ALL INDIA FORUM OF EX-SERVICEMEN IN PSEs

(Regd. No. 1767/2017)

AIFEPSEs

Tel/Mobile: +91 9390017192, Email: aifepse@gmail.com Web: www.allindiaforumofexservicemen.com

Affiliated to BMS

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(BDL-Hyderabad)

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Sri A. Sanivasan
Sri R.K. Mukherjee

Ref: AIFEPSEs/DPE/Accn/01 Date: 10th Mar 2023

To

Hon'ble Secretary email: secy-dpe[at]nic[dot]in
Department of Public Enterprises,
305, Block-14,CGO Complex
New Delhi-110011

Respected Sir,

Sub: Counting of Past Service and Pension Component for Determination of Entitlement of Married Accommodation for re-employed Ex-Servicemen in CPSEs - Reg.

Ref: i) Directorate of Estate OM No.12027/1/83-Pol. II dated 08 Jan 1992
ii) Dept of Revenue RTI reply dated 23 Jul 2014
iii) DPE RTI reply dated 11 Jan 2021

1) With due respect, All India Forum of Ex-Servicemen in PSEs (AIFEPSE) humbly brings the following facts to your notice for kind consideration and favourable Orders towards welfare of re-employed veteran soldiers please.

2) Welfare of Ex-Servicemen (ESM)have been utmost importance of the Government as it has a direct impact on morale of the serving Soldiers in view of their dedicated & self-less service to the Nation and early & compulsory retirement/release from active service at middle age bracket of 32 to 45 years when their financial and domestic responsibilities are at peak. Considering their problems and genuine grievances, the issue of their welfare has assumed greater initiative and concern from not only the Government Departments but from society at large too.

3) This Forum receiving huge number of grievances from ESM re-employed in various CPSEs being faced is non-allotment of eligible company provided married accommodation (Quarters) as the company Quarters are being allotted to them in CPSEs as per scale / re-employed post. Having grown up children and dependent parent, it is very difficult for them to manage spaces for study of

11/3/23

Contd....2/

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5-L, (3rd Floor), Pocket-2, DDA EHS Flat,
Mayur Vihar, Phase-3, Delhi - 110 096

Address for Correspondence:
49-284/3, 2nd Floor, Padmanagar Phase-1,
P.O: Balanagar Township, Hyderabad- 500 037

children and spaces for parents in allotted house which actually meant for fresher recruits. Directorate of Estate, Ministry of Housing and Urban Affairs vide ref (i) above has stated that *"past service rendered by an employee shall be counted for the purpose of determining the date of priority even if the officer has drawn terminal benefits like pension and gratuity and periods of break in service shall be deducted from the total of the past service for determination of date of priority"*(copy enclosed)

In respect of counting of pension components for determining of eligibility, it has ordered that "for the purpose of allotment of accommodation, notional pay of the past in which an official is re-employed shall be taken into account". This provision has been effective in all the government departments.

4) The members of this forum have approached their concerned CPSEs for effecting the clause of Directorate of Estates in determining eligibility for providing accommodation, but concerned CPSEs have declined the same citing non-availability of DPE guideline over the issue. An RTI reply form DPE vide ref (iii) above confirms the same. Ex-Servicemen re-employed in CPSEs are deprived of the benefit for past 28 years due to non-availability of the guideline with CPSEs. As the Department of Public Enterprises is the Nodal Agency for all the CPSEs and formulates policy matters pertaining to them, it is worthwhile that DPE should formulate/institute suitable guidelines over the issue for compliance by respective administrative departments of concerned CPSEs.

5) In the light of above facts, we request your kind honour to issue an Office Memorandum on Counting of Past Service and Pension Component for Determination of Entitlement of Married Accommodation for re-employed Ex-Servicemen in CPSEs which are having & providing married accommodation.

Jai Hind!

Sir, with profound Regards

Yours sincerely,

11/3/2023

S. Krishna Mohan
President
All India Forum of ESM in PSEs
Registration No. 1767/2017

ALL INDIA FORUM OF EX-SERVICEMEN IN PSEs
Regd. No 1767/2017

Encl: As mentioned in reference.

Copy submitted to:-

The Secretary, DESW MoD : For your kind intervention please.

No.12027/1/83-Pol. II
Government of India
Directorate of Estate
Deputy Director of Estates (Policy)

New Delhi, the 08 Jan 1992

OFFICE MEMORANDUM

Subject :- (1) Counting of past service in cases where the terminal benefits like pension/gratuity have already been availed by the person concerned and there is a break in service.
(2) Counting of pension components for determining of eligibility.
(3) Counting of the reservist pension drawn by an ex-servicemen for determination of entitlement of accommodation.

The undersigned is directed to say that following issues have been under consideration for some time past. It has not been decided as follows :-

1. Counting past service in cases where the terminal benefits like pension/gratuity have already been availed by the person concerned, contained in the Dte's. O.M No 12027(2)/72-Pol. II dated 19.9.72. As per existing instructions, the past service of an officer, who has any break in service for any reason whatsoever, is counted for the purpose of the priority date for allotment of accommodation from General Pool, only if he has been given the benefit of the past service for any of the purposes of confirmation, Quasi Permanency or Pension. But the concession is not available in case officers have drawn any terminal benefits (like civil/military pension/gratuity) other than the leave for the past service. Further if there are more than one breaks in his service the above benefit is available only in respect of continuous service rendered period to the last break. The matter has since been reviewed and it has now been decided that the past service rendered by an employee shall be counted for the purpose of determining the date of priority even if the officer has drawn terminal benefits like pension and gratuity and periods of break in service shall be deducted form the total of the past service for determination of date of priority.

