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OFFICE MEMORANDUM

ON REVISED PENSION SCHEME FOR POST – 1.1.2006 RETIREES

(No.G.17011/4/2010-F.APF/54 Date 27.10.2010)

*Issued by Finance Department (APF)
Government of Mizoram.*

No.G.17011/4/2010-F.APF/54
GOVERNMENT OF MIZORAM
FINANCE DEPARTMENT
(APF BRANCH)

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OFFICE MEMORANDUM

Aizawl, the 27th October, 2010

REVISED PENSION SCHEME FOR POST - 1.1.2006 RETIREES

Revision of provisions regulating Pension/Gratuity/Commutation of Pension /
Family Pension / Disability Pension / Ex-Gratia Lump-sum compensation-
Implementation of the Mizoram (Revision of Pay) Rules, 2010.

1. The undersigned is directed to state that in pursuance of Government's decision on implementation of the Mizoram (Revision of Pay) Rules, 2010, the Governor of Mizoram is pleased to introduce the following modifications in the rules regulating pension, Retirement / Death / Services / Gratuity / Family Pension / disability pension and ex-gratia lump-sum compensation under the CCS (Pension) Rules, 1972 (hereafter referred to as Pension Rules) and Commutation of Pension under CCS (Commutation of Pension) Rules, 1981, CCS (Extraordinary Pension) Rules, 1939 etc.

2. These orders apply to The Mizoram Government Employees governed by the CCS (Pension) Rules, 1972.

Date of Effect

3.1 Save as otherwise mentioned in these orders, the revised provisions as per these orders shall apply to Government servants who retire/die in harness on or after 1.1.2006. Separate orders have been issued in respect of employees who retired/died before 1.1.2006.

3.2 Where pension/family pension/Gratuity/Commutation of pension, etc has already been sanctioned in cases occurring on or after 1.1.2006, the same shall be revised in terms of these orders. In cases where pension has been finally sanctioned on the pre-revised orders and if it happens to be more beneficial than the pension becoming due under these orders, the pension already sanctioned shall not be revised to the disadvantage of the pensioner in view of Rule 70 of the CCS (Pension) Rules, 1972.

Emoluments

4.1 The Term 'Emoluments' for purpose of calculating various pensionary benefits other than various kinds of Gratuity shall have the same meaning as in Rule 33 of the CCS (Pension) Rules, 1972.

4.2 Basic pay in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay, etc.

4.3 In the case of all kinds of Gratuity, DA admissible on the date of retirement/death shall continue to be treated as emoluments along with the emoluments as defined in paragraph 4.1 above.

Pension

5.1 A Government Servant retiring in accordance with the provisions of the CCS (Pension) Rules, 1972 before completing qualifying service of ten years shall not be entitled to pension but he shall continue to be entitled to service gratuity in terms of Rule 49(1) of the CCS (Pension) Rules, 1972.

5.2 Linkage of full pension with 33 years of qualifying service shall be dispensed with. Once a Government servant has rendered the minimum qualifying service of twenty years, pension shall be paid at 50% of the emolument or average emoluments received during the last 10 months, whichever is more beneficial to him.

5.3 In cases where Government servant becomes entitled to pension on completion of 10 years of qualifying service in accordance with Rule 49(2) of the CCS (Pension) Rules, 1972, Pension in those cases shall also be paid at 50% of the emoluments or average emoluments, whichever is more beneficial to the Government servant.

5.4 The revised provisions for calculation of pension in para 5.2 and para 5.3 above shall come into force with effect from the date of issue of this O.M and shall be applicable to Government servants retiring on or after that date. The government servants who have retired on or after 1.1.2006 but before the date of issue of this O.M will continue to be governed by the Rules/orders which were in force immediately before coming into effect these orders.

5.5 The amount of pension shall be subject to a minimum of 3,500/- and maximum upto 50% of highest pay in the Government (The highest pay in the Government is 90,000 since 1.1.2006)

5.6 The provisions of clauses (a) to (c) of sub-rule (2) of Rule 49 of the Pension Rules shall stand modified to the extent mentioned in para 5.1 to para 5.5 above. The other provisions contained in Rule 49 shall continue to apply.

5.7 The quantum of pension available to the old pensioners shall be increased as follows:-

Age of Pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of basic pension
From 85 years to less than 90 years	
From 90 years to less than 95 years	30% of basic pension
From 95 years to less than 100 years	
100 years or more	40% of basic pension
	50% of basic pension
	100% of basic pension

The Additional quantum of pension/family pension on attaining the age of 80 years and above would be admissible from the first day of the month in which his/her date of birth falls. Dearness relief will also be admissible on the additional quantum of pension available to the old pensioners/family pensioners in accordance with the orders issued from time to time.

