present application to challenge the denial of revision of their pension in terms of the recommendations of the 7th Central Pay Commission and are similarly situated in so far as their retirement benefits such as pension is concerned. It is, therefore, that the Applicants have decided to prefer a common application under Section 19 of the Administrative Tribunals Act, 1985 to challenge the denial of revision in pension in terms of the recommendations of the 7th CPC by the aforesaid Respondents.
3. It is stated that all the Applicants have common interests and are praying for a common relief by way of the Original Application filed under Section 19(1) of the Administrative Tribunals Act and therefore they crave liberty to be allowed to pursue the Original Application.
4. The present application is being filed *bona fide* and in the interest of justice.



PRAYER

In light of the facts and circumstances set out hereinabove, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to –

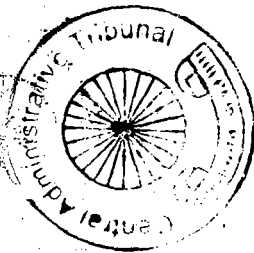
- i. Grant permission to the Applicants above-named to join together and file a single Original Application under Section 19(1) of the Administrative Tribunals Act; and
- ii. Pass such other order/s as may be deemed fit and proper in the facts of the present case.

VERIFICATION

I, Gangadhar Rao, Secretary of Applicant, No.1, S/o P Sudarshanam, aged 72 years, Residing at No.6, G No.12th Street, Jogupalaya, Halasuru, Bangalore-560008 do hereby verify that the contents of paras 1 to 4 are true and correct to the best of my knowledge and belief and that I have not suppressed any material fact. I am authorized to verify the present application on behalf of all the Applicants.

Date : 10.09.2020
Place : New Delhi

Signature of the Applicant



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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
MA NO. 1659 OF 2020
IN
ORIGINAL APPLICATION NO. 1329 OF 2020

IN THE MATTER OF:

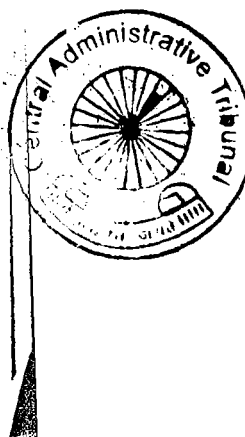
1. All India BSNL Pensioners' Welfare Association
Represented by General Secretary
Potharaju Gangadhara Rao,
S/o Late Sh. P. Sudharshanam,
Aged about 72 years,
Residing at: No.6 G No.12th Street,
Jogupalaya, Halasuru,
Bengaluru-560008
2. Shri Ramankutty Nair PS,
S/o Late R. Sivaraman Nair,
Aged about 76 years,
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S/o Sh. Jagan Nath Kaul,
Aged about 66 years,
Residing at A-402,
PMO Apartments,
C-58/20, Sector 62, Noida
4. V Latha,
W/o S. Vijayan,
Aged about 59 years,
Residing at New 7 Old 44/2,
VV Colony First Street,
Adambakkam,
Chennai-600088

Applicants

Versus

1. Union of India,
Represented by its Secretary,
Department of Telecommunications,
Sanchar Bhavan, No.20, Ashoka Road,
New Delhi-110001
2. The Department of Pension and Pensioners' Welfare,
Represented by its Secretary,
Lok Nayak Bhavan,
Khan Market, New Delhi-110003
3. The Department of Expenditure,
Represented by its Secretary,
129-A North Block,
New Delhi-110001

Respondents



377

**AN APPLICATION SEEKING EXEMPTION FROM FILING TYPED COPIES OF
DIM/ ILLEGIBLE ANNEXURES**

TO,

THE HON'BLE CHAIRMAN, VICE-CHAIRMAN AND
MEMBERS OF THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI.

THE HUMBLE APPLICATION OF THE
APPLICANTS ABOVE NAMED

MOST RESPECTFULLY SHOWETH:

1. The Applicants have preferred the present Original Application seeking to challenge the denial of the revision of their pension in terms of the recommendations of the 7th CPC by the Respondents.
2. By way of the present application, the Applicants are seeking exemption from filing typed copies of dim/ illegible annexures which could not be typed due to paucity of time.
3. The Applicants undertake to file typed/ original copies as and when directed by this Hon'ble Court.
4. The present application is being filed *bona fide* and in the interest of justice.

PRAYER

In light of the facts and circumstances set out hereinabove, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to –

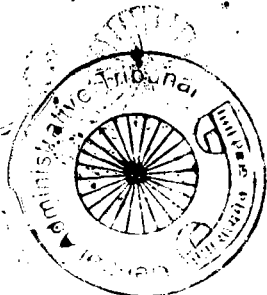
- i. Grant exemption to the Applicants from filing typed copies of dim/ illegible Annexures with the Original Application; and
- ii. Pass such other order/s as may be deemed fit and proper in the facts of the present case.

VERIFICATION

I, Gangadhar Rao, Secretary of Applicant No.1, S/o P Sudarsharam, aged 72 years, Residing at No.6, G No.12th Street, Jogupalaya, Halasuru, Bangalore 560008 hereby do verify that the contents of paras 1 to 4 are true to my knowledge and belief and that I have not suppressed any material fact. I am authorized to verify the Application for all Applicants.

Date : 10.09.2020
Place : New Delhi

Signature of the Applicant



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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
OA NO. OF 2020

IN THE MATTER OF:

A¹ India BSNL Pensioners' Welfare Association & Ors.

... Petitioners

Versus

Union of India & Ors.

... Respondents

VAKALATNAMA

KNOW ALL to whom these presents shall come that the Applicants, hereby appoint:

Gautam Narayan & Associates
D-17, LGF, Lajpat Nagar, Part-3
New Delhi-110024

hereinafter called the advocates to be our Advocates in the above noted case & authorise them:-

To act, appear and plead in the above-noted case in this Tribunal or in any other Court in which the same may be tried or heard and also in the Appellate Court including High Court subject to payment of fees separately for each court by me/us.

To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions review, revision, withdraw compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the execution of the said case in all the stages subject to payment for fees for each stage.

To file and take back document, to admit &/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

To deposit, draw and receive moneys, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal practitioner or person authorising him to exercise the power and authority hereby conferred upon the Advocate whatever the may think fit to do so & sign the power of attorney on

And I/we the undersigned do hereby agree to ratify and confirm all acts done by the Advocates or their substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/we undertake that I/we or my/our duly authorised agent would appear in court on all hearings & will inform the Advocate for appearance when the case is called.

And I/we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The appointment costs whatever ordered by the Court shall be of the Advocate herein and retain for himself.

And I/we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above



379.

**BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI**
OA NO. OF 2020

IN THE MATTER OF:

All India BSNL Pensioners' Welfare Association & Ors.

... Petitioners

Versus

Union of India & Ors.

... Respondents

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And I/we undertake that I/we or my/our duly authorised agent would appear in court on all hearings & will inform the Advocate for appearance when the case is called.

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IN WITNESS WHEREOF we do hereunto set our hand to the presents the contents of which have been understood by us on this the 10th day of September, 2020.

Accepted subject to terms of fees.

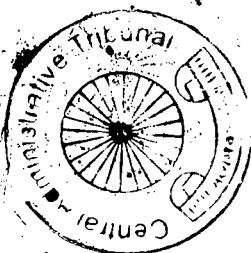
Gautam Narayan Asmita Singh Dacchita Shahi Adithya Nair
(D/1392/2002) (D/4494/2010) (D/4919/2015) (D/3425/2019)

D-17, LGF, Lajpat Nagar-III, New Delhi-110017

Ram Lal

Ph: 29834841 011-46142114

CLIENT (APPLICANT NO. 2)



**BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
OA NO. OF 2020**

IN THE MATTER OF:

All India BSNL Pensioners' Welfare Association & Ors.

... Petitioners

Versus

Union of India & Ors.

... Respondents

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D-17, LGF, Lajpat Nagar, Part-3
New Delhi-110024**

hereinafter called the advocates to be our Advocates in the above noted case & authorise them:-

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To sign, file, verify and present pleadings, appeals, cross-objections or petitions for execution, review, revision, withdraw compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the execution of the said case in all its stages subject to payment for fees for each stage.

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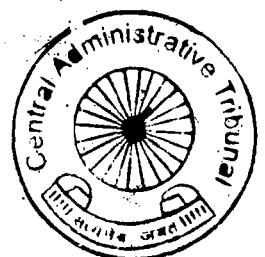
Accepted subject to terms of fees.

Gautam Narayan Asmita Singh Dacchita Shahi Adithya Nair
(D/1392/2001) (D/4494/2010) (D/4919/2015) (D/3425/2019)

D-17, LGF, Lajpat Nagar-III, New Delhi-110017
Ph: 29834941, 011-46142114

CLIENT

(APPLICANT NO 3)



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
OA NO. OF 2020

IN THE MATTER OF:

All India BSNL Pensioners' Welfare Association & Ors

... Petitioners

Versus

Union of India & Ors.

... Respondents

VAKALATNAMA

KNOW ALL to whom these presents shall come that the Applicants, hereby appoint:

Gautam Narayan & Associates
D-17, LGF, Lajpat Nagar, Part-3
New Delhi-110024

hereinafter called the advocates to be our Advocates in the above noted case & authorise them:-

To act, appear and plead in the above-noted case in this Tribunal or in any other Court in which the same may be tried or heard and also in the Appellate Court including High Court subject to payment of fees separately for each court by me/us.

To sign, file, verify and present pleadings, appeals, cross-objections or petitions for execution, review, revision, withdraw compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the execution of the said case at all stages subject to payment of fees for each stage.

To file and take back document, to admit &/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

To deposit, draw and receive moneys, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

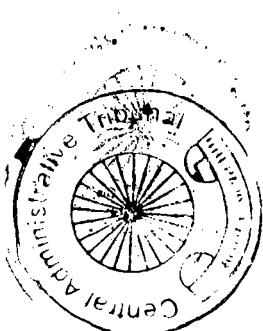
To appoint and instruct any other legal practitioner or person authorising him to exercise the power and authority hereby conferred upon the Advocate whatever the may think fit to do so & sign the power of attorney on

And I/we the undersigned do hereby agree to ratify and confirm all acts done by the Advocates or their substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/we undertake that I/we or my/our duly authorised agent would appear in Court at all hearings & will inform the Advocate for appearance when the case is called.

And I/we the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whatever ordered by the Court shall be of the Advocate he shall receive and retain for himself.

And I/we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining entitled to withdraw from the prosecution of the said case until the same is paid up. The fee set off is only for the advocate and shall not be for a period of three years only. I/we hereby agree that once the fee is paid I/we will not be entitled for the refund of the same in any case whatsoever.



IN WITNESS WHEREOF we do hereunto set our hand to the presents the contents of which have been understood by us on this the 10th day of September, 2020.

Accepted subject to terms of fees

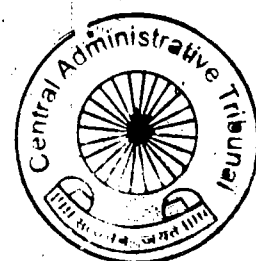
Gautam Narayan Asmita Singh Dacchita Shahi Adithya Nair
(D/1392/2001) (D/4494/2010) (D/4919/2015) (D/3425/2019)

D-17, LGF, Lajpat Nagar-III, New Delhi-110017
Ph: 29824841, 011-46142114



CLIENT

(APP-1 CAN NO.4)



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OA No./2020: All India BSNL Pensioners' Welfare Association & Ors. v Union of India & Ors. I
Proof of service

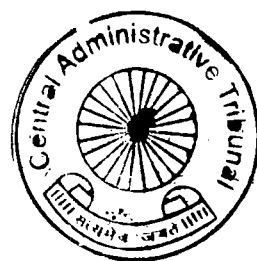
Ganesh Narayan, ganeshnarayan@sigmail.com
ganeshnarayan@sigmail.com, ganeshnarayan@sigmail.com

10/10/2020 10:10:10 AM

Warning: License for All India BSNL Pensioners' Welfare Association & Ors. v Union of India & Ors. I

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Warning: License for All India BSNL Pensioners' Welfare Association & Ors. v Union of India & Ors. I



385

23/11/2020

cat judicial 02 <catjudicial02@gmail.com>

Fwd: Reply All India BSNL Pensioners' Welfare Association & Ors. v. Union of India & Ors

1 message

P.K. Satija <judicial-pb-cat@gov.in>
To: catjudicial02 <catjudicial02@gmail.com>

Sun, Nov 22, 2020 at 10:14 PM

From: "nd kaushik1" <nd.kaushik1@gmail.com>
To: "P.K. Satija" <judicial-pb-cat@gov.in>, "g narayanoffice" <g.narayanoffice@gmail.com>
Sent: Sunday, November 22, 2020 10:42:02 PM
Subject: Reply All India BSNL Pensioners' Welfare Association & Ors. v. Union of India & Ors

Hello,
Please find attached reply to OA 1329/2020 All India BSNL Pensioners' Welfare Association & Ors. v. Union of India & Ors.

Please note that the file is shared on Google Drive.

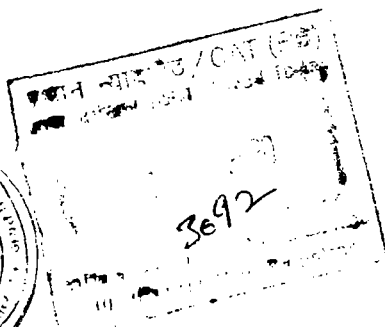
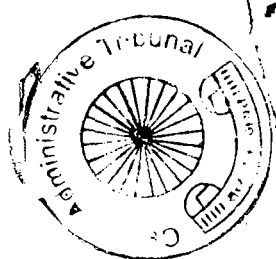
Thanks & Regards,

Reply to: catjudicial02@gmail.com

N D Kaushik
Senior Govt Counsel
AT PB, New Delhi
Phone - 9717462962



150 YEARS OF
CELEBRATING
THE MAHATMA



**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1329/2020

IN THE MATTER OF:

All India BSNL Pensioners'

Welfare Association & Ors

.....Applicant

Versus

Union of India & Ors

.....Respondents

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Filed by

Dated: ,Nov, 2020
New Delhi

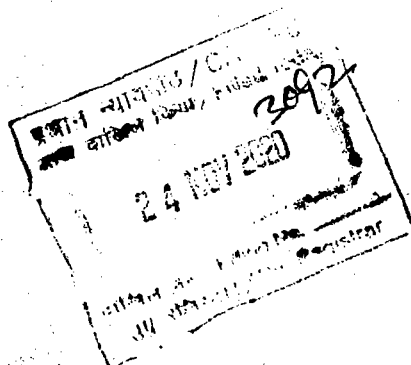
N D Kaushik

Advocate

Senior Central Govt. Counsel

C.A.T. (PB) Bar Room

Copernicus Marg, New Delhi



**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1329/2020

IN THE MATTER OF:

All India BSNL Pensioners'
Welfare Association & Ors

...Applicant

Versus

Union of India & Ors

...Respondents

MEMO OF PARTIES

- 1 All India BSNL Pensioners' Welfare Association
Represented by General Secretary

Potharaju Gangadhara Rao,
S/o Late Sh. P Sudharshanam,
Aged about 72 years,
Residing at: No.6 G No.12th Street,
Jogupalaya, Halasuru,
Bengaluru-560008

- 2 Shri Ramankutty Nair PS,
S/o Late R Sivaraman Nair,
Aged about 76 years,
Residing at TC 52/2369, CTO Colony,
Pappanamcode,
Thiruvananthapuram-695018

- 3 Shri Anupam Kaul,
S/o Sh.Jagan Nath Kaul,
Aged about 66 years,
Residing at A-402, PMO Apartments,
C-58/20, Sector 62, Noida

- 4 V Latha,
W/o S Vijayan, Aged about 59 years,
Residing at New 7 Old 44/2,
VV Colony First Street,
Adambakkam,
Chennai-600088

....Applicants

Versus

1. Union of India,
Represented by its Secretary,
Department of Telecommunications,
Sanchar Bhavan, No.20, Ashoka Road,
New Delhi-110001

2. The Department of Pension and Pensioners' Welfare,
Represented by its Secretary,
Lok Nayak Bhavan, Khan Market,
New Delhi-110003

3. The Department of Expenditure,
Represented by its Secretary,
129-A North Block,
New Delhi-110001

[Signature]
Respondents
Khan Hussain, IP.A. 1988
Deputy Comptroller
Off. Pr. C.A. Sanchari, 129-A North Block,
Department of Expenditure,
Govt. of India, New Delhi-110001

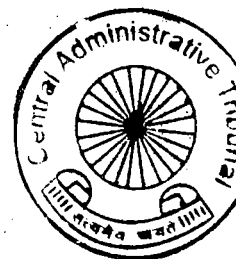
Through

Place: New Delhi

Dated: Nov, 2020

N.D. Kaushik
Senior Central Govt. Counsel
(UOI)
CAT Principal Bench
New Delhi

[Signature]



389.

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1329/2020

IN THE MATTER OF:

All India BSNL Pensioners'
Welfare Association & Ors

Versus

Union of India & Ors

... Applicant

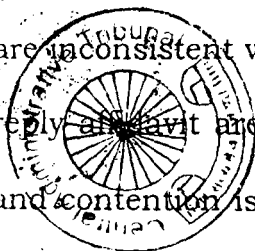
... Respondents

REPLY TO OA NO. 1329/2020 TITLED All India BSNL Pensioners' Welfare Association & Ors Vs Union of India & Ors

MOST RESPECTFULLY SHOWETH:

I, Khalid Hussain aged about 30 years S/o Shri Shah Hussain posted as Dy. CCA, O/o Pr. CCA, Department of Telecommunication, Sanchar Lekha Bhawan, Prasad Nagar, New Delhi-110005, do hereby solemnly affirm and declare as under:

1. That I am presently working as Dy.CCA and well conversant with facts and circumstances of the case, as such fully competent to swear this affidavit.
2. That I am acquainted with facts and circumstances of the present case. I am competent to depose this affidavit on behalf of replying respondents in my official capacity.
3. That I have read the contents of the present amended OA and I state that the contents mentioned therein to the extent they are inconsistent with the submissions made hereinafter in this reply affidavit are incorrect and denied. Unless any averment and contention is specifically admitted or traversed, the same may be treated as denied.



4. That the applicant herein has not approached this Hon'ble Tribunal with clean hands and has suppressed certain material facts as submitted in this reply affidavit.

On this ground alone, the OA is liable to be dismissed outrightly.

5. The Prayer in the OA is vague on this ground also, the OA is liable to be dismissed outrightly.

MOST RESPECTFULLY SHOWETH

Background of the case is as follows

1. Bharat Sanchar Nigam Limited (BSNL) was formed on 01.10.2000 by conversion of the erstwhile Department of Telecom. Services (DTS) and Department of Telecom. Operations (DTO) into a Public Sector Undertaking (PSU). The Government employees in these two Departments were first transferred en-masse to BSNL on deemed deputation basis. These employees were later given option to either continue to be in Government Service or to seek permanent absorption in BSNL. Those employees who opted for absorption in BSNL, Presidential Orders were issued in their favour laying down comprehensive terms and conditions of their absorption in BSNL with effect from 01.10.2000 in accordance with Rule 37-A of CCS (Pension) Rules, 1972 (Annexure A-6 of the OA). The absorbed employees of BSNL were given higher IDA pay scales as compared to their counter parts in Government Service receiving CDA pay scales.

2. After absorption in BSNL, these employees ceased to be Government servants and they were deemed to have retired from Government service from the date of their absorption as per Sub-rule 4 of Rule ibid. As per Sub-rule 8 of Rule 37-A of CCS (Pension) Rules, 1972, these absorbed employees were eligible for pensionary benefits on the basis of the combined service rendered by them with



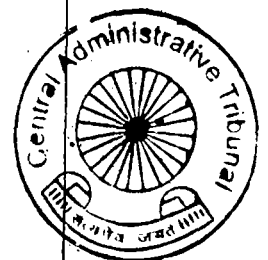
the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL. The absorbed employees of BSNL, who retired after 01.10.2000 got pension and dearness relief thereon in IDA pattern on the basis of last pay or last ten months' average pay, whichever is more beneficial, as per Sub-Rules 9 & 10 of Rule *ibid*. The pension to absorbed employees of BSNL is paid by Government as per Sub-rule 22 of Rule *ibid*.

3. In case of BSNL absorbed employees, IDA pension was made applicable with effect from 01.10.2000 onwards. Therefore, the applicants of the present OA are ex-absorbed combined services pension optees of BSNL and they are getting their pension/family pension in IDA pattern from Government as per Rule 37-A of CCS (Pension) Rules, 1972 (Annexure A-6 of the OA). Subsequently, on implementation of the recommendations of the 6th CPC, a substantial number of its recommendations, as contained in DOP&PW's OM No.38/37/08-P&PW(A) dated 01.09.2008 (Annexure A-16 of the OA), were extended and made applicable to the BSNL IDA pensioners also with effect from 01.01.2006, viz (i) calculation of pension, (ii) additional pension with maturity of age, (iii) qualifying service for full pension (iv) commutation (v) limit of gratuity (vi) family pension (vii) leave encashment amount etc.

4. Thereafter, on the recommendations of the 2nd Pay Revision Committee (PRC) on wage revision of employees of Central Public Sector Enterprises (CPSEs), the DPE issued orders laying down the effective date of implementation, vide its OM No. 2(70)/08-DPE (WC)-GL-XVL/08, dated 26.11.2008 (Annexure A-20 of the OA) indicating that the revised pay scales of the Board Level and below board level executives and non-unionised supervisors would be implemented by issue of Presidential Directive in respect of each CPSE separately by the concerned Administrative Ministry/Department. The revised pay scales is to be effective from 01.01.2007. The implementation would be from the date of issue of

Presidential Directive. The Board of Directors of each CPSE would be required to consider the proposal of pay revision based on their affordability to pay and submit the same to the Administrative Ministry/Department for approval. The concerned Administrative Ministry with the concurrence of its Financial Advisor is to issue the Presidential Directive. The revised pay scales for employees in Central Public Sector Enterprises (CPSEs), as contained in DPE's OM No.2(70)/08-DPE(WC)-GL-XVL/08 dated 26.11.2008 (Annexure A-20 of the OA), was extended to the employees of BSNL with effect from 01.01.2007, vide letter No.26-01/2009-SU dated 27.02.2009. As a result, employees who retired from BSNL after 01.01.2007 got about 30% higher pension than the employees who retired before 01.01.2007. As there is no provision in Rule 37-A of CCS (Pension) Rules, 1972 for revision of pension of employees retired from BSNL, in order to remove the anomaly in pension of those BSNL pensioners who retired between 01.10.2000 and 01.01.2007, approval of Union Cabinet was sought for revision of their pension and family pension and necessary orders were issued, vide order No.40-70/2008-Pen(T) (Vol.III) dated 15.03.2011 (Annexure A-24 of the OA).

5. Thereafter, DoP&PW issued OM dated 04.08.2016 (Annexure A-28 of the OA) revising pension/family pension of government pensioners who were drawing pension/family pension as on 31.12.2015 (pre-2016 pensioners/family pensioners). DOP&PW further issued OM dated 12.05.2017 (Annexure A-30 of the OA). Para 7(a) of this OM clearly indicates that when the Government servant on permanent absorption in PSUs continue to draw pension from the Government separately, the pension of such absorbees will be updated in terms of these orders. Accordingly, para 12 of the OM dated 12.05.2017 (Annexure A-30 of the OA) is applicable for the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government only. Therefore, OM No.38/37/2016-P&PW (A) dated 12.05.2017 (Annexure A-30 of



the OA) issued by DoP&PW consequent to the recommendations of the 7th Central Pay Commission (CPC) revising the pension/family pension of pre-2016 pensioners/family pensioners are applicable to only Government pensioners/family pensioners and not applicable to ex-absorbed combined service pension optees of BSNL i.e. the applicants of OA No. 100/1329/2020.

6. Later, on the recommendations of the 3rd PRC on wage revision of employees of CPSEs, the DPE issued orders laying down the effective date of implementation, vide its OM No. 02/0028/2017-DPE (WC)-GL-XIII/17 dated 03.08.2017 (Annexure A-22 of the OA) wherein it was indicating that the revised pay scales of the Board Level and below board level executives and non-unionised supervisors would be implemented by issue of Presidential Directive in respect of each CPSE separately by the concerned Administrative Ministry/Department. The revised pay scales is be effective from 01.01.2017. The implementation would be from the date of issue of Presidential Directive. The Board of Directors of each CPSE would be required to consider the proposal of pay revision based on their affordability to pay and submit the same to the Administrative Ministry/Department for approval. The concerned Administrative Ministry with the concurrence of its Financial Advisor is to issue the Presidential Directive. The revised pay scales for employees in Central Public Sector Enterprises (CPSEs), as contained in DPE's OM 02/0028/2017-DPE (WC)-GL-XIII/17 dated 03.08.2017 (Annexure A-22 of the OA), could not be extended to the employees of BSNL with effect from 01.01.2017 as BSNL was recurring losses continuously year after year and the CPSU could not afford extra burden on revision of pay scales of its employees/executives. As such, the pay scales of the employees/executives of BSNL could not be revised with effect from 01.01.2017 on implementation of the recommendations of 3rd PRC and therefore, the pension/family pension of ex-absorbed combined service pension optees of BSNL also could not be revised with effect from that date. This was due to the fact that had the IDA pension of

combined service pension optee BSNL pensioners/family pensioners was revised with effect from 01.01.2017 by adopting special provisions, an anomalous condition would arise as absorbed employees who retire from BSNL after 01.01.2017 are to get much less pension than those BSNL IDA pensioners who had retired before 01.01.2017.

7. That AIBSNLPWA & Ors. had earlier filed OA No.346/2018 before the Hon'ble CAT, Ernakulam Bench seeking implementation of OM No.38/37/2016-P&PW(A) dated 12.05.2017 of DOP&PW (Annexure A-30 of the OA) in case of BSNL absorbed employees. Aforesaid OM was issued by DOP&PW on implementation of the recommendations of the 7th CPC for the Government employees and the employees of the PSUs drawing pension under CDA pay scales for the service rendered in the Government. This OM is not applicable to absorbed employees of BSNL as they are drawing their pension in IDA pay scales and the pension of Pre-2006 IDA pensioners was last revised after implementation of the recommendations of the 2nd PRC. Recommendations of 3rd PRC has not yet been implemented in the cases of BSNL/MTNL employees. The Hon'ble CAT, therefore, dismissed OA No.346/2018, vide order dated 30.10.2019 (Annexure R-1). This order of the Hon'ble Tribunal is presently under challenge by AIBSNLPWA & Ors. before the Hon'ble Kerala High Court by way of filing OP(CAT) No.60/2020.

8. That Shri MSS Ramachandra Murthy, who retired as BSNL absorbed employee from the O/o CGM, BSNL, AP Telecom Circle, Hyderabad had also filed OA No.021/813/2017 before Hon'ble CAT, Hyderabad Bench seeking revision of his IDA pension consequent to implementation of the recommendations of 7th CPC on the grounds that he was covered under CCS (Pension) Rules, 1972 and that pension contribution is being paid by BSNL to the Government as prescribed by the Government under Fundamental Rules. OA No.021/813/2017 was dismissed by the Hon'ble CAT, vide order dated 10.12.2018 (Annexure R-2) with the observation that the

norms for revision of pension are decided by Pay Revision Committee of Public Undertakings and not by Pay Commissions. Therefore, there is no reason for the Tribunal to intervene on behalf of the applicant as his prayer cannot be acceded to as per rules on the subject. Thereafter, he filed RA No.021/02/2019 against order dated 10.12.2018 in OA No.021/813/2017, which was also dismissed by the Hon'ble CAT, vide order 11.01.2019 (Annexure R-3). Shri MSS Ramachandra Murthy then filed Writ Petition (SR) No.14133/2019 before the Hon'ble AP High Court at Hyderabad against the aforesaid orders of the Hon'ble CAT, Hyderabad Bench in OA No.021/813/2017 and RA No.021/02/2019, which is presently pending adjudication by the Hon'ble High Court.

9. The applicant Association has now filed the instant OA seeking direction of the Tribunal that the applicant association are entitled to parity with Central Government pensioners in the matter of revision of pension on the same yardstick as granted to the Central Government pensioners and to direct the respondents to revise the pension of the members of the applicant association in terms of the recommendations of 7th CPC, to quash/set aside the OM No.47-63/2015-Pen (T) dated 16.03.2017 of DOT and to delink the issue of revision of pension of absorbee pensioners from pay revision of absorbed employees of BSNL.

10. The relief sought by the applicants through the aforesaid OA cannot be granted on the grounds that DPE issued orders laying down the effective date of implementation, vide its OM No. 02/0028/2017-DPE (WC)-GL-XIII/17 dated 03.08.2017 (Annexure A-22 of the OA) wherein it was indicating that the revised pay scales of the Board Level and below board level executives and non-unionised supervisors would be implemented by issue of Presidential Directive in respect of each CPSE separately by the concerned Administrative Ministry/Department. The implementation would be from the date of issue of Presidential Directive. The Board of Directors of each CPSE would be required to consider the proposal of pay revision based on their affordability

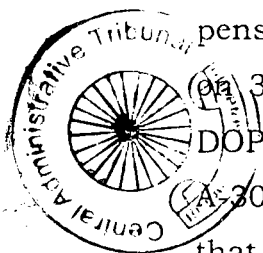
to pay and submit the same to the Administrative Ministry/Department for approval. The revised pay scales for employees in Central Public Sector Enterprises (CPSEs), as contained in DPE's OM 02/0028/2017-DPE (WC)-GL-XIII/17 dated 03.08.2017 (Annexure A-22 of the OA), could not be extended to the employees of BSNL with effect from 01.01.2017 as BSNL was recurring losses continuously and the CPSU could not afford extra burden on revision of pay scales of its employees/executives. Moreover, DoP&PW OM No.38/37/2016-P&PW(A) dated 12.05.2017 (Annexure A-30 of the OA) is meant for Central Government CDA pensioners and pro-rata pension optee BSNL absorbees drawing pension on CDA pattern for Government service period only and not for combined service pension optee BSNL pensioners. Therefore, if the IDA pension of combined service pension optee BSNL pensioners/family pensioners is revised with effect from 01.01.2017, by approaching the Union Cabinet through a Cabinet Note, as was done earlier on implementation of the recommendations of the 2nd PRC, an anomalous condition would arise since absorbed employees who retire from BSNL after 01.01.2017 are to get much less pension than the combined service pension optee BSNL pensioners who had retired before 01.01.2017. As such the revision of IDA pension/family pension of combined service pension optees of BSNL could only be revised on revision of the pay scales of the absorbed BSNL employees on implementation of the recommendations of the 3rd PRC.

PARA-WISE COMMENTS

Para-1.1-1.7 The averment of these Para's are wrong and it is further submitted that as submitted in the preceding paragraphs under the heading 'Background', relief sought by the applicants through the aforesaid OA cannot be granted simply on the grounds that after absorption in BSNL, the employees of erstwhile DTO and DTS on formation of BSNL, ceased to be Government servants and they were deemed to have retired from

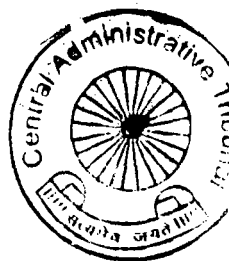
Government service from the date of their absorption as per Sub-rule 4 of Rule *ibid*. As per Sub-rule 8 of Rule 37-A of CCS (Pension) Rules, 1972, these absorbed employees were eligible for pensionary benefits on the basis of the combined service rendered by them with the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL. The absorbed employees of BSNL, who retired after 01.10.2000 got pension and dearness relief thereon in IDA pattern on the basis of last pay or last ten months' average pay, whichever is more beneficial, as per Sub-Rules 9 & 10 of Rule *ibid*. The pension to absorbed employees of BSNL is paid by Government as per Sub-rule 22 of Rule *ibid*.

That the recommendations of the 7th CPC are for the purpose of revision of pay and allowances of government servants and for revision of pension of government pensioners/family pensioners. However, the applicants of the present OA are ex-absorbed combined service pension optees of BSNL and they are getting their pension/family pension in IDA pattern from the Government as per Rule 37-A of CCS (Pension) Rules, 1972 (Annexure A-6 of the OA). OM dated 04.08.2016 (Annexure A-28 of the OA) issued by DOP&PW is for revising pension/family pension of government pensioners who were drawing pension/family pension as on 31.12.2015 (pre-2016 pensioners/family pensioners). DOP&PW further issued OM dated 12.05.2017 (Annexure A-30 of the OA). Para 7(a) of this OM clearly indicates that when the Government servant on permanent absorption in PSUs continue to draw pension from the Government separately, the pension of such absorbtees will be updated in terms of these orders. Accordingly, para 12 of the OM dated 12.05.2017 (Annexure A-30 of



the OA) is applicable for the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government only. Therefore, OM No.38/37/2016-P&PW (A) dated 12.05.2017 (Annexure A-30 of the OA) issued by DoP&PW consequent to the recommendations of the 7th Central Pay Commission (CPC) revising the pension/family pension of pre-2016 pensioners/family pensioners are applicable to only Government pensioners/family pensioners and not applicable to ex-absorbed combined service pension optees of BSNL i.e. the applicants of the instant OA.

That AIBSNLPWA & Ors. had earlier filed OA No.346/2018 before the Hon'ble CAT, Ernakulam Bench seeking implementation of OM No.38/37/2016-P&PW(A) dated 12.05.2017 of DOP&PW (Annexure A-30 of the OA) in case of BSNL absorbed employees. Aforesaid OM was issued by DOP&PW on implementation of the recommendations of the 7th CPC for the Government employees and the employees of the PSUs drawing pension under CDA pay scales for the service rendered in the Government. This OM is not applicable to absorbed employees of BSNL as they are drawing their pension in IDA pay scales and the pension of Pre-2006 IDA pensioners was last revised after implementation of the recommendations of the 2nd PRC. Recommendations of 3rd PRC has not yet been implemented in the cases of BSNL/MTNL employees since they are recurring losses continuously year after year and these CPSUs could not afford extra burden on revision of pay scales of its employees/executives. The Hon'ble CAT, therefore, dismissed OA No.346/2018, vide order dated 30.10.2019 (Annexure R-1). This order of the Hon'ble Tribunal is presently under challenge by AIBSNLPWA & Ors. before



the Hon'ble Kerala High Court by way of filing OP(CAT) No.60/2020.

That Shri MSS Ramachandra Murthy, who retired as BSNL absorbed employee from the O/o'CGM, BSNL, AP Telecom Circle, Hyderabad had also filed OA No.021/813/2017 before Hon'ble CAT, Hyderabad Bench seeking revision of his IDA pension consequent to implementation of the recommendations of 7th CPC on the grounds that he was covered under CCS (Pension) Rules, 1972 and that pension contribution is being paid by BSNL to the Government as prescribed by the Government under Fundamental Rules. OA No.021/813/2017 was dismissed by the Hon'ble CAT, vide order dated 10.12.2018 (Annexure R-2) with the observation that the norms for revision of pension are decided by Pay Revision Committee of Public Undertakings and not by Pay Commissions. Therefore, there is no reason for the Tribunal to intervene on behalf of the applicant as his prayer cannot be acceded to as per rules on the subject. Thereafter, he filed RA No.021/02/2019 against order dated 10.12.2018 in OA No.021/813/2017, which was also dismissed by the Hon'ble CAT, vide order 11.01.2019 (Annexure R-3). Shri MSS Ramachandra Murthy then filed Writ Petition (SR) No.14133/2019 before the Hon'ble AP High Court at Hyderabad against the aforesaid orders of the Hon'ble CAT, Hyderabad Bench in OA No.021/813/2017 and RA No.021/02/2019, which is presently pending for adjudication by the Hon'ble High Court.

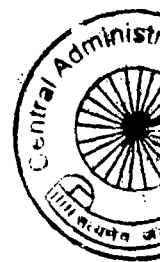
Para-2 That contents of this para need no comments, they being matter of record.

Para-3 That contents of this para need no comments, they being matter of record.

Para-4.1 The averment of this Para is wrong and hence denied. It is further submitted that OM No.4/18/87-P&PW(D) dated 05.07.1989 (Annexure A-4 of the OA) provides settlement of pensionary terms etc. in respect of Government employees transferred en masse to Central Public Sector Undertakings/Central Autonomous Bodies. It lays down that the permanent government servants shall have an option to retain the pensionary benefits available to them under the Government rules or to be governed by the rules of the Public Sector Undertaking/Autonomous Body. The government servants who opt to be governed by the pensionary benefits available under the Government, shall at the time of their retirement, be entitled to pension etc. in accordance with the Central Government rules in force at that time. However, the applicants herein have been absorbed in terms of Rule 37-A of CCS (Pension) Rules, 1972.

Para-4.2 That contents of this para need no comments, they being matter of record.

Para-4.3 The averment of this Para is wrong and hence denied. It is further submitted that the Cabinet Note dated 25.09.2000 (Annexure A-5 of the OA) lays down the settlement of pensionary terms as etc. as provided for in the OM No.4/18/87-P&PW (D) dated 05.07.1989 (Annexure A-4 of the OA) in respect of Government employees seeking absorption in a Public Sector Undertaking/Autonomous Body viz (i) all employees will be entitled to Government's scheme of pension/family pension even after their absorption. This is for those government employees who opt to be governed by the pensionary benefits available under the Government. They shall at the time of their retirement will be entitled to pension etc. in accordance with the Central

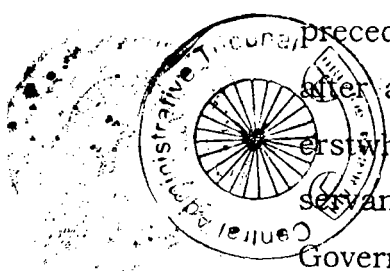


Government rules in force at that time.(ii) Technical resignation will not be required (iii) Payment of pension would be made by Government. This is for those government employees who opt to be governed by the rules of the Public Sector Undertaking/Autonomous Body. The applicants of the instant OA are the ex-absorbed combined services pension optees of BSNL who opted to be governed by the rules of the Public Sector Undertaking/Autonomous Body. (iv) Arrangement would be worked out for obtaining pension contribution from the PSU to be deposited with the Government. (v) Facility to carry over Earned Leave and Half Pay Leave would be provided and (vi) The pension frame work was made part of the CSS (Pension) Rules, 1972 by amending Rule 37 using power under Article 309 of the Constitution of India. Thus, all the recommendations made in the Cabinet Note dated 25.09.2000 (Annexure A-5 of the OA) with regard to pension and retirement benefits in respect of Government employees of erstwhile DTO and DTS absorbed in BSNL have fully been implemented.

Para-4.4 That contents of this para need no comments, they being matter of record.

Para-4.5 That contents of this para need no comments, they being matter of record.

Para-4.6-4.10 The averment of these Paras are wrong and hence denied. It is further submitted that as submitted in the preceding paragraphs under the heading 'Background', after absorption in BSNL, the government employees of erstwhile DTO and DTS ceased to be Government servants and they were deemed to have retired from Government service from the date of their absorption as per Sub-rule 4 of Rule ibid. As per Sub-rule 8 of Rule 37-A of CCS (Pension) Rules, 1972 (Annexure A-6 of the OA), these absorbed employees were eligible for



pensionary benefits on the basis of the combined service rendered by them with the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL. The absorbed employees of BSNL, who retired after 01.10.2000 got pension and dearness relief thereon in IDA pattern on the basis of last pay or last ten months' average pay, whichever is more beneficial, as per Sub-Rules 9 & 10 of Rule ibid. The pension to absorbed employees of BSNL is paid by Government as per Sub-rule 22 of Rule ibid.

That the provisions enshrined in Rule 37-A of CCS (Pension) Rules, 1972 regarding settlement of pensionary terms etc. are the same as provided for in the OM No.4/18/87-P&PW(D) dated 05.07.1989 (Annexure A-4 of the OA) of DOP&PW and the Cabinet Note dated 25.09.2000 (Annexure A-5 of the OA) in respect of Government employees transferred en masse to Central Public Sector Undertakings/Central Autonomous Bodies.

Para-4.11-4.12 The averment of these Paras are wrong and hence denied. It is further submitted that a perusal of the Cabinet Note dated 25.09.2000 (Annexure A-5 of the OA) reveals that corporatization of erstwhile DTO and DTS into BSNL was done to achieve objectives of the New Telecom Policy 1999 of Government of India with regard to rural telephony or any other non-economic service and to achieve, in a time bound manner, particularly with regard to development of a world class telecommunication infrastructure, development of telecom infrastructure in rural areas, making available telephone on demand by the year 2002 and sustaining it thereafter so as to achieve a tele-density of 7 by the year 2005 and, 15 by the year 2010. Availability of affordable



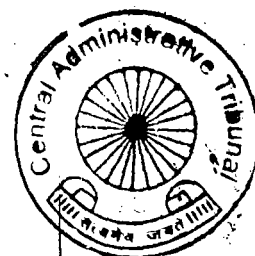
and effective communications for the citizens. For the purpose, assets and liabilities of the above two Government Departments were transferred to BSNL. Apart from that some major concessions were also extended to the newly formed Company viz. exemption from Income Tax liability, exemption from following general guidelines for payment of dividend of a minimum of 20% prescribed for profitable PSUs, exemption from paying licence fee, reimbursement of sales tax paid by BSNL for procurement of various telecom related items and stores, exemption from paying spectrum charges, exemption from paying payment of stamp duty on transfer of assets and also financial support from the Government for achieving the objectives of the NTP-1999. Apart from the above concessions granted to newly formed BSNL, it was also decided that the pensionary benefits including family pension to absorbed employees of BSNL would be paid by Government. In order to restrict the amount towards pension liability towards absorbed employees of BSNL, it was decided that the annual pension liability of the Government towards employees, who retired from DOT prior to 01.10.2000 and subsequently absorbed in BSNL and towards absorbees of BSNL, shall not exceed 60% of the annual receipts of the Government from BSNL/MTNL in the form of (i) Dividend income (ii) Licence fee and (c) Corporate Tax/Excise Duty/Service Tax. It was further indicated in the letter dated 15.06.2006 (Annexure A-11 of the OA) that any expenditure for pension over and above the aforesaid limit shall be borne by BSNL.

As is evident from the above facts on extending so many exemptions to the newly formed company, limiting the pension liability of the Government towards absorbed employees of BSNL was desirable. However, on persistent

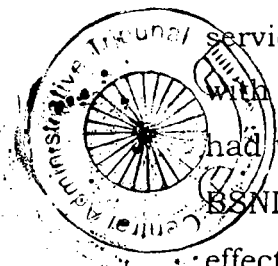
demand from the management and various employees' unions of BSNL, letter dated 15.06.2006 (Annexure A-11 of the OA) was withdrawn/rescinded, vide letter dated 20.07.2016 (Annexure A-15 of the OA) and the Government assumed 100% responsibility towards pension liability towards absorbed employees of BSNL.

Para-4.13-4.16 The averment of these Paras are wrong and hence denied. It is further submitted that as submitted in the preceding paragraphs under the heading, 'Background', on implementation of the recommendations of the 6th CPC DoP&PW issued OM dated 01.09.2008 and 02.09.2008 (Annexure A-16 of the OA) revising pension/family pension of government pensioners who were drawing pension/family pension as on 31.12.2005 (pre-2006 pensioners/family pensioners) and revising rules for grant of pension/ Gratuity and Commutation of Pension etc. for Government employees retiring after 01.01.2006 (post-2006 pensioners). However, a substantial number of 6th CPC's recommendations, as contained in DOP&PW's OM No.38/37/08-P&PW(A) dated 02.09.2008 (Annexure A-16 of the OA), were extended and made applicable to the BSNL IDA pensioners also with effect from 01.01.2006, viz (i) calculation of pension, (ii) additional pension with maturity of age, (iii) qualifying service for full pension (iv) commutation (v) limit of gratuity (vi) family pension (vii) leave encashment amount etc.

Para-4.17 The averment of this Para is wrong and hence denied. It is further stated that as submitted in the preceding paragraphs under the heading 'Background', on the recommendations of the 3rd PRC on wage revision of employees of CPSEs, the DPE issued orders laying down the effective date of implementation, vide its OM No. 02/0028/2017-DPE (WC)-GL-XIII/17 dated 03.08.2017

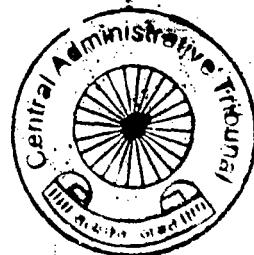


(Annexure A-22 of the OA) wherein it was indicating that the revised pay scales of the Board Level and below board level executives and non-unionised supervisors would be implemented by issue of Presidential Directive in respect of each CPSE separately by the concerned Administrative Ministry/Department. The revised pay scales is to be effective from 01.01.2017. The implementation would be from the date of issue of Presidential Directive. The Board of Directors of each CPSE would be required to consider the proposal of pay revision based on their affordability to pay and submit the same to the Administrative Ministry/Department for approval. The concerned Administrative Ministry with the concurrence of its Financial Advisor is to issue the Presidential Directive. The revised pay scales for employees in Central Public Sector Enterprises (CPSEs), as contained in DPE's OM 02/0028/2017-DPE (WC)-GL-XIII/17 dated 03.08.2017(Annexure A-22 of the OA) could not be extended to the employees of BSNL with effect from 01.01.2017 as BSNL was recurring losses continuously year after year and the CPSU could not afford extra burden on revision of pay scales of its employees/executives. As such, the pay scales of the employees/executives of BSNL could not be revised with effect from 01.01.2017 on implementation of the recommendations of 3rd PRC and therefore, the pension/family pension of ex-absorbed combined services pension optees of BSNL also could not be revised with effect from that date. This was due to the fact that had the IDA pension of combined service pension optees BSNL pensioners/family pensioners was revised with effect from 01.01.2017 by adopting special provisions, an anomalous condition would arise as absorbed employees who retire from BSNL after 01.01.2017 are to get much



less pension than those BSNL IDA pensioners who had retired before 01.01.2017.

Para-4.18 The averment of this Para is wrong and hence denied. It is further submitted that on the recommendations of the 2nd Pay Revision Committee (PRC) on wage revision of employees of Central Public Sector Enterprises (CPSEs), the DPE issued orders laying down the effective date of implementation, vide its OM No. 2(70)/08-DPE (WC)-GL-XVL/08 dated 26.11.2008 (Annexure A-20 of the OA) indicating that the revised pay scales of the Board Level and below board level executives and non-unionised supervisors would be implemented by issue of Presidential Directive in respect of each CPSE separately by the concerned Administrative Ministry/Department. The revised pay scales is to be effective from 01.01.2007. The implementation would be from the date of issue of Presidential Directive. The Board of Directors of each CPSE would be required to consider the proposal of pay revision based on their affordability to pay and submit the same to the Administrative Ministry/Department for approval. The concerned Administrative Ministry with the concurrence of its Financial Advisor is to issue the Presidential Directive. The revised pay scales for employees in Central Public Sector Enterprises (CPSEs), as contained in DPE's OM No.2(70)/08-DPE(WC)-GL-XVL/08 dated 26.11.2008 (Annexure A-20 of the OA), was extended to the employees of BSNL with effect from 01.01.2007, vide letter No.26-01/2009-SU dated 27.02.2009. As a result, employees who retired from BSNL after 01.01.2007 got about 30% higher pension than the employees who retired before 01.01.2007. As there is no provision in Rule 37-A of CCS (Pension) Rules, 1972 for revision of pension of employees retired from BSNL, in order to remove the anomaly in pension of those



BSNL pensioners/family pensioners who retired/expired between 01.10.2000 and 01.01.2007, approval of Union Cabinet was sought for revision of their pension and family pension and necessary orders were issued, vide order No.40-70/2008-Pen(T) (Vol.III) dated 15.03.2011 (Annexure A-24 of the OA). It is submitted that pay revision of BSNL employees was done by adding together the existing pay, merger of IDA and fitment weightage of 30%. The same formula was also adopted for revision of pension/family pension of those BSNL pensioners/family pensioners who retired/expired between 01.10.2000 and 01.01.2007.

