



ALL INDIA ASSOCIATION OF COAL EXECUTIVES (AIACE)

(Regd. Under the Trade Union Act, 1926; Regd. No. 546 / 2016)

302, Block No. 4, Ram Krishna Enclave, Nutan Chowk, Sarkanda; Bilaspur (CG)

E-mail : centralaiace@gmail.com ; Ph. 9907434051

Ref No. AIACE/CENTRAL/2023 / 037

Dated 28.6.2023

To

The Chairman,

Coal India Limited,

Coal Bhawan,

Premise No-04 MAR, Plot No-AF-III, Action Area-1A,

Newtown, Rajarhat, Kolkata-700156

Sub:- Non-Revision of CMPF Pension of the CIL Executives who retired during D A freezing Period 01.10.2020 upto 30.06.2021

Dear Sir,

Coal India Ltd. had frozen DA after 01.10.2020 up to 30.06.2021 during outbreak of Covid 19. Later, this DA was de-frozen w.e.f. 01.07.2021.

and revised (20.09 % to 23.02 %) by CIL by order no-CIL / C-5A (vi) / 50717 (exe) /B-790 dated 13/14 - 10-2022 . (Annexure -I)

and revised DA was considered for calculation of cash for lieu leaves and gratuity only

This has resulted in an anomaly in pension between executives who retired after 01.10.2020 up to 30.06.2021 and getting less pension and the executives with same basic pay but retired after 30.06.2021 (i.e. after withdrawal of freezing period of DA)

Here , it is deliberated that :

1. for fixation of pension of an executive , 25 % of average of (Basic + DA) of last 10 months of service is considered
2. as per CIL 's order DA was freezed after 01.10.2020 upto 30.06.2021 due to Covid 19
3. freezed DA rate (18.4 %) was considered for calculation of pension for executives who retired after 01.10.2020 upto 30.06.2021
4. later DA was de-freezed and revised (20.09 % to 23.02 %) by CIL by order no-CIL / C-5A (vi) / 50717 (exe) /B-790 dated 13/14 - 10-2022 w.e.f. 01.07.2021 and revised DA was considered for calculation of cash for lieu leaves and gratuity only
5. but same letter was silent on calculation of revised pension
6. as per CMPF pension rule pension once fixed remains fixed till death of the retired employee without addition of a single rupee
7. de-freezed rate of DA (20.09 % to 23.02 %) was considered for calculation of pension of excutives who retired after 30.06.2021
8. anomaly in pension occured between Executives of same Basic because of consideration of freezed DA (18.40 %) and de-freezed DA (20.09 % to 23.02 %)

Note:- for example we have taken of a specific case of Mr Udhaw Prasad Chief Manager (Mining), BCCL who retired on 31.07.2021 and Mr Jitendra Kumar Sinha Chief Manager (Mining), NCL who retired on 31.03.2022 having same scale of pay and same basic but getting different pension i.e. Rs 56178/- and 60960/- per month respectively . For ready reference their PPO copy and Pay Slips are being attached .

From the above example, it is very clear that the executives who retired during freezing period of DA are suffering a lot and getting less pension because benefit of de-freezing DA has not been given in their case.

Loss in pension of above mentioned executives will be of permanent nature if not revised on de-frozen DA rate at par with the executives who retired after 30.06.2021.

We request you to take up the matter with CIL/Coal Ministry (GOI) for issue of relevant order on pension in same line with that of leave encashment and gratuity.

Thanking You,



(P. K. SINGH RATHOR)

Principal General Secretary

Cc

The Coal Secretary, Govt of India.

DP/DT/DF/DM, CIL

CMD, subsidiary companies of CIL.

F. No. W-02/0038/2017-DPE (WC)-GL- I /21
 Government of India
 Ministry of Finance
 Department of Public Enterprises

Public Enterprises Bhawan,
 Block 14, CGO Complex, Lodi Road,
 New Delhi-110003,
 Date 20th July, 2021

OFFICE MEMORANDUM

Subject: - Payment of DA to the CDA pattern employees of CPSEs, drawing pay in 7th CPC pay scales.


The undersigned is directed to refer to this Department's O.M. No. W-02/0038/2017-DPE (WC) dated 28.04.2020 regarding freezing of Dearness Allowance to employees of Central Public Sector Enterprises (CPSEs) drawing CDA pay scales.

2. The DA payable to the employees drawing pay in 7th CPC pay scale shall be enhanced from the existing rate of 17% to 28% with effect from 01.07.2021. The increase subsumes the additional instalments arising on 01.01.2020, 01.07.2020 and 01.01.2021. The rate of Dearness Allowance for the period from 01.01.2020 till 30.06.2021 shall remain at 17%.

3. The payment of Dearness Allowance involving fractions of 50 paise and above may be rounded off to the next higher rupee and the fractions of less than 50 paise may be ignored.

