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No.45/55/97-P&PW(C)  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Pension & Pensioners' Welfare

New Delhi, Dated 11<sup>th</sup> September, 1998

OFFICE MEMORANDUM

Subject. Special Benefits in cases of Death and Disability in Service - Payment of Ex Gratia lumpsum compensation to families of Central Government Civilian Employees who die in harness - Recommendations of the Fifth Central Pay Commission.

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Central Government Civilian Employees paid from Civil Estimates, other than those to whom the Workmen's Compensation Act applies, who sustain injuries or contract diseases or die or are disabled or incapacitated on account of causes which are accepted as attributable to or aggravated by government service are eligible for certain special benefits under the Central Civil Services (Extraordinary Pension Rules). The benefits available under these Rules have been amended and liberalized from time to time. Separate orders have also been issued by Government to provide for the grant of Liberalized pensionary Awards in cases of death or disability arising in certain special circumstances, such as (i) attack by or during action against extremists, anti-social elements, etc., and (ii) enemy action in international war or border skirmishes. Instructions issued in this regard from time to time were consolidated in this Department's O.M.No.33/5:89-F&PW (K) dated April 9, 1990.

2. Orders were also issued in this Department's D.O.letter No.46/1/88-P&PW(F) dated November 24, 1988 in regard to payment of ex gratia lumpsum compensation to the families of Central Government employees killed in incidents of terrorist violence in Punjab. These orders were subsequently extended in this Department's D.O. letter No.46/1/88-P&PW(K) dated May 25, 1990 to the families of Central Government employees killed in terrorist violence in Jammu & Kashmir.

3. Apart from the general orders and instructions issued by this Department from time to time, individual ministries and departments such as the Ministry of Home Affairs, Ministry of Information & Broadcasting, etc. have also issued separate orders to provide for the payment of ex gratia compensation at the prescribed rates to the families of personnel of the Central Police Organisations, Akashwari, Doordarshan, etc. killed in the course of performance of their duties as a result of violence by armed hostile, extremists, terrorists, etc. or as a result of encounters with anti-social elements.

4. The question of rationalization and further liberalization of the existing schemes and guidelines has been engaging the attention of Government for quite some time, particularly in the context of the increase in militancy and extremist activities in different parts of the country. The Fifth Central Pay Commission having been appointed in the meantime, the Commission had been

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requested to examine the existing benefits available in terms of various schemes and guidelines and to recommend a comprehensive policy that could be adopted in regard to ex gratia payments in cases of death in various circumstances in any part of the country, which could replace all isolated decisions that might have been taken in the past by the Government or by various individual ministries for different disturbed regions in the country.

5. In supersession of all earlier orders issued by Government as well as by individual ministries and departments in so far as these relate to the payment of an ex gratia lumpsum compensation in certain specified circumstances, the President is pleased to decide that families of Central Government Civilian employees who die in harness in the performance of their bonafide official duties under various circumstances shall be paid the following ex gratia lumpsum compensation:

(a) Death occurring due to accidents in the course of performance of duties

Rs. 5.00 lakhs

(b) Death occurring in the course of performance of duties attributable to acts of violence by terrorists, anti-social elements, etc.

Rs. 5.00 lakhs

(c) Death occurring during (a) enemy action in international war or border skirmishes; and (b) action against militaries, terrorists, extremists, etc.

Rs. 7.50 lakhs

6. The graded structure of ex gratia lumpsum compensation takes into account the hardships and risks involved in certain assignments, the intensity and magnitude of the tragedy and deprivation that families of government servants experience on the demise of the bread-winner in different circumstances, the expectations of the employer from the employees to function in extreme circumstances, etc. The compensation is intended to provide an additional insurance and security to employees who are required to function under trying circumstances and are exposed to different kinds of risks in the performance of their duties.