Para-4.19-4.21 The averment of these Paras are wrong and hence denied. It is further submitted that as submitted in the preceding paragraphs, a substantial number of 6th CPC's recommendations, as contained in DOP&PW's OM No.38/37/08-P&PW(A) dated 02.09.2008 (Annexure A-16 of the OA), were extended and made applicable to the BSNL IDA pensioners also with effect from 01.01.2006, viz (i) calculation of pension, (ii) additional pension with maturity of age, (iii) qualifying service for full pension (iv) commutation (v) limit of gratuity (vi) family pension (vii) leave encashment amount etc.

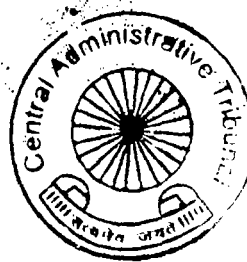
Para-4.22-4.23 The averment of these Paras are wrong and hence denied. It is further stated that as submitted in the preceding paragraphs under the heading 'Background', DOP&PW issued OM dated 04.08.2016 (Annexure A-28 of the OA) revising pension/family pension of government pensioners who were drawing pension/family pension as on 31.12.2015 (pre-2016 pensioners/family pensioners). DOP&PW further issued OM dated 12.05.2017 (Annexure A-30 of the OA). Para 7(a) of this OM clearly indicates that when the Government servant on permanent absorption in PSUs continue to draw pension from the



Government separately, the pension of such absorbees will be updated in terms of these orders. Accordingly, para 12 of the OM dated 12.05.2017 (Annexure A-30 of the OA) is applicable for the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government only.

Para 4.24-4.28 The averment of these Paras are wrong and hence denied. It is further stated that as submitted in the preceding paragraphs under the heading 'Background', OM No.38/37/2016-P&PW (A) dated 12.05.2017 (Annexure A-30 of the OA) issued by DoP&PW consequent to the recommendations of the 7th Central Pay Commission (CPC) revising the pension/family pension of pre-2016 pensioners/family pensioners is applicable to only Government pensioners/family pensioners and not applicable to ex-absorbed combined service pension optees of BSNL. Since pay scales of the employees/executives of BSNL have not been revised with effect from 01.01.2017 on implementation of the recommendations of 3rd PRC, therefore, the pension/family pension of ex-absorbed combined service pension optees of BSNL, retired/expired before 01.01.2017 cannot be revised with effect from that date. This is due to the fact that if the IDA pension of combined service pension optee BSNL pensioners/family pensioners is revised with effect from 01.01.2017 by adopting special provisions, an anomalous condition would arise as absorbed employees who retire from BSNL after 01.01.2017 are to get much less pension than those BSNL IDA pensioners who retired before 01.01.2017.

Para-4.29 The averment of this Para is wrong and hence denied. It is further submitted that the pro-rate pensioners and combined service pensioners of BSNL and MTNL have

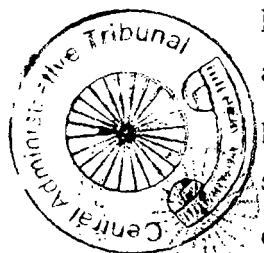


been extended the facility of CGHS, vide order dated 20.02.2014 (Annexure A-34 of the OA), as their pension is paid by the Central Government.

Para-4.30 The averment of this Para is wrong and hence denied. It is further submitted that the widowed/unmarried or divorced daughters of Government servants are granted family pension without restriction of upper-age limit. This facility has also been extended to absorbed BSNL pensioners, vide OM dated 31.08.2018 (Annexure A-37 of the OA).

Para-4.31 The averment of this Para is wrong and hence denied. It is further submitted that the pro-rate pensioners and combined service pensioners of BSNL and MTNL are eligible for two pensions, one from military and another from civil, if they had served military prior to joining DOT and were in receipt of military pension.

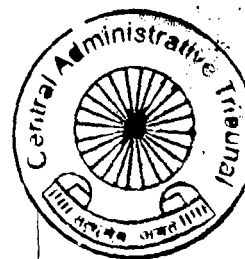
Para-4.32-4.47 The averment of these Paras are wrong and hence denied. It is further stated that as submitted in the preceding paragraphs under the heading 'Background', OM No.38/37/2016-P&PW (A) dated 12.05.2017 (Annexure A-30 of the OA) issued by DoP&PW consequent to the recommendations of the 7th Central Pay Commission (CPC) revising the pension/family pension of pre-2016 pensioners/family pensioners are applicable to only Government pensioners/family pensioners and not applicable to ex-absorbed combined service pension optees of BSNL. Since pay scales of the employees/executives of BSNL have not been revised with effect from 01.01.2017 on implementation of the recommendations of 3rd PRC, therefore, the pension/family pension of ex-absorbed combined services pension optees of BSNL, retired/expired before 01.01.2017 cannot be revised with effect from that date. This is due to the fact that if the IDA pension of



combined service pension optee BSNL pensioners/family pensioners is revised with effect from 01.01.2017 by adopting special provisions, an anomalous condition would arise as absorbed employees who retire from BSNL after 01.01.2017 are to get much less pension than those BSNL IDA pensioners who retired before 01.01.2017.

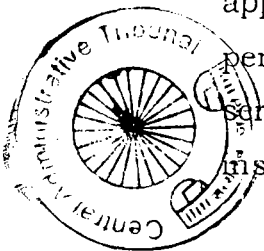
Para-5.A-5.R The averment of these Paras are wrong and hence denied. It is further stated that as submitted in the preceding paragraphs under the heading 'Background', relief sought by the applicants through the aforesaid OA cannot be granted simply on the grounds that after absorption in BSNL, the employees of erstwhile DTO and DTS on formation of BSNL, ceased to be Government servants and they were deemed to have retired from Government service from the date of their absorption as per Sub-rule 4 of Rule *ibid*. As per Sub-rule 8 of Rule 37-A of CCS (Pension) Rules, 1972, these absorbed employees were eligible for pensionary benefits on the basis of the combined service rendered by them with the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL. The absorbed employees of BSNL, who retired after 01.10.2000 got pension and dearness relief thereon in IDA pattern on the basis of last pay or last ten months' average pay, whichever is more beneficial, as per Sub-Rules 9 & 10 of Rule *ibid*. The pension to absorbed employees of BSNL is paid by Government as per Sub-rule 22 of Rule *ibid*.

That the recommendations of the 7th CPC are for the purpose of revision of pay and allowances of government servants and for revision of pension of government pensioners/family pensioners. However, the applicants of



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the present OA are ex-absorbed combined service pension optees of BSNL and they are getting their pension/family pension in IDA pattern from the Government as per Rule 37-A of CCS (Pension) Rules, 1972 (Annexure A-6 of the OA). OM dated 04.08.2016 (Annexure A-28 of the OA) issued by DOP&PW is for revising pension/family pension of government pensioners who were drawing pension/family pension as on 31.12.2015 (pre-2016 pensioners/family pensioners). DOP&PW further issued OM dated 12.05.2017 (Annexure A-30 of the OA). Para 7(a) of this OM clearly indicates that when the Government servant on permanent absorption in PSUs continue to draw pension from the Government separately, the pension of such absorbees will be updated in terms of these orders. Accordingly, para 12 of the OM dated 12.05.2017 (Annexure A-30 of the OA) is applicable for the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government only. Therefore, OM No.38/37/2016-P&PW (A) dated 12.05.2017 (Annexure A-30 of the OA) issued by DoP&PW consequent to the recommendations of the 7th Central Pay Commission (CPC) revising the pension/family pension of pre-2016 pensioners/family pensioners are applicable to only Government pensioners/family pensioners and not applicable to ex-absorbed combined services pension optees of BSNL i.e. the applicants of the instant OA.



That AIBSNLPWA & Ors. had earlier filed OA No.346/2018 before the Hon'ble CAT, Ernakulam Bench seeking implementation of OM No.38/37/2016-P&PW(A) dated 12.05.2017 of DOP&PW (Annexure A-30 of the OA)

in case of BSNL absorbed employees. Aforesaid OM was issued by DOP&PW on implementation of the recommendations of the 7th CPC for the Government employees and the employees of the PSUs drawing pension under CDA pay scales for the service rendered in the Government. This OM is not applicable to absorbed employees of BSNL as they are drawing their pension in IDA pay scales and the pension of Pre-2006 IDA pensioners was last revised after implementation of the recommendations of the 2nd PRC. Recommendations of 3rd PRC has not yet been implemented in the cases of BSNL/MTNL employees since they are incurring losses continuously year after year and these CPSUs could not afford extra burden on revision of pay scales of its employees/executives. The Hon'ble CAT, therefore, dismissed OA No.346/2018, vide order dated 30.10.2019 (Annexure R-1). This order of the Hon'ble Tribunal is presently under challenge by AIBSNLPWA & Ors. before the Hon'ble Kerala High Court by way of filing OP(CAT) No.60/2020.

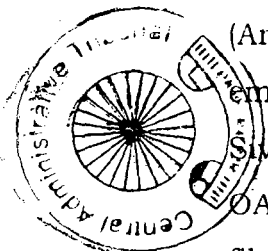
That Shri MSS Ramachandra Murthy, who retired as BSNL absorbed employee from the O/o CGM, BSNL, AP Telecom Circle, Hyderabad had also filed OA No.021/813/2017 before Hon'ble CAT, Hyderabad Bench seeking revision of his IDA pension consequent to implementation of the recommendations of 7th CPC on the grounds that he was covered under CCS (Pension) Rules, 1972 and that pension contribution is being paid by BSNL to the Government as prescribed by the Government under Fundamental Rules. OA No.021/813/2017 was dismissed by the Hon'ble CAT, vide order dated 10.12.2018 (Annexure R-2) with the observation that the norms for revision of pension are



decided by Pay Revision Committee of Public Undertakings and not by Pay Commissions. Therefore, there is no reason for the Tribunal to intervene on behalf of the applicant as his prayer cannot be acceded to as per rules on the subject. Thereafter, he filed RA No.021/02/2019 against order dated 10.12.2018 in OA No.021/813/2017, which was also dismissed by the Hon'ble CAT, vide order 11.01.2019 (Annexure R-3). Shri MSS Ramachandra Murthy then filed Writ Petition (SR) No.14133/2019 before the Hon'ble AP High Court at Hyderabad against the aforesaid orders of the Hon'ble CAT, Hyderabad Bench in OA No.021/813/2017 and RA No.021/02/2019, which is presently pending adjudication by the Hon'ble High Court.

Para-6 The averment of this Para is wrong and hence denied. It is further submitted that contents of this para need no comments, they being matter of record.

Para-7 The averment of this Para is wrong and hence denied. It is further submitted that regarding matter not previously filed or pending with any other court, it is submitted that AIBSNLPWA through its President Shri PS Ramankutty Nair S/o Late R. Sivaraman Nair R/o TC 55/1953, CTO Colony, Pappanamcode, Trivendrum-695018 & Anr. had earlier filed OA No.346/2018 before the Hon'ble CAT, Ernakulam Bench seeking implementation of OM No.38/37/2016-P&PW(A) dated 12.05.2017 of DOP&PW (Annexure A-30 of the OA) in case of PSNL absorbed employees. Shri PS Ramankutty Nair S/o Late R. Sivaraman Nair is also an applicant (applicant No.2) in OA No.1329/2020 before the Hon'ble CAT(PB), New Delhi filed by AIBSNLPWA through its General Secretary, Potharaju Gangadhara Rao S/o P. Sudharshanam. The Hon'ble CAT, Ernakulam Bench had dismissed OA No.346/2018, vide order dated 30.10.2019 (Annexure R-



1). This order of the Hon'ble Tribunal is presently under challenge by AIBSNLPWA & Ors before the Hon'ble Kerala High Court by way of filing OP (CAT) No. 60/2020. Prima facie the AIBSNLPWA, who filed OA No. 346/2018 before the Hon'ble CAT, Ernakulam Bench and the AIBSNLPWA, who has filed present OA No. 1329/2020 before the Hon'ble CAT(PB), New Delhi is one and the same.

That, therefore, declaration made by the applicants in this para - that they have not previously filed any application, writ petition or suit before any court of law or any other authority or Bench of the Tribunal regarding the matter in respect of which this application has been made and no such application, writ petition or suit is pending before them - is incorrect and false. Hon'ble Court may like to take a note of it, and accordingly, the respondents pray the Hon'ble Tribunal for dismissal of the OA on this very ground itself.

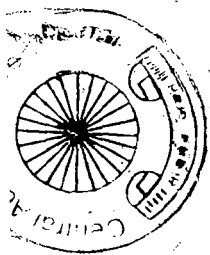
Para-8-9 The averment of these Paras are wrong and hence denied. It is further stated that as submitted in the preceding paragraphs under the heading 'Background', relief sought by the applicants through the aforesaid

OA cannot be granted simply on the grounds that after absorption in BSNL, the employees of erstwhile DTQ and DTS on formation of BSNL, ceased to be Government servants and they were deemed to have retired from Government service from the date of their absorption as per Sub-rule 4 of Rule ibid. As per Sub-rule 8 of Rule 37-A of CCS (Pension) Rules, 1972, these absorbed employees were eligible for pensionary benefits on the basis of the combined service rendered by them with the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL. The absorbed employees of BSNL,



who retired after 01.10.2000 got pension and dearness relief thereon in IDA pattern on the basis of last pay or last ten months' average pay, whichever is more beneficial, as per Sub-Rules 9 & 10 of Rule ibid. The pension to absorbed employees of BSNL is paid by Government as per Sub-rule 22 of Rule ibid.

That the recommendations of the 7th CPC are for the purpose of revision of pay and allowances of government servants and for revision of pension of government pensioners/family pensioners. However, the applicants of the present OA are ex-absorbed combined service pension optees of BSNL and they are getting their pension/family pension in IDA pattern from the Government as per Rule 37-A of CCS (Pension) Rules, 1972 (Annexure A-6 of the OA). OM dated 04.08.2016 (Annexure A-28 of the OA) issued by DOP&PW is for revising pension/family pension of government pensioners who were drawing pension/family pension as on 31.12.2015 (pre-2016 pensioners/family pensioners). DOP&PW further issued OM dated 12.05.2017 (Annexure A-30 of the OA). Para 7(a) of this OM clearly indicates that when the Government servant on permanent absorption in PSUs continue to draw pension from the Government separately, the pension of such absorbees will be updated in terms of these orders. Accordingly, para 12 of the OM dated 12.05.2017 (Annexure A-30 of the OA) is applicable for the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government only. Therefore, OM No.38/37/2016-P&PW (A) dated 12.05.2017 (Annexure A-30 of the OA) issued by DoP&PW consequent to the recommendations of the 7th Central

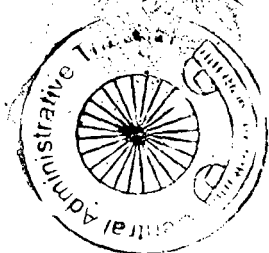


Pay Commission (CPC) revising the pension/family pension of pre-2016 pensioners/family pensioners are applicable to only Government pensioners/family pensioners and not applicable to ex-absorbed combined service pension optees of BSNL i.e. the applicants of the instant OA.

That AIBSNLPWA & Ors. had earlier filed OA No.346/2018 before the Hon'ble CAT, Ernakulam Bench seeking implementation of OM No.38/37/2016-P&PW(A) dated 12.05.2017 of DOP&PW (Annexure A-30 of the OA) in case of BSNL absorbed employees. Aforesaid OM was issued by DOP&PW on implementation of the recommendations of the 7th CPC for the Government employees and the employees of the PSUs drawing pension under CDA pay scales for the service rendered in the Government. This OM is not applicable to absorbed employees of BSNL as they are drawing their pension in IDA pay scales and the pension of Pre-2006 IDA pensioners was last revised after implementation of the recommendations of the 2nd PRC. Recommendations of 3rd PRC has not yet been implemented in the cases of BSNL/MTNL employees since they are recurring losses continuously year after year and these CPSUs could not afford extra burden on revision of pay scales of its employees/executives. The Hon'ble CAT, therefore, dismissed OA No.346/2018, vide order dated 30.10.2019 (Annexure R-1). This order of the Hon'ble Tribunal is presently under challenge by AIBSNLPWA & Ors. before the Hon'ble Kerala High Court by way of filing OP(CAT) No.60/2020.




That Shri MSS Ramachandra Murthy, who retired as BSNL absorbed employee from the O/o CGM, BSNL, AP Telecom Circle, Hyderabad had also filed OA No.021/813/2017 before Hon'ble CAT, Hyderabad Bench seeking revision of his IDA pension consequent to implementation of the recommendations of 7th CPC on the grounds that he was covered under CCS (Pension) Rules, 1972 and that pension contribution is being paid by BSNL to the Government as prescribed by the Government under Fundamental Rules. OA No.021/813/2017 was dismissed by the Hon'ble CAT, vide order dated 10.12.2018 (Annexure R-2) with the observation that the norms for revision of pension are decided by Pay Revision Committee of Public Undertakings and not by Pay Commissions. Therefore, there is no reason for the Tribunal to intervene on behalf of the applicant as his prayer cannot be acceded to as per rules on the subject. Thereafter, he filed RA No.021/02/2019 against order dated 10.12.2018 in OA No.021/813/2017, which was also dismissed by the Hon'ble CAT, vide order 11.01.2019 (Annexure R-3). Shri MSS Ramachandra Murthy then filed Writ Petition (SR) No.14133/2019 before the Hon'ble AP High Court at Hyderabad against the aforesaid orders of the Hon'ble CAT, Hyderabad Bench in OA No.021/813/2017 and RA No.021/02/2019, which is presently pending adjudication by the Hon'ble High Court.



PRAYER

In view of above made submissions, it is therefore, most respectfully prayed that the Hon'ble Tribunal may graciously please to dismiss the OA being devoid of merit with heavy cost against the applicant.

Paras-10-12 Contents of these paras need no comments.


Respondents
 Khalid Hussain, IP No. 1005
 Deputy Counsel
 O/o Pr. CCA, Sanchar Lekha Bhawan
 Department of Telecommunication
 Govt. of India, New Delhi

Dated: New Delhi
 Nov., 2020

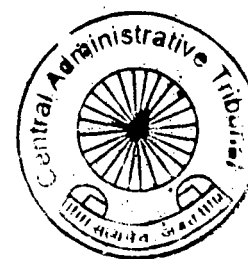
N.D. KAUSHIK
 Sr. Govt. Counsel
 C.A.T. (PB), New Delhi

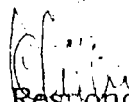
VERIFICATION

I, Khalid Hussain aged about 30 years S/o. Shri Shah Hussain posted as Dy. CCA, O/o Pr. CCA, Department of Telecommunication, Sanchar Lekha Bhawan, Prasad Nagar, New Delhi-110005, do hereby solemnly affirm and declare as under that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed

Verified at New Delhi on this day of

November, 2020.




Respondents
 Khalid Hussain, IP No. 1005
 Deputy Counsel
 O/o Pr. CCA, Sanchar Lekha Bhawan
 Department of Telecommunication
 Govt. of India, New Delhi

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1329/2020

IN THE MATTER OF:

All India BSNL Pensioners'
Welfare Association & Ors

...Applicant

Versus

Union of India & Ors

.....Respondents

MEMO OF APPEARANCE

Please enter my appearance on behalf of the Respondents in the aforesaid matter. I have been authorized by the Respondents to plead/defend the matter herein above mentioned.

Respondents

Khalid Hussain, JP & TAFS
Deputy Counselor
P.O. Box No. 100, Jha Block
Court No. 1, Jha Block
Court No. 1, Jha Block

Place: New Delhi

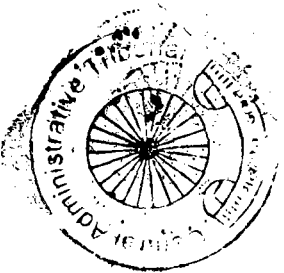
Through-Counsel

Dated

(N.D. KAUSHIK)

SENIOR COUNSEL, CAT PB

Mob. No. 9717462962



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CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No.180/00346/2018

Wednesday, this the 30th day of October, 2019

CORAM:

HON'BLE Mr.E.K.BHARAT BHUSHAN, ...ADMINISTRATIVE MEMBER

1. All India BSNL Pensioners' Welfare Association
(Regd.1833/09), Central Headquarters,
A.H 189/61 3rd Street, Auroville Flats,
Anna Nagar, Chennai-600040.
Represented by its President, P.S.Ramankutty,
Aged 74 years,
S/o Late R.Sivaraman Nair,
residing at TC 55/1953, CTO Colony,
Pappanamcode, Trivandrum-695 018.

2. P. Vadivel,
Aged 75 years,
S/o Late V.Perumal,
Retired Chief Section Supervisor,
O/o Principal General Manager,
BSNL Bhavan, Ernakulam,
residing at 10/855 Ambady,
S.S. Krishnan Road,
Fort Kochi,
Kochi.

...Applicants

(By Advocate Mr.R.Sreeraj)

Versus

1. The Union of India
represented by the Secretary,
Department of Telecom,
Sanchar Bhavan,
20, Asoka Road,
New Delhi – 110 001.
2. The Bharat Sanchar Nigam Limited,
Corporate Office, Bharat Sanchar Bhawan,
Harish Chandra Mathur Lane,



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New Delhi – 110 001.

3. The Secretary,
Government of India,
Ministry of Heavy Industries &
Public Enterprises,
Department of Public Enterprises,
Public Enterprises Bhawan,
Block No.14, CGO Complex,
Lodhi Road, New Delhi- 110 001.
4. The Secretary,
Government of India,
Ministry of Personnel, Public Grievances
and Pensions, Department of Pensions and
Pensioners' Welfare,
New Delhi – 110 001.
5. The Controller of Communication Accounts,
BSNL Bhawan, Kerala Circle,
Trivandrum-695 033.Respondents

[By Advocate Mr. K.C. Muraleedharan, ACGSC for Respondents (1 & 3-5) &
Mrs. Girija K. Gopal (R2)]

This application having been heard on 24th October, 2019, the Tribunal
on 30th October, 2019 delivered the following :

ORDER

By Hon'ble Mr. E.K. Bharat Bhushan, Administrative Member -

OA No.346/2018 is filed by a Welfare Association of BSNL Pensioners'
represented by its President and the 2nd applicant is a member of the
Association.

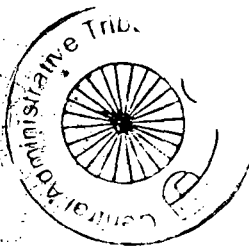
2. They submitted that on acceptance of the recommendation of the Vith
Central Pay Commission orders have been issued granting pension @ 50% of

the average emoluments for the last 10 months or 50% of the last pay drawn whichever is more beneficial to the pensioner. Since the applicants who are Department of Telecommunication absorbed BSNL employees covered under the CCS (Pension) Rules, 1972, the above benefits of VIth Central Pay Commission were extended to those who retired after 1.1.2006 from the BSNL. The impact was that from 1.1.2006 all those with qualifying service of ten years became entitled for full pension and that the grant of full pension for those who had a qualifying service of 33 years or more alone as stipulated under Rule 49 of CCS (Pension) Rules, 1972 was dispensed with. Later based on the decision taken by the Government on the recommendations of the VIIth Central Pay Commission, orders for revision of pension of pre-2016 pensioners/family pensioners were issued whereby it was provided that the revised pension/family pension w.e.f. 1.1.2016 of pre-2016 pensioners/family pensioners shall be determined by multiplying the pension/family pension as had been fixed at time of implementation of the recommendations of the VIth Central Pay Commission. Further the Government decided that the revised pension/family pension w.e.f. 1.1.2016 in respect of all Central Civil Pensioners/Family pensioners, including CAPFs who retired/died prior to 1.1.2016 may be revised by notionally fixing their pay in the pay matrix recommended by the VIIth Central Pay Commission in the level, corresponding to the pay in the pay scale/pay band and Grade at which they retired/died. It was further decided that this will be done by notional pay fixation under each intervening Pay Commission based on the formula for

revision of pay. However, Annexure A5 introduced a new and a drastic concept. It provided that the last pay drawn by a pre-2016 pensioner undergoes notional change after every pay commission till the VIIIth Central Pay Commission and the pension is fixed ultimately at 50% of that notional pay finally arrived at. Annexure A5 has been totally lost as far as the pre-2006 pensioners of BSNL are concerned. BSNL pensioners are illegally and unreasonably subjected to a further classification as those retired prior to 1.1.2006 and those retired after 1.1.2006. Objecting to this alleged discrimination, the applicants submitted representations. However, no action has been taken on the same. Aggrieved the applicants have approached this Tribunal seeking relief as under:

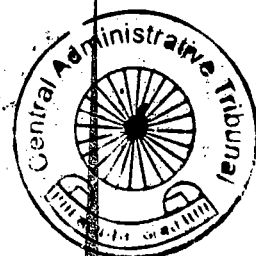
- "1) To direct the respondents to extend to the pre-2006 DoT absorbed BSNL IDA pensioners, the benefit of Annexure A5 OM, revise their pension by applying the pension formula of 50% of the last pay drawn or 50% of the last ten months average pay which ever is advantageous to them and disburse all the consequential benefits to them with arrears and interest"
- 2) Such other relief as may be prayed for and this Hon'ble Tribunal may deem fit to grant.
- 3) Grant the cost of this Original Application."

3. The applicants submit that the further classification of BSNL IDA pensioners as those retired prior to 1.1.2006 and those retired after 1.1.2006 violates Articles 14 & 16 of the Constitution of India. The applicants have relied upon the judgment of the High Court of Kerala in *Kamala Devi v. K.S.F.E. Ltd.* - 2002 (1) KLT 157 wherein it was held that Article 14 guarantees equality before law and equal protection of laws but the same does not



prohibit classification. Moreover, non-extension of the benefit of Annexure A5 OM to the BSNL IDA pensioners who retired from service prior to 1.1.2006 amounts to negation of the rights conferred on them under sub-rule (8) of Rule 37-A of the CCS (Pension) Rules, 1972 which *inter alia* states that the amount of pension of the absorbed employee on retirement or on death from the public sector undertaking shall be calculated in the same way as calculated of a Central Government servant retiring on the same day.

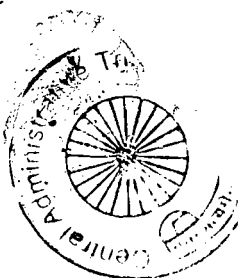
4. A detailed reply statement had been filed by the respondent Nos. 1, 3 to 5 who contend that BSNL was formed on 1.10.2000 by conversion of the erstwhile Department of Telecom Services and Department of Telecom Operations to a public sector undertaking. The Government employees in these two Departments were first transferred en-masse to BSNL on deemed deputation basis. These employees were later given option to either continue to be in Government service or to seek permanent absorption in BSNL. For those employees who opted for absorption in BSNL, presidential orders were issued laying down comprehensive terms and conditions for their absorption in BSNL w.e.f. 1.10.2000. The absorbed employees of BSNL were given higher IDA pay scales as compared to their counterparts in Government service receiving CDA pay scales. These absorbed employees were eligible for pensionary benefits on the basis of combined service rendered by them in the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of



their retirement from BSNL. The IDA pension was made applicable to BSNL absorbed employees w.e.f. 1.10.2000 onwards and it was subsequently revised w.e.f. 1.1.2007. The applicants are getting their pension/family pension in IDA pattern from Government as per Rule 37-A of CCS (Pension) Rules, 1972. The respondents further submitted that Annexure A5 OM dated 12.5.2017 is applicable to the pensioners who are drawing monthly pension from the Government on permanent absorption in public sector undertakings on pro-rata basis in CDA pattern based on their service in Government only. They further contended that certain benefits of Annexure A4 OM have been extended to the BSNL IDA pensioners vide DoT OM dated 16.3.2017 (Annexure R2). Respondents pray for dismissing the OA.

5. Heard Shri R. Sreeraj, learned counsel for the applicants, Mr. K.C. Muraleedharan, learned ACGSC appearing for respondents Nos. 1, 3 to 5 and Mrs. Girija K. Gopal, learned counsel appearing for respondent No. 2. Perused the record.

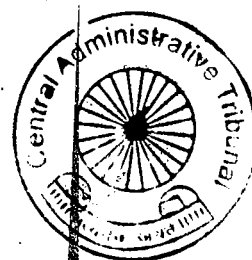
6. The short point to be considered in this OA is whether Annexure A5 OM dated 12.5.2017 is applicable to the applicants who are BSNL IDA pensioners? On formation of BSNL w.e.f. 1.10.2000 the Government employees in Department of Telecom Services and Department of Telecom Operations were transferred en-masse to BSNL on deemed deputation basis. Later they were given option to either continue to be in Government service or to seek



permanent absorption in BSNL. The applicants opted for absorption in BSNL and presidential orders were issued in their favour laying down comprehensive terms and conditions of their absorption in BSNL w.e.f. 1.10.2000. The applicants were given higher IDA pay scales as compared to their counterparts in Government service receiving CDA pay scales. The applicants were eligible for pensionary benefits on the basis of combined service rendered by them with the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL. The IDA pension was made applicable to BSNL absorbed employees w.e.f. 1.10.2000 onwards and it was subsequently revised w.e.f. 1.1.2007. The applicants are getting their pension/family pension in IDA pattern from Government as per Rule 37-A of CCS (Pension) Rules, 1972. Sub-rule (4) of Rule 37-A clearly stipulates as under:

"(4) The permanent absorption of the Government servants as employees of the Public Sector Undertaking shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from Government service."
(emphasis supplied)

7. In the present case w.e.f. 1.10.2000 i.e. the date of the presidential order of absorption of the applicants in BSNL, they shall cease to be Government servants and shall be deemed to have retired from Government service. Therefore, w.e.f. 1.10.2000 the applicants are not Government

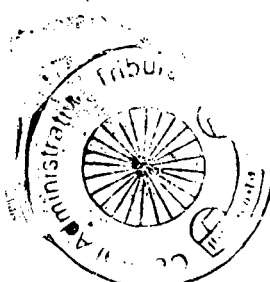


servants after their absorption and shall be treated as employees of the public sector undertaking. Sub-rule (7) of Rule 37-A of CCS (Pension) Rules, 1972 clearly stipulates that employees opting for permanent absorption in the public sector undertaking shall on and from the date of absorption be governed by the rules and regulations or by-laws of the public sector undertaking. Sub-rule (8) of Rule 37-A and the explanation below it reads thus:

"(8) A permanent Government servant who has been absorbed as an employee of a Public Sector Undertaking and his family shall be eligible for pensionary benefits (including commutation of pension, gratuity, family pension or extraordinary pension) on the basis of combined service rendered by the employee in the Government and in the Public Sector Undertaking in accordance with the formula for calculation of such pensionary benefits as may be in force at the time of his retirement from the Public Sector Undertaking or his death or at his option, to receive benefits for the service rendered under the Central Government in accordance with the orders issued by the Central Government.

Explanation - The amount of pension or family pension in respect of the absorbed employee on retirement from the Public Sector Undertaking or on death shall be calculated in the same way as calculated in the case of a Central Government servant retiring or dying on the same day."

The above quoted sub-rule 8 clearly stipulates that a permanent Government servant absorbed as an employee of a Public Sector Undertaking shall be eligible for pensionary benefits (including commutation of pension, gratuity, family pension or extraordinary pension) on the basis of combined service rendered by the employee in the Government and in the Public Sector Undertaking in accordance with the formula for calculation of such pensionary benefits as may be in force at the time of his retirement from the Public Sector Undertaking or at his option, to receive benefits for the service rendered under the Central Government in accordance with the orders issued



by the Central Government. Here the applicants have given option for permanent absorption in BSNL and retired on superannuation from BSNL. The applicants have not given any option to receive benefits for the service rendered under the Central Government in accordance with the orders issued by the Central Government. Moreover, the explanation only makes it clear that the amount of pension in respect of the absorbed employee on retirement from public sector undertaking shall be calculated in the same way as calculated in case of a Central Government servant retiring or dying on the same day. The respondents in their reply statement submitted that Annexure A5 OM is meant for Central Government CDA pensioners and pro-rata pension optee of BSNL absorbees drawing pension on CDA pattern for Government service period only and not for combined service pension optee BSNL IDA pensioners like the applicants. This fact has not been denied by the applicants by filing any rejoinder.

8. In view of the above, this Tribunal does not find any merit in the OA. Accordingly, the OA is dismissed. No order as to costs.

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

"SA"

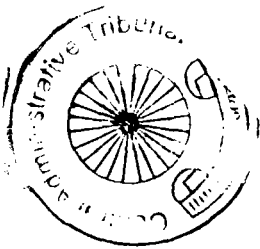


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List of Annexures in O.A. No.180/00346/2018

1. **Annexure A1:** True copy of the Department of Pension & Pensioners' Welfare OM F.No.38/37/08-P&PW(A) dated 10.12.2009.
2. **Annexure A2:** True copy of the Department of Telecom letter No.40-31/2008-Pen(T) dated 16.08.2010.
3. **Annexure A3:** True copy of the Department of Pension & Pensioners' Welfare Resolution No.38/37/2016-P&PW(A)(ii) dated 4.8.2016.
4. **Annexure A4:** True copy of the Department of Pension & Pensioners' Welfare OM No.38/37/2016-P&PW(A)(ii) dated 4.8.2016.
5. **Annexure A5:** True copy of the Department of Pension & Pensioners' Welfare OM No.38/37/2016-P&PW(A) dated 12.5.2017.
6. **Annexure A6:** True copy of the representation dated 23.6.2017 submitted by the 1st applicant Association to the 1st respondent.
7. **Annexure R1:** Copy of Rule 37-A of CCS (Pension) Rules, 1972.
8. **Annexure R2:** Copy of OM No.40-31/2008-Pen(T) dated 16.03.2017.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD

Original Application No.21/813/2017 & MA 355 of 2018

Reserved on: 05.12.2018

Order pronounced on: 10.12.2018

Between:

M.S.S. Ramchandra Murthy
S/o. late Suryanarayana Murthy,
Aged about 66 years, Hindu,
Retired Personnel Assistant to DGM (Marketing),
HMR Pride, 2nd Floor, F. No. 202, Manjeera Pipeline Road,
Madinaguda, Hyderabad – 500 049.

... Applicant

And

1. Union of India, Rep. by its Secretary,
Department of Telecom,
20 Ashoka Road, Sanchar Bhavan,
Govt. of India, New Delhi – 110 001.
2. The Chairman and Managing Director,
Bharat Sanchar Nigam Limited,
Corporate Office, Personnel Branch – II,
4th Floor, Janapath, New Delhi – 110 001.
3. The Chief General Manager Telecom,
Bharat Sanchar Nigam Limited, Abids,
Hyderabad – 500 001.

... Respondents

Counsel for the Applicant ... Mr. M.S.S. Ramachandra Murthy (PIP)
Counsel for the Respondents ... Mrs.K. Rajitha, Sr. CGSC
... Mr. M.C. Jacob for RR 2 & 3

CORAM:

Hon'ble Mr. B.V. Sudhakar ... *Member (Admin.)*

ORDER

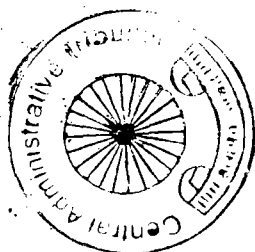
{As per Hon'ble Mr. B.V. Sudhakar, Member (Admin.)}

The OA is filed for non revision of IDA (Industrial Dearness Allowance) based pension of the applicant as per 7th CPC.



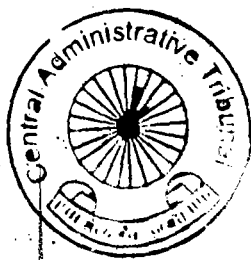
2. Brief facts of the case are that the applicant after serving the Dept. Of Telecom for 28 years and BSNL for more than 10 years had retired on 31.12.2011 with a pension of Rs 15,500 w.e.f 1.1.2012 from the respondents Organisation. The applicant represented on 10.9.2016 for implementation of 7th CPC recommendation as they are applicable to those who are governed by the CCS (Pension) Rules 1972 as per Ministry of Personnel, Public Grievances & Pension OM dt 4.8.2016. As there was no response from the respondents, the applicant approached this Tribunal in OA 12/ 2017 and when the respondents were directed to dispose of the representation, they did by rejecting the same. Hence the O.A.

3. The contentions of the applicant are that he was not given any pro-rata-retiral benefits for the service rendered in Dept. of Telecom after being absorbed in BSNL on 1.10.2000. The pension contribution for the entire service is paid to Government under FR 116 by BSNL for making pension payment treating the combined service in Govt. and BSNL as Govt. service is the version of the applicant. Pension is a property and as per Article 300-A of the Constitution no person can be deprived of the property without the authority of law. Some pensioners of the Dept. of Telecom were paid pension as per 7th CPC and hence not paying him is discriminatory. As per CCS (Pension) Rules 1972 the applicant claims that he is eligible. Pension payment order does indicate that the pensioner is eligible for additional quantum of pension from time to time. BSNL employees are Govt. servants for the purpose of pension under Rule 37 -A of CCS (Pension) Rules, is the assertion of the applicant.

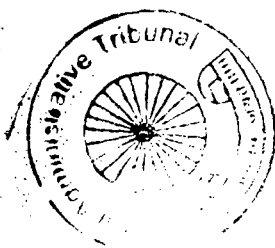


4. Respondents contend that B.S.N.L. was constituted as a Public sector undertaking on 1.10.2000 and options were called from the employees to continue with the Govt. or join B.S.N.L. Accordingly, the applicant on having opted for BSNL, his pay was fixed with IDA (Industrial Dearness Allowance) pay scale of Rs.7,100-10,100 applicable to B.S.N.L. employees from 1.10.2000 with a pay of Rs.8100. Thereafter on being finally promoted as Personnel Assistant, the applicant was placed in the pay scale of Rs.9850-14,600 w.e.f 1.1.2004. The applicant was also given the first financial upgradation under Assured Career Progression scheme in the next higher IDA pay scale and as per Department of Public Enterprises, O.M dt 26.11.2008 the pay scale of the applicant was revised to Rs.20,600-46,500 and a pay of Rs.26,720 was granted w.e.f 1.1.2007. Further, when the applicant retired on 31.12.2011, Pension was worked out based on the emoluments he received in BSNL following rule 37-A of Central Civil Services (CCS) Pension Rules, 1972. The pension was revised to those pensioners who retired prior to 10.6.2013 w.e.f. 1.1.2007 and accordingly that of the applicant was revised and revised pension payment order was issued on 17.10.2017 with financial benefits w.e.f. 10.6.2013. The respondents affirm that the 7th CPC recommendations are applicable to Govt. Servants. Applicant ceases to be a Govt. Servant on being absorbed as BSNL employee as per Rule 37-A referred to. The rules and regulations of BSNL apply to the applicant. None of the BSNL employees were given any revision of pay as per the recommendations of the 7th CPC. Therefore the prayer of the applicant has no merit to consider.

5. Heard the party in person and the counsel for the respondents. Their averments were in line with the written submissions made.

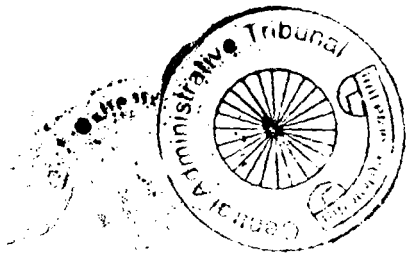


6. Facts on record do make it lucid that the applicant has been absorbed as a BSNL employee from 1.10.2000. On being absorbed in BSNL, based on IDA, applicant has been granted pay scales and pay was regulated from time to time, as per rules and regulations of BSNL. As per Rule 37-A of CCS (Pension) Rules, an employee on permanent absorption into a public sector undertaking ceases to be a Government servant from the date of absorption. Rules of the PSU will thereafter apply. As per sub rule 8 of Rule 35-A, such absorbed employees and family are eligible for pensionary benefits including commutation, gratuity, family pension on the basis of combined service in accordance with the formula in force at the time of his retirement from the Public Sector Undertaking or at his option, to receive benefits for the service rendered under the Central Government in accordance with the orders issued by the Central Government. Further sub rule 10 of Rule 35-A specifies that an absorbed employee who has opted for pension on the basis of combined service is eligible for dearness relief as per the Industrial Dearness Allowance pattern. The applicant having become a BSNL employee his pension was naturally drawn based on his last pay drawn in BSNL. The applicant is under the impression that Rule 37-A continues to treat him as a Government Servant, which is not the case as per the reading of the said rule. The rule clearly distinguishes two aspects viz service benefits as per the orders pertaining to Public Sector undertakings and pension benefits as per CCS (Pension) Rules. Had the applicant opted for retirement benefits from DOT the scenario would have been different! However, since the applicant has opted for combined service the rules of the game are different. Moreover, the respondents categorically state that after 1.10.2000, BSNL employees are not provided with pension excepting to those who have been absorbed from



D.O.T. The applicant contended that D.O.T employees are getting the benefit of 7th CPC. They do because they are Govt. employees. Besides, as claimed by the applicant Pension is a property but it was not denied to him. It was and is being paid as per rules adopted by BSNL. The applicant cannot seek application of rules selectively, of both Government and BSNL, in order to take advantage of the best among the better of the rules in the two institutions. Being a BSNL employee the applicant cannot compare himself with DOT employee and allege discrimination. One is a Govt. department and the other is a PSU. Therefore no parallels can be drawn in regard to the issue in question. Applicant also represented for gratuity under Gratuity Act which was allowed by this tribunal. On challenging the same by the respondents by way of a writ petition in the Honourable High Court and it was allowed. The applicant filed a writ appeal but it was dismissed on the ground that the applicant is covered under Rule 37-A of CCS (Pension) Rules. The pay and allowances of BSNL employees are revised as per the recommendations of Pay Revision Committee (PRC) of Public Sector Undertakings. Accordingly the applicant has been granted pensionary benefits as per 2nd PRC recommendations. PRC has no relation to the 7th CPC. Thus there is a separate system altogether to deal with the pay & allowance and pension of public sector employees like BSNL. The OMs and judgments cited by the applicant have been gone through and found them to be irrelevant to the issue in question. Hence they are not broached upon. The OMs of the Central Government when they are adopted by BSNL such benefits get extended to the BSNL employees. Otherwise not, as we have seen in the present case. To sum up, the applicant is not a Government employee and hence he does not come under the ambit of 7th CPC. The norms for revision of pension are decided by





the pay revision committee of public undertakings and not by pay commissions. Therefore there is no reason for this Tribunal to intervene on behalf of the applicant, as his prayer cannot be acceded to as per rules on the subject.

7. Therefore the OA is dismissed. MA stands disposed. No order to costs.

(B.V. SUPHAKAR)
MEMBER (ADMIN.)

Dated, the 10th day of December, 2018

ewr

[Signature]



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD

Review Application No. 021/02/2019
in
Original Application No.813 of 2017

Order of Order: 11.01.2019

Between:

M.S.S. Ramchandra Murthy
S/o. late Suryanarayana Murthy,
Aged about 67 years, Hindu, Gr. B.,
Retired Personnel Assistant to DGM (Marketing),
HMR Pride, 2nd Floor, F. No. 202, Manjeera Pipeline Road,
Madinaguda, Hyderabad – 500 049.

Applicant

And

1. Union of India, Rep. by its Secretary (DOT),
Govt. of India, New Delhi – 110 001.
2. The Chairman and Managing Director,
Bharat Sanchar Nigam Limited,
Corporate Office, Personnel Branch – II,
4th Floor, Janapath, New Delhi – 110 001.
3. The Chief General Manager Telecom,
Bharat Sanchar Nigam Limited, Hyderabad – 500 001.

Respondents

Counsel for the Applicant ... Mr. M.S.S. Ramachandra Murthy (PIP)
Counsel for the Respondents ... Mrs.K. Rajitha, Sr. CGSC
Mr. M.C. Jacob for RR 2 & 3

CORAM:

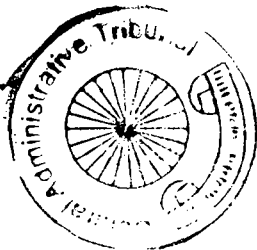
Hon'ble Mr. B.V. Sudhakar ... Member (Admn.)

ORDER (In circulation)

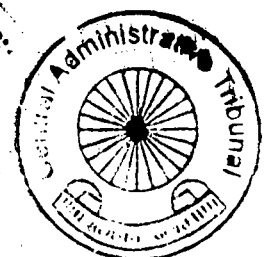
{As per Hon'ble Mr. B.V. Sudhakar, Member (Admn.)}

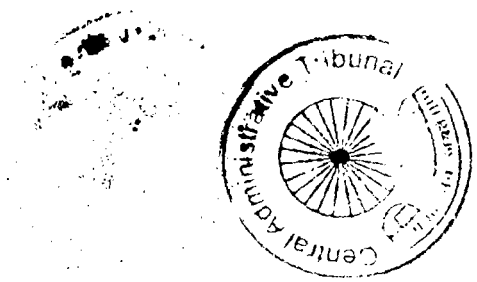
2 This Review Application has been filed in regard to the decision of this
Tribunal dated 10.12.2018 in OA No. 813 of 2017. The operative portion of the
said order, reads as under:-

"6. Facts on record do make it lucid that the applicant has been
absorbed as a BSNL employee from 1.10.2000. On being absorbed in



BSNL, based on IDA, applicant has been granted pay scales and pay was regulated from time to time, as per rules and regulations of BSNL. As per Rule 37-A of CCS (Pension) Rules, an employee on permanent absorption into a public sector undertaking ceases to be a Government servant from the date of absorption. Rules of the PSU will thereafter apply. As per sub rule 8 of Rule 35-A, such absorbed employees and family are eligible for pensionary benefits including commutation, gratuity, family pension on the basis of combined service in accordance with the formula in force at the time of his retirement from the Public Sector Undertaking or at his option, to receive benefits for the service rendered under the Central Government in accordance with the orders issued by the Central Government. Further sub rule 10 of Rule 35-A specifies that an absorbed employee who has opted for pension on the basis of combined service is eligible for dearness relief as per the Industrial Dearness Allowance pattern. The applicant having become a BSNL employee his pension was naturally drawn based on his last pay drawn in BSNL. The applicant is under the impression that Rule 37-A continues to treat him as a Government Servant, which is not the case as per the reading of the said rule. The rule clearly distinguishes two aspects viz service benefits as per the orders pertaining to Public Sector undertakings and pension benefits as per CCS (Pension) Rules. Had the applicant opted for retirement benefits from DOT the scenario would have been different! However, since the applicant has opted for combined service the rules of the game are different. Moreover, the respondents categorically state that after 1.10.2000, BSNL employees are not provided with pension excepting to those who have been absorbed from D.O.T. The applicant contended that D.O.T employees are getting the benefit of 7th CPC. They do because they are Govt. employees. Besides, as claimed by the applicant Pension is a property but it was not denied to him. It was and is being paid as per rules adopted by BSNL. The applicant cannot seek application of rules selectively, of both Government and BSNL, in order to take advantage of the best among the better of the rules in the two institutions. Being a BSNL employee the applicant cannot compare himself with DOT employee and allege discrimination. One is a Govt. department and the other is a PSU. Therefore no parallels can be drawn in regard to the issue in question. Applicant also represented for gratuity under Gratuity Act which was allowed by this tribunal. On challenging the same by the respondents by way of a writ petition in the Honourable High Court and it was allowed. The applicant filed a writ appeal but it was dismissed on the ground that the applicant is covered under Rule 37-A of CCS (Pension) Rules. The pay and allowances of BSNL employees are revised as per the recommendations of Pay Revision Committee (PRC) of Public Sector Undertakings. Accordingly the applicant has been granted pensionary benefits as per 2nd PRC recommendations. PRC has no relation to the 7th CPC. Thus there is a separate system altogether to deal with the pay & allowance and pension of public sector employees like BSNL. The OMs and judgments cited by the applicant have been gone through and found them to be irrelevant to the issue in question. Hence they are not broached upon. The OMs of the Central Government when they are adopted by BSNL such benefits get extended to the BSNL employees. Otherwise not, as we have seen in the present case. To sum up, the applicant is not a Government employee and hence he does not come under the ambit of 7th CPC. The norms for revision of pension are decided by the pay revision committee of





public undertakings and not by pay commissions. Therefore there is no reason for this Tribunal to intervene on behalf of the applicant, as his prayer cannot be acceded to as per rules on the subject.

