

No.1/7/2017--P&PW (F)
Government of India
Ministry of Personnel Public Grievances and Pensions
Department of Pension and Pensioners Welfare

3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi-110003
July 28, 2020

OFFICE MEMORANDUM

Subject: Grant of disability pension, comprising service element and disability element to pre-2006 disability pensioners, who were boarded out from service, with less than 10 years of qualifying service, due to an injury/disability, attributable to Govt. service – regarding.

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The undersigned is directed to say that, considering the hardship being faced by the disabled Government servants, covered under the provisions of CCS (EOP) Rules, the Government had decided to dispense with the minimum service required for earning service element of disability pension, with effect from 01.01.2006 and orders were issued vide OM No.33/5/2009-P&PW (F), dated 10th December 2010.

2. A doubt has been raised whether the provision of the aforesaid OM, dated 10.12.2010, would be applicable to the Government servants who were boarded out of service, prior to 01.01.2006, with a qualifying service of less than ten years.

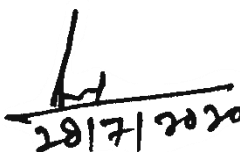
3. The matter has been examined and it is clarified that Central Civil Government servants who were boarded out, prior to 01.01.2006, with a qualifying service of less than ten years and were in receipt of only the disability element of disability pension, would also be eligible for the service element of disability pension, w.e.f. 01.01.2006, in addition to the disability element.

4. For calculating the disability pension w.e.f. 01.01.2006, the disability pension comprising, both the service element and the disability element, will be notionally fixed from the date of boarding out and the same will be notionally revised in accordance with the orders for revision of disability pension, issued from time to time. **The actual payment of such revised disability pension would be payable only w.e.f. 01.01.2006.** No arrears on account of grant of service element, for the period prior to 01.01.2006, would be admissible. The amount of service gratuity, if any paid, to the Government servant at the time of boarding out would be adjusted from the arrears of pension accruing as a result of these orders.

5. This issues with the concurrence of the Ministry of Finance, Department of Expenditure, vide their I.D. Note No. 1(9)/EV/2019 dated 25/06/2020.

6. In their application to the persons belonging to Indian Audit and Accounts Department, these orders are issued under Article 148(5) of the Constitution and after consultation with the Comptroller and Auditor General of India

7. The Administrative Divisions of all Ministries/Department & attached/subordinate offices are requested to bring the contents of these instructions to the notice of all concerned for compliance.



20/7/2020

(Seema Gupta)

Director

Ph. 23350012

To-

1. All Ministries/Departments of the Government of India
2. President's Secretariat
3. Vice President's Secretariat
4. Prime Minister's Office
5. Comptroller & Auditor General of India
6. Cabinet Secretariat
7. Union Public Service Commission
8. NIC for uploading in the Website

No.1/6/2017-P&PW (F)
Government of India
Ministry of Personnel Public Grievances and Pensions
Department of Pension and Pensioners Welfare

3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi-110003,
Dated the 10th October 2018.

OFFICE MEMORANDUM

Subject:- Revision of disability pension and family pension under CCS(EOP)Rules to pre-1996 and pre-2006 disability pensioners and family pension under CCS(EOP)Rules – inclusion of Non-practicing Allowance (NPA) for revision of disability pension and family pension covered under CCS(EOP) Rules to retired medical Officers – regarding.

The undersigned is directed to say that orders were issued vide this Department's OM No. 45/22/1997-P&PW (C) dated 11.9.2001 for revision of disability pension/family pension under CCS(EOP)Rules in respect of Pre-1996 pensioners. These orders inter-alia provided for revision of Pension of Pre-1996 Disability Pensioners and family pensioners under EOP Rules on the basis of the minimum basic pay in the revised pay scale applicable w.e.f. 1.1.1996.

2. Vide this Department's OM No. 45/3/2008-P&PW(F) dated 30.9.2010, as amended vide OMs dated 20.11.2014, 29.4.2016 and 8.8.2016, orders were issued for revision of pre-2006 Disability Pensioners and family pensioners under EOP Rules on the basis of the minimum of the pay in the pay band plus grade pay or minimum of pay in the revised scale of pay applicable from 1.1.2006 corresponding to the pay scale from which the pensioner had retired, as arrived at with reference to the fitment tables annexed to the Ministry of Finance, Department of Expenditure OM No. 1/1/2008-IC dated 30/8/2008.

3. In implementation of the judgment dated 27.11.2013 of Hon'ble Supreme Court in CA No. 10640-36 of 2013 and other connected matters, orders were issued vide this Department's OM No. 38/31/2011-P&PW (A) (Vol.IV) dated 14.10.2014 that in the case of Pre-1996 retired Medical Officers, NPA at the rate of 25% shall be added to the minimum of the revised scale of pay as on 1.1.1996 corresponding to pre-1996 pay scales from which the pensioner had retired in cases where consolidated pension/family pension was to be stepped up based on minimum of revised pay scales.

4. Similarly, orders were issued vide OM NO.38/31/2011-P&PW(A) (Vol-IV) dated the 18th February, 2015 that in the case of pre-2006 retired Medical Officers, NPA @ 25% would be added to the minimum of the pay in the revised pay band plus grade pay (or minimum of pay in the revised pay scale in the case of HAG and above) as on 01.01.2006 corresponding to the pre-revised pay scales from which they retired, in case where pension/family pension is to be stepped up to 50%/30% of the minimum pay respectively.

5 It is hereby clarified that for the purpose of revision of Disability Pension/family pension of the pre 1996 pensioners under CCS(EOP) Rules also, NPA at the rate of 25% shall be added to the minimum of the pay in the revised scale of pay on 01.01.1996 corresponding to the Pre 1996 pay scales in respect of the retired Medical Officers. Similarly, for the purpose of revision of Disability pension/Family pension of pre 2006 pensioners under CCS(EOP)Rules, NPA @25% shall be added to the minimum of the pay in the pay band plus Grade pay or minimum of the pay in the revised pay scale applicable from 01.01.2006 corresponding to the pay scale from which the pensioner retired.

6. The emoluments (minimum pay +NPA) to be reckoned for calculation of the Disability Pension/Family pension in terms of the above provisions would not exceed Rs.30,000/- w.e.f 1.1.1996 and Rs.85,000 w.e.f 1.1.2006.

7. The other terms and conditions stipulated in this Department's OM No. OM No. 45/22/1997-P&PW (C) dated 11.9.2001 and OM No. 45/3/2008-P&PW(F) dated 30.9.2010, 20.11.2014, 29.4.2016 and 8.8.2016 shall remain unchanged.

8. This issues with the approval of Ministry of Finance, Department of Expenditure vide their ID No.1(3)/E-V/2018 dated 08.08.2018


(Sujasha Choudhury)
Director

To
All Ministries/Departments of the Govt. of India as per Standard Distribution

Copy to President Secretariat, Vice President Secretariat, Prime Ministers Office, Cabinet Secretariat, Supreme Court of India, C&AG, UPSC etc. as per standard endorsement list.

