

दूरभाष कार्यालय : 2511 4600
भारतीय विमानपत्तन प्राधिकरण
पूर्वी क्षेत्र, न.स.स.अ. विमानपत्तन, कोलकाता
संदर्भ संख्या.....
दिनांक



Tel. Office : 2511 4600
AIRPORTS AUTHORITY OF INDIA
Eastern Region, N S C B I Airport, Kolkata 57
AAI/ER/HR/RTI/2025
Ref. No. 23.01.2025
Date

INTRA OFFICE NOTE

Sub: **Application under Right to Information Act,2005- I.r.o. Shri Ashit Kumar Dutta (Reg. No. Nil dated Nil).**

Reference is made to your office letter no. AAI/ER/RTI/PIO/2025/12 dated 02.01.2025 regarding above-mentioned subject.

In this regard, the reply of the information sought by Shri Ashit Kumar Dutta is appended below:

Sl. No.	RTI Query	Reply
01.	<p>I wish to put forward the following details of my case and require information with regard to the non-payment of pending arrears of Govt. pension and the reason for non-payment under RTI Act 2005.</p> <p>I am a retired employee of Airports Authority of India retired from Kolkata and an absorbee of NAA/ AAI. I was made eligible for CCA pension on combined service from the date of my retirement that is 1.7.2011 vide MOCA letter No. AV 200036/805 2015.AAI.MOCA dated 3.4.2018.</p> <p>On the basis of this my current CCA pension started from 1.1.2019 onward with a note from RPO, Kolkata that the arrears of pension from 1.7.2011 to 31.12.2018 will be paid in due course. Before the start of CCA pension, I was inducted into EPFO pension scheme and was receiving pension.</p> <p>In accordance with the CCA pension rules, I was not entitled for dual pension so vide CHQ letter No. A 60011/54/CAD/ P. Cell/2019/HR/CHQ/209 dated 18.2.2019 issued for the stoppage of EPFO pension. Hence my EPFO pension was stopped.</p> <p>Further a detailed order was issued by CHQ Vide letter No.A60011/54/P.Cell(HR)/CHQ/3537 dated 20.3.2019 for settlement of CCS pension arrears at the earliest. Again, vide DO PPW letter No. 04/03/2022- P & PW(D) 58532 dated 7.2.2022 says in coordination with MOCA issued guidelines for early release of overdue pension arrears.</p> <p>In view of the above facts, I may please be informed about the reason for the non-payment of arrears of pending pension and what is the future of this arrears payment.</p> <p>I may please be informed.</p>	<p>The information sought for is in clarification form and does not come under the definition of 2(f) of RTI Act,2005.</p> <p>However, it is informed that CHQ, New Delhi vide letter No. A.6001154/54/CAD/P-Cell/2022/HR/CHQ /288 dated 17.05.2022 (copy enclosed) has intimated that those pensioners who have availed/availing EPFO Pension, MOCA has taken up the matter with Ministry of Labour (MoLE) for stoppage of EPF Pension of Govt. Pension optees as a special measure as no individual can draw two pensions.</p>

The above information is provided under the purview of RTI Act, 2005.

(Sushil Kumar Gupta) 23/01/25
General Manager (HR)-ER

To
The Public Information Officer, RHQ-ER, Kolkata



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आज़ादी का
अमृत महोत्सव

भारतीय विमानपत्तन प्राधिकरण
AIRPORTS AUTHORITY OF INDIA

No A.60011/54/CAD/P Cell/2022/HR/CHO/255

Most Urgent
By Scanned mail
17-05-2022

The Regional Executive Director
Airports Authority of India
Northern/Western/Eastern/Southern
Delhi/Mumbai/Kolkata/Chennai

The Airport Director
Kolkata/Chennai

The Executive Director
RCDU/CRSD/7IU

4351
23 MAY 2022

Sub: Payment of Govt. Pensionary Benefits to the employees transferred en-masse from erstwhile CAD/DGCA in 1989 to NAA/AAI with less than 10 years' service rendered in CAD/DGCA