7. Therefore the OA is dismissed. MA stands disposed. No order to costs."

3. As no hearing is considered necessary, the Review Application is being disposed under circulation as per Rule 17(3) of the C.A.T. (Procedure) Rules, 1987.

4. As can be seen from the record, the relevant facts of the case have been taken into consideration and judgement delivered.

5. Besides, a plea for review, unless the first judicial view is manifestly distorted, is like asking for the moon. A forensic defeat cannot be averred by an invitation to have a second look, hopeful of discovery of flaws and reversal of result. [Northern India Caterers (India) Ltd. v. Lt. Governor of Delhi (1980) 2 SCC 167]. The review also does not fall under any of the categories prescribed by the Apex Court in the case of State of W.B. vs Kamal Sengupta (2008) 8 SCC 612 which are as under:-

35. The principles which can be culled out from the above noted judgments are:

(i) The power of the Tribunal to review its order/decision under Section 22(3)(f) of the Act is akin/analogous to the power of a civil court under Section 114 read with Order 47 Rule 1 CPC.

(ii) The Tribunal can review its decision on either of the grounds enumerated in Order 47 Rule 1 and not otherwise.

(iii) The expression "any other sufficient reason" appearing in Order 47 Rule 1 has to be interpreted in the light of other specified grounds.

(iv) An error which is not self-evident and which can be discovered by a long process of reasoning, cannot be treated as an error apparent on the face of record justifying exercise of power under Section 22(3)(f)



439.

(v) An erroneous order/decision cannot be corrected in the guise of exercise of power of review.

(vi) A decision/order cannot be reviewed under Section 22(3)(i) on the basis of subsequent decision/judgment of a coordinate or larger Bench of the tribunal or of a superior court.

(vii) While considering an application for review, the tribunal must confine its adjudication with reference to material which was available at the time of initial decision. The happening of some subsequent event or development cannot be taken note of for declaring the initial order/decision as vitiated by an error apparent.

(viii) Mere discovery of new or important matter or evidence is not sufficient ground for review. The party seeking review has also to show that such matter or evidence was not within its knowledge and even after the exercise of due diligence, the same could not be produced before the court/tribunal earlier.

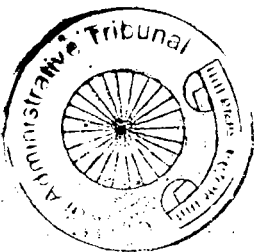
6. Based on the above observations of the Hon'ble Supreme Court, there are no grounds which have been brought in the review application to review the case. The details presented in the review application have already been comprehensively gone into while delivering the judgment in the OA. Facts of the case in all respects and the rules prevailing have been reckoned and on merits the OA was dismissed.

7. Hence, there is no merit in the review application and is dismissed in circulation. No order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMIN.)

Dated, the 11th day of January, 2018

CVT



440

Gmail

cat_judicial_02 <catjudicial02@gmail.com>

Fwd: Fresh OA (All India BSNL Pensioners' Welfare Association & Ors. v. Union of India & Ors.)

1 message

P.K. Satija <judicial-pb-cat@gov.in>
To: catjudicial02 <catjudicial02@gmail.com>

Thu, Feb 4, 2021 at 10:06 AM

----- Forwarded Message -----

From: "g narayanoffice" <g.narayanoffice@gmail.com>
To: "P.K. Satija" <judicial-pb-cat@gov.in>
Sent: Wednesday, February 3, 2021 8:07:47 PM
Subject: Re: Fresh OA (All India BSNL Pensioners' Welfare Association & Ors. v. Union of India & Ors.)

Dear Ma'am/ Sir,

PFA the rejoinder on behalf of the Applicants to the reply filed by the Respondents in the captioned matter (OA No.100/1329/2020).

A copy of the same has been served on the Respondents and proof of service is attached.

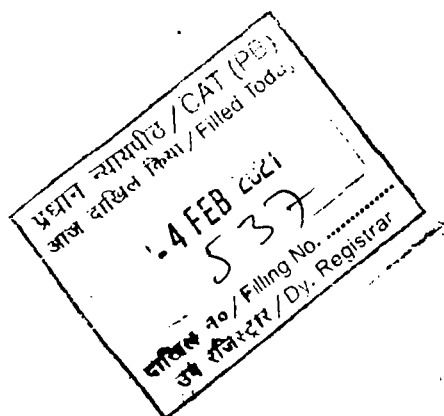
Kindly note that the next date of hearing in the matter is 08.03.2021. We request you to intimate us regarding the defects if any before the next date of hearing so that the same are cured and the rejoinder can be placed on record.

Regards,
Asmita Singh, Advocate for the Applicants

Gautam Narayan
Advocate on Record
Supreme Court of India
D-17, Lower Ground Floor
Lajpat Nagar Part-III
New Delhi-110024
Ph: 91 11 29834841, 46142114

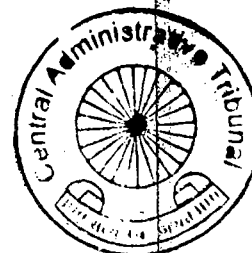
On Tue, Dec 22, 2020 at 10:36 AM Gautam Narayan <g.narayanoffice@gmail.com> wrote:

> Dear Sir,
>
> PFA with signature on first page.
>
> Best,
> Asmita
>
> Gautam Narayan
> Advocate on Record
> Supreme Court of India
> D-17, Lower Ground Floor
> Lajpat Nagar Part-III
> New Delhi-110024
> Ph: 91 11 29834841, 46142114
>
>
>
>



> On Tue, Dec 22, 2020 at 10:22 AM Gautam Narayan <g.narayanoffice@gmail.com> wrote:

>
>> Dear Sir,
>>



>> PFA.
 >>
 >> In terms of last order, the OA is listed tomorrow. Kindly list the MA
 >> alongwith the same.
 >>
 >> Please call me for any other formalities that need to be completed.
 >>
 >> Regards,
 >> Asmita Singh
 >> 9643520339
 >> ---
 >> Gautam Narayan
 >> Advocate on Record
 >> Supreme Court of India
 >> D-17, Lower Ground Floor
 >> Lajpat Nagar Part-III
 >> New Delhi-110024
 >> Ph: 91 11 29834841, 46142114
 >>
 >>
 >>
 >>
 >> On Tue, Dec 22, 2020 at 9:29 AM P.K. Satija <judicial-pb-cat@gov.in>
 >> wrote:
 >>
 >>> Please resend the attachment after rotating the pages in upward direction

>>> "From: "g narayanoffice" <g.narayanoffice@gmail.com>
 >>> "To: "P.K. Satija" <judicial-pb-cat@gov.in>
 >>> "Cc: "nd kaushik1" <nd.kaushik1@gmail.com>
 >>> "Sent: "Monday, December 21, 2020 9:48:16 PM
 >>> "Subject: "Re: Fresh OA (All India BSNL Pensioners' Welfare Association
 >>> & Ors. v. Union of India & Ors.)
 >>>

>>> Dear Ma'am/ Sir,
 >>>
 >>> PFA a fresh application on behalf of the Applicants in the captioned
 >>> matter (OA No.100/1329/2020). A copy has been marked to the Respondent in
 >>> the present trail.
 >>>

>>> Regards,
 >>> Asmita Singh, Advocate for the Applicants
 >>> ---

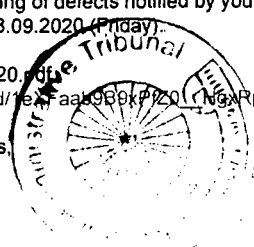
>>> Gautam Narayan
 >>> Advocate on Record
 >>> Supreme Court of India
 >>> D-17, Lower Ground Floor
 >>> Lajpat Nagar Part-III
 >>> New Delhi-110024
 >>> Ph: 91 11 29834841, 46142114
 >>>
 >>>
 >>>
 >>>

>>> On Tue, Sep 15, 2020 at 11:56 PM Gautam Narayan <
 >>> g.narayanoffice@gmail.com> wrote:
 >>>

>>>> Dear Sir,
 >>>>
 >>>> PFA the revised draft after curing of defects notified by you. Kindly
 >>>> clear the same for listing on 18.09.2020 (Friday).
 >>>>

>>>> OA-Compiled-Final-15-09-2020.pdf
 >>>> <https://drive.google.com/file/d/1eXf-aa5989xP1Z01rU6xRpeNICQFUjxfr/view?usp=drive_web>

>>>> Best,
 >>>> Gautam Narayan & Associates,
 >>>> Counsels for the Applicants,
 >>>> 9643520339
 >>>> ---
 >>>> Gautam Narayan



>>>> Advocate on Record
>>>> Supreme Court of India
>>>> D-17, Lower Ground Floor
>>>> Lajpat Nagar Part-III
>>>> New Delhi-110024
>>>> Ph: 91 11 29834841, 46142114

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>>>>

>>>> On Thu, Sep 10, 2020 at 7:28 PM Gautam Narayan <
>>>> g.narayanoffice@gmail.com> wrote:

>>>>

>>>>> Dear Ma'am/ Sir,

>>>>>

>>>>> PFA a fresh Original Application.

>>>>>

>>>>> Kindly intimate the defects and date of listing.

>>>>>

>>>>> Best,

>>>>> Gautam Narayan & Associates,

>>>>> Counsels for the Applicants

>>>>> ---

>>>>> OA-10-09-Final.pdf

>>>>> <https://drive.google.com/file/d/1VylxdF5aQhGdt0j88-viPJl5QnDMDCsl/view?usp=drive_web>

>>>>> Gautam Narayan

>>>>> Advocate on Record

>>>>> Supreme Court of India

>>>>> D-17, Lower Ground Floor

>>>>> Lajpat Nagar Part-III

>>>>> New Delhi-110024

>>>>> Ph: 91 11 29834841, 46142114

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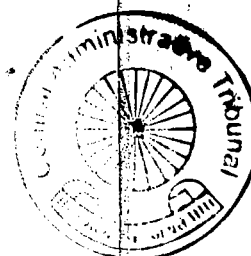
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**BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO.100/1329/2020**

IN THE MATTER OF:

All India BSNL Pensioners' Welfare Association & Ors.

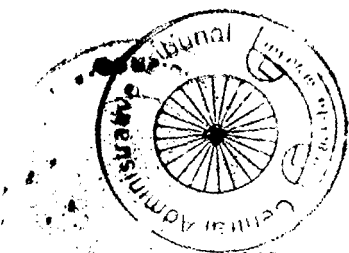
...Applicants

Versus

Union of India & Ors.

...Respondents

**REJOINDER ON BEHALF OF THE APPLICANTS TO THE REPLY FILED BY
THE RESPONDENTS**

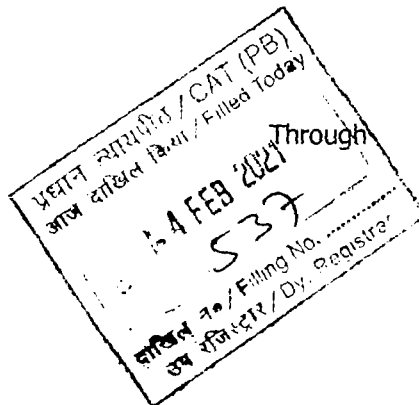


PAPERBOOK
(FOR INDEX PLEASE SEE INSIDE)

**ADVOCATES FOR THE APPLICANTS: GAUTAM NARAYAN AND
ASSOCIATES**

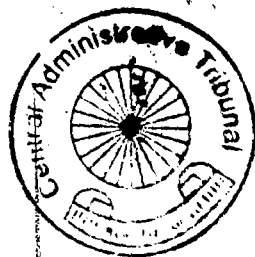
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3.	Annexure A-51: A true copy of the judgment dated 13.11.2019 of the High Court of Kerala at Ernakulam in OP (CAT) No.63 of 2017 (Z), Abdul Rasheed AA & 8 Ors. v. Union of India & Ors.	21-53
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Applicants

Gautam Narayan & Associates,
Advocate for the Applicants
D-17, Basement,
Lajpat Nagar, Part 3,
New Delhi – 110 024



Place: New Delhi
Dated: 03.02.2021

**BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO.100/1329/2020**

IN THE MATTER OF:

All India BSNL Pensioners' Welfare Association & Ors. ...Applicants

Versus

Union of India & Ors. ...Respondents

**REJOINDER ON BEHALF OF THE APPLICANTS TO THE REPLY FILED
BY THE RESPONDENTS**

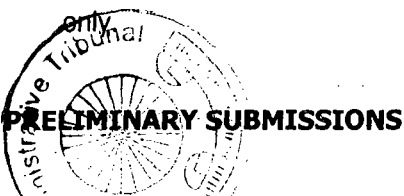
TO,

THE HON'BLE CHAIRMAN, VICE-CHAIRMAN AND
MEMBERS OF THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI.

THE HUMBLE REJOINDER OF THE
APPLICANTS ABOVENAMED:

MOST RESPECTFULLY SHOWETH:

1. At the very outset, the Petitioners deny the contents of the Reply filed by to the extent that they are contrary to the Original Application and the present rejoinder. It is submitted that no averment made in the Reply should be deemed to be admitted for the lack of a specific denial



2. It is evident from the Reply filed by the Respondents that they have failed to appreciate the substratum of the Original Application filed by the Applicants which is the limited claim to parity with Central Government employees in so far as the issue of pension is concerned. Moreover, this parity has been conferred statutorily under Rule 37-A of the CCS (Pension) Rules, 1972 on the Applicants and recognized by both the Department of Telecommunication ('DOT') and Department of Pension and Pensioners' Welfare ('DoP&PW'). The Applicants have

sought to contend before this Hon'ble Tribunal that they are uniquely placed compared to employees of other Central Public Sector Enterprises ('CPSE') because at the time of their absorption in BSNL, they were granted parity with Central Government employees in so far as pension is concerned. The absorbee pensioners of BSNL, therefore, constitute a *sui generis* category amongst public sector undertaking employees because they retain the position of a Government servant upon retirement in the matter of pension only.

3. It is the Applicants' case that since they are entitled to parity with Central Government employees in so far as pension is concerned, they cannot be denied the benefit of the Seventh Central Pay Commission (7th CPC) which has been implemented for Central Government retirees/pensioners with effect from 01.01.2016. In the Reply filed by the Respondents, four primary contentions have been raised:

- a) The Applicants were deemed to have retired from Government service under sub-rule 4 of Rule 37-A of the CCS (Pension) Rules, 1972 from the date of their absorption;
- b) The Applicants were drawing pension on IDA scales of pay and not on CDA scales like Central Government employees and were, therefore, not entitled to parity in the matter of implementation of the recommendations of the 7th CPC for Central Government employees;
- c) The pension of the Applicants can only be revised upon implementation of the recommendations of the (3rd PRC) which has not been done for BSNL as it has been consistently incurring losses; and
- d) The relief sought by the Applicants in the present OA has already been denied by the Ernakulam bench of the CAT vide order dated 30.10.2019 in OA No.346/2018 which has been challenged before the High Court of Kerala and by CAT, Hyderabad bench in OA

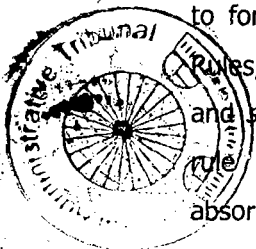


No.021/813/2017 vide order dated 10.12.2018 which has been challenged before the High Court of Andhra Pradesh at Hyderabad.

4. It is respectfully submitted that each of the aforesaid submissions are misleading, baseless and betray a lack of understanding of the contentions made by the Applicants. At the outset, it is reiterated that the Applicants were promised parity with Central Government at the time of their absorption in BSNL with regard to the matter of pension. Therefore, their deemed retirement from Government service on the date of their absorption in the CPSE and payment of IDA scales which is the consequence of working in a CPSE does not alter the promise and assurance of parity with regard to the right to receive pension under Rule 37-A. Therefore, the Respondents are bound by the principles of promissory estoppel and legitimate expectations to ensure that the Applicants have parity in so far as revision of pension is concerned. In this regard, it is further respectfully submitted that:

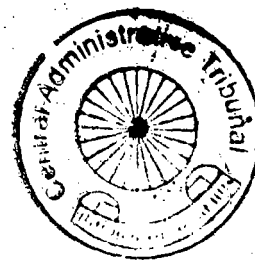
- a) The note dated 25.09.2000 prepared by DOT (Respondent No.1) on the basis of which the service conditions of absorbees were decided by Cabinet stated that "all employees will be entitled to Government's scheme of pension/ family pension even after their absorption". (Annexure A-5)

- b) The notification dated 30.09.2000 which was issued one day prior to formation of BSNL inserted Rule 37-A in the CCS (Pension) Rules, 1972 which constituted the absorbees of DOT into a distinct and *sui generis* category. Erstwhile sub-rule 21 and current sub-rule 22 categorically provides that pensionary benefits of absorbees in BSNL will be paid by the Central Government only. Moreover, the Explanation added to sub-rule 8 also provides that the calculation of pension for such absorbees will also be done in the manner it is done for Central Government employees. It is further submitted that at the time of implementation of the IDA pay scale, it was clarified that pension will be governed by Rule 37-A and IDA scales will be taken into account for calculation of



pension. A true copy of office order dated 07.08.2002 of BSNL is annexed herewith as **Annexure A-50**.

- c) In fact, despite getting the IDA scale, Applicant No.2 is getting Rs.1,677/- less than his counterpart in the Central Government by way of monthly pension as on 01.01.2017. Moreover, the minimum pension for BSNL IDA pensioners continues to be Rs.3,500/- per month; whereas, that of Central Government pensioners is Rs.9,000/- per month from 01.01.2016. It is further submitted that thousands of family pensioners are getting Rs.1,317/- less pension per month compared to Central Government pensioners. The aforesaid contentions have been admitted by the Respondents and therefore there is no dispute regarding the fact that despite being guaranteed parity with Central Government pensioners, absorbees are getting less pension than Central Government pensioners.
- d) In this regard, it is also pertinent to note the judgment dated 13.11.2019 of the High Court of Kerala at Ernakulam in OP (CAT) No.63 of 2017 (Z), *Abdul Rasheed AA & 8 Ors. v. Union of India & Ors.*, wherein the Court has once again clarified that deemed retirement under sub-rule 4 does not impact the pensionary benefits of the absorbees which are protected under Rule 37-A. It is respectfully submitted that the Respondents were bound to place the said judgment before this Hon'ble Tribunal and have suppressed it in order to mislead this Hon'ble Tribunal regarding the correct legal position. A true copy of the judgment is annexed herewith as **Annexure A-51**.
- e) In fact, vide OM dated 20.12.2002, DoP&PW (Respondent No.2) has itself clarified that for calculation of pension of absorbees IDA scale will be taken into account. Therefore, despite being aware of the fact that the absorbee pensioners of BSNL have been drawing pension on IDA scales, the Respondents have never sought to effect any change in the extant legal regime which grants them parity with Central Government employees as evident from OM dated 20.12.2002. (Annexure A-10)

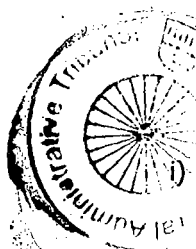


f) Grant of pension on the basis of IDA scales does not have any impact on the parity enjoyed by absorbees with Central Government employees because the implementation of the IDA scale for all CPSU employees is mandatory in terms of the law laid down by the Hon'ble Supreme Court and implemented vide OM dated 12.06.1990 of the Department of Public Enterprises. (Annexure A-32) In this regard, it is also pertinent to note the judgment of the Hon'ble Supreme Court in *Videsh Sanchar Nigam Ltd. v. Ajit Kumar Kar*, (2008) 11 SCC 591 wherein the Hon'ble Supreme Court referred to Respondent No.2's OM dated 07.02.1990 which unequivocally clarified that employees who had opted for pensionary benefits of the Central Government will be entitled to the same on the basis of the emoluments drawn in the PSU irrespective of their pay scale. A true copy of the judgment is annexed herewith as **Annexure A-52**.

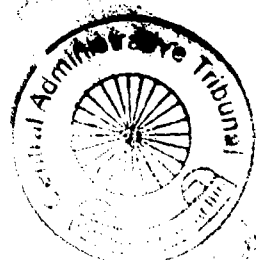
g) Pertinently, as far as sub-rule 4 is concerned, the Hon'ble Supreme Court has held that it cannot be pressed into service for defending discriminatory service conditions in so far as pension is concerned and the judgment was implemented by Respondent No.2. (Annexures A-42 and A-43)

h) It is further submitted that most of the recommendations of the 6th CPC, except pension revision, were also implemented for the absorbee pensioners of BSNL on the basis of the clarification issued by Respondent No.2 vide OM dated 27.04.2009 which acknowledged the unique position of BSNL absorbees compared to other CPSEs and on that basis recommendations of the 6th CPC were implemented for them. (Annexure A-17)

The Applicants have also placed before this Hon'ble Tribunal several other instances of grant of parity to the absorbees of BSNL with that of Central Government pensioners which have been admitted by the Respondents in the Reply filed by them. In this regard, it is pertinent to note that:



- i. Qualifying service for full pension, quantum of pension, ceiling on gratuity, commutation table, enhanced family pension in case of death in harness, age-related additional pension are identical for BSNL absorbees and Central Government CDA pensioners. (Annexure A-25, Annexure A-26)
 - ii. Widowed/ unmarried or divorced daughters of absorbee pensioners are granted family pension without the restriction of any upper-age limit on par with Central Government CDA pensioners. (Annexure A-37)
 - iii. Absorbee BSNL pensioners are eligible for grant of two family pensions for military and/ or civil employments like Central Government CDA pensioners. (Annexure A-38)
 - iv. Absorbee pensioners of BSNL are entitled to access the Central Government Health Scheme (CGHS) because their pension is paid by the Central Government from Central Civil Estimate like other Central Government pensioners. (Annexure A-34 to A-36)
- j) In view of the above, it is evident that neither sub-rule 4 nor grant of IDA pay scale has any bearing on the issue of implementation of recommendations of 7th CPC in so far as absorbee pensioners are concerned who enjoy parity with Central Government CDA pensioners in so far as pension is concerned under Rule 37-A of the CCS (Pension) Rules, 1972.
5. The submission of the Respondents that the pension of absorbees can be revised only pursuant to implementation of the recommendations of the 3rd PRC because if they are granted the benefit of the 7th CPC prior to implementation of 3rd PRC, their pension will be more than that of existing employees is fallacious in as much as in terms of Explanation to sub-rule 8 to Rule 37-A of the CCS (Pension) Rules, 1972, the absorbees enjoy parity with Central Government CDA Pensioners and

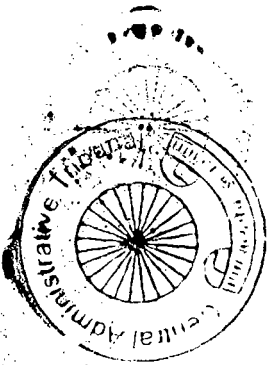


sub-rule 24 clearly provides that their position is distinct from employees recruited by BSNL. Therefore, they cannot be denied the benefit of the recommendations of the 7th CPC on the ground of the consequences for employees recruited by BSNL who constitute a distinct class. As far as employees who were absorbed from Respondent No.1 are concerned, it is submitted that they are entitled to the same service conditions as the Petitioners herein and should also be granted revision in terms of the recommendations of the 7th CPC. Pertinently, the terms of reference of the 3rd PRC do not refer to pension revision. In this regard, it is also pertinent to note that the past practice of the Respondents is contrary to the stand taken by them in their counter affidavit filed before this Hon'ble Tribunal in as much as they have admittedly granted the benefits similar to the recommendations of the 2nd PRC as well as most of the recommendations of the 6th CPC to absorbee pensioners of BSNL.

6. It is further submitted that the reliance placed by the Respondents on the judgments dated 30.10.2019 of the Ernakulam Bench in OA No.180/346/2018 and 10.12.2018 of the Hyderabad Bench in OA No.21/813/2017 is erroneous and misplaced because:

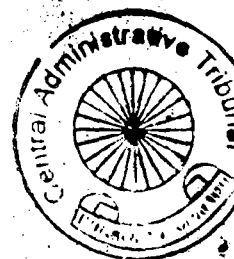
a) The cause of action and the relief sought vide OA No.180/346/2018 filed before the Ernakulam Bench was fundamentally different from the present Application.

i. It is submitted that the cause of action for OA No.180/346/2018 was the change in the calculation of pension for pre-2006 retirees of the Central Government by way of OM dated 12.05.2017 (Annexure A-30). In this context, it is pertinent to appreciate that vide OM dated 02.09.2008 (Annexure A-16(Colly)), which was issued to implement the recommendations of the 6th CPC for post 01.01.2006 retirees, the linkage of full pension with 33 years of qualifying service was dispensed with. It was further provided that once a Government servant has rendered minimum qualifying service of 20 years, pension shall be paid at 50% of the last drawn pay/ emolument or

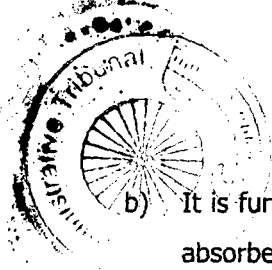


average emoluments received during the last 10 months, whichever is more beneficial to him. However, such a provision was not made for pre-01.01.2006 retirees as evident from OM dated 01.09.2006 by which the 6th CPC recommendations were implemented for them.

- ii. However, this position was altered drastically by OM dated 12.05.2017 (Annexure A-30). Initially, vide OM dated 04.08.2016 (Annexure A-28), recommendations of the 7th CPC were sought to be implemented by multiplication of the existing pension by 2.57. OM dated 12.05.2017 introduced another method for calculation of the pension/ family pension for all Central civil pensioners/ family pensioners corresponding to notional fixation of pay as recommended by the 7th CPC in the pay scale/ pay band and grade pay at which they retired. The higher of the two formulations i.e. pension as calculated in terms of OM dated 04.08.2016 and pension as fixed on the basis of the notional pay as incorporated in pay matrix in OM dated 12.05.2017 became applicable with effect from 01.01.2016.
- iii. It is further submitted that the pay matrix incorporated in the OM dated 12.05.2017 effectively fixed pension at 50% of the last pay drawn on the basis of the recommendation of a Committee headed by Secretary, Department of Pension & Pensioners' Welfare which had been set up by the Government to examine the feasibility of implementation of the second option recommended by 7th CPC. This is evident from Para.4 of the OM dated 12.05.2017 which provides that "50% of the notional pay as on 01.01.2016 shall be the revised pension and 30% of this notional pay shall be the revised family pension w.e.f. 01.01.2016 as per this Formulation."



- iv. Consequently, vide OM dated 12.05.2017, the benefit which had been made available to only post-01.01.2006 Central Government pensioners vide OM dated 02.09.2008, of calculation of pension on the basis of 50% of the last pay drawn, was also extended to pre-01.01.2006 Central Government pensioners. However, since this method of calculation of pension was not extended to pre-01.01.2006 BSNL pensioners, they were constrained to approach the Ernakulam Bench vide OA No.180/346/2018 seeking implementation of the OM of 12.05.2017 namely to the effect that the pension of pre-01.01.2006 BSNL absorbee pensioners be calculated on the basis of 50% of the last drawn pay or 50% of the last ten months average pay whichever is more advantageous.
- v. However, in the present OA, the Applicant is seeking parity with Central Government retirees in matters of pension revision including implementation of the recommendations of the 7th CPC on the basis of the method prescribed by the OM dated 04.08.2016 i.e. multiplication of pension by 2.57 which relief is distinct from the relief sought from the Ernakulam Bench. A true copy of OA No.180/346/2018 dated 08.04.2018 filed before CAT, Ernakulam bench is annexed herewith as **Annexure A-53**. A true copy of the counter affidavit filed in OA No.180/346/2018 dated September, 2018 before CAT, Ernakulam bench is annexed herewith as **Annexure A-54**. A true copy of order dated 13.07.2020 in OP (CAT) No.60 of 2020 of the High Court of Kerala, Ernakulam Bench is annexed herewith as **Annexure A-55**.



b) It is further submitted that OA No.180/346/2018 was confined to absorbee pensioners of BSNL who retired prior to 01.01.2006; whereas, the present Application pertains to all absorbee pensioners of BSNL.

- c) In so far as OA No.21/813/2018 is concerned, it is respectfully submitted that the Applicants were neither aware of nor parties to the said Application and therefore they are not aware of the prayers made in the said petition and grounds urged.
- d) Moreover, after filing of OA No.21/813/2018 and pursuant to judgment dated 10.12.2018 in OA No.21/813/2017, Respondent No.2 vide its OM dated 08.03.2019 has directed Respondent No.1 to submit a proposal for resolution of anomaly arising out of the implementation of the recommendations of the 7th CPC for absorbee pensioners in the absence of implementation of recommendations of the 3rd PRC. Therefore, significantly, the Respondent No.2 has today itself acknowledged that the Applicants are entitled to the benefit of the recommendations of the 7th CPC.
- e) It is respectfully submitted that it is evident from both the decisions that the Hon'ble Tribunal failed to consider the issue of parity granted to absorbee pensioners of BSNL with Central Government CDA scale pensioners and its *sui generis* position qua other CPSEs.
- f) It is further submitted that the order dated 11.01.2019 of the Hyderabad Bench in RA No.021/02/2019 merely reiterates the order dated 10.12.2018 in so far as the merits are concerned and therefore it is also erroneous to the same extent.

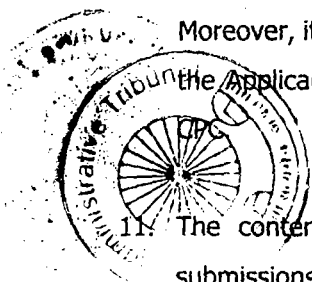
Para. wise reply

7. The contents of Para.1 are a matter of record and deserve no response. However, it is denied that absorbed employees of BSNL were given higher IDA pay scales as compared to their counterparts in CDA scale. It is reiterated that grant of the IDA scale for employees of CPSUs has been implemented by the DPE vide OM dated 12.06.1990 and in compliance thereof, the Applicants were granted the IDA pay scale upon absorption into BSNL. It is further submitted that at the time of implementation of the IDA pay scale, it was clarified that pension will



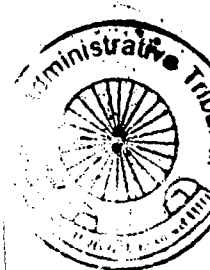
be governed by Rule 37-A and IDA scales will be taken into account for calculation of pension.

8. The contents of Para.2 are a matter of record; however, it is pertinent to mention that the sub-rules 22-24 read with Explanation added to sub-rule 8 of Rule 37-A constitute absorbee pensioners of BSNL into a distinct class in as much as their pension has to be calculated in the manner of calculation of Central Government employees and liability of its payment lies with the Central Government. Therefore, absorbee BSNL pensioners enjoy parity with Central Government employees in so far as pension is concerned unlike the pensioners from other Central Public Sector Units. In this regard, it is also pertinent to reiterate that vide judgment dated 13.11.2019 in OP (CAT) No.63 of 2017 (Z), the High Court of Kerala has clarified that deemed retirement under sub-rule 4 does not impact the pensionary benefits of the absorbees which are protected under Rule 37-A.
9. The contents of Para.3 are a matter of record; however, it is submitted that the Respondents have failed to mention that Respondent No.2 vide its OM dated 27.04.2009 specifically recommended implementation of the recommendations of the 6th CPC for absorbee pensioners of BSNL. Furthermore, Respondent No.1 in compliance with the OM dated 27.04.2009 implemented the recommendations of the 6th CPC for the absorbee pensioners of BSNL vide letters dated 4/15.05.2009 and 12.08.2009 (Annexures A-18, A-19).
10. The contents of Para.4 are a matter of record and deserve no response. Moreover, it is submitted that the averments in Para.4 demonstrate that the Applicants are not governed under the terms of the PRC but the
11. The contents of Para.5 are denied and it is submitted that the submissions made therein betray a complete lack of understanding on the part of the Respondents of the submissions made by the Applicants. It is the case of the Applicants that they enjoy parity with Central Government CDA pensioners and therefore the recommendations made

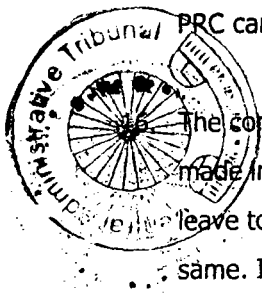


vide OM dated 04.08.2016 should also be extended to them by Respondent No.1. Consequently, they should be given the benefit of the revisions effected by the 7th CPC in pension.

12. The contents of Para.6 are denied as being contrary to the extant legal position. It is submitted that the Applicants who are absorbee pensioners of BSNL and are governed by Rule 37-A of the CCS (Pension) Rules, 1972 are not covered under the terms of the PRC. Therefore, the recommendations of the 3rd PRC do not apply to them. It is reiterated that there is no provision for pension revision in the terms of the reference of the 3rd PRC. Moreover, since they enjoy parity with Central Government employees in so far as pension is concerned, it is submitted that they are entitled to getting the benefit of the recommendations of the 7th CPC. It is further submitted that the Respondents have suppressed the fact that the explanation submitted in Para.12 has been rejected by Respondent No.2 which has directed Respondent No.1 to submit a concrete proposal to resolve the anomaly mentioned by it in the present Para. vide OM dated 08.03.2019.
13. The contents of Paras.7 and 8 are denied and it is submitted that the said judgments are not applicable to the facts of the present case. The Applicants crave leave to refer to contents of Para.6 of the present rejoinder in this regard and request that the same may be read as a part of the present paragraph as well.
14. The contents of Para.9 are a matter of record and deserve no response.
15. The contents of Para.10 are denied and it is reiterated that the Respondents are misleading this Hon'ble Tribunal by contending that the benefit of OM dated 12.05.2017 (Annexure A-30) cannot be conferred on combined service pension optee BSNL pensioners. It is respectfully submitted that the option of pro-rata pension was never offered to absorbees and they were only offered pension on combined service. This is in stark contrast to Central Government employees who were transferred to CPSEs such as National Airport Authority of India or Videsh Sanchar Nigam Limited. These employees were given three



options: (a.) 100% commutation in lieu of pension for the period served in Government; (b.) Pro-rata monthly pension for the period served in Government and they were eligible for pension from CPSE as well subject to having the required period of service in the organisation as per their scheme; and (c) Monthly pension paid by the Government on combined service. Central Government employees who were absorbed into MTNL were given the latter two options. However, as far as absorbees into BSNL such as the Applicants are concerned, they were not given any option and pension was fixed on combined service. After offering them pension on combined service only and promising parity with Central Government pensioners, the Respondents are today seeking to renege on the legal safeguards provided to the Applicants. It is submitted that the Applicants who are absorbee pensioners of BSNL enjoy parity with Central Government CDA scale pensioners; therefore, they are entitled to the grant of benefit of the recommendations of the 7th CPC which has already been implemented for Central Government pensioners. It is reiterated that the Applicants do not fall under the categories of employees referred to in the terms of reference constituting the 3rd PRC and they cannot be denied the benefit of the recommendations of the 7th CPC merely on the ground that recommendations of the 3rd PRC have not been implemented by BSNL since it is incurring losses. It is also reiterated that the aforesaid position is also buttressed by the admitted fact that 100% liability for payment of pension to absorbees lies with Respondent No.1 as stated in OM dated 20.07.2016 (Annexure A-15) and, therefore, the financial position of BSNL which is the primary reason for non-implementation of the 3rd PRC cannot have any bearing on the pension of absorbees.



The contents of the para.wise reply are a reiteration of the submissions made in the Preliminary submissions and therefore the Applicants crave leave to reiterate the submissions made hereinabove in response to the same. In response to the para.wise response to Para.4.11 to Para.4.12, it is denied that letter dated 15.06.2006 was withdrawn by Respondent No.1 due to persistent demands from management and various employees' unions of BSNL and pensioners associations including the Applicant. The said letter was rescinded vide OM dated 20.07.2016

keeping in view the correct legal position under Rule 37-A(22) and the said OM acknowledges this position. The Respondent is deliberately trying to mislead this Hon'ble Court by erroneously interpreting the OM. In response to Para.7, it is reiterated that the reliefs claimed in both petitions was different and therefore the claim of the Respondents that the Applicants have already filed another petition seeking reliefs sought by way of the present OA is false to their knowledge and stated only to be rejected. It is reiterated that OA No.346/2018 was filed before the Ernakulam bench of CAT seeking implementation of OM dated 12.05.2017 (Annexure A-30) whereby the DoP & PW laid down the formula for revision of pay for fixation of pension under the 7th CPC for pre-2006 retirees. Whereas, by way of the present OA, the Applicants are seeking parity with Central Government pensioners in so far as implementation of recommendations of the 7th CPC is concerned. The Applicants crave leave to refer to the submissions made in the paragraphs hereinabove in response to the para.wise reply.

17. In view of the submissions made in the OA and the present rejoinder, it is submitted that the Respondents have failed to justify the denial of benefit of recommendations of the 7th CPC to the Applicants when the same have been granted to Central Government pensioners with whom the Applicants enjoy parity. Therefore, the Applicants request this Hon'ble Tribunal to allow the application and to grant them the relief sought therein.

VERIFICATION

I, Anupam Kaul, Applicant No.3, S/o Jagan Nath Kaul, aged 66 years, R/o A 402, PMO Apts, C-58, Sector-62, Noida, UP-20301 do hereby verify that the contents of paras 4, 5, 6 and 15 are true to my personal knowledge and paras 1-3, 5-14, 16-17 believed to be true on legal advice and that I have not suppressed any material fact. I am authorized to verify the Rejoinder for all the Applicants.

Date : 03.02.2021
Place : New Delhi

Anupam
Signature of the Applicant



459.

ANNEXURE A-50

No. BSNL/26/SR/2002

Dated 07-08-2002

OFFICE ORDER

Sub: Introduction of IDA Pay Scales w.e.f 1-10-2000 in replacement of existing C.D.A Pay Scales for Non-Executive Staff (Group 'C' and 'D') absorbed from DOT/DTS/DTO in BSNL w.e.f 1-10-2000.

In pursuance of Agreement dated April 26, 2002 signed with new Applicant Unions in connection with above and the approval of BSNL Board of Directors and the approval of Department of Telecommunications vide letter No. 1-35/Estt-2002 dated 07-08-2002, the IDA Pay Scales in replacement of existing C.D.A. Pay Scales, effective from 1-10-2000 will be under:-

Category of Non-Executives	EXISTING CDA SCALES OF PAY ON 01.01.1996	Corresponding BSNL SCALES OF PAY ON IDA PATTERN WITH EFFECT FROM 01.10.2000
NE1	2550-55-2660-60-3200	4000-120-5800
NE2	2610-60-3150-65-3540	4060-125-5935
NE3	2650-65-3300-70-4000	4100-125-5975
NE4	2750-70-3800-75-4400	4250-130-6200
NE5	3050-75-3950-80-4590	4550-140-6650
NE6	3200-85-4900	4720-150-6970
NE7	4000-100-6000	5700-160-8000
NE8	4500-125-7000	6550-185-9325
NE9	5000-150-8000	7100-200-10100
NE10	5500-175-9000	7800-225-11175
NE11	6500-200-10500	8570-245-12245

2. Fitment Method:

Pay-fixation in IDA pay scales will be done in the following manner:

The Group C and D employees who opted for absorption in BSNL were on deemed deputation w.e.f. 01-10-2000 i.e. from the day BSNL was formed. Therefore, new Pay Scales along with HRA/CCA and compensatory allowances (mentioned in Para 8 above of Annex) will be effective from 01.10.2000

2.1 The pay of the optees will be fixed in the respective replacement /corresponding I.D.A Pay Scales in the following manner:

- (a) The basic pay of the non-executive as on 1-10-2000 in the IDA Pay Scales would be fixed at the stage corresponding to the stage which they had reached under CDA Pay Scale on the 30-09-2000 i.e. pay-fixation will be on point to point basis.
- (b) Net minimum increase of Rs.1500/- per month (Basic Pay + D.A taken together) will be allowed to each employee. In case where the minimum benefit falls short of Rs.1500/- p.m., it will be enhanced to Rs.1500/-p.m.
- (c) The normal date of Annual Increment will remain un-changed. The employee whose pay is fixed in IDA scale, as above, will continue to draw annual increment on the normal date he would have drawn increment had he continued in the CDA Pay Scale, if otherwise due/admissible.
- (d) The officials who reach the maximum of their pay scales will be entitled to a maximum of three stagnation increments, as per D.P.E. guidelines.
- (e) The employees who have been promoted to the higher posts after 01.10.2000 will be fixed in the corresponding IDA pay scale from the date of promotion under the normal rules relating to the fixation of pay on promotion with reference to their pay in the IDA Pay Scale of pre-promoted post. However those, who are promoted to te higher post



- on 01.10.2000 will first be fixed in the IDA Pay Scale corresponding to the CDA Pay Scale of pre-promoted post as per formula at (a) above and then will be fixed in the IDA Pay Scale of the promoted post corresponding to the CDA Pay Scale of Promoted post, under normal pay fixation rules on promotion under FR.
- (f) The Ad-hoc Payment of Rs.1000/- p.m. w.e.f. 01.10.2000 being paid to the employees will be adjusted against the emoluments thus admissible in the above IDA pay scales w.e.f. 01.10.2000.
- (g) The anomalies, aberrations, other hardships and difficulties, if any, which may arise in pay-fixation, will be settled sympathetically, after these are pointed out.
- (h) The employees, who have been appointed in the CDA Pay Scales on or after 01.10.2000 by BSNL, will be deemed to have been appointed in the corresponding IDA Pay Scale and accordingly, their pay will be fixed at the minimum of the IDA Pay Scale, corresponding to their CDA Pay Scale.
- (i) The arrears due to introduction of IDA Pay Scales w.e.f. 01.10.2000 will be paid in the month of September 2002. However the adhoc amount of Rs.1000/-p.m. being paid from 01.10.2000 till August 2002 will be adjusted from the arrears payable at the time of payment.
- (j) The optees who were on rolls of BSNL on 01.10.2000 but subsequently ceased to be in its service on account of superannuation, resignation duly approved by the competent authority, Termination, Death etc., would be eligible for the benefit of IDA Pay Scales up to the period they were in the service of BSNL. In their case, payment of arrears, if any, for the period from 01.10.2000 till the date of cessation of service for the reason mentioned above, would be worked out and remitted, after recovery of outstanding dues, if any. Amount of Ad hoc Payment @ Rs.1000 till the date of cessation of service would also be recovered from the said arrears.
- (k) The personal pay drawn by the employees (who have undergone sterilization prior to October 1, 2000) in the CDA scales shall be revised so as to be equivalent to the best rate of increment applicable in the relevant revised scales of pay corresponding to the pay scale of the post against which the employee concerned had initially opted the personal pay in the applicable pre-replaced scale of pay.
- (l) Benefit on account of IDA Pay Scales and arrears thereof, shall not be extended to the employees, who have left BSNL's service on account of resignation without approval or proper notice or are absconding. Such individual cases, if any, be referred to the Corporate Office, for examination and decision.
- (m) Deduction on a/c of GPF, if any, will be made from arrears, as per rule.

3. Dearness Allowance:

Dearness Allowance in the IDA pattern as on 01.10.2000 is 28% which will be revised once in 3 months (ie. January 1st, April 1st, July 1st and October 1st) as per orders issued by D.P.E. The rate of Dearness Allowance payable on the IDA Pay Scales as per orders issued by D.P.E. from time to time, from 01.10.2000 and onwards, are given below:

Effective Date	Quarterly Average of AICPI	DA Rate %
1.10.2000	2186	28
1.1.2001	2207	29.2
1.4.2001	2192	28.3
1.7.2001	2209	29.3
1.10.2001	2278	33.4
1.1.2002	2309	35.2
1.4.2002	2304	34.9
1.7.2002	2315	35.5

4. The Group C & D employees who opted for absorption in BSNL were on deemed deputation w.e.f. 01.10.2000 i.e. from the day BSNL was formed. Therefore New Pay Scales along with HRA/CCA and compensatory allowances (mentioned in Para 8 of Annex) will be effective from 01.10.2000



5. Perks:

Keeping in view the heavy burden on the financial position imposed by the replacement of CDA pay scales, it is agreed that the BSNL will continue to pay various perks with effect from 1. 10. 2000 as are available to government employees. (Details along with IDA slabs corresponding to CDA slabs are given in Annexure) This position will be reviewed on or after 01.04.2003, depending upon financial position of the Company.

6. Pension:

The DOT/DTS/DTO employees absorbed in BSNL will be eligible for Pension from the Central Government as per provisions of Rule 37-A of Pension Rules, as notified vide Ministry of Personnel, Public Grievances and Pensioners' Welfare No. 4/61/99-P&PW(D) dated the 30th September, 2000 (Note: Sub Rule (8), (9),(10),(21),(22) and (23) thereof and clarifications issued vide DOT No. 33-14/2000/SR dated 19-02-2001 stating that "for the purpose of reckoning emoluments for calculation of pension and pensionary benefits, the emoluments as defined in CCS(Pension) Rules, in PSU in the IDA pay scales shall be treated as emoluments").

7. Six-Days Working Pattern:

There will be Six days working pattern in BSNL, instead of present Five days pattern for all the Administrative/Operative offices etc. including Corporate Office, commencing from 1.9.2002, which shall be strictly adhered to by all concerned.

8. Improvement of Work Culture resulting in greater efficiency:

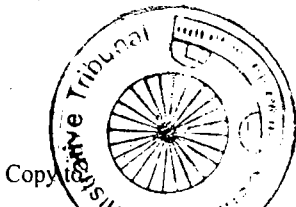
The management and the unions have jointly undertaken to improve working atmosphere/culture in BSNL so as to make it more conducive and to enthuse the employees to improve their output and efficiency so that extra expenditure in wages is offset by improving the financial viability of BSNL to secure better service to its customers and fulfill the objectives of the current policy viz. telephone of world standard available on demand and at affordable rate.

9. General:

- (a) The existing Promotional system of OTBP/BCR/Grade IV will continue to operate as in CDA system till it is revised by an agreement. Similarly, where ACP system is in operation, it will continue till it is revised by an agreement.
- (b) All entitlements for admissibility of TA/DA/LTC/Advances etc., will continue to be regulated at the existing rates of admissibility till they are amended suitably in the IDA pattern.
- (c) Individual claims (except as provided specifically) such as TA, Transfer TA, LTC, Medical-claims etc. already settled shall not be reopened.
- (d) Errors and omissions occurred while calculating the arrears are subject to rectification and correction. Over payments made, if any, shall be recovered from any amount that may become payable to the employee concerned.
- (e) In case of any doubt/clarification with regard to implementation of any clause(s) of the Office Order, the same may be referred to the undersigned for clarifications, before implementation.

(sd/-)

(Ganesh Chandra Jha)
Jt. DDG (Pers.)



Copy

1. ANCOMS, BSNL
2. All IFAs, BSNL
3. All Sr.DDsG/DDsG, BSNL Corporate Office, New Delhi.
4. All new Applicant Unions of BSNL

ANNEXURE**1. HOUSE RENT ALLOWANCE (HRA)**

BSNL employees will be paid HRA on the basis of Revised Pay with effect from 01.10.2000 at the rates and the terms applicable to the Central Government employees based on the reclassification of the cities as notified by the Government Of India

HRA rates as given therein are as under : cities/Towns

CLASSIFICATION OF CITIES/TOWNS	Rate of HRA
A-1	30% of Basic Pay
A,B-1 & B-2	15% of Basic Pay
C	7.5% of Basic Pay
Unclassified	5% of Basic Pay.

