

Government of India
Ministry of Communications
Department of Telecommunications
(Pension Section)

516-Sanchar Bhawan, 20, Ashoka Road,
New Delhi-110001

Dated: 28th September, 2020


OFFICE MEMORANDUM

Subject: - Circulation of DOP&PW's orders – regarding.

The undersigned is directed to circulate the following DOP&PW OMs for information and necessary action:

- i. OM No.12/9/2020-P&PW(C)-6450 dated 17th July, 2020 regarding provisional release of retirement benefits as per Rule 64 of CCS (Pension) Rules, 1972 during Covid Pandemic time.
- ii. OM No.1/11/2020-P&PW(E) dated 29th July, 2020 regarding relaxation of Rule 80-A for payment of provisional Family Pension on death of a Government Servant during service.

Encl: As above.



(Asha Wadhvani)

Under Secretary to the Govt. of India

Tel: 23036044

To:

1. All the Pr. CCAs/ CCAs
2. Sr. DDG(TEC), Khurshid Lal Bhawan, Janpath, New Delhi.
3. DDG(Accounts), DoT, Hqrs, New Delhi.
4. Director (Accounts. I) & Director (Accounts. II), DOT, Hqrs, New Delhi.
5. ADG(Staff), DoT(HQ), Sanchar Bhawan, New Delhi for uploading the same on DoT website.

No.12/9/2020-P&PW(C)-6450
Government of India
Ministry of Personnel, Public Grievances & Pension
Department of Pension & Pensioners' Welfare

8th Floor, Janpath Bhavan,
Janpath, New Delhi,
Dated: 17th July, 2020

OFFICE MEMORANDUM

Subject: - Provisional release of retirement benefits as per Rule 64 of CCS (Pension) Rules, 1972 during Covid Pandemic time.

The undersigned is directed to say that in view of the unprecedented situation which has arisen due to the outbreak of COVID-19, there may be cases where the processing of pension case of a retiring Government servant gets delayed due to various factors. A Government servant may find difficulty in submission of his pension Forms (Form 5, Form 3, etc.) to the Head of Office (HOO) or the Head of Office (HOO) may not be able to forward the claim form in hard copy along with service book to the concerned Pay & Accounts office in time, particularly when both the offices are located in different cities. There may also be cases where the Pay & Accounts Office is not able to process the case for authorization of pension before the retirement of the Government servant.

2. Rule 64 of the CCS (Pension) Rules, 1972 provides for sanction of provisional pension and provisional gratuity in cases where a Government servant is likely to retire before finalization of his pension and gratuity. In order to ensure timely payment of pension and retirement gratuity on retirement of a Government servant, wherever a Government servant is likely to retire before finalization of his pensionary benefits, the Head of Office may rely upon the information as available in the official records and take action to sanction provisional pension and provisional gratuity, with the approval of the Head of Department. The provisional pension and provisional gratuity may be sanctioned in those cases also, where retiring Government servant is unable to submit the pension claim Forms for any reason. In cases where it is not possible to verify the entire length of qualifying service immediately, provisional gratuity may be sanctioned in respect of the verified continuous spell of service immediately preceding the date of retirement. A copy of the draft letter for sanction of provisional pension and provisional gratuity is enclosed.

3. The Pay & Accounts Office shall consider the case on the basis of details of last emoluments and length of qualifying service indicated by the Head of Office and release the provisional pension and provisional gratuity in the same manner as pay and allowances of the establishment are paid. The Pay & Accounts Office shall not insist for complete documents of the case, including service book, at the stage of release of provisional pension and provisional gratuity.

4. These instructions shall also be applicable in cases where the Government servant retires otherwise than on superannuation, i.e. voluntary retirement, retirement under FR 56, etc.

5. In cases where the amount of provisional pension is later found to be in excess of the final pension, the excess amount of pension may be adjusted in the manner indicated in Rule 64 of CCS (Pension) Rules, 1972.

6. The payment of provisional pension sanctioned in accordance with para 2 above, may initially continue for a period not exceeding six months from the date of retirement. The period of provisional pension may be further extended, in exceptional cases, with the concurrence of PAO and after approval by the Head of Department. However, the total period of provisional pension shall, in no case, be more than one year from the date of retirement.

