

Sub: Request for applicability of Old Pension Scheme (OPS) to Certain Categories of Railway Employees.

Ref: TG-II's note dated 27.06.2025.

TG-II Branch vide note under reference have sent Akhil Bhartiya Railway Mazdoor Sangathan's letter dated 28.05.2025 regarding the coverage of Railway Coolies (Railway License Porter) and Ex-Serviceman of Ministry of Defence under Old Pension Scheme in place of National Pension System.

2. The matter was earlier transferred to TG-II Branch vide note dated 25.06.2025. However, the same has again been marked to F(E) Directorate by T(G)-II branch on the grounds that core issue is related to the extension of pensionary benefits to the absorbed categories of railway employees.

3. In this regard, it is stated that the instructions regarding the applicability of pensionary benefits under Old Pension Scheme to railway employees are explicit in nature.

Further, as mentioned by referring directorate the instructions regarding appointment of license porters as Gangmen were issued by E(NG) Directorate vide Board's letter dated 01.04.2008. Also, as per subject list policy regarding recruitment against ex-serviceman quota are dealt with by E(NG)II Branch.

4. Since, the policy instructions regarding Old Pension Scheme is self-explanatory in nature and the matter related to appointment/absorption of Sahayak and ex-serviceman are issued by E(NG)II Branch, referring directorate may take necessary action at their end.

Submitted Please.

Deepak  
02/12/25

21/12/25

SO/F(E)III

DDF(E)III

DF(E)

EDF(E)

ED/PM

10/12/25  
IDT/4) 11

In view of para 3 and 4 above, DE/N may please see for n.g. in E/NG-II branch.

DE/N

11-12-25  
Tore/K-11

α - F/B

β - F/c

γ - F/A

γ - F/p

302/F(E)III  
2/12/25

524/DF/E  
9/12/25

## E(NG) - II

1. Formulation of Policy regarding direct recruitment in Group 'C' & Group 'D' posts on the Railways: -
  - (a) Grant of approval of the Board against filling up of vacancies of Group 'D' posts on the Railways/PUs from open market.
  - (b) Laying down of minimum educational qualification for recruitment to Group 'C' & 'D' posts (except Railway School Staff).
  - (c) Laying down of upper and lower age limit for recruitment to Group 'C' & 'D' posts.
  - (d) Mode of filling up of Group 'C' & 'D' posts viz. percentage of direct recruitment vis-a-vis promotion etc.
  - (e) Amendment and addition of new provisions regarding recruitment to Group 'C' & 'D' in the IREMs & IREC.
  - (f) Preparing Board's Memoranda & ATSS on various PNM/JCM/Staff Council items.
  - (g) Dealing with Parliament Questions, Standing Committee items regarding recruitment against Group 'D' posts.
  - (h) Examination of cases forwarded by MPs, MLAs & other VIPs regarding Group 'D' recruitment.
2. Policy regarding recruitment against Cultural-cum-Scouts & Guides quota.
3. Policy regarding recruitment against ex-servicemen quota.
4. Formulation of policy regarding recruitment against Physically handicapped Quota in Group 'C' & "D' posts on the Railways.
  - (a) Compilation of Monthly progress report regarding the progress made in filling up the 3% quota earmarked for the physically handicapped and clearance of backlog of such quota.
  - (b) Dealing with Parliament Question, PNM items, Board's Memorandum for various committees.
  - (c) Dealing with notices from the office of Commissioner for Disabilities regarding infringement of the Persons with Disabilities, Act 1995 and non filling of the vacancies earmarked for recruitment against physically handicapped quota.
5. Formulation of Recruitment policy for appointment against compassionate ground.
  - (a) Examination of delayed cases sent to Board by Railways/PUs for approval of appointment on compassionate ground, which are beyond the powers of the General Managers.

Disabilities, Act 1995 and non filling of the vacancies earmarked for recruitment against physically handicapped quota.

21. Examination fee and allied matters (**vide O.O No. 09 of 2020**).
22. Engagement of Retired Railway Employees for casual work in the RRBs (**vide O.O No. 09 of 2020**).

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**Sub.: Request for Applicability of Old Pension Scheme (OPS) to Certain Categories of Railway Employees.**

\*\*\*\*\*

Representations dated 28.05.2025, addressed to the Hon'ble Home Minister of India and Hon'ble Minister for Railways, have been received from Shri Mangat Ram Saini, National President, Akhil Bhartiya Railway Mazdoor Sangthan. The representations seek the extension of the Old Pension Scheme (OPS) to specific categories of railway employees who were previously engaged in different capacities and later absorbed into regular railway service.

The representation specifically highlights the following categories for coverage under the OPS:-

1. Sahayaks who were within the age group of 18 to 50 years as on 26.02.2008 and were considered for appointment as Gangman in accordance with the instructions contained in Director/E(N)-II's letter no. E(NG)II/2008/RR-3/1 dated 01.04.2008 (copy enclosed), subject to fulfillment of the prescribed conditions; and
2. Ex-servicemen from the Ministry of Defence (MoD) who were subsequently appointed in various positions in Indian Railways.

As the matter concerns the applicability of pensionary benefits under the OPS to railway employees, the case was duly referred to the Finance Directorate for examination on 20.06.2025. However, the Finance Directorate returned the case, stating that it primarily pertains to Sahayaks.

However, given that the core issue relates to the extension of pensionary benefits to the absorbed categories of railway employees, it is proposed to resubmit the case to the Finance Directorate for re-examination and further necessary action.

Submitted for approval please.

*Pranav*  
SO/TG-II  
27.06.2025

JD/TC(G)-II

*27-6-25*

ED/PM

*28/6/25*

ED/E(E)

*Pl examine and put up.*

DF(E)

*1.7.2025*

*01-07-25*

DD F(G) III

*Received on  
01/7/25 in  
P/E D/O*

*233/502/15  
01/7/25*

*488/DF(E)  
2.7.25*

*FE/102*

*2/7/25  
377/25  
Shreeprakash*

**GOVERNMENT OF INDIA (Bharat Sarkar)  
MINISTRY OF RAILWAYS (Rail Mantralaya)  
(RAILWAY BOARD)**

**RE(NG)II/2008/RR-3/1**

**New Delhi, Dated: 1.4.2008**

The General Manager (P),  
Indian Railways.


**Sub:** Appointment of licensed porters to the post of Gangmen

Pursuant to the announcement made by Hon'ble Minister for Railways in Budget Speech for the year 2008-2009 in the Parliament, the matter has been considered by the Ministry of Railways (Railway Board) and it has been decided that as a one time measure, all those licensed porters who are upto the age of 50 years and minimum age of 18 years as on 26/02/2008 may be appointed to the posts of Gangman subject to the fulfillment of following conditions:

- (i) Only those license porters will be considered for appointment who were possessing a valid license in terms of extant rules as on 26/2/2008 i.e. the date of announcement in Parliament.
- (ii) Educational qualification may be kept as 'Read and Write'.
- (iii) The appointment will be subject to surrendering the license and badge and right to be a license porter. No subsequent transfer of license would be allowed.
- (iv) The license porters should be medically fit for the post of Gangmen.
- (v) The genuineness and authenticity of every claimant as a license porter for appointment is to be established and authenticated by the Sr. DCM.
- (vi) The screening for appointment will be done by a Committee of 03 (three) Jr. Scale Officers of Commercial, Personnel and Civil Engineering Department nominated by Divisional Railway Manager. The Screening Committee would adjudge the candidates as per appointment criteria including 'read and write'. The recommendations of the Screening Committee would be approved by DRM. However, their placement will be done within the zonal jurisdiction in which they are working as license porters.

