

## **MODEL GUIDELINES FOR PROCESSING OF PENSION PAPERS FOR DEPARTMENTAL AUTHORITIES (PENSION SANCTIONING AUTHORITIES)**

### **Article 284 of J&K CSR Vol-I**

It is the responsibility of the Officer concerned with the preparation of Pension case to obtain from the retiring Government servant the particulars as in Form 5 eight months before the date of retirement. The process of determining the qualifying service and the average emoluments and the admissible pension and gratuity should be positively completed within a period of two months and to forward the same along with other Pension papers to the office of Accountant General (A&E) Jammu/Srinagar as the case may be to issue the pension payment order six months before the date of retirement of the Govt servant concerned.

This rule is intended to obviate delay in settlement of claims for pension and to ensure that a Government servant may not retire under the misapprehension that he has earned a pension which is subsequently found to be inadmissible.

### **Article 285 of J&K CSR Vol-I**

Every Head of the Department shall prepare a list every six months that is on 1st January and 1st July, each year of all Gazetted and non-Gazetted Government servants who are due to retire within the next 24 to 30 months of the date.

### **Article 287 of J&K CSR Vol-I**

The Heads of Departments shall sanction pension of all Gazetted Govt. servants subordinate to them, Heads of Departments pension shall be sanctioned by the Administrative Department concerned and Gazetted Govt. servants by the Head of Office.

### **Forms/Documents used for Superannuation Pension Cases**

1. Form-3
2. Form-5
3. Form-14-A
4. Form-A Declaration from the pensioner in terms of Article 291(I)
5. Form F/D as the case may be (if commuted value required)

### **Article 289 of J&K CSR Vol-I**

On completion of these pension papers in accordance with the provisions shall be Forwarded to the Accountant General under a covering letter in Form 8 accompanied by the following documents

- A. Form-7 (Form for assessing of pension gratuity)
- B. Service Book duly completed
- C. Form 6 (order intimating reduction in Pension)
- D. Two specimen signatures duly attested by a Gazetted Govt. servant
- E. Three copies of passport size photographs containing the wife and husband either jointly or separately duly attested.
- F. Two slips showing the particulars of height and identification marks duly attested.
- G. Address of the Government Servant after retirement.
- H. Explanation for delay, if any for forwarding to AG in Form 7 not before six months of the date of retirement of the Govt Servant.

**Forms/Documents used for Family Pension Cases (If a Govt servant dies while in service)**

1. Form-17- Application for the grant of family pension on the death of a Govt servant while in service/after his retirement
2. Form-18 for assessing and sanctioning family pension and DCRG when Govt servant dies while in service.
3. Form-19 Letter to the Accounts Officer forwarding Pension Papers for grant of family pension/DCRG to a family of a Govt servant who dies while in service.
4. Attested copy of Death Certificate of deceased Govt servant
5. Service Book duly completed
6. Two specimen signatures of beneficiary duly attested by a Gazetted Govt. servant
7. Three copies of passport size photographs of the beneficiary duly attested.
8. Two slips showing the particulars of height and identification marks of the beneficiary duly attested.
9. Address of the beneficiary.
10. Guardianship Certificate in case of Minors duly issued by the Court of Law.
11. Certificate of Age Proof where the children happens to be family pension beneficiaries
12. Attested copy of nomination for gratuity if filed by the deceased employee.

**In other cases**

- Form 14- for grant of family pension on the death of a pensioner survived other than by a widow/widower.
- Form 14B for family pension in respect of pensioners who have retired on or After 01.04.1965 and died without having filled Form-14A
- Form-15 Letter to the member of the family of a deceased Govt servant where valid nomination for the grant of family pension exists.
- Form-16 Letter to the member of the family of a deceased Government servant where valid nomination for the grant of family pension does not exist.
- Form 20 Letter sanctioning family pension to the child or children of a retired Govt servant who dies after retirement but does not leave behind widow/widower.
- Form 21 Letter sanctioning family pension to the child or children on the death or remarriage of a widow/widower who was in receipt of family pension.

