

FORM NO. 2
CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Report on the Scrutiny of Application

SB/DB

88

Presented by: C. L. Sahu Date of Presentation: 16.6.2020 Diary No. 1164

Applicant(s): Tegpel and others Group: Yes

Respondent(s): Union of India

Nature of grievance: Allowance

No. of Applicants: 34 No. of Respondents: 3

Subject: Retirement (No. 34) Department: Railway (No. 2)
Allowance * If S.B.

1. Is the application in the proper form?
(three complete sets in paper book form in two compilations).

(PROFORMA/COMPILATION)

2. Whether name, description and address of all the parties been furnished in the cause title?

Yes

3. (a) Had the application been duly signed and verified?

(SIGNED/VERIFIED)

(b) Have the copies been duly signed?

Yes

(c) Have sufficient number of copies of the application been filed?

No

Three spare copies of Petition will be filed in the court before hearing. Chelun.

4. Whether all the necessary parties are impleaded?

Yes

5. Whether English translation of documents in a language other than English or Hindi been filed?

Yes

6. (a) Is the application in time?
(See Section 21)

Yes

(b) Is MA for condonation of delay filed?

MA

7. Has the Vakalatnama/Memo of appearance/00 authorisation been filed?

Yes

8. Is the application maintainable?
(u/s 2,14,18 or U/R 6 etc.)

u/s 2, u/s 14, u/s 18

U/R 6, PT u/s, 25 file

9. Is the application accompanied by IPO/DD for Rs.50/-?

Yes NOTED

10. Has the impugned orders original/duly attested legible copy been filed?

LEGIBLE/ATTESTED

11. Have legible copies of the annexure duly attested been filed?

LEGIBLE/ATTESTED

12. Has the index of documents been filed and pagination done properly?

FILED/PAGINATION

13. Has the applicant exhausted all available remedies?

14. Have the declaration as required by item 7. of Form-I been made?

15. Have required number of envelopes (file size) bearing full address of the respondents been filed?

No 3 Envelops will be filed before hearing. Allau

16. (a) Whether the reliefs sought for, arise out of single cause of action? Yes

(b) Whether any interim relief is prayed for? No

17. In case an MA for condonation of delay is filed, is it supported by an affidavit of applicant? MA

18. Whether this case can be heard by Single Bench? Yes

19. Any other point?

20. Result of the scrutiny with initial of the Scrutiny Clerk.

The application is in order and may be registered and listed before the Court for admission/orders on ;

- (a) MA for joining - U/R (5)(a)/4(5)(b)
- (b) MA U/R 6 of CAT Procedure Rules, 1987
- (c) PT u/s 25 under At ACT
- (d) MA for condonation of Delay;

OR

The application has not been found in order in respect at item No(s) mentioned below;

- (a) Item Nos.
- (b) Application is not on prescribed size of paper.
- (c) MA U/R 4(5)(a)/4(5)(b) has not been filed.
- (d) Application/counsel has not signed each page of the application/documents.
- (e) MA U/R 6 has not been filed.

The application might be returned to the applicant for rectification of the defects within 7 days.

SCRUTINY CLERK

SECTION OFFICER

JOINT REGISTRAR

COURT NO.

VR

DATE

23.6.2020

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI.

W.D.A. No. _____ OF 2000

IN

ORIGINAL APPLICATION NO. 1138 OF 2000
(Application U/S 19 of the Administrative Tribunal
Act, 1985)

In Re:

Tejpal and others .. Applicants

Versus

The Chairman, Railway Board
and others .. Respondents

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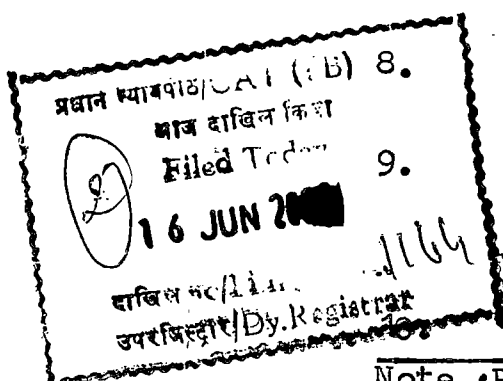
Note :Postal order of Rs.50/- is also enclosed.

APPLICANTS

THROUGH:

Dated: 15/6/2000.

(CHARAN LAL SAHU)
Advocate for the Applicants
96, Lawyers Chambers,
Supreme court, New Delhi.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

(Application under Section 9 of the Administrative
Tribunal Act, 1985)

M. E.A. No. 1438 OF 2000

IN

Original Application No. 1138 of 2000

IN THE MATTER OF :

1. Tejpal, Ex-Driver,
R/9/108, New Raj Nagar,
Ghaziabad, U.P.
2. Nand Kishore,
C-137, Ghil Mil Colony,
Shahdara, Delhi-95.
3. Inder Singh,
Gali No. 1, Mohalla Ram Gali,
New Gute Mill, Patel Marg,
Ghaziabad, U.P.
4. Sidhu Ram,
H.NO. G-118, Sector-9,
New Vijay Nagar,
Ghaziabad, U.P.
5. Krishan Kumar Bhatia,
104-A, Pocket-A,
Dilshad Garden,
Delhi-95.

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6. Inder Prakash,
House No. 10, Gali No. 1,
Mohalla Ram Gali,
New Gate Mill, Patel Marg,
Ghaziabad, U.P.
7. Mohan Lal,
House No. 163,
Shankarpuri, Sector-9,
Ghaziabad, U.P.
8. Aroramal, Ex-Driver,
House No. 32/2, Ramkrishna
Colony, Arya Nagar,
Ghaziabad, U.P.
9. Bhagwati Prasad,
Ex-Driver,
H.No. 1229,
Old Vijay Nagar,
Ghaziabad, U.P.
10. Smt. Prem,
Widow of Nandlal,
Ex-driver,
H.No. 444, Turab Nagar,
Ghaziabad, U.P.
11. Sardari Lal, Ex-Driver,
H.No. 494, A, Sector-9,
New Vijay Nagar,
Ghaziabad, U.P.

OK/Heer

12. Swami Saran,
Ex-Driver,
H.NO. 121, Ahata
Behind Police Post,
Railway Road,
Ghaziabad, U.P.
13. Sarswati Devi
Widow of Kehar Singh Jaswal
Sector 341B, G.T.Road,
Ghaziabad, U.P.
14. Gyan Devi widow of Sadanand
Chander Prakash,
House No. 225,
Complex Rahula Ali
Bazar Railway Colony,
Ghaziabad, U.P.
15. Prithvi Sahai Verma,
Ex-Guard,
A-253, Pocket-A,
Mayur Vihar, Phase-II,
Delhi-110091.
16. Rajinder Singh Alhuwalia,
Ex-Guard,
BX III/276, Field Gunj
No.5, Ludhiana.
17. Wad Bhag Singh,
Ex-Guard,
L-4, Lajpat Nagar III,
New Delhi-110 024.

AK Sahay

18. Gurbachan Singh,
Ex-Guard, 12/27,
Old Rajinder Nagar,
New Delhi.
19. Om Prakash Sharma,
Ex-Guard, C-71,
Anand Niketan, Nanakpura,
New Delhi;
20. Tirath Ram,
House No. 32/2,
Ram Krishna Colony,
Arya Nagar, Ghaziabad, U.P.
21. O.P. Bhasin,
House No. 33/2, Ram Krishna
Colony, Arya Nagar,
Ghaziabad, U.P.
22. Roshanlal
H. NO. 34/1, Ram Krishna
Colony, Arya Nagar,
Ghaziabad, U.P.
23. Ganga Prasad,
H.NO. 35, Ram Krishna Colony,
Arya Nagar, Ghaziabad, U.P.
24. R.M. Sapra
H.NO. 36, Ram Krishna
Colony, Arya Nagar,
Ghaziabad, U.P.

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25. Laxmandas,
Ex-Guard, H.NO. 1/1660/17,
Bhojpura, Saharanpur,
U.P.
26. Harnam Singh, Driver,
Sarai Rampur, U.P.
27. Lakhpatt, Ex-Driver,
C/o Kartar Singh
H.NO. 37, Narayana Nagar,
Saharanpur, U.P.
28. Puranchand, Ex. Driver,
Navin Nagar, near Doctor
Moti Ram, Saharanpur, U.P.
29. Sammel Singh, Ex-Driver,
C/o J.S. Negi, electric
workshop, Dehradun chaok,
Saharanpur, U.P.
30. Biharilal,
H.No. 1/720, Nazati Mandi,
Khallai Line, Saharanpur,
U.P.
31. Ram Saren, Ex-Driver,
Saharanpur, U.P.
32. Paramjeet Singh,
Ex-Driver,
H.NO. 3/1075, Janak Nagar,
Khan Alampura,
Saharanpur, U.P.

Chakku

33. Chaman Lal, Ex.Driver,
534/4, Ram Nagar,
Gurgaon, Haryana,

34. Ram Naresh,
Durgapuri, Nehru Nagar,
Saharanpur, U.P.

.... Applicants

Versus

1. The Chairman, Railway Board
Rail Bhawan, New Delhi.
2. The Deputy Director Finance
(Estt.), III, Railway Board,
Rail Bhawan, New Delhi.
3. The Divisional Accounts Officer,
Northern Railway,
Baroda House, New Delhi.

... Respondents

DETAIL OF THE APPLICATION :

1. The Hon'ble Supreme Court of India by
judgment dated 25.7.1997 held as
follows :-

"Once it is held that pension payable to such employees had to be computed in accordance with Rule 2544 as it stood on the date of their retirement, it is obvious that as a result of the amendments which have been introduced in Rule 2544 by the impugned notification dated December 5, 1998 the pension

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that would be payable would be less than the amount that would have been payable as per Rule 2544 as it stood on the date of retirement. The Full Bench of the Tribunal has in our opinion, rightly taken the view that the amendments that were made in Rule 2544 by the impugned notifications dated December 5, 1988 to the extent the said amendments have been given retrospective effect so as to reduce the maximum limit from 75% to 45% in respect of the period from April 1, 1979, are unreasonable and arbitrary and are violative of the rights guaranteed under Articles 14 and 16 of the Constitution.

For the reasons mentioned the appeals as well as Special Leave Petition filed by the Union of India and Railway Admn. are dismissed. But in the circumstances, there will be no order as to Costs."

The Executive Director, Pay Commission, Railway Board issued order dated 14.10.1997 to implement the said judgment to pay pension and retiral benefits those retired between 1.1.1973 to 4.12.1988 who are classified as Running Staff.

By order dated 29.12.1999 the respondent No.2 Deputy Director issued an order not to grant Running Allowance to the Running Staff which shall not form part of pay and thereafter letter had

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been issued to the respective banks to pay pension according to the revised formula as mentioned in the above said order reducing the pension payable to the petitioner and effecting recoveries from the pension paid to them in April, 2000.

2. Jurisdiction : The applicants declare that the subject matter to the dispute is within the jurisdiction of Tribunal.
3. Limitation : The petition is within limitation as prescribed under law as the cause of action arose on 29.12.1999 when the impugned order was issued and on 13.1.2000 which order was issued to stop arrears of pension payable to the applicants in accordance with the judgment of Hon'ble Supreme Court on 25.7.1998 and thereafter revising the pension and reducing it and to recover the amount allegedly paid by them without including the element of the Running Allowance in August 1999 and April, 2000.
4. Facts of the case are as under :-
 - i) The petitioners are guards and drivers who have retired before 5th December, 1988. In Railways there are certain employees such as Drivers, Guards, Shunters, etc., who are connected with the movement of trains and are categorised as 'running staff'. In addition to the pay the running staff are entitled to payment of Running

Allowance. Under the relevant rules computation of pension after retirement is made on the basis of average emoluments and a part of the Running Allowance is included in average emoluments. Provision in this regard is contained in Clause (g) of Rule 2544 of the Indian Railway Establishment Code. Prior to its amendment by the notifications Rule 2544 provides as follows :-

"Rule 2544 (C.S.R. 486) - Emoluments and Average Emoluments : The term "Employments", used in these Rules, means the emoluments which the Officer was receiving immediately before the retirement and includes :-

- a) pay other than the drawn in tenure post;
- b) Personal allowance, which is granted
 - (i) in lieu of loss of substantive pay in respect of a permanent post other than a tenure post, or (ii) which the specific sanction of the Government of India, for any other personal consideration.

Note: Personal pay granted in lieu of loss of substantive pay in respect of a permanent post other than a tenure post shall be treated as personal allowance for the purpose of this article. Personal pay granted on any other personal considerations shall not be treated as personal allowance unless otherwise directed by the President;

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c) fees or commission if they are the authorised emoluments of an appointment, and are in addition to pay. In this case "Emoluments" means the average earnings for the last six months of service;

d) acting allowance of an officer without a substantive appointment of the acting service counts under Rule 2409 (C.S.R. 371) and allowances drawn by an Officer appointed provisionally substantively or appointed substantively pro tempore or in an officiating capacity to an office which is substantively vacant and on which no officer has a lien or to an office temporarily vacant in consequences of the absence of the permanent incumbent on leave without allowances or on transfer to foreign service;

e) deputation (duty) allowances;

f) duty allowances (special pay); and

g) (i) For the purpose of calculation of average emoluments; Actual amount of running allowances drawn by the Railway servant during the month limited to a maximum of 75% of the other emoluments reckoned in terms of (a), to (f) above.

ii) For the purpose of gratuity and/or death-cum-retirement gratuity; The monthly average of running allowance drawn during the three hundred and sixty five days of running duty immediately preceding the date of quitting service limited to 75% of the monthly average of the other emoluments reckoned in terms of items (a) to (f) above drawn during the same period.

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Note: In the case of an officer with a substantive appointment who officiates in another appointment or holds a temporary appointment, "Employment" means:

a) the emoluments which would be taken into account under this rule in respect of the appointment in which the officiates or of the temporary appointments, as the case may be, or

b) the emoluments which would have been taken into account under this Rule had the remained in this substantive appointment whichever are more favourable to him."

The chart showing the service record is attached herewith as ANNEXURE A-1. The petitioners were respondents in the appeals before the Hon'ble Supreme Court in Civil Appeal No. 4174-82 of 1995.

- ii) Two Notifications were issued on December 5, 1988. Notification No. G.S.R. 1143(E) is as follows :-

G.S.R. 1143(E) :- In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President is pleased to amend Rule 2544 of Indian Railway Establishment Code, Volume II(Fifth Reprint) as in the Annexure.

This amendment will be effective from 1.1.1973.

ANNEXURES

Rule 2544

Sub-rule g(i) and g(ii) may be substituted by the following :-

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g(i). "For the purpose of calculation of average emoluments:- actual amount of running allowance drawn by the Railway servant during the month limited to a maximum of 45% of pay, in the revised scales of pay."

g(ii). "For the purpose of gratuity and/or death-cum-retirement gratuity :- the monthly average of running allowances drawn during the 365 days of running duty immediately preceding the date of quitting service limited to 45% of average pay drawn due to the same period, in the revised scale of pay."

Notification No. G.S.R. 1144(E) is as under :-

G.S.R. 1144(E) :- In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President is pleased to amend Rule 2544 of the Indian Railway Establishment Code, Volume II (fifth reprint) as in the Annexure.

The amendment will be effective from 1.4.1979.

ANNEXURE

Rule 2544

Sub-rule g(i) and g(ii) may be substituted by the following :-

g(i). "For the purpose of calculation of average emoluments :- 55% of basic average pay, in the revised scales of pay, drawn during the period."

g(ii). "For the purpose of gratuity and/or death-cum-retirement gratuity :- 55% of basic average pay, in the revised scales of pay, drawn during the period."

iii) At the time when these notification were issued

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O.A. NO.K- 269 of 1988 filed by K.S. Srinivasan and others was pending before the Ernakulam Bench of the Tribunal. After the issuance of the said notifications the petitioners in the matter amended the petition to assail the validity of the said notifications insofar as they were given retrospective effect with effect from January 1, 1973 and April 1, 1979 respectively. O.A. NO. K-269 of 1988 was allowed by the Ernakulam Bench of the Tribunal by the judgment dated April 2, 1990 and the impugned notifications were quashed to the extent the amendment in Rule 2544 were given retrospective effect on the view that the said amendments in the rule insofar as the same were given retrospective effect were unjust, unreasonable and were violative of Articles 14 and 16 of the Constitution. A review application filed by the Union of India against the said judgment of the Ernakulam Bench of the Tribunal was dismissed by order dated July 25, 1990. Special Leave Petition No. 10373 of 1990 had been filed by the Union of India against the said judgment of the Ernakulam Bench of the Tribunal.

- iv) That the Principal Bench of the Tribunal by its judgment dated October 23, 1991 in O.A. No. 1572 of 1988 filed by C.L. Malik and others, took a contrary view on the question of validity of the impugned notifications and held that the vested rights of the employees were not affected by the amendment of the rules on the ground that total amount of pension and retirement benefits they would have received before the amendment were not reduced by the amendment rules. It seems that the earlier decision

of the Ernakulam Bench of the Tribunal in O.A. NO. K-269 of 1988 was not brought to the notice of the Bench which decided O.A.NO. 1572 of 1988. The said decision of the Principal Bench of the Tribunal was followed by the Ahmedabad Bench of the Tribunal in judgment dated February 28, 1992 in O.A.Nos. 351-423 of 1988. The Ahmedabad Bench of the Tribunal also did not notice the earlier judgment of the Ernakulam Bench of the Tribunal. In view of the conflicting decisions of various Benches of the Tribunal the matter was referred to the Full Bench of the Tribunal. In its judgment dated December 16, 1993 in C.R. Rangadhamalah V. Chairman, Railway Board and other connected matters, the Full Bench, agreeing with the view of the Ernakulam Bench of the Tribunal has held :-

(1) Under the proviso to Article 309 of the Constitution, the President has power to promulgate the rules with retrospective effect. This, however, is subject to the condition that the rules do not offend any of the fundamental rights conferred by Part III of the Constitution.

(2) Pension is a valuable right which a Government servant earns. It is neither charity nor bounty. Government Servant acquires right to pension and other retirement benefits on the date he retires from service. Deprivation of such a valuable vested right after retirement is manifestly unreasonable, arbitrary and, therefore, violative of Article 14 of the Constitution.

(3) By the revision of the pay scales the pay scales of the members of the running staff were enhance with effect from Januar 1, 1973. Under Rule 2544 the members of the running staff are entitled to computation of their pay and retirement benefits by taking into account the Running Allowance which they have been receiving subject to a maximum of 75% of the pay and other allowances.

(4) By notifications dated December 5, 1988, Rule 2544 was amended prescribing the maximum at 45% from January 1, 1973 to April 1, 1979 and 55% from April 1, 1979 onwards. Those who retired from January 1, 1973 to December 4, 1988 were, in accordance with Rule 2544, as it then stood , entitled to take into account Running Allowance in the matter of computation of pension and retirement benefits upto the maximum of 75% of their pay and other allowances. As their pay was revised with effect from January 1, 1973 the limit of 75% had to be worked out with reference to the enhanced pay and other allowances that they became entitled to receive in accordance with the 1973 Rules which came into effect from January 1, 1973.

(5) When the maximum was reduced from 75% to 45% upto April 1, 1979 or at the rate of 55% from April 1, 1979 the vested rights of all those who retired between January 1, 1973 and December 4, 1988 in the matter of receiving pension and retirement benefits were adversely affected.

(6) Persons who retired between January 1, 1973 and December 4, 1988 had earned a right to computation

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of pension in accordance with the statutory rules then in force. As by the time they retired, revision of pay had come into force, it is the revised pay and the Running Allowance subject to a maximum of 75% of the revised pay and allowances that was required to be taken into account.

(7) This right which accrued in their favour on their retirement between January 1, 1973 and December 4, 1988 was sought to be affected by amending the rules on December 5, 1988 with retrospective effect reducing the maximum limit of running allowance that qualifies for pension.

(8) The Ernakulam Bench had rightly declared that the amended provisions to the extent they have been given retrospective effect were void as offending Articles 14 and 16 of the Constitution.

- v) On the basis of the said decision of the Full Bench of the Tribunal, other Benches of the Tribunal at Bangalore, Hyderabad, Allahabad, Jabalpur, Madras and Ernakulam have passed orders giving relief on the same grounds.
- vi) The abovesaid appeals and Special Leave Petitions were filed against the decision of the Full Bench and those other Benches of the Tribunal.
- vii) The judgment was pronounced on 25.7.1997 and this Hon'ble Court held :-

"The respondents in these cases are employees who had retired after January 1, 1973 and before December 5, 1988. As per Rule 2301 of the Indian

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Railway Establishment Code they are entitled to have their pension computed in accordance with Rule 2544 as it stood at the time of their retirement. At that time the said rule prescribed that Running Allowance limited to a maximum of 75% of the other emoluments should be taken into account for the purpose of calculation of average emoluments for computation of pension and other retiral benefits. The said right of the respondents - employees to have their pension computed on the basis of their average emoluments being thus calculated is being taken away by the amendments introduced in Rule 2544 by the impugned notifications dated December 5, 1988 as much as the maximum limit has been reduced from 75% to 45% for the period from January 1, 1973 to March 31, 1979 and to 55% from April 1, 1979 onwards. As a result the amount of pension payable to the respondents in accordance with the rules which were in force at the time of their retirement has been reduced."

viii) The Hon'ble Supreme Court held as follows :-

This means that even though the President, in exercise of his power under the proviso to Article 309, can make rules which may have prospective or retrospective operation, the said rules may be open to challenge on the ground of violation of the provisions of the Constitution, including the Fundamental Rights contained in Part III of the Constitution.

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ix) The Hon'ble Supreme Court further as under :-

"In these cases we are concerned with the pension payable to the employees after their retirement. The respondents were no longer in service on the date of issuance of the impugned notifications. The amendments in the rules are not restricted in their application in future. The amendments apply to employees who had already retired and were no longer in service on the date the impugned notifications were issued."

x) That the Executive Director of Pay Commission II Railway Board issued a letter on 14.10.1997 to pay the pension in accordance with the judgment of the Hon'ble Supreme Court dated 25.7.1997, a copy of said letter is attached herewith as ANNEXURE-A-2.

xi) That some of the Running Staff have been paid pension according to the judgment of the Supreme Court, but substantial number of the employees have not been paid pension according to the judgment of this Hon'ble Court.

xii) That on 8.7.1999 the Director, Railway Board K.J.Abraham has directed the General Manager, Railways to arrange payments whenever due in light of Board's letter dated 14.10.1997 and the decision referred to in para 4 above. The copy of the same is attached hereto as ANNEXURE A-3.

xiii) That, however, on 29.12.1999 the Deputy Director Finance Railway Board issued a notification No.F(E)/ III/98/PN1/29Pt dated 29.12.1999 by which he has ordered as follows :-

"(i) Running Allowance is not to be taken into consideration after refixation of pay on notional basis on 1.1.1986 in terms of DOP & PW's O.M.No. 45/86/97-P&PW(A) Pt.III dated 10.2.1998 circulated vide Board's letter No.F(E)/III/98/PN1/2 dated 20.3.1998.

(ii) Running Allowance is also not to be added to the minimum of the revised scale of pay as on 1.1.1996 in cases where consolidated pension/family pension is to be stepped upto 50%/30% in terms of Board's letter No.F(E)/II/98/PN1/29 dated 15.1.1999."

The above said notification is attached herewith as ANNEXURE P-4.

xiv) In this regard it would be worthwhile to reproduce the following observation of this Hon'ble Court contained in para 35 of the judgment :-

"As indicated earlier, Rule 2301 of the Indian Railway Establishment code prescribes in express terms that a pensioners Railway Servant claim to pension is regulated by the rules in force at the time when he resigns or discharged from the service of the government. The respondent who retired after January 1, 1973 but before December 5, 1988 were, therefore, entitled to have their pension computed on the basis of rule 2544 as above on the date of their retirementonce it is held that pension payable

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to such employees had to be computed in accordance with rule 2544 as it stood on the date of their retirement, it is obvious that as a result of the amendments. The pension that would be payable would be less than the amount that would have been payable as per rule 2544 as it stood on the date of retirement. The full bench of the tribunal has, in our opinion, rightly taken the views.. the impugned notification to the extent the said amendments have been given retrospective effect.... are unreasonable and arbitrary and are violative of the rights guaranteed under Article 14 and 16 of the Constitution."

Despite the above clear verdict given by this Hon'ble Court the respondent have issued a fresh notification dated 29.12.1999 seeking to reduce, retrospectively the pension of the applicant and similarly placed other railway employees.

- xv) That the stand taken by the respondents clearly goes against the recommendations of the 5th Central Pay Commission is evident from the fact that the said commission had in clear that recommended that there should be total parity between those who had retired prior to 1.1.1986 (like the applicants) and those who retired after that date. The relevant recommendation of the Pay Commission may be reproduced hereinbelow :-

"As a follow up one basic subject of parity, we would recommend that the pension of pre-1986

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retires may be updated by notional fixation of their pay as on 1.1.1986 by adopting the same formula as for serving employees. This step would bring all the past pensioners to a common platform or on to the 4th CPC pay scales on 1.1.1986. Therefore all the pensioners who have been brought on 4th CPC pay scales by notional fixation of their pay and those who retired on or after 1.1.1986 can be treated alike in regard to consolidation of their pension as on 1.1.1996 by allowing the same fitment ways as may be allowed to serving employees".

- xvi) Those the applicants respectfully submit that in no case any recoveries be effected from them on account of the purported alleged over payments made to them, as that would amount to retrospectively reducing their pension.
- xvii) That the payment of pension orders have been issued by the concerned authorities to the Bank and the respondents have issued orders that the recovery of the purported over payments made to the employees of Railways clarified as Running allowance be effected from the pension. The copies of the orders issued for the payment of pension to the employees with the above condition is attached herewith as ANNEXURE A-5(COLLY).
- xviii) The contemners Railway Board had on 29.12.1999 issued letter through Deputy Director Finance

Railway Board by notification No.F(E)/III/98/PN1/29Pt dated 29.12.1999 stated that the running allowance be not included as an element for computation of pension payable to running staff.

xix) The competent authorities in compliance of the abovesaid notification has issued orders to the Banks through P.P.O. to pay the pension without including the "Running Allowance" admissible as an element and included for computing pension and also orders to deduct the recovery of the allegedly over-paid amount of pension.

5. That the applicants raises the following amongst other grounds :-

- A. Because the order dated 29.12.1999 and subsequently action reducing the pension and recovery amount of pension is without any force of law, the same being only executive instruction and not a statutory rule.
- B. Because the executive instruction or the order dated 29.12.1999 is repugnant to the statutory rule 25.
- C. Because the retrospective operation of the order dated 29.12.1999 or executive instructions to the non inclusion of running allowance at the rate of 75% to pre 1988 December 5, retirees classified as running staff is arbitrary and discriminatory and breach of fundamental right under Articles 14 and 16 of the Constitution of India.
- D. Because the retrospective operation of the order

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to the pre retirement vested right of the running staff cannot be taken away and infringes Articles 14 and 16 of the Constitution of India.

- E. Because the Hon'ble Supreme Court had already struck down the retrospective operation of reducing the running allowance from 75% to 55%.
- F. Because the recovery amount from the pension is vitiated in law and is void in contravention of law.
- G. Because the computation of pension made is contravention of the law laid down by the Hon'ble Supreme Court is void, invalid, discriminatory and against law.
- H. Because the order to the respective bank to pay the revised pension and for recovery of the amount allegedly paid for the pension is illegal, against law, in contravention of Articles 14, 16, 300-A of the Constitution of India and the provisions of law.
- I. It is submitted that with respect that right of pension after taking into account 75% of the running allowance along with the basic emoluments accrued to the applicants and this right thus vested in applicants cannot be denied by way of retrospective applicability of the amendment made in the rules. It is fairly well settled position of law that vested rights cannot be defeated by way of retrospective operation. The Constitution Bench of the Hon'ble Supreme Court in its significant judgment in a case

Chakraborty

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of State of Gujarat vs. Ramanlal Keshavlal Soni

1983 (2) SCC 33 made following pertinent observations
in para 52 :

52. The legislature is undoubtedly competent to legislate with retrospective effect to take away or impair any vested right acquired under existing laws but since the laws are made under awritten constitution, and have to confirmed to the does and don'ts of the Constitution, neither prospective nor retrospective laws can be made so as to contravene Fundamental rights. The law must satisfy the requirements of the Constitution today taking into account the accrued or acquired rights of the parties today. The law cannot say, twenty years ago the parties had no rights, therefore, the requirements of the Constitution will be satisfied if the law is dated back and twenty years. We are concerned with today rights and not yesterdays. A legislature cannot legislate today with reference to a situation that obtained today with reference to situation that obtained twenty years ago and ignore the march of events and the constitutional rights accrued in the course of the twenty years. That would be most arbitrary, unreasonable and a negation of history."

The Constitution bench of the Hon'ble Supreme Court
in a case of Chairman, Railway Board vs. C.R.Rangadham-

C.R.Rangadham

alah went into the whole gamut of the concept of vested rights and after referring to all the leading judgments of the Hon'ble Supreme Court including the Soni case made following pertinent observations in paras 20 and 24 of its judgment. It can, therefore, be said that a rule which operates in future so as to govern rights of those already in service cannot be assailed on the ground of retrospectively as being violative of Articles 14 and 16 of the Constitution, but a rule which seeks to reverse from an anterior date a benefit which has been granted or availed of e.g., promotion or pay scale can be assailed as being violative of Articles 14 and 16 of the Constitution to the extent it operates retrospectively."

In many of these decisions the expression vested rights or accrued rights have been used while string down the impugned provisions which had been given retrospective operation so as to have an adverse effect in the matter of promotion, seniority, substantive appointment etc., of the employees. The said expressions have been used in the context of right flowing under the relevant rule which was sought to be altered with effect from an anterior date and thereby taking away the benefits available under the rule in force at that time. It has been held that such an amendment having retrospective operation which has the effect of taking away a benefit already available to the employee under the existing rule is arbitrary,

discriminatory and violative of the rights guaranteed under Articles 14 and 16 of the Constitution. We are unable to hold that these decisions are not in consonance with the decisions in Roshan Lal Tandon AIR 1967 SC 1889, B.S.Yadav AIR 1969 S.C. 118 and Raman Lal Keshan Lal Soni (1983) 2 SCC 33."

J. It is submitted with respect that right to pension is a substantive right guaranteed under Articles 14 and 16 and 300-A of the Constitution and this guaranteed fundamental and constitutional rights cannot be taken away by giving retrospectively to any amendment made in the rule. The preponderance of the weight of both principle and authorities unmistakeably veer round the view that retrospectively ought to be frowned upon particularly when its effects vested and substantive rights and since right to pension is a substantive fundamental right, the same cannot be denied by retrospectively and denial of the same by way of retrospectively perse negates the mandates of Articles 14 and 16 of the Constitution That the Constitution Bench of the Hon'ble Supreme Court in a case of Deoki Nandan vs. State of Bihar 1971(2) SCC 333 observed in paragraphs 31 to the following effect :-

"31. Pension is not to be treated as a bounty payable on the sweet will and pleasure of the Government and the right to superannuation pension is valuable rights vested in a Government servant."

Chakraborty

Similar the Constitution Bench of the Hon'ble Supreme Court in a famous case of D.S. Nakara vs. Union of India 1983 (1) SCC 305 after referring to and relying upon the pronouncement made in Deoki Nandan made following observations in paragraph 20 :-

20. Pension is neither a bounty nor a matter of wish depending upon the sweet will of the employer, nor an extra payment. It is payment for past service rendered. It is social welfare measures rendering socio economic justice to those who in their by days of their life ceaselessly toiled for the employer on an assurance that in their old age they would not be left in the lurch. Pension is a retirement benefit is in consonance with and furtherance of goals of the Constitution. The most practical reason for pension is the inability to provide for oneself due to old age. It creates vested rights.

Similarly, in para 29 following pertinent observations were made :-

29. Thus the pension payable to a Government employee is earned by rendering long and efficient service and therefore can be said to be said to be defer portion of the compensation of the service rendered."

While dwelling with the goals and objections of pensions, the constitution bench of the Hon'ble Supreme Court observed in paragraph 26 as follows:-

26. Goal that pension seeks to subserve is that a pension service must provide that the pensioner would be able to live (1) free from wants, with decency, independence and self respect and (2) at a standard equivalent at the pre retirement level."

And finally, the Constitution bench summarized the position of pensions in paragraph 31, which runs as under :-

31. From the discussions three things emerges (1) That pension is neither a bounty nor a matter of wish depending upon the sweet will of the employer and that it creates vested rights (2) that the pension is not ex gratia payment but it is a payment for the past service rendered and (3) it is a social welfare measuring rendering socio economic justice to those who in the hey days of their life ceaselessly toiled for employer on assurance that in their old age they would be left in the lurch."

Furthermore the Andhra Pradesh High Court in a case of Salabuddin Mohamed Yunus Vs. State of U.P. 1984 Supp. SCC. 399 made following observations in paragraph 6 :-

- "6. The fundamental right to the receive pension according to the rules in force on the date of his retirement accrued to the appellant when he retired from service. By making as respective amendment to the said rule 299(1)(b)

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more than fifteen years after that right had accrued to him what was done was to take away the appellants right to receive pension according to the rules in force on the date of his retirement or in any event to curtail and abridge that right. To that extent, the said amendment was void."

These observations made in these cases were referred to and quoted with approval by the Constitution Bench of the Hon'ble Supreme Court while dealing with the legality of impugned notifications in the cases of Chairman, Railway Board Vs. C.R. Rangadhamaiah and following pertinent observations were made in paragraphs 32 and 33 :-

Para 32 : It is no doubt true that on 5.12.1988 when the impugned notifications were issued, the rights guaranteed under Article 31(1) and 19(1)(f) were not available since the said provisions in the constitution stood omitted with effect from 20.6.1979 by virtue of the Constitution (Fourth Amendment) Act, 1978. But Notifications Nos. GSR.1143(E) and 1144(E) have been made operative with effect from 1.1.1973 and 1.4.1979 respectively on which dates the rights guaranteed under Article 31(1) and 19(1)(f) were available. Both the notifications in so far as they have been given retrospective operation are, therefore, violative of the rights then guaranteed

under Articles 19(1) and 31(1) of the Constitution.

Para 33. Apart from being violative of the rights then available under Article 31(1) and 19(1)(f) the impugned amendments, in so far as they have been given retrospective operation, are also violative of the rights guaranteed under Articles 14 and 16 of the Constitution on the ground that they are unreasonable and arbitrary since the said amendments in Rule 2544 have the effect of reducing the amount of pension that had become payable to employees who had already retired from service on the date of issuance of the impugned notifications, as per the provisions contained in rule 2544 that were in force at the time of their retirement."

- K. It is submitted with respect that right to pension is one of the facts of the right to subsistence and livelihood guaranteed under Article 21 of the Constitution. Thus, the right to livelihood encompasses right to sustain oneself at an old age. After the significant pronouncement by the Constitution Bench of the Hon'ble Supreme Court in a case of Olga Telis vs. Municipal Corporation of Bombay 1985(3) SCC 545 right to livelihood and substances is now firmly entrenched fundamental rights guaranteed under Article 21 of the Constitution which cannot be frustrated and defeated arbitrarily and any arbitrary infringement of this right is wholly annihilative of the mandate of Article 21 of the Constitution. The

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following observations made by the Constitution Bench in paragraph 32 as extremely pertinent and thus reproduced hereinbelow :-

"32. An equally important facts of that right is the right to livelihood because, no person can live without the means of living i.e. the means of livelihood. If the right to livelihood is not treated as a part of the constitutional right to life, the easiest way of depriving a person of his right to life would be to deprive him of his means of livelihood to the point of abrogation such deprivation would not only denude the life of its effective content and meaningfulness but would make life impossible to live. There is thus a close nexus between life and the means of livelihood and as such that which alone make it possible to live leave aside what makes life liveable, must be deemed to be an integral component of the right to life."

These pregnant observations acquires added dimension of relevancy and urgency in case of pensioner who has to sustain himself in the old age after rendering long service for the country and society. Thus the deli of right to pension besides being violative of Articles 14 and 16 is also violative of Article 21 of the Constitution.

L. It is submitted with respect that right to pension was declared as a right to property under Article 19(10)(f) and 31 of the Constitution by the

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Constitution Bench of the Hon'ble Supreme Court in Deoki Nandan (supra) case. No doubt right to property guaranteed under Article 19(1)(f) and 31 of the Constitution was deleted in 1978 by 44th Amendment but the consequence is more or less same as the right to property is still a constitutional right because by the 44th Amendment Article 31 was bodily lifted from the part III of the Constitution and was incorporated in newly added article 300-A of the Constitution. Thus the denial of pension or reducing the quantum of pension by way of retrospective operation made in the Rule is clearly violative of Article 19(1)(f) and 31 still 1978 and thereafter the violative of Article 300-A of the Constitution. It would be pertinent to mention that the substantive length of service prior to deletion of 19(1)(f) and 31 of the Constitution in 1978 and thus the reducing the quantum of pension by way of retrospective operation as the inevitable legal effect of impinging upon right to property guaranteed as a fundamental right under Article 19(1)(f) and 31 of the Constitution till 1978 and thereafter it imagines on right to property guaranteed as Constitutional right under Article 300-A of the Constitution since 1978.

- M. It is submitted with respect that an employee earns his or her right to pension when he or she joined the service thus this earning of right to pension cannot be negated after putting substantial length

Chakraborty

of service by altering the rule in respect of computation of the employments on the basis of which pension could be worked out to the detriment of the employee because it would be perse arbitrary and thus would suffer from constitutional an athematisation on the anvil of over arching mandate of Article 14 of the Constitution.

N. It is submitted with respect that the impugned notification has inevitable legal effect of altering the service conditions of the applicants to their detriment and thus clearly contrary to mandate of Articles 14 as well as Article 311 of the Constitution of India andthus deserves to be quashed.

O. It is submitted with respect that it is well entrenched position of law that any amendment which affect the substantive rights is normally given prospective operation on the premises that right once crystalized cannot be extinguished by giving retrospective operation. Thus, the substantive rights guaranteed under Articles 14,16 and 21 of the Constitution cannot be extinguished by way of retrospective applicability of the amendment made in the Rule.

P. It is submitted with respect that the ceiling of 75% of the running allowance for the computation of pension was in existence from long time which was subsequently even given statutory recognition. Thus in view of the established fact that the employees belonging to the caretory of running staff used to get this benefits from long time which has been effect of vesting in applicants a right to legitimate

CR Sahay

expectation that the ceiling of 75% of the running allowance for the computation of pension would not be altered to their detriment and lateration of the same to their detriment amount to frustrating and defeating this right to legitimate expectation. No doubt, right to legitimate expectation is not in itself enforceable rights but if coupled with infringement of some of the fundamental rights, it becomes enforceable. At any rate, the vested right cannot be defeated in absence of any counter-vailing public interest and since there is no countervailing public interest, the denial of right to legitimate expectation in perse arbitrary and therefore repugnant to the central ethos of the Articles 14 of the Constitution.

- Q. It is submitted with respect that unamended Rule 2544 of Indian Railway Establishment Code positing and postulating that 75% of the running allowance would be taken into account alongwith basic emoluments for the computation of pension has obvious legal implication of estopping the respondents from reducing this ceiling from 75% to 45 and 55% as the case may be and thus liable to be faulted on the touch stone of doctrine of promissory estoppel.
- R. That the notification is arbitrary and discriminatory and similarly situated persons cannot be discriminated.
- S. That the applicants seek the leave of the Hon'ble Supreme Court to add, amend, or delete any of the grounds at a later stage if the need arises.

Chakraborty

T. That the order passed is without jurisdiction and is liable to be quashed.

6. DETAIL OF THE REMEDY EXHAUSTED :

The representation to implement the Supreme Court order and thereafter made representation that the impugned order dated 29.12.1999 is against the order of the Hon'ble Supreme Court and Running Allowance at the rate of 75% as to be included in computing the pension to the prescribed Running Staff on or before 4.12.1988, copy of the representation attached as ANNEXURE A-6.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT : The Applicants further declared that they have not previously filed any application, writ petition or suit, regarding the matter in respect of which this application has been made, before any court or any other authority or any other bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

7-A. That this Hon'ble Tribunal has passed an Interim stay order on O.A.No. 980/2000 dated 6.6.2000 in S.P. Suri and others vs. The Chairman Railway Board and others as such this is a similar case Copy of said order is annexed herewith as ANNEXURE A-7.

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8. RELIEF SOUGHT :

In the premise set out hereinabove, it is prayed that this Hon'ble Tribunal may graciously be pleased to :

- a) the Hon'ble Tribunal may be pleased to declare the impugned order No.F(E)/98/PN1/29PT Dated 29.12.1999 as ultra vires of Articles 14 and 16 of the Constitution of India.
- b) the impugned order is without jurisdiction and as such be quashed.
- c) to order to pay the petitioners pension to be computed by including 75% of Running Allowance being an element to be included pay for the purposes of calculating and computing the pension to the petitioners who have retired prior to 4.12.1988 classified as Running Staff.
- d) pass such other or further orders as the Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and in the interest of justice.

