

No.42-4/2012-Pen(T)
Government of India
Ministry of Communication & IT
Department of Telecommunications

Dated 28.04.2014

OFFICE MEMORANDUM

The issues relating to disbursement of pensionary benefits to all the combined service pension optee absorbed employees of Mahanagar Telephone Nigam Limited (MTNL) have been considered by the Government and the following has been decided:

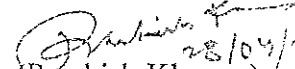
- (a) Payment of pensionary benefits to all categories of the erstwhile employees of the Government (Group A, B, C & D) absorbed in MTNL who have opted for pension on combined service will be made by the Government in the same manner as in BSNL with effect from 01.10.2000. Accordingly, amendment to include the word "and Mahanagar Telephone Nigam Limited" after the word "Bharat Sanchar Nigam Limited" in the sub-rules 22 to 24 of Rule 37-A of CCS (Pension) Rules, 1972 has been notified by DoP&PW vide G.S.R. No. 138 (E) dated 03/03/2014 (Copy enclosed).
- (b) Government employees, who were absorbed in MTNL and drawing pension as per DoP&PW's OM dated 05.07.1989 have also been brought within the purview of these rules with effect from 01.10.2000.
- (c) The liability of the Government for the payment of aforesaid pensionary benefits shall be restricted to the amount arrived at by calculating pensionary benefits of MTNL absorbed employees based upon the equivalent pay-scales of similarly placed employees in BSNL. As most of the pay-scales in MTNL are higher than that of BSNL, the additional liability arising from the same shall be borne by MTNL, by making advance payment to the Government.
- (d) The arrangement as specified in para (c) above shall continue till next wage revision by which time MTNL and BSNL shall achieve pay scale parity by bringing down the pay scales of MTNL to the level of BSNL pay scales.
- (e) MTNL shall make pension contribution to the Government as per FR-116 as is applicable in the case of BSNL with equivalent BSNL pay scales.
- (f) MTNL shall make pensionary contribution as per para (e) above along with advance payment as indicated in para (c) above to the Government from 1.10.2000, which shall be adjusted against actual payment of pension already made by MTNL.


28/04

(g) The excess amount paid by the MTNL, determined as per para (f) above, shall remain with the Government, to be adjusted against future liabilities of MTNL towards the Government. This amount will not earn any interest.

(h) The mechanism of settlement including verification, payment of pensionary benefits, pension contribution and advance payment by MTNL towards its portion of liability shall be decided by DoT. Detailed instructions in this regard will be issued separately.

Encl: As above


(Prachish Khanna)

Director (Establishment)

Tel No. 23712009

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To,

1. CMD, BSNL
2. CMD, MTNL
3. DDG (Accounts), DoT, New Delhi
4. DDG (FEB), DoT, New Delhi

Copy for Information to:

1. PS to Hon'ble MoC&IT
2. PS to Hon'ble MoSC&IT (D)
3. PS to Hon'ble MoSC&IT (KK)
4. PPS to Secretary (T), DoT
5. PPS to Member (Services)/ Member (Finance)/ Member (Technology), DoT
6. PPS to AS (T)/ JS (T)/ JS (A), DoT

Copy to:

1. DDG (Estt.), DoT, New Delhi
2. All Sr. DDGs/DDGs of DoT, New Delhi
3. All Principal CCAs/ CCAs
- ✓ 4. Director (IT), DoT, New Delhi, with a request to upload this O.M. on the DoT website

Copy also for information to:

1. Secretary, DoP&PW, New Delhi
2. Secretary, DoPT, New Delhi



भारत का राजपत्र

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असाधारण

EXTRAORDINARY

PART II—SECT 3—SUB-SECTION (I)

PART II—Section 3—Sub-section (I)

प्रतिष्ठान से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, सोमवार, मार्च 3, 2014/फाल्गुन 12, 1995

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सर्विक, लोक शिक्षा तथा पेशा संशोधन

