

**Sixth Central Pay Commission -
Revision of provisions regulating
pension/ gratuity/commutation
of pension etc. of post 1-1-2006
pensioners/family pensioners.**

Government of Gujarat,
Finance Department,
Resolution No. PGR-1009-5-Pay Cell (M),
Sachivalaya, Gandhinagar.
Dated 13th April, 2009

- Read :
- (i) Finance Department, Government Resolution No. PGR/1098/7/M, dated 20-1-1998
 - (ii) Finance Department, Government Resolution No. PGR/1009/1/ Pay Cell (M), dated 12-2-2009

Preamble:-

In pursuance of the Government of India decision on the recommendations of the Sixth Central Pay Commission and orders issued vide Ministry of Personnel, Public Grievances and Pension, Office Memorandum No. F. No. 38/37/08-P&PW(A), dt. 2-9-2008 and clarifications issued vide Office Memorandum F. No. 38/37/08-P&PW(A)/Part-II, dated 3-10-2008 and Office Memorandum of even number dated 11-12-2008, the matter regarding revision of pension/family pension of post 1-1-2006 pensioners/family pensioners was under consideration of the State Government. After careful consideration, the State government is pleased to accord sanction to the regulation of pension/gratuity/commutation of pension etc. of **post 1-1-2006** pensioners/family pensioners and introduce the following modifications in the existing Gujarat Civil Services (Pension) Rules, 2002.

RESOLUTION

- 1.1 Save as otherwise mentioned in this orders, the revised provisions as per these orders shall apply to Government servants who have retired/ died in harness on or after 1/1/2006. Separate orders have been issued in respect of Government Employees who retired / died before 1/1/2006.
- 1.2 Where pension / family pension / all kind of gratuity/ commutation of pension etc. have already been sanctioned in cases occurring on or after 1/1/2006, the same shall be



revised in terms of these orders. In case 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 pensioners.

- 2.1 The term "Pay" for purposes of calculating various pensionery benefits other than various kinds of Gratuity shall mean basic pay in revised pay band plus grade pay as promulgated under the Gujarat Civil Services (Revision of Pay) Rules, 2009; but does not include any other type of pay like special pay etc.
- 2.2 In case of various kinds of gratuity, dearness allowance admissible on the date of retirement / death shall also be treated as pay along with the pay as defined in Para 2.1 above.

3. PENSION :

- 3.1 A Government servant retiring in accordance with the provisions of the Gujarat Civil Services (Pension) Rules, 2002, 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 80 of Gujarat Civil Services (Pension) Rules, 2002. The benefit of rounding of years does not apply to minimum of length of service for entitlement of the pension.
- 3.2 Linkage of full pension with 33 years of qualifying service shall be dispensed with. If a Government servant has rendered the minimum qualifying service of 20 years on retirement, pension shall be paid at 50 % of the last pay or average pay received during the last 10 months, whichever is more beneficial to him/her.
- 3.3 In case where the Government servant becomes entitled to pension on completion of 10 years of qualifying service under rule 80 of Gujarat Civil Services (Pension) Rules, 2002, pension in those cases shall also be paid at 50 % of last pay drawn or average pay received during the last 10 months whichever is more beneficial to Government servant.



- 3.4 The amount of pension shall be subject to a minimum of Rs. 3500/- and maximum up to 50 % of highest pay in the State Government.
- 3.5 The revised provisions 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 1/1/2006 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.
- However, 50 % of last pay + grade pay or average pay (including grade pay) received during the last 10 months, whichever is more beneficial to the retiring government servants, will continue to apply.
- 3.6 Provisions under Rule 80 of Gujarat Civil Services (Pension) Rule, 2002 shall stand modified in accordance with above.
- 3.7 The quantum of pension available to the old pensioners shall be increased as follows:-

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

The Pension/Family Pension Authorizing Authorities should ensure that the date of birth and the age of pensioner/family pensioner is invariably indicated in the pension payment order to facilitate payment of additional pension by the Pension/Family Pension Disbursing Authority as soon as it becomes due. The amount of additional pension/family pension will be shown