## Pension

The Pension Group headed by an IA&AS Officer of the rank of Dy.AG/ Sr.Dy. AG deals with verification and authorization of Pension claims of

- \* All J&K State Govt Employees
- \* Pension cases of IAS/IAS/IFS Officers borne on the J&K cadre
- \* High Court Judges and subordinates Court Judges
- \* Political Pensions like MLA/MLC.

### Books for Reference

- Jammu and Kashmir CSR Vol-I
- Jammu and Kashmir CSR Vol-II
- Financial Code Vol-I & II
- IAS Pay fixation Rules
- IPS Pay fixation Rules
- IFS Pay fixation Rules

### Processing of Pension application

Procedure for Submission of Pension cases by the Pension Sanctioning Authority and the Process for authorizing Pensionary benefits.

- Submission of Pension Cases by the PSA to the Office of Accountant General (A&E) Jammu/Srinagar as the case may duly completed in all respect as per provisions laid down in J&K CSR Vol-I&II.
- On receipt of the Pension cases in AG Office and after verification of the pension papers, AG authorizes the Pensionary benefits (Pension/Gratuity/Commutation) based on the qualifying service and average emoluments sends the 1st copy of Pensionary benefits authorities to the concerned Treasury Officers, 2<sup>nd</sup> copy to Pensioners and 3<sup>rd</sup> copy along with Service Book to Pension Sanctioning Authorities.

### Pension Payment order/Gratuity Payment order/Commuted value of Pension

- Two PPO Books are prepared (Pensioner's half and Disburser's half) and send to Treasury Officer.
- Three copies of PPO/GPO/CPO are send one each to Treasury Officer with PPO Books, Pensioner and Pension Sanctioning Authority.
- Pension is payable at the Treasury desired by the Pensioner.
- Thereafter the Pensioner approach the Treasury Officer for payment of PPO/GPO/CPO by production of the intimation received from the Accountant General.
- For any revision on increase in DA on Pension, the Pensioner approaches the Treasury Officer/Bank.

## Authorisation of Pension

### Classes of Pension

- **Superannuation Pension** - Superannuation pension is granted to a Government Servant entitled or compelled by rule, to retire at the age of 60 years. Article 225 of J&K CSR Vol-I
- **Retiring Pension** –Retiring Pension shall be granted to a Government Servant who retires, voluntarily after 20 years of qualifying service , in advance of the age of superannuation in accordance with provisions of Article 230 of J&K CSR Vol-I.
- **Pension on absorption in or under a corporation, company or body** - A Government Servant who has been permitted to be absorbed in a service or post in or under a corporation or company wholly or substantially owned or controlled by the Government etc., and if such absorption is declared by the Government in public interest shall be granted Pro-Rata Pension.
- **Invalid Pension** - An invalid Pension is awarded, on his retirement from the Govt. service to an official who by bodily or mental infirmity is permanently incapacitated for the Govt service or for a particular branch of it to which he belongs. Article 215 of J&K CSR Vol-I
- **Compulsory Retirement Pension** – A Government servant compulsorily retired from service as a penalty may be granted by the competent authority pension or gratuity or both at the rate not less than two-thirds and not more than full compensation pension or gratuity or both admissible to him on the date of his compulsory retirement
- **Compensation Pension** – A Government servant is entitled to get compensation pension owing to the abolition of his permanent post. Article 207 of J&K CSR Vol-I.
- **Compassionate Allowance** – A Government Servant who is dismissed or removed from service shall forfeit his pension and gratuity. If the case is deserving of special consideration, a compassionate allowance can be sanctioned in accordance with the provisions of Rules. The Compassionate allowance shall not exceed two thirds of pension subject to the minimum of pension sanctioned by Government from time to time.

### Qualifying Service

Commencement of Qualifying Service -Qualifying Service of a Government servant shall commence from the date he takes charge of the post to which he is appointed either substantively or in an officiating or

temporary capacity.

