

**GOVERNMENT OF RAJASTHAN
FINANCE DEPARTMENT
(RULES DIVISION)
MEMORANDUM**

No. F. 15 (5) FD (Rules) / 98

Jaipur, dated June 11,1998

Subject : Revision of pension of pre-1988 pensioners / family pensioners etc.

The Governor is pleased to order that the pension/family pension of all pre-1.9.1988 service pensioners / family pensioners, hereinafter called pre – 1988 pensioners / family pensioners, who were in receipt of pension/ family pension as on 1.9.1996 under Rajasthan Service Rules as amended from time to time, shall be revised in the manner indicated in the succeeding paragraphs.

2. Updating of notional emoluments for revision of pension / family pension of pre-1.9.1988 retirees / family pensioners and consolidation of pension.

In accordance with the provisions contained in Rajasthan Service Rules and the Government's orders issued there under, at present pension of all pre 1988 pensioners/ family pensioners is based on the last emoluments on the date of retirement/ date of death of deceased Government servant, as the case may be. The State Government has decided that the pension of all the pre-1988 retirees may be updated by notional fixation of their pay as on 1.9.1988 by adopting the same formula as for the serving employees and thereafter for the purpose of consolidation of their pension/family pension as on 1.9.1996, they may be treated like those who have retired on or after 1.9.1988. In such cases pay shall be fixed on notional basis in the revised scales of pay introduced from time to time for the post held by the pensioner at the time of retirement or on the date of death of Government employee. Pay fixed on notional basis on the first occasion shall be treated as 'pay' for the purpose of emoluments for re-fixation of pay in the revised scale of pay on the second and subsequent occasions, if any, and other elements like DA/Adhoc DA/Additional DA, IR etc. based on this notional pay shall be taken into account, while fixing of pay on notional basis on each occasion. The pay fixation formula approved by the Government and other relevant instructions on the subject in force

at the relevant time shall be strictly followed. However, the benefit of any notional increments or advance increments based on length of service or selection grades admissible in terms of the rules and instructions applicable at the relevant time shall not be extended in any case of re-fixation of pay on notional basis. Special pay or any other allowance which was treated as part of emoluments for calculation of pension as per rules applicable at the time of retirement / death of the Government servant, shall be treated as part of notional emoluments along with notional pay determined as above. On the basis of notional emoluments as on 1.9.1988, pension shall be calculated as per the pension formula in force at that time. The pension so worked out shall be consolidated as on 1.9.1996 in accordance with the provisions contained in Finance Department Memorandum No.F.15(2)FD(Rules)/98 dated 21.3.1998 and shall be treated as basic pension for the purpose of grant of Dearness Relief on and after 1.9.1996.

3. Calculation of family pension on notional emoluments as on 1.9.1988 and consolidation thereof :-

In the case of family pension, the notional pay as on 1.9.1988 shall be treated as part of emoluments last drawn by the deceased Government employee / pensioner and family pension shall be calculated thereon at the following rates in force as on 1.9.1988. This family pension shall be consolidated as on 1.9.1996 in accordance with the provisions contained in Finance Department's Memorandum No. F.15(2)FD (Rules)/98 dated 21.3.1998:-

	Monthly emoluments	Rate of family pension per month
(i)	Not exceeding Rs. 1500/-	30 % of emoluments subject to a minimum of Rs. 300/- and maximum of Rs. 400/-
(ii)	Exceeding Rs. 1500/- but not Exceeding Rs. 2500/-	20 % of emoluments subject to a minimum of Rs. 400/-
(iii)	Exceeding Rs. 2,500/-	15 % of emoluments subject to a minimum of Rs. 500/- and maximum of Rs. 750/-

4. Extension of provisions of calculation of family pension on notional emoluments at uniform rate of 30% for pre –1988 pensioners/ family pensioners :-

