

6: 6- Service Condition/Financial and Other Benefits-

- (1) Benefit of added years of service under Rule 30 of the CCS (Pension) Rules.

Professor A.C.Sinha and Professor R.R.Mishra vide letter dated 1.3.96 jointly signed by them (Annexure - I) suggested the following guidelines to give effect to proper implementation of the Executive Council resolution No:EC:68:90:5:01:(vii) adopted in its 68th meeting held on 30.3.1990. The decision of the Executive Council is that additional benefit of qualifying service will be admissible to employees of the University as per the Govt. Rules:

Guidelines suggested by Prof. Sinha and Prof. Mishra

1. NEHU should add to the qualifying service of all the NEHU teachers for pensionary benefits, the actual period not exceeding one-fourth of the length of his service, or the actual period by which his age at the time of recruitment exceed twentyfive years, or a period of five years whichever is ~~xxx~~ less.
2. (a) For those who have rendered service elsewhere before joining NEHU but do not opt for transfer of services from their earlier place of employment to NEHU, the age at the time of joining NEHU should be considered for applying rule 1.
 (b) For those, who have served elsewhere before joining NEHU and have opted for transfer of their services to NEHU, the age at the time of joining the earlier service at his/her previous place of regular employment, be considered for applying the rule - 1.
 (c) For those who have joined NEHU as their first job, obviously the age at the time of joining NEHU should be taken to apply the rule 1.
3. The rule 1 will be applicable to only those teachers who have served NEHU for at least 10 years from the date of appointment in NEHU.
4. The total qualifying service including the weightage as per rule (1) cannot exceed 33 years of the maximum length of service decided by the Central Government for full pensionary benefits from time to time.

In this connection, following observations are placed for kind consideration :-

1. 2(b) of the aforesaid proposal is in violation of the following proviso to pension Rule 30 (placed as Annexure A).

" provided also that this concession shall not be admissible to those who are eligible for counting their past service for superannuation pension unless they opt before the date of their retirement, which option once exercised shall be final, for the weightage of service under this sub-rule forgoing the counting of past service".

(Incorporated vide G.I. Order dated 9.1.92).

2. 2(c) is not in conformity with G.I. Orders and pension Rule 30:

The relevant portion of the Rule is quoted below :-

" A Government servant who retires from a service or post after the 31st March, 1960, shall be eligible to add to his service qualifying for superannuation pension (but not for any other class of pension) the actual period not exceeding one-fourth of the length of his service or the actual period by which his age at the time of recruitment exceeded twenty-five years or a period of five years, whichever is less, if the service or post to which the Government servant is appointed is one -

(a) for which post-graduate research, or specialist qualification or experience in scientific, technological or professional fields, is essential; and

(b) to which candidates of more than twenty-five years of age are normally recruited;

Provided that this concession shall not be admissible to a Government servant unless his actual qualifying service at the time he quits Government service is not less than ten years:

Provided further that this concession shall be admissible only if the recruitment rules in respect of the said service or post contain a specific provision that the service or post is one which carries the benefit of this rule:

At present, for entry into service as Lecturer in our University, post-graduate research degree is not an essential qualification. However, required qualification at the time of joining NEHU (where past service are not taken into consideration) may be verified in individual cases.

3. Professor K.J. Joseph and Professor R.G. Michael approached the University for this benefit but the same could not be extended to as their past service was counted for superannuation pension.

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The University is taking care for the application of pension Rule 30 and it is yet to get a case where the benefit is admissible.

The decision of the 68th Executive Council is sufficient enough to take care of cases covered under pension Rule 30. As per record of the University there is no case which was admissible under Rule 30 and the benefit was denied by the University.

The matter is placed before the Council for consideration and decision.

NORTH EASTERN HILL UNIVERSITY
 NEHU CAMPUS, SHILLONG-793002 (Meghalaya)

Phone:
 Grams: NEHU

To
 The Chairman E.C.
 NEHU, Shillong.

1.3.96

Subject: Agenda item regarding additional benefit of
 qualifying service for the forthcoming meeting
 of E.C. to be held on 8.3.96.

Sir,

As per the E.C. decision taken in its 58th meeting held on 30.3.90 (item No. EC 68:90:5:01:(VII)) , and communicated by the administrative order No.F.97-13/Estt.I/88-5041 dated 22nd August, 1990, it was decided that additional benefit of qualifying service will be admissible to employees of the University as per the Government of India rules. In spite of clearcut decision, our University has not yet implemented this provision till now, although many teachers have retired since then.

In order to facilitate the implementation of this decision to NEHU employees, I am enclosing herewith some guidelines in conformity with of Government of India rules for consideration in the forthcoming meeting of E.C. to be held on 8.3.96.

I request you to kindly place this as an agenda item for the next E.C. meeting to be held on 8.3.96 and oblige.

Thanking you.

