

Implementation of Government's decision on recommendation of Sixth Pay Commission regarding revision of pension of pensioners—family pensioners—grant of full pension to Government servants who retired on or after dated : 01-01-2006.

Government of Gujarat,  
*Finance Department,*  
G. R. No.: PSN-1009-726-(339/2012)-P  
Sachivalaya, Gandhinagar  
Dated the 27 th March, 2012

- Read : (1) *Finance Department's Government Resolution No. PGR-1009-5-Pay Cell(M), dated 13-04-2009,*  
(2) *Government of India, Ministry of Personnel, Public Grievances and Pension, Department of Pension & Pensioners' Welfare, Memorandum 38.37/08/P&PW(A), F. No. dated 10-12-2009.*

### **RESOLUTION**

Government has issued orders for regulation of pension/ gratuity /commutation of pension of post 01-01-2006 pensioners/family pensioners vide Government Resolution dated 13-04-2009 referred to at Sr. No. 1 above; para No. 3.5 of the said Government Resolution inter-alia provides as under :-

"The revised provision for calculation of pension in para-3.2 and para-3.3 above shall come into force with effect from the date of issue of these orders and shall be applicable to Government servants retiring on or after that date. The Government servants who have retired on or after 01-01-2006 but before the date of issue of these orders will continue to be governed by the rules/ orders which were in force immediately before coming into effect of these orders".

2. The Government of India, Ministry of Personnel, Public Grievances and Pension vide OM dated 10-02-2009 referred to at Sr. No. 2 has decided that linkage of full pension with 33 years of qualifying service shall be dispensed with effect from 01-01-2006.

3. The matter of making applicable the above mentioned decision and amending the Para No. 3.5 of Government Resolution dated 13-04-2009 relating to Government servants who have retired on or after dated 01-01-2006; but before the date of issue of the said orders will continue to be governed by the rules which were in force immediately before coming into effect of those orders was under the consideration of the Government. After careful consideration, the Government decides as under :-

1. Linkage of full pension with 33 years of qualifying service shall be dispensed with w.e.f. 01-01-2006 instead of 13-04-2009. The revised provision for calculation of pension in Para 3.2 of G R dated 13.4.2009 providing Government employees who rendered qualifying service of 20 Years on retirement; pension shall be paid at the rate 50 % of last pay or average pay received during last 10 months whichever is beneficial and Para 3.3 of the said G.R. providing Government employees who become entitled to pension on completion of 10 years qualifying service under rule 80 of Gujarat Civil Service (Pension) Rules, 2002 ; pension shall be paid at the rate of 50 % of last pay drawn or average pay received during the last 10 months whichever is more beneficial, shall come into force from date : 1-1-2006 and shall be applicable to the Government employee retired / retiring after that date. Para 3.5 of the G. R. dated 13.4.2009 shall stand modified to that extent. Moreover the benefit of notional qualifying service in case of voluntary retirement under G.C.S.(Pension) Rules, 2002 rule No.48 and rule 49 stand withdrawn to that extent with effect from dtd. 01-01-2006.
2. The Government servants who have voluntarily retired under rule 49 of Gujarat Civil Services (Pension) Rules, 2002 and who have availed the benefit of notional increment as mentioned in sub-rule 6 of rule 49 shall be required to give option as mentioned below in the *Annexure-"A"* appended herewith :-

(a) Either she/he desires to avail the benefit as per the revised provision of the G.R. i.e.; fixing his/her pension as per provision 3.2 and 3.3 of Government Resolution dated 13-04-2009 forgoing the benefits of adding the notional increment as per sub-rule 6 of rule 49 of Gujarat Civil Services (Pension) Rules, 2002,

OR

(b) He/She desires to avail the benefit of adding the notional increments as per sub-rule 6 of rule 49 of Gujarat Civil Services (Pension) Rules, 2002 and is prepared to draw pension as per the respective provisions of Fifth Pay Commission.