It has been further decided that w.e.f.1.9.1996 family pension shall be calculated at a uniform rate of 30 % of emoluments last drawn subject to a minimum of Rs. 1275/- and a maximum of 30% of highest pay in the Government as on 1.9.1996 (the highest pay is Rs.22,400/-) in all cases instead of slab system. It has also been decided that the benefit of increased rate of family pension introduced w.e.f. 1.9.1996 may also be extended to pre-1.9.1996 family pensioners from the same date. Accordingly, in case of pre-1988 pensioners, family pension as on 1.9.1996 shall be re-calculated at the rate of 30% of the notional emoluments as determined on 1.9.1988. The additional family pension becoming due on account of difference between family pension admissible under slab system and at the rate of 30% of notional emoluments shall be added to the consolidated family pension worked out in accordance with the provisions of para 3 above.

5. Extension of provision of calculation of family pension on emoluments at the uniform rate of 30% of emoluments for pre – 1996 pensioners/ family pensioners :-

In respect of Government servants retired / died during the period from 1.9.1988 to 31.8.1996, the amount of family pension has been worked out on the basis of slab system of emoluments. Now the family pension, as per decision taken by the Government shall be 30% of last emoluments subject to a minimum of Rs. 1275/- . In cases where under the existing slab system the family pension has been calculated at a rate of less than 30% of last emoluments, the difference between actual family pension and 30% of last emoluments, shall be treated as additional family pension and shall be added to the consolidated family pension arrived at in accordance with the provisions contained in Finance Department's Memorandum No. F. 15(2) FD (Rules)/98 dated 21.3.1998. In other words for retirees during the period from 1.9.1988 to 31.8.1996, or in case of Government servants who died while in service during this period, the family pension authorised shall be consolidated as on 1.9.1996, and to this consolidated family pension the additional family pension (amount by which the

initially authorised family pension falls short of 30% of last emoluments) shall be added to arrive at basic family pension on which dearness relief shall be admissible from time to time. This has also been illustrated in example given at Annexure-I to this Memorandum.

6. Total of consolidated family pension plus additional family pension on Notional emoluments shall be basic family pension :-

The total of consolidated family pension plus additional family pension shall be basic family pension w.e.f.1.9.1996 and shall be subject to a minimum of Rs. 1275/- Dearness Relief thereon shall be admissible in accordance with the orders issued from time to time on / or after 1.9.1996. A few examples of calculation of family pension in the manner prescribed above are given in Annexure-I to this Memorandum.

7. Updating of family pension where it has not come into operation as pensioners are / were alive on 1.9.1996 :-

In the case of existing pre-1988 pensioners in whose case the family pension has not come into operation as pensioners are / were alive as on 1.9.1996, while updating their pension on the basis of notional emoluments as on 1.9.1988, the family pension shall also be revised, consolidated and updated, wherever necessary, in terms of these orders and noted on their Pension Payment Order by the Pension Department. The updated rates of family pension will apply as and when family pension becomes payable in such cases. Similar procedure regarding authorising basic family pension as mentioned in para 5 shall also be followed in respect pre- 1.9.1996 pensioners.

8. The cases of Government employees who have been permanently absorbed in Public Sector Undertakings/Autonomous Bodies will be regulated as follows :-

a) Where the Government servants on permanent absorption in Public Sector Undertakings/Autonomous Bodies continue to draw pension separately from the Government , the pension of such pensioners as have been absorbed will also be updated in terms of these orders. Cases of the government servants who have drawn one time terminal benefits in lump-sum equal to 100 % of their pensions and are entitled to the restoration of one-third commuted portion of pension shall not, however, be covered by these orders.

b) Orders have been issued by the government from time to time in regard to entitlement to family pension in case of those government servants who seek permanent absorption in Public Sector Undertakings/Autonomous bodies. In cases where eligible members of the family of the deceased absorbed employee were in receipt of/entitled to family pension as on 1.9.1988 in pursuance of the then existing orders, their family pension will also be revised in accordance with these orders.

9. Non accrual of arrear :-

No arrears on account of revision of pension / family pension on notional fixation of pay will be admissible for the period from 1.9.1996 to 31.12.1996.