7. Powers were delegated in the Ministry of Finance O.M.No.19(18)-EV(A)/66 dated February 26, 1966 to the appointing authorities to sanction awards under the relevant Extraordinary Pension Rules in those cases in which the proposed pension or gratuity is held to be clearly admissible under the rules. However, any awards proposed to be granted on ex gratia basis were to continue to be referred to the Ministry of finance as usual. In partial modification of these orders, in so far as they relate to ex gratia awards, the admissibility of and entitlement to the ex gratia lumpsum compensation in the circumstances specified in these orders may be decided in each individual case by the concerned Administrative Ministries themselves in consultation with their Financial Advisers.

8. The Conditions governing the payment of ex gratia lumpsum compensation in terms of these orders and the guidelines to be observed have been indicated in the Annexe to this Office Memorandum.

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9. The orders shall apply to all cases of death in harness occurring on or after August 1, 1997. In so far as cases of death, which occurred prior to August 1, 1997, are concerned, these shall be regulated and finalized in terms of the orders and instructions in force prior to the issue of these orders.
10. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor General of India.
11. The Ministry of Agriculture, etc. are requested to bring the contents of this O.M. to the notice of all concerned for their guidance and compliance.
12. Hindi version will follow.

(S. LAKSHMINARAYANAN)

Additional Secretary to the Government of India

To

All Ministries/Department of the Government of India [As per standard Distribution List]

Copy [with usual number of spare copies] forwarded to C&AG, UPSC, etc. [As per standard Endorsement List]

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ANNEXE TO DEPARTMENT OF PENSION & PENSIONERS' WELFARE  
O.M.NO.45/55/97-P&PW(C) DATED 11<sup>TH</sup> SEPTEMBER, 1998  
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Conditions governing the payment of ex gratia lumpsum compensation and guidelines to be  
observed  
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1. The main condition to be satisfied for the payment of the ex gratia lumpsum compensation in the specified circumstances is that the death of the employee concerned should have occurred in the actual performance of bonafide official duties. In other words, a causal connection should be established between the occurrence of death and government service.
2. Powers having been delegated to the Administrative Ministries to sanction ex gratia payments under these orders, it shall be their responsibility as well as that of the Financial Advisers to satisfy themselves that the death of the government servant to be compensated by the payment of the lumpsum ex gratia to the family in fact occurred in the actual performance of bonafide official duties and to establish its causal connection and nexus with government service. This could be done on the basis of medical and other documents relating to the case.
3. Even if a Government servant had died in such circumstances that a medical report could not be secured, the nexus and causal connection with government service would need to be adequately established in determining the entitlement to the ex gratia lumpsum payment. In deciding this issue, all evidence (both direct and circumstantial) shall be taken into account and the benefit of reasonable doubt given to the claimant. The benefit of reasonable doubt will be extended more liberally in field service cases, as provided in the guidelines for conceding attributability of disablement or death to Government service forming part of the Central Civil Services (Extraordinary Pension) Rules.
4. In cases of accidents to commercial aircraft resulting in the death of passengers, compensation is payable to the next of kin by the national or private airline concerned in terms of international conventions. The ex gratia lumpsum compensation in terms of these orders will therefore, not be admissible in addition in the event of death due to accidents while travelling on duty by commercial aircraft and shall be restricted only to those cases where death occurs in an accident while travelling on duty by service aircraft. The payment of ex gratia in these cases will be without prejudice to the bond required to be executed by the civilian government employees indemnifying the Government against any claims on account of death while travelling by service aircraft.
5. Railways also pay compensation to the next of kin of passengers killed in train accidents. Therefore, the ex gratia compensation admissible in terms of clause (a) of para 5 of these orders shall be reduced by the compensation, if any, received by the next of kin of Central Government Civilian employees killed in train accidents while travelling on duty.
6. Ex-Gratia compensation under clause (b) of para 5 will be admissible to police personnel killed while employed in aid of the civil administration in quelling agitations, protest demonstrations, riots, etc. regardless of whether such agitations, demonstrations, etc. are resorted to by

members of the public, political parties, etc. or by other public servants, including police personnel. In addition, in the context of a perceptible increase in violence-related incidents over the years, Central Government Civilian employees on duty could become unwitting victims of bomb blasts in public places or vehicles, indiscriminate shooting incidents in public, etc. often resorted to by terrorists, anti-social elements, etc. The compensation under clause (b) will also, therefore, be admissible in cases of death in such incidents, provided the employees concerned were actually on duty at the relevant time.

