

CORPORATE OFFICE (Pension Section)
5th Floor, Bharat Sanchar Bhawan, N. Delhi
[Phone: 23715155, Fax: 23734051]
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भारत संचार निगम लिमिटेड
(भारत सरकार का उपक्रम)
BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)

No.40-22/2011-Pen.(B)

Dated: 29.07.2016

To

All Heads of Telecom Circles/Telecom District/Regions/
Projects/Telecom Stores/Telecom Factories & Other Administrative Offices
Bharat Sanchar Nigam Limited

Subject: Revision of pension of pre-2006 pensioners-delinking of revised pension from qualifying service of 33 years - reg.

Sir,

I am directed to forward herewith a copy of DoP&PW's O.M. No.38/37/08-P&PW(A) dated 06.04.2016 forwarded vide DoT letter dated 05/05/2016 and a copy of DoT OM No.40-04/2013-Pen.(T) dated 03.06.2016 on the above mentioned subject for kind information and necessary action.

Yours faithfully,

(Sheo Shankar Prasad)

Deputy General Manager (Estt.)

Encls: As above.

Copy to:-

1. PPS to CMD, BSNL.
2. PPS to Dir(HR)/Dir(Enterprise)/Director(CFA)/Dir(CM)/Dir(F), BSNL Board.
3. All Executive Directors, BSNL.
4. DDG(Estt.), DoT for kind information w.r.t. letter no.40-04/2013-Pen(T) dated 05/05/2016 & 03.06.2016.
5. All PGMs/Sr.GMs/GMs in BSNL CO.
6. Addl.GMs(A)/(Pers)/(BW)/(Elect.)/(Arch.)/(SEA)/(EF)/(CA), BSNL CO.
7. AGM(R&P)/(EF)/(CSS)/(SEA)/(Pers.I)/(Pers.II)/(Pes.III)/(Pers.IV)/(Civil)/(A&E)/(TF), BSNL CO.
8. DM(Pay Bill)/(Cash)/(L&A), BSNL CO.
9. General Secretary, BSNLEU/NFTE.
10. DM(OL), BSNL CO for providing Hindi version.
11. Guard File.

451/DGM (Estt)
2015/2016

No.40-04/2013-Pen (T)

Government of India
Ministry of Communications & IT
Department of Telecommunications
(Pension Section)

M.D. (B.S.N.L.)
ORIGINAL
Dy. No. 2824
Date 10/5/16

O.D. (HR)
3191
Dy. No. 11/5
Date 11/5
BSNL CO.

G.M. (ESTT)
Dy. No. 4557
Date 19/5/16
BSNL CO. N. Delhi

516-Sanchar Bhawan, 20, Ashoka Road,
New Delhi-110001

Dated: 5/5/2016

OFFICE MEMORANDUM

Subject: - Revision of pension of pre-2006 pensioners – delinking of revised pension from qualifying service of 33 years– reg.

The undersigned is directed to circulate DOP&PW's OM No. 38/37/08-P&PW(A) dated 06.04.2016 on the above mentioned subject for implementation and necessary action.

Bulley Mishra
(Bulley Mishra) 51516
Assistant Director General(STP)
Tel No. 23036854

To:

1. All the concerned CCAs.
2. Director(Accts.I), Director(Accts.II), DOT, Hqrs, Sanchar Bhawan, New Delhi.
3. CMD, BSNL Corporate Office, Janpath, New Delhi.
4. CMD, MTNL, New Delhi.
5. TEC, Khurshid Lal Bhavan, Janpath, New Delhi.
6. Director(IT), DoT(HQ), Sanchar Bhawan, New Delhi for uploading the same on DoT website.

J.M.R.
Jni (HR)

No.40-04/2013-Pen (T)
 Government of India
 Ministry of Communications & IT
 Department of Telecommunications
 (Pension Section)

G.M.D. (B.S.N.L.)
 ORIGINAL
 Dy. No. 3514-
 Date. 8/6/16

Dir (HR)
 3902
 8/6
 BSNL CO.