10. Deduction of existing commuted portion of pension from the revised pension :-

No commutation will be admissible for the additional amount of pension accruing as a result of this revision. The existing commuted portion of pension, if any, would continue to be deducted from the consolidated pension while making monthly disbursement.

11. Existing DCRG entitlement to remain unchanged due to notional fixation of pay:-

Notional fixation of pay as on 1.9.1988 will not effect DCRG entitlement already determined and paid with reference to rules in force at the time of retirement/death of the Government employee.

12. Adjustment of amount of arrear already paid :-

Arrears if already paid on account of consolidation of pension / family pension as an interim measure in the case of pre – 1.9.1996 pensioners / family pensioners (including pre – 1988 pensioner/family pensioner) in accordance with the provisions contained in Finance Department Memorandum F. 15(2) FD(Rules)/98 dated 21.3.1998 shall be adjusted by Pension Disbursing Authorities against arrears becoming due on the revision of pension / family pension on the basis of this order.

13. Revision of pension in cases where the Government servant retired / died in service while drawing pay in UGC pay scales :-

These orders shall also be applicable to pensioners / family pensioners who retired / died in service while drawing pay in UGC pay scales. However, in their case for determination of notional emoluments the date shall be 1.1.1986 instead of 1.9.1988.

14. Procedure for revision of pension / Family pension :-

- (1) Each pre-1988 pensioner / family pensioner who was in receipt of pension/family pension on 1.9.1996 shall be required to apply for revision of his/her pension / family pension, as the case may be, in the form as at Annexure – II in duplicate to the Director or concerned Joint Director of Pension Department by 31.12.1998.
- (2) Those who fail to submit their application within the stipulated period will be deemed to have opted to continue to draw their existing pension / family pension. However, any delay in submission of application for revision of pension will be condoned only with the approval of Finance Department. It will be in the interest of the pensioner to furnish full details available with him / her , which may facilitate fixation of his / her pay on notional basis, in the application submitted by him / her.
- (3) In cases where the pensioner / family pensioner was alive as on 1.9.1996 and died subsequently, his / her legal heir(s) are also entitled to arrears w.e.f.1.1.1997 till the date of death of pensioner / family pensioner . For this purpose legal heir(s) may also apply to the Director / Joint Director , Pension.
- (4) The Director Pension / Joint Director Pension shall scrutinize the application submitted by the pensioner / family pensioner and in the case of pre –1988 pensioner / family pensioners, he will fix his notional pay as required in para 2 of this Memorandum on the basis of fixation tables attached with the respective pay scales rules.
- (5) The Pension Department, where necessary , shall obtain relevant information from the department from where the Government servant retired or died while

serving in that department. It is possible that service records of some of employees are not readily available. In such cases, the pensioner / family pensioner could be asked to produce copies of relevant orders etc. available with him / her indicating the scale of pay of the post held by the Government servant at the time of retirement / death as also qualifying service rendered (in case of pensioner only). However, the onus of verifying the correctness of records made available by the pensioner shall be with administrative authorities. In very rare cases, inspite of best efforts, if it is not possible to revise the pay on notional basis due to non availability or record, the pay of pre-1988 pensioner / deceased Government servant could be fixed at the minimum of the revised pay scale of the post with effect from 1.9.1988.

- (6) On the basis of notional emoluments referred in para 2 of this Memorandum, the Director / Joint Director of the Pension Department shall calculate the revised pension as per the formula of calculation of pension in force as on 1.9.1988. Similarly, he will also calculate the family pension at the rates in force as on 1.9.1988 as required under para 3 of this Memorandum. For notional fixation of pay service book shall not be required. Notional fixation shall be done on the basis of last post held by the Government servant and his last pay.
- (7) The pension/family pension calculated as above will be consolidated in accordance with the provisions contained in Finance Department Memorandum No.F.15(2) FD (Rules)/98 dated 21.3.1998. He will also calculate additional family pension in respect of pre- 1988 / pre – 1996 pensioner / family pensioner as required in para 4 and 5 of this Memorandum. The additional family pension so calculated shall be added to the consolidated family pension and total of consolidated family pension plus additional family pension shall be treated as basic family pension.
- (8) (a) The Director/Joint Director of Pension Department shall issue revised Authority under the existing pension payment order number and send it to the Treasury Officer/Pension Payment Officer to whom the original pension payment order was sent.

