

No.A-11013/1/2005-Admn.II/Absorption Cell (P&T BWS)
Ministry of Communications & Information Technology
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road,
New Delhi-110001

August 26, 2008

Subject: Calling of Option for Absorption of Group 'A' officers of P&T Building Works (Group A) Service in MTNL/BSNL.

1. Please find enclosed, a copy of option form (**Annexure-I**), form showing the service particulars of optees (**Annexure-II**) along with the general terms and conditions (**Annexure-III**) for exercising option for absorption in MTNL/BSNL by Group 'A' officers of P&T Building Works (Group A) Service (hereinafter called P&T BWS).

2. This option for absorption in MTNL/BSNL is being called from the following officers of P&T BWS:-

2.1 All serving Group 'A' P&T BWS officers on the regular establishment who were transferred to MTNL/BSNL on deemed deputation basis as well as from those working in DoT, Department of Posts (DoP) and those on deputation with organizations other than BSNL and MTNL and who were on the rolls of DOT/DTS/DTO/DOP as on 30.9.2000.

2.2 All officers who have retired since 1.10.2000

3. The effective date of absorption will be 1.10.2000.

4. Officers working/retired in MTNL/BSNL shall give their options through their concerned Circle/Unit head. The Circle/Unit head will consolidate and forward such options received in the Circle/Unit to the Corporate Office in MTNL/BSNL. The Corporate Offices of MTNL/BSNL shall send the consolidated options to the Senior DDG (BW), DoT. Similarly, Department of Posts shall send consolidated options in respect of officers working/retired in that Department to Sr.DDG(BW), DoT. Officers who are working/retired in DoT or those who are on deputation (excluding MTNL/BSNL) shall give their options directly to Sr.DDG(BW), DoT.

5. The schedule for seeking and giving options is as follows:

5.1 Issue of letter on 26.08.2008 calling for option by DoT headquarters to the Corporate Offices of MTNL & BSNL, Department of Posts and the Sr. DDG (BW), DoT.

5.2 Receipt of letter on 27.08.2008 in Corporate offices of MTNL & BSNL, Department of Posts and the Sr. DDG (BW), DoT.

A. Schedule for Officers Working/Retired from BSNL/MTNL:-

5.3 Dispatch of Letter by the Corporate Offices to the Circle/Units of MTNL & BSNL – **by 01.09.2008.**

5.4 Receipt of letter by Circle/Units of MTNL & BSNL - **by 08.09.2008.**

5.5 Dispatch of letter by Circle/Units of MTNL & BSNL to P&T BWS officers on deemed deputation to MTNL & BSNL and those who have retired from MTNL&BSNL asking them to exercise their option - **by 11.09.2008.** This letter should mention that the officers should ensure that their option reaches the Circle/Units **within five weeks from the date of dispatch i.e by 16.10.2008.**

5.6 Circle/Units of MTNL/BSNL will **consolidate the options received as per pro forma** enclosed (**Annexure-IV**) and forward the same to Corporate office - **by 27.10.2008.**

5.7 Receipt of option forms by the Corporate offices of MTNL & BSNL - **by 03.11.2008.**

5.8 Forwarding of option forms by Corporate offices **after consolidation as per pro forma** enclosed (**Annexure-V**) to Sr.DDG(BW) of DoT – **by 06.11.2008.**

B. Schedule for Officers Working/Retired in DoT and those on Deputation to other Organizations:-

5.9 Dispatch of letter by concerned Unit under Sr.DDG (BW) directly to (i) officers working/retired in DoT and (ii) to the other Departments/borrowing organisations where they have been sent on deputation asking them to exercise their option - **by 01.09.2008.** This letter should mention that the officers should ensure that their option reaches the Sr.DDG (BW) of DoT **within five weeks from the date of dispatch i.e. by 6.10.2008.**

5.10 Concerned Unit under Sr.DDG (BW) of DoT will consolidate the options received as per pro forma enclosed (**Annexure-VI**).

