MEMORANDUM

Dated: 27.12.2010

Sub.: i) Grant of additional pension to old pensioners/family pensioners on attaining the age of 80 years and above.
   ii) Inclusion of names of the widowed or divorced or unmarried daughter/parents/dependent disabled siblings (i.e. brothers and sisters/) in the PPO – Procedure for – Regarding.
   iii) Regulation of pension and other retirement benefits of Government servants who were on Extraordinary leave/unauthorised absence/suspension as on 1.1.2006 and retired/died thereafter without joining duty.

A copy of the office Memorandum issued by Govt. of India; Ministry of Personnel, Public Grievances & Pension, Department of Personnel & Training vide their D.O. No.38/37/08-P&PW(A) dated 21.07.2010, O.M. No. 1/6/08-P&PW (E) dated 22.06.2010 and O.M. No. 38/37/08-P&PW(A) dated 15.06.2010 on the above subjects respectively are hereby forwarded after adoption for information and necessary action.

This issues with the approval of the Financial Commissioner.

Hindi version follow.

Encl.: As above.

To

All Regional Directors/Addl. Commissioner(NTA)/Dir.(Medical) Delhi/Medical Superintendents ESI Hospitals, Basaidarapur/Jhilmil/Okhla, New Delhi/NOIDA/K.K.Nagar, Chennai/Joka(Kolkata),All ESIC Model Hospital/Jt.Director-I/V(Hqrs.)/SSMC/SMC/Directors/Jt.Directors(l/c).

Copy forwarded to:-

1. All Jt.Director(Fin.)/Dy.Directors(Fin.) of R.Os./S.R.Os.
2. Director(Fin.), Hqrs.
3. Accounts Branch-III/Cash Branch, Hqrs.
4. Addl.Commissioner(System) with the request to upload this Memorandum on the web site of ESIC.
5. Raj Bhasha Cell for Hindi Translation.
6. Guard File/Spare copies.
As you are aware, on the recommendations of the Sixth Central Pay Commission, orders have been issued by Department of Pension & PW for grant of additional pension to old pensioners/family pensioners on attaining the age of 80 years and above.

2. Considering the difficulties faced by old pensioners/family pensioners in getting the additional pension due to non-availability of the information regarding date of birth/age in the PPO, it was provided in our O.M. dated 21.5.2009 and 11.8.2009 that in case the information regarding date of birth/age is not available in the PPO or the office records, certain specified documents, viz. PAN Card, Matriculation certificate, Passport, CGHS Card, Driving licence and Voter’s ID Card, would be accepted as proof of date of birth/age for payment of additional pension/family pension. The Pension Disbursing Authority/Banks were authorised to make payment of additional pension/family pension, on provisional basis, up to a period of three months from the month in which the proof of age/date of birth is submitted by the pensioner/family pensioner. The Pension Disbursing Authority/Bank was required to immediately send one copy each of the document submitted by the pensioner/family pensioner to the Pay and Account Officer/CPAO for formal authorisation of the additional pension/family pension to enable the Pension Disbursing Authority/Bank to continue payment of additional pension/family pension beyond a period of three months.

3. The instructions also provide that in case the pensioner/family pensioner is unable to submit any of the documents mentioned in OMs dated 21.5.2009 and 11.8.2009 but claims additional pension based on some other documentary evidence, such cases will be submitted to the administrative Ministry. If the administrative Ministry is satisfied about the claim of the pensioner/family pensioner, it will authorize additional pension/family pension accordingly. The decision of the Administrative Ministry in this regard will be final.

4. It has been brought to our notice by certain Pension Disbursing Banks that they have not received the final authorization from many Pay & Accounts Offices, in accordance with the above instructions. It is requested to instruct your Heads of Offices that they should immediately act upon the papers submitted by the pensioners and forward the same to the concerned PAOs who can then act upon the sanctions to authorize additional pension to the pensioners.

With regards,

Shri Prabhat C. Chaturvedi,
Secretary,
Ministry of Labour and Employment,
Shram Shakti Bhawan,
New Delhi.