G.M. (ESTT.)
 Dy. No. 4599-
 Date 10/6/16
 BSNL CO.

516-Sanchar Bhawan, 20, Ashoka Road,
 New Delhi-110001

Dated: 3rd June, 2016

OFFICE MEMORANDUM

Subject: Revision of pension of pre-2006 pensioners – delinking of revised pension from qualifying service of 33 years– reg.

The undersigned is directed to refer to DOP&PW's OM No. 38/37/08-P&PW(A) dt. 06.04.2016 regarding delinking of revised pension from qualifying service of 33 years for revision of pension of pre-2006 pensioners. In pursuance, the aforesaid OM has been circulated to the concerned for implementation and necessary action vide this office OM of even no. dated 5.5.2016.

2. Subsequently, a number of references have been received in this Department seeking clarifications in regard to the provisions of the aforesaid OM. The matter was referred to DOP&PW seeking their clarification on the above matter and based on the clarification received from DOP&PW, the queries raised and their corresponding reply are as under:

S.No.	Queries	Clarification furnished by DOP&PW
(i)	Whether DoT employees permanently absorbed in BSNL/MTNL, who opted for <u>pro-rata pension</u> for their DoT service of more than 10 years, are eligible for full pension in view of the Government decision conveyed vide aforesaid OM.	The requirement of qualifying service of 10 years for grant of pension was always there. Therefore, all pre-2006 pensioners are supposed to have completed 10 years of qualifying service at the time of their retirement. Therefore, all pre-2006 pensioners, except those mentioned at Point(ii) below, are eligible for revision of pension in terms of OM dt. 6.4.2016.
(ii)	Whether DoT employees, who received one-time lump sum settlement in lieu of their pension and their 1/3 rd pension was subsequently restored, are also covered under the aforesaid OM.	The orders for revision of notional full pension of the absorbees pensioners who had got lump sum amount for their entire pension would be issued by DOP&PW separately. Therefore, pension of all such pre-2006 pensioners are required to be revised in accordance with the orders issued by DOP&PW from time to time.

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(iii)	Whether order dt. 6.4.2016 is applicable to the pensioners who retired other than on superannuation i.e. Voluntary, premature, invalid, compensation etc.	Attention is invited to Para 3 of DOP&PW's OM No. 38/37/08-P&PW(A) dated 22.07.2011 wherein it is mentioned that the benefit of Para 4.2 of OM dated 1.9.2008 as clarified in OM dated 3.10.2008 will not be applicable in the case of revision of pension/family pension of those pre-2006 retirees who were in receipt of compulsory retirement pension and compassionate allowance under Rule-40 and 41 of CCS (Pension) Rules, 1972. Therefore, it is clear that the benefit of modified parity has not been extended to these pensioners. The OM dated 6.4.2016 is issued to grant the benefit of full pension instead of pro-rata pension to those pre-2006 retirees who earlier got the benefit of modified parity under Para 4.2 of OM dated 1.9.2008.
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Bulley Mishra
(Bulley Mishra) 31/6/16
Assistant Director General(STP)
Tel No. 23036854

To:

1. All the CCAs/ TERM Cells.
2. Sr. DDG(TEC), Khurshid Lal Bhavan, Janpath, New Delhi.
3. DDG(Estt.)/DDG(Accounts), DoT, Hqrs, New Delhi.
4. Director(Estt.), Director(Accts.I), Director(Accts.II), DOT, Hqrs, New Delhi.
- ✓ 5. CMD, BSNL Corporate Office, Janpath, New Delhi.
6. CMD, MTNL, New Delhi.
7. Director(IT), DoT(HQ), Sanchar Bhawan, New Delhi for uploading the same on DoT website.

No. 38/37/08-P&PW (A)
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 the 06th April, 2016

OFFICE MEMORANDUM

Sub:- Revision of pension of pre-2006 pensioners – delinking of revised pension from qualifying service of 33 years.

