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Principal Chief Conservator of Forests.

CIRCULAR No.8/2006/Y1

Sub: Pensions - Expeditious disposal of Pension cases - Issue of instructions -Reg.

According to Para 1 of Appendix I to A.P. Revised Pension Rules 1980, every Head of the Department/Head of an Office shall have the list of all Government servants who are due to retire on attaining the age of superannuation during the next 18 months, prepared once in every 6 months i.e., on the 1st of January and 18th July of each year covering both Gazetted and Non-Gazetted Government servants and forward this list to the Audit Officer/ Pension Verifying Authority concerned not later than the 31st January and the 31st July, as the case may be, of that year.

As per Appendix-I of A.P. Revised Pension Rules 1980, the Officers concerned should forward the pension proposals 6 months prior to the date of retirement, so that necessary authorization can be issued by the Accountant General in the month of retirement of the employees.

The Government/the Accountant General have pointed out that, the time schedule provided for in A.P. Revised Pension Rules 1980 with regard to the finalisation of pension cases are not being adhered to by the Administrative Departments, resulting in considerable delay in the disbursal of pension to the retiring incumbents.

In this connection, it is further informed that, in the past, several instructions were issued by this office regarding expeditious disposal of Pension cases. The Government have also issued various orders on pensions, liberalizing the rules and procedures. Instructions were also issued by this office that the Pension Papers of the Government servants due to retire within 18 months should be prepared and submitted to the pension sanctioning authority 18 months before the expected date of retirement, in a complete shape according to the existing rules.

Several complaints are being received from the subordinates and retired persons for inordinate delay in settlement of Pension Cases of retired persons.

It is noticed that, in several cases action has been initiated after retirement of the employees or just before the date of retirement.

The Conservators of Forests and Divisional Forest Officers are therefore requested to initiate action 18 months before the date of retirement and furnish the list of retiring persons for whom the Principal Chief Conservator of Forests/Government are the Pension Sanctioning Authorities within (18) months by every half year ending as on 1st January & 1st July, so that necessary action may be taken to settle the pension cases on the date of retirement of the Government servant. They are also requested to see that the Pension papers of the employee due for retirement shall be transmitted to the competent authority (Audit Officer, Local Audit/Accountant General/Principal Chief

Conservator of Forests) six months before the due date of the retirement. They are also requested to make special arrangements in their offices for finalizing all issues connected with the Pension cases.

A small booklet is prepared based on the A.P. Revised Pension rules 1980, as a ready reference for the guidance of all the Conservator of Forests, Divisional Forest Officers and Superintendents and the Assistants who are dealing with the pension cases and enclosed herewith. Please be advised that this book cannot be quoted as an authority. The authority should only be drawn from the Revised Pension Rules 1980 and amendments there on.

The above instructions shall be followed strictly.

Sd/- (**S.K.DAS**),
Principal Chief Conservator of Forests

ANDHRA PRADESH REVISED PENSION RULES 1980

APPLICABILITY

Andhra Pradesh Revised Pension Rules, 1980 are applicable to the retiring government servants of Andhra Pradesh. APRPRs 80 shall be deemed to have come into force with effect from 29th October, 1979. They shall apply to all government servants who were governed on the 29th October 1979 by

- a) the Old Pension Rules in the Hyderabad Civil Service Rules; (or)
- b) the Pension Rules in the Civil Service Regulation; (or)
- c) the Andhra Pradesh Liberalised Pension Rules, 1961
- d) the All India Services (death - cum -retirement benefit) Rules 1958
- e) in so far as members of the State Higher Judicial Service are concerned
- f) All workers of Government Distillery, Narayanaguda, Hyderabad and Government Distillery, Kamareddy, Nizamabad District who have retired from service on or after 12th September 1983.

