

6:6: Service Condition/Financial and other Benefits.

- (iv) Adoption of decision of the Govt. of India in respect of revision of Pension of Pre- 1996 Pensioners/Family Pensioners etc. and the post 1996 pensioners.

On the recommendation of the Fifth Central Pay Commission the Government of India has revised the rate of Pension/Family Pension in respect of Pre - 1996 Pensioners/ Family Pensioners vide its Office Memorandum F. No.45/86/97- P&PW(A) - part-II dated 27th October, 1997 and the Gazette Notification No.192 dated 30th September, 1997. The University has been following the pattern of Pension/Family pension as admissible to the Central Government employees. The revision of Pension in respect of Pre - 1996 Pensioners/Family Pensioners/post 1996 pensioners as circulated by the Government of India is placed at Annexure 'A' and 'B' for kind consideration and adoption.

U.O.No.Fin.V/Pension/Payment/97-

Officer



भारत का राजपत्र

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कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(पेंशन तथा पेंशन-भोगी-कल्याण-विभाग)

संकल्प

नई दिल्ली, 30 सितम्बर, 1997

संख्या 45/86/97-पी एण्ड पी डब्ल्यू(ए).—वित्त मंत्रालय (व्यय विभाग) के दिनांक 9 अप्रैल, 1994 के समय-समय पर यथासंशोधित संकल्प संख्या 5 (12)-ई (III)-93 में निहित पांचवे केन्द्रीय वेतन आयोग के विचारार्थ विषयों में, अन्य बातों के साथ-साथ, पेंशनभोगियों के लिए उपयुक्त पेंशन ढांचे तैयार करने को दृष्टि से, मृत्यु एवं सेवानिवृत्ति-प्रसुविधाओं और पेंशन के विद्यमान ढांचे की जांच करना तथा उससे संबंधित ऐसी सिफारिशें करना शामिल था, जो वांछनीय एवं व्यवहार्य हो। आयोग ने अपनी रिपोर्ट जनवरी 30, 1997 को सरकार को प्रस्तुत कर दी थी। सरकार ने आयोग की रिपोर्ट के खण्ड-III के भाग-VI में, संघ राज्य क्षेत्रों तथा अखिल भारतीय सेवाओं के सदस्यों सहित केन्द्रीय सरकार के सिविल कर्मचारियों को दे जाने वाली पेंशन संबंधी प्रसुविधाओं के बारे में निहित आयोग की सिफारिशों पर विचार किया है तथा कतिपय पहलुओं के संबंध में कुछ संशोधनों सहित उपर्युक्त सिफारिशों को मोटे तौर पर स्वीकार कर लेने का निर्णय किया है, अर्थात् :—

- (i) न्यूनतम पेंशन तथा न्यूनतम कुटुम्ब पेंशन, पांचवे केन्द्रीय वेतन आयोग द्वारा संस्तुत 1220/- रुपये के स्थान पर 1275/- रुपये होगी तथा
 - (ii) 1996 से पूर्व के सभी पेंशन-भोगियों/कुटुम्ब-पेंशन-भोगियों के मामले में 1-1-1996 को पेंशन/कुटुम्ब पेंशन के समेकन पर, मूल पेंशन के 40% की दर पर पेंशन निर्धारण संबंधी लाभ दिया जाएगा।
2. आयोग की विस्तृत सिफारिशों तथा सरकार द्वारा उन पर लिए गए निर्णय, इस संकल्प के साथ लगे अनुबंध में दिए गए विवरण में दर्शाए गए हैं। आयोग द्वारा की गई ऐसी सिफारिशों की सरकार द्वारा जांच की जा रही है जो अनुबंध में शामिल नहीं हैं, तथा उन पर यथासंभव निर्णय ले लिया जाएगा।
3. भारत सरकार आयोग द्वारा विभिन्न जटिल मुद्दे निपटाने तथा बहुमूल्य रिपोर्ट प्रस्तुत करने के कार्य की पूरी कट कर रहे हुए उसके (आयोग के) प्रति महत्त्व अभाव व्यक्त करती है।

आदेश

आदेश दिया जाता है कि यह संकल्प भारत के असाधारण राजपत्र में प्रकाशित किया जाए।

यह भी आदेश दिया जाता है कि उपर्युक्त संकल्प को एक प्रतिनिधि भारत सरकार के सभी मंत्रालयों, विभागों, राज्य-सरकारों, संघ-राज्य-क्षेत्रों के प्रशासकों एवं सभी संबंधित व्यक्तियों को भेजी जाए।