7. Cases of death resulting from acts of violence or assault by terrorists, anti-social elements, etc. against a Government servant with the intention of deterring or preventing him from performing his duties; or because of any act done or attempted to be done by such Government servant in the lawful discharge of his duties; or because of his official position will also be covered under clause (b).
8. Ex gratia compensation under clause (c) of para 5 will generally be restricted only to those cases where the death of the employees is directly caused by actual field operations. In addition, families of Central Government Civilian Employees killed after being kidnapped by militants, terrorists, extremists, etc. because of their official position or with a view to spreading terror will also be entitled to the compensation under this clause.
9. Few illustrative examples of cases to be covered under the different clauses of para 5 are contained in the Appendix for the guidance of sanctioning authorities. In case of any doubt in regard to the applicability of the ex gratia compensation scheme, such cases will be referred to the Department of Pension & Pensioners' Welfare for appropriate decision in consultation with the Department of Expenditure.
10. The ex-gratia compensation in the circumstances specified in these orders shall be admissible in addition to such other benefits as may be admissible under the Central Civil Services (Extraordinary Pension) Rules or the Liberalized pensionary Awards Scheme, as the case may be. This will also be mutually exclusive of such other benefits as may be admissible under the Central Government Employees' Group Insurance Scheme, General/Contributory Provident Fund, etc. and will be payable in addition to such benefits.
11. In determining the admissibility of the ex gratia compensation payable from Central Government funds, ex gratia payments, if any, made to families of the deceased Government servants from State funds by the State Government concerned shall not be taken into account and shall be excluded.
12. In certain cases, relief is also provided to families of deceased Government servants from sundry Government sources, such as the Prime Minister's Relief Fund, Chief Minister's Relief Fund, etc. In such cases, it should be ensured that the aggregate of the relief/ex gratia compensation paid from different sources does not exceed Rs 10 lakhs in each individual case.
13. In view of the fact that the ex gratia compensation in terms of these orders is payable to the families of the deceased Government servants, default or contributory negligence, if any, on the part of the Government servants concerned shall not be taken into account in sanctioning the compensation.

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14. Any related issue not specifically covered in these orders shall be decided in terms of the relevant provisions in this regard contained in the Central Civil Services (Extraordinary Pension) Rules as amended from time to time and the instructions issued thereunder.

15. Where any doubt arises as to the interpretation of the provisions of these orders, it shall be referred to the Department of Pension & Pensioners' Welfare for decision.

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ILLUSTRATIVE EXAMPLES OF CASES COVERED UNDER DIFFERENT  
CLAUSES OF PARA 5 OF DEPARTMENT OF PENSION & PENSIONERS'  
WELFARE

O.M.No.45/55/97-P&PW(C) DATED 11<sup>TH</sup> SEPTEMBER, 1998

[Refer Sl. No. 9 of Guidelines annexed to the O.M.]  
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Clause (a) : Death Attributable to accidents while on duty

1. Death, as a result of an accident while travelling in a public, private or official vehicle or otherwise, of a Group 'D' employee, Despatch Rider, Messenger, Postman, Notice Server, etc. deputed to distribute dak, notices, etc., or of personnel on field duties.
2. Death occurring due to an accident while travelling on bonafide official duties in a service aircraft.
3. Accidents during test flights of aircraft and non-scheduled flights of chartered aircraft resulting in death of employees travelling on duty in public interest in such flights.
4. Death, in train accidents, of personnel undertaking official journeys on duty.
5. Accidents to ships, river steamers, etc. resulting in death of Government servants undertaking journeys on duty by these modes of travel.
6. Death, as a result of accidents, of personnel of Income Tax and Customs & Central Excise Departments, Central Police Organisations, etc. while proceeding on raids against tax evaders, anti-social elements, etc.
7. Death, due to contact with live electric/power lines, of personnel deployed on flood/cyclone relief activities.
8. Death, due to electrocution, of departmental employees engaged in rectification of defects in generation and distribution of electricity.
9. Accidents while engaged in rectification of defects in machinery and equipment.
10. Death due to accidental explosion of boilers, storage tanks of inflammable materials, chemicals, etc.
11. Death due to fire accidents while on duty.
12. Death of Fire Fighting Staff engaged in fire-fighting operations.

