

No.45/22/97-P&PW(C)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners' Welfare
New Delhi

dated 11th September, 2001

OFFICE MEMORANDUM

Subject: Special benefits in cases of death and disability in service - payment of disability pension/family pension - recommendations of the Fifth Central Pay Commission.

The undersigned is directed to refer to this Department's OM of even number dated 3.2.2000 on the above subject. In para 6 of the above mentioned OM, it has been provided that the past cases of pre-1996 pensioners/family pensioners will be revised under this Department's OM dated 27.10.97 and such consolidated pension will also be subject to the provision of this Department's OM dated 17.12.1998.

2. The question of modified parity between past and present pensioners, covered under the Central Civil Services (Extraordinary Pension) Rules/Liberalised 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-1996 pensioners/family pensioners coming under this category would be done as under:-

(A) The past cases of pre-1996 pensioners/family pensioners will be revised under this Department's OM No.45/86/97-P&PW(A) (Part-II) dated 27.10.1997 as is being done hithertofore and the revised pension on the basis of the provisions of this OM worked out.

(B) The benefits under this Department's OM No.45/86/97-P&PW(A) (Part-III) dated 10.2.1998 shall also be extended in the case of pensioners/family pensioners of these categories. In other words, the pay of the employee would be updated from one Central Pay Commission to the subsequent one etc. and fixed notionally as on 1.1.1986, as if he was in service on that day, as per the procedure laid down in the OM dated 10.2.1998. The pension/family pension on such notionally fixed emoluments would now be calculated by applying the rates applicable for each category of Extra Ordinary Pensioner/Family Pensioner and this would be further consolidated for fixation of pension as on 1.1.1996 by applying the usual procedure.

(C) The pension/family pension shall also be calculated as on 1.1.1996 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 basic pay in the revised scale, applicable from 1.1.1996, of the post last held by the employee, subject to a minimum of Rs. 1,650/-.

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

60% of minimum basic pay in the revised scale, applicable from 1.1.1996, of the post last held by the employee, subject to a minimum of Rs. 2,500/-.

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.

II. Family Pension under Categories D & E

Family pension shall be calculated as the minimum pay in the revised scale of pay, applicable from 1.1.1996, of the last post 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 basic pay in the revised scale, applicable from 1.1.1996, of the post last held by the employee, subject to a minimum of Rs. 2,500/-.
- (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 basic pay in the revised scale applicable from 1.1.1996, of the post 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 calculated as 50% of the minimum basic pay in the revised scale, applicable from 1.1.1996, of the post last held by the employee, to be reduced proportionately, if the employee did not have required qualifying service for full pension, plus disability pension equal to 30% of the same minimum basic pay, for 100% disability.
- (b) For lower percentage of disability, proportionate reduction would be made in the same manner as provided in the OM dated 3.2.2000.

IV. Disability Pension for Category D

- (a) Disability pension would comprise of a service element equal to 50% of the minimum basic pay in the revised scale, applicable from 1.1.1996, of the post 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 basic pay, subject to the condition that the aggregate of service and disability element shall not be less than 80% of the minimum basic pay in the revised scale, applicable from 1.1.1996, of the post last held by the employee, for 100% disability.
- (b) For lower percentage of disability proportionate reduction shall be made as provided in OM dated 3.2.2000.

V. Disability Pension for Cases under Category E

- (a) Disability pension would comprise of a service element equal to 50% of the minimum basic pay in the revised scale applicable from 1.1.1996 of the post 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 a disability element equal to the same basic pay, subject to the condition that the aggregate of service and disability elements shall not exceed the minimum basic pay in the revised scale, applicable from 1.1.1996, for the post last held by the employee, for 100% disability.
- (b) For lower percentage of the disability, proportionate reduction would be made as provided in OM dated 3.2.2000.

3. After the revised pension/family pension has been calculated in accordance with the methods indicated in (A), (B) and (C) above, the highest of the three shall be granted as revised pension w.e.f. 1.1.1996.

4. All other terms and conditions contained in OM dated 3.2.2000 shall remain unchanged.
5. This issues with the concurrence of the Ministry of Finance, Department of Expenditure vide their UO No.355/E.V/2001 dated 26.06.2001.
6. In so far as employees of the Indian Audit and Accounts Department are concerned, these orders are issued in consultation with the Office of the Comptroller & Auditor General of India.



(Sujit Datta)
Director (PW)

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