### **Condition subject to which service qualifies**

- The service of a Government servant shall not qualify for pension unless his duties and pay are regulated by the Government.
- Service means service under the Government and paid by the Government from the Consolidated Fund of the State or under conditions regulated by the Government or a local fund administered by that Government but does not include service in a non-pensionable establishment.
- Temporary Central Government servants on deputation to the State, on getting absorbed under this Government will be allowed to count the period of continuous temporary service under the Central Government immediately preceding the service under this Government.
- Service as an Apprentice does not qualify for pension
- Except for compensation gratuity, an employee's service does not qualify till he has completed 18 years of age.
- Counting of period spent on leave – All leave during service for which leave salary is payable and LWA granted on medical certificate shall count as qualifying service
- Counting of period spent on training – The Government may by order, decide whether the time spent by a Government servant under training immediately before appointment to service under the government shall count as qualifying service.
- Counting of periods on suspension – A period of suspension does not count towards qualifying service unless the authority competent declares so.
- Resignation, dismissal or removal – entails forfeiture of past service
- Resignation from a post to take up another appointment with the proper permission is not resignation from public service.
- Effect of interruption in service - In the absence of specific indication to the contrary in the Service Book, an interruption between two spells of civil service by a Government servant shall

be treated as automatically condoned.

## **Emoluments**

The term emoluments means the emoluments which the officer was receiving immediately before retirement and includes

## **Average Emoluments**

The term Average Emoluments means the average calculated upon the last 10 months of qualifying service or last pay drawn whichever is beneficial.

## **Calculation of Pension**

The amount of pension is calculated based on the total qualifying service and

the average emoluments drawn during the last ten months or last pay drawn whichever is beneficial by a Government servant

- 50% of average emoluments or last pay drawn is regarded as full pension of a retiring government servant, if he has rendered not less than 20 years of qualifying service
- If the qualifying service is less than 20 years, pension will be calculated proportionately.
- If the service rendered is less than ten years, no pension is payable. Only Retirement Gratuity in lump sum and Ex -gratia pension is admissible.
- The amount of pension finally determined shall be expressed in whole rupees and where the pension contains fraction of a rupee, it shall be rounded off to the next higher rupee.
- The minimum rate of Pension w.e.f. 1.1.2006 is Rs. 3500/- per month
- In addition to pension, other allowances includes
- Dearness Allowance
- Medical Allowance

## **Family Pension**

To whom it is payable

- When a Government Servant dies while in service or after retirement, family pension is payable to the Family.
  - Wife , in the case of a male employee
  - Husband, in the case female employee
  - eldest son child
  - Children suffering from physical/mental disorder or disability
  - Unmarried daughters
  - Son/daughter adopted legally before retirement
  - Father
  - Mother
  - Divorced daughters
  - . Widowed disabled daughters

## ***Calculation of Family Pension***

- Family pension is calculated at two rates
- Enhanced Rate -- Enhanced Rate of Family Pension is calculated at 50% of last pay drawn in case of death while in service. The enhanced rate is payable for a period of ten years from the date following the date of death and thereafter at the normal rate. The enhanced rate is admissible only if the deceased employee has not less than seven years of service. In the case of death after retirement, the enhanced rate is 50% of the last pay drawn limited to service pension. The enhanced rate in such case is admissible for a period of seven years or till the pensioner would have attained the age of 62/67 years of age depending upon the age of superannuation.
- Normal Rate -- Normal Rate of Family Pension is calculated at 30% of the basic pay last drawn ( Minimum Rate of Family Pension 1.1.2006 is Rs. 3500/- per month)
- Family Pension resulting in a fraction when calculated should be rounded off to the next higher rupee.

### **Provisional Pension**

- Where any departmental or judicial proceedings is initiated or where a departmental proceedings is continued against an employee who has retired on attaining the age of compulsory retirement or otherwise shall be paid a provisional pension not exceeding the maximum pension which would have been admissible on the basis of the qualifying service up to the date of retirement of the Government Servant. But no gratuity is payable until the conclusion of the proceedings and issue of orders there on.
- Payment of provisional pension made shall be adjusted against final retirement benefits sanctioned to such Government Servant upon conclusion of any departmental or judicial proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

### **Restoration of Commuted portion of Pension**

For this the pensioner has to apply to the Pension Disbursing Authority in the prescribed form with life certificate.