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Clause (b): Death Attributable to acts of violence by terrorists, anti-social elements, etc.

1. Death resulting from acts of violence or assault by terrorists, smugglers, Dacoits, anti-social elements, etc. against an individual Government servant—
  - (a) with the intention of deterring or preventing him from performing his duties; or
  - (b) because of any act done or attempted to be done by him in the lawful discharge of his duties; or
  - (c) Because of his official position.
2. Personnel of Akashwani, Doordarshan, and other Central Government departments killed in the course of performance of their duties as a result of violence or attack by armed hostile extremists, terrorists, anti-social elements, etc.
3. Central Government employees, on duty, killed in incidents of terrorist violence in Jammu & Kashmir, the North Eastern Region, Punjab, etc. other than in actual operations and encounters.
4. Death, due to stone-throwing, use of weapons and other violent acts by demonstrators, anti-social elements, etc., of police and other civilian personnel while employed in aid of the civil administration in quelling agitations, protest demonstrations, riots, etc.
5. Death of personnel of Income Tax and Customs & Central Excise Departments, Police personnel, etc. while proceeding on raids against tax evaders, smugglers, anti-social elements, etc. attributable to attacks by the parties so raided, including anti-social elements.
6. Death of forest personnel engaged in anti-poaching and forest protection activities in encounters with poachers, timber smugglers, etc.
7. Death, while on duty, as unwitting victims of bomb blast in public places or vehicles, indiscriminate shooting incidents in public, etc. often resorted to by terrorists, anti-social elements, etc.

Clause (c): Death occurring during wars or border skirmishes, and action against militants, terrorists, and extremists

The ex-gratia compensation under clause (c) of para 5 will be restricted only to those cases where Central Government employees are killed in actual field operations. A higher rate of compensation has been prescribed in these cases having regard to the magnitude of the hardships and risks involved in field operations, including combing operations against terrorists, militants, etc. This will generally be applicable only to the personnel of the Central Para Military Forces deployed along the borders, Line of Control, etc. as well as those engaged in combating terrorism. The condition of being actually involved in field operations will, therefore, have to be satisfied before the higher ex gratia compensation of Rs. 7.50 lakhs is sanctioned.



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indicated in para 5 of the O.M., compensation under this clause will be admissible to families of Central Government Civilian Employees killed—

- (i) in action in international wars;
- (ii) while fighting in war-like situations or border skirmishes with any country;
- (iii) in action against armed hostile, militants, terrorists and extremists;
- (iv) during laying or clearance of mines, including those laid by enemies, militants, terrorists, etc., as well as in the course of mine-sweeping operations;
- (v) as a result of exploding mines en route to an operational area;
- (vi) during battle inoculation as part of prescribed training exercises involving the use of live ammunition;

In addition, families of Central Government Civilian Employees killed after being kidnapped by militants, terrorists, extremists, etc. because of their official position or with a view to spreading terror will also be entitled to the compensation under this clause.

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Dated, the 2nd September, 2008

**OFFICE MEMORANDUM**

Sub: Implementation of Government's decision on the recommendation of the Sixth Central Pay Commission - Revision of provisions regulating pension/gratuity/commutation of pension/family pension/disability pension/ex-gratia lump-sum compensation.