C. Consolidation of Option Forms and Submission to Allocation Committee:-

5.11 Concerned Unit under Sr.DDG (BW) of DoT will **consolidate the option forms** and **submit the same** to the Allocation Committee of DoT (as mentioned in para 15 below) by **13.10.2008 in respect of officers working/retired in DoT and those on deputation to other organizations excepting MTNL & BSNL** and by **14.11.2008 in respect of officers working/retired in MTNL & BSNL.**

Note: The Department of Posts may also follow mutatis mutandis the time schedule as indicated above in para 5.3 to 5.8 and receive the option forms from officers from their Circles/Units as well as Headquarters, etc.

6. The Option Form as well as the Terms and Conditions of absorption **have been put on the website of DoT at url: www.dot.gov.in.** This posting will be considered adequate for the purpose of notice.

7. Four copies of the option form numbered 1 to 4 with one set of general terms and conditions will be sent to each Group 'A' officer (by Circles/Units of MTNL/BSNL/DoP and the concerned Units under Sr.DDG (BW) of DoT as the case may be). The officer may also obtain the option form and the terms and conditions of

absorption from the website mentioned above. The Officers shall submit their options to concerned Circle/Unit or to Sr.DDG(BW) of DoT, as the case may be. If the officer is on deputation to a borrowing organization (other than MTNL/BSNL), he/she will submit the option to the concerned department of that organization. The concerned Circle/Unit Heads will forward the list of optees with their option and the number of available posts in the cadre/grade to the Corporate Office of MTNL/BSNL along with the copies of the option form duly acknowledged by the concerned officer. In case of the officer on deputation to the borrowing organization other than MTNL/BSNL, that organization will do likewise and send consolidated information to Sr.DDG(BW) in DoT.

8. All the four copies of the option form will be got filled from each officer and dealt with as follows:

8.1 1st copy to be acknowledged by an officer not below the grade equivalent of Sr. Time Scale (CDA) as designated by CGM/Unit Head, as the case may be and returned to the optee.

8.2 2nd copy to go to the service book of the concerned officer.

8.3 3rd and 4th copies to be sent to Corporate Office of MTNL/BSNL/DoP. The Corporate Office/DoP shall retain the 3rd copy for their record and forward the 4th copy to the Sr. DDG(BW) in DOT Headquarters

8.4 For P&T BWS officers in DoT: Acknowledgement will be issued by concerned Units under Sr.DDG(BW) in DoT. Rest as above, mutatis mutandis.

8.5 For P&T BWS Officers on deputation to borrowing organization (other than MTNL/BSNL): Acknowledgement will be issued by the concerned department of the borrowing organization. Rest as above, mutatis mutandis.

9. The option once exercised shall be final and will not be allowed to be withdrawn by the concerned officer at a later stage.

10. Officers not exercising any option as prescribed will be deemed to have opted for Government service. No conditional option shall be accepted and any such offer shall be treated as if the officer has not exercised option for absorption in MTNL/BSNL.

11. The Corporate Office of MTNL/BSNL would intimate the list of officers against whom disciplinary/vigilance cases are pending along with details thereof. Similarly Sr.DDG(BW) in DOT will obtain the details from Sr. DDG (Vigilance).

12. DoT will consider the option exercised by Group 'A' officers along with the availability of posts in MTNL/BSNL and the personnel requirement of these organizations and make final allocation of officers to MTNL/BSNL or retention in DOT/DoP depending on the organizational needs and public interest. The decision of DOT in this regard shall be final and binding on the officer. MTNL/BSNL would absorb optees as would be allocated by DOT.

13. The "General Terms and Conditions for absorption of Group 'A' officers in MTNL/BSNL" are enclosed with the Option Form and will form part of it.

14. The IDA pay scales in MTNL/BSNL would be fixed as contained in the "General Terms and Conditions for absorption of Group 'A' officers in MTNL/BSNL" as mentioned in para 13 above and enclosed with the Option Form to be filled in by the officer concerned.

15. Allocation Committee: **Sr.DDG(BW) of the DoT shall put all the options received by it to the "Allocation Committee"** consisting of Member (Services) as Chairman, Member (Finance) and Additional (Secretary (T) as members. **Sr.DDG(BW) of the DoT will service the Allocation Committee.** The Allocation Committee will deliberate on the options and recommend allocation of officers to MTNL/BSNL. The Allocation Committee will submit its recommendations through Chairman Telecom Commission and Secretary, DOT to Minister C&IT for final decision.

16. Any difficulty in interpreting any term or condition enclosed with the Option Form would be deliberated upon by the Allocation Committee and the decision in DoT will be final.