The option mentioned above will have to be submitted to the Director of Pension and Provident Fund through the office from where he/she is retired within 3 months from the date of issue of these orders. The option once exercised will be treated as final and no representation made thereafter will be entertained by the Government. If no option is submitted within 3 months, his/her pension will be termed to be governed as per provision 3.2 and 3.3 of Government Resolution dated 13-04-2009 without the benefit of notional increments.

4. The overall calculation may take into account revised gratuity and revised pension involving arrears up to the date of revision based on these instruction. However no recoveries would be made in the cases already settled.

By order and in the name of the Governor of Gujarat,

ગુજરાત સરકાર

Encl.: Annexure " A "

(Shafaja Patel)

Deputy Secretary to Government,  
Finance Department.

- all 15  
HOD N.C.
- The Secretary to the Hon'ble Governor, Rajbhavan, Gandhinagar,
  - The Principal Secretary to Hon'ble Chief Minister, Gandhinagar.
  - The Personal Secretaries to all Hon'ble Ministers/State level Ministers, Parliamentary Secretaries, Sachivalaya, Gandhinagar.
  - The Personal Secretary to the Hon'ble Leader of Opposition, Gujarat Vidhansabha, Sachivalaya, Gandhinagar.
  - The Secretary, Gujarat Legislative Secretariat, Gandhinagar,
  - The Secretary, Gujarat Vigilance Commission, Gandhinagar,
  - The Secretary, Gujarat Civil Service Tribunal, Gandhinagar,
  - The Secretary, Hon'ble Gujarat High Court, Ahmedabad.
  - The Secretary, Gujarat Subordinate Staff Selection Board, Gandhinagar.
  - The Secretary, Gujarat Public Service Commission, Ahmedabad,
  - All Departments of Secretariat/All HoDs/All Head of Offices.
  - The Accountant General-I (Audit), Gujarat State, Ahmedabad/ Rajkot,
  - The Accountant General-II(A&E), Gujarat State, Ahmedabad/ Rajkot
  - The Examiner, Local Fund Accounts/All Dist. Assistant Examiners,
  - All District Collectors/District Development Officers,
  - The Director, Pension & Provident Fund, Gandhinagar,
  - The Pension Payment Office, Ahmedabad,
  - All District Treasury Officers/Sub Treasury Officers,
  - The Pay and Accounts Officer, Gandhinagar/Ahmedabad,
  - The Pay and Accounts Officer, SSNNL, Gandhinagar/Vadodara,
  - The Resident Audit Officer, Gandhinagar/Ahmedabad,
  - All Boards/Corporations/Universities/Public Sector Undertakings of the Government,
  - All Officers/branches in Finance Department,
  - All recognized Associations,
  - The System Manager, Finance Department - For placing on the website.
  - Select file, Pay Cell, M, CH, P, A & Z br., Finance Department.

• By letter.

અ.નં. ગરુધુ/કોરોના/કચેક/નવસરી/૨૦૨૨  
ગવસી, તા. ૨૧/૪/૨૦૨૨

કુ.નં. કોરોના/કચેક/૧૨/૧૨  
તા. ૨૪/૪/૨૦૨૨

NAU/PSVC/File/58112

In Date - 25 APR 2012

Out Date - 01/05/12

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સુનિર / સહ સુનિર તરફ અહીં નધા કરવા સુધી સારી

Accounts Officer Cum Comptroller  
Navsari Agricultural University,  
Navsari.



*Enclosure of GR No. PSN-1009-726-(339/2012)-P, Dated the 27th March, 2012*

**ANNEXURE - "A"**

**Form of Option**

( See Rule No. 3 of G.R. No. PGR-1009-5-Pay Cell(M), dated 13-04-2009)

- \* (i) I hereby elect to avail the benefit as per para 3.2(a) of G.R. dated i.e.; fixing my pension as per provision 3.2 and 3.3 of Government Resolution No. PGR-1009-5-Pay Cell (M), dated 13-04-2009 forgoing the benefits of adding the notional increment as per sub-rules-6 of rule 49 of Gujarat Civil Services (Pension) Rules, 2002.
- \* (ii) I hereby elect to avail the benefit by adding the notional increment as per sub-rules-6 of rule 49 of Gujarat Civil Services (Pension) Rules, 2002 and to prepare to draw pension as per the respective provision of Fifth Pay Commission.