7. The date from which the final pension shall be commenced by the Pension Disbursing Authority(PDA), may be indicated by the Pay & Accounts Office in the PPO. The date for commencement of final pension by the PDA shall be at least two months after the date of issue of the PPO, taking into consideration the time likely to be taken by CPAO and CPPC to process the pension case. Pay & Accounts Office shall record a note in the PPO, as mentioned below, while authorizing the final pension.

"Provisional pension has been/shall be paid by the office for the period from ----- to ----- @ Rs. ----- plus DA. The payment of final pension shall commence from the bank w.e.f. -----."

The payment of provisional pension shall, accordingly, continue from the office till the date mentioned in the PPO for commencement of final pension by the PDA so that there is no gap between the date upto which the provisional pension is to be paid and the date of commencement of final pension by the PDA.

8. The instructions in this OM, in so far as they are at variance with the provisions of rule 64, shall be applicable till the work in offices is affected due to the outbreak of COVID-19. These instructions would be reviewed by this Department after normalcy is restored. The provisions of Rule 64 of the CCS (Pension) Rules, 1972 shall stand relaxed to the extent indicated above.

9. The Administrative Divisions of all Ministries/Department and attached/subordinate offices are requested to bring these instructions to the notice of all concerned for compliance.

This issues with the approval of the competent authority.

Rajesh Kumar

(Rajesh Kumar)
Under Secretary to the Government of India
Tel No. 23310108

1. All the Ministries/ Department, Government of India
2. All Officers/Desks of the department
3. NIC, DoPPW; to incorporate the change in Bhavishya module.

Copy to:- Controller General of Accounts, Mahalekha Niyantak Bhawan, Ministry of Finance, GPO Complex, Block E, INA Colony, New Delhi, Delhi 110023:- With reference to their UO Note No.TA-3-104/8/2019-TA-III/CS-568/285 dated 30th June, 2020.

No.....
Government of India
Ministry of.....
Department/Office.....

Dated the.....

To

Shri/Smt./Km.

.....
.....

(Name, designation and address of the Government servant)

Sub: Sanction of provisional pension and provisional gratuity in favour of
(Shri /Smt. /Km.....)

Sir,

I am directed to say that Shri/Smt./Km..... (Name and Designation) of this Ministry/ Department/office has retired/ is due for retirement from Government service with effect from..... However there is likely to be a delay in assessment and settlement of his/her pension and gratuity and issuing Pension Payment Order. Shri/Smt./Km.....was drawing/shall be drawing a basic pay of Rs..... on the date of retirement and he/she hasyears qualifying service on the date of retirement. Shri/Smt./Km..... has submitted Form 5 on/has not submitted Form 5 so far.

2. In accordance with Rule 64 of the Central Civil Services (Pension) Rules, 1972, sanction of the competent authority is here by accorded authorizing payment of the following:

* (i) An amount of Rs...../- per month as provisional pension for a period commencing from (Date following the date of retirement of Government servant)

** (ii) An amount of Rs.-/- as provisional gratuity

* The amount of provisional pension shall be 100% of pension calculated based on emoluments and qualifying service on the date of retirement.

** The amount of provisional gratuity shall be calculated after withholding 10% of the amount of gratuity from the amount of retirement gratuity calculated based on the emoluments and qualifying service on the date of retirement. In cases where it is not possible to verify the entire length of qualifying service immediately, provisional gratuity may be sanctioned in respect of the verified continuous spell of service immediately preceding the date of retirement.

3. The following are the details of Government dues which will be recovered out of the amount of provisional gratuity indicated in para 2 above.

(a) Balance of the house-building or conveyance advance	Rs.
(b) Overpayment of pay and allowances including leave salary	Rs.
(c) Income Tax deductible at source under the Income Tax Act, 1961 (43 of 1961)	Rs.
(d) Arrears of license fee for occupation of Government accommodation	Rs.
(e) The amount of license fee for the retention of Government accommodation for the permissible period beyond the date of retirement	Rs.
(f) Amount to be withheld as per intimation of the Directorate of Estates under rule 72(5), if any	Rs.
(g) Any other assessed/ dues and the nature thereof	Rs.
(h) Amount to be withheld on account of unassessed govt.due	Rs.
Total	

4. The payment of provisional pension shall continue for a period of six months for the period from to

OR

The payment of provisional pension has been further extended with the concurrence PAO for the period from to (Period to be specified, provided that provisional pension will not be extended in any case after one year of retirement.).

