



सत्यमेव जयते

कार्यालय महालेखाकार (ले. व ह.) हरियाणा
लेखा भवन, प्लॉट नं. 4 व 5, सेक्टर 33-बी, चण्डीगढ़-160020
टेलीग्राम : हिसाब, टेलीफोन नं. 2610957, 2613211, 2615382
OFFICE OF THE ACCOUNTANT GENERAL (A&E) HARYANA
LEKHA BHAWAN, PLOT Nos. 4 & 5, SECTOR 33-B,
CHANDIGARH-160020

Telegram : HISAB, EPABX NO. 2610957, 2613211, 2615382 Fax No. : 0172-2603824

परिचालन सचिवालय
हस्ताक्षर
Ref. No.

Pen-1/Pre-2006/All India Service/
Dated : Central Pensioners/4/16-17/
634-636
.06.2016

CFMU (FD) 19257
Diary No.
Date 22/6/16

To,

The Director
Treasuries and Accounts, Haryana,
Chandigarh.

Subject:- Revision of pension of pre 2006 pensioners-delinking of revised pension from qualifying service of 33 years (Central Govt. Pensioners/All India Service Pensioners).

Sir,

Please find enclosed herewith copies of notification No. 38/37/08-P&PW(A) dated 6-4-2016, F.No.25014/1/2013-AIS II dated 12-5-2016 received from the Government of India, Ministry of Personnel, Public Grievances and Pension (Department of Personnel and Training) New Delhi and Office Memorandum No. CPAO /IT & Tech/Pre-2006/(PSU)2016-17/27 dated 5-5-2016 of Ministry of Finance, Department of Expenditure, (CPAO) New Delhi regarding revision of pension of pre 1-1-2006 Central Govt Pensioners/AIS Pensioners for further necessary action please.

You are requested to instruct all the Treasury Officers under your control to revise the pension as per instructions contained in above notifications.

Please treat it as most urgent.

Encl: As above.

Accounts Officer(P1).

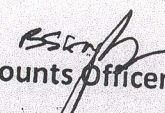
Letter
6-4-16

Pension Branch

IP 22/6/16

19257
22/6/16

✓ Copy of above is forwarded to the Additional Chief Secretary to Govt of Haryana Finance Department, Chandigarh for information and necessary action. In continuation to Office Memorandum No. 38/37/08-P&PW(A) dated 28-1-2013, revised Notification dated 6-4-2016, 12-5-2016 and 5-5-2016 have been received in this office regarding revision of pension of pre 2006 Central Govt. Pensioners/AIS Pensioners (Copies enclosed) for information & necessary action.


Accounts Officer (Pen 1).

Copy to All Treasury Officers (Haryana) Chandigarh, Ambala, Kaithal, Karnal, Kurukshetr, Sonapat, Roghtak, Faridabad. Gurgaon, Narnaul, Bhiwani, Jind, Hissar, Siarsa, Jagadhari , Panipart ,Rewari, Panchkula, Jhajjar ,Fatehabad, Nuh(Mewat); PAO-V, Tis Hazari, Delhi for information and necessary action. Suitable instruction may be issued in accordance with above mentioned notification to all the Pension disbursing officers/banks are advised to prominently display these orders on their notice boards for the benefits of pensioners.

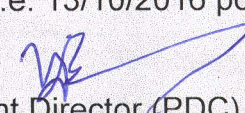

Accounts Officer (Pen 1)

Endst. No: TA-HR(PDC)/2016/ 931-932

Dated: 13-10-2016

A copy of the above is forwarded to the following:-

1. All Treasury officers and Assistant Treasury officers in the state of Haryana for information and necessary action.
2. The Joint Director (Data Management Cell), Treasuries & Accounts Department, Haryana, Chandigarh with a request to upload it on the official website of the department by today i.e. 13/10/2016 positively.


Joint Director (PDC),
for Director General,
Treasuries & Accounts deptt.,
Haryana, Chandigarh.

P 13/10/2016

No. 38/37/08-P&PW (A)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi-110 003.
Dated the 06th April, 2016

OFFICE MEMORANDUM

Sub:- Revision of pension of pre-2006 pensioners – delinking of revised pension from qualifying service of 33 years.

The undersigned is directed to say that as per Para 4.2 of this Department's OM of even number dated 1.9.2008 relating to revision of pension of pre-2006 pensioners w.e.f. 1.1.2006, the revised pension w.e.f. 1.1.2006, in no case, shall be lower than 50% of the sum of the minimum of pay in the pay band and the grade pay thereon corresponding to the pre-revised pay scale from which the pensioner had retired. A clarification was issued vide DoP&PW OM of even number 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.

