

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: 14th May, 2009

OFFICE MEMORANDUM

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

The undersigned is directed to say that pay scales of the Section Officers/Private Secretaries (Group 'A' & 'B' merged) of CSS/CSSS, working in various Ministries/Departments of the Government of India were upgraded on notional basis with effect from 1.1.1996 with actual benefits being made from 3.10.2003.

2. In accordance with Rules 33 and 34 of CCS(Pension) Rules, 1972, the pension of a retiring Government servant is calculated on the basis of the pay which a Government servant was receiving immediately before his retirement and the pay not actually drawn is not taken into account for this purpose. As a result of application of these rules, the Section Officers/Private Secretaries (Group 'A' & 'B' merged)/Under Secretaries/Principal Private Secretaries of CSS/CSSS who retired during the period from 1.1.1996 to 2.10.2003 could not get the benefit of the upgraded pay scales in the matter of fixation of their pension.

3. The matter has been re-considered in this Department in consultation with the Department of Pension & Pensioners' Welfare and Ministry of Finance (Department of Expenditure), it has been decided that:

- (i) The pension of the pensioners (Section Officers/Private Secretaries (Group 'A' & 'B' merged)/Under Secretaries/Principal Private Secretaries of CSS/CSSS) who had retired from CSS/CSSS during 01.01.1996 to 02.10.2003 and entitled for NFS would be fixed as per the upgraded scale notionally extended with effect from 01.01.1996. However, no arrears shall be paid for the period from 01.01.1996 to 02.10.2003 and the pension with reference to the higher revised pay scale shall actually be paid only with effect from 03.10.2003.
- (ii) The average emoluments notionally drawn by a pensioner consequent on the above revision of pay scales of Section Officers/Private Secretaries (Group 'A' & 'B' merged)/Under Secretaries/Principal Private Secretaries of CSS/CSSS will also be taken into account for the purpose of computation of pension subject, of course, to the condition that no arrears shall be paid for the period from 01.01.1996 to 02.10.2003 and the pension with reference to the higher average emoluments shall actually be paid only with effect from 03.10.2003.

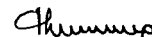
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(iii) The benefits of gratuity, commutation of pension and leave encashment becoming payable during 01.01.1996 to 2.10.2003 will be based on the actual pay/pension drawn by the retired employee during that period.

4. This is in supersession of the clarifications issued vide this Department's OM of even number dated 24.1.2007.

5. All the Ministries/Departments are requested to take immediate action to implement these orders.

6. This issues with the approval of Department of Pension & PW vide ID No. 38/6/09-P&W(A) dated 16.4.2009 and Ministry of Finance, Department of Expenditure vide UO No. 116/EV/2009 dated 13.4.2009.



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