



EAST COAST RAILWAY

प्रधान मुख्य कार्मिक अधिकारी का कार्यालय/
Office of the Principal Chief Personnel Officer
रेल सदन, द्वितीय तल, भुवनेश्वर - 751017
Rail Sadan, IInd Floor, Bhubaneswar-751017

स्थापना क्रमांक/ Estt. Srl. No.140/2019

पूतरे/कार्मिक/आर/ECOR/Pers/R/Pension

Date: 21.06.2019

सेवा मे,

सभी प्रमुख विभागाध्यक्षों/समन्वयक विभागाध्यक्षों, पू त रे/भुवनेश्वर
मं.रे.प्र/व.मं.का.अधिकारी/मं.का.अधिकारी-खोरधारोड,वालातेरु, संबलपुर,
मु;कारखाना प्रबंधक/कारखाना कार्मिक अधिकारी- मंचेश्वर, अतिरिक्त रजिस्ट्रार/रेल दावा अधिकरण,
व.का अधिकारी(नि)/भुवनेश्वर
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: Payment of Dearness Relief (DR) on pension to re-employed Pensioners- regarding.

उपर्युक्त विषय पर बोर्ड पत्र सं. F(E)III/2008/PN1-13-pt.II दिनांक 11.06.2019 की प्रतिलिपि सूचना. मार्गदर्शन एवं आवश्यक कार्रवाई हेतु अग्रेषित है।

A copy of the Board's Lr. No- F(E)III/2008/PN1-13-pt.II dated 11.06.2019 on the above quoted subject is forwarded herewith for information, guidance and necessary action.

Encl: As above.


(G.Sethy)

**Dy.Chief Personnel Officer(IR&W)
For Principal Chief Personnel Officer**

प्रतिलिपि प्रेषित/Copy to :

- 1) महाप्रबंधक के सचिव/पूर्व तट रेलवे, भुवनेश्वर
- 2) मुकाधि/मुकाधि(प्रशा.), उप म.प्र. अध्यक्ष(रेलवे भर्ती प्रकोष्ठ)
- 3) उप मुख्य प्रबंधक(सू.प्रौ), उप मुकाधि(ओ सं एवं कल्याण), वकाधि(इंजी.)
- 4) वकाधि(स्टाफ), वकाधि(मुख्या. एवं न्याया.)
- 5) मुकाधि के निजी सचिव/सहा.कार्मिक अधि.(मुख्या.),सहा.कार्मिक अधि.(कल्याण), सहा.कार्मिक अधि.(विल),

9/5
18/6/19

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

OS/R
Cm-es/RAI(NK)
3 40 42
CPD(*)

No. F(E)III/2008/PN1/13-pt.II

New Delhi, dated: 11.06.2019.

ACP

The General Manager (P),
East Coast Railway,
Bhubaneswar.

18/6

Subject: Payment of Dearness Relief (DR) on pension to re-employed Pensioners-regarding.

Please refer to your Railway's letter No. ECoR/Accts/PEN/PSU/4171 dated 28.12.2016, 27.11.2018 & 08.04.2019 on the above subject.

2. The issue has been examined in consultation with the Department of Pension & Pensioners' Welfare (DOP&PW). The clarification received from DOP&PW vide their O.Ms. dated 22.02.2018 & 19.06.2018 have been considered by Board.

3. It is stated that the pensioner who retired from a Group 'A' post, re-employment in a Government or Corporation/Company/Body/Bank under the Government would not be entitled to dearness relief on pension while working in the re-employment post. For this purpose all Corporations/Companies which are owned by the Government are to be treated as Corporations/Companies under the Government. Further such Corporations/Companies though not directly owned by the Government but more than 50% of their shareholding lies with the Government and/or Government companies are also required to be treated as Corporations/Companies under the Government for the purpose of regulating dearness relief on pension. It is, therefore, clear that a Group 'A' pensioner would not be entitled to dearness relief on pension as long as he is employed in a Company which is to be treated as 'Company under the Government' irrespective of whether such company is a Government company or not as per the definition of Government Companies under the Companies Act. If the status of a company changes during the period of re-employment of a Group 'A' pensioner i.e. a company which is not under the Government comes under the Government and vice-versa, the dearness relief on pension in respect of that pensioner would be regulated in such a manner that such a pensioner would not get dearness relief on pension only during the period in which he was re-employed in a company under the Government.

