

F.No.38/37/08-P&PW(A).pt.1

Government of India

Ministry of Personnel, Public Grievances & Pensions

Department of Pension & Pensioners' Welfare

Lok Nayak Bhawan, New Delhi-110003

Dated the 3rd October, 2008.

OFFICE MEMORANDUM

Sub: Implementation of Government's decision on the recommendations of the Sixth Central Pay Commission Revision of pension of pre-2006 pensioners/family pensioners etc.

The undersigned is directed to say that in pursuance of Government's decision on the recommendations of Sixth Central Pay Commission, sanction of the President was accorded to the regulation, with effect from 1.1.2006, of pension/ family pension of all the pre-2006 pensioners/ family pensioners in the manner indicated in this Department's O.M. No. 38/37/08-P&PW(A) dated 1.9.2008. A number of references are being received in this Department seeking clarifications in regard to various provisions of the aforesaid O.M. The matter has been considered in consultation with the Ministry of Finance, Department of Expenditure and the following clarifications/modifications are made in regard to the aforesaid O.M. dated 1.9.2008:

Provision in the OM No. 38/37/08-P&PW(A) dated 1.9.2008	Clarification/modification
<p>3.1 In these orders :</p> <p>a. Existing pensioner or Existing Family pensioner means a pensioner who was drawing/entitled to pension/family pension on 31.12.2005.</p> <p>b. Existing pension means the basic pension inclusive of commuted portion, if any, due on 31.12.2005. It covers all classes of pension under the CCS (Pension) Rules, 1972 as also Disability Pension under the CCS (Extraordinary Pension) Rules and the corresponding rules applicable to Railway employees and Members of All India Services.</p> <p>c. Existing family pension means the basic family pension drawn on 31.12.2005 under the CCS (Pension) Rules and the corresponding rules applicable to Railway employees and Members of All India Services.</p>	<p>The 'existing pensioner or existing family pensioner' would include a pensioner/family pensioner who became entitled to pension/family pension w.e.f. 1.1.2006 consequent on retirement/death of Government servant on 31.12.2005.</p> <p>Similarly, 'existing pension or existing family pension' would include a pension/family pension which became due w.e.f. 1.1.2006 consequent on retirement/death of Government servant on 31.12.2005.</p>
<p>4.2 The fixation of pension will be subject to the provision that the revised pension in no case, shall be lower than fifty percent of the sum of the minimum of the pay in the pay band and the grade pay thereon corresponding to the pre-revised pay scale from which the pensioner had retired.</p>	<p>The pension calculated at 50% of the minimum of pay in the pay band plus grade pay would be calculated (i) at the minimum of the pay in the pay band (irrespective of the pre-revised scale of pay) plus the grade pay corresponding to the pre-revised pay scale. For example, if a pensioner had retired in the pre-revised scale of pay of Rs. 18400-22400, the corresponding pay band being Rs. 37400-67000 and the corresponding grade pay being Rs. 10,000/-</p>