पी. ए. ए. सुंदराम, भारत सचिव

246 (1997)

(1)

Handwritten signature and date: 17/11/97

अनुबंध

पांचवे केन्द्रीय वेतन आयोग की रिपोर्ट के खण्ड III में निहित, पेंशन-भोगियों के लिए सम्बन्धित पेंशन बर्खास्त तैयार किए जाने से संबंधित सिफारिशों और उन पर सरकार के निर्णय दर्शाने वाला विवरण।

सिफारिश

क्र.सं. (रिपोर्ट के पैरा का संदर्भ कोष्ठक में दिया गया है)	सरकार का निर्णय
1	3
<p>पेंशन</p> <p>(i) स्वीकार्य पेंशन की राशि को कोई अधिकतम सीमा नहीं रखी जानी चाहिए और 4500/- रुपये प्रति माह की पेंशन की वर्तमान अधिकतम सीमा हटा दी जानी चाहिए। (133.74)</p> <p>(ii) 1986 से पूर्व सेवानिवृत्त हुए सभी कर्मचारियों को पेंशन, सेवारत कर्मचारियों के संबंध में अपनाए जाने वाले फार्मूले से ही 1-1-1986 की स्थिति के अनुसार उनका वेतन सैद्धांतिक रूप से निर्धारित करके अद्यतन की जाए। तत्पश्चात् वेतन के सैद्धांतिक निर्धारण के माध्यम से, चौथे केन्द्रीय वेतन आयोग द्वारा संस्तुत वेतनमानों में लागू हुए पहले के सभी पेंशनभोगियों तथा 1-1-1986 को अथवा उसके पश्चात् सेवानिवृत्त हुए कर्मचारियों को 1-1-1996 को उनकी समेकित पेंशन निर्धारित करते समय निर्धारण संबंधी वही लाभ देकर जो सेवारत कर्मचारियों को उनके वेतन के निर्धारण के संबंध में दिया जाए, सभी पेंशन भोगियों से एक सा बरताव किया जा सकता है। फिर भी समेकित पेंशन, सेवानिवृत्ति के समय पेंशनभोगी द्वारा धारित पद के पुनरीक्षित वेतनमान में न्यूनतम वेतन के 50 प्रतिशत से कम नहीं होंगे। (137.14)</p> <p>(iii) 1-1-1986 से पूर्व सेवानिवृत्त हुए कर्मचारियों को पेंशन पुनरीक्षित किए जाने तक पेंशन संवितरण अधिकारियों को, मूल पेंशन, वैयक्तिक पेंशन, जहां स्वीकार्य हो, 1-1-1996 की स्थिति के अनुसार, केवल मूल पेंशन पर देय महंगाई राहत, अंतरिम राहत (i और ii) तथा मूल पेंशन का 20 प्रतिशत जोड़कर समेकित पेंशन निर्धारित करने के लिए प्राधिकृत करके पेंशनभोगियों को तत्काल राहत प्रदान की जानी चाहिए। समेकित पेंशन सेवानिवृत्ति के समय पेंशनभोगी द्वारा धारित पद के पांचवें केन्द्रीय वेतन आयोग द्वारा संस्तुत वेतनमान में न्यूनतम वेतन के 50 प्रतिशत से कम नहीं होंगे। (137.15)</p> <p>सेवानिवृत्ति/पुन्य उपदान</p> <p>(i) सभी प्रकार के उपदानों (सेवानिवृत्ति, मृत्यु, सेवा, सेवान्त) का परिकल्पन करने के प्रयोजन से सेवानिवृत्ति की तारीख को महंगाई भत्ता, शामिल करने के लिए परिशिष्टियों की परिभाषा को संशोधित किया जाए। (133.86)</p> <p>(ii) सभी प्रकार के उपदानों की अधिकतम सीमा का हटाया जाना। (133.88)</p> <p>कुटुम्ब पेंशन</p> <p>(i) सभी श्रेणियों के कर्मचारियों के लिए कुटुम्ब पेंशन की वर्तमान दरों (30%, 20% और 15%) के स्थान पर वेतन के 30 प्रतिशत की एक-समान</p>	<p>यह सिफारिश इस सीमा तक स्वीकृत कि पेंशन की राशि की अधिकतम सीमा सरकार के अंतर्गत शीर्षस्थ अधिकारी के वेतन का 50 प्रतिशत होगी। इस सीमा तक स्वीकृत कि 1986 से पूर्व सेवानिवृत्त हुए कर्मचारियों सहित 1-1-1996 से पूर्व सेवानिवृत्त हुए सभी कर्मचारियों की पेंशन 1-1-1996 की स्थिति के मद्देनजर, पांचवे केन्द्रीय वेतन आयोग द्वारा इस बारे में की गई सिफारिश के अनुसार समेकित की जाएगी, परन्तु समेकित पेंशन, पेंशनभोगी द्वारा सेवानिवृत्ति के समय धारित पद के पुनरीक्षित वेतनमान में न्यूनतम वेतन के 50 प्रतिशत के स्तर तक नहीं लाई जाएगी।</p> <p>इस संशोधन सहित स्वीकृत कि 1-1-1996 की स्थिति के अनुसार, पेंशन समेकित करते समय, मूल वेतन का 40 प्रतिशत उसमें जोड़ा जाएगा, परन्तु 1-1-1996 की स्थिति के अनुसार समेकित की गई पेंशन पेंशनभोगी द्वारा सेवानिवृत्ति के समय धारित पद के पुनरीक्षित वेतनमान में न्यूनतम वेतन के 50 प्रतिशत तक नहीं बढ़ाई जाएगी।</p> <p>स्वीकृत।</p> <p>इस सीमा तक स्वीकृत कि निवृत्ति-उपदान की वर्तमान अधिकतम सीमा 2.5 लाख रुपये में बढ़कर 3.5 लाख रुपये कर दी जाएगी।</p> <p>स्वीकृत।</p>