9. Particulars of the Postal orders:

Postal Order 2 G 08816, dated 14-6-2007, of Rs.50/- issued by the Supreme Court, Post office

10. List of Enclosures :

1. Annexure A-1 (Colly) copy of the Chart showing the Service Record.
2. Annexure A-2 : Copy of the letter dated 14.10.1977.

ABR

37.

3. Annexure A-3 : Copy of letter dated 8.7.1999.
4. Annexure A-4(Colly): Copy of the notification dated 29.12.1999.
5. Annexure A-5 : Copy of orders issued of the payment of pension to the employees dated 12.1.2000.
6. Annexure A-6 : Copy of the representation.
7. Annexure A-7 : Copy of stay order passed in O.A. NO. 980/2000 dated 6.6.2000.

APPLICANTS

Through
Chakren
Advocate

25 - Jipal
 26 - Sandhu
 27 - Jinder Singh
 28 - (Sichha Ram)
 29 -
 30 - Linder Parnash
 31 - LT. B. Mohan Lal
 32 -
 33 - Bhagwant Ph
 34 -
 35 - (Sardari Lal)
 12 - Swain Sham
 13 - सरस्वती देवी
 14 - R. B. Ahluwalia
 15 - W. B. Singh
 16 -
 17 - O. B. Sharma (Tirath Ram)
 18 -
 गायन देवी

21

O. P. Bhargava

22

Rohan Lal

23

Ranga Parasad

24

Ran Bopha

Through :

Ch Sahu.(CHARAN LAL SAHU)
COUNSEL FOR THE APPLICANTS96, Lawyers' Chambers,
Supreme Court, New Delhi.VERIFICATION :

We, above-named applicants Nos. 1 to 24 do hereby verify that the contents of the paras 1, 4, 5, 7, 9 and 10 are true to our personal knowledge and paras 2, 3 and 5 believed to be true on legal advice and that we have not suppressed any material facts.

25 Hashimuddin

26 Tahira Navi

27 हरनाम सिंह

28 Preetam Chandra

29 Ron V. arslan 81-12 Rd

30 Samuel Singh / ss

31 Beharilal / DR

32 Ram Singh

33 Parmjit Singh

34 Chander Lal

DEPONENT

Dated: 18.6.2000

Place: New Delhi.

ANNEXURE A-1

S.NO.	NAME	Date of retirement	Pension fixed after the judgment of Hon'ble Supreme Court letter No.PC-III 92/09/01 Dt.14.10.1997	Revised pension as on 2000 Rly Board Cir. No.F/E(III), 98/PN/1/29P Dt.29.12.199
1.	Aroramal	30.6.81	Rs.5,332/-	Rs.3,729/-
2.	Hamam Singh	31-8-84	Rs.5,580/-	Rs.3,965/-
3.	Lakhapat	30-6-78	Rs.5,138/-	Rs.3,231/-
4.	Chaman Lal	30-9-84	Rs.5,138/-	Rs.3,735/-

This Ann. A-1 is the true copy
with the original Ann.

MS/MS
16-6-2000

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF RAILWAY/RAIL MANTRALAYA
RAILWAY BOARD

MACHINE NO.PC.III/92/89/01

S.NO.004/97

RBE.NO.135/1997

MOST IMMEDIATE COURT CASE

NO.PC.III/92/CTC.I/2

NEW DELHI DATED 14.10.1997

The General Managers
All Indian Railways.
Attn.CPOs and FACAOs

Sub: Civil Appeals Nos.4174-82 of 1995 (Chairman Railway Board and others Vs.C.R.Rangadhamiah and others) and other tagged SLPs.

Hon'ble supreme Court vide their judgement dated 25.7.1997 has dismissed the above cited Civil Appeals together with other tagged SLPs which related to the issue of computation of certain percentages of Running Allowances for pension and retiral benefits of running staff. Relevant extract of Hon'ble supreme Court's above judgement are as follows:-

"Once it is held that pension payable to such employees had to be computed in accordance with Rule 2544 as it stood on the date of their retirement, it is obvious that as a result of the amendments which have been introduced in Rule 2544 by the impugned notification dated December 5,1988 the pension that would be payable would be less than the amount that would have been payable as per Rule 2544 as it stood on the date of retirement. The Full bench of the tribunal has in our opinion, rightly taken the view that the amendments that were made in Rule 2544 by the impugned notifications dated December 5 1988 to the extent the said amendments have been given retrospective effect so as to reduce the maximum limit from 75% to 45% in respect of the period from January 1 1973 to March 31,1979 and reduce into 55% in respect of the period from April 1 1979. are unreasonable and arbitrary and are violative of the rights guaranteed under Articles 14 and

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16 of the Constitution.

For the reasons mentioned the appeals as well as Special Leave Petition filed by the Union of India and Railway Admn. are dismissed. But in the circumstances, there will be no order as to costs".

2. Accordingly Ministry of Railways (Railway Board) have decided that:-

(i) The pension and other retiral benefits of the running staff who retired between 1.1.1973 to 4.12.1988 and were involved in above cited Civil Appeals/SLPs as well as other similarly situated employees may be recomputed in accordance with Rule 2544 R.II as was in force before it was amended by notification dated 5.12.1988.

(ii) The arrears on account of recomputation of pension and other retiral benefits as abovesaid may be calculated and paid to these employees/their legal heirs.

3. Above instructions may be implemented immediately and compliance reported to Boards office.

4. The receipt of this letter may be acknowledged.

Sd/-
Rahul Jha
Executive Director Pay Commission II
Railway Board

CTC
Ch Sahni

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF RAILWAY/RAIL MANTRALAYA
RAILWAY BOARD

No.PC.III/CTC-1/2

Dated 8.7.1999

The General Managers/OSDS/CAG(R)s

All Indian Railways and Production Units.

Sub: Civil Appeal Nos.4174-82 of 1995 (Chairman, Railway Board and others Versus C.R.Rangadhanmaiah and others) and other tagged SLPs.

Attention is invited to Boards letter of even number dated 14.10.1997 on the above subject.

2. Reference have been received from various Zonal Railways outlining the difficulties faced by them in the implementation of the instructions contained in Boards letter dated 14.10.1997 *ibid*. It has been reported that in a large number of cases, relevant records, most prominently the records of running allowance, are not available and that in a few other cases where records are available implementation of the orders dated 14.10.1997 is leading to reduction in the pension and other retiral benefits of the concerned running staff. It has also been pointed out by the Railway that since 1.4.1979, there has been no requirement of referring to the amount of running allowance actually drawn by the running staff for the purpose of computation of retirement benefits of running staff. Moreover, in terms of the guidelines for preservation of records, pay bill which contain details of the amount of running allowance paid are to be preserved for a period of 10 years only.
3. The matter has accordingly been examined. The Board have noted that difficulties related to non availability of records pertaining to running allowance are badly hampering the implementation of Hon'ble Supreme Court's orders on the subject.

- 4 Taking all aspects of the matter into account, the matter has been considered carefully by the Board in consultation with the Legal Advisor In partial modification of the instructions contained in para 2 (i) of the above letter dated 14.10.1997, it has been decided that for the purpose of recommendation of pension and other retiral benefits of the Running staff who retired during the period from 1.1.1973 to 4.12.1988 and were involved in the above Civil Appeals/SCs as well as other similarly placed employables 75% of other emoluments as prescribed in Rule 2544 R.II^{as} as was in force before it was amended by the notification dated 5.12.1988 may be reckoned without reference to the actual amount of running allowance drawn by them.
- 5 It is desired that IMMEDIATE necessary action may be taken to arrange payments wherever due in light of Boards letter dated 14.10.1997 and the decision contained in Para 4 above.
6. This issue with the concurrence of the Finance Directorate of the Ministry of Railways.
7. Kindly acknowledge receipt.

Sd/-
K.J.Abraham
Jt. Director/Estt (P&A)
Railway Board.

CTC
Abraham

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF RAILWAY/RAIL MANTRALAYA
RAILWAY BOARD

No.F.(E)/HI/98/PN1/29 PT.

S.No.PC.V/244

RBE No.318/1999

New Delhi Dated 29.12.1999

The GMS/OSDs/CAOs etc

All Indian Railways and Production Units.

As per Mailing List.

Sub: Implementations of Government of India decision on the recommendations of Vth Central Pay Commission Revision of pension of pre 1996 pensioners.

Ref: Boards letters No.F.(E)/III/98/PN1/2 dated 10.3.1998 and No.F(E) III/98/PNI/29 dated 15.1.1999.

In accordance with the provisions contained in Boards letter No.F.(E)III/98/PNI/29 dated 15.1.1999 with effect from 1.1.1996 pension/family pension in respect of all pensioners irrespective of the date of retirement shall not less than 50%/30% of the minimum pay in the revised scale of pay introduced with effect from 1.1.1996.

2. Representations have been received for taking into consideration the Running Allowance at the then existing rates for being added to the pay refixed on notional basis as on 1.1.1986 and also to add the running Allowance at the revised rates to the minimum of the revised scale of pay while considering stepping up consolidated pension on 1.1.1996. The matter has been examined by the Board in great detail. The running Allowance granted to the running staff ^{not} ~~doe sent~~ form part of the scales of pay. It is a separate element, although it is taken into account for the purpose of computation of pension. For revision of pension of pre 86 pensioners in terms of DOP and PWs O.M. dated 10.2.1998 circulated on the railways on 10.3.1998, the notional pay final fixed as on 1.1.1986 shall only be treated as average emoluments for calculation of pension in terms of these orders and the pension shall be

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calculated as on 1 .1.1986 as per the pension formula then prescribed it is therefore clarified that:

- (i) Running Allowance is NOT to be taken into consideration after refixation of pay on notional basis on 1.1.1986 in terms of DOP&PW's O.M.No.45/86/97 P&PW(A) Pt III dated 10.2.1988 circulated vide Board's letter N1.F(E)/III/98/PN1/2 dated 10.3.1998.
 - (ii) Running Allowance is also NOT to be added to the minimum of the revised scale of pay as on 1.1.1996 in cases where consolidated pension/family pension is to be stepped up to 50%/30% in terms of Boards letter No.F(E)III/98/PN1/29 dated 15.1.1999.
- 3. Hindi version with follow.
 - 4. Please acknowledge receipt

Sd/-
S.Sreeram
Deputy Director Finance (Estt)III
Railway Board

CTC.
Assalme

NORTHERN RAILWAY

14.1.2000

0283/98/46/DAO/DJ THE MANAGER ROAD

SUB: Regarding Revised Pension Authority W.e.f. 1.1.1986 to 31.12.1995 and 1.1.1996 onward.

Sir,

The revision advised vide this office revised authority in respect of Guards/Drivers-Shantas, & D.Astt of this Div. w.e.f. 1.1.1986 to 31.1. 1996 @ 1.1.1.996 onward may be pending for payment of arrears in these cases decision is to be taken in respect of running allowance and notional pay fixed on 1.1.1986. All revision of Pensions is not to be corrected up.

You are requested to stop payment of arrears from 1.1.1986 to 31.12.1995 in respect of PR 0283986 of the Vishwa Nath Sri Driver A, Drawing pension from your bank. This may be treated as most urgent.,

Sd/-
Division Account Officer
12.1.2000

CTC
Signature

To,
The Chairman Railway Board
Rail Bhawan, New Delhi.

25-1-2000

Sub: Representation.

Sir,

The Railway order dated 29.12.1999 passed by Chairman is against the judgment in view passed by the Hon'ble Supreme Court. The said order is an executive order and cannot replace the statutory rule 2455 of Railway Establishment Code.

The order for recovery of the amount from the pension after revised pension computed in accordance with order dated 29.12.1999 not to include Running Allowance while calculating the pension admissible to the retire before December 5, 1988 of the Running Staff is vitiated in law.

Kindly issue instructions to the concerned officer to pay the amount of pension after including 75% of the Running Allowance for staff who have retired before 5.12.1988.

Yours faithfully,

S.P. Puri

{S.P.PURI}

Madan Lal

{MADAN LAL MALHOTRA

Sarju Prasad

SARJU PRASAD

M. G. Raj

MULKH RAJ

Sukh Dev Singh

SUKH DEV SINGH

Ram Prakash

RAM PRAKASH

Tara Singh → TARA SINGH

M. K. Kaushal

M.K. KAUSHAL

Manohar Lal

MANOHAR LAL

Vishwa Nath

VISHWA NATH

Ram Nath

RAM NATH

MADAN LAL SHARMA

GOPAL SINGH

Copy to

The General Manager,
Northern Railway,
Boarda House, New Delhi

C. J. C.
Chakraborty

Retired Running -
Staff
Indian Rly.

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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

DASTI

Faridkot House
Copernicus Marg
New Delhi - 110 001.
Date: 6.6.2000

OA No. 980/2000

Applicant(s) S.P. Suri & Ors. Vs. UOI & Ors. Respondents

Represented by Advocate Sh. J.M. Khanna Represented by Advocate Sh.

To

1. The Chairman, Railway Board, Rail Bhawan, New Delhi.
2. The Dy. Director Finance (Estt.)-III, Railway Board, Rail Bhawan, New Delhi.
3. The Divisional Accounts Officer, Northern Railway, New Delhi.
4. The General Manager, Northern Railway, Baroda House, New Delhi.



RECEIVED FOR I.R. ON 20.6.2000

Whereas an application filed by the above named applicant under Section 19 of the Administrative Tribunal's Act, 1985, as in the copy annexed hereunto has been registered and upon Preliminary hearing the Tribunal has directed that you should be given an opportunity to show cause why the application should not be admitted.

Notice is hereby given to you to appear in the Bench of the Tribunal, in person or through a Legal Practitioner/Presenting Officer in this matter at 10.30 A.M. of the 26th day of July, 2000 to show cause, why the application should not be admitted. If you fail to appear, the application will be heard and decided in your absence.

Given under my hand and seal of this Tribunal this the 6th day of June, 2000.

SECTION OFFICER
JUDL.I
FOR REGISTRAR

Encl: Paperbook of OA &
Copy of order dt. 6.6.2000

<j-i>

6-6-2000

2.

OA 983/2000

Present :- Shri J.M.Khanna, learned counsel for the applicants.

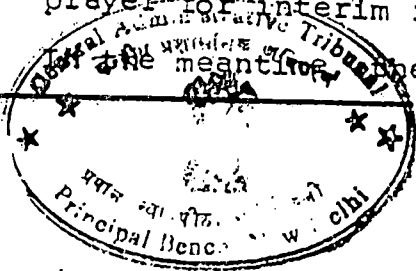
Heard.

Issue notice to the respondents to file reply within four weeks. Two weeks thereafter for rejoinder.

List on 26.7.2000 before the JR for completion of pleadings.

Learned counsel also presses for interim relief. Learned counsel has submitted that all the applicants are retired persons and following the impugned order dated 29.12.1999, in the case of some of the applicants, for example, Applicant 3, the respondents have issued an order in April, 2000 reducing his pension from Rs.5332/- to Rs.3731/- (pages 6 and 7 of the MA 1363/2000). Learned counsel has submitted that similarly the respondents are likely to issue ^{similar orders as} ~~the~~ orders which they have issued to applicant 3, to reduce ^{their} pension by giving effect to the impugned order not to include the Running allowance earlier taken into account as part of pay, prior to 1.1.1986. He also submits that all applicants have retired from service before 5.12.1998.

Issue dasti notice to the respondents on the prayer for interim relief, returnable in two weeks. ^{the respondents are restrained}



from giving effect to the impugned order reducing the pension of the applicants till they appear and are heard.

List on 20.6.2000 for further consideration of interim order.

(Smt. Lakshmi Swaminathan)
Member (J)



रिवाज...

CERTIFIED TRUE COPY

Dated...

अनुयाय अधिकारी (ग्रेड-1)

Section Officer (J-1)

केन्द्रीय प्रशासनिक अधिकारी

Central Administrative Tribunal

प्रधान न्यायाधीश, नई दिल्ली

Principal Bench, New Delhi

C. TC.
Assane

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

I.A. NO. 1433 OF 2000

IN

ORIGINAL APPLICATION NO. 1138 OF 2000

(Application under Section 19 of the Administrative Tribunal's Act, 1985)

IN RE:

TEJPAL AND OTHERS

...APPLICANTS

VERSUS

THE CHAIRMAN, RAILWAY BOARD & ORS.

...RESPONDENTS

APPLICATION UNDER RULE 4(5) OF CENTRAL
ADMINISTRATIVE TRIBUNAL (PROCEDURE) RULES, 1987.

MOST RESPECTFULLY SHOWETH :

1. The applicants have already filed accompanying original application seeking quashing of notification bearing No.F(E)/HI/98/PN1/29 PT dt. 29.12.1999.
2. The applicants have set out all the relevant facts in extension in the accompanying original application and crave leave of this Hon'ble Tribunal to refer to and rely upon the same as if incorporated herein verbatim.
3. The applicants are espousing the common grievance of reduction of pension by impugned notifications. Applicants also state that the grievances of all the applicants are identical and thus the cause of action is the same and thus they have common interests and even the reliefs prayed for by them are common. Therefore it would be expedient in the interest of justice if the applicants are

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PRAYER

1. ~~M~~ Sripal
2. Abund Richard
3. Jnder Singh
4. V S N (Siddh Ram)
5. Keshu Kumar
6. Jnder Parnash
7. Mohan Lal
8. Arun
9. Bhagwan
10. JH
11. V S N → (Gardari Lal)
12. Gnanu Samit
13. हरमवती देवी
14. R B. Ahluwalia
15. w-B Singh
16. A. Singh

Through
Chas. Allen
Advocate.

- 21 of Bhazni
22 Rohan Lal
23 Ganga Parsad
24 Ram. Singh

in (Pirath Ranj)
Dr. P. H. S. S. Varnas

Through :

Charan Lal Sahu

(CHARAN LAL SAHU)
ADVOCATE FOR THE APPLICANTS
96, Lawyers' Chambers,
Supreme Court, New Delhi.

VERIFICATION :

I, abovenamed deponent do hereby verify
the contents of the accompanying application to
to be true to our knowledge; No part of it is false
and nothing material has been concealed therefrom.

Verified at New Delhi on this 12th day
of June, 2000.

DEPONENTS

Charan Lal Sahu
Advocate

- 25 Lachhman Das. Guard SKE
- 26 *हनुमान सिंह* Driver SKE
- 27 Lakhpat " "
- 28 Poo Ram Chaudhary " "
- 29 Ram Kishore Slookh " "
- 30 Samuel Singh / SS " "
- 31 Beharilal / DR " "
- 32 Ram Singh " "
- 33 Parmjit Singh " "
- 34 Chaman Lal " G Delhi

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

I.A. NO. _____ OF 2000

IN

ORIGINAL APPLICATION NO. _____ OF 2000

IN RE:

TEJPAL AND OTHERS

... APPLICANTS

VERSUS

THE CHAIRMAN, RAILWAY BOARD & ORS. ... RESPONDENTS

AFFIDAVIT

I, Inder Singh, resident of Gali No.1, Mohalla Ramgalli, New Gate Mill, Patel Marg, Ghaziabad, U.P. presently at New Delhi, do hereby solemnly affirm and declare as under :-

1. That I am the one of applicant in the above mentioned matter and am well conversant with the facts and circumstances of the case and hence competent to swear this affidavit on behalf of myself and other applicants.



That the contents of the application under Rule 4(5) of Central Administrative Tribunal (Procedure) Rule, 1987 are true and correct to the best of my knowledge. No part of it is false and nothing material has been concealed therefrom.

Tejpal
DEPONENT

VERIFICATION :

VERIFIED at New Delhi on this the 12th day of June, 2000 that the contents of the above affidavit are true and correct to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

VERIFIED BY
[Signature]
Advocate/Agent

[Signature] 12/6/00
BANK

Tejpal
DEPONENT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION. 1139 OF 199x /2000

IN THE MATTER OF :

Shri TEJ PAL & Ors

.....Applicant s

VERSUS

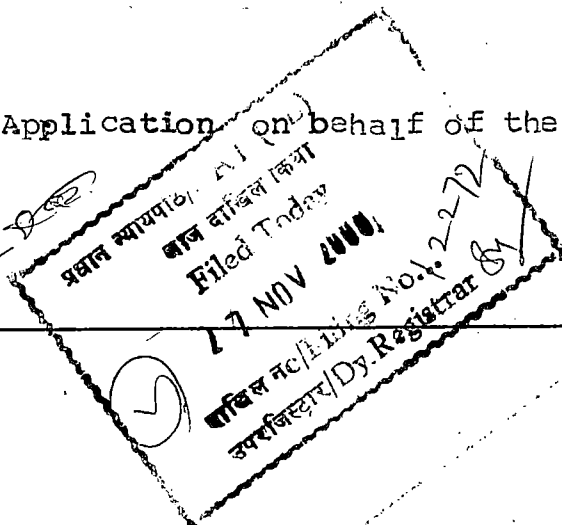
CHAIRMAN, RAILWAY BOARD & Ors

~~Union of India & Others~~

.....Respondents

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New Delhi

Dated 27.11.2000

(R.L. Dhawan) Advocate
Counsel for the Respondents
C-8, Anand Vihar,
Vikas Marg Ext.
Delhi-110092
Tel. Nos. 2155350, 2166721

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. No. 1139 of 2000

IN THE MATTER OF

Shri TEJ PAL & Ors -.-.-.-.-. APPLICANTS
vs.

CHAIRMAN, RAILWAY BOARD & Ors -.-.-.-. RESPONDENTS

COUNTER REPLY ON BEHALF
OF THE RESPONDENTS

MOST RESPECTFULLY SHOWETH

PRELIMINARY SUBMISSIONS

Before giving para-wise reply to O.A., the Respondents crave leave of this Hon'ble Tribunal to submit the following material facts for proper adjudication of the matter in dispute.

1. That priot to 1973, the actual running allowance drawn by the running staff not exceeding 75% of other emoluments was added to the average pay for working out pension and other retirement benefits. With effect from 1-1-1973, the upper limit of 75% was reduced to 45% and w.e.f. 1.4.79 this limit was raised to 55% with the modification that the pay element of running allowance at the uniform rate of 55% would be taken into account for calculation of pensionery benefits with reference to the actual running allowance drawn. However, simultaneous to these changes, amendments to Rule 2544 of Indian Railway Establishment Code vo. II could not be effected.

Anita
Divisional Accounts Officer
Northern Railway, New Delhi.

2. That the notification amending the said Code was issued on 5-12-1988 giving the amended provisions retrospective effect from 1-1-73 and 1-4-79 respectively. Taking advantage of this delayed notification, certain retired running staff approached the Central Administrative Tribunal, Ernakulam Bench and obtained a favourable judgement. The Hon'ble Supreme Court also upheld the decision of the Ernakulam Bench of the Hon'ble Tribunal that the amendment notified on 5-12-1988 should not be given retrospective effect so as to reduce the maximum limit of the element of running allowance from 75% to 45% from 1-1-73 to 31-3-79 and 55% from 1-4-1979 to 4-12-1988, vide their judgement dated 25-7-1997 passed in the case of Chairman, Railway Board vs. C.R. Rangadhamaiah (SC SLJ 1997 (2) 368).

3. That in implementation of the decision of the Hon'ble Supreme Court, instructions were issued vide Railway Board's letters No. PC-III/92/CTC/2 dated 14-10-97 and 8-7-99 (Copies filed and marked as Annexures 'I' and 'II' respectively) for recomputation of pension of the running staff retired during the period from 1-1-1973 to 4-12-1988 taking into account 75% of the emoluments as pay element in lieu of running allowance. During the course of implementation of these instructions, the Railway Board issued a set of fresh

ANNEXURES
'I' & 'II'

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orders. These orders were in respect of revision of pension of all pensioners who had retired during different periods including the pre-1986 retirees as per the recommendations of the Vth Central Pay Commission. The benefits arising out of these orders are admissible only w.e.f. 1-1-1996.

4.

That in terms of Deptt. of Personnel & Pensioners' Welfare's O.M. No. 45/86/97-P&PW(A) Pt. III dated 10-2-98 circulated vide Board's letter No. F(E) III/98/PN1/2 dated 10-3-98 (Annexure III) the pension of pre-1986 retirees is to be revised by refixing their pay on notional basis as on 1.1.1986 and the revised pension is then to be consolidated as on 1-1-1996 in accordance with the provisions given in para 4.1 of DOP&PW's OM No. 45/86/97-P&PW(A) dated 27-10-1997 circulated vide Board's letter No. F(E) III/97/PN1/23 dated 7-11-97 (copy filed as Annexure IV) and the revised pension is admissible w.e.f. 1.1.1996.

ANNEXURE 'IV'

According to para 2 of DOP&PW's OM dated 10-2-98, the pay revised notionally as on 1.1.1986 is to be treated as average emoluments for calculation of pension and para 6 thereof, no arrears on account of the revision will be admissible for the period prior to 1.1.1996. At the same time as per Railway Board's instructions dated 14-10-1997, the benefit of revision of pension taking into account 75% of the pay

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element in lieu of running allowance is admissible for the entire period, i.e. from the date following the date of retirement onwards duly revised periodically as per the extant orders.

5. That while the pension of the applicants were correctly recomputed in terms of these instructions for the period upto 31-12-85, further revision for the period from 1-1-1986 to 31-12-1995 was done erroneously in terms of DOP&PW's O.M. Dated 10-2-98 (Annexure 'III') also taking into account 75% of the pay element in lieu of running allowance along with the notionally revised pay of 1.1.1986 onwards. As per the correct procedure, the pension recomputed on the basis of Board's letter dated 14-10-97 and payable as on 31-12-1985 should be consolidated in terms of DOP&PW's O.M. No. 2/1/87/PIC-I dated 16-4-1987 circulated vide Railway Board's letter No. PC-III/87/IMP/PN1 dated 20-4-1987 (copy filed and marked as Annexure 'V') and the arrears becoming due is payable for the period from 1.1.1986 on 31-12-1995.

ANNEXURE 'V'

Thereafter further revision is to be done as per decision of the Government on the recommendations of the Vth Central Pay Commission circulated vide DOP&PW's O.M. dated 27-10-1997 (Annexure IV). The error has crept in due to mixing up of orders dated 14-10-1997 (Annexure I) issued in implementation of the judgement of the Hon'ble Supreme Court

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Divisional Accounts Officer
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and the instructions of DOP&PW dated 10-2-1998 (Annexure III) issued in implementation of the recommendations of Vth Central Pay Commission.

6. That the Railway Board vide letter No. F(E) III/98/PN1/29 dated 29-12-1999 (copy filed and marked as Annexure 'VI') clarified that running allowance is not to be taken into consideration after refixation of pay on notional basis as on 1.1.1986 in terms of DOP&PW's OM dated 10-2-98, when the mistake committed while revising the pension of the applicants came to the notice and therefore, the pension recomputed earlier for the period ending 31-12-1985 on the basis of Railway Board's 14-10-1997 instructions was revised in accordance with the pension revision formulate adopted as a result of IV and Vth Central Pay Commission recommendations. In the case of applicants, since the recomputed and consolidated pension admissible as on 1-1-1986 was more than the notionally revised pension, the higher amount of pension was further consolidated w.e.f. 1.1.1996 as per DOP&PW's OM dated 27-10-1997. This has resulted in recovery of excess payment made to the applicants. The pension recomputed on the basis of the judgement of the Hon'ble Supreme Court in the case of Chairman, Railway Board vs. C.R. Rangadhmaiah (supra) has been fully

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protected and they will continue to draw the benefit in future also.

PRELIMINARY OBJECTIONS

1. That the Application is made for non-joinder of the necessary party. It is submitted that the applicants have not impleaded Union of India as respondent, which is a necessary party as per law laid down by the Hon'ble Supreme Court in the case of 'Ranjit Mal vs. General Manager, Northern Railway (AIR 1977 SC 1701)'. The Hon'ble Supreme Court have held in the said case that "Union of India represents the Railway administration. The Union carries on administration through different servants. These servants all represent the Union in regard to activities whether in the matter of appointment or in the matter of removal. It cannot be denied that any order which will be passed on an application under Article 226 having the effect of setting aside the removal will fasten liability on Union of India and not on any servant of the Union of India. The General Manager or any other authority acting in the railway administration is as much servant of the Union as the petitioner was. Therefore, Union of India is the necessary party to the proceedings and hence the High Court was justified in rejecting the petition because Union of India was not part in the proceedings.

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2. That the applicants have not impleaded the Divl. Railway Manager under whose administrative control they were working at the time of their retirement as party respondent and the OA is not maintainable for non-joinder of the necessary party.
3. That the application is not maintainable under section 20 of the Administrative Tribunals Act, 1985. It is submitted that without exhausting the departmental remedy the applicants have rushed to this Hon'ble Tribunal and such an application is not maintainable under the law. Reliance is placed on Constitution Bench judgement of the Hon'ble Supreme Court in the case of S.S. Rathore vs. State of Madhya Pradesh (SLJ 1990 (1) SC 98).
4. That the joint application filed by the applicants is not maintainable under Rule 4(5) of C.A.T.(Procedure) Rules, 1987. It is submitted that the applicants are not similarly situated and there is no common cause of action.

That no cause of action has accrued in favour of the applicants and against the respondents. The O.A. is totally devoid of merit and may be dismissed.
5. That the OA is misconceived and not maintainable under the law.

Anita
Divisional Accounts Officer
Northern Railway, New Delhi.

PARAWISE REPLY

At the outset, the Respondents deny each and every allegation made in the O.A. except those which are specifically admitted herein after and those which are a matter of record. Para-wise reply, however, is as under :-

1. The contents of this para are wrong and denied. It is submitted that in the case of pre-1-1-1986 pensioners, 75% of the emoluments representing pay element in lieu of running allowance was already added to their average pay for calculation of pension. As such, it is neither logical nor reasonable on the part of such pensioners including the applicants to look forward to addition of the element of running allowance on each and every occasion when their pension undergoes a revision. The pension once finally sanctioned taking into account the prescribed element of pay in lieu of running allowance will under no circumstances be reduced unless it is due to a clerical error. In the case of applicants, pension finally sanctioned at the time of retirement and recomputed on the basis of the decision of the Hon'ble Supreme Court has not been reduced. It is the excess amount of pension happened to be paid to the applicants due to erroneous revision of pension as a result of misinterpretation of the various instructions issued simultaneously by the Railway Board, which is being recovered.

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Divisional Accounts Officer
Northern Railway, New Delhi

2. Jurisdiction of this Hon'ble Tribunal is not denied.
3. The contents of this para are wrong and denied. It is absolutely incorrect to say that instructions were issued vide Railway Board's letter No. F(E) III/98/PN1/29 dated 29-12-99 (Annexure VI) to stop arrears of pension payable to the applicants in accordance with the instructions issued vide Railway Board's letter dated 14-10-97 (Annexure 'I') based on the judgement of the Hon'ble Supreme Court in the case of Chairman, Railway Board vs. C.R. Rangadhamaiah (Supra) in Civil Appeal Nos. 4174-82 of 1995. The instructions contained in Railway Board's letter dated 29-12-1999 are only clarificatory to the DOP&PW's instructions dated 10-2-1998 (Annexure III), which deal with revision of pension of pre-1986 retirees by treating only the notionally revised pay as on 1-1-1986 as average emoluments and last pay drawn for calculating pension and family pension respectively, which are in implementation of the recommendations of Vth Central Pay Commission and these instructions do not clash with the instructions dated 14-10-1997 issued in implementation of the judgement of the Hon'ble Supreme Court. The pension recomputed on the basis of Hon'ble Supreme Court's decision and the benefit of

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pension further revised as per the pension revision/consolidation formulae issued by the Railway Board on various occasions is admissible to the retired running staff from the date following the date of retirement to this date and herein after.

4. FACTS OF THE CASE

4(i) & 4(xii) In reply it is submitted that the averments made by the applicants in these paras are a matter of record.

4(xiii) and 4(xiv) The contents of these paras are not admitted as stated. It is submitted that Railway Board's letter dated 29-12-99 (Annexure VI) is not aimed at reducing the recomputed pension as ordered by the Hon'ble Supreme Court. The instructions contained in Railway Board's letter dated 29-12-1999 are related to implementation of the recommendations of Vth Central Pay Commission in respect of pre-1-1-1986 retirees, the benefits of revised pension, if any, would accrue only w.e.f. 1-1-1996. On the other hand the benefit of pension recomputed after taking into account 75% of the emoluments as pay element in lieu of running allowance in terms of the judgement of the Hon'ble Supreme Court implemented vide Railway Board's letter dated 14-10-1997 and 8-7-1999 and further revised from time to time as per the exant instructions, will continue to be admissible to the

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retired running staff from the date following the date of retirement upto the date of death and to the eligible members of family as long as they are alive.

- 4(xv) The contents of this para is not admitted as stated. It is submitted that the instructions contained in Railway Board's letter dated 29-12-1999 (Annexure VI) are in accordance with the instructions contained in para 2 of DOP&PW's OM dated 10-2-98. (Annexure III) regarding revision of pension of pre-1986 pensioners/family personers, in terms of which the notional pay fixed as on 1-1-1986 as per the pay fixation formula duly taking into account the element of running allowance, is to be treated as average pay and last pay drawn for the purpose of calculating pension and family pension respectively. DOP&PW have further clarified that no more additional elements shall be added to the pay notionally revised as on 1-1-1986. The intention behind these instructions was to club the pre-1986 pensioners together as on 1-1-1986 irrespective of the category to which they belonged at the time of retirement in order that the wide disparity in the amount of pension admissible to pre-1986 pensioners who retired during different spells, would come to an end and they would start drawing pension based on the corresponding IVth Central Pay Commission scales of pay and

Anita
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all such pensioners will be treated alike those who retired on or after 1-1-1986 for the purpose of consolidation of the pension as on 1-1-1996 as recommended by the Vth Central Pay Commission.

- 4(xvi) The contents of these paras are not admitted
and
4(xvii) as stated. It is submitted that the overpayments made to pre-1-1-1986 pensioners are due to wrong interpretation of various instructions received from the Railway Board as a result of implementation of the decision of the Hon'ble Supreme court for taking into account 75% of the emoluments as pay element of running allowance for recomputation of pension of retired running staff of the period 1-1-1973 - 4-12-1998 as also instructions issued based on the recommendations of the Vth Central Pay Commission for revision of pension of all pensioners including pre 1-1-1986 pensioners. In terms of the judgement of the Hon'ble Supreme Court, the pension of retired running staff was recomputed by adding 75% of the emoluments as pay element in lieu of running allowance, to the average pay and the payments were made upto 31-12-1995. The recomputed pension should have been consolidated as on 1-1-1986 in terms of Railway Board's letter dated 20-4-1987 and should have been paid for the period upto 31-12-1995. But due to wrong interpretation

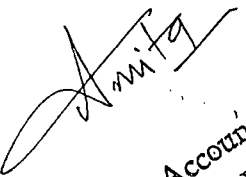
Anita
Divisional Accounts Office
Northern Railway, New Delhi

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of instructions of DOP&PW dated 10-2-1998 issued on the basis of Vth Central Pay Commission recommendations, the benefits of which would accrue to the pensioners' w.e.f 1-1-1996 only, the pension of pre-1986 retired running staff was notionally revised as per DOP&PW's instructions dated 10-2-1998 by adding 75% of the pay element as running allowance to the notionally revised pay as on 1.1.1986 and arrears of revised pension for the period from 1.1.1986 to 31-12-1995 were paid erroneously. Thus the applicants came to be in receipt of huge amount as arrears of pension, which are neither intended to be given to them nor due to them, as per rules.

On having come to know of the correct position as clarified vide Railway Board's letter dated 29-12-1999 (Annexure VI) that running allowance is not to be added to the notionally revised pay as on 1.1.1986, it became necessary to restore the pension recomputed on the basis of the judgement of the Hon'ble Supreme Court duly revised in terms of Railway Board's letter dated 20-4-1987 for the period from 1-1-1986 to 31-12-1995. Moreover, since this revised pension is more than the pension revised on refixation of pay on notional basis as on 1-1-1996 without taking into account 75% of pay element in lieu of running allowance, as per rules, the applicants are


Divisional Accounts Officer of
Northern Railway, New Delhi

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are entitled to have the existing higher amount of pension consolidated w.e.f. 1-1-1996 in terms of DOP&PW's instructions dated 27-10-1997.

4(xviii) The contents of this para are not admitted as stated. It is submitted that the clarification issued through Railway Board's letter dated 29-12-1999 (Annexure VI) applies only to cases of pension of pre-1986 retirees required to be revised on notional fixation of pay as on 1-1-1986 and if pension thus revised is more than the existing pension, the revised pension is to be consolidated w.e.f. 1.1.1996 as per the recommendations of Vth Central Pay Commission as accepted by the Government. In all cases of calculation of pension/ family pension at the time of retirement or death while in service, a fixed percentage of pay treated as element in lieu of running allowance is invariably added to the average pay and last pay drawn respectively.

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4(xix)
Divisional Accounts Officer
Northern Railway, New Delhi

The contents of this para are not admitted as stated. It is submitted that in the case of pre-1-1-1986 pensioners, 75% of the emoluments representing element in lieu of running allowance was already added to their average pay for calculation of pension. As such, it is neither logical

nor reasonable on the part of such pensioners, including the applicants to look forward to addition of the element of running allowance on each and every occasion when their pension undergoes a revision. The pension once finally sanctioned taking into account the prescribed element of pay in lieu of running allowance will under no circumstances be reduced unless it is due to a clerical error. In the case of the applicants, pension finally sanctioned at the time of retirement and recomputed on the basis of the decision of the Hon'ble Supreme Court, has not been reduced. It is the excess amount of pension happened to be paid to the applicants due to erroneous revision of pension as a result of misinterpretation of the various instructions issued simultaneously by the Railway Board which is being recovered.

5. REPLY TO GROUNDS

The contents of paras 5(A) to 5(T) of the grounds are wrong and denied. The Applicants have merely repeated the facts stated in para 4, as such the Respondents crave leave of this Hon'ble Tribunal to refer and rely on the reply given in para 4. However, reply to the legal submissions will be made at the time of arguments. It is further submitted that the Railwa Board's instructions dated 29-12-1999 (Annexure VI)

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Divisional Accounts Officer
Northern Railway, New Delhi

which are clarifactory in nature, are perfectly in accordance with the instructions of DOP&PW dated 10-2-1998 (Annexure III). Through these instructions, no directions have been given for any retrospective operation. These are neither arbitrary and discriminatory nor in breach of the Fundamental Rights guaranteed under Articles 14 and 16 of the Constitution of India. The retired running staff were given the benefit of 75% emoluments as pay element in lieu of running allowance instead of 45% / 55%, as ordered by the Hon'ble Supreme Court and they will continue to receive this benefit in future also. The orders of the Hon'ble Supreme Court have been fully implemented and will continue to be maintained as long as the pensioners and the eligible family members are alive.

It is further submitted that the Applicants were paid huge amount as arrears of pension due to wrong calculation of pension, which are not admissible to them and as such they are liable to pay the same back to the Railway in lump sum. The applicant retirees had already been paid directly by the disbursing banks etc. the arrears of pension which became due on account of revision of pension as on 1.1.1996 as per DOP&PW's OM dated 27-10-1997 based on the recommendations of Vth CPC. Thereafter, the retirement dues which were calculated

Amity
Divisional Accounts Officer
Northern Railway, New Delhi.

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at the time of retirement taking into account 45% / 55% of the pay element in lieu of running allowance were revised taking into account 75% of the emoluments in lieu of running allowance as per the judgement of the Hon'ble Supreme Court and the resultant arrears on account of gravity, commutation of pension, etc. and also monthly pension for the period from the date following the date of retirement of the present day as duly revised/consolidated in terms of IVth and Vth Central Pay Commission recommendation were paid to them. Unfortunately during the course of all these revisions some error took place due to misinterpretation of DOP&PW's instructions dated 10-2-98 which had to be set right with the result over payment constituting only a fraction of huge amount of pension arrears paid to them had to be recovered.

6. The contents of this para are not admitted as stated. It is submitted that the OA is not maintainable under Section 20 of the Administrative Tribunals Act, 1985. It is further submitted that the clarificatory instructions as contained in Railway Board's letter dated 29-12-1999 (Annexure VI) do not come in the way of implementation of the judgements of the Hon'ble Supreme Court. These are only clarificatory to the DOP&PW's instructions dated 10-2-98 (Annexure III) for revision of pension of pre-1986 pensioners

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Divisional Accounts Officer
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as recommended by the Vth Central Pay Commission. The instructions dated 29-12-99 do not have the effect of bringing down the pension of pre-1986 retired running staff or those who retired during the period from 1-1-1986 to 4-12-1988. The pension of all those retirees recomputed on the basis of the decision of the Hon'ble Supreme Court has been fully protected. There is no infringement on the right of the applicants to draw pensioner as per extant rules and instructions.

