



INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAWAN: NEW DELHI

F. No. GAC-21-9/2013-CDN

Dated the 25th April, 2016

ENDORSEMENT

Department of Pension & Pensioners' Welfare, Ministry of Personnel, Public Grievances & Pensions, Government of India, New Delhi has issued an O. M. regarding revision of pension of pre-2006 pensioners – delinking of revised pension from qualifying service of 33 years. The O.M. No. 38/37/08-P&PW(A) dated 6.4.2016 has been uploaded on the ICAR web-site www.icar.org.in and e-office for information and compliance.

Ajai
25.4.16

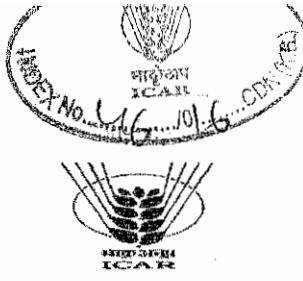
(Ajai Verma)

Under Secretary (CDN and R&D)

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1. All Directors/Project Directors of all ICAR Institutes/National Research Centres/Project Coordinators/Coordinated Research Projects/Zonal Project Coordinators/Bureaux for information and strict compliance.
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3. DKMA, KAB-I for placing on the ICAR web-site.
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5. Secy. (Staff Side), CJSC, NRC on Meat, Chengicherla, Hyderabad -500039
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भारतीय कृषि अनुसंधान परिषद
कृषि भवन - नई दिल्ली

फा०सं०सा.प्र.स. 21-9/2013-समन्वय

दिनांक 25 अप्रैल 2016

पृष्ठांकन

पेंशन एवं पेंशनर्स कल्याण विभाग, कार्मिक मंत्रालय, लोक शिकायत और पेंशन, भारत सरकार, नई दिल्ली द्वारा 2006 से पूर्व पेंशनरों की पेंशन में संशोधन के सम्बंध में ज्ञापन सा. 38/37/08-पी&पीडबल्यू(ए) दिनांक 6.4.2016 को जारी किया है / यह का. ज्ञा. को सूचना एवं अनुपालन के लिए भा.कृ.अनु.प. की वेब साइट www.icar.org.in पर अपलोड कर दिया गया है।

अजय वर्मा
25/4/16
(अजय वर्मा)

अवर सचिव (समन्व एवं आर एंड डी)

वितरण:

1. भा.कृ.अ.प. के संस्थानों/परियोजना निदेशालयों/राष्ट्रीय अनुसंधान केन्द्रों/परियोजना समन्वयकों/अनुसंधान परियोजना समन्वयकों/क्षेत्रीय परियोजना समन्वयकों के सभी निदेशक/व्यूरों के सभी निदेशक।
2. महानिदेशक., भा.कृ.अ.प. के वरिष्ठ प्रधान निजी सचिव/ वित्त सलाहकार (डेयर) के प्रधान निजी सचिव/ भा.कृ.अ.प. के प्रधान निजी सचिव।
3. श्री हंस राज, आईएसओ, (डीकेएमए), कृषि अनुसंधान भवन-1 को आईसीएआर की वेबसाइट पर डालने करने हेतु।
4. भा.कृ.अ.प. के सभी अधिकारी/अनुभाग कृषि भवन/कृषि अनुसंधान भवन-1/2, एनएससी काम्पलेक्स।
5. सचिव (कर्मचारी पक्ष) सीजेएससी राष्ट्रीय मांस अनुसंधान केन्द्र चंगीचेरला हैदराबाद
6. सचिव (कर्मचारी पक्ष) एचजेएससी भा.कृ.अ.प., कृषि अनुसंधान भवन-2
7. गार्ड फाइल/अतिरिक्त प्रतियां

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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) 15/3/2016

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

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