दर रखी जाए। (134.8)

- (ii) कुटुम्ब पेंशन की 1250/- रुपये की अधिकतम सीमा, जो कि कर्मचारियों के परिवारों के प्रति कठोर प्रतीत होती है, हटा दी जाए।
(134.14)
- (iii) अधिवर्षिता की आयु 60 वर्ष तक बढ़ाए जाने संबंधी सिफारिश को ध्यान में रखते हुए बढ़ी हुई दर पर कुटुम्ब पेंशन, 7 वर्ष की अवधि तक अथवा तब तक जब तक यदि कर्मचारी/पेंशनभोगी जीवित रहा होता तो उसकी आयु 67 वर्ष की हो गई होती, देय हो।
(134.16)
- (iv) कुटुम्ब-पेंशन के भुगतान के लिए विधिवत् क्लेम-मुदा प्रक्रियाओं का उनकी आयु 25 वर्ष की हो जाने तक अथवा उनका पुनर्विवाह हो जाने की तारीख तक अथवा तब तक जब तक वे कम से कम 2440/- रुपये अर्जित करना शुरू न कर दें, इनमें जो पहले हो, तब तक कुटुम्ब की परिभाषा में शामिल किया जाना। (134.21 और 134.23)
- (v) जिन मामलों में दिवंगत कर्मचारी अपने छोटे-बड़े विधवा या कोई संतान नहीं छोड़ गये हों, उनमें ऐसे माता-पिता कुटुम्ब को परिभाषा में शामिल किए जाएं जो सरकारी कर्मचारियों के जीवित रहते हुए उस पर पूर्णतः आश्रित थे। ऐसे माता-पिता सामान्य दर अर्थात् दिवंगत कर्मचारी के वेतन के 30% की दर पर कुटुम्ब-पेंशन प्राप्त करने के पात्र होंगे। (134.25)
- (vi) 1-1-86 से पूर्व के सभी कुटुम्ब-पेंशनभोगियों को, दिवंगत कर्मचारियों का वेतन पर्यन्त वेतन आयोग से उत्तरवर्ती वेतन आयोगों तक, सैद्धांतिक रूप से (गोचरता) निर्धारित करके 1-1-86 को या उसके बाद सेवानिवृत्ति हुए कर्मचारियों के वेतन के स्तर तक उन्नीस प्रकार लागू जाए जैसे कि सेवारत कर्मचारियों के लिए किया गया और तत्परचातु पंचवें वेतन आयोग की सिफारिशें लागू किए जाने पर कुटुम्ब-पेंशन हेतु अपनाए जाने वाली दरें हो लागू की जाएं। दिवंगत पेंशनभोगियों को भी वेतन आयोग द्वारा संसुत स्तर तक ला दिया जाने के बाद उन्हें पेंशन समेकन के सिद्धांतों में निर्धारण संबंधी उतना ही लाभ दिया जाए जितना कि सेवारत कर्मचारियों को उनके वेतन निर्धारण के संबंध में दिया जाए। यदि नियत की गई कुटुम्ब-पेंशन की दर दिवंगत कर्मचारी द्वारा धारित पद के न्यूनतम वेतन के 30% से कम हो, तो पंचवें वेतन आयोग द्वारा यथासंशोधित कुटुम्ब-पेंशन, दिवंगत कर्मचारी द्वारा धारित पद के न्यूनतम वेतन से 30% तक बढ़ा दी जाए। (134.30)
- (vii) कुटुम्ब-पेंशन संशोधित किए जाने तक, पेंशन संचितकरण प्राधिकारियों को प्राधिकार देकर मौजूदा मूल कुटुम्ब-पेंशन, 1-1-1996 के अनुसार महंगाई रहत, अंतरिम रहत (I व II) और कुटुम्ब-पेंशन के 20% को इंधकर पेंशन समेकित करके कुटुम्ब-पेंशन-भोगियों को तत्काल राहत दी जाए। पंचवें केन्द्रीय वेतन आयोग द्वारा यथासंशोधित समेकित पेंशन जहां कहीं दिवंगत कर्मचारी द्वारा धारित पद के न्यूनतम वेतन के 30% से कम बैठती हो वहां कुल कुटुम्ब-पेंशन को बढ़ाकर 30% कर दिया जाए। (134.31)
- पेंशन का सांशुकीकरण
- (i) केन्द्रीय सरकार के सिविल कर्मचारियों को अपनी पेंशन की अधिकतम 1/3 (एक तिहाई) धनराशि का सांशुकीकरण करवाने देने को मौजूदा सीमा के स्थान पर उन्हें अपनी पेंशन की अधिकतम 40 प्रतिशत धनराशि का सांशुकीकरण करवाने दिया जाए। (134.32)
- (ii) पेंशन के सांशुकीकृत हिस्से की फिर से बहाली इस समय, कर्मचारी को सेवानिवृत्ति की तारीख से 15 वर्ष बाद किए जाने की व्यवस्था के स्थान पर उसे सांशुकीकरण करवाने देने की व्यवस्था की तारीख से 12 वर्ष के पश्चात् की जानी जाए। (134.33)

