



सत्यमेव जयते

# **COMPENDIUM ON PENSION RELATED ORDERS**

**Issued from 1.1.2012 to 31.12.2012**

**MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS  
DEPARTMENT OF PENSION AND PENSIONERS' WELFARE  
GOVERNMENT OF INDIA  
NEW DELHI  
[www.pensionersportal.gov.in](http://www.pensionersportal.gov.in)**



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NEW DELHI**

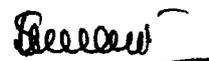
**[www.pensionersportal.gov.in](http://www.pensionersportal.gov.in)**

## **PREFACE**

It has been our endeavour to provide updated information on pension related circulars to our stakeholders. In pursuance of this objective, all our circulars are available on-line on the website pensionersportal.gov.in. However, some of our pensioners have stated that availability of these circulars in a manual form makes reference to them easier. To facilitate this, an annual Compendium of orders on pension and other retirement benefits is being brought out since 2010.

2. I am happy to present to you the third issue of "Compendium on Pension Related Orders" issued during the calendar year 2012. I do hope that the Compendium would prove to be useful to the concerned. We welcome all suggestions for improvement in the format and content of this compendium.

3. I appreciate the efforts of the officers and staff who worked hard to compile all orders issued by the Department in the year 2012. With the publication of this Compendium, the Department of Pension and Pensioners' Welfare reiterates its commitment to the objective of maximizing the welfare of the Pensioners of the Central Government.



**(Sanjay Kothari)**  
Secretary  
(Pension, Administrative Reforms & Public Grievances)  
Department of Pension & Pensioners' Welfare

New Delhi  
Dated: 20<sup>th</sup> December, 2013



**List of Orders / Instructions Issued during  
01.01.2012 to 31.12.2012 by  
Department of Pension & Pensioners' Welfare.**

S.No.	Desk	OM No.	Date of issue	Page No.
1.	E	1/17/2010-P&PW (E)	2.1.2012	7
2.	G	42/13/2012-P&PW (G)	4.4.2012	13
3.	G	42/13/2012-P&PW (G)	30.4.2012	16
4.	F	38/64/98-P&PW (F)	1.5.2012	18
5.	E	1/3/2011-PWPW (E)	25.5.2012	21
6.	E	1/23/2012-P&PW (E)	13.9.2012	23
7.	E	1/16/2011-P&PW (E)	20.9.2012	26
8.	E	1/23/2012-P&PW (E)	27.9.2012	27
9.	G	42/13/2012-P&PW (G)	4.10.2012	28
10.	G	42/13/2012-P&PW (G)	25.10.2012	30
11.	C	55/40/2012-P&PW (C)	31.12.2012	32
12.	G	42/23/2010-P&PW (G)(Notification)	8.6.2012	33
13.	E	1/33/2012-P&PW (E) (Notification)	27.12.2012	34
14.	E	38/80/08-P&PW (A)(Notification)	21.12.2012	36
15.	F	13/1/2010-P&PW (F) (Notification)	25.9.2012	48



F.No.1/17/2010-P&PW(E)

**Ministry of Personnel, P.G. & Pensions  
Department of Pension & Pensioners' Welfare  
Desk (E)**

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi-03

Dated the 2<sup>nd</sup> January, 2012

**OFFICE MEMORANDUM**

**Sub: Grant of family pension to next eligible member in the family in the case of missing family pensioners.**

The undersigned is directed to state that as per extant instructions of the Government, conditional provisions have been made in the case of a missing employee/pensioner, as a measure of social security, to cut short the period of 7 years, as given in Sections 107 and 108 of Indian Evidence Act, 1872, after which the presumption of a missing person being no longer alive may be raised, and enable the family pensioner to receive family pension after a period of six months from the date of filing FIR. However, there is no such provision in the case of a missing family pensioner that the next eligible member of the family of the employee/pensioner may be granted family pension.

2. The Department of Pension and Pensioners' Welfare has been receiving requests to issue a clarification whether family pension to eligible child/ children of a family pensioner who has been declared missing can be granted.

3. The matter has been considered in this Department in consultation with the Department of Expenditure, Ministry of Finance. It has been decided to make similar provisions to mitigate the hardships of the family caused by the deprivation of its rightful family pension as a consequence of disappearance of the family pensioner. The administrative Departments/ Ministries may grant family pension to the next eligible member in the family subject to fulfilment of conditions as prescribed from time to time for dealing with the cases of missing employees/pensioners.

4. The Indemnity Bond prescribed for missing pensioners has been suitably modified to include the name and relationship of the next eligible family member as well as the deceased employee/pensioner and the missing family pensioner(s).

5. These provisions would also be applicable in case a person, who is eligible for family pension, goes missing before the family pension is actually sanctioned to him/her. In such cases, family pension will be sanctioned to the next eligible person.

6. This issues with the concurrence of Department of Expenditure vide their ID No.380/E.V/2011, dated 22.11.2011.

Sd/-

**(K.K. Mittal)**

Director

Tel: 24624752

All Ministries/Departments of the Government of India  
Pensioners' Associations as per list maintained in the Department

## INDEMNITY BOND

[In the case of a missing family pensioner]

**KNOW ALL MEN** by these presents that we (a) .....  
resident of .....  
and the son/daughter/mother/father/disabled sibling etc. (hereinafter called "the Obligor") of (b).....  
who was in receipt of/eligible for family pension before reported to have been missing since.....on account of being the widow/widower/son/daughter/disabled sibling etc. (hereinafter referred to as 'missing family pensioner') of (c)..... who was holding/had retired from the post of.....in the Ministry/Department/Office of..... and who died on..... and (d) .....  
son/ wife/daughter of Shri.....resident of.....  
of.....and.....  
son/wife/daughter of Shri.....  
resident of.....  
the Sureties for and on behalf of the Obligor (hereinafter called "the Sureties") are held firmly bound to the President of India (hereinafter called "the Government") in each and every sum being the arrears of pension and monthly family pension and relief thereon well and truly to be paid to the Government, on demand and without a demur together with simple interest at the rate of .....% per annum from the date of payment until repayment for which payment we bind ourselves and our respective heirs, executors, administrators, legal representatives, successors and assigns by these presents'.

Signed this .....day of..... Two Thousand.....  
.....

**WHEREAS** (b) .....was at the time of his disappearance a Central Government family pensioner receiving/ eligible for receiving a family pension at the rate of Rs..... (Rupees .....) only per month and relief thereon from the Government.

**AND WHEREAS** the said (b) .....disappeared on The.....day of ..... 20.....and there was due to him/her at the time of his/ her disappearance the sum equivalent of arrears of family pension due.

**AND WHEREAS** the Obligor is entitled to family pension at Rs. .... (Rupees .....only) plus admissible dearness relief thereon.

**AND WHEREAS** the obligor has represented that he/she is entitled to the aforesaid sum and approached the Government for making payment thereof to avoid undue delay and hardship.

**AND WHEREAS** the Government has agreed to make payment of the said sum of Rs..... (Rupees.....) and monthly family pension at Rs..... (Rupees.....) plus relief thereon to the obligor upon the Obligor and the Sureties entering into a Bond in the abovementioned sum to indemnify the Government against all claims to the amount so due to the aforesaid missing Government family pensioner.

**AND WHEREAS** the Obligor and at his/her request the Surety/Sureties have agreed to execute the Bond in the terms and manner hereinafter contained.

**NOW THE CONDITION OF THIS BOND** is such that, if after payment has been made to the Obligor, the Obligor and/or the Surety/Sureties shall in the event of a claim being made, by any other person or the missing family pensioner on appearance, against the Government with respect to the aforesaid sum of Rs..... (Rupees.....) and the sums paid by the Government as monthly pension and relief as aforesaid then refund to the Government the said sum of Rs..... (Rupees.....) and each and every sum paid by Government as monthly family pension and relief together with simple interest @.....% per annum and shall, otherwise, indemnify and keep the Government harmless and indemnified against and from all liabilities in respect of the aforesaid sums and all costs incurred in consequence of the claim thereto, **THEN** the above written Bond or obligation shall be void and of no effect but otherwise it shall remain in full force, effect and virtue.

