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2/13-A - LGF Backside, Jangpura - 'A',
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Telephone : 011-24376642
E-mail : bharatpensioner@gmail.com
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A SYMBOL OF
PENSIONERS' UNITY

ESTABLISHED IN : 1955

**BHARAT PENSIONERS'
SAMAJ**

(All India Federation of Pensioners' Associations)
(Registered No. 2023 of 1962-63), Recognised by GOI-DOP&PW
Associate NGO International Federation on Ageing:
Toronto (Canada)
2/13-A - LGF Backside, Jangpura - 'A',
New Delhi - 110 014
Mobile : 09868488199 / 08860412898

No BPS/SG/CCS/Pension Rules/22/4

Dated: 18.06.2022

To

The CRB/CEO

M/O Railway (Railway Board)

The Secretary,

GOI -M/O Personnel, PG & Pensions-DOP&PW

Subject: Revision of RAILWAY SERVICES (PENSION) RULES, 1993 on the
pattern of CCS pension 2021

Reference: 1. MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND
PENSIONS- DOP&PW NOTIFICATION Dated : 20th December,
2021 (CCS Pension Rules 2021) 2.M/O Personnel, PG & Pensions –
DOP&PW No 1/(52)/2022-P & PW (E) Dated: 14th June, 2022

Sir,

The Preface of Manual of RAILWAY SERVICES (PENSION) RULES, 1993 reads : 'The
present volume is thus, a self-contained compilation codifying all the Pension Rules applicable to Railway
Servants in the form of statutory rules, **on the pattern of Central Civil Services (Pension) Rules, 1972
applicable on the civil side.**'

Indian Railway used to be a separate entity with a separate Budget during the British Raj and
continued to be so even after that .But with the merger of Railway budget with the general budget of India
it is no more a separate entity & is very much part of Civil administration of Govt. of India.

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS is the nodal Ministry
for pension related matters where as Ministry of Railways is the administrative Ministry .Railway Pensioners
too are Central Government civil pensioners for all purpose. OMS/Circulars etc issued by the DOP & PW
apply to them including the accepted recommendation of CPCs (though on recirculation by Rly BD).

CIVIL APPELLATE JURISDICTION; CIVIL APPEAL NO. 3173 OF 2018 (Arising out of
S.L.P.(CIVIL) No. 5456 OF 2018)- Union of India Versus R. Sethumadhavan & Anr. Judgment by
Honourable Justice Madan B. Lokur, dated 22.03.2018

Para 3 of the judgment reads. "We recommend to the Department of Personnel and Training of the
Government of India to try and make life after retirement easier for a Government servant by having
appropriate legislation enacted by Parliament or applicable Pension Rules rather than a khichdli of
Instructions, Office Memorandum, Clarifications, and Corrigenda and so on and so forth".

Honourable Supreme Court recorded the above recommendation while passing judgment in the
case of responded R. Sethumadhavan (Train Examiner). Recommendation, of the Honorable Supreme
court vide their Para 3.were squarely with reference to rules applicable to the respondent who
happened to be an ex Rly employee.

Taking note of court's recommendation DOP&PW stream lined CCS Pension Rules 1972 &
notified revised CCS pension Rules 2021. But Railway Administration perhaps inadvertently overlooked
Court's recommendation and continued with the rules drawn in 1993 on the pattern of CCS pension Rules
1972.

Bharat Pensioners Samaj, the All India Federation of Pensioners with a reach to over 10 lac pensioners, one of the identified Pensioners Welfare organization of GOI-DOP& PW & an Associate NGO of International Federation on Ageing (IFA) Requests :-

(i) The Ministry of Railways to adopt CCS pension Rules 2021 as Railway employees/Pensioners too are Central Government Civil employees/ pensioners as explained in foregoing Para.

(ii) Ministry of Personnel, PG & Pensions-DOP&PW is requested not to discriminate against Rly employees/pensioners by treating them differently than the civil employees/pensioners.

Thanking you in anticipation

DA/One

With regards

Yours faithfully,



S. C Maheshwari

Secy. Genl. Bharat Pensioners Samaj