इस सीमा तक स्वीकृत कि कुटुम्ब-पेंशन राशि को अधिकतम सीमा सरकार के शीर्षस्थ अधिकारी के वेतन का 30 प्रतिशत होगी।

चूंकि सरकार ने सेवानिवृत्ति की आयु को 58 वर्ष से बढ़ाकर 60 वर्ष किए जाने की सिफारिश स्वीकार नहीं की है, अतः यथास्थिति बनाए रखी जाएगी।

स्वीकृत 1 (आय के मापदंड अलग से स्पष्ट किए जाएंगे)

स्वीकृत (निर्भरता-मापदंड अलग से स्पष्ट किए जाएंगे)

इस सीमा तक स्वीकृत कि 1986 से पूर्व के कुटुम्ब-पेंशनभोगियों और 1-1-96 से पूर्व के सभी कुटुम्ब पेंशनभोगियों को कुटुम्ब पेंशन, 1-1-1996 की स्थिति के अनुसार, समेकित की जाएगी, जैसा कि सिफारिश की गई, किन्तु समेकित कुटुम्ब-पेंशन दिवंगत कर्मचारी द्वारा धारित पद के न्यूनतम वेतन के 30% के स्तर तक नहीं लाई जाएगी।

इस संशोधन सहित स्वीकृत कि 1-1-1996 को कुटुम्ब-पेंशन समेकित करते समय मूल कुटुम्ब-पेंशन का 40% जोड़ा जाएगा किन्तु 1-1-1996 को समेकित कुटुम्ब-पेंशन को संशोधित न्यूनतम वेतनमान के 30% तक नहीं बढ़ाया जाएगा।

स्वीकृत।

स्वीकृत।

6:6:4(5)

