



EAST COAST RAILWAY

मुख्य कार्मिक अधिकारी का कार्यालय/
Office of the Pr. Chief Personnel Officer
Rail Sadan, IInd Floor, Bhubaneswar-751 017

स्थापना क्रमांक/ Estt. Srl. No. 170/2017
पूतरे/कार्मिक/आर/ECOR/Pers/R/Pension

RBE-167/2017
Date: 06.12.2017

सेवा मे, सभी प्रमुख विभागाध्यक्षों/समन्वयक विभागाध्यक्षों, पू त रे/भुवनेश्वर
मं.रे.प्र/व.मं.का.अधिकारी/मं.का.अधिकारी-खोरधारोड, वालातेरू, संबलपुर,
मु;कारखाना प्रबंधक/कारखाना कार्मिक अधिकारी- मंचेश्वर, अतिरिक्त रजिस्ट्रार/रेल दावा अधिकरण,
महा सचिव/इकोर थ. कां., महा सचिव/इकोर थ. यू.,
महा सचिव/एआई ओ बी सी आर ई ए, महा सचिव/ ए आई एस सी एस टी आर ई ए

Sub: Clarification of DOP&PW on Pension Matters-Court Cases.

पूतरे के विषय क्रमांक/ECOR's Subject Serial No-PS-13 /2017

उपर्युक्त विषय पर बोर्ड पत्र सं E(G)/2015/PNI/5 दिनांक 21.11.2017 की
प्रतिलिपि सूचना, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु अग्रेषित है।

A copy of the Board's Letter No E(G)/2015/PNI/5 dated-21.11.2017 on
the above quoted subject is forwarded herewith for information, guidance and necessary
action.

Encl: As above,

(M.Ganga Bhawani)
Dy.Chief Personnel Officer(IR&W)
For Chief Personnel Officer

प्रतिलिपि प्रेषित/Copy to :

- 6) महाप्रबंधक के सचिव/पूर्व तट रेलवे, भुवनेश्वर
- 7) मुकाधि/मुकाधि(प्रशा.), उप म.प्र, अध्यक्ष(रेलवे भर्ती प्रकोष्ठ)
- 8) उप मुख्य प्रबंधक(सू.प्रौ), उप मुकाधि(औ.सं.एवं कल्याण), वकाधि(इंजी.)
- 9) वकाधि(मुख्या.), वकाधि(स्टाफ), वकाधि(राज. एवं न्याया.)
- 10)मुकाधि के निजी सचिव/सहा.कार्मिक अधि. (मुख्या.-1), सहा.कार्मिक अधि. (कल्याण),
सहा.कार्मिक अधि. (बिल), सहा.कार्मिक अधि. (भर्ती)

1802
27/10/17
GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

प.प्र.प.ग.भ.
सचिव/Secy.
स्वाक्षर/Initial
दिनांक/Date

CPD
S.D.M.
SP
24/11
IMMEDIATE
RBE No.167/2017

RB-2791
क.सं./Sl.No.....
दिनांक/Date..... 24/11/17
स्वाक्षर/Initial.....

E(G)/2015/PN1/5

Rail Bhawan, New Delhi, dt 27.11.2017

E.GOR
The General Manager,
All Indian Railways & PUs
(as per mailing list)

Pl. circulate a/r
B 40 FR
28/11/17
Sub:- Clarification of DOP&PW on Pension Matters-Court Cases.

Joint Secretary, Department of Pension & Pensioners Welfare in D.O. letter No.1/8/2015-P&PW(E) dated 03.10.2017 have advised the following to be added as the last Para in the reply in all Court cases wherever the reply has been vetted by Department of Pension & Pensioners Welfare:

"This reply has been filed on behalf of all respondents including Department of Pension & Pensioners Welfare. The statements/submission on the policy of Government on grant of family pension have been vetted and concurred in by the Department of Pension & PW."