1. The undersigned is directed to state that in pursuance of Government's decision on the recommendation of the Sixth Central Pay Commission, the President is pleased to introduce the following modifications in the rules regulating pension, Retirement/Death/Service Gratuity/Family Pension/disability pension and ex-gratia lump-sum compensation under the CCS (Pension) Rules, 1972 (hereafter referred to as Pension Rules) and Commutation of Pension under CCS (Commutation of Pension) Rules, 1981, CCS (Extraordinary Pension) Rules, 1939, etc.
2. These orders apply to Central Government Employees governed by the CCS (Pension) Rules, 1972. Separate orders will be issued by the Ministry of Defence, Ministry of Railways and the AIS Division of the DOPT in respect of Armed Forces personnel, Railway employees and the officers of All India services respectively on the basis of these orders.

**DATE OF EFFECT**

- 3.1 Save as otherwise mentioned in these orders, the revised provisions as per these orders shall apply to Government servants who retire/die in harness on or after 1.1.2006. Separate orders have been issued in respect of employees who retired/died before 1.1.2006.
- 3.2 Where pension/family pension/Gratuity/Commutation of pension, etc has already been sanctioned in cases occurring on or after 1.1.2006, the same shall be revised in terms of these orders. In cases where pension has been finally sanctioned on the pre-revised orders and if it happens to be more beneficial than the pension becoming due under these orders, the pension already sanctioned shall not be revised to the disadvantage of the pensioner in view of Rule 70 of the CCS (Pension) Rules, 1972.

**EMOLUMENTS**

- 4.1 The term 'Emoluments' for purposes of calculating various pensionary benefits other than various kinds of Gratuity shall have the same meaning as in Rule 33 of the Central Civil Services (Pension) Rules, 1972.
- 4.2 Basic pay in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay, etc.
- 4.3 In the case of all kinds of Gratuity, DA admissible on the date of retirement/death shall continue to be treated as emoluments along with the emoluments as defined in Paragraph 4.1 above.

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## PENSION

- 5.1 A Government servant retiring in accordance with the provisions of the CCS(Pension) Rules, 1972 before completing qualifying service of ten years shall not be entitled to pension but he shall continue to be entitled to service gratuity in terms of Rule 49(1) of the CCS(Pension) Rules, 1972.
- 5.2 Linkage Of full pension with 33 years of qualifying service shall be dispensed with. Once a Government servant has rendered the minimum qualifying service of twenty years, pension shall be paid at 50% of the emolument or average emoluments received during the last 10 months, whichever is more beneficial to him.
- 5.3 In cases where Government servant becomes entitled to pension on completion of 10 years of qualifying service in accordance with Rule 49(2) of the CCS (Pension) Rules, 1972, pension in those cases shall also be paid at 50% of the emoluments or average emoluments, whichever is more beneficial to the Government servant.
- 5.4 The revised provisions for calculation of pension in para 5.2 and para 5.3 above shall come into force with effect from the date of issue of this O.M. and shall be applicable to Government servants retiring on or after that date. The government servants who have retired on or after 1.1.2006 but before the date of issue of this O.M. will continue to be governed by the Rules/ orders which were in force immediately before coming into effect of these orders.
- 5.5 The amount of pension shall be subject to a minimum of Rs.3500/- and maximum upto 50% of highest pay in the Government (The highest pay in the Govt. is Rs. 90,000 since 1.1.2006).
- 5.6 The provisions of clauses (a) to (c) of sub-rule (2) of Rule 49 of the Pension Rules shall stand modified to the extent mentioned in para 5.1 to para 5.5 above. The other provisions contained in Rule 49 shall continue to apply.
- 5.7 The quantum of pension available to the old pensioners shall be increased as follows:-

Age of Pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of basic pension
From 85 years to less than 90 years	30% of basic pension
From 90 years to less than 95 years	40% of basic pension
From 95 years to less than 100 years	50% of basic pension
100 years or more	100% of basic pension

The Pension Sanctioning Authorities should ensure that the date of birth and the age of a pensioner is invariably indicated in the pension payment order to facilitate payment of additional pension by the Pension Disbursing Authority as soon as it becomes due. The amount of additional pension will be shown distinctly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and his pension is Rs.10,000 pm, the pension will be shown as (i) Basic pension=Rs.10,000 and (ii) Additional pension = Rs.2,000 pm. The pension on his attaining the age of 85 years will be shown as (i).Basic Pension = Rs.10,000 and (ii) additional pension = Rs.3,000 pm.