The above exercise should be completed within two months from the date of issue of this letter.

Please acknowledge receipt.

  
**(MAHAVIR SINGH)**  
**Director Estt. (N) II**  
**Railway Board.**



Please find enclosed herewith, a representation of Sh. Mangat Ram Saini, National President, Akhil Bhartiya Railway Mazdoor Sangh dated 28.05.2025 regarding Old Pension Scheme.

2. Since, as per subject list individual cases of Railway Coolies (Railway licensed Porter) are to be dealt with by TG-II branch, the representation may be sent to TG-II branch for taking appropriate action.

Deepak  
25/6/25

9A  
21/6/25  
25/6/25

SO/F(E)III

SO/TG-II

176/FLE)II  
25/6/25

PS TO M/o Railways



# अखिल भारतीय रेलवे मजदूर संगठन

**Mangat Ram Saini**  
National President

125/4, Ram Nagar, Pathankot-145 001  
Mobile : 094640-00303, Delhi Mob. : 80127-72000

Ref. No. \_\_\_\_\_

To,

Sh. Amit Shah Ji,  
Home Minister,  
Govt. of India,  
New Delhi.



Dated 28/5/25

e-office 211 F153

MR/ ✓ /

Date 02/06/25

Subject :

Implementation of O.M. No. 28/30/2004-P & PW (B) of Ministry of Personnel, Public, Grievances and Pension, Department of Pension and Pensioners welfare in Railway Department.

Sir,

It is being brought to your kind notice that in the above said subject noted office Memorandum. It is clarified that persons who joined Railway Service after 01-01-2004 but before 28-10-2009 after technical resignation from a pension able establishment of a Central Govt. Department may be considered under old pension scheme.

For Implementation of above said orders in Railway Court Judgement of High Court and Supreme Court announced in favour of employee to consider that under old pension schemes.

But When Railway Department approached to implement the orders then Railway Department replied that "It is to be done by Department of Pension.

It is further stated that in Railway Department large number of employee joined from Railway Coolies (Railway License Porter) and Ex Serviceman of Ministry of Defence whose benefit of old pension is ignoring by Non-Implement of above said clear orders.

So please arrange implantation of said orders at and earliest in favour of Railway Employees.

Your's Sincerely

Mangat Ram Saini  
National President  
Akhil Bhartiya Railway  
Mazdoor Sangthan

Refers to FE-II Branch

U  
DDFE-II  
23/6/25

DD/FE-II

GA  
21/6/25  
Shdeepak



MR

AT PC



# अखिल भारतीय रेलवे मजदूर संगठन

**Mangat Ram Saini**  
National President

125/4, Ram Nagar, Pathankot-145 001  
Mobile : 094640-00303, Delhi Mob. : 80127-72000

Ref. No. \_\_\_\_\_

e-office... 2113335

MR/... C /

Date... 29/5/25

Dated 28/5/25

To,

Sh. Ashwini Vaishnav Ji,  
Minister of Railway,  
Rail Bhawan,  
New Delhi.

C.R Branch, Railway Board

e-Office No. 2113335/25

Date 28/5/25

Subject :

Implementation of O.M. No. 28/30/2004-P & PW (B) of Ministry of Personnel, Public, Grievances and Pension, Department of Pension and Pensioners welfare in Railway Department.

Sir,

It is being brought to your kind notice that in the above said subject noted office Memorandum. It is clarified that persons who joined Railway Service after 01-01-2004 but before 28-10-2009 after technical resignation from a pension able establishment of a Central Govt. Department may be considered under old pension scheme.

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So please arrange implantation of said orders at and earliest in favour of Railway Employees.



Your's Sincerely

Mangat Ram Saini  
National President  
Akhil Bhartiya Railway  
Mazdoor Sangthan



RBE No. 196/2009

**GOVERNMENT OF INDIA (BHARAT SARKAR)  
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)  
(RAILWAY BOARD)**

No. F(E)III/2005/PN1/35

New Delhi, Dated: 04.11.2009.

**The GMs/FA&CAOs,  
All Indian Railways/Production Units.  
(As per mailing list)**


**Subject:** Mobility of personnel amongst Central/State & Autonomous Bodies  
while working under Pensionable establishments – regarding.

\*\*\*\*\*

A copy of Department of Pension and Pensioners' Welfare (DOP&PW)'s O.M. No. 28/30/2004-P&PW(B) dated 28<sup>th</sup> October, 2009 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also. Rule 2 of the CCS (Pension) Rules, 1972 corresponds to Rule 2 of the Railway Services (Pension) Rules, 1993. DOP&PW's O.M. dated 26.7.2005, mentioned in the enclosed O.M., was adopted on the Railways vide this office letter of even number dated 26.9.2005.

2. Please acknowledge receipt.

DA: One.

  
(SUNIL BHARDWAJ)  
Deputy Director Finance (Estt.) III,  
Railway Board.

Lok Nayak Bhavan, Khan Market  
New Delhi-110003  
Dated, the 28<sup>th</sup> October, 2009

OFFICE MEMORANDUM

Subject: - Mobility of personnel amongst Central /State & Autonomous Bodies while working under Pensionable establishments - regarding.


.....

The undersigned is directed to say that while introducing the New Pension Scheme from 1/1/2004, amendments to various existing rules including Rule 2 of the CCS (Pension) Rules, 1972 were made whereby these rules became inapplicable to those appointed to Central Govt. Services and posts from 1/1/2004. Also the new and changed position obtaining on mobility of personnel between Central Government departments; between Central and State Governments; and between Govt. departments and autonomous bodies on technical resignation from 1/1/2004 under these rules were clarified vide OM of even number dated 26/7/2005.

2. The position has been further reviewed by the Government of India and it has been decided to continue mobility of Govt. servants/Autonomous body employees appointed on or before 31.12.03 and who were governed under the old non-contributory Pension scheme of their respective Governments/organizations in order to provide for the continuance of Pensionary benefits based on combined service in accordance with the CCS (Pension) Rules, 1972 as under:-


- a. between the Central Govt. departments covered under CCS (Pension) Rules, 1972; and Railway Pension Rules, 1993 or other similar non-contributory pensionable establishments of Central Govt. covered by old Pension Rules other than CCS (Pension) Rules, 1972;
- b. between State and Central Govt provided the employees were appointed in the State Govt (s) on or before 31.12.2003 and covered under old pension scheme similar to CCS (Pension) Rules, 1972;
- c. the pre-existing arrangement of mobility between State/Central Autonomous Body to Central/State Govt. and between autonomous bodies that were governed by old pension schemes in force upto 31/12/2003 vide No 28/10/84-P&PW dated 7/2/1986 and OM. No 28/10/84-Pension unit dated 29/8/1984 stand restored although those under CPF etc. will not be allowed entry into the old pension scheme on appointments from 1/1/2004.