17. This letter is not applicable to such Group A officers in respect of whom the absorption process has been stayed by court of law. Even such officers can exercise option, in case they choose to withdraw the court case.

18. This letter does not re-open the absorption process in case of already absorbed Group A officers except for the purposes of incentives/benefits stated in the General Terms and Conditions for absorption. However, such (absorbed) officers will not be allowed an option to retain government pay scale i.e. CDA pay scale till their promotion/retirement (whichever is earlier) as per para 4 of Department of Pension & Pensioners' Welfare O.M No.4/18/87-P&PW(D) dated the 5th July, 1989.

19. All concerned will take action in the matter expeditiously so that the absorption process is completed by 8th December, 2008 positively.

Sd/-
(D.C. MADAN)
Under Secretary to the Govt. of India
T.No.23372100/23036058

Encl: As above

To

1. **Members of Telecom Commission**
2. **Secretary, D/o Posts**
3. **CMD-MTNL**
4. **CMD-BSNL**
5. **Sr.DDG(BW), DoT**

Copy for information to:

PS to Hon'ble MoC&IT/PS to Hon'ble MoS (C&IT)/PS to Secretary, DoT, Sr. PPS to Additional Secretary/PS to Joint Secretary (T)

Annexure-I

To

The Secretary to the Govt. of India
 Ministry of Communications & Information Technology
 Department of Telecommunications
 Sanchar Bhawan, 20 Ashoka Road,
 New Delhi-110001

(THROUGH PROPER CHANNEL)

Sub: Option Form for absorption in MTNL/BSNL/retention Government status for Group 'A' Officers

Ref: DOT's letter No.A-11013/1/2005-Admn.II (P&T BWS) dated 26th August, 2008
 (For P&T BWS (Group A) Officers)

Sir,

With reference to the above letter I am to state that: -

1 I have carefully gone through the terms and conditions of permanent absorption in the regular services of MTNL/BSNL, have understood them and accept the same.

2. My particulars given in the attached pro forma are correct to the best of my knowledge.

3. I hereby opt for permanent absorption in MTNL/BSNL in the following orders of preferences: -

- A i) -----
 ii) -----

OR

B I want to continue in Government Service.

Date.....

Yours faithfully

Signature.....
 Name & Designation.....
 Staff No (Put 'X', if NA).....
 Present Office/Deptt.....
 Circle/Unit/Division.....

Contd.....

Note:

- i) This option form will be filled in quadruplicate
- ii) 1st copy to be acknowledged by an officer not below the grade equivalent of Sr. Time Scale (CDA) as designated by CGM/Unit Head, as the case may be and returned to the optee.
- iii) 2nd copy to go to the service book of the concerned officer.
- iv) 3rd and 4th copies to be sent to Corporate Office of MTNL/BSNL. The Corporate Office shall retain the 3rd copy for their record and forward the 4th copy to the Sr.DDG(BW) in DOT Headquarters. In the case of deputationists or officers in DOT, the same may follow mutatis mutandis.
- v) Conditional option shall not be accepted.
- vi) If option at `A` above is indicated, it will be assumed that the officer has opted for absorption.
- vii) If `A` above is left blank, option as per B above will be assumed.

(TO BE FILLED BY THE CONTROLLING OFFICER)

No.....

Dated.....

The above option form duly completed and signed by the above named officer forwarded for onward transmission to DOT through proper channel for further necessary action. A copy of the form has been returned to the above officer after acknowledgement.

Date.....

Signature.....

Name.....
 Designation
 Office/Deptt.....
 Circle/Unit/Division.....

To

Deptt. of Telecom (Through proper channel as prescribed)

Annexure-II

FORM SHOWING THE SERVICE PARTICULAR OF OPTees (From serving as well as retired officers)

(All columns are to be filled up. Wherever not applicable write N/A)

1. NAME IN FULL
2. MALE/FEMALE
3. FATHER'S NAME:
4. STAFF NO:
5. DATE OF BIRTH:
6. DATE OF SUPERANNUATION:
7. EDUCATIONAL QUALIFICATION:
8. DATE OF FIRST APPOINTMENT
9. NAME OF POST/GRADE OF FIRST APPOINTMENT
10. NAME OF POST/GRADE PRESENTLY HELD:

Post Dt.of promotion

- A) ON ADHOC OR LOCAL OFFICIATING BASIS:
- B) ON REGULAR BASIS (SUBSTANTIVE GRADE)
11. NAME OF POST/GRADE HELD ON 30.9.2000:
- A. ON ADHOC OR LOCAL OFFICIATING BASIS:
- B. ON REGULAR BASIS (SUBSTANTIVE GRADE)

Signature.....
 Name & Designation.....
 Staff No.....
 Present Office.....
 Unit of Posting.....
 Circle/Unit/Division.....