Also, the Concerned Counsels may be instructed to take necessary steps to submit the orders of the Ernakulam Benches of the CAT in the OA's No.180/01041,01047,01106/2014,180/01132,00013 and 00332/2015 dated 12.07.2016 as well as High Court of Kerala's Order dated 29.07.2016 in OP(CAT) No.206/2016 in which the Court has upheld the Order dated 12.07.2016 of Ernakulam Bench to the Benches of CAT and High Court by filing rejoinders in all similar OAs and petitions being heard by them.

Necessary action may be taken as directed therein under intimation to this office.

DA: As above

(Anant Swarup)
Executive Dir. Estt.(G)
Railway Board.

EDE (4)

urgent



QNO-21

संजीव नारायण माथुर
संयुक्त सचिव
Sanjiv Narain Mathur
Joint Secretary

14/11/17
EDE (1A)

भारत सरकार,
कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय,
पेंशन एवं पेंशनभोगी कल्याण विभाग,
लोकनायक भवन, खान मार्केट,
नई दिल्ली-110003
GOVERNMENT OF INDIA,
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
& PENSIONS,
DEPARTMENT OF PENSION & PENSIONERS' WELFARE
LOK NAYAK BHAWAN, KHAN MARKET,
NEW DELHI-110003

No. 1/8/2015-P&PW (E)

31st October, 2017

Dear Shri Kumar,

This pertains to the proceedings in Original Application No. 291/00069/2015, filed by Smt. Hemlata Sharma in Jaipur Bench of CAT.

2. In the above OA, we had vetted the draft counter reply forwarded by Ministry of Railways as per the policy and practice in the Government and requested the Ministry, vide OM of even number, dated 17.2.2015 (copy enclosed), to watch the interest of this department while filing a unified reply. It had been indicated in the draft counter reply that it was on behalf of respondents indicated in the OA.
3. However, the Bench, vide Order, dated 26.9.2017, has imposed a cost of Rs. 2000 on this department for non-filing of reply in the aforesaid OA. The Bench had not been adequately apprised of the policy and practice of the Government that this department was not supposed to file a separate reply.
4. Further, vide common order, dated 12th July, 2016 in the OAs No. 180/01041, 01047, 01106/2014, 180/01132, 00013 and 00332/2015, the Ernakulam Bench of CAT has upheld the application of the instructions of the Government and has dismissed all these OAs and a Division Bench of the Hon'ble High Court of Kerala at Ernakulum, vide final order, dated 29.7.2016, in OP (CAT) No. 206/2016 has upheld the order, dated 12.7.2016, of Ernakulam Bench of CAT, ibid.
5. I shall be grateful if you could get all the concerned Counsels instructed to take necessary steps to submit the above orders of the Ernakulum Benches of the CAT as well as High Court of Kerala to the Benches of the CAT and the High Courts by filing rejoinders in all similar OAs and petitions being heard by them. The Benches may also be informed that the counter replies had been vetted in this department and as such contained the views of this department as well.

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CPC

6. I shall be obliged if you could issue instructions to all Railways to add the following as the last para in the reply in all cases wherever the reply has been vetted by our department:-

"This reply has been filed on behalf of all respondents including Department of Pension and Pensioners' Welfare. The statements/submission on the policy of Government on grant of family pension have been vetted and concurred in by the Department of Pension & PW."

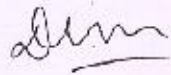
With best wishes,

Yours sincerely,


(Sanjiv Narain Mathur)

(5)
Shri Alok Kumar,
Executive Director (HR),
Railway Board,
Room No. 402,
Rail Bhavan, New Delhi.

Copy to: The General Manager, North Western Zone, North Western Railway, near Jawahar Circle, Jagatpura, Jaipur, Rajasthan - 302017.


DARSHAN KUMAR SOLANKI
Under Secretary
D/o Pension & Pensioners' Welfare
Min. of Personnel, PG & Pensions
Govt. of India, New Delhi