3. These instructions modify/supersede provisions in the OM of even number dated 26/7/2005 to the extent as indicated above and take effect from 1.1.2004.





4.- This issues with the concurrence of Department of Expenditure vide their UO No. 335/EV/2009 dt 5/10/2009 and in consultation with C&AG vide their U.O. No.93-audit (Rules)/28-2009 dated 09-10-2009.

  
(Raj Singh)  
Director

To

1. All Central Govt. Ministries/ Departments.
2. Chief Secretaries of all State Governments/UTs
3. Accountant Generals in the States and UTs
4. Department of Expenditure, Ministry of Finance, North Block, New Delhi
5. C&AG, Bahadur Shah Zafar Marg, New Delhi.
6. Ministry of Railways, Railway Board, for information, New Delhi.
7. Department of Financial Services, Jeevan Deep Building, Parliament Street, N.Delhi
8. CGA, Department of Expenditure, 7<sup>th</sup> Floor, Lok Nayak Bhawan, Khan Market, New Delhi.
9. NIC for posting on the website of this department pensionersportal.gov.in .

  
(Raj Singh)  
Director

**GOVERNMENT OF INDIA (BHARAT SARKAR)  
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)  
RAILWAY BOARD.**

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RBE No. 225/03

No. F(E)III/2003/PN1/24.

NEW DELHI

Dt. 31. 12.2003.

**The GMs/ FA&CAOs,  
All Indian Railways/Production Units,  
(As per Mailing List)**

**Sub: Introduction of New Pension System for new entrants to Central  
Government service, including Railway service.**

\*\*\*\*

A copy of the Gazette Notification No. 5/7/2003-ECB&PR dated December 22, 2003 published by the Ministry of Finance, Department of Economic Affairs, introducing a new restructured defined contribution pension system for all new entrants to Central Government service including Railway service, from 1st of January, 2004 along with a copy of the Resolution dt. 10<sup>th</sup> October, 2003 constituting the interim Pension Fund Regulatory and Development Authority (PFRDA) is circulated for information and necessary action. As a result of this decision, the existing Railway Services (Pension) Rules, 1993 including Commutation of Pension Rules and Extraordinary Pension Rules, and State Railway Provident Fund Rules as contained in Indian Railway Establishment Code Vol.I, (1985 Ed.) 1995 Reprint shall not be applicable to the new recruits entering into Railway service from 1.1.2004. Necessary amendments to these Rules are being issued separately.

2. The Zonal Railway administrations, Production Units, Recruiting Authorities, etc. are advised to incorporate these changes, if considered necessary, in their prospectus/application forms/offer of appointments to be issued to the new recruits. The new recruits joining the Railway services from 1.1.2004 on the basis of the offer of appointment already issued shall also be covered by the New Pension System and not by the Railway Services (Pension) Rules 1993 and State Railway Provident Fund Rules.
3. The modalities for operationalising the New Pension System shall follow.
4. Please acknowledge receipt.
5. Hindi versions of the Notifications dt. 22.12.2003 and 10.10.2003 are enclosed.

  
(S. SREERAM)  
Dy. Director Finance (Estt.)III,  
Railway Board.



:2:

No. F(E)III/2003/PN1/24.

NEW DELHI

Dt. 31.12.2003.

Copy to Deputy Comptroller and Auditor General of India (Railways), Room No. 224, Railway Bhavan, New Delhi (40 spares).

  
(S.SREERAM)

for Financial Commissioner/Railways.

No. F(E)III/2003/PN1/24.

NEW DELHI

Dt. 31.12.2003.

Copy forwarded to:

1. The General Secretary, NFIR (with 35 spares)
2. The General Secretary, AIRF (with 35 spares)
3. The Members of the National Council, Departmental Council and Secretary Staff Side, National Council, 13-c, Feroze Shah Road, New Delhi (with 60 spares).
4. The Secretary General, FROA (with 5 spares).
5. The Secretary, RBSS, Group "A" Officers Association (with 5 spares)
6. The Secretary, Railway Board Class II Officers' Association (with 5 spares)
7. The Secretary General, IRPOF (with 5 spares)
8. The Secretary, Railway Board Ministerial Staff Association (with 5 spares)
9. The Secretary, Railway Board Class IV Staff Association (with 5 spares)
10. The President, Indian Railway Class II officers' Association (with 5 spares)
11. The Secretary General, All India RPF Association, Room No. 256-D, Rail Bhavan, New Delhi-110 001.

  
for Secretary/Railway Board

No. F(E)III/2003/PN1/24.

NEW DELHI

Dt. 31.12.2003.

1. The G.M, N.F Railway (Const.), C.A.O, Southern Railway (Const) and Central Railway (Const.)
2. The FA&CAOs, All Indian Railways, Production Units, N.F Railway (Const.) and Southern Railway (Const.)
3. The Director General, RDSO/Lucknow.
4. The General Manager and FA&CAO, Metro Railway/Kolkata.
5. The CAO and FA&CAO, COFMOW/New Delhi.
6. The General Manager and FA&CAO, CORE/Allahabad.
7. Director General, Railway Staff College/Vadodara.
8. The CAO (Const.), MTP(R)/Mumbai.

...3..

9. The CAO(Const.),MTP(R)/Chennai.
10. The Executive Director, CAMTECH/Gwalior-474020
11. The Director, IRICEN/Pune, IRIEN/Nasik Road,IRIMEE/Jamalpur, IRISER/Secunderabad.
12. The Managing Director, IRCON, IRFC, MRVC, IRWO, IRC&TC, CONCOR of India Limited, Executive Director, CRIS.
13. The Chairman -cum-Managing Director, KRC Limited/New Delhi
14. Office of the Chief Project Administrator(Telecom), Indian Railway Central Organisation for Telecom(IRCOT) Consultancy, Shivaji Bridge/New Delhi.
15. The Director(Movement) Railways/Kolkata.
16. The Director General, RDSO/Lucknow.
17. The Joint Director, Mil Rail, Ministry of Defence.
18. The Joint Director, Iron & Steel,5 Koila Ghat Street/Kolkata.
19. Chief Mining Advisor, Ministry of Railway, Dhanbad, Bihar.
20. The Chairman, RCC,Lok Sabha Secretariat/New Delhi.
21. The Chairman, RCT/Delhi.
22. The Chairman,RRT, Chennai.
23. The Chairman,RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneswar, Chandigarh, Chennai, Kolkata, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad, and Trivandrum.
24. The Editor, " Bharatiya Rail"
25. The Editor " Indian Railways"
26. Chairman, Passsenger Services Committee.
27. Member, Passenger Amenities Committee.
28. The Pay & Accounts Officer, Ministry of Railways(Railway Board)
29. The General Secretary, IRCA/New Delhi.
30. The Commissioner, Railway Safery/Lucknow.
31. Liaison Officer, VCPC, Zonal Railways/PUs/RDSO/Trg. Institutes, Metro Railway/COFMOW/CORE etc.
32. Chairman, RITES
33. M/s. Bahri Bros., Publishers, Booksellers and Distributors, 742, Lajpat Rai Market, Delhi-110 006.

