

**Clarification on the points raised by banks in the meeting held on 22.08.2016**

<b>Sl. No.</b>	<b>Clarification sought</b>	<b>Action/Clarification</b>
1	Applicability to absorbees.	Para 7 (a) of the OM No. 38/37/2016-P&PW (A) (ii) dated-04.08.2016 issued by DP&PW stipulates that "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 absorbees will be updated in terms of these orders. In cases where the Government servants have drawn one time lump sum terminal benefits equal to 100% of their pensions and have become entitled to the restoration of one-third commuted portion of pension as per the instructions issued by this Department from time to time, their cases will not be covered by these orders. Orders for regulating pension of such pensioners will be issued separately".
2	Applicability of family pensions for absorbees.	Para 7 (b) of the OM No. 38/37/2016-P&PW (A) (ii) dated-04.08.2016 issued by DP&PW stipulates that "In cases where, on permanent absorption in public sector undertakings/ autonomous bodies, the terms of absorption and/or the rules permit grant of family pension under the CCS (Pension) Rules, 1972 or the corresponding rules applicable to Railway employees/ members of All India Services, the family pension being drawn by family pensioners will be updated in accordance with these orders."
3	List of absorbees to be provided on banks login.	List has been uploaded on banks login by NIC.
4	Interpretation of para 6 of OM dated-04.08.2016 on dearness relief to	It has been clarified by Director, DP&PW that "As is clear from para 7(a) of the OM dated 04.08.2016, the

	employed/ re-employed pensioner.	pension of those pensioners who are re-employed and were not drawing dearness relief before 01.01.2016, is also required to be revised w.e.f. 01.01.2016 in terms of the said OM. However, dearness relief on revised pension will not be admissible during the period of re-employment”.
5	Format of reporting through e-scrolls of 7 <sup>th</sup> CPC.	It has already been mentioned in para 3 of CPAOs OM No. CPAO/IT&Tech/Revision (7CPC)/19 Vol-III/2015-16/109 dated-11 <sup>th</sup> August, 2016 that “after paying the revised pension and arrears, banks have to flag the revised cases in the Format-A of e-Scrolls to be submitted to CPAO so that revised cases may be identified at CPAO. To enable the banks for flagging of such cases, necessary modifications have been made in the Format-A of e-Scroll by changing the heading of column -18 to “Applicable Pay Commission”. Under this column, banks have to fill “7” for the cases which have been revised under 7 <sup>th</sup> CPC by them”. Further, in the Column No. 27 of Format-F in e-scroll titled “Pay Commission” 7 <sup>th</sup> CPC may be incorporated and sent alongwith Format-A. Each CPPC must attach Format-F with each e-scroll.
6	Who would do Ex-gratia payment revision?	The DP&PW OM No.38/37/2016-P&PW (A) (ii), dated-04.08.2016 is meant for revision of pension only of pre-2016 pensioners/family pensioners for which banks have been authorized to revise the pensions and make payment accordingly. Revision of ex-gratia payment is to be dealt with in accordance with para 12.1 of DP&PW OM No. 38/37/2016-P&PW (A) (i), dated-04.08.2016. The ex-gratia revision cases are required to

		be dealt with by the Department concerned and not by banks.
7	Specific case of the Chief Election Commissioner.	In this context para 2.3 of DP&PW OM No. 38/37/2016-P&PW (A) (ii), dated-04.08.2016 clearly states that these orders do not apply to the retired High Court and Supreme Court Judges and other Constitutional/ Statutory Authorities whose pension etc. is governed by separate rules/orders.
8	How to deal with cases where pension is being paid on 5 <sup>th</sup> CPC rates.	<p>Following categories:-</p> <ul style="list-style-type: none"> <li>i) Employees suspended before 2006 and also retired before 01.01.2006.</li> <li>ii) Employees suspended before 2006 but retired after 01.01.2006.</li> <li>iii) Employees who retired before 2006 and against whom departmental/judicial proceedings were pending at the time of retirement.</li> </ul> <p>were allowed to draw provisional pension in the pre-2006 pay scales.</p> <p>Later on DP&amp;PW vide 38/6/2010-P&amp;PW (A)(pt) dated-18.03.2013 had decided to revise all such cases of provisional pensions in terms of their OM No. 38/37/08-P&amp;PW (A) dated-01.09.2008. As such these cases may be referred to the concerned Ministry/ Department for revising them first as per 6<sup>th</sup> CPC before they are revised under 7<sup>th</sup> CPC.</p>
9	Applicability of 7 <sup>th</sup> CPC revisions to various categories of pensioners.	As per para 2.1 of DP&PW OM No.38/37/2016-P&PW (A) (ii) dated-4 <sup>th</sup> August, 2016, "These orders shall apply to all pensioners/family pensioners who were drawing pension/family pension before 1.1.2016 under the Central Civil Services (Pension) Rules, 1972, Central Civil Services (Extraordinary Pension) Rules and the

		<p>corresponding rules applicable to Railway pensioners and pensioners of All India Services, including officers of the Indian Civil Service retired from service on or after 1.1.1973. A pensioner/ family pensioner who became entitled to pension/ family pension with effect from 01.01.2016 consequent on retirement/death of Government servant on 31.12.2015, would also be covered by these orders”.</p> <p>The categories of pensioners further clarified by Director, DP&amp;PW to SBI is as under:-</p> <p>i) The pension of Defence Civilian Pensioners, Postal and Telecom Pensioners under CDA category is regulated by CCS (Pension) Rules. These pensioners are, therefore, eligible for revision of pension under OM dated 4.8.16. However the absorbee pensioners of BSNL/MTNL who are getting pension under IDA category are not covered by this OM. The absorbee pensioners who had taken lump-sum in lieu of their monthly pension and are getting only one-third restored pension are also not covered by this OM.</p> <p>ii) The State Government pensioners are not eligible for revision of pension under this OM. However the All India Service officers and employees retired from CAG/AGs/Audit &amp; Accounts Departments in States are covered under this OM.</p>
10	<p>Applicability of Additional pension on attaining the age of 65 years to the pensioners of UT Chandigarh on the pattern of Punjab State Government.</p>	<p>A clarification has been sought from JS (UT), MHA and DP&amp;PW Central Government instructions allow additional pension only on attaining age of 80 years and above. Therefore, the additional payment on attaining the age of 65 years in case of UT Chandigarh pensioners</p>

		banks should not grant additional pension on attaining the age of 65 years instead of 80 years until a clarification regarding applicability is received.		
11	Contact Officials in CPAO for 7 <sup>th</sup> CPC clarifications.	Sl. No.	Name & Designation	Contact No.
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