**AND THESE PRESENTS ALSO WITNESS** that the liability of the Surety/Sureties hereunder shall not be impaired or discharged by reason of time being granted by or any forbearance act or omission of the Government whether with or without the knowledge or consent of the Surety/Sureties in respect of or in relation to the obligations or conditions to be performed or discharged by the Obligor or by any other method or thing whatsoever which under the law relating to sureties would but for this provision shall have no effect of so releasing the Surety/Sureties from such liability nor shall it be necessary for the Government to sue the Obligor before suing the Surety/Sureties or either of them for the amount due hereunder, and the Government agrees to bear the stamp duty, if any, chargeable on these presents.

IN WITNESS WHEREOF the Obligor and the Surety/Sureties hereto have set and subscribed their respective hands hereunto on the day, month and year above-written.

Signed by the above named 'Obligor' in the presence of

1. ....

2. ....

Signed by the above named 'Surety' / 'Sureties'

1. ....

2. ....

Accepted for and on behalf of the President of India by

[Name and designation of the Officer directed or authorized, in pursuance of Article 299 (1) of the Constitution, to accept the Bond for and on behalf of the President 1 in the presence of.....

(Name and designation of witness)

- NOTE: I. (a) Full name of the claimant referred to as the 'Obligor'.  
(b) State relationship of the 'Obligor' to the 'missing family pensioner'.  
(c) Name of the deceased employee/ pensioner.  
(d) Full name or names of the Sureties with name or names of the father(s)/ husband(s) and place of residence.

NOTE: II. The Obligor as well as the Sureties should have attained majority so that the Bond may have legal effect or force.

NOTE: III. The rate of simple interest will be as prescribed by the Government form time to time. It is 6% p.a. on the date of issue of the O. M.

F. No. 42/13/2012-P&PW(G)

**Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Pension & Pensioners' Welfare**

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi-110003

Date : 4<sup>th</sup> April, 2012

**OFFICE MEMORANDUM**

**Subject : Grant of Dearness Relief to Central Government pensioners/family pensioners – Revised rate effective from 1.1.2012.**

The undersigned is directed to refer to this Department's OM No. 42/15/2011-P&PW(G) dated 5<sup>th</sup> October, 2011 on the subject mentioned above and to state that the President is pleased to decide that the Dearness Relief (DR) payable to Central Government pensioners/family pensioners shall be enhanced from the existing rate of 58% to 65% w.e.f. 1<sup>st</sup> January, 2012.

2. These orders apply to (i) All Civilian Central Government Pensioners/Family Pensioners (ii) The Armed Forces Pensioners, Civilian Pensioners paid out of the Defence Service Estimates, (iii) All India Service Pensioners (iv) Railway Pensioners and (v) The Burma Civilian pensioners/family pensioners and pensioners/families of displaced Government pensioners from Pakistan, who are Indian Nationals but receiving pension on behalf of Government of Pakistan and are in receipt of ad-hoc ex-gratia allowance of Rs. 3500/- p.m. in terms of this Department's OM No. 23/1/97-P&PW(B) dated 23.2.1998 read with this Department's OM No. 23/3/2008-P&PW(B) dated 15.9.2008.

3. Central Government Employees who had drawn lumpsum amount on absorption in a PSU/Autonomous body and have become eligible to restoration of 1/3<sup>rd</sup> commuted portion of pension as well as revision of the restored amount in terms of this Department's OM No. 4/59/97-P&PW (D) dated 14.07.1998 will also be entitled to the payment of DR @ 65% w.e.f. 1.1.2012 on full pension i.e. the revised pension which the absorbed employee would have received on the date of restoration had he not drawn lumpsum payment on absorption and Dearness Pension subject to fulfillment of the conditions laid down in para 5 of the O.M. dated 14.07.98. In this connection, instructions contained in this Department's OM No.4/29/99-P&PW (D) dated. 12.7.2000 refer.

4. Payment of DR involving a fraction of a rupee shall be rounded off to the next higher rupee.

5. Other provisions governing grant of DR in respect of employed family pensioners and re-employed Central Government Pensioners will be regulated in accordance with the provisions contained in this Department's OM No. 45/73/97-P&PW (G) dated 2.7.1999 as amended vide this Department's OM No. F. No. 38/88/2008-P&PW(G) dated 9<sup>th</sup> July, 2009. The provisions relating to regulation of DR where a pensioner is in receipt of more than one pension, will remain unchanged.

6. In the case of retired Judges of the Supreme Court and High Courts, necessary orders will be issued by the Department of Justice separately.

7. It will be the responsibility of the pension disbursing authorities, including the nationalized banks, etc. to calculate the quantum of DR payable in each individual case.

8. The offices of Accountant General and Authorised Public Sector Banks are requested to arrange payment of relief to pensioners etc. on the basis of these instructions without waiting for any further instructions from the Comptroller and Auditor General of India and the Reserve Bank of India in view of letter No. 528-TA, II/34-80-II dated 23/04/1981 of the Comptroller and Auditor General of India addressed to all Accountant Generals and Reserve Bank of India Circular No. GANB No. 2958/GA-64 (ii) (CGL)/81 dated the 21<sup>st</sup> May, 1981 addressed to State Bank of India and its subsidiaries and all Nationalised Banks.

9. In their application to the pensioners/family pensioners belonging to Indian Audit and Accounts Department, these orders issue after consultation with the C&AG.

10. This issues with the concurrence of Ministry of Finance, Department of Expenditure conveyed vide their OM No. 1(4)/EV/2004dated 4<sup>th</sup> April, 2012.

11. Hindi version will follow.

**(S. P. Kakkar)**

**Under Secretary to the Government of India**

To,

All Ministries/Departments of the Government of India/Chief Secretaries and AGs of all States/UTs.

*Please visit this Department's website <http://www.pensionersportal.gov.in> for the orders on pension matters including above orders.*

F. No. 42/13/2012-P&PW(G)

**Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Pension & Pensioners' Welfare**

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi-110003

Date : 30<sup>th</sup> April, 2012

**OFFICE MEMORANDUM**

**Subject : Grant of Dearness Relief to Central Government pensioners who are in receipt of provisional pension or pension in the pre-revised scale of 5<sup>th</sup> CPC w.e.f. 1.1.2012.**

In continuation of this Department's OM No. 42/15/2011-P&PW(G) dated 21<sup>st</sup> October, 2011 sanctioning the Dearness Relief to those Central Government pensioners who are in receipt of provisional pension or pension in the pre-revised scales of 5<sup>th</sup> CPC, the President is pleased to grant the Dearness Relief to these Central Government pensioners as under :

(i) Those who are in receipt of provisional pension or pension in the pre revised scales of 5<sup>th</sup> CPC are entitled to Dearness Relief @ 139% w.e.f. 1.1.2012.

(ii) The surviving CPF beneficiaries who have retired from service between the period 18.11.1960 to 31.12.1985 and are in receipt of ex-gratia @ Rs. 600/p.m. w.e.f. 1.11.1997 under this Department's OM No. 45/52/97-P&PW(E) dated 16.12.1997 are entitled to Dearness Relief @ 139% w.e.f. 1.1.2012.

2. The following categories of CPF beneficiaries who are in receipt of ex-gratia payment in terms of this Department's OM No. 45/52/97-P&PW(E) dated 16.12.1997 are entitled to DR @ 131% w.e.f. 1.1.2012.

(i) The widows and dependent children of the deceased CPF beneficiary who had retired from service prior to 1.1.1986 or who had died while in service prior to 1.1.1986 and are in receipt of Ex-gratia payment of Rs. 605/- p.m.

(ii) Central Government employees who had retired on CPF benefits before 18.11.1960 and are in receipt of Ex-gratia payment of Rs. 654/-, Rs. 659/-, Rs. 703/- and Rs. 965/-.

3. Payment of DR involving a fraction of a rupee shall be rounded off to the next higher rupee. In their application to the pensioners/family pensioners belonging to Indian Audit and Accounts Department, these orders issue in consultation with the C&AG.

4. This issues with the concurrence of Ministry of Finance, Department of Expenditure vide their OM No. 1(4)/EV/2004 dated 30<sup>th</sup> April, 2012.

5. Hindi version will follow.

**(S. P. Kakkar)**

Under Secretary to the Government of India

To

All Ministries and Departments of the Government of India.

Comptroller & Auditor General of India.

As per standard mailing list.