**Copy to:-**

1. Shri V.K. Sthanunathan, National President, National Federation of Railway Pensioners,36, Venkatanarayana Road, T. Nagar, Chennai-600 017.
2. Shri K. Gopinath Menon, The Secretary General, National Federation of Railway Pensioners, Kunnathurmedu, Palghat- 678 013.



3. Shri R.B. Kulkarni, President, AIRRF, 13/9, Vivekanand Housing Society, Gurumandir Road, Dombivli (East), Maharashtra-421 201.
4. B. Jayajaya Rao, President, All India Railway Officer's Association, 12-13-268 (505)New, Street-2, Lane 9, Tarnaka, Secunderabad-500 017.
5. The General Secretary, Railway Pensioners' Council Kiran Kutir, Larkania Tola, Katihar.
6. The General Secretary, All India Federation of Pensioners Association, T.P.M Hall, 22, Kavirai Street, Saidapet West, Chennai-600 015.
7. Shri S.S.Ramachandra, Secretary General, All India Central Committee of Pensioners Association, Flat No.144, New Suryakiran Apartments, Plot No. 65, Patparganj, New Delhi-110 092.
8. Shri M.S.Solanki, General Secretary, Central and AIS Pensioners Association, E-i/164, Arena Colony, Bhopal(M.P) 462 016
9. Shri Nirmal Dass Gupta, Vice President, Federation of Central Government Pensioners' Organisation, P-24C, Sagar Manna Road, Kolkata. 700 060
10. Shri B.S Dard, Secretary General, Central Government Pensioners' Association, 1874/2, Sector-64, S.A.S Nagar, Chandigarh 160 061.
11. Shri C.R. Chatwani, Central Government Pensioners' Association, "SHIVANAND", 11/13, Krishna Kunj Society, Chhotunagar-7, Raiya Road, Rajkot 360 001.
12. Secretary General, Bharat Pensioners' Samaj, Post Box 3303, Jangpura Extension, New Delhi-110 014.

**Copy to:-**

PPSs/PSs/PAs to: CRB,FC, MT,ME,MS,MM,DG(RHS),DG(RPF),All Additional Members, Secretary, All Executive Directors, JS, JS(G), DS(D), JS(E), DS(G),EDE(N), JDMPP, DE(G), DPC,JDE(N), JDE(P&A), JDEGC, JDE(Rep),JDE (Rep)III, JDE(G),JDE(D&A),DPC-I,II, JDE(Gaz),JDE(W), JDE(GP), JDE(Res), DDPC-III,IV, V, DDV(A&P), DDF(E)-I,II, III,JDE(L), DDE(LR)I,II,III, DDE(R)II,US(A), US(D),US(E),PAO, W.O./Railway Board.

Cash-I,II,III,IV,E(P&A)I/II, E(G), E(NG)I&II, PC-V,IV,III, E(Trg),E(MPP), E(LR)I&II, F(E)-II,I, F(E)Spl, Security(E), Security(ABE), Accounts-III(with 10 spares)

ERB-I,II,III,IV, V&D, G(Pass),G(Acc), E(Welfare), E(SCT) I & II, E(O)I,II,III&III(CC), E(GR)I,II, E(GP),E(GC), PR, E(D&A), Budget, O&M, Code Revision Cell(with 2 spares), Acs-II, PG, E(Rep)-I,II,III Railway Board.

Copy to Sh. U.K. Sinha, Jt. Secretary (CM, ECB & PR), Ministry of Finance (Department of Economic Affairs), with reference to Resolution No. 5/7/2003-ECB&PR dt. 10.10.2003 and Notification dt. 22.12.2003.

Copy to DOP&PW with reference to Additional Secretary/DOP&PW's d.o. No. 38/16/2001/P&PW(A) dt. 8.12.2003.

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(TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART-I - SECTION-1)

GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
DEPARTMENT OF ECONOMIC AFFAIRS  
ECB & PR DIVISION

North Block, New Delhi, dated December 22, 2003

**NOTIFICATION**

**F. No. 5/7/2003-ECB & PR** The Government approved on 23<sup>rd</sup> August 2003 the proposal to implement the budget announcement of 2003-04 relating to introducing a new restructured defined contribution pension system for new entrants to Central Government service, except to Armed Forces, in the first stage, replacing the existing system of defined benefit pension system.

- (i) The system would be mandatory for all new recruits to the central Government service from 1<sup>st</sup> of January 2004 (except the armed forces in the first stage). The monthly contribution would be 10 percent of the salary and DA to be paid by the employee and matched by the Central Government. However, there will be no contribution from the Government in respect of individuals who are not Government employees. The contributions and investment returns would be deposited in a non-withdrawable pension tier-I account. The existing provisions of defined benefit pension and GPF would not be available to the new recruits in the central Government service.
- (ii) In addition to the above pension account, each individual may also have a voluntary tier-II withdrawable account at his option. This option is given as GPF will be withdrawn for new recruits in Central Government service. Government will make no contribution into this account. These assets would be managed through exactly the above procedures. However, the employee would be free to withdraw part or all of the 'second tier' of his money anytime. This withdrawable account does not constitute pension investment, and would attract no special tax treatment.
- (iii) Individuals can normally exit at or after age 60 years for tier -I of the pension system. At exit the individual would be mandatorily required to invest 40 percent of pension wealth to purchase an annuity (from an IRDA-regulated life insurance company). In case of Government employees the annuity should provide for pension for the lifetime of the employee and his dependent parents and his spouse at the time of retirement. The individual would receive a lump-sum of the remaining pension wealth, which he would be free to utilise in any manner. Individuals would have the flexibility to leave the pension system prior to age 60. However, in this case, the mandatory annuitisation would be 80% of the pension wealth.

### Architecture of the New Pension System

- (iv) It will have a central record keeping and accounting (CRA) infrastructure, several pension fund managers (PFMs) to offer three categories of schemes viz. option A, B and C.
  - (v) The participating entities (PFMs and CRA) would give out easily understood information about past performance, so that the individual would be able to make informed choices about which scheme to choose.
2. The effective date for operationalisation of the new pension system shall be from 1<sup>st</sup> of January, 2004.