7. Denied for want of knowledge.

8. In view of the submissions made herein, it is MOST RESPECTFULLY submitted that the Applicants are not entitled to the reliefs claimed in this para. It is further submitted that the instructions contained in Railway Board's letter dated 29-12-1999 (Ann. VI) are clarificatory to the base instructions dated 10-2-1998 (Annexure III) issued by the DOP&PW, which is the nodal department of the Government of India for framing policy instructions on pensionary matters. According to DOP&PW's instructions, for grant of revised pensionary benefits w.e.f. 1-1-1996 to the pre-1996 retirees on the basis of the decision taken by the Govt. in implementation of the recommendations of the Vth Central Pay Commission, the pay last drawn by them is to be revised

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Divisional Accounts Officer
Northern Railway, New Delhi

notionally as on 1-1-1986 and the pay so revised is to be treated as average emoluments and last pay drawn for working out the pension and family pension with effect from 1-1-1986. It has also been clarified by the DOP&PW vide their OM No. 45/86/97-P&PW(A) Pt. III dated 24-7-98 circulated vide Railway Board's letter No. F(E) III/98/PN1/2 dated 2-9-1998 (Annexure VII) that if the pension revised on notional fixation of pay on 1-1-1986 happens to be less than the pension already drawn by the pensioners, the same should not be reduced to their disadvantage. In the case of Medical Officer, DOP&PW have already clarified vide their OM No. 45/3/99-P&PW(A) dated 29-10-1999 circulated vide Railway Board's letter No. F(E) III/98/PN1/29 dated 12-11-1999 (Annexure VIII) that non-practising allowance which was already taken into account for calculating the pension and other benefits at the time of retirement, is not to be added to the pay of the pre-1986 retirees revised on notional basis as on 1-1-1986 as the same is not permissible in terms of para 2 of their instructions dated 10-2-1998. The characteristics of Running Allowance being identical to that of non-Practising Allowance, the Board issued instructions dated 29-12-1999 clarifying that running allowance is not be added to the pay of pre-1986 retirees revised on notional basis as on 1-1-1986. These instructions

Anita
Divisional Accounts Officer
Northern Railway, New Delhi

are not violative of the Articles 14 and 16 of the Constitution of India as alleged by the applicants. All the pre-1986 retirees including the applicants and the retirees of the period from 1-1-1986 to 4-12-1988 are drawing pension recomputed in accordance with the judgement of the Hon'ble Supreme Court i.e. by taking into account the benefit of 75% of the pay element of running allowance for calculating pension which stands reflected in the subsequent consolidation done as on 1-1-1986 and 1-1-1996 on the basis of the Ivth and Vth Central Pay Commission respectively. The Railway administration is not working against the interest of the pensioners as the applicants have attempted to project. The Railway administration fully appreciates the long years of efficient service rendered by the applicants and similarly placed retirees. All the dues, as admissible to them as per rules and instructions and as ordered by the Hon'ble Supreme Court have already been paid to them and they are not discriminated against in any manner whatsoever. By way of inclusion of 75% of pay element as running allowance for calculation of pension, they stand apart as the highly paid pensioners as compared to lakhs of other Railway pensioners who held same scale of pay and status but were not categorised as running staff. In the circumstances, the OA is liable to be dismissed with costs for the

Anita
Divisional Accounts Officer
Northern Railway, New Delhi

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same is an attempt to grab an unintended and undue benefit, over and above the higher amount of benefits being drawn by them.

9. Need no comments.

10-12 These paras being formal need no comments.

P R A Y E R

In view of the submissions made herein above, it is MOST RESPECTFULLY prayed that this Hon'ble Tribunal may be pleased to dismiss the O.A., in the interest of justice.

Amita
FOR RESPONDENTS

Amir Singh
Divisional Accounts Officer
Northern Railway, New Delhi.
(R.L. DHAWAN) ADVOCATE
COUNSEL FOR THE RESPONDENTS

VERIFICATION

Amita
I, *Amita Prasad Sarbhai*, Divl. Accounts Officer, Northern Railway, Head Quarters Office, Baroda House, New Delhi, do hereby verify that the contents of paras 1, 4 to 7 and those of Preliminary Submissions are true to my knowledge based on official records which are regularly kept and information received from the concerned officials while those of paras 2, 3, and 8 to 12 as well Preliminary Objections believed to be true on legal advice received and that I have not suppressed any material fact. Last para is prayer to this Hon'ble Tribunal.

VERIFIED at New Delhi this 23rd day of Nov. October, 2000.

Amita
FOR RESPONDENTS

Divisional Accounts Officer

(209)
GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF RAILWAYS/RAIL MANTRALAYA
(RAILWAY BOARD).

Annexure-I

Machdng No. PC-III/92/09/01

S.No. 004/97
RBE No. 135/97
MOST IMMEDIATE
COURT CASE

(76)

New Delhi, dated 11.10.97

No.PC-III/92/CTC-I/2

The General Managers,
All Indian Railways.

(Attn : CPOs and FACAOs)

Sub: Civil Appeal Nos. 4174-82 of 1995 (Chairman
Railway Board and others Vs. C. R.
Rangadhamaiah and others) and other tagged SLPs.

Hon'ble Supreme Court vide their judgement dated 25.7.97 has dismissed the above cited Civil Appeals together with other tagged SLPs which related to the issue of computation of certain percentages of Running Allowance for pension and retiral benefits of running staff. Relevant extracts of Hon'ble Supreme Court's above judgement are as follows :

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"...Once it is held that pension payable to such employees had to be computed in accordance with Rule 2544 as it stood on the date of their retirement, it is obvious that as a result of the amendments which have been introduced in Rule 2544 by the impugned notifications dated Dec 5, 1988 the pension that would be payable would be less than the amount that would have been payable as per Rule 2544 as it stood on the date of retirement. The Full Bench of the Tribunal has, in our opinion, rightly taken the view that the amendments that were made in Rule 2544 by the impugned notifications dated Dec 5, 1988 to the extent the said amendments have been given retrospective effect so as to reduce the maximum limit from 75% to 45% in respect of the period from Jan 1-1973 to Mar 31, 1979 and reduce it to 55% in respect of the period from April 1, 1979, are unreasonable and arbitrary and are violative of the rights guaranteed under Articles 14 and 16 of the Constitution.

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For the reasons mentioned, the appeals as well as Special Leave Petition filed by the Union of India and Railway Admin. are dismissed. But in the circumstances, there will be no order as to costs."

2. Accordingly Ministry of Railways (Railway Board) have decided that

- (i) The pension and other retiral benefits of the running staff who retired between 1.1.73 to 4.12.88 and were involved in above cited Civil Appeals/SIPs as well as other similarly situated employees may be recomputed in accordance with Rule 2544 R-II as was in force before it was amended by notification dated 5.12.88.
- (ii) The arrears on account of recomputation of pension and other retiral benefits as abovesaid may be calculated and paid to these employees/their legal heirs.

3. Above instructions may be implemented immediately and compliance reported to Board's office.

4. The receipt of this letter may be acknowledged.

(Rahul Jha)
Executive Director Pay Commission
Railway Board

No. PC-III/92/CTC-I/2

New Delhi, dated 14.11.92

Copy (with 40 spares) forwarded to A.D.A.I (Railways), New Delhi.

This Annexure... is the true
copy of the original document.

(R. L. DHAWAN) Advocate

for Financial Commissioner, Railway

contd...34

(24)
Annexure R-II
(78)
GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF RAILWAYS/RAIL MANTRALAYA
(RAILWAY BOARD)

No.PC-III/92/CTC-1/2

RBE No.16/17/92
New Delhi, dated: 8-7-1999.

The General Manager/OSD/CAC(R),
All Indian Railways & Production Units.

Subject : Civil Appeal Nos.4174-82 of 1995 (Chairman, Railway Board and others Versus C.R. Rangadhamalah and others) and other tagged SLPs.

Attention is invited to Board's letter of even number dated 14-10-1997 on the above subject.

2. References have been received from various Zonal Railways outlining the difficulties faced by them in the implementation of the instructions contained in Board's letter dated 14-10-1997 *ibid*. It has been reported that in a large number of cases, relevant records, most prominently the records of running allowance, are not available and that in a few other cases where records are available, implementation of the orders dated 14-10-1997 is leading to reduction in the pension and other retiral benefits of the concerned Running staff. It has also been pointed out by the Railways that since 1-4-1979, there *has* been no requirement of referring to the amount of running allowance *actually* drawn by the Running staff for the purpose of computation of retirement benefits of Running staff. Moreover, in terms of the guidelines for preservation of records, pay bills which contain details of the amount of Running allowance paid, are to be preserved for a period of 10 years only.

3. The matter has accordingly been examined. The Board have noted that difficulties related to non-availability of records pertaining to running allowance are badly hampering the implementation of Hon'ble Supreme Court's orders on the subject.

4. Taking all aspects of the matter into account, the matter has been considered carefully by the Board in consultation with the Legal Advisor. In partial modification of the instructions contained in Para 2(i) of the above letter dated 14-10-1997, it has been decided that for the purpose of recomputation of pension and other retiral benefits of the Running staff who retired during the period from 1-1-1973 to 4-12-1988 and were involved in the above *Civil* Appeals/SLPs as well as other similarly placed employees, 75% of *other* emoluments, as prescribed in Rule 2544 R.II as was in force before it *was* amended by the notification dated 5-12-1988, may be reckoned *without* reference to the actual amount of running allowance drawn by them.

5. It is desired that immediate necessary action may be taken to *arrange* payments wherever due in light of Board's letter dated 14-10-1997 and the decision contained in Para 4 above.

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6. This issues with the concurrence of the Finance Directorate of Ministry of Railways.
7. Kindly acknowledge receipt.

No.PC-III/92/CTC-1/2

Copy forwarded to the FA&CAOs, All Indian Railways & Prod. Units.

New Delhi, dated : 8-7-1999.

(K.J. Abraham)
Jt Dir/Estt (P&A)
Railway Board.

No.PC-III/92/CTC-1/2

Copy (with 80 spares) to the DAI(Railways), New Delhi.

New Delhi, dated : 8-7-1999.

(K.J. Abraham)
Jt Dir/Estt (P&A)
Railway Board.

No.PC-III/92/CTC-1/2

Copy forwarded to the Federations etc.

for Financial Commissioner/Railways.

New Delhi, dated : 8-7-1999.

Copy to :

for Secretary/Railway Board.

PPS₂/PS₂/PA₂ to :- MR, MOS(R), CRB, FC, ME, ML, MM, MT, MS, AM(F), AM(L), AM(ME), AM(S), AM(PU&WT), AM(MS), OSD/Accounts, Secretary, EDE, EDPC-I, EDPC-II, EDE(N), EDE(RRB), EDE(Res), EDE(IR), EDEE(RS), EDME(TR), EDME(W), ED(S&T), ED(S&E), JS(G), JS, DF(E), DPC, JDE(P&A), DE(N), JDPC, JDF(E), JDE(L), JDE(LL), JDE(W), DS(G), US(A), DDF(E)L, DDF(E)II, DDE(LR), DDE(LR)II, DDE(R)II (with 2 spares).

Branches : E(P&A)L, PC-III, PC-IV, PC-V, Cash-II, Cash-III, Cash-IV, F(19)L, F(19)II, F(19)III, F(19)Spl., Actn-III (with 10 spares), FRRB-II, FRRB-III, FRRB-IV, FRRB-V, F(LR)II, F(LR)III, F(W), F(NG)I, E(NG)II, E(MPP), E(RRP)L, E(RRP)II, E(RRP)III.

This Annexure... is the true copy of the original document.

(R. L. DHAWAN) Advocate

Annexure R-III

(20)

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

(90)

S.NO.PC-V/50

RBE NO. 55/98

No. F(E)III/98/PN1/2

NEW DELHI, Dt: 10.3.1998

The GMs/OSDs/CAOs etc.
All Indian Railways & Production Units
(As per Mailing List)

Sub: Implementation of Government's decision on
the recommendations of the Fifth Central
Pay Commission - Revision of pension of
pre-1986 pensioners/family pensioners.

....

A copy of Department of Pension & Pensioners' Welfare's O.M. No. 45/86/97-P&PW(A)-Part III dated 10.2.98, together with its enclosures, is circulated for information and guidance. These instructions shall apply, mutatis mutandis to pre-1.1.1986 Railway family pensioners/pensioners who were in receipt of (i) Retiring Pension, (ii) Superannuation Pension, (iii) Compensation Pension and (iv) Invalid Pension as on 1.1.1996 under Railway Pension Rules.

2. DOP&PW's Resolution No. 45/86/97-P&PW(A) dt. 30.9.97 referred to in the enclosed O.M. dt. 10.2.98 was published in 'The Gazette of India' Extraordinary, Part-I, Section-I dt. 30.9.97. Their O.M. No. 45/86/97-P&PW(A)-Part II dt. 27.10.97 referred to therein was circulated on the Railways vide Board's letter No. F(E)III/97/PN1/23 dt. 7.11.97.

3. For revision of pension under these orders, each pre-1986 pensioner/family pensioner has to apply in the prescribed form in duplicate as at Annexure II to his/her pension sanctioning authority within a period of 180 days from the date of issue of these orders of Ministry of Railways.

4. Hindi Version will follow.

5. Please acknowledge receipt.

DA:As above.

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

This Annexure R-III is the true
copy of the original document.

(R. L. DHAWAN) Advocate

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81
No. F(E)III/98/PN1/2.

Dt: 10.3.1988

Copy to:-

1. The GM, N.F. Railway (Const), CAO, Southern Railway 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, Calcutta
5. The CAO and FA&CAO COFMOW/New Delhi
6. The General Manager and FA&CAO, CORE, Allahabad
7. The Principal, Railway Staff College/Vadodara
8. The CAO (Const.), MTP(R)/Mumbai
9. The CAO (Const), MTP(R)/Chennai.
10. The Director, CAMTECH/Gwalior-474 020
11. The Director, IRICEN/Pune, IRIEN/Nasik Road, IRIM, Jamalpur, IRISSET/Secunderabad.
12. The Managing Director, RITES, IRCON, IRFC, CONCOR Limited, Executive Director, CRIS.
13. The Chairman and Managing Director, KRC Limited, New Delhi.
14. Office of the Chief Project Administrator (Telecom), Indian Railway Central Organisation for Telecom (IRCO) Consultancy, Shivaji Bridge/New Delhi.
15. The Director (Movement), Railways/Calcutta
16. The Joint Director (Finance), RDSO, Lucknow
17. The Joint Director, Mil Rail, Ministry of Defence
18. The Joint Director, Iron & Steel, 3 Koila Ghat Street/Calcutta.
19. Chief Mining Advisor, Ministry of Railways, 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, Calcutta, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad and Trivandrum.
24. The Editor, 'Bhartiya Rail'
25. The Editor 'Indian Railways'
26. Chairman, Passenger 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 Safety/Lucknow.
31. Liaison Officer, V CPC, Zonal Railways/PUs/RDSO/Trg. Institutes, Metro Railway/COFMOW/CORE/IRSC etc.

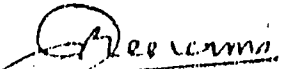

(M. BHATTACHARYA)
Dy. Director Finance (Estt.) I.I.,
Railway Board.

No. F(E)III/98/PN1/2.

NEW DELHI

Dt: 10.3.1998

Copy (with 100 spares) forwarded to the DAI(Railways) New Delhi.


for Financial Commissioner/Railways

No. F(E)III/98/PN1/2.

NEW DELHI

Dt: 10.3.1998

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, Preeti Mohan Road, New Delhi (with 20 spares)
4. The Secretary General, IRCA, (with 5 spares)

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- 83
5. The Secretary, RBSS Group 'A' Officers Association (with 5 spares)
 6. The President, Railway Board Class II Officers' Association (with 5 spares)
 7. The Secretary General, IRPOF (with 5 spares)
 8. The President, Indian Railway Class II Officers' Association. (with 5 spares)
 9. The Secretary, Railway Board Ministerial Staff Association (with 5 spares)
 10. The Secretary, Railway Board Class IV Staff Association. (with 5 spares)

J. J. J. J. J.
for Secretary, Railway Board

Copy to:-

PPS/PAs to : CRB, FC, MS, MT, ME, ML, MM, DG/RHS, DG/RF
All Additional Members, All OSDs, Secretary, All Executive
Directors, JS, JS(G), JS(C), JS(D), DS(G), JDPC-II, DEN,
Dir(MPP), DE(G), JDPC-I, JDE(N), JDE(P&A), JDE(GC), JDE(Rep),
JDE(G), JDE(D&A), JDE(Gaz), JDE(W), JDEGP, JDE(Res)I, DF(E),
DDPC-III, IV, V, DDV(A&P), DDE(E)I, II & III, JDE(L), DDE(LR)
II & III, DDE(R)II, PAO, US(A), US(D), US(E), W.O./Railway Board
Cash-I, II, III & IV, Budget, E(P&A)I/II, E(G), E(NG)I & II
PC-V, PC-III & IV, E(Trg), E(MPP), E(LR)I & II, F(E)I, II &
Special, Security (E), Security(E), Security(ABE), Accounts I
ERB-I, II, III, IV, V & D, G(Pass), G(Acc), E(Welfare),
E(SCT), 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, E(LR)III,
Acs-II, P.G. E(Rep)I/II/III/Railway Board.

1. National Federation of Railway Pensioners, 42/14, Motilal Street, T. Nagar, Madras- 600 017.
2. The Secretary General, National Federation of Railway Pensioners, 27/578, Audityapuram, Palghat- 678 006.
3. Shri R.B. Kulkarni, President, AIRRF, 13/9, Vivekanand Housing Society, Gurumandir Road, Dombivli (East), Maharashtra- 421 201.
4. The President, All India Retired Railway Officers' Association No. 12-13268, Street No. 15, Taranaka, Secunderabad.

(Copy to DOP&PW with reference to their O.M. No. 45/85/97-P&PW(A)- Part III dt. 10.2.98)

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F. No.45/86/97- &PW(A)-Part III
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners Welfare

New Delhi, Dated the 10th February, 1998

OFFICE MEMORANDUM

Subject: Implementation of Government's decision on the recommendations of the Fifth Central Pay Commission- Revision of pension of pre-1986 pensioners/family pensioners etc.

The undersigned is directed to say that in pursuance of Government's decision on the recommendations of Fifth Central Pay Commission announced in this Department's Resolution No. 45/86/97-P&PW(A) dated 30.9.1997 and in continuation of instructions contained in this Department's Office Memorandum No. 45/86/97-P&PW(A)-Part II dated 27.10.1997, the President is now pleased to decide that the pension/family pension of all pre-1986 pensioners/family pensioners who were in receipt of the following types of pension as on 1.1.1986 under Liberalised Pension Rules, 1950, CCS(Pension) Rules 1972 as amended from time to time or the corresponding rules applicable to Railway pensioners and pensioners of All India Services may be revised w.e.f. 1.1.1996 in the manner indicated in the succeeding paragraphs:-

- i) Retiring Pension.
- ii) Superannuation Pension
- iii) Compensation Pension
- iv) Invalid Pension

2. In accordance with the provisions contained in CCS(Pension) Rules, 1972 and the Government's orders issued thereunder, at present pension of all pre-1986 pensioners is based on the average emoluments drawn by them during last completed 10 months immediately preceding the date of retirement and similarly family pension is based on the last pay drawn by the deceased Government servant/pensioner. Government has, inter-alia accepted the recommendation of Fifth Central Pay Commission to the effect that the pension of all the pre-1986 retirees may be updated by notional fixation of their pay as on 1.1.1986 by adopting the same formula as for the serving employees and thereafter for the purpose of consolidation of their pension/family pension as on 1.1.1986, they may be treated alike those who have retired on or after 1.1.1986. Accordingly, pay of all those government servants who retired prior to 1.1.1986 and were in receipt of pension as on 1.1.1986 and also in cases of those Central Government employees who died prior to

1.1.1986, in respect of whom family pension was being paid on 1.1.1986, will be fixed on notional basis in the revised scale of pay for the post held by the pensioner at the time of retirement or on the date of death of Government employee, introduced subsequent to retirement/death of Government employee consequent upon promulgation of Revised Pay Rules on implementation of recommendations of successive Pay Commissions or of award of Board of Arbitration or judgement of Court or due to general revision of the scale of pay for the post etc. The number of occasions on which pay shall be required to be fixed on notional basis in each individual case would vary and may be required to be revised on several occasions in respect of those employees retired in the 'fifties and sixties'. In all such cases fixed on notional basis on the first occasion shall be treated as 'pay' for the purpose of emoluments for re-fixation of pay in revised scale of pay on the second occasion and other elements like DA/ADDA, DA/Additional DA, IR etc. based on this notional pay shall be taken into account. In the same manner pay on notional basis shall be fixed on subsequent occasions. The first occasion shall be fixation of pay in the scale introduced on 1.1.1986 while fixation of pay on notional basis on each occasion shall be fixation of pay on notional basis on the basis of Fourth Central Pay Commission and made effective from 1.1.1986. The pay fixation formulae approved by the Government and other relevant instructions on the subject in force at the relevant time shall be strictly followed. However, the benefit of any notional increments admissible in terms of the rules and instructions shall be applicable at the relevant time shall not extend in any case of refixation of pay on notional basis. The notional pay so arrived at on 1.1.1986 shall be treated as average emoluments for the purpose of calculation of pension and accordingly the pension shall be calculated as on 1.1.1986 in accordance with the pension formula then prescribed. The pension so worked out shall be consolidated as on 1.1.1996 in accordance with the provisions contained in paragraph 4.1 of this Department's Office Memorandum No. 45/86/97-P&PW(A) Part-II dated the 27th October, 1997. It shall be treated as basic pension for the purpose of grant of Dearness Relief in future.

3. In the case of family pension, the notional pay as on 1.1.1986 shall be treated as pay last drawn by the deceased Government employee/pensioner and family pension shall be calculated thereon at the rate in force as on 1.1.1986. This family pension shall be consolidated as on 1.1.1996 in accordance with the provisions contained in Para 4.1 of this Department's Office Memorandum No. 45/86/97-P&PW(A) Part-II dated the 27th October, 1997.

It has been separately decided that w.e.f. 1.1.1990 family pension shall be calculated at a uniform rate of 30% of last pay in all cases instead of slab system and shall be

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subject to a minimum of Rs. 1275/- and maximum of 30% of the highest pay in the Government. It has also been decided that the benefit of increased rate of family pension introduced w.e.f. 1.1.1996 may also be extended to pre-1996 family pensioners from the same date. Accordingly in case of those pre-1986 pensioners whose family pension has been calculated on notional pay under the slab system, family pension as on 1.1.1996 shall be re-calculated at the rate of 30% of the notional pay as determined on 1.1.1986. The additional family pension becoming due on account of difference between family pension admissible under slab system and at a rate of 30% shall be added to the consolidated family pension worked out in accordance with the provision of Para 3 above. The total of these two amounts i.e. consolidated pension plus additional family pension shall be basic family pension w.e.f. 1.1.1996 and shall be subject to a minimum of Rs. 1275/- and a maximum of 30% of highest pay in the Government as on 1.1.1996. Dearness Relief thereon shall be admissible in accordance with the orders issued from time to time after 1.1.1996. A few examples of calculation of family pension in the manner prescribed above are given in Annexure I to this OM.

5. In the case of existing pre-1986 pensioners in whose case the family pension has not come into operation as pensioners are/were alive as on 1.1.1996, while updating their pension on the basis of notional pay as on 1.1.1986, the family pension shall also be revised, consolidated and updated, wherever necessary, in terms of these orders and noted on their Pension Payment Order by the Pension Sanctioning Authority. The updated rates of family pension will apply as and when family pension becomes payable in such cases.

6. No arrears on account of revision of Pension/Family pension on notional fixation of pay will be admissible for the period prior to 1.1.1996.

7. No commutation will be admissible for the additional amount of pension accruing as a result of this revision. The existing commuted portion of pension, if any, would continue to be deducted from the consolidated pension while making monthly disbursement.

8. Notional fixation of pay as on 1.1.1996 will not affect DCRG entitlement already determined and paid with reference to rules in force at the time of retirement/death of the Government employee.

9. Arrears already paid on account of consolidation of pension/family pension or in continuance of grant of personal pension as an interim measure in the case of pre-1986 pensioners/family pensioners in accordance with the provisions

contained in Paras 9.2 & 4.2 of this Department's O.M. NO. 45/86/97-P&PW(A)-Part-II dated 27.10.1997 shall be adjusted by Pension Disbursing Authorities against arrears becoming due on the revision of pension/family pension on the basis of this order.

10. It shall be the responsibility of the Head of the Department and Pay and Accounts Office attached to the Office from which the government servant had retired or was working last before his death to revise the pension/family pension of pre-1986 pensioner/family pensioner w.e.f. 1.1.1996 in accordance with these orders and issue a revised Pension Payment Authority

11. Each pre-1986 pensioner/family pensioner who was in receipt of pension as on 1.1.1996 is required to apply for revision of his/her pension in the prescribed form (in duplicate) to his/her Pension Sanctioning Authority viz Ministry, Department, Office etc. within a period of 180 days from the date of issue of these orders. Those who fail to submit their application within the stipulated period will be deemed to have opted to continue to draw their existing pension/family pension. However, any delay in submission of application for revision of pension will be condoned only with the approval of Department of Pension & Pensioners' Welfare. It will be in the interest of the pensioner to furnish full details available with him/her, which may facilitate fixation of his/her pay on notional basis, in the application submitted by him/her.

2. In cases where the pensioner/family pensioner was alive as on 1.1.1996 and died subsequently, his/her legal heir(s) is/are also entitled to life time arrears w.e.f. 1.1.1996 till the date of death of pensioner/family pensioner. For this purpose legal heir(s) may also apply to Pension Sanctioning Authority.

On receipt of application from the pensioner/family pensioner, Pension Sanctioning Authority will pass on these documents along with one copy of the application after verifying relevant files to the respective Head of Office within a period of 30 days from the date of the receipt of application under intimation to the pensioner/family pensioner. It will be the responsibility of the Pension Sanctioning Authority to impress upon the concerned Head of Office for fixation of pay on notional basis at the earliest and to revise authority within a period of 90 days from the date of receipt of application from the pensioner/family pensioner. However, Pension Sanctioning Authority, in no case will ask the pensioner/family pensioner to surrender his/her original PPO for revised authority. His revised authority will be issued under existing PPO number and would travel to the Pension Disbursing Authority through the same channel through which the original PPO had travelled. The Pension Disbursing Authority would affix this authority to both halves of PPO. In case a Department/Office has been merged or merged with another Department, the case of

revision of pay would have to be processed by the office in which the parent Department of the retired/deceased government servant has been merged or the office which is keeping the records of the abolished Department/Office.

14. There may be cases where it would be difficult for the Head of Office to determine the revised scale of pay corresponding to pre-revised scale as the scales of pay have been revised from time to time and some of the scales might have become defunct after a particular period of time. In such cases it would be for the Head of Department to decide about equivalence of pre-revised scale with the revised scale after consulting the Integrated Finance Division. However, in cases where it is not feasible to arrive at a conclusion in this regard, the final decision can be taken by the Head of Department in consultation with the Ministry of Finance and DQPT.

15. Revision of pay on notional basis from time to time as indicated in the preceding paragraphs will require locating old records for past periods. As the Ministries, Departments and Offices of the Central Government have been re-organised several times during this period, it is likely that the service records of a large number of employees may not be readily available. There is also possibility of the records having been destroyed on expiry of their scheduled retention period. In such cases the pensioner/family pensioner could be asked to produce copies of relevant orders etc. available with him/her indicating the scale of pay of the post held by the Government servant at the time of retirement/death as also qualifying service rendered (in case of pensioner only). However, in such cases the onus of verifying the correctness of the records made available by the pensioner/family pensioner shall be with the administrative authorities. In very rare cases of pre-1973 retirees, if the Head of Department is satisfied and records a certificate to the effect that in spite of all the best efforts of Department including that of contacting the concerned pensioner/family pensioner it has not been possible to revise the pay on notional basis on service records in a particular case due to non-availability of relevant records, the pay of pre-1973 pensioner/deceased Government servant could be fixed out right at the minimum of the revised scale of pay introduced w.e.f. 1.1.1973.

10. Under normal circumstances, pension becomes payable from the date on which a Government servant ceases to be borne on the establishment. As such the length of service could also be calculated taking into account the date of joining Government service and date of retirement of the Government servant as also the other relevant records available.

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17. Concerted efforts should be made by all concerned authorities to ensure that pre-1986 pensioners/family pensioners are not put to any harassment or hardship in regard to relaxation of their pay/pension/family pension.

18. The detailed procedure/guidelines about the action to be taken on the application received from pre-1986 pensioners/family pensioners by the Pension Sanctioning Authorities and other authorities for revising pay and re-computing pension/family pension are contained in the Annexure III to this O.M.

19. The cases of Central Government employees who have been permanently absorbed in Public Sector Undertakings/Autonomous Bodies will be regulated as follows:-

a) Where the Government servants on permanent absorption in Public Sector Undertakings/Autonomous Bodies continue to draw pension separately from the Government, the pension of such absorbees will also be updated in terms of these orders. Cases of the government servants who have drawn one time terminal benefits in lump-sum equal to 100% of their pensions and are entitled to the restoration of one-third commuted portion of pension as per Supreme Court judgement dated 15.12.1995, shall not, however, be covered by these orders.

b) FAMILY PENSION

Orders have been issued by the government from time to time in regard to entitlement to family pension in case of those government servants who seek permanent absorption in Public Sector Undertakings/Autonomous bodies. In cases where eligible members of the family of the deceased absorbee were in receipt of/entitled to family pension as on 1.1.1986 in pursuance of the then existing orders their family pension will also be revised in accordance with these orders.

20. These orders are not applicable in case of Armed Forces pensioners but are applicable in the case of Civilian Defence pensioners.

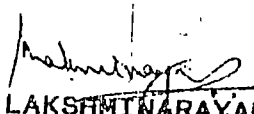
21. In their application to the persons belonging to the Indian Audit and Accounts Department, these orders issue in consultation with the Comptroller and Auditor General of India.

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22. Ministry of Agriculture etc. are requested to bring the contents of these orders to the notice of Heads of Departments/Controller of Accounts, Pay and Accounts Officers, and Attached and Subordinate Offices under them on the priority basis. All Pension Disbursing Authorities are also advised to prominently display these orders on their notice boards for the benefit of the pensioners/family pensioners.

23. Hindi version will follow.


(S. LAKSHMINARAYANAN)
Additional Secretary (Pension)

To,

All Ministries/Departments of the Govt. of India.

Copy to:

1. Office of Comptroller & Auditor General with 200 spare copies.

Copy also forwarded to: (As per list attached)



EXAMPLES

Annexure-

(Reference Para 4 of OM No. 45/86/97-P&PW(A)-pt. dated 10th February, 1998.

	No.1	No.2	No.3
i) Date of Retirement	31.01.1986	30.06.1976	31.12.1980
ii) Scale of Pay at the time of retirement	1200-1600	1500-2000	500-900
iii) Pay last drawn	1200	2000	500
iv) Pay fixed on notional basis on 1.1.86. (In the scale of 3000-4500) of 3700-5000)	3100	4575	1640
v) Family pension admissible on 1.1.1986 at the rate in force on date on notional pay at (iv) above	600	687	450
vi) Consolidated family pension admissible on 1.1.96 with reference to (v) above in terms of Department of Pension & Pensioners Welfare OM No 45/86/97-P&PW(A)-Part-II dt. 27.10.1997.	1838	2098	1396
vii) Family pension admissible on 1.1.96 @ 30% pay fixed on notional basis as at (iv) above.	930	1373	492
viii) Additional Family Pension admissible on 1.1.1996 (column vii-col.v)	930-600 = 330	1373-687 = 686	492-450 = 42
ix) Total Family Pension admissible on 1.1.1996 (Col. vi+col. viii)	1838+330 = 2168	2098+686 = 2784	1396+42 = 1438

As referred to in Para II of
O.M. 45/86/97-P&PW(A) Part-III
dated: 10th February, 1998.

FORM OF APPLICATION

To,

(PENSION SANCTIONING AUTHORITY)

Subject: Revision of Pension/family pension in the case of pre-1986 pensioners/family pensioners as on 1.1.1996 in terms of Department of Pension & Pensioners' Welfare Office Memorandum No. 45/86/97-P&PW(A)-Part-III dated 10th February, 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. 45/86/97-P&PW(A) Part-III dated the 10th February, 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 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.

[Signature]

-----2/-

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. Name of the Pension Sanctioning Authority i.e. the authority which issued P.P.O.
10. If any documentary evidence is being attached to facilitate determination of length of qualifying service as also revised scale of pay for the post last held by the pensioner/deceased Government servant or pensioner. If yes, details thereof.

Date:

(SIGNATURE OF PENSIONER/FAMILY PENSIONER)

Particulars at 2,3,5, and 6 verified

SIGNATURE
Rubber Stamp of Pension Sanctioning
Authority

*Applicable only in cases where the applicant is a family pensioner.



**GUIDELINES FOR REVISION OF PAY & RE-FIXATION OF PENSION ETC.
FOR PRE-1986 PENSIONERS/FAMILY PENSIONERS**

I. FOR THE PENSION SANCTIONING AUTHORITIES.

- a) The Pension Sanctioning Authority will accept the application (in duplicate) for the revision of pension/family pension in respect of those pre-1986 pensioners/family pensioners who were in receipt of pension/family pension on 1.1.1986. An acknowledgement in respect of receipt of application with date may be given to the applicant.
- b) The relevant entries in regard to name, type of pension, Pension Payment Order no. and the date from which pension/family pension was sanctioned will be attested by the Pension Sanctioning Authority.
- c) After attestation, one copy of the application with relevant records will be sent to the concerned Head of Office immediately and in any case not later than 30 days from the date of receipt of application.
- d) It will be the responsibility of the Pension Sanctioning Authority to ensure that the revised PPO is issued within 90 days from the date of receipt of application.
- e) The Pension Sanctioning Authority in no case, will ask the pensioner/family pensioner to surrender his/her original PPO for issuing revised authority. This revised authority will be issued under the existing PPO number and would travel to the Pension Disbursing Authority through the same channel through which the original PPO had travelled. The Pension Disbursing Authority would affix this authority to both halves of PPO.

II. FOR THE HEAD OF DEPARTMENT/PAO.

For implementation of the decision for fixation of pay on notional basis as on 1.1.1986 of all pre-1986 pensioners/deceased Government employees in respect of whom pension/family pension had been sanctioned, the following factual information will have to be collected in each individual case:-

- 1) The date from which pension/family pension was sanctioned.
- 2) Post, scale of pay for the post and stage of pay on the date of retirement, death of the Government employee;

Occasions on which the pay of the post held by the pensioner/deceased Government employee in the case of family pension was revised between the period from the date from which pension/family pension was sanctioned till 1.1.1986. Such revision could have taken place due to promulgation of Revised Pay Rules or on implementation of recommendations of four successive Central Pay Commissions, or in implementation of judgement of Court or decision of Board of Arbitration, upward revision of the scale by the Government etc.

The corresponding replacement scale of pay accepted for the pre-revised scale on each occasion.

The standard formula adopted for fixation of pay in the revised scale for the then serving employees on each occasion.

Thereafter in each individual case of pre-1986 pension/family pension, the pay of the retired/deceased employee would be fixed successively on notional basis. This implies that on the first occasion, the pay in the revised scale of pay would be fixed on the basis of pay last drawn by the retiree/Government employee before retirement/death as if he was drawing the same pay in the pre-revised scale on the date of new scale of pay. The notional pay so arrived at would be basis for fixation of pay in the revised scale on the second occasion meaning thereby as if he had drawn the same pay during the entire duration till the further revision of the scale of pay. This exercise shall be carried out till the pay is fixed in revised scale of pay effective from 1.1.1986 as notified by the Government in pursuance of recommendations of IVth CPC. It may be noted that in case of fixation of pay on notional basis, the normal benefit of increment beyond the period till the retiree/Government servant was in service shall not be admissible in any case. The notional pay so arrived at as on 1.1.1986 shall be treated as the average emoluments for the purpose of computation of pension and the last pay drawn in the case of family pension. The revised pension as on 1.1.1986 would be calculated by taking into account average emoluments as referred to above but the other constituents of the pension formula would remain the same as provided under the relevant Pension Rules, i.e. fifty per cent of average emoluments

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(96)

after completing qualifying service of not less than thirty three years and pro-rata less in case of lesser number of years of qualifying service but in any case not less than 10 years of qualifying service for which no pension is admissible. The pension so arrived shall not be less than Rs. 375/- p.m. and more than Rs. 4500/- p.m. Similary family pension shall be re-calculated on the pay worked out notionally as on 1.1.1986 by applying the same formula as applicable on 1.1.1986. The next step would be to consolidate pension/family pension as on 1.1.1996. The same will be consolidated w.e.f. 1.1.1996 by adding together :

- i) Pension/family pension arrived at on 1.1.1986 on notional fixation of pay.
- ii) D.R. upto CPI 1510 i.e. @ 148%, 111% and 96% of basic pension as admissible vide this Deptt's O.M.No. 42/8/96-P&PW(G) dated 20.03.1996.
- iii) IR (I) and IR (II).
- iv) Fitment Weightage @ 40% pension/family pension as at (i) above.

In the case of pension, the consolidated amount so worked out will be regarded as consolidated basic pension w.e.f. 1.1.1996 and shall be subject to minimum/maximum ceiling prescribed in this Department's O.M. No. 45/86/97-P&PW(A) Part-I dated 27.10.1997. Since this consolidated pension includes D.R. upto average index level 1510, dearness relief will be admissible thereon only beyond index average 1510 in accordance with the orders contained in this Department's Order No. 42/2/97-P&PW(G) dated 27.10.1997. However, it may be specifically indicated that the commuted portion of pension if any, shall continue to be deducted at the prevailing rates.

So far as family pension is concerned, in cases where the family pension as on 1.1.1986 has been calculated on notional pay at a rate of less than 30%, the same will be recomputed w.e.f. 1.1.1996 @ 30% of the notional pay. The difference between the family pension worked out at the rate in force on 1.1.1986 i.e. under slab system and that on 1.1.1996 i.e. at the rate of 30% shall be added to the consolidated amount of family pension as worked out on

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- 4 -

1.1.1996 in accordance with the provision above. The total of these two amounts i.e. consolidated pension plus additional family pension shall be basic family pension w.e.f. 1.1.1996 and shall be subject to a minimum of Rs. 1275 and a maximum of 30% of highest pay in the government on 1.1.1996. D.R. on this basic family pension beyond 1.1.1996 shall be admissible in the same manner as in the case of pension indicated above.

III. FOR PENSIONERS.

It will be in the interest of the pensioners/family pensioners to furnish full particulars in their application for revision of pension. They should extend their fullest co-operation to the Head of office by supplying the relevant documents available with them which may facilitate revision of pay/pension/family pension in cases where no past records are available.

FM

(64)
GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
RAILWAY BOARD

S.NO. PC-V/ 7

RBE NO. 143/97

No.F(E)III/97/PN1/23

NEW DELHI

Dt. 7.11.1997

The GMs/OSDs/CAOs etc.
All Indian Railways & Production Units
(As per Mailing List)

Sub: Implementation of Government's decision on the recommendations
of the Fifth Central Pay Commission - Revision of pension of
pre-1996 pensioners/family pensioners etc.

A copy of Department of Pension & Pensioners' Welfare's O.M.
No.45/86/97-P&PW(A)-Part II dated 27th Oct. '97, together with its enclosures, is circulated
for information and guidance. These instructions shall apply, mutatis mutandis to pre-1.1.1996
Railway pensioners governed by Railway Services (Pension) Rules, 1993 and Railway Services
(Extra-ordinary Pension) Rules, 1993.

2. A copy of the O.M. referred to above has already been circulated to the Reserve Bank
of India and all the nationalised banks as well as the Controllers of Accounts, Accountant
Generals etc.

3. A concordance of various instructions and orders referred to in the enclosed O.M. with
reference to corresponding Railway instructions is indicated below :-

S.No.	Para No.	O.M.No. & Date of DOP&PW's Orders	No. & Date of corresponding orders issued by Railway Board
1.	4.1	DOP&PW'S O.M.No.42/8/96- P&PW(G) dt.20.3.96	PC-IV/88/DR/1 dt.15.4.96
2.	4.1	DOP&PW's O.M.No.2/1/87-PIC-II dt.14.4.87	PC-IV/87/Imp/PN dt.15.4.87
3.	4.3	DOP&PW's O.M.No.42(8)/P&PW(G)/96 dt.12.9.96	PC-IV/88/DR/1 dt.3.10.96

Contd...2/-

99

2

4. 4.3 DOP&PW's
O.M.No.42(2)/P&PW(G)-97
dt.3.4.97

PC-V.96/IR(P) dt.12.9.96

5. 4.4 DOP&PW's O.M.No.42/18/95 -
P&PW(G)-Vol.II dt.6.9.96

PC-V.96/IR(P) dt.12.9.96

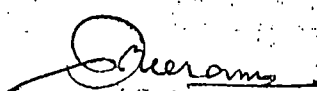
4. Please acknowledge receipt.