1

2

3

- महंगाई-राहत
- (i) सभी पेंशन-भोगियों/कुटुम्ब-पेंशन-भोगियों को, मूल्यवृद्धि के संदर्भ में उसी मापदण्ड से राहत दी जानी चाहिये जिस मापदण्ड से, सेवान कर्मचारियों को राहत दिये जाने की सिफारिश की जा रही है। (138.11) स्वीकृत
- (ii) महंगाई-भत्ते (डी.ए.) और महंगाई-छहत (डो.आर.) के बीच परस्पर संबंध के मद्देनजर जब कभी सेवान कर्मचारियों के संबंध में सेवानिवृत्ति-प्रसूविधाओं के परिकलन के समय महंगाई-भत्ता वेतन में मिला दिया जाये, उसी समय महंगाई-राहत भी पेंशन में मिला दी जानी चाहिए तथा अगली महंगाई राहत सम्बन्धित पेंशन पर दी जानी चाहिए। (138.17) अस्वीकृत
- चिकित्सा भत्ता
- (i) केन्द्रीय-सरकार-स्वास्थ्य-योजना के दायरे से बाहर, किसी अन्य इलाके में रहने वाले पेंशन-भोगियों को दिन-प्रतिदिन का चिकित्सा, जिसमें अस्पताल में भर्ती होने का आवश्यकता नहीं हो, से संबंधित व्यय वहन करने के लिए चिकित्सा-भत्ते के रूप में 100 रुपये प्रति माह का दर पर एक नियत राशि दी जानी चाहिये। (140.18) स्वीकृत

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Pension and Pensioners' Welfare)

RESOLUTION

New Delhi, the 30th September, 1997

No. 45/86/97-P&PW (A).— The terms of reference of the Fifth Central Pay Commission as contained in the Ministry of Finance, (Department of Expenditure) Resolution No. 5 (12) E-III/93 dated 9th April, 1994, as amended from time to time, inter-alia included: to examine, with a view to having a proper pension structure for pensioners, the existing pension structure including death-cum-retirement benefits and make recommendations relating thereto which may be desirable and feasible. The Commission submitted its Report to the Government on the 30th January, 1997. Government have considered the recommendations of the Commission on pensionary benefits to Central Government Civil employees, including employees of the Union Territories and Members of the All India Services, contained in Part VI of Volume III of the Report of the Commission and have decided that the recommendations shall be accepted broadly subject to certain modifications in certain aspects. e.g. :—

- (i) The minimum pension and minimum family pension shall be Rs. 1275/- as against Rs. 1220/- recommended by the V Central Pay Commission.
- (ii) Fitment weightage @ 40% of basic pension shall be allowed on consolidation of pension/family pension as on 1-1-1996 in case of all pre-1996 pensioners/family pensioners.

2. Detailed recommendations of the Commission and the decisions taken thereon by the Government are listed in the statement annexed to this resolution. The recommendations made by the Commission, which are not included in the Annexure are being examined by the Government and decisions thereon will be taken as early as possible.

3. Government of India wish to express their deep appreciation of the work done by the Commission in dealing with the various complicated issues involved and presenting a valuable Report.

ORDER

Ordered that the Resolution be published in the Gazette of India Extraordinary.

Ordered also that a copy of the Resolution be communicated to the Ministries/Departments of the Government of India, State Governments, Administrations of Union Territories and all others concerned.

P. S. A. SUNDARAM, Addl. Secy.

Statement showing the recommendations of the Fifth Central Pay Commission relating to having a proper pension structure for pensioners - contained in Volume III of the Report and decisions of Government thereon.

Sr. No.	Recommendation (Ref. to paragraph of the Report given in brackets)	Decision of Government
1	2	3
	PENSION	
	(i) There should not be any ceiling on the amount of pension admissible and the present ceiling on a pension of Rs. 4500/- per month should be removed. (133.74)	Accepted to the extent that the ceiling on the amount of pension will be 50% of the highest pay in the Government.
	(ii) The pension of all the pre-1986 retirees may be updated by notional fixation of their pay as on 1-1-1986 by adopting the same formula as for the serving employees. Thereafter, all the past pensioners who have been brought on to the Fourth Central Pay Commission pay scales by notional fixation of their pay and those who have retired on or after 1-1-1986 can be treated alike regarding consolidation of their pension as on 1-1-1996 by allowing the same fitment weightage as may be allowed to the serving employees. However, the consolidated pension will be not less than 50% of the minimum revised pay of the post held by the pensioner at the time of retirement (137.14)	Accepted to the extent that pension of all pre-1-1-96 retirees including pre-86 retirees shall be consolidated as on 1-1-1996 as recommended, but the consolidated pension shall not be brought on to the level of 50% of the minimum of the revised pay of the post held by the pensioner at the time of retirement.
	(iii) Pending revision of the pension of pre-1-1-1986 retirees, the pensioners should be provided immediate relief by authorising pension disbursing authorities to consolidate the pension by adding basic pension, personal pension wherever admissible, dearness relief as on 1-1-1996 on basic pension only, interim relief (I&II) and 20% basic pension. The consolidated pension shall not be less than 50% of the minimum revised pay in the pay scale recommended by the Fifth Central Pay Commission of the post held by the pensioner at the time of retirement. (137.15)	Accepted with the modification that 40% of the basic pension shall be added while consolidating the pension as on 1-1-1996 but the pension consolidated as on 1-1-96 shall not be raised to 50% of the minimum of the revised pay of the post held by the pensioner at the time of retirement.
	2 Retirement/Death Gratuity	
	(i) Definition of emoluments for the purpose of calculation of all kinds of gratuities (retirement, death, Service, terminal) may be revised to include the DA on the date of retirement. (133.86)	Accepted.
	(ii) Removal of ceiling on all kinds of gratuities. (133.88)	Accepted to the extent that the existing ceiling on gratuity will be increased from Rs 2.5 lakh to Rs 3.5 lakh
	3 Family Pension	
	(i) The existing varying rates of family pension for different categories of employees (30%, 20% & 15%) may be replaced by a uniform rate of 30% of pay for all categories of employees. (134.8)	Accepted
	(ii) The ceiling of Rs. 1250/- on a family pension which operates harshly against the families of employees may be removed. (134.14)	Accepted to the extent that the ceiling on the amount of maximum family pension will be 30% of the highest pay in the Government.

