

CPO's Serial No. 70/2014.

Eastern Railway

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

Kolkata, dated 07.07.2014.

ALL CONCERNED

**Sub:- Implementation of recommendations contained in Para 61
of 44th Report of Parliamentary Standing Committee
on Home Affairs-following a time schedule for disbursement
of pension -regarding.**

Copy of Railway Board's letter No.F(E)III/2008/PN1/12 dated 15.06.2012 (RBE. No.72/2012) along with a copy of DOP&PW's O.M. No. 38/64/98-P&PW(F) dated 01.05.2012 on the above subject is sent herewith for information, guidance and necessary action. Railway Board's earlier letter as referred to therein were circulated vide CPO's serial circular Nos. 20/2000.

DA: As above.


(S.K. Chatterpachay)
Asstt Personnel Officer/H
For Chief Personnel Officer

INDEX No.1058:- Time scheduled for payment of pension and retirement dues.

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

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

New Delhi, Dated: 15.06.2012.

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

Subject: Implementation of recommendations contained in Para 61 of 44th Report of Parliamentary Standing Committee on Home Affairs – following a time schedule for disbursement of pension - regarding

A copy of Department of Pension and Pensioners' Welfare (DOP&PW)'s O.M. No. 38/64/98-P&PW(F) dated 1st May, 2012 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also.

2. DOP&PW's earlier instructions dated 5.10.1999 were adopted/circulated vide this office letter No.F(E)III/99/PN1/35 dated 21.1.2000 for compliance.

3. Rule 68 of CCS(Pension) Rules, 1972 referred to in the aforementioned OM dated 1.5.2012 corresponds to Rule 87 of Railway Services (Pension) Rules, 1993 and Rules 56 to 63 of CCS (Pension) Rules, 1972 correspond to Rules 76 to 83. Other corresponding rules are as under:-

CCS (Pension) Rules, 1972	Railway Services (Pension) Rules, 1993
64	91
65	85
66	84
67	86
69	10
70	90
71,73	15
72	16
74	88
75,76	Deleted

4. Please acknowledge receipt.

DA: One.


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

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

New Delhi, Dated: 15.06.2012.

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


for Financial Commissioner/Railways.

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

New Delhi, Dated: 15.06.2012.

Copy forwarded to:

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


for Secretary/Railway Board.

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

New Delhi, Dated: 15.06.2012.

1. The G.M, N.F Railway(Const.).
2. The Director General and Ex.officio General Manager, RDSO/Lucknow.
3. The General Manager and FA&CAO, Metro Railway/Kolkata.
4. The CAO and FA&CAO, COFMOW/New Delhi.
5. The General Manager and FA&CAO, CORE/Allahabad.
6. Director General, Railway Staff College/Vadodara.
7. The Executive Director, CAMTECH/Gwalior-474020
8. The Director, IRICEN/Pune, IRIEEN/Nasik Road, IRIMEE/Jamalpur, IRISSET/ Secunderabad.
9. The Managing Director, IRCON, IRFC, MRVC, IRWO, IRC&TC, CONCOR of India Limited, Executive Director, CRIS.
10. The Chairman -cum- Managing Director, KRC Limited/New Delhi
11. Office of the Chief Project Administrator(Telecom), Indian Railway Central Organisation for Telecom(IRCOT) Consultancy, Shivaji Bridge/New Delhi.

12. The Director(Movement) Railways/Kolkata.
13. The Joint Director, Mil Rail, Ministry of Defence.
14. The Joint Secretary, Iron & Steel,5 Koila Ghat Street/Kolkata.
15. Chief Mining Advisor, Ministry of Railway, Dhanbad, Bihar
16. The Chairman, RCC,Lok Sabha Secretariat/New Delhi.
17. The Chairman, RCT/Delhi.
18. The Chairman,RRT, Chennai.
19. The Chairman,RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneshwar, Chandigarh, Chennai, Kolkata, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad, and Trivandrum.
20. The Editor, " Bharatiya Rail".
21. The Editor " Indian Railways"
22. The Pay & Accounts Officer, Ministry of Railways (Railway Board) with 5 spares.
- 23 The General Secretary, IRCA/New Delhi.
- 24 The Chief Commissioner of Railway Safety/Lucknow.
- 25 Chairman, RITES.
- 26 Chairman, CAT.
27. The Managing Director, Rail Vikas Nigam Ltd., Plot No. 25, First Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110 066.
28. Manager/HRD,Rail Land Development Authority, Near Safdarjung Railway Station, Motibagh-1,New Delhi – 110021. Email: mg@hrd@rlda.in
29. The Chief Mechanical Engineer, Indian Railway Organisation for Alternate Fuels, 12th Floor, Core-1, Scope Minar, District Centre, Laxmi Nagar, Delhi-92.
30. Office of the Chief Administrative Officer, Indian Railways (Workshop Projects), Chamber Bhawan, Judge's Court Road,Anta Ghat,Patna-800001, Bihar.
31. The Chief Administrative Officer, Rail Coach Factory/Raebareli Project, Kishanganj,Delhi-7.

