PCPO's Serial No.95/2020

Eastern Railway

No. E.787/0/PEN/Pt.XXIX. Kolkata, dated 01.10.2020.

ALL CONCERNED

Subject :- Coverage under Railway Services (Pension) Rules,1993, in place of National Pension System (NPS) in terms of DOP&PW's O.M. dated 17.02.2020 – clarifications -regarding.

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Copy of Railway Board's letter No. D-43/12/2018-F(E)III dated 30.09.2020 (RBE No.84/2020) with DOP&PW's O.M. No. 57/04/2019-P&PW(B) dated 25.06.2020 on the subject matter is sent herewith for information, guidance and necessary action. Railway Board's letters as referred to therein had been circulated vide PCPO's S.L.No. 138(11)/2005, 89/2010 and 33/2020 respectively.

(J.P.Kusumakar)
Chief Personnel Officer/IR
Eastern Railway Kolkata.

INDEX NO. 1058: Clarification regarding coverage under Railway Services (Pension) Rules, 1993, in place of National Pension System (NPS) in terms of DOP&PW's O.M. dated 17.02.2020.

Copy of Railway Board's letter No. D-43/12/2018-F(E)III dated 30.09.2020(RBE No.84/2020) with DOP&PW's O.M. No. 57/04/2019-P&PW(B) dated 25.06.2020 addressed to GMs/PFAs ,all Zonal Railways & Production Units is circulated herewith.

Subject :- Coverage under Railway Services (Pension) Rules,1993, in place of National Pension System (NPS) in terms of DOP&PW's O.M. dated 17.02.2020 – clarifications -regarding.

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DA: As above.

Contd....2/-

RBE No. 84/2020

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

No. D-43/12/2018-F(E)III **New Delhi, Dated :30.09.2020.**

The GMs/Principal Financial Advisors,
All Zonal Railways/Production Units,
(As per mailing list)

Subject: Coverage under Railway Services (Pension) Rules, 1993, in place of National Pension System (NPS) in terms of DOP&PW's O.M. dated 17.02.2020 – clarifications – regarding.

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A copy of Department of Pension & Pensioners' Welfare (DOP&PW's) O.M. No. 57/04/2019-P&PW(B) dated 25th June, 2020 is enclosed herewith for compliance and guidance. These instructions shall apply mutatis mutandis on the Railways also. Central Civil Services (Pension) Rules, 1972 correspond to the Railway Services (Pension) Rules, 1993.

2. The Railway Board's instructions corresponding to the DOP&PW's instructions referred to in their aforesaid O.M. dated 25th June, 2020 are given under:-

S.No.	DOP&PW's instructions	Railway Board's corresponding instructions.
1.	O.M. No. 57/04/2019-P&PW(B) dated 17.02.2020.	Letter No. D-43/12/2018-F(E)III dated 03.03.2020.
2.	O.M. No. 28/30/2004-P&PW(B) dated 26.07.2005.	Letter No. F(E)III/2005/PN1/35 dated 26.09.2005.
3.	O.M. No. 28/30/2004-P&PW(B) dated 28.10.2009.	Letter No. F(E)III/2005/PN1/35 dated 04.11.2009.
4.	O.M. No. 38/41/06-P&PW(A) dated 05.05.2009.	Letter No. 2008/AC-II/21/19 dated 29.05.2009.
5.	Para 9 of DOP&PW's O.M. No.57/04/2019-P&PW(B) dated 17.02.2020.	Instructions will be issued by Accounts Directorate.

G. Priya Sudarsani

(G. Priya Sudarsani)
Director, Finance (Estt.),
Railway Board.

D.A.: as above

No. D-43/12/2018-F(E)III **New Delhi, Dated :30.09.2020.**

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

G. Priya Sudarsani

For Member Finance/Railways.

