

Subject: Revision of pension/family pension

Through E-gov.

From

The Comptroller,
LUVAS, Hisar.

To

All Deans/Directors/Officers of the University
Heads of Departments, Including outstations,
LUVAS, Hisar.

Memo No. CVU/P-8/2019/7105-47

Dated: 1.02.2019

Sub: Revision of pension/family pension

This is with reference to this office memo No. CVU/LUVAS/P/2017/1026-1076 dated 24.08.2017 vide which a copy of Haryana Civil Services (revised pension) Part I & II Rules 2017 issued vide Finance Deptt. notification 2/23/2016-1 Pension dated 6.03.2017 by Govt. of Haryana was circulated through e-gov. to All Deans/Directors/Officers of the University Heads of Departments, Including outstations, LUVAS, Hisar sent for information and necessary action.

Further All Deans/Directors/Officers of the University Heads of Departments, Including outstations, LUVAS, Hisar were requested to obtain undertakings as per Annexures I & II (one set) from the pensioners/family pensioners of their departments who were getting pension on 1.01.2016 & sent one copy of undertaking to SBI HAU, Hisar and 2nd copy to O/o Comptroller Pension Branch, LUVAS, Hisar.

In the 4th para of the said letter, the pension papers in respect of non-teaching employees retiring/family of deceased employees henceforth may be filled up in the light of Part II Rules 2017 contained in the notification under reference. As far as pensioners/family pensioners who retired/died on or after 1.01.2016 and whose pension/family pension has been fixed in unrevised rates prior to issue of these instructions, the case may be sent to Comptroller Office for revision of pension/family pension after re-fixation of their pay in revised pay scales granted w.e.f. 1.01.2016 as the case may be, with the relevant documents.

These instructions issued vide above referred letter and subsequent instruction in the matter will be applicable in respect of teachers/family of deceased teachers also relevant instructions are available on the university website.

Sd/-

Comptroller

HARYANA GOVERNMENT
FINANCE DEPARTMENT

Notification

The 3rd March, 2017

No. 2/23/2016-1 Pension.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following rules, namely :—

1. (1) These rules may be called the Haryana Civil Services (Revised Pension) Part-I Rules, 2017.

Short title and commencement.

(2) They shall be deemed to have come into force on the 1st day of January, 2016, unless otherwise provided by the Government for any class or category of pensioners.

2. These rules shall apply to all pensioners/family pensioners who were drawing their pension/family pension prior to the 1st January, 2016 or who were eligible/entitled to pension/family pension on the 1st January, 2016 under the provisions of the Haryana Civil Services (Pension) Rules, 2016 and as applicable to the pensioners/family pensioners and whose pension/family pension is debitable to the Consolidated Fund of the State of Haryana.

Applicability of these rules.

3. These rules shall not apply to—

Non-applicability of these rules.

(i) any category of persons whose pension/family pension etc. is not governed by the provisions of the Haryana Civil Services (Pension) Rules, 2016;

(ii) retired officers of Judicial Services.

4. In these rules, unless the context otherwise requires,—

Definitions.

(a) “existing pensioner or existing family pensioner” means a pensioner/family pensioner who was drawing pension/family pension prior to the 1st January, 2016 or Government servant who becomes entitled to pension/family pension on the 1st January, 2016, consequent upon his retirement/death;

(b) “existing pension” means the basic pension (inclusive of commuted portion, if any,) as on the 31st December, 2015:

Provided that in respect of a person retiring on the 31st December, 2015, and becoming entitled to receive pension with effect from the 1st January, 2016, his pension shall be fixed under the provisions of the Haryana Civil Services (Pension) Rules, 2016 and thereafter revised as per provisions contained in these rules;

(c) “existing family pension” means the basic family pension to be drawn as on the 31st December, 2015, under the Haryana Civil Services (Revised Pension) Part-I or Part- II Rules 2009, as the case may be:

Provided that family pensioners who become entitled to family pension with effect from the 1st January, 2016, his family pension shall be revised as per provisions contained in these rules,”

(d) “Government” means the Government of the State of Haryana in the Finance Department, save as otherwise provided by or under these rules.

5. (1) For existing pensioners, who have retired before the 1st January, 2016, the revised pension/family pension with effect from the 1st January, 2016, shall be determined by multiplying the existing basic pension/family pension by 2.57. The amount of revised pension/family pension so arrived at shall be rounded off to next higher rupee.

Consolidation of Pension/Family Pension.