The pension Sanctioning Authorities should ensure that the date of birth and the age of a pensioner is invariably indicated in the pension payment order to facilitate payment of additional pension by the Pension Disbursing Authority as soon as it becomes due. The amount of Additional Pension will be shown distinctly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and his pension is 10,000 pm, the pension will be shown as (i) Basic pension = 10,000 and (ii) Additional pension = 2,000 pm. The pension on his attaining the age of 85 years will be shown as (i) Basic Pension = 10,000 and (ii) Additional Pension = 3,000 pm.

Gratuity

6.1 The maximum limit of all kinds of gratuity shall be 10 lakhs. Accordingly, first proviso under Rule 50(1) (b) of Pension Rules shall stand modified to the effect that the amount of retirement gratuity or death gratuity payable under this Rule shall in no case exceed 10 lakhs.

Addition to qualifying service

7.1 In view of revised provisions for computation of pension in para 5 above, the extant benefit of adding years of qualifying service for the purpose of computation of pension shall stand withdrawn with effect from the date of issue of

this O.M. Rules 29, 29-A, 30, 48-B and 48-C of the CCS (Pension) Rules, 1972 shall stand modified to this extent.

Family Pension 1964

8.1 Family pension shall be calculated at a uniform rate of 30% of basic pay in all cases and shall be subject to a minimum of 3,500/-p.m and maximum of 30% of the highest pay in the Government. (The highest pay in the Government is 90,000 since 1.1.2006) Rule 54(2) relating to Family Pension, 1964 under Pension Rules shall stand modified to this extent.

8.2 The enhanced family pension under Rule 54(3) (a) (i) shall be payable to the family of a Government servant who dies in service from the date of death of the Government servant for a period of ten years, without any upper age limit. Rule 54(3) (a) (i) shall stand modified to this extent. There will be no change in the period for payment of enhanced family pension to the family in the case of death of a pensioner.

8.3 The quantum of family pension available to the old family pensioners shall be increased as follows:

Age of family Pensioner	Additional quantum of family pension
From 80 years to less than 85 years	20% of basic family pension
From 85 years to less than 90 years	
From 90 years to less than 95 years	30% of basic family pension
From 95 years to less than 100 years	40% of basic family pension
100 years or more	50% of basic family pension
	100% of basic family pension

The Additional quantum of pension/family pension on attaining the age of 80 years and above would be admissible from the first day of the month in which his/her date of birth falls. Dearness relief will also be admissible on the additional quantum of pension available to the old pensioners/family pensioners in accordance with the orders issued from time to time.

The pension sanctioning Authorities should ensure that the date of birth and the age of a family pensioner is invariably indicated in Form 3 (regarding details of family) and the pension payment order to facilitate payment of additional family pension by the pension disbursing authority as soon as it becomes due. The amount of additional family pension will be shown distinctly in the pension payment order. For example, in case where a family pensioner is more than 80 years of age and his / her family pension 10,000/- pm, the pension will be shown as (i) Basic Family Pension = 10,000/- and (ii) Additional Family Pension = 2,000/- pm. The family pension on his / her attaining the age of 85 years will be shown as (i) Basic Family Pension = 10,000/- and (ii) Additional Pension = 3,000/- pm

8.4 For the purpose of grant of Family Pension, the Family shall be categorized as under:

Category-I

- (a) Widow or widower, upto the date of death or re-marriage, whichever is earlier.
- (b) Son/daughter (including widowed daughter), upto the date of his/her marriage/re-marriage or till the date he/she starts earning or till the age of 25 years, whichever is the earliest.

Category-II

- (c) Unmarried/Widowed/Divorced daughter, not covered by Category I above, upto the date of marriage/re-marriage or till the date she starts earning or upto the date of death, whichever is earliest.
- (d) Parents who were wholly dependent on the Government servants when he/she was alive provided the deceased employee had left behind neither a widow nor a child.

Family pension to Unmarried/Widowed/divorced daughters in Category II and dependent parents shall be payable only after the other eligible family members in Category I have ceased to be eligible to receive family pension and there is no disabled child to receive the family pension. Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension in that category.

8.5 The dependency criteria for the purpose of family pension shall be the minimum family pension along with dearness relief thereon.

8.6 The childless widow of a deceased Government employees shall continue to be paid family pension even after her remarriage subject to the condition that the family pension shall cease once her independent income from all other sources becomes equal to or higher than the minimum prescribed family pension in the Government. The family pensioner in such cases would be required to give a declaration regarding her income from other sources to the pension disbursing authority every six months.