DEFINITIONS

1. The term 'Pension' has been judicially defined as a stated allowance or stipend made in consideration of past service or a surrender of rights or emoluments to one retired from service. Thus the pension payable to a government employee is earned by rendering along and efficient service and, therefore, can be said to be a deferred portion of the compensation for service rendered. In the event of her/his death, the spouse gets a monthly payment for life in the form of family pension. Other beneficiaries get such payment for limited periods or for life subject to certain conditions.
2. Pension Verification Authority means Head of Office wherever the Government servant is employed.
3. Pension Sanctioning Authority means Head of Office in case of Non-gazetted Officers and Head of the Department in case of Gazetted Officers (as per G.O.Ms.No.262 F&P (FW PSC) Dept. dated 23-11 -1998.
4. Pension Issuing Authority means A.G., A.P., Hyderabad/Local Fund Audit Department.
5. Pension Disbursing Authority means the STO/APPO for payment of first pension (as per G.O.Ms.No.65 F&P (FW PSC) Dept., dated 17-05-1999.
6. Bank means paying branch which disbursed the pension through SB Account (G.O.Ms.No.213 F&P (FW PSC) Dept. 19-12-97.

Pensionary and Other benefits

Every Government servant is entitled to certain Pensionary Benefits on his finally quitting the service on retirement on account of Superannuation or any other reason except on resignation. The Pensionary Benefits are regulated according to the Andhra Pradesh Revised Pension Rules 1980 issued in G.O. (P) No.88, Finance & Planning (Fin. Wing. PSC-IV) Dept. dated 26-3-1980.

The day on which a Government servant retired or is retired or is discharged or is allowed to resign or voluntarily retires from service, as the case may be, shall be treated as non-working day but the date of death shall be treated as a working day (Rule 5 (b)).

The Government servant should have rendered 10 years of qualifying service to be eligible for Service Pension. Service Pension is based on the length of the service and the last pay drawn. Other Pensionary Benefits admissible is Retirement Gratuity which is paid in lump sum. Government servant can also commute 40% of pension. If the service rendered by the government servants is less than 10 years, she/he will be paid Service Gratuity only once, based on the length of the service and last pay drawn.

Other benefits

The retired government employee is entitled to the following benefits.

- i) Encashment of earned leave.
- ii) Encashment of half pay leave (Superannuation pensioners, Retiring pensioners who retire from service voluntarily and Invalid pensioners are also entitled to this benefit. This benefit is not admissible to Compensation pensioners, persons who have retired compulsorily as a measure of punishment, the family of deceased government servant and contingent employees).
- iii) Family Benefit Fund (those appointed prior to 10/1984).
- iv) Group Insurance.
- v) GPF.
- vi) APGLI.
- vii) TA to Home Town

Note: Detailed/Procedural instructions and statutory notification on Revised Pension Rules, 1980 are available on Internet and can be accessed at the address:-

www.aponline.gov.in (Finance Department)

G.O. (P) No.88, Finance & Planning (Fin, wing PSC-IV) Dept., dated 26-3-1980.

SERVICE PENSION under Rule - 45

Every government servant shall retire on superannuation on attaining age of 58 years/60 years

Eligibility :

Those who have completed 10 years of service are eligible for service pension. Employees who have rendered not less than 5 years of qualifying service will be paid service gratuity.

Option :

Every government employee has to exercise an option for pension.

Calculation of Net Qualifying Service (verify the entries as per service register)

1. Date of birth
add: 58 years/60 years
2. Date of superannuation
3. Date of entry into govt. service
4. Total service
5. Non-qualifying service
 - i) boy service (rule-13)
 - ii) service rendered in a non-pensionable post (rule-14)
 - iii) service as apprentice (rule-16)
 - iv) e.o.I on private affairs in excess of 36 months (rule-21)
 - v) periods of suspension (rule-23)
 - vi) periods of interruptions (rule-28)
 - vii) absence with out leave (un-authorised absence/period treated as "dies-non") (rule-27)deduct: non-qualifying service
6. Qualifying service
7. Add: weightage (rule-29)
8. Gross qualifying service
9. Calculation of service pension
last pay drawn x length of service (limited to 33 years service)

Family pension rule-50

Introduction :

Family pension is payable in the event of death of the govt. servant or while in service or after retirement to his/her spouse or eligible children.