5. Hindi version will follow.

DA: As above

No.F(E)III/97/PN1-23

New Delhi


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

Dt.7.11.1997

Copy to :-

- 1 The GM, N.F. Railway(Const.), CAO, 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 Calcutta
- 5 The CAO and FA&CAO, COFMOW/New Delhi
- 6 The General Manager and FA&CAO, CORE Allahabad
- 7 The Principal, Railway Staff College Vadodara
- 8 The CAO(Const.), MTP(R)/Mumbai
- 9 The CAO(Const.), MTP(R)/Chennai
- 10 The Director, CAMTECH/Gwalior-474020
- 11 The Director, IRICEN/Pune, IRIEN-Nasik Road, IRIMEE, Jamalpur, IRISER/Secunderabad
- 12 The Managing Director, RITES, IRCON, IRFC, CONCOR of India Limited, Executive Director, CRIS
- 13 The Chairman and 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/Calcutta
- 16 The Joint Director(Finance), RDSO, Lucknow
- 17 The Joint Director, Mil Rail, Ministry of Defence
- 18 The Joint Director, Iron & Steel, 3 Koila Ghat Street/Calcutta
- 19 Chief Mining Advisor, Ministry of Railways, 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, Calcutta, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad and Trivandrum
- 24 The Editor, 'Bhartiya Rail'
- 25 The Editor 'Indian Railways'
- 26 Chairman, Passenger 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 Safety/Lucknow
- 31 Liaison Officer, V CPC, Zonal Railways/PUs/RDSO/Trg. Institutes, Metro Railway/COFMOW/CORE/RSC etc.

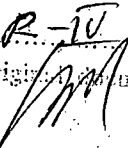

(S. SREERAM)
Dy. Director Finance(Estt.) III
Railway Board

No.F(E)III/97/PN1/23

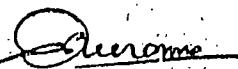
NEW DELHI

Dt: 7.11.1997

Copy (with 100 spares) forwarded to the DAI(Railways)/New Delhi

This Annexure  is the true
copy of the original document.

(R. L. DHAWAN) Advocate


for Financial Commissioner, Railways

Contd 4/-

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No.F(E)III/97/PN1/23

NEW DELHI

Dr: 7.11.1997

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 90 spares)
4. The Secretary General, FROA
5. The Secretary, RBSS, Group 'A' Officers Association
6. The President, Railway Board Class II Officers' Association
7. The Secretary General, IRPOF
8. The President, Indian Railway Class II Officers' Association
9. The Secretary, Railway Board Ministerial Staff Association
10. The Secretary, Railway Board Class IV Staff Association

[Signature]
for Secretary, Railway Board

Copy to :-

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

Cash-I, II, III & IV, Budget, E(P&A)/II, E(G), E(NG), I & II, FC-V, PC-III & IV, E(Tig.), E(MPP), E(LR), I & II, E(E), I, II & Special, Security(E), Security(ABE), Accounts III, ERB-I, II, III, IV, V & D, G(Pass), G(Acc), E(Welfare), E(SCT), 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, E(LR), III, ACs-II, P.G., E(Rep), I/II/III/Railway Board.

1. National Federation of Railway Pensioners, 42/14, Motilal Street, T.Nagar, Madras - 600 017.
2. The Secretary General, National Federation of Railway Pensioners, 27/578, Audityapuram, Palghat - 678 006
3. Shri R.B. Kulkarni, President, AIRRF, 13/9, Vivekanand Housing Society, Gurumandir Road, Dombivli(East), Maharashtra - 421 201.
4. The President, All India Retired Railway Officers' Association, No.12-13268, Street No.15, Taranaka, Secunderabad

Copy to : DOP&PW with reference to their O.M.No.45/86/97-P&PW(A)-Part II dt.27.10.97

[Signature]

New Delhi, Dated the 27th October, 1997

OFFICE MEMORANDUM

Subject: Implementation of Government's decision on the recommendations of the Fifth Central Pay Commission—Revision of pension of pre-1996 pensioners/family pensioners etc.

The undersigned is directed to say that in pursuance of Government's decision on the recommendations of Fifth Central Pay Commission, sanction of the President is hereby accorded to the regulation, with effect from 1.1.1996, pension/family pension of all the pre-1996 pensioners/family pensioners in the manner indicated in the succeeding paragraphs.

2.1. These orders apply to all pensioners/family pensioners who were drawing pension/family pension on 1.1.1996 under the Central Civil Services (Pension) Rules, 1972, CCS (Extraordinary Pension) Rules and the corresponding rules applicable to Railway pensioners and pensioners of All India Services including officers of the Indian Civil Service, retired from service on or after 1.1.1973.

2.2. Separate orders will be issued by the Ministry of Defence in regard to Armed Forces pensioners/family pensioners.

2.3. These orders do not also apply to retired High Court and Supreme Court Judges and other Constitutional/Judiciary Authorities whose pension etc. is governed by separate rules/orders.

3.1. In these orders:

- (a) 'Existing pensioner' or 'Existing family pensioner' means a pensioner who was drawing/entitled to pension/family pension on 31.12.1995.
- (b) 'Existing pension' means the basic pension inclusive of commuted portion, if any, due on 31.12.1995. It covers all pensions of pension under the CCS (Pension) Rules, 1972 as also Disability Pension under the CCS (Extraordinary Pension) Rules and the corresponding rules applicable to Railway employees and Members of All India Services.
- (c) 'Existing family pension' means the basic family pension drawn on 31.12.1995 under the CCS (Pension) Rules and the corresponding rules applicable to Railway employees and Members of All India Services.
- (d) 'Existing Dearness Relief' means the relief due to pensioners/family pensioners upto average CPI 1510.

4.1. The pension/family pension of existing pre-1996 pensioners/family pensioners will be consolidated with effect from 1.1.1996 by adding together:-

- i) The existing pension/family pension.
- ii) Dearness Relief upto CPI 1510 i.e. @ 140%, 111% and 90% of Basic Pension as admissible vide this Department's O.M. No. 42/10/96 P&PW(G) dated 20.3.1996.
- iii) Interim Relief I.
- iv) Interim Relief II.
- v) Payment weightage @ 40% of the existing pension/family pension.

The amount so arrived at will be regarded as consolidated pension/family pension with effect from 1.1.1996. The upper ceiling on pension/family pension laid down in the Department of Pension and Pensioners' Welfare Office Memorandum No 2/1/8/-PIC, II dated 14.4.1987 has been increased from Rs. 4600/- and Rs. 1250 to 50% and 30% respectively of the highest pay in the Government (The highest pay in the Government is Rs. 30,000 since 1.1.1996). Since the consolidated pension will be inclusive of commuted portion of pension, if any, the commuted portion will be deducted from the said amount while making monthly disbursements.

4.2. Some of the existing pensioners who retired between 31.3.1985 and 31.12.1995 are in receipt of personal pension. The said personal pension will continue to be granted as a separate element and will not be merged into the pension as consolidated above.

4.3. Since the consolidated pension/family pension arrived at as per paragraph 4.1, includes dearness relief upto average index level 1510, dearness relief will be admissible thereon only beyond index average 1510 in accordance with the revised schedule of dearness relief for which orders are being issued separately. The two instalments of dearness relief sanctioned earlier from 1.7.1996 and 1.1.1997 in this Department's Office Memorandum No. 42(8)/P&PW(G)/96 dated the 12th September, 1996 and Office Memorandum No. 42(2)/P&PW(G)/97 dated the 3rd April, 1997 respectively shall be adjusted against revised Dearness Relief becoming due on the consolidated pension/family pension.

4.4. The amount already paid on account of Interim Relief III sanctioned vide this Department's Office Memorandum No. 42/18/95-P&PW(G)-Vol. II dated 6.9.1996 will be recovered from the arrears becoming due on consolidation of pension/family pension as in para 4.1, above and sanction of Dearness Relief on consolidated pension/family pension.

a.1. Where the consolidated pension/family pension in terms of paragraph 4 above works out to an amount less than Rs. 127/- the same shall be topped up to Rs. 127/- and will be regarded as pension/family pension with effect from 1.1.1996. In the case of pensioners who are in receipt of more than one pension, the floor ceiling of Rs. 127/- will apply to the total of all pensions taken together.

a.2. Where the disability pension under the CCS (P&PW) Rules, is drawn in addition to invalid pension under the CCS (Pension) Rules, 1972, the minimum limit of Rs. 127/- will apply to total of two pensions as indicated in paragraph a.1. Where the disability pension is drawn in isolation, the minimum limit of Rs. 127/- will apply for 100% disability. For lesser degree of disability the minimum limit will be proportionately less.

6. The employer/re-employed pensioners/family pensioners are not getting dearness relief on pension at present under the orders in their name the national dearness relief which would have been admissible to them but for their employment/re-employment will be taken into account for consolidation of their pension in terms of paragraph 4.1. above as if they were drawing the dearness relief. Their pay will be revised w.e.f. 1.1.1996 with reference to consolidated pension becoming admissible to them. Dearness relief beyond 1.1.1996 will, however, not be admissible to them during the period of employment/re-employment.

7. The cases of Central Government employees who have been permanently absorbed in public sector undertakings/autonomous bodies will be regulated as follows:

a) PENSION

When the Government servants on permanent absorption in public sector undertakings/autonomous bodies continue to draw pension separately from the Government, the pension of such absorbees will be updated in terms of these orders. In cases where the Government servants have drawn one time lumpsum terminal benefits equal to 100% of their pensions and have become entitled to the restoration of one-third commuted portion of pension as per Supreme Court judgment dated 18.12.1995, their cases will not be covered by these orders.

b) FAMILY PENSION

In cases where, on permanent absorption in public sector undertakings/autonomous bodies, the terms of absorption permit grant of family pension under the Civil Pension Rules, 1979 or the corresponding rules applicable to railway employees/employees of All India Services, the family pension being drawn by family pensioners will be updated in accordance with these orders.

ii. All Pension Disbursing Authorities including Public Sector Banks handling disbursement of pension to the Central Government pensioners are hereby authorized to pay pension/family pension to existing pensioners/family pensioners at the consolidated rates without any further authorization from the concerned Accounts Officers/Head of Office etc. A table indicating the existing pension, the consolidated pension and difference payable from 1.1.1996 is enclosed for ready reference. (Annexure I). This table may be used where the pensioner is in receipt of a single pension only. Where a pensioner is in receipt of more than one pension, consolidation may be done separately in terms of paragraph 4.1 and as indicated in paragraph 6 floor ceiling of Rs. 1275/- may be applied to total pension from all sources taken together. A suitable entry regarding the revised consolidated pension shall be recorded by the pension Disbursing Authorities in both halves of the Pension Payment Order. An intimation regarding disbursement of revised pension may be sent by the pension disbursing authorities to the Office of CPAO and Accounts Officer which had issued the PPO in the form given at Annexure-II so that the latter can update the Pension payment Order Register maintained by him. An acknowledgement shall be obtained by the Pension Disbursing Authorities from Office of CPAO and the respective Accounts Officers in this behalf.

0.1. The consolidated pension/family pension as worked out in accordance with provisions of Para 4.1. above shall be treated as final 'Basic Pension' with effect from 1.1.1996 and shall qualify for grant of Dearness Relief sanctioned thereafter in respect of following categories of pensioners/family pensioners:

- Pensioners, who retired between the period from 1.1.1980 to 31.12.1995.
- Family pensioners, who became entitled for family pension during the period from 1.1.1986 to 31.12.1995 and were sanctioned family pension @ 30% of the last pay drawn by the deceased employee.

0.2. In case of other pensioners/family pensioners, these orders provide for revision/consolidation of pension with effect from 1.1.1996 as an interim measure only so as to provide them immediate relief and shall be subject to variation. Detailed instructions regarding revision of their pay on national lumpsum/revision/consolidation of pension/family pension and issue of authorization in this regard will be issued separately. Pending issue of detailed instructions as stated above, grant of pension/family pension to all these pensioners/family pensioners may be continued to be regulated under these orders.

10. The amount on account of consolidation of pension would be paid in cash with the stipulation that where amount of arrears is less than Rs. 5,000/-, it should be paid in one instalment and where it is in excess of Rs. 5,000/-, it should be paid in two instalments, in the first instalment, payment should be restricted to Rs. 5,000/- plus fifty per cent of their balance amount of arrears.

11. It is considered desirable that the benefit of these orders should reach the pensioners as expeditiously as possible. To achieve this objective it is desired that all pension disbursing Authorities should ensure that the revised pension and the first instalment of arrears due to the pensioners in terms of the above orders be paid to the pensioners or equivalent to their account by 15th November, 1997 or before possible. Instructions regarding release of sum and instalment of arrears will be issued later.

12. In their application to the pensioners belonging to Indian Audit and Accounts Department these orders issue in consultation with the Controller and Joint Controller of India.

13. Ministry of Agriculture and Irrigation is requested to bring the contents of these orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and Subordinate Office as under their own responsibility basis. All pension disbursing offices are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

(S. LAKSHMINARAYAN),
Additional Secretary (Pension)

To

All Ministries/Departments of Government of India.

1 Ho 46/80/47 P/W(A) P/II dated 27.10.1997

Copy to:-

(As per list attached)

Table Showing Existing Pension/Family Pension and Consolidated Pension/Family Pension as on 1.1.96

	Consolidated Pension/Family Pension as on 1.1.96	P.M. Diff. from 31.3.96	P.M. Diff. from 30.6.96	P.M. Diff. from 31.12.96	P.M. Diff. from 30.6.97	P.M. Diff. from 1.1.07	P.M. Diff. from 1.7.97 onwards
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
375	1275	245	145	154	164	228	
376	1275	242	142	152	161	225	
377	1276	240	140	149	159	223	
378	1275	237	137	146	156	220	
379	1275	235	135	144	153	217	
380	1275	232	132	141	151	215	
381	1275	230	130	139	148	212	
382	1275	227	127	136	145	209	
383	1275	225	125	134	142	206	
384	1275	222	122	131	140	204	
385	1275	220	120	128	137	201	
386	1275	217	117	126	134	198	
387	1275	215	115	123	132	196	
388	1275	212	112	121	129	193	
389	1275	210	110	118	126	190	
390	1276	207	107	116	124	188	
391	1276	205	105	113	121	185	
392	1276	202	102	110	118	182	
393	1276	200	100	108	116	179	
394	1276	197	97	105	113	177	
395	1276	195	95	102	110	174	
396	1276	192	92	100	107	171	
397	1275	190	90	97	105	169	
398	1275	187	87	95	102	166	
399	1275	185	85	92	99	163	
400	1276	183	83	90	97	161	
401	1275	180	80	87	94	158	
402	1275	178	78	84	91	155	
403	1275	175	75	82	88	152	
404	1275	173	73	79	86	150	
405	1275	170	70	77	83	147	
406	1275	168	68	74	80	144	
407	1275	165	65	71	78	142	
408	1276	164	64	71	77	140	
409	1279	164	64	71	77	141	
410	1281	164	64	71	77	141	
411	1285	165	65	72	78	143	
412	1287	165	65	72	78	143	
413	1291	166	66	73	79	144	
414	1293	168	68	73	79	144	
415	1299	166	66	73	79	144	
416	1299	167	67	73	79	144	
417	1302	167	67	74	81	146	
418	1305	168	68	75	81	146	
419	1308	168	68	75	81	147	
420	1310	168	68	75	81	147	
421	1314	169	69	76	83	148	
422	1316	169	69	76	83	148	
423	1320	170	70	77	83	149	
424	1322	170	70	77	83	149	
425	1324	170	70	77	83	149	
426	1328	171	71	78	84	150	
427	1330	171	71	78	84	150	
428	1334	172	72	79	85	152	
429	1336	172	72	79	85	152	
430	1339	172	72	79	85	152	
431	1342	173	73	79	86	153	
432	1345	173	73	80	86	153	
433	1348	174	74	80	86	154	
434	1351	174	74	81	88	155	
435	1353	174	74	81	88	155	
436	1357	175	75	82	88	156	
437	1359	175	75	82	88	156	
438	1363	176	76	83	90	158	
439	1365	176	76	83	90	158	
440	1368	176	76	83	90	158	
441	1371	177	77	83	90	158	
442	1374	177	77	84	91	160	
443	1377	178	78	85	91	160	
444	1380	178	78	86	92	161	
445	1382	178	78	86	92	161	
446	1386	179	79	86	92	162	
447	1388	179	79	86	93	162	
448	1392	180	80	87	94	163	
449	1394	180	80	87	94	163	
450	1396	180	80	87	94	163	
451	1400	181	81	87	94	164	
452	1402	181	81	88	94	164	
453	1406	182	82	89	95	166	
454	1408	182	82	89	95	166	

Till consolidated pension & DR at revised rate is paid or 31.12.97 whichever is earlier.

Annexure I (Data II)

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)
455	1411	182	82	89	95	166	548	1685	220	120	128	135	220
456	1414	183	83	89	96	166	549	1687	220	120	128	135	220
457	1417	183	83	90	97	168	550	1689	220	120	129	135	220
458	1420	184	84	90	97	168	551	1694	221	121	129	136	221
459	1423	184	84	91	97	168	552	1696	221	121	128	136	221
460	1425	184	84	91	97	169	553	1700	222	122	129	136	221
461	1429	185	85	93	99	170	554	1702	222	122	130	137	222
462	1431	185	85	93	99	170	555	1705	222	122	130	137	222
463	1435	186	86	93	99	171	556	1708	223	123	130	137	223
464	1437	186	86	93	99	171	557	1711	223	123	131	138	224
465	1440	186	86	93	100	172	558	1714	224	124	131	138	224
466	1443	187	87	94	100	172	559	1717	224	124	132	139	225
467	1446	187	87	94	101	173	560	1719	224	124	132	139	225
468	1449	188	88	94	101	174	561	1724	225	125	133	140	227
469	1452	188	88	96	102	174	562	1726	225	125	133	140	227
470	1454	188	88	96	102	175	563	1730	226	126	134	141	227
471	1458	189	89	97	103	176	564	1732	226	126	134	141	228
472	1460	189	89	97	103	176	565	1735	226	126	134	141	228
473	1464	190	90	97	104	177	566	1738	227	127	135	142	228
474	1466	190	90	97	104	177	567	1741	227	127	135	143	230
475	1468	190	90	97	104	177	568	1744	228	128	135	143	230
476	1472	191	91	98	104	178	569	1747	228	128	136	143	231
477	1474	191	91	98	104	178	570	1749	228	128	136	143	231
478	1478	192	92	99	106	180	571	1754	229	129	138	145	233
479	1480	192	92	99	106	180	572	1756	229	129	138	145	233
480	1483	192	92	99	106	180	573	1760	230	130	139	146	234
481	1486	193	93	100	106	180	574	1762	230	130	139	146	234
482	1489	193	93	100	107	181	575	1764	230	130	139	146	234
483	1492	194	94	101	107	181	576	1768	231	131	139	146	234
484	1495	194	94	101	108	183	577	1770	231	131	139	146	234
485	1497	194	94	101	108	183	578	1774	232	132	139	147	236
486	1501	195	95	103	109	184	579	1776	232	132	140	147	236
487	1503	195	95	103	109	184	580	1779	232	132	140	148	237
488	1507	196	96	104	110	185	581	1783	233	133	141	148	237
489	1509	196	96	104	110	185	582	1786	233	133	141	148	238
490	1512	196	96	104	110	186	583	1789	234	134	142	149	238
491	1515	197	97	104	111	186	584	1792	234	134	142	150	239
492	1518	197	97	104	111	187	585	1794	234	134	142	150	239
493	1521	198	98	105	111	187	586	1798	235	135	143	150	240
494	1524	198	98	105	112	189	587	1800	235	135	143	150	240
495	1526	198	98	105	112	189	588	1804	236	136	145	152	242
496	1530	199	99	107	113	189	589	1806	236	136	145	152	242
497	1532	199	99	107	113	190	590	1809	236	136	145	152	243
498	1536	200	100	108	114	191	591	1813	237	137	145	153	243
499	1538	200	100	108	114	191	592	1816	237	137	145	153	244
500	1540	200	100	108	114	191	593	1819	238	138	146	153	244
501	1545	201	101	108	115	192	594	1822	238	138	146	154	245
502	1547	201	101	108	115	192	595	1824	238	138	146	154	245
503	1551	202	102	110	116	193	596	1828	239	139	148	156	246
504	1553	202	102	110	116	193	597	1830	239	139	148	156	246
505	1556	202	102	110	116	194	598	1834	240	140	149	156	248
506	1559	203	103	110	116	194	599	1836	240	140	149	156	248
507	1562	203	103	110	117	196	600	1838	240	140	149	156	248
508	1565	204	104	111	118	196	601	1843	241	141	149	157	249
509	1568	204	104	111	118	196	602	1845	241	141	149	157	249
510	1570	204	104	111	118	197	603	1849	242	142	150	157	249
511	1575	205	105	112	119	198	604	1851	242	142	150	158	250
512	1577	205	105	112	119	198	605	1854	242	142	151	158	251
513	1581	206	106	114	120	199	606	1857	243	143	151	158	251
514	1583	206	106	114	120	199	607	1860	243	143	151	159	252
515	1586	206	106	114	120	200	608	1863	244	144	152	160	253
516	1589	207	107	114	121	200	609	1866	244	144	152	160	253
517	1592	207	107	114	122	201	610	1868	244	144	152	160	253
518	1595	208	108	115	122	202	611	1873	245	145	153	161	255
519	1598	208	108	115	122	202	612	1875	245	145	153	161	255
520	1600	208	108	115	122	202	613	1879	246	146	155	162	256
521	1605	209	109	117	124	204	614	1881	246	146	155	162	256
522	1607	209	109	117	124	204	615	1884	246	146	155	162	256
523	1611	210	110	118	124	205	616	1887	247	147	155	162	257
524	1613	210	110	118	125	205	617	1890	247	147	155	164	258
525	1615	210	110	118	125	205	618	1893	248	148	156	164	259
526	1619	211	111	118	125	206	619	1896	248	148	156	164	259
527	1621	211	111	118	125	206	620	1898	248	148	156	164	259
528	1625	212	112	119	126	208	621	1903	249	149	158	166	261
529	1627	212	112	119	126	208	622	1906	249	149	158	166	261
530	1630	212	112	120	127	209	623	1909	250	150	159	166	262
531	1634	213	113	120	127	209	624	1911	250	150	159	166	262
532	1637	213	113	121	127	209	625	1913	250	150	159	166	262
533	1640	214	114	121	128	210	626	1917	251	151	159	167	263
534	1643	214	114	121	129	211	627	1919	251	151	159	167	263
535	1645	214	114	121	129	211	628	1923	252	152	160	168	264
536	1649	215	115	122	129	212	629	1925	252	152	160	168	264
537	1651	215	115	123	130	212	630	1928	252	152	161	169	265
538	1655	216	116	124	131	214	631	1932	253	153	161	169	266
539	1657	216	116	124	131	214	632	1935	253	153	162	169	266
540	1660	216	116	124	131	214	633	1938	254	154	162	170	268
541	1664	217	117	124	132	216	634	1941	254	154	162	171	268
542	1667	217	117	125	132	216	635	1943	254	154	162	171	268
543	1670	218	118	125	132	216	636	1947	255	155	163	171	269
544	1673	218	118	126	133	217	637	1949	255	155	163	171	269
545	1675	218	118	126	133	217	638	1953	256	156	165	173	270
546	1679	219	119	127	134	218	639	1955	256	156	165	173	270
547	1681	219	119	127	134	218	640	1958	256	156	165	173	271

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)
641	1962	257	187	165	173	272	734	2239	204	184	203	213	326	827	2515	331	231	241	251	261	271	281	291	301	311	321
642	1963	267	187	166	174	272	735	2241	204	184	203	213	326	828	2516	332	232	242	252	262	272	282	292	302	312	322
643	1964	268	188	167	175	272	736	2242	205	185	204	214	327	829	2517	333	233	243	253	263	273	283	293	303	313	323
644	1965	269	189	168	176	273	737	2243	206	186	205	215	328	830	2518	334	234	244	254	264	274	284	294	304	314	324
645	1966	270	190	169	177	273	738	2244	207	187	206	216	329	831	2519	335	235	245	255	265	275	285	295	305	315	325
646	1967	271	191	170	178	274	739	2245	208	188	207	217	330	832	2520	336	236	246	256	266	276	286	296	306	316	326
647	1968	272	192	171	179	274	740	2246	209	189	208	218	331	833	2521	337	237	247	257	267	277	287	297	307	317	327
648	1969	273	193	172	180	275	741	2247	210	190	209	219	332	834	2522	338	238	248	258	268	278	288	298	308	318	328
649	1970	274	194	173	181	275	742	2248	211	191	210	220	333	835	2523	339	239	249	259	269	279	289	299	309	319	329
650	1971	275	195	174	182	276	743	2249	212	192	211	221	334	836	2524	340	240	250	260	270	280	290	300	310	320	330
651	1972	276	196	175	183	276	744	2250	213	193	212	222	335	837	2525	341	241	251	261	271	281	291	301	311	321	331
652	1973	277	197	176	184	277	745	2251	214	194	213	223	336	838	2526	342	242	252	262	272	282	292	302	312	322	332
653	1974	278	198	177	185	277	746	2252	215	195	214	224	337	839	2527	343	243	253	263	273	283	293	303	313	323	333
654	1975	279	199	178	186	278	747	2253	216	196	215	225	338	840	2528	344	244	254	264	274	284	294	304	314	324	334
655	1976	280	200	179	187	278	748	2254	217	197	216	226	339	841	2529	345	245	255	265	275	285	295	305	315	325	335
656	1977	281	201	180	188	279	749	2255	218	198	217	227	340	842	2530	346	246	256	266	276	286	296	306	316	326	336
657	1978	282	202	181	189	279	750	2256	219	199	218	228	341	843	2531	347	247	257	267	277	287	297	307	317	327	337
658	1979	283	203	182	190	280	751	2257	220	200	219	229	342	844	2532	348	248	258	268	278	288	298	308	318	328	338
659	1980	284	204	183	191	280	752	2258	221	201	220	230	343	845	2533	349	249	259	269	279	289	299	309	319	329	339
660	1981	285	205	184	192	281	753	2259	222	202	221	231	344	846	2534	350	250	260	270	280	290	300	310	320	330	340
661	1982	286	206	185	193	281	754	2260	223	203	222	232	345	847	2535	351	251	261	271	281	291	301	311	321	331	341
662	1983	287	207	186	194	282	755	2261	224	204	223	233	346	848	2536	352	252	262	272	282	292	302	312	322	332	342
663	1984	288	208	187	195	283	756	2262	225	205	224	234	347	849	2537	353	253	263	273	283	293	303	313	323	333	343
664	1985	289	209	188	196	283	757	2263	226	206	225	235	348	850	2538	354	254	264	274	284	294	304	314	324	334	344
665	1986	290	210	189	197	284	758	2264	227	207	226	236	349	851	2539	355	255	265	275	285	295	305	315	325	335	345
666	1987	291	211	190	198	284	759	2265	228	208	227	237	350	852	2540	356	256	266	276	286	296	306	316	326	336	346
667	1988	292	212	191	199	285	760	2266	229	209	228	238	351	853	2541	357	257	267	277	287	297	307	317	327	337	347
668	1989	293	213	192	200	285	761	2267	230	210	229	239	352	854	2542	358	258	268	278	288	298	308	318	328	338	348
669	1990	294	214	193	201	286	762	2268	231	211	230	240	353	855	2543	359	259	269	279	289	299	309	319	329	339	349
670	1991	295	215	194	202	286	763	2269	232	212	231	241	354	856	2544	360	260	270	280	290	300	310	320	330	340	350
671	1992	296	216	195	203	287	764	2270	233	213	232	242	355	857	2545	361	261	271	281	291	301	311	321	331	341	351
672	1993	297	217	196	204	287	765	2271	234	214	233	243	356	858	2546	362	262	272	282	292	302	312	322	332	342	352
673	1994	298	218	197	205	288	766	2272	235	215	234	244	357	859	2547	363	263	273	283	293	303	313	323	333	343	353
674	1995	299	219	198	206	288	767	2273	236	216	235	245	358	860	2548	364	264	274	284	294	304	314	324	334	344	354
675	1996	300	220	199	207	289	768	2274	237	217	236	246	359	861	2549	365	265	275	285	295	305	315	325	335	345	355
676	1997	301	221	200	208	289	769	2275	238	218	237	247	360	862	2550	366	266	276	286	296	306	316	326	336	346	356
677	1998	302	222	201	209	290	770	2276	239	219	238	248	361	863	2551	367	267	277	287	297	307	317	327	337	347	357
678	1999	303	223	202	210	290	771	2277	240	220	239	249	362	864	2552	368	268	278	288	298	308	318	328	338	348	358
679	2000	304	224	203	211	291	772	2278	241	221	240	250	363	865	2553	369	269	279	289	299	309	319	329	339	349	359
680	2001	305	225	204	212	291	773	2279	242	222	241	251	364	866	2554	370	270	280	290	300	310	320	330	340	350	360
681	2002	306	226	205	213	292	774	2280	243	223	242	252	365	867	2555	371	271	281	291	301	311	321	331	341	351	361
682	2003	307	227	206	214	292	775	2281	244	224	243	253	366	868	2556	372	272	282	292	302	312	322	332	342	352	362
683	2004	308	228	207	215	293	776	2282	245	225	244	254	367	869	2557	373	273	283	293	303	313	323	333	343	353	363
684	2005	309	229	208	216	293	777	2283	246	226	245	255	368	870	2558	374	274	284	294	304	314	324	334	344	354	364
685	2006	310	230	209	217	294	778	2284	247	227	246	256	369	871	2559	375	275	285	295	305	315	325	335	345	355	365
686	2007	311	231	210	218	294	779	2285	248	228	247	257	370	872	2560	376	276	286	296	306	316	326	336	346	356	366
687	2008	312	232	211	219	295	780	2286	249	229	248	258	371	873	2561	377	277	287	297	307	317	327	337	347	357	367
688	2009	313	233	212	220	295	781	2287	250	230	249	259	372	874	2562	378	278	288	298	308	318	328	338	348	358	368
689	2010	314	234	213	221	296	782	2288	251	231	250	260	373	875	2563	379	279	289	299	309	319	329	339	349	359	369
690	2011	315	235	214	222	296	783	2289	252	232	251	261	374	876	2564	380	280	290	300	310	320	330	340	350	360	370
691	2012	316	236	215	223	297	784	2290	253	233	252	262	375	877	2565	381	281	291	301	311	321	331	341	351	361	371
692	2013	317	237	216	224	297	785	2291	254	234	253	263	376	878	2566	382	282	292	302	312	322	332	342	352	362	372
693	2014	318	238	217	225	298	786	2292	255	235	254	264	377	879	2567	383	283	293	303	313	323	333	343	353	363	373
694	2015	319	239	218	226	298	787	2293	256	236	255	265	378	880	2568	384	284	294	304	314	324	334	344	354	364	374
695	2016	320	240	219	227	299	788																			

(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	
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923	2803	370	270	282	292	432	1016	3079	407	305	317	328	482	1109	3356	444	333	346	358	526
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931	2826	373	273	284	295	436	1024	3103	410	307	320	331	486	1117	3380	447	335	348	361	530
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936	2841	375	275	286	297	439	1029	3117	412	309	321	333	488	1122	3395	449	338	349	362	532
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938	2847	376	276	287	298	441	1031	3124	413	309	321	333	489	1124	3401	450	337	350	363	533
939	2849	376	276	287	298	441	1032	3127	413	309	322	333	489	1125	3403	450	337	350	363	533
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943	2862	378	278	289	299	443	1036	3139	415	311	323	335	492	1129	3416	452	339	352	363	534
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946	2871	379	279	290	301	445	1039	3147	416	312	324	336	493	1132	3425	453	339	352	365	536
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973	2952	390	290	302	313	460	1066	3228	427	320	333	344	505	1159	3505	464	348	362	374	549
974	2954	390	290	302	313	461	1067	3231	427	320	333	345	507	1160	3507	464	348	362	374	549
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)
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1217	3678	487	365	379	393	577	1307	3946	523	392	406	421	618	1396	4212	559	419	435	449	660
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1261	3810	505	378	393	406	597	1351	4078	541	405	420	435	639	1440	4342	576	432	448	464	681
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1267	3827	507	380	395	409															

1468	4426	508	441	457	473	694	1557	4691	623	467	483	500	734	1645	4953	658	493	512	529	776
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1470	4431	508	441	458	473	695	1559	4697	624	468	485	501	736	1647	4959	659	494	512	529	777
1471	4436	509	441	458	473	695	1560	4699	624	468	485	501	736	1648	4963	660	495	513	531	779
1472	4438	509	441	458	473	695	1561	4704	625	468	486	502	737	1649	4965	660	495	513	531	779
1473	4442	590	442	458	474	696	1562	4706	625	468	486	502	737	1650	4967	660	495	513	531	779
1474	4444	590	442	458	474	696	1563	4710	626	469	486	502	738	1651	4972	661	495	513	531	779
1475	4446	590	442	458	474	696	1564	4712	626	469	486	502	738	1652	4974	661	495	513	531	779
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1477	4452	591	443	459	475	697	1566	4718	627	470	487	503	739	1654	4980	662	496	514	531	780
1478	4456	592	444	460	476	699	1567	4721	627	470	487	504	740	1655	4983	662	496	514	531	780
1479	4458	592	444	460	476	699	1568	4724	628	471	487	504	741	1656	4986	663	497	514	531	781
1480	4461	592	444	460	476	699	1569	4727	628	471	489	505	741	1657	4989	663	497	515	533	782
1481	4465	593	444	460	476	699	1570	4729	628	471	489	505	741	1658	4992	664	498	515	533	782
1482	4468	593	444	460	476	699	1571	4734	629	471	489	505	742	1659	4995	664	498	516	533	783
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1489	4488	596	447	464	479	704	1578	4754	632	474	491	508	746	1666	5016	667	500	518	535	786
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1510	4550	604	453	469	485	713	1599	4816	640	480	498	515	755	1687	5078	675	506	525	542	796
1511	4555	605	453	470	486	714	1600	4818	640	480	498	515	755	1688	5082	676	507	526	543	797
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1513	4561	606	454	471	487	715	1602	4825	641	480	498	515	755	1690	5087	676	507	526	543	798
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1515	4566	606	454	471	487	715	1604	4831	642	481	499	516	756	1692	5094	677	507	526	543	798
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1522	4587	609	456	473	489	719	1611	4853	645	483	501	518	760	1699	5114	680	510	529	546	802
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1525	4595	610	457	474	490	720	1614	4861	646	484	502	518	761	1702	5123	681	510	529	546	802
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1532	4617	613	459	476	492	723	1621	4883	649	486	504	521	765	1709	5144	684	513	531	549	806
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1535	4625	614	460	476	493	724	1624	4891	650	487	505	522	766	1712	5153	685	513	532	550	807
1536	4629	615	461	478	494	725	1625	4893	650	487	505	522	766	1713	5157	686	514	533	550	808
1537	4631	615	461	478	494	726	1626	4897												