In case the PPO determining the amount of final pension and the amount of final gratuity is issued before the expiry of a period of six months from the date of retirement or the extended period, the payment of provisional pension shall discontinue from the date of commencement of final pension, to be indicated in the Pension Payment Order.

5. If the amount of provisional pension is found to be in excess of the final pension, the excess amount of pension shall be adjusted out of the withheld amount of gratuity failing which it shall be recovered in installments by making short payments of the pension payable in future.

Yours faithfully,

Head of Office

Copy for information to: The Pay and Accounts Officer

No. 1/11/2020-P&PW (E)
Government of India
Ministry of Personnel, P.G. & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi,
Dated 29th July, 2020

OFFICE MEMORANDUM

Sub: Relaxation of Rule 80-A for payment of provisional Family Pension on death of a Government Servant during service.

The undersigned is directed to say that in accordance with Rule 80-A of the CCS (Pension) Rules 1972, on death of a Government servant during service, Head of Office shall sanction and draw provisional family pension and death gratuity in favour of claimant or claimants, after the family pension case, including Form 18 and other documents referred to in Rule 80, has been forwarded by the Head of Office to the Pay & Accounts Office. It has been brought to the notice of this Department that the process of forwarding the family pension case to Pay & Accounts Office along with requisite documents itself takes a long time. It is also understood that, in a large number of cases, provisional family pension and gratuity are not being sanctioned on death of a Government servant. The delay in finalization of family pension and gratuity results in hardship to the family of the deceased Government servant.

2. The matter has been examined in this Department. In accordance with Rule 54 (2) (ii) of the CCS (Pension) Rules, on death of Government servant during service, the family of a deceased Government Servant becomes entitled to family pension even in cases where a government servant dies before completion of one year of continuous service, provided the deceased government servant concerned, immediately prior to his/ her appointment to the service or post, was examined by appropriate medical authority and declared fit by that authority. Thus family pension is payable to the family of deceased Government servant irrespective of the length of service of the Government servant before his death. Therefore, verification of the entire service is not relevant for determining the amount of family pension. The amount of death gratuity, however, depends on the length of qualifying service of the deceased Government servant. Any Government dues in respect of the deceased Government servant are also required to be recovered from the amount of death gratuity.

3. Keeping in view the position mentioned in para 2 above and in order to avoid any hardship to the family of the deceased Government servant, it has been decided to relax the provisions of rule 80-A of the CCS (Pension) Rules, 1972 to the extent that if a claim for family pension in Form 14 along with death certificate and bank account details of the claimant has been received and the Head of Office is satisfied about the bonafide of that claim, he shall sanction provisional family pension immediately. The Head of Office shall not wait for forwarding of the family pension case (including Form-14, Form-18 and other relevant documents mentioned in Rule 80) to Pay & Accounts Office before sanctioning the provisional family pension.

4. The amount of provisional family pension shall not exceed the maximum family pension as admissible under Rule 54 of CCS Pension Rules, 1972.

5. In Central Armed Police Forces related cases, where death of an employee occurs, initially provisional family pension may be sanctioned without waiting for the final Operation Casualty Report.

No.....

Government of India

Ministry of.....

Department/Office.....

Dated the.....

To

Shri/Smt./Kumari..... (Name and address
of claimant)

Subject: - Grant of provisional family pension.

Sir/Madam

I am directed to say that Shri/Smt./Kumari.....
.....(Name and designation) died on..... As
per service record you are eligible to receive family pension.

2. In accordance with Rule 80-A of the Central Civil Services (Pension) Rules, 1972 read with the O.M. No. 1/11/2020-P&PW (E) dated 29th July, 2020 of Department of Pension & Pensioners' Welfare, sanction of the competent authority is hereby accorded for payment of an amount of Rs...../- per month as provisional family pension commencing from..... (Date following the date of death of Government servant)

* The amount of provisional pension shall be 100% of family pension as assessed based on the pay on the date of death of Government servant.

3. The payment of provisional family pension sanctioned as per Para 3 of the OM No 1/11/2020-P&PW dated 29th July, 2020 may initially continue for a period of six months from the date, following the date of death of employee. The period of such provisional family pension sanctioned may be further extended, for not more than six months at a time, on the advice of Pay & Accounts Office and with the approval of Head of Department (HOD).

4. If the amount of provisional family pension is found to be in excess of the final family pension, it shall be recovered from gratuity instalments from the family pension payable in future.

Yours faithfully,

Head of Department

Copy for information to the Pay and Accounts Officer