No. D-43/12/2018-F(E)III **New Delhi, Dated :30.09.2020.**

1. The General Secretary, NFIR, Room No. 256-E, Rail Bhawan, New Delhi.
2. The General Secretary, AIRF, Room No. 253, Rail Bhawan, New Delhi.
3. The Members of the National Council, Departmental Council and Secretary Staff Side, National Council, 13-C, Feroze Shah Road, New Delhi.
4. The Secretary General, FROA, Room No. 256-A, Rail Bhawan, New Delhi.
5. The Secretary, RBSS, Group "A" Officers Association, Rail Bhawan.
6. The Secretary, RBSS, Group "B" Officers Association.
7. The General Secretary, RBSSSA, Room No. 451-A, Rail Bhawan, New Delhi.
8. The Secretary General, IRPOF, Room No. 268, Rail Bhawan, New Delhi.
9. The Secretary, Railway Board Ministerial Staff Association.
10. The Secretary, Railway Board Class IV Staff Association.
11. The Secretary General, All India RPF Association, Room No. 256-D, Rail Bhawan, New Delhi- 110001.
12. The Secretary, Railway Board Promottee Officers Association, Room No. 341-C, Rail Bhawan.
13. The General Secretary, All India SC/ST Railway Employees Association, Room No. 7, Ground Floor, Rail Bhawan, New Delhi.
14. The General Secretary, All India O.B.C. Railway Employee's Federation (AIOBCREF), Room No. 48, Rail Bhawan.

T. Mohan 30.09.20

For Secretary/Railway Board.

No. D-43/12/2018-F(E)III **New Delhi, Dated :30.09.2020.**

Copy to:

EDPG to MR , EDPG to MoS(R), EDPG-II to MoS(R), APS to MoS(R).

PSOs/Sr. PPSs/PPSs/PSs to Chairman & CEO, Railway Board, Member Finance (Railways), Member Operations & Business Development (O&BD), Member Infra, Member Traction and Rolling Stock, Secretary, Railway Board.

DG(RHS), DG(RPF), DG/Pers.

All Additional Members, Principal Executive Directors, All Executive Directors, IG/RPSF, JS, JS(G), JS(E), JS(E)-II, JS(G)-II/ Railway Board.

Copy to Section's Yearly Guard File.

No. D-43/12/2018-F(E)III **New Delhi, Dated :30.09.2020.**

Copy to:-

1. The Director General and Ex. Officio General Manager, RDSO/Lucknow.
2. The General Manager and FA&CAO, Metro Railway/Kolkata.
3. The Director General, National Academy of Indian Railways (NAIR)/Vadodara.
4. The General Manager, Modern Coach Factory, Lalganj, Raebareli, U.P.-229120.
5. The Director, IRICEN/Pune, IRIEEN/Nasik Road, IRIMEE/Jamalpur, IRISET/Secuderabad.
6. The CMDs, IRCON, IRFC, MRVC, IRC&TC, CONCOR, RITES, KRCL, RVNL, RAILTEL and the Managing Director, CRIS, IRWO.
7. The Chairman, RCC, Lok Sabha Secretariat/New Delhi.
8. The Chairman, RCT/Delhi.
9. The Chairman, RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneshwar, Chandigarh, Chennai, Kolkata, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad and Trivandrum.
10. The Pay & Accounts Officer, Ministry of Railways (Railway Board).
11. The Chief Commissioner of Railway Safety/Lucknow.
12. The Vice Chairman, Rail Land Development Authority, Near Safdarjung Railway Station, Motibagh-1, New Delhi-110021.
13. The CAO, Indian Railway Organization for Alternate Fuels, 12th Floor, Core-1, Scope Minar, District Centre, Laxmi Nagar, Delhi-92.

(Copy to Department of Pension & Pensioner's Welfare w.r.t. their O.M. No. 57/04/2019-P&PW(B) dated 25.06.2020)

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No. 57/04/2019-P&PW(B)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Pension and Pensioners' Welfare

Lok Nayak Bhawan, Khan Market,
New Delhi, the 25th June, 2020

OFFICE MEMORANDUM

Subject: Coverage under Central Civil Services (Pension) Rules, 1972, in place of National Pension System in terms of DoPPW OM dated 17.02.2020 - clarifications- regarding.

The undersigned is directed to say that instructions have been issued vide this Department's O.M. of even number dated 17th February, 2020, that in all cases where the results for recruitment were declared before 01.01.2004, against vacancies occurring on or before 31.12.2003, the candidates declared successful for recruitment shall be eligible for coverage under the Central Civil Services (Pension) Rules, 1972. Accordingly, such Government servants who were declared successful for recruitment in the results declared on or before 31.12.2003, against vacancies occurring before 01.01.2004 and are covered under the National Pension System on joining service on or after 01.01.2004, may be given a **one-time option** to be covered under the CCS(Pension) Rules, 1972.

