



भारतीय लेखा तथा लेखा-परीक्षा विभाग  
प्रधान महालेखाकार (लेखा एवं हक), पश्चिम बंगाल  
Indian Audit and Accounts Department  
Pr. Accountant General (A&E), West Bengal



संख्या / No. PAGAE-DADM0ADM3(PENM)/6/2020-ADMN-III/2022/76

दिनांक/Date: 19.08.2022

**परिपत्र/CIRCULAR**

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

Headquarters' letter No. 122-स्टाफ हकदारी (नियम)/ए.आर/03-2022 dated 01.08.2022 alongwith Department of Pension and Pensioners' Welfare's No. 38/46/2017-P&PW(A)(4879) dated 14.06.2022 and its corrigendum dated 12.07.2022, on the subject cited above, is circulated herewith for information of all concerned.

[Authority: Sr. Deputy Accountant General (Administration)'s approval dated 19.08.2022]

Sd/-  
**Sr. Accounts Officer  
(Administration-III)**

ट्रेजरी बिल्डिंग्स, २ गवर्नमेंट प्लेस वेस्ट, कोलकाता ७००००१  
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भारत के नियंत्रक - महालेखापरीक्षक का कार्यालय,  
पॉकेट 9, दीन दयाल उपाध्याय मार्ग, नई दिल्ली - 110 124

संख्या: 122-स्टाफ हकदारी (नियम)/ए.आर/03-2022  
दिनांक:-01.08.2022

प्रति

भारतीय लेखा एवं लेखापरीक्षा विभाग  
के सभी कार्यालय।

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

महोदय/ महोदया,

उपर्युक्त विषय पर कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय, पेंशन और पेंशनभोगी कल्याण विभाग, नई दिल्ली द्वारा जारी कार्यालय ज्ञापन सं 38/46/2017-P&PW(A)(4879) दिनांक 14.06.2022 एवं इसके शुद्धि पत्र दिनांक 12.07.2022 को इस ई-मेल के साथ संलग्न किया गया है।

क्षेत्रीय कार्यालय कृपया इस कार्यालय ज्ञापन को आवश्यक कार्रवाई हेतु इस ई-मेल के संलग्नक से डाउनलोड कर लें। इन्हें संबंधित मंत्रालय की वेबसाइट से भी डाउनलोड कर सकते हैं।

OM No.38/46/2017-P&PW(A)(4879) dated 14.06.2022 and its corrigendum dated 12.07.2022 on the subject cited above issued by Ministry of Finance, Department of Expenditure, New Delhi have been attached with this E-mail.

The field offices may download the OM attached with this E-mail for further necessary action. It can also be downloaded from the website of the concerned Ministry.

**संलग्नक: यथोपरि I**

भवदीय

हस्ता/-

(मनोज कुमार)

वरि. प्रशासनिक अधिकारी/ स्टाफ-हक. (नियम)

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1 MB



**38\_46\_2017\_PPW\_A\_4879\_14062022.pdf**

599 KB

No.38/46/2017-P&PW(A)(4879)  
Government of India  
Ministry of Personnel, PG & Pensions  
Department of Pension & Pensioners' Welfare

3<sup>rd</sup> 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 5<sup>th</sup> 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 6<sup>th</sup> 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 7<sup>th</sup> 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 5<sup>th</sup> 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 6<sup>th</sup> CPC and this Department's OM No.38/37/2016-P&PW(A) dated 12.05.2017 regarding revision of pension/family pension after 7<sup>th</sup> 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

No.38/46/2017-P&PW(A)(4879)  
Government of India  
Ministry of Personnel, PG & Pensions  
Department of Pension & Pensioners' Welfare

3<sup>rd</sup> Floor, Lok Nayak Bhawan  
Khan Market, New Delhi-110 003  
Dated: 12.07.2022

**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- **Corrigendum** reg.

The undersigned is directed to refer to this Department's OM of even number dated 14.06.2022 on the subject cited above and to say that in the said OM:

(i) In para 1 (ii), the "pre-1996" may be read as "pre-1986".

(ii) The para 10 may be read as under:

"10. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders are issued in consultation with the Comptroller and Auditor General of India, as mandated under Article 148(5) of the Constitution of India".

2. Hindi version will follow.

  
(Dr. Pramod Kumar)  
Director

1. All Ministries/Departments of Government of India

2. O/o the Comptroller and Auditor General of India, Pocket-9, Deen Dayal Upadhyaya Marg, New Delhi-110124.

सं. 38/46/2017-पी&पीडब्ल्यू(ए)(4879)

भारत सरकार

कार्मिक, लोक शिकायत एवं पेंशन मंत्रालय

पेंशन और पेंशनभोगी कल्याण विभाग

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तीसरा तल, लोकनायक भवन,  
खान मार्केट, नई दिल्ली-110003,  
दिनांक : 12.07.2022

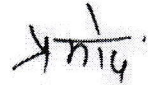
### कार्यालय जापन

**विषय:-** सेवा से अनिवार्य सेवानिवृत्ति/पदच्युति/हटाए जाने के पश्चात् अनिवार्य सेवानिवृत्ति पेंशन या अनुकंपा भत्ता आहरित करने वाले पेंशनभोगियों की बाबत पेंशन/कुटुंब पेंशन में संशोधन- शुद्धिपत्र के संबंध में।

अधोहस्ताक्षरी को उपरोक्त विषय पर इस विभाग के दिनांक 14.06.2022 के समसंख्यक कार्यालय जापन का संदर्भ लेने और उक्त कार्यालय जापन में यह कहने का निदेश हुआ है कि :

- (i) पैरा 1(ii) में, "1996 से पूर्व" को "1986 से पूर्व" के रूप में पठित ।
- (ii) पैरा 10 को निम्नानुसार पठित :

"10. जहां तक भारतीय लेखापरीक्षक और लेखा विभागों में कार्यरत व्यक्तियों का संबंध है, ये आदेश भारत के नियंत्रक और महालेखापरीक्षक के परामर्श से जारी किए जाते हैं, जैसा कि भारत के संविधान के अनुच्छेद 148(5) के तहत अनिवार्य है।"



(डॉ. प्रमोद कुमार)  
निदेशक

1. भारत सरकार के सभी मंत्रालय/विभाग
2. भारत के नियंत्रक और महालेखापरीक्षक का कार्यालय, पॉकेट-9, दीन दयाल उपाध्याय मार्ग, नई दिल्ली - 110124