(पेशा एवं पेशावर्गीय कल्याण विभाग)

अधिसूचना

नई दिल्ली, 3 मार्च, 2014

सा.सं.वि. 136(अ).— राष्ट्रपति, संविधान के अनुच्छेद 309 के परंतुक और अनुच्छेद 148 के खंड 5 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए भारतीय सेवावर्गीय और सेवा विभाग में कार्यरत कार्मिकों की सेवा शर्तों के संबंध में भारत के नियंत्रक और महालेखापरीक्षक से परामर्श करने के पश्चात् केंद्रीय सिविल सेवा (पेशा) नियम, 1972 में संशोधन करते हुए अधोलिखित नियम बनाए हैं अर्थात्:-

1. (1) इन नियमों का संक्षिप्त नाम केंद्रीय सिविल सेवा (पेशा) दूसरी संशोधन नियम, 2014 है।
- (2) ये 1 अक्टूबर, 2009 से प्रवृत्त हुए लगान जाएंगे।
2. केंद्रीय सिविल सेवा (पेशा) नियम, 1972 के नियम 37 का, में
 - (क) उप नियम (22) एवं उप नियम (23) में दोषों का हटाना तथा वे धारते हैं 'भारत संसार निगम लिमिटेड' शब्दों के पश्चात् 'पुनः महानगर टेलीफोन निगम लिमिटेड' तथा संशोधन के लिए काएंगे।
 - (ख) उप नियम (24) के त्वाण पर निम्नलिखित उप नियम रखा जाएगा अर्थात्:-

"(24) उपनियम (23) के अंतर्गत दी गई व्यवस्था विद्यमान पेशा शोषणियों तथा उन कर्मचारियों की लागू होगी जिन्हें भारत संसार निगम लिमिटेड और महानगर टेलीफोन निगम लिमिटेड में कनेलन के पश्चात् सरकारी सेवा से सेवानिवृत्त हुआ जाता है और महानगर टेलीफोन निगम लिमिटेड एवं भारत संसार निगम लिमिटेड द्वारा दीधी

भर्ती द्वारा नियुक्त हुए कर्मियों पर यह लागू नहीं होगी जिनके लिए वे स्वयं की पेंशन स्कीमों का उपाय करेंगे तथा उसके लिए निधिकरण तथा पेंशनिक फायदों के संवितरण की व्यवस्था करेंगे।”

[फा. सं. 4/23/2013-पी एवं पीडब्ल्यू(डी)]

वंदना शर्मा, संयुक्त सचिव

विषय: पूर्व नियम अधिसूचना संख्या का.आ. 1814 तारीख 1 अप्रैल, 1972 द्वारा प्रकाशित किए गए वे तथा तात्पश्चात विभिन्न अधिसूचना संख्याओं द्वारा समन-समय पर संशोधित किए गए-

