EAST CENTRAL RAILWAY

कार्यालय
महाप्रबंधक(का)
हाजीपुर

RBE No. 76/2022

PCPO's Sl No.81/2022

No.ECR-HQ0PERS (RULE)/8/2022 Com.No.162637)

1. CAO (Con.)/उत्तर एवं दक्षिण/पटना।
2. सभी PHOD/CHOD/पूमरे/हाजीपुर।
3. DRM/पूमरे/दानापुर, डीडीयू, धनबाद, सोनपुर एवं समस्तीपुर।
4. मुख्य कार्मिक अधिकारी/प्रशासन/पूमरे/हाजीपुर।
5. मुख्यालय के सभी कार्मिक अधिकारी।
6. CWM/पीडी/डीडीयू, यांत्रिक कारखाना/समस्तीपुर एवं हरनौत।
7. Sr.DPO/पूमरे/दानापुर, डीडीयू, धनबाद, सोनपुर एवं समस्तीपुर।
8. उप महाप्रबंधक/विधि/पटना।
9. प्राचार्य/क्षेत्रीय रेल प्रशिक्षण संस्थान/मुजफ्फपुर एवं भूली।
10. सभी मुकार्याधी/कार्याधी/पूमरे/हाजीपुर।

विषयः-Revision of pension/ family pension in respect of the pensions drawing compulsory retirement pension or compassionate allowance after compulsorily retirement/ dismissal/ removal from service- reg.

संदर्भः-Railway Board's letter No.2016/F(E) III/1(1)/7 Dated: 05-07-2022

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विषयांकित से संबंधित संदर्भित पत्र की छायाप्रति सूचना, मार्गदर्शन एवं अग्रेत्तर आवश्यक कार्रवाई हेतु प्रेषित की जा रही है।

A copy of above referred letter on the subject matter is being forwarded herewith for information, guidance and needful onward action please.

DA: As above.

Digitally Signed by Manoj Ku Choudhary
Date: 26-07-2022 18:28:08
Reason: Approved

(मनोज कुमार चौधरी)
सकाधि/इ.एस.एन
कृते महाप्रबंधक (का)/हाजीपुर

प्रतिलिपि/– निम्नलिखित को सूचनार्थ, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु प्रेषितः–

1. महासचिव/ईसीआरकेयू/पूमरे/हाजीपुर।
2. महासचिव/एस.सी.एवं एस.टी.एशोसिएशन/पूमरे/हाजीपुर।
3. सकाधि(एम.पी.पी.)/पूमरे/हाजीपुर–कृपया इसे वेबसाइट पर अपलोड करें।
4. महासचिव/ओ.बी.सी.एशोसिएशन/पूमरे/हाजीपुर।

1367988/2022/O/o Dy.CPO/HQ/ECR

RBE No. 76 /2022.

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

No.2016/F(E)III/1(1)/7 **New Delhi, dated: 05.07.2022.**

The General Managers/Principal Financial Advisors,
All Zonal Railways/Production Units etc,
DGs of RDSO and NAIR.

Sub: Revision of pension/family pension in respect of the pensioners drawing compulsory retirement pension or compassionate allowance after compulsorily retirement/dismissal/removal from service-reg.

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A copy of Department of Pension & Pensioners' Welfare (DOP&PW)'s O.M. No. 38/46/2017-P&PW(A)(4879) dated 14.06.2022 is enclosed for information and guidance. These instructions shall apply mutatis mutandis on the Railways also. The Central Civil Services (Pension) Rules, 1972 corresponds to Railway Services (Pension) Rules, 1993.