Applicability : from 29-10-1979

Nomination : not required

Family : as defined in sub rule-12(b) of rule-50

Types of family pension :

There are two types of family pension. They are:

1. Enhanced rate of family pension Rule - 50 (3)
2. Normal rate of Family Pension. Rule - 50 (2).

Limitations

	Enhanced family pension	Normal family pension
Eligibility	dies after rendering of (7) years continuous service of pensioner dies before attaining age of 65 years.	no minimum qualifying service is required.
Calculations	50% of the last pay drawn limited to s.p.	30% of the last pay drawn
Limitation	for (7) years from the date of death of the govt. servant up to (65) years of age of the govt. servant had he/she been alive which ever takes earlier.	paid to those who cease to receive enhanced rate of family pension.
Minimum	Rs. 1,275/- p.m. w.e.f. 1-7-1998 Rs. 1925/- pm. w.e.f. 1-4-2005	Rs. 1,275/- p.m. w.e.f. 1-7-1998

Gratuity

One of the pensionary benefits admissible to the govt. servants

1. Retirement gratuity (R.G/r.g) : rule - 46

The length of service for retirement gratuity need not be computed separately for calculation of R.G. The length of service calculated for pension can be taken as q.s. for R.G. also. It should be converted into half years while calculating R.G.

2. Eligibility: Minimum 5 years of qualifying service.

3. Option: Exercise option at any time, one year to the date of superannuation.

Formula:

$\frac{1}{4}^{\text{th}}$ lpd for every half year period of service subject to a maximum of $16\frac{1}{2}$ the emoluments or Rs.2,50,000/- whichever is less (w.e.f. 1-4-1999) the limit has been enhanced to Rs.3,50,000/- w.e.f. 01-04-2005 as per G.O. (p) no. 249, fin (pen-I) dept. dt. 04-10-2005.

Recovery of dues: All govt. dues can be recovered from retirement gratuity.

Interest: For delay in payment of r.g. subject to certain conditions.

Lapse of retirement gratuity: When the govt. servant does not have family members as defined in rule-49. The retirement gratuity lapses.

Retirement gratuity to minors: It can be paid to the natural guardian. In the absence, it has to be paid to the person who furnishes guardianship certificate.

2. Gratuity of voluntary retirement: rule – 43

Calculation : as per retirement gratuity weightage:

- | | | |
|--|---|--------------------|
| (i) maximum 5 years or | } | Which ever is less |
| (ii) the difference between 33 years & q.s. or | | |
| (iii) date of superannuation retirement (-)
date of voluntary retirement. | | |

3. Anticipatory gratuity: rule-51

$\text{l.p.d.} \times \frac{1}{4} \times \text{completed half years} \times 80\% \text{ of q.s.}$

- when delay in releasing the pensionary benefits.
- shall not be released when dept./pro. are pending.

4. Provisional gratuity: No provision

5. Gratuity on medical invalidation: rule-37

When the government servant is incapacitated, relieved immediately on receipt of m.c. he can be granted gratuity for the q.s.

weightage is not admissible

6. Compassionate allowance : rule 40

Where an employee dismissed or removed, not exceeding $\frac{2}{3}$ rds of pension or gratuity or both which would have been admissible if he had retired on medical invalid pension. The amount of compassionate allowance sanctioned under the provision to the above rule shall be subject to rule, 45 (rule, 41).

Note: the rule, 41 is substituted by g.o.ms.no.178 finance & planning (f.w pen-l) dept. dated 22-10-1997 w.e.f. 29-10-1979

Retirement gratuity in death case : rule 46

Eligibility : Minimum qualifying service is not required.

Calculation: rule 46(3)

In the qualifying service is
less than one year

PRESUMING
Rule N.Q.S. 3 years
 $1\frac{1}{2}$ time of PLD
Rule 46(3)(a)

More than 1 year, But less
than 5 years

N.Q.S.. 9 years
 $4\frac{1}{2}$ times of LPD
Rule 46(3)(b)

More than 5 years but less
than 18 years

N.Q.S.. 18 years
9 times of LPD
Rule 46(1)(1)(b)

If the qualifying service is more than 18 years, it is advantageous if Retirement Gratuity is calculated on the actual length of service.

Applicability: These rates are applicable to the family, if the govt. servant dies on or after 1-07-1992.