Recovery of rent from those employees who are occupying or availing of BSNL/ government accommodations will be on the basis of the license fee chargeable on the revised pay and the same would be computed w.e.f 01.10.2000.

2. CITY COMPENSATORY ALLOWANCE (CCA)

City Compensatory Allowance (CCA) will be paid on the basis of revised pay w.e.f 01.10.2000 as per the table given below

BASIC PAY PER MONTH					
AMOUNT OF CCA PM (Rs)					
CDA	IDA	A-1	A	B1	B2
Below Rs 3000	Upto Rs 4000	90	65	45	25
Rs 3000-4499	Rs 4001-5250	125	95	65	35
Rs 4500-5999	Rs 5251-6499	200	150	100	65
Rs 6000 and above	Rs 6500 and above	300	240	180	120

3. TRANSPORT ALLOWANCE

The rates of transport allowance admissible under the government rules as per the normal conditions applicable, are as under:

Pay scales range	Rate of TA per month	
	A1/A	OTHER PLACES
	Rs	Rs
Rs 8600-14600 and above	800	400
Rs 8570-12245 and above	400	200
But below Rs 8600 - 14600		



Below the scale of Rs 8570-12245	100	75
Casual Labour with Temporary status	100	75

4. CYCLE ALLOWANCE

Cycle Allowance to employees requiring extensive traveling as per Government rules on the normal conditions applicable @ Rs. 30/- p.m.

5. WASHING ALLOWANCE

The employees in Group C & D who have been supplied with the uniforms will be entitled to washing allowance @ Rs.30/- p.m. as per the Government Rules on the normal conditions applicable.

6. CASH HANDLING ALLOWANCE TO CASHIERS

Cash Handling Allowance to Cashiers will be admissible as per the Government rates on the normal conditions applicable. ...

Amount of Average monthly cash Disbursed	Rate per month
Upto Rs 50000	Rs 75
Over Rs 50000 and up to Rs 2 Lakhs	Rs 150
Over Rs 2 Lakhs and upto Rs 5 Lakhs	Rs 200
Over Rs 5 Lakhs and upto Rs 10 Lakhs	Rs 250
Over Rs 10 Lakhs	Rs 300

7. Special allowances to Group D staff assisting cashier in bringing cash from banks:

Group D Staff in question will be entitled to the above allowance @ Rs.30/p.m. as per government rules and on the normal conditions applicable.

8. OTHER COMPENSATORY ALLOWANCES

The monthly rates of the allowances will be as given below as per government rules and normal applicability conditions:

CDA PAY	IDA PAY	BAD CLIMATE ALLOWANCE	COMPOSITE HILL COMPENSATORY ALLOWANCE
Below Rs 3000 pm	Up to Rs 4000 pm	40	100
Rs 3000-4499 pm	Rs 4001-5250 pm	80	140
Rs 4500-5999 pm	Rs 5251-6499 pm	120	240
Rs 6000-8999 pm	Rs 6500-11224 pm	160	300
Rs 9000 pm and above	Rs 11225 pm and above	200	300

9. CEA

This allowance will be admissible to these employees in accordance with the Government Rules as per the normal conditions applicable @ Rs 100 pm per child for classes I to XII.

10. REIMBURSEMENT OF TUITION FEES

Tuition fees will be reimbursed in accordance with the rates prescribed by the Government on the normal conditions applicable at the following rates:

Classes	Subject to a maximum of
I to X	Rs 40 p.m. per child
XI & XII	Rs 50 p.m. per child

Classes I to XII in respect of physically handicapped/mentally retarded children - Rs.100 pm per child

Science fee up to the limit of Rs 10 pm will be reimbursable in addition to tuition fees in respect of children offering science subjects in class IX to XII.

11. HOSTEL SUBSIDY

Hostel Subsidy will be admissible to the employees in accordance with the rates prescribed by the Government @ Rs 300 pm per child on the normal terms and conditions applicable.

12. JOURNEY FARE FOR CHILDREN STUDYING AT OUTSTATIONS.

The journey fare will be admissible to legitimate children/ stepchildren/adopted children studying in a recognised educational institutions at a place in India away from the residence of the Government servant or his family in accordance with the government rates on the normal terms and conditions applicable.

Note: The allowances and facilities not covered above and as are available to DOT employees and government pattern / rules will continue to be admissible to these employees.



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ANNEXURE A-51

CR

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

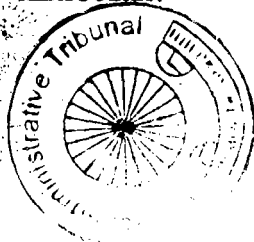
WEDNESDAY, THE 13TH DAY OF NOVEMBER 2019 / 22ND KARTHIKA, 1941

OP (CAT).No.63 OF 2017(Z)

AGAINST THE ORDER/JUDGMENT IN OA 504/2013 OF CENTRAL
ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH

PETITIONERS:

- 1 ABDUL RASHEED.A.A.
S/O LATE SADAK ABDULLA, AGED 34 YEARS,WORKING AS
JUNIOR ENGINEER O/O SDE OFC,OCB EXCHANAGE, TIRIR,
RESIDING AT ACHIPRA HOUSE,VALLIKARRIRAM, NIRAMARUTHUR
PO, TIRUR.676109.
- 2 ANWAR ALI P
S/O LATE KHALID P, AGED 37 YEARS,WORKING AS SR. TOA,
O/O GMT, BSNL, MARKETING (DVSN)UP HILL MALAPPURAM,
RESIDING AT PUTHIYAKATH HOUSE,CHAKKALAKUTH, GANDHI
NAGAR (84), NILAMBUR-679329,MALAPPURAM DISTRICT.
- 3 PRASOBH J NAIR
S/O LATE E. JANARDHANAN NAIR, WORKING AS SR.TOA, O/O
TELECOM CIVIL DIVISION,BSNL, CO-AXIAL STAFF QUARTERS,
EAST HILL,BSNL, CALICUT-673005, RESIDING AT
PRABHATHAM,PATTELTHAZHAM, P.O POKKUNNU,MAVKAVE,
CALICUT.673007.
- 4 SUDHEER T
S/O LATE BALAN T, AGED 42 YEARS,WORKING AS SR.TOA
(G), O/O GMT,BSNL, MALAPPURAM, RESIDING AT
SREERAGAM,PIDAKKOLIPARAMBU, EDAKKAD PO,KOZHIKODE-
673005.
- 5 VIJAYAMMA K.J.
D/O LATE NARAYANA KURUP, AGED 55 YEARS,WORKING AS
SER. TOA(G), CSC, CTO BUILDING,ALAPPUZHA-688001,
RESIDING AT KURIKKAVEEDU,MARARIKKULAM NORTH PO,
ALAPPUZHA.



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- 6 VALSAMMA MATHEW
D/O VARGHESE PV, AGED 50 YEARS, WORKING AS
SR.TOA(G), CSC, THYCATTUSSERY, POOCHAKKAL PO,
CHERTHALA, ALAPPUZHA.688528, RESIDING AT
SIHYALAYAM (PALLIPARAMBIL) PALLIPPURAM PO,
CHERTHALA, ALAPPUZHA.688541.
- 7 SIVAPRASAD S
S/O LATE P. SREEKUMARAN NAIR, AGED 33 YEARS,
WORKING AS SR.TOA, O/O GMTD, BSNL BHAVAN,
VELLAYITTAMBALAM, KOLLAM, RESIDING AT
SREESHYLAM, KANJIRAMALA, PPM PO, PIN
CODE.691332.
- 8 SASIKALA P
W/O LATE SARATHCHANDRA BABU, AGED 47
YEARS, WORKING AS SR. TOA, O/O GMT, BSNL
BHAVAN, VELLAYITTAMBALAM, KOLLAM, RESIDING AT
SREESHYLAM, THEKUMBHAGAM, CHAVARA SOUTH PO.
- 9 RAJNEESH S
S/O LATE N. SIVARAJAN, AGED 31 YEARS, WORKING AS
JAO, O/O GMT, BSNL BHAVAN, THIRUVALLA, RESIDING
AT CHARUVILA PUTHEN VEEDU, PALACHEY PO, PUNALUR,
KOLLAM-691331.

BY ADVS.
SRI.M.R.HARIRAJ
SMT.G.BINDU
SRI.P.A.KUMARAN
SMT.PRIYADA R MENON
SRI.K.RAJAGOPAL

RESPONDENTS:

- 1 UNION OF INDIA
REPRESENTED BY THE SECRETARY TO GOVT.OF
INDIA, MINISTRY OF COMMUNICATIONS, NEW
DELHI. PIN.110001.
- 2 BHARATH SANCHAR NIGAM LTD
REPRESENTED BY CHAIRMAN & MANAGING DIRECTOR,
SANCHAR BHAVAN, NEW DELHI.110001.

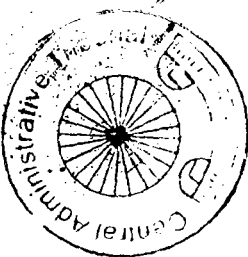


O.P(CAT) No.63 of 2017

- 3 THE CHIEF GENERAL MANAGER
BHARATH SANCHAR NIGAM LTD, KERALA CIRCLE,
THIRUVANANTHAPURAM. 695033.
- 4 THE PRINCIPAL GENERAL MANAGER
BHARATH SANCHAR NIGAM LTD, KOZHIKODE SSA,
KOZHIKODE. 673001.
- 5 THE GENERAL MANAGER
BHARATH SANCHAR NIGAM LTD, ALAPPUZHA SSA,
ALAPPUZHA-688001.
- 6 THE GENERAL MANAGER
BHARATH SANCHAR NIGAM LTD, KOLLAM SSA, KOLLAM.
691001.
- 7 THE GENERAL MANAGER
BHARATH SANCHAR NIGAM LTD, MALAPPURAM SSA,
MALAPPURAM. 676505.
- 8 THE GENERAL MANAGER
BHARATH SANCHAR NIGAM LTD, THIRUVALLA SSA,
THIRUVALLA.

R1 BY ASSISTANT SOLICITOR GENERAL
R1-2 BY SRI. JOHNSON GOMEZ, SC, BHARAT SANCHAR
NIGAM LTD.
R1 BY SRI. T.V. VINU, CGC

THIS OP (CAT) HAVING BEEN FINALLY HEARD ON 13-11-2019,
THE COURT ON 13-11-2019 DELIVERED THE FOLLOWING:



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CR

JUDGMENT

Dated, this the 13th day of November, 2019

Vinod Chandran, J.

Conversion of a Government Department into a public sector undertaking, whether would disable the persons recruited prior to the actual date of conversion from being considered as Government employees for reason of their appointment being after the new undertaking came into existence; is the question arising in the above case.

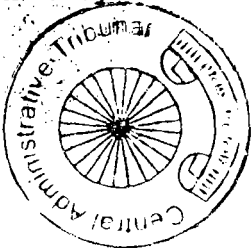
2. The Tribunal before whom the petitioners had first agitated the cause found against them. It was held that the Bharath Sanchar Nigam Limited (hereinafter for brevity 'BSNL') and Department of Telecom (hereinafter for brevity 'DoT') having interpreted the terms and conditions of creation of BSNL, absorption of staff etc there can be no reliance placed on the Presidential



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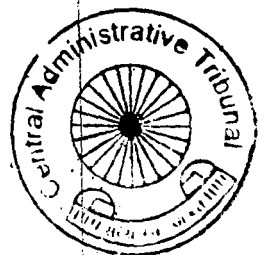
orders which conferred such status to Government employees, on the petitioners. The Tribunal found that though they were recruited during the threshold of the conversion, they cannot be treated as DoT employees. Their appointment on completion of formalities and training was made after BSNL had come into existence. The applicants were found to be liable to concede to the position taken by the BSNL, in the matter of their status as government employees; which stood dis-allowed.

3. The learned Counsel for the petitioner Sri.M.R. Hariraj took us through the various documents which indicate that all of the applicants/petitioners were appointed under the compassionate scheme of appointment. They were issued with temporary appointment orders by DoT, subject only to their completion of training, for which they were deputed, also by DoT. While they



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were undergoing training, the conversion is said to have materialised on 01.10.2000. They completed the training and reported for duty with the new entity; the DoT having already been converted as BSNL. They were appointed under the BSNL just a few days after the crucial date of 01.10.2000. Only two of the petitioners were appointed after two months since their training commenced a little later. While they were so continuing, they were asked to exercise an option which is applicable to all the employees who were deputed from the DoT to the BSNL, as to whether they wish to continue in BSNL or seek repatriation back to DoT. All the petitioners exercised their option to continue in the BSNL based on which Presidential orders were issued allowing them to be continued in the BSNL. However, later these Presidential orders were interfered with by the Assistant General Manager of the BSNL which are produced as Annexure A9 and



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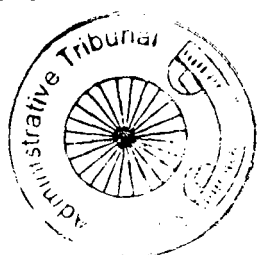
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impugned in the original petition.

4. It is submitted that the applicants though only deputed for training were regularly recruited under the scheme and but for the unfortunate circumstance of the conversion to BSNL having intervened on 01.10.2000 they would have been treated as Central Government Employees. Other employees of the DoT, prior to the formation of BSNL, who were deputed and exercised options to be continued in the BSNL, when absorbed, their right to pension and their membership in the General Provident Fund were protected. The petitioners are also entitled to such protection but however, the same has been declined by cancellation of the Presidential orders which is challenged as without jurisdiction and issued in violation of the principles of natural justice.

5. The learned Standing Counsel appearing for the BSNL Sri Johnson Gomez would at the outset



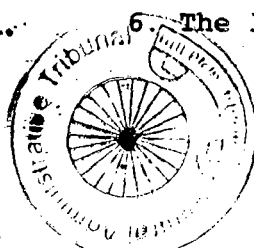
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take us through Ext.R2(c) series of documents produced in the Original Petition which according to him is issued in cancellation of the Presidential orders by the Government of India itself. Rule 37-A of the Central Civil Services (Pension) Rules, 1972 (for brevity "CCS Pension Rules") relied on by the petitioner is specifically read out to point out that in the case of petitioners there was no transfer as contemplated in sub-rule(1) nor do the petitioners enjoy the status of a Government Servant as on the previous day of 01.10.2009. The recruitment rules produced as Annexure R2(c) along with reply statement before the Tribunal is specifically referred, to contend that the training is before appointment and the rules specifically speak of an appointment after the training is successfully completed. The appointment of the petitioners having occurred only after conclusion of the



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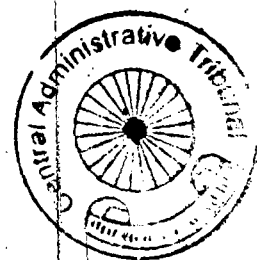
training, which is after 01.10.2000, they can only be deemed to be appointed to the BSNL. No status accrues to them of government servants transferred from the DoT To BSNL. Reference is also made to Ext.P2, Offer of Temporary Appointment, issued by DoT to further canvass the position that the petitioners were never appointed under the DoT. An Office Memorandum referred to by the Jaipur Bench of the Central Administrative Tribunal, in the order produced as Annexure A17, is pointed out to contend that in a similar situation, the Government had come out with a specific scheme by which the persons who were send for training were deemed to be appointed to the Government prior to 01.01.2004. A similar decision having not been taken in the case of the petitioners, they cannot claim the status of a government servant, asserts the learned Standing Counsel.



6. The learned Counsel for the petitioners

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in reply pointed out that the order of the Jaipur Bench of the Tribunal produced as Annexure A17 relied on the Memorandum pointed out by the learned Standing Counsel to allow a similar claim. The said judgment was unsuccessfully challenged before the High Court of Rajasthan. The learned Standing Counsel for BSNL and the learned Central Government Standing Counsel informs us that the same has been stayed by the Hon'ble Supreme Court. Hence we will not look into the judgment of the Rajasthan High Court which in any event has only a persuasive effect on us. The OM protected persons who were recruited and send for induction training to the benefits due under the old pension rules which stood altered from 01.01.2004; after which date they were actually appointed. We cannot but observe that identical was their position with the petitioners here, with only the intervening circumstance being different. We'll not rely on

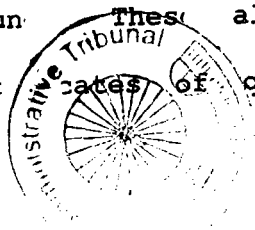


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that O.M alone because as pointed out, there is no identical protection specifically ordered in this case.

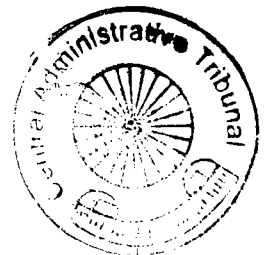
7. The admitted facts are that the petitioners were recruited under a compassionate scheme of appointment, for reason of they being dependents of employees of DoT who died in harness. The date of commencement of training with respect to petitioners 1 to 3, 5, 6 and 8 to 10 are similar, ie: 10.07.2000 and they joined BSNL on 10.10.2000. The petitioners 4 and 7 were deputed for training on 18.09.2000 and they joined in the BSNL on 18.12.2000. The training was for a period of three months. Annexure 1 series of documents are the communications issued to the petitioners offering them employment in relaxation of normal recruitment rules, 'compassionate ground. These also speak of verification of certificates of qualification and request the



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petitioners to wait for further communication. After verification of such documents and certificates and also finding them to be eligible for appointment Annexure A2 series of communications were issued offering them temporary appointment and directing them to report for training. The regular appointment could only be after successful completion of training. All the petitioners completed the training successfully. However, by the time they completed the training and reverted to the employer, the BSNL came into existence and all of them joined as per Annexure A6 series of orders. Pertinent is the fact that only some of the activities of the DoT got converted and vested with the BSNL and the DoT remained as a department of the Union of India.

8. The petitioners continued on the basis of their appointment in BSNL and later were issued with option forms for absorption in BSNL or



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retention of Government Status, by repatriation. Annexure A7 series of documents are the options exercised, by which all the petitioners opted to remain in the BSNL. In accordance with that, Government of India (DoT) issued Annexure A8 orders which was under the order of President of India conveying the factum of acceptance of option and permanent absorption of the petitioners in BSNL; who were styled alternatively as permanent and temporary employees of the DoT. It is based on these orders they were continuing and it was while they were so continuing that out of the blue the petitioners were issued with Annexure A1 orders by various officers of the BSNL canceling the Presidential order. We have to immediately notice that no such cancellation could have been effected by the BSNL and the said ground has been accepted by the Official respondents insofar as the DoT, far later in the year 2017, issued Ext.R2 orders



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produced in the Original Petition again canceling the Presidential Orders accepting the fact that the earlier orders were incompetent. This was also much after the order of the Tribunal was passed, the sustainability of which we will look at a little later; on all aspects and not confined to this one ground.

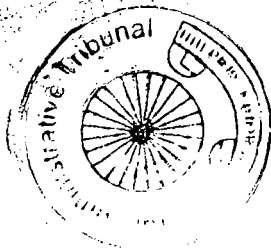
9. The claim as to retention of government employee status is based on the benefit available to the DoT employees who were later absorbed in the BSNL, for pension from Government of India itself. Rule 37-A of the CCS Pension Rules as pointed out by the learned Counsel for the petitioners is very relevant. Sub-rule (1) speaks of enmasse transfer of government servants in a Department to a Public Sector Undertaking [PSU] or autonomous body on terms of foreign service without any deputation allowance, till they get absorbed to the said undertaking, on conversion of



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a Department into a PSU or an autonomous body. Sub-rule (2) and (3) speaks of an option available to a transferred government servant to revert back to the Government or seek permanent absorption in the new undertaking. As per sub-rule (4) the permanent absorption of the government servants as employees of the PSU takes effect only from the date on which their options are accepted by the Government. They cease to be government servants from the date of such acceptance and continue as employees of the PSU, but their right to pension as a government employee and the membership in the GPF remains protected.

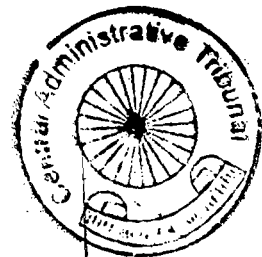
10. Sub-rule (4) is very relevant insofar as the status of the government servant prior to the acceptance of an option exercised by such servant. As we noticed earlier, all the petitioners were deputed for training by the DoT and later when they joined for duty after



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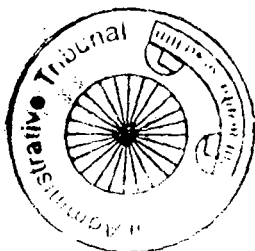
successful completion of training the BSNL had been formed. The obligation to grant them appointment under the compassionate appointment scheme was of the Government under which the DoT was a department. They were also recruited by the DoT and the training too was conducted by the DoT. The BSNL was created, by virtue of the conversion of DoT, a Department of the Government, or certain activities being vested on the PSU. BSNL discharged the obligation of the Government of India in making appointments of these petitioners, recruited earlier by DoT. The BSNL could not have taken an independent decision regarding their appointment nor was there any question of verification of their eligibility or qualifications; it was automatic, being an imperative obligation and an imprimatur of the terms of conversion. It cannot hence be said that as on the date of formation of BSNL they were not



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government servants by reason of their appointments having not been made regularly.

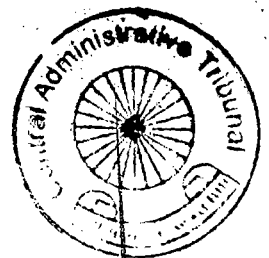
11. We come back to the rule, to pertinently observe that sub-clause (4) of Rule 37-A makes it clear that till the option of the petitioners were accepted by the Government of India they continued as government servants. Hence on their appointment after successful training and continuance in the BSNL they retained their status of government servants. Fully recognising their status, the DoT issued them with the formats of application forms, for exercising option, either to be retained in the BSNL or to be reverted back to DoT. It is very clear that if they had exercised an option to be reverted back, they would have been taken back and accommodated in the DoT under the GoI itself; which then would have been irreversible at this distance of time. The vexing question is, if the



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exercise of one option was irreversible, would the exercise of the other, be open to reversal on administrative vagaries? This impossibility of reversal of acceptance of exercise of option, further validates their claim of having government servant status even when they joined the BSNL and continued there in the very same status; prior to acceptance of the option exercised by them for retention in the BSNL.

12. We also have to take note of the arguments of the learned Standing Counsel appearing for the BSNL, with reference to the recruitment rules. The rules produced as Ext.P5 speak specifically of the training and the bond to be executed, as per Rule 7. It is the mandate of Rule 7 that direct recruits and promotees, before appointment shall undergo training for a period of three months. These recruits shall also before proceeding for training execute a bond in the form



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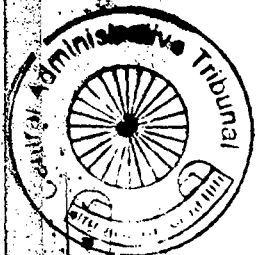
specified in the appendix to the rules. During the period of training they are entitled to a training allowance as seen from Annexure A2 and not regular scales of pay. Annexure A2 also requires furnishing of a security of Rs.10,300/- for disbursement of training allowance. All these indicate that the DoT sent the selected candidates for training with the rigour of joining back for appointment, which appointment is only subject to the successful completion of training. The terms of appointment after completion of training are explicit in paragraph 3 of Annexure A2. Ann:A2, while making it clear that appointment is temporary and does not confer any title to permanent appointment, speaks in the same breath as to the permanent appointment being subject to availability of vacancies; which is the only impediment, if and when the recruit successfully completes the training. Paragraph 7 only speaks of



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the candidates name being removed from the list of approved candidates, if the acceptance of temporary appointment is not specifically communicated. This does not reduce the status of the candidate who reports for training, to merely an approved one. On successful completion of training subject to availability of vacancies there is a mandate on the DoT to give appointment and the BSNL which took over the DoT also appointed the petitioners on completion of training; discharging their obligation as per the terms of conversion thus fulfilling the promise of appointment held out by the DoT.

13. In this context, we also refer to the Fundamental Rules (FR) as pointed out by the learned Counsel appearing for the petitioners. 'Duty' as per the definition in sub-rule 6(a)(i) of FR9 includes service as a probationer or apprentice provided such service is followed by

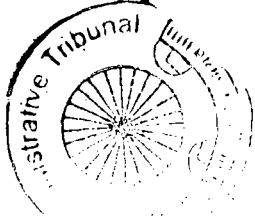


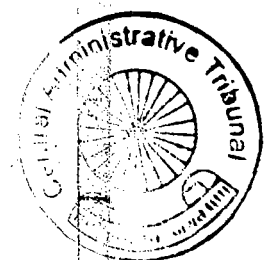
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confirmation. Sub-rule 6(b) also enables a course of instruction or training in India to be treated as duty of a government servant. It is also pertinent that FR26 enables such period to be counted for other purposes; sub-clause (a) of which says "All duty in a post on a time-scale counts for increments in that time-scale"(sic). There can hence be no dispute that the service of the petitioners is deemed to have commenced from the date of joining for training for the purpose of pension and grant of increments.

14. The BSNL places heavy reliance on Annexure R2(a) series of documents, produced in the original petition, to assert that the Presidential orders have been canceled. It is reiterated that the purported cancellation is in the year 2017 when the OP was pending before this Court. The order is passed by the DoT, Government of India. It is specifically stated therein that





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of an option. In this context we note Annexure A8, the first order issued by the DoT, on sanction from the President, which is termed as the Presidential order. We extract the said order from one of those produced in Annexure A8 series.

No.27-1KRL/Chief Engineer (Civil)/247/2002

Dated 13.3.2002

ORDER

Sub: Permanent absorption of Shri Prasobh J Nair, TOA(G)I, staff No.4040
in Bharat Sanchar Nigam Limited

1. Pursuant to letter No.BSNL/4/SR/2000 dated 2.1.2001 on the above subject, and in accordance with the provisions of Rule 37-A of CCS (Pension) Rules, as amended from time to time, sanction of the President is hereby conveyed to the permanent absorption of Sri. Prasobh J Nair, a permanent employee of the Department of Telecommunications, in BSNL, with effect from the date and under the terms and conditions as indicated below.
2. Date of effect:-The permanent absorption shall take effect from 01.10.2000, forenoon.
3. Pension/Gratuity:- Shri Prasobh J Nair shall be eligible for pensionary benefits including gratuity as per the provisions of Rule 37-A of the CCS(Pension) Rules, 1972, as amended from time to time.
4. Family Pension:- The family of Shri Prasobh J Nair shall be eligible for family pension as provisions of Rule 37-A read with Rule 54(13-B) of CCS(Pension) Rules, 1972, as amended from time to time.
5. Regulation of pay on absorption:- To be regulated in terms of para 4 of DOP & PW O.M. No4/18/87-P&PW(D) dated 5.7.1989
6. Leave:- The Earned Leave and Half Pay Leave at the credit of Shri Prasobh J Nair stands transferred to BSNL on the date of absorption as provided for under Sub-rule 24(b) of Rule 37-A of the CCS (Pension) Rules.
7. Provident Fund:- The amount of subscription together with interest there on standing to the credit of Shri Prasobh J Nair in the

O.P(CAT) No.63 of 2017

General Provident Fund account will be transferred to his new Provident Fund Account under the BSNL as provided for under Sub-rule 24(a) of Rule 37-A of the CCS (Pension) Rules, as amended from time to time.

(A. SUKUMARAN)
DIRECTOR (Estt-Kerala)
DEPARTMENT OF TELECOM

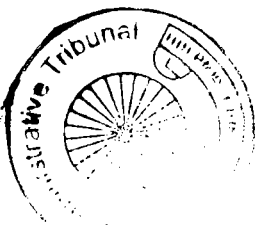
16. The order is only insofar as the permanent absorption of the petitioners permanently in BSNL. They were alternatively described as permanent or temporary employees of the DoT in the order. They were also granted protection under Rule 37-A of the CCS (Pension) Rules. The cancellation of such an order would only result in their being reverted to Government service under the DoT. The question would be as to whether after long years of such service in BSNL, they can be reverted back to the DoT. As we noticed earlier, the option exercised by the employees whether it to be reversion back to DoT or for permanent absorption in BSNL, when accepted

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by the Government of India is irreversible and there could be no cancellation effected thereat especially after long years. We also notice that cancellation has been effected subsequent to the acceptance of option, without notice to the parties and in contravention of the specific rules referred to by us herein above.

17. We do not hence find any reason for Union of India to take a view, in the case of the petitioners who were recruited and dispatched for induction training, from being considered differently from those positioned identically when there was a change effected in the pension rules with effect from 01.01.2004; as revealed from the O.M relied on by the Jaipur Bench of the Administrative Tribunal.

18. On the factual background and the legal reasoning as above we find it difficult to sustain the order of the Tribunal and set it aside



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declaring the petitioners to be Government Servants as employed under the DoT, who were transferred and later absorbed in the BSNL. The petitioners have lost their status of government servants only when their options for retention in BSNL were accepted by the Government by an order with sanction from the President of India, as is seen from Annexure A8 series. This cannot be easily meddled with, especially since the consequence will be a reversion to government service and is hence irreversible. What has been canceled even if we assume it to be with Presidential-sanction is the absorption in the BSNL, not the status accrued to the petitioners of government servants.

The Original Petition (CAT) is allowed and so is the OA, declaring the petitioners, servants of Union Of India under the DoT, who on creation of BSNL, were transferred and permanently absorbed



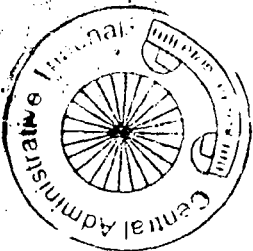
O.P(CAT) No.63 of 2017

there under Rule 37-A, with all the protections available there under. We leave the parties to suffer their respective costs.

Sd/-
K. Vinod Chandran,
Judge

Sd/-
V.G. Arun,
Judge

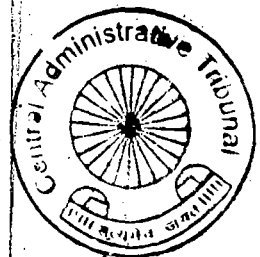
jma



APPENDIX

PETITIONER'S/S EXHIBITS:

- EXHIBIT P1 A TRUE COPY OF THE FINAL ORDER DATED 21.7.2016 IN OA NO.504/2013 OF THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM.
- EXHIBIT P2 A TRUE COPY OF THE ORIGINAL APPLICATION IN O.A NO.504/20132 WITH ANNEXURES.
- ANNEXURE A9(A) TRUE COPY OF THE CANCELLATION OF PRESIDENTIAL ORDER NO.ST-1/PRE-ORD/2006/PT DATED 14/02/2008 ISSUED BY 3RD RESPONDENT.
- ANNEXURE A9(B) TRUE COPY OF THE CANCELLATION OF PRESIDENTIAL ORDER NOSTA-11/19/05-06/81 DATED 07/09/2010 ISSUED BY THE 7TH RESPONDENT.
- ANNEXURE A9(C) TRUE COPY OF CANCELLATION OF PRESIDENTIAL ORDER NO.F.NO.ST-160/HRD/120 DATED 21/07/2011 ISSUED BY THE 5TH RESPONDENT.
- ANNEXURE A9(D) TRUE COPY OF CANCELLATION OF PRESIDENTIAL ORDER NO.ST-F/BSNL OPTION/III/57 DATED 10/04/2012 ISSUED BY 6TH RESPONDENT.
- ANNEXURE A9(E) TRUE COPY OF ORDER NO.Q-2632/TLA/2012-13/68 DATED 04/01/2013 ISSUED TO THE 10TH APPLICANT.
- ANNEXURE A1
COLLECTIVELY TRUE COPIES OF THE OFFER OF APPOINTMENTS ISSUED TO THE APPLICANTS BY THE 3RD RESPONDENT BEARING NO.RECTT/9-1157/2000 DATED 30/05/2000, LETTER NO.RECTT/9-1158/2000 DATED 30/05/2000, LETTER NO. RECTT/9-1046/99 DATED 17/05/2000, LETTER NO. RECTT/9-



O.P(CAT) No.63 of 2017

10241/98 DATED 11/08/2000, LETTER NO. RECTT/9-1167/2000 DATED 19/05/2000, LETTER NO. RECTT/9-15/2000 DATED 11/08/2000, LETTER NO. RECTT/9-1163/2000 DATED 20/06/2000, LETTER NO. RECTT/9-1165/2000 DATED 20/06/2000 AND LETTER NO. RECTT/9-1162/2000 DATED 01/06/2000.

ANNEXURE
A2 COLLECTIVELY

TRUE COPIES OF THE OFFER OF TEMPORARY APPOINTMENT NO.SRT 7495/14 DATED 14/06/2000, NO.SRT 7500/16 DATED 13/06/2000 AND NO. SRT 7487/29 DATED 04/09/2000 ISSUED BY THE ASSISTANT GENERAL MANAGER (ADMN) OFFICE OF THE 4TH RESPONDENT.

ANNEXURE A3

A TRUE COPY OF LETTER NO.SAT 2001/56 DATED 05/07/2000.

ANNEXURE A4

TRUE COPY OF THE ORDER N. SAT-2001/66 DATED 27/07/2000 ISSUED BY THE 4TH RESPONDENT.

ANNEXURE A4(A)

TRUE COPY OF NO.HRD NO.1-6/99-2000 DATED 19/07/2000 ISSUED BY THE 3RD RESPONDENT.

ANNEXURE A5(A)

TRUE COPY OF LETTER NO.SAT 2001/91 DATED 11/09/2000 ISSUED BY THE 4TH RESPONDENT.

ANNEXURE A5(B)

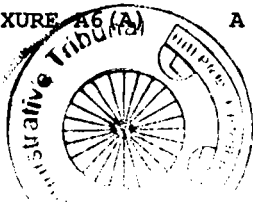
TRUE COPY OF LETTER NO.STB/OA TRG/1/99 DATED 05/09/2000 ISSUED BY THE 6TH RESPONDENT.

ANNEXURE A6
COLLECTIVELY

TRUE COPY OF THE ORDERS NO.SGN-9022/98-2000/35 DATED 09/10/2000, NO.STB/43-5/2000 DATED 10/10/2000, NO.E.13/RECTT/II/89 DATED 09/10/2000 AND MEMO NO. ST-B/OA TRG/100 DATED 08/10/2000 ISSUED BY 4TH, 5TH, 3RD AND 6TH RESPONDENTS.

ANNEXURE A6(A)

A TRUE COPY OF ORDER NO.SAT-2001/117



O.P(CAT) No.63 of 2017

DATED 15/12/2000 ISSUED BY THE 4TH
RESPONDENT.

ANNEXURE A7
COLLECTIVELY

TRUE COPIES OF OPTION FORM SUBMITTED BY
THE 1ST, 2ND, 4TH AND 7TH APPLICANTS.

ANNEXURE A8
COLLECTIVELY

TRUE COPIES OF THE ORDERS CONVEYING THE
SANCTION OF THE PRESIDENT FOR PERMANENT
ABSORPTION IS ISSUED BY THE DEPARTMENT
OF TELECOM.

ANNEXURE A10

A TRUE COPY OF THE RELEVANT PORTION OF
THE MINUTES OF THE 25TH MEETING OF THE
NATIONAL COUNCIL OF THE BSNL.

ANNEXURE A11

A TRUE COPY OF LETTER NO.BSNLEU/204(NCO
DATED 23/01/2012.

ANNEXURE A12

TRUE COPIES OF THE REPRESENTATIONS
SUBMITTED BY THE APPLICANTS TO THE
RESPONDENTS.

ANNEXURE A13

TRUE COPY OF LETTER NO.ST.F/BSNL-
OPTION/III/61 DATED 16/04/2012, LETTER
NO.ST-F/BSNL-OPTION/III/60 DATED
16/04/2012 ISSUED TO THE 7TH AND 9TH
APPLICATION.

ANNEXURE A14

A TRUE COPY OF THE PAY FIXATION MEMO
DATED 30/09/2004 ISSUED TO THE 3RD
APPLICANT BY THE ACCOUNTS OFFICER,
TELECOM ELECTRICAL DIVISION, CALICUT.

ANNEXURE A15

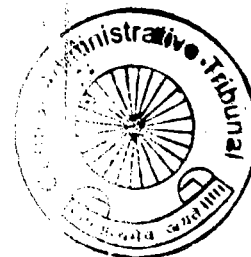
A TRUE COPY OF THE FINAL ORDER DATED
11/12/2012 IN OA 289/2012 ON THE FILES
OF THIS HONOURABLE TRIBUNAL.

ANNEXURE A16

A TRUE COPY OF THE OFFICE MEMORANDUM
NO.38/58/06-PENSION AND PENSIONER'S
WELFARE (A) DATED 05/03/2008 ISSUED BY
THE DIRECTOR, PENSION AND PENSIONER'S
WELFARE.

EXHIBIT P3

A TRUE COPY OF THE MISCELLANEOUS
APPLICATION NO.616/2013.



O.P(CAT) No.63 of 2017

EXHIBIT P4 A TRUE COPY OF THE REPLY STATEMENT IN
MA DATED 25.11.2013 ALONG WITH THE
ANNEXURES.

ANNEXURE R1 A COPY OF THE LETTER NO.BSNL/4/SR/2002
VOL.III DATED 04/05/2007 OF BSNL
CORPORATE OFFICE.

ANNEXURE R2 A TRUE COPY OF THE BSNL CORPORATE
OFFICE, NEW DELHI LETTER 500-85/CA
II/BSNL EPF/VOL.III DATED 21/06/2007.

ANNEXURE R3 A TRUE COPY OF THE DOT 27/01/2001 SNG
(VOL-II)/ KERALA DATED 29/04/2013.

EXHIBIT P5 A TRUE COPY OF THE REPLY STATEMENT
DATED 14.3.2014 ALONG WITH THE
ANNEXURES.

ANNEXURE R2 (A) A TRUE COPY OF THE LETTER
NO.BSNL/4/SR/2002 VOL.III DATED
04/05/2007 ISSUED BY THE BSNL CORPORATE
OFFICE.

ANNEXURE R2 (B) A TRUE COPY OF THE LETTER NO.500-85/CA
II/BSNL/EPF/VOL. III DATED 21/06/2007
ISSUED BY THE BSNL CORPORATE OFFICE.

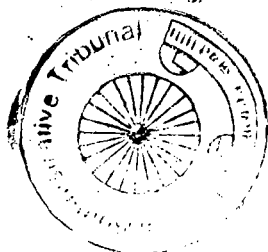
ANNEXURE R2 (C) A TRUE COPY OF THE RECRUITMENT RULES
1988 OF TOA.

ANNEXURE R2 (D) A TRUE COPY OF THE LETTER NO.HR-I/PRE-
ORDER/06/DT/51 DATED 21/10/2011 ISSUED
TO THE THIRD RESPONDENT.

ANNEXURE R2 (E) A TRUE COPY OF THE GRIEVANCE ACTION
STATUS AS ON 04/09/2013 SUBMITTED BY
THESE RESPONDENTS TO THE DOT.

ANNEXURE R2 (F) A TRUE COPY OF THE NO.27/01/2001-SNG
(VOL.II)/KERALA DATED 29/04/2013 ISSUED
BY THE DOT.

EXHIBIT P6 A TRUE COPY OF THE REJOINDER DATED
17.11.2014.



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O.P(CAT) No.63 of 2017

EXHIBIT P7 A TRUE COPY OF THE MA NO. 104/2014 WITH
ANNEXURES.

ANNEXURE A17 A TRUE COPY OF THE ORDER IN OA 361/2013
DATED 15/10/2014.

RESPONDENT'S/S EXHIBITS:

ANNEXURE P2A THE TRUE COPY OF THE ORDER NO.
27/01/DIR(ESTT) /DOT/KRL/2009/124 DATED
07.11.2017 CANCELLING THE PRESIDENTIAL
ORDER ISSUED TO THE 1ST PETITIONER

ANNEXURE P2B THE TRUE COPY OF THE ORDER NO.
27/01/DIR(ESTT)/DOT/KRL/2009/125 DATED
07.11.2017 CANCELLING THE PRESIDENTIAL
ORDER ISSUED TO THE 2ND PETITIONER

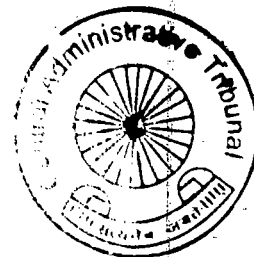
ANNEXURE P2C THE TRUE COPY OF THE ORDER RNO.
27/DIR(ESTT)/DOT/KRL/2009/120 DATED
07.11.2017 CANCELLING THE PRESIDENTIAL
ORDER ISSUED TO THE 3RD PETITIONER

ANNEXURE P2D THE TRUE COPY OF THE ORDER NO.
27/1/DIR(ESTT)/DOT/KRL /2009/122 DATED
07.11.2017 CANCELLING THE PRESIDENTIAL
ORDER ISSUED TO THE 4TH PETITIONER.

ANNEXURE P2E THE TRUE COPY OF THE ORDER NO.
27/1/DIR(ESTT)/DOT/KRL /2009/111 DATED
07.11.2017 CANCELLING THE PRESIDENTIAL
ORDER ISSUED TO THE 5TH PETITIONER

ANNEXURE P2F THE TRUE COPY OF THE ORDER NO. 27/1-
DIR(ESTT) DOT/KRL/2009/112 DATED
07.11 .2017 CANCELLING THE PRESIDENTIAL
ORDER ISSUED TO THE 6TH PETITIONER

ANNEXURE P2G THE TRUE COPY OF THE ORDER NO.
27/1/DIR(ESTT)/DOT/KRL/2009/117 DATED
07.11.2017 CANCELLING THE PRESIDENTIAL



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O.P(CAT) No.63 of 2017

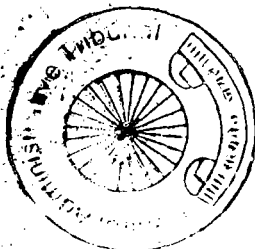
ORDER ISSUED TO THE 8TH PETITIONER.

ANNEXURE P2H

THE TRUE COPY OF THE ORDER NO.
27/1DIR(ESTT)/DOT/KRL /2009/119 DATED
07/11/2017 CANCELLING THE PRESIDENTIAL
ORDER ISSUED TO THE 9TH PETITIONER.

ANNEXURE P2I

THE TRUE COPY OF THE ORDER
NO.27/1/DIR(ESTT)/DOT/KRL/2009/137
DATED 07/11/2017 CANCELLING THE
PRESIDENTIAL ORDER ISSUED TO THE 9TH
PETITIONER.



VSNI. C. AJIT KUMAR KAR

591

Advocates who appeared in this case :
S.C. Birla and Subrat Birla, Advocates, for the Appellants.

- a **Chronological list of cases cited** on page(s)
1. (1987) 3 SCC 273, *Ramchandra Goverdhan Pandit v. Charity Commr. of State of Gujarat* 591b-c

ORDER

1. In spite of service of notice in Civil Appeals Nos. 6761 and 6762 of 2001, none appears on behalf of the respondents.
b 2. So far as CA No. 6762 of 2001 is concerned, this appeal has been preferred against the judgment and order passed by a Division Bench of the High Court of Bombay holding that in view of the decision of this Court in *Ramchandra Goverdhan Pandit v. Charity Commr. of State of Gujarat*¹ the letters patent appeal filed against the order of the learned Single Judge was not maintainable in law. In our view, Civil Appeal No. 6762 of 2001 has now become infructuous, in view of the fact that the said appeal was filed against the original order of the learned Single Judge in respect of which Civil Appeal No. 6761 of 2001 has been filed. Accordingly, this appeal being Civil Appeal No. 6762 of 2001 having become infructuous is disposed of accordingly. So far as CA No. 6761 of 2001 is concerned, we find that the learned Single Judge while dismissing the appeal had not passed any reasoned and speaking order after applying his mind and after considering the available records.
c
d 3. In this view of the matter, we set aside the impugned order and the matter is remitted back to the learned Single Judge for reconsideration of the case after giving hearing to the parties and dispose of the same after applying his mind, after passing a reasoned order in accordance with law. The impugned order is, therefore, set aside and the appeal is allowed to the extent indicated above. There will be no order as to costs.
e

(2008) 11 Supreme Court Cases 591

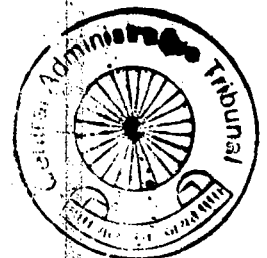
(BEFORE P.P. NAOLEKAR AND L.S. PANIA, JJ.)

- f VIDESH SANCHAR NIGAM LTD. AND ANOTHER Appellants;
Versus
AJIT KUMAR KAR AND OTHERS Respondents.

Civil Appeal No. 2338 of 2008[†], decided on April 1, 2008

- g A. Service Law — CCS (Pension) Rules, 1972 — Rr. 55-A and 33 Note 10 — Dearness allowance (DA) or dearness relief (DR) on pension — Held, such an allowance or relief is given to neutralise increased cost of living — DA or DR cannot be claimed in excess of 100% neutralisation — Government can withdraw benefit of excess payment which was mistakenly made

- h 1. (1987) 3 SCC 273 : AIR 1987 SC 1595
[†] Arising out of SLP (C) No. 1622 of 2005. From the Final Judgment and Order dated 25-11-2004 of the High Court of Calcutta in MAT No. 171 of 2002



B. Service Law — CCS (Pension) Rules, 1972 — Rr. 3(1)(o), 70(1), 55-A and 49 — Dearness relief (DR) — Held, does not form part of basic pension as defined in R. 3(1)(o) — If excess DR has been wrongly paid, it can be withdrawn — There is no vested right in continued payment of excess DR contrary to rules/instructions a

C. Service Law — Fundamental Rules — FR 44 — Held, confers power on Government to grant allowances to its employees — The allowances cannot be claimed as of right — Hence, no mandamus can be issued to Government to grant the allowance — Constitution of India — Arts. 32 and 226 — Mandamus b

D. Administrative Law — Judicial review — Grounds for judicial review — Administrative wrong — Rectification of — Held, bona fide mistake does not confer any right on any party and it can be corrected

The respondents were the Central Government employees who were absorbed in Videsh Sanchar Nigam Ltd. (VSNL) when a government department, namely, Overseas Communication Service (OCS) was converted into VSNL w.e.f. 1-4-1986. The Central Government through various orders issued from time to time, regulated pension of the employees absorbed in public sector undertakings like VSNL. The absorbed employees were given option to draw pension according to the Central Government Rules. It is therefore provided in Note 10 under Rule 33 of the CCS (Pension) Rules, 1972, that "the emoluments drawn under the autonomous body shall be treated as emoluments" for the purpose of calculating pension under the Central Government Rules. c

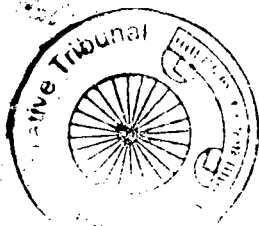
The Central Government vide its Circular dated 24-12-1992, revised the pay structure of VSNL employees according to the industrial dearness allowance (IDA) pattern. According to new pattern, basic pay and the central dearness allowance (CDA) were merged before bringing the VSNL employees to IDA pattern. d

The dispute in the present case arose due to the fact that pension of the retired employees (respondents) was determined with reference to their pay under the IDA pattern and in addition to this, they were mistakenly given dearness relief (DR) also at the Central Government rates on the pension so determined. In other words, they got double benefit of merger of dearness allowance (DA) when they came over to IDA pattern and also got the benefit of Central dearness allowance (CDA) on their pension. This was contrary to the Circular dated 24-12-1992. When VSNL realised this mistake after inter-departmental consultation, they withdrew benefit of CDA on pension from the respondents who were retired employees. e

The High Court held that the benefit of CDA could not be withdrawn. Allowing the appeal of VSNL and reversing the High Court judgment, the Supreme Court

Held:

It cannot be countenanced that the respondent retirees have any vested right to receive DR at CDA scales on the pension which was calculated as per the IDA pay scales. The payment was made for some time under a mistake and in contravention of the Government Circular dated 24-12-1992 and, therefore, the Office Order of VSNL, dated 3-9-1993 could never be considered as supporting the existing facilities or accrued right of the OCS employees absorbed in VSNL, regarding the mode of computation of their pensionary benefits. The said clarificatory order nowhere has suggested that DR of the CDA scales would be given on pension which was based on emoluments in the IDA pay scales. Thus, 9



the respondent retirees would get pensionary benefits on the basis of the Government Circular dated 24-12-1992 and not on the basis of the clarificatory office order of VSNI.. (Paras 42 and 43)

- a On account of some error or bona fide mistake, VSNI, made wrong payments of DA to the respondent retirees, calculated on the IDA pay scales and such employees were getting double benefits of DR. Employees who were getting IDA pay scales with IDA pattern of DR could not draw pension calculated on IDA emoluments with CDA pattern of DR. A bona fide mistake does not confer any right on any party and it can be corrected. Benefit of DR of the CDA scales, which has been given to the respondent retirees by mistake at the time of their retirement, is not to be given again as clarified by the Government of India from time to time and the respondent retirees are entitled to pension to be calculated on emoluments in the IDA pay scales. (Paras 45 to 47)

Railway Board v. C.R. Rangadhamaiah, (1997) 6 SCC 623 : 1997 SCC (L&S) 1527, distinguished

- c The Government of India or VSNI, have not infringed or snatched away the right of pension of the respondent retirees which had accrued to them on the basis of IDA pay scale with IDA pattern of DR either retrospectively or prospectively. The respondent retirees, therefore, cannot be held entitled to get DA twice i.e. first on CDA pay scale and then on IDA pay scale. In terms of Rule 3(1)(o) of the CCS (Pension) Rules, "pension" does not include DR and amount of pension has to be calculated as prescribed under Rule 49 thereof. DR is always related to neutralisation of the increase in cost of living and it cannot exceed 100% neutralisation. (Para 49)

- e DR is a matter of grace to the government servants and not a vested right and hence a claim against the Government for grant of such allowance at a particular rate is not justiciable. The grant of DR at such rates and subject to such conditions is the prerogative of the Central Government in terms of Rule 55-A of the CCA (Pension) Rules, 1972. Rule 44 of the Fundamental Rules for the grant of DA imposed no duty on the State to grant it and it merely confers a power on the State to grant compassionate (*sic* compensatory) allowance at its own discretion and no mandamus or any other writ or direction, therefore, should be issued to compel exercise of such a power as there is no right in the employee which is capable of being protected or enforced. Denial of dearness relief on pension in case of those retired employees of VSNI, who have drawn pay on IDA pay scales with IDA dearness relief is legal and just. (Paras 51 and 52)

State of M.P. v. G.C. Mandawar, AIR 1954 SC 493, relied on

K-M/37712/S1.