No.38/64/98-P&PW(F)

**Government of India  
Ministry of Personnel, PG & Pensions  
Department of Pension & Pensioner's Welfare  
(Desk-F)**

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
New Delhi-110003

Dated 1.5.2012

**OFFICE MEMORANDUM**

**Subject:- Implementation of recommendations contained in Para 61 of 44<sup>th</sup> Report of Parliamentary Standing Committee on Home Affairs - following a time schedule for disbursement of pension – regarding.**

In Para 61 of the 44<sup>th</sup> Report of Parliamentary Standing Committee on Ministry of Home Affairs, the Committee observed that timely payment of pension and retirement dues is not being made to the retiring employees of the Union Government. The Committee drew attention to the employees Provident Fund Scheme and the Notification issued by the Ministry of Labour on 27.10.1997 amending the Employees Pension Scheme, 1995. In terms of provisions under Employees Provident Fund and Misc. Provisions Act, 1952, the Ministry of Labour inserted a new provision '17 A Payment of Pension' which inter-alia says that 'in case the Commissioner fails without sufficient cause to settle a claim complete in all respects within 30 days, the Commissioner shall be liable for the delay beyond the said period and penal interest at the rate of 12% per annum may be charged on the benefit amount and the same may be deducted from the salary of the Commissioner' On the same analogy the Committee recommended that similar provisions may be formulated and enforced to ensure timely payment of Pension and retirement dues to the retiring employees of Union Government.

2. Rule 68 CCS (Pension) Rules, 1972 provides for payment of interest on delayed payment of gratuity and recovery of interest so paid from the officers responsible for such delay. There is no such provision for payment of interest on delayed payment of pension. However, it is not indicated in Pension Rules that no interest shall be paid for delayed payment of pension. The recommendations of the Committee on delayed payment of retirement dues was examined in this Department in consultation with Department of Personnel and Training and Department of Expenditure, Ministry of Finance and it was decided to implement the recommendations as below:-

- (i) All pensioners' dues are to be settled by strictly following the procedure laid down in Rule 56 to 76 of CCS (Pension) Rules, 1972.
- (ii) Wherever delays are anticipated, provisional pension should be sanctioned immediately.
- (iii) Any delay in processing of pension resulting in pension not being authorized on the last working day of retirement of the Government servant, should be reported by the Head of Office to the next higher authority who would watch the settlement of delayed cases.
- (iv) In respect of delayed payment of gratuity wherever it results in payment of penal interest at the rate applicable to GPF deposits under Rule 68 of CCS(Pension) Rules, 1972, Secretary of the Administrative Ministry or Department would initiate action to fix responsibility at all levels to recover the amount from the concerned Dealing Official, Supervisor and Head of Office in proportion to their salary by following the prescribed procedure for the purpose and should be strictly enforced.
- (v) Once it has been decided to pay gratuity, the amount should be paid immediately pending a decision regarding payment of interest. This would reduce the interest liability if any on payment of delayed gratuity.
- (vi) In the matter of delayed payment of leave encashment, the Department of Personnel & Training in their note dated 2.8.1999 had clarified that there was no provision under CCS (Leave) Rules for payment of interest or for fixing responsibility. Moreover, encashment of leave is a benefit granted under Leave Rules and not a pensionary benefit.
- (vii) In the matter of CGEGIS, the Department of Expenditure, Ministry of Finance in their UO No. 709/EV/1999 dated 6.8.1999 had clarified that payment under CGEGIS cannot be termed as terminal benefit. As payment under this Scheme are made in accordance with the Table of Benefit which takes into account interest upto the date of cessation of service, no interest is payable on account of delayed payments under the scheme. They had also clarified that CGEGIS payment cannot be withheld and no Government dues can be recovered from the accumulation except the amount claimed by the financial institution as due from the employee on account of loans taken for house building purpose.

3. The above recommendation were circulated among all Ministries/Departments vide this Department's OM of even number dated 5<sup>th</sup> October 1999. However, it is noticed that all Ministries/Departments are not strictly following the above instructions. The above instructions provide that wherever delays are anticipated, provisional pension should be sanctioned immediately. Thus, in case where regular pension is not authorized at the time of retirement, provisional pension should invariably be sanctioned. In spite of these instructions, there have been instances where payment of pension (regular or provisional) is not authorized at the time of retirement. In some cases, the administrative department have been directed by the Central Administrative Tribunal/Court to pay interest for delay in payment of pension to pay interest as a number of proposals for payment of interest of delayed pensionary benefits is being forwarded to Department of Pension and Pensioners Welfare. Therefore, it is reiterated that all the Ministries/Departments should strictly follow the above recommendations communicated vide this Departments OM dated 5.10.1999.

4. The Ministries/Departments may circulate this OM to the notice of the concerned attached/subordinate/field organizations under the administrative control of the respective Ministry/Departments for strict compliance.

**(Tripti P Ghosh)**  
Director (PP)  
Phone: 24624802

To

All Ministries/Departments of the Govt. of India  
(As per standard Mail)

F.No.1/3/2011-P&PW(E)

**Government of India  
Ministry of Personnel, P.G. & Pensions  
Department of Pension & Pensioners' Welfare**

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi

Dated: the 25<sup>th</sup> May, 2012

**OFFICE MEMORANDUM**

**Subject: Fixation of enhanced family pension-pre-2006 pensioners/family pensioners – clarification regarding.**

The orders of the Government on implementation of the recommendations of the 6<sup>th</sup> Central Pay Commission were issued by this Department in September, 2008. The family pension in respect of pre-2006 pensioners/ family pensioners was consolidated w.e.f. 01.01.06 as provided for in this Department's O.M. No.38/37/08-P&PW(A), dated 01.9.08 and clarified vide O.M. No. 38/37/08-P&PW(A).Pt.I, dated 03.10.08 and 14.10.08.

2. The fixation of family pension at ordinary rates is subject to the provision that the revised family pension in no case shall be lower than 30% of the minimum of the pay in the pay band plus the grade pay corresponding to the pre-revised pay scale from which the pensioner had retired. In case of HAG and above scales it is 30% of the minimum of the revised pay scale. In the cases of such employees who retired/died on or before 31.12.2005, the family pension at enhanced rates was also required to be revised.

3. It is clarified that the revised enhanced family pension, under sub-rule 3(a) of Rule 54 of the CCS (Pension) Rules, 1972, during the applicable period, shall also be determined as per para 4.1 of O.M. No.38/37/08-P&PW(A), dated 01.9.08. Further, it shall not be less than 50% of the sum of minimum of the pay in the pay band plus the grade pay or 50% of minimum of pay scales in case of HAG and above, corresponding to the pre-revised pay scale in which the pensioner/deceased employee had last worked.

4. In cases where the pension authorized on retirement was less than 50% of the last pay drawn and amount of pension revised after 1.1.2006 is also less than 50% of the sum of minimum of the pay in the pay band plus grade pay or 50% of minimum of revised pay scales in case of HAG and above, the revised enhanced family pension may be less than 50% and shall be restricted to that amount.

5. In the case of a pensioner who died prior to 01.01.2006, the notional revised pension as on 01.01.2006 shall be taken into account for the purpose of calculation as above. In all cases, the amount of revised enhanced family pension shall not be less than 30% of the sum of minimum of the pay in the pay band plus the grade pay or 30% of minimum of pay scales in case of HAG and above.

6. As regards pensioners/family pensioners belonging to the Indian Audit and Accounts Departments, these Orders issue after consultation with the Comptroller and Auditor General of India.

7. This issues with the concurrence of Ministry of Finance, Department of Expenditure vide their U.O. No.253/E.V/2012, dated 26.4.2012.

8. Hindi version will follow.

**(K.K.Mittal)**

Director

Tel. No. 24624752

All Ministries/Departments of the Government of India/Pensioners' Associations,  
The Controller General of Accounts, Lok Nayak Bhavan, New Delhi.

No.1/23/2012-P&PW (E)

**Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Pension & Pensioners' Welfare**

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi

Dated: 13<sup>th</sup> September, 2012

**OFFICE MEMORANDUM**

**Sub: Change in date of birth/age of family pensioners – regarding.**

In accordance with the instructions issued vide this Department's OM No.38/37/08-P&PW (A) dated 21.5.2009, 11.8.2009, 25.6.2010 & 28.9.2010 and OM No.1/19/11-P&PW(E) dated 3.8.2011, additional pension/family pension to old pensioners/family pensioners is allowed on the basis of the date of birth/age recorded in the Pension Payment Order (PPO) or other office records. Only in case the details regarding date of birth/age are not available in the PPO/office records, additional pension/family pension to old pensioners/family pensioners has been allowed on the basis of certain documents i.e. PAN Card, Matriculation certificate, Passport, CGHS Card, Driving Licence, Voter's ID Card and Aadhaar Number issued by UIDAI.

