

F. No. 4(73)/Fin. (Estb-III)/Part-II/DSV/313
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
FINANCE DEPARTMENT
4TH LEVEL, 'A WING' DELHI SECRETARIAT.
I.P. ESTATE, NEW DELHI 110002
 CD:-012144602

Dated: 28/07/2014

ENDORSEMENT

The copies of the under mentioned papers are forwarded herewith for information and necessary action to the following:-

1. All Heads of Department, Govt. of NCT of Delhi.
2. All Pay & Accounts Officers, Pay and Accounts Office, Vikas Bhawan. Govt. of NCT of Delhi.
3. All Heads of Autonomous Bodies, Govt of NCT of Delhi.
4. Commissioner M.C.D(North, East & South), Town Hall, Chandni Chowk, Delhi.
5. Chairperson, NDMC, Palika Kendra, New Delhi.
6. Chief Executive Officer, Delhi Cantonment Board, Delhi.
7. CEO, Delhi Urban Shelter Improvement Board, I.P. Estate, New Delhi.
8. Guard File.
9. Website of Finance Department.


(MANOJ KUMAR)

DY. SECRETARY-V(FINANCE)

List of paper forwarded

| S.No | Name of the Ministry/Deptt. | O.M. No. and Date | Subject |
|------|---|--|--|
| 1. | Ministry of Personnel, PG & Pensions, Deptt. of Pension & Pensioners' Welfare, Govt. of India | No.4/38/2008-P&PW (D) dated 27.05.2009 | Revision of 1/3 rd Commuted portion of pension in respect of Government Servant who had drawn lump sum payment on absorption in Central Public Sector Undertakings/Central Autonomous Bodies-amount of the revised 1/3 rd restored pension plus Dearness Pay (DP) & Dearness Relief (DR) on implementation of Government Decision on the recommendations of the Sixth Central Pay Commission to be not less than 1/3 rd pre-revised restored pension plus admissible DP & DR as already drawn up to 01.09.2008 - reg. |
| 2. | Ministry of Personnel, PG & Pensions, Deptt. of Pension & Pensioners' Welfare, Govt. of India | No.4/38/2008-P&PW (D) dated 03.04.2013 | Revision of 1/3 rd Commuted portion of pension in respect of Government Servant who had drawn lumpsum payment on absorption in Central Public Sector Undertakings/Central Autonomous Bodies-Stepping up of notional full pension w.e.f 24.09.2012. |
| 3. | Ministry of Personnel, PG & Pensions, Deptt. of Pension & Pensioners' Welfare, Govt. of India | No.04/30/2010-P&PW (D) dated 11.07.2013 | Revision of 1/3 rd Commuted portion of pension in respect of Government Servant who had drawn lumpsum payment on absorption in Central Public Sector Undertakings/Central Autonomous Bodies- implementation of Government Decision on the recommendations of the Sixth Central Pay Commission |
| 4. | Ministry of Personnel, PG & Pensions, Deptt. of Pension & Pensioners' Welfare, Govt. of India | No.04/30/2010-P&PW (D) dated 28.10.2013 | Revision of 1/3 rd Commuted portion of pension in respect of Government Servant who had drawn lumpsum payment on absorption in Central Public Sector Undertakings/Central Autonomous Bodies- implementation of Government Decision on the recommendations of the Sixth Central Pay Commission |
| 5 | Ministry of Personnel, PG & Pensions, Deptt. of Pension & Pensioners' Welfare, Govt. of | Office order no. 13018/6/2013-Estt. (Leave) dated 05.06.2014 | Clarification regarding Child Care Leave(CCL) to the employees of Central Government on the recommendations of the Sixth Central Pay Commission |

No.4/38/2008-P&PW (D)
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS
DEPARTMENT OF PENSION & PENSIONERS' WELFARE

3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi-110 003,
Dated 27th May 2009

OFFICE MEMORANDUM

Subject:- Revision of 1/3rd commuted portion of pension in respect of Government servants who had drawn lumpsum payment on absorption in Central Public Sector Undertakings/Central Autonomous Bodies -amount of the revised 1/3rd restored pension plus Dearness Pay (DP) & Dearness Relief (DR) on implementation of Government's decision on the recommendations of the Sixth Central Pay Commission to be not less than 1/3rd pre revised restored pension plus admissible DP & DR as already drawn up to 01.09.2008- Regarding.