2. The Railway Board's instructions/Railway Services (Pension) Rules, 1993 corresponding to DOP&PW's instructions/CCS (Pension) Rules, 1972 referred to in their aforesaid O.M. dated 14.06.2022 are given below:-

S. No.	DOP&PW's instructions/Central Civil Services (Pension) Rules, 1972	Corresponding Railway Board's instructions/Railway Services (Pension) Rules, 1993
1.	O.M. No. 45/86/97-P&PW(A)-Part II dated 27.10.1997.	Letter No. F(E)III/97/PN1/23 dated 07.11.1997.
2.	O.M. No. 45/86/97-P&PW(A)-Part III dated 10.02.1998.	Letter No. F(E)III/98/PN1/2 dated 10.03.1998.
3.	O.M. No. 45/10/98-P&PW(A) dated 17.12.1998.	Letter No. F(E)III/98/PN1/29 dated 15.01.1999.
4.	O.M. No. 38/37/08-P&PW(A) dated 01.09.2008, dated 22.07.2011, 28.01.2013, dated 30.07.2015 and dated 06.04.2016.	Letter No. F(E)III/2008/PN1/12 dated 08.09.2008, dated 06.09.2011, dated 11.02.2013, dated 31.07.2015 and dated 13.04.2016
5.	O.M. No. 38/37/08-P&PW(A)(pt.1) dated 03.10.2008.	Letter No. F(E)III/2008/PN1/12 dated 08.10.2008.
6.	Rule 40 and 41 of CCS (Pension) Rules, 1972.	Rule 64 and 65 of Railway Services (Pension) Rules, 1993.
7.	O.M. No. 38/37/2016-P&PW(A) dated 12.05.2017.	Letter No. 2016/F(E)III/1(1)/7 dated 22.05.2017.

3. Please acknowledge receipt.

रेल मंत्रालय
Ministry of Railways
रेलवे बोर्ड
Railway Board
अनुलग्नक सहित जारी
Issue with Enclosure
हस्ताक्षर
Signature.....
की तिथि
of Issue.....

G. Priya Sudarsani

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

D.A.: As above

No. 2016/F(E)III/1(1)/7 **New Delhi, Dated: 05.07.2022.**

Copy to:

Deputy Comptroller and Auditor General of India (Railways), Room No. 222, Rail Bhawan, New Delhi.

G. Priya Sudarsani

For Member Finance, Railway Board

No. 2016/F(E)III/1(1)/7 **New Delhi, Dated: 05.07.2022.**

Copy to:-

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, Feroz Shah Road, New Delhi.
4. The Secretary General, FROA, Room No. 256-A, Rail Bhawan, New Delhi.
5. The Secretary General, IRPOF, Room No. 268, Rail Bhawan, New Delhi.
6. The Secretary, RBSS, Group 'A' Officers Association, Rail Bhawan.
7. The Secretary, RBSS, Group 'B' Officers Association.
8. The General Secretary, RBSSSA, Room No. 451-A, Rail Bhawan, New Delhi.
9. The Secretary, Railway Board Ministerial Staff Association.
10. The Secretary, Railway Board Class IV staff Association.
11. The General Secretary, All India SC/ST Railway Employees Association, Room No. 7, Ground Floor, Rail Bhawan, New Delhi
12. The General Secretary, All India O.B.C. Railway Employees Federation (AIOBCREF), Room No.48, Rail Bhawan.

For Secretary, Railway Board.

No 2016/F(E)III/1(1)/7 **New Delhi, Dated: 05.07.2022.**

Copy to:-

Adv. to MR, OSD to MR, OSD (Co-ord) to MR, Addl. PS to MR, PS to MoSR(D), EDPG to MoSR(D), PS to MoSR(J), EDPG to MoSR(J), DPG to MoSR(J).

PSOs/Sr.PPSs/PPSs to CRB, MF, M/O&BD, M/Infra, M/TRS.

DG(RHS), DG/Safety, DG(RPF), DG/HR.

All Addl. Members, PEDs, All EDs, JSs, Dir.(Dep.)

Section's Yearly Guard File.