*U.K.S.*  
22/12/04  
( U. K. Sinha )

Joint Secretary to the Government of India

The Manager,  
Government of India Press,  
Maya Puri,  
New Delhi - 110 064



(भारत के राजपत्र, असाधारण भाग-I :- खण्ड -I में प्रकाशनार्थ)

भारत सरकार  
वित्त मंत्रालय  
आर्थिक कार्य विभाग  
ईसीबी एण्ड पीआर प्रभाग

नार्थ ब्लॉक, नई दिल्ली, दिनांक 22 दिसम्बर, 2003

अधिसूचना

एफ. सं. 5/7/2003-ईसीबी एण्ड पीआर सरकार ने दिनांक 23 अगस्त, 2003 को परिभाषित लाभ पेंशन प्रणाली की मौजूदा प्रणाली को हटाते हुए, प्रथम चरण में केन्द्र सरकार की सेवा में आने वाले नए प्रवेशकर्ताओं जिनमें सशस्त्र बल शामिल नहीं हैं, के लिए एक नई पुनर्संरचित परिभाषित अंशदान पेंशन प्रणाली को शुरू करने संबंधी वर्ष 2003-2004 की बजट घोषणा को क्रियान्वित करने का प्रस्ताव अनुमोदित किया।

- (i) प्रणाली 1 जनवरी, 2004 से केन्द्र सरकार की सेवा में आने वाले सभी नए कर्मचारियों (प्रथम चरण में सशस्त्र बलों के सिवाय) के लिए अनिवार्य होगी। मासिक अंशदान वेतन तथा महंगाई भरो का 10 प्रतिशत होगा तथा कर्मचारी द्वारा इसका भुगतान किया जाएगा और केन्द्र सरकार इसे समतुल्य करेगी। तथापि, सरकार की ओर से ऐसे व्यक्तियों के संबंध में, जो सरकारी कर्मचारी नहीं हैं, कोई अंशदान नहीं दिया जाएगा। अंशदान तथा निवेश आय को गैर-आहरण योग्य पेंशन टियर-I लेखे में जमा किया जाएगा। परिभाषित लाभ पेंशन तथा सामान्य भविष्य निधि के मौजूदा उपबंध केन्द्र सरकार की सेवा में आए नए प्रवेशकर्ताओं को भी उपलब्ध होंगे।
- (ii) उपर्युक्त पेंशन लेखे के अलावा, प्रत्येक व्यक्ति अपने विकल्प पर स्वैच्छिक टियर-II आहरण योग्य लेखा भी रख सकता है। केन्द्र सरकार की सेवा में आने वाले नए प्रवेशकों के लिए सामान्य भविष्य निधि के रूप में देय इस विकल्प को वापस ले लिया जाएगा। सरकार इस खाते में कोई अंशदान नहीं करेगी। इन परिसंपत्तियों का पूर्णतः उपर्युक्त प्रक्रियाओं द्वारा प्रबंध किया जाएगा। तथापि, कर्मचारी किसी भी समय 'द्वितीय टियर' लेखे में जमा राशि को अंशतः अथवा पूर्ण रूप में निकासी करने के लिए स्वतंत्र होगा। इस आहरण योग्य लेखे में पेंशन निवेश नहीं होगा, तथा इस पर कोई विशेष कर नहीं लगेगा।

- (iii) पेंशन प्रणाली के टियर-I हेतु कोई व्यक्ति सामान्यतः 60 वर्ष अथवा इसके बाद इसे छोड़ सकता है। छोड़ते समय व्यक्ति को अनिवार्यतः वार्षिकी खरीदने (आईआरडीए-निवृत्ति जीवन बीमा कंपनी से) के लिए पेंशन राशि का 40 प्रतिशत निवेश करना आवश्यक होगा। सरकारी कर्मचारियों के मामले में, वार्षिकी को सेवानिवृत्ति के समय कर्मचारी तथा उस पर आश्रित उसके माता-पिता तथा उसके पति/पत्नी के जीवनकाल हेतु पेंशन की व्यवस्था करनी होगी। व्यक्ति को शेष पेंशन राशि की एकमुश्त राशि प्राप्त होगी जिसे वह किसी भी तरह उपयोग करने के लिए स्वतंत्र होगा। व्यक्तियों को 60 वर्ष की आयु से पूर्व पेंशन प्रणाली छोड़ने की छूट होगी। तथापि, इस मामले में अनिवार्य वार्षिकी पेंशन राशि का 80 प्रतिशत होगी।

#### नई पेंशन प्रणाली की संरचना

- (iv) इसमें एक केन्द्रीयकृत रिकार्ड रखरखाव तथा लेखाकरण (सीआरए) आधारवांचा, अनेक पेंशन निधि प्रबंधक (पीएफएम) होंगे जो स्कीमों की तीन श्रेणियों नामतः विकल्प क, ख तथा ग की पेशकश करेंगे।
- (v) भागीदार कंपनियां (पीएफएम तथा सीआरए) पिछले कार्यनिष्पादन के संबंध में आसान से समझ में आने वाली जानकारी देंगी ताकि कोई व्यक्ति सूचित विकल्पों का प्रयोग करते हुए यह निश्चित कर सके कि उसे कौन सी स्कीम का चयन करना है।

2. नई पेंशन प्रणाली के प्रारंभ होने की प्रभावी तिथि 1 जनवरी, 2004 होगी।

( यू. के. सिन्हा )

संयुक्त सचिव, भारत सरकार

प्रबंधक  
भारत सरकार प्रेस,  
मायापुरी,  
नई दिल्ली-110064



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(आर्थिक कार्य विभाग)

(ईसीबी एंड पीआर विभाग)

संकल्प

नई दिल्ली, 10 अक्टूबर, 2003

फा. सं. 5/7/2003-ईसीबी एंड पीआर.—सरकार ने दिनांक 23 अगस्त, 2003 को परिभाषित लाभ पेंशन प्रणाली की मौजूदा प्रणाली को हटाते हुए, प्रथम चरण में केन्द्र सरकार सेवा में गए प्रवेशकर्ताओं जिनमें सशस्त्र बल शामिल नहीं हैं, के लिए एक नई पुनर्निर्धारित परिभाषित अंशदान पेंशन प्रणाली को शुरू करने संबंधी वर्ष 2003-04 की बजट घोषणा को क्रियान्वित करने का प्रस्ताव अनुमोदित किया। नई प्रणाली सभी व्यक्तियों जिनमें स्व-रोजगार वाले व्यावसायिकों तथा असंगठित क्षेत्र में कार्यरत व्यक्ति भी शामिल हैं, के लिए भी स्वीकृत आधार पर, उपलब्ध होगी तथापि, कर्मचारी भविष्य निधि संगठन (ईपीएफओ) तथा अन्य विशेष भविष्य निधियों के अधीन अनिवार्य कार्यक्रम, कर्मचारी भविष्य निधि तथा विविध उपबंध अधिनियम, 1952 तथा इन निधियों को शासित करने वाले अन्य विशेष अधिनियमों के अधीन, मौजूदा प्रणाली के अनुसार कार्य करते रहेंगे।

सरकार इस बात से संतुष्ट है कि एक समग्र विधान के पारित होने तक प्रस्तावित सांविधिक प्राधिकरण के पूर्वगामी के रूप में एक अंतरिम निकाय गठित करना तथा उसे प्रचालनात्मक बनाना आवश्यक है, जिसके साथ अंतरिम निकाय का अन्ततः विलय होगा, अथवा इस प्राधिकरण का गठन हो जाने पर उसमें यह परिवर्तित किया जाएगा।

इसलिए अब भारत सरकार एतद्वारा वित्त मंत्रालय के संपूर्ण प्रशासनिक नियंत्रण के अधीन अंतरिम पेंशन निधि विनियामक तथा विकास प्राधिकरण (पीएफआरडीए) को निम्नानुसार गठित करती है।

