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Circular No. C- 220

No.G1/C/MISC/Vol-X/Tech

Dated: 31.08.2022

To,

(All Head of Department under Min. of Defence)

Subject: - Revision of pension/family pension in respect of pensioners drawing compulsory retirement pension or compassionate allowance after compulsorily retirement/dismissal/removal from service- regarding.

Reference: - GOI, Min. of P, PG&P , Dept. of P&PW OM NO. 45/86/97P&PW(A) Pt. V dated 2503.2004
This office important circular no. 82 dt. 12.10.2011, & circular No. C-164 dt.30.05.2017.

[Available on this office website www.pcdapension.nic.in]

1. Attention is invited to above cited OM/circulars wherein instructions were issued for non applicability of GOI, Min. of P, PG&P , Dept. of P&PW, OM NO. 45/86/97-P&PW (A)Part III, dated 10.02.1998, OM No. 45/10/98-P&PW (A) dated 17.12.1998, OM No. 38/37/08-P&PW (A) dated 01.09.2008 & OM NO. 38/37/2016-P&PW (A) dated 12.05.2017 to Pre 1996, Pre-2006 & Pre-2016 pensioners/family pensioners in cases where pensioners were drawing compulsory retirement pension or compassionate allowance, for the purpose of revision of pension/family pension w.e.f. 01.01.1996, 01.01.2006 & 01.01.2016.

2. Now, GOI, Ministry of P, PG & P, Deptt. of P&PW have issued further orders under their OM No. 38/46/2017-P&PW(A) (4879), dated 14.06.2022, which is **self – explanatory** and is enclosed for guidance and necessary action. The salient points of ibid OM are given in succeeding paras:-

3. GoI, has now decided that the provisions contained in the OMs No. 45/86/97-P&PW(A)- Part – III dated 10.02.1998 and 45/10/98- P&PW(A)- Part – III dated 17.12.1998 regarding revision of pension/family pension after 5th CPC, para 4.2 of OM No. 38/37/08-P&PW(A) dated 01.09..2008 (as amended/clarified from time to time) regarding revision of pension/family pension after 6th CPC and OM NO. 38/37/2016-P&PW(A) dated 12.05.2017 regarding revision pension/family pension after 7th CPC by notional fixation of pay, would also be applicable for revision of pension/family pension in respect of pensioners who were drawing compulsory retirement pension or

compassionate allowance. Accordingly, pension/family pension of such pensioners shall be revised w.e.f. 01.01.1996, 01.01.2006 and 01.01.2016 in accordance with aforesaid orders issued for revision of pension of the pre-1996, pre-2006 and pre-2016 pensioners/family pensioners, respectively.

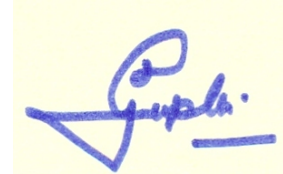
4 In cases where compulsory retirement pension or compassionate allowance was sanctioned at a rate which was less than full pension, the revised pension computed as per aforesaid OMs would be proportionate to the reduced initial pension/compassionate allowances which was sanctioned on compulsory retirement/dismissal/removal. In other words, the revised pension/compassionate allowance computed as per aforesaid OMs would be reduced by the same percentage by which the initial pension was reduced at time of sanction of pension/compassionate allowance on compulsory retirement/dismissal/removal. In cases where the compulsory retirement pension was given in full without any reduction, the revised pension computed as per the aforesaid OMs would also be given in full without any reduction.

5. There will be no reduction in the amount of family pension computed as per the aforesaid OMs in any case, including in cases where the amount of initial compulsory retirement pension/compassionate allowance was less than full pension.

6. It shall be the responsibility of the Head of Department and Pay and Accounts Office (PAO) attached to that office from which the Government servant had retired or was working last before his death to fix the pay as on 01.01.2016 in respect of pre-2016 Defence Civilian pensioners/family pensioners in accordance with existing rules/Govt. orders. **In the annexed proforma of LPC-Cum-Data Sheet, the claim will be forwarded along with all concerned documents by the H.O.O/H.O.D to PCDA (Pension) Allahabad after getting it vetted from PAO/LAO attached. In addition of LPC-Cum Data Sheet duly completed in all respect , following documents may invariably be enclosed along with the claim:- 1. Copy of original PPO and subsequent all Corr. PPOs earlier issued to the pensioner 2. In case of death, Copy /Date of death of the pensioner with death certificate. 3. Current PDA details.**

7. HOOs may endeavor to mention Pay scale at time of retirement. Notional Pay scale & Notional Pay Scale as on 01.01.1986 in case of pensioners who were retired prior to 01.01.1986, Notional Pay scale/Pay scale as per 5th CPC, 6th CPC and 7th CPC, Aadhaar no., Mobile no., PAN no., E Mail Id of pensioner / family pensioner or spouse in the LPC-cum- Data Sheet, if readily available. In case these details are not available, efforts may be made to obtain these details from the Pensioner / family pensioner / Spouse and subsequently propose amendments through use of LPC-cum- Data Sheet for issue of Corrigendum PPO.