Please visit our website: http://www.pensionersportal.gov.in

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subject: inclusion of names of the widowed or divorced or unmarried daughter/parents/dependent disabled siblings (i.e. brothers and sisters) in the PPO - Procedure for - Regarding.

the undersigned is directed to state that it was clarified earlier vide this department's O.M.No. 1/21/91-P&PW (E) dated 20.1.1993 that the revised PPO format introduced w.e.f. 1.1.1990 contains provision for entry of details of all members of the family of the pensioner. The PPOs issued prior to 1.1.90, however, do not contain the names/details of children of the pensioner. In cases where the names of eligible children have not been mentioned in the PPO for various reasons, the pensioner can furnish a list of eligible children to the pension sanctioning authority and obtain an acknowledgement thereof from that authority. This acknowledgment will be produced at the time of submission of family pension claim to the pension sanctioning authority. However, the production of an acknowledgment will not be a pre-condition to the processing of claim for family pension. Even the spouse of the dead Government servant/pensioner can furnish the details of such children, if not furnished by the Government servant/pensioner earlier, to the pension sanctioning authority as clarified vide this department's O.M. No. 1/21/91-P&PW (E) dt. 15.1.1999.

2. Representations have been received in this department from pensioners/family pensioners and pensioners associations indicating the reluctance on the part of ministries/departments/organisations to include the names of eligible family members (i.e. widowed/divorced/unmarried daughters; parents and dependent disabled siblings (i.e. brothers and sisters) in the PPO thereby delaying the sanction of family pension to such eligible family members. This is not only a source of frustration and denial of rightful claim to such eligible family members but at times causes undue hardship to them.
3. With a view to streamlining and cut delays in the pension sanctioning process, it is hereby clarified that in cases wherein eligibility of family members (i.e. divorced or widowed or unmarried daughter/parents/dependent disabled siblings (i.e. brothers/sisters) occurs after issue of the PPO, the pensioner himself or his/her spouse may intimate the details/names of divorced or widowed or unmarried daughter/parents/dependent disabled siblings (i.e. brothers and sisters), to the pension sanctioning authority as per the procedure indicated in para (1) above. Similarly, in cases where the pensioner or his/her spouse has expired, the widowed or divorced or unmarried daughter/parents/dependent disabled sibling can themselves intimate such details to the pension sanctioning authority. However, the family pension in such cases can be processed by the pension sanctioning authority even without such intimation/acknowledgment, if sufficient proof of entitlement is produced by the claimant and all other conditions for grant of family pension are fulfilled.

4. This issues with the concurrence of the Ministry of Finance, Department of Expenditure vide their U.O. No.368/EV/2010 dated 15.06.2010.

5. Hindi version will follow. Yours sincerely

(K.S. Chibb)
Deputy Secretary to the Govt. of India

To
All Ministries/Departments of Govt. of India
OFFICE MEMORANDUM

Subject: Inclusion of names of the widowed or divorced or unmarried daughter/parents/dependent disabled siblings (i.e. brothers and sisters) in the PPO - Procedure for - Regarding.

The undersigned is directed to state that it was clarified earlier vide this Department’s O.M.No. 1/21/91-P&PW (E) dated 20.1.1993 that the revised PPO format introduced w.e.f. 1.1.1990 contains provision for entry of details of all members of the family of the pensioner. The PPOs issued prior to 1.1.90, however, do not contain the names/details of children of the pensioner. In cases where the names of eligible children have not been mentioned in the PPO for various reasons, the pensioner can furnish a list of eligible children to the pension sanctioning authority and obtain an acknowledgement thereof from that authority. This acknowledgment will be produced at the time of submission of family pension claim to the pension sanctioning authority. However, the production of an acknowledgment will not be a pre-condition to the processing of claim for family pension. Even the spouse of the dead Government servant/pensioner can furnish the details of such children, if not furnished by the Government servant/pensioner earlier, to the pension sanctioning authority as clarified vide this Department’s O.M. No. 1/21/91-P&PW (E) dt. 15.1.1999.

2. Representations have been received in this Department from Pensioners/family pensioners and Pensioners Associations indicating the reluctance on the part of Ministries/Departments/Organisations to include the names of eligible family members (i.e. widowed/divorced/unmarried daughters; parents and dependent disabled siblings (i.e. brothers and sisters) in the PPO thereby delaying the sanction of family pension to such eligible family members. This is not only a source of frustration and denial of rightful claim to such eligible family members but at times causes undue hardship to them.
3. With a view to streamlining and cut delays in the pension sanctioning process, it is hereby clarified that in cases wherein eligibility of family members (i.e. divorced or widowed or unmarried daughter/parents/dependent disabled siblings (i.e. brothers/sisters) occurs after issue of the PPO, the pensioner himself or his/her spouse may intimate the details/names of divorced or widowed or unmarried daughter/parents/dependent disabled siblings (i.e. brothers and sisters), to the pension sanctioning authority as per the procedure indicated in para (1) above. Similarly, in cases where the pensioner or his/her spouse has expired, the widowed or divorced or unmarried daughter/parents/dependent disabled sibling can themselves intimate such details to the pension sanctioning authority. However, the family pension in such cases can be processed by the pension sanctioning authority even without such intimation/acknowledgment, if sufficient proof of entitlement is produced by the claimant and all other conditions for grant of family pension are fulfilled.