2. During his service and at the time of retirement, a Government servant is required to give details of his family, including date of birth of its members, in Form 3. Date of birth/age of the members of family mentioned by the Government servant in Form 3 was not mandatory to be verified by the Head of Office. It is felt that in some case, the date of birth/age of a family pensioner, as recorded in the PPO/office records might be incorrect.

3. Some representations have been received in this Department regarding the hardship being caused to old family pensioners in getting the additional pension on account of incorrect recording of the date of birth/age in the PPO. They have been requesting for allowing the change of date of birth in the PPO on the basis of the documents prescribed in the various OMs mentioned in Para 1 above.

4. The matter has been considered in this Department in consultation with the Ministry of Finance, Department of Expenditure and the following decisions have been made:

- i. Since the date of birth of the Government servant is recorded in the PPO on the basis of the service records and the date of superannuation etc. also is determined on the basis of this date of birth, there is no question of allowing change in the date of birth of the retired/deceased pensioner in the PPO.
- ii. The request for change of date of birth/age of the family pensioner (parents and spouse) in the PPO may be submitted by a pensioner/family pensioner to the Head of the Department of the organisation where the Government servant had last served along with at least one of the documents mentioned in Para 1 above and a declaration on a non-judicial stamp paper regarding the correct date of birth of the family pensioner. The Head of the Department may allow the change in the date of birth of the family pensioner if he is satisfied that the conditions indicated in this Department's OM No.38/37/08-P&PW (A) dated 21.5.2009 have been fulfilled and that a bona-fide mistake has been made in recording the date of birth in the PPO.
- iii. No other document will be accepted for allowing the change in date of birth/age of the family pensioner in the PPO.

- iv. In order to avoid any possibility of recording an incorrect date of birth in the PPO, in future, the Government servant may be required to submit one of the documents indicated in Para 1 above as proof of date of birth of spouse or parents along with the details of family in Form 3. **In the case of children** certificate of birth from the Municipal authorities or from the local panchayat or from the head of a recognised school if the child is studying in such a school or from a Board of Education may be accepted.
5. As regards pensioners/family pensioners belonging to the Indian Audit and Accounts Departments, these Orders issue after consultation with the Comptroller and Auditor General of India.
6. This issues with the concurrence of Ministry of Finance, Department of Expenditure vide their I.D. No 428/E.V/2012, dated 27/8/2012.
7. Hindi version will follow.

**(Sujasha Choudhury)**  
Deputy Secretary  
Tel. No. 24635979

All Ministries/Departments of the Government of India/Pensioners' Associations

The Controller General of Accounts, Lok Nayak Bhavan, New Delhi.

O/o Comptroller & Auditor General of India

No. 1/16/2011- P&PW(E)

**Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Pension & Pensioners' Welfare  
(Desk 'E')**

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
New Delhi, the 20<sup>th</sup> September, 2012

**OFFICE MEMORANDUM**

**Subject : Family pension - list of documents to be submitted by a claimant member of family (other than spouse) along with Form 14, PPO and death certificate in respect of the deceased pensioner/family pensioner – regarding.**

The undersigned is directed to refer to Department of Pension & Pensioners' Welfare O.M. of even number, dated 8<sup>th</sup> December, 2011 on the above subject (copy enclosed).

From the representations received in this Department, it appears that some offices ask the applicant family pensioners for the documents not indicated in the office memorandum indicated above.

All the Ministries/Departments are requested to instruct their attached/subordinate/field offices to follow the instructions contained in the O.M., dated 8.12.2011 strictly to avoid any hardships to the family pensioners. They may also be advised to go through the other office memoranda issued during the last two years as contained in the Circulars on Family Pension on this Department's website and also on pensionersportal.gov.in.

**(D.K. Solanki)**

Under Secretary

Ph: 24644632

All Ministries/Departments/Organisations as per list

All Pensioners' Associations as per list available in the Department

Copy to NIC for posting it, along with enclosure, on the website of the Department of Pension & PW

O/o Controller General of Accounts, 7<sup>th</sup> floor, Lok Nayak Bhavan, New Delhi.

No.1/23/2012-P&PW (E)

**Government of India  
Ministry of Personnel, P.G. & Pensions  
Department of Pension & Pensioners' Welfare**

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi  
Dated: 27.09.2012

**OFFICE MEMORANDUM**

**Subject : Instructions regarding date of birth/age of family pensioners.**

This Department has issued instructions vide OM No.38/37/08-P&PW(A), dated 21.5.2009, 11.8.2009, 25.6.2010 & 28.9.2010, OM No.1/19/11-P&PW(E), dated 3.8.2011 and OM No. 1/23/2012-P&PW(E), dated 13.09.2012 for consideration of date of birth/age for grant of additional pension/family pension to old pensioners/family pensioners. Certain documents i.e. PAN Card, Matriculation certificate. Passport, CGHS Card, Driving Licence, Voter's ID Card and Aadhaar Number issued by UIDAI have been allowed to be accepted in this regard.

2. For revision of an old PPO, date of birth of family pensioner is a mandatory field in the software. Some queries have been received in this Department regarding clarification whether these instructions are applicable for accepting date of birth/age of the spouse at the time of revision of PPOs.

3. It is hereby clarified that the above instructions are applicable at the time of issue/revision of a PPO for a family pensioner irrespective of the age of the family pensioners at that time. It is further clarified that in case the exact date of birth is not available in the PPO/office records, the age of the family pensioner as on 1<sup>st</sup> January may be taken same as what she/he had completed in the previous year. For example, if a family pensioner completes the age of 54 years in 2012, her/his age as on 1<sup>st</sup> January, 2013 may be taken as 54 years and PPO may be revised accordingly.

**(Sujasha Choudhury)**  
Deputy Secretary  
Tel. No. 24635979

All Ministries/Departments of the Government of India/Pensioners' Associations

The Controller General of Accounts, Lok Nayak Bhavan, New Delhi.

O/o Comptroller & Auditor General of India, Deen Dayal Upadhyay Marg, New Delhi

Central Pension Accounting Office, Trikoot-II, Bhikaji Kama Place, New Delhi.

F. No. 42/13/2012-P&PW(G)

**Government of India**  
**Ministry of Personnel, Public Grievances & Pensions**  
**Department of Pension & Pensioners' Welfare**

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi-110003

Date: 4<sup>th</sup> October, 2012

**OFFICE MEMORANDUM**

**Subject : Grant of Dearness Relief to Central Government pensioners/family pensioners – Revised rate effective from 1.7.2012.**

The undersigned is directed to refer to this Department's OM No. 42/13/2012-P&PW(G) dated 4<sup>th</sup> April, 2012 on the subject mentioned above and to state that the President is pleased to decide that the Dearness Relief (DR) payable to Central Government pensioners/family pensioners shall be enhanced from the existing rate of 65% to 72% w.e.f. 1<sup>st</sup> July, 2012.

2. These orders apply to (i) All Civilian Central Government Pensioners/Family Pensioners (ii) The Armed Forces Pensioners, Civilian Pensioners paid out of the Defence Service Estimates, (iii) All India Service Pensioners (iv) Railway Pensioners and (v) The Burma Civilian pensioners/family pensioners and pensioners/families of displaced Government pensioners from Pakistan, who are Indian Nationals but receiving pension on behalf of Government of Pakistan and are in receipt of ad-hoc ex-gratia allowance of Rs. 3500/- p.m. in terms of this Department's OM No. 23/1/97-P&PW(B) dated 23.2.1998 read with this Department's OM No. 23/3/2008-P&PW(B) dated 15.9.2008.

3. Central Government Employees who had drawn lumpsum amount on absorption in a PSU/Autonomous body and have become eligible to restoration of 1/3<sup>rd</sup> commuted portion of pension as well as revision of the restored amount in terms of this Department's OM No. 4/59/97-P&PW (D) dated 14.07.1998 will also be entitled to the payment of DR @ 72% w.e.f. 1.7.2012 on full pension i.e. the revised pension which the absorbed employee would have received on the date of restoration had he not drawn lumpsum payment on absorption and Dearness Pension subject to fulfillment of the conditions laid down in para 5 of the O.M. dated 14.07.98. In this connection, instructions contained in this Department's OM No.4/29/99-P&PW (D) dated. 12.7.2000 refer.

