

**INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAWAN : NEW DELHI**

No. 21-39/2008-CDN



Dated the 23 Sept., 2009

The Ministry of Personnel, Public Grievances and Pensions has issued the O. M. No. 38/37/2008-P&PW(A) dated 14.7.2009 & dated 11.8.2009 regarding implementation of Govt. decision on the recommendations of the 6th CPC-revision of pension of pre-2006 pensioners/family pensioners etc. The above mentioned O.Ms. are being uploaded on the ICAR Web-Site www.icar.org.in for information and further guidance.


(V. D. NANIWADEKAR)
Under Secretary (GAC)

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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 11th August, 2009.

OFFICE MEMORANDUM

Sub: Implementation of Government's decision on the recommendations of the Sixth Central Pay Commission - Revision of pension of pre-2006 pensioners/family pensioners etc

The undersigned is directed say that in this Department's OM of even number dated 21.5.2009, it was provided that the following documents would be accepted as proof of date of birth/age for payment of additional pension/family pension on completion of 80 years and above:

- (i) Pan Card
- (ii) Matriculation certificate (containing the information regarding date of birth)
- (iii) Passport
- (iv) CGHS Card
- (v) Driving licence (if it contains date of birth)

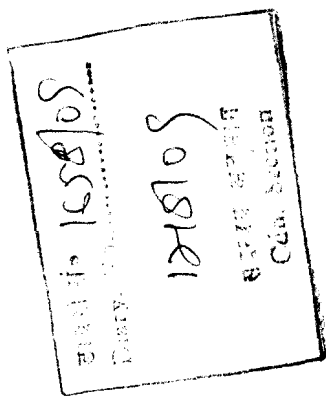
2. The matter has been examined further. Considering the difficulty in producing any of the above mentioned documents as proof of age by the old pensioners, particularly those in the rural areas, it has been decided that the Voters' ID Card may also be accepted as proof of date of birth/age for payment of additional pension/family pension on completion of 80 years and above subject to the following conditions:

- (i) The pensioner/family pensioner certifies that he is not a matriculate. (The matriculation certificate should be insisted in the case of matriculate pensioners/family pensioners)
- (ii) The pensioner certifies that he does not have any of the documents mentioned in para 1 above.

3. The other conditions for acceptance of the documents, as mentioned in the OM dated 21.5.2009, will remain the same.

4. Some doubts have been expressed regarding the date from which the additional pension is to be made effective. In this connection, attention is invited to the clarifications issued vide this Department's O.M. of even number dated 3.10.2008. It is re-iterated that the additional quantum of pension/family pension, would be admissible from the 1st day of the month in which the date of birth falls, only on completion of the age of 80 years, 85 years, etc. (and not in the beginning of the 80th year, 85th year, etc.). All references/representations received in this respect stand disposed off accordingly.

Illustration: If a pensioner/family pensioner's date of birth is 26.1.1930, then he/she will be entitled to the additional quantum of pension on completion of 80 years of age w.e.f. 1.1.2010.



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5. It is impressed upon all the Ministries/Departments of the Government of India and the pension disbursing authorities to keep in view the above instructions while disposing of the cases of payment of additional pension/family pension. CGA/CPAO are requested to advise all Pension disbursing/sanctioning authorities to take suitable action in accordance with the above instructions/guidelines and to make suitable entry regarding date of birth in the PPO . Similarly instructions may be issued by Ministry of Defence and Ministry of Railways to their concerned Accounts Department accordingly.

9. This issues with the concurrence of Ministry of Finance (Department of Expenditure) vide their I.C. U.O. No. 261/EV/2009 dated 9.7.2009.



(M.P. Singh)
Director (PP)

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1. All Ministries/ Departments of Government of India
2. As per standard mailing list

Please visit: <http://pensionersportal.gov.in>

NPA S. No. 6(R)

(68)

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

Dated the 14th July, 2009.

OFFICE MEMORANDUM

Sub: Implementation of Government's decision on the recommendations of the Sixth Central Pay Commission - Revision of pension of pre-2006 pensioners.

The undersigned is directed to 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 (as clarified vide OM dated 3.10.2008 and 14.10.2008), 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. Clarifications have been sought by Ministries/Departments as to whether Non-Practicing Allowance (NPA) is to be added to the minimum of the revised pay band plus the grade pay/ revised pay scale while considering stepping up consolidated pension on 1.1.2006. The matter has been examined in consultation with the Ministry of Finance (Department of Expenditure).

2. On implementation of the recommendations of Fifth Central Pay Commission, NPA was not added to the minimum of the revised scale of pay as on 1.1.1996 in cases where consolidated pension/family pension was to be stepped up to 50% / 30% respectively. Hon'ble Supreme Court, in its judgement dated 10.10.2006 in Transfer Case (civil) 72 of 2004 - Col. (Retd.) B.J. Akkara vs. UOI & others, upheld the validity of OM dated 11.9.2001 of Ministry of Defence not allowing the benefit of NPA in the case of retired medical officers of Armed Forces to be added to the minimum of revised scale of pay as on 1.1.1996 corresponding to the scale of pay held by the pensioner at the time of his retirement. Hon'ble Supreme Court held that NPA is not the part of minimum of the revised pay scale as on 1.1.1996.


3. NPA granted to medical officers does not form part of the Pay Bands/scales of pay. It is a separate element, although it is taken into account for the purpose of computation of pension. It is, therefore, clarified, that in the case of pre-2006 pensioners NPA is not to be added to the minimum of the revised pay band+Grade pay/revised pay scale in cases where consolidated pension/family pension as on 1.1.2006 is to be stepped up to 50% / 30% respectively, in terms of para 4.2 of Department of Pension & PW's O.M. No. 38/37/08-P&PW(A) dated 1.9.2008 (as clarified vide OM dated 3.10.2008 and 14.10.2008).

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Col. (Retd.)
B.J. Akkara
vs. UOI & others

4. It is impressed upon all the Ministries/Departments of the Government of India to keep in view the above clarifications while disposing of the cases of revision of pension/family pension. They are also advised to dispose the representations received by them from pensioners on the above issues without referring them to this Department.

5. This issues with the concurrence of Ministry of Finance (Department of Expenditure) vide their U.O. No. 264/EV/2009 dated 9.7.2009.


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To

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

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