4. These rates are applicable in the case of CDA employees whose pay have been revised with effect from 01.01.2016 as per DPE's O.M. dated 17.08.2017.


5. All administrative Ministries/Departments of Government of India are requested to bring this to the notice of Central Public Sector Enterprises under their administrative control for action at their end.


 (Samsul Haque)
 Under Secretary

To
 All administrative Ministries/Departments of the Government of India.

Copy to:

1. The Chief Executives of Central Public Sector Enterprises.
2. The Comptroller & Auditor General of India, 9 Deen Dayal Upadhyay Marg, New Delhi.
3. Financial Advisers in the Administrative Ministries.
4. Department of Expenditure, E-II Branch, North Block, New Delhi.
5. NIC, DPE with a request to upload this OM on the DPE website.


 (Samsul Haque)
 Under Secretary

No. W-02/0039/2017-DPE(WC)-GL-II/21

Government of India

Ministry of Finance

Department of Public Enterprises

Public Enterprises Bhawan
Block 14, CGO Complex,
Lodi Road, New Delhi-110003
Dated: 2nd August, 2021

OFFICE MEMORANDUM

Subject:- Board level and below Board level posts including Non-unionised supervisors in Central Public Sector Enterprises (CPSEs)- Revision of scales of pay w.e.f. 01.01.2017 – Payment of IDA at revised rates-regarding.

The undersigned is directed to refer to the para 7 and Annexure-III (B) of DPE's OM dated 03.08.2017 wherein the rates of DA payable to the Board level and below Board level executives and non-unionized supervisors of CPSEs have been indicated and DPE's OM No W-02/0039/2017-DPE(WC)- GL-XVI/20 dated 19.11.2020, wherein DA rates w.e.f. 01.10.2020 have been frozen for Executives and Non Unionised Supervisors of CPSEs following IDA pay pattern till 30.06.2021.

2. Accordingly, the rate of DA to the executives and non-unionized supervisors of CPSEs w.e.f. 01.07.2021 is increased from 18.4 % to 23.2% (Calculation Sheet is attached at Annexure). The increase subsumes the additional installments arising on 01.10.2020, 01.01.2021 and 01.04.2021. The rate of Dearness Allowance for the period from 01.10.2020 till 30.06.2021 shall remain at 18.4%.

3. The above rate of DA i.e. 23.2% would be applicable in the case of IDA employees who have been allowed revised pay scales (2017) as per DPE O.Ms. dated 03.08.2017, 04.08.2017 & 07.09.2017.

4. All administrative Ministries/Departments of the Government of India are requested to bring the foregoing to the notice of the CPSEs under their administrative control for necessary action at their end.



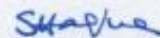
(Samsul Haque)
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5. NIC, DPE with the request to upload this OM on the DPE website.



(Samsul Haque)
Under Secretary

Calculation Sheet for Executives and Non-Unionized Supervisors Following 2017 IDA Pay Scales.

DUE DATE	Average of the Quarter	Link Point (Avg. AICPI of last available three months AICPI as on 01.01.2017)	Increase over Link Point	DA Rates	Remarks
01.10.2020	335.33	277.33	58	20.9	Actual DA rates during the freezing of DA period (01.10.2020 to 30.06.2021) is 18.4%. No Arrears would be allowed
01.01.2021	343.20	277.33	65.87	23.7	
01.04.2021	341.76	277.33	64.43	23.2	

No. 1(5)/E.V/2020
Government of India
Ministry of Finance
(Department of Expenditure)

North Block, New Delhi
Date the 7th September, 2021

OFFICE MEMORANDUM

Sub.: Central Government employees retired during the period from January, 2020 to June, 2021 – calculation of Gratuity and Cash payment in lieu of Leave – regarding.

The undersigned is directed to refer to this Ministry's O.M. No.1/1/2020-E.II(B) dated 23.04.2020, read with O.M. No.1/1/2020-E.II(B) dated 20.07.2021, in regard to payment of Dearness Allowance (DA) during the period from 01.01.2020 up to 30.06.2021 and to say that in terms thereof while the rate of DA during the said period shall remain at 17% of basic pay, the same has been enhanced to 28% of basic pay subsuming additional instalments arising on 01.01.2020(4%), 01.07.2020 (3%) & 01.01.2021(4%) payable w.e.f. 01.07.2021.

2. As per the existing provisions contained in Central Civil Services (Pension) Rules 1972, DA on the date of retirement or death is reckoned as emoluments for the purpose of calculation of gratuity. Also, as per the existing provisions contained in CCS (Leave) Rules 1972, pay admissible on the date of retirement plus DA on that are reckoned for the purpose of calculation of cash payment in lieu of leave.

3. In view of the provisions of the aforesaid orders of this Ministry dated 23.04.2020 and 20.07.2021, calculation of gratuity and cash payment in lieu of leave in respect of Central Government employees who retired on or after 01.01.2020 and up to 30.06.2021 are required to be made based on the rate of DA at 17% of basic pay.

