

PART III AGENDA PAPERS FOR THE 100th MEETING OF THE EXECUTIVE COUNCIL.

Contents	Page No.
Item No. 6 ADMINISTRATIVE MATTERS:	
6:1 Selection Committee-	
(i) Case of Selection Committee recommendation for grant of advance increments to Smti I.Y. Phanwar and Shri S.K. Job on their erstwhile regular selection for appointment to the post of Junior Technical Assistant.	6:1:1(1-4)
(ii) Recommendation of the Selection Committee for recruitment to the teaching post/placement in Sr.Scale.	6:1:2(1)
6:6- Service condition/Financial & Other Benefits-	
(viii) Improvement on Pension/Family Pension.	6:6:8(1-8)

Item No.6. ADMINISTRATIVE MATTERS.
6:1-Selection Committee.

- (i) Case of the Selection Committee recommendation for grant of advance increments to Smti I.Y.Phanwar and Shri S.K. Job on their erstwhile regular selection for appointment to the posts of Junior Technical Assistant.

This is regarding the case of the recommendation of the Selection Committee for grant of advance increments to the candidates selected for appointment to the post of JTA/STA viz. Shri S.K.Job and Smti I.Y.Phanwar (besides others who are now no longer in the University).

In its 73rd meeting held on 5.8.91, the Executive Council was informed that the recommendation for grant of advance increments was not accepted by the Appointing Authority i.e the Vice-Chancellor since not tenable under the provisions of F.R.27. The Council then desired that the Selection Committee recommendation for grant of advance increments be accepted since it is within the limit prescribed by the UGC. However, in its last meeting held on 8.12.98, the Council was informed that the UGC Guidelines on Advance increments governs the case of the teaching posts only and then the Council desired that the cases be examined vis-a-vis the CCS Rules.

Now on examination vis-a-vis the CCS Rules particularly F.R:27 which governs grant of advance increments, the office observes as under :

1. The F.R. allows grant of advance increments on reasons for consideration of qualification, age or experience. The Selection Committee did not record the reason for recommending advance increments. On scrutiny of the qualification, age and experience of the candidates concerned vis-a-vis the essential qualifications stipulated in the concerned advertisement, the office could not find any reason meriting for consideration of grant of advance increments. In fact, as can be seen in the Bio-data statement at Annexure - A, Smti Phanwar possessed an educational qualification one stage higher to that prescribed in the advertisement but fell short of the experience qualification stipulated. (Provisions of the advertisement may please be seen in 2nd Column of Bio-data Statement at Annexure-A). Shri S.K.Job fulfilled the experience

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qualification requirement and could marginally meet the technical education requirement laid down in the advertisement.

2. F.R.27 provided for grant of advance increments with certain conditions one of which is that the pay of Government servants whose selection for appointment was through open competition, should be fixed as per relevant rules governing pay fixation. The selection and appointment of the candidates concerned was through open competition, hence they came under the purview of the normal rules governing pay fixation.
3. F.R.47 also stipulates that its provisions is not to be invoked in disregard of the normal rules governing pay fixation, except in cases of hardships or unusual circumstances. The candidates concerned were not in previous employment elsewhere but were on adhoc appointment in the RSIC itself - Shri S.K.Job was on adhoc/temporary Junior Technical Assistant for about 5(five) years initially on fixed salary and later on time scale basis and Smti Phanwar was a temporary officiating Senior Technical Assistant for about 8 (eight) months. Shri S.K.Job, having been appointed on adhoc basis in the post of Junior Technical Assistant on time scale basis prior to his regular selection and appointment to the same post, comes under the purview of normal rules of pay fixation, hence there lie no case for invoking F.R.27.

With the findings as above, the recommendation for grant of advance increments to Shri S.K.Job and Smti I.Y.Phanwar on their erstwhile regular selection and appointment as Junior Technical Assistants, is not tenable under the CCS Rules.

The matter is reported to the Council as desired and for orders if any.

U.O.NO.F.40-21/Estt.I/per/97-685.

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DETAILED PARTICULARS OF CANDIDATES RECOMMENDED BY THE SELECTION COMMITTEE FOR TECHNICAL POSTS UNDER SCHOOL OF PHYSICAL SCIENCES FOR POST IN RSIC.

