

F.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

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi-110003

Dated the 11th February, 2009.

OFFICE MEMORANDUM

Subject:- Representations regarding revision of pension of pre-2006 pensioners.

The undersigned is directed to say that in accordance with instructions contained in para 4.2 of this Department's OM of even number dated 1.9.2008, the fixation of pension will be subject to the provision that the revised pension, in no case, shall 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. It was clarified in the OM dated 3.10.2008 that the pension calculated at 50% of the minimum of pay in the pay band plus grade pay would be calculated at the minimum of the pay in the pay band (irrespective of the pre-revised scale of pay) plus the grade pay corresponding to the pre-revised pay scale. The pension will be reduced pro-rata, where the pensioner had less than the maximum required service for full pension as per rule 49 of the CCS(Pension) Rules, 1972 as applicable before 2.9.2008 and in no case it will be less than Rs. 3500/- p.m. The fixation of family pension will be subject to the provision that the revised family pension, in no case, shall be lower than thirty percent of the sum of the minimum of the pay in the pay band and the grade pay thereon corresponding to the pre-revised pay scale from which the pensioner had retired. A Table indicating the revised pension based on revised pay bands and grade pay was also annexed with this Department's OM dated 14.10.2008.

2. A large number of representations/references are being received in this Department raising the following issues:

- (i) It has been alleged that the above instructions are discriminatory/anomalous and are not in conformity with the decision taken on the recommendations of the Sixth Central Pay Commission;
- (ii) It has been suggested that certain pre-2006 scales of pay should be allowed pay band/grade pay or pay scales higher than that mentioned in Col. 6 in Annexure 1 to O.M. dated 14.10.2008;
- (iii) It has been suggested that in cases where certain posts have been upgraded and allowed higher pay band/grade pay or pay scale, the application of the provision in para 4.2 of the OM dated 1.9.2008 (as clarified from time to time) should be with reference to the upgraded pay band/grade pay or pay scale.

3. These representations/references have been examined in consultation with Ministry of Finance. The instructions/clarifications issued in this regard are in consonance with the decision of the Government on the recommendations of the Sixth Central Pay Commission and no change is required to be made in this respect.

4. The Table in Annexure-I of this Department's OM dated 14.10.2008 is based on the CCS(Revised Rules), 2008 which are applicable to the employees in the service as on 1.1.2006 and no dispensation in this regard can be made in respect of pre-2006 pensioners for the purpose of application of the provision of Para 4.2 of this Department's OM dated 1.9.2008.

5. In accordance with the instructions contained in para 4.2 of this Department's OM of even number dated 1.9.2008, the fixation of pension will be subject to the provision that the revised pension, in no case, shall 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**. Therefore, the benefit of upgradation of posts subsequent to their retirement would not be admissible to the pre-2006 pensioners in this regard.

6. All references/representations received in this Department on the above issues stand disposed off accordingly.



(M.P. Singh)
Director (PP)
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To

1. All Ministries/Departments of Government of India
2. All Pensioners' Association