8. In view of the foregoing, Head of Departments are requested to issue suitable instructions (along with copy of this circular) to all the Head of Offices under their administrative control to ensure that claims on the subject matter are floated in accordance with clarification given in above Paras without delay. It is further requested that HOD's may evolve suitable mechanism to monitor progress in forwarding of LPC-cum-Data Sheet by their sub offices functioning as on Head of Office.



(R K Gupta)
Asstt.. CDA (P)

No: G1/C/0199/ Vol-I/Tech

Dated: 31/08/2022

Enclosure: - As above

Copy to:-

1. The CGDA, Ulan Batar Road Palam, Delhi Cantt-10
2. All Pr. CDA /CDA / C of F&A (Fys)/CDA (Fund)
3. All G.M. Fys.
4. All CE/Nodal CE of various Commands.

Sd/-
(S. S. Alam)
Accounts Officer (P)

LPC-CUM Data Sheet for Revision of Pension in r/o Defence Civilian Pensioner/family pensioner who are/were drawing compulsory retirement Pension or Compassinate Allowance after compulsory retirement/dismissal/removal from service

Head of Office Details			
Organization Code*		Address of Head of Office*	
HOO Name*		HOO ID	
		Email of HOO*	
PPO Details			
Org. PPO No.*		Latest Corrigendum PPO No.	
Pensioner/Family Pensioner Details			
Name of Pensioner/Emp*		Date of Compulsory Retirement	
		Date of Death	
Nature of Pension*		Post Last Held*	
Type of Pension*		Last Pay Drawn*	
Address of Pensioner		Net Qualifying Service*	
PAN Number		Family Pensioner Name	
Mobile Number		Family Pensioner DOB	
Aadhar Number		Relationship	
Email ID		Family Pensioner Aadhaar	
Date of Birth		Family Pensioner PAN	
Date of Appointment		Basic Pension(at retirement)*	
		Basic Pension (as on 01.01.2016)	
Pay Details			
3rd CPC Pay Scale (Pre 86)		6th CPC Pay/Pay Band with GP	
3rd CPC Pay/Pay scale/Notional Pay (Pre86)			
4th CPC Notional pay/pay Scale (as on 01.01.1986)		NPA	
4th CPC Pay /Pay Scale		Other Pay	
5th CPC Notional Pay/Pay Scale (as on 01.01.1996)		Amount of Other Pay	
5th CPC Pay / Pay Scale		7th CPC Level of Pay*	
6th CPC Notional Pay in Pay Band (as on 01.01.2006) with GP		7th CPC Pay Index*	
Grade Pay (as on 01.01.2006)		7th CPC Notional Pay (as on 01.01.2016)	
PDA Details			
Name of PDA*		Bank A/C Number	
PDA Station*		IFSC Code of Bank Branch	
Name of Bank		Bank Branch	
BSR Code of CPPC			
H.O.O.		CDA/ AO/ AAO	

No.38/46/2017-P&PW(A)(4879)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare
3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi-110 003
Dated : 14.06.2022

OFFICE MEMORANDUM

Sub:- Revision of pension/family pension in respect of the pensioners drawing compulsory retirement pension or compassionate allowance after compulsorily retirement/dismissal/removal from service-reg.

The undersigned is directed to say that on the recommendations of the 5th Central Pay Commission, the following orders/instructions were issued for revision of pension of pre-1996 pensioners:

- (i) Orders issued vide this Department's OM No.45/86/97-P&PW(A)-Part II dated 27.10.1997 for revision of pension/family pension of pre-1996 pensioners/family pensioners by consolidating the pre-revised pension/family pension, dearness relief, interim relief and fitment benefit with effect from 01.01.1996.
- (ii) Instructions issued vide this Department's OM No.45/86/97-P&PW(A)-Part III dated 10.02.1998 for revision of pension/family pension of pre-1996 pensioners/family pensioners by notional fixation of pay as on 01.01.1986.
- (iii) Instructions issued vide this Department's OM No. 45/10/98-P&PW(A) dated 17.12.1998 that the consolidated revised pension/family pension under sub-para (i) above would be stepped up to 50% / 30% of the minimum of the pay in the revised scale of pay as on 01.01.1996, corresponding to the scale held by the pensioner at the time of retirement/death.
- (iv) Clarifications/instructions issued vide this Department's OM No.45/86/97-P&PW(A) Pt.V dated 25.03.2004 that the instructions referred to in sub-para (ii) and (iii) above would not be applicable to the pre-1996 pensioners/family pensioners in cases where pensioners were drawing compulsory retirement pension or compassionate allowance, for the purpose of revision of pension/family pension w.e.f. 01.01.1996.