Advocates who appeared in this case :

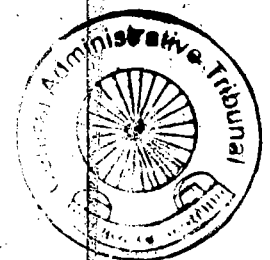
- g K.J. Presswala, Ms Asha Gopalan Nair and Ms Khooshnum R. Daviervala, Advocates, for the Appellants;
K.V. Viswanathan, Hiren Dasan, Anandajyoti Dasgupta, Dharendra Kr. Mishra and Ms Sarla Chandra, Advocates, for the Respondents.

Chronological list of cases cited

on page(s)

1. (1997) 6 SCC 623 : 1997 SCC (L&S) 1527, *Railway Board v. C.R. Rangadhamaiah* 601f, 607g, 608d, 608j
2. AIR 1954 SC 493, *State of M.P. v. G.C. Mandawar* 609c

h



The Judgment of the Court was delivered by

L.S. PANTA, J.— Leave granted.

2. This appeal by special leave is directed against the judgment and order dated 25-11-2004 passed by the High Court of Calcutta in MAT No. 171 of 2002 whereby and whereunder the order of the learned Single Judge of the High Court dated 15-10-2001 recorded in Writ Petition No. 6935 (W) of 1999 was affirmed and the appellants herein were directed to give retiral benefits to all Respondents 1 to 8-writ petitioner retirees in accordance with the Central Government Pension Scheme as opted by them in the year 1989 within a period of four weeks from the date of communication of the order.

3. Briefly stated, the facts of the case are as follows:

Respondents 1 to 8, the retirees herein were employees of the Overseas Communication Service (OCS), Department of Telecommunications of the Government of India. OCS was converted into a government company, namely, "Videsh Sanchar Nigam Limited" (VSNL) on 1-4-1986.

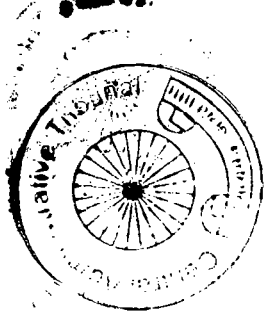
4. By Office Memorandum No. 4(8)/85-P & PW dated 13-1-1986, the Government of India settled the pensionary terms of government employees who were transferred to an autonomous body/public sector undertaking (PSU) on conversion of a Central Government department/office into an autonomous body or PSU. The relevant terms of the said circular read as under:

(a) The permanent government servants shall have an option to retain pensionary benefits available to them under government rules or be governed by the rules of the public sector undertaking/autonomous body.

(b) The government servants who opt to be governed by the pensionary benefits available under the Government shall at the time of their retirement, be entitled to pension, etc. in accordance with the Central Government Rules in force at that time.

5. The Government of India, Ministry of Communication, Sanchar Bhawan, vide another OM bearing No. G 25015/1/86-00 dated 19-3-1986 decided to set up a wholly Government-owned public sector corporation known as VSNL which was made operational from 1-4-1986. This circular reiterated that the pension and other benefits to the employees on their absorption in the Corporation will be determined in accordance with the Department of Pension and Pensioners' Welfare, OM No. 4(8)/85-P & PW dated 13-1-1986 and as amended from time to time. Later on, OM dated 13-1-1986 was amended by OM No. 4/18/87-P & PW (D), dated 5-7-1989, which provided inter alia that the employees will have an option to retain government pay scale till their promotion or retirement (whichever is earlier) or to come over to the service conditions of PSUs.

6. Circular No. HQ/01-01/89-PEM dated 11-12-1989 was issued by VSNL with a proposal to absorb individual employees in regular service with effect from 1-1-1990 and the employee concerned had to exercise his/her option of getting himself/herself absorbed in regular service of VSNL and if



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the employee concerned did not opt for absorption, his or her name will be transferred to the Surplus Staff Cell for deployment against possible vacancies in other government offices. The terms and conditions of permanent absorption of the OCS staff contained in separate formats were supplied to the employees for their information and necessary action.

7. The Government of India, Ministry of Personnel, Public Grievances and Pension (Department of Pension and Pensioners' Welfare) later on vide OM bearing No. 4/18/87-P & PW (D) dated 7-2-1990 issued clarification in the following terms:

(i) That where the employees had opted to retain pensionary benefits under the Central Government Rules, the emoluments drawn under the PSU shall be treated as emoluments for the purpose of Rule 33 of the Central Civil Services (Pension) Rules, 1972 and accordingly any emoluments drawn by the transferred employee will be taken into account for the purpose of calculation of average emoluments as per clarification given in Note 10 below Rule 33 of the Central Civil Services (Pension) Rules, 1972.

(ii) That such employees, who have specifically opted for Central Government pensionary benefits, will be entitled to the benefit of payment of pension on the emoluments drawn at the time of retirement from the PSU. It is not obligatory on the part of the transferred employees who opted for pensionary benefits as admissible under the Central Government Rules to retain government pay scales, since both issues are not related.

8. A fresh staff notice, bearing Ref. No. HQ-A/01-01/90 PEI dated 21-2-1990, was issued by VSNL by which the employees were called upon to exercise their option as to whether they wanted to retain the pensionary benefits available to them under the government rules or be governed by the rules of the PSU/autonomous body. The clarificatory information was annexed to the said notice which inter alia provided that the option to retain pensionary benefits under the Central Government Rules will mean that the employees will receive pensionary benefits (pension and gratuity) on the basis of emoluments/average emoluments drawn by the employee at the time of retirement from VSNL and in accordance with the Rules of the Central Government.

9. The Government of India vide Office Memorandum dated 24-12-1992 conveyed to VSNL the revision of the pay structure of executives (below Board level) and non-executive employees of VSNL recruited on or after 1989 to the industrial dearness pattern (IDP). This OM also provided that DA admissible to executives and non-executives would be at the rates specified in the DPE OM dated 22-1-1991 as amended from time to time. The letter in the "fitment method" would show that the basic pay plus Central DA was merged in the basic pay to be fixed in the appropriate stage of the IDA pattern scale of pay and it was also clarified that the total emoluments would be drawn by VSNL employees in the government scale of pay and DA pattern



as on 2-1-1990 and, accordingly, the pay scales of non-executive employees of VSNL were changed over to IDA pay scale in May 1993 with retrospective effect from 2-1-1990.

10. VSNL, vide Office Order No. HQ-A/01-04/91-PE1 dated 3-9-1993 in reply to the clarifications sought for by its centres/units as to whether the pay drawn on IDA scales could be treated as emoluments for the purpose of calculation of pension in respect of employees who opted to retain pensionary benefits available to them in terms of the Government of India Rules but have changed over to the IDA pattern of pay scales. It was clarified in a letter dated 3-9-1993 with reference to OM dated 5-7-1989 that in respect of those employees who have changed over to IDA pattern of pay scales with effect from 2-1-1990, emoluments for the purpose of calculation of pension and other terminal benefits shall be the treated emoluments drawn by them in IDA scale at the time of retirement/resignation/death from the Company. This order stated that pension and other terminal benefits in the above case shall be calculated in accordance with the Rules of the Central Government in that behalf. The order further clarified: "Admissible dearness relief shall also be allowed on the pension so arrived at as per the existing Central Government Rules."

11. On 18-10-1995 VSNL, vide its Reference No. HQ-A/01-04/91-PE1, issued office order in terms of OM No. 4/18/87-P & PW(D) dated 7-2-1990 of the Ministry of Personnel, Public Grievances and Pension (DP & PW) notifying mode of settlement of pensioners' benefits in case of the employees who opted for government pension on superannuation at the time of absorption in the Company and thereafter VSNL by Office Order dated 19-12-1995 carried out modifications in Para 2(A) of the earlier Office Order dated 18-10-1995. The modified para reads as under:

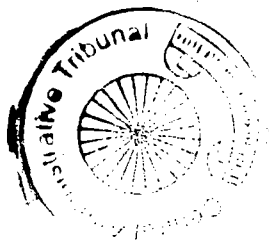
"A. Employees who retired prior to 1-1-1992 shall have the following alternatives for regulation of their pension:

(i) To draw pension on eligible CDA pay with admissible dearness relief as per the existing Central Government Rules.

(ii) To draw pension, last IDA pay (emoluments for purposes of calculation of pension shall comprise basic pay, personal pay, if any) with admissible DA notified by the Government for employees of public sector undertakings."

12. The modification so recorded was a one-time exercise for choosing the alternative for settlement of pension and the pensioners shall be (*sic* were) required to submit their consent to the regional heads by 15-1-1996 in a prescribed format giving choice of either of the alternatives.

13. The Assistant General Manager (P) sent a letter dated 19-12-1995 to Shri Nikhileshwar Das, Secretary, VSNL Retired Employees Association, in regard to the alternatives being provided to employees who retired prior to 1-1-1992 so as to bring to their notice to choose either CDA pay with Central dearness relief or IDA pay with admissible DA notified by the Government of India for the employees of PSUs.



14. The Ministry of Personnel, Public Grievances and Pension (Department of Pension and Pensioners' Welfare) vide its Office Memorandum No. 4/16/90-P & PW (D), clearly stated that all those transferred employees on the establishment of VSNI, who received IDA pay scales prior to their retirement, their emoluments for the purpose of pension shall be calculated based on the emoluments drawn in the IDA pay scales, but, they will not be entitled to the payment of DR on pension at Central Government rates as the Department of Public Enterprises had prescribed a separate DR table in respect of such transferred employees and, therefore, DR on pension in respect of VSNI retirees shall be regulated as per the orders issued by the Department of Public Enterprises from time to time.

15. It appears that the Director, Ministry of Personnel, Public Grievances and Pension (Department of Pension and Pensioners' Welfare) vide its OM No. 4/3/07-P & PW (D) requested the Department of Communications to examine the grievances of the absorbees, in accordance with the rules and instructions so that the absorbees who had opted for retention of the Central Government pensionary benefits on their absorption on the establishment of VSNI, could get their retiral benefits, gratuity and commutation of pension and secondly, to examine the anomalies highlighted by the Association of Retired Employees of VSNI, in consultation with the Department of Public Enterprises.

16. The Department of Telecommunications in reply to the representation dated 23-8-1998 of the Secretary of VSNI's Retired Employees Association, in its notification states:

"(i) Pension in IDA pay scale with IDA relief

- Having changed over to IDA pattern of pay scales as per the government instructions, it is obvious that employees who opted for government pension should be paid in the applicable IDA pattern of pay scales with IDA relief.

(ii) Revision of pension — Rule 70

- It is clarified that it is not a revision of pension but change of pension from CDA to IDA pattern of pay scales as per the government decision. The revision in IDA pattern of pay scales is due from 1-1-1997 and pension shall also be revised."

17. Respondents 1 to 8, who are the retired VSNI employees, filed WP No. 6935 (W) of 1999 before the High Court of Calcutta on 19-4-1999 seeking inter alia the following reliefs:

- (a) a writ in the nature of mandamus directing VSNI and the Union of India to rescind or revoke the impugned decisions and orders contained in the Office Orders/Memoranda dated 18-10-1995 (Annexure P-11); 19-12-1995 (Annexure P-12); 22-11-1996 (Annexure P-14); 5-5-1998 (Annexure P-16); 28-5-1998 and 12-11-1998 (Annexure P-17);
- (b) to pay to the petitioners their pensionary benefits on the basis of the appellants' decisions contained in Memoranda and/or Office Orders dated 13-1-1986 (Annexure P-1); 19-3-1986 (Annexure P-2);



30-10-1986; 5-7-1989 (Annexure P-4); 11-12-1989 (Annexure P-6); 7-2-1990 (Annexure P-8); 21-2-1990 (Annexure P-9) and 3-9-1993 (Annexure P-10);

(c) to make payments of arrears of pensionary benefits after calculating average emoluments on the last pay drawn in the revised pay scale of 1992 and other subsequent revised pay scales with the dearness relief calculated at the rate or rates prescribed by the Central Government for the Central Government emoluments;

(d) to make payments of the withheld amount of gratuity and commuted value of pension; and to make all such payments with compound interest at the minimum rate of 18% per annum from the date or dates such amounts became due and payable till (which should be forthwith) the date the same are actually paid.

18. In the writ petition, VSNI. and the Union of India were made party-respondents. Affidavit-in-opposition to the writ petition has been filed by a senior officer of VSNI. Respondents 1 to 8 retirees filed rejoinder and VSNI. filed supplementary affidavit-in-opposition to the rejoinder of Respondents 1 to 8 retirees. The learned Single Judge of the High Court allowed the writ petition and granted the abovesaid reliefs.

19. The appellants then preferred an appeal before the Division Bench of the High Court which dismissed the same by judgment and order dated 24-11-2004 impugned by the appellants in this appeal by way of special leave before us.

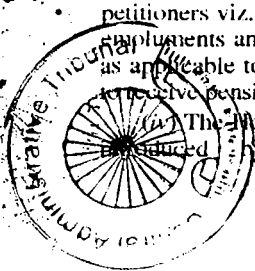
20. We have heard learned counsel for the parties and perused the material on record. The appellants have challenged the correctness and validity of the impugned judgment and order of the High Court inter alia on the following grounds:

(i) The Hon'ble High Court failed to appreciate that in service jurisprudence, dearness relief (DR) in a particular pay scale complements the basic pay of the pay scale and is designed to compensate the cost of living while the basic pay/pension remains steady so that an employee/retired employee is protected against fluctuation in the cost of living index;

(ii) The Hon'ble High Court failed to appreciate that the basic purpose of the DR is neutralisation of the increase in cost of living and it cannot exceed 100% neutralisation. The impugned order would result in a wrongful gain to Respondents 1 to 8 retirees far in excess of 100% neutralisation;

(iii) The Hon'ble Court failed to appreciate that the original petitioners viz. Respondents 2, 3, 5, 6 and 7 herein were retired on CDA emoluments and they were drawing pension on CDA pay scale with DR as applicable to CDA pay scale and therefore, they have no vested right to receive pension as per IDA pay scale which would be much higher;

(iv) The Hon'ble Court failed to appreciate that IDA pay scales were introduced by VSNI. pursuant to Government Letter No.



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a G-12013/1/91-OC dated 24-12-1992 with retrospective effect in respect of employees who were on the roll of the Company as on 2-1-1990 and the same was implemented for non-executive employees in May 1993 with retrospective effect from 2-1-1990 and for executive employees in December 1993 with retrospective effect from 2-1-1990. Respondents 1, 4, 8 and other employees who retired after May 1993 and December 1993 (when the changeover to the IDA scale was implemented for non-executive employees and executive employees respectively) had in fact started drawing pay on the IDA scales of pay and dearness allowance (DA) as notified by the Government for employees of public sector undertakings. Therefore, there was no question to Respondents 1 to 8 retirees having claimed vested right to draw DR as per the existing Central Government Rules when they accepted their pension not as per the Central Government Rules and CDA pay scales, but as per IDA pay scales which were much higher in view of the fact that IDA pay scales were arrived at by merger of CDA pay scales and DR;

b (i) The Hon'ble Court failed to appreciate that if it could be stated that Respondents 1 to 8 retirees have vested right to receive DR as per the Central Government Rules, then they did not have any vested right to receive pension as per IDA pay scale;

d (ii) The Hon'ble Court failed to appreciate that Respondents 1 to 8 retirees were approbating and reprobating at the same time inasmuch as when it came to the payment of pension as per IDA pay scale, although the same was introduced retrospectively much after their retirement, the same was acceptable to them whereas DR as notified by the Government for employees of PSUs was not acceptable to them on the ground that it was taking away their vested right to receive DA/DR;

e (iii) The Hon'ble Court failed to appreciate that the impugned order would result in adverse discrimination to other employees of VSNI, who retired subsequently inasmuch as the subsequent retirees would get pension at the IDA pay scale and DR as notified by the Government for PSU employees whereas Respondents 1 to 8 retirees would get that pension as per CDA scale and at the same time they would get DR as per the Central Government Rules, which was also much larger than the DR as notified by the Government for employees of PSUs on IDA scale.

f 21. We may note at this stage that the respondent retirees despite service of notice have chosen not to file any counter to the special leave petition or the appeal before this Court. Having heard Mr K.J. Presswala, learned counsel for the appellants and Mr K.V. Viswanathan, learned counsel for the respondent retirees this Court on 17-1-2008 recorded the following order:

g "The parties are permitted to file affidavit explaining Clause 3 of the Circular dated 24-12-1992 of the Government of India, Department of Telecommunications, Sanchar Bhavan, 20 Ashok Road, New Delhi within the period of one week and the counter-affidavit a week thereafter."

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22. Mr Vivek D. Dhule, Senior Manager (HR) of appellant VSNI., pursuant to the abovesaid order filed an affidavit, inter alia, which states as under:

"1. That in order to ascertain the meaning of Clause 3 of the Circular dated 24-12-1992 I saw my own fixation of pay in the IDA scale as on 2-1-1990.

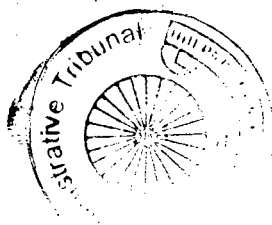
2. In fixation of the said pay, my basic pay (CDA) on 2-1-1990 of Rs 1260 was taken and clubbed with my CDA dearness allowance relief of Rs 479 making the total existing CDA emoluments of Rs 1739 (Rupees one thousand seven hundred thirty-nine only). From this amount, an amount of industrial dearness allowance and fixed dearness allowance (IDA) of Rs 325.75 (Rupees three hundred twenty-five and paise seventy-five only) and Rs 101.60 (Rupees one hundred one and paise sixty only) respectively i.e. Rs 427.35 (Rupees four hundred twenty-seven and paise thirty-five only) was deducted and the amount for fixation was arrived at Rs 1311.65 (Rupees one thousand three hundred eleven and paise sixty-five only) and I was fitted in the pay scale of Rs 1321 (Rupees one thousand three hundred twenty-one only) (basic pay). On this salary, industrial dearness allowance of Rs 325.75 (Rupees three hundred twenty-five and paise seventy-five only) plus fixed dearness allowance of Rs 101.60 (Rupees one hundred one and paise sixty only) was added and my total pay became Rs 1748.35 (Rupees one thousand seven hundred forty-eight and paise thirty-five only).

3. This shows how the said circular was implemented.

4. In the subsequent revision i.e. in 1992 the basic pay and dearness allowance were merged, resulting in larger basic pay and lower IDA dearness allowance while the CDA dearness allowance remained much larger as the CDA basic pay was much smaller."

23. Mr Ajit Kumar Kar, Respondent 1 herein, in reply to the affidavit of the Senior Manager (HR) dated 22-2-2008 filed an affidavit, inter alia, stating in Para 5:

"... I state that the calculations given as per the pay scale of the deponent clearly show that there was no sharp rise and/or increase in the basic pay as a result of merger with Central DA. The same calculation shows that not the entire DA but only a fraction of it (arrived at after deducting the IDA plus FIDA from it) was merged with the basic pay. Before the merger, the basic pay was Rs 1260. The Central DA being 38% of the basic pay as on 1-1-1990, the amount comes to Rs 478.80 rounded to Rs 479 in the said affidavit. From this, an amount of industrial DA (Rs 325.75) plus fixed DA (Rs 101.60), total being Rs 427.35 was deducted bringing down the Central DA to Rs 51.65. The mode of calculation was same for all the transferred erstwhile OCS employees and the resulting meagre increase in the basic pay after the above deductions as per Clause 3 does not speak of any double benefit. Thus, it clearly shows that not the entire DA but only 10.78% of it was



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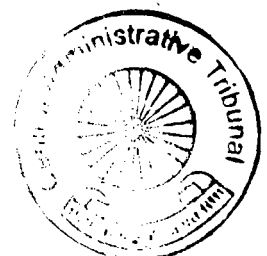
a merged with the basic pay making it Rs 1311.65 and as per the fitment method, the said amount was fitted in the next higher scale resulting in Rs 1321 being the PSU basic pay and CDA was abolished. No option was offered to the transferred erstwhile OCS employees to retain CDA pay and it was only after retirement of all the private respondents, the appellate authority came up with the theory that Central DA will be given only on CDA pay although there was no existence of CDA pay."

b 24. It is further stated that in Para 6 of the affidavit, the calculations given by the appellant authority show that by implementing the Circular dated 24-12-1992 no "double benefit" was given to any of the transferred employees because the Central DA was drastically reduced by about 89% to 90% before it was merged with the Central basic pay. He denied and disputed the statement made in the affidavit of Shri Vivek D. Dhule that "in the subsequent revision i.e. in 1992 the basic pay and dearness allowance were merged resulting in larger basic pay and lower industrial dearness allowance while the CDA dearness allowance remained much larger as the CDA basic pay was much smaller" as the same is not supported by any circular or office memo. Finally, he supported the judgment and order of the High Court and prayed for the grant of withheld pay, gratuity and arrears of pensionary benefits to the respondent retirees.

d 25. The learned counsel for the respondent retirees on the basis of the available record contended before us that the reasons given by the learned Single Judge as well as by the Division Bench of the High Court for granting relief to the respondent retirees are based upon proper appreciation of the various office memoranda issued by VSNI, and the Union of India from time to time relating to the subject-matter in issue. It has, however, been e contended that pension being a right (and not a bounty) available to retired employees and DR being a part of pension, right to receive the same could not have been denied merely because the incumbent opted for IDA pay scale. In support of the submission, reliance has been placed upon a decision of this Court in *Railway Board v. C.R. Rangadhamiah*¹. The learned counsel also f submitted that in the facts and circumstances of the case, this Court shall not be obliged to interfere in the well-merited judgment of the High Court which does not suffer from any infirmity or perversity.

g 26. We have given our anxious considerations to the pleadings, the reasonings recorded and the view taken by the High Court in the impugned order and the contentions put forth before us by the learned counsel for the parties. We are afraid that we cannot subscribe to the view expressed by the High Court while construing the expression of DR as of right accrued to the respondent retirees.

h 27. It is not in dispute that the respondent retirees along with other employees of OCS of the Department of Telecommunications of the Government of India were transferred to the service of VSNI, on its formation with effect from 1-4-1986. By Office Memorandum No. 4(8)/85-P



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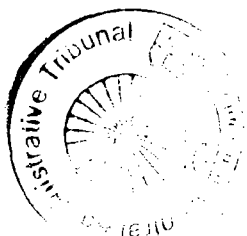
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& PW dated 13-1-1986, Government of India, Ministry of Personnel, Public Grievances and Pension (Department of Pension and Pensioners' Welfare), settled the pensionary benefits of the government employees who were transferred to autonomous organisations/PSUs consequent to the conversion of government department/office into an autonomous body or PSU. The terms of the said circular clearly stated that the permanent government servants shall have an option to retain the pensionary benefits available to them under the government rules or be governed by the rules of the PSUs/autonomous body and the government servants who opted to be governed by the rules of the autonomous body or PSU shall become entitled to the pensionary benefits in accordance with the rules of the autonomous body or PSUs from the day of their transfer from the service of the Government.

28. Based on this circular, another OM No. G-12015/1/86-00 dated 19-3-1986 was issued by the Government of India, Ministry of Communications, in which it was reiterated in Clause 8 that the pensionary and other retiral benefits to the employees on their absorption in the Corporation i.e. VSNI, will be determined in accordance with the Department of Pension and Pensioners' Welfare OM No. 4(8)/85-P & PW dated 13-1-1986 and as amended from time to time. In partial modification of OM No. 4(8)/85-P & PW dated 13-1-1986 and OM of even number dated 30-10-1986 on the subject of settlement of pensionary terms, etc. in respect of government employees transferred en masse to Central public sector undertakings/Central autonomous bodies, Government of India, Ministry of Personnel, Public Grievances and Pension (Department of Pension and Pensioners' Welfare) vide its OM No. 4/18/87-P & PW (1) dated 5-7-1989 lays down certain terms and conditions which will be applicable to the transferees. The material and relevant terms are that the permanent government servants shall have an option to retain the pensionary benefits available to them under the government rules or be governed by the rules of the PSUs/autonomous body. The government servants, who opted to be governed by the pensionary benefits available under the Government, shall at the time of their retirement be entitled to pension, etc. in accordance with the Central Government Rules in force at that time.

29. On 11-12-1989, VSNI issued an office memorandum to its employees asking their choice of absorption in the regular service of VSNI. Along with the said memorandum, a format was supplied which contained terms and conditions of permanent absorption of the erstwhile OCS staff in the service of VSNI. One of the terms relating to pensionary benefits was that the permanent government servants shall have an option to retain pensionary benefits available to them under the government rules or be governed by the Rules of VSNI. The option was also made available to quasi-permanent and temporary employees after they have been confirmed in VSNI.

30. The Government of India, Ministry of Personnel, Public Grievances and Pension (Department of Pension and Pensioners' Welfare) vide Office Memorandum dated 7-2-1990 in reply to the Department of



Telecommunications OM No. A-13016/1/188-O.C. dated 22-1-1990 issued a clarification relating to the settlement of pensionary terms, etc. in respect of erstwhile OCS employees who were absorbed in VSNI. In terms of this OM, it was clarified very specifically that where the employees had opted to retain the pensionary benefits under the Central Government Rules, the emoluments drawn under the PSUs shall be treated as emoluments for the purpose of Rule 33 of the Central Civil Services (Pension) Rules, 1972 and, accordingly, any emolument drawn by the transferred employee will be taken into account for the purposes of calculation of average emoluments as per the clarification given in Note 10 below Rule 33 of the CCS (Pension) Rules and it was stated that such employees who had specifically opted for Central Government pensionary benefits will be entitled to the benefit of payment of pension based on the emoluments drawn at the time of retirement from the PSU.

31. Before proceeding further to deal with the matter, we think it appropriate to refer to the relevant provision of the CCS (Pension) Rules, 1972. Rule 3(c) of the CCS (Pension) Rules defines "emoluments" to mean emoluments as defined under Rule 33. Rule 33 of the CCS (Pension) Rules deals with emoluments and reads as under:

"33. *Emoluments.*—The expression 'emoluments' means basic pay as defined in Rule 9(21)(a)(i) of the Fundamental Rules which a government servant was receiving immediately before his retirement or on the date of his death, and also includes non-practising allowance granted to medical officers in lieu of private practice."

Note 10 below Rule 33 provides:

"Note 10. —When a government servant has been transferred to an autonomous body consequent on the conversion of a department of the Government into such a body and the government servant so transferred opts to retain the pensionary benefits under the rules of the Government, the emoluments drawn under the autonomous body shall be treated as emoluments for the purpose of this Rule."

32. Dearness relief is defined under Rule 3(1)(cc) of the CCS (Pension) Rules to mean relief as defined in Rule 55-A. Rule 55-A deals with dearness relief on pension/family pension. It provides:

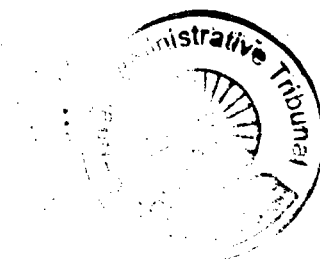
"55-A. Relief against price rise may be granted to the pensioners in the form of dearness relief at such rates and subject to such conditions as the Central Government may specify from time to time."

33. Rule 9(21)(a) of the Fundamental Rules defines "pay" to mean the amount drawn monthly by a government servant as

"9. (21)(a)(i) the pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre, and

(ii) overseas pay, special pay and personal pay, and

(iii) any other emoluments which may be specially classed as pay by the President."



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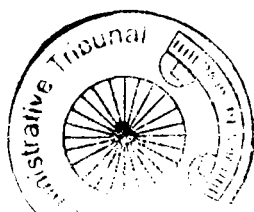
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34. Fresh Staff Notice bearing No. HQ-A/01-01/90-PEI dated 21-2-1990 came to be issued by VSNI, to all the permanent employees in government service whose services had been transferred to VSNI from OCS and who had opted for absorption in VSNI, calling upon them to exercise their option in terms of sub-para (a) of the Department of Pension and Pensioners' Welfare OM No. 4/18/87-P & PW dated 5-7-1989 which was placed on record of the High Court as Annexure P-4 along with a clarificatory information which inter alia provided that the option to retain pensionary benefits under the Central Government Rules will mean that the employees will receive pensionary benefits (pension and gratuity) on the basis of emoluments/average emoluments drawn by the employees at the time of retirement from VSNI, and in accordance with the Rules of the Central Government. In short, it was clarified that when the employee of VSNI, will retire from the Nigam, he shall retire with pensionary benefits as if he had retired from Central Government service.

35. Along with the clarificatory information three formats in the form of Model (1), Model (2) and Model (3) were annexed requesting VSNI, employees either to retain pensionary benefits under the government rules or retirement benefits of the Company by exercising their options as enumerated in either of the model forms.

36. It appears from the record that vide Order dated 24-11-1996, the Government of India conveyed its approval to the revision of pay structure of executive employees and non-executive employees of VSNI, who were recruited on or after 1-1-1989, to the IDA pattern. This order also provided that DA admissible to executives and non-executives will be at the rates specified by the Department of Public Enterprises in their OM dated 22-1-1991 as amended from time to time. The letter in the "fitment method" would show that the basic pay plus Central DA has been merged in the basic pay fixed in the appropriate stage of the IDA pattern scale of pay. It was specifically clarified in the said letter that the total emoluments drawn by VSNI, employees in the Central Government scale of pay and DA pattern as on 2-1-1990 would stand protected and their pay would be fixed as clarified in the said order. Further, it was also specifically provided that after 2-1-1990 the employees of VSNI, would draw increments and DA as per IDA pattern. Based on this direction from the Government of India, Department of Telecommunications, the pay scale of non-executives of VSNI, was changed over to IDA pay scale in May 1993 with retrospective effect from 2-1-1990 and for executives in December 1993 with retrospective effect from 2-1-1990. The respondent retirees who were the petitioners before the High Court have also relied upon the said letter dated 24-12-1992 in Para 28 of the writ petition.

37. Again, VSNI, issued Office Order bearing No. HA-A/01-04/91-PEI dated 3-9-1993 in reply to clarification sought for by its centres/units as to whether pay drawn under IDA pattern could be treated as emoluments for the



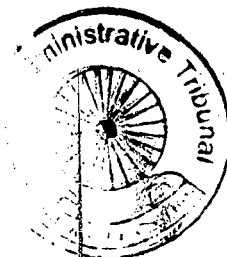
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- purpose of calculation of pension and other terminal benefits on or after 2-1-1990 in respect of employees who opted to retain pensionary benefits available to them in terms of the Government of India Rules and also for changeover to the IDA pattern of pay scale. In accordance with OM dated 5-7-1989 issued by the Ministry of Personnel, Public Grievances and Pension (Department of Pension and Pensioners' Welfare) being Annexure P-4, it was clarified that in respect of those employees who had changed over to IDA pattern of pay scale with effect from 2-1-1990 emoluments for the purposes of calculation of pension and other terminal benefits shall be the emoluments drawn by them in the IDA scales at the time of their retirement/resignation/death, etc. from the Company. The said order also prescribed that the pension and other terminal benefits in the above case shall be calculated in accordance with the Rules of the Central Government in that behalf. It further stated that "admissible dearness relief" (ADR) shall also be allowed thereupon so arrived at as per the existing Central Government Rules. The respondent retirees pleaded in the High Court the clarificatory order as existing facility and accrued right and the mode of computation of pensionary benefits to the OCS employees who were absorbed in VSNI.

38. The letter dated 3-9-1993 (Annexure P-10) was a simple internal clarificatory circular exchanged between VSNI and its centres/units and in no circumstances the terms and conditions contained in the said letter could have been treated as a mode of computation of pensionary benefits of VSNI employees. When the clarificatory order stated: "Admissible Dearness Relief shall also be allowed on the pension so arrived at as per existing Central Government Rules", the words "so arrived at" have to be read and construed to be on the basis of the emoluments drawn in the IDA pay scales and nothing more or nothing less. It appears that due to some uncertainty on the part of VSNI for some period pension was paid on emoluments arrived at as per the IDA pay scales and DR accrued on IDA pay scale was wrongly given as per the CDA scales. This method of calculation was totally contrary to and inconsistent with the Government Circular dated 24-12-1992 which was referred to and relied upon by the respondent retirees themselves in Para 28 of the writ petition and, therefore, the payment of pension made under bona fide mistake would, under no circumstances, be viewed and treated as vested right of VSNI employees who were drawing pay in IDA scales.

39. On realising the mistake at the time when the revision of IDA pay scales was to be implemented in October 1995 with effect from 1-1-1992 by merger of IDA pay scales and IDA DR, VSNI issued its order bearing Reference No. HQ-A-01-04/91-PI:1 dated 19-12-1995. The Government of India, Ministry of Personnel, Public Grievances and Pension (Department of Pension and Pensioners' Welfare), New Delhi vide OM No. 4/16/90-P & PW dated 22-11-1996 clearly clarified that the Central Government employees who opted for retention of Central Government pensionary benefits on absorption in PSUs/autonomous body as a result of efforts of government



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departments as such, were entitled to the payment of pension based on the emoluments drawn by them in PSUs.

40. In this connection reference to Note 10 below Rule 33, CCS (Pension) Rules, as extracted in the earlier part of this judgment was also made. As per this office memorandum, earlier clarification has been repeated and reasserted that in the case of transferred employees of VSNI, who were drawing IDA pay scales prior to their retirement, the emoluments for the purpose of pension shall be calculated on the basis of emoluments drawn in the IDA pay scales. It was also categorically stated that such employees shall not be entitled to the payment of DR on pension at Central Government rates.

41. The Department of Public Enterprises has prescribed a separate DR table in respect of such transferred employees and, therefore, DR on pension in respect of VSNI, retirees shall be regulated by the orders issued by the Department of Public Enterprises from time to time.

42. In these circumstances, it cannot be countenanced that the respondent retirees have any vested right to receive DR at CDA scales on the pension which was calculated as per the IDA pay scales. The payment, as we have pointed out earlier, was made for some time under a mistake and in contravention of the Government Letter dated 24-12-1992 and, therefore, the Office Order of VSNI, dated 3-9-1993 could never be considered as supporting the existing facilities or accrued right of the OCS employees absorbed in VSNI, regarding the mode of computation of their pensionary benefits as held by the High Court.

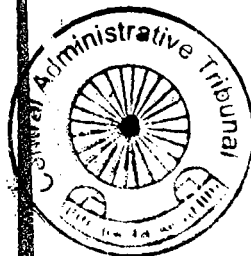
43. The said clarificatory order nowhere has suggested that DR of the CDA scales would be given on pension which was based on emoluments in the IDA pay scales. Thus, the respondent retirees would get pensionary benefits on the basis of the Government Circular dated 24-12-1992 and not on the basis of clarificatory office order of VSNI..

44. Respondents 1, 4 and 8 (except Respondents 2, 3, 5, 6 and 7) prior to their retirement were drawing pay in the IDA scale of pay with the ADR of the IDA pay scales and therefore, pension could only be calculated on IDA pay scales with IDA pattern of DR and not on DR of CDA scales of pay. Moreover, the pensionary benefits i.e. pension as well as gratuity of the respondent retirees, were not finally settled till as late as 25-3-1997 as was evident from the OM bearing Reference No. 4/3/07-P & PW (10) dated 25-3-1997 (Annexure P-15) issued by the Government of India, Ministry of Personnel, Public Grievances and Pension to the Department of Telecommunications with a copy to Shri A.K. Kar, Secretary, VSNI Retired Employees' Association (Respondent 1 herein) which would clearly show that there was delay in releasing the terminal benefits of the employees of VSNI, because of some doubts and confusions raised by some centres/units of VSNI, and such doubts were finally settled by the Government of India, Ministry of Personnel, Public Grievances and Pension vide their OM dated 22-11-1996 (Annexure P-14).



45. In the facts and circumstances of the case, we are of the opinion that the clarification given by the Government of India in its OM dated 22-11-1996 (Annexure P-14) in clear and unambiguous terms stated that the employees of VSNI, who were drawing the IDA pay scales with the ADR under the IDA pay scales were entitled to pensionary benefits only on the basis of IDA pay scales as IDA pay scales with IDA pattern of DR were already taken into account for pension and other benefits at the time of retirement of such employees of VSNI. It appears from the various communications exchanged between the Government of India and VSNI, referred to earlier that due to some error or bona fide mistake, VSNI made wrong payments of DA to the respondent retirees calculated on the IDA pay scales and such employees were getting double benefits of DR. Employees who were getting IDA pay scales with IDA pattern of DR could not draw pension calculated on IDA emoluments with CDA pattern of DR.
46. It is well settled that a bona fide mistake does not confer any right on any party and it can be corrected. VSNI vide subsequent Office Order bearing Ref. No. HQ-A/01-04/91-PE1 dated 18-10-1995 had rectified its mistake appearing in earlier order dated 3-9-1993 and the said office order was again modified by another Office Order bearing No. HQ-8A/01-04/91-PE1 dated 19-12-1995 by which Para 2(A) of the Office Order dated 18-10-1995 was modified to the extent as stated in the earlier part of this judgment. The modified order was a one-time exercise for choosing the alternatives of settlement of pension and the pensioners were required to submit their consent to the regional heads in a prescribed format by 15-1-1996. The Government of India, Ministry of Personnel, Public Grievances and Pension (DP & PW), New Delhi, issued OM dated 22-11-1996 (Annexure P-14) which is the nodal department of the Government of India for taking policy decisions on pensionary matters sent clarificatory order, a copy thereof was sent to the Ministry of Telecommunications, Department of Communications, dealing with the subject of payment of pension to the employees of erstwhile OCS who were absorbed in VSNI.
47. In view of the above, we are of the opinion that the benefit of DR of the CDA scales, which had been given to the respondent retirees by mistake at the time of their retirement, is not to be given again as clarified by the Government of India from time to time in their various office memoranda referred to above and the respondent retirees are entitled to pension to be calculated on emoluments in the IDA pay scales.
48. The ratio of the decision cited at Bar in *Railway Board v. C.R. Rengadhamaiah*¹ is of no assistance to the respondent retirees in the facts and circumstances of the present case. In that case, the respondents were railway employees belonging to the category of running staff (retired from service after 1-9-1973 and before 5-12-1998) and their pensionary benefits were to be calculated on the basis of "average emoluments" as defined in

¹ (1997) 6 SCC 623; 1997 SCC (L&S) 1527



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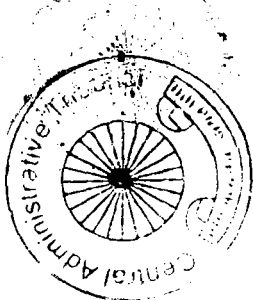
SUPREME COURT CASES

(2008) 11 SCC

Rule 2544 of the Indian Railway Establishment Code. The "running allowance" up to maximum of 75% was taken as part of average emoluments for determination of their pension and gratuity. When the pay scales of railway employees were revised w.e.f. 1-1-1973 under the Railway Services (Revised Pay) Rules, 1973, the Railway Board by its letter dated 21-1-1974 intimated that existing percentage of running allowance would continue for the time being, though it was under revision. In a subsequent letter dated 22-3-1976, the percentage was reduced to 45% retrospectively w.e.f. 1-4-1976 which order was quashed by the Central Administrative Tribunal in some other case. The Railway Board did not challenge the validity of the said order of the Tribunal, but it issued two statutory notifications dated 5-12-1988, in which the percentage was reduced to 45% retrospectively w.e.f. 1-1-1973 and to 55% retrospectively w.e.f. 1-4-1979. The argument on behalf of the Railway Board before this Court was that the total amount of pension already being paid to the respondents did not get reduced on account of the impugned notifications. The argument was based on the premise that the respondents had not yet been paid pension by taking into account maximum limit of 75% of "running allowance" on revised pay scale applicable from 1-1-1973. Rejecting this argument, this Court¹ held that pension was payable to the respondents after their retirement. They were no longer in service on the date when the impugned notifications were issued. The amendments in the Rules were not restricted in their application in futuro but apply to employees who had already retired and were no longer in service on the date the impugned notifications were issued. It was observed that pension was determined on the basis of emoluments payable at the time of retirement (Rule 2301). It was held that the impugned amendments took away the right of the employees to have their pension computed on the basis of their average emoluments in accordance with the provisions applicable at the time of their retirement. The amount of pension payable to the respondents in accordance with the rules which were in force at the time of their retirement had been reduced. In such circumstances, this Court¹ held that retrospective amendment of statutory rule, adversely affecting pension of employees who already stood retired on the date of the notification was invalid. A retrospective reduction of the pension was held not permissible under law.

49. In the present case, on the basis of the abovenoted various office memoranda relating to the subject-matter of pension, the Government of India or VSNL have not infringed or snatched away the right of pension of the respondent retirees which had accrued to them on the basis of IDA pay scale with IDA pattern of DR either retrospectively or prospectively. The respondent retirees, therefore, cannot be held entitled to get DA twice i.e. first on CDA pay scale and then on IDA pay scale. In terms of Rule 31(a) of the CCS (Pension) Rules, "pension" does not include DR and amount of

¹ *Railway Board v. C.R. Rangadhamaiah*, (1997) 6 SCC 623; 1997 SCC (L&S) 1527



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a pension has to be calculated as prescribed under Rule 49 thereof. It is well known that DR is always related to neutralisation of the increase in cost of living and it cannot exceed 100% neutralisation. Therefore, the impugned order of the High Court would result in granting to the respondent retirees benefits in excess of 100% neutralisation of the increase in cost of living.

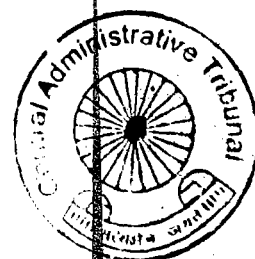
b 50. Respondents 1, 4 and 8 and other employees who retired after May 1993 and December 1993 respectively when the changeover to the IDA scale was implemented for non-executive employees and executive employees retrospectively, had in fact started drawing pay in the IDA scales and DA in accordance with the orders of the Government of India issued from time to time to all PSUs/autonomous bodies. Therefore, no question arose for the respondent retirees claiming a vested right to draw DR as per existing pay scales which was much higher in view of the fact that IDA pay scales were arrived at by merger of CDA pay scales and DR.

c 51. It is well settled that DR is a matter of grace to the government servants and not a vested right and hence a claim against the Government for the grant of such allowance at a particular rate is not justiciable. The grant of DR at such rates and subject to such conditions is the prerogative of the Central Government in terms of Rule 55-A of the CCA (Pension) Rules, 1972. Rule 44 of the Fundamental Rules for the grant of DA imposed no duty on the State to grant it and it merely confers a power on the State to grant compassionate allowance at its own discretion and no mandamus or any other writ or direction, therefore, should be issued to compel the exercise of such a power as there is no right in the employee which is capable of being protected or enforced. (See *State of M.P. v. G.C. Mandwar*².)

d 52. In this view of the matter, our conclusion on the question of denial of dearness relief on pension in case of those retired employees of VSNL who have drawn pay on IDA pay scales with IDA dearness relief is legal and just. Therefore, the view taken by the High Court in this regard cannot be sustained. In the result, this appeal is allowed and the order of the Division Bench in MAT No. 171 of 2002 dated 25-11-2004 affirming the order recorded by the learned Single Judge in CWP No. 6935 (W) of 1999 dated 15-10-2001 shall stand set aside. We direct dismissal of the writ petition. We make it clear that if any pensionary benefits have been given to respondent retirees or to any similarly situated persons of VSNL at the time of mistaken calculation of the pensionary benefits or in compliance with the order of the High Court, such benefits shall not be recovered from them.

g 53. However, in the facts and circumstances of the case, there shall be no order as to costs.

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ANNEXURE A-53

Exhibit P2

**BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA/180/00 ³⁴⁶ /2018

All India BSNL Pensioners' Welfare Association

& another

Applicants

V.

Union of India & others

Respondents

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Dated this the th day of April 2018

R. Greeraj

Counsel for the Applicant

For the use in the Tribunal Office:

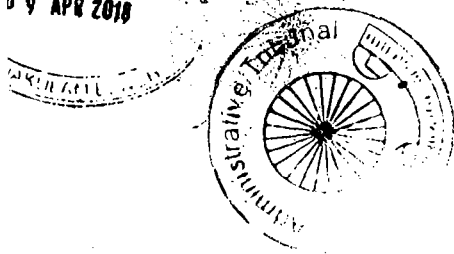
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Date of receipt by post

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Signature of the Registrar

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BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA/180/00 ^{sub} /2018

All India BSNL Pensioners' Welfare Association
& another

Applicants

V.

Union of India & others

Respondents

SYNOPSIS

With the advent of the OM dated 12.5.2017, bringing parity in pension between Pre-2016 and Post-2016 pensioners, in effect, the pension formula of 50% of the last pay drawn or 50% of the last 10 months average pay which ever is more advantageous, became applicable to the Pre-2006 pensioners as well. Grievance of the applicants is that despite the existence of the agreement and the Gazette Notification dated 30.9.2000 and more importantly Explanation to Sub Rule 8 of Rule 37-A of CCS (Pension) Rules, 1972 which ensures DoT absorbed BSNL pensioners equal treatment as that of Central Government pensioners, the benefit of Annexure A-5 OM is not being extended to them. This results in an invidious discrimination and an unreasonable classification. It is against this denial of equality, illegal classification and invidious discrimination that this Original Application is filed.

