

Circular No.79

**No.GI/C/Misc/NPS-I/Tech
O/O the Pr. C.D.A. (P)
Allahabad- 211014
Date: 29/10/2010**

TO,

(All Heads of Department under Min. of Defence)

Subject: - Additional Relief on Death/Disability of Govt. servants (Civilians) Covered under New Defined Contribution Pension System NPS: Procedures to be adopted for submission of claims.

Reference: - Govt. of India, Min of PPG & P, Deptt. of P&PW New Delhi OM No. 38/41/06/P&PW (A) dated 05 May 2009..

The Govt. of India, Ministry of PPG & P, Deptt of P&PW in their OM No.38/41/06/P&PW (A) dated 05 May 2009 (copy enclosed) have extended the benefits of Invalid Pension/Disability pension and Family Pension/Extra ordinary Family Pension/Liberalized Pension awards on Provisional basis to the Govt. employees appointed on or after 01-01-2004 and covered by the New Pension Scheme who are discharged on invalidation disablement and by the families of such employees who have died during service since 01-01-2004.

Now, it has been decided that to submit the claims of above beneficiaries the following procedures shall be adopted by HOO and Pay Audit Controllers:-

01. H.O.O will prepare pension papers in case of NPS beneficiaries in accordance with the same procedure as prescribed for Defence Civilian Personnel appointed before 01-01-2004 and will submit the same along with Service Book. and all the relevant documents (which is required in case of pre-01-01-2004 Cases) to PAO concerned i.e. LAO/RAO. The Permanent Retirement Account No. (PRAN) of the Concerned Government Servant Allotted by National Security Depository limited (NSDL) will also be indicated.
02. PAO will carry out the necessary checks with reference to the entries in Service Book and as admissible under the OM No. 38/41/06/ P&PW (A) dated 05-05-2009. After signing and affixing the seal the PAO will pass on the claim to the Pr. CDA (P) Allahabad. The Service Book will be returned by PAO to HOO concerned.

03. The HOO will also obtain in duplicate undertaking (in Annexure-'A') from the pensioner/family pensioner to the effect that he/she has understood the provisions of Para 6, 7 and 8 of Deptt. Of P&PW OM No. 38/41/06/P&PW (A) dated 05-05-2009 and that any payment found to be in excess of his/her entitlement will be refunded to Government/adjusted out of his/her final entitlement and forward one copy of the same along with the pension papers.
04. HOO will also maintain a separate register and entries will be recorded there in as PRAN No; Name of Govt. servant, PPO No. and awards notified provisionally and at the time of processing of final claim the same will be mentioned in the claim for final adjustment.
05. After receipt of PPO from Pr. CDA (P) Allahabad, HOO will check the same and after recording the entries in the register retransmit PDA's copy to PDA, Pensioner copy to pensioner and retain HOO copy for their own record.
06. Other procedures prescribed for pre-1-1-2004 pensioners will also be followed by the HOO in case of NPS beneficiaries.


(S.C. Jain)
A C.D.A (P)

Enclosure: - As above

Copy to: -

- 1.The CGDA, Ulan Batar Road Palam, Delhi Cantt-10
- 2.All Pr.CsDA/CsDA/C of F & A (Fys)/ CDA (Funds)
- 3.All G.M. Fys
- 4.All CE/Nodal CE of various commands.

-sd\
(A.K. Banerjee)
Sr. Accounts Officer

ANNEXURE - A

Specimen Letter of undertaking to be given by pensioner

To,
The.....

.....

Ministry ofDept. of.....

Sir,

I have understood the provisions of Paras 6, 7 and 8 of the Dept. of Pension & Pensioners' Welfare O.M. NO. 38/41/06/P&PW (A) dated 05-05-2009 and I, the undersigned, agree and undertake to refund or adjust the provisional payments sanctioned as the above said O.M. out of the final entitlements as sanctioned by the Government at a future date.

Yours faithfully,

Signature.....

Name.....

Address.....

Witness

(1) Signature

(2) Signature

Name.....

Name.....

Address.....

Address:

.....
.....

.....
.....