Commutation of Pension

9.1 A Government servant shall continue to be entitled to commute for a lump-sum payment up to 40% of his pension.

9.2 The existing Table of Commutation Value for Pension Annexed to the CCS (Commutation of Pension) Rules, 1981 shall be substituted by a new Table at Annex.1 of this O.M.

9.3 The revised Table of Commutation Value for Pension will be used for all commutations of pension which become absolute after the date of issue of this O.M. In the case of those pensioners whose commutations of pension become absolute after 1.1.2006 and on or before 31.12.2008, their commutations need not be revised. In the case of those pensioners, in whose case commutations of pension become absolute on or after 01.01.2009 but before the issue of this O.M., the pre-revised table of commutation value for pension will be used for payment of commutation of pension based on pre-revised pay/pension. Those pensioners who retired on or after 01.01.2009 shall have an option to commute the amount of pension that has become additionally commutable on account of retrospective revision of pay/pension. On exercising such an option by the pensioner, the revised Table of Commutation Value for pension will be used for the commutation on account of retrospective revision of pay/pension. In all cases where the date of retirement/commutation of pension is on or after the date of issue of this OM, the revised Table of Commutation value for pension will be used for commutation of entire pension.

9.4 Provisions of CCS (Commutation of Pension) Rules, 1981 shall stand modified in accordance with para 9.2 and 9.3 above.

Constant Attendant Allowance

10.1 In the case of pensioners who retired on disability pension under the CCS (Extra-Ordinary) Pension rules, 1939, for 100% disabilities (Where the individual is completely dependent on somebody else for day to day functions,) a Constant Attendant Allowance of 3,000/= p.m. shall be allowed in addition to the disability pension, on the lines existing in Defence Forces. The CCS (Extraordinary) Pension Rules, 1939 shall stand modified to this extent.

Ex Gratia Lumpsum Compensation

11. An ex gratia lump sum compensation will be available to the families of Government of Mizoram Employees, who die in the performance of their bona fide official duties under various circumstances from the date of issue of this Office Memorandum. The amount of this ex gratia lump sum compensation shall be as under-

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|---|-------------|
| (a) Death occurring due to accident in the course of performance of duties. | 10.00 lakhs |
| (b) Death occurring in the course of perfor- | 10.00 lakhs |

mance of duties attributable to acts of violence by terrorists anti-social elements,etc.

- | | |
|---|-------------|
| (c) Death occurring due to (a) enemy action in International war or border skirmishes
And (b) action against militants, terrorists
Extremists etc. | 15.00 lakhs |
| (d) Death occurring while on duty in the Specified high altitude, inaccessible
Border posts, etc on account of natural
Disasters, extreme weather conditions. | 15.00 lakhs |

12. For the purpose of computing average emoluments in the case of Government servant who have opted for fixation of pay in the revised pay structure and retire within 10 months from the date of coming over to the revised Pay Structure, basic pay for 10 months period preceding retirement shall be calculated by taking into account pay as follows:

(i) For the period during which pay is drawn in revised Pay Structure-Pay drawn in the prescribed pay band plus the applicable grade pay.

(ii) For the remaining period during which pay is drawn in pre-revised scale of pay-Basic pay Plus dearness pay and actual DA appropriate to the basic pay at the rates in force on 1.1.2006 drawn during the relevant period.

Special Provision for those who Retain the Pre-revised Scale of Pay

13 The Pension and death-cum-retirement gratuity of those, who have elected to continue to draw pay in the pre-revised scale of pay in terms of Rule 5 of the Mizoram (Revision of Pay) Rules, 2010 and have retired or will be retiring after 01.01.2006 shall be regulated as follows:

(i) The term 'Emoluments' will mean 'Pay' as defined in FR 9(21) (a) and will include Dearness pay and DA upto average AICPI 536 (Base year 1982=100)

(ii) Pension will be calculated at 50% of emoluments or average emoluments whichever is more beneficial to the employee.

(iii) Death-cum-retirement gratuity shall be admissible with reference to emoluments at (i) above plus dearness allowance, under the order in force

immediately before coming into effect of these orders. The maximum amount of gratuity shall not exceed 3,50,000/- in terms of Department of Pension and Pensioners Welfare Office Memorandum No. 45/86/97-P & PW (A) (Part-I) dated 27.10.1997.

(iv) Commutation of pension shall be admissible in accordance with the orders in force immediately before coming into effect of these orders.