The undersigned is directed to say that as per Para 4.2 of this Department's OM of even number dated 1.9.2008 relating to revision of pension of pre-2006 pensioners w.e.f. 1.1.2006, the revised pension w.e.f. 1.1.2006, in no case, shall be lower than 50% of the sum of the minimum of pay in the pay band and the grade pay thereon corresponding to the pre-revised pay scale from which the pensioner had retired. A clarification was issued vide DoP&PW OM of even number dated 3.10.2008 that the pension calculated at 50% of the minimum of pay in the pay band plus grade pay would be calculated at the minimum of the pay in the pay band (irrespective of the pre-revised scale of pay) plus the grade pay corresponding to the pre-revised pay scale.

2. Several petitions were filed in the Central Administrative Tribunal, Principal Bench, New Delhi inter alia claiming that the revised pension of the pre-2006 pensioners should not be less than 50% of the minimum of the pay band + grade pay, corresponding to the pre-revised pay scale from which pensioner had retired, as arrived at with reference to the fitment tables annexed to Ministry of Finance, Department of Expenditure OM No. 1/1/2008-IC dated 30th August, 2008. Hon'ble CAT, Principal Bench, New Delhi vide its common order dated 1.11.2011 in OA No.655/2010 and three other connected OAs directed to re-fix the pension of all pre-2006 retirees w.e.f. 1.1.2006 based on the Resolution dated 29.8.2008 of the Department of Pension & Pensioners' Welfare and in the light of the observations of Hon'ble CAT in that order.

3. Orders were issued vide this Department's OM of even number dated 28.1.2013 for stepping up of pension of pre-2006 pensioners w.e.f. 24.9.2012 to 50% of the minimum of pay in the pay band and grade pay corresponding to pre-revised pay scale from which the pensioner retired. Para 5 of this OM provides that in case the consolidated pension/family pension calculated as per para 4.1 of O.M. No.38/37/08-P&PW (A) dated 1.9.2008 is higher than the pension/family pension calculated in the manner indicated in the O.M. dated 28.1.2013, the same (higher consolidated pension/family pension) will continue to be treated as basic pension/family pension.

4. Subsequently, in compliance of the order dated 1.11.2011 of the Hon'ble CAT, Principal Bench in OA No. 655/2010, order dated 29.4.2013 of Hon'ble High Court of Delhi in WP (C) No. 1535/2012 and order dated 17.3.2015 of Hon'ble Supreme Court in SLP (C) No. 36148/2013, order were issued vide this Department's OM of even number dated 30.7.2015 that the pension/family pension of all pre – 2006 pensioners/family pensioners may be revised in accordance with this Department's O.M. No.38/37/08-P&PW(A) dated 28.1.2013 with effect from 1.1.2006 instead of 24.9.2012.

5. In accordance with the order issued in implementation of the recommendation of the 6th CPC, the pension of Government servants retired/retiring on or after 1.1.2006 has been delinked from qualifying service of 33 years. In OA No. 715/2012 filed by Shri. M.O. Inasu, a pre-2006 pensioner, Hon'ble CAT, Ernakulam Bench, vide its order dated 16.8.2013 directed that the revised pension w.e.f. 1.1.2006 under para 4.2 of OM dated 1.9.2008 would not be reduced based on the qualifying service of less than 33 years. The appeals filed by Department of Revenue in the Hon'ble High Court of Kerala and in the Hon'ble Supreme Court have also been dismissed. Similar orders have been passed by Hon'ble CAT/High Court in several other cases also.

6. The matter has been examined in consultation with the Ministry of Finance (Department of Expenditure). It has now been decided that the revised consolidated pension of pre-2006 pensioners shall not be lower than 50% of the minimum of the pay in the Pay Band and the grade pay (wherever applicable) corresponding to the pre-revised pay scale as per fitment table without pro-rata reduction of pension even if they had qualifying service of less than 33 years at the time of retirement. Accordingly, Para 5 of this Department's OM of even number dated 28.1.2013 would stand deleted. The arrears of revised pension would be payable with effect from 1.1.2006.