R. Sreeraj
Counsel for the Applicants



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BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA/180/00 ³⁴⁶ /2018

APPLICANT

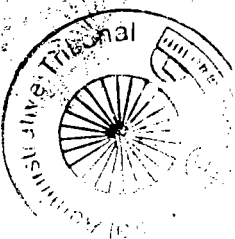
1. All India BSNL Pensioners' Welfare Association (Regd. 1833/09), Central Headquarters, AH 189/61, 3rd Street, Auroville Flats, Anna Nagar, Chennai-600 040 represented by its President, P.S. Ramankutty, aged 74 years, S/o Late R. Sivaraman Nair, residing at TC 55/1953, CTO Colony, Pappanamcode, Trivandrum-695 018.
2. P. Vadivel, aged 75 years, S/o Late V. Perumal, retired Chief Section Supervisor, O/o Principal General Manager, BSNL Bhavan, Ernakulam, residing at 10/855 Ambady, S.S. Krishnan Road, Fort Kochi, Kochi-682 001.

RESPONDENTS

1. Union of India represented by the Secretary, Department of Telecom, Sanchar Bhavan, 20, Asoka Road, New Delhi-110 001.
2. Bharat Sanchar Nigam Limited, Corporate Office, Bharat Sanchar Bhawan, Harish Chandra Mathur Lane, New Delhi-110 001.
3. The Secretary, Government of India, Ministry of Heavy Industries & Public Enterprises, Department of Public Enterprises, Public Enterprises Bhawan, Block No. 14, CGO Complex, Lodhi Road, New Delhi-110 001.
4. The Secretary, Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Pensions and Pensioners' Welfare, New Delhi-110001.
5. The Controller of Communication Accounts, BSNL Bhawan, Kerala Circle, Trivandrum-695033.

1. PARTICULARS OF THE ORDERS AGAINST WHICH THE APPLICATION IS FILED

NOT AGAINST ANY PARTICULAR ORDER



2. JURISDICTION OF THE TRIBUNAL

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The applicants declare that the subject matter of the application is within the jurisdiction of the Administrative Tribunal.

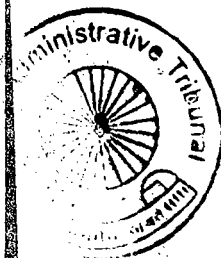
3. LIMITATION

The applicants further declare that the application is within the limitation period prescribed under Section 21 of the Administrative Tribunals Act, 1985.

4. FACTS OF THE CASE

1) The 1st applicant is the All India BSNL Pensioners' Welfare Association represented by its President and the 2nd applicant is a member of the said Association who is an aggrieved individual.

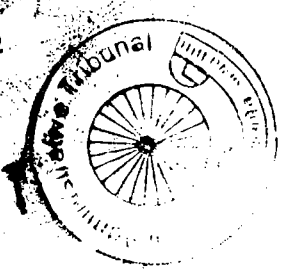
2) The Government, on acceptance of the recommendations of the 6th Central Pay Commission, issued orders for granting pension @ 50% of the average emoluments for the last 10 months or 50% of the last pay drawn whichever is more beneficial to the pensioner. Consequential amendments were made to the CCS (Pension) Rules, 1972 as well. Since the DoT absorbed BSNL employees are also covered under the CCS (Pension) Rules, 1972, the benefit was extended to those who retired after 1.1.2006 from the BSNL as well. The impact was that, from 1.1.2006, all those with a qualifying service of 10 years, became entitled for full pension. In other words, grant of full pension for those who had a qualifying service of 33 years or more alone, as stipulated under Rule 49 of CCS (Pension) Rules, 1972, was dispensed with. A true copy of the Department of Pension & Pensioners' Welfare OM F. No. 38/37/08-P&PW(A) dated 10.12.2009 is produced herewith and marked as Annexure A-1. A true copy of the Department of Telecom letter No. 40-31/2008-Pen(T) dated 16.8.2010 is produced herewith and marked as Annexure A-2.



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3) It is submitted that the 7th Central Pay Commission, in its Report, recommended 2 formulations for revision of pension of pre-2016 pensioners. In acknowledgment of the same, the Department of Pension & Pensioner's Welfare issued Resolution No. 38/37/2016-P&PW(A) dated 4.8.2016 indicating the decisions taken by the Government on the various recommendations of the 7th CPC on pensionary matters. Based on the decisions taken by the Government on the recommendations of the 7th CPC, orders for revision of pension of pre-2016 pensioners/family pensioners in accordance with second Formulation were issued as per the Department of Pension & Pensioner's Welfare OM No. 38/37/2016-P&PW(A)(ii) dated 4.8.2016. It was provided therein that the revised pension/family pension w.e.f 1.1.2016 of pre-2016 pensioners/family pensioners shall be determined by multiplying the pension/family pension as had been fixed at the time of implementation of the recommendations of the 6th CPC, by 2.57. A true copy of the Department of Pension & Pensioner's Welfare Resolution No. 38/37/2016-P&PW(A) dated 4.8.2016 is produced herewith and marked as Annexure A-3. A true copy of the Department of Pension & Pensioner's Welfare OM No. 38/37/2016-P&PW(A)(ii) dated 4.8.2016 is produced herewith and marked as Annexure A-4.

4) In accordance with the decisions mentioned in Annexure A-3 and Annexure A-4, the feasibility of the first option recommended by the 7th CPC was examined by a Committee headed by Secretary, Department of Pension & Pensioners' Welfare. After considering the recommendations of the said committee, the Government decided that the revised pension/family pension with effect from 1.1.2016 in respect of Central Civil Pensioners/Family Pensioners, including CAPFs, who retired/died prior to 1.1.2016, may be revised by notionally fixing their



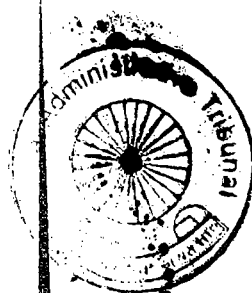
P2/6
pay in the pay matrix recommended by the 7th CPC in the level corresponding to the pay in the pay scale/pay band and grade pay at which they retired/died. It was further decided that this will be done by notional pay fixation under each intervening Pay Commission based on the Formula for revision of pay. A true copy of the Department of Pension & Pensioners' Welfare OM No. 38/37/2016-P&PW(A) dated 12.5.2017 is produced herewith and marked as Annexure A-5.

5) Annexure A-5 OM introduced a new and a drastic concept. According to Annexure A-5 OM, the last pay drawn by a pre-2016 pensioner undergoes change notionally after every pay commission till the 7th CPC and the pension is fixed ultimately at 50% of that notional pay finally arrived at. This has 2 impacts

- (i) Pro-rata pension, for less than 33 years of qualifying service, is dispensed with even for those who retired prior to 1.1.2006 and
- (ii) Ultimately it is 50% of last pay drawn (though notionally) which amounts to pension.

Further Annexure A-5 OM gives an option to the pensioner to choose either the multiplication factor of 2.57 as per OM dated 4.8.2016 or 50% of the notional pay as per the Annexure A-5 OM whichever is more beneficial.

6) Unfortunately, the impact of Annexure A-5 has been totally lost as far as the pre-2006 pensioners of BSNL are concerned. While Para 12 of Annexure A-5 OM says that the pension of the pensioners who are drawing monthly pension from the Government on permanent absorption in public sector undertakings/autonomous bodies will also be revised in accordance with those orders, so far BSNL pensioners of pre-2006 era are denied the same. In essence, BSNL pensioners are illegally and unreasonably subjected to a further classification as those



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retired prior to 1.1.2006 and those retired after 1.1.2006, when Annexure A-5 OM unites the two classes.

7) In these circumstances, objecting to this invidious discrimination, the 1st applicant Association has submitted a representation to the Secretary, Department of Telecom, Sanchar Bhavan, 20, Asoka Road, New Delhi-110 001. A true copy of the representation dated 23.6.2017 submitted by the 1st applicant Association to the 1st respondent is produced herewith and marked as Annexure A-6.

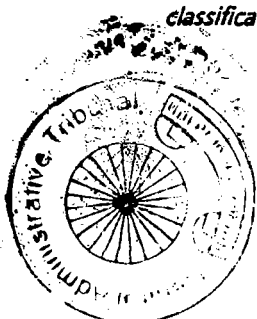
8) So far, there is no response to Annexure A-6 representation. In these circumstances, the applicants are constrained to approach this Hon'ble Tribunal for appropriate relief.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISIONS

A) The further classification of BSNL IDA pensioners as those retired prior to 1.1.2006 and those retired after 1.1.2006 suffers from the vice of under inclusion and violates Art 14 and 16 of the Constitution of India. The cut off date chosen has nexus with the object sought to be achieved and it has no rationale behind it. It brings in an artificial classification among a homo genus class that strikes at the very root of the concept of equality enshrined in the Constitution.

B) The legal position in this regard has been succinctly laid down by the Hon'ble Supreme Court in a catena of decisions and followed by the Hon'ble High Court in its judgment in Kamala Devi v. K.S.F.E Ltd. reported in 2002(1) KLT 157 as follows:

"6. Article 14 guarantees equality before law and equal protection of laws, but the same does not prohibit classification. A classification will not be hit by Art 14, if the



same satisfies the twin tests:-

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(1) there is an intelligible differentia between those included in one group and those excluded from it;

(2) it has a rational nexus with the object of the law.

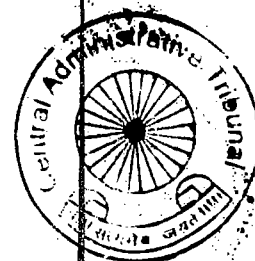
The Supreme Court has held that if the classification suffers from the vice of under inclusiveness, the same will be hit by Art 14. The Supreme Court has explained the said principle pithily in *In Re Special Courts Bill, 1978*, in the following words: (AIR 1979 (1) SC 478):

"120. The Court in *Mohammed Shujath Ali v. Union of India*, (1975) 1 SCR 449 at p. 477; (AIR 1974 SC 1631 at p. 1653) has explained the constitutional facet of classification:

This doctrine recognises that the legislature may classify for the purpose of legislation but requires that the classification must be reasonable. It should ensure that persons or things similarly situated are all similarly treated. The measure of reasonableness of a classification is the degree of its success in treating similarly those similarly situated.

But the question is: what does this ambiguous and crucial phrase *similarly situated* means? Where are we to look for the test of similarity of situation which determines the reasonableness of a classification? The inescapable answer is that we must look beyond the classification to the purpose of the law. A reasonable classification is one which includes all persons or things similarly situated with respect to the purpose of the law".

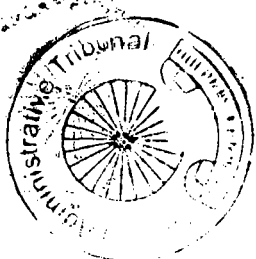
121. After having stated the general proposition,



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the Court struck a note of warning which is the main crux of the present controversy: *ibid* at p. 478: (at pp.1653,1654 of AIR)

"The fundamental guarantee is of equal protection of the laws and the doctrine of classification is only a subsidiary rule evolved by courts to give a practical content to that guarantee by accommodating it with the practical needs of the society and it should not be allowed to submerge and down the precious guarantee of equality. The doctrine of classification should not be carried to a point where instead of being a useful servant, it becomes a dangerous master, for otherwise, as pointed out by Chandrachud, J in State of Jammu and Kashmir v. Triloki Nath Khosa (1974) 1 SCC 19: (AIR 1974 SC 1), "the guarantee of equality will be submerged in class legislation masquerading as laws meant to govern well marked classes characterised by different and distinct attainments."...That process will inevitably end in substituting the doctrine of classification for the doctrine of equality: the fundamental right to equality before the law and equal protection of the laws may be replaced by the overworked methodology of classification. Our approach to the equal protection clause must, therefore, be guided by the words of caution uttered by Krishna Iyer, J. in State of Jammu and Kashmir v. Triloki Nath Khosa. "Mini classifications based on micro distinctions are false to our egalitarian faith and only substantial and straight forward classification plainly promoting relevant goals can have constitutional validity. To overdo classification is to undo equality."



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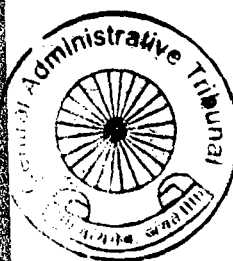
122. Mathew, J in *State of Gujarat v. Shri Ambika Mills, Ahmedabad*, (1974) 3 SCR 760 at p 782: (AIR 1974 SC 1300 at pp 1312, 1313) placed the same accent from the angle of under inclusion:

"The equal protection of the laws is a pledge of the protection of equal laws. But laws may classify.....A reasonable classification is one which includes all who are similarly situated and none who are not. The question is what does the phrase "similarly situated" means? The answer to the question is that we must look beyond the classification to the purpose of the law. The purpose of a law may be either the elimination of a public mischief or the achievement of some public good.

A classification is under inclusive when all who are included in the class are tainted with the mischief but there are others also tainted whom the classification does not include. In other words, a classification is bad as under inclusive when a State benefits or burdens persons in a manner that further a legitimate purpose but does not confer the same benefit or place the same burden on others who are similarly situated. A classification is over inclusive when it includes not only those who are similarly situated with respect to the purpose but others who are not so situated as well."

The ratio of the decisions cited above apply squarely to the facts and circumstances of the present case.

C) The non extension of the benefit of Annexure A-5 OM to the BSNL IDA pensioners who retired from service prior to 1.1.2006 amounts to negation of the rights conferred on them as per the Explanation to Sub



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Rule 8 of Rule 37-A of the CCS (Pension) Rules, 1972 which interalia states that the amount of pension of the absorbed employee on retirement or on death from the public sector undertaking shall be calculated in the same way as calculated of a Central Government Servant retiring on the same day.

6.DETAILS OF THE REMEDIES EXHAUSTED

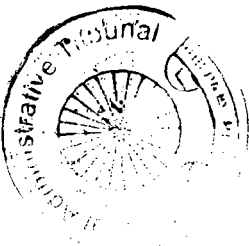
No other statutory remedy.

7.MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT

The applicants further declare that the applicants have not filed any application, writ petition or suit, regarding the matter in respect of which the application is made, before any Court or any other authority or any other Bench of this Hon'ble Tribunal nor any such application or suit is pending before any of them.

8.RELIEF(S) SOUGHT

- 1) To direct the respondents to extend to the pre-2006 DoT absorbed BSNL IDA pensioners, the benefit of Annexure A-5 OM, revise their pension by applying the pension formula of 50% of the last pay drawn or 50% of the last ten months average pay which ever is advantageous to them and disburse all the consequential benefits to them with arrears and interest.
- 2) Such other relief as may be prayed for and this Hon'ble Tribunal may deem fit to grant.
- 3) Grant the cost of this Original Application.



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9. INTERIM ORDER IF ANY PRAYED FOR

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Pending final disposal of the Original Application, this Hon'ble Tribunal may be pleased to

Direct the respondents to consider Annexure A-6 representation and communicate a decision thereupon to the applicants

10. NOT APPLICABLE

11. PARTICULARS OF POSTAL ORDER IN RESPECT OF APPLICATION FEE

1. No. of the Indian Postal Order
2. Date of issue of the Postal Order
3. Name of the issuing Post Office
4. Post Office at which payable

12. LIST OF ENCLOSURES

1. Compilation 1 & 2
2. Vakalath
3. Postal Order

IN VERIFICATION

We, (1) All India BSNL Pensioners' Welfare Association (Regd. 1833/09), Central Headquarters, AH 189/61, 3rd Street, Auroville Flats, Anna Nagar, Chennai-600 040 represented by its President, P.S. Ramankutty, aged 74 years, S/o Late R. Sivaraman Nair, residing at TC 55/1953, CTO Colony, Pappanamcode, Trivandrum-695 018 and (2) P. Vadivel, aged 75 years, S/o Late V. Perumal, retired Chief Section Supervisor, O/o Principal General Manager, BSNL Bhavan, Ernakulam, residing at 10/855 Ambady, S.S. Krishnan Road, Fort Kochi, Kochi-682 001 do hereby verify that the contents from Para 1 to 12 are true to the best of our personal knowledge and belief and that we have not suppressed any material facts.

Dated this the 8th day of April, 2018 at Ernakulam

P.S. Ramankutty

2) P. Vadivel

R. Sreeraj
Counsel for the Applicants



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Annexure A1

F.No.38/37/08-P&PW(A)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners' Welfare
Lok Nayak Bhawan, New Delhi-110003

Dated the 10th December, 2008.

OFFICE MEMORANDUM

Sub: Implementation of Government's decision on the recommendations of the Sixth Central Pay Commission regarding revision of pension of pensioners/family pensioners etc. - Grant of full pension to Government servants who retired on or after 1.1.2008

The undersigned is directed to say that in pursuance of Government's decision on the recommendations of Sixth Central Pay Commission, orders were issued vide this Department's O.M. No. 38/37/08-P&PW(A) dated 2.9.2008 for introducing modifications in the rules regulating pension, Retirement/Death/Service Gratuity/Family Pension/ disability pension and ex-gratia lump-sum compensation. In accordance with para 5.2 and para 5.3 of that OM, once a Government servant becomes entitled to pension on completion of 20 years/10 years of qualifying service, he shall be paid pension at 50% of the emoluments or average emoluments received during the last 10 months, whichever is more beneficial to him. In terms of para 5.4 of the OM, these revised provisions have come into force w.e.f. 2.9.2008 and shall be applicable to Government servants retiring on or after that date. Subsequently, it was clarified vide O.M. No. 38/37/08-P&PW(A) dated 11.12.2008 that pension of Government servant retiring on or after 1.1.2008 will also be calculated based on the emoluments or average emoluments received during the last 10 months, whichever is more beneficial to him but his pension would continue to be proportionate to the pension on completion of 33 years of qualifying service. Para 5.4 of this Department's O.M. No. 38/37/08-P&PW(A) dated 2.9.2008 was modified to that extent.

2. This matter has been reconsidered by the Government. In partial modification of the instructions/order issued in this respect, it has now been decided that linkage of full pension with 33 years of qualifying service shall be dispensed with, with effect from 1.1.2008 instead of 2.9.2008. The revised provisions for calculation of pension in para 5.2 and 5.3 of the OM No.38/37/08-P&PW(A) dated 2.9.2008 shall come into force with effect from 1.1.2008 and shall be applicable to the Government servants retired/retiring after that date. Para 5.4 will further stand modified to that extent.

.....2/-



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-2-

3. Consequent upon the above revised provisions, in partial modification of para 7.1 of the OM No.38/37/01-P&PW(A)-P&PW(A) dated 2.9.08, the extant benefit of adding years of qualifying service for the purpose of computation of pension and gratuity shall stand withdrawn with effect from 1.1.2008.

4. The overall calculation may take into account revised gratuity and revised pension, including arrears up to date of revision based on these instructions. However, no recoveries would be made in the cases already settled.

5. It is impressed upon all the Ministries/Departments of the Government of India to keep in view the above modifications/clarifications while disposing of the cases of revision of pension. They are also advised to dispose of the representations received by them from pensioners on the above issues without referring the same to this Department.

6. This issues with the concurrence of Ministry of Finance (Department of Expenditure) vide their U.O. No.375/EV/2009 dated 19.11.2009.

7. In their application to the employees of the Indian Audit and Accounts Departments, these orders issue in consultation with the Comptroller & Auditor General of India.

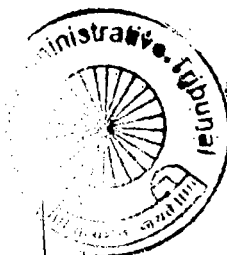
8. Hindi version will follow.

(Raj Singh)
Director

To

1. All Ministries/Departments of Government of India
2. All Pensioners' Association

This Annexure is for the use of the Director



Annexure

A2

Mr. (Sd/-) **Prakash Chandra**
 Director, Pension Administration
 (Pension Section)

New Delhi, dated 12th August, 2009

To

1. All Branches of the Pension Section, New Delhi
2. CDR, BSNL

Subject: Applicability of the revised rules of CCS (Pension) 1972 consequent to the 6th CPC to the Government employees covered in BSNL - Quoted in regarding.

Sir,

With reference to the letter of no. **2009/161** dated 12th August 2009, it is clarified that the provision of eligibility for pension on completion of 20 years of qualifying service, which was earlier applicable from 25.12.2006 in terms of Deptt. of Pension and Provident Fund, Welfare Cell, No. 31/27/2006-2007 (A) dated 24.12.2006 has since been revised vide DoP (Pension) Rules 1972 dated 12.12.2007, is now applicable with effect from 1.1.2008. This amendment in CCS (Pension) Rules with impact to admissibility of full pension on completion of 20 years of qualifying service is also applicable to Government employees of BSNL.

Yours faithfully,

(Sd/-) **Prakash Chandra**
 Director, Pension Administration
 Telephone: 23031424

Copy for information to:

1. Sr. PRA, Chairman, Pension Commission, New Delhi
2. Sr. PRA, Joint Director, Pension Commission, New Delhi
3. Sr. PRA, Joint Director, Pension Commission, New Delhi
4. Sr. PRA, Joint Director, Pension Commission, New Delhi
5. Controller, General of Accounts, Ministry of Finance, New Delhi
6. Joint Secretary, Pension Commission, New Delhi
7. Joint Secretary, Pension Commission, New Delhi
8. Joint Secretary, Pension Commission, New Delhi
9. Joint Secretary, Pension Commission, New Delhi
10. Sr. PRA, Joint Director, Pension Commission, New Delhi
11. Joint Secretary, Pension Commission, New Delhi
12. Joint Secretary, Pension Commission, New Delhi

This Annexure A 2 is the true copy of the original.

P2/13
Annexure A3

P. No 28/27/2016-P&W(A)(I)
Government of India
Ministry of Personnel, Public Relations & Pension
Department of Pension & Pensioners' Welfare
Lok Nayak Bhawan, New Delhi-110003

Dated the 4th August, 2016**OFFICE MEMORANDUM**

Subj: Implementation of Government's decision on the recommendation of the Seventh Central Pay Commission - Revision of provisions regulating pension/gratuity/commutation of pension/family pension/disability pension/ex-gratia lump-sum compensation, etc.

The undersigned is directed to state that in pursuance of Government's decision on the recommendation of the Seventh Central Pay Commission, the President is pleased to introduce the following modifications in the rules regulating pension, Retirement/Death/Service Gratuity, Family Pension, disability pension, ex-gratia lump-sum compensation, etc. under the CCS (Pension) Rules, 1972 and Commutation of Pension under CCS (Commutation of Pension) Rules, 1981, CCS (Extraordinary Pension) Rules, 1959, etc.

2. These orders apply to Central Government Employees governed by the CCS (Pension) Rules, 1972. Separate orders will be issued by the Ministry of Defence, Ministry of Railways and the AIS Division of the DOPT in respect of Armed Forces personnel, Railway employees and the officers of All India Services respectively on the basis of these orders.

DATE OF EFFECT

3.1 The revised provisions as per these orders shall apply to Government servants who retire/die in harness on or after 1.1.2016. Separate order have been issued in respect of employees who retired/died before 1.1.2016.

3.2 Where pension/family pension/Gratuity/Commutation of pension, etc. has already been sanctioned in cases occurring on or after 1.1.2016, the same shall be revised in terms of these orders in cases where pension has been finally sanctioned on the pre-revised orders and if it happens to be more beneficial than the pension

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becoming due under these orders, the pension already sanctioned shall not be revised to the disadvantage of the pensioner in view of Rule 70 of the CCS (Pension) Rules, 1972.

EMOLUMENTS

4.1 The term 'Emoluments' for purposes of calculating various pensionary benefits other than various kinds of Gratuity shall have the same meaning as in Rule 35 of the Central Civil Services (Pension) Rules, 1972.

4.2 Basic pay in the revised pay structure means the pay drawn in the prescribed level in the Pay Matrix with effect from 01.01.2016 but does not include any other type of pay like special pay, etc.

4.3 In the case of all kinds of gratuity, dearness allowance admissible on the date of retirement/death shall continue to be treated as emoluments along with the emoluments as defined in Paragraph 4.1 above.

PENSION

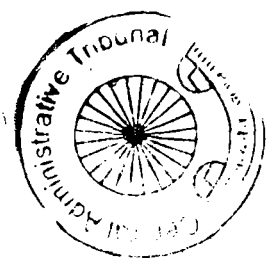
5.1 Subject to para 5.2, there shall be no change in the provisions regulating the amount of pension as contained in Rule 49 of the CCS (Pension) Rules.

5.2 The amount of pension shall be subject to a minimum of Rs.8000/- and the maximum pension would be 50% of highest pay in the Government (The highest pay in the Govt. is Rs 2,65,000 with effect from 1.1.2016). The provisions of sub-rule (2) of Rule 49 of the CCS (Pension) Rules, 1972 shall stand modified to this extent.

5.3 The quantum of additional pension/family pension available to the old pensioners/family pensioners shall continue to be as follows:-

Age of pensioner/family pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of revised basic pension / family pension
From 85 years to less than 90 years	30% of revised basic pension / family pension
From 90 years to less than 95 years	40% of revised basic pension / family pension
From 95 years to less than 100 years	50% of revised basic pension / family pension
100 years or more	100% of revised basic pension / family pension

The Pension Sanctioning Authorities should ensure that the date of birth and the age of a pensioner is invariably indicated in the pension payment order to facilitate payment of additional pension by the Pension Disbursing Authority as soon as it becomes due. The



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amount of additional pension will be shown distinctly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and his pension is Rs.10,000 p.m. the pension will be shown as (i) Basic pension=Rs.10,000 and (ii) Additional pension = Rs.2,000 p.m. The pension on his attaining the age of 85 years will be shown as (i) Basic Pension = Rs.10,000 and (ii) additional pension = Rs.3,000 p.m.

Retirement/Death Gratuity

8.1 The rates for payment of death gratuity shall be revised as under:

Length of qualifying service	Rate of Death Gratuity
Less than One year	2 times of monthly emoluments
One Year or more but less than 5 years	5 times of monthly emoluments
5 years or more but less than 11 years	12 times of monthly emoluments
11 years or more but less than 20 years	20 times of monthly emoluments
20 years or more	Half month's emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments.

Accordingly, Rule 50(1)(b) of CCS (Pension) Rules, 1972 shall stand modified to this extent.

8.2 The maximum limit of Retirement gratuity and death gratuity shall be Rs. 20 lakh. The ceiling on gratuity will increase by 25% whenever the dearness allowance rises by 50% of the basic pay. Accordingly, first proviso under Rule 50(1)(b) of CCS (Pension) Rules, 1972 shall stand modified to this extent.

FAMILY PENSION 1984

7.1 Family pension shall be calculated at a uniform rate of 30% of basic pay in the revised pay structure and shall be subject to a minimum of Rs.9000/p.m. and maximum of 20% of the highest pay in the Government. Rule 54(2) relating to Family Pension, 1984 under CCS (Pension) Rules, 1972 shall stand modified to this extent.

7.2 The amount of enhanced family pension shall be 50% of basic pay in the revised pay structure and shall be subject to a minimum of Rs.9000/p.m. and maximum of 50% of the highest pay in the Government. (The highest pay in the Govt. is Rs. 2,50,000 with effect from 1.1.2016).

7.3 There will be no other change in the provisions regulating family pension, enhanced family pension and additional family pension to old family pensioners.



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COMMUTATION OF PENSION

8.1 There will be no change in the provisions relating to commutation values, the limit upto which the pension can be commuted or the period after which the commuted pension is to be restored.

9.1 The pension/family pension under para 5 and 7 above shall qualify for dearness relief sanctioned from time to time, in accordance with the relevant rules/instructions.

FIXED MEDICAL ALLOWANCE

10.1 Fixed Medical Allowance to the pensioners who are residing in non-CGHS areas and are not availing OPD facility of CGHS shall continue to be paid at the existing rate till a final decision is taken on the basis of recommendations of the Committee constituted for the purpose.

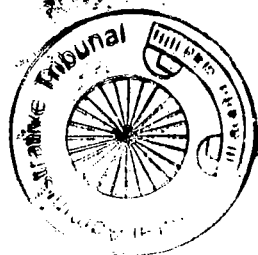
CONSTANT ATTENDANT ALLOWANCE

11.1 The amount of Constant Attendant Allowance to pensioners who retired on disability pension with 100% disability under the CGS (Extraordinary) Pension Rules, 1939, (where the individual is completely dependent on somebody else for day to day functions) shall continue to be paid at the existing rate till a final decision is taken on the basis of recommendations of the Committee constituted for the purpose.

EX GRATIA LUMP SUM COMPENSATION

12.1 The amount of ex gratia lump sum compensation available to the families of Central Government Civilian employees, who die in the performance of their bona fide official duties under various circumstances shall be revised as under:

Circumstances	Amount
Death occurring due to accidents in course of performance of duties	25 lakh
Death in the course of performance of duties attributed to acts of violence by terrorists and such elements etc.	25 lakh
Death occurring in border skirmishes and action against militants, terrorists, extremists etc. etc.	35 lakh
Death occurring while on duty in the specified high altitude, inaccessible border posts, etc. on account of natural disasters, extreme weather conditions	35 lakh
Death occurring during enemy action in war or such war like engagements, which are specifically notified by Ministry of Defence and death occurring during evacuation of Indian Nationals from a war-torn zone in foreign country	45 lakh



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13.1. Formal amendments to CCS (Pension) Rules, 1972 and CCS (Extraordinary) Pension Rules, 1932 in terms of the provisions contained in this order will be issued in due course. Provisions of the CCS (Pension) Rules, 1972, CCS (Extraordinary) Pension Rules, 1932, and CCS (Computation of Pension) Rules, 1961 which are not specifically modified by these orders, will remain unchanged.

14.1. These orders issue with concurrence of the Ministry of Finance Department of Expenditure vide their U.O. No-30-123301/2018-IC dated 03.08.2019

15.1. In their application to the employees of the Indian Audit and Accounts Department, these orders issue in consultation with Comptroller and Auditor General of India.

16. 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 on a top priority basis.

(Vandana Sharma)
(Vandana Sharma)

Joint Secretary to the Government of India

To

1. All Ministries/Departments of Government of India
2. Principal Director, Office of Comptroller & Auditor General of India, New Delhi
3. Comptroller General of Accounts, New Delhi
4. CCA, Central Pension Accounting Office, New Delhi.

This Annexure A3 is the true copy of the original document

ADVOCATE



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Amr A4

F.No.38/37/2016-P&PW(A) (ii)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners' Welfare
Lok Nayak Bhawan, New Delhi-110003

Dated the 4th August, 2016.

OFFICE MEMORANDUM

Sub: Implementation of Government's decisions on the recommendations of the Seventh Central Pay Commission - Revision of pension of pre-2016 pensioners/family pensioners etc.

The undersigned is directed to say that in pursuance of Government's decision on the recommendations of Seventh Central Pay Commission, sanction of the President is hereby accorded to the regulation, with effect from 01.01.2016, of pension/ family pension of all the pre-2016 pensioners/ family pensioners in the manner indicated in the succeeding paragraphs. Separate orders are being issued in respect of employees who retired/died on or after 01.01.2016.

2.1 These orders shall apply to all pensioners/family pensioners who were drawing pension/family pension before 1.1.2016 under the Central Civil Services (Pension) Rules, 1972, Central Civil Services (Extraordinary Pension) Rules and the corresponding rules applicable to Railway pensioners and pensioners of All India Services, including officers of the Indian Civil Service retired from service on or after 1.1.1973. A pensioner/family pensioner who became entitled to pension/family pension with effect from 01.01.2016 consequent on retirement/death of Government servant on 31.12.2015, would also be covered by these orders.

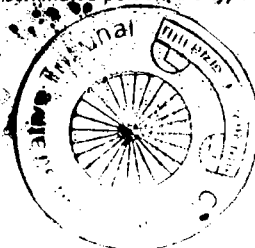
2.2 Separate orders will be issued by the Ministry of Defence in regard to Armed Forces pensioners/family pensioners.

2.3 These orders also do not apply to retired High Court and Supreme Court Judges and other Constitutional/Statutory Authorities whose pension etc. is governed by separate rules/orders.

3. In these orders :

a. 'Existing pensioner' or 'Existing Family pensioner' means a pensioner/family pensioner to whom these orders are applicable in terms of para 2.1 above.

b. 'Existing pension' or 'Existing Family Pension' means the basic pension (inclusive of commuted portion, if any) or basic family pension, as had been fixed at the time



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of implementation of 6th CPC recommendations, which an existing pensioner or family pensioner was entitled to.

4.1 For existing pensioners, who have retired before 01.01.2016, the revised pension/family pension with effect from 01.01.2016 shall be determined by multiplying the pension/family pension, as had been fixed at the time of implementation of 6th Central Pay Commission (CPC) recommendations, by 2.57. The amount of revised pension/family pension so arrived at shall be rounded off to next higher rupee.

Illustration:

Case I

Pensioner 'A' retired at last pay drawn of Rs. 79,000 on 31st May, 2015 under the 6th CPC regime in the scale of Rs. 87000-79000:

		Amount in Rs.
1.	Basic Pension fixed in 6 th CPC	39500
2.	Revised Pension fixed under 7 th CPC (using a multiple of 2.57)	101515

Case II

Pensioner 'B' retired at last pay drawn of Rs. 4,000 on 31st January, 1989 under the 4th CPC regime in the pay scale of Rs. 3000-100-3500-125-4500:

		Amount in Rs.
1.	Basic Pension fixed in 4 th CPC	1940
2.	Basic Pension as revised in 6 th CPC	12600
3.	Revised Pension fixed under 7 th CPC (using a multiple of 2.57)	32,382

4.2 For this purpose, the existing pension/family pension will be the basic pension/family pension only without the element of additional pension available to the old pensioners/family pensioners of the age of 80 years and above. The additional pension/family pension payable to the old pensioners/family pensioners will be worked out in accordance with para 4.5 of this O.M.

4.3 Since the consolidated pension will be inclusive of commuted portion of pension, if any, the commuted portion will be deducted from the said amount while making monthly disbursements.

4.4 The minimum pension with effect from 01.01.2016 will be Rs. 9000/- per month (excluding the element of additional pension to old pensioners). The upper ceiling on pension/family pension will be 50% and 30% respectively of the highest pay in the Government (The highest pay in the Government is Rs. 2,50,000 with effect from 01.01.2016).



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4.5 The quantum of pension/family pension available to the old pensioners/ family pensioners shall continue to be as follows:-

Age of pensioner/family pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of revised basic pension/ family pension
From 85 years to less than 90 years	30% of revised basic pension / family pension
From 90 years to less than 95 years	40% of revised basic pension / family pension
From 95 years to less than 100 years	50% of revised basic pension / family pension
100 years or more	100% of revised basic pension / family pension

The amount of additional pension will be shown distinctly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and his/her revised pension in terms para 4.1 above is Rs. 10,000 pm, the pension will be shown as (i). Basic pension=Rs.10,000 and (ii) Additional pension = Rs.2,000 pm. The pension on his/her attaining the age of 85 years will be shown as (i). Basic Pension = Rs.10,000 and (ii) additional pension = Rs.3,000 pm. Dearness relief will be admissible on the additional pension available to the old pensioners also.

4.6 The revised pension/family pension arrived at as per paragraph 4.1 includes dearness relief sanctioned from 1.1.2016.

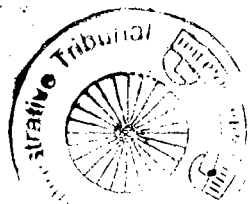
5. Where the revised pension/family pension in terms of paragraph 4.1 above works out to an amount less than Rs. 9000/-, the same shall be stepped up to Rs. 9000/-. This will be regarded as pension/family pension with effect from 1.1.2016.

6. The existing instructions regarding regulation of dearness relief to employed/re-employed pensioners/family pensioners, as contained in Department of Pension & Pensioners Welfare O.M. No. 4573/97-P&PW(G) dated 02.07.1999, as amended from time to time, shall continue to apply.

7. The cases of Central Government employees who have been permanently absorbed in public sector undertakings/autonomous bodies will be regulated as follows:-

(a) PENSION

Where the Government servants on permanent absorption in public sector undertakings/autonomous bodies continue to draw pension separately from the Government, the pension of such absorbtees will be updated in terms of these orders. In cases where the Government servants have drawn one time lump sum terminal benefits equal to 100% of their pensions and have become entitled to the restoration of one-third commuted portion of pension as per the instructions issued by this Department from time to time, their cases will not be covered by these orders. Orders for regulating pension of such pensioners will be issued separately.



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(b) FAMILY PENSION

In cases where, on permanent absorption in public sector undertakings/autonomous bodies, the terms of absorption and/or the rules permit grant of family pension under the CCS (Pension) Rules, 1972 or the corresponding rules applicable to Railway employees/members of All India Services, the family pension being drawn by family pensioners will be updated in accordance with these orders.

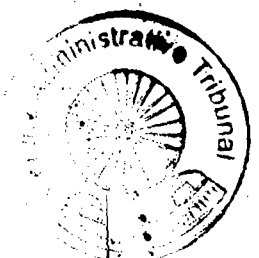
8. The matter regarding Constant Attendant Allowance admissible to the existing pensioners shall be examined by a Committee comprising Finance Secretary and Secretary (Expenditure) as Chairman and Secretaries of Home Affairs, Defence, Posts, Health & Family Welfare, Personnel & Training and Chairman, Railway Board as Members. Till a final decision is taken based on the recommendations of the Committee, Constant Attendant Allowance shall be paid at existing rates.

9. All Pension Disbursing Authorities including Public Sector Banks handling disbursement of pension to the Central Government pensioners are hereby authorised to pay pension/family pension to existing pensioners/family pensioners at the revised rates in terms of para 4.1 and 5 above without any further authorisation from the concerned Accounts Officers/Head of Office etc. Wherever the age of pensioner/ family pensioner is available on the pension payment order, the additional pension/ family pension in terms of para 4.4. above may also be paid by the pension disbursing authorities immediately without any further authorisation from the concerned Account Officer/ Head of Office, etc. A suitable entry regarding the revised pension shall be recorded by the pension Disbursing Authorities in both halves of the Pension Payment Order.

10. The pension/family pension as worked out in accordance with provisions of Para 4.1. and 5 above shall be treated as 'Basic Pension' with effect from 01.01.2016. The revised pension/family pension includes dearness relief sanctioned from 1.1.2016 and shall qualify for grant of Dearness Relief sanctioned thereafter.

11. Further orders in regard to revision of pension based on the recommendations of the Committee to be constituted in terms of the Government's decision on Item No. 11 of this Department's Resolution No. 38/37/2016-P&PW (A) dated 4th August, 2016, will be issued in due course.

12. After a decision as in para 11 above is taken by the Government and orders are issued in this regard, the Head of the Department of the Ministry, Department, Office, etc. from which the government servant had retired or where he was working prior to his demise will revise the pension/family pension of all pensioners/ family pensioners with



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effect from 1st January 2016 in accordance with those orders and issue revised Pension Payment Order (PPOs) accordingly.

13. It is considered desirable that the benefit of these orders should reach the pensioners as expeditiously as possible. To achieve this objective it is desired that all Pension Disbursing Authorities should ensure that the revised pension and the arrears due to the pensioners in terms of para 4.1. and para 5 above is paid to the pensioners or credited to their account by 31st August, 2016 or before positively.

14. In their application to the persons belonging to Indian Audit and Accounts Department, these orders issue in consultation with the Comptroller and Auditor General of India.

15. 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 on a top priority basis. All pension disbursing offices are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

16. Hindi version will follow.

V Sharma
(Vandana Sharma)

Joint Secretary to the Government of India

To

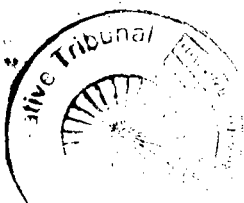
All Ministries/ Departments of Government of India

Copy to : As per mailing list

- Central Pension Accounting Office, New Delhi
- CMDs of All Pension Disbursing Banks

This Annexure A 4 is the true
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ADUOC/H7E



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Annexure AS

12/26

No.38/37/2016-P&PW(A)
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi
Dated, the 12th May, 2017

Office Memorandum

Sub:- Implementation of Government's decision on the recommendations of the Seventh Central Pay Commission - Revision of pension of pre-2016 pensioners/family pensioners, etc.

The undersigned is directed to say that the 7th Central Pay Commission (7th CPC), in its Report, recommended two formulations for revision of pension of pre-2016 pensioners. A Resolution No. 38/37/2016-P&PW (A) dated 04.08.2016 was issued by this Department indicating the decisions taken by the Government on the various recommendations of the 7th CPC on pensionary matters.

2. Based on the decisions taken by the Government on the recommendations of the 7th CPC, orders for revision of pension of pre-2016 pensioners/family pensioners in accordance with second Formulation were issued vide this Department's OM No. 38/37/2016-P&PW (A) (II) dated 04.08.2016. It was provided in this O.M. that the revised pension/family pension w.e.f. 1.1.2016 of pre-2016 pensioners/family pensioners shall be determined by multiplying the pension/family pension as had been fixed at the time of implementation of the recommendations of the 6th CPC, by 2.57.

3. In accordance with the decision mentioned in this Department's Resolution No. 38/37/2016-P&PW (A) dated 04.08.2016 and OM No. 38/37/2016-P&PW(A) (II) dated 04.08.2016, the feasibility of the first option recommended by 7th CPC has been examined by a Committee headed by Secretary, Department of Pension & Pensioners' Welfare.

4. The aforesaid Committee has submitted its Report and the recommendations made by the Committee have been considered by the Government. Accordingly, it has been decided that the revised pension/family pension w.e.f. 01.01.2016 in respect of all Central civil pensioners/family pensioners, including CAPF's, who retired/died prior to 01.01.2016, may be revised by notionally fixing their pay in the pay matrix recommended by the 7th CPC in the level corresponding to the pay in the pay scale/pay band and grade pay at which they retired/died. This will be done by notional pay fixation under each intervening Pay Commission based on the Formula for revision of pay. While fixing pay on notional basis, the pay fixation formulae approved by the Government and other relevant instructions on the subject in force at the relevant time shall be strictly followed. 50% of the notional pay as on 01.01.2016 shall be the revised pension and 30% of this notional pay shall be the revised family pension w.e.f. 1.1.2016 as per the first Formulation. In the case of family pensioners who were entitled to family pension at enhanced rate, the revised family pension shall be 50% of the notional pay as on 01.01.2016 and shall be



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payable till the period up to which family pension at enhanced rate is admissible as per rules. The amount of revised pension/family pension so arrived at shall be rounded off to next higher rupee.

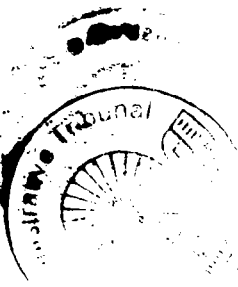
5. It has also been decided that higher of the two Formulations i.e. the pension/family pension already revised in accordance with this Department's OM No. 38/37/2016-P&PW(A) (II) dated 04.08.2016 or the revised pension/family pension as worked out in accordance with para 4 above, shall be granted to pre-2016 central civil pensioners as revised pension/family pension w.e.f. 01.01.2016. In cases where pension/family pension being paid w.e.f. 1.1.2016 in accordance with this Department's OM No. 38/37/2016-P&PW(A) (II) dated 04.08.2016 happens to be more than pension/family pension as worked out in accordance with para 4 above, the pension/family pension already being paid shall be treated as revised pension/family pension w.e.f. 1.1.2016.

6. Instructions were issued vide this Department's OM No. 45/86/97-P&PW(A) (II) dated 10.02.1998 for revision of pension/ family pension in respect of Government servants who retired or died before 01.01.1986, by notional fixation of their pay in the scale of pay introduced with effect from 01.01.1986. The notional pay so worked out as on 01.01.1986 was treated as average emoluments/last pay for the purpose of calculation of notional pension/family pension as on 01.01.1986. The notional pension/family pension so arrived at was further revised with effect from 01.01.1996 and was paid in accordance with the instructions issued for revision of pension/family pension of pre-1996 pensioners/family pensioners in implementation of the recommendations of the 5th Central Pay Commission.

7. Accordingly, for the purpose of calculation of notional pay w.e.f. 1.1.2016 of those Government servants who retired or died before 01.01.1986, the pay scale and the notional pay as on 1.1.1986, as arrived at in terms of the instructions issued vide this Department's OM 45/86/97-P&PW(A) dated 10.02.1998, will be treated as the pay scale and the pay of the concerned Government servant as on 1.1.1986. In the case of those Government servants who retired or died on or after 01.01.1986 but before 1.1.2016, the actual pay and the pay scale from which they retired or died would be taken into consideration for the purpose of calculation of the notional pay as on 1.1.2016 in accordance with para 4 above.

8. The minimum pension with effect from 01.01.2016 will be Rs. 8000/- per month (excluding the element of additional pension to old pensioners). The upper ceiling on pension/family pension will be 50% and 30% respectively of the highest pay in the Government (The highest pay in the Government is Rs. 2,50,000 with effect from 01.01.2016).

9. The pension/family pension as worked out in accordance with provisions of Para 4 and 5 above shall be treated as 'Basic Pension' with effect from 01.01.2016. The revised pension/family pension includes dearness relief sanctioned from 1.1.2016 and shall qualify for grant of Dearness Relief sanctioned thereafter.



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10. The existing instructions regarding regulation of dearness relief to employed/re-employed pensioners/family pensioners, as contained in Department of Pension & Pensioners Welfare O.M. No. 45/73/97-P&PW(G) dated 02.07.1999, as amended from time to time, shall continue to apply.

11. These orders would not be applicable for the purpose of revision of pension of those pensioners who were drawing compulsory retirement pension under Rule 40 of the CCS (Pension) Rules or compassionate allowance under Rule 41 of the CCS (Pension) Rules. The pensioners in these categories would continue to be entitled to revised pension in accordance with the instructions contained in this Department's O.M. No. 38/37/2016-P&PW(A)(II) dated 4.8.2016.

12. The pension of the pensioners who are drawing monthly pension from the Government on permanent absorption in public sector undertakings/autonomous bodies will also be revised in accordance with these orders. However, separate orders will be issued for revision of pension of those pensioners who had earlier drawn one time lump sum terminal benefits on absorption in public sector undertakings, etc. and are drawing one-third restored pension as per the instructions issued by this Department from time to time.

13. In cases where, on permanent absorption in public sector undertakings/autonomous bodies, the terms of absorption and/or the rules permit grant of family pension under the CCS (Pension) Rules, 1972 or the corresponding rules applicable to Railway employees/members of All India Services, the family pension being drawn by family pensioners will be updated in accordance with these orders.

14. Since the consolidated pension will be inclusive of commuted portion of pension, if any, the commuted portion will be deducted from the said amount while making monthly disbursements.

15. The quantum of age-related pension/family pension available to the old pensioners/ family pensioners shall continue to be as follows:-

Age of pensioner/family pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of revised basic pension/ family pension
From 85 years to less than 90 years	30% of revised basic pension / family pension
From 90 years to less than 95 years	40% of revised basic pension / family pension
From 95 years to less than 100 years	60% of revised basic pension / family pension
100 years or more	100% of revised basic pension / family pension

The amount of additional pension will be shown distinctly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and



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his/her revised pension is Rs.10,000 pm, the pension will be shown as (i).Basic pension=Rs.10,000 and (ii) Additional pension = Rs.2,000 pm. The pension on his/her attaining the age of 65 years will be shown as (i).Basic Pension = Rs.10,000 and (ii) additional pension = Rs.2,000 pm. Dearness relief will be admissible on the additional pension available to the old pensioners also.