## GRATUITY

- 6.1 The maximum limit of all kinds of gratuity shall be Rs. 10 lakh. Accordingly, first proviso under Rule 50(1)(b) of Pension Rules shall stand modified to the effect that the

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amount of retirement gratuity or death gratuity payable under this Rule shall in no case exceed Rs. 10 lakh.

#### ADDITION TO QUALIFYING SERVICE

- 7.1 In view of revised provisions for computation of pension in para 5 above, the extant benefit of adding years of qualifying service for the purpose of computation of pension shall stand withdrawn with effect from the date of issue of this O.M. Rules 29, 29-A, 30, 48-B and 48-C of the CCS(Pension) Rules, 1972 shall stand modified to this extent.

#### FAMILY PENSION 1964

- 8.1 Family pension shall be calculated at a uniform rate of 30% of basic pay in all cases and shall be subject to a minimum of Rs.3500/-p.m. and maximum of 30% of the highest pay in the Government. (The highest pay in the Govt. is Rs.90,000 since 1.1.2006). Rule 54(2) relating to Family Pension, 1964 under Pension Rules shall stand modified to this extent.
- 8.2 The enhanced family pension under Rule 54(3)(a)(i) shall be payable to the family of a Government servant who dies in service from the date of death of the Government servant for a period of ten years, without any upper age limit. Rule 54(3)(a)(i) shall stand modified to this extent. There will be no change in the period for payment of enhanced family pension to the family in the case of death of a pensioner.
- 8.3 The quantum of family pension available to the old family pensioners shall be increased as follows:-

Age of family pensioner	Additional quantum of family pension
From 80 years to less than 85 years	20% of basic family pension
From 85 years to less than 90 years	30% of basic family pension
From 90 years to less than 95 years	40% of basic family pension
From 95 years to less than 100 years	50% of basic family pension
100 years or more	100% of basic family pension

The Pension Sanctioning Authorities should ensure that the date of birth and the age of a family pensioner is invariably indicated in the Form 3 (regarding details of family) and the pension payment order to facilitate payment of additional family pension by the pension disbursing authority as soon as it becomes due. The amount of additional family pension will be shown distinctly in the pension payment order. For example, in case where a family pensioner is more than 80 years of age and his/her family pension Rs.10,000 pm, the pension will be shown as (i).Basic family pension=Rs.10,000 and (ii) Additional family pension = Rs.2,000 pm. The family pension on his/her attaining the age of 85 years will be shown as (i).Basic family Pension = Rs.10,000 and (ii) additional pension = Rs.3,000 pm.

- 8.4 For the purpose grant of Family Pension, the 'Family' shall be categorised as under:

##### Category-I

- (a) Widow or widower, upto the date of death or re-marriage, whichever is earlier;  
(b) Son/daughter(including widowed daughter), upto the date of his/her marriage/re-marriage or till the date he/she starts earning or till the age of 25 years, whichever is the earliest.

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Category-II

- (c) Unmarried/Widowed/Divorced daughter, not covered by Category I above, upto the date of marriage/re-marriage or till the date she starts earning or upto the date of death, whichever is earliest
- (d) Parents who were wholly dependent on the Government servant when he/she was alive provided the deceased employee had left behind neither a widow nor a child.  
Family pension to dependent parents unmarried/divorced/widowed daughter will continue till the date of death.

Family pension to Unmarried/ widowed/ divorced daughters in Category II and dependent parents shall be payable only after the other eligible family members in Category I have ceased to be eligible to receive family pension and there is no disabled child to receive the family pension. Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension in that category.

