

Circular No. 166

No. AT/Tech/263- XVI
O/o the Pr. C.D.A. (P), Allahabad
Date: 07.03.2013

To,

1. The CMD(Bank of Baroda, Oriental Bank of Commerce, Dena Bank & Punjab & Sind Bank)
2. The Director of Treasuries of all state
3. The Nodal Officers (ICICI/IDBI/AXIS/HDFC Bank)....
4. The CDA (PD) Meerut.....
5. The CDA-Chennai.....
6. The Manger CPPC of Public Sector Banks... (except banks mentioned at 1 above)
7. The Pay & Accounts Officers.....
8. Military & Air Attache, Indian Embassy Kathmandu-Nepal
9. The DPDO.....
- 10 The Post Master.....

Sub: - Non payment of Dearness Relief on Disability Element While on Re-Employment.

The payment of dearness relief during re-employment / employment / permanently absorption of pensioners / family pensioners under the Central or State Government or in a Statutory Corporation / Company / Body / Bank under them in India or abroad is not being regulated correctly by various Pension Disbursing Authorities. Where some Pension Disbursing Authorities are disallowing dearness relief to re-employed pensioner of commissioned officer on disability element, others are allowing in few cases. Similar irregularities have been noticed in case of pensioners of PBOR. The instances of not allowing dearness relief to family pensioners during their employment are also drawing attention of this office/Ministry from time to time. The position on the subject is though clearly stipulated in Ministry of Personnel, Public Grievances & Pensions, Deptt of P&PW letter No. 45/73/97-P&PW(G) dt. 2nd July, 1999 and Ministry of Defence letter No. 79(1)/95/D (Pen/Services) dated 28th August 2000 and Deptt of P&PW UO No. 41/42/2007-P&PW(G) dt. 3-4-2008. However, position is re-clarified as under for uniform implementation of above orders.

(a) In case of re-employed pensioners who hold Group 'A' post or posts of the ranks of commissioned officers at the time of their re-employment will not be entitled to any dearness relief on pension on the fact that:-

(i) A certain portion of pension is taken into account and is not entirely ignored.

(ii) The pay in the post of re-employment is not required to be fixed at the minimum of the scale in all cases, and

(iii) Dearness allowance at the rates applicable from time to time is also admissible on the pay fixed on re-employment.

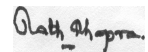
(b)(i) The entire pension admissible is to be ignored in the case of civilian pensioner who held posts below Group 'A' and those ex-servicemen who held posts below the ranks of commissioned officers, at the time of their retirement. Their pay on re-employment is to be fixed at the minimum of the pay scale of the post in which they are re-employed. Such civilian pensioners will consequently be entitled to dearness relief on their pension at the rates applicable from time to time.

(b)(ii) The ex-servicemen (PBOR) who retired before attaining the age of 55 years and re-employed thereafter and their pay fixed at a higher stage because of advance increments and no protection of the last pay drawn is being given, the pay should be treated as fixed at a minimum only for the purpose of ignoring the entire pension and allowing dearness relief on pension.

(c) The disability element is part of disability pension, therefore position explained at a & b above will also apply for regulating dearness relief on disability element during re-employment of pensioner drawing disability pension.

(d) The family pension received by the eligible central Govt. employees/Armed Forces pensioners is, in any case, not taken into account in determining their pay on employment therefore, dearness relief at the rates applicable from time to time shall be admissible on their family pension.

Incorrect payment of pension is not only infringement of Govt. orders but also cause of concern to pensioners. It is, therefore, requested to instruct Pension Paying Branches / CPPC / Offices / Treasuries under your jurisdictions to regulate the payment of dearness relief on pension /family pension on re-employment/employment/permanently absorption of pensioners/family pensioners as explained above.



(P.N. CHOPRA)
Asst.CDA (P)

Copy to:-

1. The CGDA, ULAN BATAR ROAD, Palam Delhi Cantt-110010-
For information w.r.to HQrs. Office letter No.5609/AT-P/XXXI/PF
dt.14.02.2013
2. The Pr.CDA (Navy), Cooperage Road Mumbai.
3. The CDA (AF), New Delhi
4. PA to CDA (AT) / CDA (Gts) in Main Office.
5. PA to all Addl. CDA / Jt.CDA, in Main Office.
6. All GOs, in Main Office.
7. Officer-in-Charge, G-I/ M (Tech), G-I/C (Tech) and. Gts(Ors) /Tech
Section (Local).
8. Officer-in-Charge in all section (Local).
9. Officer-in-Charge EDP Centre (Local). For inclusion and uploading at
Website of this office.



(S.BASUMATARY)
ACCOUNTS OFFICER (P)