Sir
Reference may please made to earlier office letter dated 20/01/2022 enclosing therewith copy of MOCA letter dated 06-01-2022 along with Minutes of meeting held on 05/01/2022 under the Chairmanship of JS&FA, MOCA regarding further modalities for implementation of Govt. Pensionary benefits to the employees transferred en-masse from erstwhile CAD/DGCA in erstwhile NAA/now AAI) as on 02/10/1989 and having less than 10 years service in CAD/DGCA

In this regard in r.o of cases where the pensioner has availed/availing EPF Pension, MoCA has taken up the matter with Ministry of Labour (MoLE) for stoppage of EPF Pension of Govt Pension optees as a special measure vide letter dated 11/01/2022 and 07/03/2022 (Copies enclosed). Any decision on processing of all such arrear and pension cases will be taken on receipt of decision from MoCA.

In all such cases where pensioners are neither receiving EPF nor Govt pensions PPO's for Govt pension should be issued on priority. In respect of cases where the pensioners are receiving only Govt pension, the arrears should not be withheld and certificate of non-receipt of EPFO pension should be furnished by the concerned offices to the PAO

It is requested that necessary instructions be passed to all concerned to process the pension and arrears cases of above cited category of employees in Para 3 above. Further since the MoCA has directed to submit a weekly progress report of the same, it is requested that a report of disposal of pension cases and arrears cases be emailed to nivedita@aa1.aero / anitakhullar@aa1.aero each on week on Friday



Yours faithfully
Nivedita Dubey
(Nivedita Dubey)
General Manager(HR)

Encl : As above.

राजीव गंधी भवन
Rajiv Gandhi Bhawan

सफरजंग हवाई अड्डा नई दिल्ली- 110003
Safdarjung Airport, New Delhi-110003

दूरभाष : 011-24832950
Phone : 011-24832950

JGM(HR)/MMA
MER(HR)/JGM
Madhvi
24/5/2022
24/5/2022

JGM(HR) used

JGM(HR)
S.K.K.
23.5.22

23 MAY 2022

100008872022R3/6 AM(NR)AI

No 1245/194/2021-F 1-MOCA (205886)

Government of India
Ministry of Civil Aviation
*****"B" Block, Rajiv Gandhi Bhawan
Safdarjung Airport, New Delhi
Dated the 11th January 2022**OFFICE MEMORANDUM**

Subject: Government pensionary benefit due to employees transferred en-masse from the erstwhile Civil Aviation Department (CAD)/ DGCA to AAI reg

The undersigned is directed to refer to the matter of Government pensionary benefits due to employees transferred en-masse from the erstwhile Civil Aviation Department (CAD)/ Directorate General of Civil Aviation (DGCA) to Airports Authority of India (AAI) with less than ten years of service at the time of absorption.

2 After exhaustive deliberations and consultations with the stakeholders in a meeting chaired by Secretary (CA) on 20.09.2017, it was decided that the Government employees absorbed in AAI who had rendered less than ten years of service at the time of absorption, shall be given an option for Government Pension. Prior to MoCA's decision, the employees who had already retired were receiving Employee Provident Fund (EPF) pension as admissible under AAI Rules.

3 It was further decided that those employees who opt for Government pension based on the combined service rendered in DGCA and NAA/AAI will not be eligible for any other Superannuation Benefit Schemes of AAI including EPF pension. Accordingly, upon issuance of Pension Payment Order (PPO) for Government Pension, AAI shall immediately take up the matter with Employee Provident Fund Organisation (EPFO) to ensure stoppage of the EPF Pension forthwith.

4 Accordingly AAI and DGCA started processing the pension cases for issuance of Govt PPO while simultaneously requesting EPFO to stop the EPF pension. EPFO had already stopped EPF pension in 443 such cases however in July 2021 EPFO conveyed that there are no provisions for stoppage of pension under EPF and MP Act, 1952 therefore all the concerned field offices have been instructed to restart the pension in respect of those cases, where pension has already been stopped by EPFO.

5 This has resulted in payment of double pensionary benefits to these absorbee pensioners of AAI. Among the pensioners receiving EPF pension, some of the pensioners have already been issued Govt. Pension PPO while for others the same is yet to be issued.

