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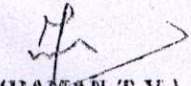
GOVERNMENT OF NCT OF DELHI
PRINCIPAL ACCOUNTS OFFICE
A-BLOCK, VIKAS BHAWAN, NEW DELHI-02

No. F.9(02)/2017/T-1/Pr.AO/2185-2188
ENDORSEMENT

Dated : 04/09/2017

I am directed to forward herewith copy of following endorsements of Finance Department, GNCT of Delhi for information and appropriate action.

- i. DCA (Admin)/(Tech)/(Accts)/Pension/Funds/IT.
- ii. Sr. Accounts Officer (Admn/Accts/Pension).
- iii. All Pay & Accounts Officers, GNCT of Delhi, New Delhi.
- iv. Guard file.


(RAMAN T.V.)
ACCOUNTS OFFICER (TECH)

List of papers forwarded :

| Sl. No. | Name of the Ministry/ Department | Endorsement No. and Date | Subject / Resolution No. and Date |
|---------|---|---|---|
| 1. | Dy. Secretary-V, Finance Deptt, GNCT of Delhi, 4 th Level, Delhi Secretariat, New Delhi. | F.31/Fin.(Estb-III)/2017/dsv/940 dated 24.08.2017 | Office Memorandum No. 38/31/11-P&PW(A)(Vol.IV) dated 14.10.2014 of Department of Pension and PW, Ministry of Personnel, Public Grievances & Pensions, Government of India regarding revision of pension of pre-1996 pensioners - inclusion of Non Practicing Allowance for revision of pension of retired medical officers w.e.f. 01.01.1996. |
| 2. | Dy. Secretary-V, Finance Deptt, GNCT of Delhi, 4 th Level, Delhi Secretariat, New Delhi. | F.31/Fin.(Estb-III)/2017/dsv/940 dated 24.08.2017 | Office Memorandum No. 38/31/11-P&PW(A)(Vol.IV) dated 21.10.2014 of Department of Pension and PW, Ministry of Personnel, Public Grievances & Pensions, Government of India regarding revision of pension of pre-1996 pensioners - inclusion of Non Practicing Allowance for revision of pension of retired medical officers w.e.f. 01.01.1996. |
| 3. | Dy. Secretary-V, Finance Deptt, GNCT of Delhi, 4 th Level, Delhi Secretariat, New Delhi. | F.31/Fin.(Estb-III)/2017/dsv/940 dated 24.08.2017 | Office Memorandum No. 38/31/11-P&PW(A)(Vol.IV) dated 18.02.2015 of Department of Pension and PW, Ministry of Personnel, Public Grievances & Pensions, Government of India regarding revision of pension of pre-2006 pensioners - inclusion of Non Practicing Allowance for revision of pension of retired medical officers. |

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F. No.31/Fin. (Estb-III)/2017 *dcv/940*
GOVERNMENT OF NATIONAL CAPITAL, TERRITORY OF DELHI
FINANCE DEPARTMENT
4TH LEVEL, 'A WING' DELHI SECRETARIAT.
I.P. ESTATE, NEW DELHI 110002
CD No:- 012433322

Dated: *25/8/17*

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. Asstt. Programmer with the direction to upload the same on Website of Finance Department.
9. Guard File.

435/T-1
29/08/2017

PRINCIPAL ACCOUNTS OFFICE
 GOVT. OF NCT OF DELHI
 C.D. No. *350.39*
 Date: *25/8/17*

[Signature]
 (MANOJ KUMAR)
 DY. SECRETARY-V(FINANCE)

List of paper forwarded

| S N O | Name of the Ministry/Deptt. | O.M./ Resolution No. and Date | Subject |
|-------------|--|--|---|
| 1 | Ministry of Personnel, P.G. & Pensions (Department of Pension and pensioners Welfare), GOI | No. 38/31/11-P&PW(A) (Vol.IV) dated 14.10.2014 | Revision of pension of pre-1996 pensioners – inclusion of Non Practicing Allowance (NPA) for revision of pension of retired medical officers w.e.f 01.01.1996 |
| | Ministry of Personnel, P.G. & Pensions (Department of Pension and pensioners Welfare), GOI | No. 38/31/11-P&PW(A) (Vol.IV) dated 21.10.2014 | Revision of pension of pre-1996 pensioners – inclusion of Non Practicing Allowance (NPA) for revision of pension of retired medical officers w.e.f 01.01.1996 |
| | Ministry of Personnel, P.G. & Pensions (Department of Pension and pensioners Welfare), GOI | No. 38/31/11-P&PW(A) (Vol.IV) dated 18.02.2015 | Revision of pension of pre-2006 pensioners – inclusion of Non Practicing Allowance (NPA) in revision of pension of retired medical officers. |

Ch. P. S. *Datta* *28/8/17*
AO(T)
AO(T-1) *[Signature]* *29/08/17*

No.38/31/11-P&PW(A)(Vol.IV)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Pension and P.W

3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi.
Dated the 14th October, 2014

OFFICE MEMORANDUM

Subject :- Revision of pension of pre-1996 pensioners – inclusion of Non-Practicing Allowance (NPA) for revision of pension of retired medical officers w.e.f. 1.1.1996.