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distinctly in the pension/family pension payment order. For example, in case where a pensioner/family pensioner is more than 80 years of age and his pension/family pension is Rs. 10,000/- pm, the pension/family pension will be shown as (i) Basic Pension/Family Pension = Rs. 10,000/- p.m. and (ii) additional pension/additional family pension = Rs. 2000/- p.m.. The pension/family pension on his attaining the age of 85 years will be shown as (i) Basic Pension/Family Pension = Rs. 10,000/-p.m. and (ii) additional pension/additional family pension = Rs. 3000/- p.m.

The additional quantum of pension/family pension, on attaining the age of 80 years and above, would be admissible from the 1st day of the month in which his date of birth falls. For example, if a pensioner/family pensioner completes age of 80 years on any date in the month of August, 2008, he will be entitled to additional pension/family pension with effect from 1/8/2008. Those pensioners/family pensioners, whose date of birth is 1st August, will also be entitled to additional pension/family pension with effect from 1/8/2008 on attaining the age of 80 years and above.

Temporary Increase will also be admissible on the additional quantum of pension/family pension available to the old pensioners/family pensioners, in accordance with the orders issued from time to time.

4. Gratuity :

The maximum limit of all kind of Gratuity shall be Rs. 10 lacs. Pay for this purpose will be as per paras-2.1 & 2.2 above. Accordingly, Rules 80 and 81 of Gujarat Civil Services (Pension) Rules, 2002 shall stand modified to this extent.

5. Addition to qualifying service:-

In view of the revised provisions for computation of pension in para-3 above, the extant benefit of adding years of qualifying service for purpose of computation of pension shall stand withdrawn with effect from the date of issue of Government Resolution and Rules 48 and 49 of Gujarat Civil Services (Pension) Rules, 2002 shall stand modified to this extent.

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6. **Family Pension:-**

- 6.1 Family Pension shall be calculated at uniform rate at 30 % of the last basic pay in all cases and shall be subject to minimum of Rs. 3500/- p.m. and maximum of 30 % of the highest pay in the Government.
- 6.2 The enhanced family pension under Rule 90(1)(i) of Gujarat Civil Services(Pension) Rules, 2002 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. Family of government servant who dies while in service, drawing Enhanced Family Pension (Existing Family pensioner) on 1-1-2006 will be allowed to draw Enhanced Family Pension for the period of 10 years from the death of Government Servant. These orders will however not apply in a case where the period of 7 years for payment of Enhanced Family Pension has already been completed as on 1-1-2006 and the family was in receipt of normal family pension on that date. Accordingly, Rule 90(1)(i) of Gujarat Civil Services (Pension) Rules, 2002 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 pensioner.
- 6.3 For the purpose of grant of Family Pension, the "Family" shall be as under in order of priority:
- (a) Widow or widower, up to the date of death or re-marriage, whichever is earlier;
 - (b) Son/daughter, including widowed/divorced daughter, up to the date of his/her marriage/remarriage or till the date he/she starts earning or till the age of 25 years, whichever is the earliest.
 - (c) Grant of family pension to children 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.

- (d) Parents who were wholly dependent on the Government Servant when he/she was alive provided that the deceased had left behind him/her neither widow/widower nor a child.
- (e) Family pension to dependent parents will continue till the date of their death, subject to the dependency criteria decided by the government.

- 6.4 The dependency criteria for the purpose of family pension shall be the minimum family pension along with temporary increase thereon (Rs.3500+TI) at the time of sanction.
- 6.5 The childless widow of a deceased Government employee 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 State 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.

