

No.1/4/2016-P&PW (F)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi-110003.
Dated the 12th October, 2017.

OFFICE MEMORANDUM

Subject: Special benefits in cases of death and disability in service – Revision of Disability Pension/Family pension under CCS(EOP)Rules of Pre-2016 disability pensioners/ Family Pensioners in implementation of recommendations of 7th Central Pay Commission – regarding.

The undersigned is directed to say that orders were issued vide D/o. P&PW's OM No.38/37/2016-P&PW(A)(ii) dated 04.08.2016 for revision of pension/family pension of pre 2016 pensioners/family pensioners, including those drawing pension/family pension under CCS(EOP) Rules. In terms of the aforesaid OM, the revised disability pension/family pension under CCS(EOP) w.e.f. 01.01.2016 was required to be determined by multiplying the disability pension/family pension, as had been fixed at the time of implementation of the 6th Central Pay Commission recommendations, by 2.57.

2. Subsequently, vide this Department's OM No.38/37/2016-P&PW(A) dated 12th May, 2017, it was decided that the revised pension/family pension w.e.f 01.01.2016 in respect of all Central civil pensioners/family pensioners, including CAPF's who retired /died prior to 01.01.2016 and drawing pension/family pension under CCS(Pension) Rules may be revised by notionally fixing their pay in the pay matrix recommended by 7th CPC in the level corresponding to the pay in the pay scale/pay band and grade pay at which they retired/died. This will be done by notional pay fixation under each intervening Pay Commission based on the Formula for revision of pay. While fixing pay on notional basis, the pay fixation formulae approved by the Government and other relevant instructions on the subject in force at the relevant time shall be strictly followed.

3. The question of revision of disability pension/family pension under CCS(EOP)Rules by pay fixation method has been considered by the Government. It has been decided that the disability pension/family pension under CCS(EOP)Rules will also be revised by notionally fixing the pay in the pay matrix recommended by the 7th CPC in the aforesaid manner. Accordingly, disability pension/family pension under CCS(EOP)Rules w.e.f. 01.01.2016 will be revised in the following manner:-

I. Family Pension for Categories B & C

- (a) Where the deceased Government servant was not holding a pensionable post:
40% of notional pay as on 01.01.2016 subject to a minimum of Rs.11,700/- per month.
- (b) Where the deceased Government servant was holding a pensionable post:
60% of notional pay as on 01.01.2016 subject to a minimum of Rs.18,000/- per month.

In case where the widow dies or remarries, the children shall be paid family pension at the rates mentioned at (a) or (b) above, as applicable, and the same rate shall also apply to fatherless/motherless children. In both cases, family pension shall be paid to children for the period during which they would have been eligible for family pension under the CCS (Pension) Rules. Dependent parents/brothers/sisters etc. shall be paid family pension one-half the rate applicable to widows/fatherless or motherless children.

II. Family Pension under Categories D & E

- (a) Family pension to the widow shall be equal to the notional pay as on 01.01.2016
- (b) If the Government servant is not survived by his widow but is survived by child/children only, all children together shall be eligible for family pension at the rate of 60% of the notional pay as on 01.01.2016 subject to a minimum of Rs. 18,000/-
- (c) If the Government servant died as a bachelor or as a widower without children, family pension will be admissible to parents without reference to pecuniary circumstances, at the rate of 75% of the notional pay as on 01.01.2016, if both parents are alive, and at the rate of 60% if only one of them is alive.

III. Disability Pension for Categories B & C

- (a) Disability pension would comprise of a service element equal to 50% of the notional pay as on 01.01.2016 plus disability element equal to 30% of the same notional pay, for 100% disability.
- (b) For disability less than 100%, disability element shall be reduced proportionately subject to the provisions of Rule 8 of CCS(EOP)Rules and subject to minimum disability pension of Rs. 18,000/- per month.

IV. Disability Pension for category D:

- (a) Disability pension would comprise of a service element equal to 50% of the notional pay as on 01.01.2016 and disability element equal in amount to normal family pension
- (b) For lower percentage of the disability, the disability pension would be proportionately lower subject to the provisions of Rule 8 of CCS(EOP)Rules and subject to a minimum disability pension of Rs.18,000/- per month.

V. Disability Pension for Cases under Category E

- (a) Disability pension would comprise of a service element equal to 50% of the notional pay as on 01.01.2016 and disability element equal to the same notional pay as on 01.01.2016 for 100% disability.
- (b) For lower percentage of the disability, the disability element shall be proportionately lower subject to the provisions of Rule 8 of CCS(EOP)Rules.

4. It has also been decided that the higher of the two formulations, ie. the disability pension/family pension under CCS(EOP) Rules already revised in accordance with this Department's OM No.38/37/2008-P&PW(A)(ii) dated 4.8.2016 or revised disability pension/family pension under CCS(EOP)Rules worked out in accordance with para 3 above, shall be granted to pre 2016 disability pensioners/family pensioners under CCS(EOP)Rules w.e.f. 01.01.2016. In cases, where disability pension/family pension being paid w.e.f. 01.01.2016 in accordance with this Department's OM No.38/37/2008-P&PW(A)(ii) dated 4.8.2016 happens to be more than the disability pension/family pension as worked out in accordance with para 3 above, the disability pension/family pension already being paid shall be treated as revised disability pension/family pension under CCS(EOP)Rules with effect from 01.01.2016.

5. The limit of maximum pension and family pension under para 8 of Department of Pension and Pensioners' Welfare OM dated 12.05.2017 would not be applicable for disability pension under CCS(EOP)Rules.

6. All other terms and conditions of OM No.38/37/2016-P&PW(A) dated 12th May 2017, in so far as they are relevant in the case of disability pension and family pension under CCS(EOP)Rules would also be applicable for revision of disability pension and family pension under CCS(EOP) Rules with effect from 01.01.2016.

7. These orders shall apply to all pensioners/family pensioners who were drawing disability pension/family pension before 1.1.2016 under the CCS (EOP) Rules or the corresponding rules applicable to Railway pensioners and pensioners of All India Services and will also be applicable to those pensioners/family pensioners who were granted disability pension/family pension in terms of this Department's OM No. 38/41/06/-P&PW(A) dated 05.05.2009 on death/disability of Government Servant covered by the National Pension System.

8. This issues with the concurrence of Ministry of Finance, Department of Expenditure, vide their ID No. 1(II)/EV/2017 dated 11.09.2017

9. In so far as persons belonging to the Indian Audit & Accounts Department, these orders issue after consultation with the Comptroller & Auditor General of India.

10. All Ministries/Departments 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 on a top priority basis. All pension disbursing officers are also advised to prominently display these orders on their notice boards for the benefits of disability pensioners/family pensioners.

11. Hindi version will follow.


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To

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