4. Payment of DR involving a fraction of a rupee shall be rounded off to the next higher rupee.
5. Other provisions governing grant of DR in respect of employed family pensioners and re-employed Central Government Pensioners will be regulated in accordance with the provisions contained in this Department's OM No. 45/73/97-P&PW (G) dated 2.7.1999 as amended vide this Department's OM No. F. No. 38/88/2008-P&PW(G) dated 9<sup>th</sup> July, 2009. The provisions relating to regulation of DR where a pensioner is in receipt of more than one pension, will remain unchanged.
6. In the case of retired Judges of the Supreme Court and High Courts, necessary orders will be issued by the Department of Justice separately.
7. It will be the responsibility of the pension disbursing authorities, including the nationalized banks, etc. to calculate the quantum of DR payable in each individual case.
8. The offices of Accountant General and Authorised Public Sector Banks are requested to arrange payment of relief to pensioners etc. on the basis of these instructions without waiting for any further instructions from the Comptroller and Auditor General of India and the Reserve Bank of India in view of letter No. 528-TA, II/34-80-II dated 23/04/1981 of the Comptroller and Auditor General of India addressed to all Accountant Generals and Reserve Bank of India Circular No. GANB No. 2958/GA-64 (ii) (CGL)/81 dated the 21<sup>st</sup> May, 1981 addressed to State Bank of India and its subsidiaries and all Nationalised Banks.
9. In their application to the pensioners/family pensioners belonging to Indian Audit and Accounts Department, these orders issue after consultation with the C&AG.
10. This issues with the concurrence of Ministry of Finance, Department of Expenditure conveyed vide their OM No. 1(4)/EV/2004 dated 4<sup>th</sup> October, 2012.
11. Hindi version will follow.

**( S. P. Kakkar )**

Under Secretary to the Government of India

To,  
All Ministries/Departments of the Government of India/Chief Secretaries and AGs of all States/  
UTs.

*Please visit this Department's website <http://www.pensionersportal.gov.in> for the orders on pension matters including above orders.*

F. No. 42/13/2012-P&PW(G)

**Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Pension & Pensioners' Welfare**

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi-110003

Date: 25<sup>th</sup> October, 2012

**OFFICE MEMORANDUM**

**Subject : Grant of Dearness Relief to Central Government pensioners who are in receipt of provisional pension or pension in the pre-revised scale of 5<sup>th</sup> CPC w.e.f. 1.7.2012.**

In continuation of this Department's OM No. 42/13/2012-P&PW(G) dated 30<sup>th</sup> April, 2012 sanctioning the Dearness Relief to those Central Government pensioners who are in receipt of provisional pension or pension in the pre-revised scales of 5<sup>th</sup> CPC, the President is pleased to grant the Dearness Relief to these Central Government pensioners as under :

(i) Those who are in receipt of provisional pension or pension in the pre revised scales of 5<sup>th</sup> CPC are entitled to Dearness Relief @ 151% w.e.f 1.7.2012.

(ii) The surviving CPF beneficiaries who have retired from service between the period 18.11.1960 to 31.12.1985 and are in receipt of ex-gratia @ Rs.600/p.m. w.e.f. 1.11.1997 under this Department's OM No. 45/52/97-P&PW(E) dated 16.12.1997 are entitled to Dearness Relief @ 151% w.e.f. 1.7.2012.

2. The following categories of CPF beneficiaries who are in receipt of ex-gratia payment in terms of this Department's OM No. 45/52/97-P&PW(E) dated 16.12.1997 are entitled to DR @ 143 % w.e.f. 1.7.2012.

(i) The widows and dependent children of the deceased CPF beneficiary who had retired from service prior to 1.1.1986 or who had died while in service prior to 1.1.1986 and are in receipt of Ex-gratia payment of Rs. 605/- p.m.

(ii) Central Government employees who had retired on CPF benefits before 18.11.1960 and are in receipt of Ex-gratia payment of Rs. 654/-, Rs. 659/-, Rs. 703/- and Rs. 965/-.

3. Payment of DR involving a fraction of a rupee shall be rounded off to the next higher rupee. In their application to the pensioners/family pensioners belonging to Indian Audit and Accounts Department, these orders issue in consultation with the C&AG.

4. This issues with the concurrence of Ministry of Finance, Department of Expenditure vide their OM No. 1(4)/EV/2004 dated 25<sup>th</sup> October, 2012.

5. Hindi version will follow.

**( S. P. Kakkar )**

Under Secretary to the Government of India

All Ministries and Departments of the Government of India.

Comptroller & Auditor General of India.

As per standard mailing list. *Please visit this Department's website*

*<http://www.pensionersportal.gov.in> for the orders on pension matters including above orders.*

No. 55/40/2012-P&PW(C)

**Government of India  
Ministry of Personnel, P.G. and Pensions  
Department of Pension and Pensioners' Welfare**

3rd Floor, Lok Nayak Bhavan,  
New Delhi

31st December, 2012

**OFFICE MEMORANDUM**

**Subject: Introducing a dedicated day for attending pensioners in person – reg.**

The undersigned is directed to inform that in order to facilitate mitigation of problems of Central Civil Pensioners, it has been decided that on every Wednesday, concerned officers of the Department of Pension and Pensioners' Welfare will be available between 1500 and 1600 hrs, in person, in Room No. 310, Lok Nayak Bhavan (near Gate No.1) to meet pensioners and, as far as possible, answer the queries/points raised by the pensioners.

2. The Central Civil Pensioners, aggrieved of pension related matters and seeking clarification etc., on application of any of the following rules/regulations may meet the concerned officers of this Department alongwith a written submission, by appearing in person, on the prescribed date, time and venue, and make use of this facility.

3. The rules being administered by this Department are:

- (i) CCS(Pension) Rules, 1972;
- (ii) CCS(Commutation of Pension) Rules, 1981;
- (iii) CCS(Extra-ordinary Pension) Rules;
- (iv) GPF(CS) Rules, 1960; and
- (v) CPF(India) Rules, 1962.

**(Tripti P Ghosh)**  
Director (PP)

Copy to:

1. US(A)/US(B)/US(C)/US(D)/US(E)/(US(G)/SO(F) with the request to remain available in Room No.310, on every Wednesday on the appointed time for meeting the visiting pensioners.
2. Reception Officer, MHA, Gate No.1, Lok Nayak Bhawan – It is requested to allow Central Civil Pensioners to visit room No.310 Lok Nayak Bhawan on Wednesday on production of Pensioner's Card issued by their respective Ministries/Departments/Organisations.
3. The Technical Director, NIC, DoPPW Unit, Lok Nayak Bhawan, New Delhi – It is requested that the above OM may be uploaded on the Website of D

EXTRACT FROM THE GAZETTE OF INDIA: PART II, SEC.3, SUB-3 SECTION (ii)

Government of India  
Ministry of Personnel Public Grievances and Pensions  
DEPARTMENT OF PENSION AND PENSIONERS WELFARE

**NOTIFICATION**

New Delhi, 8<sup>th</sup> June, 2012

**S.O. 1964** - In exercise of the powers conferred by the proviso to article 309 read with clause (5) of article 148 of the Constitution and after the consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Commutation of Pension) Amendments Rules amendment Rules, 1981, namely:

1. (1) These Rules may be called the Central Civil Services (Commutation of Pension) Amendments Rules, 2012.  
(2) They shall come into force on the day of their publication in the Official Gazette.
2. In the Central Civil Services (Commutation of Pension) Rules, 1981, in Form 1, Form 1-A, Form 2, Form 3 for the word "fraction", wherever it occurs, the word "percentage" shall respectively be substituted.

**Note:** The Central Civil Services (Commutation of Pension) Rules, 1981 were published vide S.O 1134 dated 11<sup>th</sup> April, 1981 and amended by notification No. 34/1/81 Pension Unit dated the 8<sup>th</sup> July, 1983 and were subsequently amended vide Department of Pension and Pensioners Welfare Notification as given below:

S. No.	Notification No.	Date
1.	SO No. 1870	04/05/1985
2.	SO No. 2097	18/05/1985
3.	SO No. 1775	19/07/1997
4.	SO No. 918	28/02/2002
5.	SO No. 1484(E)	30/12/2003
6.	SO No. 2806	09/11/2010

[File No. 42/23/10-P&PW(G)]

(Tripti P. Ghosh)  
Director (PP)

[TO BE PUBLISHED IN THE GAZETTE OF INDIA (EXTRAORDINARY),  
PART II, SECTION 3, SUB - SECTION (i)]

Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Pension and Pensioners' Welfare

**NOTIFICATION**

New Delhi  
Dated: 27<sup>th</sup> December, 2012

**G.S.R 938 (E)** ..... In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely:-

1. (1) These rules may be called the Central Civil Services (Pension) Second Amendment Rules, 2012.
- (2) These rules shall come into force on the date of their publication in the Official Gazette.
2. In the Central Civil Services (Pension) Rules, 1972, in Rule 54, –
  - (a) in sub-rule (6), –
    - (i) in Explanation 1, for the words "daughter shall", the words "*daughter, except a disabled son or daughter,*" shall be substituted;
    - (ii) in *Explanation 3*, for the words "*her re-marriage or parents*", the words "*her re-marriage or by the disabled son or daughter or by parents,*" shall be substituted;
  - (b) sub-rule 13-A shall be omitted;
  - (c) sub-rule 13-B shall be omitted.