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)	(30)	(31)	(32)	(33)	(34)	(35)	(36)	(37)	(38)	(39)	(40)	(41)	(42)	(43)	(44)	(45)	(46)	(47)	(48)	(49)	(50)	(51)	(52)	(53)	(54)	(55)	(56)	(57)	(58)	(59)	(60)	(61)	(62)	(63)	(64)	(65)	(66)	(67)	(68)	(69)	(70)	(71)	(72)	(73)	(74)	(75)	(76)	(77)	(78)	(79)	(80)	(81)	(82)	(83)	(84)	(85)	(86)	(87)	(88)	(89)	(90)	(91)	(92)	(93)	(94)	(95)	(96)	(97)	(98)	(99)	(100)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
1214	1219	1224	1229	1234	1239	1244	1249	1254	1259	1264	1269	1274	1279	1284	1289	1294	1299	1304	1309	1314	1319	1324	1329	1334	1339	1344	1349	1354	1359	1364	1369	1374	1379	1384	1389	1394	1399	1404	1409	1414	1419	1424	1429	1434	1439	1444	1449	1454	1459	1464	1469	1474	1479	1484	1489	1494	1499	1504	1509	1514	1519	1524	1529	1534	1539	1544	1549	1554	1559	1564	1569	1574	1579	1584	1589	1594	1599	1604	1609	1614	1619	1624	1629	1634	1639	1644	1649	1654	1659	1664	1669	1674	1679	1684	1689	1694	1699	1704	1709	1714	1719	1724	1729	1734	1739	1744	1749	1754	1759	1764	1769	1774	1779	1784	1789	1794	1799	1804	1809	1814	1819	1824	1829	1834	1839	1844	1849	1854	1859	1864	1869	1874	1879	1884	1889	1894	1899	1904	1909	1914	1919	1924	1929	1934	1939	1944	1949	1954	1959	1964	1969	1974	1979	1984	1989	1994	1999	2004	2009	2014	2019	2024	2029	2034	2039	2044	2049	2054	2059	2064	2069	2074	2079	2084	2089	2094	2099	2104	2109	2114	2119	2124	2129	2134	2139	2144	2149	2154	2159	2164	2169	2174	2179	2184	2189	2194	2199	2204	2209	2214	2219	2224	2229	2234	2239	2244	2249	2254	2259	2264	2269	2274	2279	2284	2289	2294	2299	2304	2309	2314	2319	2324	2329	2334	2339	2344	2349	2354	2359	2364	2369	2374	2379	2384	2389	2394	2399	2404	2409	2414	2419	2424	2429	2434	2439	2444	2449	2454	2459	2464	2469	2474	2479	2484	2489	2494	2499	2504	2509	2514	2519	2524	2529	2534	2539	2544	2549	2554	2559	2564	2569	2574	2579	2584	2589	2594	2599	2604	2609	2614	2619	2624	2629	2634	2639	2644	2649	2654	2659	2664	2669	2674	2679	2684	2689	2694	2699	2704	2709	2714	2719	2724	2729	2734	2739	2744	2749	2754	2759	2764	2769	2774	2779	2784	2789	2794	2799	2804	2809	2814	2819	2824	2829	2834	2839	2844	2849	2854	2859	2864	2869	2874	2879	2884	2889	2894	2899	2904	2909	2914	2919	2924	2929	2934	2939	2944	2949	2954	2959	2964	2969	2974	2979	2984	2989	2994	2999	3004	3009	3014	3019	3024	3029	3034	3039	3044	3049	3054	3059	3064	3069	3074	3079	3084	3089	3094	3099	3104	3109	3114	3119	3124	3129	3134	3139	3144	3149	3154	3159	3164	3169	3174	3179	3184	3189	3194	3199	3204	3209	3214	3219	3224	3229	3234	3239	3244	3249	3254	3259	3264	3269	3274	3279	3284	3289	3294	3299	3304	3309	3314	3319	3324	3329	3334	3339	3344	3349	3354	3359	3364	3369	3374	3379	3384	3389	3394	3399	3404	3409	3414	3419	3424	3429	3434	3439	3444	3449	3454	3459	3464	3469	3474	3479	3484	3489	3494	3499	3504	3509	3514	3519	3524	3529	3534	3539	3544	3549	3554	3559	3564	3569	3574	3579	3584	3589	3594	3599	3604	3609	3614	3619	3624	3629	3634	3639	3644	3649	3654	3659	3664	3669	3674	3679	3684	3689	3694	3699	3704	3709	3714	3719	3724	3729	3734	3739	3744	3749	3754	3759	3764	3769	3774	3779	3784	3789	3794	3799	3804	3809	3814	3819	3824	3829	3834	3839	3844	3849	3854	3859	3864	3869	3874	3879	3884	3889	3894	3899	3904	3909	3914	3919	3924	3929	3934	3939	3944	3949	3954	3959	3964	3969	3974	3979	3984	3989	3994	3999	4004	4009	4014	4019	4024	4029	4034	4039	4044	4049	4054	4059	4064	4069	4074	4079	4084	4089	4094	4099	4104	4109	4114	4119	4124	4129	4134	4139	4144	4149	4154	4159	4164	4169	4174	4179	4184	4189	4194	4199	4204	4209	4214	4219	4224	4229	4234	4239	4244	4249	4254	4259	4264	4269	4274	4279	4284	4289	4294	4299	4304	4309	4314	4319	4324	4329	4334	4339	4344	4349	4354	4359	4364	4369	4374	4379	4384	4389	4394	4399	4404	4409	4414	4419	4424	4429	4434	4439	4444	4449	4454	4459	4464	4469	4474	4479	4484	4489	4494	4499	4504	4509	4514	4519	4524	4529	4534	4539	4544	4549	4554	4559	4564	4569	4574	4579	4584	4589	4594	4599	4604	4609	4614	4619	4624	4629	4634	4639	4644	4649	4654	4659	4664	4669	4674	4679	4684	4689	4694	4699	4704	4709	4714	4719	4724	4729	4734	4739	4744	4749	4754	4759	4764	4769	4774	4779	4784	4789	4794	4799	4804	4809	4814	4819	4824	4829	4834	4839	4844	4849	4854	4859	4864	4869	4874	4879	4884	4889	4894	4899	4904	4909	4914	4919	4924	4929	4934	4939	4944	4949	4954	4959	4964	4969	4974	4979	4984	4989	4994	4999	5004	5009	5014	5019	5024	5029	5034	5039	5044	5049	5054	5059	5064	5069	5074	5079	5084	5089	5094	5099	5104	5109	5114	5119	5124	5129	5134	5139	5144	5149	5154	5159	5164	5169	5174	5179	5184	5189	5194	5199	5204	5209	5214	5219	5224	5229	5234	5239	5244	5249	5254	5259	5264	5269	5274	5279	5284	5289	5294	5299	5304	5309	5314	5319	5324	5329	5334	5339	5344	5349	5354	5359	5364	5369	5374	5379	5384	5389	5394	5399	5404	5409	5414	5419	5424	5429	5434	5439	5444	5449	5454	5459	5464	5469	5474	5479	5484	5489	5494	5499	5504	5509	5514	5519	5524	5529	5534	5539	5544	5549	5554	5559	5564	5569	5574	5579	5584	5589	5594	5599	5604	5609	5614	5619	5624	5629	5634	5639	5644	5649	5654	5659	5664	5669	5674	5679	5684	5689	5694	5699	5704	5709	5714	5719	5724	5729	5734	5739	5744	5749	5754	5759	5764	5769	5774	5779	5784	5789	5794	5799	5804	5809	5814	5819	5824	5829	5834	5839	5844	5849	5854	5859	5864	5869	5874	5879	5884	5889	5894	5899	5904	5909	5914	5919	5924	5929	5934	5939	5944	5949	5954	5959	5964	5969	5974	5979	5984	5989	5994	5999	6004	6009	6014	6019	6024	6029	6034	6039	6044	6049	6054	6059	6064	6069	6074	6079	6084	6089	6094	6099	6104	6109	6114	6119	6124	6129	6134	6139	6144	6149	6154	6159	6164	6169	6174	6179	6184	6189	6194	6199	6204	6209	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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)
2001	5641	001	600	633	667	949	2090	5775	836	827	665	704	993	2179	5009	872	854	698	742	1038
2002	5644	001	600	633	667	949	2091	5778	837	827	666	705	994	2180	5010	872	854	698	742	1038
2003	5648	002	601	634	668	950	2092	5779	837	827	666	705	994	2181	5013	873	854	698	743	1038
2004	5647	002	601	634	668	951	2093	5781	838	828	667	706	995	2182	5014	873	854	698	743	1038
2005	5648	002	601	634	668	952	2094	5782	838	828	667	706	995	2183	5016	874	855	699	744	1040
2006	5650	003	602	635	669	952	2095	5783	838	828	667	706	995	2184	5017	874	855	699	744	1040
2007	5651	003	602	635	669	952	2096	5785	839	829	668	707	997	2185	5018	874	855	699	744	1040
2008	5651	003	602	635	669	952	2097	5786	839	829	668	707	997	2186	5020	875	856	700	745	1041
2009	5654	004	603	637	671	954	2098	5788	840	830	669	708	998	2187	5021	875	856	700	745	1041
2010	5655	004	603	637	671	954	2099	5789	840	830	669	708	998	2188	5023	876	857	701	746	1043
2011	5658	005	603	637	671	954	2100	5790	840	830	669	708	998	2189	5024	876	857	701	746	1043
2012	5659	005	603	637	671	954	2101	5793	841	830	669	709	999	2190	5025	876	857	701	746	1043
2013	5661	006	604	638	672	955	2102	5794	841	830	669	709	999	2191	5028	877	857	702	747	1043
2014	5662	006	604	638	672	955	2103	5798	842	831	670	710	1000	2192	5029	877	857	702	747	1043
2015	5663	006	604	638	672	955	2104	5798	842	831	670	710	1000	2193	5031	878	858	703	748	1045
2016	5666	007	605	639	674	957	2105	5798	842	831	670	710	1000	2194	5032	878	858	703	748	1045
2017	5666	007	605	639	674	957	2106	5800	843	832	671	711	1001	2195	5033	878	858	703	748	1045
2018	5668	008	606	640	675	958	2107	5801	843	832	671	711	1001	2196	5035	879	859	704	749	1046
2019	5669	008	606	640	675	958	2108	5803	844	833	673	713	1003	2197	5036	880	860	705	751	1047
2020	5670	008	606	640	675	958	2109	5804	844	833	673	713	1003	2198	5038	880	860	705	751	1047
2021	5673	009	606	640	675	959	2110	5805	844	833	673	713	1003	2199	5039	880	860	705	751	1047
2022	5674	009	606	640	675	959	2111	5808	845	833	673	713	1004	2200	5040	880	860	705	751	1047
2023	5675	010	607	642	677	960	2112	5809	845	833	673	713	1004	2201	5043	881	861	706	752	1049
2024	5677	010	607	642	677	961	2113	5811	846	834	674	714	1005	2202	5044	881	861	706	752	1049
2025	5678	010	607	642	677	961	2114	5812	846	834	674	714	1005	2203	5046	882	861	706	752	1049
2026	5678	010	607	642	677	961	2115	5813	846	834	674	714	1005	2204	5047	882	861	706	752	1049
2027	5680	011	608	643	678	962	2116	5815	847	835	675	716	1008	2205	5048	882	861	706	752	1049
2028	5681	011	608	643	678	962	2117	5816	847	835	675	716	1008	2206	5050	883	862	707	753	1051
2029	5684	012	609	644	679	963	2118	5818	848	836	676	717	1008	2207	5051	883	862	707	753	1051
2030	5685	012	609	644	679	963	2119	5819	848	836	676	717	1008	2208	5053	884	863	708	755	1053
2031	5686	013	609	644	680	964	2120	5820	848	836	676	717	1008	2209	5054	884	863	708	755	1053
2032	5689	013	609	644	680	964	2121	5823	849	837	678	719	1010	2210	5055	884	863	709	755	1053
2033	5691	014	610	645	681	965	2122	5824	849	837	678	719	1010	2211	5058	885	863	710	756	1053
2034	5692	014	610	645	681	965	2123	5826	850	837	678	719	1010	2212	5059	885	863	710	756	1053
2035	5693	014	610	645	681	965	2124	5827	850	837	678	719	1010	2213	5061	886	864	710	756	1053
2036	5695	015	611	646	682	967	2125	5828	850	837	678	719	1010	2214	5062	886	864	710	756	1053
2037	5696	015	611	646	682	967	2126	5830	851	838	679	720	1011	2215	5063	886	864	711	756	1053
2038	5698	016	612	647	683	968	2127	5831	851	838	679	720	1011	2216	5065	887	865	711	756	1053
2039	5699	016	612	647	683	968	2128	5833	852	839	680	721	1013	2217	5066	887	865	711	756	1053
2040	5700	016	612	647	683	968	2129	5834	852	839	680	721	1013	2218	5068	888	866	712	756	1053
2041	5703	017	612	648	684	969	2130	5835	852	839	680	721	1013	2219	5069	888	866	712	756	1053
2042	5704	017	612	648	684	969	2131	5838	853	839	680	722	1014	2220	5070	888	866	712	756	1053
2043	5706	018	613	649	685	970	2132	5839	853	839	680	722	1014	2221	5073	889	866	712	756	1053
2044	5707	018	613	649	685	970	2133	5841	854	840	681	723	1015	2222	5074	889	866	712	756	1053
2045	5708	018	613	649	685	971	2134	5842	854	840	681	723	1015	2223	5076	890	867	714	761	1050
2046	5710	019	614	650	686	972	2135	5843	854	840	681	723	1015	2224	5077	890	867	714	761	1050
2047	5711	019	614	650	686	972	2136	5845	855	841	682	724	1016	2225	5078	890	867	714	761	1050
2048	5713	020	615	651	688	973	2137	5846	855	841	682	724	1016	2226	5080	891	868	715	762	1061
2049	5714	020	615	651	688	973	2138	5848	856	842	683	725	1018	2227	5081	891	868	715	762	1061
2050	5715	020	615	651	688	973	2139	5849	856	842	683	725	1018	2228	5083	892	869	716	763	1062
2051	5716	021	615	651	688	974	2140	5850	856	842	683	725	1018	2229	5084	892	869	716	763	1062
2052	5719	021	615	651	688	974	2141	5853	857	842	684	726	1018	2230	5085	892	869	716	763	1062
2053	5721	022	616	652	689	975	2142	5854	857	842	684	726	1018	2231	5088	893	869	716	763	1062
2054	5722	022	616	652	689	975	2143	5855	858	843	685	727	1020	2232	5089	893	869	716	763	1062
2055	5723	022	616	652	689	975	2144	5857	858	843	685	727	1020	2233	5091	894	870	717	765	1064
2056	5725	023	617	653	690	977	2145	5858	858	843	685	727	1020	2234	5092	894	870	717	765	1064
2057	5726	023	617	653	690	977	2146	5860	859	844	686	728	1021	2235	5093	894	870	717	765	1064
2058	5728	024	618	655	692	978	2147	5861	859	844	686	728	1021	2236	5095	895	871	718	766	1066
2059	5729	024	618	655	692	978	2148	5863	860	845	687	730	1023	2237	5096	895	871	718	766	1066
2060	5730	024	618	655	692	978	2149	5864	860	845	687	730	1023	2238	5098	896	872	719	767	1067
2061	5733	025	619	656	693	979	2150	5865	860	845	687	730	1023	2239	5099	896	872	719	767	1067
2062	5734	025	619	656	693	979	2151	5866	860	845	687	730	1023	2240	5100	896	872	719	767	1067
2063	5736	026	619	656	693	979	2152	5868	861	846	687	731	1024	2241	5103	897	873	720	768	1068
2064	5737	026	619	656	693	979	2153	5869	861	846	687	731	1024	2242	5104	897	873	720	768	1068
2065	5738	026	619	656	693	979	2154	5871	862	846	688	731	1024	2243	5106	898	873	721	769	1069
2066	5740	027	620	657	695	980	2155	5873	862	846	688	731	1024	2244	5107	898	873	721	769	1069
2067	5741	027	620	657	695	980	2156	5875	863	847	689	732	1025	2245	5108	898	873	721	769	1069
2068																				

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)
2268	6043	908	681	730	780	1082	2357	6203	943	707	768	804	1114	2446	6438	979	734	797	834	1165
2269	6044	908	681	730	780	1082	2358	6206	944	708	768	804	1114	2447	6438	979	734	797	834	1165
2270	6045	908	681	730	780	1082	2359	6208	944	708	768	804	1115	2448	6441	980	735	797	835	1157
2271	6046	909	681	730	780	1083	2360	6210	944	708	768	804	1115	2449	6443	980	735	797	835	1157
2272	6049	909	681	730	780	1083	2361	6214	945	708	768	804	1115	2450	6445	980	735	797	835	1157
2273	6051	910	682	732	782	1084	2362	6216	945	708	768	804	1115	2451	6449	981	735	798	835	1157
2274	6052	910	682	732	782	1084	2363	6219	946	709	769	805	1116	2452	6451	981	735	798	836	1159
2275	6053	910	682	732	782	1084	2364	6222	948	709	769	806	1117	2453	6454	982	736	798	836	1159
2276	6055	911	683	733	783	1086	2365	6224	946	709	769	806	1117	2454	6456	982	736	798	836	1159
2277	6056	911	683	733	783	1086	2366	6227	947	710	771	807	1118	2455	6459	982	736	799	836	1159
2278	6058	912	684	734	784	1087	2367	6220	947	710	771	807	1118	2456	6462	983	737	800	837	1161
2279	6059	912	684	734	784	1087	2368	6232	948	711	772	807	1119	2457	6464	983	737	800	838	1161
2280	6060	912	684	734	784	1087	2369	6234	948	711	772	807	1119	2458	6467	984	738	800	838	1161
2281	6063	913	684	734	785	1088	2370	6236	949	712	772	807	1119	2459	6469	984	738	800	838	1161
2282	6064	913	684	734	785	1088	2371	6240	949	712	772	808	1120	2460	6471	984	738	800	838	1162
2283	6066	914	685	735	786	1089	2372	6242	949	712	772	808	1120	2461	6475	985	738	801	838	1162
2284	6067	914	685	735	786	1089	2373	6246	950	712	773	809	1121	2462	6477	985	738	801	838	1162
2285	6068	914	685	735	786	1089	2374	6248	950	712	773	809	1122	2463	6480	986	739	802	839	1163
2286	6070	915	686	736	787	1091	2375	6250	950	712	773	809	1122	2464	6483	986	739	802	840	1164
2287	6071	915	686	736	787	1091	2376	6253	951	713	774	810	1122	2465	6485	986	739	802	840	1164
2288	6073	916	687	737	788	1092	2377	6255	951	713	774	810	1123	2466	6488	987	740	803	841	1165
2289	6074	916	687	737	788	1092	2378	6258	952	714	775	811	1124	2467	6490	987	740	803	841	1165
2290	6075	916	687	737	788	1092	2379	6260	952	714	775	811	1124	2468	6493	988	741	804	841	1166
2291	6078	917	687	738	789	1093	2380	6262	952	714	775	811	1124	2469	6495	988	741	804	841	1166
2292	6079	917	687	738	789	1093	2381	6266	953	714	775	812	1125	2470	6497	988	741	804	842	1167
2293	6081	918	688	739	790	1094	2382	6269	953	714	775	812	1125	2471	6501	989	741	804	842	1167
2294	6082	918	688	739	790	1094	2383	6272	954	715	776	812	1126	2472	6503	989	741	804	843	1168
2295	6083	918	688	739	790	1094	2384	6274	954	715	776	812	1126	2473	6507	990	742	806	843	1169
2296	6085	919	689	740	791	1096	2385	6276	954	715	776	813	1127	2474	6509	990	742	806	843	1169
2297	6086	919	689	740	791	1096	2386	6279	955	716	777	813	1127	2475	6511	991	743	806	844	1169
2298	6088	920	690	741	793	1097	2387	6281	955	716	777	813	1127	2476	6514	991	743	806	844	1170
2299	6089	920	690	741	793	1097	2388	6284	956	717	778	814	1128	2477	6516	991	743	807	845	1171
2300	6090	920	690	741	793	1097	2389	6286	956	717	778	814	1129	2478	6519	992	744	807	845	1171
2301	6093	921	690	741	793	1098	2390	6288	956	717	778	815	1130	2479	6521	992	744	807	845	1171
2302	6094	921	690	741	793	1098	2391	6293	957	717	778	815	1130	2480	6523	992	744	807	845	1171
2303	6096	922	691	742	794	1099	2392	6295	957	717	778	815	1130	2481	6527	993	744	808	846	1172
2304	6097	922	691	742	794	1099	2393	6298	958	718	779	815	1130	2482	6530	993	744	808	846	1172
2305	6098	922	691	742	794	1099	2394	6300	958	718	779	815	1130	2483	6533	994	745	809	846	1173
2306	6100	923	692	743	795	1100	2395	6302	958	718	779	816	1131	2484	6535	994	745	809	846	1173
2307	6101	923	692	743	795	1101	2396	6305	959	719	780	817	1132	2485	6537	994	745	809	847	1174
2308	6103	924	693	745	797	1102	2397	6307	959	719	780	817	1132	2486	6540	995	746	809	847	1174
2309	6104	924	693	745	797	1102	2398	6310	960	720	781	817	1133	2487	6542	995	746	809	847	1174
2310	6105	924	693	745	797	1103	2399	6312	960	720	781	818	1133	2488	6545	996	747	810	848	1175
2311	6108	925	693	745	797	1103	2400	6314	960	720	781	818	1134	2489	6547	996	747	810	848	1176
2312	6109	925	693	745	797	1103	2401	6319	961	720	781	818	1134	2490	6549	996	747	810	848	1176
2313	6111	926	694	746	798	1104	2402	6321	961	720	781	818	1134	2491	6554	997	747	811	849	1177
2314	6112	926	694	746	798	1104	2403	6324	962	721	782	819	1136	2492	6556	997	747	811	849	1177
2315	6113	926	694	746	798	1104	2404	6326	962	721	782	819	1136	2493	6559	998	748	812	849	1177
2316	6115	927	695	747	800	1106	2405	6328	962	721	783	820	1137	2494	6561	998	748	812	850	1178
2317	6116	927	695	747	800	1106	2406	6331	963	722	783	820	1137	2495	6563	998	748	812	851	1179
2318	6118	928	696	748	801	1107	2407	6333	963	722	783	820	1137	2496	6566	999	749	812	851	1179
2319	6119	928	696	748	801	1107	2408	6336	964	723	784	821	1137	2497	6568	999	749	812	851	1180
2320	6120	928	696	748	801	1107	2409	6338	964	723	784	821	1137	2498	6571	1000	750	813	851	1180
2321	6123	929	696	748	801	1108	2410	6341	964	723	785	822	1139	2499	6573	1000	750	813	851	1180
2322	6124	929	696	748	801	1108	2411	6345	965	723	785	822	1139	2500	6575	1000	750	813	851	1180
2323	6126	930	697	750	803	1109	2412	6347	965	723	785	822	1139	2501	6580	1001	750	814	852	1181
2324	6127	930	697	750	803	1109	2413	6350	966	724	785	822	1140	2502	6582	1001	750	814	852	1181
2325	6128	930	697	750	803	1109	2414	6352	966	724	786	823	1140	2503	6585	1002	751	815	853	1183
2326	6130	931	698	751	803	1109	2415	6354	966	724	786	823	1141	2504	6587	1002	751	815	853	1183
2327	6131	931	698	751	803	1109	2416	6357	967	725	786	823	1141	2505	6589	1002	751	815	854	1183
2328	6133	932	699	752	803	1109	2417	6359	967	725	786	823	1142	2506	6592	1003	752	815	854	1184
2329	6134	932	699	752	803	1109	2418	6362	968	726	787	825	1143	2507	6594	1003	752	815	854	1184
2330	6135	932	699	752	803	1109	2419	6365	968	726	788	825	1143	2508	6597	1004	753	816	854	1184
2331	6138	933	699	752	803	1109	2420	6367	968	726	788	825	1144	2509	6599	1004	753	816	855	1186
2332	6139	933	699	752	803	1109	2421	6371	969	726	788	825	1144	2510	6602	1004	753	818	856	1186
2333	6141	934	700	753	803	1109	2422	6373	969	726	788	825	1144	2511	6606	1005	753	818	856	1186
2334	6143	934	700	753	803	1109	2423	6376	970	727	789	826	1145	2512	6608	1005	753	818	856	1187
2335	6145	934	700	753	803	1109	2424	6378	970											

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)
2530	6676	1014	761	825	863	1187	2625	6902	1050	787	854	894	1239	2714	7135	1086	814	883	924	1281
2537	6673	1015	761	825	864	1198	2626	6905	1051	788	855	894	1239	2715	7137	1086	814	883	924	1281
2538	6676	1016	762	827	866	1199	2627	6907	1051	788	855	894	1239	2716	7140	1087	815	883	925	1282
2539	6678	1016	762	827	866	1200	2628	6911	1052	789	856	896	1242	2717	7142	1087	815	883	925	1282
2540	6680	1016	762	827	866	1200	2629	6913	1052	789	856	896	1242	2718	7145	1088	816	884	925	1282
2541	6684	1017	762	827	866	1200	2630	6915	1052	789	856	896	1242	2719	7148	1088	816	885	926	1283
2542	6686	1017	762	827	866	1200	2631	6919	1053	789	856	896	1242	2720	7150	1088	816	885	926	1283
2543	6689	1018	763	827	866	1200	2632	6921	1053	789	856	896	1242	2721	7154	1089	816	886	927	1285
2544	6691	1018	763	827	866	1200	2633	6924	1054	790	856	896	1243	2722	7156	1089	816	886	927	1285
2545	6693	1018	763	827	866	1201	2634	6926	1054	790	857	897	1243	2723	7159	1090	817	886	927	1285
2546	6697	1019	764	829	868	1203	2635	6928	1054	790	857	897	1243	2724	7161	1090	817	886	927	1285
2547	6699	1019	764	829	868	1203	2636	6931	1055	791	858	897	1244	2725	7163	1090	817	886	928	1286
2548	6702	1020	765	830	869	1204	2637	6934	1055	791	858	898	1245	2726	7166	1091	818	887	928	1286
2549	6704	1020	765	830	869	1204	2638	6937	1056	792	859	899	1246	2727	7168	1091	818	887	928	1286
2550	6706	1020	765	830	869	1204	2639	6939	1056	792	859	900	1247	2728	7172	1092	819	888	930	1289
2551	6710	1021	765	830	869	1204	2640	6941	1056	792	859	900	1247	2729	7174	1092	819	888	930	1289
2552	6712	1021	765	830	869	1204	2641	6945	1057	792	859	900	1247	2730	7176	1092	819	889	930	1289
2553	6715	1022	766	830	870	1205	2642	6947	1057	792	859	900	1247	2731	7180	1093	819	889	930	1289
2554	6717	1022	766	830	870	1205	2643	6950	1058	793	859	900	1247	2732	7182	1093	819	889	930	1289
2555	6720	1022	766	831	870	1206	2644	6952	1058	793	860	900	1247	2733	7185	1094	820	889	930	1289
2556	6723	1023	767	832	871	1207	2645	6954	1058	793	860	900	1248	2734	7187	1094	820	889	930	1289
2557	6725	1023	767	832	871	1208	2646	6958	1059	794	862	902	1250	2735	7189	1094	820	889	931	1290
2558	6728	1024	768	833	872	1208	2647	6960	1059	794	862	902	1250	2736	7192	1095	821	890	931	1290
2559	6730	1024	768	833	872	1208	2648	6963	1060	795	862	903	1251	2737	7195	1095	821	890	932	1292
2560	6732	1024	768	833	872	1209	2649	6965	1060	795	862	903	1251	2738	7198	1096	822	891	933	1293
2561	6736	1025	768	833	872	1209	2650	6967	1060	795	862	903	1251	2739	7200	1096	822	891	933	1293
2562	6738	1025	768	833	872	1209	2651	6971	1061	795	862	903	1251	2740	7202	1096	822	891	933	1293
2563	6741	1026	769	834	873	1210	2652	6973	1061	795	862	903	1251	2741	7206	1097	822	892	933	1293
2564	6744	1026	769	834	874	1211	2653	6976	1062	796	863	904	1252	2742	7208	1097	822	892	933	1293
2565	6746	1026	769	834	874	1211	2654	6978	1062	796	863	904	1252	2743	7211	1098	823	892	933	1294
2566	6749	1027	770	835	874	1212	2655	6981	1062	796	864	904	1253	2744	7213	1098	823	892	934	1294
2567	6751	1027	770	835	875	1212	2656	6984	1063	797	865	905	1254	2745	7215	1098	823	892	934	1294
2568	6754	1028	771	837	875	1213	2657	6986	1063	797	865	905	1255	2746	7219	1099	824	894	936	1297
2569	6756	1028	771	837	875	1213	2658	6989	1064	798	865	906	1255	2747	7221	1099	824	894	936	1297
2570	6758	1028	771	837	875	1213	2659	6991	1064	798	865	906	1255	2748	7224	1100	825	894	936	1297
2571	6762	1029	771	837	875	1214	2660	6993	1064	798	865	906	1256	2749	7226	1100	825	895	937	1298
2572	6764	1029	771	837	875	1214	2661	6997	1065	798	865	906	1256	2750	7228	1100	825	895	937	1298
2573	6768	1030	772	838	877	1215	2662	6999	1065	798	865	906	1256	2751	7232	1101	825	895	937	1298
2574	6770	1030	772	838	877	1216	2663	7002	1066	799	867	907	1257	2752	7234	1101	825	895	937	1298
2575	6772	1030	772	838	877	1216	2664	7005	1066	799	867	908	1258	2753	7237	1102	826	895	937	1299
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2577	6777	1031	773	839	877	1216	2666	7010	1067	800	868	908	1259	2755	7242	1102	826	896	938	1300
2578	6780	1032	774	840	879	1218	2667	7012	1067	800	868	908	1259	2756	7245	1103	827	897	939	1301
2579	6782	1032	774	840	879	1218	2668	7015	1068	801	869	909	1259	2757	7247	1103	827	897	939	1302
2580	6784	1032	774	840	879	1218	2669	7017	1068	801	869	909	1260	2758	7250	1104	828	897	939	1302
2581	6788	1033	774	840	879	1218	2670	7019	1068	801	869	909	1260	2759	7252	1104	828	898	940	1303
2582	6791	1033	774	840	880	1219	2671	7023	1069	801	869	909	1260	2760	7254	1104	828	898	940	1303
2583	6794	1034	775	841	880	1220	2672	7025	1069	801	869	909	1260	2761	7258	1105	828	898	940	1303
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2585	6798	1034	775	841	880	1220	2674	7031	1070	802	871	911	1263	2763	7263	1106	829	899	941	1304
2586	6801	1035	776	842	881	1221	2675	7033	1070	802	871	911	1263	2764	7266	1106	829	899	942	1305
2587	6803	1035	776	842	881	1221	2676	7036	1071	803	871	911	1263	2765	7268	1106	829	899	942	1305
2588	6806	1036	777	843	882	1222	2677	7038	1071	803	871	912	1263	2766	7271	1107	830	900	942	1306
2589	6808	1036	777	843	882	1223	2678	7041	1072	804	872	913	1265	2767	7273	1107	830	900	942	1306
2590	6810	1036	777	843	882	1223	2679	7043	1072	804	872	913	1265	2768	7276	1108	831	902	943	1307
2591	6815	1037	777	843	883	1223	2680	7045	1072	804	872	913	1265	2769	7278	1108	831	902	943	1307
2592	6817	1037	777	843	883	1224	2681	7049	1073	804	872	913	1265	2770	7280	1108	831	902	943	1307
2593	6820	1038	778	844	883	1224	2682	7052	1073	804	873	914	1266	2771	7284	1109	831	902	943	1307
2594	6822	1038	778	844	883	1224	2683	7055	1074	805	874	914	1267	2772	7286	1109	831	902	943	1307
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2596	6827	1039	779	845	885	1226	2685	7059	1074	805	874	914	1267	2774	7292	1110	832	903	945	1309
2597	6829	1039	779	845	885	1226	2686	7062	1075	806	874	914	1268	2775	7294	1110	832	903	945	1310
2598	6832	1040	780	846	885	1227	2687	7064	1075	806	874	915	1268	2776	7297	1111	833	903	945	1310
2599	6834	1040	780	846	885	1227	2688	7067	1076	807	876	915	1269	2777	7299	1111	833	903	945	1310
2600	6836	1040	780	846	885	1227	2689	7069	1076	807	876	915	1269	2778	7302	1112	834	905	947	1312
2601	6841	1041	780	846	886	1228	2690	7071	1076	807	876	915	1269	2779	7304	1112	834	905	947	1312
2602																				

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)
2802	7365	1121	840	911	954	1322	2891	7598	1157	867	940	984	1364	2980	7828	1192	894	969	1014	1406
2803	7368	1122	841	912	955	1323	2892	7600	1157	867	940	984	1364	2981	7832	1193	894	969	1014	1406
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2809	7382	1124	843	914	956	1325	2898	7615	1160	870	943	987	1367	2987	7847	1195	896	971	1016	1409
2810	7385	1124	843	915	957	1327	2899	7617	1160	870	943	987	1368	2988	7850	1196	897	972	1017	1410
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2813	7394	1126	844	915	958	1328	2902	7626	1161	870	944	988	1369	2991	7859	1197	897	973	1018	1411
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2815	7398	1126	844	916	959	1329	2904	7631	1162	871	945	989	1370	2993	7864	1198	898	974	1019	1412
2816	7401	1127	845	916	959	1329	2905	7633	1162	871	945	989	1370	2994	7866	1198	898	974	1019	1412
2817	7403	1127	845	916	959	1329	2906	7636	1163	872	945	989	1371	2995	7868	1198	898	974	1019	1412
2818	7406	1128	846	917	959	1329	2907	7638	1163	872	945	990	1371	2996	7871	1199	899	974	1020	1414
2819	7409	1128	846	918	960	1331	2908	7641	1164	873	946	990	1372	2997	7873	1199	899	974	1020	1414
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2824	7422	1130	847	918	961	1332	2913	7655	1166	874	948	992	1375	3002	7884	1201	900	976	1021	1415
2825	7424	1130	847	918	961	1333	2914	7657	1166	874	948	992	1375	3003	7886	1202	901	977	1022	1417
2826	7427	1131	848	920	962	1333	2915	7659	1166	874	948	992	1375	3004	7887	1202	901	977	1022	1417
2827	7429	1131	848	920	962	1333	2916	7662	1167	875	948	992	1375	3005	7888	1202	901	977	1023	1417
2828	7433	1132	849	921	964	1336	2917	7664	1167	875	948	993	1376	3006	7890	1203	902	978	1024	1418
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2830	7437	1132	849	921	964	1336	2919	7670	1168	876	950	994	1378	3008	7893	1204	903	979	1025	1420
2831	7441	1133	849	921	964	1336	2920	7672	1168	876	950	994	1378	3009	7894	1204	903	979	1025	1420
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2836	7453	1135	851	923	965	1337	2925	7685	1170	877	951	995	1380	3014	7902	1206	904	981	1027	1422
2837	7456	1135	851	923	966	1339	2926	7688	1171	878	952	996	1380	3015	7903	1206	904	981	1027	1422
2838	7459	1136	852	924	967	1340	2927	7690	1171	878	952	996	1380	3016	7905	1207	905	982	1028	1423
2839	7461	1136	852	924	967	1340	2928	7694	1172	879	953	998	1383	3017	7906	1207	905	982	1028	1423
2840	7463	1136	852	924	967	1340	2929	7696	1172	879	953	998	1383	3018	7908	1208	906	983	1029	1425
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2842	7469	1137	852	924	967	1340	2931	7702	1173	879	954	998	1383	3020	7910	1208	906	983	1029	1425
2843	7472	1138	853	924	967	1341	2932	7704	1173	879	954	998	1383	3021	7913	1209	906	983	1030	1425
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2845	7476	1138	853	925	968	1341	2934	7709	1174	880	954	998	1384	3023	7916	1210	907	984	1031	1427
2846	7480	1139	854	927	970	1344	2935	7711	1174	880	954	998	1384	3024	7917	1210	907	984	1031	1427
2847	7482	1139	854	927	970	1344	2936	7714	1175	881	955	999	1384	3025	7918	1210	907	984	1031	1427
2848	7485	1140	855	927	970	1345	2937	7717	1175	881	955	1000	1386	3026	7920	1211	908	985	1032	1428
2849	7487	1140	855	927	970	1345	2938	7720	1176	882	956	1001	1387	3027	7921	1211	908	985	1032	1428
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2851	7493	1141	855	927	971	1345	2940	7724	1176	882	956	1001	1387	3029	7924	1212	909	986	1033	1430
2852	7495	1141	855	927	971	1345	2941	7728	1177	882	957	1001	1387	3030	7925	1212	909	986	1033	1430
2853	7498	1142	856	927	971	1346	2942	7730	1177	882	957	1001	1387	3031	7928	1213	909	987	1034	1430
2854	7500	1142	856	927	971	1346	2943	7733	1178	883	957	1001	1388	3032	7929	1213	909	987	1034	1430
2855	7503	1142	856	929	972	1347	2944	7735	1178	883	957	1001	1388	3033	7931	1214	910	988	1035	1432
2856	7506	1143	857	930	973	1348	2945	7737	1178	883	957	1001	1388	3034	7932	1214	910	988	1035	1432
2857	7508	1143	857	930	973	1349	2946	7741	1179	884	959	1004	1391	3035	7933	1214	910	988	1035	1432
2858	7511	1144	858	930	973	1349	2947	7743	1179	884	959	1004	1391	3036	7935	1215	911	989	1036	1433
2859	7513	1144	858	930	974	1349	2948	7746	1180	885	959	1004	1392	3037	7936	1215	911	989	1036	1433
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2866	7532	1147	860	933	976	1353	2955	7764	1182	886	961	1006	1394	3044	7947	1218	913	991	1039	1437
2867	7534	1147	860	933	976	1353	2956	7767	1183	887	962	1007	1395							

(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)
7984	1228	921	1001	1050	1449	3158	8118	1264	948	1033	1088	1494	3247	8251	1299	974	1065	1125	1537
7985	1228	921	1001	1050	1450	3159	8119	1264	948	1033	1088	1494	3248	8253	1300	975	1066	1126	1538
7986	1229	921	1001	1051	1450	3160	8120	1264	948	1033	1088	1494	3249	8254	1300	975	1066	1126	1539
7987	1229	921	1001	1051	1450	3161	8123	1265	948	1033	1088	1495	3250	8255	1300	975	1066	1126	1539
7988	1229	921	1001	1051	1450	3162	8124	1265	948	1033	1088	1495	3251	8258	1301	975	1066	1126	1539
7989	1230	922	1002	1052	1451	3163	8126	1266	949	1035	1090	1496	3252	8259	1301	975	1066	1126	1539
7990	1230	922	1002	1052	1451	3164	8127	1266	949	1035	1090	1496	3253	8261	1302	976	1067	1127	1540
7991	1230	922	1002	1052	1452	3165	8128	1266	949	1035	1090	1496	3254	8262	1302	976	1067	1127	1541
7992	1231	923	1003	1053	1453	3166	8130	1267	950	1036	1091	1497	3255	8263	1302	976	1067	1128	1541
7993	1231	923	1003	1053	1453	3167	8131	1267	950	1036	1091	1498	3256	8265	1303	977	1068	1129	1542
7994	1232	924	1004	1054	1454	3168	8133	1268	951	1037	1092	1499	3257	8266	1303	977	1068	1129	1542
7995	1232	924	1004	1054	1454	3169	8134	1268	951	1037	1092	1499	3258	8268	1304	978	1069	1130	1543
7996	1232	924	1004	1054	1454	3170	8135	1268	951	1037	1092	1499	3259	8269	1304	978	1069	1130	1543
7997	1233	924	1005	1055	1455	3171	8138	1269	951	1037	1093	1499	3260	8270	1304	978	1069	1130	1544
7998	1233	924	1005	1055	1455	3172	8139	1269	951	1037	1093	1499	3261	8273	1305	978	1069	1130	1544
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(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)
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29	1448	1086	1192	1297	1745	3708	9173	1484	1113	1220	1328	1787	3797	9392	1519	1139	1250	1360	1629
30	1448	1086	1192	1297	1745	3709	9175	1484	1113	1220	1328	1787	3798	9395	1520	1140	1251	1361	1631
31	1449	1086	1192	1297	1745	3710	9177	1484	1113	1221	1329	1788	3799	9397	1520	1140	1251	1361	1631
32	1449	1086	1192	1297	1745	3711	9181	1485	1113	1221	1329	1788	3800	9399	1520	1140	1251	1361	1631
33	1450	1087	1193	1298	1746	3712	9183	1485	1113	1221	1329	1788	3801	9402	1521	1140	1251	1361	1631
34	1450	1087	1193	1298	1746	3713	9186	1486	1114	1222	1329	1789	3802	9404	1521	1140	1251	1361	1631
35	1450	1087	1193	1298	1746	3714	9188	1486	1114	1222	1330	1789	3803	9407	1522	1141	1251	1361	1631
36	1451	1088	1193	1298	1747	3715	9190	1486	1114	1222	1330	1789	3804	9409	1522	1141	1251	1361	1631
37	1451	1088	1193	1298	1747	3716	9193	1487	1115	1223	1331	1791	3805	9411	1522	1141	1251	1361	1631
38	1452	1089	1195	1300	1748	3717	9195	1487	1115	1223	1331	1791	3806	9414	1523	1142	1252	1363	1633
39	1452	1089	1195	1300	1749	3718	9198	1488	1116	1224	1332	1792	3807	9416	1523	1142	1252	1363	1633
40	1452	1089	1195	1300	1749	3719	9200	1488	1116	1224	1332	1792	3808	9419	1524	1143	1253	1364	1635
41	1453	1089	1195	1300	1749	3720	9202	1488	1116	1225	1333	1793	3809	9421	1524	1143	1253	1364	1635
42	1453	1089	1195	1300	1749	3721	9206	1489	1116	1225	1333	1793	3810	9423	1524	1143	1253	1364	1635
43	1454	1090	1196	1301	1750	3722	9208	1489	1116	1225	1333	1793	3811	9427	1525	1143	1254	1364	1635
44	1454	1090	1196	1301	1750	3723	9211	1490	1117	1226	1333	1794	3812	9429	1525	1143	1254	1364	1635
45	1454	1090	1196	1301	1750	3724	9213	1490	1117	1226	1333	1794	3813	9432	1526	1144	1255	1365	1637
46	1455	1091	1196	1302	1752	3725	9214	1490	1117	1226	1334	1794	3814	9434	1526	1144	1255	1365	1637
47	1455	1091	1196	1302	1752	3726	9217	1491	1118	1226	1334	1795	3815	9436	1526	1144	1255	1365	1637
48	1456	1092	1198	1304	1754	3727	9219	1491	1118	1226	1334	1795	3816	9439	1527	1145	1256	1367	1639
49	1456	1092	1198	1304	1754	3728	9222	1492	1119	1227	1335	1796	3817	9441	1527	1145	1256	1367	1639
50	1456	1092	1198	1304	1754	3729	9224	1492	1119	1227	1335	1797	3818	9444	1528	1146	1257	1368	1640
51	1457	1092	1198	1304	1754	3730	9226	1492	1119	1228	1336	1797	3819	9446	1528	1146	1257	1368	1640
52	1457	1092	1198	1304	1754	3731	9230	1493	1119	1228	1336	1797	3820	9448	1528	1146	1257	1368	1641
53	1458	1093	1199	1305	1755	3732	9232	1493	1119	1228	1336	1797	3821	9452	1529	1146	1258	1368	1641
54	1458	1093	1199	1305	1756	3733	9235	1494	1120	1229	1336	1798	3822	9454	1529	1146	1258	1368	1641
55	1458	1093	1199	1305	1756	3734	9237	1494	1120	1229	1336	1798	3823	9457	1530	1147	1259	1369	1642
56	1459	1094	1200	1306	1757	3735	9239	1494	1120	1229	1337	1799	3824	9459	1530	1147	1259	1369	1642
57	1459	1094	1200	1306	1757	3736	9242	1495	1121	1229	1338	1800	3825	9460	1530	1147	1259	1369	1642
58	1460	1095	1202	1308	1759	3737	9244	1495	1121	1229	1338	1800	3826	9463	1531	1148	1259	1370	1643
59	1460	1095	1202	1308	1759	3738	9247	1496	1122	1230	1339	1802	3827	9465	1531	1148	1259	1370	1643
60	1460	1095	1202	1308	1759	3739	9249	1496	1122	1230	1339	1802	3828	9468	1532	1149	1260	1371	1644
61	1461	1095	1202	1308	1759	3740	9251	1496	1122	1231	1340	1802	3829	9470	1532	1149	1260	1371	1645
62	1461	1095	1202	1308	1759	3741	9255	1497	1122	1231	1340	1802	3830	9472	1532	1149	1260	1371	1645
63	1462	1096	1202	1308	1759	3742	9257	1497	1122	1231	1340	1802	3831	9476	1533	1149	1261	1371	1645
64	1462	1096	1202	1308	1760	3743	9260	1498	1123	1232	1340	1803	3832	9478	1533	1149	1261	1371	1645
65	1462	1096	1202	1308	1760	3744	9262	1498	1123	1232	1340	1804	3833	9481	1534	1150	1262	1372	1646
66	1463	1097	1203	1309	1761	3745	9264	1498	1123	1232	1341	1804	3834	9483	1534	1150	1262	1372	1646
67	1463	1097	1203	1309	1762	3746	9267	1499	1124	1233	1342	1805	3835	9485	1534	1150	1262	1372	1647
68	1464	1098	1204	1310	1763	3747	9269	1499	1124	1233	1342	1805	3836	9488	1535	1151	1262	1374	1648
69	1464	1098	1205	1311	1763	3748	9272	1500	1125	1234	1343	1807	3837	9490	1535	1151	1262	1374	1648
70	1464	1098	1205	1311	1764	3749	9274	1500	1125	1234	1343	1807	3838	9493	1536	1152	1263	1375	1650
71	1465	1098	1205	1311	1764	3750	9275	1500	1125	1234	1343	1807	3839	9495	1536	1152	1263	1375	1650
72	1465	1098	1205	1311	1764	3751	9279	1501	1125	1234	1343	1807	3840	9497	1536	1152	1263	1375	1650
73	1466	1099	1206	1312	1765	3752	9281	1501	1125	1234	1343	1807	3841	9501	1537	1152	1264	1375	1650
74	1466	1099	1206	1312	1765	3753	9284	1502	1126	1235	1343	1807	3842	9503	1537	1152	1264	1375	1650
75	1466	1099	1206	1312	1765	3754	9286	1502	1126	1235	1343	1808	3843	9506	1538	1153	1265	1376	1651
76	1467	1100	1207	1313	1767	3755	9288	1502	1126	1235	1344	1808	3844	9508	1538	1153	1265	1376	1651
77	1467	1100	1207	1313	1767	3756	9291	1503	1127	1236	1345	1809	3845	9510	1538	1153	1265	1376	1651
78	1468	1101	1208	1315	1769	3757	9293	1503	1127	1236	1345	1810	3846	9513	1539	1154	1266	1378	1653
79	1468	1101	1208	1315	1769	3758	9296	1504	1128	1237	1346	1811	3847	9515	1539	1154	1266	1378	1653
80	1468	1101	1208	1315	1769	3759	9298	1504	1128	1237	1346	1811	3848	9518	1540	1155	1267	1379	1655
81	1469	1101	1208	1315	1769	3760	9300	1504	1128	1237	1346	1812	3849	9520	1540	1155	1267	13	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(1)	(2)	(3)	(4)	(5)	(6)	(7)
3870	9571	1548	1161	1273	1306	1865	3928	9714	1572	1179	1293	407	1892	3986	9857	1595	1196	1312	1427	1520
3871	9575	1549	1161	1273	1306	1865	3929	9716	1572	1179	1293	407	1893	3987	9859	1595	1196	1312	1427	1520
3872	9577	1549	1161	1274	1306	1865	3930	9718	1572	1179	1293	407	1893	3988	9862	1596	1197	1313	1428	1522
	9580	1550	1162	1275	1307	1866	3931	9722	1573	1179	1293	407	1893	3989	9864	1596	1197	1313	1429	1522
3874	9582	1550	1162	1275	1307	1866	3932	9724	1573	1179	1293	407	1893	3990	9866	1596	1197	1313	1429	1522
3875	9583	1550	1162	1275	1307	1866	3933	9727	1574	1180	1295	408	1894	3991	9870	1597	1197	1313	1429	1522
3876	9586	1551	1163	1275	1307	1867	3934	9729	1574	1180	1295	408	1894	3992	9872	1597	1197	1313	1429	1522
3877	9598	1551	1163	1275	1308	1867	3935	9731	1574	1180	1295	408	1895	3993	9875	1598	1198	1314	1429	1523
3878	9591	1552	1164	1276	1309	1868	3936	9734	1575	1181	1295	409	1896	3994	9877	1598	1198	1315	1430	1524
3879	9593	1552	1164	1276	1309	1869	3937	9736	1575	1181	1295	409	1896	3995	9879	1598	1198	1315	1430	1524
3880	9595	1552	1164	1276	1309	1869	3938	9739	1576	1182	1295	411	1898	3996	9882	1599	1199	1316	1431	1525
3881	9599	1553	1164	1276	1309	1869	3939	9741	1576	1182	1295	411	1898	3997	9884	1599	1199	1316	1431	1525
3882	9601	1553	1164	1277	1309	1869	3940	9743	1576	1182	1295	411	1898	3998	9887	1600	1200	1317	1432	1527
3883	9604	1554	1165	1278	1309	1870	3941	9747	1577	1182	1295	411	1898	3999	9889	1600	1200	1317	1433	1527
3884	9606	1554	1165	1278	1309	1870	3942	9749	1577	1182	1295	411	1898	4000	9890	1600	1200	1317	1433	1527
3885	9608	1554	1165	1278	1309	1871	3943	9752	1578	1183	1298	412	1899	4500	11120	1800	1350	1481	1611	2167
3886	9611	1555	1166	1279	1309	1872	3944	9754	1578	1183	1298	412	1900							
3887	9613	1555	1166	1279	1309	1872	3945	9756	1578	1183	1298	412	1900							
3888	9616	1556	1167	1280	1303	1874	3946	9759	1579	1184	1298	413	1901							
3889	9618	1556	1167	1280	1303	1874	3947	9761	1579	1184	1298	413	1901							
3890	9620	1556	1167	1280	1303	1874	3948	9764	1580	1185	1300	415	1903							
3891	9624	1557	1167	1280	1303	1874	3949	9766	1580	1185	1300	415	1903							
3892	9626	1557	1167	1281	1303	1874	3950	9767	1580	1185	1300	415	1903							
3893	9629	1558	1168	1282	1304	1875	3951	9771	1581	1185	1300	415	1903							
3894	9631	1558	1168	1282	1304	1876	3952	9773	1581	1185	1300	415	1903							
3895	9633	1558	1168	1282	1304	1876	3953	9776	1582	1186	1301	415	1903							
3896	9636	1559	1169	1283	1305	1877	3954	9778	1582	1186	1301	415	1904							
3897	9638	1559	1169	1283	1306	1877	3955	9780	1582	1186	1301	415	1904							
3898	9641	1560	1170	1284	1307	1879	3956	9783	1583	1187	1302	416	1905							
3899	9643	1560	1170	1284	1307	1879	3957	9785	1583	1187	1302	416	1906							
3900	9644	1560	1170	1284	1307	1879	3958	9788	1584	1188	1303	418	1907							
3901	9648	1561	1170	1284	1307	1879	3959	9790	1584	1188	1303	418	1907							
3902	9650	1561	1170	1284	1307	1879	3960	9792	1584	1188	1303	418	1907							
3903	9653	1562	1171	1284	1307	1879	3961	9796	1585	1188	1303	418	1907							
3904	9655	1562	1171	1284	1307	1879	3962	9798	1585	1188	1303	418	1907							
3905	9657	1562	1171	1284	1307	1879	3963	9801	1586	1189	1305	419	1909							
3906	9660	1563	1172	1285	1308	1881	3964	9803	1586	1189	1305	419	1909							
3907	9662	1563	1172	1285	1308	1882	3965	9805	1586	1189	1305	419	1909							
3908	9665	1564	1173	1286	1400	1883	3966	9808	1587	1190	1306	420	1911							
3909	9667	1564	1173	1286	1400	1883	3967	9810	1587	1190	1306	420	1911							
3910	9669	1564	1173	1286	1400	1883	3968	9813	1588	1191	1306	422	1912							
3911	9673	1565	1173	1286	1400	1883	3969	9815	1588	1191	1306	422	1912							
3912	9675	1565	1173	1286	1400	1883	3970	9817	1588	1191	1306	422	1913							
3913	9678	1566	1174	1288	1401	1885	3971	9821	1589	1191	1306	422	1913							
3914	9680	1566	1174	1288	1401	1885	3972	9823	1589	1191	1306	422	1913							
3915	9682	1566	1174	1288	1401	1885	3973	9826	1590	1192	1308	423	1914							
3916	9685	1567	1175	1289	1402	1887	3974	9828	1590	1192	1308	423	1914							
3917	9687	1567	1175	1289	1402	1887	3975	9829	1590	1192	1308	423	1914							
3918	9690	1568	1176	1290	1404	1889	3976	9832	1591	1193	1309	423	1915							
3919	9692	1568	1176	1290	1404	1889	3977	9834	1591	1193	1309	423	1915							
3920	9694	1568	1176	1290	1404	1889	3978	9837	1592	1194	1309	424	1916							
3921	9698	1569	1176	1290	1404	1889	3979	9839	1592	1194	1309	425	1917							
3922	9700	1569	1176	1290	1404	1889	3980	9841	1592	1194	1309	425	1917							
3923	9703	1570	1177	1292	1405	1890	3981	9845	1593	1194	1309	425	1917							
3924	9705	1570	1177	1292	1405	1890	3982	9847	1593	1194	1309	425	1917							
3925	9706	1570	1177	1292	1405	1890	3983	9850	1594	1195	1310	425	1918							
3926	9709	1571	1178	1292	1405	1891	3984	9852	1594	1195	1311	426	1918							
3927	9711	1571	1178	1292	1405	1891	3985	9854	1594	1195	1311	426	1919							