2. References have been received in this Department seeking clarifications in regard to the implementation of the aforesaid instructions in certain circumstances. The issues raised by the various Departments have been examined in this Department and the position is clarified as under:

S. No.	Issue raised	Clarification
1	A Government servant joined in a Department /Office of the Central Government on or after 01.01.2004 on the basis of results declared before 01.01.2004 against vacancies occurred prior to 01.01.2004 and thereafter joined another Central Government Department / Office with proper permission after tendering technical resignation. Can the option exercised by such a Government servant be considered in accordance with the O.M. dated 17.2.2020 and, if so, which Department/office will take	Such a Government servant is also eligible to exercise option under O.M. dated 17.02.2020. A decision on the option shall be taken by the appointing authority of the post in the Department/Office for which such option is exercised by Government servant. In case the Government servant has submitted his option in his latest Department/office, that Department/Office shall forward the option to the concerned Department/office, for taking an appropriate decision. The decision taken by the concerned Department/Office shall be communicated to his latest Department. In such cases, the instructions relating to mobility as contained in this Department's O.Ms. No. 28/30/2004-P&PW(B) dated 26.07.2005 and 28.10.2009 shall also be applicable and further action for counting of past service for pension/gratuity shall be taken in accordance with the CCS(Pension) Rules, 1972 by the latest Department/Office.

2	Can an option exercised by a member of the family of the deceased Government servant be considered.	If a Government servant, who was otherwise eligible to exercise option in terms of the O.M. dated 17.02.2020, has already died, the option exercised by the member of the family, who is eligible to receive NPS benefits on death of the Government servant in accordance with PFRDA (Exits and Withdrawals under NPS) Regulations, may be accepted and processed in accordance with the instructions contained in this Department's OM dated 17.02.2020. If, before his death, the Government servant had joined another Central Government Department/office with proper permission after tendering technical resignation, the option exercised by the such nominee shall be processed in accordance with the clarification No. (1) above.
3	In cases covered by clarification No. (2), how will the amount of the corpus in the NPS account, which was transferred to the Government consequent on death of the Government servant in accordance with the O.M. No. 38/41/06/P&PW(A) dated 05.05.2009, be adjusted.	The amount of the corpus in the NPS account, which was transferred to the Government consequent on death of the Government servant, shall be adjusted in the manner indicated in para 9 of this Department's O.M. dated 17.02.2020, with the modification that the employee's contribution in the NPS account along with up-to-date interest, calculated on the rates applicable to GPF from time to time, shall be paid to the person in whose favour a nomination to receive NPS amount was submitted by the Government servant under the Regulations notified by PFRDA.
4.	Will the instructions contained in the OM dated 17.02.2020 be applicable in the case of Government servants who joined on or after 01.01.2004 on appointment on compassionate grounds. If so, how will the eligibility of such Government servants to exercise option under OM dated 17.02.2020 be determined.	A Government servant, who joined on or after 01.01.2004 on appointment on compassionate grounds, shall be eligible to exercise option in terms of the OM dated 17.02.2020, if the competent authority had taken the decision on the recommendation of the Screening/Selection Committee to appoint the Government servant on compassionate grounds before 01.01.2004.

3. All Ministries / Departments are requested to bring the contents of these clarifications to the notice of Controller of Accounts/Pay and Accounts Officers, Attached office and Subordinate Offices under them.

4. Hindi version will follow.

(S. Chakrabarti)
Under Secretary to the Government of India

To,

1. All Central Govt. Ministries / Departments.
2. Department of Expenditure, Ministry of Finance, North Block, New Delhi.
3. C&AG, Bahadur Shah Zafar Marg, New Delhi.
4. Ministry of Railways, Railway Board, for information, New Delhi.
5. Department of Personnel and Training, North Block, New Delhi.
6. Department of Financial Services, Jeevan Deep Building, Parliament Street, New Delhi.
7. CGA, Department of Expenditure, INA, New Delhi,
8. AD(OL) for Hindi Version
9. NIC for posting on the website of this Department.