4 In this regard EPFO has been requested to reconsider its decision however EPFO has advised AAJ to issue Govt pension by adjusting the amount of EPF pension. The matter is also being taken up with the M/o Labour and Employment.

5 It is understood that in CCS (Pension) Rules 1972, there is no provision for dual pension exception being the Armed Forces Personnel and also that the reduction in Govt Pension to the disadvantage of employee is not allowed however till such time the EPF pension is stopped DoPPW may clarify whether it would be permissible that an amount equal to Govt pension minus EPF pension be paid as Govt pension. This includes both the cases where the pensioners are already in receipt of both the pensions i.e. EPF and Govt pension and the cases where EPF Pension is being paid and PPO for Govt pension is yet to issued/ sanctioned.

6 Keeping in view the sensitivity of the matter and undue suffering being caused to the retired employees, DoPPW is requested to accord priority to the matter and furnish its views to this Ministry **urgently**. A detailed background note in the matter has been enclosed for reference.

(Joyanta Chakraborty)
Director
Tel 2461 3300

Encl: As above

The Secretary (Pension)
Department of Pension & Pensioner's Welfare
(Kind Attn: Sh Charanjit Taneja, US (D))
Lok Nayak Bhawan, Khan Market,
New Delhi-110003

No 1245/194/2021-F I-MOCA (205886)

Government of India
Ministry of Civil Aviation

"B" Block, Rajiv Gandhi Bhawan
Safdarjung Airport, New Delhi
Dated, the 11th January 2022

OFFICE MEMORANDUM

Subject Government pensionary benefit due to employees transferred en-masse from the erstwhile Civil Aviation Department (CAD)/ DGCA to AAI- reg

The undersigned is directed to refer to the matter of Government pensionary benefits due to employees transferred en-masse from the erstwhile Civil Aviation Department (CAD)/ Directorate General of Civil Aviation (DGCA) to Airports Authority of India (AAI), with less than ten years of service at the time of absorption. A detailed background note in the matter is enclosed for reference

2 After exhaustive deliberations and consultations with the stakeholders, in a meeting chaired by Secretary (CA) on 20.09.2017, it was decided that the Government employees absorbed in AAI who had rendered less than ten years of service at the time of absorption, shall be given an option for Government Pension. Prior to MoCA's decision, the employees who had already retired were receiving Employee Provident Fund (EPF) pension as admissible under AAI Rules

3 It was further decided that those employees who opt for Government pension based on the combined service rendered in DGCA and NAA/AAI will not be eligible for any other Superannuation Benefit Schemes of AAI including EPF pension. Accordingly upon issuance of Pension Payment Order (PPO) for Government Pension AAI shall immediately take up the matter with Employee Provident Fund Organisation (EPFO) to ensure stoppage of the EPF Pension forthwith

4 Accordingly AAI and DGCA started processing the pension cases for issuance of Govt PPO while simultaneously requesting EPFO to stop the EPF pension. EPFO had already stopped EPF pension in 443 such cases, however in July 2021 EPFO suddenly conveyed that there are no provisions for stoppage of pension under EPF and MP Act, 1952 therefore, all the concerned field offices have been instructed to restart the pension in respect of those cases where pension has already been stopped by EPFO

5 This has resulted in payment of double pensionary benefits to these absorbed pensioners of AAI. Among the pensioners receiving EPF pension some of the pensioners have already been issued Govt. Pension PPO while for others, the same is yet to be issued

6 Since EPFO had earlier agreed to this arrangement considering which only the PPOs for Govt pension were issued EPFO was again requested to reconsider its decision, however EPFO has advised AAI to issue Govt pension by adjusting the amount of EPF pension. It is worth noting here that in CCS (Pension) Rules, 1972 there is no provision for dual pension exception being the Armed Forces Personnel and also the reduction in Govt Pension to the disadvantage of employee is not allowed.

7 It is also not out of context to bring to your kind attention the Order dated 05.12.2019 issued by Hon'ble High Court of Madras in WP 12228/2019 which is related to a similarly placed case. In the said WP the Hon'ble Court allowed the petitioner to forego the EPF pension and opt for family pension under the Tamil Nadu Pension Rules and also directed EPFO to stop the payment of pension under EPF family pension.