Compensation pension: Rules-38

Applicability :

Owing to the abolition of the permanent post, if a govt. servant is selected for discharge, owing to abolition of a permanent post and who could not be provided with an alternative appointment of equal cadre/status.

Eligibility: Compensation pension

length of service \div 66 x last pay drawn

Ineligibility: Weightage is not admissible.

Notice: At least 3 months notice is not given and the government servant has not been provided with other employment, sanction the payment of a sum not exceeding the pay & allowances for the period by which the notice actually given to him falls short of three months.

Invalid pension

Applicability: Rule-37

A government servant relieved from service due to mental or physical infirmity subject to production of medical certificate issued by prescribed medical authority.

Eligibility:

Invalid pension = $\frac{\text{length of service} \times \text{last pay drawn}}{66}$

or 30% of the last pay drawn whichever is more.

Ineligibility : Weightage is not admissible.

Conditions: If the invalidation occurred due to irregular habits of the govt. servants the competent authority may deny sanction of invalid pension or he may impose partial cut on invalid pension.

Compassionate allowance

Applicability: Rule-40

A govt. servant who is dismissed or removed from service shall forfeit his pension and gratuity.

Eligibility:

The authority competent to dismiss or remove may sanction, in fit cases, a compassionate allowance not exceeding $\frac{2}{3}^{\text{rds}}$ of pension or gratuity or both which would have been admissible if he had retired on invalid pension.

Minimum compassionate allowance: rule-41

Where the amount of allowance less than the minimum pension, the allowance shall be raised to Rs.1,275/- p.m.

(sub-rule (5) of rule-45)

PRO-RATA PENSION

Rule 35 & 36

Applicability: A Government servant who has been permitted to be absorbed in a public enterprise wholly or substantially owned or controlled by the Govt., of such absorption is declared by the Govt. in public interest, be deemed to have retired from service from the date of such absorption and shall be eligible to receive retirement benefits.

Liability: The Government shall have to liability for payment to family pension, Rule -35.

Conditions: As laid down in Rule 36.

Anticipatory pension: Rule-51

Pending transmission of pension papers, due to administrative delay, Anticipatory pension at 4/10 Last Pay Drawn by the retired employee provided he has put in a service of not less than (33) years. Where service is less than (33) years, it must be proportionate to the service and Anticipatory Gratuity at 80% may be sanctioned by the Head of the office after adjusting all the dues known to the departmental authority. The same shall be adjusted In full from the final settlement of Pension and Gratuity.

Provisional pension: Rule - 52

May be granted when departmental/Judicial Proceedings are pending, not exceeding the maximum Pension on the basis of Qualifying service.

75% of Service Pension

No gratuity shall be paid

Anticipatory family pension - Rule 51(B)

If a government servant dies while in service, the Head of the Office shall draw and disburse the anticipatory family pension from the day following the date of death of the government servant irrespective of the fact that the family pension papers are sent to the Accountant General or not. The Head of the Office issues sanction letter to the family, and sends a copy to Pension Sanctioning Authority indicating the amount of anticipatory family pension sanctioned to the family of the deceased government servant. Pension Sanctioning Authority on receipt of the copy of sanction from head of the Office issues confirmatory sanction for payment of anticipatory pension to the family till the final pension is authorized.

Anticipatory family pension can be sanctioned up to the extent of 75% of the entitled amount of family pension. The anticipatory family pension will be adjusted in full from the family pension. The Head of the office has to obtain an undertaking from the family pensioner that he/she will refund any amount paid in excess of entitled amount.

Sanction of anticipatory pension has to be recorded in the service book of the individual under proper attestation. When the family pensioner appears before the Pension Issuing Authority for receiving family pension, he/she has to produce a certificate from the Head of the Office whether they have drawn any anticipatory

pension or not. If anticipatory pension is sanctioned, period for which it is sanctioned has to be indicated. Once the above certificate is issued, the Head of the office stops payment of anticipatory pension.

Note: No allowance shall be admissible on the anticipatory family pension referred to above as per Note 1 of Rule 51 (B) of APRPRs 1980.

Application for anticipatory family pension is not necessary.