Note: Difference in columns 3, 4, 5, 6 and 7 has been arrived as follows:-

Column 3: Consolidated pension as in column 2 —
[B.P. in column 1 + DR drawn + IR I @ Rs.50/- P.M. + IR II @ 10% of B.P. subject to a minimum of Rs.50/- P.M.]

Column 4: Consolidated pension as in column 2 —
[B.P. in column 1 + DR drawn + IR I @ Rs.50/- P.M. + IR II @ 10% of B.P. subject to a minimum of Rs.50/- P.M. + IR3 @ 10% of B.P. subject to a minimum of Rs.100/- P.M.]

Column 5: Consolidated pension as in column 2 +DR @ 4% thereon — [B.P. in column 1 + DR drawn + IR I @ Rs.50/- P.M. + IR II @ 10% of B.P. subject to a minimum of Rs.50/- P.M. + IR III @ 10% of B.P. subject to a minimum of Rs.100/- P.M.]

Column 6: Consolidated pension as in column 2 +DR @ 8% thereon — [B.P. in column 1 + DR drawn + IR I @ Rs.50/- P.M. + IR II @ 10% of B.P. subject to a minimum of Rs.50/- P.M. + IR III @ 10% of B.P. subject to a minimum of Rs.100/- P.M.]

Column 7: Consolidated pension as in column 2 +DR @ 13% thereon — [B.P. in column 1 + DR drawn + IR I @ Rs.50/- P.M. + IR II @ 10% of B.P. subject to a minimum of Rs.50/- P.M. + IR III @ 10% of B.P. subject to a minimum of Rs.100/- P.M.]

Usha Gandhi
(USHA GANDHI)
Under Secretary

Form of Intimation by the Pension Disbursing Authority to the Central Pension Accounting Office/Pay and Accounts Office regarding consolidation of pension in terms of Department of Pension and Pensioners Welfare Office Memorandum No.45/86/97-PW(A)-Pt.-II dated 27.10.1997.

1. Name of the Pensioner/
Family Pensioner
2. PPO No.
3. Date of retirement/Death
(in case of family pension)
4. Savings Bank A/C No.
5. Name of the Bank/Paying Branch
6. Bank Code No.
7. Computation of consolidated pension/family pension

	Pension	*Family Pension	*Family Pension (At enhanced rate)
(A) Existing basic pension (inclusive of commuted portion)/Family Pension			
(B) Dearness Relief upto CPI 1510 i.e. 148%, 111% and 96% of Pension/ Family Pension as drawn.			
(C) 1st Interim Relief.			
(D) 2nd Interim Relief.			
(E) 40% of the Basic Pension/Family Pension as at 'A' above.			
(F) Consolidated Pension/Family Pension (A+B+C+D+E)			

- Note: 1. The final revision of pension in respect of pensioners retired prior to 1.1.1986 and also those retired after 1.1.1996 will be done by the Pay & Accounts Office concerned.
2. The final revision of Family Pension except in case of those who became eligible for family pension during the period 1.1.1986 to 31.12.1995 and were sanctioned the same @ 30% of last pay drawn by the deceased employee, will also be done by the Pay & Accounts Office concerned.
- (* If not applicable draw a line across.)

8. Whether consolidated pension/family pension is final or allowed as immediate relief.
9. Remarks, if any.

SIGNATURE OF PENSION DISBURSING AUTHORITY

To

1. Central Pension Accounting Office
Ministry of Finance,
Department of Expenditure,
Trikoote-II, Bhikaji Cama Place,
New Delhi - 110 066.
2. Concerned Pay & Accounts Office.

Machine No.

PC-IV/87/13/861/1

RBE./S.No.91/87

New Delhi, dated 20th April 1987

No. PC-IV/87/Imp/PN1.
The General Managers,
All Indian Railways,
Production Units, etc.
as per mailing list.

Subject: Rationalisation of pension structure for pre-1.1.1986 pensioners - implementation of Government's decision on the recommendations of the Fourth Central Pay Commission.

A copy of Department of Pension & Pensioners' Welfare Office Memorandum No. 2/1/87-P.L.C.1 dated 16th April 1987, together with its enclosed is circulated for information and guidance. These instructions will apply, mutatis mutandis to pre-1.1.1986 Railway pensioners.

2. A copy of the Office Memorandum referred to has already been circulated to the Reserve Bank of India and all the nationalised banks as well as the Controllers of Accounts, Accountant-Generals, etc.

3. A concordance of various instructions and orders referred to in the enclosed office memorandum with reference to corresponding Railway instructions is indicated below :-

S.No.	Para No.	Subject	O.M. No. & date of DOP/MOF's orders	No. & date of corresponding orders issued by Railway Board
1.	3.1(d), 6.1 & 6.3	DOP OM No. 42(4) P&FW/86 dt. 3.3.86	PC/11/82/PN/1 dt. 19.3.86	
2.	3.2 & 7.3	DOP OM No. 2/14/87/PIC dt. 5.3.87	PC/11/87/PN/6 dt. 9.3.87	
3.	4.1, 10.2 & 11.2	MOF OM No. 19(4) EV/79 dt. 25.5.79	PC/11/79/DP/1 dt. 11.6.79	
4.	4.1, 4.3, 10.2 & 11.2	DOP OM No. 38/9/86 dt. 8.5.86	PC/11/86/DP/2 dt. 15.3.86	
5.	4.1	MOF OM No. 113/82 dt. 13.4.82	PC/11/82/DP/3 dt. 30.4.82	
6.	4.3	DOP OM No. 39/6/86/P&FW dt. 12.3.86	PC/11/86/PN/7 dt. 16.3.86	

[Handwritten signature]

S. No. Para No.

O.M. No. & date of
DOP/MOF's orders

No. & date of corre-
ponding orders issued
by Railway Board.

S. No.	Para No.	O.M. No. & date of DOP/MOF's orders	No. & date of corre- ponding orders issued by Railway Board.
7.	6.3	DOP OM No. 42(4) P&PW/ 86 dt. 25.6.86	PCIII/82/PN/1 dt. 14.7.86.
8.	6.3	DOP OM No. 42(16) P&PW/ 86 dt. 28.8.86	PCIII/82/PN/1 dt. 18.9.86
9.	6.3	DOP OM No. 42(16) P&PW/ 86 dt. 14.10.86	PCIII/82/PN/1 dt. 29.10.86

4. Hindi version of these orders follows
separately.

(G. CHATTERJEE)
EXECUTIVE DIRECTOR, AY COMMISSION,
RAILWAY BOARD.

DA : As above.

No. PC-IV/87/Imp/PN1. New Delhi, dt. 20th April 1987.

Copy (with 40 spares) forwarded to A.D.A.I.
(Railways), New Delhi.

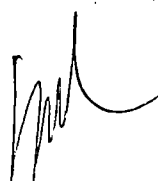
for Financial Commissioner (Railways)

No. PC-IV/87/Imp/PN1 New Delhi, dt. 20th April 1987

Copy forwarded to :-

- (1) The Financial Adviser & Chief Accounts Officers -
 - i) All Indian Railways;
 - ii) CLW, DLW and ICF;
 - iii) Metro Railway, Calcutta;
 - iv) MTP(R) - Delhi, Bombay and Madras;
 - v) Wheel & Axle Plant, Bangalore;
 - vi) COFMOW, Railway Office Complex, Tilak Bridge,
New Delhi.
 - vii) ICF Project Office, Near Safdarjung Flying
Club, New Delhi-110023.
- (2) The FASCOs (Construction), N.F. Railway, Maligaon
and Southern Railway, Bangalore.
- (3) The Joint Director, Finance, RDSO, Lucknow.
- (4) The P.O., Ministry of Railways, Rail Bhavan,
New Delhi.

...../



- (5) The General Secretary, IRCA, New Delhi, for information.
 (6) The Commissioner, Railway Safety, Lucknow.
 (7) The Managing Directors, RITES, New Delhi House, 27, Barakhamba Road, New Delhi, and IRCON, Palika Bhavan, Sector XIII, R.K. Puram, New Delhi.

(G. CHATTERJEE)

EXECUTIVE DIRECTOR, PAY COMMISSION,
RAILWAY BOARD.

DA: AS ABOVE.

No. PC-IV/87/Imp/PN/1.

New Delhi, dt. 20th April 1987.

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for Secretary, Railway Board.

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5. The Secretary, Class IV Staff Association (Group 'D'), Railway Board, New Delhi.

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 Sr. PAS to: AEDPC, AEDF-R, AEDE(B), AEDE(S), DE(P&A), DE(N), JS, JS(G), DE(T), DE(Coop), DE(GC).

PAS to : JD(CS), JDF(E), JDF(B), JDE(R) I, JDE(R) II, JDE(G), JDE(N), JDE(W), JDE(L), JD(ME), JDE(GR), JDE(LL), JDE(GP), JDE(Sports), DDE(N), DDE(G) II, DDE(D&A),

...../

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DDE(W), DDE(E) I, DDE(E) II, DDE(E) III, DD(CR), DDE(SCT),
DDPC-III, US(A), US(G) I, US(G) II, DSHA, DDE(B),
DDE(G) I, DDE(G) II, DDE(R) I, DDE(R) II, DDE(S),
DDE(R) III, DDE(LR) I, DDE(LR) II, DDE(LR) III.

Branches: E(NG) I, E(NG) II, E(Rep) I, E(Rep) II, E(Rep) III,
E(SCT) I, E(SCT) II, E(P&A) I, E(P&A) II, E(D&A),
E(G), PC-III, F(E) I, F(E) II, F(E) III, D(E) SPL,
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E(RB) III, E(RB) IV, Cash-I, Cash-II, Cash-III,
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copy of the original document.

mm
(R) L. DHAWAN) Advocate

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MOST IMMEDIATE

19
No. 2/1/87-PIC
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension and Pensioners' Welfare

New Delhi, the 16th April, 1987.

OFFICE MEMORANDUM

Subject:- Rationalisation of pension structure for pre 1.1.1986 pensioners on the recommendations of the Fourth Central Pay Commission.

The undersigned is directed to say that in pursuance of Government's decision on the recommendations of the Fourth Central Pay Commission announced in this Department's Resolution No.2/13/87-P.I.C. dated the 18th March, 1987 sanction of the President is hereby accorded to the regulation, with effect from 1.1.1986, of pension of existing pensioners/family pensioners in the manner indicated in succeeding paragraphs.

2.1 These orders apply to all pensioners/family pensioners who are drawing pension/family pension under the CCS (Pension) Rules, 1972, CCS (Extraordinary Pension) Rules and the corresponding rules applicable to Railway pensioners and pensioners of All India Services including officers of the Indian Civil Service, retired from Service on or after 1.1.1973. In regard to the ICS officers who retired before 1.1.1973, separate orders extending the benefits set out under this OM will be issued under Section 10-A of the 'Former Secretary of State Services (Conditions of Service) Act, 1972'.

2.2 Separate orders will be issued by the Ministry of Defence in regard to Armed Forces pensioners/family pensioners.

2.3 These orders do not also apply to retired High Court and Supreme Court Judges and other constitutional/statutory authorities whose pension etc. is governed by separate rules/orders. Necessary orders in their case will be issued by the respective administrative authorities.

3.1 In these orders:

- (a) 'Existing pensioner' or 'Existing family pensioner' means a pensioner who was drawing/entitled to pension/family pension on 31.12.1985. For purposes of updating family pension it also covers members of family of employees retired prior to 1.1.1986 and in whose case family pension has not commenced as the pensioner is/was alive on 31.12.1985.
- (b) 'Existing pension' means the basic pension inclusive of commuted portion, if any, due on 31.12.1985. It covers all classes of pension under the CCS (Pension) Rules, 1972 as also Disability Pension under the CCS (Extraordinary Pension) Rules and the corresponding rules applicable to Railway employees and members of All India Services. In the case of pre 1.1.1973 retirees it will also include Temporary Increase, Ad hoc Increase and Ad hoc Relief.
- (c) 'Existing family pension' means the basic family pension due on 31.12.1985 under the CCS (Pension) Rules, 1972 or CCS (Extraordinary Pension) Rules as the case may be and the corresponding rules applicable to Railway employees and members of All India Services.
- (d) 'Existing dearness relief' means the relief due to pensioners/family pensioners upto average CPI 600 at the rates mentioned in this Department's O.M. No.42(4)-P&PW/88 dated the 3rd March, 1986.

3.2 All calculations in terms of these orders will be based on pension and/or dearness relief as above without taking into account the effect of this Ministry's O.M. No.2/1407-P.I.C.

dated the 5th March, 1987 regarding minimum pension/minimum family pension.

4.1 ADDITIONAL RELIEF FOR EXISTING PENSIONERS
Existing pensioners of the categories mentioned below shall be entitled to additional relief at the rates indicated for each:

- (A) In the case of Government servants who retired -
(i) prior to 30th September, 1977.
(ii) between 30th September, 1977 and 30th April 1979 and have not opted for merger of dearness allowance in terms of Ministry of Finance, Department of Expenditure O.M. No.19(4)-E.V/70 dated the 25th May, 1979.
(iii) between 30th April, 1979 and 30th March, 1985 and have exercised their option in favour of Paragraph 4(a) of Ministry of Finance Office Memorandum dated the 25th May, 1979 referred to above in terms of Department of Pension and Pensioners' Welfare O.M. No.38/80-P&PW dated the 8th August, 1986.

and in the case of family pensioners and persons in receipt of extra-pension additional relief shall be admissible as follows:
In the case of pensioners drawing pension of Rs.600/- or less, additional relief shall be equal to 15% of total amount of existing pension plus existing dearness relief subject to the condition that the additional relief shall in no case be less than Rs.75/-
In the case of pensioners drawing pension above Rs.600/-, additional relief shall be equal to the difference between the existing fixed dearness relief of Rs.638 and the notional relief calculated at 95% of existing pension as defined in para 3.1(b) subject to the condition that where the said difference shows negative amount or is less than Rs.175/- the additional relief shall be Rs.175/-.

- (B) In the case of Government servants who retired -
(i) between 30th September, 1977 and 30th April, 1979 and have opted or are deemed to have opted for the benefit of merger of dearness allowance in pay upto CPI 272 in terms of Ministry of Finance, Department of Expenditure Office Memorandum No.19(4)-E.V/70 dated the 25th May, 1979.
(ii) after 30th April, 1979 but before 31st January, 1982 and have not opted in favour of paragraph 4(a) of Ministry of Finance O.M. dated the 25th May, 1979 in terms of Department of Pension and Pensioners' Welfare O.M. dated the 8th August, 1986.
(iii) On or after 31st January, 1982 but before 31st March, 1986 and did not opt for merger of additional

Finance O.M. No.F.1(3)-E.V/82 dated the 8th April, 1982 and also did not opt in favour of paragraph 4(a) of Ministry of Finance O.M. dated the 25th May, 1979 in terms of Department of Pension and Pensioners' Welfare O.M. dated the 8th August, 1986

the additional relief shall be admissible as follows:

(a) In the case of pensioners drawing pension of Rs.500/- or less, additional relief shall be 10% of total amount of existing pension plus existing dearness relief subject to the condition that the additional relief shall in no case be less than Rs.50/-

(b) In the case of pensioners drawing pension above Rs.500/- additional relief shall be equal to the difference between the existing fixed relief of Rs.538/- and the notional relief calculated at 80% of existing pension as defined in Para 3.1(b) subject to the condition that where the said difference shows negative amount or is less than Rs.125/- the additional relief shall be Rs.125/-

(c) In the case of Government servants who retired on or after 31.1.1982 but before 31.3.1985 and have opted or deemed to have opted for merger of dearness allowance upto CPI 320 in pay in terms of Ministry of Finance, Department of Expenditure O.M. No. F.1(3)-EV/82 dated the 8th April, 1982, the additional relief shall be admissible as follows:

(a) In the case of pensioners drawing pension of Rs.500/- or less, the additional relief shall be equal to 10% of total amount of existing pension plus existing dearness relief subject to the condition that the additional relief shall in no case be less than Rs.50/-

(b) In the case of pensioners drawing pension above Rs.500/- additional relief shall be equal to the difference between the existing fixed dearness relief of Rs.463 and the notional relief calculated at 70% of existing pension as defined in para 3.1(b) subject to the condition that where the said difference shows negative amount or is less than Rs.100/-, the additional relief shall be Rs.100/-

(D) In the case of Government servants who retired on or after 31.3.1985 and upto 31.12.1985, no additional relief would be admissible corresponding to the increases sanctioned in clauses (A), (B) and (C) above.

Note: Reference to Ministry of Finance O.M. dated 25.5.79, 8.4.82, and 8.8.86 will include corresponding orders applicable to railway employees and members of All India Services.

4.2 If the amount of additional relief works out in fraction of a rupee, it will be rounded to the next higher rupee.

4.3 To facilitate transition to the rationalised pension structure in terms of these orders it has been decided that the date of effect of the following orders shall be preponed to take effect from 1.1.1986.

(i) Department of Pension and Pensioners' Welfare O.M. No.38/6/86-P&PW dated the 12th March, 1986 regarding discontinuance of reduction of pension equivalent of gratuity from pension of pre 1938 entrants. (Paragraph 2 and 3 of the said O.M.)

(ii) Department of Pension and Pensioners' Welfare O.M. No.38/9/86-P&PW dated the 8th August, 1986 regarding treatment of a portion of dearness allowance as pay for the purpose of retirement benefits. (Paragraph 3 of the said O.M.)

RECALCULATION OF PENSION AT 50% OF EMOLUMENTS IN PLACE OF SLAB FORMULA

5. In the case of existing pensioners, whose pension was calculated under the slab formula, the pension will be recalculated at 50% of average emoluments. There will be no upper ceiling on the amount of pension so worked out. The reckonable emoluments and the reckonable qualifying service in their case will however remain unchanged. The additional pension becoming due under these provisions will not however be taken into account for computation of additional relief sanctioned in the preceding paragraph nor will it qualify for additional commutation.

CONSOLIDATION OF PENSION

6. The pension/family pension of existing pensioner/family pensioners will be consolidated with effect from 1.1.1986 by adding together:

(a) the existing pension/existing family pension,
(b) the existing dearness relief, and
(c) the additional benefits accruing from paragraph 4 and 5 above.

The amount so arrived at will be regarded as pension/family pension with effect from 1.1.1986. The upper ceiling on pension plus relief laid down in the Department of Pension and Pensioners' Welfare O.M.No. 42(4)-P&PW dated the 3rd March, 1986 will stand removed. Since the consolidated pension will be inclusive of commuted portion pension, if any, the commuted portion will be deducted from the said amount while making monthly disbursements.

7. Some of the existing pensioners who retired between 31.3.1985 to 31.12.1985 are in receipt of personal pension. The said personal pension will continue to be granted as a separate element and will not be merged into the pension consolidated above.

8. Since the consolidated pension/family pension arrived at under paragraph 6.1 includes dearness relief upto average index level 608 sanctioned in this Department's O.M.No.42 P&PW/86 dated the 3rd March, 1986, dearness relief will be admissible thereon only beyond index average 608 in accordance with the revised scheme of dearness relief for which orders are being issued separately. The three instalments of dearness relief under the old pattern sanctioned from 1.4.19 1.6.1986 and 1.7.1986 in this Department O.M.No.42(4)P&PW/86 dated the 25th June, 1986 O.M.No.42(16)P&PW/86 dated the 28th August, 1986 O.M.No.42(16)P&PW/86 dated the 14th October, 1986 respectively shall be adjusted in the manner indicated in orders regarding revised pattern of dearness relief for pensioners being issued separately.

MINIMUM PENSION / MINIMUM FAMILY PENSION

9. Where the consolidated pension/family pension in terms of paragraph 6 works out to an amount less than Rs.375/-, same shall be stepped up to Rs.375/-. This will be regarded as pension/family pension with effect from 1.1.1986. In case of pensioners who are in receipt of more than one pension floor ceiling of Rs.375/- will apply to the total of all pensions taken together.

10. Where the Disability Pension under the CCS(EOP) Rules is drawn in addition to Invalid Pension under the CCS (Pension) Rules, 1972, the minimum limit of Rs.375/- will apply to the total of two pensions as indicated in paragraph 7.1. Where

Pension is drawn in isolation, the minimum limit of Rs.375/- will apply for 100% disability. For lesser degree of disability the minimum limit will be proportionately less.

7.3 In the cases where the minimum pension/minimum family pension has already been stepped upto Rs.375/- per month in pursuance of this Department's O.M.No.2/14/87-PIC dated the 5th March, 1987 and in which no change is involved as a result of implementation of provisions of these orders, the said minimum pension/minimum family pension of Rs.375/- will remain undisturbed and will be regarded as pension/ family pension with effect from 1.1.1986.

8. The employed/re-employed pensioners/family pensioners are not getting dearness relief on pension at present under the extant orders. In their case the notional dearness relief which would have been admissible to them but for their employment/re-employment will be taken into account for calculating the additional relief under paragraph 4 and their pension will be consolidated in terms of paragraph 6 as if they were drawing the dearness relief. Their pay will be re-fixed with effect from 1.1.1986 with reference to the consolidated pension becoming admissible to them. Dearness relief beyond 1.1.1986 will however not be admissible to them during the period of employment/re-employment.

9.1 Family pension carries two rates viz. (i) Normal rate; and (ii) Enhanced rate applicable during the first seven years from the date of death of the Government employee or until the date on which he would have attained the age of 65 years if he were alive, whichever is earlier. Family pension will accordingly be consolidated in terms of these orders as follows:

- (a) Where the family pension is drawn at normal rate, additional relief thereon will be allowed in terms of paragraph 4.1(A) and the same will be consolidated in accordance with the Paragraph 6.1 above. Where the consolidated family pension falls short of Rs.375/- it will be raised to Rs.375/- in accordance with paragraph 7.
- (b) In cases where family pension is drawn at enhanced rate, it will be necessary to consolidate family pension both at enhanced rate as well as at normal rate separately, so that the updated normal rate can be applied from the date the family ceases to be eligible for enhanced rate. Additional relief will be calculated independently with reference to the actual amount of family pension under the two rates and will similarly be consolidated separately. The floor ceiling of Rs.375/- per month will also be applied separately for both the rates. It is not the intention to apply twice the updated normal rates where and for the period for which family pension is to be paid at enhanced rate in respect of existing family pensioners from 1.1.1986.

9.2 In the case of existing pensioners in whose case the family pension has not come into operation as pensioners are/were alive on 1.1.1986, the rates of family pension at enhanced rate and at normal rate noted on their Pension Payment Order will be updated and consolidated in terms of these orders by the Pension Disbursing Authorities. The updated rates of family pension will apply as and when family pension becomes payable in such cases.

10. The cases of Central Government employees who have been permanently absorbed in public sector undertakings/autonomous bodies will be regulated as follows:

(a)

PENSION

Where the Government servants on permanent absorption in public sector undertakings/autonomous bodies continue to draw pension separately from the Government, their pension will be updated in terms of these orders. In cases where the Government servants have drawn one time lumpsum terminal benefits equal to 100% of their pensions, their cases will not be covered by these orders.

(b)

FAMILY PENSION

In cases where, on permanent absorption in public sector undertakings/autonomous bodies, the terms of absorption permit grant of family pension under the CCS(Pension) Rules, 1972 or the corresponding rules applicable to railway employees/members of All India Services, the family pension in their cases will be updated in accordance with these orders.

11. The provisions of these orders will be given effect to in the following manner:

(a) Pensioners in receipt of pension of Rs.500/- or less per month:-

Pension Disbursing Authorities including Public Sector Banks handling disbursement of pension to the Central Government pensioners are hereby authorised to pay pension/family pension at the revised rates without any further authorisation from the concerned Accounts Officers. A table indicating the existing pension and the consolidated pension due from 1.1.1986 is enclosed for ready reference. (Annexure III). This table may be used where the pensioner is in receipt of a single pension only. Where a pensioner is in receipt of more than one pension, consolidation may be done separately in terms of paragraph 6.1 and as indicated in paragraph 7, floor ceiling of Rs.375/- may be applied to total pension from all sources taken together. A suitable entry regarding the revised consolidated pension shall be recorded by the Pension Disbursing Authorities in both halves of the Pension Payment Order. In the case of living pensioners entry regarding updated family pension in terms of paragraph 9.2 of these orders shall also be recorded in both halves of the Pension Payment Order by the Pension Disbursing Authorities. An intimation regarding this may be sent by the pension disbursing authorities to the Accounts Officer which had issued the PPO in the form given at Annexure V so that the latter can update the Pension Payment Order Register maintained by him. An acknowledgement shall be obtained by the Pension Disbursing Authorities from the respective Accounts Officers in this behalf.

(b) Pensioners in receipt of pension above Rs.500/- per month:

In these cases consolidation of pension will be done in two stages. Pension Disbursing Authorities referred to above are authorised to do part consolidation by adding together

- (i) the existing pension;
- (ii) existing dearness relief; and
- (iii) additional relief admissible under paragraph 4 of these orders.

A table showing existing pension and partly consolidated pension due from 1.1.1986 is at Annexure IV for ready reference. The same procedure as indicated under clause (a) above will be applied in these cases.

In the second stage the respective Accounts Officers will intimate to the Pension Disbursing Authorities the additional amount of pension becoming due under Paragraph 5 of these orders. Necessary action in this behalf will be initiated by the concerned Accounts Officers *suo-moto* without waiting for any

application (either from) the pensioners or from the pension disbursing authority. On receipt of intimation regarding revised pension from the respective Accounts Officers, difference between pre-revised pension and revised pension shall be added by the Pension Disbursing Authorities to the partly consolidated pension referred to above.

11.2 In the case of pensioners who retired between 30th April, 1979 and 30th March, 1985 and have exercised their option in favour of paragraph 4(a) of the Ministry of Finance O.M.No.19(4)-EV/79 dated the 25th May, 1979 in terms of Department of Pension and Pensioners' Welfare O.M.No.38/9/86-P&PW dated the 8th August, 1986 referred to at Sub clause (iii) of Clause (A) of paragraph 4.1 it will be necessary to recalculate their pension by the pension

14. Ministry of Agriculture etc. are requested to bring the content of these orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and Subordinate Offices under their jurisdiction also advised to prominently display these orders on their notice board for the benefit of pensioners.

15. Hindi version of these orders follow separately.

sanctioning authorities and issue a revised PPO. The Pension Disbursing Authorities should therefore await the revised PPO from the appropriate authorities before allowing them the benefit admissible under these orders.

11.3 In case of any doubt in any individual case the Pension Disbursing Authorities shall refer the matter to the appropriate Accounts Officer before implementing these orders.

12. These orders issue with the concurrence of the Ministry of Finance, Department of Expenditure vide their U.O.No.3710-FS/87 dated 2.4.1987.

13. In their application to the persons belonging to Indian Audit and Accounts Department these orders issue in consultation with the Comptroller and Auditor General of India.

14. These orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and Subordinate Offices under their jurisdiction also advised to prominently display these orders on their notice board for the benefit of pensioners.



(I.K. Rasgotra)

Additional Secretary to the Government of India

To
All Ministries/Departments of Government of India etc.

No.2/4/87-PIC-I

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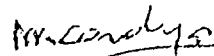
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All Officers and Sections in the Department of Personnel & Training/Department of Pension & Pensioners' Welfare

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(M.R. Vaidya)
Deputy Secretary

Copy of the Department of Pension & Pensioner's Welfare O.M. NO.38/6/86-P&PW dated 12th March, 1986 to Ministries/Departments etc.

Subject: Discontinuance of the reduction of the pension equivalent of the gratuity from the pension of pre-1938 entrants -

The undersigned is directed to say that on the introduction of the liberalised Pension Rules, 1950 with effect from the 17th April, 1950, the pre-1938 entrants, (i.e. Government servants who were in permanent pensionable service on the 30th September, 1938), were allowed the following options in terms of Ministry of Finance O.M.No. F.3(16)-Est.(Spl)50, dated the 2nd January, 1951 extracted below :-

- "2(a) coming on the new pension scheme; or
- (b) continuing under the rules in force on the 16th April, 1950; or
- (c) drawing pension, including additional pension, under the rules in force on the 16th April, 1950 reduced by the pension equivalent of the gratuity admissible under the new pension scheme and receiving in lieu of this reduction the death-cum-retirement gratuity as provided under this scheme."

2. Representations have been received from the aged pensioners who had exercised the third option at 2(c) above seeking discontinuance of the reduction of the pension equivalent of the gratuity (PEG) from their pension as (i) they had drawn reduced amount of pension for a period of about 20 years' or more and (ii) they were low-paid pensioners facing hardship in their old age. Further, under the liberalised slab-formula for computing pension introduced with effect from the 1st April, 1979, pension admissible to the employees has been increased for the first slab of Rs.1000 to 50%, for the next slab of Rs.500 to 45% and to 40% thereafter of the emoluments in addition to the facility of death-cum-retirement gratuity. Taking into consideration these and all other relevant factors, the President is pleased to decide, purely as an *ex-gratia* measure, that the reduction of pension by the PEG may be discontinued from the pre-1938 entrants drawing pension under option at 2(c) above; effective from the pension for the month of March, 1986 payable in April, 1986. These orders will be applicable to all 2(c) options of the pre-1938 entrants whether or not their pension was revised while implementing the Supreme Court judgment in Nakara case, in accordance with para 9 of the Ministry of Finance (Department of Expenditure) O.M. No.F.1(3)-EV/83 dated the 22nd October, 1983 and their clarificatory O.M.No.F.1(3)-EV/83, dated the 9th March, 1984.

3. The President is further pleased to decide, again as an *ex-gratia* measure, that recovery of overpayment due to non-reduction of the PEG as contemplated in the Ministry of Finance (Department of Expenditure) O.M. referred to in the preceding paragraph may also be discontinued from the pension for the month of March, 1986. Past cases otherwise settled shall also not be reopened.

4. Those pensioners after the discontinuance of the reduction of the PEG from their pension will be entitled to receive arrears till the full amount of their pension as per existing Instructions/ceilings prescribed.

5. In cases where the pensioner was alive on 1st March 1986 and dies subsequently his/her legal heir(s) is/are also entitled to life time arrears with effect from 1st March 1980 till the date of pensioner's death. For this purpose legal heir(s) may apply to the Pension Sanctioning Authority or the Head of Office from where the pensioner retired through the Pension Disbursing Authority.

6. The respective Pension Sanctioning Authority may take *quo moto* action for revision of pension in terms of the Office Memorandum. They will move the Accounts Office who originally issued the pension Payment Order (PPO), to issue an authority letter for arranging the payment of pension at the revised rate by the Pension Disbursing Authority. They may also review representations received from the pensioners in this regard.

7. The decision contained in the foregoing paragraphs will also apply to Railway pensioners, pensioners governed by a India Services Rules, 1958 and civilians paid from Defence Services Estimates.

8. In their application to the pensioners' retired from Indian Audit and Accounts Department, these orders have been issued after consultation with the Comptroller and Auditor General of India.

Copy of the Department of Pension & Pensioner's Welfare O.M. No.38/9/86-P&PW dated 8th August, 1986 to Ministries/Departments etc.

Subject: Treatment of a portion of the Dearness Allowance for the purpose of retirement benefits -

The undersigned is directed to say that according to orders issued vide Ministry of Finance, Department of Expenditure O.M.NO.19(4)-EV/79 dated 25th May, 1979, persons who retired on or after 30.9.1977 but not later than 30.4.1979

were allowed an option to choose either of the alternatives below :-

- a) to have their pension and DCR Gratuity calculated their pay excluding the element of Dearness Pay

Indicated in para 2 of the O.M. dated the 25th May, 1979 in accordance with the rules in force on 30.9.1977, and get graded relief on pension to the full extent admissible from time to time;

OR

- b) to have their pension and DCR Gratuity recalculated after taking into account the element of dearness pay. In such cases, the first four instalments of graded relief sanctioned upto the average index level 272 will not be admissible; these pensioners will be entitled only to the instalments of graded relief sanctioned beyond the average index level 272.

2. The Government have been receiving representations from officers who retired after 30.4.1979 and who had not been permitted to exercise option as mentioned in foregoing paragraph stating that they have been placed at a disadvantage compared to the officers who retired on or after 30.9.1977 but not later than 30.4.1979 in as much as they were neither allowed to exercise option nor granted the graded relief upto average index level 272. According to them the officers in receipt of pay of Rs.2158 and above were either entitled to reduced rates of dearness allowance, by way of adjustment, or no dearness allowance at all with reference to index level 272, but they were allowed only graded relief (dearness relief) sanctioned beyond the average index level 272. The Government has reconsidered the matter and keeping in view the hardship caused to such officers, the President is pleased to decide that Government servants drawing pay of Rs.2158 or above who, retired after 30.4.1979 but not later than 30.1.1982, may be allowed an option on the lines of paragraph 4 of the Ministry of Finance O.M. NO.19(4)-EV/79 dated the 25th May, 1979. This option may also be exercised by those Government servants drawing pay of Rs.2158/- or above who retired between 31.1.1982 and

30.5.1985 and who had opted for paragraph 4(a) of the Ministry of Finance, O.M. NO. F.1(3)EV/82 dated 8.4.1982. The option will have to be exercised within a period of 12 months from the date of issue of these orders. The option once exercised shall be final. Those persons who fail to exercise an option within the stipulated period will continue to receive pension and graded relief in accordance with the existing orders.

3. Where the option is in favour of para 4(a) of the O.M. dated 25.5.1979, the pension, DCRG and graded relief will be revised. The revision will be from 1st April, 1986.

4. The Heads of Offices may bring these instructions to the notice of all the concerned retired officers.

5. These orders will also apply mutatis-mutandis to the officers of the All India Services in partial modification of the orders issued vide letter no.25011/15/79-AIS-II dated 27.7.1979 and letter No.25011/11/82-AIS-II dated 1.6.1982 read with letter of same number dated 10.8.1983.

6. These orders do not apply to :-

- persons appointed on contract; and
- persons who are granted consolidated rates of pay

and are not in receipt of dearness allowance.

7. These orders also do not apply to Railway employees and persons paid from the Defence Services Estimates. Similar order, if any, will be issued in respect of them by the Deptt. of Railways and Ministry of Defence respectively.

8. In so far as employees of the Indian Audit & Accounts Department are concerned, these orders issued in consultation with the Comptroller and Auditor General of India.

Table showing existing pension/family pension and the consolidated pension/family pension due from 1.1.1986 in respect of pensioners drawing pension of Rs.500/- or less.

