

Eastern Railway

No. E.787/O/PEN/Pt.XXIX.

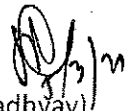
Kolkata, dated 05.03.2021.

ALL CONCERNED

Sub: - Payment of lump sum compensation to employees covered under NPS on retention in Railway service in spite of disablement attributable to Railway service in accordance with Rule 10(3) of the Railway Services (Pension) Rules 1993- regarding.

Copy of Railway Board's letter No. D-43/4/2018-F(E)III dated 19.02.2021 (RBE No.10/2021) along with Department of Pension & Pensioners Welfare (DOP&PW)'s O.M No. 1/3/2019-P&PW(F) dated 01.01.2021 on the subject matter is sent herewith for information, guidance and necessary action.

DA: As above.


(S.K.Chattopadhyay)
Sr. Personnel Officer (HQ)
For Pr.Chief Personnel Officer

INDEX NO. 1058: Clarification regarding payment of lump sum compensation to employees covered under NPS on retention in Railway service in spite of disablement attributable to Railway service in accordance with Rule 10(3) of the Railway Services (Pension) Rules 1993.

Copy of Railway Board's letter No. D-43/4/2018-F(E)III dated 19.02.2021 (RBE No.10/2021) along with Department of Pension & Pensioners Welfare (DOP&PW)'s O.M No. 1/3/2019-P&PW(F) dated 01.01.2021 addressed to GMs/PFA, All Zonal Railways/Production Units and others is circulated herewith.

Sub: - Payment of lump sum compensation to employees covered under NPS on retention in Railway service in spite of disablement attributable to Railway service in accordance with Rule 10(3) of the Railway Services (Pension) Rules 1993- regarding.

DA: As above.

Contd....2/-

R.B.E. No. 10/2021

GOVERNMENT OF INDIA (भारत सरकार)
MINISTRY OF RAILWAYS (रेल मंत्रालय)
RAILWAY BOARD (रेलवे बोर्ड)

No. D-43/4/2018-F(E)III

New Delhi, dated: 19.02.2021.

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

Sub:- Payment of lump sum compensation to employees covered under NPS on retention in Railway service in spite of disablement attributable to Railway service in accordance with Rule 10(3) of the Railway Services (Pension) Rules, 1993 - regarding.

A copy of Department of Pension & Pensioners' Welfare (DOP&PW)'s O.M. No 1/3/2019-P&PW(F) dated 01.01.2021 is enclosed for information and guidance. These instructions shall apply mutatis mutandis on the Railways also. The Central Civil Services (Pension) Rules, 1972 and the Central Civil Services (Extra Ordinary Pension) Rules, 1939 correspond to the Railway Services (Pension) Rules, 1993 and the Railway Services (Extra Ordinary Pension) Rules, 1993, respectively.

2. The Railway Board's instructions/Railway Services (Extraordinary Pension) Rules, 1993 corresponding to DOP&PW's instructions/CCS (Extraordinary Pension) Rules, 1939 referred to in their aforesaid O.M. dated 01.01.2021 are given below:-

Sl.No.	DOP&PW's instructions/Central Civil Services (Extraordinary Pension) Rules, 1939	Corresponding Railway Board's instructions/Railway Services (Extraordinary Pension) Rules, 1993
1.	Rule 8(3) of CCS (Extraordinary Pension) Rules, 1939	Rule 9(3) of Railway Services (Extraordinary Pension) Rules, 1993
2.	Rule 9(3) of CCS (Extraordinary Pension) Rules, 1939	Rule 10(3) of Railway Services (Extraordinary Pension) Rules, 1993
3.	DOP&PW's O.M. No. 38/41/06-P&PW(A) dated 05.05.2009	Railway Board's letter No. 2008/AC-II/21/19 dated 29.05.2009.

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

No. D-43/4/2018-F(E)III

New Delhi, dated: 19.02.2021.

Copy to Deputy Comptroller and Auditor General of India (Railways), Room No 222, Raj Bhavan, New Delhi

For Member Finance/Railways

Contd.

