

No. 40-³¹25/2010 Pen(T) (24)
Government of India
Department of Telecommunications
(Pension Section)

New Delhi, dated the 08 September

To

The Joint Controller of Communications Accounts,
Office of the Controller of Communication Accounts,
Karnataka Circle,
II Floor, Amenity Block,
CMX Compound, Palace Road,
Bangalore – 560 001.

Subject: Applicability of revised rules of CCS (Pension) Rules, 1972 consequent to 6th CPC and extension thereof to Govt. employees absorbed in BSNL

Sir,

With reference to your letter No. KTK/CCA/IDA/VR/CGMT dated 16.7.2010 on the above subject, it is intimated Sub-Rule 11(A) of Rule 37(A) of CCS (Pension) Rules, 1972 lays down as under:-

“A permanent Government servant absorbed in a Public Sector Undertaking/Autonomous Body or a temporary/quasi-permanent Government servant who has been confirmed in the Public Sector Undertaking/Autonomous Body subsequent to his absorption therein, shall be eligible to seek Voluntary Retirement after completing 10 years of qualifying service with the Government and the Autonomous body/Public Sector Undertaking taken together, and he/she shall be eligible for pro rata pensionary benefits on the basis of combined qualifying service”.

Hence, as per the aforesaid rule position, Government employees absorbed in BSNL are eligible to seek Voluntary Retirement on completion of 10 years combined service with the Government and the BSNL taken together and are eligible for pro-rata pension.

2. Rule 49 (2) lays down as under:-

“(a) In case of a Government servant retiring in accordance with the provisions of these rules after completing qualifying service of not less than thirty-three years (now 20 years as per DOP&PW's OM No. 38/37/08-P&PW(A) dated 2.9.2008), the amount of pension shall be calculated at fifty per cent of average emoluments received during the last 10 months or 50% of the emoluments, whichever is more beneficial to him subject to a maximum of four thousand and five hundred rupees (now 45 thousand rupees as per DOP&PW's OM referred above) per mensem.

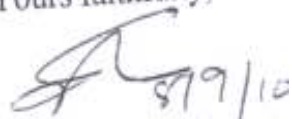
(b) In the case of a Government servant retiring in accordance with the provisions of these rules before completing qualifying service of thirty three years (now 20 years as per DOP&PW's OM No. 38/37/08-P&PW(A) dated 2.9.2008), but after completing qualifying service of ten years, the amount of pension shall be proportionate to the amount of pension admissible under Clause

(a) and in no case the amount of pension shall be less than Rupees three hundred and seventy five (now Rs.3500/- as per DOP&PW's OM referred above) per mensem;

3. Further, on implementation of the recommendations of the VIth CPC, the Department of Pension and Pensioners' Welfare vide their O.M. No. 38/37/08-P&PW(A) dated 2.9.2008, withdrew the benefit of adding years of qualifying service for the purpose of computation of pension as granted under Rules 29, 29-A, 30, 48-B and 48-C of the CCS (Pension) Rules, 1972. The DOP&PW has again reiterated this point vide their O.M. No.7/7/2008-P&PW(F) dated 13th February, 2009 indicating therein, "Linkage of full pension with 33 years of qualifying service should be dispensed with. Once an employee renders the minimum pensionable service of 20 years, pension should be paid at 50% of the average emoluments received during the past 10 months or the pay last drawn, whichever is more beneficial to the retiring employee. Simultaneously, the extant benefit of adding years of qualifying service for purposes of computing pension/related benefits should be withdrawn as it would no longer be relevant."

4. In view of the rule position explained above, it is advised that the pension cases of the retired officers/officials absorbed in BSNL, who retired voluntarily before completing 20 years of qualifying service after 1.1.2006 may be settled by granting them pro-rata pensionary benefits as per sub-rule 11A of Rule 37-A of CCS (Pension) Rules, 1972 or granting them the amount of pension arrived at on calculating it proportionately based on their actual qualifying service as provided in Clause (b) of Rule 49 (2) of CCS (Pension) Rules, 1972, as the case may be.

Yours faithfully,



(S.P Singh)

Director (Estt.)

Tele No. 2303 6500

Copy to: All CCAs/Jt. CCAs for similar action.