(v) Family pension shall be allowed in accordance with orders applicable prior to the issue of these orders and shall be calculated with reference to basic pay in the pre-revised scale. To the family pension so calculated dearness relief upto average AICPI 536 (Base year 1982=100) at the rate contained in Government of India, Department of Pension and Pensioners Welfare O.M No.42/2/2006-P & PW (G) dated 5.4.2006 shall be added. The amount so arrived at will be regarded as the family pension for regulating payment of dearness relief beyond average AICPI 536.

14. Provisions of the CCS (Pension) Rules, 1972, CCS (Extraordinary) Pension Rules, 1939, and CCS (Commutation of Pension) Rules, 1981 which are not specifically modified by these orders, will remain unaffected.

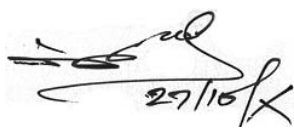
15. The pension/family pension in terms of these orders will qualify for dearness relief beyond average AICPI 536 under the revised pattern being introduced on the recommendations of the Sixth Central Pay Commission.

Annex - I

Commutation value for a Pension of Re. 1 per annum

Age next birthday	Commutation value expressed as number of year's purchase	Age next birthday	Commutation value expressed as number of year's purchase	Age next birthday	Commutation value expressed as number of year's purchase
20	9.188	41	9.075	62	8.093
21	9.187	42	9.059	63	7.982
22	9.186	43	9.040	64	7.862
23	9.185	44	9.019	65	7.731
24	9.184	45	8.996	66	7.591
25	9.183	46	8.971	67	7.431
26	9.182	47	8.943	68	7.262
27	9.180	48	8.913	69	7.083
28	9.178	49	8.881	70	6.897
29	9.176	50	8.846	71	6.703
30	9.173	51	8.808	72	6.502

31	9.169	52	8.768	73	6.296
32	9.164	53	8.724	74	6.085
33	9.159	54	8.678	75	5.872
34	9.152	55	8.627	76	5.657
35	9.145	56	8.572	77	5.443
36	9.136	57	8.512	78	5.229
37	9.126	58	8.446	79	5.018
38	9.116	59	8.371	80	4.812
39	9.103	60	8.287	81	4.611
40	9.090	61	8.194		



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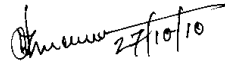
Addl. Secretary to the Govt. of Mizoram,
Finance Department

Memo No.G.17011/4/2010-F.APF/54 : Aizawl the 27th October, 2010

Copy to :

1. Secretary to the Governor, Mizoram.
2. P.S to the Hon'ble Chief Minister, Mizoram.
3. P.S to Speaker/Dy. Speaker, Mizoram.
4. P.S to all Ministers/Minister of States/Parliamentary Secretary, Mizoram.
5. P.P.S to Chief Secretary, Mizoram.
6. All Administrative Departments, Government of Mizoram.
7. All Head of Departments, Government of Mizoram.
8. All Finance Commissioners of State Government and Union Territories with a request to circulate the Office Memorandum to all Pension Disbursing Authority functioning within their jurisdiction of the concerned state.
9. Director, Accounts & Treasuries, Mizoram.
10. Reserve Bank of India, Central Office, Department of Government and Bank Account-C-7, Bandra Kurla Complex, 2nd Floor, Post Bag No.8143, Bandra (E), Mumbai-40005 (65 copies).
11. The General Manager (NW-II), State Bank of India, Local Head Office, Government Business Unit, N.E.Circle, 5th Floor Block 'A', G.S Road Dispur, Guwahati-781996, Assam.

12. India Embassy, Pension Paying Officer, Pokhra, Nepal.
13. Chief Manager, Centralized Pension Processing Centre (CPPC), State Bank of India, Shetty Building 1st Floor, G.S Road, Bhangagarh, Guwahati-5
14. First Secretary, High Commissioner Office, Kathmandu, Nepal.
15. Regional Manager, State Bank of India, Regional Business Office, Babutlang, Aizawl, Mizoram.
16. Chief Manager, State Bank of India, Main Branch, Zodin Square/Dawrpui /Mission Veng Branch, Aizawl, Mizoram.
17. All Branch Manager, State Bank of India for information and necessary action.
18. All Treasury Officer, Mizoram.
19. The President, Mizoram Civil Pensioners Association, General Headquarter, Opposite to Tennis Court, Aizawl.
20. The President, Lunglei District Pensioners Association, Lunglei.
21. Guard file.



(ZOTHANMAWIA)

Under Secretary to the Govt. of Mizoram,
Finance Department (APF)