- (b) In cases where the age of pensioner/family pensioner as on 1.1.1998 is 70 years and above, the Treasury Officer/Pension Payment Officer shall, after making necessary entries in the register of Treasury scroll, forward the revised pension payment order to the branch of the bank from which the pensioner / family pensioner is drawing his / her pension. The bank shall make the payment of arrear as well as revised pension as per the provisions of these orders.
- (c) (i) in other cases where the age of the pensioner/family pensioner is less than 70 years as on 1.1.1998, the Treasury Officer / Pension Payment Officer shall recall the pension payment order from the bank from which the pension / family pension is being disbursed.

The Treasury Officer / Pension Payment Officer shall calculate the amount of arrear payable to the pensioner on account of revision / consolidation of pension as per these orders.

- (ii) The amount of arrear for the period 1.1.1997 to 31.12.1997 shall not be payable in cash. The pensioner / family pensioner as per the same provisions contained in Finance Department Memorandum No. F.15(2) FD (Rules/98 dated 21.03.1998 shall have option either to have the arrear amount for the period 1.1.1997 to 31.12.1997 deposited in the GPF Accounts or get the arrear amount in 60 equal monthly instalments. The arrear amount for the period commencing from 1.1.1998 and preceding the month from which the revised pension/ family pension is paid to the pensioner / family pensioner shall, however, be payable in cash. Thereafter the Treasury Officer / Pension Payment Officer shall send the original and revised pension payment orders to the bank for disbursement of pension.

**By Order of the Governor,
Sd/**

(Dr. Adarsh Kishore)

Principal Secretary to the Government

ANNEXURE

EXAMPLES

		No. 1	No.2	No.3	No.4
(i)	Date of Retirement	1.10.68	31.12.76	31.1.82	31.7.1996
(ii)	Scale of pay at the time of retirement	275-650	750-1350	490-840	2500-4250
(iii)	Pay last drawn	650	1260	780	3500
(iv)	Pay revised from time to time	<u>Revised pay scale and Notional pay fixed</u>	<u>Revised pay scale and Notional pay fixed</u>	<u>Revised pay scale and Notional pay fixed</u>	Revised ____ pay scale- -----and Notional ____ pay fixed
	R.P.S. 76	620-1100 1070			
	R.P.S. 81	820-1550 1420	1000-1860-1600	-	-
	R.P.S. 86	1490-3050 2420	1720-3350-2600	880-1680-1460	
	R.P.S. 88	2000-3200 2525	2200-4000-2725	950-1680-1550	
(v)	Notional emoluments on 1.9.1988	2525 (in the scale of 2000-3200)	2725 (In the scale of 2200-4000)	1550 (In the scale of 950-1680)	3500 actual (In the scale of 2500-4250)
(vi)	Family pension admissible on 1.9.1988 at the rate in force on that date on notional emoluments at (v) above.	500	500	400	525 actual
(vii)	Consolidated family pension admissible on 1.9.96 with reference to notional emoluments (vi) above in terms of Finance Department Memorandum No. F. 15 (5) FD (Rules)/98 dated 11.6.1998	1540	1540	1275	1615 actual
(viii)	Family pension admissible on 1.9.96 @ 30 % on notional emoluments as at (v) above.	758	818	465	1050 actual
(ix)	Additional Family pension admissible on 1.9.96. (column viii-vi)	758-500= 258	818-500 = 318	465-400 = 65	1050-525 = 525
(x)	Total Family pension admissible on 1.9.1996 (column vii + ix)	1540+258 = 1798	1540+318 = 1858	1275+65 = 1340	1615+525 = 2140