The undersigned is directed to say that in this Department's OM No.45/10/98 P&PW(A) dated 17.12.1998, it was provided that pension of all pensioners irrespective of their date of retirement would not be less than 50% of the minimum of the revised scale of pay introduced w.e.f. 1.1.1996. In this Department's OM No.45/3/99-P&PW(A) dated 29.10.1999, it was clarified that in the case of retired medical officers, Non-Practicing Allowance (NPA) was not to be added to the minimum of the revised scale of pay as on 1.1.1996 for stepping up of the consolidated pension/family pension to 50% / 30% respectively, in terms of the OM dated 17.12.1998.

2. In its judgment dated 27.11.2013 in Civil Appeal No.10640-46/2013 and other connected matters, Hon'ble Supreme Court has observed that in accordance with Ministry of Health and Family Welfare's OM No.45012/11/97-CHS.V dated 7.4.1998, NPA counts as pay for all service benefits including retirement benefits. Hon'ble Supreme Court has further observed that clarification issued vide this Department's aforesaid OM dated 29.10.1999 is legally unsustainable. Hon'ble Supreme Court has directed to recalculate the pension payable to the Applicants (i.e. pre-1996 retired medical officers) by adding the element of NPA. The Review Petitions filed by the Government against the above mentioned judgment have been dismissed by Hon'ble Supreme Court on 31.7.14.

3. It has now been decided, in consultation with Ministry of Finance, Department of Expenditure and Ministry of Law, Department of Legal Affairs to implement the judgment dated 27.11.2013 of Hon'ble Supreme Court in CA No.10640-46 of 2013 and other connected matters. Accordingly, in the case of pre-1996 retired medical officers, NPA @ 25% shall be added to the minimum of the revised scale of pay as on 1.1.1996 corresponding to the pre-1996 pay scales from which the pensioner had retired, in cases where consolidated pension/family pension was to be stepped up to 50% / 30% respectively of the minimum of revised pay-scale in terms of OM No.45/10/98-P&PW(A) dated 17.12.1998 read with OM No.45/86/97-P&PW(A) (Pt.) dated 11.5.2001.

4. This issues with the approval of Ministry of Finance, Department of Expenditure vide their I.D. No. 518/E-V/2014 dated 29.9.2014.

5. Hindi version will follow.

Tripti P. Ghosh
(Tripti P. Ghosh)
Director

To
(i) All Ministries/Departments of Government of India.
(ii) O/oCAG/CGDA.

Fin/2014/23287

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No.38/31/11-P&PW(A)(Vol.IV)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Pension and P.W

3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi.
Dated the 21st October, 2014

OFFICE MEMORANDUM

Subject :- Revision of pension of pre-1996 pensioners – inclusion of Non-Practicing Allowance (NPA) for revision of pension of retired medical officers w.e.f. 1.1.1996.

The undersigned is directed to say that in this Department's OM of even number dated 14th October, 2014, it was provided that in the case of pre-1996 retired medical officers NPA @ 25% shall be added to the minimum of the revised scale of pay as on 1.1.1996 corresponding to the pre-1996 pay scales from which the pensioner had retired, in cases where consolidated pension/family pension was to be stepped up to 50% / 30% respectively of the minimum of revised pay-scale in terms of OM No.45/10/98-P&PW(A) dated 17.12.1998 read with OM No.45/86/97-P&PW(A) (Pt.) dated 11.5.2001.

2. After Vth CPC, the maximum pension admissible w.e.f. 1996 was 50% of the highest pay, i.e. Rs.15,000/-, applicable in the Central Government. Accordingly, the maximum pension admissible in terms of this Department's OM dated 14.10.2014 would also be 50% of Rs.30,000/-, i.e. Rs.15,000/- w.e.f. 1.1.1996. This may be taken into account while revising the pension of pre-1996 retired medical officers in terms of OM of even number dated 14.10.2014.

3. Hindi version will follow.

T. Patra
(Tripti P. Ghosh)
Director

To
(i) All Ministries/Departments of Government of India.
(ii) O/oCAG/CGDA

Fin/2017/23289

No.38/31-11-P&PW(A)(Vol.IV)

Government of India
Ministry of Personnel, Public Relations and Pension
Department of Pension and P.W.

