



RAILWAY SENIOR CITIZENS WELFARE SOCIETY

(Estd. 1991, Regd. No. 1881 – Under Registration of Societies Act),
Head Office: 32, Phase- 6, Mohali, Chandigarh -160055
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Identified & Recognised by DOP&PW GOI under Pensioners Portal

No. RSCWS/ CHD/Memo/2016-15

Dated: 26-8-2016

1. Secretary, AR PG & Pension, Patel Bhawan, Parliament Street, New Delhi -110001
2. Mrs. Vandna Sharma, Joint Secretary, Department of Pensions & Pensioners' Welfare, 3rd Floor, Lok Nayak Bhawan, Khan Market, New Delhi – 110003

Sir / Madam,

Sub: De-linking of pension from qualifying service of 33 years - Regarding: PSU Absorbees who took the option of 100% commutation of pension.

Reference: i) DOP&PW OM No.4/38/2008-P&PW(D) dated 4.8.16

ii) RSCWS Memo No. RSCWS/CD/Memo/2016-13 dated 24th June, 2016

1. In our communication cited above we had referred to your office OM no.38/37/08-P&PW(A) dated 6.4.2016 which was made applicable to all pre-2006 pensioners *except* PSU Absorbees. We had pleaded that this was unjust and not in consonance with the judgment of the Hon'ble Court on this issue.

2. We are happy to note that a separate order has now been issued (vide OM no.4/38/2008-P&PW(D) dated 4.8.16) by which the benefits given to other pre-2006 pensioners in the OM dated 6.4.2016 have been extended to PSU Absorbees. We thank you for the same.

3. We are, however, constrained to note that in the OM dated 4-8-2016 of DoP&PW, a sentence has been included that *"There will, however, be no change in the actual 1/3rd restored pension determined in accordance with OM dated 15.9.2008 read with OM dated 11.7.2013"*.

This is quite unjustified and defeats the very purpose of the above said orders, since the basic pension as on 31.12.2005 was linked with qualifying service (QS) of 33 years (as per extant rules at that time), those pensioners with less than 33 years QS were getting *pro rata* pension i.e. less than full pension.

4. The 1/3rd restorable pension as on 31.12.2005 for PSU Absorbees being itself less, the revised consolidated pension after multiplication with 2.26 will continue to be less than the full entitlement.

5. There is, therefore, a need to re-calculate the 1/3rd restorable pension as on 31.12.2005 without pro-rata reduction for less than 33 years of service and use this value to determine the 1/3rd pension as on 1.1.2006 in respect of restoration of 1/3rd pension for PSU absorbees also; this would not only be just and fair but also in compliance with judicial pronouncements on the subject.

6. It is, therefore, requested that orders/clarification may please be issued in this regard in view of above submissions.

With kind regards and thanking you in anticipation,

Yours faithfully,

Harchandan Singh),
Secretary General, RSCWS