

Eastern Railway

No.E.787/0/Pen/Pt-XXV.

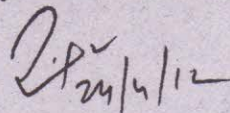
Kolkata, dated 24.04.2012.

ALL CONCERNED

Sub:- Implementation of Government's decision on the recommendations of the 6th Central Pay Commission- Revision of pension of Pre -2006 Pensioners/Family pensioners etc:- Refixation of pension as per Hon'ble CAT, Principal Bench, New Delhi's order dated 01.11.2011.

A clarification with reference to the point raised by this railway regarding implementation of CAT/New Delhi's order dated 01.11.2011 vide this railway's letter of even number dated 19.03.2012 has been given by Board vide Railway Board's letter No.2011/F(E)III/1(1)/14 dated 18.04.2012 on the basis of DOP&PW's OM dated 30.12.2011 and Ministry of Finance's OM dated 27.01.2012. It appears from the clarificatory order of the Board that CAT/New Delhi in its order dated 01.11.2011 given in OA No.655/2010 has held that pre-2006 retirees cannot be extended the same pensionary benefits on the basis of the recommendations of the 6th CPC as the Government has issued two different schemes for pre-2006 and post-2006 retirees. Since DOP&PW, the nodal department of the Government on pensionary matters has not issued any instruction for implementation of the judgment. As such Ministry of Railways being an Administrative Ministry on the pensionary matters is not empowered to take a decision in the matter on its own. However, Board's letters along with copies of DOP&PW's OM & Ministry of Finance OM ibid are circulated for information and necessary action.

DA: As above.


(Md. Tarique)

Asstt. Personnel Officer/H
For Chief Personnel Officer

INDEX No.1058:- Clarification regarding implementation of Hon'ble CAT, Principal Bench, New Delhi's order dated 01.11.2011 in the matter of refixation of pension in respect of pre-2006 pensioners.

Copy of Board's letter No.2011/F(E)III/1(1)/14 dated 18.04.2012 addressed to G.M(P)/E.Rly/Kol. along with DOP&PW's O.M. No.38/37/11-P&PW (A) dated 30.12.2011 and Ministry of Finance's O.M.C-No.2/EV/2011 dt.27.01.2012 are circulated herewith.

Sub:- Implementation of Government's decision on the recommendations of the 6th Central Pay Commission- Revision of pension of Pre-2006 Pensioners/Family pensioners etc.- Refixation of pension as per Hon'ble CAT, Principal Bench, New Delhi's order dated 01.11.2011.

Contd....2/-

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.2011/F(E)III/1(1)/14

New Delhi, 18.04.2012.

The General Manager (P),
Eastern Railway,
Kolkata.

Sub:- Implementation of Government's decision on the recommendations of the 6th Central Pay Commission- Revision of pension of Pre-2006 Pensioners/Family pensioners etc.- Refixation of pension as per Hon'ble CAT, Principal Bench, New Delhi's order dated 01.11.2011.

Please refer to your Railway's letter No.E.787/0/Pen/Pt-XXV dated 19.03.2012 on the subject.

2. In this regard it is stated that DOP&PW vide their O.M. dated 30.12.2011(Copy enclosed) and Ministry of Finance vide their O.M. dated 27.01.2012(Copy enclosed) have stated that CAT/New Delhi in its order dated 01.11.2011 given in O.A. No.655/2010 has held that pre-2006 retirees cannot be extended the same pensionary benefits on the basis of the recommendations of the 6th CPC as the Government has issued two different schemes for pre-2006 and post-2006 retirees. Department of Pension & Pensioners' Welfare (DOP&PW), the nodal department of the Government on pensionary matters has not issued any instructions for implementation of the CAT/Delhi's order dated 01.11.2011. As such, Ministry of Railways being an Administrative Ministry on the pensionary matters is not empowered to take a decision in the matter on its own.

DA: Two.

Sd/-
(T.P.Sharma)
Dy. Director Finance (Estt.)III
Railway Board

