

No.38/37/08-P&PW(A)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners' Welfare
Lok Nayak Bhawan, New Delhi-110003

Dated the 22nd July, 2011.

OFFICE MEMORANDUM

Sub: 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

The undersigned is directed say that in accordance with para 4.2 of this Department's O.M. No. 38/37/08-P&PW(A) dated 1.9.2008, the revised pension of pre-2006 pensioners shall, in no case, be lower than fifty percent 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. In the case of HAG+ and above scales, this will be fifty percent of the minimum of the revised pay scale.

2. Doubts have been raised in regard to the applicability of the above provision 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. The matter has been examined in the light of the instructions/orders issued after Fifth Central Pay Commission for revision of pension/family pension in such cases. It was clarified in this Department's O.M. No.45/86/97-P&PW(A) dated 25.3.2004 that the provisions of O.M. dated 17.12.1998 relating to stepping up of pension to 50% of the minimum of the revised scale of pay as on 1.1.96 of the post held by the pensioner at the time of retirement shall not be applicable in case of compulsory retirement pension and compassionate allowance.

3. It has now been decided that the benefit of para 4.2 of this Department's O.M. No. 38/37/08-P&PW(A) dated 1.9.2008 [as clarified vide OM No. 38/37/08-P&PW(A) (pt.I) dated 3.10.2008] will 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.

4. This issues with the concurrence of Ministry of Finance (Department of Expenditure) vide their U.O. No 152/EV/2011 dated 30.6.2011.

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

6. Hindi version will follow.


(Tripti P. Ghosh)
Director
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1. All Ministries/ Departments of Government of India
2. As per standard mailing list