- (i) पीएफआरडीए के अध्यक्ष तथा अन्य सदस्य-दो पूर्णकालिक तथा दो अंशकालिक-की नियुक्ति अनुबंध-I में दी गई शर्तों के अनुसार की जाएगी।



- (ii) पीएफआरडीए पेंशन बाजार को विनियमित तथा विकसित करेगा। पीएफआरडीए प्रयोक्ता प्रभावी पर आधारित अपनी स्वयं की निधिपोषण प्रणाली बनाएगा। ऐसे अतिरिक्त कार्य, जिन्हें आवश्यक माना जाए, पेंशन बाजार के प्रभावी विनियमन, संवर्धन तथा क्रमिक वृद्धि के लिए पीएफआरडीए को सौंप दिए जाएं।
- (iii) अंतरिम पीएफआरडीए की अध्यक्षता ऐसे व्यक्ति द्वारा की जाए जो कम से कम भारत सरकार के सचिव के स्तर का अधिकारी हो और उसकी नियुक्ति केन्द्र सरकार द्वारा की जाएगी। अंतरिम निकाय के अन्य सदस्य, जिनकी संख्या चार से अधिक न हो और जिनमें से दो पूर्णकालिक सेवा करेंगे, का चयन केन्द्र सरकार द्वारा उन व्यक्तियों में से किया जाएगा जो अर्थशास्त्र, वित्त, विधि एवं प्रशासनिक कार्यों का अनुभव तथा ज्ञान रखते हों तथा कम से कम एक विषय से प्रत्येक व्यक्ति संबंधित हो। अध्यक्ष उपर्युक्त किसी भी क्षेत्र से हो सकता है।
- (iv) पीएफआरडीए के अध्यक्ष को पीएफआरडीए के कार्यों का प्रभावी रूप से निर्वहन करने के लिए समुचित शक्तियां प्राप्त होंगी। इस प्रयोजनार्थ, पीएफआरडीए अपने लिए उपयुक्त सहायक स्टाफ की व्यवस्था करेगा तथा पर्याप्त संसाधन जुटाएगा।
- (v) सरकार पीएफआरडीए द्वारा उपगत व्ययों को पूरा करने के लिए पर्याप्त अनुदानों की व्यवस्था करेगी,
- (vi) सरकार के समग्र निदेशों तथा दिशानिर्देशों के अधीन, पीएफआरडीए निम्न कार्य करेगा :-
- (क) पेंशन बाजार के संवर्धन तथा सुव्यवस्थित संवृद्धि से जुड़े सभी मामलों संबंधी कार्रवाई
  - (ख) उच्च निर्दिष्ट प्रयोजनार्थ व्यापक विधान का प्रस्ताव; तथा
  - (ग) ऐसे सभी अन्य कार्य करेगा जो ऊपर (क) एवं (ख) में निर्दिष्ट प्रयोजनों के लिए प्राधिकरण को प्रत्यायोजित किए जाएं।
- (vii) पीएफआरडीए अपनी स्वयं की प्रक्रियाओं का निर्धारण करने के लिए स्वतंत्र होगा तथा उसको अपने कार्यकरण से संबंधित अभिलेख, विवरणियां, टिप्पणियां, ज्ञापन, आंकड़े अथवा कोई अन्य संगत सामग्री सरकारी तथा गैर सरकारी निकायों से मंगवाने तथा साथ ही उनके साथ विचार-विमर्श करने की शक्तियां प्राप्त होंगी।
- (viii) पीएफआरडीए का मुख्यालय दिल्ली में होगा तथा वह पेंशन क्षेत्र के विभिन्न पहलुओं के संबंध में तथा ऐसे अन्य विशिष्ट मामलों पर सरकार को आवधिक रिपोर्टें प्रस्तुत करेगा जो सरकार द्वारा समय-समय पर मांगी जाएं।

यू. के. सिन्हा, संयुक्त सचिव

**अनुबन्ध-1****अन्तरिम पेंशन निधि विनियामक और विकास प्राधिकरण (पीएफआरडीए) के अध्यक्ष एवं सदस्यों की नियुक्ति की सेवा-शर्तों का मसौदा**

(क) **सेवा-काल:** अध्यक्ष और प्रत्येक सदस्य दो वर्ष की अवधि अथवा संविधिक पीएफआरडीए स्थापित किए जाने तक, जो भी पहले हो, पदभार संभालेगा। तथापि, संविधिक पीएफआरडीए के अंतर्गत अध्यक्ष और सदस्य और आगे तीन वर्ष की अवधि के लिए अथवा क्रमशः पैंसठ या बासठ वर्ष की आयु प्राप्त करने तक, जो भी पहले हो, पुनः नियुक्ति किए जाने के लिए पात्र होंगे।

(ख) **पुनः नियुक्ति के लिए पात्रता:** अध्यक्ष अथवा सदस्य केन्द्रीय सरकार अथवा केन्द्रीय सरकार द्वारा पर्याप्त रूप से वित्तपोषित किसी निकाय/ प्राधिकरण के तहत तब तक पुनःनियुक्ति के लिए पात्र नहीं होंगे जब तक उन्होंने दो वर्ष की विराम अवधि पूरी न कर ली हो। इसी प्रकार, अध्यक्ष अथवा सदस्य पदभार छोड़ने के बाद दो वर्ष तक निजी आधार पर ऐसे संगठनों/संकायों/संबद्ध निकायों में जो संबंधित विनियामक प्राधिकरण के प्रचालनात्मक न्यायाधिकार क्षेत्र में आते हों, में नियुक्ति के लिए पात्र नहीं होंगे। पूर्णकालिक सदस्य विनियमित निकायों से सभी संपर्क समाप्त कर देगा। पूर्णकालिक और अंशकालिक, दोनों, प्रकार के सदस्य अपने परिवार के सदस्यों अर्थात् पति/पत्नी, अभिमत संतान और माता-पिता के विनियमित निकाय में नियुक्ति और श्रेयधारिता के ब्यौरों की घोषणा करेंगे।

(ग) **वेतन:** यदि किसी सरकारी अधिकारी की नियुक्ति अध्यक्ष के रूप में होती है, तो उन्हें भारत सरकार में सचिव को यथानुमत वेतन के समकक्ष वेतन दिया जाएगा। वेतन प्रचलित आदेश अर्थात् पेंशन रहित वेतन इत्यादि के अनुसार नियत किया जाएगा। सरकारी क्षेत्र के उपक्रम के किसी अधिकारी की नियुक्ति यदि अध्यक्ष के रूप में की जाती है तो वह सरकारी क्षेत्र के उपक्रम में आहरित अंतिम वेतन के समकक्ष वेतन आहरित करेगा। यदि निजी क्षेत्र के व्यक्ति की नियुक्ति अध्यक्ष के रूप में की जाती है तो उन्हें सरकार द्वारा तय किया गया वेतन दिया जाएगा। यदि सरकारी अधिकारी का चयन पूर्णकालिक सदस्य के रूप में किया जाता है, तो उन्हें भारत सरकार में अपर सचिव को यथानुमत वेतन के समकक्ष वेतन दिया जाएगा। सरकारी क्षेत्र के उपक्रम के अधिकारी का चयन यदि पूर्णकालिक सदस्य के रूप में किया जाता है तो उन्हें सरकारी क्षेत्र के उपक्रम में आहरित अंतिम वेतन के समकक्ष वेतन दिया जाएगा। निजी क्षेत्र के किसी व्यक्ति का पूर्णकालिक सदस्य के रूप में चयन किए जाने पर उन्हें सरकार द्वारा तय किया गया वेतन दिया जाएगा। अंशकालिक सदस्य सरकार द्वारा तय किया गया "बैठक शुल्क" (सिटिंग फी) प्राप्त करने के हकदार होंगे।

