No. II/35/2018   Dated: 30/03/2019

The Secretary (E),
Railway Board,
New Delhi
Dear Sir,

Sub: Implementation of Government's decision on the recommendations of the Seventh Central Pay Commission – Revision of pension of pre-2016 pensioners/family pensioners etc-reg.

Ref: Railway Board's letter No 2016/F(E)III/1(1)/7 dated 22/05/2017.

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Kind attention of Railway Board is invited to the instructions issued vide letter dated 22/05/2017 (RBE No 49/2017 and PC-VII No. 20/2017) wherein a copy of Department of Pension and Pensioners' Welfare (DoP&PW)'s O.M. No. 38/37/2016-P&PW (A) dated 12th May, 2017 on the above cited subject was forwarded with direction that these instructions apply mutatis and mutandis on the Railways also.   ;

It has been brought to the notice of the Federation by the Railway pensioners/family pensioners that the orders issued by the DoP&PW/Railway Board vide O.M. dated 12th May, 2017/letter dated 22/05/2017 are disadvantageous to those pensioners who were drawing compulsory retirement pension or compassionate Allowance due to the reason that pension revision in their favour has been denied vide Para 11 of O.M. dated 12th May, 2017 while the said order permits revision for all other pre-2016 pensioners /family pensioners.

Further Federation desires to state that all the pensioners who retired before 01/01/2016, the revised pension/family pension w.e.f. 01/01/2016 has been granted with 2.57 multiplication as has been fixed at the time of implementation of 6th CPC recommendations. These orders were made applicable uniformly to all types of pensioners including family pensioners without any discrimination. However, on raising the issue by the Staff Side/JCM to revise the pension/family pension as per 7th CPC recommendation, the Government have conceptualized new formulation of calculation of notional pay/notional pension and accordingly DoP&PW vide O.M. No. 38/37/2016-P&PW (A) dated 12th May, 2017 (Railway Board's letter No. 2016/F(E)III/1(1)/7 dated 22/05/2017-RBE No. 49/2017) have issued instructions for revision of pension/family pension duly reckoning notional pay/notional pension w.e.f. 01/01/2016.

NFIR, further states that while the earlier order dated 04th August, 2016 (Para 4.1) issued by the DoP&PW was made applicable universally to all pensioners/family pensioners whether they retired on superannuation or voluntarily or retired compulsorily duly applying 2.57 multiplication factor, the revised orders of DoP&PW vide O.M. dated 12th May, 2017 for revision of pension/family pension on notional pay/notional pension w.e.f. 01/01/2016 have discriminated those pensioners who have been drawing pension having been compulsorily retired, is really unfortunate.
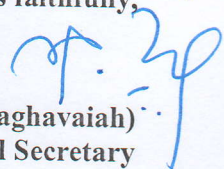
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Federation is constrained to convey that the discrimination against a section of pensioners and denial of pension revision to them is not only arbitrary but also unjustified which action may lead to litigation. Federation also reminds the Railway Board that in the past when the pension was revised from time to time pursuant to the recommendations of previous Pay Commissions, such discrimination was never done and all the pensioners were treated equally.

NFIR, therefore, requests the Railway Board to kindly arrange to make out a case pursuant to this representation and approach DoP&PW for issuing modified instructions duly deleting Para 11 of O.M. dated 12th May, 2017. Copy of the proposal sent to the DoP&PW may please be made available to the Federation for follow up action.

Yours faithfully,

(Dr. M. Raghavaiah)
General Secretary

Copy forwarded to the Executive Director, F(E), Railway Board, New Delhi for information and necessary action please.
Copy forwarded to the General Secretaries of affiliated Unions of NFIR.
Media Centre/NFIR.
File No. IV/NFIR/7th CPC (Imp)/2016/R.B. - Part II.