



# राष्ट्रीय बहुदिव्यांगता जन सशक्तिकरण संस्थान

(विकलांगजन सशक्तिकरण विभाग (दिव्यांगजन), सामाजिक न्याय और अधिकारिता मंत्रालय, भारत सरकार)

**National Institute for Empowerment of Persons with Multiple Disabilities (Divyangjan)**

(DEPARTMENT OF EMPOWERMENT OF PERSONS WITH DISABILITIES (DIVYANGJAN) MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT, GOVT. OF INDIA)

ईस्ट कोस्ट मार्ग, मुत्तुकाडु, कोवलम (पोस्ट), चेन्नै - ६०३ ११२, तमिलनाडु, भारत

East Coast Road, Muttukadu, Kovalam (Post), Chennai - 603 112, Tamilnadu, India

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No. NIEPMD/ (23) 45 EC /2021-22 /1186

29<sup>th</sup> November, 2021.

To

The Joint Secretary, (PS) & Chairperson EC  
DEPwD, MSJ&E, Govt. of India,  
5<sup>th</sup> Floor, Pt. Deendayal Antyodya Bhawan,  
CGO Complex, Lodhi road,  
New Delhi-110003.

Sub: 45<sup>th</sup> EC through circulation "Implementation of the Hon'ble Madras High Court Order in W.P No.19319/2010" - Regarding.

Ref: DEPwD vide letter no: N-805/1/2021-NI dated 29.10.2021

Respected Sir,

With reference to the above, it is to inform that as per the direction of DEPwD an agenda 45.01, was circulated among the members vide letter No. NIEPMD/(23) 45<sup>th</sup> EC/ 2021-22/1057 dated 1<sup>st</sup> November, 2021, with regard to the Implementation of the Hon'ble Madras High Court Order in W.P No.19319/2010 of Shri. G.Arunagiri, Asst Professor (Rtd), NIEPMD.

The observations of the members are as follow:

S.No	Name of the member	Observations
1	Ms. Kusum Gupta, Member	Approved through email. Copy enclosed.
2	Shri. S. Govindaraj, Member	Approved through e-mail. Copy enclosed.
3	Deputy Secretary (NI), Member	Approved vide lr. F. No. N-805/1/2021-NI dt. 11.11.21
4	Shri. Sanjay Pandey, JS FA, Member	Through email dated 16-11-21 has submitted his remarks: "May see the decision taken in MoM dated 20.03.2007 that reemployed persons are covered under NPS or CPF if that is applicable. NI Division need to examine why this was not followed in all cases and reported to court"

टेली फॅक्स Fax : 044-27472389 Tel: 044-27472104, 27472113, 27472046, 27472423

ई-मेल E-mail: niepmd@gmail.com | Website: www.niepmd.tn.nic.in

टोल फ्री : १८०० ४२५ ०३४५ | Toll Free No. 1800 425 0345

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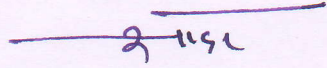


With reference to the remarks of the Joint Secretary (FA) the following is submitted:

1. Shri.G.Arunagiri was relieved from RRTC on 09.02.2004 vide ltr no: RRTC/Mds/04-140,141,142 dated 09.02.2004 and was attached with NIOH. He joined NIOH on 16.02.2004 where he had continued with CPF scheme as NIOH had the provision.
2. He was redeployed to NIEPMD Chennai vide Lr.No. NIOH/Recruit/03/424(11) dated 20.04.2006. He joined NIEPMD on 22.04.2006 and superannuated on 31.05.2007.
3. NIEPMD was established in the year 2006 and did not have CPF A/c. The accumulated amount of CPF in the account of Shri G.Arunagiri received from NIOH was returned to Shri G.Arunagiri.
4. A Government Employee at any point of time in service should be covered under any pension scheme, Shri G Arunagiri was put under NPS at NIEPMD as NIEPMD had only NPS then.
5. After superannuation, Shri G.Arunagiri filed a Writ Petition in the Hon'ble Madras High Court claiming for gratuity, pension and other terminal benefits.
6. As per OM dated 01.05.1987 issued by The Ministry of Personnel, Public Grievance & Pension, New Delhi wherein *it was clearly stipulated that all CPF beneficiaries in service on January 1, 1986 and who were in service at that time, should be deemed to have come over to the pension scheme on that date unless they specifically opt out to continue under the CPF.*
7. Shri G.Arunagiri submits in his affidavit that he has not given the option to continue with CPF Scheme.
8. Based upon the plea and the case of Smt Nirmala Venkateswaran who was also a RRTC employee, the Hon'ble Madras High Court has ordered to pay pension and gratuity to Shri G.Arunagiri.

Submitted for kind perusal and necessary orders please.

Thanking You,





Yours faithfully,

  
(Nachiketa Rout)  
Director.