Name of Post & Scale of Pay	Minimum qualification required as per advertisement.	Candidates recommended	Qualification possessed	Experience if any	Recommendation of Selection Committee
1. SENIOR TECHNICAL ASSISTANT (Rs. 1640-2900)	M.Sc. in any Science discipline with one year experience in operation & general maintenance of analytical instruments e.g. I.R. with data system UV-NIR-VIR, EM, NMR, GC-MS etc. OR B.Sc. with 3 years experience in above. OR Matric with ITI Cert. & 7 years experience.	Shri R. B. Gupta	M.Sc. (Organic spl.)	5 yrs. experience as Tech. Assistant in RPTI Chandigarh, NIR-VIR, EM, NMR, etc.	Protection of Pay (Organic) with add. two advance increments. (Rs. 1560-2300/-)
2. JUNIOR TECHNICAL	B. Sc. with 1 yr experience. OR Matric with 3 yrs. Diploma & 2 yrs. working experience. OR Matric with ITI Cert. & 3 yrs working experience Preferable: Experience with sophisticated analytical equipment/liquid nitrogen Plants/Instrumentation.	1. Shri S.K. Job 2. Shri S. Gupta	SSLC ITES-AC/R ITI Mech. Refrigeration & Air conditioning M.Sc. Pre-Ph.D.	Working as JTA on adhoc basis for about 8 yrs. in RSIC, initially on fixed pay & later on time scale basis. Working as STA on adhoc basis for about 1½ yrs. in Chem. Deptt. and equipment/liquid nitrogen.	Three advance increments. Two advance increments.

Name of Post & Scale of Pay	Minimum qualification required as per advertisement.	Candidates recommended	Qualification possessed	Experience if any	Recommendation of Selection Committee.
		3. Smti I. Hynniewta	M.Sc.	Served as STA for about 8 months on Temp. offtg. basis in RSIC.	Two advance increments
		4. Smti T. Hynniewta	B.E. (Electronics & Communications)	Nil	Two advance increments

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ITEM TO BE TABLED BY THE CHAIR

(ii) (a) Recommendation of the Selection Committee for recruitment to the Teaching Post :-

- 1) Lecturer in Education (P.U.C.) - 1 reserved for SC/ST.

(b) Recommendation of the Selection Committee for Placement in Sr. Scale of the following :-

- 1) Mrs. I. Lall - Project Officer, Adult & Continuing Education.

The aforesaid recommendations are hereby placed before the council for consideration and approval.

NO.F.26-1/Estt-II(B)/96-97-1414

6:6- Service condition Financial & Other Benefits-

(viii) Improvement on Pension/Family Pension.

Consequent upon the recommendation of the Fifth pay Commission the Government of India circulated the revised rates of Pension and also calculation formula for Pre-1996 Pensioners/Family Pensioners vide Notification No.45/86/97-P&PW(A) dated 30th September, 1997. The Government also communicated its decision on the revision of Pension of Pre-No.F.No. 45/86/97 - P&PW(A) - Part III dated 10th February, 1998. The same was placed to the Executive Council and the University adopted the revised Pension as communicated vide aforesaid Notifications.

The Govt. of India vide its Notification No. 45/10/98-P&PW(A) dated 17th December, 1998 has communicated its decision on further improvement on revision of Pensions/Family Pensions. The copy of the Notification is enclosed as (Annexure - A). The Salient feature of the Notification is that no Pensioner should get full Pension less than 50% of the minimum of the corresponding revised scale to the scale on which he has retired subject to a minimum of Rs. 1275/- per month and Family Pension at the rate of 30% of the minimum of the corresponding pay scale to the scale the employee was drawing last subject to a minimum of Rs. 1275% per month. In both the cases the higher limit is fixed to Rs. 15,000/- per month.

The matter is placed for kind consideration of the Executive Council so that the University may also adopt the said improvement for Non-teaching staff and officers as has been done in case of Central Govt. employees. For teachers the matter will be placed to the Academic Council.

NB FIN/VI Pen/ Payment/4005

S.No. 12 (F.R.)

10588/98

Admn. 1 / A & B

6:6:8(2)

24-12-98

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Annexure 'A'

F.No. 45/10/98-P&PW(A)

Government of India

Ministry of Personnel, Public Grievances and Pensions

Department of Pension & Pensioners' Welfare

New Delhi, Dated 17 December, 1998

Subject : Implementation of Government's decisions on the recommendations of the Fifth Central Pay Commission relating to retirement benefits.