- 8.5 The dependency criteria for the purpose of family pension shall be the minimum family pension along with dearness relief thereon.
- 8.6 The childless widow of a deceased Government employee shall continue to be paid family pension even after her remarriage subject to the condition that the family pension shall cease once her independent income from all other sources becomes equal to or higher than the minimum prescribed family pension in the Central Government. The family pensioner in such cases would be required to give a declaration regarding her income from other sources to the pension disbursing authority every six months.

#### COMMUTATION OF PENSION

- 9.1 A Government servant shall continue to be entitled to commute for a lumpsum payment up to 40% of his pension.
- 9.2 The existing Table of Commutation Value for Pension Annexed to the CCS (Commutation of Pension) Rules, 1981 shall be substituted by a new Table at Annex. I of this O.M.
- 9.3 The revised Table of Commutation Value for Pension will be used for all commutations of pension which become absolute after the date of issue of this O.M. In the case of those pensioners, in whose case commutation of pension became absolute on or after 1.1.2006 but before the issue of this OM, the pre-revised Table of Commutation Value for Pension will be used for payment of commutation of pension based on pre-revised pay/pension. Such pensioners shall have an option to commute the amount of pension that has become additionally commutable on account of retrospective revision of pay/pension on implementation of the recommendations of the Sixth Central Pay Commission. On exercising such an option by the pensioner, the revised Table of Commutation Value for Pension will be used for the commutation of the additional amount of pension that has become commutable on account of retrospective revision of pay/pension. In all cases where the date of retirement/commutation of pension is on or after the date of issue of this OM, the revised Table of Commutation Value for Pension will be used for commutation of entire pension.
- 9.4 Provisions of CCS (Commutation of Pension) Rules, 1981 shall stand modified in accordance with para 9.2 and 9.3 above.

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## CONSTANT ATTENDANT ALLOWANCE

- 10.1 In the case of pensioners who retired on disability pension under the CCS (Extraordinary) Pension Rules, 1939, for 100% disability (where the individual is completely dependent on somebody else for day to day functions), a Constant Attendant Allowance of Rs. 3000/- p.m. shall be allowed in addition to the disability pension, on the lines existing in Defence Forces. The CCS (Extraordinary) Pension Rules, 1939 shall stand modified to this extent.

## EX GRATIA LUMP SUM COMPENSATION

11. In terms of Department of Pension & PW O.M.No.45/55/97-P&PW(C) dated 11.9.1998, an ex gratia lump sum compensation is available to the families of Central Government Civilian employees, who die in the performance of their *bona fide* official duties under various circumstances. The amount of this ex-gratia lump sum compensation shall be revised as under:
- (a) Death occurring due to accidents in the course of performance of duties Rs. 10.00 lakh
  - (b) Death occurring in the course of performance of duties attributable to acts of violence by terrorists, anti-social elements, etc. Rs. 10.00 lakh
  - (c) Death occurring (a) enemy action in international war or border skirmishes and (b) action against militants, terrorists, extremists etc. Rs. 15.00 lakh
  - (d) Death occurring while on duty in the specified high altitude, inaccessible border posts, etc on account of natural disasters, extreme weather conditions. Rs. 15.00 lakh

The Department of Pension & PW O.M.No.45/55/97-P&PW(C) dated 11.9.1998 shall stand modified to this extent.

12. For the purpose of computing average emoluments in the case of Government servants who have opted for fixation of pay in the revised Pay Structure and retire within 10 months from the date of coming over to the revised Pay Structure, basic pay for 10 months period preceding retirement shall be calculated by taking into account pay as follows:
- (i) For the period during which pay is drawn in revised Pay Structure- Pay drawn in the prescribed pay band plus the applicable grade pay
  - (ii) For the remaining period during which pay is drawn in pre-revised scale of pay-Basic pay plus dearness pay and actual D.A. appropriate to the basic pay at the rates in force on 1.1.2006 drawn during the relevant period.

