

# INDIAN RAILWAYS TECHNICAL SUPERVISORS' ASSOCIATION

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No:IRTSA/Memo-13/1

Date:31.01.2024

The Secretary,  
Department of Personnel & Training,  
Ministry of Personnel, PG and Pensions.  
Government of India, North Block, New Delhi - 110 001

Respected Sir,

**Subject: Date of normal retirement on attaining superannuation age of 60 years. –  
Regarding employees whose date of birth is the first of a month and shall retire  
from service on the afternoon of the last day of the preceding month.**

**Ref:** 1) DoPT O.M. No DOPT-1669894287310, dated 01.12.2022.

2) Railway Board Master Circular No.35 (No.E(P&A)I-2019/RT-10, dated 09.09.2019.

- 1) We would like to bring to your notice the issue of employees made to retire/retiring one day earlier before attaining the age of superannuation.
- 2) Following DoPT's principle on Retirement age, Railways framed its retirement rules. F.R. 56-(a) says that, "except as otherwise provided in this Rule, or any other Rule or order for the time being in force, every Railway servant shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty years. **Provided that a Railway servant whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years**".
- 3) 3<sup>rd</sup> CPC in para 15 of Chapter-60 recommended that "We would further recommend, that the retirement of Government employees should take effect from the afternoon of the last day of the month in which the employee concerned attains the age of superannuation instead of the afternoon of the actual date of his superannuation. This would simplify accounting work in regard to the calculations of pay and allowances, average emoluments, qualifying service, etc. which would help in the speedy settlement of pension claims".
- 4) 3<sup>rd</sup> CPC has not given any recommendations on Government/Railway employees whose date of birth is the first of a month and shall retire from service on the afternoon of the last day of the preceding month on attaining the age of superannuation.
- 5) Employees having the date of birth on first of the month are retired/retiring one day before attaining the age of 60 years, while those having date of birth on any day from the second day of the month onwards, are retired/retiring on the last day of the month in which they have their date of birth. This is discriminatory & as such Pension Rules need to be amended in the interest of natural justice and providing for the retirement at the age 60. This also violates Article 39 of the Constitution of India which provides for equal pay for equal work.
- 6) Necessary action may please be initiated to remove the discrimination and to issue orders, that every Government/Railway employee shall retire from service on the afternoon of the last day of the month in which /she attains the age of sixty years.

Thank you in anticipation.

Copy to

- 1) Secretary, Administrative Reforms, Public Grievances, Pensions & Pensioners Welfare, 5<sup>th</sup> Floor, Sardar Patel Bhawan, Parliament Street, New Delhi - 110001.
- 2) Secretary Railway Board, 227-Rail Bhavan, Raisina Road, New Delhi – 110001

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