

Karnataka Posts and Telecommunications Pensioners' Association

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Items /Issues for inclusion in the Agenda to be discussed in the 29th meeting of Standing Committee of Voluntary Agencies (SCOVA) scheduled to be held shortly.

Submitted by Karnataka Posts and Telecommunications Pensioners' Association, Bengaluru.

1. ***Re-fixation of pension of pre-2006 Pensioners at 50% of the emoluments (Last Pay drawn) instead of Average emoluments irrespective of the number of years of service on par with post 2006 Pensioners***

Pension of employees retiring/ retired on or after 1-1-2006 is computed at 50% of the emoluments (last pay drawn) or average emoluments whichever is beneficial to them.

With the delinking of 33 years of qualifying service for grant of full pension w.e.f 1-1-2006, and amendment to Rule 49 of CCS (Pension) Rules, 1972 made vide notification dated 8-6-2011, employees retiring after a qualifying service of not less than 10 years are eligible for pension calculated at 50 % of emoluments (last pay drawn) or average emoluments whichever is more beneficial.

The benefit of full pension for less than 33 years of service was extended to pre-2006 Pensioners also vide DoP&PW OM No. 38/37/08-P&PW (A) dated the 06th April, 2016, wherein it was stated 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 annexed to Ministry of Finance, Department of Expenditure OM No. 1/11/2008-IC dated 30th August, 2008 without pro-rata reduction of pension even if the Pensioners had qualifying service of less than 33 years at the time of retirement. Para 5 of the OM dated 28-1-2013 which had provided for pro-rata reduction of pension where the Pensioner had less than maximum required service for full pension as per rule 49 of the CCS (Pension) Rules, 1972 as applicable before 1.1.2006 was ordered to be deleted.

In spite of extension of the benefit of delinking of 33 years of service for pension to pre-2006 Pensioners vide OM dated 6-4-2016, an anomalous position with regard to the quantum of pension admissible to pre-2006 pensioners still exists as stated below

In respect of Pensioners whose pension was limited to the amount indicated in the table annexed to OM dated 28-1-2013

The relaxation made vide OM dated 6-4-2016 has benefited only those pre-2006 Pensioners whose revised pension from 1-1-2006 was computed in terms of para 4.2 of OM dated 1-9-2008 read with OM's date 3-10-2008 & 14-10-2008 and the amount of pension so computed was lower than the amount indicated in the table annexed to OM dated 28-1-2013 due to pro-rata reduction in their pension for less than 33 years of service. The provisions of OM dated 6-4-2016 have not granted the intended benefit of delinking of 33 years of service, in as much as the quantum of pension admissible has been limited to the minimum pension indicated in the table annexed to OM dated 28-1-2013 and

not the amount of pension that would have been admissible to the Pensioner if his/her pension was calculated without any pro rata reduction.

In respect of pensioners whose pension was computed in terms of para 4.1 of OM dated 1-9-2008

Pre-2006 Pensioners who had retired with less than 33 years of service and whose pension, on their retirement, was fixed after pro rata reduction for less than 33 years of service, and whose pension consolidated in terms of para 4.1 of OM dated 1-9-2008 worked out to **be more than the pension computed as per para 4.2** and the minimum pension indicated in the table annexed to OM dated 28-1-2013 continue to get **pro-rata pension** only and the benefit of delinking of 33 years of service for full pension have been denied to them.

C) In respect of pensioners whose pension was fixed at 50% of the Average emoluments

Pre-2006 Pensioners whose pension was fixed at 50% of the average emoluments are getting a lower amount of pension than the amount of pension that would have been admissible to them had their pension been fixed at 50 % of the emoluments (Last pay drawn) in cases where the last pay drawn was more than the average emoluments.

In order to correct the anomalies explained above and to extend the benefit of modifications to Pension Rules introduced from 1-1-2006 Viz. (a) delinking of 33 years of service for pension and (b) computation of pension at 50 % of the emoluments (last pay drawn) or average emoluments whichever is more beneficial, **to all pre 2006 Pensioners** on par with post 2006 Pensioners, it is requested that the pension of all pre-2006 Pensioners may be ordered to be ***re-fixed at 50 % of the emoluments (last pay drawn) or average emoluments whichever is more beneficial, irrespective of the number of years of service*** however, subject to the condition that the pension so re-fixed shall not be lower than the amount of pension indicated in the table annexed to OM dated 28-1-2013 applicable to the corresponding pay scale from which the Pensioner had retired.