Annexure III
[Paragraph 11.1(a)]

Existing Pension/Family Pension	Consolidated pension/family pension due from 1.1.86 in respect of pensioners covered by				1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
	Para 4.1(A)	Para 4.1(B)	Para 4.1(C)	Para 4.1(D)															
Rs. 131 or below	375	375	375	375	151	419	375	375	375	171	480	420	393	375	205	542	476	445	375
132	376	375	375	375	152	421	375	375	375	172	483	422	395	375	206	544	478	447	375
133	378	375	375	375	153	424	375	375	375	173	485	424	397	375	207	546	480	449	375
134	380	375	375	375	154	426	375	375	375	174	487	426	399	375	208	549	482	451	375
135	383	375	375	375	155	428	375	375	375	175	490	428	401	375	209	551	484	453	375
136	385	375	375	375	156	430	375	375	375	176	492	430	403	375	210	553	486	455	375
137	387	375	375	375	157	433	376	375	375	177	494	432	405	375	211	556	488	457	375
138	389	375	375	375	158	435	378	375	375	178	496	434	407	375	212	558	490	459	375
139	392	375	375	375	159	437	380	375	375	179	499	436	409	375	213	560	492	461	375
140	394	375	375	375	160	439	382	375	375	180	501	439	410	375	214	562	495	462	375
141	396	375	375	375	161	442	385	375	375	181	503	441	412	375	215	565	497	464	375
142	399	375	375	375	162	444	387	375	375	182	505	443	414	375	216	567	499	466	375
143	401	375	375	375	163	446	389	375	375	183	508	445	416	375	217	569	501	468	375
144	403	375	375	375	164	449	391	375	375	184	510	447	418	375	218	571	503	470	375
145	405	375	375	375	165	451	393	375	375	185	512	449	420	375	219	574	505	472	375
146	408	375	375	375	166	453	395	375	375	186	515	451	422	375	220	577	507	474	375
147	410	375	375	375	167	455	397	375	375	187	517	453	424	375	221	579	509	476	375
148	412	375	375	375	168	458	399	375	375	188	519	455	426	375	222	582	511	478	375
149	414	375	375	375	169	460	401	376	375	189	521	457	428	375	223	585	513	480	375
150	417	375	375	375	170	462	403	378	375	190	524	459	430	375	224	587	515	482	375
					171	465	405	380	375	191	526	461	432	375	225	589	517	484	375
					172	467	407	382	375	192	528	463	434	375	226	593	519	486	375
					173	469	409	384	375	193	530	465	436	375	227	595	521	487	375
					174	471	412	385	375	194	533	468	437	375	228	597	524	489	375
					175	474	414	387	375	195	535	470	439	375	229	600	526	491	375
					176	476	416	389	375	196	537	472	441	375	230	603	528	493	375
					177	478	418	391	375	197	540	474	443	375	231	605	530	495	375

	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
32	08	532	497	375	296	776	677	627	375	360	942	822	763	405	430	1126	983	911	484
33	1	574	499	375	297	778	679	630	375	361	946	825	765	407	431	1129	985	913	485
34	613	536	501	375	298	780	681	632	375	362	948	828	767	408	432	1131	987	916	486
35	616	538	503	375	299	784	684	634	375	363	950	830	769	409	433	1134	989	918	488
36	618	540	505	375	300	786	686	636	375	364	954	832	772	410	434	1137	992	920	489
37	621	542	507	375	301	788	688	638	375	365	956	834	774	411	435	1139	994	922	490
38	624	544	509	375	302	792	690	641	375	366	958	836	776	412	436	1141	996	924	491
39	626	546	511	375	303	794	692	643	375	367	961	839	778	413	437	1145	998	927	492
40	628	548	512	375	304	796	695	645	375	368	964	841	780	414	438	1147	1000	929	493
41	632	552	514	375	305	799	697	647	375	369	966	843	783	416	439	1149	1003	931	494
42	634	554	516	375	306	802	699	649	375	370	969	845	785	417	440	1152	1005	932	495
43	636	556	518	375	307	804	702	651	375	371	972	847	787	418	441	1155	1008	934	497
44	640	558	520	375	308	807	704	653	375	372	975	850	789	419	442	1157	1010	937	498
45	642	560	522	375	309	809	707	655	375	373	977	852	791	420	443	1160	1012	939	499
46	644	563	524	375	310	812	709	657	375	374	979	855	792	421	444	1163	1015	941	500
47	647	565	526	375	311	815	711	659	375	375	983	857	795	422	445	1165	1017	943	501
48	650	567	528	375	312	817	713	662	375	376	985	860	797	423	446	1168	1019	945	502
49	653	569	530	375	313	820	715	664	375	377	987	862	799	425	447	1170	1021	948	503
50	655	571	532	375	314	823	718	666	375	378	989	864	801	426	448	1173	1023	950	504
51	658	574	534	375	315	825	720	668	375	379	993	866	803	427	449	1176	1026	952	506
52	661	576	536	375	316	827	722	670	375	380	995	868	806	428	450	1178	1028	954	507
53	663	578	538	375	317	831	724	673	375	381	998	871	808	429	451	1182	1030	956	508
54	665	581	539	375	318	833	726	675	375	382	1001	873	810	430	452	1184	1032	959	509
55	669	583	541	375	319	835	729	677	375	383	1003	875	812	431	453	1186	1034	961	510
56	671	586	543	375	320	838	731	678	375	384	1006	877	814	432	454	1188	1038	962	511
57	673	588	545	375	321	841	734	680	375	385	1008	879	817	434	455	1192	1040	964	512
58	676	590	547	375	322	843	736	682	375	386	1011	882	819	435	456	1194	1042	966	513
59	679	592	549	375	323	846	739	685	375	387	1014	885	820	436	457	1196	1044	968	515
60	681	594	552	375	324	849	741	687	375	388	1016	887	822	437	458	1199	1047	971	516
61	684	597	554	375	325	851	743	689	375	389	1018	889	824	438	459	1202	1049	973	517
62	687	599	556	375	326	854	745	691	375	390	1022	891	827	439	460	1205	1051	975	518
63	689	601	558	375	327	856	747	693	375	391	1024	894	829	440	461	1207	1053	977	519
64	692	603	560	375	328	860	750	696	375	392	1026	896	831	441	462	1210	1055	979	520
65	694	605	563	375	329	862	752	698	375	393	1030	898	833	443	463	1213	1058	982	521
66	697	608	565	375	330	864	754	700	375	394	1032	900	835	444	464	1215	1060	984	522
67	700	611	566	375	331	868	756	702	375	395	1034	902	838	445	465	1217	1062	986	524
68	702	613	568	375	332	870	758	704	375	396	1037	905	840	446	466	1221	1064	988	525
69	704	615	570	375	333	872	761	707	375	397	1040	907	842	447	467	1223	1067	989	526
70	708	618	572	375	334	874	764	708	376	398	1042	909	844	448	468	1225	1070	992	527
71	710	620	575	375	335	878	766	710	377	399	1045	911	846	449	469	1228	1072	994	528
72	712	622	577	375	336	880	768	712	378	400	1047	913	847	450	470	1231	1074	996	529
73	716	624	579	375	337	883	770	714	380	401	1050	917	850	452	471	1233	1076	998	530
74	718	626	581	375	338	885	773	717	381	402	1053	919	852	453	472	1236	1078	1000	531
75	720	629	583	375	339	888	775	719	382	403	1055	921	854	454	473	1239	1081	1003	533
76	723	631	586	375	340	891	777	721	383	404	1058	923	856	455	474	1241	1083	1005	534
77	726	633	588	375	341	893	779	723	384	405	1061	926	858	456	475	1244	1085	1007	535
78	728	635	590	375	342	896	781	725	385	406	1063	928	861	457	476	1246	1087	1009	536
79	731	637	592	375	343	899	784	728	386	407	1065	930	863	458	477	1249	1089	1011	537
80	733	640	593	375	344	901	786	730	387	408	1069	932	865	459	478	1252	1092	1014	538
81	736	643	596	375	345	903	788	732	389	409	1071	934	867	461	479	1254	1094	1016	539
82	739	645	598	375	346	907	790	734	390	410	1073	937	869	462	480	1256	1096	1017	540
83	741	647	600	375	347	909	794	735	391	411	1077	939	872	463	481	1260	1099	1019	542
84	745	649	602	375	348	911	796	737	392	412	1079	941	874	464	482	1262	1102	1021	543
85	747	652	604	375	349	914	798	740	393	413	1081	943	876	465	483	1264	1104	1023	544
86	749	654	607	375	350	917	800	742	394	414	1084	946	877	466	484	1268	1106	1026	545
87	751	656	609	375	351	919	802	744	395	415	1087	949	879	467	485	1270	1108	1028	546
88	755	658	611	375	352	922	805	746	396	416	1090	951	882	468	486	1272	1110	1030	547
89	757	660	613	375	353	925	807	748	398	417	1092	953	884	470	487	1275	1113	1032	548
90	759	663	615	375	354	927	809	751	399	418	1094	955	886	471	488	1278	1115	1034	549
91	763	665	618	375	355	930	811	753	400	419	1098	957	888	472	489	1280	1117	1037	551
92	765	667	620	375	356	932	813	755	401	420	1100	960	890	473	490	1283	1119	1039	552
93	768	669	622	375	357	935	816	757	402	421	1102	962	893	474	491	1286	1121	1041	553
94	770	672	623	375	358	938	818	759	403	422	1106	964	895	475	492	1288	1124	1043	554
95	773	675	625	375	359	940	820	762	404	423	1108	966	897	476	493	1291	1126	1045	555
										424	1110	968	899	477	494	1293	1129	1047	556
										425	1113	971	901	479	495	1297	1131	1049	557
										426	1116	973	904	480	496	1299	1133	1051	558
										427	1118	976	905	481	497	1301	1136	1053	560
										428	1121	978	907	482	498	1303	1138	1055	561
										429	1123	981	909	483	499	1307	1140	1058	562
															500	1309	1142	1060	563

Table showing existing pension and the part consolidated pension due from 1.1.1986 in respect of pensioners drawing pension above Rs.500/-

Annexure
[Paragraph] 12

Existing Pension due from 1.1.86 in respect of pensioners covered by																								
Para 4.1(A) 4.1(B) 4.1(C) 4.1(D)																								
1	2	3	4	5																				
Amount equal to the total of Col. 1 plus Rs. 63/- in all cases.					557	1370	1220	1120	5	618	1431	1281	1181	5	679	1492	1342	1242	5					
					558	1371	1221	1121	619	1432	1282	1182	680	1493	1343	1243								
					559	1372	1222	1122	620	1433	1283	1183	681	1494	1344	1244								
					560	1373	1223	1123	621	1434	1284	1184	682	1495	1345	1245								
					561	1374	1224	1124	622	1435	1285	1185	683	1496	1346	1246								
					562	1375	1225	1125	623	1436	1286	1186	684	1497	1347	1247								
					563	1376	1226	1126	624	1437	1287	1187	685	1498	1348	1248								
					564	1377	1227	1127	625	1438	1288	1188	686	1499	1349	1249								
					565	1378	1228	1128	626	1439	1289	1189	687	1500	1350	1250								
					566	1379	1229	1129	627	1440	1290	1190	688	1501	1351	1251								
					567	1380	1230	1130	628	1441	1291	1191	689	1502	1352	1252								
					568	1381	1231	1131	629	1442	1292	1192	690	1503	1353	1253								
					569	1382	1232	1132	630	1443	1293	1193	691	1504	1354	1254								
					570	1383	1233	1133	631	1444	1294	1194	692	1505	1355	1255								
					571	1384	1234	1134	632	1445	1295	1195	693	1506	1356	1256								
					572	1385	1235	1135	633	1446	1296	1196	694	1507	1357	1257								
					573	1386	1236	1136	634	1447	1297	1197	695	1508	1358	1258								
					574	1387	1237	1137	635	1448	1298	1198	696	1509	1359	1259								
					575	1388	1238	1138	636	1449	1299	1199	697	1510	1360	1260								
					576	1389	1239	1139	637	1450	1300	1200	698	1511	1361	1261								
577	1390	1240	1140	638	1451	1301	1201	699	1512	1362	1262													
578	1391	1241	1141	639	1452	1302	1202	700	1513	1363	1263													
579	1392	1242	1142	640	1453	1303	1203	701	1514	1364	1264													
580	1393	1243	1143	641	1454	1304	1204	702	1515	1365	1265													
581	1394	1244	1144	642	1455	1305	1205	703	1516	1366	1266													
582	1395	1245	1145	643	1456	1306	1206	704	1517	1367	1267													
583	1396	1246	1146	644	1457	1307	1207	705	1518	1368	1268													
584	1397	1247	1147	645	1458	1308	1208	706	1519	1369	1269													
585	1398	1248	1148	646	1459	1309	1209	707	1520	1370	1270													
586	1399	1249	1149	647	1460	1310	1210	708	1521	1371	1271													
587	1400	1250	1150	648	1461	1311	1211	709	1522	1372	1272													
588	1401	1251	1151	649	1462	1312	1212	710	1523	1373	1273													
589	1402	1252	1152	650	1463	1313	1213	711	1524	1374	1274													
590	1403	1253	1153	651	1464	1314	1214	712	1525	1375	1275													
591	1404	1254	1154	652	1465	1315	1215	713	1526	1376	1276													
592	1405	1255	1155	653	1466	1316	1216	714	1527	1377	1277													
593	1406	1256	1156	654	1467	1317	1217	715	1528	1378	1278													
594	1407	1257	1157	655	1468	1318	1218	716	1529	1379	1279													
595	1408	1258	1158	656	1469	1319	1219	717	1530	1380	1280													
596	1409	1259	1159	657	1470	1320	1220	718	1531	1381	1281													
597	1410	1260	1160	658	1471	1321	1221	719	1532	1382	1282													
598	1411	1261	1161	659	1472	1322	1222	720	1533	1383	1283													
599	1412	1262	1162	660	1473	1323	1223	721	1534	1384	1284													
600	1413	1263	1163	661	1474	1324	1224	722	1535	1385	1285													
601	1414	1264	1164	662	1475	1325	1225	723	1536	1386	1286													
602	1415	1265	1165	663	1476	1326	1226	724	1537	1387	1287													
603	1416	1266	1166	664	1477	1327	1227	725	1538	1388	1288													
604	1417	1267	1167	665	1478	1328	1228	726	1539	1389	1289													
605	1418	1268	1168	666	1479	1329	1229	727	1540	1390	1290													
606	1419	1269	1169	667	1480	1330	1230	728	1541	1391	1291													
607	1420	1270	1170	668	1481	1331	1231	729	1542	1392	1292													
608	1421	1271	1171	669	1482	1332	1232	730	1543	1393	1293													
609	1422	1272	1172	670	1483	1333	1233	731	1544	1394	1294													
610	1423	1273	1173	671	1484	1334	1234	732	1545	1395	1295													
611	1424	1274	1174	672	1485	1335	1235	733	1546	1396	1296													
612	1425	1275	1175	673	1486	1336	1236	734	1547	1397	1297													
613	1426	1276	1176	674	1487	1337	1237	735	1548	1398	1298													
614	1427	1277	1177	675	1488	1338	1238	736	1549	1399	1299													
615	1428	1278	1178	676	1489	1339	1239	737	1550	1400	1300													
616	1429	1279	1179	677	1490	1340	1240	738	1551	1401	1301													
617	1430	1280	1180	678	1491	1341	1241	739	1552	1402	1302													

2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
1553	1403	1303		804	1617	1467	1367		868	1693	1563	1476		932	1818	1678	1585	
741 1554	1404	1304		805	1618	1468	1369		869	1695	1565	1478		933	1820	1680	1587	
742 1555	1405	1305		806	1619	1469	1371		870	1697	1566	1479		934	1822	1682	1589	
743 1556	1406	1306		807	1620	1470	1372		871	1699	1568	1481		935	1824	1683	1590	
744 1557	1407	1307		808	1621	1471	1374		872	1701	1570	1483		936	1826	1685	1592	
745 1558	1408	1308		809	1622	1472	1376		873	1702	1572	1485		937	1828	1687	1593	
746 1559	1409	1309		810	1623	1473	1377		874	1705	1574	1486		938	1830	1689	1595	
747 1560	1410	1310		811	1624	1474	1379		875	1707	1575	1488		939	1832	1691	1597	
748 1561	1411	1311		812	1625	1475	1381		876	1709	1577	1490		940	1833	1692	1598	
749 1562	1412	1312		813	1626	1476	1383		877	1711	1579	1491		941	1835	1694	1600	
750 1563	1413	1313		814	1627	1477	1384		878	1713	1581	1493		942	1837	1696	1602	
751 1564	1414	1314		815	1628	1478	1386		879	1715	1583	1495		943	1839	1698	1604	
752 1565	1415	1315		816	1629	1479	1388		880	1716	1584	1496		944	1841	1700	1605	
753 1566	1416	1316		817	1630	1480	1389		881	1718	1586	1498		945	1843	1701	1607	
754 1567	1417	1317		818	1631	1481	1391		882	1720	1588	1500		946	1845	1703	1609	
755 1568	1418	1318		819	1632	1482	1393		883	1722	1590	1502		947	1847	1705	1610	
756 1569	1419	1319		820	1633	1483	1394		884	1724	1592	1503		948	1849	1707	1612	
757 1570	1420	1320		821	1634	1484	1396		885	1726	1593	1505		949	1851	1709	1614	
758 1571	1421	1321		822	1635	1485	1398		886	1728	1595	1507		950	1853	1710	1615	
759 1572	1422	1322		823	1636	1486	1400		887	1730	1597	1508		951	1855	1712	1617	
760 1573	1423	1323		824	1637	1487	1401		888	1732	1599	1510		952	1857	1714	1619	
761 1574	1424	1324		825	1638	1488	1403		889	1734	1601	1512		953	1859	1716	1621	
762 1575	1425	1325		826	1639	1489	1405		890	1736	1602	1513		954	1861	1718	1622	
763 1576	1426	1326		827	1640	1490	1406		891	1738	1604	1515		955	1863	1719	1624	
764 1577	1427	1327		828	1641	1491	1408		892	1740	1606	1517		956	1865	1721	1626	
765 1578	1428	1328		829	1642	1493	1410		893	1742	1608	1519		957	1867	1723	1627	
766 1579	1429	1329		830	1643	1494	1411		894	1744	1610	1520		958	1869	1725	1629	
767 1580	1430	1330		831	1644	1496	1413		895	1746	1611	1522		959	1871	1727	1631	
768 1581	1431	1331		832	1645	1498	1415		896	1748	1613	1524		960	1872	1728	1632	
769 1582	1432	1332		833	1646	1500	1417		897	1750	1615	1525		961	1874	1730	1634	
770 1583	1433	1333		834	1647	1502	1418		898	1752	1617	1527		962	1876	1732	1636	
771 1584	1434	1334		835	1648	1503	1420		899	1754	1619	1529		963	1878	1734	1638	
772 1585	1435	1335		836	1649	1505	1422		900	1755	1620	1530		964	1880	1736	1639	
773 1586	1436	1336		837	1650	1507	1423		901	1757	1622	1532		965	1882	1737	1641	
774 1587	1437	1337		838	1651	1509	1425		902	1759	1624	1534		966	1884	1739	1643	
775 1588	1438	1338		839	1652	1511	1427		903	1761	1626	1536		967	1886	1741	1644	
776 1589	1439	1339		840	1653	1512	1428		904	1763	1628	1537		968	1888	1743	1646	
777 1590	1440	1340		841	1654	1514	1430		905	1765	1629	1539		969	1890	1745	1648	
778 1591	1441	1341		842	1655	1516	1432		906	1767	1631	1541		970	1892	1746	1649	
779 1592	1442	1342		843	1656	1518	1434		907	1769	1633	1542		971	1894	1748	1651	
780 1593	1443	1343		844	1657	1520	1435		908	1771	1635	1544		972	1896	1750	1653	
781 1594	1444	1344		845	1658	1521	1437		909	1773	1637	1546		973	1898	1752	1655	
782 1595	1445	1345		846	1659	1523	1439		910	1775	1638	1547		974	1900	1754	1656	
783 1596	1446	1346		847	1660	1525	1440		911	1777	1640	1549		975	1902	1755	1658	
784 1597	1447	1347		848	1661	1527	1442		912	1779	1642	1551		976	1904	1757	1660	
785 1598	1448	1348		849	1662	1529	1444		913	1781	1644	1553		977	1906	1759	1661	
786 1599	1449	1349		850	1663	1530	1445		914	1783	1646	1554		978	1908	1761	1663	
787 1600	1450	1350		851	1664	1532	1447		915	1785	1647	1556		979	1910	1763	1665	
788 1601	1451	1351		852	1665	1534	1449		916	1787	1649	1558		980	1911	1764	1666	
789 1602	1452	1352		853	1666	1536	1451		917	1789	1651	1559		981	1913	1766	1668	
790 1603	1453	1353		854	1667	1538	1452		918	1791	1653	1561		982	1915	1768	1670	
791 1604	1454	1354		855	1668	1539	1454		919	1793	1655	1563		983	1917	1770	1672	
792 1605	1455	1355		856	1670	1541	1456		920	1794	1656	1564		984	1919	1772	1673	
793 1606	1456	1356		857	1672	1543	1457		921	1796	1658	1566		985	1921	1773	1675	
794 1607	1457	1357		858	1674	1545	1459		922	1798	1660	1568		986	1923	1775	1677	
795 1608	1458	1358		859	1676	1547	1461		923	1800	1662	1570		987	1925	1777	1678	
796 1609	1459	1359		860	1677	1548	1462		924	1802	1664	1571		988	1927	1779	1680	
797 1610	1460	1360		861	1679	1550	1464		925	1804	1665	1573		989	1929	1781	1682	
798 1611	1461	1361		862	1681	1552	1466		926	1806	1667	1575		990	1931	1782	1683	
799 1612	1462	1362		863	1683	1554	1468		927	1808	1669	1576		991	1933	1784	1685	
800 1613	1463	1363		864	1685	1556	1469		928	1810	1671	1578		992	1935	1786	1687	
801 1614	1464	1364		865	1687	1557	1471		929	1812	1673	1580		993	1937	1788	1689	
802 1615	1465	1365		866	1689	1559	1473		930	1814	1674	1581		994	1939	1790	1690	
803 1616	1466	1366		867	1691	1561	1474		931	1816	1676	1583		995	1941	1791	1692	

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1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
996	1943	1793	1694		1060	2067	1908	1802		1124	2192	2024	1911		1188	2317	2139	2020	
997	1945	1795	1695		1061	2068	1910	1804		1125	2194	2025	1913		1189	2319	2141	2022	
998	1947	1797	1697		1062	2071	1913	1806		1126	2196	2027	1915		1190	2321	2142	2023	
999	1949	1799	1699		1063	2073	1914	1808		1127	2198	2029	1916		1191	2323	2144	2025	
1000	1950	1800	1700		1064	2075	1916	1809		1128	2200	2031	1918		1192	2325	2146	2027	
1001	1952	1802	1702		1065	2077	1917	1811		1129	2202	2033	1920		1193	2327	2148	2029	
1002	1954	1804	1704		1066	2079	1919	1813		1130	2204	2034	1921		1194	2329	2150	2030	
1003	1956	1806	1706		1067	2081	1921	1814		1131	2206	2036	1923		1195	2331	2151	2032	
1004	1958	1808	1707		1068	2083	1923	1816		1132	2208	2038	1925		1196	2333	2153	2034	
1005	1960	1809	1709		1069	2085	1925	1818		1133	2210	2040	1927		1197	2335	2155	2035	
1006	1962	1811	1711		1070	2087	1926	1819		1134	2212	2042	1928		1198	2337	2157	2037	
1007	1964	1813	1712		1071	2089	1928	1821		1135	2214	2043	1930		1199	2339	2159	2039	
1008	1966	1815	1714		1072	2091	1930	1823		1136	2216	2045	1932		1200	2340	2160	2040	
1009	1968	1817	1716		1073	2093	1932	1825		1137	2218	2047	1933		1201	2342	2162	2042	
1010	1970	1818	1717		1074	2095	1934	1826		1138	2220	2049	1935		1202	2344	2164	2044	
1011	1972	1820	1719		1075	2097	1935	1828		1139	2222	2051	1937		1203	2346	2166	2046	
1012	1974	1822	1721		1076	2099	1937	1830		1140	2223	2052	1938		1204	2348	2168	2047	
1013	1976	1824	1723		1077	2101	1939	1831		1141	2225	2054	1940		1205	2350	2169	2049	
1014	1978	1826	1724		1078	2103	1941	1833		1142	2227	2056	1942		1206	2352	2171	2051	
1015	1980	1827	1726		1079	2105	1943	1835		1143	2229	2058	1944		1207	2354	2173	2052	
1016	1982	1829	1728		1080	2106	1944	1836		1144	2231	2060	1945		1208	2356	2175	2054	
1017	1984	1831	1729		1081	2108	1946	1838		1145	2233	2061	1947		1209	2358	2177	2056	
1018	1986	1833	1731		1082	2110	1948	1840		1146	2235	2063	1949		1210	2360	2178	2057	
1019	1988	1835	1733		1083	2112	1950	1842		1147	2237	2065	1950		1211	2362	2180	2059	
1020	1989	1836	1734		1084	2114	1952	1843		1148	2239	2067	1952		1212	2364	2182	2061	
1021	1991	1838	1736		1085	2116	1953	1845		1149	2241	2069	1954		1213	2366	2184	2063	
1022	1993	1840	1738		1086	2118	1955	1847		1150	2243	2070	1955		1214	2368	2186	2064	
1023	1995	1842	1740		1087	2120	1957	1848		1151	2245	2072	1957		1215	2370	2187	2066	
1024	1997	1844	1741		1088	2122	1959	1850		1152	2247	2074	1959		1216	2372	2189	2068	
1025	1999	1845	1743		1089	2124	1961	1852		1153	2249	2076	1961		1217	2374	2191	2069	
1026	2001	1847	1745		1090	2126	1962	1853		1154	2251	2078	1962		1218	2376	2193	2071	
1027	2003	1849	1746		1091	2128	1964	1855		1155	2253	2079	1964		1219	2378	2195	2073	
1028	2005	1851	1748		1092	2130	1966	1857		1156	2255	2081	1966		1220	2379	2196	2074	
1029	2007	1853	1750		1093	2132	1968	1859		1157	2257	2083	1967		1221	2381	2198	2076	
1030	2009	1854	1751		1094	2134	1970	1860		1158	2259	2085	1969		1222	2383	2200	2078	
1031	2011	1856	1753		1095	2136	1971	1862		1159	2261	2087	1971		1223	2385	2202	2080	
1032	2013	1858	1755		1096	2138	1973	1864		1160	2262	2088	1972		1224	2387	2204	2081	
1033	2015	1860	1757		1097	2140	1975	1865		1161	2264	2090	1974		1225	2389	2205	2083	
1034	2017	1862	1758		1098	2142	1977	1867		1162	2266	2092	1976		1226	2391	2207	2085	
1035	2019	1863	1760		1099	2144	1979	1869		1163	2268	2094	1978		1227	2393	2209	2086	
1036	2021	1865	1762		1100	2145	1980	1870		1164	2270	2096	1979		1228	2395	2211	2088	
1037	2023	1867	1763		1101	2147	1982	1872		1165	2272	2097	1981		1229	2397	2213	2090	
1038	2025	1869	1765		1102	2149	1984	1874		1166	2274	2099	1983		1230	2399	2214	2091	
1039	2027	1871	1767		1103	2151	1986	1876		1167	2276	2101	1984		1231	2401	2216	2093	
1040	2028	1872	1768		1104	2153	1988	1877		1168	2278	2103	1986		1232	2403	2218	2095	
1041	2030	1874	1770		1105	2155	1989	1879		1169	2280	2105	1988		1233	2405	2220	2097	
1042	2032	1876	1772		1106	2157	1991	1881		1170	2282	2106	1989		1234	2407	2222	2098	
1043	2034	1878	1774		1107	2159	1993	1882		1171	2284	2108	1991		1235	2409	2223	2100	
1044	2036	1880	1775		1108	2161	1995	1884		1172	2286	2110	1993		1236	2411	2225	2102	
1045	2038	1881	1777		1109	2163	1997	1886		1173	2288	2112	1995		1237	2413	2227	2103	
1046	2040	1883	1779		1110	2165	1998	1887		1174	2290	2114	1996		1238	2415	2229	2105	
1047	2042	1885	1780		1111	2167	2000	1889		1175	2292	2115	1998		1239	2417	2231	2107	
1048	2044	1887	1782		1112	2169	2002	1891		1176	2294	2117	2000		1240	2418	2232	2108	
1049	2046	1889	1784		1113	2171	2004	1893		1177	2296	2119	2001		1241	2420	2234	2110	
1050	2048	1890	1785		1114	2173	2006	1894		1178	2298	2121	2003		1242	2422	2236	2112	
1051	2050	1892	1787		1115	2175	2007	1896		1179	2300	2123	2005		1243	2424	2238	2114	
1052	2052	1894	1789		1116	2177	2009	1898		1180	2301	2124	2006		1244	2426	2240	2115	
1053	2054	1896	1791		1117	2179	2011	1899		1181	2303	2126	2008		1245	2428	2241	2117	
1054	2056	1898	1792		1118	2181	2013	1901		1182	2305	2128	2010		1246	2430	2243	2119	
1055	2058	1899	1794		1119	2183	2015	1903		1183	2307	2130	2012		1247	2432	2245	2120	
1056	2060	1901	1796		1120	2184	2016	1904		1184	2309	2132	2013		1248	2434	2247	2122	
1057	2062	1903	1797		1121	2186	2018	1906		1185	2311	2133	2015		1249	2436	2249	2124	
1058	2064	1905	1799		1122	2188	2020	1908		1186	2313	2135	2017		1250	2438	2250	2125	
1059	2066	1907	1801		1123	2190	2022	1910		1187	2315	2137	2018		1251	2440	2252	2127	

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1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
996	1943	1793	1694		1060	2067	1908	1802		1124	2192	2024	1911		1188	2317	2139	2020	
997	1945	1795	1695		1061	2069	1910	1804		1125	2194	2025	1913		1189	2319	2141	2022	
998	1947	1797	1697		1062	2071	1913	1806		1126	2196	2027	1915		1190	2321	2142	2023	
999	1949	1799	1699		1063	2073	1914	1808		1127	2198	2029	1916		1191	2323	2144	2025	
1000	1950	1800	1700		1064	2075	1916	1809		1128	2200	2031	1918		1192	2325	2146	2027	
1001	1952	1802	1702		1065	2077	1917	1811		1129	2202	2033	1920		1193	2327	2148	2029	
1002	1954	1804	1704		1066	2079	1919	1813		1130	2204	2034	1921		1194	2329	2150	2030	
1003	1956	1806	1706		1067	2081	1921	1814		1131	2206	2036	1923		1195	2331	2151	2032	
1004	1958	1808	1707		1068	2083	1923	1816		1132	2208	2038	1925		1196	2333	2153	2034	
1005	1960	1809	1709		1069	2085	1925	1818		1133	2210	2040	1927		1197	2335	2155	2035	
1006	1962	1811	1711		1070	2087	1926	1819		1134	2212	2042	1928		1198	2337	2157	2037	
1007	1964	1813	1712		1071	2089	1928	1821		1135	2214	2043	1930		1199	2339	2159	2039	
1008	1966	1815	1714		1072	2091	1930	1823		1136	2216	2045	1932		1200	2340	2160	2040	
1009	1968	1817	1716		1073	2093	1932	1825		1137	2218	2047	1933		1201	2342	2162	2042	
1010	1970	1818	1717		1074	2095	1934	1826		1138	2220	2049	1935		1202	2344	2164	2044	
1011	1972	1820	1719		1075	2097	1935	1828		1139	2222	2051	1937		1203	2346	2166	2046	
1012	1974	1822	1721		1076	2099	1937	1830		1140	2223	2052	1938		1204	2348	2168	2047	
1013	1976	1824	1723		1077	2101	1938	1831		1141	2225	2054	1940		1205	2350	2169	2049	
1014	1978	1826	1724		1078	2103	1941	1833		1142	2227	2056	1942		1206	2352	2171	2051	
1015	1980	1827	1726		1079	2105	1943	1835		1143	2229	2058	1944		1207	2354	2173	2052	
1016	1982	1829	1728		1080	2106	1944	1836		1144	2231	2060	1945		1208	2356	2175	2054	
1017	1984	1831	1729		1081	2108	1946	1838		1145	2233	2061	1947		1209	2358	2177	2056	
1018	1986	1833	1731		1082	2110	1948	1840		1146	2235	2063	1949		1210	2360	2178	2057	
1019	1988	1835	1733		1083	2112	1950	1842		1147	2237	2065	1950		1211	2362	2180	2059	
1020	1989	1836	1734		1084	2114	1952	1843		1148	2239	2067	1952		1212	2364	2182	2061	
1021	1991	1838	1736		1085	2116	1953	1845		1149	2241	2069	1954		1213	2366	2184	2063	
1022	1993	1840	1738		1086	2118	1955	1847		1150	2243	2070	1955		1214	2368	2186	2064	
1023	1995	1842	1740		1087	2120	1957	1848		1151	2245	2072	1957		1215	2370	2187	2066	
1024	1997	1844	1741		1088	2122	1959	1850		1152	2247	2074	1959		1216	2372	2189	2068	
1025	1999	1845	1743		1089	2124	1961	1852		1153	2249	2076	1961		1217	2374	2191	2069	
1026	2001	1847	1745		1090	2126	1962	1853		1154	2251	2078	1962		1218	2376	2193	2071	
1027	2003	1849	1746		1091	2128	1964	1855		1155	2253	2079	1964		1219	2378	2195	2073	
1028	2005	1851	1748		1092	2130	1966	1857		1156	2255	2081	1966		1220	2379	2196	2074	
1029	2007	1853	1750		1093	2132	1968	1859		1157	2257	2083	1967		1221	2381	2198	2076	
1030	2009	1854	1751		1094	2134	1970	1860		1158	2259	2085	1969		1222	2383	2200	2078	
1031	2011	1856	1753		1095	2136	1971	1862		1159	2261	2087	1971		1223	2385	2202	2080	
1032	2013	1858	1755		1096	2138	1973	1864		1160	2262	2088	1972		1224	2387	2204	2081	
1033	2015	1860	1757		1097	2140	1975	1865		1161	2264	2090	1974		1225	2389	2205	2083	
1034	2017	1862	1758		1098	2142	1977	1867		1162	2266	2092	1976		1226	2391	2207	2085	
1035	2019	1863	1760		1099	2144	1979	1869		1163	2268	2094	1978		1227	2393	2209	2086	
1036	2021	1865	1762		1100	2145	1980	1870		1164	2270	2096	1979		1228	2395	2211	2088	
1037	2023	1867	1763		1101	2147	1982	1872		1165	2272	2097	1981		1229	2397	2213	2090	
1038	2025	1869	1765		1102	2149	1984	1874		1166	2274	2099	1983		1230	2399	2214	2091	
1039	2027	1871	1767		1103	2151	1986	1876		1167	2276	2101	1984		1231	2401	2216	2093	
1040	2028	1872	1768		1104	2153	1988	1877		1168	2278	2103	1986		1232	2403	2218	2095	
1041	2030	1874	1770		1105	2155	1989	1879		1169	2280	2105	1988		1233	2405	2220	2097	
1042	2032	1876	1772		1106	2157	1991	1881		1170	2282	2106	1989		1234	2407	2222	2098	
1043	2034	1878	1774		1107	2159	1993	1882		1171	2284	2108	1991		1235	2409	2223	2100	
1044	2036	1880	1775		1108	2161	1995	1884		1172	2286	2110	1993		1236	2411	2225	2102	
1045	2038	1881	1777		1109	2163	1997	1886		1173	2288	2112	1995		1237	2413	2227	2103	
1046	2040	1883	1779		1110	2165	1998	1887		1174	2290	2114	1996		1238	2415	2229	2105	
1047	2042	1885	1780		1111	2167	2000	1889		1175	2292	2115	1998		1239	2417	2231	2107	
1048	2044	1887	1782		1112	2169	2002	1891		1176	2294	2117	2000		1240	2418	2232	2108	
1049	2046	1889	1784		1113	2171	2004	1893		1177	2296	2119	2001		1241	2420	2234	2110	
1050	2048	1890	1785		1114	2173	2006	1894		1178	2298	2121	2003		1242	2422	2236	2112	
1051	2050	1892	1787		1115	2175	2007	1896		1179	2300	2123	2005		1243	2424	2238	2114	
1052	2052	1894	1789		1116	2177	2009	1898		1180	2301	2124	2006		1244	2426	2240	2115	
1053	2054	1896	1791		1117	2179	2011	1899		1181	2303	2126	2008		1245	2428	2241	2117	
1054	2056	1898	1792		1118	2181	2013	1901		1182	2305	2128	2010		1246	2430	2243	2119	
1055	2058	1899	1794		1119	2183	2015	1903		1183	2307	2130	2012		1247	2432	2245	2120	

Amount equal to the total of Col. 1 plus Rs. 63/- in all cases.

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[Signature]

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3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5		
2442	2254	2120	1316	2567	2300	2238	1380	2601	2484	2340	1444	2810	2600	2455					
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2499	2307	2179	1346	2625	2423	2288	1410	2750	2538	2397	1474	2875	2654	2506					
2500	2308	2180	1347	2627	2425	2290	1411	2752	2540	2399	1475	2877	2655	2508					
2502	2310	2182	1348	2629	2427	2292	1412	2754	2542	2401	1476	2879	2657	2510					
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2506	2313	2185	1350	2633	2430	2295	1414	2758	2546	2404	1478	2883	2661	2513					
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2516	2322	2193	1355	2643	2439	2304	1419	2768	2555	2413	1483	2892	2670	2522					
2518	2324	2195	1356	2645	2441	2306	1420	2769	2556	2414	1484	2894	2672	2523					
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Amount equal to the total of Col. 1 plus Rs. 63/- in all cases.

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Amount equal to the total of Col. 1 plus Rs. 63/- in all cases.

[Signature]

(Para 1)

(8)

Form of intimation by the Pension Disbursing Authority to the PPO issuing authority regarding consolidation/part consolidation of pension in terms of Department of Pension and Pensioners' Welfare O.M. No.2/1/87-PIC-I dated 16.4.87.

(35)

(Particulars of Pension Disbursing Authority)

1. Name of Pensioner or Family pensioner.
2. PC/PPO NO.
3. Computation of consolidated/part consolidated pension and/or family pension.

	Pension*	Family* pension (Normal)	Family* pension (Enhanced)
(I) Existing pension (inclusive of commuted portion)/ family pension.			
(II) Temporary Increase/ Adhoc Increase/ Adhoc Relief, if any.			
(III) Total			
(iv) Existing Dearness Relief.			
(v) Additional Relief in terms of para 4.			
(vi) Consolidated/ part consolidated pension (inclusive of commuted portion, if any/family pension reckoned from 1.1.86			

*If not applicable, draw a line across.

4. Additional remarks, if any.

To
(Appropriate Accounts Officer)

(Signature of Officer-in-charge)



822

Annexure - VI
Annexure - VII
136

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

No.F(E)III/98/PN1/29Pt.

S.No.PC-V/ 244
RBE No. 318/99
New Delhi. Dt.29.12.1999

**The GMs/OSDs/CAOs etc.
All Indian Railways & Production Units.
(As per Mailing List)**

**Sub: Implementation of Government of India decision on the
recommendations of Vth Central Pay Commission –
Revision of pension of pre-1996 pensioners.**

**Ref: Board's letters No. F(E)III/98/PN1/2 dtd. 10.3.98 and No.
F(E)III/98/PN1/29 dtd. 15.1.99.**

In accordance with the provisions contained in Board's letter No.F(E)III/98/PN1/29 dtd. 15.1.99, with effect from 1.1.96 pension/family pension in respect of all pensioners irrespective of the date of retirement shall not be less than 50%/30% of the minimum pay in the revised scale of pay introduced with effect from 1.1.96

2. Representations have been received for taking into consideration the Running Allowance at the then existing rates for being added to the pay refixed on notional basis as on 1.1.86 and also to add the Running Allowance at the revised rates to the minimum of the revised scale of pay while considering stepping up consolidated pension on 1.1.96. The matter has been examined by the Board in great detail. The Running Allowance granted to the running staff does not form part of the scales of pay. It is a separate element, although it is taken into account for the purpose of computation of pension. For revision of pension of pre-86 pensioners in terms of DOP&PW's O.M. dtd. 10.2.98 circulated on the Railways on 10.3.98, the notional pay finally fixed as on 1.1.86 shall only be treated as average emoluments for calculation of pension in terms of these orders and the pension shall be calculated as on 1.1.86 as per the pension formula then

Continued

prescribed. It is therefore clarified that-

- (i) Running Allowance is NOT to be taken into consideration after refixation of pay on notional basis on 1.1.86 in terms of DOP&PW's O.M. No. 45/86/97-P&PW(A) Pt.III dtd. 10.2.98 circulated vide Board's letter No. F(E)III/98/PN1/2 dtd. 10.3.98;
- (ii) Running Allowance is also NOT to be added to the minimum of the revised scale of pay as on 1.1.96 in cases where consolidated pension/family pension is to be stepped up to 50%/30% in terms of Board's letter No. F(E)III/98/PN1/29 dtd. 15.1.99

3. Hindi version will follow.
4. Please acknowledge receipt.


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

No. F(E)III/98/PN1/29Pt.

