

F.No.5/4/2005-CS-I
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

2nd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi-110003
Dated: January 24, 2007

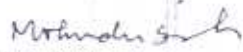
OFFICE MEMORANDUM

Sub: Grant of Non-Functional pay scale of Rs.8000-275-13500 to Section Officers/Private Secretaries (Group 'A' & 'B' merged)/Under Secretaries of CSS/CSSS w.e.f. 01.01.1996 – clarification regarding fixation of pay.

The undersigned is directed to refer to this Department's Order of even number dated 25th January, 2006 and OM dated 31st July 2006 on the subject mentioned above and to say that a number of references have been received from various Ministries/Departments as well as individuals seeking clarifications regarding effect of re-fixation of pay on notional basis in the Non Functional pay scale of Rs.8000-275-13500 on the retirement related benefits like Commutation of Pension, Gratuity and Leave Encashment etc. to Section Officers/Private Secretaries (Group 'A' & 'B' merged)/Under Secretaries of CSS/CSSS, who were working during the period from 01.01.1996 to 03.10.2003 and retired before the issue of the order.

2. The matter has been examined in this Department and it is clarified that in terms of DOP&T order No. 5/4/2005-CS-I dated 25.1.2006, the non-functional pay scale of Rs.8000-275-13500 is admissible to eligible Section Officers/Private Secretaries (Group 'A' & 'B' merged) of CSS/CSSS retrospectively w.e.f. 01.01.1996 with actual benefits on account of such re-fixation of pay with effect from 03.10.2003. Thus, Section Officers/Private Secretaries (Group 'A' & 'B' merged)/Under Secretaries who retired between the period from 01.01.1996 and 03.10.2003 (both dates inclusive) shall get their pay fixed on notional basis only.

3. The 'emoluments' for the purpose of pension are defined in Rule 33 of CCS(P) and pension is calculated on the basis of average emoluments as defined in Rule 34 of CCS(Pension) Rules, 1972 and calculation of average emoluments on the basis of notional fixation of pay is not covered under Rule 34 of CCS(Pension) Rules, 1972. As such, the Section Officers/Private Secretaries (Group 'A' & 'B' merged)/Under Secretaries who retired between 01.01.1996 and 03.10.2003 (both dates inclusive) are not eligible for any retirement benefits, including Commutation of Pension, Gratuity and Leave Encashment etc., on account of notional re-fixation of pay in the non-functional pay scale.


(M S SHARMA)
Under Secretary to the Govt. of India
Tele: 24629412

All Cadres of CSS/CSSS
Ministry/Department of
(Deputy Secretary/Director/Admn/Estt)
New Delhi

Copy to:

1. Director (PP),
Department of Pension & Pensioners' Welfare,
DOP&T, Loknaya Bhavan, New Delhi
2. DS(CS II), DOP&T, LNB, New Delhi