The undersigned is directed to say that the restorable 1/3rd pension of the Government servants who had drawn lump sum payment in respect of pro-rata pension (1/3rd as well as 2/3rd) on absorption in a PSUs/Autonomous Bodies and have become entitled to restoration of 1/3rd commuted portion of pension as per the provisions of this Department's O.M. No. 34/2/86-P&PW dated 5th March 1987 after 15 years from the date of commutation or 1.4.85, whichever is later, is regulated vide this Department's O.M. Nos. 4/59/97-P&PW(D) dated 14th July 1998, OM No. 4/79/2006-P&PW (D) dated 6.9.07 and dated 13.5.08. In pursuance of Government's decision on the recommendations of Sixth Central Pay Commission, instructions have been issued for revision of 1/3rd restorable pension of such absorbees vide Deptt. of Pension & Pensioners Welfare's OM of even No. dated 15th September 2008.

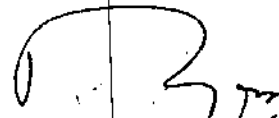
2. The Deptt. of Pension and PW has received representations that implementation of instructions contained in OM dated 15.9.2008 is resulting in drop in the total amount of 1/3rd restored pension plus DR in comparison to total amount of the 1/3rd restored pension plus admissible DP & DR as drawn by pensioners.

3. The President is pleased to decide that such absorbees, whose pre-revised 1/3 restored pension plus admissible DP and DR as on 1.9.2008 works out to be more than the amount of the revised 1/3rd restorable pension plus DR on the implementation of the Government's decision on the recommendations of the Sixth Central Pay Commission in terms of instructions contained in OM dated 15.9.2008, shall continue to draw the pre-revised pension plus DP plus DR admissible in terms of orders existed prior to issue of the OM dated 15.9.2008 till such time the restored amount of revised pension in terms of instruction contained in OM dated 15.9.2008 plus admissible DR works out to be more than the pre revised 1/3rd restored pension.

4. The Administrative Ministries/ Departments are therefore directed to ensure that wherever the restored amount of the revised pension plus DR of such absorbees, in terms of instructions contained in OM dated 15.9.2008, becomes less than 1/3rd pre revised restored pension plus admissible DP & DR as already drawn, the absorbed employees should be allowed to draw the pensionary benefits admissible to them till such time restored amount of the revised pension in terms of instructions contained in OM dated 15.09.2008 plus admissible DR works out to be more than pre revised 1/3rd restored pension plus admissible DP & DR as on 01.09.2008. Necessary entries in the PPOs to this effect shall be made accordingly.

6. This issues with the concurrence of Ministry of Finance (Department of Expenditure) vide their UO No.106/EV/2009 dated 18.05.2009 and C&AG's U.O.No.30 Audit (Rules)/12-2009 dated 5.5.2009.

7. Hindi version will follow.


(Raj Singh)
Director

To
All Ministries/Departments of the Government of India (As per mailing list)

No.4/38/2008-P&PW (D)
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS
(DEPARTMENT OF PENSION & PENSIONERS' WELFARE)

3rd Floor, Lok Nayak Bhawan
New Delhi-110 003.
Dated the 3rd April, 2013

OFFICE MEMORANDUM

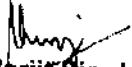
Subj: Revision of 1/3rd commuted portion of pension in respect of Government servants who had drawn lumpsum payment on absorption in Central Public Sector Undertakings/Central Autonomous Bodies – stepping up of notional full pension w.e.f.24.9.2012.

Orders for revision of 1/3rd restored pension of absorbees, who had drawn lumpsum payment on absorption, were issued vide this Department O.M. of even number dated 15.9.2008. As per para 2A of the said OM, the full pension of the absorbees was notionally revised w.e.f. 1.1.2006 in accordance with the instructions contained in this Department O.M. No.38/37/08-P&PW(A) dated 1.9.2008. The payment of DR and additional pension to old pensioners is regulated on the basis of the notional full pension.

2. Instructions have been issued vide this Department's OM No.38/37/08-P&PW(A) dated 28.1.2013 for stepping up of the pension of pre-2006 pensioners w.e.f. 24.9.2012. Accordingly, the notional full pension of the absorbee pensioners would also be stepped up w.e.f. 24.9.2012 in accordance with the instructions contained in the aforesaid OM dated 28.1.2013. No arrear of DR and additional pension on notional full pension would be payable for the period prior to 24.9.2012.