 Countersigned by controlling officer

Signature.....
 Name
 Designation.....
 Date:.....

Verified by AO (Pay)

Certified that particulars given by the officer concerned have been verified from the service book and found correct.

Signature.....
 Name.....

No.A-11013/1/2005-Admn.II/Absorption Cell (P&T BWS)
 Ministry of Communications & Information Technology
 Department of Telecommunications
 Sanchar Bhawan, 20 Ashoka Road,
 New Delhi-110001

**GENERAL TERMS AND CONDITIONS FOR EXERCISING OPTION FOR
 ABSORPTION IN MTNL/BSNL BY GROUP A OFFICERS**

Sub: **Calling of Option for Absorption of Group 'A' Officers of P&T Building Works Service in MTNL/BSNL.**

Option of Officers for Absorption in MTNL/BSNL:

1. The option can be exercised by Group A officers borne on the regular establishment and belonging to P&T BW Service.
2. The option once exercised shall be final and will not be allowed to be withdrawn by the concerned officer at a later stage. No officer shall give any conditional option.
3. Absorption of officers facing disciplinary/vigilance cases will be decided by the "Allocation Committee" consisting of Member (Services) as Chairman, Member (Finance) and Additional Secretary (T) as its members. Sr. DDG (BW) of the DoT will service the Allocation Committee.

Allocation/Absorption orders:

4. DoT will consider the option given by Group 'A' officers along with the availability of posts in MTNL/BSNL and the personnel requirement of these organizations and make final allocation of officers to MTNL or BSNL or retention in DoT/DoP depending on the organizational needs and public interest. While ordinarily officers will be absorbed in BSNL/MTNL as per their first choice, it is possible that other considerations such as working strength, seniority, etc., may come into play. The decision of DOT in this regard shall be final and binding on the officer. MTNL/BSNL would absorb optees as would be allocated by DoT.

5. The effective date of absorption will be 1.10.2000.

6. Changeover to IDA Pay scale:

6.1 On absorption, pay of Group 'A' officers shall be fixed in IDA pay scales. However, such officers will have an option to retain Government pay scale, i.e. CDA pay scale till their promotion or retirement, whichever is earlier.

6.2 The IDA pay scales will be effective from 1.10.2000 except in the case of officers opting for Government pay scale i.e. CDA pay scale till their promotion or retirement, whichever is earlier.

6.3 On absorption, the corresponding IDA pay scales in MTNL/BSNL would be as under:

FOR MTNL

Sl.No.	Existing CDA pay scale	Corresponding IDA pay scale
1.	22400-525-24500	25000-650-30200
2.	18400-500-22400	23750-600-28550
3.	14300-400-18300	18500-450-23900(E7)
4.	12000-375-16500	17500-400-22300(E6)
5.	10000-325-15200	16000-400-20800(E5)
6.	8000-275-13500	14500-350-18700 (E4)

FOR BSNL

Sl.No.	Existing CDA pay scale	Corresponding IDA pay scale
1.	22400-525-24500	25000-650-30200
2.	18400-500-22400	23750-600-28550
3.	14300-400-18300	18500-450-23900
4.	12000-375-16500	16000-400-20800
5.	10000-325-15200	14500-350-18700
6.	8000-275-13500	13000-350-18250

The highest available IDA pay scale both in MTNL/BSNL is Rs.25000-650-30200/-.

Pay Fitment

6.4 The absorption shall be in the substantive grade as on 1.10.2000.

6.5 The fitment based on point-to-point method from existing CDA scales to corresponding IDA scales shall be done after absorption in MTNL/BSNL. The basic pay of the executives as on 01/10/2000 in the IDA pay scales would be fixed at the stage corresponding to the stage which they had reached under CDA pay scale on 30/09/2000 i.e. pay fixation will be on point to point basis.