7. Ministry of Agriculture, etc. are requested to bring the contents of these orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and Subordinate Offices under them for revising the pension of all those pre - 2006 pensioners who had rendered less than 33 years of qualifying service at the time of retirement in the manner as indicated above on top priority. Revised Pension Payment Orders in all these cases may also be issued immediately.

8. All pension disbursing offices/banks are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

9. This issues with the approval of Ministry of Finance, Deptt. of Expenditure vide ID Note No. 2(9)/EV/2015, dated 15.3.2016.

10. Hindi version will follow.


(Seema Gupta) 2016

Deputy Secretary to the Government of India

To

1. All Ministries/Departments of Government of India. (as per standard mailing list).
2. All SCOVA Members
3. All identified Pensioners Association

Copy to (i) NIC Cell for uploading on the website of the Department.
(ii) AD (OL), DoPPW for Hindi Version

F.No.38/37/08-P&PW(A)
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 the 28th January, 2013

OFFICE MEMORANDUM

Sub:- Revision of pension of pre-2006 pensioners – reg.

The undersigned is directed to say that in pursuance of Government's decision on the recommendations of Sixth Central Pay Commission, orders were issued for revision of pension/family pensioners vide this Department's OM No.38/37/08-P&PW(A) dated 1.9.2008, as amended from time to time.

2. It has been decided that the pension of pre-2006 pensioners as revised w.e.f. 1.1.2006 in terms of para 4.1 or para 4.2 of the aforesaid OM dated 1.9.2008, as amended from time to time, would be further stepped up to 50% of the sum of minimum of pay in the pay band and the grade pay corresponding to the pre-revised pay scale from which the pensioner had retired, as arrived at with reference to the fitment tables annexed to the Ministry of Finance, Department of Expenditure OM No.1/1/2008-IC dated 30th August, 2008. In the case of HAG and above scales, this will be 50% of the minimum of the pay in the revised pay scale arrived at with reference to the fitment tables annexed to the above-referred OM dated 30.8.2008 of Ministry of Finance, Department of Expenditure.

3. The normal family pension in respect of pre-2006 pensioners/family pensioners as revised w.e.f. 1.1.2006 in terms of para 4.1 or para 4.2 of the aforesaid OM dated 1.9.2008 would also be further stepped up to 30% of the sum of minimum of pay in the pay band and the grade pay corresponding to the pre-revised pay scale in which the Government servant had retired, as arrived at with reference to the fitment tables annexed to the Ministry of Finance, Department of Expenditure OM No.1/1/2008-IC dated 30th August, 2008. In the case of HAG and above scales, this will be 30% of the minimum of the pay in the revised pay scale arrived at with reference to the fitment tables annexed to the above OM dated 30.8.2008 of Ministry of Finance (Department of Expenditure).

4. A revised concordance table (Annexure) of the pre-1996, pre-2006 and post 2006 pay scales/pay bands indicating the pension/family pension (at ordinary rates) payable under the above provisions is enclosed to facilitate payment of revised pension/family pension.

5. The pension so arrived at in accordance with para 2 above and indicated in Col. 9 of Annexure will be reduced pro-rata, where the pensioner had less than the maximum required service for full pension as per rule 49 of the CCS (Pension) Rules, 1972 as applicable before 1.1.2006 and in no case it will be less than Rs.3,500/- p.m.

6. The family pension at enhanced rates (under sub rule (3)(a) of Rule 54 of the CCS (Pension) Rules, 1972) of pre-2006 pensioners/family pensioners revised w.e.f. 1.1.2006 in terms of para 4.1 or this Department's OM No.1/3/2011-P&PW(E) dated 25.5.2012 would be further stepped up in the following manner:

(i) In the case of Government servants who died while in service before 1.1.2006 and in respect of whom enhanced family pension is applicable from the date of approval by the Government, i.e.24.9.2012, the enhanced family pension will be stepped up to 50% of the sum of minimum of pay in the pay band and the grade pay corresponding to the pre-revised pay scale in which the Government servant had died, as arrived at with reference to the fitment tables annexed to the Ministry of Finance, Department of Expenditure OM No.1/1/2008-IC dated 30th August, 2008. In the case of HAG and above scales, this will be 50% of the minimum of the pay in the revised pay scale arrived at with reference to the fitment tables annexed to the above-referred OM dated 30.8.2008 of Ministry of Finance, Department of Expenditure.