The option exercised above shall be treated as final and no further representation will be entertained by the Government.

Date : \_\_\_\_\_

Station : \_\_\_\_\_ Signature : \_\_\_\_\_

Name of Pensioner : \_\_\_\_\_

The Post held at the : \_\_\_\_\_  
time of retirement.

Name of Office : \_\_\_\_\_

Pension Payment : \_\_\_\_\_  
Order No.

Name of Treasury : \_\_\_\_\_

Signed before me :

Seal & Signature of Head Office

\* *Strike out if not applicable.*

F.No.38/37/08-P&PW(A)  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Pension & Pensioners' Welfare  
Lok Nayak Bhawan, New Delhi-110003

Dated the 10th December, 2009.

**OFFICE MEMORANDUM**

Sub: Implementation of Government's decision on the recommendations of the Sixth Central Pay Commission regarding revision of pension of pensioners/family pensioners etc. – Grant of full pension to Government servants who retired on or after 1.1.2006

The undersigned is directed to say that in pursuance of Government's decision on the recommendations of Sixth Central Pay Commission, orders were issued vide this Department's O.M. No. 38/37/08-P&PW(A) dated 2.9.2008 for introducing modifications in the rules regulating pension, Retirement/Death/Service Gratuity/Family Pension/ disability pension and ex-gratia lump-sum compensation. In accordance with para 5.2 and para 5.3 of that OM, once a Government servant becomes entitled to pension on completion of 20 years/10 years of qualifying service, he shall be paid pension at 50% of the emoluments or average emoluments received during the last 10 months, whichever is more beneficial to him. In terms of para 5.4 of the OM, these revised provisions have come into force w.e.f. 2.9.2008 and shall be applicable to Government servants retiring on or after that date. Subsequently, it was clarified vide O.M. No. 38/37/08-P&PW(A) dated 11.12.2008 that pension of Government servant retiring on or after 1.1.2006 will also be calculated based on the emoluments or average emoluments received during the last 10 months, whichever is more beneficial to him but his pension would continue to be proportionate to the pension on completion of 33 years of qualifying service. Para 5.4 of this Department's O.M. No. 38/37/08-P&PW(A) dated 2.9.2008 was modified to that extent.

2. This matter has been reconsidered by the Government. In partial modification of the instructions/order issued in this respect, it has now been decided that linkage of full pension with 33 years of qualifying service shall be dispensed with, with effect from 1.1.2006 instead of 2.9.2008. The revised provisions for calculation of pension in para 5.2 and 5.3 of the OM No.38/37/08-P&PW(A) dated 2.9.2008 shall come into force with effect from 1.1.2006 and shall be applicable to the Government servants retired/retiring after that date. Para 5.4 will further stand modified to that extent.

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3. Consequent upon the above revised provisions, in partial modification of para 7.1 of the OM No.38/37/01-P&PW(A)-P&PW(A) dated 2.9.08, the extant benefit of adding years of qualifying service for the purpose of computation of pension and gratuity shall stand withdrawn with effect from 1.1.2006.
4. The overall calculation may take into account revised gratuity and revised pension, including arrears up to date of revision based on these instructions. However, no recoveries would be made in the cases already settled.
5. It is impressed upon all the Ministries/Departments of the Government of India to keep in view the above modifications/clarifications while disposing of the cases of revision of pension. They are also advised to dispose of the representations received by them from pensioners on the above issues without referring the same to this Department.
6. This issues with the concurrence of Ministry of Finance (Department of Expenditure) vide their U.O. No.375/EV/2009 dated 19.11.2009.
7. In their application to the employees of the Indian Audit and Accounts Departments, these orders issue in consultation with the Comptroller & Auditor General of India.
8. Hindi version will follow.

  
(Raj Singh)  
Director

To

1. All Ministries/Departments of Government of India
2. All Pensioners' Association

Please visit: <http://pensionersportal.gov.in>