3. Instructions have been issued on issuance of revised authority in respect of pre-2006 pensioners vide this Department OM No.38/37/08-P&PW(A) dated 13.2.2013. These instructions will also be applicable for issuance of revised authority in respect of absorbee pensioners.

4. This issues with the concurrence of Ministry of Finance, Department of Expenditure, vide their ID. No 1(5)/E.V/2012 dated 15.03.13 and with concurrence of office of CAG, vide their ID No. 26-Staff Hak(rules)/4-2013 dated 25.03.2013


(Harjit Singh)
Deputy Secretary to the Govt. of India

#24624752

To

All Ministries/Departments of the Government of India
(As per mailing list)

No.4/30/2010-P&PW (D)
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS
(DEPARTMENT OF PENSION & PENSIONERS' WELFARE)

3rd Floor, Lok Nayak Bhawan
New Delhi-110003.
Dated the 11th July, 2013

OFFICE MEMORANDUM

Sub:- Revision of 1/3rd commuted portion of pension in respect of Government servants who had drawn lump sum payment on absorption in Central Public Sector Undertakings/Central Autonomous Bodies -Implementation of Government's decision on the recommendations of the 6th Central Pay Commission.

The undersigned is directed to say that orders were issued vide this Department's OM No.4/30/2008-P&PW(D) dated 15.9.08 for revision of 1/3rd restorable pension w.e.f.1.1.2006 of Government servants who had drawn lump sum payment in respect of pro-rata pension on absorption in a PSU/Autonomous Body. The implementation of these orders in some cases resulted in drop in the total amount of 1/3rd restored pension plus DR in comparison to total amount of 1/3rd restored pension plus admissible DP and DR as drawn by pensioners before issue of these orders. It was, therefore decided vide Department of Pension and Pensioners' Welfare O.M. No. 4/38/2008 P&PW(D) dated 27.05.2009 that wherever the restored amount of the revised pension plus DR of such absorbees, in terms of instructions contained in OM dated 15.9.2008, becomes less than 1/3rd pre revised restored pension plus admissible DP & DR as already drawn, the absorbed employees would be allowed to draw the pensionary benefits admissible to them till such time the restored amount of the revised pension in terms of instructions contained in OM dated 15.09.2008 plus admissible DR works out to be more than the pre revised 1/3rd restored pension plus admissible DP & DR as on 01.09.2008.

2. The Central Administrative Tribunal, in its order dated 27.9.2011 in OA No.710/2010 read with order dated 22.4.2013 in CP 28/2012 held that the OM dated 15.9.2008 was legally sustainable. However, Hon'ble CAT has directed to pass an order so as to equalize the amount of 1/3rd restored pension with the pension of other Central Government pensioners.

3. The matter has been examined. On the recommendations of the 6th Central Pay Commission, the pension of pre-2006 Central Government pensioners has been revised vide this Department's OM No.38/37/08-P&PW(A) dated 1.9.2008. In terms of para 4.1 of that OM, the revised pension of pre-2006 pensioners works out to 2.26 times of the pre-revised basic pension (without DP). Keeping in view the direction of Hon'ble CAT,

Hyderabad Bench, it has been decided that 1/3rd restored pension of those Government servants who had drawn lump-sum payment on absorption in PSU/AB and whose 1/3rd pension was restored from a date before 1.1.2006, the pre-revised 1/3rd restored pension will be revised w.e.f.1.1.2006 by multiplying the same by a factor of 2.26, if it is more beneficial than the amount of revised restored 1/3rd pension arrived at in terms of this Department's OM dated 15.9.2008. In the case of those absorbee pensioners in whose case the restoration of 1/3rd pension became due on or after 1.1.2006, the above formulation would apply with reference to notional 1/3rd restorable pension as on 31.12.2005.

4. These instructions are being issued as a special case in compliance of the orders of Hon'ble CAT, Hyderabad Bench in CP No.26/2012 in OA 710/2010. At the time of revision of 1/3rd pension on the basis of recommendations of next Pay Commission, the increase in 1/3rd restored pension on account of these instructions would not be considered and the 1/3rd restored pension of absorbees would be revised as per the usual procedure without taking into account the aforesaid dispensation.

5. Payment of DR and additional pension to old pensioners (of the age of 80 years and above) shall continue to be on full pension as per the instructions issued from time to time.