4. Similar cases, if any, pending in ECoR may also be decided on the basis of clarification given by DOP&PW vide O.Ms. dated 22.02.2018 & 19.06.2018.

JITENDRA KUMAR

D.A.: As above.

(Jitendra Kumar)
Deputy Director Finance (Estt.),
Railway Board.

F.No. 42/07/2017-P&PW(G)/34318
Government of India
Ministry of Personnel, P.G and Pensions
Department of Pension & Pensioners Welfare'

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi-110003
Date:- 19th June, 2018

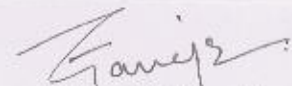
OFFICE MEMORANDUM

Subject:- Payment of Dearness Relief (DR) to re-employed pensioners-reg

The undersigned is directed to refer to Ministry of Railways OM No. F(E)III/2008/PN1/13 dated 25.05.2018 on the subject cited above and to say that matter has been examined in this Department.

2. It had already been clarified vide this Department's OM of even no. dated 22.02.2018 that the pensioner who retired from a Group 'A' post, re-employment in a Government or Corporation/Company/Body/Bank under the Government would not be entitled to dearness relief on pension while working in the re-employment post. It had also been clarified that for the purpose of Rule 55A of the CCS(Pension) Rules, all Corporations/Companies which are owned by Government are to be treated as Corporations/Companies under the Government. Further, such Corporations/Companies though not directly owned by the Government but more than 50% of their shareholding lies with the Government and/or Government companies are also required to be treated as Corporations/Companies under the Government for the purpose of regulating dearness relief on pension. It is therefore clear that a Group 'A' pensioner would not be entitled to dearness relief on pension as long as he is employed in a company which is to be treated as "Company under the Government" irrespective of whether such company is a Government company or not as per the definition of Government Companies under the Companies Act. If the status of a company changes during the period of re-employment of a Group 'A' pensioner i.e a company which is not under the Government comes under the Government and vice-versa, the dearness relief on pension in respect of that pensioner would be regulated in such a manner that such a pensioner would not get dearness relief on pension only during the period in which he was re-employed in a company under the Government.

3. This issues with the approval of competent authority.


(Charanjit Taneja)

Under Secretary to the Govt. of India

Sh. Jitendra Kumar
Deputy Director Finance (Estt.)
Railway Board, Ministry of Railways
Rail Bhawan, New Delhi

IV S/No 14

F.No. 42/07/2017-P&PW(G)
Government of India
Ministry of Personnel, P.G and Pensions
Department of Pension & Pensioners Welfare

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi-110003
Date:-22 Feb, 2018

OFFICE MEMORANDUM

Subject:- Payment of DR to re-employed pensioners-reg

The undersigned is directed to refer to Ministry of Railways DO No. F(E)III/2008/PN1/13 dated 09.11.2017 on the subject cited above and to say that matter has been examined.

2. The intention of Rule 55-A of CCS(Pension) Rules, 1972 is that the pensioner whose last pay drawn is protected and is not fixed at the minimum in the re-employed post in a Government or Corporation/Company/Body/Bank under the Government, he would not be entitled to dearness relief on pension while working in the re-employed post. For this purpose all Corporations/Companies which are owned by the Government are to be treated as Corporations/Companies under the Government. Further, such Corporations/Companies, though not directly owned by the Government but more than 50% of their shareholding lies with the Government and/or Government Companies are also required to be treated as Corporations/Companies under the Government for the purpose of regulating Dearness Relief on pension. Companies like Angul Sukinda Railway Ltd. and the Haridaspur Paradip Railway Company Ltd, which are otherwise not Government companies as per the definition of 'Government Company' under the Companies Act, would also be treated as Corporations/Companies under the Government because bulk of their shareholding lies with the Government/Government Companies.

3. In view of this Dearness Relief on the pension granted for the service rendered in the Central Government is not admissible in the present case.

4. This issues with the approval of competent authority.

[Handwritten signature]
6/3/18

[Handwritten signature]
(Charanjit Taneja)

Under Secretary to the Govt. of India

Principal Executive Director(Fin)
[Kind Attn: Sh. Naresh Salocha]
Railway Board
Ministry of Railways
Rail Bhawan, New Delhi

[Handwritten initials]