6:6:4(8)

1	2	3
5. Dearness Relief		
(i) All the pensioners/family pensioners should be given relief against price rise on the same scale as is being recommended for serving employees. (138.11)		Accepted.
(ii) In view of the correlation established between Dearness Allowance (DA) and Dearness Relief (DR), Dearness Relief on the pension should be merged with the pension simultaneously whenever D:A. is merged with pay for computation of retirement benefits for serving employees and a further DR allowed on the consolidated pension. (138.17).		Not accepted.
6. Medical Allowance :		
(i) Pensioners residing in an area not covered by CGHS should be given a fixed amount of medical allowances @ Rs. 100/- per month for meeting the expenditure on day to day medical expenses that do not require hospitalisation. (140.18)		Accepted.

6:6:4(8)

Annexure 'B'

F.No.45/86/97-P&PW(A)-Part.II
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners Welfare

New Delhi, Dated the 27th October, 1997

OFFICE MEMORANDUM

Subject: Implementation of Government's decision on the recommendations of the Fifth Central Pay Commission—Revision of pension of pre-1996 pensioners/family pensioners etc.

.....

The undersigned is directed to say that in pursuance of Government's decision on the recommendations of Fifth Central Pay Commission, sanction of the President is hereby accorded to the regulation, with effect from 1.1.1996, pension/family pension of all the pre-1996 pensioners/family pensioners in the manner indicated in the succeeding paragraphs.

2.1. These orders apply to all pensioners/family pensioners who were drawing pension/family pension on 1.1.1996 under the Central Civil Services (Pension) Rules, 1972, CCS (Extraordinary Pension) Rules and the corresponding rules applicable to Railway pensioners and pensioners of All India Services including officers of the Indian Civil Service, retired from service on or after 1.1.1973.

2.2. Separate orders will be issued by the Ministry of Defence in regard to Armed Forces pensioners/family pensioners.

2.3. These orders do not also apply to retired High Court and Supreme Court Judges and other Constitutional/Statutory Authorities whose pension etc. is governed by separate rules/orders.

3.1. In these orders:

- (a) 'Existing pensioner' or 'Existing Family pensioner' means a pensioner who was drawing/entitled to pension/family pension on 31.12.1995.
- (b) 'Existing pension' means the basic pension inclusive of commuted portion, if any, due on 31.12.1995. It covers all classes of pension under the CCS (Pension) Rules, 1972 as also Disability Pension under the CCS (Extraordinary Pension) Rules and the corresponding rules applicable to Railway employees and Members of All India Services.
- (c) 'Existing family pension' means the basic family pension drawn on 31.12.1995 under the CCS (Pension) Rules and the corresponding rules applicable to Railway employees and Members of All India Services.
- (d) 'Existing Dearness Relief' means the relief due to pensioners/family pensioners upto average CPI 1510.

4.1. The pension/family pension of existing pre-1996 pensioners/family pensioners will be consolidated with effect from 1.1.1996 by adding together:-

- i) The existing pension/family pension.
- ii) Dearness Relief upto CPI 1510 i.e. @ 148%, 111% and 96% of Basic Pension as admissible vide this Department's O.M. No. 42/8/96-P&PW(G) dated 20.3.1996.
- iii) Interim Relief I.
- iv) Interim Relief II.
- v) Fitment weightage @ 40% of the existing pension/family pension.