6. The benefit of revision of restored amount of 1/3rd commuted portion of pension shall be admissible w.e.f.1.1.2006 or from the date the commuted portion of pension is restored, whichever is later.

7. This issues with the concurrence of Ministry of Finance (Department of Expenditure) vide their ID No.561/E.V/2013 dated 21.6.2013.

8. In their application to the persons belonging to Indian Audit and Accounts Department these orders issue in consultation with the Comptroller and Auditor General of India.

9. Hindi version will follow.


(Harjit Singh)

Dy. Secretary to the Government of India

To

1. All Ministries/Departments of the Government of India
2. All concerned (as per mailing list)
3. O/o The Comptroller & Auditor General of India, 9,DDU Marg, New Delhi
4. O/o The Controller General of Accounts, Lok Nayak Bhawan, New Delhi
5. Ministry of Railways, Rail Bhawan, New Delhi.

Copy to NIC, 3rd Floor, Lok Nayak Bhawan, New Delhi, with a request to post the Office Memorandum on the website of this department.

No.4/30/2010-P&PW(D)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension and Pensioners Welfare
Lok Nayak Bhavan, Khan Market,
New Delhi-110003,

Dated the 28th October, 2013

OFFICE MEMORANDUM

Sub: Revision of 1/3rd commuted pension portion of pension in respect of Government servants who had drawn lump sum payment on absorption in Central Public Sector Undertakings/Central Autonomous Bodies-Implements of Government's decision on the recommendations of the 6th Central Pay Commission.

The undersigned is directed to say that orders have been issued vide this Department's OM of even number dated 11.7.2013 for revision of 1/3rd restored pension of absorbees w.e.f. 1.1.2006 by multiplying pre-revised 1/3rd pension by a factor of 2.26, if it is more beneficial than the revised 1/3rd restored pension as per this Department's O.M. No.4/38/2008-P&PW(D) dated 15.9.2008. These orders have been issued in compliance of the order dated 27.9.2011 of the CAT Hyderabad Bench in OA No.710/2010 read with their order dated 22.4.2013 in C.P. 26/2012.

2. Representations have been received from the absorbees pensioners, who had taken lump-sum payment in lieu of 100% pro-rata pension on absorption, that the benefit allowed to the absorbee pensioners in terms of O.M. dated 11.7.2013 is not adequate. These representations have been examined in this Department. The main thrust of these representation is that the 1/3rd restored pension may be revised w.e.f. 1.1.2006 by adding dearness pension and dearness relief as on 1.1.2006 alongwith 40% fitment benefit to the pre-revised 1/3rd restored pension.

3. The matter has been examined in this Department. The instructions for revision of 1/3rd pension were issued by this Department's O.M. no.4/38/2008-P&PW(D) dated 15.9.2008, keeping in view the formula laid down by Hon'ble High Court of Andhra Pradesh in its judgment dated 24.12.2003 which was accepted in Supreme Court judgment dated 29.11.2006 and 24.7.2007. Hon'ble CAT, Hyderabad Bench in its order dated 27.9.2011 in OA 710/2010 inter-alia observed that the O.M. dated 15.9.2008 was legally sustainable. However, the Hon'ble CAT directed to pass an order so as to equalize the revised 1/3rd restored pension of absorbees with the revised pension of other Central Government pensioners.

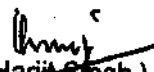
4. Keeping in view the above direction of Hon'ble CAT, Hyderabad Bench, which was upheld by High Court of Andhra Pradesh and Supreme Court, orders were issued vide this Department's O.M. of even number dated 11.7.2013 to revise 1/3rd restored pension of absorbee pensioners to 2.26

times of the pre-revised 1/3rd restored pension. This is explained by the following example:

| Pre-2006 full pension | Pre-2006 1/3 rd restored pension | Revised full pension (for DR, etc.) | Revised 1/3 rd restored pension in terms of OM dated 15.9.2008 | Revised 1/3 rd restored pension in terms of OM dated 11.7.2013 |
|-----------------------|---|-------------------------------------|---|---|
| 4073 | 3173 | 9207 | 6492 | 7173 |

The above formula for revision of 1/3rd pension is also in conformity with the demand made by the staff side in the meeting of National Council (JCM) held on 6.11.2012.

5. In view of the above position, no further change in the 1/3rd restored pension of the absorbee pensioners (who had drawn lump-sum payment of absorption in Central Public Undertaking/Central Autonomous Body) is required to be made. All the representations made by the absorbee pensioners and their Associations in this regard stand disposed off accordingly. All Ministries/All Departments are requested to inform the above position to the absorbee pensioners.