Encl: (four pages)





**NIEPMD - 45 EC agenda through Circulation - submitted**

3 messages

National Institute for Multiple Disabilities <niepmd@gmail.com>  
To: kusumgupta007@gmail.com

Mon, Nov 1, 2021 at 5:5

- 45 Agenda .docx
- 45 EC agenda - submission and remarks of member...
- 45 Ec to Ms Kusum G.pdf
- Annexure 9.PDF
- Annexures 1 to 8.PDF

Madam,  
PFA on the aforementioned subject  
Thanking you,  
(Nachiketa Rout)  
Director

Kusum Gupta <kusumgupta007@gmail.com>  
To: National Institute for Multiple Disabilities <niepmd@gmail.com>

Tue, Nov 2, 2021 at 2:27

Sir,  
The agenda item is approved  
Regards

Kusum Gupta  
[Quoted text hidden]

Kusum Gupta <kusumgupta007@gmail.com>  
To: National Institute for Multiple Disabilities <niepmd@gmail.com>

Tue, Nov 9, 2021 at 4:50

Respected Sir,  
[Quoted text hidden]

①



**Via email**



सत्यमेव जयते

**F. No. N-805/1/2021-NI**  
**Government of India**  
**Ministry of Social Justice & Empowerment**  
**Department of Empowerment of Persons with Disabilities**

5th Floor, Pt. Deendayal Antyodaya Bhawan, CGO Complex,  
Lodhi Road, New Delhi - 110003. Dated 11.11.2021

To,

Shri Nachiketa Rout,  
Director, NIEPMD, Chennai.

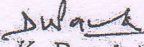
Sub: 45<sup>th</sup> EC meeting of NIEPMD, Chennai - submission of agenda item through  
circulation - reg.

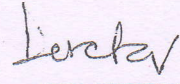
Sir,

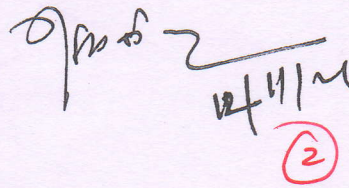
I am directed to refer to your letter No. NIEPMD/(23)45<sup>th</sup> EC/2021-22/1058 dated 01.11.2021 on the subject mentioned above and to say that subject to the accuracy of the facts as brought forth, DS(NI) has given his consent as Member, EC - NIEPMD to implement the Hon'ble High Court order.

2. It is requested that the agenda may be again submitted for consideration of Chairperson, EC - NIEPMD along with views of all members of EC.

Yours faithfully,

  
(D. K. Panda)  
Under Secretary (NI)



  
12/11/21  
②





NATIONAL INSTITUTE FOR EMPOWERMENT OF PERSONS WITH MULTIPLE DISABILITIES (Divyangjan)

(Dept. of Empowerment of Persons with Disabilities (Divyangjan),  
Ministry of Social Justice & Empowerment, Govt. of India)  
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Tamil Nadu - India. Phone: 044 - 27472046, 27472104, 27472113, 27472423  
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Toll Free No: 18004250345.



45th EC of NIEPMD  
Remarks of the members of EC:

(1) 45.01. Permission to implement the high court order in respect of Shri.Arjunagiri

S.No	Name	Designation	Remarks	Signature
1	Dr. Prabodh Seth, JS(PS)	Chairperson		
2	Shri Sanjay Pandey JS FA	Member		
3	Shri. KVS Rao, Director, DEPW/D	Member		
4	Shri. S. Govinda Raj, Director, Swami Vivekananda Vidya Mandir group of Institutions, Madurai	Member	Approved	
5	Ms. Kusum Gupta, 2nd Floor, D-80 Pushpanjali Complex, Pitampura, New Delhi	Member		
6	Shri. Nachiketa Rout, Director, NIEPMD	Member Secretary	Approved	

4532 free



**Direction of DEPwD to place the issue of Implementation of the order of Madras High Court iro shri. Arunagiri**

2 messages

National Institute for Multiple Disabilities <niepmd@gmail.com>  
To: Jsfa-mosje@gov.in, Mr Sanjay Pandey <s\_pandey@gov.in>  
Cc: Awanish Kumar Awasthi <jsda-msje@nic.in>  
Bcc: National Institutes <sonisection@gmail.com>

Thu, Nov 25, 2021 at 6:48

Respected Sir,  
PFA on the aforementioned subject  
Thanking you,  
(Nachiketa Rout)  
Director



3 attachments

- Shri.Arunagiri 45th EC .pdf  
2027K
- minutes of the meeting.PDF  
4186K
- Arunagiri Counter Affidavit .docx  
12849K

Mr Sanjay Pandey <s\_pandey@gov.in>  
To: niepmd@gmail.com  
Cc: "Sh.Sanjay Pandey" <Jsfa-mosje@gov.in>, Mr Prabodh Seth <jsda-msje@nic.in>

Fri, Nov 26, 2021 at 10:51 AM

May see the decision taken in MoM dated 20.03.2007 that reemployed persons are covered under NPS or CPF if that is applicable. NI Division need to examine why this was not followed in all cases and reported to court.

**SANJAY PANDEY**  
Joint Secretary & Financial Adviser  
Ministry of Social Justice & Empowerment  
Government of India

From: niepmd@gmail.com  
To: "Sh.Sanjay Pandey" <Jsfa-mosje@gov.in>, "Mr Sanjay Pandey" <s\_pandey@gov.in>  
Cc: "Mr Prabodh Seth" <jsda-msje@nic.in>  
Sent: Thursday, November 25, 2021 6:48:08 PM  
Subject: Direction of DEPwD to place the issue of Implementation of the order of Madras High Court iro shri. Arunagiri  
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