4. Keeping in view that gratuity and cash payment in lieu of leave are one-time retirement benefits admissible to employees on retirement and employees who retired during the period from 01.01.2020 to 30.06.2021 have been allowed lesser amount than what would have been calculable but for the aforesaid orders of this Ministry dated 23.04.2020 and 20.07.2021, the matter has been considered sympathetically with a view to allowing the same to such employees.

5. Accordingly, the President is pleased to decide that in respect of Central Government employees who retired on or after 01.01.2020 and up to 30.06.2021,

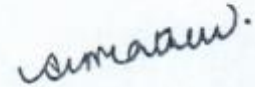
the amount of DA to be taken into account for calculation of gratuity and cash payment in lieu of leave will be deemed to be as under:-

Employees retiring during the period	Notional Percentage of Dearness Allowance (DA) for calculation purpose
From 01.01.2020 to 30.06.2020	21% of basic pay
From 01.07.2020 to 31.12.2020	24% of basic pay
From 01.01.2021 to 30.06.2021	28% of basic pay

6. All other conditions as stipulated in CCS (Pension) Rules 1972 and the orders of Department of Pension & PW vide O.M. No.7/5/2012-P&PW(F)/B dated 26.08.2016 in respect of employees borne on National Pension System (NPS) and CCS (Leave) Rules 1972, shall continue to be applicable while calculating gratuity and cash payment in lieu of leave respectively.

7. In their application to the persons belonging to India Audit and Accounts Department, these orders are issued under Article 148(5) of the Constitution and after consultation with the Comptroller and Auditor General of India.

8. Hindi version will follow.



(Annie G. Mathew)

Addl. Secretary to the Govt. of India

To

1. All the Ministries / Departments as per the standard Mailing list
2. C&AG of India
3. NIC

कोल इण्डिया लिमिटेड

महाराज कम्पनी
(भारत सरकार का एक उपक्रम),
"कोल भवन", कर्मिक विभाग, 2 तल,
प्रेमिसेस नं. 04 एम.ए.आर., प्लॉट नं. ए.एफ. 111,
अक्सन एरिआ-1ए, मिडु टाउन, राजारहाट,
कोलकाता-700156



Coal India Limited

A Maharatna Company
(A Govt. of India Enterprise)

"COAL BHAWAN"
PERSONNEL DIVISION, 2ND FLOOR,
PREMISES NO.04 MAR, PLOT NO.AF-III,
ACTION AREA-1A, NEW TOWN,
RAJARHAT, KOLKATA - 700 156, W.B.
CIN No.L23109WB1973GOI028844

(An ISO 9001:2015, ISO 14001:2015 & ISO 50001: 2011 Certified Company)

Ref. No. CIL/C-5A (vi)/50717 (Exe)/ **B-790**

Dated: 13.10.2022

OFFICE MEMORANDUM

Sub: Calculation of Gratuity and Cash payment in lieu of Leave following IDA pattern retired on or after 01.10.2020 and up to 30.06.2021

The calculation of Gratuity and Cash Payment in lieu of leave to CPSE employees IDA pattern who retired on or after 01.10.2020 and upto 30.06.2021 had been made in accordance with DPE OM No. 02/0039/2014-DPE(WC) dated 19.11.2020 in regard to payment of Dearness Allowance(DA) during the freezing period from 01.10.2020 upto 30.06.2021 as at the rate applicable w.e.f. 01.07.2020.

Subsequently, the Department of Public Enterprises vide OM No. W-02/0029/2021-DPE(WC)-GL-XI/21 dated 25.10.2021 has communicated that Gratuity and Cash Payment in lieu of leave are one time retirement benefits admissible to employees on retirement, thus, the employees who retired on or after 01.01.2020 and up to 30.06.2021, the amount of IDA to be taken into account for calculation of Gratuity and cash payment in lieu of leave shall deemed to be as under:-

Employees retiring during the period	Notional percentage of DA for calculation purpose
From 01.10.2020 to 31.12.2020	20.09% of Basic Pay
From 01.01.2021 to 31.03.2021	23.07% of Basic Pay
From 01.04.2021 to 30.06.2021	23.02% of Basic Pay

The above rates are applicable to employees, who have been allowed benefit of revised pay scale vide office Order No. CIL/C5A(PC)/Pay Revision 2017/2972 dated 08.08.2018 on IDA pattern of pay scales, Governed by DPE's O.M. dated 03.08.2017, 04.08.2017 & 07.09.2017.

This is issues with the approval of the Competent Authority.

K. Sumpureddi
14/10/22.
(Sumpureddi V. Ravindranath)
Chief Manager(P)/HOD(EE)

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- Director (T/CRD), CPMDIL, Ranchi.
- Director(PAW), SCCL, Singareni Colliery, P.O. Kothagudem, AP
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