NEW DELHI

Dt. 29.12.1999.

Copy to the ADAI(Rlys)/New Delhi.(With 100 spares)


(S.SREERAM)
for Financial Commissioner/Railways.

No. F(E)III/98/PN1/29Pt.

NEW DELHI

Dt.29.12.1999.

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 90 spares).

Continued.....



4. The Secretary General, FROA (with 5 spares).
5. The Secretary, RBSS, Group "A" Association (with 5 spares)
6. The President, 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)

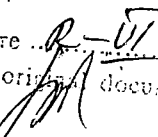

for Secretary/Railway Board.

No. F(E)III/98/PN1/29Pt.

NEW DELHI Dt. 29.12.1999.

Copy forwarded to:

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. The Principal, Railway Staff College/Vadodara.

This Annexure  is the true copy of the original document.

(R. L. DHAWAN) Advocate

Continued.....

(S)

(V. S. Sreeram) III

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

....

S.NO. PC-V/ 110

RBE NO.199/98

No. (E) III/98/PN1/2.

NEW DELHI

Dt: 2 . 9 . 1998

The GMs/OSDs/CAOs etc.
All Indian Railways & Production Units
(As per Mailing List)

Sub: Implementation of Government's decision on
the recommendations of the Fifth Central
Pay Commission - Revision of pension of
Pre-1986 pensioners/family pensioners.etc.

....

With reference to Board's letter of even number
dt. 10.3.98 as amended vide letter of same number
dt. 5.6.98 regarding revision of pension/family pension
of pre-1986 pensioners/family pensioners based on the
notional fixation of pay in the revised scales of pay
introduced w.e.f. 1.1.1986, a copy of DOP&PW's O.M. No.
45/86/97-P&PW(A)-Part III dt. 24.7.98 is circulated for
information and guidance. These instructions shall
apply mutatis mutandis in the case of pre-1986 Railway
pensioners and family pensioners.

2. Rule 70 of CCS(Pension) Rules, 1972 referred to
in the aforesaid O.M. dt. 24.7.98 and their O.M. No.
2/1/87-PIC-I dt. 16.4.87 correspond to Rule 90 of
Railway Services (Pension) Rules 93 and Board's letter
No. PC-IV/87/Imp/PN2 dt. 20.4.87 respectively.

3. Hindi version is enclosed.

4. Please acknowledge receipt.

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

DA:As above.

This Annexure ... is the true
copy of the original document.

(R. L. DHAWAN) Advocate

..2..

No. P(E)111/98/PN1/2.

NEW DELHI

Dt: 2-9-1998.

Copy forwarded to:-

1. The G.M., N.F. Railway (Const.), CAO, 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/Calcutta
5. The CAO and FA&CAO, COFMOW/New Delhi
6. The General Manager and FA&CAO, CORE/Allahabad
7. The Principal, Railway Staff College/Vadodra
8. The CAO (Const), MTP(R)/Mumbai
9. The CAO (Const.), MTP(R)/Chennai
10. The Director, CAMTECH/Gwalior-474020
11. The Director, IRICEN/Pune, IRIEN/Nasik Road, IRIMEE/Jamalpur, IRISSET/Secunderabad
12. The Managing Director, RITES, IRCON, IRFC, CONCOR of India Limited, Executive Director, CRIS
13. The Chairman and 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/Calcutta
16. The Joint Director (Finance), RDSO, Lucknow.
17. The Joint Director, Mil Rail, Ministry of Defence
18. The Joint Director, Iron & Steel, 3 Koila Ghat Street/Calcutta

- 3 -

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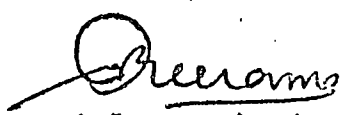
19. Chief Mining Advisor, Ministry of Railways, Dhanbad, Bihar
20. The Chairman, RCC, Lok. Sabha Secretariat/New Delhi
21. The Chairman, RCT/Delhi
22. The Chairman, RRT/Chennai
23. The Chairman, RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneswar, Chandigarh, Chennai, Calcutta, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad and Trivandrum
24. The Editor, 'Bhartiya Rail'
25. The Editor, 'Indian Railways'
26. Chairman, Passenger 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 Safety/Lucknow
31. Liaison Officer, V.CPC, Zonal Railways/PUs/RDSO/Trg. Institutes, Metro Railway/COFMOW/CORE etc.

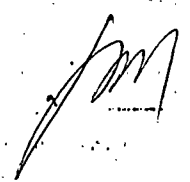


(S. SREERAM)
Dy. Director Finance (Estt.) III.,
Railway Board.

No. F(E)III/98/PN1/2. NEW DELHI Dt:

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New Delhi.


for Financial Commissioner, Railways



No. F(E)III/98/PN1/2.

NEW DELHI

Dt: 2-9-1998.

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9. The Secretary, Railway Board Ministerial Staff Association (with 5 spares)
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for Secretary/Railway Board

[JS(E)]

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

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1. National Federation of Railway Pensioners, 42/14, Motilal Street, T. Nagar, Madras- 600 017.
2. The Secretary General, National Federation of Railway Pensioners, 27/578, Audityapuram, Palghat- 678 006.
3. Shri R.B. Kulkarni, President, AIRRF, 13/9, Vivekanand Housing Society, Gurumandir Road, Dombivli (East), Maharashtra-421 201.
4. Shri M.C. Das, President/All India Retired Railway Officers' Association, 12-5-149/6/C - Vijayapuri Street, South Lallaguda, Secunderabad- 500 017.

5.

The General Secretary, Railway Pensioners' Council
Kiran Kutir, Larkania Tola, Katkhar.

6.

The General Secretary, All India Federation of
Pensioners Association, T.P.M. Hall, 22, Kavarai
Street, Saidapet West, Chennai-600 015.

(Copy to Department of Pension & Pensioners' Welfare
with reference to their O.M. No. 45/86/97-P&PW(A)-Part II
dt. 24.7.98.)

fm



WHL

સેન્ટ્રલ મેનેજર, (જિલ્લા પંચાયત)
તા. ગાંધી, રાજકોટ

11-7-1943

OFFICE MEMORANDUM

"Subject to the provisions of Rules 8 and 9, pension once authorised after final assessment shall not be revised to the disadvantage of the Government servant, unless such revision becomes necessary on account of detection of a clerical error subsequently :

In accordance with the above provision, in cases where the amount of revised pension/family pension arrived at on the basis of notional fixation of pay as on 01.01.1986 happens to be less than the amount of consolidated pension/family pension already drawn by pre-1986 pensioners/family pensioners w.e.f. 01.01.1986, there is no need to revise the existing pension/family pension and issue a revised PPO.

-----2/-

The pensioner/family pensioners can be outrightly apprised of fact by the Pension Sanctioning Authority. In cases where sanction revision of pension to the disadvantage of the pensioner/family pensioners has already been issued, such sanction should be immediately cancelled. Also, in such cases orders for recovery of the so called excess pension drawn should be withdrawn without any delay.

2. All the Ministries/Departments of Government of India are requested to bring the contents of this O.M. to the notice of all concerned Viz Head of Offices/PAOs etc. who are dealing with revision of pension of pre-1986 pensioners and advise them to strictly adhere to the provisions contained in Rule 70 of Central Civil Services (Pension) Rules, 1972.

Ratto

(RATTAN LAL)

Deputy Secretary to the Govt. of India

All Ministries/Department of the Government of India.

Copy to: Office of the C&AG with 200 spare copies.

Copy also to: All others as per attached list.

The pensioner/family pensioners can be outrightly apprised of

(12) (16) Annexure VIII 57

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

S.No. PC-V/ 238
RBE No. 289/99

No. F(E)III/98/PN1/29

NEW DELHI

Dt. 12/11/1999.

The GMs/OSDs/CAOs etc.
All Indian Railways & Production Units
(As per Mailing List)

Subject: Implementation of Government of India decision on the recommendations of Vth Central Pay Commission-Revision of pension of pre-1996 pensioners.

Attention is invited to Board's letter No.F(E)III/98/PN1/29 dtd.15.1.1999 wherein decision of the Government that pension of all pensioners irrespective of their date of retirement shall not be less than 50% of the minimum of the revised scale of pay introduced w.e.f.1.1.1996 of the post last held by the pensioner was communicated. Clarifications have been sought as to whether Non-Practising Allowance (NPA) admissible as on 1.1.1986 is to be taken into consideration after refixation of pay on notional basis as on 1.1.1986 and whether NPA is to be added to the minimum of the revised scale while considering stepping up consolidated pension on 1.1.1996. NPA granted to Railway medical officers does not form part of the scales of pay. It is a separate element, although it is taken into account for the purpose of computation of pension. This has been examined in consultation with the Department of Pension & Pensioners' Welfare and Department of Expenditure and it is clarified that-

- (i) NPA is not to be taken into consideration after refixation of pay on notional basis on 1.1.86 in terms of DOP&PW's O.M. No. 45/86/97-&PW(A) Pt.III dt.10.2.98 circulated vide Board's letter No.F(E)III/98/PN1/2 dt. 10.3.98 ; and
- (ii) NPA is also not to be added to the minimum of the revised scale of pay as on 1.1.96 in cases where consolidated pension/family pension is to be stepped up to 50%/30% respectively, in terms of Board's letter dt.15.1.99 referred to above.

2. Hindi version will follow.

This Annexure 2-VIII is the true copy of the original document.

(R. L. DHAWAN) Advocate


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

N

11/29

NEW DELHI

Dt 12/11/1999

Copy to DAI (Rlys), New Delhi (40 spares)

(S. SKEERAM)

for Financial Commissioner/Railways.

No.F(E)111/98/PN1/99

New Delhi

Dt 12/11/1999

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4. The Secretary General, FROA (with 5 spares)
5. The Secretary, RBSS, Group "A" Association (with 5 spares)
6. The President, 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)

for Secretary/Railway Board

Copy to:-

PPSs/PSS/PAs to: CRB, FC, MS, MT, ME, ML, MM, DG(RHS), DG(RPF), Additional Members, All OSDs, Secretary, All Executive Directors, JS(G), JS(D), JS(E), DS(G), JDF(E), DEN, Dir(MPP), DE(G), DE, JDE(N), JDE(P&A), JDE(GC), JDE(Rep), JDE(G), JDE(D&A), JDE(G), JDE(W), JDE(GP), JDE(Res), DE(E), DDPC-III, IV, V, DDV(A&P), DDF(I), DDF(E)III, JDE(I), DDE(LR)I, II, III, DDE(R)II, US(A), US(D), US(E), P.O., W.O./Railway Board.

Cash-I, II, III, IV, Budget, E(P&A)III, E(G), E(NG)I&II, PC-V, PC-IV, P(II) E(Trg), E(MPP), E(LR)I&II, F(E)II, F(E)I, F(E)Spl, Security(E), Security (ABE), Accounts-III (with 10 spares), ERB-I, II, III, IV, V & D, G(iss), G(Acc), E(Welfare), E(SCT), E(O)I, II, III & III(CC), E(GR)I, II, III, E(GC), PR, E(D&A), Budget, O&M, Code Revision Cell (with 2 spares), Accs-II, PG, E(Rep)-I, II, III Railway Board.

No. F(E)III/98/PN1/29

NEW DELHI

Dt 21/1/99

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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. The Principal, Railway Staff College/Vadodara.
8. The CAO (Const.), MTP(R)/Mumbai.
9. The CAO (Const.), MTP(R)/Chennai.
10. The Director, CAMTECH/Gwalior-474020
11. The Director, IRICEN/Pune, IRIEN/Nasik Road, IRIMEE/Jamapur, IRSET/Secunderabad.
12. The Managing Director, RTES, IRCON, IRFC, CONCOR of India Limited, Executive Director, CRIS.
13. The Chairman and 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 Joint Director (Finance), RDSO/Lucknow.
17. The Joint Director, Mil Rail, Ministry of Defence.
18. The Joint Director, Iron & Steel, 5 Kolla 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, Passenger 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 Safety/Lucknow.
31. Liaison Officer, VCPC, Zonal Railways/PUs/RDSO/Trg. Institutes, Metro Railway/COFMOW/CORE etc.

(S. SREERAM)

Deputy Director Finance (Estt.) III.
Railway Board.

158 95 4:
1. Shri V.K. Sthanunathan, National President, National Federation of Railway Pensioners, 36, Venkatanarayana Road, T. Nagar, Chennai-600 017

2. The Secretary General, National Federation of Railway Pensioners, 27/578, Audityapuram, Palghat-678 006.

3. Shri R.B. Kulkarni, President, AIRRF, 13/9, Vivekanand Housing Society, Gurumandir Road, Dombivli (East), Maharashtra-421 201.

4. Shri M.C. Das, President/ All India Retired Railway Officers' Association, 12-5-149/6/C-Vijayapuri street, South Lallaguda, 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-1/164, Arena Colony, Bhopal (M.P) 462 016.

9. Shri Nirma 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.

Copy to DOP&PW with reference to their O.M. No. 45/3/99-
P&PW(A)- dated 29/10/1999.



(150)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

M.A. No. _____/ 2000

in

O.A. No. 1139 of 2000

IN THE MATTER OF

Shri TEJ PAL & Ors - -.-.-. -.-.-.-. APPLICANTS
vs

CHAIRMAN, RAILWAY BOARD & Ors -.-.-.-. RESPONDENTS

REPLY TO M.A. u/s 4(5) OF C.A.T.
PROCEDURE (RULES, 1987 FOR JOINING
TOGETHER ON BEHALF OF THE RESPONDENTS

MOST RESPECTFULLY SHOWETH

- 1 & The contents of these paras are disputed and
2. denied. It is denied that the Applicants have a common cause of action. It is further denied that the common relief can be prayed for or common relief can be granted. The Applicants do not have a common cause of action or a common grievances. grievance, if any, of the Applicants, should have been agitated by each of the Applicants separately. The Application is, therefore, bad in law and deserves to be dismissed on this count alone.

P R A Y E R

In view of the submissions made herein above, it is MOST RESPECTFULLY prayed that the present M.A. of the Applicants be dismissed, in the interest of justice.

FOR RESPONDENTS

through

(R.L. DHAWAN) ADVOCATE
COUNSEL FOR THE RESPONDENTS

NEW DELHI

DATED: OCT. 2000

Anita
Divisional Accounts Officer
Northern Railway, New Delhi.

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VERIFICATION

I, *Amita Prasad Sarabhai*, *Divl Accoun.*
Officer, Northern Railway Head Quarters Office,
New Delhi, do hereby verify that the facts stated
herein above are true to my knowledge based on
official records and nothing material has been
suppressed.

VERIFIED at New Delhi this 23rd day of
Nov.
~~October~~, 2000.

Amita

RESPONDENTS
Divisional Accounts Officer
Northern Railway, New Delhi.

X

STATE : HIGH COURT

SECTION :

IN THE SUPREME COURT OF INDIA

ORIGINAL/CIVIL/CRIMINAL/APPELLATE/JURISDICTION
IN

S.L.P. (CIVIL/CRIMINAL) No.....of 1999

APPEAL (CIVIL/CRIMINAL) No.....1999

W.P. (CIVIL/CRIMINAL) No.....1999

O.A. NO - 1139/2000

Jagpal B ors.

Petitioner(s)

Appellant(s)

VERSUS

Union of India B ors.

Respondent(s)

INDEX

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Filed on.....19th March 2001

समस्त प्रतियाँ

Filed Today

19 MAR 2001

2586

(CHARAN LAL SAHU)

Advocate for Petitioner(s)/Respondent(s)

96, Lawyers Chambers, Supreme Court of India

New Delhi-110001, Phone : (O) 3382830 (R) 2250157

**BEFORE THE ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH-
NEW DELHI,**

O.A. NO. 1139/2000.

IN THE MATTER OF :

Tejpal & Ors

Applicants

Versus

Union of India & Ors.

Respondents.

INDEX

SR.NO.	PARTICULARS	PAGES.
1.	^{rejoinder} Petitioner's affidavit on behalf Of the Applicants.	1 – 15.
2.	ANNEXURE-1 Copy of the O.M. dated 19.12.2000 Issued by the Government of India.	16 – 17.

Dated: 16.3.2001.


(CHARAN LAL SAHU)
Advocate for the Petitioner
Supreme Court Advocate
96, Chamber & Supreme
New Delhi-110001.
Ph.(O)3382830@ 2255699

M.B.
Two copies left
in the office of
Rly Standing Counsel.

16/3/2001.

152

Before the Hon'ble Administrative Tribunal Principal Bench New Delhi:-

O.A. NO. 1139/2000

In the matter of :

Tej Pal & Ors.

Applicants.

Versus.

Union of India & Ors.

Rejoinder Affidavit on behalf of the Applicants

I, Tejpal s/o Shri Bhagewan Ex. Diver Das aged 75yrs r/o 9-108 Raj Nagar Gaziabad.

1. That I am one of the applicants before this Hon'ble Tribunal. I am well conversant with the facts and circumstances of the case. I am therefore competent to swear this rejoinder affidavit on behalf of the applicants.
2. That I have gone through the counter affidavit filed by the respondent. In reply there to I state as under:-

PRELIMINARY SUBMISSIONS:-

1. That before replying the counter affidavit the deponent states that the case of the applicant is within short parameter claiming for the running Shutters classified as running staff in the Department of Railway, Rule 2544 of the Indian Railway Establishment code provides that running allowance will be one of the elements to be included in the emoluments and average emoluments to be included in the emoluments and average emoluments to be paid to the running staff to the maximum limits of 75% of the monthly average, since of the history of the above Rule 2544, the same was amended from 5.12.1988 whereby the limits of the running allowance was curtailed from 75% to 55% and the same was done retrospectively from



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2. That the applicants have retired prior to the cut off date i.e. 5.12.1988 and has changed the above said amendment reducing running allowance from 75% to 55% and the Principal Bench was pleased to declare the amendment as ultravires, retrospectively in as much as the same was arbitrary under Article 14 and 16 of the Constitution of India.
3. That the respondent filed an appeal before the Hon'ble Supreme Court and the same was dismissed holding that the retrospective amendment was ultravires of the Constitution and in violation of the Article 14 and 16 of the Constitution of India. The abovesaid judgment was pronounced by the Hon'ble Supreme Court on 25.7.1997.

The terms and conditions of Drivers, Guards and Shunters classified as 'Running Staff' in the Railway Department and are well annunciated and fully defined in I.R.E.C. 2544. The 75% running allowance as part of pay is pensionary benefit supported and guided by various circulars and letters of Railway Board from time to time since the time immemorial. Above all Hon'ble Supreme Court has given a moral boost in his landmark judgment dated 25.7.1997 when 75% Running Allowance as part of pay to running staff due to their arduous duty was confirmed to those running staff retirees of 1973 to 4.12.1988.

4. That the pensions is defined under Article 366/17 of the Constitution of India as under:-

126.1. As per Article 366(17) of the Constitution of India, pension means a pension, whether contributory or not, of any kind whatsoever payable to or in respect of any person, and



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includes retired pay so payable, a gratuity so payable and any sum or sums so payable by way of the return, with or without interest thereon or any other addition thereto, or subscriptions to a provident fund.

Our terms of Reference require us to examine the existing pension structure and death-cum-retirement benefits with a view to having a proper pension structure for 'pensioners' and make recommendations relating thereto which may be desirable and feasible. This gives us a broad enough canvas and we have tried to fulfil our mandate", which had been used in the terms of reference for the Fourth CPC to constrict our vision and have included past pensioners within the ambit of our consideration.

5. Pension is an area where clarity of vision is often obscured by ill considered notions. However, the Supreme Court of India, in the landmark judgment of D.S. Nakara and others Vs. Union of India (AIR 1983 SC 130) clarified all the issues connected to pension. While examining the goals that a pension scheme should seek to subserve, the Apex Court held that-

"A pension scheme consistent with available resources must provide that the pensioner would be able to live;

- i) free from want with decency, independence and self respect;
- ii) at a standard equivalent at the pre-retirement level".

6. The Court held that pension is neither a bounty nor a matter of grace depending upon the sweet will of the



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employer. It is not an ex-gracia payment, but a payment for past services rendered. It is a social welfare measure rendering socioeconomic justice to those who in the heyday of their life ceaselessly toiled for the employer on an assurance that in their old age, they would not be left in lurch.

7. The Supreme Court held as under in Nakara case:-

"That pension is not in the nature of alms being doled out to beggars. The senior citizens need to be treated with dignity and courtesy befitting their age. Pension is their statutory, inalienable, legally enforceable right and it has been earned by the sweat of their brow. As such it should be fixed, revised, modified and changed in ways not entirely dissimilar to the salaries granted to serving employees".

8. That the Vth Pay Commission has stated as under:-

"We have attempted a major policy thrust, by suggesting a complete parity between past and present pensioners at the time of the Fourth CPC, while recommending a modified parity between Pre-1986 and Post 1986 pensioners. The Formula will ensure total equity as between persons who retired before 1986 and those who retired later. It also gives all pensioners, at least the minimum appurtenant to the post-1986 revised scale pay of the post they held at retirement".

Furthermore it strengthen vide Government of India orders No. O.M. No.45/86/97-P&PW(A) dated 19.12.2000 as under:-

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"In so far as employees who retired prior to 1.1.1986, their pension is required to be updated by fixing their pay as on 1.1.86 by adopting the same formula as for serving employees and as per CCS (RP) Rules. Stagnation increment if any earned by pre-86 retirees should be taken into account for the purpose of notional fixation. Such of those pre-86 retirees who retired after having drawn pay at the maximum of the scale as per IIIrd CPC for a year or more will be entitled to an additional increment as per IVth CPC scales as on 1.1.1986 (proviso 3 of rule 8 ibid). Similarly for those have received an adhoc increment on their stagnation at the maximum for two years or more at the time of their retirement will also be entitled for an additional increment as on 1.1.1986 (Proviso 4). This in effect will mean that pre-86 retirees will be treated as if they were in service on 1.1.86 for the purpose of notional fixation of pay so as to ensure complete parity." A copy of the O.M. dated 19.12.2000 issued by the Government of India is annexed to this affidavit as ANNEXURE-I.



9. That the respondents vide their letter dated 14.10.97 and 8.6.99 had issued orders to comply with the judgment of the Supreme Court in toto. The said annexures had been annexed to the original application as Annexure 2 and 3.

10. That thereafter the respondents issued a Memo on 29.12.1999 stopping the running allowance to be computed for the calculation of the pension. The abovesaid Notification is an executive order and is contrary to and in conflict with Rule 2544 in the Railway Establishment Code which authorises and empowers running allowance to the maximum limit of 55% to those persons,

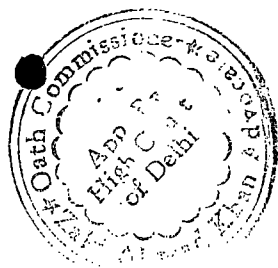
152

who were retiring on or after 5.12.1988 and according to the judgment of the Supreme Court those retirees prior to that date are entitled for 75% of the running allowance as the maximum limit.

11. That the Vth Pay Commission has also recommended for there should not be any disparity between 1986 retirees thereafter and had tried to bring them at par for the purpose of pension.
12. That the Government of India has accepted the recommendation of the Vth Central Pay Commission which is as -

"The pension of all the pre-1986 retirees may be updated by notional fixation of their pay as on 1.1.1986 by adopting the same formula as for the serving employees.

Thereafter, all the past pensioners who have been brought on to the Fourth Central Pay Commission pay scales by notional fixation of their pay and those who have retired on or after 1.1.1986 can be treated alike regarding consolidation of their pension as on 1.1.1986 by allowing the same fitment weightage as may be allowed to the serving employees. However, the consolidated pension will not be less than 50% of the minimum revised pay of the post held by the pensioner at the time of retirement (137.14)."



13. That the running allowance cannot be stopped by the respondent by any executive order and the same is arbitrary, discriminatory and in violation and contravention of Article 14 and 16 of the Constitution of India.

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14. During the whole length of service of pre-86 running staff retirees when their scale of pay was enhanced either by virtue of Railway Board or through Central pay Commission, 75% Running Allowance as part of pay fully diffident in I.R.E.C. 2544 and duly confirmed by Hon'ble Supreme Court in his far-reaching Judgement of 25.7.97 for running staff retired in-between 1.1.73 to 4.12.88 was automatically accorded and adjusted in their pensionary benefits. This was the basic structure of pre-86 running staff retirees and so the pension was computed on their retirement.

The Vth Central pay commission observing the meager pension and vast disparity of Pre-86 & post-86 retirees, vehemently recommended a complete parity in-between pre-86 and post-86 retirees and brought the pre-86 retirees on the same footing dated 1.1.86 as of serving employees alike in the pay scale 1400-2600 vide Vth Central Pay Commission-para 137/14 (Annexure-)

But the Railway Board created an anomaly . set aside the Hon'ble supreme court's judgement dated 25-7-97 in respect of 75% Running Allowance as part of pay who retired in-between 1.1.73 to 31.12.85 and 1.1.86 to 4.12.88. in two parts of one segment.

On the very first instance of Vth Central Pay Commission outcome, the Railway Board receipted the whole story in to. Enhanced pension was revised and arrears were paid since 1.1.96 and disparity was done away in-between pre-86 and post-86 retirees.

In an after-thought, the Railway Board only continued to maintain 75% running allowance as pensionary benefit who retired during the period 1.1.86 to 4.12.88 and denied to those pensioners who retired in-between 1.1.73 to 31.12.85 by issuing an executive order dated 29.12.99 with retrospective effect and without the sanction of President of India though both are sailing in the same boat, as per Vth Central pay Commission para 137/14 (Annexure).

The retirees of 1.1.73 to 31.12.85 were dealt with mercilessly on the altar of 29.12.99 letter by the Rly Board. This is a gross injustice and contrary to the judgement of Supreme Court and above all a clinching and conclusive proof of step-motherly treatment to 1.1.73 to 31.12.85 retirees. Thus the division of 1.1.73 to 4.12.88 retirees in two parts is legally invalid and infringement of Article 14 of Indian Constitution. An elaborate example to reveal the facts is as given below.

Example-1 Name of the employee XYZ
Date of retirement 3.4.19984
Qualifying for service 425 more than 33yrs
scale of pay last payment Rs.640/-



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Average pay works out Rs.616
Equivalent scale as on Rs.1400-2600
1.1.86

To Work out Pension:

Average Pay	Rs.616
75% of Pay in lieu of mileage (Court decision connects).	Rs.480
Dearness Pay at average index of 568.	Rs.370
Interim Relief	Rs.70
	Rs.1536

PENSION

50% of Rs.1000/-	Rs.500)	
45% of Rs.500	Rs.225)	740 as on 1.5.1984
40% of Rs.36	Rs.15)	

Consolidated in terms of

Ministry of Personnel PG

& Pension Office Memorandum

No.2/1/87/PIC-1 dt. 16.4.87. 768 as on 1.1.1986

Pension revised as per

IV Pay Comm: recommendation

(Rs.768 + 563 Graded Relief) 1331 as on 1.1.1986

Notional fixation of pay in scale Rs.1400-2600 as on
1.1.1986.

Basic Pay	Rs.640
D.A. on 1.1.1986	Rs.1248
Interim Relief	Rs.153
Add 20% of Basic Pay	Rs.128
Total	Rs.2169

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Fixation in the scale at the stage above total
= Rs.2200

So, Notional Pension as on
1.1.86 will be (50 % of =Rs.1100
Rs.2200)

It is to be noted here that as can be seen from above details, employee's regular pension as on 1.1.1986 works out to Rs.1331 whereas the NOTIONAL PENSION comes to Rs.1100.

The anomalous position is not clarified by the Railway Board in any of their letters.

Based on the Notional Pension arrived at Rs.1100 as such on 1.1.1986, his revision of pension as on 1.1.1986 according to Vth Pay Commission formula will be as under:-

Pension as on 1.1.86	Rs.1100	(as and when to be
D.A. (148%)	Rs.1628	revised as per V
First I/R	Rs. 50	C.P.C. but W/o
Second I/R	Rs.110	75% as per R.Bd.
Add 40% of Basic		letter dt. 29.12.99)
Pension.	Rs.440	
	Rs.3328	

So the revised pension as on 1.1.1986 will be Rs.3328.

Example 2:

Name of the Pensioner.	ABC
Date of the retirement	30.10.86 Between 1.1.86 4.12.88)
Qualifying Service	More than 33 years.
Scale of Pay	425-640 Upto 31.12.85 1400-2600 from 1.1.86

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Rate of Pay Rs.2200 on 1.1.86
pay fixed)

Average Pay Rs.2200

PENSION FIXATION AS ON 1.11.1986

50% of (Basic Pay	Rs.2200	
+ 75% of B/Pay	Rs.1650	(as a result S/Court judgment
	Rs.3850	in lieu of (Mileage). =Rs.1925

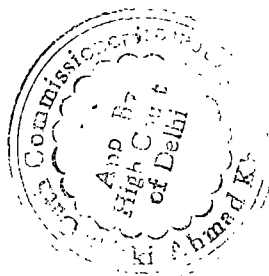
Pension fixation as on 1.1.86

Pension	Rs.1925	
D.A.(111%)	Rs.2590	
(Subject to minimum of 2590)		
First I/R	Rs.50	
Second I/R	Rs.193	
Add 40% of B/Pension	Rs.770	
	Rs.5528	(To be revised as on 1.1.96) as per V C.P.C.

From the above examples, it can be clearly seen that:

- 1) Both the pensioners were in Grade. Rs.425-640 prior to 1.1.1986.
- 2) The basic pay of both was Rs.640
- 3) Both are entitled to the benefits in settlement dues accorded as a result of S/Court judgment being retired between the period from 1.1.1973 to 4.12.1988.
- 4) The basic pay of both was fixed at Rs.2200 in scale Rs.1400-2600 as on 1.1.1986.

Inspite of these similarities, the pension of No.1 as on 1.1.1996 works out to Rs.3328 whereas the Pension of No.2 works out to Rs.5528. It is thus evident that those



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pensioners retired between 1.1.1973 to 31.12.1985 will get pension much less (say Rs.2200 Plus difference of D.A. = approximately Rs.3300 per month) than those retired between 1.1.1986 to 4.12.1988.

In the Board's letter dated 29.12.1999 *ibid*, it is stated that the Running Allowance granting to the running staff does not form part of the scales of pay. This is incorrect.

15. That according to the judgment of the Supreme Court those persons who are employed classified as Running staff in the Railways are entitled for running allowances to the extent of 75% and hence the Government cannot issue any executive order to obliterate or efface the order of the Hon'ble Supreme Court pronounced on 25.7.1997.
16. That the respondents had tried to confuse the issue involved in the case. Guidelines and instructions dated 29.12.1999 shows that the running allowance has been stopped.

ON MERITS:

1. That in reply to para 1 it is stated that the same is incorrect and it is stated that the Government had accepted that for the calculation of the pensionary benefits, 75% of the running allowance will be admissible and the said fact is mentioned in the judgment of the Supreme Court.
2. That in reply to para 2 it is stated that the same is a matter of record and as such it does not need any comments.



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3. That in reply to para 3 it is stated that it is correct that Government issued notification dated 14.10.1997 and 8.7.1999 to recompute the pension of the running staff as mentioned in the judgment of the Supreme Court. It is further submitted that it is wrong to state that the benefit of pensionary arising out of these orders are admissible only with effect from 1996. It is further submitted that the revision of pension of all the pensionaries from Pre-1986 retirees cannot be taken into consideration as the same is in conflict and in contravention of the decision of the Hon'ble Supreme Court.
4. That in reply to para No.4 it is stated that the same is incorrect. The benefits of 75% of the pay denotes the running allowance is to be calculated and given to the petitioners in accordance with the judgment of the Supreme Court and the Guidelines issued by the Board have no force of law being contrary and non-consideration and in violation of Rule 2544 as well as the judgment of the Hon'ble Supreme Court being binding on all the authorities in India. It is submitted that the respondents are trying to confuse the matter and misleading this Hon'ble Tribunal. The running allowance element to be computed and included as an element for calculation of the pensionary benefits under the statute and the same cannot be varied or modified by an executive order or guidelines or by any Memo issued by the Executive Authority. The Revision has to be done notionally and 75% of the Running Allowance is also to be given to the applicants. The reply given in para 4 is misconceived and untenable in law.
5. That in reply to para 5 it is submitted that the same is incorrect. There is no mixing up or any error crept in the decision by order dated 14.10.1997 as the same was



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in implementation of the judgment of the Hon'ble Supreme Court and the applicants were given pensionary benefits in accordance with the law.

6. That in reply to para 6 it is stated that the same is in accordance with the law and there cannot be any clarification in regard to the stopping of the running allowance. The instructions cannot be issued in view of Rule 2544 and the judgment of the Hon'ble Supreme Court. The reply given in para 6 of the counter-affidavit is misconceived and untenable in law.

REPLY TO PRELIMINARY OBJECTIONS:

1. That in reply to para No.1 it is stated that the same is incorrect. The instructions had been issued by the Chairman of the Board and as such he has been included as party.
2. That in reply to para No.2 it is stated that General Manager of Railway had already been made a party and there is no need to make D.R.M. as a party.
3. That in reply to para 3 of the preliminary objection it is stated that the same is incorrect and hence denied. It is stated that there is no departmental order after the issuance of the guidelines, even though the representations have been made to the Government that the same is incorrect.
- 4-6. That in reply to para 4 to 6 it is stated that the same is incorrect and is misconceived and hence denied.

PARAWISE REPLY:

- 1-3. That in reply to para 1 to 3 it is stated that the same are incorrect and hence denied.
- 4(i) to (xii) That in reply to paras 4(i) to para 4(xii) needs no reply as the same are matter of record.

Government is bound to pay running allowance in addition to other pensioners benefits under the orders and which is in consonance and harmonious to the judgment of the Hon'ble Supreme Court. It is further stated that the judgment of the Supreme Court deals with pre-1988

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4 (xiii) to (xiv) That in reply to paras 4 (xiii) to (xiv) it is submitted that the same are incorrect and hence denied. The corresponding paras of the Original Application are reiterated.

4(xv) That in reply to para 4 (xv) it is stated that the same are incorrect and the corresponding paras of the Original Application are reiterated. it is further stated that the judgment of the Supreme Court is binding. The Vth Pay Commission has also recommended that there is no disparity between the persons who have retired earlier and those who were retired after a particular date as the living standard of both the persons is alike and they need the same pension as given to later one, in view of the quality before law and standard of living.

4 (xvi) to (xviii). That in reply to para 4 (xvi) to paragraph (xviii) it is stated that the same are incorrect. The Railway Authorities have paid the pension and computed the same as payable to the petitioners accordingly and have understood and interpreted the orders correctly and there was no error which is stated to have been crept. The matter is being confused. The judgment of the Hon'ble Supreme Court is binding on the authorities and while implementing the said judgment, all the benefits had to be provided to the pensioners and treated alike. The Railway Boards' letter dated 29.12.1999 is invalid, void and inconsistent with the statutory rule 2544 of the Indian Railway Establishment Code and running allowance cannot be stopped. The Government is bound to pay running allowance in addition to other pensioners benefits under the orders and which is in consonance and harmonious to the judgment of the Hon'ble Supreme Court. It is further stated that the judgment of the Supreme Court deals with pre-1988 retirees and the orders dates 29.12.1999. It is stated



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1.1.1973 to be classificatory order as stated by the Respondents is in violation of the Supreme Court order whereby the running allowance is to be included as an element and the pre-1988 shall get the benefit of the running allowance calculated to the maximum limit of 75% in their emoluments.

4(xix) That in reply to para No.4 (xix) it is sated that it is incorrect to state that the running allowance is already added to their pay for calculation of pension. It is incorrect to state that there was no clerical error in doing so. Para No. (xix) is hence denied. The Clerical error is in conflict and in violation of the Supreme Court judgment and Vth Pay commission Report and as such is invalid and they have no force of law.

5A to 5T. That the reply to the grounds 5A to 5T are misconceived and untenable in law and hence denied.



6. That in reply to para 6 and 7 it is stated that the same are misconceived, incorrect and hence denied and the corresponding Paras 6 and 7 of the Original Application are reiterated.

IDENTIFIED BY
Advocate/Regd. Clerk

Zeki Ahmad
DEPONENT.

VERIFIED

I, the above-named deponent so hereby verify that the contents of my above rejoinder affidavit are true and correct to my knowledge. No part of it is false and nothing material has been concealed therefrom. Rest are submissions and prayer to this Hon'ble Tribunal.
Verified at New Delhi on this the 20th day of February, 2001.

Zeki Ahmad
Deponent.

ATTESTED
19/3/2001
OATH COMMISSIONER
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GOVT OF INDIA ORDERS

1. O.M. No. 45/86/97-P&PW(A) dated 19.12.2000 from Government of India Ministry of Personnel, Public Grievances and Pensions Department of Pension & Pensioners' Welfare Lok Nayak Bhawan New Delhi - 110 003

Subject : Implementation of the Govt. decision in the recommendation of the Vth CPC regarding the retirement benefits - revision of pension of pre-86 pensioners/ family pensioners - clarifications regarding.

The undersigned is directed to refer to this Deptt.'s O.M. of even No. dated 10th Feb. 1998 as amended from time to time and the clarificatory O.M. dated 19th March, 99 on the above subject and to say that a number of representations regarding treatment of stagnation increment/special pay/deputation pay etc. while notionally fixing the pay on 1.1.86 for calculation of pension in terms of orders cited above were received from various Ministries/Deptts. of Govt. of India as also of individual pensioners and pensioners associations. The matter has been reconsidered in consultation with Ministry of Finance, Deptt. of Expenditure which has notified the CCS (RP) Rules, 1986. In suppression of this Deptt.'s O.M. dated 19th March, 99 the following clarifications are issued:

Points raised

Clarification

1. Stagnation increment - whether stagnation increment is to be taken into account while fixing pay of retired Govt. servants on notional basis.

In so far as employees who retired prior to 1.1.86, their pension is required to be updated by fixing their pay as on 1.1.86 by adopting the same formula as for serving employees and as per CCS (RP) Rules. Stagnation increment if any earned by pre-86 retirees should be taken into account for the purpose of notional fixation. Such of those pre-86 retirees who retired after having drawn pay at the maximum of the scale as per IIIrd CPC for a year or more will be entitled to an additional increment as per IVth CPC scales as on 1.1.1986 (proviso 3 of rule 8 ibid). Similarly for those have received an adhoc increment on their stagnation at the maximum for two years or more at the time of their retirement will also be entitled for an additional increment as on 1.1.1986 (Proviso 4). This in effect will mean that pre-86 retirees will be treated as if they were in service on 1.1.86 for the purpose of notional fixation of pay so as to ensure complete parity.

2. Treatment of special pay

2. Treatment of special pay The element of special pay will only be taken into account for notional fixation as on 1.1.1986 in those cases where the IVth CPC has recommended the replacement of the applicable pre-revised scale with special pay by a revised scale without special pay. Since special pay ceased to be reckoned for the purpose of pensionary benefits after 1.1.86, this element was to be excluded for the purpose thereafter

3. Anomaly in calculation of pension of those who retired between 1.1.86 and 30.9.86.

and as such should not be included for updating the pension of pre-86 retirees.

In view of the notional fixation of pay as on 1.1.86, consolidation thereafter of the basic pension and stepping up this pension to wherever it is less than 50% of the minimum of the revised scale of pay to 50% of the minimum of the revised scale on 1.1.96, no changes in pension formula are being proposed in respect of calculation of pension of Govt. servants who retired between Jan. and Sept. 1986.

2. All the Ministries/Depts. of Govt. of India are advised to take note of the above clarifications and suo moto revise the pension of the affected persons without waiting for any applications from the pre-86 pensioners/family pensioners. They are also advised to dispose off the representations received by them from pensioners on the above issues without making any reference to this Deptt.
3. This issues with the approval of Ministry of Finance, Dptt. of Expenditure, vide I.D. No. 2121/EV/2000 dt 6.9.2000.
4. In their application to the employees of the Indian Audit and Accounts Department, these orders issue in consultation with Comptroller and Auditor General of India.
5. Ministry of Agriculture etc. are requested to bring the contents of these orders to the notice of Controller of Accounts/Pay and Accounts Officer and Attached and Subordinate Offices under them on a top priority basis.

(Ganga Murthy Smt., Director)

2. EMERGENCY CASES : CMO /VC AUTHORISED TO REFER — PVT HOSPITAL

Letter No. F. No. 238/Misc/Gr. Cell/99/68/1 dat 4.10.99 from Dr (Mrs) U Mahajan, Joint Director (Gr. Cell), o/o Additional Director, CGHS Nirman Bhavan, New Delhi - 110 011 to AK Sahdev, Area Welfare Officer (MHA), II-K/13, Lajpat Nagar, New Delhi 110 024

Subject : Complaint against referral system

With reference to your complaint dated 1.9.99, on the above noted subject, as per Govt. Orders in case of emergency the Chief Medical Officer concerned may directly (even before specialist advice has been obtained) refer the CGHS beneficiary to Pvt. recognised hospital for further management/ treatment.

The expenditure in excess of the approved package rate would have to be borne by the beneficiary himself/herself.