	<p>p.m., his minimum guaranteed pension would be 50% of Rs. 37,400+Rs. 10,000 (i.e. Rs. 23,700). A statement indicating the minimum pension corresponding to each of the pre-2006 scales of pay is enclosed at Annexure.</p> <p>The pension will be reduced pro-rata, where the pensioner had less than the maximum required service for full pension as per rule 49 of the CCS(Pension) Rules, 1972 as applicable on 01.01.2006 and in no case it will be less than Rs. 3500/- p.m.</p> <p>In case the pension consolidated as per para 4.1 of OM.No.38/37/08-P&PW(A) dated 1.9.2008 is higher than the pension calculated in the manner indicated above, the same (higher consolidated pension) will be treated as Basic Pension.</p> <p>The fixation of family pension will be subject to the provision that the revised family pension, in no case, shall be lower than thirty percent of the sum of the minimum of the pay in the pay band and the grade pay thereon corresponding to the pre-revised pay scale in which the pensioner/deceased Government servant had last worked. In case the family pension consolidated as per para 4.1 of OM.No.38/37/08-P&PW(A) dated 1.9.2008 is higher than the family pension calculated in the manner indicated above, the same (higher consolidated family pension) will be treated as Basic family Pension.</p>												
<p>4.5 The quantum of family pension available to the old pensioners/ family pensioners shall be increased as follows:-</p> <table border="1"> <thead> <tr> <th><u>Age of pensioner/ Family pensioner</u></th> <th><u>Additional quantum of pension</u></th> </tr> </thead> <tbody> <tr> <td>From 80 years to less than 85 years</td> <td>20% of revised basic pension/ family pension</td> </tr> <tr> <td>From 85 years to less than 90 years</td> <td>30% of revised basic pension/ family pension</td> </tr> <tr> <td>From 90 years to less than 95 years</td> <td>40% of revised basic pension/ family pension</td> </tr> <tr> <td>From 95 years to less than 100</td> <td>50% of revised basic pension/ family pension</td> </tr> <tr> <td>100 years or more</td> <td>100% of the revised basic pension/ family pension</td> </tr> </tbody> </table>	<u>Age of pensioner/ Family pensioner</u>	<u>Additional quantum of pension</u>	From 80 years to less than 85 years	20% of revised basic pension/ family pension	From 85 years to less than 90 years	30% of revised basic pension/ family pension	From 90 years to less than 95 years	40% of revised basic pension/ family pension	From 95 years to less than 100	50% of revised basic pension/ family pension	100 years or more	100% of the revised basic pension/ family pension	<p>(i) The additional quantum of pension/family pension, on attaining the age of 80 years and above, would be admissible from the 1st day of the month in which his date of birth falls. For example, if a pensioner/family pensioner completes age of 80 years on any date in the month of August, 2008, he will be entitled to additional pension/family pension w.e.f. 1.8.2008. Those pensioners/family pensioners whose date of birth is 1st August, will also be entitled to additional pension/family pension w.e.f. 1.8.2008 on attaining the age of 80 years and above.</p> <p>(ii) Dearness Relief will also be admissible on the additional quantum of pension available to the old pensioners, in accordance with the orders issued from time to time.</p>
<u>Age of pensioner/ Family pensioner</u>	<u>Additional quantum of pension</u>												
From 80 years to less than 85 years	20% of revised basic pension/ family pension												
From 85 years to less than 90 years	30% of revised basic pension/ family pension												
From 90 years to less than 95 years	40% of revised basic pension/ family pension												
From 95 years to less than 100	50% of revised basic pension/ family pension												
100 years or more	100% of the revised basic pension/ family pension												