2. Counting of pension components for determining of eligibility. In case of re-employment within the concessional period, the employees are allowed to retain the accommodation or are allotted higher/lower type of accommodation on the basis of their pay. Normally on re-employment the pay is fixed after deducting elements of basic pension from the pay of the past. It has now been decided that for the purpose of allotment of accommodation "notional pay of the past in which an official is re-employed shall be taken into account".

3. Counting of reservist pension drawn by an ex-servicemen for determination of entitlement of accommodation. It should be regulated in the same manner as in para 2 above.

4. Counting of the period of the past service for priority date for allotment of residential accommodation, where there is no break but pensionery benefits have been drawn. It is clarified that past service, where there is no break in service can be counted for determining date of priority under SR-317-B-2(i).

The pending cases may also be dealt with in accordance with these decisions.

Sd/x-x-x-x-x-x-x-x-x

(R. D. SAHAY)
DEPUTY DIRECTOR OF ESTATES (POLICY)

From

The Secretary,
House Allotment Committee,
Chandigarh.

To

i) The Home Secretary,
Chandigarh Administration.

ii) The Finance Secretary,
Chandigarh Administration.

iii) The Special Secretary Finance,
Chandigarh Administration.

iv) The Inspector General of Police,
Union Territory, Chandigarh.

v) The Commissioner,
Municipal Corporation, Chandigarh.

vi) The Zila Sainik Welfare Officer,
Union Territory, Chandigarh.

vii) All Heads of Departments/ Offices
of Chandigarh Administration.

Memo.No.A1/2008/ 15779-84
Dated, Chandigarh, the 5/11/2008

Subject:- (1) Counting of past service in cases where the terminal benefits like pension/gratuity have already been availed by the person concerned and there is a break in service.

(2) Counting of Pension components for determining of eligibility.

(3) Counting of the reservist pension drawn by an ex-servicemen for determination of entitlement of accommodation.

The matter regarding counting of past service in cases where the terminal benefits like pension/gratuity have already been availed by the person concerned and there is a break in service; Counting of Pension components for determining of eligibility; and Counting of the reservist pension drawn by an ex-servicemen for determination of entitlement of accommodation has been under consideration of this Administration for some time past.

H.E. the Administrator, Union Territory, Chandigarh, is pleased to accord approval to adopt the Letter No. 12027/1/83-Pol.II dated 8.1.1992 (Copy enclosed) issued by the Deputy Director of Estates (Policy) Govt. of India, Director of Estate, New Delhi, for implementation of the same in the Chandigarh Administration.

Kindly acknowledge its receipt.

DA/ As above.

Secretary,
House Allotment Committee,
Chandigarh Administration.

सरकार / GOVERNMENT OF INDIA
वित्त मंत्रालय / MINISTRY OF FINANCE
राजस्व विभाग / DEPARTMENT OF REVENUE

कार्यालय प्रिंसीपल मुख्य आयकर आयुक्त (स.नि.प्रा.)

OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF INCOMETAX (CCA)

आयकर भवन, होशंगाबाद रोड भोपाल– 462011 / AAYAKAR BHAVAN, HOSHANGABAD ROAD, BHOPAL-462011

Name & address of the Applicant	Shri Rakesh Kumar Patel Behind Jairam Kirana Stores Gali, Sudama Nagar,Tikrapara,Raipur (MP)
Date of Application	: 03.07.2014
Date on which application received	: 08.07.2014
Application No.	: 54/65
Date of order	: 23.07.2014

सूचना का अधिकार अधिनियम 2005 की धारा 7(1) के अंतर्गत आदेश

उक्त आदेश द्वारा सूचना के अधिकार अधिनियम 2005 के तहत प्राप्त आवेदन जो इस कार्यालय में दिनांक 08.07.2014 को प्राप्त किया गया था निपटान निम्न प्रकार से किया जा रहा है।

सं.	प्रश्न	उत्तर
1	क्या आवास आवंटन मे किसी भूतपूर्व सैनिक की पूर्व की सेवा की तारीख को सीधी भर्ती की सेवा की तारीख में जोडकर वरिष्ठता दी जाती है।	*"Counting of past service for priority in the case of re-employed personnels – It has now been decided that the past service rendered by an employee shall be counted for the purpose of determining the date of priority even if the officer has drawn terminal benefits like pension and gratuity and periods of break in service shall be deducted from the total of the past service for determination of date of priority."* [G.I. Derectorate of Estates, O.M. No. 12027/1/83-pol. II, dated the 8th January, 1992.]
2	यदि कोई व्यक्ति भूतपूर्व सैनिक है, उसकी भूतपूर्व सेवा की पदभार ग्रहण की तारीख 12.12.2000 है, सेवा निवृत्त होकर यदि वही कर्मचारी एसएससी की सीधी भर्ती के द्वारा चयनित होकर आयकर विभाग में 12.12.2012 को पदभार ग्रहण करता है तो आयकर विभाग के बने हुए आवास आवंटन हेतु उसकी सेवा की तारीख 12.12.2000 को मान्य किया जाएगा या 12.12.2012 को सेवा की तारीख के रूप में मान्य किया जाएगा।	As per Government of India order mentioned, above.

भोजा राम
जावक लिपिक
कार्यालय प्र. मु. आ. आ. भोपाल
23/7/14