6.6 The normal date of Annual Increment will remain unchanged. The executives, whose pay is fixed in IDA scale as above will continue to draw annual increment on the normal date he would have drawn increment had he continued in the CDA pay scale, if otherwise due/admissible.

6.7 The pay of the executives who are officiating in higher grade on or before 01/10/2000 will be fixed in substantive/regular grade as on 1.10.2000. However, where an ad hoc promotion ordered prior to 01.10.2000 is followed by regular promotion without break prior to close of option date, point to point fitment from CDA to IDA scale as on 01.10.2000 shall be allowed in the scale held by the officer on ad hoc basis as on 01.10.2000. This stipulation of point-to-point fitment is only for the purpose of and with reference to fixation of pay in IDA pay scale and the pay fixation will not be construed as bestowing any seniority on this account.

Special Allowance

7. In supersession of the provision of Special Allowance as indicated in the consolidated general terms and conditions for absorption of Group A officers in MTNL/BSNL issued vide letter No.A-11013/1/2005-Admn.II/Abs.Cell dated 4th October, 2005, where increase in the emoluments (Pay + DA) of an officer on absorption in BSNL/MTNL in the IDA pay scale on 1.10.2000 is less than 36% over and above the emoluments (Pay + DA) in the CDA pay scale as calculated by the mid-stage, the difference will be paid as "Special Allowance" (SA) per month with effect from 1.10.2000. This will be subject to a ceiling of Rs.6000/- (Rupees Six Thousand) per month and also subject to the 50% ceiling on perks and allowances prescribed by DPE.

7.1 For absorbees exercising option for Government pay scale i.e CDA pay scale till their promotion or retirement, whichever is earlier, the calculation of Special Allowance will be made from the date they switch over to IDA pay scale.

7.2 On promotion from one IDA pay scale to another IDA pay scale, the officer concerned will carry his Special Allowance (originally fixed) subject to the condition that SA together with perquisites and other allowances should not exceed 50% of the IDA emoluments in the promotion post.

Position Allowance

8. Advisor grade officers shall be fitted in the highest available IDA scale with an additional monthly 'Position Allowance' of Rs.2500/-. The said allowance alongwith Special Allowance is, however, subject to the 50% ceiling on perks and allowances as prescribed by DPE. However, Advisor grade officers opting Government pay scale i.e CDA pay scale till their promotion or retirement, whichever is earlier, will not be entitled to Position Allowance till they switch over to IDA pay scale.

Compensatory payments

9. Any payment already made to Group 'A' Officers by MTNL/BSNL pending absorption (like compensatory or ad hoc or advance amounts etc. like Rs.2750/pm in BSNL and Rs.3000 pm in MTNL) shall be adjusted on fixation of pay in IDA pay scale and payments towards Special Allowance. Amount, if any, remaining unadjusted from the available increase in IDA emoluments including Special Allowance will not be recovered.

9.1 There shall also not be any recovery on this account from the absorbed officers who draw Government pay scales i.e CDA pay scales till their promotion or retirement, whichever is earlier or from the non-absorbees (i.e. officers who want to continue in Govt. service).

HRA, CCA and other Perquisites

10. HRA, CCA and other perquisites will be regulated as per the DPE guidelines (i.e. ceiling on perquisites and allowances) for IDA pay scale employees.

10.1 No recovery of HRA paid in the past shall be made.

Estate Pool Accommodation:

11. Absorbed officers will be allowed to retain the Estate Pool Residential Quarters for two years from the date of issue of final allocation orders.

Payment of Pension:

12. Pensionary benefits to the employees on their absorption will be regulated as per the provisions of Rule 37-A of CCS (Pension) Rules, 1972, as amended from time to time.

Productivity Linked Incentive (PLI)

13. On absorption in MTNL/BSNL, Group A officers shall be entitled for PLI, as per the PSU Rules. Non-optees or optees for Government service will not be entitled to PLI.

Inter-se-seniority

14. The inter-se-seniority within the respective cadres between the officers of Group B stream promoted to Group A and the Group A officers recruited directly shall be the same as was prevailing in DOT as on 1.10.2000 (effective date of absorption).