(Harjit Singh)
Deputy Secretary to the Government of India
Tel :24624752

To,

1. All Ministries/ All Departments.
2. All Pensioners Associations as per list.

✓ Copy for Website of DoP&PW

Delhi Sachivalaya
R & I Bx.
Govt. of NCT. of Delhi
25 JUN 2014
Dy. No. GAD/2014/28043

संख्या: 13018/6/2013-स्था.(छुट्टी)
भारत सरकार
कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
कार्मिक और प्रशिक्षण विभाग

OFFICE OF THE CHIEF SECRETARY
GOVT. OF NCT. OF DELHI
25 JUN 2014
Dy. No.

नई दिल्ली, दिनांक 05 जून, 2014.

कार्यालय आदेश

विषय:- छठे केन्द्रीय वेतन आयोग की सिफारिशों के फलस्वरूप केन्द्रीय सरकार के कर्मचारियों के लिए बालचर्या अवकाश(सीसीएल)-स्पष्टीकरण।

अधोहस्ताक्षरी के केन्द्रीय सरकार के कर्मचारियों के लिए बालचर्या अवकाश(सीसीएल)शुरू करने के संबंध में इस विभाग के दिनांक 11.09.2008 के कार्यालय ज्ञापन संख्या 13018/2/2008-स्था.(छुट्टी) का संदर्भ देने का निदेश हुआ है। इसके बाद दिनांक 29.09.2008, 18.11.2008, 02.12.2008 और 07.09.2010 के कार्यालय ज्ञापन द्वारा स्पष्टीकरण जारी किए गए हैं। वर्तमान में न्यूनतम 15 दिनों के लिए बालचर्या अवकाश की अनुमति दी जाती है। इस संबंध में पुनरीक्षण के मांग करते हुए अनेक क्षेत्रों से संदर्भ प्राप्त हुए हैं।

व्यय विभाग के परामर्श से इस मामले पर विचार किया गया है और न्यूनतम 15 दिनों की अवधि के बालचर्या अवकाश की आवश्यकता को समाप्त करने का निर्णय लिया गया है। इस छुट्टी की अन्य शर्तों के संबंध में कोई परिवर्तन नहीं किया गया है।

3. ये आदेश इस कार्यालय ज्ञापन के जारी होने की तारीख को लागू होंगे।

Dr. M.M. KUTTY
Pr. Secretary (Finance)

(एस.जी.मूलचंदानी)
अवर सचिव, भारत सरकार
दूरभाष सं. 26164316

1. भारत सरकार के सभी मंत्रालय/विभाग आदि(मानक सूची के अनुसार)।
2. सभी राज्य सरकारें एवं संघ राज्य क्षेत्र।
3. सभी राज्यों के राज्यपाल/सभी संघ राज्यों के उपराज्यपाल।
4. सचिव, संयुक्त परामर्शदात्री तंत्र की राष्ट्रीय परिषद(कर्मचारी पक्ष) 13-सी, फिरोज शाह रोड, नई दिल्ली।
5. संयुक्त परामर्शदात्री तंत्र की विभागीय परिषद/राष्ट्रीय परिषद के कर्मचारी पक्ष के सभी सदस्य।
6. कार्मिक और प्रशिक्षण विभाग/प्रशासनिक सुधार एवं लोक शिकायत/पेंशन एवं पेंशनभोगी कल्याण विभाग/पीईएसबी के सभी अधिकारी/अनुभाग।
7. वित्त मंत्रालय, व्यय विभाग।
8. रेलवे बोर्ड नई दिल्ली।
9. एन आई सी, कार्मिक और प्रशिक्षण विभाग।
10. 50 प्रतियां।

25.6.14
1. सचिव (वित्त)
2. सचिव (कार्मिक)
3. सचिव (प्रशिक्षण)
4. सचिव (पेंशन)
5. सचिव (लोक शिकायत)
6. सचिव (अनुसूचित जाति/अनुसूचित वर्ग)
7. सचिव (अनुसूचित जाति/अनुसूचित वर्ग)
8. सचिव (अनुसूचित जाति/अनुसूचित वर्ग)
9. सचिव (अनुसूचित जाति/अनुसूचित वर्ग)
10. सचिव (अनुसूचित जाति/अनुसूचित वर्ग)