(घ) **पेंशन:** अध्यक्ष और सदस्य सुस्पष्ट अंशदान पर आधारित व्यक्तिगत सेवा-नियुक्ति खाता प्रकार की नई पेंशन प्रणाली में हिस्सा लेंगे।

(ङ) **महंगाई भत्ता और नगर प्रतिपूर्ति भत्ता:** अध्यक्ष और सदस्य सरकार में समकक्ष वेतन लेने वाले अधिकारियों को अनुमत दर पर महंगाई भत्ता और नगर प्रतिपूर्ति भत्ता प्राप्त करने के हकदार होंगे।

(च) **छुट्टी यात्रा रिक्तियत, यात्रा भत्ता और दैनिक भत्ता:** अध्यक्ष और सदस्यों को यात्रा के दौरान यात्रा भत्ता और दैनिक भत्ता समकक्ष मूलवेतन लेने वालों सरकारी अधिकारियों को अनुमत भत्तों के अनुरूप दिया जाएगा। वे केन्द्रीय सरकार के नियंत्रणाधीन उस श्रेणी के अतिथि गृहों/निरीक्षण बंगलों में जिसके लिए समकक्ष वेतन वाले सरकारी अधिकारी पात्र हैं, में शहर से बाहर सामान्य किरायों का भुगतान करने पर अस्थायी आवास की सुविधा प्राप्त करने के लिए पात्र होंगे।

(ग) विदेश यात्राएं : अध्यक्ष और किसी भी सदस्य द्वारा 15 दिन तक की अधिकारिक विदेश यात्रा बिना सरकारी अनुमोदन के की जा सकती है। तथापि, एक वर्ष में 15 दिन से अधिक की यात्रा भारत सरकार में समकक्ष अर्णी के अधिकारियों को यथानुमत सरकारी आदेशों के अनुसार ही की जा सकती है। विदेशों में सरकारी प्रतिनिधि मंडल जिसमें प्रशासनिक सचिव और अध्यक्ष अथवा विनियामक प्राधिकरण के सदस्य दोनों शामिल हैं, का संचालन सचिव करेंगे। घरेलू दौरे के लिए अध्यक्ष प्रशासनिक मंत्रालय/विभाग के सचिव को सूचित करेंगे।

(ज) आवास : पी एफ आर डी ए के अध्यक्ष और सदस्य कार्यालय से 8 किलोमीटर की परिधि के अंदर किराए पर आवास लेने के हकदार होंगे और इस व्यवस्था के लिए स्वीकार्य अधिकतम लागत 2500/- रुपये प्रति वर्ग फुट से अधिक नहीं होगी। यदि किसी ऐसे सरकारी कर्मचारी की नियुक्ति की जाती है जिसे पहले से ही सरकारी आवास आवंटित किया गया हो तो वह उचित स्तर पर अनुमोदन प्राप्त करने के पश्चात् ही उसे धारित करने का हकदार होगा।

(झ) सत्कार भत्ता : अध्यक्ष और सदस्य सरकार द्वारा किए गए निर्णय के अनुसार सत्कार भत्ते के हकदार होंगे।

( ) विकिरण संबंधी सुविधाएं : अध्यक्ष और सदस्य घरेलू विकिरण बीमा सुखों को खरीदने के लिए अदा किये गये वार्षिक प्रीमियम की प्रतिपूर्ति के हकदार होंगे।

(ट) परिवहन : अध्यक्ष और सदस्य समकक्ष रैंक के अधिकारियों को यथा प्रदत्त सरकारी कारों का प्रयोग करने की सुविधा के हकदार होंगे।

(ठ) स्तर : अध्यक्ष तथा सदस्य को अनुसचिवीय स्तर प्रदान नहीं किया जाएगा तथा नियुक्त किए गए व्यक्ति के पूर्व स्तर को अध्यक्ष/सदस्य को प्रदत्त स्तर का निर्धारण करने के लिए पूर्वोदाहरण नहीं माना जाएगा। अपवादोत्पन्न रूप से पात्र मामलों में पूर्ण औचित्य के साथ गृह मंत्रालय के साथ विचार विमर्श किया जाएगा जो यथावश्यक सचिवों की स्थायी समिति के साथ संपर्क करेगा जैसा कि दिनांक 16 नवम्बर, 1996 के मंत्रिमंडल सचिवालय के अनुदेश सं-099/1/5/95- मंत्रिमंडल में निर्धारित किया गया है।

(ड) छुट्टी : अध्यक्ष अथवा सदस्य सेवा के प्रत्येक वर्ष के लिए 30 दिनों की अर्जित छुट्टी का हकदार होगा। छुट्टी के दौरान अवकाश वेतन का भुगतान सीसीएस (छुट्टी) नियम, 1972 के नियम 40 के अनुसार निर्धारित किया जाएगा। प्रत्येक व्यक्ति किसी भी समय पर अपने खाते में जमा अर्जित छुट्टी के 60 प्रतिशत का उपभोग करने का हकदार होगा। निजी क्षेत्र से नियोजित अध्यक्ष और सदस्यों के लिए छुट्टी का कोई नकदीकरण नहीं किया जाएगा।

(द) प्रशासनिक और अन्य अवशिष्ट मामले : पीएफआरडीए के प्रचालनों से संबंधित प्रशासनिक मामलों और अध्यक्ष तथा सदस्य की सेवा शर्तों, जिसके लिए इन निर्देशों में कोई स्पष्ट प्रावधान नहीं किया गया है, के हर मामले में केन्द्र सरकार को उसके निर्णय हेतु भेजा जाएगा और केन्द्र सरकार का निर्णय पीएफआरडीए के लिए बाध्यकारी होगा।



## MINISTRY OF FINANCE

(Department of Economic Affairs)

(ECB &amp; PR DIVISION)

## RESOLUTION

New Delhi, the 10th October, 2003

**F. No. 5/7/2003-ECB & PR.**—The Government approved on 23rd August, 2003 the proposal to implement the budget announcement of 2003-04 relating to introducing a new restructured defined contribution pension system for new entrants to Central Government service, except to Armed Forces, in the first stage, replacing the existing system of defined benefit pension system. The new system will also be available, on a voluntary basis, to all persons including self employed professionals and others in the unorganised sector. However, mandatory programmes under the Employee Provident Fund Organisation (EPFO) and other special provident funds would continue to operate as per the existing system under the Employee Provident Fund and Miscellaneous Provisions Act, 1952 and other special Acts governing these funds.