The amount so arrived at will be regarded as consolidated pension/family pension with effect from 1.1.1996. The upper ceiling on pension/family pension laid down in the Department of Pension and Pensioners' Welfare Office Memorandum No 2/1/87-PIC.II dated 14.4.1987 has been increased from Rs. 4500/- and Rs. 1250 to 50% and 30% respectively of the highest pay in the Government (The highest pay in the Government is Rs. 30,000 since 1.1.1996). Since the consolidated pension will be inclusive of commuted portion of pension, if any, the commuted portion will be deducted from the said amount while making monthly disbursements.

4.2. Some of the existing pensioners who retired between 31.3.1985 and 31.12.1985 are in receipt of personal pension. The said personal pension will continue to be granted as a separate element and will not be merged into the pension as consolidated above.

4.3. Since the consolidated pension/family pension arrived at as per paragraph 4.1. includes dearness relief upto average index level 1510, dearness relief will be admissible thereon only beyond index average 1510 in accordance with the revised scheme of dearness relief for which orders are being issued separately. The two instalments of dearness relief sanctioned earlier from 1.7.1996 and 1.1.1997 in this Department's Office Memorandum No. 42(8)/P&PW(G)/96 dated the 12th September, 1996 and Office Memorandum No. 42(2)/P&PW(G)/97 dated the 3rd April, 1997 respectively shall be adjusted against revised Dearness Relief becoming due on the consolidated pension/family pension.

4.4. The amount already paid on account of Interim Relief III sanctioned vide this Department's Office Memorandum No. 42/18/95-P&PW(G)-Vol.II dated 6.9.1996 will be recovered from the arrears becoming due on consolidation of pension/family pension as in para 4.1. above and sanction of Dearness Relief on consolidated pension/family pension.

5.1. Where the consolidated pension/family pension in terms of paragraph 4 above works out to an amount less than Rs. 1275/- the same shall be stepped upto Rs. 1275/-. This will be regarded as pension/family pension with effect from 1.1.1996. In the case of pensioners who are in receipt of more than one pension, the floor ceiling of Rs. 1275/- will apply to the total of all pensions taken together.

5.2. Where the disability pension under the CCS(EOP) Rules, is drawn in addition to invalid pension under the CCS (Pension) Rules, 1972, the minimum limit of Rs. 1275/- will apply to total of two pensions as indicated in paragraph 5.1. Where the disability pension is drawn in isolation, the minimum limit of Rs. 1275/- will apply for 100% disability. For lesser degree of disability the minimum limit will be proportionately less.

6. The employed/re-employed pensioners/family pensioners are not getting dearness relief on pension at present orders. In their case the notional dearness relief which would have been admissible to them but for their employment will be taken into account for consolidation of their pension in terms of paragraph 4.1. above as if they were drawing dearness relief. Their pay will be re-fixed w.e.f. 1.1.1996 with reference to consolidated pension becoming admissible to them. Dearness relief beyond 1.1.1996 will, however, not be admissible to them during the period of employment/re-employment.

7. The cases of Central Government employees who have been permanently absorbed in public sector undertakings/autonomous bodies will be regulated as follows:-

a) PENSION

Where the Government servants on permanent absorption in public sector undertakings/autonomous bodies continue to draw pension separately from the Government, the pension of such absorbees will be updated in terms of these orders where the Government servants have drawn one time lumpsum terminal benefits equal to 100% of their pension and become entitled to the restoration of one-third commuted portion of pension as per Supreme Court judgement dated 1993. Their cases will not be covered by these orders.

b) FAMILY PENSION

In cases where, on permanent absorption in public sector undertakings/autonomous bodies, the terms of absorption of family pension under the CCS (Pension) Rules, 1972 or the corresponding rules applicable to Railway employees/All India Services, the family pension being drawn by family pensioners will be updated in accordance with these orders.

c. All Pension Disbursing Authorities including Public Sector Banks handling disbursement of pension to the Central Government pensioners are hereby authorised to pay pension/family pension to existing pensioners/family pensioners at the consolidated rate without any further authorisation from the concerned Accounts Officers/Head of Office etc. A table indicating the existing consolidated pension and difference payable from 1.1.1996 is enclosed for ready reference. (Annexure I). This table may be used where the pensioner is in receipt of a single pension only. Where a pensioner is in receipt of more than one pension, consolidation shall be done separately in terms of paragraph 4.1 and as indicated in paragraph 5 floor ceiling of Rs. 1275/- may be applied to the consolidated pension from all sources taken together. A suitable entry regarding the revised consolidated pension shall be recorded by the Disbursing Authorities in both halves of the Pension Payment Order. An intimation regarding disbursement of revised pension sent by the pension disbursing authorities to the Office of CPAO and Accounts Officer which had issued the PPO in the form of Annexure-II so that the latter can update the Pension payment Order Register maintained by him. An acknowledgement obtained by the Pension Disbursing Authorities from Office of CPAO and the respective Accounts Officers in this behalf.