The undersigned is directed to say that in the wake of a large number of representations received by the Government from the Pensioners' Associations as well as individuals, the Government has re-considered its decision on the recommendations of the Vth Central Pay Commission regarding revision of pension/ family pension as contained in Paras 137.14 and 134.30 of the report. The President is now pleased to decide that w.e.f. 1. 1. 1996, pension of all pensioners irrespective of their date of retirement shall not be less than 50% of the minimum pay in the revised scale of pay introduced w.e.f. 1. 1. 1996 of the post last held by the pensioner. However, the existing provisions in the rules governing qualifying service and minimum pension shall continue to be operative. Similarly w.e.f. 1. 1. 1996 family pension shall not be less than 30% of the minimum pay in the revised scale introduced w.e.f. 1. 1. 1996 of the post last held by the pensioner/ deceased Government servant. Accordingly, so far as persons governed by CCS (Pension) Rules, 1972 are concerned, orders contained in the following Office Memoranda of this Department as amended from time to time shall be treated as modified as indicated below.

A. O.M. No. 45/86/97-P&PW(A) -Pt.I dated October 27, 1997.

2. The first sentence of paragraph 5 of the Office Memorandum relating to "Pension" may be substituted by the following:

" Pension shall continue to be calculated at 50% of the average emoluments in all cases and shall be subject to a minimum of

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Rs. 1,275 per month and a maximum of upto 50% of the highest pay applicable in the Central Government, which is Rs. 30,000 per month since 1st January, 1996, but the full pension in no case shall be less than 50% of the minimum of the revised scale of pay introduced with effect from 1st January, 1996 for the post last held by the employee at the time of his retirement. However such pension will be suitably reduced pro-rata, where the pensioner has less than the maximum required service for full pension as per the rule (Rule 49 of CCS(Pension) Rules 1972) applicable to the pensioner as on the date of his / her superannuation / retirement and in no case it will be less than Rs.1275/- p.m."

B. O.M. No. 45/86/97 - P&PW(A) Pt. II dated October, 27, 1997.

3. The following may be inserted after the first sentence, "The amount so arrived at shall be.....with effect from 1. 1. 1996," in the sub-para of paragraph 4.1:

" However, in cases where the pension consolidated is treated as the final full pension, it shall not be less than 50% of the minimum of the revised scale of pay introduced with effect from 1st January 1996 for the post last held by the pensioner at the time of his retirement. Such pension will be suitably reduced pro-rata, where the pensioner has less than the maximum required service for full pension as per the rule (Rule 49 of CCS(Pension) Rules 1972) applicable to the pensioner as on the date of his / her superannuation / retirement and in no case it will be less than Rs.1275/- p.m. Similarly, in cases where the family pension so consolidated is treated as final, it shall not be less than 30 per cent of the minimum of the revised scale of pay introduced with effect from 1st January 1996 for the post last held by the concerned pensioner/ deceased government servant."

C. O.M. No. 45/86/97-Pt. III dated February 10, 1998

4. (a) The last sentence of paragraph 2 may be substituted by the following:

"The pension so calculated shall be consolidated as on 1st January 1996 in accordance with the provisions contained in paragraph

4.1 of this Department's O.M.No. 45/86/97-P&PW(A) - Pt. II dated 27th October 1997. Such consolidated full pension shall not, however, be less than 50 per cent of the minimum of the revised scale of pay introduced with effect from 1st January 1996 for the post last held by the concerned pensioner. However such pension will be suitably reduced pro-rata, where the pensioner has less than the maximum required service for full pension as per the rule (Rule 49 of CCS(Pension) Rules 1972) applicable to the pensioner as on the date of his / her superannuation / retirement and in no case it will be less than Rs.1275/- p.m."

This pension shall be treated as the basic pension for the purpose of future grant of Dearness Relief on pension.

(b) The second sentence of paragraph 3 may be substituted by the following:

"This pension shall be consolidated as on 1st January 1996 in accordance with the provisions contained in paragraph 4.1 of this Department's O.M. No. 45/86/97- P&PW(A) - Pt. II dated 27th October 1997. Such consolidated family pension shall not, however, be less than 30 per cent of the minimum of the revised scale of pay introduced with effect from 1st January 1996 for the post last held by the concerned pensioner/ deceased government servant."

(c) The following clause may be inserted after the fifth sentence in paragraph 4:

"The basic family pension so calculated shall not be less than 30 per cent of the minimum of the revised scale of pay introduced with effect from 1st January 1996 for the post last held by the concerned pensioner/ deceased government servant."

D. O.M. No. 45/86/97 -P&PW (A)-Pt. IV dated May 8, 1998.

5. The following may be added after the last sentence in paragraph 2(iii):

"The basic family pension so calculated shall not be less than 30 per cent of the minimum of the revised scale of pay introduced with

effect from 1st January 1996 for the post last held by the concerned pensioner/ deceased government servant."