1. का.आ. 254 तारीख 4 फरवरी, 1989	21. का.आ. 1984, तारीख 25 सितंबर, 1993
2. का.आ. 970 तारीख 6 मई, 1989	22. सा.का.नि. 369(अ), तारीख 18 अप्रैल, 1994
3. का.आ. 2467 तारीख 7 अक्टूबर, 1989	23. का.आ. 1775, तारीख 19 जुलाई, 1997
4. का.आ. 899 तारीख 14 अप्रैल, 1990	24. का.आ. 259 तारीख 30 जनवरी, 1999
5. का.आ. 1454 तारीख 26 मई, 1990	25. का.आ. 904 (अ) तारीख 30 सितंबर, 2000
6. का.आ. 2329 तारीख 3 दिसंबर, 1990	26. का.आ. 717 (अ) तारीख 27 जुलाई, 2001
7. सा.का.नि. 3909 तारीख 8 दिसंबर, 1990	27. सा.का.नि. 75 (अ) तारीख 4 फरवरी, 2002
8. का.आ. 3270 तारीख 8 दिसंबर, 1990	28. का.आ. 4000, (अ) तारीख 28 दिसंबर, 2002
9. का.आ. 3273 तारीख 8 दिसंबर, 1990	29. का.आ. 850 (अ) तारीख 29 जुलाई, 2003
10. का.आ. 408 तारीख 9 फरवरी, 1991	30. का.आ. 1483 (अ) तारीख 20 दिसंबर, 2003
11. का.आ. 464 तारीख 16 फरवरी, 1991	31. का.आ. 1467 (अ) तारीख 14 अक्टूबर, 2005
12. का.आ. 2287 तारीख 7 सितंबर, 1991	32. सा.का.नि. 723 (अ) तारीख 23 नवंबर, 2006
13. का.आ. 2740 तारीख 2 नवंबर, 1991	33. का.आ. 1821 (अ) तारीख 25 अक्टूबर, 2007
14. सा.का.नि. 677 तारीख 7 दिसंबर, 1991	34. सा.का.नि. 258 (अ) तारीख 31 मार्च, 2008
15. सा.का.नि. 399 तारीख 1 फरवरी, 1992	35. का.आ. 1029 (अ) तारीख 25 अप्रैल, 2008
16. सा.का.नि. 58 तारीख 15 फरवरी, 1992	36. का.आ. 823 (अ) तारीख 12 अप्रैल, 2010
17. सा.का.नि. 570 तारीख 19 दिसंबर, 1992	37. सा.का.नि. सं. 176 तारीख 5 जून, 2011
18. का.आ. 258 तारीख 13 फरवरी, 1993	38. सा.का.नि. सं. 228(अ) तारीख 21 दिसंबर, 2012
19. का.आ. 1673 तारीख 7 अगस्त, 1993	
20. सा.का.नि. 449 तारीख 11 दिसंबर, 1993	39. सा.का.नि. सं. 808 (अ) तारीख 27 दिसंबर, 2012

स्पष्टीकरण

महानगर टेलीफोन निगम लिमिटेड में आवेदित सभी श्रेणियों (समूह ए, बी, सी, डी) के पदों के सरकारी कर्मचारी जिन्होंने संयुक्त सेवा पेंशन का विकल्प चुना है उनके पेंशन हितकार्यों का पुनर्गठन तारीख 01 अक्टूबर, 2000 से भारत संघार नियम लिमिटेड की ही शक्ति सरकार द्वारा दिया जाएगा तारीख 01 नवंबर, 1998 से महानगर टेलीफोन निगम लिमिटेड में आवेदित कर्मचारियों सहित पदों के सरकारी कर्मों तथा डीजीपी एवं पीडब्ल्यू के कार्यलय मान्य सं. 4/18/87-पी एवं पीडब्ल्यू (डी) तारीख 06.07.1989 के अनुसार शासित कर्मों तारीख 01 अक्टूबर, 2000 से इन नियमों के अंतर्गत आयेंगे। पूर्वाचार दिशान्वे द्वारा यह स्थापित किया जाता है कि इस अधिसूचना को प्रस्तावित प्रभाव देने में किसी पर प्रतिफल प्रभाव नहीं होगा।

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Pension and Pensioners' Welfare)

NOTIFICATION

New Delhi, the 3rd March, 2014

G.S.R. 158 (E).—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and, after consultation with the Comptroller and Auditor General of India in relation to conditions of service of persons serving in the Indian Audit and Accounts Department the President hereby makes the

following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely:-

1. (1) These rules may be called the Central Civil Services (Pension) Second Amendment Rules, 2014.
- (2) They shall be deemed to have come into force with effect from the 1st October, 2000.
2. In the Central Civil Services (Pension) Rules, 1972, in rule 37A,—

(a) in sub-rule (22) and sub-rule (23), after the words "Bharat Sanchar Nigam Limited" in both the places where they occur, the words "and Mahanagar Telephone Nigam Limited" shall be inserted;

(b) for sub-rule (24), the following sub-rule shall be substituted, namely:—

"(24) The arrangements under sub-rule (23) shall be applicable to the existing pensioners and to the employees who are deemed to have retired from the Government service for absorption in Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited and shall not apply to the employees directly recruited by the Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited for whom they shall devise their own pension schemes and make arrangements for funding and disbursing the pensionary benefits."