No. 2016/F(E)III/1(1)/7 **New Delhi, Dated: 05.07.2022.**

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 DGs, IRICEN/Pune, IRIEEN/Nasik Road. IRIMEE/Jamalpur, IRISET/Secunderabad
5. The CMDs, IRCON, IRFC, MRVC, IRC&TC, CONCOR, RITES, KRCL, RVNL, Railtel and MDs, CRIS, IRWO.
6. The Chairman, RCT/Delhi.
7. The Chairman, RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneshwar, Chandigarh, Chennai, Kolkata, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad and Trivandrum.
8. The Pay & Accounts Officer, Ministry of Railways (Railway Board)
9. The Chief Commissioner of Railway Safety/ Lucknow
10. The Vice Chairman, Rail Land Development Authority, New Delhi.

(Copy to Department of Pension & Pensioners' Welfare (DOP&PW) w.r.t. their O.M. No. 38/46/2017-P&PW(A)(4879) dated 14.06.2022)

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1367988/2022/O/o Dy.CPO/HQ/ECR

No.38/46/2017-P&PW(A)(4879)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare
3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi-110 003
Dated : 14.06.2022

OFFICE MEMORANDUM

Sub:- Revision of pension/family pension in respect of the pensioners drawing compulsory retirement pension or compassionate allowance after compulsorily retirement/dismissal/removal from service-reg.

The undersigned is directed to say that on the recommendations of the 5th Central Pay Commission, the following orders/instructions were issued for revision of pension of pre-1996 pensioners:

(i) Orders issued vide this Department's OM No.45/86/97-P&PW(A)-Part II dated 27.10.1997 for revision of pension/family pension of pre-1996 pensioners/family pensioners by consolidating the pre-revised pension/family pension, dearness relief, interim relief and fitment benefit with effect from 01.01.1996.
(ii) Instructions issued vide this Department's OM No.45/86/97-P&PW(A)-Part III dated 10.02.1998 for revision of pension/family pension of pre-1996 pensioners/family pensioners by notional fixation of pay as on 01.01.1986.
(iii) Instructions issued vide this Department's OM No. 45/10/98-P&PW(A) dated 17.12.1998 that the consolidated revised pension/family pension under sub-para (i) above would be stepped up to 50% / 30% of the minimum of the pay in the revised scale of pay as on 01.01.1996, corresponding to the scale held by the pensioner at the time of retirement/death.
(iv) Clarifications/instructions issued vide this Department's OM No.45/86/97-P&PW(A) Pt.V dated 25.03.2004 that the instructions referred to in sub-para (ii) and (iii) above would not be applicable to the pre-1996 pensioners/family pensioners in cases where pensioners were drawing compulsory retirement pension or compassionate allowance, for the purpose of revision of pension/family pension w.e.f. 01.01.1996.

2. On the recommendations of the 6th CPC, the following orders/instructions were issued for revision of pension of pre-2006 pensioners:

(i) Orders issued vide this Department's OM No. 38/37/08-P&PW(A) dated 1.9.2008 for revision of pension/family pension of pre-2006 pensioners/family pensioners w.e.f. 01.01.2006. In para 4.1 of this OM, it was provided that pension/family pension of pre-2006 pensioners would be revised by consolidating the pre-revised pension/family pension, dearness pension, dearness relief and fitment benefit.

(ii) In para 4.2 of this Department's OM No. 38/37/08-P&PW(A) dated 1.9.2008 and O.M. No. 38/37/08-P&PW(A)(pt.1) dated 03.10.2008, it was further provided that the fixation of pension/family pension would be subject to the provision that the

revised pension/family pension, in no case, would be lower than 50% /30% 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.

(iii) Further instructions regarding the manner for revision of pension/family pension in terms of para 4.2 of O.M. dated 01.09.2008 were issued vide this Department's O.M. No. 38/37/08-P&PW(A) dated 28.01.2013, 38/37/08-P&PW(A) dated 30.07.2015 and 38/37/08-P&PW (A) dated 06.04.2016.