6. The grant of enhanced family pension will be regulated in accordance with the provisions contained in this Department's O.M. No. 45/8/98-P&PW(E) dated 15/12/1998.

7. It shall be the responsibility of the Head of the Department of the Ministry, Department, Office, etc. from which the government servant had retired or where he was working prior to his demise to revise the pension/family pension of all pensioners/ family pensioners with effect from 1st January 1996 in accordance with the modified provisions mentioned above and to issue revised Pension Payment Order (PPOs). Action to revise pension/ family pension in terms of these orders shall be initiated suo moto by the concerned Heads of Departments in cases where the necessary applications have already been received from the pensioners/ family pensioners in pursuance of the earlier orders issued by this Department regardless of the fact whether their cases have already been finalised or are in the process of finalisation. Those pensioners/ family pensioners who have not so far submitted the necessary applications to facilitate the revision of their pension/ family pension and are desirous of availing the benefits under these orders are required to submit applications for revision of their pension/ family pension in the prescribed form (in duplicate) as in the annexure, to their Pension Sanctioning Authorities latest by 31st March 1999. In the case of the Defence Civilian Employees, however, the procedure prescribed in this regard by the Ministry of Defence shall be followed. Concerted efforts should be made by all the authorities concerned to ensure that the revised PPO's are issued, wherever necessary, with the utmost expedition.

8. It is once again reiterated that the Pension Sanctioning Authority in no case, will ask the pensioner/ family pensioner to surrender his/ her original Pension Payment Order (PPO) for issuing revised authority. It may also be ensured that a copy of the revised PPO should be invariably endorsed to the pensioner/ family pensioner.

9. Separate orders will be issued by the Ministry of Defence, Ministry of Railways and the AIS Division of the Department of Personnel & Training in respect of the Armed Forces Personnel, Railway Employees and Members of the All India Services respectively.

10. These orders issue with the approval of the Ministry of Finance, Department of Expenditure, vide their Dy. No. S-46/E.V/98 dated 8th December, 1998.

11. In their applicability to the personnel of the Indian Audit and Accounts Department, these orders issue in consultation with the Comptroller and Auditor General of India.

12. Ministry of Agriculture, etc. are requested to urgently bring the contents of these orders to the notice of the Heads of Departments, Controllers of Accounts, Pay and Accounts Officers, Attached and Subordinate Offices, etc. under their administrative control. All Pension Disbursing Authorities are also advised to display these orders prominently on their notice boards for the information and guidance of the pensioners/ family pensioners.

13. Hindi version will follow.

Ganga Murthy
(Ganga Murthy)
Director (PP)

To

All Ministries/ Departments to the Government of India etc.

Copy to :

1. Office of the Comptroller & Auditor General with two hundred spare copies.
2. As per list attached.

C.G.S(7)

- 31 - 7

Annexure

(As referred to in para 7 of O.M. 45/10/98-
P&PW(A) dated 17 December 1998)

Form of Application

To,

(Pension Sanctioning Authority)

Subject: Revision of Pension/family pension on 1.1.1996 in terms of
Department of Pension & Pensioners' Welfare Office Memorandum No.
45/10/98-P&PW(A) dated 17 Dec. 1998.

Sir,

Kindly revise my pension/ family pension entitlement shown in my PPO
(Photo copy enclosed) in terms of the Department of Pension and Pensioners'
Welfare Office Memorandum No. 45/10/98-P&PW(A) dated the 17th Dec.
1998. The requisite particulars are given below:-

1. Name of the applicant in block letters and full postal address.
2. Type of pension admissible.
3. Name of the Pensioner/ deceased Government servant (Pensioner) in case of family pension.
4. Date of retirement /death of the Government employee.
5. Date from which pension/family pension is being drawn.

6. Pension Payment Order (P.P.O)
No.
7. Office/ Department/Ministry in
-which the pensioner/ deceased
government servant (pensioner)
served last and the post held
by him.
8. The scale of pay of the post last
held and the last pay drawn.
9. Consolidated final pension /
family pension admissible from
1.1.96.
10. Name of the authority which
issued PPO.
11. Name of the Pension Disbursing
Authority with SBA number,
wherever applicable.
12. If any documentary evidence is
being attached to facilitate
settlement of the case, details
thereof.

Date:

(Signature of Pensioner/Family Pensioner)