8 Considering the peculiarity of the instant case and keeping in view the instances as brought out at para 7 above Ministry of Labour and Employment is requested to take up the matter with EPFO to favorably consider the case and stop the payment of EPF pension to Government absorbees of AAI as a special measure.

9 Keeping in view the sensitivity of the matter and undue suffering being caused to the retired employees, M/o Labour and Employment is requested to accord priority to the matter and furnish comments to this Ministry urgently.

(Joyanta Chakraborty
Director
Tel: 246 0066)

Encl: As above

The Secretary (L&E)
Ministry of Labour and Employment
Shram Shakti Bhawan
Raj Marg, New Delhi-110001

109392/2022/O/o GM(HR)-II

Rubina Ali

संयुक्त सचिव



संयुक्त सचिव

नागर विमानन मंत्रालय

भारत सरकार

JOINT SECRETARY
MINISTRY OF CIVIL AVIATION
GOVERNMENT OF INDIA
7th March 2022

D.O. No.1245/194/2021-F.I-MOCA

Dear *Ms. Bhalla*,

I am writing to you regarding the matter of Government pensionary benefits, due to employees transferred en-masse in 1989 from the erstwhile Civil Aviation Department (CAD)/ Directorate General of Civil Aviation (DGCA) to Airports Authority of India (AAI), with less than ten years of service at the time of absorption.

In September 2017 a conscious decision was taken by this Ministry that an option for government pension be given to the Govt. employees absorbed in AAI (a PSU), with less than 10 years of service

Accordingly EPFO was requested to stop the EPF pension of such employees who opt for Government pensionary benefits. EPFO too, agreed for such arrangement and subsequently EPFO stopped the EPF pension in around 443 such cases.

However, in July 2021 EPFO suddenly conveyed that there are no provisions for stoppage of pension under EPF and MP Act, 1952 and denied the request of AAI for stoppage of pension. EPFO also issued instructions to all the concerned field offices to restart the pension in respect of those 443 cases, where pension has already been stopped by EPFO. This has resulted in payment of dual pensionary benefits to these absorbed pensioners and as per CCS Pension Rules, there is no such provision of dual pension the only exception being Armed Forces personnel.

A peculiar situation has arisen wherein the last employer (AAI) and the concerned retired employee both are requesting EPFO to stop the EPF pension but EPFO has expressed its inability to do so citing the extant rule position/provisions

This Ministry vide OM of even number dated 11.01.2022 and subsequent reminder dated 14.02.2022 had requested the Ministry of Labour to take up the matter with EPFO for stoppage of EPF pension to such employees as a special measure. However, a response is yet to be received in the matter

Keeping in view the sensitivity of the matter, I earnestly request you to direct the concerned officials to accord priority to the matter and if need be, arrange a meeting between EPFO and AAI to resolve this long pending issue.

With regards,

Yours sincerely,
Rubina Ali
(Rubina Ali)

Ms. Vibha Bhalla,
Joint Secretary,
Ministry of Labour & Employment



भारतीय विमानपत्तन प्राधिकरण
AIRPORTS AUTHORITY OF INDIA

No. AAI/ER/RTI/PIO/2025/70

Dated : 23/01/25

To
Shri Ashit Kumar Dutta,
Subject : Information under RTI Act. 2005.

Sir,

Reference is made to your RTI application dated Nil.

Enclosed herewith please find information which is received in respect of your above mentioned RTI application.

Encl : As above.

Sincerely Yours

(H.S. Biswas)

General Manager(CNS-ER)/PIO-RHQ-ER,
NSCBI Airport, Kolkata-52

However, if you are not satisfied with the reply/information, you have the option to file an appeal within 30 days from the date of receipt of reply/information to the First Appellate Authority. The details of First Appellate Authority is given below :

To

Smt Nivedita Dubey, RED(ER)/First Appellate Authority (FAA),
Airports Authority of India, Regional Head Quarters,
Eastern Region, N.S.C B.I. Airport, Kolkata-700 052.