

Implementation of Government's decision on recommendation of Sixth Pay Commission regarding revision of pension of pensioners-family pensioners-grant of full pension to Government servants who retired on or after dated : 01-01-2006.

Government of Gujarat,  
*Finance Department,*

G. R. No.: PSN-1009-726-(339/2012)-P

Sachivalaya, Gandhinagar

Dated the 27 th March, 2012

- Read : (1) *Finance Department's Government Resolution No. PGR-1009-3-Pay Cell(M), dated 13-04-2009,*  
(2) *Government of India, Ministry of Personnel, Public Grievances and Pension, Department of Pension & Pensioners' Welfare, Memorandum 38.37/08/P&PW(A), F. No. dated 10-12-2009.*

### **RESOLUTION**

Government has issued orders for regulation of pension/ gratuity /commutation of pension of post 01-01-2006 pensioners/family pensioners vide Government Resolution dated 13-04-2009 referred to at Sr. No. 1 above; para No. 3.5 of the said Government Resolution inter-alia provides as under :-

"The revised provision for calculation of pension in para-3.2 and para-3.3 above shall come into force with effect from the date of issue of these orders and shall be applicable to Government servants retiring on or after that date. The Government servants who have retired on or after 01-01-2006 but before the date of issue of these orders will continue to be governed by the rules/ orders which were in force immediately before coming into effect of these orders".

2. The Government of India, Ministry of Personnel, Public Grievances and Pension vide OM dated 10-02-2009 referred to at Sr. No. 2 has decided that linkage of full pension with 33 years of qualifying service shall be dispensed with effect from 01-01-2006.

3. The matter of making applicable the above mentioned decision and amending the Para No. 3.5 of Government Resolution dated 13-04-2009 relating to Government servants who have retired on or after dated 01-01-2006; but before the date of issue of the said orders will continue to be governed by the rules which were in force immediately before coming into effect of those orders was under the consideration of the Government. After careful consideration, the Government decides as under :-

1. Linkage of full pension with 33 years of qualifying service shall be dispensed with w.e.f. 01-01-2006 instead of 13-04-2009. The revised provision for calculation of pension in Para 3.2 of G R dated 13.4.2009 providing Government employees who rendered qualifying service of 20 Years on retirement; pension shall be paid at the rate 50 % of last pay or average pay received during last 10 months whichever is beneficial and Para 3.3 of the said G.R. providing Government employees who become entitled to pension on completion of 10 years qualifying service under rule 80 of Gujarat Civil Service (Pension) Rules, 2002 ; pension shall be paid at the rate of 50 % of last pay drawn or average pay received during the last 10 months whichever is more beneficial, shall come into force from date : 1-1-2006 and shall be applicable to the Government employee retired / retiring after that date. Para 3.5 of the G. R. dated 13.4.2009 shall stand modified to that extent. Moreover the benefit of notional qualifying service in case of voluntary retirement under G.C.S.(Pension) Rules, 2002 rule No.48 and rule 49 stand withdrawn to that extent with effect from dtd. 01-01-2006.
2. The Government servants who have voluntarily retired under rule 49 of Gujarat Civil Services (Pension) Rules, 2002 and who have availed the benefit of notional increment as mentioned in sub-rule 6 of rule 49 shall be required to give option as mentioned below in the *Annexure- "A"* appended herewith :-

(a) Either she/he desires to avail the benefit as per the revised provision of the G.R. i.e.; fixing his/her pension as per provision 3.2 and 3.3 of Government Resolution dated 13-04-2009 forgoing the benefits of adding the notional increment as per sub-rule 6 of rule 49 of Gujarat Civil Services (Pension) Rules, 2002,

OR

(b) He/She desires to avail the benefit of adding the notional increments as per sub-rule 6 of rule 49 of Gujarat Civil Services (Pension) Rules, 2002 and is prepared to draw pension as per the respective provisions of Fifth Pay Commission.

The option mentioned above will have to be submitted to the Director of Pension and Provident Fund through the office from where he/she is retired within 3 months from the date of issue of these orders. The option once exercised will be treated as final and no representation made thereafter will be entertained by the Government. If no option is submitted within 3 months, his/her pension will be termed to be governed as per provision 3.2 and 3.3 of Government Resolution dated 13-04-2009 without the benefit of notional increments.

4. The overall calculation may take into account revised gratuity and revised pension involving arrears up to the date of revision based on these instruction. However no recoveries would be made in the cases already settled.

By order and in the name of the Governor of Gujarat,

Encl.: Annexure " A "

  
( Shantaja Patel )

Deputy Secretary to Government,  
Finance Department.

To,

- \* The Secretary to the Hon'ble Governor, Rajbhavan, Gandhinagar,  
The Principal Secretary to Hon'ble Chief Minister, Gandhinagar.  
The Personal Secretaries to all Hon'ble Ministers/State level Ministers, Parliamentary Secretaries, Sachivalaya, Gandhinagar.  
The Personal Secretary to the Hon'ble Leader of Opposition, Gujarat Vidhansabha, Sachivalaya, G'nagar.
- \* The Secretary, Gujarat Legislative Secretariat, Gandhinagar,
- \* The Secretary, Gujarat Vigilance Commission, Gandhinagar,
- \* The Secretary, Gujarat Civil Service Tribunal, Gandhinagar,
- \* The Secretary, Hon'ble Gujarat High Court, Ahmedabad.
- \* The Secretary, Gujarat Subordinate Staff Selection Board, Gandhinagar.
- \* The Secretary, Gujarat Public Service Commission, Ahmedabad,  
All Departments of Secretariat/All HoDs/All Head of Offices.  
The Accountant General-I (Audit), Gujarat State, Ahmedabad/ Rajkot,  
The Accountant General-II(A&E), Gujarat State, Ahmedabad/ Rajkot  
The Examiner, Local Fund Accounts/All Dist. Assistant Examiners,  
All District Collectors/District Development Officers,  
The Director, Pension & Provident Fund, Gandhinagar,  
The Pension Payment Office, Ahmedabad,  
All District Treasury Officers/Sub Treasury Officers,  
The Pay and Accounts Officer, Gandhinagar/Ahmedabad,  
The Pay and Accounts Officer, SSNNL, Gandhinagar/Vadodara,  
The Resident Audit Officer, Gandhinagar/Ahmedabad,  
All Boards/Corporations/Universities/Public Sector Undertakings of the Government,  
All Officers/branches in Finance Department,  
All recognized Associations,
- ✓ The System Manager, Finance Department – For placing on the website.  
Select file, Pay Cell, M, CH, P, A & Z br., Finance Department.

• By letter.