16. A few examples of calculation of pension/family pension in the manner prescribed above are given in Annexure-I to this O.M.

17. No arrears on account of revision of Pension/Family pension on notional fixation of pay will be admissible for the period prior to 1.1.2016. The arrears on account of revision of pension/family pension in terms of these orders would be admissible with effect from 01.01.2016. For calculation of arrears becoming due on the revision of pension/ family pension on the basis of this O.M., the arrears of pension and the revised pension/family pension already paid on revision of pension/family pension in accordance with the instructions contained in this Department's OM No. 38/37/2016-P&PW(A) (ii) dated 04.08.2016 shall be adjusted.

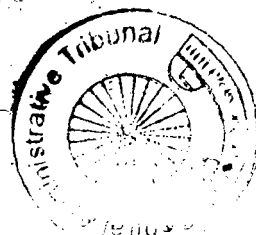
18. It shall be the responsibility of the Head of Department and Pay and Accounts Office attached to that office from which the Government servant had retired or was working last before his death to revise the pension/ family pension of pre - 2016 pensioners/ family pensioners with effect from 01.01.2016 in accordance with these orders and to issue a revised pension payment authority. The Pension Sanctioning Authority would impress upon the concerned Head of Office for fixation of pay on notional basis at the earliest and issue revised authority at the earliest. The revised authority will be issued under the existing PPO number and would travel to the Pension Disbursing Authority through the same channel through which the original PPO had travelled.

19. These orders shall apply to all pensioners/family pensioners who were drawing pension/family pension before 1.1.2016 under the Central Civil Services (Pension) Rules, 1972, and the corresponding rules applicable to Railway pensioners and pensioners of All India Services, including officers of the Indian Civil Service retired from service on or after 1.1.1973. A pensioner/family pensioner who became entitled to pension/family pension with effect from 01.01.2016 consequent on retirement/death of Government servant on 31.12.2015, would also be covered by these orders. Separate orders will be issued by the Ministry of Defence in regard to Armed Forces pensioners/family pensioners.

20. These orders do not apply to retired High Court and Supreme Court Judges and other Constitutional/Statutory Authorities whose pension etc. is governed by separate rules/orders.

21. These orders issue with the concurrence of Ministry of Finance (Department of Expenditure) vide their I.D. No. 30-1/33(c)/2016-IC dated 11.05.2017 and I.D. No. 30-1/33(c)/2016-IC dated 12.05.2017.

22. In the application to the persons belonging to the Indian Audit and Accounts Department, these orders issue in consultation with the Comptroller and Auditor General of India.



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23. Ministry of Agriculture etc. are requested to bring the contents of these orders to the notice of Heads of Department/Controller of Accounts, Pay and Accounts Officers, and Attached and Subordinate Offices under them on top priority basis. All Ministries/Departments are requested to accord top priority to the work of revision of pension of pre-2016 pensioners/family pensioners and issue the revised Pension Payment Authority in respect of all pre-2016 pensioners.

24. Hindi version will follow.


(Harjit Singh)
Director

To

1. All Ministries/Departments of Government of India (as per standard mailing list)
2. Central Pension Accounting Office, New Delhi
3. Comptroller & Auditor General of India, New Delhi

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ADVOCATE



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EXAMPLES

ANNEXURE I

(Reference Para 18 of OM No. 88/87/2016-P&P/WA dated 12th May, 2017.)

S.No	Description	1 st Case	2 nd Case	3 rd Case	4 th Case
1.	Date of Retirement	31.12.1984	31.01.1988	30.06.1988	31.06.2015
2.	Scale of Pay (or Pay Band & G.P.) at the time of retirement OR Notional pay scale as on 1.1.1986 for those retired before 1.1.1986	975-1650 (4 th CPC Scale)	3000-4500 (4 th CPC Scale)	4000-6000 (5th CPC Scale)	67000-79000 (6th CPC Scale)
3.	Pay on retirement OR Notional pay as on 1.1.1986 for those retired before 1.1.1986	1210	4000	4800	76000
4.	Pension as on 01.01.2016 before revision	4191	12800	6424	39600
5.	Family pension as on 01.01.2016 before revision	3600	7660	3500	23700
6.	Family pension at enhanced rate as on 01.01.2016 before revision (if applicable)	NA	N.A.	NA	39600
7.	Revised pension by multiplying pre-revised pension by 2.57	10771	32362	13940	101615
8.	Revised family pension by multiplying pre-revised family pension by 2.57	9000	19430	9000	60909
9.	Revised family pension at enhanced rate by multiplying pre-revised enhanced family pension by 2.57	NA	NA	N.A.	101615
10.	Pay fixed on notional basis on 1.1.1986	5710 (3200-4900)	11300 (10000-16200)	N.A.	NA
11.	Pay fixed on notional basis on 1.1.2006	8610 (PB-I, GP 2000)	27620 (PB-I, GP 8400)	11330 (PB-I, GP 2400)	NA
12.	Pay fixed on notional basis on 1.1.2016	23100 (Level-8)	71800 (Level-11)	20800 (Level-4)	208100 (Level-15)
13.	Revised pension w.e.f. 1.1.2016 as per first formulation.	11560	36600	14800	102850
14.	Revised family pension w.e.f. 1.1.2016 as per first formulation.	9000	21540	9000	61630
15.	Revised family pension at enhanced rate w.e.f. 1.1.2016 as per first formulation.	NA	N.A.	N.A.	102850
16.	Revised pension payable (Higher of S.No. 7 and 13)	11560	36600	14800	102850
17.	Revised family pension payable (Higher of S.No. 8 and 14)	9000	21540	9000	61630
18.	Revised family pension at enhanced rate payable (Higher of S.No. 9 and 15)	NA	N.A.	N.A.	102850

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Advocate

192/32
Annexure A6/1

ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION
(REGD. 183309)
CENTRAL HEADQUARTERS

AH 189/61, 3rd Street, Auroville Flats, Anna Nagar, Chennai-600040

President: P.S. Ramankutty
Mobile - 09447551555

General Secretary: G. Natarajan
Mobile - 09444929799

Date: 23/6/2017

To
The Secretary,
Department of Telecom,
Sanchar Bhavan,
20, Asoka Road,
New Delhi-110001

Respected Madam,

Sub:- Grant of pension @ 50% of last ten months average or last pay drawn whichever is beneficial to BSNL IDA pensioners who retired prior to 1/1/2006 - reg

Accepting 6th CPC recommendation, Government issued orders for granting pension @ 50% of last ten months average or last pay drawn whichever is beneficial to the pensioner. Accordingly CCS (Pension) Rules 1972 was also amended. This benefit was given to those who retired after 1/1/2006 not only from Central Government but also from BSNL (DoT absorbed BSNL employees are covered under CCS (Pension) Rules 1972).

2. Grant of full pension for those who had a qualifying service of 33 years under Rule 49 of CCS (Pension) Rules 1972 was dispensed with from 1/1/2006 as per 6th CPC recommendations. In effect, those who had a qualifying service of 10 years are entitled for full pension from 1/1/2006.

3. On the basis of 7th CPC recommendation, Government issued orders vide OM No.38/372013-P&PW(A) on 4/8/2016 revising the pension of those who retired prior to 1/1/2016. As per this OM, the existing pension was multiplied by 2.57 and that became the basic pension from 1/1/2016.

4. Later Government issued another OM on 12/5/2017. According to this OM, the revised pension/family pension w.e.f. 1/1/2016 who retired/died prior to 1/1/2016 may be revised by notionally fixing their pay in the pay matrix recommended by the 7th CPC in the level corresponding to the pay in the pay scale/pay band and grade pay at which they retired/died. This is done by notional pay fixation under each Intervening Pay Commission based on the formula for revision of pay. This is a new concept. According to this concept, the last pay drawn was correspondingly changed notionally after every pay commission till 7th CPC and the pension is fixed at 50% of that notional pay. This has two impacts viz. 1) pro-rata pension, for less than 33 years of qualifying service, is dispensed with even for those who retired prior to 1/1/2006 and 2) It amounts to 50% of last pay drawn as pension. This OM also provides a choice for the pensioner to choose either multiplication factor of 2.57 as per OM dated 4/8/2016 or 50% notional pay as per OM dated 12/5/2017 whichever is beneficial to the pensioner.

5. Dividing the pensioners on the basis of date of retirement as pre-2006 and post-2006 is discriminatory and dividing the pensioners' class as two without any rationale.

6. When the Central Government pensioners and permanently absorbed PSU/autonomous bodies (para 13

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
P2/33 A6/2

of OM dated 12/5/2017) who are having CDA pattern, were given the benefit, denial of such option to BSNL IDA pensioners is arbitrary & discriminatory.

7. Explanation under sub rule 8 of Rule 37A of CCS (Pension) Rules 1972 states "The amount of pension/family pension of the absorbed employee on retirement or on death from Public Sector Undertaking shall be calculated in the same way as calculated in the case with a Central Government servant, retiring/or dying on the same day"

In the light of the above submission, we request you, madam, to consider of granting the choice of 80% of last ten months average or last pay drawn, whichever is beneficial to the pensioner, as pension for those who retired from BSNL between 1/10/2000 and 31/12/2005.

Thanking you

Yours faithfully,

(G. Natarajan)
General Secretary.

Copy to:-

- 1) Secretary,
Department of Pension & Pensioners' Welfare,
Lok Nayak Bhavan, Khan Market, New Delhi-110003
- 2) Secretary,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi-110001

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BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA/180/00 346 /2018

All India BSNL Pensioners' Welfare Association
& another

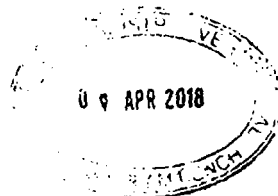
Applicants

V.

Union of India & others

Respondents

ORIGINAL APPLICATION



R. SREERAJ
COUNSEL FOR THE APPLICANTS

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ANNEXURE A-54

**BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH, ERNAKULAM**

O.A. NO.346/2018

All India BSNL Pensioner's Welfare Association :Applicant
Union of India and Another :Respondents

REPLY STATEMENT FILED
BY THE RESPONDENTS No.1,3,4 AND 5

K. C. MURALEEDHARAN (ACGSC)
Counsel for the Respondents



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BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH, ERNAKULAM

O.A. NO.346/2018

All India BSNL Pensioner's Welfare Association :Applicant

Union of India and Another

: Respondents

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3	Annexure R2-Copy of OM No.40-31/2008-Pen (T) dated 16.03.2017	13

Dated this the day of September 2018.


K. C. MURALEEDHARAN (ACGSC)
Counsel for the Respondents 1,3 to 5



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**BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH, ERNAKULAM**

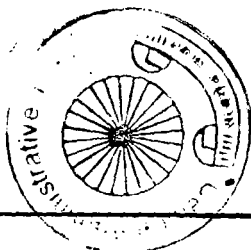
O.A. NO.346/2018

All India BSNL Pensioner's Welfare Association :Applicant
Union of India and Another :Respondents

REPLY STATEMENT ON BEHALF OF RESPONDENTS No.1,3,4&5

I, T Radhakrishnan, S/o Late T Thukkan, aged 53 years, working as Dy. Controller of Communication Accounts in the Office of the Controller of Communication Accounts, Department of Telecommunications, Ministry of Communication, Kerala, under the replying respondent, do hereby solemnly affirm and declare as under: -

1. That I am acquainted with facts and circumstances of the present case. I am competent and authorized to depose this reply affidavit on behalf of respondents 1,3,4&5 in my official capacity.
2. That I have read the contents of the present application under reply and I state that the contents mentioned therein to the extent they are inconsistent with the submissions made hereinafter in this reply affidavit are incorrect and denied. Unless any averment and contention is specifically admitted or traversed, the same may be treated as denied.
3. Bharat Sanchar Nigam Limited (BSNL) was formed on 01.10.2000 by conversion of the erstwhile Department of Telecom. Services (DTS) and Department of Telecom. Operations (DTO) into a Public Sector Undertaking. (PSU). The Government employees in these two Departments were first transferred en-masse to BSNL on deemed deputation basis. These employees were later given option to either continue to be in Government Service or to seek permanent absorption in




T. RADHAKRISHNAN
डी. राधाकृष्णन / T. RADHAKRISHNAN
उप संचार सेवा नियंत्रक / Deputy Controller of Communication Accounts
संचार सेवा नियंत्रक का कार्यालय
Office of the Controller of Communication Accounts
संचार विभाग, पुणे/संचार विभाग
Govt. of India, Dept. of Telecommunications
संचार विभाग / Ministry of Communications
कोलकाता, वि.प.सं. 33 / Kerala, Thiruvananthapuram-33

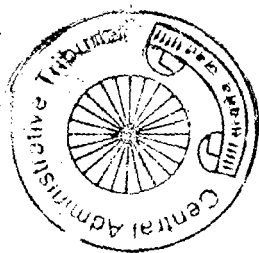
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BSNL. Those employees who opted for absorption in BSNL, Presidential Orders were issued in their favour laying down comprehensive terms and conditions of their absorption in BSNL with effect from 01.10.2000 in accordance with Rule 37-A of CCS (Pension) Rules, 1972 (Annexure R1). The absorbed employees of BSNL were given higher IDA pay scales as compared to their counter parts in Government Service receiving CDA pay scales.

4. After absorption in BSNL, these employees ceased to be Government servants and they were deemed to have retired from Government service from the date of their absorption as per Sub-rule 4 of Rule ibid. As per Sub-rule 8 of Rule 37-A of CCS (Pension) Rules, 1972, these absorbed employees were eligible for pensionary benefits on the basis of the combined service rendered by them with the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL. The absorbed employees of BSNL, who retired after 01.10.2000 got pension and dearness relief thereon in IDA pattern on the basis of last pay or last ten months' average pay, whichever is more beneficial, as per Sub-Rules 9 & 10 of Rule ibid. The pension to absorbed employees of BSNL is paid by Government as per Sub-rule 22 of Rule ibid.
5. In case of BSNL absorbed employees, IDA pension was made applicable with effect from 01.10.2000 onwards and it was subsequently revised with effect from 01.01.2007 after implementation of the recommendations of the 2nd Pay Revision Committee (PRC) for serving employees. Thus, the applicants of the OAs are ex-absorbed combined services pension optee employees of BSNL and they are getting their pension/family pension in IDA pattern from Government as per Rule 37-A of CCS (Pension) Rules, 1972 (Annexure R-1).

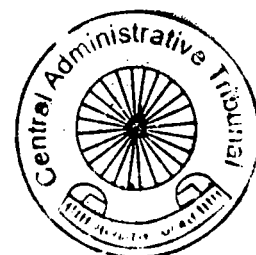

टो. राधाकृष्णन / T. RADHAKRISHNAN
 उप संचालक सेवा विभाग / Deputy Controller of Communication Accounts
 संचालक सेवा विभाग में कार्यरत
 Officer in Charge of Communication Accounts
 भारत सरकार, दूरसंचार विभाग
 Govt. of India, Dept. of Telecommunications
 संचालक विभाग / Ministry of Communications
 केरल, थिरुवनंतपुरम - 33 / Kerala, Thiruvananthapuram-33



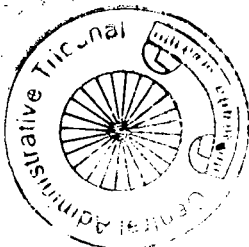


6. DoP&PW's OM dated 12.05.2017 (Annexure A-5 of the OA) is in continuation of their OM dated 04.08.2016 (Annexure A-4 of the OA). Para 7(a) of the latter clearly indicates that when the Government servant on permanent absorption in PSUs continue to draw pension from the Government separately, the pension of such absorbees will be updated in terms of these orders. Accordingly, para 12 of the OM dated 12.05.2017 (Annexure A-5 of the OA) is applicable for the pensioners who are **drawing monthly pension from the Government on permanent absorption** in PSUs on pro-rata basis in CDA pattern based on their service in Government only. Therefore, OM No.38/37/2016-P&PW(A) dated 12.05.2017 (Annexure A-5 of the OA) issued by DoP&PW consequent to recommendations of the 7th Central Pay Commission (CPC) revising the pension/family pension of ex-Government employees are not applicable to the applicants of OA No. 180/00346/2018.
7. From the above, it is abundantly clear that DoP&PW OM No.38/37/2016-P&PW(A) dated 12.05.2017 (Annexure A-5 of the OA) is meant for Central Government CDA pensioners and pro-rata pension optee BSNL absorbees drawing pension on CDA pattern for Government service period only and not for combined service pension optee BSNL IDA pensioners. However, certain benefits of the DoP&PW OM No. 38/37/2016-P&PW(A)(i) dated 04.08.2016 (Annexure A-4 of the OA) has been extended to them, vide DoT OM No.40-31/2008-Pen (T) dated 16.03.2017 (Annexure R-2).
8. With regard to para 1 to para 3 no comments is needed as they being matter of record.
9. With regard to para 4.1 to 4.7 it is respectfully submitted that as submitted in the above background note, after absorption in BSNL, the applicants in the OA ceased to be Government servants and they were deemed to have retired from Government service from the date of their absorption as per Sub-rule 4 of Rule ibid. As per Sub-rule 8 of Rule 37-

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 केरल, तिरुवनंतपुरम - 33 / Kerala, Thiruvananthapuram-33



A of CCS (Pension) Rules, 1972, these absorbed employees were eligible for pensionary benefits on the basis of the combined service rendered by them with the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL. The absorbed employees of BSNL, who retired after 01.10.2000 got pension and dearness relief thereon in IDA pattern on the basis of last pay or last ~~ten months' average pay, whichever is more beneficial, as per Sub-Rules 9 & 10 of Rule~~ ~~ibid.~~ The pension to absorbed employees of BSNL is paid by Government as per Sub-rule 22 of Rule ~~ibid.~~ In case of BSNL absorbed employees, IDA pension was made applicable with effect from 01.10.2000 onwards and it was subsequently revised with effect from 01.01.2007 after implementation of the recommendations of the 2nd Pay Revision Committee (PRC). Thus, the applicants of the OA are ex-absorbed combined service pension optee employees of BSNL and they are getting their pension/family pension in IDA pattern from Government as per Rule 37-A of CCS (Pension) Rules, 1972 (Annexure R-1). DoP&PW OM dated 12.05.2017 (Annexure A-5 of the OA) is in continuation of their OM dated 04.08.2016 (Annexure A-4 of the OA). Para 7(a) of the latter clearly indicates that when the Government servant on permanent absorption in PSUs continue to draw pension from the Government separately, the pension of such absorbees will be updated in terms of these orders. Accordingly, para 12 of the OM dated 12.05.2017 (Annexure A-5 of the OA) is applicable for the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government only. Therefore, OM No.38/37/2016-P&PW(A) dated 12.05.2017 (Annexure A-5 of the OA) issued by DoP&PW consequent to recommendations of the 7th Central Pay Commission (CPC) revising the pension/family pension of ex-Government employees are not applicable to the applicants of OA No. 180/00346/2018. From the above, it is abundantly clear that DoP&PW OM No.38/37/2016-P&PW(A) dated 12.05.2017 (Annexure A-5 of the OA) is meant for Central Government

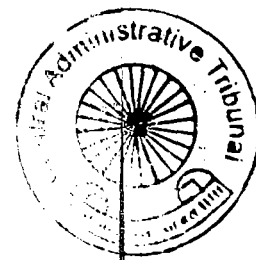


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 Office of the Controller of Communication Accounts
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 Govt. of India, Dept. of Telecommunications
 भारत विभाग / Ministry of Communications
 केरल, थिरुवनन्तपुरम - 33 / Kerala, Thiruvananthapuram-33

CDA pensioners and pro-rata pension optee BSNL absorbees drawing pension on CDA pattern for Government service period only and not for combined service pension optee BSNL IDA pensioners. However, certain benefits of the DoP&PW OM No. 38/37/2016-P&PW(A)(i) dated 04.08.2016 (Annexure A-4 of the OA) have been extended to them, vide DoT OM No.40-31/2008-Pen (T) dated 16.03.2017 (Annexure R-2).

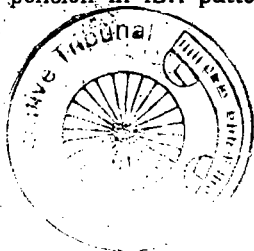
10. With regard to para 5 A to 5 C it is respectfully submitted that as submitted in the above background note, after absorption in BSNL, the applicant in the OAs ceased to be Government servants and they were deemed to have retired from Government service from the date of their absorption as per Sub-rule 4 of Rule ibid. As per Sub-rule 8 of Rule 37-A of CCS (Pension) Rules, 1972, these absorbed employees were eligible for pensionary benefits on the basis of the combined service rendered by them with the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL. The absorbed employees of BSNL, who retired after 01.10.2000 got pension and dearness relief thereon in IDA pattern on the basis of last pay or last ten months' average pay, whichever is more beneficial, as per Sub-Rules 9 & 10 of Rule ibid. The pension to absorbed employees of BSNL is paid by Government as per Sub-rule 22 of Rule ibid. In case of BSNL absorbed employees, IDA pension was made applicable with effect from 01.10.2000 onwards and it was subsequently revised with effect from 01.01.2007 after implementation of the recommendations of the 2nd Pay Revision Committee for serving employees. Thus, the applicants of the OAs are ex-absorbed employees of BSNL and they are getting their pension/family pension in IDA from Government as per Rule 37-A of CCS (Pension) Rules, 1972 (Annexure R-1). DoP&PW OM dated 12.05.2017 (Annexure A-5 of the OA) is in continuation of their OM dated 04.08.2016 (Annexure A-4 of the OA). Para 7(a) of the latter clearly indicates that when the Government servant on permanent absorption in PSUs continue to draw pension from the Government

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 C/o the Controller of Communication Accounts
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separately, the pension of such absorbtees will be updated in terms of these orders. Accordingly, para 12 of the OM dated 12.05.2017 (Annexure A-5 of the OA) is applicable for the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government only. Therefore, OM No.38/37/2016-P&PW(A) dated 12.05.2017 (Annexure A-5 of the OA) issued by DoP&PW consequent to recommendations of the 7th Central Pay Commission (CPC) revising the pension/family pension of ex-Government employees are not applicable to the applicants of OA No. 180/00346/2018. From the above, it is abundantly clear that DoP&PW OM No.38/37/2016-P&PW(A) dated 12.05.2017 (Annexure A-5 of the OA) is meant for Central Government CDA pensioners and pro-rata pension optee BSNL absorbtees drawing pension on CDA pattern for Government service period only and not for combined service pension optee BSNL IDA pensioners. However, certain benefits of the DoP&PW OM No. 38/37/2016-P&PW(A)(i) dated 04.08.2016 (Annexure A-4 of the OA) has been extended to them, vide DoT OM No.40-31/2008-Pen (T) dated 16.03.2017 (Annexure R-2).

11. With regard to para 6 and 7 it is respectfully submitted that these this para need no comments, they being matter of record.
12. With regard to para 8 and 9 it is respectfully submitted that as submitted in the above background, DoP&PW's OMs dated 04.08.2016 (Annexure A-4 of the OA) and dated 12.05.2017 (Annexure A-5 of the OA) are to give effect to the recommendations of the 7th CPC, which deals with Government pensioners receiving their pension/family pension in CDA. It is also applicable to some of the Government employees, who are permanently absorbed in PSUs and are drawing pro-rata pension in CDA for the service rendered in Government only. The applicants in this OA were permanently absorbed in BSNL and are getting pension/family pension in IDA pattern for combined service in DoT and BSNL and,



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therefore, OMs No.38/37/2016-P&PW(A) dated 04.08.2016 (Annexure A-4 of the OA) and dated 12.05.2017 (Annexure A-5 of the OA) issued by DoP&PW consequent to the recommendations of 7th Central Pay Commission (CPC) revising the pension/family pension of ex-Government employees are not applicable to them. Thus, it is abundantly clear that DoP&PW's OMs dated 04.08.2016 (Annexure A-4 of the OA) and 12.05.2017 (Annexure A-5 of the OA) are meant for Central Government CDA pensioners and pro-rata pension optee BSNL absorbees drawing pension in CDA pattern for Government service period only and not for combined service pension optee BSNL IDA pensioners. However, certain benefits of the DoP&PW OM No. 38/37/2016-P&PW(A)(i) dated 04.08.2016 (Annexure A-4 of the OA) have been extended to the latter vide DoT OM No.40-31/2008-Pen (T) dated 16.03.2017 (Annexure R-2).

In view of the above, the applicant is not entitled to any of the reliefs sought for and the OA is liable to be dismissed as devoid of merits with cost to these respondents.

VERIFICATION

I, T Radhakrishnan, S/o Late T Thukkan, aged 53 years, working as Dy. Controller of Communication Accounts in the Office of the Controller of Communication Accounts, Department of Telecommunications, Ministry of Communication, Kerala, do hereby verify that the contents of the above paragraphs are to the best of my knowledge information and belief and that I have not deliberately suppressed any material facts in connection with the above original application.

Dated this the 12th day of September 2018.

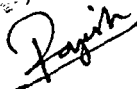
Deponent

(Signature)
 टी. राधाकृष्णन / T. RADHAKRISHNAN
 उप संचार सेवा नियंत्रक / Deputy Controller of Communication Accounts
 संचार सेवा नियंत्रक का कार्यालय
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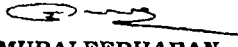


ATTESTATION

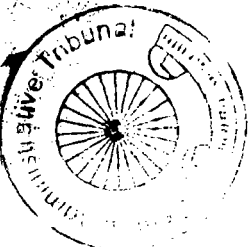
Solemnly offered and signed before me by the deponent at my office at
Thiruvananthapuram on this the 12th day of September 2018.



श्री. राजेश/ B. RAJESH
सहायक लेखा अधिकारी / Asst. Accounts Officer
संसार सेवा विभाग का कार्यालय
O/o the Controller of Communication Accounts
Attesting Officer
Govt. of India, Dept. of Telecommunications
अंतरा विभाग / Ministry of Communications
33 / Kerala, Thiruvananthapuram-33



K.C.MURALEEDHARAN
Advocate and ACGSC



ANNEXURE R-1

In the said rules, for rule 37A, the following rule shall be substituted, namely;—

"37A. Conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Public Sector Undertaking.-- (1) On conversion of a department of the Central Government into a Public Sector Undertaking, all Government servants of that Department shall be transferred *en-masse* to that Public Sector Undertaking, on terms of foreign service without any deputation allowance ~~at~~ such time as they get absorbed in the said undertaking, and such transferred Government servants shall be absorbed in the Public Sector Undertaking with effect from such date as may be notified by the Government.

(2) The Central Government shall allow the transferred Government servants an option to revert back to the Government or to seek permanent absorption in the Public Sector Undertaking.

(3) The option referred to in sub-rule (2) shall be exercised by every transferred Government servant in such manner and within such period as may be specified by the Government.


(4) The permanent absorption of the Government servants as employees of the Public Sector Undertaking shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from Government service.

(5) Upon absorption of Government servants in the Public Sector Undertaking, the posts which they were holding in the Government before such absorption shall stand abolished.

(6) The employees who opt to revert to Government service shall be re-deployed through the surplus cell of the Government.

(7) The employees including quasi-permanent and temporary employees but excluding casual labourers, who opt for permanent absorption in the Public Sector Undertaking shall, on and from the date of absorption, be governed by the rules and regulations or bye-laws of the Public Sector Undertaking.

(8) A permanent Government servant who has been absorbed as an employee of a Public Sector Undertaking and his family shall be eligible for pensionary benefits (including commutation of pension, gratuity, family pension or extra-ordinary pension), on the basis of combined service rendered by the employee in the government and in the Public Sector Undertaking in accordance with the formula for calculation of such pensionary benefits as may be in force at the time of his retirement from the Public Sector Undertaking or his death or at his option; to receive benefits for the service rendered under the Central Government in accordance with the orders issued by the Central Government.


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 केतल, तिरुवनंतपुरम - 33 / Kozhikode, Thiruvananthapuram-33

(18) Lump sum amount of the pension shall be determined with reference to Commutation Table laid down in Central Civil Services (Commutation of Pension) Rules, 1981.

(19) The Public Sector Undertaking shall make pensionary contribution to the Pension Fund for the period of service to be rendered by the concerned employees under that undertaking at the rates as may be determined by the Board of Trustees so that the Pension Fund shall be self-supporting.

(20) If, for any financial or operational reason, the Trust is unable to discharge its liabilities fully from the Pension Fund and the Public Sector Undertaking is also not in a position to meet the shortfall, the Government shall be liable to meet such expenditure and such expenditure shall be debited to either the Fund or to the Public Sector Undertaking.

(21) Payments of pensionary benefits of the pensioners of a Government Department on the date of conversion of it into a Public Sector Undertaking shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account shall be determined by the Government.

(22) Nothing contained in sub-rules (13) to (21) shall apply in the case of conversion of the Departments of Telecom Services and Telecom Operations into Bharat Sanchar Nigam Limited, in which case the pensionary benefits including family pension shall be paid by the Government.

(23) For the purposes of payment of pensionary benefits including family pension referred to in sub-rule (22), the Government shall specify the arrangements and the manner including the rate of pensionary contributions to be made by Bharat Sanchar Nigam Limited to the Government and the manner in which financial liabilities on this account shall be met.

(24) The arrangements under sub-rule (23) shall be applicable to the existing pensioners and to the employees who are deemed to have retired from the Government.

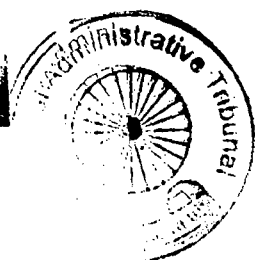
(25) Upon conversion of a Government Department into a Public Sector Undertaking,-

(a) the balance of provident fund standing at the credit of the absorbed employees on the date of their absorption in the Public Sector Undertaking shall, with the consent of such undertaking, be transferred to the new Provident Fund Account of the employees in such undertaking;

(b) earned leave and half pay leave at the credit of the employees on the date of absorption shall stand transferred to such undertaking;

(c) the dismissal or removal from service of the Public Sector Undertaking of any employee after his absorption in such undertaking for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the

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केरल, तिरुवनंतपुरम - 53 / Kerala, Tiruvananthapuram-53



service rendered under the Government and in the event of his dismissal or removal or retrenchment the decisions of the undertaking shall be subject to review by the Ministry administratively concerned with the undertaking.

(26) In case the Government disinvests its equity in any public sector undertaking to the extent of fifty-one per cent or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such Public Sector Undertaking.

(27) The safeguards specified under sub-rule (26) shall include option for voluntary retirement or continued service in the undertaking or voluntary retirement benefits on terms applicable to Government employees or employees of the Public Sector Undertaking as per option of the employees and assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government."

(11) In the said rules, after rule 37A, the following rule shall be inserted, namely:--

"37B. Conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Central Autonomous Body.--

(1) On conversion of a department of the Central Government into an Autonomous Body, all Government servants of that Department shall be transferred *en-masse* to that Autonomous Body on terms of foreign service without any deputation allowance till such time as they get absorbed in the said body and such transferred Government servants shall be absorbed in the Autonomous Body with effect from such date as may be notified by the Government.

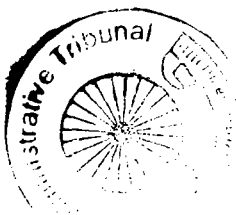
(2) The Central Government shall allow the transferred Government servants an option to revert back to the Government or to seek permanent absorption in the Autonomous Body.

(3) The option referred to in sub-rule (2) shall be exercised by every transferred Government servant in such manner and within such period as may be specified by the Government.

(4) The permanent absorption of the Government servants of the Autonomous Body shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from Government service.

(5) Upon absorption of Government servants in the Autonomous Body, the posts which they were holding in the Government before such absorption shall stand abolished.

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service rendered under the Government and in the event of his dismissal or removal or retrenchment the decisions of the undertaking shall be subject to review by the Ministry administratively concerned with the undertaking.

(26) In case the Government disinvests its equity in any public sector undertaking to the extent of fifty-one per cent or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such Public Sector Undertaking.

(27) The safeguards specified under sub-rule (26) shall include option for voluntary retirement or continued service in the undertaking or voluntary retirement benefits on terms applicable to Government employees or employees of the Public Sector Undertaking as per option of the employees and assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government."

(11) In the said rules, after rule 37A, the following rule shall be inserted, namely:--

"37B. Conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Central Autonomous Body.--

(1) On conversion of a department of the Central Government into an Autonomous Body, all Government servants of that Department shall be transferred *en-masse* to that Autonomous Body on terms of foreign service without any deputation allowance till such time as they get absorbed in the said body and such transferred Government servants shall be absorbed in the Autonomous Body with effect from such date as may be notified by the Government.

(2) The Central Government shall allow the transferred Government servants an option to revert back to the Government or to seek permanent absorption in the Autonomous Body.

(3) The option referred to in sub-rule (2) shall be exercised by every transferred Government servant in such manner and within such period as may be specified by the Government.

(4) The permanent absorption of the Government servants of the Autonomous Body shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from Government service.

(5) Upon absorption of Government servants in the Autonomous Body, the posts which they were holding in the Government before such absorption shall stand abolished.

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Off. the Controller of Communication Accounts
पारस सचिव, दूरसंचार विभाग
Govt. of India, Dept. of Telecommunications
संचार मंत्रालय / Ministry of Communications
केरल, तिरुवनंतपुरम - 33 / Kerala, Thiruvananthapuram-33



ANNEXURE R-2

13
No.40-31/2008-Pen(T)*
Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20 - Ashoka Road
New Delhi - 110 001

Dated: 16th March, 2017.

OFFICE MEMORANDUM

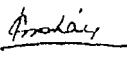
Subject: Implementation 7th CPC recommendations: Applicability to the BSNL/MTNL absorbees opting for pension for combined service governed under Rule 37-A of CCS(Pension) Rules, 1972.

The undersigned is directed to refer to this Department's OM No.36-02/2016-Pen(T)(i) dated 22.08.2016 and to give the following clarification on the applicability of the revised rules of CCS(Pension) Rules, 1972 to the BSNL/MTNL absorbees (opting for pension for combined service and whose pension is governed under Rule 37-A of CCS(Pension) Rules) consequent to 7th CPC with regard to DoP&PW's OM No. 38/37/16-P&PW(A)(i) dated 04.08.2016:

2. The rates for payment of death gratuity shall be revised as per para 6.1 of DoP&PW's O.M. No. 38/37/2016-P&PW(A)(i) dated 4th August, 2016. The maximum limit of Death/Retirement gratuity shall be Rs 20 lakh w.e.f. 01.01.2016.
3. There is no change in the formula for pension/family pension w.e.f. 01.01.2016. BSNL/MTNL absorbee employees will, therefore, continue to get pension based on the same formula.
4. There will be no change in the provisions relating to commutation values.

This issues with the approval of competent authority.

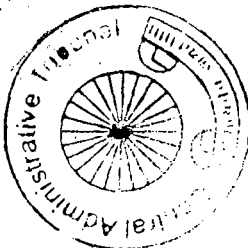
Yours faithfully,

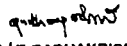

(K.S. Dahiya)
Under Secretary (STP)
Tel. 23036260

To:

1. All the CCAs/ TERM Cells.
2. Sr. DDG(TEC), Khurshid Lal Bhawan, Janpath, New Delhi.
3. Sr. DWA, 6th floor, Sanchar Bhawan, 20-Ashoka Rd, New Delhi-110001.
4. DDG(Estt.)/DDG(Accounts), DoT, Hqrs, New Delhi.
5. DDG (T & A), NTIPRIT, Admin Building, ALT Centre, Govt. of India Enclave, Near Raj Nagar, Ghaziabad-201002.

*Amended vide No. No.40-31/2008-Pen(T) dated 19.04.2017.



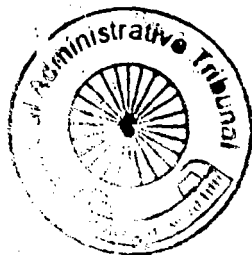

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Govt. of India, Dept. of Telecommunications
संचार भवन / Ministry of Communications
केलर, सिविल नगर - 33 / Karala, Thiruvananthapuram-33

2/3/2021

Case Status : Search by Case Number

High Court of Kerala ANNEXURE A-55

Daily Status	
High Court of Kerala	
In The Court Of : Justice	
Case Number : OP (CAT)/0000060/2020	
ALL INDIA BSNL PENSIONERS WELFARE ASSOCIATION Versus UNION OF INDIA	
Date : 13-07-2020	
Business	ADMIT. R1 TAKES NOTICE. NOTICE BY SPEED POST TO OTHER RESPONDENTS,
Next Purpose	: ADMISSION
Justice	





cat judicial 02 <catjudicial02@gmail.com>

568

Fwd: Sur-Rejoinder OA No.100/1329/2020: All India BSNL Pensioners' Welfare Association & Ors. v. Union of India & Ors.

2 messages

P.K. Satija <judicial-pb-cat@gov.in>
To: catjudicial02 <catjudicial02@gmail.com>

Thu, Jul 1, 2021 at 9:10 PM

----- Forwarded Message -----

From: "nd kaushik1" <nd.kaushik1@gmail.com>
To: "P.K. Satija" <judicial-pb-cat@gov.in>
Sent: Thursday, July 1, 2021 11:07:46 PM
Subject: Re: Sur-Rejoinder OA No.100/1329/2020: All India BSNL Pensioners' Welfare Association & Ors. v. Union of India & Ors.

Sir,

As discussed on dated 23-06-2021 with Shri PK Satija, Please find attached updated Index in this email.

Thanks & Regards,
N D Kaushik

On Tue, Jun 15, 2021 at 3:57 PM CCA Delhi Department of Telecommunications <ccadelhi@gmail.com> wrote:

- > Sub:- OA No. 1329/2020 filed by All India BSNL Pensioners Welfare
- > Association & Others Vs Uol & Ors before Hon'ble CAT(PB), New Delhi.
- >
- > trailing mail received from P K Satija regarding the Index as well as in
- > the MA and surjoinder has not been done. Please do the needful and resend
- > the same for taking further necessary action in the matter. Please also
- > furnish the proof of advance service to the counsel for the other side.
- > you are requested to examine the matter and arrange to file the
- > sur-joinder dt 17.03.2021.
- >
- > with regard
- > Dy.CCA (L)
- > --
- > O/o Pr. Controller of Communication Accounts, Delhi
- > Department of Telecommunication
- > Sanchar Lekha Bhawan, Near Fire Station,
- > Prasad Nagar, New Delhi-110005
- >

Index-MA-Surrejoinder.jpg
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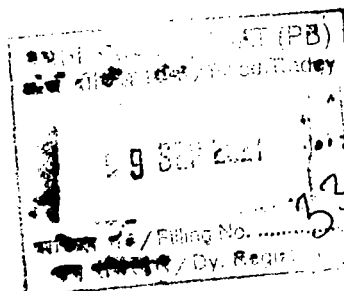
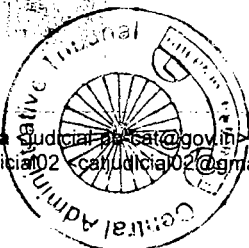
P.K. Satija <judicial-pb-cat@gov.in>
To: catjudicial02 <catjudicial02@gmail.com>

Thu, Sep 9, 2021 at 2:34 AM

----- Forwarded Message -----

From: "nd kaushik1" <nd.kaushik1@gmail.com>
To: "P.K. Satija" <judicial-pb-cat@gov.in>
Cc: ccadelhi@gmail.com, "g narayanoffice" <g.narayanoffice@gmail.com>
Sent: Saturday, March 6, 2021 1:33:46 PM

Subject: Sur-Rejoinder OA No.100/1329/2020: All India BSNL Pensioners' Welfare Association & Ors. v. Union of India & Ors.



Matter is listed on 8th March -2021.

Thanks & Regards,
N D Kaushik
Senior Govt Counsel
9717462962

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9913K



570

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1329/2020

IN THE MATTER OF:

All India BSNL Pensioners'

Welfare Association & Ors

Applicant

Versus

Union of India & Ors

Respondents

INDEX

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Filed by

Dated: March, 2021
New Delhi

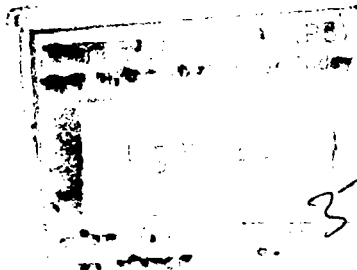
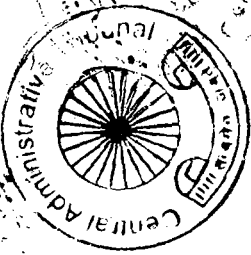
N D Kaushik

Advocate

Senior Central Govt. Counsel

C.A.T. (PB) Bar Room

Copernicus Marg, New Delhi



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. No. 1329/2020

IN THE MATTER OF:

All India BSNL Pensioners'

Welfare Association & Ors

...Applicant

Versus

Union of India & Ors

...Respondents

MEMO OF PARTIES

- 1 All India BSNL Pensioners' Welfare Association
Represented by General Secretary
Potharaju Gangadhara Rao,
S/o Late Sh. P. Sudharshanam,
Aged about 72 years,
Residing at: No.6 G No.12th Street,
Jogupalaya, Halasuru,
Bengaluru-560008
- 2 Shri Ramankutty Nair PS,
S/o Late R Sivaraman Nair,
Aged about 76 years,
Residing at TC 52/2369, CTO Colony,
Pappanamcode,
Thiruvananthapuram-695018
- 3 Shri Anupam Kaul,
S/o Sh. Jagan Nath Kaul,
Aged about 66 years,
Residing at A-402, PMO Apartments,
C-58/20, Sector 62, Noida



- 4 V Latha,
W/o S Vijayan, Aged about 59 years,
Residing at New 7 Old 44/2,
VV Colony First Street,
Adambakkam,
Chennai-600088

....Applicants

Versus

1. Union of India,
Represented by its Secretary,
Department of Telecommunications,
Sanchar Bhavan, No.20, Ashoka Road,
New Delhi-110001
2. The Department of Pension and Pensioners' Welfare,
Represented by its Secretary,
Lok Nayak Bhavan, Khan Market,
New Delhi-110003
3. The Department of Expenditure,
Represented by its Secretary,
129-A North Block,
New Delhi-110001

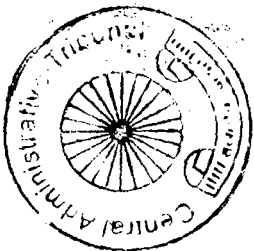
...Respondents

Through

Place: New Delhi

Dated: March, 2021

N.D. Kaushik
Senior Central Govt.
Counsel (UOI)
CAT Principal Bench
New Delhi



**IN THE CENTRAL ADMINISTRATIVE TRIBUNA
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1329/2020

IN THE MATTER OF:

All India BSNL Pensioner's

Welfare Association & Ors

...Applicant

Versus

Union of India & Ors

...Respondents

**SUR-REJOINDER ON BEHALF OF THE RESPONDENTS TO
THE REJOINDER FILED BY THE APPLICANT**

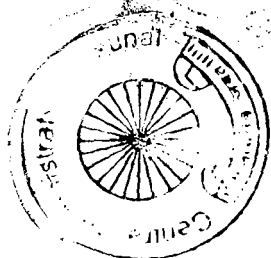
Most Respectfully Showeth :

Para 1-4: The averments made in these Paras are wrong and hence denied. It is further submitted that the parity sought by the applicants through the instant OA, with Government employees for the purpose of revision of their IDA pension consequent to the recommendations of the 7th CPC cannot be granted simply on the grounds that after their absorption in BSNL, the employees of erstwhile DTO and DTS on formation of BSNL, ceased to be Government servants and they were deemed to have retired from Government service from the date of their permanent absorption in BSNL, as per Sub-rule 4 of Rule



37-A of CCS (Pension) Rules, 1972. The applicants of the instant OA, being the absorbed employees of BSNL, are drawing their pension in IDA.

Further, OM dated 04.08.2016 (Annexure A-28 of the OA) of DOP&PW provides for revision of pension/family pension of government pensioners who were drawing pension/family pension as on 31.12.2015 (pre-2016 pensioners/family pensioners). Para 7(a) of the OM dated 12.05.2017 (Annexure A-30 of the OA) clearly indicates that when the Government servants on permanent absorption in PSUs continue to draw pension from the Government separately, the pension of such absorbees will be updated in terms of these orders. Accordingly, para 12 of the OM dated 12.05.2017 (Annexure A-30 of the OA) is applicable for the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government only. Therefore, OM No.38/37/2016-P&PW (A) dated 12.05.2017 (Annexure A-30 of the OA) issued by DoP&PW consequent to the recommendations of the 7th Central Pay Commission (CPC) revising the pension/family pension of pre-2016 pensioners/family pensioners are applicable to only Government pensioners/family pensioners and to the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government and it is not applicable to ex-absorbed combined service pension optees of BSNL i.e. the applicants of the instant OA.



On implementations of the recommendations of the 3rd PRC, revised pay scales for employees in CPSEs, as contained in DPE's OM 02/0028/2017-DPE (WC)-GL-XIII/17 dated 03.08.2017 (Annexure A-22 of the OA), could not be extended to the employees of BSNL with effect from 01.01.2017 as BSNL was recurring losses continuously year after year and the CPSU could not afford extra burden on revision of pay scales of its employees/executives. As such, the pay scales of the employees/executives of BSNL could not be revised with effect from 01.01.2017 on implementation of the recommendations of the 3rd PRC and therefore, the pension/family pension of ex-absorbed combined service pension optees of BSNL, also could not be revised with effect from that date. This was due to the fact that had the IDA pension of combined service pension optees of BSNL pensioners/family pensioners was revised with effect from 01.01.2017 by adopting special provisions, an anomalous condition would arise as absorbed employees who retire from BSNL after 01.01.2017 are to get much less pension than those BSNL IDA pensioners who had retired before 01.01.2017. As such the revision of IDA pension/family pension of combined service pension optees of BSNL could only be revised on revision of the pay scales of the absorbed BSNL employees on implementation of the recommendations of the 3rd PRC.

That AIBSNLPWA & Ors. had earlier filed OA No.346/2018 before the Hon'ble CAT, Ernakulam Bench seeking implementation of OM No.38/37/2016-P&PW(A) dated 12.05.2017 of DOP&PW (Annexure A-30 of the OA) in case of BSNL absorbed employees. However, the Hon'ble CAT dismissed OA No.346/2018, vide order

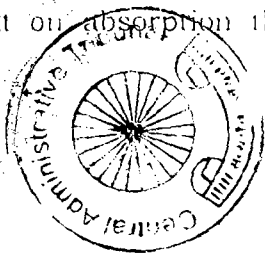


dated 30.10.2019 (Annexure R-1). This order of the Hon'ble Tribunal is presently under challenge by AIBSNLPWA & Ors. before the Hon'ble Kerala High Court by way of filing OP(CAT) No.60/2020.

OA No.021/813/2017 filed by Shri MSS Ramachandra Murthy before the Hon'ble CAT, Hyderabad Bench seeking revision of his IDA pension consequent to implementation of the recommendations of 7th CPC, was also dismissed by the Hon'ble CAT, vide order dated 10.12.2018 (Annexure R-2) with the observation that the norms for revision of pension are decided by the Pay Revision Committee of Public Undertakings and not by Pay Commissions. This order of the Hon'ble Tribunal is presently under challenge by Shri MSS Ramachandra Murthy before the Hon'ble AP High Court at Hyderabad by filing of Writ Petition (SR) No.14133/2019.

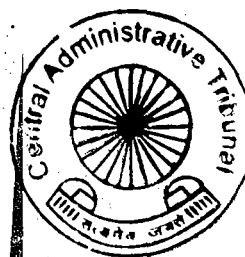
It is reiterated that the parity sought by the applicants with the Government employees for the purpose of revision of their IDA pension consequent to the recommendations of the 7th CPC cannot be granted for the reasons mentioned in the preceding paragraphs. This parity was never promised to them at the time of their permanent absorption in BSNL with effect from 01.10.2000. In support of their claim, the applicants have cited provisions of Rule 37-A of CCS (Pension) Rules, 1972, which is a detailed substitution of the provisions contained in DOP&PW's OM No.4/18/87-P&PW(D) dated 05.07.1989 (**Annexure RR-1**).