[F.No.1/33/2012-P&PW (E)]

(Sujasha Chowdhury)  
Deputy Secretary

Note: The principal rules were published vide number S.O.934, dated the 1<sup>st</sup> April, 1972. The Fourth Edition of the rules corrected up to July, 1988 was published in the year of 1988. The said rules were subsequently amended vide notifications given below:-

1. S.O.254, dated the 4th February, 1989
2. S.O.970, dated the 6th May, 1989
3. S.O.2467, dated the 7<sup>th</sup> October, 1989
4. S.O.899, dated the 14th April, 1990
5. S.O.1454, dated the 26th May, 1990
6. S.O.2329, dated the 8th September, 1990
7. S.O.3269, dated the 8th December, 1990
8. S.O.3270, dated the 8th December, 1990
9. S.O.3273, dated the 8th December, 1990
10. S.O.409, dated the 9th December, 1991
11. S.O.464, dated the 16th February, 1991
12. S.O.2287, dated the 7th September, 1991
13. S.O.2740, dated the 2nd November, 1991
14. GSR 677, dated the 7th December, 1991
15. GSR 399, dated the 1<sup>st</sup> February, 1992
16. GSR 55, dated the 15th February, 1992
17. GSR 570, dated the 19th December, 1992
18. S.O.258, dated the 13th February, 1993
19. S.O.1673, dated the 7th August, 1993
20. GSR 449, dated the 11<sup>th</sup> September, 1993
21. S.O.1984, dated the 25th September, 1993
22. GSR 389(E), dated the 18th April, 1994
23. S.O.1775, dated the 19th July, 1997
24. S.O.259, dated the 30th January, 1999
25. S.O.904, dated the 30th September, 2000
26. S.O.717(E), dated the 27th July, 2001
27. GSR 75(E), dated the 1st February, 2002
28. S.O.4000, dated the 28th December, 2002
29. S.O. 860(E), dated the 28th July, 2003
30. S.O. 1483 (E), dated the 30th December, 2003
31. S.O. 1487 (E), dated the 14th October, 2005
32. GSR 723(E), dated the 23rd November, 2006
33. S.O. 1821 (E), dated the 25th October, 2007
34. GSR 258 (E), dated the 31st March, 2008
35. S.O. 1028 (E), dated the 25th April, 2008
36. S.O. 829(E), dated the 12th April, 2010
37. GSR 176, dated the 11th June, 2011
38. GSR 928 (E), dated the 26<sup>th</sup> December, 2012

**(TO BE PUBLISHED IN PART II – SECTION 3 – SUB SECTION (ii) OF THE  
GAZETTEE OF INDIA (EXTRAORDINARY))**

**MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS  
(Department of Pension and Pensioners' Welfare)**

**NOTIFICATION**

New Delhi, the 21.12.2012

GSR 928 (E).---In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and, after consultation with the Comptroller and Auditor General of India in relation to conditions of service of persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely:-

- (1) These rules may be called the Central Civil Services (Pension) Amendment Rules, 2012.
  - (2) Save as otherwise provided, these rules shall come into force on the date of their publication in the Official Gazette.
2. In the Central Civil Services (Pension) Rules, 1972, (hereinafter referred to as the said rules) in rule 5, in sub-rule (2), the proviso shall be omitted and shall be deemed to have been omitted with effect from the 1<sup>st</sup> Day of January, 1996.
  3. In the said rules, rule 29 shall be omitted.
  4. In the said rules, for rule 29A, the following rule shall be substituted, namely:-

"29A - Ex-gratia under Special Voluntary Retirement Scheme.- A permanent Government servant, who, on being declared surplus to the establishment in which he was serving, opts for Special voluntary Retirement Scheme, shall be entitled for determination of ex-gratia in addition to the pension".
  5. In the said rules, rule 30 shall be omitted.

6. In the said rules, for rule 31, the following rule shall be substituted, namely :--

"31. Deputation to United Nations and other organisations.-- A Government servant who is deputed on foreign service to the United Nations' Secretariat or other United Nations' Bodies or the International Monetary Fund or the International Bank of Reconstruction and Development or the Asian Development Bank or the Commonwealth Secretariat or any other International organization and who becomes entitled for pensionary benefits from that Organization, may at his option,—

- (a) pay the pension contributions in respect of his foreign service and count such service as qualifying for pension under these rules; or
- (b) avail the retirement benefits admissible under the rules of the aforesaid organization and not count such service as qualifying for pension under these rules:

Provided that where a Government servant opts for clause (b), retirement benefits shall be payable to him in India in rupees from such date and in such manner as the Government may, by order, specify:

Provided further that pension contributions, if any, paid by the Government servant, shall be refunded to him".

7. In the said rules, in the rule 32.--

- (a) For the marginal heading, the following heading shall be substituted, namely:-

"Verification of qualifying service after eighteen years' service or five years before retirement.-" ;

- (b) in sub-rule(1), for the words "twenty-five years", the words "eighteen years" shall be substituted.

8. In the said rules, in rule 36, in clause (b), for the words "Rule 29 of these rules" the words "Special Voluntary Retirement Scheme relating to voluntary retirement of surplus employees." shall be substituted.

9. In the said rules, in rule 37, in sub-rule (3), the words "*pro rata*" shall be omitted.

10. In the said rules, for rule 37A, the following rule shall be substituted, namely;-

"37A. Conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Public Sector Undertaking.-- (1) On conversion of a department of the Central Government into a Public Sector Undertaking, all Government servants of that Department shall be transferred *en-masse* to that Public Sector Undertaking, on terms of foreign service without any deputation allowance till such time as they get absorbed in the said undertaking, and such transferred Government servants shall be absorbed in the Public Sector Undertaking with effect from such date as may be notified by the Government.

(2) The Central Government shall allow the transferred Government servants an option to revert back to the Government or to seek permanent absorption in the Public Sector Undertaking.

(3) The option referred to in sub-rule (2) shall be exercised by every transferred Government servant in such manner and within such period as may be specified by the Government.

(4) The permanent absorption of the Government servants as employees of the Public Sector Undertaking shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from Government service.

(5) Upon absorption of Government servants in the Public Sector Undertaking, the posts which they were holding in the Government before such absorption shall stand abolished.

(6) The employees who opt to revert to Government service shall be re-deployed through the surplus cell of the Government.

(7) The employees including quasi-permanent and temporary employees but excluding casual labourers, who opt for permanent absorption in the Public Sector Undertaking shall, on and from the date of absorption, be governed by the rules and regulations or bye-laws of the Public Sector Undertaking.

(8) A permanent Government servant who has been absorbed as an employee of a Public Sector Undertaking and his family shall be eligible for pensionary benefits (including commutation of pension, gratuity, family pension or extra-ordinary pension), on the basis of combined service rendered by the employee in the government and in the Public Sector Undertaking in accordance with the formula for calculation of such pensionary benefits as may be in force at the time of his retirement from the Public Sector Undertaking or his death or at his option, to receive benefits for the service rendered under the Central Government in accordance with the orders issued by the Central Government.

*"Explanation:-* The amount of pension or family pension in respect of the absorbed employee on retirement from the Public Sector Undertaking or on death shall be calculated in the same way as calculated in the case of a Central Government servant retiring or dying, on the same day".

(9) The pension of an employee under sub-rule (8) shall be calculated on fifty percent of emoluments or average emoluments, whichever is more beneficial to him.

(10) In addition to pension or family pension, as the case may be, the employee who opts for pension on the basis of combined service shall also be eligible to dearness relief as per industrial Dearness Allowance pattern.

(11) The benefits of pension and family pension shall be available to quasi-permanent and temporary transferred Government servants after they have been confirmed in the Public Sector Undertaking.

