

No.15-1/2012-IFD
Government of India
Ministry of Human Resource Development
Department of Higher Education
Integrated Finance Division

Shastri Bhavan, New Delhi.
Dated the 18th February, 2014

Subject :- Mobility of Staff from one Autonomous organisation to another
Autonomous organisation admissibility of pensionary benefits clarification
regarding –

As per Rule 37 of CCS (Pension) Rules, 1972 a Government employee who has been permitted to be absorbed in a service or post in or under a Corporation or Company wholly or substantially owned or controlled by the Central Government or a State Government or in or under a body controlled or financed by the Central Government or a State Government shall be deemed to have retired from service from the date of such absorption and subject to sub-rule (3) of Rule 37, he shall be eligible to receive retirement benefits if any, from such date as may be determined, in accordance with the orders of the central Government applicable to him. The pensionary benefits in such cases would be as per the provisions in Rule 49 of CCS(Pension) Rules, 1972. As per Rule 49(2) ibid (as amended vide Notification No.38/37/08-P&PW(A) dated 02.09.2008 and 10.12.2009), in case of Central Government servant retiring in accordance with the provisions of these rules after completing qualifying service of not less than ten years, the amount of pension shall be calculated at 50% of emoluments or average emoluments, whichever, is more beneficial to them. The amount of pension is calculated as per provisions of Rule 49 of CCS (Pension) Rules where linkage of full pension with 33 years service has been removed.


2. A doubt had arisen as to whether the provision of Rule 37 of CCS(Pension) Rules, 1972 apply to the employee of Autonomous Bodies covered under the CCS(Pension) Rule, 1972. The matter was referred to the Department of Pension & PW for advice whether the provisions of Rule 37 can be extended to the Central Autonomous Bodies which have adopted old CCS(Pension) Rules, 1972 i.e. whether the employees of a Central Autonomous Body covered under CCS(Pension) Rules, 1972 permitted to be absorbed in a service or post mentioned in Rule 37 of CCS(Pension) Rules, 1972 are eligible to get the benefits of getting full pension as per amended Rule 49 of CCS(Pension) Rules.

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Ranbir Singh

3. The Department of Pension &PW have confirmed that such employees would be entitled to get pensionary benefits after completing 10 years in the previous body governed by old CCS(Pension) Rules, 1972 as per provision of Rules, 49 of the said Rules subject to fulfilment of all conditions laid down under the said rules. This is in supersession of this Ministry's circular of even number dated 6.8.2012 (copy enclosed).

Encl: As above


(PARTAP SINGH)
Deputy Secretary (F)
Tele. No. 23387961

1. All Bureau Heads in Department of Higher Education
2. All Bureau Heads in Department of School Education & Literacy
3. The Heads of all Autonomous Bodies under the administrative control of this Ministry
4. Director(Finance)(HE), Director(Finance) (SE&L)
5. All Officers in IFD

Copy for information to :-

- (i) PSO to Secretary (HE)
- (ii) PS to Secretary (SE&L)
- (iii) PS to JS&FA

S.No. 2(E)

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F.No.15-1/2012-IFD

Govt of India

Ministry of Human Resource Development
Department of Higher Education
Integrated Finance Division

New Delhi, the 6th August, 2012

Subject: Mobility of staff from one Autonomous organization to another
Autonomous organization – admissibility of pensionary benefits clarification
regarding –

As per Rule 37 of CCS (Pension) Rules, 1972 Government employees on their absorption in Central Autonomous Body / Public Sector Undertaking are entitled to pensionary benefits as per the provisions in Rule 49 of CCS (Pension) Rules 1972. As per Rule 49 (2) ibid (as amended vide Notification No.38/37/08-P&PW(A) dated 02.09.2008 and 10.12.2009), Government servants retiring in accordance with the provisions of these Rules after completing qualifying service of not less than 10 years, the amount of pension shall be calculated at 50% of emoluments or average emoluments, whichever is more beneficial to them. The amount of pension is calculated as per provisions of Rule 49 of CCS (Pension) Rules where linkage to full pension with 33 years service has been removed.

2. A doubt had arisen as to whether the provision of Rule 37 of CCS (Pension) Rules, 1972 apply to the employee of Autonomous Bodies covered under the CCS (Pension) Rule, 1972. The matter was referred to the Department of Pension & PW for advice whether the provisions of Rule 37 can be extended to the Central Autonomous Bodies which have adopted old CCS (Pension) Rules, 1972 i.e. whether the employees of a Central Autonomous Body covered under CCS (Pension) Rules, 1972 permitted to be absorbed in a service or post in an Autonomous Body Controlled and financed by Central Government are eligible to get the benefits of getting full pension as per amended Rule 49 of CCS (Pension) Rules, 1972 after completing 10 years of service in the previous organization governed by CCS (Pension) Rules.

3. The Department of Pension & PW have confirmed that such employees would be entitled to get pensionary benefits after completing 10 years in the previous body governed by old CCS (Pension) Rules, 1972 as per provision of Rules 49 of the said Rules subject to fulfilment of all conditions laid down under the said rules.

Partap Singh
(Partap Singh)
Deputy Secretary (F)

1. All Bureau Heads in Department of Higher Education
2. All Bureau Heads in Department of School Education & Literacy
3. The Heads of all Autonomous Bodies under the administrative Control of this Ministry
4. Director (Finance) (HE), Director (Finance) (SE & L)
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- (i) PSO to Secretary (HE) *9/8*
- (ii) PS to Secretary (SE & L) *9/8*
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