9.1. The consolidated pension/family pension as worked out in accordance with provisions of Para 4.1. above shall be treated as 'Basic Pension' with effect from 1.1.1996 and shall qualify for grant of Dearness Relief sanctioned thereafter in respect of all categories of pensioners/family pensioners:-

- (i) Pensioners, who retired between the period from 1.1.1986 to 31.12.1995.
- (ii) Family pensioners, who became entitled for family pension during the period from 1.1.1986 to 31.12.1995 and were drawing family pension @ 30% of the last pay drawn by the deceased employee.

9.2. In case of other pensioners/family pensioners, these orders provide for revision/consolidation of pension with effect from 1.1.1996 as an interim measure only so as to provide them immediate relief and shall be subject to variation. Detailed instructions regarding fixation of their pay on notional basis/revision/consolidation of pension/family pension and issue of authorisation in this regard shall be issued separately. Pending issue of detailed instructions as stated above, grant of pension/family pension to all these pensioners and family pensioners may be continued to be regulated under these orders.

10. The arrears on account of consolidation of pension would be paid in cash with the stipulation that where amount of arrears is more than Rs.5,000/-, it should be paid in two instalments and where it is in excess of Rs.5,000/-, it should be paid in one instalment and where it is in excess of Rs.5,000/-, it should be paid in two instalments. In the first instalment, payment should be restricted to Rs.5,000/- plus fifty percent of their balance amount of arrears.

11. It is considered desirable that the benefit of these orders should reach the pensioners as expeditiously as possible. To achieve this objective it is desired that all pension disbursing Authorities should ensure that the revised pension and the first instalment of arrears due to the pensioners in terms of the above orders is paid to the pensioners or credited to their account by 30th November 1997 or before positively. Instructions regarding release of second instalment of arrears will be issued later.

12. In their application to the persons belonging to Indian Audit and Accounts Department these orders issue in consultation with the Comptroller and Auditor General of India.

13. Ministry of Agriculture etc. are requested to bring the contents of these Orders to the notice of Controller of Accounts, Accounts Officers and Attached and subordinate Offices under them on a top priority basis. All pension disbursing offices are advised to prominently display these orders on their notice boards for the benefit of pensioners.

(S. LAKSHMINARAYAN)
Additional Secretary (Pen)

To
All Ministries/Departments of Government of India.

F.No. 45/86/97-P&PW(A) Pt II dated 27.10.1997

Copy to:-

(As per list attached)

(iii) TA / DA Advance in respect of Dr. RS Tripathi.

EC:97:98:6:6:(iii): The Council considered the late submission of TA/DA final bill against an advance of Rs. 52,140/- drawn by Dr. RS Tripathi, Professor in Botany and RESOLVED that the delay be condoned on the condition that this is the first lapse in submitting a final bill by Dr. RS Tripathi, during his service with the University.

(iv) Adoption of decision of the Govt. of India in respect of revision of Pension of Pre-1996 Pensioners/Family Pensioners etc. and the post 1996 Pensioners.

EC:97:98:6:6:(iv): The Council considered the revised rate of pension as notified in the Government of India's Gazette No. 192 of 30.9.1997 and RESOLVED to adopt the same.

(v) Foreign Contributions for the period spent on EOL by Dr. B. Pakem, Vice - Chancellor.

EC:97:98:6:6:(v): The Council considered the payment of leave salary and pension contribution in respect of Dr. B. Pakem as RESOLVED in its 96th meeting and RESOLVED that in view of the provisions of the Ordinance only the pension contribution be paid either by the Govt. of Meghalaya or by Dr. B. Pakem.

(vi) Pay revision of Employees of Central Universities etc. pursuant to the recommendation of the Vth Pay Commission.

EC:97:98:6:6:(vi): The Council considered the payment of revised pay to the following categories of existing employees and RESOLVED that provisional payment be made subject to the employees concerned giving an undertaking to refund the amount paid if the revised pay is not approved by the University Grants Commission.

1. Coaches
2. Sr. Technical Assistants
3. Sr. Statistical Assistants
4. Statistical Assistants
5. Junior Engineers
6. Store keepers
7. Calligraphists.