(12) A Permanent Government servant absorbed in a Public Sector Undertaking or a temporary or quasi-permanent Government servant who has been confirmed in the a Public Sector Undertaking subsequent to his absorption therein, shall be eligible to seek voluntary retirement after completing ten years of qualifying service with the Government and the Public Sector Undertaking taken together, and such person shall be eligible for pensionary benefits on the basis of qualifying service.

(13) The Central Government shall create a Pension Fund in the form of a trust and the pensionary benefits of absorbed employees shall be paid out of such Pension Fund.

(14) The Secretary of the administrative Ministry of the Public Sector Undertaking shall be the Chairperson of the Board of Trustees which shall include representatives of the Ministries of Finance, Personnel, Public Grievances and Pensions, Labour, concerned Public Sector Undertaking and their employees and experts in the relevant field to be nominated by the Central Government.

(15) The procedure and the manner in which pensionary benefits are to be sanctioned and disbursed from the Pension Fund shall be determined by the Government on the recommendation of the Board of Trustees.

(16) The Government shall discharge its pensionary liability by paying in lump sum as a one time payment to the Pension Fund the pension or service gratuity and retirement gratuity for the service rendered till the date of absorption of the Government servant in the Public Sector Undertaking.

(17) The manner of sharing the financial liability on account of payment of pensionary benefits by the Public Sector Undertaking shall be determined by the Government.

(18) Lump sum amount of the pension shall be determined with reference to Commutation Table laid down in Central Civil Services (Commutation of Pension) Rules, 1981.

(19) The Public Sector Undertaking shall make pensionary contribution to the Pension Fund for the period of service to be rendered by the concerned employees under that undertaking at the rates as may be determined by the Board of Trustees so that the Pension Fund shall be self-supporting.

(20) If, for any financial or operational reason, the Trust is unable to discharge its liabilities fully from the Pension Fund and the Public Sector Undertaking is also not in a position to meet the shortfall, the Government shall be liable to meet such expenditure and such expenditure shall be debited to either the Fund or to the Public Sector Undertaking.

(21) Payments of pensionary benefits of the pensioners of a Government Department on the date of conversion of it into a Public Sector Undertaking shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account shall be determined by the Government.

(22) Nothing contained in sub-rules (13) to (21) shall apply in the case of conversion of the Departments of Telecom Services and Telecom Operations into Bharat Sanchar Nigam Limited, in which case the pensionary benefits including family pension shall be paid by the Government.

(23) For the purposes of payment of pensionary benefits including family pension referred to in sub-rule (22), the Government shall specify the arrangements and the manner including the rate of pensionary contributions to be made by Bharat Sanchar Nigam Limited to the Government and the manner in which financial liabilities on this account shall be met.

(24) The arrangements under sub-rule (23) shall be applicable to the existing pensioners and to the employees who are deemed to have retired from the Government.

(25) Upon conversion of a Government Department into a Public Sector Undertaking,-

- (a) the balance of provident fund standing at the credit of the absorbed employees on the date of their absorption in the Public Sector Undertaking shall, with the consent of such undertaking, be transferred to the new Provident Fund Account of the employees in such undertaking;
- (b) earned leave and half pay leave at the credit of the employees on the date of absorption shall stand transferred to such undertaking ;

- (c) the dismissal or removal from service of the Public Sector Undertaking of any employee after his absorption in such undertaking for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the service rendered under the Government and in the event of his dismissal or removal or retrenchment the decisions of the undertaking shall be subject to review by the Ministry administratively concerned with the undertaking .

(26) In case the Government disinvests its equity in any public sector undertaking to the extent of fifty-one per cent or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such Public Sector Undertaking.

(27) The safeguards specified under sub-rule (26) shall include option for voluntary retirement or continued service in the undertaking or voluntary retirement benefits on terms applicable to Government employees or employees of the Public Sector Undertaking as per option of the employees and assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government."

(11) In the said rules, after rule 37A, the following rule shall be inserted, namely;--

"37B. Conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Central Autonomous Body.

(1) On conversion of a department of the Central Government into an Autonomous Body, all Government servants of that Department shall be transferred *en-masse* to that Autonomous Body on terms of foreign service without any deputation allowance till such time as they get absorbed in the said body and such transferred Government servants shall be absorbed in the Autonomous Body with effect from such date as may be notified by the Government.

(2) The Central Government shall allow the transferred Government servants an option to revert back to the Government or to seek permanent absorption in the Autonomous Body.

(3) The option referred to in sub-rule (2) shall be exercised by every transferred Government servant in such manner and within such period as may be specified by the Government.

(4) The permanent absorption of the Government servants of the Autonomous Body shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from Government service.

(5) Upon absorption of Government servants in the Autonomous Body, the posts which they were holding in the Government before such absorption shall stand abolished.

(6) The employees who opt to revert to Government service shall be re-deployed through the surplus cell of the Government.

(7) The employees including quasi-permanent and temporary employees but excluding casual labourers, who opt for permanent absorption in the Autonomous Body, shall on and from the date of absorption, be governed by the rules and regulations or bye-laws of the Autonomous Body.

(8) A permanent Government servant who has been absorbed as an employee of an Autonomous Body and his family shall be eligible for pensionary benefits (including commutation of pension, gratuity, family pension or extra-ordinary pension), on the basis of combined service rendered by him in the government and Autonomous Body in accordance with the formula for calculation of such pensionary benefits as may be in force at the time of his retirement from the Autonomous Body/death or at his option, to receive benefits for the service rendered under the Central Government in accordance with the orders issued by the Central Government.

*Explanation:-* The amount of pension or family pension in respect of the absorbed employee on retirement from Autonomous Body or death shall be calculated in the same way as would be the case with a Central Government servant retiring or dying, on the same day.

(9) The pension of an employee under sub-rule (8) shall be calculated at fifty percent of emoluments or average emoluments, whichever is more beneficial to him.

(10) In addition to pension or family pension, as the case may be, the absorbed employees who opt for pension on the basis of combined service shall also be eligible to dearness relief as per central dearness allowance pattern.

(11) The benefits of pension and family pension shall be available to quasi-permanent and temporary transferred Government servants after they have been confirmed in the Autonomous Body.

(12) The Central Government shall create a Pension Fund in the form of a trust and the pensionary benefits of absorbed employees shall be paid out of such Pension Fund.

(13) The Secretary of the administrative Ministry of the autonomous body shall be the Chairperson of the Board of Trustees which shall include representatives of the Ministries of Finance, Personnel, Public Grievances and Pensions, Labour, concerned Autonomous Body and their employees and experts in the relevant field to be nominated by the Central Government.

(14) The procedure and the manner in which pensionary benefits are to be sanctioned and disbursed from the Pension Fund shall be determined by the Government on the recommendation of the Board of Trustees.

(15) The Government shall discharge its pensionary liability by paying in lump sum as a one time payment to the Pension Fund the pension or service gratuity and retirement gratuity for the service rendered till the date of absorption of the Government servant in the Autonomous Body.

(16) The manner of sharing the financial liability on account of payment of pensionary benefits by the Autonomous Body shall be determined by the Government.

(17) Lump sum amount of the pension shall be determined with reference to Commutation Table laid down in Central Civil Services (Commutation of Pension) Rules, 1981.

(18) The Autonomous Body shall make pensionary contribution to the Pension Fund for the period of service to be rendered by the concerned employees under that body at the rates as may be determined by the Board of Trustees so that the Pension Fund shall be self-supporting.

(19) If, for any financial or operational reason, the Trust is unable to discharge its liabilities fully from the Pension Fund and the Autonomous Body is also not in a position to meet the shortfall, the Government shall be liable to meet such expenditure and such expenditure shall be debited to either the Fund or to the Autonomous Body, as the case may be.

(20) Payments of pensionary benefits of the pensioners of a Government Department on the date of conversion of it into an Autonomous Body shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account shall be determined by the Government.

(21) Upon conversion of a Government Department into an Autonomous Body :-

- (a) the balance of provident fund standing at the credit of the absorbed employees on the date of their absorption in the Autonomous Body shall, with the consent of such body, be transferred to the new Provident Fund Account of the employees in such body.
- (b) earned leave and half pay leave at the credit of the employees on the date of absorption shall stand transferred to such body.
- (c) the dismissal or removal from service of the Autonomous Body of any employee after his absorption in such body for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the service rendered under the Government and in the event of his dismissal or removal or retrenchment the decisions of the body shall be subject to review by the Ministry administratively concerned with the body.