The applicants in the instant paras have themselves admitted that on absorption they were given IDA pay scales that were



much more than the similarly placed Government employees and, therefore, they were getting much more IDA pension and that even after revision of pension of Government pensioners on implementation of 7th CPC, the applicants' pension is merely Rs.1,677/ or Rs.1,317/ less, which if revised on implementation of the recommendations of 3rd PRC would be much more than the similarly placed Government pensioners.

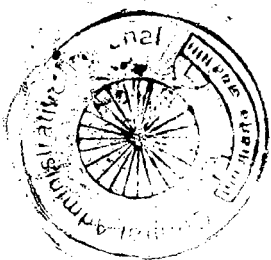
The judgment dated 13.11.2019 of the Hon'ble Kerala High Court at Ernakulam in OP (CAT) No.63/2017 (Z) in the matter of Abdul Rasheed AA & Ors. Vs. UOI & Ors. pertained to altogether different matter. Appointments of Shri Abdul Rasheed AA & Ors. on compassionate ground (their fathers being employees of erstwhile DOT and had expired during their service) were approved by DOT before 01.10.2000 but they were appointed, on completion of training, by the BSNL after 01.10.2000 and, as such they are treated as BSNL recruited employees, whereas they are claiming to be DOT employees absorbed in BSNL. Since Shri Abdul Rasheed AA & Ors. are still in BSNL service, there is no question of their retirement/deemed retirement from DOT under Sub-rule 4 of Rule 37-A of CCS (Pension) Rules, 1972. As such it is totally wrong on the part of the applicants to say that the Hon'ble Kerala High Court at Ernakulam in its judgment dated 13.11.2019 in OP (CAT) No.63/2017 (Z) had clarified that deemed retirement under sub-rule 4 does not impact the pensionary benefits of the absorbees, which are protected under Rule 37-A. Since the matter in litigation in OP (CAT) No.63/2017 (Z) was altogether different from the issue in the instant OA, it was not found relevant to bring the same before this Hon'ble



Tribunal. In fact, the applicants are trying to mislead this Hon'ble Tribunal by quoting the aforesaid judgment of the Hon'ble Kerala High Court at Ernakulam. Moreover, the judgment dated 13.11.2019 of Hon'ble Kerala High Court at Ernakulam in OP (CAT) No.63/2017 (Z) is under challenge before the Hon'ble Supreme Court of India by way of filing an SLP.

It is reiterated that extension of a substantial number of 6th CPC's recommendations, and making them applicable to the BSNL IDA pensioners with effect from 01.01.2006, in respect of calculation of pension, additional pension with maturity of age, qualifying service for full pension, commutation, limit of gratuity, family pension, leave encashment amount etc. does not bestow any parity between the absorbed employees of BSNL, the applicants of the instant OA, and the Government employees for the purpose of revision of pension.

Para 5: The averments of this Para are wrong and hence denied. It is further submitted and it is reiterated that on implementation of the recommendations of the 2nd PRC, revised pay scales for employees in CPSEs, as contained in DPE's OM No.2(70)/08-DPE(WC)-GL-XVL/08 dated 26.11.2008 (Annexure A-20 of the OA), were extended to the employees of BSNL with effect from 01.01.2007, vide letter No.26-01/2009-SU dated 27.02.2009. As a result, employees who retired from BSNL after 01.01.2007 got about 30% higher pension than the employees who retired before 01.01.2007. As there is no provision in Rule 37-A of CCS (Pension) Rules, 1972 for revision of pension of employees retired from BSNL, in order to remove the anomaly in



pension of those BSNL pensioners/family pensioners, who retired/expired between 01.10.2000 and 01.01.2007, approval of Union Cabinet was sought for revision of their pension and family pension and necessary orders were issued, vide order No.40-70/2008-Pen(T) (Vol.III) dated 15.03.2011 (Annexure A-24 of the OA). However, the pay scales of the employees/executives of BSNL could not be revised with effect from 01.01.2017 on implementation of the recommendations of 3rd PRC. Therefore, the pension/family pension of ex absorbed combined service pension optees of BSNL also could not be revised with effect from that date. This was due to the fact that had the IDA pension of combined service pension optee BSNL pensioners/family pensioners was revised with effect from 01.01.2017 by adopting special provisions, an anomalous condition would arise as absorbed employees who retire from BSNL after 01.01.2017 are to get much less pension than those BSNL IDA pensioners who had retired before 01.01.2017. As such the revision of IDA pension/family pension of combined service pension optees of BSNL could only be revised on revision of the pay scales of the absorbed BSNL employees on implementation of the recommendations of the 3rd PRC.

Para 6 : The averments of this Para are wrong and hence denied. It is further submitted and it is reiterated that the order dated 30.10.2019 (Annexure R-1) of the Hon'ble CAT, Ernakulam Bench in OA No.346/2018 in the matter of AIBSNLPWA & Ors. Vs UOI & Ors. and the order dated 10.12.2018 (Annexure R-2) of the Hon'ble CAT, Hyderabad Bench in OA No.021/813/2017 in the matter of MSS Ramachandra Murthy Vs UOI & Ors. related.



to the same issue as that of the instant OA viz. revision of IDA pension consequent to the implementation of the recommendations of the 7th CPC.

It is submitted that the applicants are trying to mislead this Hon'ble Tribunal by claiming that the issue raised in OA No.346/2018 filed before the Hon'ble CAT, Ernakulam Bench was different by citing the example that linkage of full pension with 33 years of qualifying service was dispensed w.e.f. 01.01.2006 on implementation of the 6th CPC, as this relief was not allowed to pre-2006 pensioners through OM dated 02.09.2008 (Annexure A-16). However, it is submitted that the above relief was also extended to pre-2006 pensioners through OM dated 04.06.2016 (**Annexure RR-2**).

Similarly, the applicants of the OA are also trying to mislead this Hon'ble Tribunal by claiming that on implementation of the recommendations of the 7th CPC with effect from 01.01.2016 through OM dated 12.05.2017 (Annexure A-30), pension of all pre-2016 pensioners/family pensioners was to be revised by multiplying the existing pension by 2.57. This method of revision of pension of pre-2016 pensioners/family pensioners was only approved by the Union Cabinet and was provided for in the OM dated 12.05.2017 (Annexure A-30). The other method of revision of pension by notional fixation of pay as recommended by the 7th CPC was not found feasible as pensioners'/family pensioners' pension files/service books being very old, it was found to be difficult to carry out the revision after tracing the old pension files/service books of pensioners/family pensioners.



The applicants of the OA are also trying to mislead this Hon'ble Tribunal by pointing out various faults/errors in the order dated 30.10.2019 (Annexure R-1) of the Hon'ble CAT, Ernakulam Bench in OA No.346/2018 in the matter of AIBSNLPWA &Ors. Vs UOI &Ors. and the order dated 10.12.2018 (Annexure R-2) of the Hon'ble CAT, Hyderabad Bench in OA No.021/813/2017 in the matter of MSS Ramachandra Murthy Vs UOI &Ors., whereby their prayers for revision of IDA pension consequent to implementation of the recommendations of 7th CPC were turned down by these two Benches of the Hon'ble Tribunals.

PARA-WISE COMMENTS

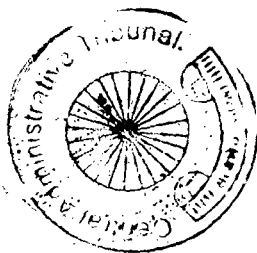
Para 7: The averments of this Para are wrong and hence denied. It is further submitted that as mentioned in the preceding paragraphs, the applicants themselves had admitted that on absorption they were given IDA pay scales that were much more than the similarly placed Government employees and, therefore, they were getting much more IDA pension and that even after revision of pension of Government pensioners on implementation of 7th CPC, the applicants' pension is merely Rs.1,677/- or Rs.1,317/- less, which if revised on implementation of the recommendations of 3rd PRC would be much more than the similarly placed Government pensioners.

Para 8: The averments of this Para are wrong and hence denied. It is further submitted that the parity sought by the applicants through the instant OA cannot be granted with the Government employees for the purpose of revision of their IDA pension consequent to the recommendations of the 7th CPC for the



reasons mentioned in the preceding paragraphs. This parity was never promised to them at the time of their permanent absorption in BSNL with effect from 01.10.2000. However, as per the provisions of Rule 37-A of CCS (Pension) Rules, 1972, pensionary benefits to the absorbed employees of BSNL are paid by the Government.

Further, as submitted in the preceding paragraphs, the judgment dated 13.11.2019 of the Hon'ble Kerala High Court at Ernakulam in OP (CAT) No.63/2017 (Z) in the matter of Abdul Rasheed AA & Ors Vs. UOI & Ors pertained to altogether different matter. Appointments of Shri Abdul Rasheed AA & Ors. on compassionate ground (their fathers being employees of erstwhile DOT and had expired during their service) were approved by DOT before 01.10.2000 but they were appointed, on completion of training, by the BSNL after 01.10.2000 and, as such they are treated as BSNL recruited employees, whereas they are claiming to be DOT employees absorbed in BSNL. Since Shri Abdul Rasheed AA & Ors. are still in BSNL service, there is no question of their retirement/deemed retirement from DOT under Sub-rule 4 of Rule 37-A of CCS (Pension) Rules, 1972. As such it is totally wrong on the part of the applicants to say that the Hon'ble Kerala High Court at Ernakulam in its judgment dated 13.11.2019 in OP (CAT) No.63/2017 (Z) had clarified that deemed retirement under sub-rule 4 does not impact the pensionary benefits of the absorbees, which are protected under Rule 37-A.

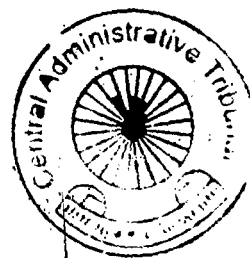


Para 9 : The averments of this Para are wrong and hence denied. As submitted in the preceding paragraphs, a substantial number of 6th CPC's recommendations were made applicable to the BSNL IDA pensioners with effect from 01.01.2006 in respect of calculation of pension, additional pension with maturity of age, qualifying service for full pension, commutation, limit of gratuity, family pension, leave encashment amount etc.

Para 10 : The averments of this Para are wrong and hence denied. As submitted in the preceding paragraphs, the applicants of the OA are getting their IDA pension from the Government as per the provisions of Rule 37-A of CCS (Pension) Rules, 1972 and they are ex-absorbed employees of BSNL, a PSU and their pay scales are governed under the recommendations of the PRC and not CPC, which is exclusively for the Government employees, Government pensioners and pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government.

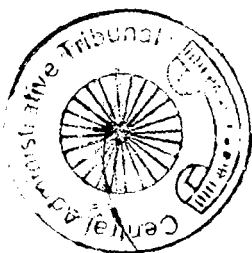
Para 11: It is reiterated that the parity sought by the applicants with the Government employees for the purpose of revision of their IDA pension consequent to the recommendations of the 7th CPC cannot be granted for the reasons mentioned in the preceding paragraphs. This parity was never promised to them at the time of their permanent absorption in BSNL with effect from 01.10.2000.

Para 12: The averments of this Para are wrong and hence denied. It is further submitted that on implementations of the



recommendations of the 3rd PRC, revised pay scales for employees in CPSUs, as contained in DPE's OM 02/0028/2017-DPE (WC)-GL-XIII/17 dated 03.08.2017 (Annexure A-22 of the OA), could not be extended to the employees of BSNL with effect from 01.01.2017 as BSNL was recurring losses continuously year after year and the CPSU could not afford extra burden on revision of pay scales of its employees/executives. As such, the pay scales of the employees/executives of BSNL could not be revised with effect from 01.01.2017 on implementation of the recommendations of the 3rd PRC and therefore, the pension/family pension of ex-absorbed combined service pension optees of BSNL also could not be revised with effect from that date. This was due to the fact that had the IDA pension of combined service pension optee BSNL pensioners/family pensioners was revised with effect from 01.01.2017 by adopting special provisions, an anomalous condition would arise as absorbed employees who retire from BSNL after 01.01.2017 are to get much less pension than those BSNL IDA pensioners who had retired before 01.01.2017. As such the revision of IDA pension/family pension of combined service pension optees of BSNL could only be revised on revision of the pay scales of the absorbed BSNL employees on implementation of the recommendations of the 3rd PRC.

Para 13 : The arguments of this Para are wrong and hence denied. It is further submitted that the order dated 30.10.2019 (Annexure R-1) of the Hon'ble CAT, Bench in OA No.346/2018 in the matter of AIBSNLPWA & Ors. Vs. UOI & Ors. and the order dated 10.12.2018 (Annexure R-2) of the Hon'ble

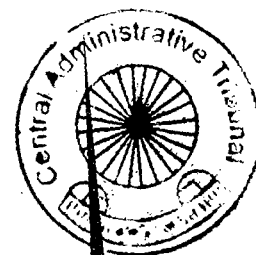


CAT, Hyderabad Bench in OA No.021/813/2017 in the matter of MSS Ramachandra Murthy Vs. UOI & Ors. related to the same issue as that of the instant OA viz. revision of IDA pension consequent to the implementation of the recommendations of 7th CPC.

Para 14: Contents of this para of the Rejoinder need no comments.

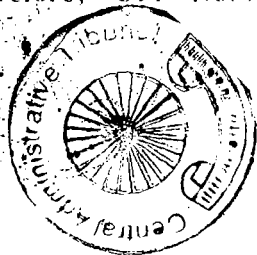
Para 15: The averments of this Para are wrong and hence denied. It is further submitted that the applicants of the instant OA are paid IDA pension by the Government under the provisions of Rule 37-A of CCS (Pension) Rules, 1972, which is a detailed substitution of the provisions contained in DOP&PW's OM No.4/18/87-P&PW(D) dated 05.07.1989 (**Annexure RR-1**). Under OM dated 05.07.1989, the employees of the Government Departments converted into PSUs/ABs were given options for pro-rata pension, combined service pension etc. There was also a provision in the said OM for commutation of 100% of pension, which was later withdrawn during the year 1995. BSNL was formed with effect from 01.10.2000 and Rule 37-A of CCS (Pension) Rules, 1972 was also notified on 30.09.2000, which is a detailed substitution of the OM dated 05.07.1989.

Para 16: The averments of this Para are wrong and hence denied. It is further submitted that as explained in the preceding paragraphs, relief sought by the applicants through the aforesaid OA cannot be granted simply on the grounds that after absorption in BSNL, the employees of erstwhile DTO and DTS on formation of BSNL, ceased to be Government servants and they



were deemed to have retired from Government service from the date of their absorption in BSNL as per Sub-rule 4 of Rule ibid. As per Sub-rule 8 of Rule 37-A of CCS (Pension) Rules, 1972, these absorbed employees were eligible for pensionary benefits on the basis of the combined service rendered by them with the Central Government and the BSNL in accordance with formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL. The absorbed employees of BSNL who retired after 01.10.2000 got pension and dearness relief thereon in IDA pattern on the basis of last pay or last ten months' average pay, whichever is more beneficial, as per Sub-Rules 9 & 10 of Rule ibid. The pension to absorbed employees of BSNL is paid by Government as per Sub-rule 21 of Rule ibid.

Further, OM dated 04.08.2016 (Annexure A-28 of the OA) of DOP&PW provides for revision of pension/family pension of government pensioners who were drawing pension/family pension as on 31.12.2016 (pre-2016 pensioners/family pensioners). Para 7(a) of the OM dated 12.05.2017 (Annexure A-30 of the OA) clearly indicates that when the Government servant on permanent absorption in PSUs continue to draw pension from the Government separately, the pension of such absorbees will be updated in terms of these orders. Accordingly, para 12 of the OM dated 12.05.2017 (Annexure A-30 of the OA) is applicable for the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government only. Therefore, OM No.38/37/2016-P&PW (A) dated 12.05.2017



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(Annexure A-30 of the OA) issued by DoP&PW consequent to the recommendations of the 7th Central Pay Commission (CPC) revising the pension/family pension of pre-2016 pensioners/family pensioners are applicable to only Government pensioners/family pensioners and the pensioners who are drawing monthly pension from the Government on permanent absorption in PSUs on pro-rata basis in CDA pattern based on their service in Government and it is not applicable to ex-absorbed combined service pension optees of BSNL i.e. the applicants of the instant OA.

In view of the reasons mentioned in the preceding paragraphs, it is submitted that the parity sought by the applicants with the Government employees for the purpose of revision of their IDA pension consequent to the recommendations of the 7th CPC are not at all justified and the same may be rejected forthwith.

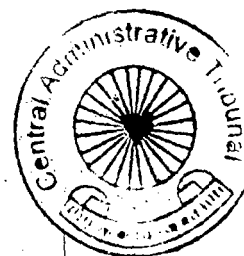
K. S. Mankotia
Dy. Controller Communication Accounts
Respondents
Prasad Nagar, New Delhi-110005

Dated: March, 2021

N.D. KAUSHIK
Sr. Govt. Counsel
C.A.T. (PB), New Delhi

VERIFICATION

I, K. S. Mankotia S/O Late Shri Khushi Ram, Aged. about 59 Years Working as Dy. CCA O/O Pr. CCA, Sancha Lekha

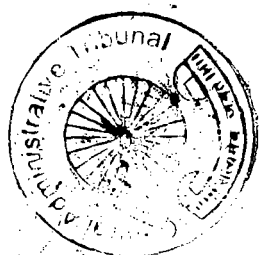


Bhawan, Prasad Nagar, New Delhi-110005 in the Department of Telecommunications, do hereby solemnly affirm and declare as under that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed.

Verified at New Delhi on this day of

March, 2021.

[Signature]
Respondents
Bhawan Prasad Nagar, New Delhi-110005



- 4 V Latha,
W/o S Vijayan, Aged about 59 years,
Residing at New 7 Old 44/2,
VV Colony First Street,
Adambakkam,
Chennai-600088

....Applicants

Versus

1. Union of India,
Represented by its Secretary,
Department of Telecommunications,
Sanchar Bhavan, No.20, Ashoka Road,
New Delhi-110001
2. The Department of Pension and Pensioners' Welfare,
Represented by its Secretary,
Lok Nayak Bhavan, Khan Market,
New Delhi-110003
3. The Department of Expenditure,
Represented by its Secretary,
129-A North Block,
New Delhi-110001

...Respondents

Through

Place: New Delhi
Dated: March, 2021

N.D. Kaushik
Senior Central Govt.
Counsel (UOI)
CAT Principal Bench
New Delhi



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. No. 1329/2020

IN THE MATTER OF:

All India BSNL Pensioner's

Welfare Association & Ors ...Applicant

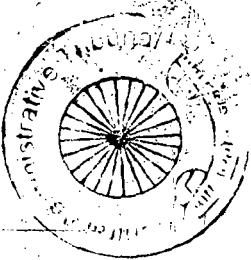
Versus

Union of India & Ors ...Respondents

MISC. APPLICATION UNDER RULE 24 OF THE CENTRAL ADMINISTRATIVE
TRIBUNAL (PROCEDURE) RULES 1987, ON BEHALF OF RESPONDENTS, FOR
PLACING ADDITIONAL AFFIDAVIT WITH SUR-REJOINDER

MOST RESPECTFULLY SHOWETH:

1. That O.A. No. 1329 of 2020 was filed by the applicants to revise the pension of the applicants as per the recommendations of the 7th CPC. The contents of the O.A. be treated as part and parcel of this M.A. and is not repeated for the sake of brevity.
2. That the counter was filed by the respondents and rejoinder was also filed by the applicants
3. That on perusal of rejoinder, certain new facts have emerged out and it is necessary to submit clarification on those points which have certainly impact on the facts of the case.



4. To meet the end of justice, it is submitted that a sur-rejoinder has been filed by the respondents, which may please be taken on record.
5. It is further submitted that no prejudice will be caused to the applicants by taking this document on record

PRAYER

In view of the facts and circumstance stated above, it is most humbly requested that sur-rejoinder may please be taken on record in the interest of justice.

[Signature]
K. S. Mankotia

Respondents

Through:

Dated: / /2021

New Delhi.

N. D. Kaushik,

Sr. Central Govt. Counsel
C.A.T. (PB) Bar Room

VERIFICATION

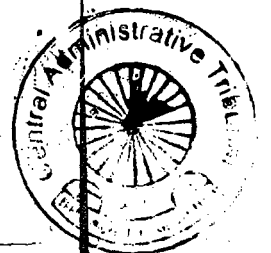
Verified on this day of the month of March, 2021 that the contents of the above application are true to the best of my knowledge and belief based on record and believed by the applicant to be true.

[Signature]
K. S. Mankotia

Controller Communication Accounts

Dependent

Prasad Nagar, New Delhi-110015



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**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1329/2020

IN THE MATTER OF:

All India BSNL Pensioners'

Welfare Association & Ors

...Applicant

Versus

Union of India & Ors

...Respondents

INDEX

Sl. No.	Particulars of documents	Page No.
1	Sur-Rejoinder on behalf of the respondents to the rejoinder filed by the applicant	
2		
3		
4		
5		

Filed by

Dated: March, 2021
New Delhi

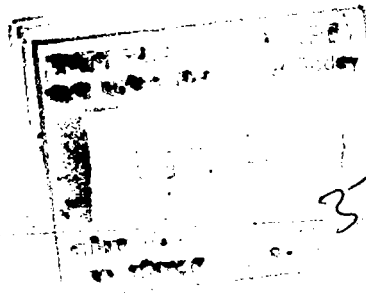
N D Kaushik

Advocate

Senior Central Govt. Counsel

C.A.T. (PB) Bar Room

Copernicus Marg, New Delhi



33/6



593

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1329/2020

IN THE MATTER OF:

All India BSNL Pensioners'

Welfare Association & Ors

...Applicant

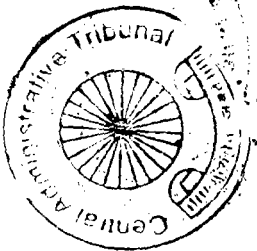
Versus

Union of India & Ors

...Respondents

MEMO OF PARTIES

- 1 All India BSNL Pensioners' Welfare Association
Represented by General Secretary
Potharaju Gangadhara Rao,
S/o Late Sh. P Sudharshanam,
Aged about 72 years,
Residing at: No.6 G No.12th Street,
Jogupalaya, Halasuru,
Bengaluru-560008
- 2 Shri Ramankutty Nair PS,
S/o Late R Sivaraman Nair,
Aged about 76 years,
Residing at TC 52/2369, CTO Colony,
Pappanamcode,
Thiruvananthapuram-695018
- 3 Shri Anupam Kaul,
S/o Sh. Jagan Nath Kaul,
Aged about 66 years,
Residing at A-402, PMO Apartments,
C-58/20, Sector 62, Noida



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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
M.A. NO.100/2762/2020
IN
O.A. NO.100/1329/2020

IN THE MATTER OF:

ALL INDIA BSNL PENSIONERS'
WELFARE ASSOCIATION & ORS. ...APPLICANTS

VERSUS

UNION OF INDIA & ORS.


...RESPONDENTS

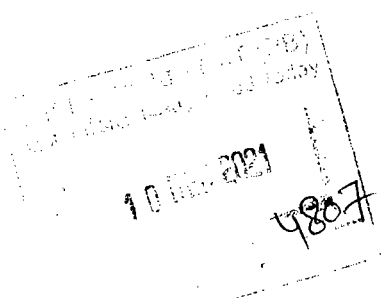
I N D E X

S.No.	Particulars	Page No.
1.	Reply to M.A. No.100/2762/2020 on behalf of proposed Respondent No.4	1 - 4
2.	VAKALATNAMA	5

AT: New Delhi
DATED: 8 December, 2021

FILED BY:


SINHA & ASSOCIATES
Counsels for Proposed Respondent No.4 (BSNL)
405, Block III, Delhi High Court,
New Delhi-110503
Tel. 23072490, 23386464 & 23386565
Mobile: 9868230464
Email: sinhaadvocate@hotmail.com



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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
M.A. NO.100/2762/2021
IN
O.A. NO.100/1329/2020

IN THE MATTER OF:

ALL INDIA BSNL PENSIONERS'
WELFARE ASSOCIATION & ORS. ...APPLICANTS

VERSUS

UNION OF INDIA & ORS.

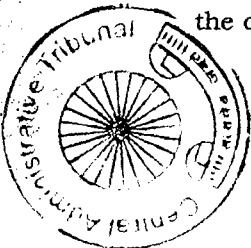
...RESPONDENTS

REPLY TO M.A. NO.100/2762/2020 ON BEHALF OF PROPOSED
RESPONDENT NO.4.

MOST RESPECTFULLY SHOWETH:

I, **J. R. Meena S/o Late Shri Hardeva Meena** aged about 56 years, working as Dy. General Manager (Legal) O/o CGM (CN Tx-North) New Delhi with Bharat Sanchar Nigam Limited, having office at Eastern Court IR Hall Janpath New Delhi-110001, under the proposed replying Respondent, do hereby solemnly affirm and declare as under:-

1. That I am authorized and competent to file this reply affidavit on behalf of the proposed replying Respondent.
2. That I have gone through the O.A. as well as the application under reply and also the records maintained by the proposed replying respondent pertaining to the issue and have understood the claim on behalf of the Applicants. Save as expressly admitted



herein and save what are matters of record, each and every allegation and contention made in the said Application shall be deemed to have been emphatically and specifically denied and disputed.

3. That the aforesaid O.A. is pending adjudication before this Hon'ble Tribunal and is fixed for 09.12.2021.
4. That the applicants in the aforesaid O.A. (respondents herein) have filed M.A. No.100/2762/2020 praying for impleadment of Bharat Sanchar Nigam Limited through its Chairman-Cum-Managing Director, Bharat Sanchar Bhawan, Janpath, New Delhi as Respondent No.4 in the aforesaid Original Application.
5. That however, it is submitted that no prayer has been made in the O.A. against the proposed Respondent No.4(BSNL) and hence the BSNL, is not a necessary party to the O.A.
6. That it is further submitted that the Applicants in the O.A. has prayed for following directions:

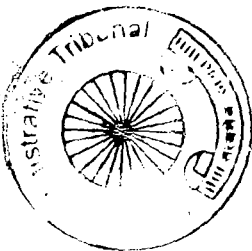
"a. *Declare that the members of the Applicant Association are entitled to parity with Central Government pensioners in the matter of revision of pension on the same yardstick as granted to Central Government Pensioners;*



- b. *Direct the Respondents to revise the pension of the members of the Applicant Association in terms of the recommendations of the 7TH Central Pay Commission.*
 - c. *Direct Respondents to de-link the issue of revision of pension from pay revision for absorbee pensioners of BSNL;*
 - d. *Pass such other order/s as may be deemed fit and proper in the facts of the present case"*
7. That since BSNL is neither the pension paying authority nor the decision was taken by BSNL and the relief sought by the applicants cannot be granted by the BSNL. The said decision was taken by Union of India the Respondent No.1 in the O.A. hence the case is required to be defended by them only.
8. That in the facts and circumstances, it would be just and proper that this Hon'ble Tribunal may graciously be pleased to order dismissal of the M.A. No.100/2762/2020 with cost against the applicants.

PRAYER

In view of the facts and submissions herein above made, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to order dismissal of the M.A. No.100/2762/2020, which has been filed by the Applicants for impleadment of Bharat Sanchar Nigam



Limited through its Chairman-Cum-Managing Director as Respondent No.4 in the array of parties in the O.A., with cost against the applicants and in favour of the proposed replying respondent.

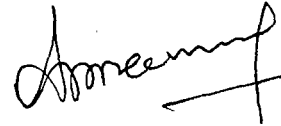


DEPONENT
उप महाप्रबंधक (विधिक)
उत्तरी दूरसंचार क्षेत्र
नई दिल्ली-110001
Dy. Genl. Manager (Legal)
Northern Telecom Region
New Delhi-110001

VERIFICATION:

I, the deponent herein, do hereby verify that the contents of the above reply affidavit to the M.A. are true and correct to the best of my knowledge and information derived from the official record and nothing has been concealed therefrom.

Verified at New Delhi on this 7 day of December, 2021.



DEPONENT

उप महाप्रबंधक (विधिक)
उत्तरी दूरसंचार क्षेत्र
नई दिल्ली-110001
Dy. Genl. Manager (Legal)
Northern Telecom Region
New Delhi-110001



IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

599

IN THE MATTER OF:

Union of India & Ors

.....Petitioners

Versus

All India BSNL Pensioners
Welfare Association & Ors

.....Respondents

APPLICATION ON BEHALF OF THE PETITIONERS
UNDER SECTION 151 CPC FOR AD-INTERM EX-PARTE
DIRECTIONS

MOST RESPECTFULLY SHOWETH:-

1. That the petitioner has filed the accompanying Writ petition praying against the order/judgment dated 20.09.2023 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred as Tribunal) in Original Application No 1329/2020 titled "*All India BSNL Pensioners Welfare Association & Ors Versus Union Of India & Ors*".
2. That The learned Tribunal vide order/judgment dated 20.09.2023 allowed the Original Applications and directed the petitioner herein directed "*to forthwith revise the pension and family pension wherever applicable, strictly in accordance with the relevant rules and the entitlement governing pension to various sets of employees of the Central Government, maintaining strict parity. It is clarified that the benefits of revision of pension and family pension as notified by the Central Government the*

recommendations of the Pay Commission, shall stand extended in favour of the applicants, analogous to the revision of such pension in case of Central Government pensioners” within ten week from the date of receipt of certified copy of the order. Thus, the time of compliance is expired on _____

3. That the impugned order is untenable and liable to be set aside in view of facts and law mentioned in the accompanying writ petition.
4. That the petitioners would suffer irreparable loss and injury in case the impugned judgment /order is not stayed by this Hon’ble Court during the pendency of the present petition.
5. That the petitioners has a very good prima facie case and is likely to succeed in Writ petition and the balance of convenience is also in favour of the petitioner.
6. That the present application is made bona fide and in the interest of justice.

PRAYER

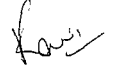
It is therefore most respectfully prayed that this Hon’ble Court may be pleased to:-

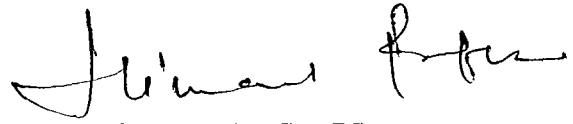
- a) Stay the operation of the order/judgment dated 20.09.2023 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred as Tribunal) in Original Application No 1329/2020 titled “*All India BSNL Pensioners Welfare Association & Ors Versus Union Of India & Ors*” during the pendency of the present petition.

- b) Pass any other appropriate order/direction which this
Hon'ble Court deem fit and proper.

New Delhi
Date: 21/03/24

Through


रवि कुमार चौधरी / RAVI KUMAR CHAUDHARY
सहायक नियंत्रक / Asstt. Controller
कार्यालय प्रधान नियंत्रक संचार सेवा / O/o. PR. CCA
प्रसाद नगर, नई दिल्ली-110005
Prasad Nagar, New Delhi-110005


(HIMANSHU PATHAK)
Advocate
Counsel for the Petitioners

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

IN THE MATTER OF:

Union of India & Ors

.....Petitioners

Versus

All India BSNL Pensioners
Welfare Association & Ors

.....Respondents

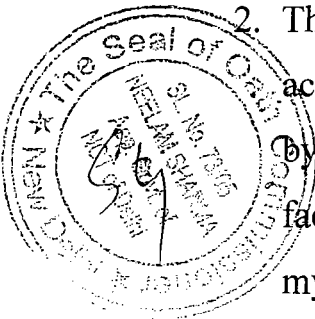
AFFIDAVIT

I, Ravi Kumar Chaudhary S/o Shri Raj Kumar Chaudhary aged about 31 years working as Assistant Controller of Communication Accounts, O/o Principal Controller of Communication Accounts, Department of Telecommunications, Sanchar Lekha Bhawan, New Delhi-110005 do hereby solemnly affirm and declare as under:-

1. That I am well conversant with the facts and circumstances of this case as per official records and duly authorized to file this affidavit on behalf of all the petitioners no. 1 to 4.

2. That I have read over and understand the contents of the accompanying application for stay, which has been drafted by the counsel on my instructions and the statement of facts and submissions made therein are true and correct to my knowledge and the same be read as part and parcel of this affidavit, to avoid repetition. The legal submissions made therein are as per advice received and believed to be correct.

3. That the factual averment made qua the petitioners from para 1 to 6 of application for stay are true and correct to



my knowledge and the legal averment made in para 1 to 6 and Prayer is based on the legal advice which I believe to correct.

Ravi
रवि कुमार चौधरी / RAVI KUMAR CHAUDHARY
सहायक नियंत्रक / Asstt. Controller
कार्यालय प्रधान नियंत्रक संचार लेखा / O/o. PR. CCA
DEPRONEN
प्रसाद नगर, नई दिल्ली-110005
Prasad Nagar, New Delhi-110005

VERIFICATION :

Verified at New Delhi, on this 20 MAR 2024 that the contents of paras 1 and 3 of the above affidavit are true and correct to my knowledge. Nothing is false and nothing material has been concealed therefrom.

Ravi
रवि कुमार चौधरी / RAVI KUMAR CHAUDHARY
सहायक नियंत्रक / Asstt. Controller
कार्यालय प्रधान नियंत्रक संचार लेखा / O/o. PR. CCA
प्रसाद नगर, नई दिल्ली-110005
Prasad Nagar, New Delhi-110005



DECLARED THAT THE DEPONENT
SUBSCRIBED TO THE AFFIDAVIT
S/O. PR. CCA
PR. CCA
Identified the deponent who
has signed in front of me
On 20 MAR 2024 at Prasad Nagar
that the contents of the affidavit which have been
read & explained to him/her are true & correct to
his/her knowledge.

Ram Kumar Choudhary
Rie Choudhary
of Prasad Nagar
Sy

Oath Commissioner, New Delhi

Anman K
I identified the deponent who
has signed in front of me.

20 MAR 2024

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

IN THE MATTER OF:

Union of India & OrsPetitioners

Versus

All India BSNL Pensioners
Welfare Association & OrsRespondents

**APPLICATION BY THE PETITIONERS UNDER
SECTION 151 CPC FOR EXEMPTION FROM FILING
TRUE TYPED COPIES OF THE DIM ANNEXURES AND
ENGLISH TRANSLATION OF THE RECORD OF
HON'BLE TRIBUNAL**

MOST RESPECTFULLY SHOWETH:-

1. That the petitioner has filed the accompanying Writ petition praying for quashing the order/judgment dated 20.09.2023 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred as Tribunal) in Original Application No. 1329/2020 titled "*All India BSNL Pensioners Welfare Association & Ors Versus Union Of India & Ors*".
2. That the petitioners crave liberty of this Hon'ble Court to rely on the contents of the same which are not being repeated herein for the sake of brevity.
3. That the petitioners have the certified copy of the entire record of the said claim application decided by Tribunal. However, there are some annexures which are dim and margin not proper and due to paucity of time the true typed copies of the same are not being filed at this stage.

4. That the petitioners undertake to file the true typed copies of the dim annexures as and when directed by this Hon'ble Court.

PRAYER

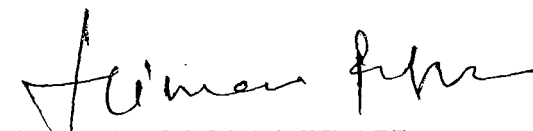
It is therefore most respectfully prayed that this Hon'ble Court may be pleased to:

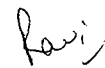
- I. Allow the present application and exempt the petitioners from filing the true typed copies of the dim annexures and margin copies thereof at this stage; and
- II. Pass any other appropriate order/direction which this Hon'ble Court deem fit and proper.

New Delhi

Date: 21/03/24

Through


(HIMANSHU PATHAK)
Advocate
Counsel for the Petitioners


रवि कुमार चौधरी / RAVI KUMAR CHAUDHARY
सहायक नियंत्रक / Asstt. Controller
कार्यालय प्रधान नियंत्रक संचार लेखा / O/o. PR. CCA
प्रसाद नगर, नई दिल्ली-110005
Prasad Nagar, New Delhi-110005

606.

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

IN THE MATTER OF:

Union of India & Ors

.....Petitioners

Versus

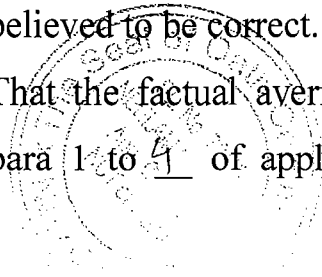
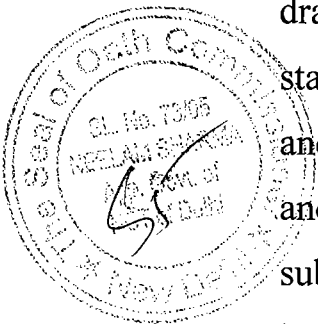
All India BSNL Pensioners
Welfare Association & Ors

.....Respondents

AFFIDAVIT

I, Ravi Kumar Chaudhary S/o Shri Raj Kumar Chaudhary aged about 31 years working as Assistant Controller of Communication Accounts, O/o Principal Controller of Communication Accounts, Department of Telecommunications, Sanchar Lekha Bhawan, New Delhi-110005 do hereby solemnly affirm and declare as under:-

1. That I am well conversant with the facts and circumstances of this case as per official records and duly authorized to file this affidavit on behalf of all the petitioner no.1 to 4.
2. That I have read over and understand the contents of the accompanying application for exemption, which has been drafted by the counsel on my instructions and the statement of facts and submissions made therein are true and correct to my knowledge and the same be read as part and parcel of this affidavit, to avoid repetition. The legal submissions made therein are as per advice received and believed to be correct.
3. That the factual averment made qua the petitioner from para 1 to 4 of application for exemption are true and



correct to my knowledge and the legal averment made in
para 1 to 4 and Prayer is based on the legal advice
which I believe to correct.

DEPONENT *Ravi*

रवि कुमार चौधरी / RAVI KUMAR CHAUDHARY
सहायक नियंत्रक / Asstt. Controller
कार्यालय प्रधान नियंत्रक संचार लेखा / O/o. PR. CCA
प्रसाद नगर, नई दिल्ली-110005
Prasad Nagar, New Delhi-110005

VERIFICATION :

20 MAR 2024

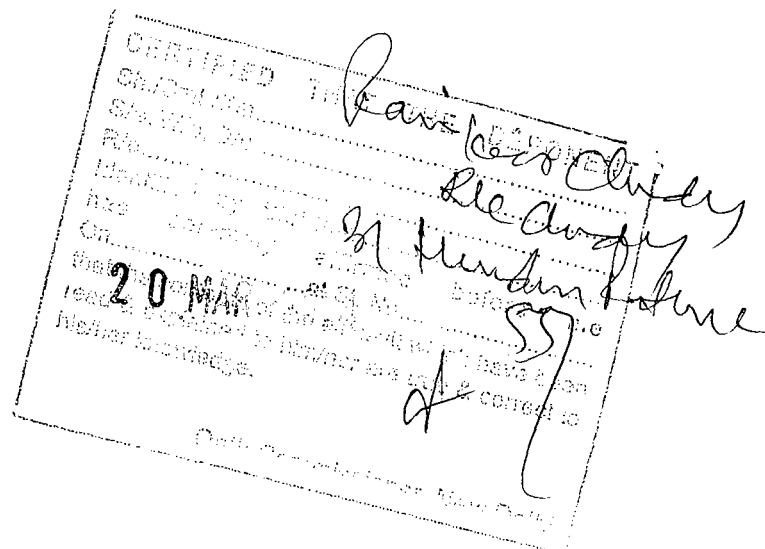
Verified at New Delhi, on this _____
that the contents of paras 1 and 3 of the above affidavit are true
and correct to my knowledge. Nothing is false and nothing
material has been concealed therefrom.

Arman K
I identified the deponent who
has signed in my presence



Ravi
DEPONENT

रवि कुमार चौधरी / RAVI KUMAR CHAUDHARY
सहायक नियंत्रक / Asstt. Controller
कार्यालय प्रधान नियंत्रक संचार लेखा / O/o. PR. CCA
प्रसाद नगर, नई दिल्ली-110005
Prasad Nagar, New Delhi-110005



20 MAR 2024

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

IN THE MATTER OF:

Union of India & Ors.

.....Petitioners

Versus

All India BSNL Pensioners Welfare Association & Ors.

....Respondents

**APPLICATION BY THE PETITIONERS UNDER SECTION 151 CPC
FOR EXEMPTION FROM FILING CERTIFIED COPY OF THE
IMPUGNED ORDER DATED 20.09.2023**

MOST RESPECTFULLY SHOWETH:-

1. That the petitioner has filed the accompanying Writ petition praying for quashing the order/judgment dated 20.09.2024 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred as tribunal) in three connected matter Original Application No. 1272/2020, 1271/2020 and 1329/2020 titled "*All India Retired Bharat Sanchar Nigam Limited Executive Welfare Association & Ors Versus Union Of India & Ors*".
2. That the petitioners crave liberty of this Hon'ble Court to rely on the contents of the same which are not being repeated herein for the sake of brevity.
3. That the petitioners have the certified copy of the impugned order which is common for all the three matter. The said certified copy of the impugned order is being filed in the other connected writ petition.

4. That the petitioners undertake to file subsequent certified copy and when directed by this Hon'ble Court.

PRAYER

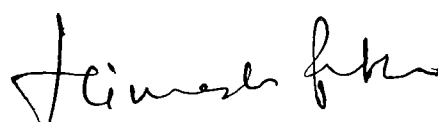
It is therefore most respectfully prayed that this Hon'ble Court may be pleased to:

- I. Allow the present application and exempt the petitioners from filing the certified copy of the impugned order dated 20.09.2023 at this stage; and
- II. Pass any other appropriate order/direction which this Hon'ble Court deem fit and proper.

New Delhi
Date: 21/03/24

Through


Petitioners


(HIMANSHU PATHAK)
Advocate
Counsel for the Petitioners

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

IN THE MATTER OF:

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Versus

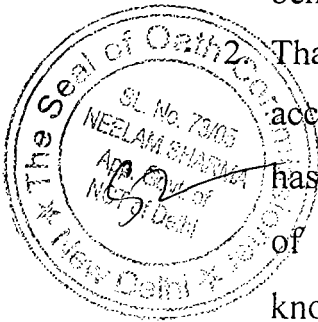
All India BSNL Pensioners Welfare Association & Ors.

....Respondents

AFFIDAVIT

I, Ravi Kumar Chaudhary, s/o Shri Raj Kumar Chaudhary age about 31 years, working as Assistant Controller of Communication Account, O/o Principal Controller of Communication Account, DOT, Sanchar Lekha Bhawan, New Delhi-11005, do hereby solemnly affirm and declare as under:-

1. That I am well conversant with the facts and circumstances of this case as per official records and duly authorized to file this affidavit on behalf of all the petitioner no. 1 to 4.



That I have read over and understand the contents of the accompanying application for exemption of impugned order, which has been drafted by the counsel on my instructions and the statement of facts and submissions made therein are true and correct to my knowledge and the same be read as part and parcel of this affidavit, to avoid repetition. The legal submissions made therein are as per advice received and believed to be correct.

3. That the factual averment made qua the petitioners from para 1 to 4 of application for stay are true and correct to my knowledge and the legal averment made in para 1 to 4 and Prayer is based on the legal advice which I believe to correct.

Ravi

DEPONENT

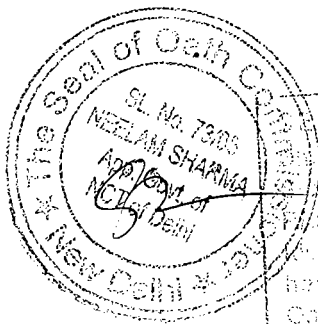
VERIFICATION :

Verified at New Delhi, on this ____ that the contents of paras 1 and 3 of the above affidavit are true and correct to my knowledge. Nothing is false and nothing material has been concealed therefrom.

Ashwani Kr.
I have verified the deponent who
has signed in my presence

Ravi

DEPONENT



Ravi
Neelam Sharma
20 MAR 2024
d

Sworn by *Ravi*
has solemnly affirmed that the contents of the affidavit which have been read & explained to him/her are true & correct to his/her knowledge.

Oath Commissioner, New Delhi

20 MAR 2024

IN THE HIGH COURT OF DELHI AT NEW DELHI
EXTRAORDINARY CIVIL JURISDICTION
W.P. (C). No of 2024

IN THE MATTER OF:

Union of India & Ors

.....Petitioners

Versus


All India BSNL Pensioners
 Welfare Association & Ors

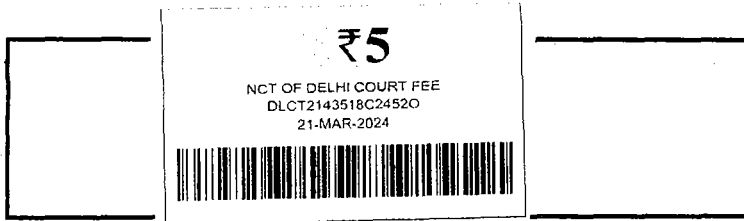
.....Respondents

CERTIFICATE

This is to certify that complete record along with annexures, as filed before the Central Administrative Tribunal, Principal Bench, Delhi in Original Application No. 1329 of 2020 titled "*All India BSNL Pensioners Welfare Association & Ors. Versus Union of India & Ors.*" is being filed with the accompanying writ petition and no other additional documents are being filed with the present petition.

New Delhi
 Date: 21/03/24


 रवि कुमार चौधरी / RAVI KUMAR CHAUDHARY
 सहायक नियंत्रक / Asstt. Controller
 कार्यालय प्रभु चन्द्र प्रसाद / O/o. PR. CCA
 प्रसाद नगर, नई दिल्ली-110005
 Prasad Nagar, New Delhi-110005



C.C. No.
FIR No.
U/S
P.S.

IN THE COURT OF High Court of Delhi at New Delhi
Suit / Appeal No. Writ Petition Civil No. of 2024 JURISDICTION OF 202

In re :-

Union of India & Ors.

Plaintiff(s) Or Petitioner(s)
Appellant(s) Complainant(s)

VERSUS

All India BSNL Pensioners Welfare Association & Ors
Defendant(s) / Respondent(s) / Accused

KNOW ALL to whom these present shall come that I/ We Ravi Kumar Chaudhary
Assistant Controller of Communication Accounts

The above named Petitioner do hereby appoint

Adv. Himanshu Pathak
D/4179A/2010
Chamber No 29 Patiala House Court
hpathak1951@gmail.com 964212390

Adv. Samman Kumar
D/7491/2022
B396478448

(herein after called the advocate/s to be my/our Advocate in the above-noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High court subject to payment of fees separately for each court by me/us.

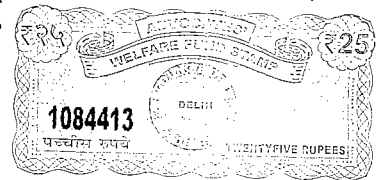
To sign file, verify and present pleadings, appeals cross-objections or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all stages subject to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents or opposite p

To withdraw or compromise the said case or submit to arbitration any difference: disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, case and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution on the said case.



To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/ We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own facts, as if done by me/us to all intents and purpose.

And I/We undertake that I/ We or my/our duly authorised agent would appear in court and all hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate of his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive and retain for himself.

And I/We undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settle is only for the above case and above Court. I/We hereby agree that once the fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have

been understood by me / us on this 21 day of March 2023

Accepted subject to the terms of the fees

Himanshu Pathak
Advocate

Client

I Identify the Signature/Thumb Impression of the Below Mentioned Person,

Who Has been Signed in my presence. The Client.

Samman Kumar

Samman Kumar

Ravi Kumar Chaudhary
Client