Copy to:-

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

14. M/s. Bahri Bros., Publishers, Booksellers & Distributors, 742, Lajpat Rai Market, Delhi-110006
15. The General Secretary, Retired Railway Employees Welfare Association(Regd), 490A-16, Gurudwara Road, Gurgaon.

Copy to:-

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

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

(Copy to DOP&PW w.r.t. to their O.M. No. 38/64/98-P&PW(F) dated 01.05.2012)

No.38/64/98-P&PW(F)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioner's Welfare
(Desk-F)

3rd Floor, Lok Nayak Bhavan,
New Delhi-110003
Dated the 1st May, 2012

OFFICE MEMORANDUM

Subject: - Implementation of recommendations contained in Para 61 of 44th Report of Parliamentary Standing Committee on Home Affairs - following a time schedule for disbursement of pension - regarding.

In Para 61 of the 44th Report of Parliamentary Standing Committee on Ministry of Home Affairs, the Committee observed that timely payment of pension and retirement dues is not being made to the retiring employees of the Union Government. The Committee drew attention to the employees Provident Fund Scheme and the Notification issued by the Ministry of Labour on 27.10.1997 amending the Employees Pension Scheme, 1995. In terms of provisions under Employees Provident Fund and Misc. Provisions Act, 1952, the Ministry of Labour inserted a new provision '17 A Payment of Pension' which inter-alia says that 'in case the Commissioner fails without sufficient cause to settle a claim complete in all respects within 30 days, the Commissioner shall be liable for the delay beyond the said period and penal interest at the rate of 12% per annum may be charged on the benefit amount and the same may be deducted from the salary of the Commissioner'. On the same analogy the Committee recommended that similar provisions may be formulated and enforced to ensure timely payment of Pension and retirement dues to the retiring employees of Union Government.

2. Rule 68 CCS (Pension) Rules, 1972 provides for payment of interest on delayed payment of gratuity and recovery of interest so paid from the officers responsible for such delay. The recommendations of the Committee on delayed payment of retirement dues was examined in this Department in consultation with Department of Personnel and Training and Department of Expenditure, Ministry of Finance and it was decided to implement the recommendations as below:-

- (i) All pensioners' dues are to be settled by strictly following the procedure laid down in Rule 56 to 76 of CCS (Pension) Rules, 1972.
- (ii) Wherever delays are anticipated, provisional pension should be sanctioned immediately.
- (iii) Any delay in processing of pension resulting in pension not being authorized on the last working day of retirement of the Government servant, should be reported by the Head of Office to the next higher authority who would watch the settlement of delayed cases.
- (iv) In respect of delayed payment of gratuity wherever it results in payment of penal interest at the rate applicable to GPF deposits under Rule 68 of CCS(Pension) Rules, 1972, Secretary of the Administrative Ministry or Department would initiate action to fix responsibility at all levels to recover the amount from the concerned Dealing Official, Supervisor and Head of Office in proportion to their salary by following the prescribed procedure for the purpose and should be strictly enforced.

...2/-

- (v) Once it has been decided to pay gratuity, the amount should be paid immediately pending a decision regarding payment of interest. This would reduce the interest liability if any on payment of delayed gratuity.
- (vi) In the matter of delayed payment of leave encashment, the Department of Personnel & Training in their note dated 2.8.1999 had clarified that there was no provision under CCS (Leave) Rules for payment of interest or for fixing responsibility. Moreover, encashment of leave is a benefit granted under Leave Rules and not a pensionary benefit.
- (vii) In the matter of CGEGIS, the Department of Expenditure, Ministry of Finance in their UO No. 709/EV/1999 dated 6.8.1999 had clarified that payment under CGEGIS cannot be termed as terminal benefit. As payment under this Scheme are made in accordance with the Table of Benefit which takes into account interest upto the date of cessation of service, no interest is payable on account of delayed payments under the scheme. They had also clarified that CGEGIS payment cannot be withheld and no Government dues can be recovered from the accumulation except the amount claimed by the financial institution as due from the employee on account of loans taken for house building purpose.

3. The above recommendations were circulated among all Ministries/Departments vide this Department's OM No.38/64/98-P&PW(F) dated 5th October 1999. However, it is noticed that all Ministries/Departments are not strictly following the above instructions. The above instructions provide that wherever delays are anticipated, provisional pension should be sanctioned immediately. Thus, in case where regular pension is not authorized at the time of retirement, provisional pension should invariably be sanctioned. In spite of these instructions, there have been instances where payment of pension (regular or provisional) is not authorized at the time of retirement. In some cases, the administrative departments have been directed by the Central Administrative Tribunal/Court to pay interest for delay in payment of pension and a number of proposals for payment of interest of delayed pensionary benefits is being forwarded to Department of Pension and Pensioners Welfare. Therefore, it is reiterated that all the Ministries/Departments should strictly follow the above recommendations communicated vide this Departments OM dated 5.10.1999.

4. The Ministries/Departments may circulate this OM among the concerned attached/subordinate/field organizations under the administrative control of the respective Ministry/Departments for strict compliance.

T. P. Ghosh
(Tripti P Ghosh)
Director (PP)
Phone: 24624802

To

All Ministries/Departments of the Govt. of India
(As per standard Mailing list)