1/3/2019-पी और पीडब्लू (एफ)
भारत सरकार
कार्मिक, लोक शिकायत और पेंशन मंत्रालय
पेंशन और पेंशनभोगी कल्याण विभाग

तीसरी मंजिल, लोक नायक भवन,
खान मार्केट, नई दिल्ली-110003
दिनांक 1^म जनवरी, 2021

कार्यालय ज्ञापन

Subject: Payment of lump sum compensation to employees covered under NPS on retention in Government service in spite of disablement attributable to Government service in accordance with Rule 9(3) of CCS (Extra Ordinary Pension) Rules, 1939-regarding.

The undersigned is directed to say that on introduction of National Pension System with effect from 01.01.2004, among others, the CCS (Pension) Rules, 1972 and CCS (EOP) Rules, 1939 were amended vide Notification No. 38/16/2003-P&PW (A) dated 30.12.2003 to the effect that the provisions of the aforesaid Rules would not be applicable to the Government employees appointed on or after 01.01.2004. However, considering the hardships being faced by the employees covered under National Pension System and their families, orders were issued vide this Department's OM No 38/41/06-P&PW dated 05.05.2009 for provisionally extending the benefits of invalid pension, disability pension and family pension under CCS (Pension) Rules and CCS (EOP) Rules on discharge of such employees from service on invalidation/disability or on their death during service.

2. Representations/references have been received in this Department for extending the benefit under Rule 9(3) of CCS (EOP) Rules, to the employees appointed on or after 01.01.2004 and covered under NPS. In accordance with Rule 9(3) of CCS (EOP) Rules, applicable to Government employees appointed before 01.01.2004, if a Government employee is retained in service in spite of a disablement attributable to Government service, a lump sum compensation is paid to him by arriving at the capitalized value of the disability element of disability pension, with reference to the commutation table in force from time to time. The broad-banding under Rule 8(3) of those rules is, however, not applicable in such cases. In accordance with the OM dated 05.05.2009, the benefit of disability pension is available to the employees covered under the National Pension System only on being boarded out on account of the disability attributable to Government service, however, the benefit under Rule 9(3) of the CCS (EOP) Rules, is presently not available to an employee covered under NPS, if he is retained in service in spite of a disablement attributable to Government service.

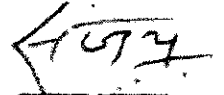
3. The matter has been examined in consultation with Department of Expenditure. It has now been decided that if a Government employee appointed on or after 01.01.2004 and covered under NPS is disabled, he shall also be eligible to receive a lump sum compensation computed in terms of rule 9(3) of CCS (EOP) Rules, if the disablement is attributable to Government service and the Government employee is retained in service in spite of such disablement. The provisions of this Department's OM No 38/41/06-P&PW (A) dated 05.05.2009 shall stand amended to that extent.

4. The provisions of this O.M. shall take effect from 01.01.2004.

5. This issues with the concurrence of Ministry of Finance, Department of Expenditure vide their ID No 1(6)/1-V/2020 dated 23.12.2020.

6. In their application to the persons belonging to Indian Audit and Accounts Department, these orders are issued under Article 148(5) of the Constitution and after consultation with the Comptroller and Auditor General of India vide their यू.ओ.संख्या-232-स्टाफ हक (नियम)/ए.आर./09-2019 दिनांक-27.11.2020.

7. The Administrative Divisions of all Ministries/Departments and attached/subordinate offices are requested to bring the contents of these instructions to the notice of all concerned for compliance. The cases for payment of lump sum compensation to the employees covered under NPS and who have been retained in service in spite of disability attributable to Government service on or after 01.01.2004 may be processed accordingly.


(संजय शंकर)

भारत सरकार के उप सचिव

To-

1. All Ministries/Departments of the Government of India
2. President's Secretariat
3. Vice President's Secretariat
4. Prime Minister's Office
5. Comptroller & Auditor General of India
6. Cabinet Secretariat
7. Union Public Service Commission
8. NIC for uploading in the Website