GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DIRECTORATE OF EDUCATION; OLD SECTT, DELHI-54
(PENSION AND PAY FIXATION BRANCH)
Phone:-011-23890095

NO.F.38(11)(2)/P&PF/2012/P.File/ Dated:-

Sub:- Clarification on the admissibility of the family pension and Guidelines regarding withdrawal of amount subscribed by the employee under the New Pension Scheme as in letter dated 05-11-2012.


Encl:- As Above.

DY. CONTROLLER OF ACCOUNTS (EDUCATION)

NO.F.38(11)(2)/P&PF/2012/P.File/ 12-1-13

2. All DDEs, Dte. Of Education, GNCT of Delhi.
3. OS(IT) with the request to upload the circular along with its enclosure on the web site of the department immediately.

DY. CONTROLLER OF ACCOUNTS (EDUCATION)
PRINCIPAL ACCOUNTS OFFICE
GOVERNMENT OF NCT OF DELHI
'A' BLOCK: VIKAS BHAWAN: NEW DELHI


To

All PAOs,
GNCT of Delhi
New Delhi/Delhi.

Sub: Clarification on the admissibility of the family pension and Guidelines regarding withdrawal of amount subscribed by the employee under the New Pension Scheme.

Sir/Madam,

This office had referred the matter to the Govt. of India, Ministry of Home Affairs for clarification about the admissibility of family pension under the Govt. of India's O.M. dated 5.5.2009 in respect of those employees who are recruited on or after 1.1.2004 and expired before making subscription to the New Pension Scheme. The Govt. of India, Ministry of Home Affairs has clarified that although no subscription/contribution towards New Pension Scheme was deducted, the Government servant was deemed to be covered by the New Pension Scheme due to the fact of his joining Government service after 1.1.2004. Therefore, the OM dated 5.5.2009 would be applicable.

Copy of this office letter dated 13.9.2012 and clarification dated October 29, 2012 is sent herewith to all PAOs for information and necessary guidelines.

This issues with approval of the DCA(Admin/Tech.).

Yours faithfully,

(Ravender Kumar)
Accounts Officer (Tech.)

Ends.: As above.


Copy to:- The Under Secretary, Finance (Accounts), Finance Department, Govt.of NCT of Delhi, 4th Level, Delhi Secretariat, IP Estate, New Delhi along with a copy of this office letter dated 13.9.2012 and Ministry of Home Affairs letter dated October 29, 2012.

(Ravender Kumar)
Accounts Officer (Tech.)
To
The Controller of Accounts
Principal Accounts Office
Government of NCT of Delhi
A-Block, I. P. Estate, Vikas Bhawan
New Delhi 110002

Sub: Clarification on the admissibility of the family pension and guidelines regarding withdrawal of amount subscribed by the employee under the New Pension Scheme.

Sir,

Kindly refer to your letter No.F.4/Adv./35/Pr.A.O./T-1/10-11/1384 dated 13.09.2012 on the subject mentioned above and to say that the matter has been examined in consultation with Department of Financial Services and Department of Pension & Pensioners Welfare.

2. In this regard, it is mentioned that:-
   (i) The guidelines for withdrawal of pension corpus in the event of exit from the New Pension Scheme is still to be finalized by Department of Financial Services, and

   (ii) Although no subscription / contribution towards New Pension Scheme was deducted, the Government servant was deemed to be covered by the New Pension Scheme due to the fact of his joining Government service after 1.1.2004. Therefore, the OM dated 5.5.2009 would be applicable.

Yours faithfully,

(A.K. Das)
Under Secretary to the Government of India
#23092688
No. 38/41/06/P&PW(A)
Government of India
Ministry of Personnel Public Grievances and Pensions
Department of Pension and Pensioners Welfare

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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/disability 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:

Please visit: http://pensionersportal.gov.in
(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

Please visit: http://pensionersportal.gov.in