(iv) It was clarified vide this Department's OM No.38/37/08-P&PW(A) dated 22.07.2011 that the benefit of para 4.2 of the OM dated 01.09.2008 would not be applicable in the case of revision of pension/family pension in respect of the pensioners who were in receipt of compulsory retirement pension and compassionate allowance under Rules 40 and 41 of CCS(Pension) Rules, 1972.

3. On the recommendations of the 7th CPC, following orders/instructions were issued for revision of pension of pre-2016 pensioners:

(i) Orders were issued vide this Department's OM No.38/37/2016-P&PW(A) dated 12.05.2017 for revision of pension/family pension of pre-2016 pensioners/family pensioners w.e.f. 01.01.2016 by notional fixation of pay as on 01.01.2016.

(ii) In para 11 of the said OM dated 12.5.2017, it was provided that the provisions regarding notional fixation of pay as on 01.01.2016 would not be applicable for the purpose of revision of pension/family pension in respect of the pensioners who were drawing compulsory retirement pension under Rule 40 of the CCS (Pension) Rules, 1972 or compassionate allowance under Rule 41 of the CCS (Pension) Rules, 1972.

4. Based on representations received from some pensioners and also some court decisions in this regard, the matter has been re-considered in consultation with Department of Expenditure. It has now been decided that the provisions contained in this Department's OMs No.45/86/97-P&PW(A)-Part III dated 10.02.1998 and No. 45/10/98-P&PW(A) dated 17.12.1998 regarding revision of pension/family pension after 5th CPC, para 4.2 of this Department's OM No.38/37/08-P&PW(A) dated 01.09.2008 (as amended /clarified from time to time) regarding revision of pension/family pension after 6th CPC and this Department's OM No.38/37/2016-P&PW(A) dated 12.05.2017 regarding revision of pension/family pension after 7th CPC by notional fixation of pay, would also be applicable for revision of pension/family pension in respect of pensioners who were drawing compulsory retirement pension or compassionate allowance. Accordingly, pension/family pension of such pensioners/family pensioners shall be revised w.e.f. 01.01.1996, 01.01.2006 and 01.01.2016 in accordance with the aforesaid orders issued for revision of pension of the pre-1996, pre-2006 and pre-2016 pensioners/family pensioners, respectively.

5. In cases where compulsory retirement pension or compassionate allowance was sanctioned at a rate which was less than full pension, the revised pension computed as per the aforesaid OMs would be proportionate to the reduced initial pension/compassionate allowance which was sanctioned on compulsory retirement/dismissal/removal. In other

words, the revised pension/compassionate allowance computed as per the aforesaid OMs would be reduced by the same percentage by which the initial pension was reduced at the time of sanction of pension/compassionate allowance on compulsory retirement/ dismissal/ removal. In cases where the compulsory retirement pension was given in full without any reduction, the revised pension computed as per the aforesaid OMs would also be given in full without any reduction.

6. There will be no reduction in the amount of family pension computed as per the aforesaid OMs in any case, including in cases where the amount of initial compulsory retirement pension/compassionate allowance was less than full pension.

7. Accordingly, the clarifications/ instructions contained in this Department's OMs No.45/86/97-P&PW(A)pt.V dated 25.03.2004, No.38/37/08-P&PW(A) dated 22.07.2011 and para 11 of OM No.38/37/2016-P&PW(A) dated 12.05.2017 stand withdrawn.

8. All Ministries/Departments are requested to revise the pension/family pension w.e.f. 01.01.1996, 01.01.2006 and 01.01.2016 (as may be applicable) in respect of the pensioners who were sanctioned compulsory retirement pension or compassionate allowance accordingly.

9. These orders are issued with the concurrence of Ministry of Finance (Department of Expenditure) vide their ID/U.O No.1(11)/EV/2017 dated 29.04.2022.

10. In so far as persons belonging to the Indian Audit & Accounts Departments, these orders are issued after consultation with the Comptroller and Auditor General of India.

11. Hindi version will follow.

Pramod Kaushik
(Dr. Pramod Kumar)
Director

All Ministries/Departments of Government of India