

CHAPTER - IV

CLASSES OF PENSIONS, CONDITIONS OF GOVERNING THEIR GRANT AND ADMISSIBLE AMOUNT OF PENSION AND GRATUITY AND COMMUTATION OF PENSION

CLASSES OF PENSIONS

1. **Superannuation:-**

- (i) Superannuation pension shall be granted to a government servant who is retired on attaining the age of compulsory retirement.
- (ii) The government servant on superannuation shall retire from service w.e.f. the afternoon of the last day of the month in which date of compulsory retirement falls.
- (iii) A government servant whose date of birth is first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of compulsory retirement.

Rule 35

2. **Retiring Pension:-** A retiring shall be guided:-

- (i) to a government servant who retire, or is retired, in advance of the age of compulsory retirement in accordance with the provisions of Rule 48 or 48-A of these rules, or Rule 56 of the Fundamental Rules or Article 459 of the Civil Service Regulations and
- (ii) to a government servant who, on being declared surplus, opts for voluntary retirement in accordance with the provisions of Rule 29 of Pension Rules.

Rule 36

3. **Pension on absorption in or under a Corporation, Public Sector Undertakings, Autonomous Bodies:-**

On absorption in a Corporation, Public Sector Undertakings, Autonomous Bodies etc., if a government servant opts for pro rata retirement benefits, such government servant shall be eligible for pensionary benefits in lieu of the service rendered in the government up to the date of acceptance of option of absorption, which shall be deemed the date of retirement of such government servant. .

Rule 37

4. **Invalid Pension:-** Invalid pension shall be granted if a Government servant retires from the service on account of any bodily or mental infirmity which permanently incapacitates him for the service.

A Government servant applying for an invalid pension shall submit a medical certificate of incapacity from the prescribed authority.

Rule 38

- 5. Compensations Pension:-** If a government servant is selected for discharge owing to the abolition of his permanent post, he shall, unless he is appointed to another post the conditions of which are deemed by the authority competent to discharge him to be at least equal to those of his own, have the option of taking compensation pension to which he may be entitled for the service he had rendered under the government.

Rule 39

- 6. Compulsory Retirement Pension:-** A government servant compulsorily retired from service as a penalty may be granted by the authority competent to impose such penalty, pension or gratuity or both at a rate not less than two-thirds and not more than full compensation pension or gratuity or both admissible to him on the date of compulsory retirement.

Rule 40

- 7. Compassionate Allowance:-** Authority competent to dismiss the government servant from service may if the case is deserving special consideration, sanction a compassionate allowance not exceeding two-thirds of pension or gratuity or both which would have been admissible to him if he had retired on compensation pension.

Rule 41**CONDITIONS OF GRANTING PENSION AND RETIREMENT GRATUITY****ADMISSIBLE AMOUNT OF PENSION AND RETIREMENT GRATUITY****1. Pension**

- (i) In all retirement cases except voluntary retirement full pension. shall be admissible to a government servant w.e.f. 1.1.2006 who has rendered not less 10 years of qualifying service period. Prior to this where the qualifying service period was less than 33 years , the amount of pension was reduced proportionately.
- (ii) In voluntary retirement cases w.e.f. 01.01.2006 full pension is admissible to the government servant who seeks retirement after qualifying service of 20 years. Prior to this, pension in voluntary retirement cases was reduced proportionately where the qualifying service after adding the weightage was less than 33 years.
- (iii) In cases where government servant retires before completing qualifying service of 10 years he will be eligible for the service gratuity.
- (iv) In addition to above pension, after completion of 80 years of age or above, additional shall be payable to the retired Government servant in the following manner:-

Age of pensioner	Additional pension
From 80 years to less than 85 years	20% of basic pension.
From 85 years to less than 90 years	30% of basic pension.
From 90 years to less than 95 years	40% of basic pension.

From 95 years to less than 100 years	50 % of basic pension.
100 years or more	100% of basic pension.

2. Retirement Gratuity

A government servant, who has completed five years qualifying service and has become eligible for service gratuity or pension under Rule 49, shall, on his retirement, be granted retirement gratuity equal to one-fourth of his emoluments for each completed six monthly period of qualifying services, subject to a maximum of $16\frac{1}{2}$ times the emoluments.

Rule 50

3. Commutation of Pension

- (i) A Government servant shall be entitled to commute for a lump sum payment of an amount not exceeding 40% of pension w.e.f. 01.01.96. Before 01.01.96 the maximum amount that a government servant was entitled to commute was one third of pension.
- (ii) Commutation shall be payable on submission of application form I-A in superannuation cases and in Form 1 where applied within one year after the date of retirement and in Form 2 where applied after one year of the date of retirement. After one year of the date of retirement commutation shall be payable after Medical Examination.
- (iii) Commutation shall be admissible on provisional pension sanction under rule 64 of the pension rules.
- (iv) Commutation shall not be admissible in provisional pension sanctioned under Rule 69. In such cases, the commutation shall be admissible after the issue of orders on the finalisation of the departmental or judicial proceedings. The period of one year in such cases shall be reckoned from the date of issue of orders consequent on the finalisation of the departmental or judicial proceedings.
- (v) Restoration of commuted portion of pension shall be admissible after 15 years from the date of retirement in superannuation cases and 15 years from the date of payment in other retirement cases.
- (vi) The commutation of pension will be restored by the Pension Sanctioning Authority (Banks) on submission of application in prescribed form.

Appendix 1 of the Pension Rules

RATE OF PENSION AND RETIREMENT GRATUITY

1. Pension

- (i) With effect from 01.01.2006 minimum rate of pension shall be Rs. 3500/-and maximum Rs.45000/-

- (ii) With effect from 01.04.2004 to 31.12.2005 minimum rate of pension was Rs. 1913/- and maximum was Rs.15000/-.
- (iii) With effect from 01.01.1996 to 31.3.2004 minimum rate of pension was Rs. 1275/-and maximum pension was Rs. 15000/-.
- (iv) With effect from 01.01.1986 to 31.12.1995 minimum rate of pension was Rs. 375/- and maximum was Rs 1250.
- (v) The amount of pension finally determined, shall be expressed in whole rupees and where the pension contains a fraction of a rupee, it shall be rounded off to the next higher rupee.

Rule 49

2. **Retirement Gratuity**

- (i) With effect from 01.01.2006 maximum amount admissible shall be Rs. 10 Lakhs.
- (ii) With effect from 01.04.1995 to 31.12.2005 the maximum amount of retirement/ Death Gratuity was Rs. 2.5 lakhs.
- (iii) With effect from. 01.01.1986 to 31.03.1995 maximum admissible amount of DCRG was Rs. 1 Lakhs.

Rule 50