

From
S.Manikumar,
LSG Sub Postmaster,
Tiruvannamalai Division,
Tiruvannamalai -66060

To
The CPMG
Tamil Nadu circle,
Chennai -600002.

(Through: Proper Channel)

Respected Madam,

Subject: Coverage under CCS (Pension) Rules 1972 in the place of NPS
in respect of employees recruited out of the recruitment
process initiated before 22.12.2003- regarding

Reference:

1. DOPT OM No. 57/05/2021-P &PW(B) dated 03.03.2023.
2. My representation dated 12.5.23 to SPOs Tiruvannamalai
3. SPOs Tiruvannamalai letter dtd 2.8.23
- (4). CPMG ,TN Circle Circular no REP/2-2/2003/ADR
Dated 10/13.11.2003**
- (5) Hon`ble CAT Ernakulam Common Order pronounced on
16.09.2025 in multiple OAs in 180/01063/2018 &**
6. SPOs , Tvmalai memo no B4/2-2 dated 19.4.2005 (selection order)

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I humbly pray to submit the following my representation below for your
Erudite –self for judicious consideration and favorable orders.

I was appointed as PA w.e.f..... based upon the recruitment process
against the vacancies of 2002. Consequent upon the issuance clarified
instructions on the coverage of definite issued vide DOPT OM NO : 57/05/2021-P
&Pw(B) dated 3.3.23(ref 1) , I represented to the SPOs Tiruvannamalai division
to approve the applicability of definite pension scheme under ccs pension rule
1972 vide my letter dated 12.05.2023 (ref 2)

My plea has been in consonance with facts behind the recruitment process involved in assessment of vacancies of ADR plan under optimisation of direct recruitment that has come in to force from 2002 in our department. The vacancies of 2002 was taken in to account as per the screening and approval by the by the Nodal ministry and was notified by the Directorate in November 2003 well before the cutoff date meant for coverage of definite pension i.e 22.12.2003

But to my ill fortune my request was rejected by my SPOs vide reference IV (a copy of which is enclosed) As could be seen from the para 4 of the DOPT OM is cited for the denial of request adducing the reason recruitment of 2002 vacancies in which I was recruited was advertised after 1.1.2004 that ended in the selection subsequently .

The notification/ advertisement that was depicted in DOPT om dtd 3.3.23 has been considered as one and the same integral act to mark the beginning of the recruitment process to allow the coverage entitlement on or before the cut off date i.e 22.12.2003. My request has therefore been denied in as much as the advertisement for the 2002 vacancies was given in media after the cutoff date(22.12.2003).

The distinction of 'notification/advertisement ' as two separate entities in succession of the process has been misread and misconstrued to deny my request .the distinction of the notification and advertisement has not been considered as two actions for the same cause in the process of recruitment attributable in different points t of time. The advent of the “process of recruitment” is therefore related to the earliest compliance of the act that set the process of recruitment to begin with regardless the various stages that was to follow .

We are hapless and in dejection as to how to move forward our legitimate claim due to lack of authoritative interpretation to the uphold real intent of spirit of the stipulation set out in in para 4 of DOPT om cited under ref 1.

Now the Hon.CAT Ernakulam Kerala by the way of verdict delivered on 16.09.2025 in the OAs 180/01063/2018; 180/00238/2024; 180/00247/2024; 180/00265/2024; 180/00268/2024; 180/00331/2024 & 180/00363/2024 has given a clear depiction and interpretation to the cohesive character of 'notifications/ advertisement' as different act in a string in process of any given recruitment.

The statutory interpretation, thus rendered in the said CAT orders (ref 5),judicial orders are with **purposive approach** and stand to distinguish the notification of the recruitment process preceded the advertisement and the process of the recruitment is factually commence with earlier action to advertisement in public.

This statutory interpretation is with purposive approach enabling the content of a law to fulfill the intent or purpose underlying the purpose of law meant for all recruitment process. It is therefore the applicability of para 4 is at rem. and at large enabling the entitled ones to derive the legitimate benefits .

I may kindly be permitted to humbly submit that the recruitment process of my case is against the vacancies of 2002 and was duly notified to all divisions with instruction to initiate the process of recruitment with vide the notification of CO circular dated 15.11.03 (ref 4) instructing the commencement of recruitment against ADR screened vacancies by notifying the a the division wise vacancies . The other steps of process have taken place subsequently ending up in my appointment IN 2005 .But the truth that the recruitment process began in the notification of CPMG (vide ref 4) as per the directives of the DTE before 22.12.03 is indisputable and to be considered in tandem with CAT interpretation and judgment .

My appointment order (vide reference 6) issued relating to the vacancies of 2002 is attached. Being the first in selection list I have been recruited among the three vacancies notified initially as 2002 ADR vacancies in CO circular vide ref 4

In view of the fact that the recruitment process in which I was selected commenced before 22.12.2003 and i deference to para 4 of Dopt om DTD 3.3.23 I humbly request your Kindself to cause to extend definite pension (old pension scheme under ccs pension rule 1972) to me. I further express my consent to abide

all the stipulations set out on the subject in the transition from NPS to OPS and undertake to credit accumulation of Govt. contribution given so far