(ii) In the case of a pensioner who retired before 1.1.2006 and in respect of whom enhanced family pension is applicable from the date of approval by the Government, i.e.24.9.2012, the enhanced family pension will be stepped up to the amount of pension as revised in terms of para 2 read with para 5 above. In case the pensioner has died before from the date of approval by the Government, i.e. 24.9.2012, the pension will be revised notionally in terms of para 2 read with para 5 above. The amount of revised enhanced family pension will, however, not be less than the amount of family pension at ordinary rates as revised in terms of para 3 above.

7. In case the pension consolidated pension/family pension/enhanced family pension calculated as per para 4.1 of OM No.38/37/08-P&PW(A) dated 1.9.2008 is higher than the pension/family pension calculated in the manner indicated above, the same (higher consolidated pension/family pension) will continue to be treated as basic pension/family pension.

8. All other conditions as given in OM No. 38/37/08-P&PW(A) dated 1.9.2008, as amended from time to time shall remain unchanged.

9. These orders will take effect from the date of approval by the Government, i.e. 24.9.2012. There will be no change in the amount of revised pension/family pension paid during the period 1.1.2006 and 23.9.2012, and, therefore, no arrears will be payable on account of these orders for that period.

10. In their application to the persons belonging to the Indian Audit and Accounts Department, these orders issue in consultation with the Comptroller and Auditor General of India.

11. All the Ministries/Departments are requested to bring the contents of these orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and subordinate Offices under them on a top priority basis. All pension disbursing offices are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

12. Hindi version will follow.

T. P. Ghosh
(Tripti P. Ghosh)
Director
Tel. 24624802

To

All Ministries/Departments of Government of India.
as per mailing list.

ANNEXURE

DEPARTMENT OF PENSION & PENSIONERS' WELFARE
REVISED PENSION/FAMILY PENSION OF PRE-2006 PENSIONERS FOR POSTS CARRYING
PRESENT SCALES IN GROUP 'A', 'B', 'C' & 'D' [Annexure to OM No.38/37/08-P&PW(A) Dated 28.1.2013

S.No	Pay scale w.e.f. 1.1.1986	Post/ Grade and Pay scale w.e.f. 1.1.1996		Name of Pay Band/ scale	Corresponding 8th CPC Pay Bands/scales	Corresponding Grade Pay	Sum of minimum pay in the pay band and grade pay/ minimum pay in the pay scale as per fitment table	Pension= 50% of Sum of minimum pay in the pay band and grade pay/ minimum pay in the pay scale as per fitment table	Family Pension = 30% of Sum of minimum pay in the pay band and grade pay/ minimum pay in the pay scale as per fitment table
		Grade	Scale						
1	2	3	4	5	6	7	8	9	10
1	750-12-870-14-940	S-1	2550-55-2660-60-3200	-1S	4440-7440	1300	6050	3500	3500
2	775-12-871-12-1025	S-2	2610-60-3150-65-3540	-1S	4440-7440	1400	6260	3500	3500
3	775-12-871-14-955-15-1030-20-1150	S-2A	2610-60-2910-65-3300-70-4000	-1S	4440-7440	1600	6460	3500	3500
4	800-15-1010-20-1150	S-3	2650-65-3300-70-4000	-1S	4440-7440	1650	6580	3500	3500
5	825-15-900-20-1200	S-4	2750-70-3800-75-4400	PB-1	5200-20200	1800	7330	3665	3500
6	950-20-1150-25-1400 950-20-1150-25-1500 1150-25-1500	S-5	3050-75-3950-80-4590	PB-1	5200-20200	1900	7780	3890	3500