(22) In case the Government disinvests its equity in any Autonomous Body to the extent of fifty-one per cent or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such Autonomous Body.

(23) The safeguards specified under sub-rule (22) shall include option for voluntary retirement or continued service in the body, as the case may be, or voluntary retirement benefits on terms applicable to Government employees or employees of the Autonomous Body as per option of the employees, assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government.

(24) Nothing contained in this rule shall be applicable to the officers or employees including members of Indian Information Service, Central Secretariat service or any other service or to the persons borne on cadres outside Akashvani and Doordarshan, serving in the Akashvani and Doordarshan and engaged in the performance of functions transferred to Prasar Bharati established under Prasar Bharati (Broadcasting Corporation of India) Act, 1990.

(12) In the said rules, in rule 48A,-

(i) sub-rule (5) shall be omitted.

(ii) in sub-rule (6), for clause (a), the following clause shall be substituted, namely:--

“(a) retires under the Special Voluntary Retirement Scheme relating to voluntary retirement of surplus employees, or”

(13) In the said rules, rule 48B shall be omitted;

(14) In the said rules, rule 48C shall be omitted;

[F.No.38/80/08-P&PW]

[Tripti P. Ghosh]

Director

Note: The principal rules were published *vide* notification number S.O.934, dated the 1<sup>st</sup> April, 1972 and were subsequently amended *vide* notification number—

1. S.O.254, dated the 4<sup>th</sup> February, 1989
2. S.O.970, dated the 6<sup>th</sup> May, 1989
3. S.O.2467, dated the 7<sup>th</sup> October, 1989
4. S.O.899, dated the 14<sup>th</sup> April, 1990
5. S.O.1454, dated the 26<sup>th</sup> May, 1990
6. S.O.2329, dated the 8<sup>th</sup> September, 1990
7. S.O.3269, dated the 8<sup>th</sup> December, 1990
8. S.O.3270, dated the 8<sup>th</sup> December, 1990
9. S.O.3273, dated the 8<sup>th</sup> December, 1990
10. S.O.409, dated the 9<sup>th</sup> February, 1991
11. S.O.464, dated the 16<sup>th</sup> February, 1991
12. S.O.2287, dated the 7<sup>th</sup> September, 1991
13. S.O.2740, dated the 2<sup>nd</sup> November, 1991
14. GSR 677, dated the 7<sup>th</sup> December, 1991
15. GSR 399, dated the 1<sup>st</sup> February, 1992
16. GSR 55, dated the 15<sup>th</sup> February, 1992
17. GSR 570, dated the 19<sup>th</sup> December, 1992
18. S.O.258, dated the 13<sup>th</sup> February, 1993
19. S.O.1673, dated the 7<sup>th</sup> August, 1993
20. GSR 449, dated the 11<sup>th</sup> September, 1993
21. S.O.1984, dated the 25<sup>th</sup> September, 1993
22. GSR 389(E), dated the 18<sup>th</sup> April, 1994
23. S.O.1775, dated the 19<sup>th</sup> July, 1997
24. S.O.259, dated the 30<sup>th</sup> January, 1999
25. S.O.904(E), dated the 30<sup>th</sup> September, 2000
26. S.O.717(E), dated the 27<sup>th</sup> July, 2001
27. GSR 75(E), dated the 1<sup>st</sup> February, 2002
28. S.O.4000, dated the 28<sup>th</sup> December, 2002
29. S.O. 860(E), dated the 28<sup>th</sup> July, 2003
30. S.O. 1483 (E), dated the 30<sup>th</sup> December, 2003
31. S.O. 1487 (E), dated the 14<sup>th</sup> October, 2005
32. GSR 723(E), dated the 23<sup>rd</sup> November, 2006
33. S.O. 1821 (E), dated the 25<sup>th</sup> October, 2007
34. GSR 258 (E), dated the 31<sup>st</sup> March, 2008
35. S.O. 1028 (E), dated the 25<sup>th</sup> April, 2008
36. S.O. 829(E), dated the 12<sup>th</sup> April, 2010
37. GSR No. 176 dated 11<sup>th</sup> June 2011

**[TO BE PUBLISHED IN THE GAZETTE OF INDIA, PART IISUB SECTION (ii)  
OF SECTION 3]**

**Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Pension and Pensioners' Welfare**

**NOTIFICATION**

New Delhi, the 25<sup>th</sup> September, 2012

S.O 3091... In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the General Provident Fund (Central Services) Rules, 1960, namely:-

1. (1) These Rules may be called the General Provident Fund (Central Services) Amendment Rules, 2012.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the General Provident Fund (Central Services) Rules, 1960, in the Fifth Schedule, in paragraph 2, before the proviso, for the existing entries relating thereto, the following entries shall be substituted, namely:-

2.2 In respect of Group 'A' Officers (except Scientist-in-charge himself/herself), Groups 'B' and 'C' staff of the Botanical Survey of India and Zoological Survey of India, the advance under sub-rule (2) of Rule 12 may be sanctioned by the following officers:-

## ***Botanical Survey of India***

1. Scientist-in-charge (of the level of 'D' and above), Eastern Regional Centre, Shillong.
2. Scientist-in-charge (of the level of 'D' and above), Northern Regional Centre, Dehradun.
3. Scientist-in-charge (of the level of 'D' and above), Southern Regional Circle, Coimbatore.
4. Scientist-in-charge (of the level of 'D' and above), Central Regional Circle, Allahabad.
5. Scientist-in-charge (of the level of 'D' and above), Sikkim Himalayan Regional Circle, Gangtok.
6. Scientist-in-charge (of the level of 'D' and above), Andaman and Nicobar Regional Circle, Port Blair.
7. Scientist-in-charge (of the level of 'D' and above), Western Regional Circle, Pune.
8. Scientist-in-charge (of the level of 'D' and above), Arid Zone Regional Circle, Jodhpur.
9. Scientist-in-charge (of the level of 'D' and above), Arunachal Pradesh Regional Circle, Itanagar.
10. Scientist-in-charge (of the level of 'D' and above), Deccan Regional Circle, Hyderabad.
11. Scientist-in-charge (of the level of 'D' and above), Botanic Garden of the Indian Republic, NOIDA.
12. Scientist-in-charge (of the level of 'D' and above), Acharya Jagadish Chandra Bose Indian Botanic Garden, Howrah
13. Scientist-in-charge (of the level of 'D' and above), Central National Herbarium, Howrah.
14. Scientist-in-charge (of the level of 'D' and above), Central Botanical Laboratory, Howrah.
15. Scientist-in-charge (of the level of 'D' and above), Industrial Section Indian Museum, Kolkata.
16. Scientist-in-charge (of the level of 'D' and above), Headquarter, Kolkata.

## **Zoological Survey of India**

1. Scientist-in-charge (of the level of 'D' and above), Northern Regional Station, Dehradun.
2. Scientist-in-charge (of the level of 'D' and above), Southern Regional Station, Madras.
3. Scientist-in-charge (of the level of 'D' and above), Eastern Regional Station, Shillong.
4. Scientist-in-charge (of the level of 'D' and above), Gangetic Plains Regional Station, Patna.
5. Scientist-in-charge (of the level of 'D' and above), Western Regional Station, Pune.
6. Scientist-in-charge (of the level of 'D' and above), Desert Regional Station, Jodhpur.
7. Scientist-in-charge (of the level of 'D' and above), Central Regional Station, Jabalpur.
8. Scientist-in-charge (of the level of 'D' and above), Marine Biological Station, Madras.
9. Scientist-in-charge (of the level of 'D' and above), High Altitude Field Station, Solan.
10. Scientist-in-charge (of the level of 'D' and above), Andaman and Nicobar Regional Station, Port Blair.
11. Scientist-in-charge (of the level of 'D' and above), Fresh Water Biological Regional Station, Hyderabad.
12. Scientist-in-charge (of the level of 'D' and above), Western Ghats Field Research Station, Kozhicode.
13. Scientist-in-charge (of the level of 'D' and above), Estuarine Biological Station, Berhampur.
14. Scientist-in-charge (of the level of 'D' and above), Arunachal Pradesh Regional Centre, Itanagar.
15. Scientist-in-charge (of the level of 'D' and above), Marine Aquarium-cum- Regional Centre, Digha.
16. Scientist-in-charge (of the level of 'D' and above), Sundarban Regional Centre, Canning.

No.13/1/2010-P&PW(F)

**(TRIPTI P GHOSH)**

Director (PP)