It is not necessary to apply for anticipatory family pension by the family pensioner. The concerned Head of the Office should take initiative and sanction anticipatory family pension by taking an undertaking from the pensioner to that effect that she/he would refund any amount found to have been paid in excess of his/her title in the shape of anticipatory pension.

Item No. 1 of executive instructions under Rule 51 of APRPRs 1980 and Cir Memo No.34708/H/802/Pen I/83-I F&P (FW Pen I) Dept, dated 3-11 -1983.

Omissions and Commissions

- NDC& LPC in a complete shape
- Rubber stamp and office seal
- SB A/c No. in Form-I.
- Attestation should be done in each and every page of Pension papers
- Date of nominations and the date of its receipt.
- Witness signatures
- Though they are not sanctioning authorities, they are signing the part-II B
- List of employees due for retirement. As per Appendix-I of Andhra Pradesh Revised Pension Rules, 1980, a statement showing list of employees due to retire with in 18 months has to be prepared and sent to the Accountant General, Andhra Pradesh, Hyderabad duly making a copy to the Principal Chief Conservator of Forests and to the concerned Conservator of Forests.
- Retrenchment Register.

The format of the "Questionnaire - Cum - Check-slip" is given here under:-

Annexure-I

CHECK-SLIP to be enclosed with pension proposals

1. Name of the Pensioner with Designation.
2. Office from where he retires/retired
3. Date of retirement/Death
4. Nature of retirement and pensionary benefits admissible thereof.
5. Pension forms forwarded in triplicate with following

YES/NO

PART- I

1. Application Form
2. List of family members.
3. Declaration

Place & date should be filled in specifically

PART- II

- a) Whether HBA/MCA/Marriage and Bicycle Advance is sanctioned to the Government employee as per G.O.Ms.No.131, Fin. & Pig. Department dated 19-08-1997 communicated through PCCF's Ref.No.48856/97/C1, dated 08-12-1997. If so furnish the Clearance Certificate obtained from the Accountant General and also furnish if any outstanding amount to be recovered from the Individual.
- b) State whether all Columns are filled up. Annexure-I with photos duly pasted and filled all Columns. YES/NO
- c) A separate set of passport size joint photo of the retiree along with the spouse (4 copies in loose) duly attested by the Departmental Authority with their names written on the photography.

Annexure - II nomination

6. Has the pensioner signed all forms YES/NO
7. Is LPC enclosed in triplicate YES/NO
8. Has the professional tax been deducted as per existing rates YES/NO
9. Whether consolidated NDC for (10) years prior to the date of retirement enclosed in triplicate YES/NO
10. Whether disciplinary cases pending, if so, the details of each case furnished (including ACS cases). YES/NO
11. Whether anticipatory pension sanctioned YES/NO
12. Whether provisional pension requested for sanction YES/NO
13. Details of appeals pending, if any against the recoveries YES/NO
14. Whether Service Register duly posted up-to-date YES/NO

Signature

Station:

Name of the Officer:

Dated:

Designation:

(Rubber stamp must be affixed)

Annexure - II

For family pension cases only

1. Name of the family pensioner
2. Name of the Government Servant & Designation.
3. Last station of working with complete office address. Address after retirement of pensioner.
4. Date of death of the employee
5. Whether original Death-Certificate is enclosed. YES/NO
6. Whether the legal heir certificate furnished (both in original and 2 Xerox copies of it duly attested) YES/NO
7. Whether L.P.C. is enclosed in triplicate? YES/NO
8. Whether N.D.C. is enclosed or not (consolidated) in triplicate. YES/NO
If not, to specify the reasons for its non production.
9. Whether Disc. cases are pending, if any. if yes, full details should be furnished. YES/NO
10. Recoveries, if any
11. Details of anticipatory family pension sanctioned.
12. Any other, information to be furnished, if any.

Signature:

Station :

Dated :

Name of the Officer & Designation :

(Rubber stamp must be affixed)

Note: Any document sent with pension proposals such as LPC, NDC, consent letter copies of the death, legal heir, Guardianship Certificates etc., should be signed/ countersigned/attested by the respective officers duly affixing their rubber stamps. TCBO copies signed by the Manager/Superintendents will not be entertained.