No. 38/41/06/P&PW(A)
Government of India
Ministry of Personnel Public Grievances and Pensions
Department of Pension and Pensioners Welfare

Lok Nayak Bhawan,
Khan Market, New Delhi-110 003
Dated 5th May, 2009

OFFICE MEMORANDUM

Sub: Additional Relief on death/disability of Government servants covered by the new Defined Contribution Pension System (NPS)

The undersigned is directed to say that the pension of the Government servants appointed on or after 1.1.2004 is regulated by the new Defined Contribution Pension System (known as New Pension Scheme), notified by the Ministry of Finance (Department of Economic Affairs) vide their O.M. No. 5/7/2003-ECB 2 PR dated 22.12.2003.

2. On introduction of the New Pension Scheme, among others, the Central Civil Services (Pension) Rules, 1972 and the Central Civil Services (Extraordinary Pension) Rules were amended on 30.12.2003. Under the amended Rules, the benefits of Invalid Pension/Disability Pension and Family Pension/Extraordinary Family Pension/Liberalized Pensionary Award relief are not available to the Government servants appointed on or after 1.1.2004.

3. Ministry of Finance (Department of Economic Affairs) has subsequently clarified that the New Pension Scheme is a replacement for only pension under normal circumstances and family pension in case of death of employees after retirement.

4. A High Level Task Force (HLTF) constituted by the Government has recommended certain additional benefits that can be provided on death or discharge on invalidation/disability of a Government servant covered by the New Pension Scheme. It is likely to take some time before the Rules regulating these benefits under the New Pension System are put in place.

5. Meanwhile, considering the hardships being faced by the employees appointed on or after 1.1.2004 who are discharged on invalidation/disablement and by the families of such employees who have died during service since 1.1.2004, the President is pleased to extend the following benefits to Central Civil Government Servants covered by the New Pension Scheme, **on provisional basis** till further orders:

- (i) Retirement from Government service on invalidation **not attributable** to Government duty:

- (i) Invalid Pension calculated in terms of Rule 38 and Rule 49 of the Central Civil Services (Pension) Rules, 1972.
 - (ii) Retirement gratuity calculated in terms of Rule 50 of the Central Civil Services (Pension) Rules, 1972.
- (II) Death in service not attributable to Government duty :
- (i) Family Pension (including enhanced family pension) computed in terms of Rule 54 of the Central Civil Services (Pension) Rules, 1972.
 - (ii) Death gratuity computed in terms of Rule 50 of the Central Civil Services (Pension) Rules, 1972.
- (III) Discharge from Government service due to disease/injury attributable to Government duty
- (i) Disability Pension computed in terms of the Central Civil Services (Extraordinary Pension) Rules.
 - (ii) Retirement gratuity computed in terms of the Central Civil Services (Extraordinary Pension) Rules read with Rule 50 of the Central Civil Services (Pension) Rules, 1972.
- (IV) Death in service attributable to Government duty:
- (i) Extraordinary Family Pension computed in terms of Central Civil Services (Extraordinary Pension) Rules and Scheme for Liberalised Pensionary Awards.
 - (ii) Death gratuity computed in terms of Rule 50 of the Central Civil Services (Pension) Rules, 1972.

The employee/ his family will also be paid Dearness Pension/Dearness Relief admissible from time to time in addition to the above benefits, on provisional basis.

6. The above provisional payments will be adjusted against the payments to be made in accordance with the Rules framed on the recommendations of the HLTF and recoveries, if any, will be made from the future payments to be made on the basis of those rules.

7. The recommendations of the HLTF envisage payment of various benefits on death/discharge of a Government employee after adjustment of the monthly-annuitised pension from the accumulated funds in the NPS Account of the employee. Therefore, no payment of monthly-annuitised pension will be made to the employee/family of the employee during the period he/she is in receipt of the provisional benefits mentioned in para 5 above.

8. In cases where, on discharge/death of the employee, the amount of accumulated funds in the NPS Account have been paid to the employee/family of the employee, the amount of monthly-annuitised pension from the date of discharge/death will be worked out in accordance with the rules/regulations to be notified by the Department of Financial Services/PFRDA and the same will be adjusted against the payment of benefits/relief after the notified rules in this respect are in place.

9. These instructions will be applicable to those Government servants who joined Government service on or after 1.1.2004 and will take effect from the same date i.e. 1.1.2004.

10. This Order issues with the concurrence of Ministry of Finance (Department of Expenditure) vide their U.O. No. 127/EV/2009 dated 13.4.2009.



(M.P. Singh)
Director

1. All Ministries/ Departments of Government of India
2. As per standard mailing list