Whereas the Government are satisfied that pending the enactment of a comprehensive legislation it is necessary to constitute and make operational an interim body as a precursor to the proposed statutory Authority, with which the interim body would be ultimately merged, or which it will be converted into when the latter is constituted;

Now therefore the Government of India do hereby constitute the interim Pension Fund Regulatory and Development Authority (PFRDA) under the overall administrative control of the Ministry of Finance.

- (i) The chairman of PFRDA and other Members- two full time and two part time- will be appointed as per terms and conditions given at Annex-I.
- (ii) The PFRDA shall regulate and develop the pension market. PFRDA will develop its own funding stream based on user charges. Such additional functions as may be considered necessary to the interim PFRDA may be assigned to enable it to effectively regulate, promote and ensure the orderly growth of the pension market.
- (iii) The interim PFRDA is to be headed by a Chairman with the status of not less than a Secretary to the Government of India and would be appointed by the Central Government. Other members of the interim body, not exceeding four in number, of whom not more than two shall serve full time, shall be selected by the Central Government from amongst persons having experience and knowledge in economics, finance, legal and administrative matters with one person from each discipline. The Chairman can be from any of the above disciplines.

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- (iv) The Chairman of the PFRDA shall have appropriate powers to discharge the functions of the PFRDA effectively. For this purpose the PFRDA shall provide itself with suitable supporting staff and raise adequate resources.
- (v) The Government will provide adequate grants for meeting the expenses incurred by the PFRDA.
- (vi) Subject to the overall directions and guidelines of the Government the PFRDA shall -
  - (a) Deal with all matters relating to promotion and orderly growth of pension market;
  - (b) Propose comprehensive legislation for the purpose indicated above; and
  - (c) Carry out such other functions as may be delegated to the Authority for the purposes indicated in (a) and (b) above.
- (vii) The PFRDA shall be free to determine its own procedures and will have powers to call for records, returns, notes, memoranda, data or any other material relevant to its working from official and non-official bodies and also hold discussions with them.
- (viii) The PFRDA will have its headquarter in Delhi and submit periodical reports to Government on various aspects of the pension sector and on such other specific matters as may be called for by the Government from time to time.

U. K. SINHA, Jt. Secy.

#### **Annex-I**

#### **TERMS AND CONDITIONS OF APPOINTMENT OF CHAIRPERSON AND MEMBERS OF INTERIM PENSION FUND REGULATORY AND DEVELOPMENT AUTHORITY (PFRDA)**

- (a) **TENURE.** The Chairman and every member shall hold office for a period of two years or till a statutory PFRDA is in place whichever is earlier. However, Chairman and Members will be eligible for reappointment under the statutory PFRDA for a further term of three years or till they have attained the age of sixty-five years or sixty-two years respectively, whichever is earlier.
- (b) **ELIGIBILITY FOR REEMPLOYMENT.** Chairperson or a Member would not be eligible for reemployment under the Central Government or any body/authority substantially financed by the Central Government unless he has cooled off for a period of two years. Similarly, for two years, no Chairperson or Member would be eligible to take up private employment after demitting office, in the organizations/conglomerates/associates that fell within the operational

jurisdiction of the concerned Regulatory Authority. A full time member will sever all connections from the regulated entities. Both full time and part time members will declare particulars of employment and shareholding in regulated entity of the immediate family members i.e. spouse, dependent children and parents.

(c) **PAY:** A Government servant, if appointed as Chairman, shall receive pay as admissible to the Secretary to the Government of India. The pay will be fixed in accordance with the prevailing order, i.e. pay minus pension etc. An official of Public Sector Undertaking (PSU), if appointed as a Chairman shall draw the last drawn pay in the PSU. A person from a private sector, if appointed as a Chairman, shall draw the pay as decided by the Government. A government official, if selected as a Whole-time member, shall receive pay as admissible to the Additional Secretary to the Government of India. An official of Public Sector Undertaking (PSU), if selected as a Whole-time member, shall draw the last drawn pay in the PSU. A person from a private sector, if selected as a Whole-time member, shall draw the pay as decided by the Government. A part-time member will be entitled to a sitting fee to be decided by the Government.

(d) **PENSION:** The Chairperson and Members would participate in the individual retirement account type new pension system based on defined contribution.

(e) **DA & CCA:** The Chairperson and Members shall be entitled to Dearness Allowance and City Compensatory Allowance at the rate admissible to officers of equivalent pay in the Government.

(f) **LTC, TA & DA:** Traveling Allowance and Daily Allowance on tour shall be paid to the Chairperson and Members as applicable to Government Servants drawing that basic pay. They would also be entitled to facility of temporary Government accommodation in Guest Houses/Inspection Bungalows under the control of the Central Government, wherever applicable, on payment of normal rent at out-stations, of the class to which Government Servants of equivalent pay are eligible.

(g) **VISITS ABROAD:** Official visits abroad by the Chairperson and any Member up to 15 days would be undertaken without any Government approval. However, the visits beyond 15 days in a year would be undertaken only in accordance with the Government orders as applicable to officers of equal grade in Government of India. In regard to official delegations abroad in which both the administrative Secretary and the Chairperson or Member of the Regulatory Authority are included, the Secretary would lead the delegation. For domestic tours the Chairperson would keep the Secretary of the administrative Ministry/Department informed.

(h) **ACCOMMODATION:** The Chairperson and Members of PFRDA will be entitled to hire accommodation from the market within a radius of 8 Kms. from the office and the maximum cost admissible for this arrangement, would not exceed Rs.2500/- per sq. ft. If a Government employee is appointed who has already been allotted a government accommodation, then he will be entitled to retain the same after obtaining approvals at appropriate level.

(i) **SUMPTUARY ALLOWANCE:** The Chairperson and Members would be entitled to Sumptuary Allowance as decided by the Government.

(j) **MEDICAL FACILITIES:** The Chairperson and Members shall be reimbursed the actual premium paid to purchase the domestic medical insurance cover.

(k) **TRANSPORT:** The Chairperson and members shall be entitled to official cars as admissible to officers in the equivalent rank.

(l) **STATUS:** Chairperson and Member would not be accorded Ministerial status and the previous status of the appointee shall not be treated as a precedent for determining the status accorded to the Chairperson/Member. In exceptionally meritorious cases, the Ministry of Home Affairs would be consulted, along with full justification, which would approach the Standing Committee of Secretaries, wherever necessary, as laid down in Cabinet Sectt. Instructions No. 99/1/5/95-Cab. Dated November 16, 1996.

(m) **LEAVE:** A Chairperson or Member would be entitled to 30 days of Earned Leave for every year of Service. The payment of leave salary during leave shall be governed by Rule 40 of CCS (Leave) Rules, 1972. A person would be entitled to encashment of 50% of Earned Leave to his credit at any time. There will be no leave encashment for Chairperson and Members employed from the private sector.

(n) **ADMINISTRATIVE AND OTHER RESIDUARY MATTERS:** Administrative matters relating to the operations of PERDA or the conditions of service of the Chairperson and a Member, with respect to which no express provision has been made in these instructions, shall be referred in each case to the Central Government for its decision and the decision of the Central Government thereon shall be binding on PERDA.