(F. No. 4/23/2013-P&PW(D))
VANDANA SHARMA, Jr. Secy.

Note: The principal rules were published vide notification number S.O.934, dated the 1st April, 1972 and were subsequently amended vide notification number—

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|--|--|
| 1. S.O.234, dated the 4 th February, 1989 | 22. GSR 399(E), dated the 18 th April, 1994 |
| 2. S. O.970, dated the 6 th May, 1989 | 23. S. O.1775, dated the 19 th July, 1997 |
| 3. S. O.2467, dated the 7 th October, 1989 | 24. S. O.239, dated the 30 th January, 1999 |
| 4. S. O.899, dated the 14 th April, 1990 | 25. S. O.904(E), dated the 30 th September, 2003 |
| 5. S. O.1454, dated the 26 th May, 1990 | 26. S. O.717(E), dated the 27 th July, 2001 |
| 6. S. O.2329, dated the 8 th September, 1990 | 27. G.S.R. 75(E), dated the 1 st February, 2002 |
| 7. S. O.3269, dated the 8 th December, 1990 | 28. S.O.4000, dated the 26 th December, 2002 |
| 8. S. O.3270, dated the 8 th December, 1990 | 29. S.O. 860(E), dated the 26 th July, 2003 |
| 9. S. O.3273, dated the 8 th December, 1990 | 30. S.O. 1483 (E), dated the 30 th December, 2003 |
| 10. S. O.409, dated the 9 th February, 1991 | 31. S.O. 1487 (E), dated the 14 th October, 2005 |
| 11. S. O.464, dated the 16 th February, 1991 | 32. G.S.R. 723(E), dated the 23 rd November, 2006 |
| 12. S. O.2287, dated the 7 th September, 1991 | 33. S.O. 1821 (E), dated the 25 th October, 2007 |
| 13. S. O.2740, dated the 2 nd November, 1991 | 34. G.S.R. 258 (E), dated the 31 st March, 2008 |
| 14. G.S.R. 677, dated the 7 th December, 1991 | 35. S.O. 1628 (E), dated the 25 th April, 2008 |
| 15. G.S.R. 399, dated the 1 st February, 1992 | 36. S.O. 829(E), dated the 12 th April, 2010 |
| 16. G.S.R. 55, dated the 15 th February, 1992 | 37. G.S.R. No. 176 dated 8 th June 2011 |
| 17. G.S.R. 570, dated the 19 th December, 1992 | 38. G.S.R. No. 928(E) dated 21 st December, 2012 |
| 18. S. O.258, dated the 15 th February, 1993 | 39. G.S.R. No. 938(E) dated 27 th December, 2012 |
| 19. S. O.1673, dated the 7 th August, 1993 | |
| 20. G.S.R. 449, dated the 11 th September, 1993 | |
| 21. S. O.1984, dated the 25 th September, 1993 | |

EXPLANATORY MEMORANDUM

Request of pensionary benefits to all antecedents of the erstwhile employees of the Government (Group A, B, C and D) absorbed in Mahanagar Telephone Nigam Limited who have opted for pension on combined service will be made by the Government in the same manner as in Bharat Sanchar Nigam Limited with effect from 1st October, 2000. Such erstwhile Government employees including those absorbed in Mahanagar Telephone Nigam Limited with effect from 1st November, 1998 and governed vide DOP&PW's O.M.No. 4/18/87-P&PW(D) dated 5.7.1989 shall be brought within the purview of these rules with effect from 1st October, 2000. This is certified by the Department of Telecommunication that no one shall be adversely affected by giving retrospective effect to this notification.