4. This issues with the concurrence of the Ministry of Finance, Department of Expenditure vide their U.O. No.368/EV/2010 dated 15.06.2010.

5. Hindi version will follow. 

Yours sincerely

(K.S. Chibb)
Deputy Secretary to the Govt. of India

To
All Ministries/Departments of Govt. of India
Sub: Regulation of pension and other retirement benefits of Government servants who were on Extraordinary leave/unauthorised absence/suspension as on 1.1.2006 and retired/died thereafter without joining duty

The undersigned is directed to say that in accordance with Rule 33 of the CCS (Pension) Rules, for calculation of pension, the expression 'emoluments' means basic pay as defined in Rule 9 (21) (a) (i) of the Fundamental Rules which a Government servant was receiving immediately before his retirement or on the date of his death. In accordance with Note 3 under this rule, if a Government servant immediately before his retirement or death while in service had been absent from duty on extraordinary leave or had been under suspension, the period whereof does not count as service, the emoluments which he drew immediately before proceeding on such leave or being placed under suspension shall be the emoluments for the purposes of this rule.

2. Doubts have been raised in regard to the manner in which the pension and other retirement benefits of Government servants, who were on extraordinary leave/unauthorised absence/suspension as on 1.1.2006 and retired/died thereafter without joining duty, would be regulated. The matter has been examined in consultation with the Ministry of Finance (Department of Expenditure) and the following clarifications are issued:

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<tr>
<th>Category of Government servant</th>
<th>Manner in which pension and other pensionary benefits are to be regulated</th>
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<tbody>
<tr>
<td>Government servant, who was on extraordinary leave/unauthorised absence - the period whereof does not count as qualifying service - as on 1.1.2006 and retired/died thereafter without joining duty.</td>
<td>In accordance with Rule 33 of CCS(Pension) Rules, 1972, the basic pay which he drew immediately before proceeding on such leave, shall be the emoluments for the purpose of pension. The pension/family pension thus calculated will be revised in accordance with the instructions contained in this Department's O.M. No. 38/37/08-P&amp;PW(A) dated 1.9.2008 and will be paid to the pensioner/family pensioner from the date it becomes due. For the purpose of gratuity, the emoluments shall also include Dearness Allowance admissible on the date of retirement/death of the Government servant. The pension/family pension/commutation of pension and gratuity will be regulated in accordance with the rules/instructions applicable before 1.1.2006.</td>
</tr>
</tbody>
</table>

Please visit: http://pensionersportal.gov.in
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<tr>
<th>Government servant, who was on extraordinary leave – the period whereof counts as qualifying service – as on 1.1.2006 and retired/died thereafter without joining duty.</th>
<th>The pay of such a Government servant will be notionally revised w.e.f. 1.1.2006 and this notionally revised basic pay will be reckoned as emoluments for the purpose of pension.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>For the purpose of gratuity, the emoluments shall also include Dearness Allowance admissible on the date of retirement/death of the Government servant.</td>
</tr>
<tr>
<td>Government servant, who was under suspension as on 1.1.2006 and retired thereafter without joining duty.</td>
<td>His pension/family pension, commutation of pension and gratuity will be regulated in accordance with the instructions contained in this Department’s O.M. No. 38/37/08-P&amp;PW(A) dated 2.9.2008 and will be paid to the pensioner/family pensioner from the date it becomes due.</td>
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<tr>
<td></td>
<td>Such a Government servant, on retirement, is entitled to only provisional pension. The emoluments which he drew immediately before suspension shall be the emoluments for the purpose of provisional pension. This provisional pension will not be revised until the conclusion of the departmental/judicial proceedings and issue of final orders thereon.</td>
</tr>
</tbody>
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3. These orders issue with the concurrence of Ministry of Finance (Department of Expenditure) vide their U.O. No. C-33/EV/2010 dated 13.5.2010

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

(Tripti P.Ghosh)
Director

1. All Ministries/Departments
2. CGA/CAG/CPAO
3. As per standard mailing list

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