<p>4.6 Some of the existing pensioners who retired between 31.3.1985 and 31.12.1985 are in receipt of personal pension. The said personal pension will continue to be granted as a separate element and will not be merged into the pension as consolidated above.</p>	<p>Personal pension was discontinued vide Department of Pension & PW O.M.No. 45/86/97-P&PW(A) (Pt. IV) dated 21.9.2000. Therefore, this para may be treated as deleted.</p>
<p>5.1 Where the consolidated pension/family pension in terms of paragraph 4 above works out to an amount less than Rs. 3500/- the same shall be stepped upto Rs. 3500/-. This will be regarded as pension/family pension with effect from 1.1.2006. In the case of pensioners who are in receipt of more than one pension, the floor ceiling of Rs. 3500/- will apply to the total of all pensions taken together.</p>	<p>It was clarified in Department of Pension & PW O.M.No. 38/38/02-P&PW(A) (Pt. IV) dated 23.4.2003 that in respect of civil and military pension, the floor ceiling taking the two pensions together will not apply and the individual pensions will be governed by respective pension rules. These instructions would continue to apply in the context of revised floor ceiling of Rs. 3500/-p.m. Accordingly; the floor ceiling of Rs.3500 will apply individually to the civil and military pension.</p> <p>In case, a person is in receipt of pension as well as family pension, the floor ceiling of Rs.3500 will apply individually to such pension and family pension. (Para 5.1 will stand modified to this extent.)</p>
<p>5.2 Where the disability pension under the CCS(EOP) Rules, is drawn in addition to invalid pension under the CCS (Pension) Rules, 1972, the minimum limit of Rs. 3500/- will apply to total of two pensions as indicated in paragraph 5.1. Where the disability pension is drawn in isolation, the minimum limit of Rs. 3500/- will apply for 100% disability. For lesser degree of disability the minimum limit will be proportionately less.</p>	<p>It was clarified in Department of Pension & PW O.M.No. 45/86/87-P&PW(A) dated 7.8.2001 that the element of disability pension and invalid pension may be treated as distinct pensions. The invalid pension may continue to be regulated as per the CCS (Pension) Rules subject to certain minimum amount* and the extraordinary disability pension may continue to be treated as a separate element and this should be fixed as per the degree of disability. This will be subject to the further condition that the amount of disability pension and invalid pension should in no case exceed the last pay drawn. These instructions would continue to apply in the context of revised minimum pension of Rs. 3500/-p.m. Para 5.2 will stand modified to this extent.</p> <p><i>(*certain minimum amount refers to the amount calculated as per the provisions of Rule 49(2)(c) of CCS(Pension) Rules 1972.</i></p>
<p>6. The employed/ re-employed pensioners/family pensioners are not getting dearness relief on pension at present under the extant orders. In their case the notional dearness relief which would have been admissible to them but for their employment/re-employment will be taken into account for consolidation of their</p>	<p>Instructions were issued vide Department of Pension & PW OM No. 45/73/97-P&PW(G) dated 2.7.1999 for regulation of dearness relief when pay on re-employment is fixed at the minimum ignoring the full pension and also for regulation of dearness relief of employed family pensioners. These instructions would continue to apply in the</p>

pension in terms of paragraph 4.1. above as if they were drawing the dearness relief. Their pay will be re-fixed w.e.f. 1.1.2006 with reference to consolidated pension becoming admissible to them. Dearness relief beyond 1.1.2006 will, however, not be admissible to them during the period of employment/re-employment.	context of revised pension on implementation of the recommendations of the Sixth Central Pay Commission. Para 6 will stand modified to this extent.
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2. It is impressed upon all the Ministries/Departments of the Government of India to keep in view the above clarifications while disposing of the cases of revision of pension/family pension. They are also advised to dispose the representations received by them from pensioners on the above issues without referring them to this Department.

3. This issues with the concurrence of Ministry of Finance (Department of Expenditure) vide their I.C. U.O. No.4.2/23/2008-IC dated 30.09.2008.



(M.P. Singh)
Director (PP)
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To

All Ministries/ Departments of Government of India

ANNEXURE

**REVISED PENSION BASED ON REVISED PAY BANDS AND GRADE PAYS FOR
POSTS CARRYING PRESENT SCALES IN GROUP 'A', 'B', 'C' & 'D' AS PER
SIXTH CENTRAL PAY COMMISSION**

*(BASED ON THE FIRST SCHEDULE, PART -A., SECTION- I, (Rule 3 & 4) OF THE CCS (REVISED PAY)
RULES 2008)*

(refer para 4.2. of OM No.38/37/08-P&PW(A) dated 1.9.2008 of D/ o Pension & PW)