3rd Floor, For Head, Pension
Khan Market, New Delhi
Dated the 18th February, 2011

OFFICE MEMORANDUM

Subject :- Revision of pension of pre-2006 pensioners - inclusion of Non-Practicing Allowance (NPA) in revision of pension of retired medical officers

The undersigned is directed to say that in accordance with para 4.2 of the Department's OM No.38/37/08-P&PW(A) dated 19.2008 (as clarified vide OM dated 3.10.2008 and 14.10.2008), the revised pension of pre-2006 pensioners shall, in no case, be lower than fifty per cent of the minimum of the pay in the grade pay corresponding to the pre-revised pay scale from which the pensioner had retired. In the case of H(A) and above scales, this will be fifty per cent of the minimum of the revised pay scale. Further, in accordance with OM No.38/37/08-P&PW(A) dated 28.1.2011, the normal pension in respect of pre-2006 pensioners/family pensioners as revised w.e.f. 1.1.2006 in regard of para 4.1 or para 4.2 of the aforesaid OM dated 19.2008 would also be further stepped up w.e.f. 24.9.2012 to 50% of the sum of minimum of pay in the pay band and the grade pay corresponding to the pre-revised pay scale in which the government servant had retired, in arrived at with reference to the financial tables annexed to the Ministry of Finance, Department of Expenditure OM No.1/1/2008-IC dated 30th August, 2008. In the case of H(A) and above scales, this will be 50% of the minimum of the pay in the revised pay scale arrived in with reference to the financial tables annexed to the above OM dated 30.8.2008 of Ministry of Finance (Department of Expenditure).

2. In its judgment dated 27.11.2013 in Civil Appeal No.10640-402013 and other connected matters, Hon'ble Supreme Court observed that in accordance with findings of Health and Family Welfare's OM No.45012/197-CHS V dated 7.4.1998, NPA cannot be pay for all service benefits including retirement benefits. In implementation of the aforesaid judgement of Hon'ble Supreme Court, orders have been issued vide this Department's OM No.38/31/11-P&PW(A)(Vol.IV) dated 14.10.2014 read with OM dated 21.10.2014 that in the case of pre-1996 retired medical officers, NPA @ 25% shall be added to the minimum of the revised scale of pay as on 1.1.1996 corresponding to the pre-1996 pay scales from which the pensioner had retired, in cases where consolidated pension/family pension was to be stepped up to 50% / 30% respectively of the minimum of revised pay-scale in terms of OM No.45/098-P&PW(A) dated 17.12.1998 read with OM No.45/86/97-P&PW(A) (193) dated 11.5.2001.

3. In this Department's OM of even number dated 14.7.2009, it was clarified that in the case of pre-2006 pensioners, Non-Practicing Allowance is not to be added to the minimum of the revised pay band+Grade Pay/revised pay scale in cases where consolidated pension/family pension as on 1.1.2006 is to be stepped up to 50% / 30% respectively in terms of para 4.2 of Department of Pension & Pensioners' Welfare OM No.38/37/08-P&PW(A) dated 19.2008. As clarified vide OM dated 3.10.2008 and 14.10.2008).


18/2/2011/932
18/2/2011/932

4. In the OM No. A.45012/2-2008-CHS V dated 29.9.2008 of Ministry of Health & FW, it is provided that NPA will be treated as pay for the purpose of computing Dearness Allowance, entitlement of Travelling Allowance and other allowances as well as for calculation of retirement benefits. Therefore, the ratio of the said judgement dated 27.11.2013 in CA No.10640-46/2013 would be applicable for revision of pension/family pension of pre-2006 retired civilian medical officers w.e.f. 1.1.2006 also. Accordingly, the OM dated 33/37/08-P&PW(A) dated 14.7.2009 is hereby withdrawn. In the case of pre-2006 retired medical officers, NPA @ 25% would be required to be added to the minimum of the pay in the revised pay band plus grade pay (or minimum of pay in the revised pay scale in the case of HAG and above) as on 1.1.2006 corresponding to the pre-revised pay scale from which they retired, in cases where pension/family pension is to be stepped up to 50%/30% of the minimum pay respectively.

5. Similarly, for revision of pension/family pension w.e.f. 24.9.2012 in terms of OM dated 28.1.2013, NPA @ 25% would be required to be added to the minimum of the pay in the revised pay band plus grade pay (or minimum of pay in the revised pay scale in the case of HAG and above) corresponding to the pre-revised pay scale from which they retired as arrived at with reference to the fitment table annexed to the Department of Expenditure's OM dated 30.8.2008 subject to the condition that the basic pay plus NPA does not exceed Rs.85,000/-.

6. This issues with the approval of Ministry of Finance, Department of Expenditure vide their I.D. No. 721/E-V/2014 dated 2.1.2015 and Ministry of Law F.No.213/Advice'A/2015 dated 29.1.2015.

7. Hindi version will follow.


(Tripti P. Ghosh)
Director

To
(i) All Ministries/Departments of Government of India.
(ii) O/oCAG/CGDA