2. Several petitions were filed in the Central Administrative Tribunal, Principal Bench, New Delhi inter alia claiming that the revised pension of the pre-2006 pensioners should not be less than 50% of the minimum of the pay band + grade pay, corresponding to the pre-revised pay scale from which pensioner had retired, as arrived at with reference to the fitment tables annexed to Ministry of Finance, Department of Expenditure OM No. 1/1/2008-IC dated 30th August, 2008. Hon'ble CAT, Principal Bench, New Delhi vide its common order dated 1.11.2011 in OA No.655/2010 and three other connected OAs directed to re-fix the pension of all pre-2006 retirees w.e.f. 1.1.2006 based on the Resolution dated 29.8.2008 of the Department of Pension & Pensioners' Welfare and in the light of the observations of Hon'ble CAT in that order.

3. Orders were issued vide this Department's OM of even number dated 28.1.2013 for stepping up of pension of pre-2006 pensioners w.e.f. 24.9.2012 to 50% of the minimum of pay in the pay band and grade pay corresponding to pre-revised pay scale from which the pensioner retired. Para 5 of this OM provides that in case the consolidated pension/family pension calculated as per para 4.1 of O.M. No.38/37/08-P&PW (A) dated 1.9.2008 is higher than the pension/family pension calculated in the manner indicated in the O.M. dated 28.1.2013, the same (higher consolidated pension/family pension) will continue to be treated as basic pension/family pension.

4. Subsequently, in compliance of the order dated 1.11.2011 of the Hon'ble CAT, Principal Bench in OA No. 655/2010, order dated 29.4.2013 of Hon'ble High Court of Delhi in WP (C) No. 1535/2012 and order dated 17.3.2015 of Hon'ble Supreme Court in SLP (C) No. 36148/2013, order were issued vide this Department's OM of even number dated 30.7.2015 that the pension/family pension of all pre - 2006 pensioners/family pensioners may be revised in accordance with this Department's O.M. No.38/37/08-P&PW(A) dated 28.1.2013 with effect from 1.1.2006 instead of 24.9.2012.

5. In accordance with the order issued in implementation of the recommendation of the 6th CPC, the pension of Government servants retired/retiring on or after 1.1.2006 has been delinked from qualifying service of 33 years. In OA No. 715/2012 filed by Shri. M.O. Inasu, a pre-2006 pensioner, Hon'ble CAT, Ernakulam Bench, vide its order dated 16.8.2013 directed that the revised pension w.e.f. 1.1.2006 under para 4.2 of OM dated 1.9.2008 would not be reduced based on the qualifying service of less than 33 years. The appeals filed by Department of Revenue in the Hon'ble High Court of Kerala and in the Hon'ble Supreme Court have also been dismissed. Similar orders have been passed by Hon'ble CAT/High Court in several other cases also.

6. The matter has been examined in consultation with the Ministry of Finance (Department of Expenditure). It has now been decided that the revised consolidated pension of pre-2006 pensioners shall not be lower than 50% of the minimum of the pay in the Pay Band and the grade pay (wherever applicable) corresponding to the pre-revised pay scale as per fitment table without pro-rata reduction of pension even if they had qualifying service of less than 33 years at the time of retirement. Accordingly, Para 5 of this Department's OM of even number dated 28.1.2013 would stand deleted. The arrears of revised pension would be payable with effect from 1.1.2006.

7. Ministry of Agriculture, etc. are requested to bring the contents of these orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and Subordinate Offices under them for revising the pension of all those pre - 2006 pensioners who had rendered less than 33 years of qualifying service at the time of retirement in the manner as indicated above on top priority. Revised Pension Payment Orders in all these cases may also be issued immediately.

8. All pension disbursing offices/banks are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

9. This issues with the approval of Ministry of Finance, Deptt. of Expenditure vide ID Note No. 2(9)/EV/2015, dated 15.3.2016.

10. Hindi version will follow.


(Seema Gupta) 6/11/2016
Deputy Secretary to the Government of India

To

1. All Ministries/Departments of Government of India. (as per standard mailing list).
2. All SCOVA Members
3. All identified Pensioners Association

Copy to (i) NIC Cell for uploading on the website of the Department.
(ii) AD (OL), DoPPW for Hindi Version