Promotion

15. The effective date of absorption for Group A officers shall remain as 1.10.2000. Any ad hoc/regular promotions made in the Government after 01.10.2000 upto issue of Presidential Order, shall be carried forward by the respective PSU and the pay fixation will be accordingly allowed. However, after issue of Presidential Order for absorption, any ad hoc/local officiating arrangement shall be at the discretion of the respective PSU.

Insurance Scheme

16. Absorbed officers would be governed by the MTNL/BSNL Insurance Schemes.

Age of Superannuation

17. Age of Superannuation shall be regulated in accordance with the Rules applicable to PSUs. Presently the superannuation age in PSUs is 60 years.

Leave

18. The officers will be governed by the Government Leave rules till issue of final allocation order and the Earned Leave and Half Pay Leave at their credit shall stand transferred to MTNL/BSNL on the date of absorption as provided for under Sub-rule 24(b) of Rule 37A of the CCS (Pension) Rules.

Medical Benefits

19. The medical facilities would be extended by MTNL/BSNL according to the schemes issued by respective PSUs in accordance with the rules applicable to PSUs, after the final allocation/absorption orders are issued.

GPF

20. In the cases of officers who opt for pensionary benefits on the basis of combined service under the Government and the PSU, the amount of subscription together with interest thereon at their credit in the GPF account shall be transferred to his/her new Provident Fund Account under MTNL/BSNL as provided for under Sub-rule 24 (a) of Rule 37 A of the CCS (Pension) Rules, as amended from time to time.

20.1 In the cases of officers who opt for pro rata pensionary benefits, the amount of subscription together with interest thereon at their credit in the GPF account shall be transferred to his/her Contributory Provident Fund (CPF) Account under MTNL/BSNL.

Incidental Matters

21. Wherever BSNL/MTNL do not have their own service conditions/rules, the existing rules of the govt. shall apply mutatis mutandis till such time BSNL/MTNL frame their own rules.

21.1 Absorbed officers in BSNL/MTNL shall be considered for selection for the post of Members in the Telecom Commission, TRAI, TDSAT and other telecom related bodies; for deputation to the Government/PSUs and for foreign assignments such as ITU, APT, etc. where eligible.

Signature.....

Name of the Officer.....

Pro forma consolidating the Options for Absorption Received by Circles/Units of MTNL/BSNL

Name of Circle/Unit:

Grade	No. of Group A officers eligible to exercise option for absorption		No. of officers to whom offer of absorption sent		Options received for						Options not received		Total	
					MTNL (1 st option)		BSNL (1 st option)		Government					
	Working	Retired	Working	Retired	Working	Retired	Working	Retired	Working	Retired	Working	Retired	Working	Retired
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
JTS														
STS														
JAG														
JAG (NFSG)														
SAG														
HAG														
Advisor Grade														

Note I: Officers retiring on 31.08.2008 will be taken as retired.

Note II: Circles/Units will certify the receipt of options and will keep the proof of receipt of option thereof with them.

Pro forma Consolidating the Options for Absorption Received from Circles/Units of MTNL/BSNL by Corporate Office

(Separate sheets for JTS, STS, JAG, JAG (NFSG), SAG, HAG & Advisor Grade)

Name of the PSU:

Circle/Unit	No. of Group A officers eligible to exercise option for absorption		No. of officers to whom offer of absorption sent		Options received for						Options not received		Total	
					MTNL (1 st option)		BSNL (1 st option)		Government					
	Working	Retired	Working	Retired	Working	Retired	Working	Retired	Working	Retired	Working	Retired	Working	Retired
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Note I: Officers retiring on 31.08.2008 will be taken as retired.

Pro forma Consolidating the Options Received for Absorption by Establishment Division of DoT

Grade	No. of Group A officers eligible to exercise option for absorption		No. of officers to whom offer of absorption sent		Options received for						Options not received		Total	
					MTNL (1 st option)		BSNL (1 st option)		Government					
	Working	Retired	Working	Retired	Working	Retired	Working	Retired	Working	Retired	Working	Retired	Working	Retired
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
JTS														
STS														
JAG														
JAG (NFSG)														
SAG														
HAG														
Advisor Grade														

Note I: Officers retiring on 31.08.2008 will be taken as retired.