7	975-25-1150-30-1540 975-25-1150-30-1660	S-6	3200-85-4900	PB-1	5200-20200	2000	8060	4030	3500
8	1200-30-1440-30-1800 1200-30-1560-40-2040 1320-30-1560-40-2040	S-7	4000-100-6000	PB-1	5200-20200	2400	9840	4920	3500
9	1350-30-1440-40-1800-50-2200 1400-40-1800-50-2300	S-8	4500-125-7000	PB-1	5200-20200	2800	11170	5585	3500
10	1400-40-1600-50-2300-60-2600 1600-50-2300-60-2660	S-9	5000-150-8000	PB-2	9300-34800	4200	13500	6750	4050
11	1640-60-2600-75-2900	S-10	5500-175-9000	PB-2	9300-34800	4200	14430	7215	4329
12	2000-60-2120	S-11	6500-200-6900	PB-2	9300-34800	4200	16290	8145	4887
13	2000-60-2300-75-3200 2000-60-2300-75-3200-3500	S-12	6500-200-10500	PB-2	9300-34800	4200	16290	8145	4887

14	2375-75-3200-100-3500 2375-75-3200-100-3500-125-3750	S-13	7450-225-11500	PB-2	9300-34800	4600	18460	9230	5538
15	2500-4000	S-14	7500-250-12000	PB-2	9300-34800	4800	18750	9375	5625
16	2200-75-2800-100-4000 2300-100-2800	S-15	8000-275-13500	PB-2	9300-34800	5400	20280	10140	6084
17	2200-75-2800-100-4000	NEW SCALE	8000-275-13500 (Group A Entry)	PB-3	15600-39100	5400	21000	10500	6300
18	2630/- FIXED	S-16	9000	PB-3	15600-39100	5400	22140	11070	6642
19	2630-75-2780	S-17	9000-275-9550	PB-3	15600-39100	5400	22140	11070	6642
20	3150-100-3350	S-18	10325-325-10975	PB-3	15600-39100	6600	25810	12905	7743
21	3000-125-3625 3000-100-3500-125-4500 3000-100-3500-125-5000	S-19	10000-325-15200	PB-3	15600-39100	6600	25200	12600	7560
22	3200-100-3700-125-4700	S-20	10650-325-15850	PB-3	15600-39100	6600	26410	13205	7923
23	3700-150-4450 3700-125-4700-150-5000	S-21	12000-375-16500	PB-3	15600-39100	7600	29920	14960	8976

24	3950-125-4700- 150-5000	S-22	12750-375- 16500	PB-3	15600-39100	7600	31320	15660	9396
25	3700-125-4950- 150-5700	S-23	12000-375- 18000	PB-3	15600-39100	7600	29920	14960	8976
26	4100-125-4850- 150-5300 4500-150-5700	S-24	14300-400- 18300	PB-4	37400-67000	8700	46100	23050	13830
27	4800-150-5700	S-25	15100-400- 18300	PB-4	37400-67000	8700	48390	24195	14517
28	5100-150-5700 5100-150-6150 5100-150-5700- 200-6300	S-26	16400-450- 20000	PB-4	37400-67000	8900	48590	24295	14577
29	5100-150-6300- 200-6700	S-27	16400-450- 20900	PB-4	37400-67000	8900	48590	24295	14577
30	4500-150-5700- 200-7300	S-28	14300-450- 22400	PB-4	37400-67000	10000	47400	23700	14220
31	5900-200-6700 5900-200-7300	S-29	18400-500- 22400	PB-4	37400-67000	10000	54700	27350	16410
32	7300-100-7600	S-30	22400-525- 24500	HAG SCALE	67000-79000	NIL	67000	33500	20100
33	7300-200-7500- 250-8000	S-31	22400-600- 26000	HAG+ SCALE	75500-- 80000	NIL	75500	37750	22650
34	7600/- FIXED 7600-100-8000	S-32	24050-650- 26000	HAG+ SCALE	75500-- 80000	NIL	77765	38883	23330
35	8000/- FIXED	S-33	26000 (FIXED)	APEX SCALE	80000 (FIXED)	NIL	80000	40000	24000

36	9000/- FIXED	S-34	30000 (FIXED)	CAB. SEC.	90000 (FIXED)	NIL		45000	27000
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