

No.45/3/2008-P&PW (F)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi-110003.
Dated 30th September, 2010

OFFICE MEMORANDUM

Subject: Special benefits in cases of death and disability in service – payment of Disability Pension/Family pension – regarding.

The undersigned is directed to say that the pension of pensioner/family pensioners who were drawing pension/family pension as on 1.1.2006 under the CCS(EOP) Rules is to be revised in accordance with Department of Pension & Pensioners' Welfare Office memorandum No.38/37/2008-P&P&W(A) dated 1.9.2008.

2. The question of modified parity between past and present pensioners, covered under the Central Civil Services (Extraordinary Pension) Rules/Liberalized Pensionary Award Scheme, on the lines of benefits sanctioned for ordinary pensioners/family pensioners, has been under the consideration of the Government. It has now been decided that the revision of pre-2006 pensioners/family pensioners coming under this category would be done as under:-

(A) The past cases of pre-2006 pensioners/family pensioners will be revised under Para 4.1 of this Department's OM NO. 38/37/2008-P&P&W (A) dated 1.9.2008 as is being done hithertofore and the revised pension on the basis of the provisions of this OM worked out.

(B) The pension/family pension shall also be calculated as on 1.1.2006 by applying the following procedure:

I. Family Pension for Categories B & C

(a) Where the deceased Government servant was not holding a pensionable post:

40% of minimum of Pay in the Pay Band plus Grade Pay/minimum Basic Pay in the revised Scale of Pay in case of HAG and above, applicable from 1.1.2006, corresponding to the scale of pay last held by the employee, subject to a minimum of Rs.4550/-

(b) Where the deceased Government servant was holding a pensionable post:

60% of minimum of Pay in the Pay Band plus Grade Pay/minimum Basic Pay in the revised Scale of Pay in case of HAG and above, applicable from 1.1.2006, corresponding to the scale of pay last held by the employee, subject to a minimum of Rs.7,000/-

In case where the widow dies or remarries, the children shall be paid family pension at the rates mentioned at (a) or (b) above, as applicable, and the same rate shall also apply to fatherless/motherless children. In both cases, family pension shall be paid to children for the period during which they would have been eligible for family pension under the CCS (Pension) Rules. Dependent parents/brothers/sisters etc. shall be paid family pension one-half the rate applicable to widows/fatherless or motherless children.

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II. Family Pension under Categories D & E

Family pension shall be calculated as the minimum of Pay in the Pay Band plus Grade Pay/minimum Basic Pay in the revised Scale of Pay in case of HAG and above, applicable from 1.1.2006, corresponding to the scale of pay last held by the employee.

- (a) If the Government servant is not survived by his widow but is survived by child/children only, all children together shall be eligible for family pension at the rate of 60% of minimum of Pay in the Pay Band plus Grade Pay/minimum Basic Pay in the revised Scale of Pay in case of HAG and above, applicable from 1.1.2006, corresponding to the scale of pay last held by the employee, subject to a minimum of Rs. 7000/-
- (b) When the Government servant dies as a bachelor or as a widower without children, dependent pension will be admissible to parent without reference to pecuniary circumstances, at the rate of 75% of minimum of Pay in the Pay Band plus Grade Pay/minimum Basic Pay in case of HAG and above, applicable from 1.1.2006, corresponding to the scale of pay last held by the employee, if both parents are alive, and at the rate of 60% if only one of them is alive.

III. Disability Pension for Categories B & C

- (a) Disability pension would comprise of a service element equal to 50% of minimum of Pay in the Pay Band plus Grade Pay or the minimum Basic Pay in the revised Scale in case of HAG and above, applicable from 1-1-2006, corresponding to the scale of pay last held by the employee, to be reduced proportionately, if the employee did not have required qualifying service for full pension, plus disability element equal to 30% of the same minimum basic pay, for 100% disability.
- (b) For disability less than 100%, disability element shall be reduced proportionately. In cases of disability pension where permanent disability is not less than 60%, the disability pension (i.e. total of service element plus disability element) shall not be less than 60% of the minimum of pay in the Pay Band plus Grade Pay or the minimum basic pay in the revised Scale of pay in case of HAG and above, corresponding to the scale of pay last held by the employee, subject to a minimum of Rs. 7000/- per month.

IV. Disability Pension for Category D

- (a) Disability pension would comprise of a service element equal to 50% of minimum of Pay in the Pay Band plus Grade Pay/minimum Basic Pay in the revised Scale of Pay in case of HAG and above, applicable from 1.1.2006, corresponding to the scale of pay last held by the employee subject to proportionate reduction in case his qualifying service up to the deemed date of retirement falls short of full qualifying service and disability element equal to 30% of the same minimum of Pay in the Pay Band plus Grade Pay/minimum Basic Pay in the revised Scale of Pay, subject to the condition that the aggregate of service and disability element shall not be less than 80% of the minimum of Pay in the Pay Band plus Grade Pay/minimum Basic Pay, in case of HAG and above, applicable from 1.1.2006, corresponding to the scale of pay last held by the employee, for 100% disability.

- (b) For lower percentage of the disability, proportionate reduction would be made in disability element as provided in OM dated 3.2.2000 as amended vide O.M. No.45/3/2008-P&PW (F) dated 18.11.2008

V. Disability Pension for Cases under Category E

- (a) Disability pension would comprise of a service element equal to 50% of minimum of Pay in the Pay Band plus Grade Pay or the minimum Basic pay in the revised Scale of pay in case of HAG and above applicable from 1-1-2006, corresponding to the scale of pay last held by the employee subject to proportionate reduction in case his qualifying service upto deemed date of retirement falls short of full qualifying service and disability element equal to the same minimum of pay in the Pay Band plus Grade Pay or the minimum Basic Pay in the revised Scale of Pay in case of HAG and above, corresponding to the scale of pay last held by the employee, for 100% disability subject to the condition that the aggregate of service and disability elements shall not exceed the minimum of Pay in the Pay Band plus Grade Pay/minimum Basic Pay in the revised Scale of Pay, in case of HAG and above, applicable from 1.1.2006, corresponding to the scale of pay last held by the employee, for 100% disability.

The condition that the aggregate of service and disability elements shall not exceed the minimum of Pay in the Pay Band plus Grade Pay/minimum Basic Pay in the revised Scale of Pay, in case of HAG and above, applicable from 1.1.2006, corresponding to the scale of pay last held by the employee, for 100% disability-stands withdrawn w.e.f. 1.7.2009.

- (b) For lower percentage of the disability, proportionate reduction would be made in disability element as provided in OM dated 3.2.2000 as amended vide O.M. No.45/3/2008-P&PW (F) dated 18.11.2008.

3. After the revised pension/family pension has been calculated in accordance with the methods indicated in (A) & (B) above, the higher of the two shall be granted as revised pension w.e.f. 1.1.2006.

4. All other terms and conditions in the O.M. dated 3.2. 2000, as amended vide O.M. No.45/3/2008-P&PW (F) dated 18.11. 2008 shall remain unchanged.

5. This issues with the concurrence of the Ministry of Finance, Department of Expenditure U.O. No.403/EV/2010 dated 28.7.2010.

6. In so far as persons belonging to the Indian Audit & Accounts Department, these orders issue after consultation with the Comptroller & Auditor General of India.

Patra
(Tripti P Ghosh)
Director
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