2. On the recommendations of the 6th CPC, the following orders/instructions were issued for revision of pension of pre-2006 pensioners:

- (i) Orders issued vide this Department's OM No. 38/37/08-P&PW(A) dated 1.9.2008 for revision of pension/family pension of pre-2006 pensioners/family pensioners w.e.f. 01.01.2006. In para 4.1 of this OM, it was provided that pension/family pension of pre-2006 pensioners would be revised by consolidating the pre-revised pension/family pension, dearness pension, dearness relief and fitment benefit.
- (ii) In para 4.2 of this Department's OM No. 38/37/08-P&PW(A) dated 1.9.2008 and O.M. No. 38/37/08-P&PW(A)(pt.1) dated 03.10.2008, it was further provided that the fixation of pension/family pension would be subject to the provision that the

revised pension/family pension, in no case, would be lower than 50% /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.

(iii) Further instructions regarding the manner for revision of pension/family pension in terms of para 4.2 of O.M. dated 01.09.2008 were issued vide this Department's O.M. No. 38/37/08-P&PW(A) dated 28.01.2013, 38/37/08-P&PW(A) dated 30.07.2015 and 38/37/08-P&PW (A) dated 06.04.2016.

(iv) It was clarified vide this Department's OM No.38/37/08-P&PW(A) dated 22.07.2011 that the benefit of para 4.2 of the OM dated 01.09.2008 would not be applicable in the case of revision of pension/family pension in respect of the pensioners who were in receipt of compulsory retirement pension and compassionate allowance under Rules 40 and 41 of CCS(Pension) Rules, 1972.

3. On the recommendations of the 7th CPC, following orders/instructions were issued for revision of pension of pre-2016 pensioners:

(i) Orders were issued vide this Department's OM No.38/37/2016-P&PW(A) dated 12.05.2017 for revision of pension/family pension of pre-2016 pensioners/family pensioners w.e.f. 01.01.2016 by notional fixation of pay as on 01.01.2016.

(ii) In para 11 of the said OM dated 12.5.2017, it was provided that the provisions regarding notional fixation of pay as on 01.01.2016 would not be applicable for the purpose of revision of pension/family pension in respect of the pensioners who were drawing compulsory retirement pension under Rule 40 of the CCS (Pension) Rules, 1972 or compassionate allowance under Rule 41 of the CCS (Pension) Rules, 1972.

4. Based on representations received from some pensioners and also some court decisions in this regard, the matter has been re-considered in consultation with Department of Expenditure. It has now been decided that the provisions contained in this Department's OMs No.45/86/97-P&PW(A)-Part III dated 10.02.1998 and No. 45/10/98-P&PW(A) dated 17.12.1998 regarding revision of pension/family pension after 5th CPC, para 4.2 of this Department's OM No.38/37/08-P&PW(A) dated 01.09.2008 (as amended /clarified from time to time) regarding revision of pension/family pension after 6th CPC and this Department's OM No.38/37/2016-P&PW(A) dated 12.05.2017 regarding revision of pension/family pension after 7th CPC by notional fixation of pay, would also be applicable for revision of pension/family pension in respect of pensioners who were drawing compulsory retirement pension or compassionate allowance. Accordingly, pension/family pension of such pensioners/family pensioners shall be revised w.e.f. 01.01.1996, 01.01.2006 and 01.01.2016 in accordance with the aforesaid orders issued for revision of pension of the pre-1996, pre-2006 and pre-2016 pensioners/family pensioners, respectively.

5. In cases where compulsory retirement pension or compassionate allowance was sanctioned at a rate which was less than full pension, the revised pension computed as per the aforesaid OMs would be proportionate to the reduced initial pension/compassionate allowance which was sanctioned on compulsory retirement/dismissal/removal. In other

words, the revised pension/compassionate allowance computed as per the aforesaid OMs would be reduced by the same percentage by which the initial pension was reduced at the time of sanction of pension/compassionate allowance on compulsory retirement/ dismissal/ removal. In cases where the compulsory retirement pension was given in full without any reduction, the revised pension computed as per the aforesaid OMs would also be given in full without any reduction.

6. There will be no reduction in the amount of family pension computed as per the aforesaid OMs in any case, including in cases where the amount of initial compulsory retirement pension/compassionate allowance was less than full pension.

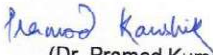
7. Accordingly, the clarifications/ instructions contained in this Department's OMs No.45/86/97-P&PW(A)pt.V dated 25.03.2004, No.38/37/08-P&PW(A) dated 22.07.2011 and para 11 of OM No.38/37/2016-P&PW(A) dated 12.05.2017 stand withdrawn.

8. All Ministries/Departments are requested to revise the pension/family pension w.e.f. 01.01.1996, 01.01.2006 and 01.01.2016 (as may be applicable) in respect of the pensioners who were sanctioned compulsory retirement pension or compassionate allowance accordingly.

9. These orders are issued with the concurrence of Ministry of Finance (Department of Expenditure) vide their ID/U.O No.1(11)/EV/2017 dated 29.04.2022.

10. In so far as persons belonging to the Indian Audit & Accounts Departments, these orders are issued after consultation with the Comptroller and Auditor General of India.

11. Hindi version will follow.


(Dr. Pramod Kumar)
Director

All Ministries/Departments of Government of India