7. **Commutation of Pension:**

- 7.1 A Government servant shall continue to be entitled to commute for a lump sum payment up to 40 % of his pension.
- 7.2 The existing table of commutation value for pension, annexed to Rule 100 of Gujarat Civil Services (Pension) Rules, 2002 shall be substituted by a new Table at Annexure of this Government Resolution.
- 7.3 The revised table of commutation value for Pension will be used for all commutation of pension which become absolute after the date of issue of these orders. In the case of those pensioners, in whose case commutation of pension became absolute on or after 1/1/2006 but before issue of these orders, the pre-revised table of commutation value for pension will be used for payment of commutation of pension based on pre-revised pay/pension. Such pensioners shall have an option to commute the amount of pension that has become additionally commutable on account of retrospective revision of pay/pension on implementation of the

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recommendations of the sixth pay commission. On exercising such an option by the pensioner, the revised table of Commutation value for pension will be used for the commutation of the additional amount of pension that has become commutable 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 these orders, the revised table of commutation value for pension will be used for commutation of entire pension. The pensioner who has not opted till 31/5/2009 is deemed to have opted for additional amount of commutation of pension.

- 7.4 Provisions of Gujarat Civil Services (Pension) Rule, 2002 shall stand modified in accordance with Paras-7.2 and 7.3 above.
8. For the purpose of computing pay /pensionable pay in the case of Government servants 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 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 dearness allowance appropriate to the basic pay at the rates in force on 1/1/2006 drawn during the relevant period. Notional increase of basic pay by applying the fitment benefit of 40% on the basic pay in the pre-revised pay scale.
9. Special provision for those who retain the pre-revised scale of pay :

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 Gujarat Civil Services (Revision of pay) Rules, 2009 and have retired or will be retiring after 1/1/2006, shall be regulated as follows:

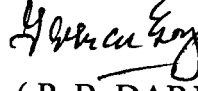


- (i) The term "pensionable pay" will mean "Pay" as defined in Rule- 9(53) and 43 of Gujarat Civil Services (Pension) Rules, 2002 and will include dearness pay and dearness allowance up to average AICPI 536 (Base year 1982=100)(i.e. @ 24 %).
 - (ii) Pension will be calculated at 50 % of pensionable pay (last pay drawn) or average pensionable pay whichever is more beneficial to the employee.
 - (iii) Death-cum-retirement gratuity shall be admissible with reference to pay plus dearness pay and dearness allowance applicable as on date, under the order in force immediately before coming into effect of these orders. The maximum amount of gratuity shall not exceed Rs. 3,50,000/- in terms of Rule-80 and 81 of Gujarat Civil Services (Pension) Rules, 2002.
 - (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 last basic pay plus dearness pay in the pre-revised scale. To the family pension so calculated dearness relief up to average AICPI 536 (Base year 1982=100) shall be added. Amount so arrived at will be regarded as the family pension for regulating payment of dearness relief beyond average AICPI 536 (Base year 1982=100).
- 10.1 Formal amendments to Gujarat Civil Services (Pension) Rules, 2002 in terms of the decisions contained in this order will be issued in due course. Provisions of Gujarat Civil Services (Pension) Rules, 2002, which are not specifically modified by these orders will remain unaffected.
- 10.2 Payment of temporary increase (dearness relief), all kinds of Gratuity, pension and commutation of pension involving a fraction of rupees shall be rounded off to the next higher rupees as per Rule- 149 of Gujarat Treasury Rules, 2000.
11. The pension/family pension in terms of these orders will qualify for temporary increase (dearness relief) beyond



AICPI 536 (Base year 1982=100) under the revised pattern being introduced on the recommendation of sixth pay commission.

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



(P. B. DARJI)

Deputy Secretary to the Government
Finance Department

To,

- * 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 Registrar General, Gujarat High Court, Ahmedabad.
- * The Secretary, Gujarat Subordinate Staff Selection Board, Gandhinagar.
- * The Secretary, Gujarat Public Service Commission, Ahmedabad,
- All Departments of Secretariat/All Head of Departments/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,
General Administration Department (K branch, Cabinet Unit),
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* **By letter.**

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ANNEXURE

COMMUTATION VALUE FOR A PENSION OF Re. 1 PER ANNUM

(Enclosure to the Finance Department, Government Resolution
No. PGR-1009-5-Pay Cell (M) dated 13th April, 2009)

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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