Sincerely yours

sd/-

(Prof. A.C.Sinha)

sd/-

(Pfor. R.R.Mishra)

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Additional Benefit of Qualifying Service

As per E.C. decision taken in its 68th meeting held on 30.3.90 (item no.EC 68:90:5:01:(VII) , and communicated by the Administration order No. F.97-13/Estt-I/88-5041 dated 22nd August, 1990, it was decided that additional benefit of qualifying service will be admissible to employees of the University as per the Government of India rules. Thus the rule 30 of C.C.S. (Pension Rules has been taken care of through this E.C. decision as a part of their recruitment and service conditions.

In spite of clear cut decision, our University has not implemented this provision till now, although many teachers have retired since then. As the minimum qualification for recruitment of our teaching posts is either Ph.D./M.Phil or equivalent published research work or NET qualification etc. normally teachers are recruited after attaining the age of 25 years in our university. Therefore the Government of India guidelines for availing additional benefit of qualifying service for pension purposes are fully applicable to all NEHU teachers.

In order to facilitate implementation of this decision to NEHU employees, we are suggesting the following guidelines in conformity with the Government of India rules which may be followed to provide additional benefit of qualifying service to retiring NEHU employees.

Guidelines to be followed

1. NEHU should add to the qualifying service of all the NEHU teachers for pensionary benefits, the actual period not exceeding one-fourth of the length of his service, or the actual period by which his age at the time of recruitment exceed twenty five years, or a period of five years whichever is less.
2. (a) For those who have rendered service elsewhere before joining NEHU but do not opt for transfer of services from their earlier place of employment to NEHU, the age at the time of joining NEHU should be considered for applying rule 1.
- (b) For those, who have served elsewhere before joining NEHU and have opted for transfer of their services to NEHU, the age at the time of joining the earlier service *at* his/her previous place of regular employment, be considered for applying the rule 1.

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(c) For those, who have joined NEHU as their first job, obviously the age at the time of joining NEHU should be taken to apply the rule 1.

3. The rule 1 will be applicable to only those teachers who have served NEHU for at least 10 years from the date of appointment in NEHU.

4. The total qualifying service including the weightage as per rule (1) cannot exceed 33 years or the maximum length of service decided by the central Government for full pensionary benefits from time to time.

For those who have rendered service elsewhere before joining NEHU but do not opt for transfer of services from their earlier place of employment to NEHU, the age at the time of joining NEHU should be considered for applying rule 1.

(b) For those, who have served elsewhere before joining NEHU and have opted for transfer of their services to NEHU, the age at the time of joining NEHU should be considered for applying the rule 1.

Rule 30: Addition to qualifying service in special circumstances

(1) A Government servant who retires from a service or post after the 31st March, 1960, shall be eligible to add to his service qualifying for superannuation pension (but not for any other class of pension) the actual period not exceeding one-fourth of the length of his service or the actual period by which his age at the time of recruitment exceeded twenty-five years or a period of five years, whichever is less, if the service or post to which the Government servant is appointed is one -

- (a) for which post-graduate research, or specialist qualification or experience in scientific, technological or professional fields, is essential; and
- (b) to which candidates of more than twenty-five years of age are normally recruited;

Provided that this concession shall not be admissible to a Government servant unless his actual qualifying service at the time he quits Government service is not less than ten years:

Provided further that this concession shall be admissible only if the recruitment rules in respect of the said service or post contain a specific provision that the service or post is one which carries the benefit of this rule.

Provided also that this concession shall not be admissible to those who are eligible for counting their past service for superannuation pension unless they opt before the date of their retirement, which option once exercised shall be final, for the weightage of service under this sub-rule forgoing the counting of the past service.

(2) A Government servant who is recruited at the age of thirty-five years or more, may, within a period of three months from the date of his appointment, elect to forgo his right to pension whereupon he shall be eligible to subscribe to a Contributory Provident Fund.

(3) The option referred to in sub-rule (2) once exercised, shall be final.

No:EC:90:96:6:6

SERVICE CONDITION/FINANCIAL AND OTHER BENEFITS-

(i) Benefit of added years of service under Rule 30 of the CCS(Pension) Rules.

No:EC:90:96:6:6:(i): The Council considered the grant of additional benefit under Rule 30 of the CCS(Pension) Rules and RESOLVED to accept the rules of the Government of India on a case to case basis. The Council further RESOLVED that a Committee consisting of the following may examine and go through the guidelines suggested vis-a-vis the Government of India's Rules.

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| 1. Prof.R.R. Mishra | - | Chairman |
| 2. Prof.A.C.Sinha | - | Member |
| 3. Prof.S.N. Bhatt | - | Member |

(ii) Merit Promotion Scheme of Dr.R.C. Gupta, Lecturer of Chemistry Department, SASRD.

No:EC:90:96:6:6:(ii): The Council considered the promotion of Dr.R.C. Gupta, Lecturer in Chemistry, SASRD, under the Merit Promotion Scheme of 1983 and RESOLVED to refer the matter to the University Grants Commission.

(iii) Placement in Senior Scale in respect of Shri L.H.Lawmzuala.

No:EC:90:96:6:6:(iii): The Council considered the counting of the service of Shri L.H. Lawmzuala as Research Associate with effect from 1983 for the purpose of placement in the senior scale and RESOLVED to approve the same.