Sl. No.	Post/ Grade	5 th CPC Pay scale	Name of Pay Band/ scale	Corresponding 6th CPC Pay Bands/ scales	Corresponding Grade Pay	Pension* = 50% of sum Of min. of PB+GP/ scales	Family Pension** = 30% of sum Of min. of PB+GP/ scales
1	2	3	4	5	6	7	8
1	S-1	2550-55-2660-60-3200	-1S	4440-7440	1300	3500	3500
2	S-2	2610-60-3150-65-3540	-1S	4440-7440	1400	3500	3500
3	S-2A	2610-60-2910-65-3300-70-4000	-1S	4440-7440	1600	3500	3500
4	S-3	2650-65-3300-70-4000	-1S	4440-7440	1650	3500	3500
5	S-4	2750-70-3800-75-4400	PB-1	5200-20200	1800	3500	3500
6	S-5	3050-75-3950-80-4590	PB-1	5200-20200	1900	3550	3500
7	S-6	3200-85-4900	PB-1	5200-20200	2000	3600	3500
8	S-7	4000-100-6000	PB-1	5200-20200	2400	3800	3500
9	S-8	4500-125-7000	PB-1	5200-20200	2800	4000	3500
10	S-9	5000-150-8000	PB-2	9300-34800	4200	6750	4050
11	S-10	5500-175-9000	PB-2	9300-34800	4200	6750	4050
12	S-11	6500-200-6900	PB-2	9300-34800	4200	6750	4050
13	S-12	6500-200-10500	PB-2	9300-34800	4200	6750	4050
14	S-13	7450-225-11500	PB-2	9300-34800	4600	6950	4170
15	S-14	7500-250-12000	PB-2	9300-34800	4800	7050	4230
16	S-15	8000-275-13500	PB-2	9300-34800	5400	7350	4410
17	NEW SCALE	8000-275-13500 (Group A Entry)	PB-3	15600-39100	5400	10500	6300
18	S-16	9000	PB-3	15600-39100	5400	10500	6300
19	S-17	9000-275-9550	PB-3	15600-39100	5400	10500	6300
20	S-18	10325-325-10975	PB-3	15600-39100	6600	11100	6660
21	S-19	10000-325-15200	PB-3	15600-39100	6600	11100	6660
22	S-20	10650-325-15850	PB-3	15600-39100	6600	11100	6660
23	S-21	12000-375-16500	PB-3	15600-39100	7600	11600	6960
24	S-22	12750-375-16500	PB-3	15600-39100	7600	11600	6960
25	S-23	12000-375-18000	PB-3	15600-39100	7600	11600	6960
26	S-24	14300-400-18300	PB-4	37400-67000	8700	23050	13830
27	S-25	15100-400-18300	PB-4	37400-67000	8700	23050	13830
28	S-26	16400-450-20000	PB-4	37400-67000	8900	23150	13890
29	S-27	16400-450-20900	PB-4	37400-67000	8900	23150	13890
30	S-28	14300-450-22400	PB-4	37400-67000	10000	23700	14220
31	S-29	18400-500-22400	PB-4	37400-67000	10000	23700	14220
32	S-30	22400-525-24500	PB-4	37400-67000	12000	24700	14820
33	S-31	22400-600-26000	HAG+SCALE	75500-80000	NIL	37750	22650
34	S-32	24050-650-26000	HAG+SCALE	75500-80000	NIL	37750	22650
35	S-33	26000 (FIXED)	APEX SCALE	80000 (FIXED)	NIL	40000	24000
36	S-34	30000 (FIXED)	CAB. SEC.	90000 (FIXED)	NIL	45000	27000

*Note- 1: As per Para 4.2 of OM No.38/37/08-P&PW(A) dated 1.9.008, the revised pension of those who retired after completing maximum required qualifying service (i.e. 33 years) before 1.1.2006 cannot be less than

the pension indicated in column 7 above(i.e. 50% of the sum of Minimum of Pay Band and Grade pay/ scale corresponding to the scale of pay the pensioners held at the time of their retirement). The pension in Col.7 above will be reduced pro-rata, where the pensioner had less than the maximum required qualifying service (i.e. 33 years) for full pension as per Rule 49 of the CCS(Pension) Rules, 1972 as applicable on 1.1.2006 and in no case it will be less than Rs.3500/- p.m. In case, the pension consolidated as per Para 4.1 of above OM is higher than the pension calculated in the manner above, the same (higher pension) will be treated as Basic pension.

****Note- 2:** The revised family pension in respect of those pensioners who retired before 1.1.2006 and the Government servants who died before 1.1.2006 cannot be less than the pension indicated in column 8 above (i.e. 30% of the sum of Minimum of Pay Band and Grade pay/ scale corresponding to the scale of pay the pensioners held at the time of their retirement). In case, the family pension consolidated as per Para 4.1 of above OM is higher than the family pension indicated in column 8 above, the same (higher family pension) will be treated as Basic family pension.