## SPECIAL PROVISION FOR THOSE WHO RETAIN THE PRE-REVISED SCALE OF PAY.

13. The pension and death-cum-retirement gratuity of those, who have elected to continue to draw pay in the pre-revised scale of pay in terms of Rule 5 of the Central Civil Services (Revised Pay) Rules, 2008 and have retired or will be retiring after 01.01.2006, shall be regulated as follows:

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- (i) The term 'Emoluments' will mean 'Pay' as defined in FR 9(21)(a)(i) and will include Dearness pay and DA upto average AICPI 536 (Base year 1982=100).
- (ii) Pension will be calculated at 50% of emoluments or average emoluments whichever is more beneficial to the employee.
- (iii) Death-cum-retirement gratuity shall be admissible with reference to emoluments at (i) above plus dearness allowance, under the order in force immediately before coming into effect of these orders. The maximum amount of gratuity shall not exceed Rs. 3,50,000/- in terms of Department of Pension and Pensioners Welfare Office Memorandum No. 45/86/97-P&PW(A) (Part-I) dated 27.10.1997.
- (iv) Commutation of pension shall be admissible in accordance with the orders in force immediately before coming into effect of these orders.
- (v) Family pension shall be allowed in accordance with orders applicable prior to the issue of these orders and shall be calculated with reference to basic pay in the pre-revised scale. To the family pension so calculated dearness-relief upto average AICPI 536 (Base year 1982=100) at the rate contained in this Department's Office Memorandum No. 42/2/2006-P&PW(G) dated 5.4.2006 shall be added. The amount so arrived at will be regarded as the family pension for regulating payment of dearness relief beyond average AICPI 536.
14. Formal amendments to CCS (Pension) Rules, 1972, CCS (Extraordinary) Pension Rules, 1939 and CCS (Commutation of Pension) Rules, 1981 in terms of the decisions contained in this order will issue in due course. Provisions of the CCS (Pension) Rules 1972, CCS (Extraordinary) Pension Rules, 1939, and CCS(Commutation of Pension) Rules, 1981 which are not specifically modified by these orders, will remain unaffected.
15. The pension/family pension in terms of these orders will qualify for dearness relief beyond average AICPI 536 under the revised pattern being introduced on the recommendations of the Sixth Central Pay Commission.
16. These orders issue with approval of the Ministry of finance Department of Expenditure vide their U.O. No4871/SE/2008 dated 2.9.2008.
17. In their application to the employees of the Indian Audit and Accounts Department, these orders issue in consultation with Comptroller and Auditor General of India.
18. Ministry of Agriculture etc. are requested to bring the contents of these orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and Subordinate Offices under them on a top priority basis.
19. Hindi version will follow.

*R. Razdan*  
Rajni Razdan,

Secretary to the Government of India

To

All Ministries/ Departments of Government of India  
As per mailing list

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ANNEXURE

COMMUTATION VALUE FOR A PENSION OF Re.1 PER ANNUM

Age next birthday	Commutation value expressed as number of year's purchase	Age next birthday	Commutation value expressed as number of year's purchase	Age next birthday	Commutation value expressed as number of year's purchase
20	9.188	41	9.075	62	8.093
21	9.187	42	9.059	63	7.982
22	9.186	43	9.040	64	7.862
23	9.185	44	9.019	65	7.731
24	9.184	45	8.996	66	7.591
25	9.183	46	8.971	67	7.431
26	9.182	47	8.943	68	7.262
27	9.180	48	8.913	69	7.083
28	9.178	49	8.881	70	6.897
29	9.176	50	8.846	71	6.703
30	9.173	51	8.808	72	6.502
31	9.169	52	8.768	73	6.296
32	9.164	53	8.724	74	6.085
33	9.159	54	8.678	75	5.872
34	9.152	55	8.627	76	5.657
35	9.145	56	8.572	77	5.443
36	9.136	57	8.512	78	5.229
37	9.126	58	8.446	79	5.018
38	9.116	59	8.371	80	4.812
39	9.103	60	8.287	81	4.611
40	9.090	61	8.194		

[Basis: LIC (94-96) Ultimate Tables and 8.00% interest]

M. P. S. S. S. S.  
Minister (P. & W.)  
Dept. of Pension & P. W.  
Govt. of India