Illustration:1

Pensioner 'X' retired at last pay drawn of ₹79,000 on the 31st March, 2015 under the 6th CPC regime in the scale of ` 67000-79000:-

		Amount in ₹
1.	Basic Pension fixed in 6th CPC	39,500
2.	Revised Pension fixed under 7th CPC (using a multiple of 2.57). (39,500x2.57=1,01,515)	1,01,515

Illustration: 2

Pensioner 'Y' retired at last pay drawn of ₹4,000 on 31st March, 1989 under the 4th CPC regime in the pay scale of `3000-100-3500-125-4500:-

		Amount in ₹
1.	Basic Pension fixed in 4th CPC	1940
2.	Basic Pension as revised in 6th CPC	12,600
3.	Revised Pension fixed under 7th CPC (using a multiple of 2.57) (12,600x2.57=32,382)	32,382

(2) For this purpose, the existing pension/family pension shall be the basic pension/ family pension only without the element of additional pension available to the old pensioners/family pensioners attaining the age of 80 years and above. The additional pension/family pension payable to the old pensioners/family pensioners will be worked out in accordance with rule 8 of these rules.

(3) The minimum pension/family pension w.e.f the 1st January, 2016 shall be ₹9,000/- p.m. (excluding the additional pension/family pension to the old pensioners). The maximum pension shall be ₹1,12,050 i.e. 50% and family pension ₹67,230/- i.e. 30% of the highest pay i.e. ₹2,24,100/- in the Government of Haryana.

Pro-rata of Pension/Family Pension.

6. The entitlement to revised pension under these rules shall be worked out in terms of rule 5 of these rules and shall further be reduced pro-rata as prescribed in the Haryana Civil Services (Pension) Rules, 2016 in all cases where the pensioner had less than the minimum service required for full pension, and in no case it shall be less than `9000/- per month. The requirement of minimum service shall be considered under the provisions of rules applicable at the time of retirement/death of the employee.

Deduction of commuted portion of pension .

7. As the entitlement of consolidated pension shall be inclusive of commuted portion of pension, the commuted portion, wherever applicable, shall be deducted from the pension while making monthly disbursements.

Additional Pension/Family Pension.

8. (1) The quantum of additional pension/family pension available to the old pensioners/family pensioners shall continue to be as specified in the table given below :-

Table

Serial Number	Age of pensioner/family pensioner	Additional quantum of pension/family pension
1	2	3
1.	From 80 years to less than 85 years	20% of revised basic pension/family pension
2.	From 85 years to less than 90 years	30% of revised basic pension/family pension
3.	From 90 years to less than 95 years	40% of revised basic pension/family pension
4.	From 95 years to less than 100 years	50% of revised basic pension/family pension
5.	From 100 years or more	100% of revised basic pension/family pension

(2) The Pension Disbursement Authorities shall ensure that the date of birth and the age of the pensioners/family pensioners is invariably indicated in PEN-I (issued by Principal Accountant General (Accounts and Entitlement), Haryana) and the pension payment order to facilitate payment of additional pension/family pension by them as soon as it becomes due. If the requisite information is not available in the PEN-I {issued by Principal Accountant General (Accounts and Entitlement), Haryana} in those cases the requisite information may be obtained from Principal Accountant General (Accounts and Entitlement), Haryana before adding the additional pension/family pension in the existing basic pension/family pension. The amount of additional pension/family pension shall be shown distinctly in the pension/family pension payment order.

Illustration:-

In case where a pensioner/family pensioner is more than 80 years of age and his consolidated pension/family pension in terms of rule 5 above is ₹10,000/- pm, the pension/family pension will be shown as (i) basic pension/family pension= ₹10,000/- and (ii) additional pension/family pension= ₹2,000/- per month. The pension/family pension on his attaining the age of 85 years will be shown as (i) basic Pension/family pension= ₹10,000/- and additional pension/family pension= ₹3,000/- per month.

(3) The additional quantum of pension/family pension on attaining the age of 80 years and above shall be admissible from the first day of the month in which his date of birth falls.

Illustration:-

If a pensioner/family pensioner completes age of 80 years on any date in the month of July 2016, he shall become entitled to additional pension/family pension with effect from the 1st July, 2016. Those pensioners/family pensioners whose date of birth is 5th July shall also become entitled to additional pension/family pension with effect from the 1st July, 2016 on attaining the age of 80 years and above.

(4) Dearness relief shall also be admissible on the additional quantum of pension/family pension available to the old pensioners and family pensioners in accordance with the orders issued by the Government from time to time.

9. The consolidated pension/family pension as worked out in accordance with the provision of rule 5 above shall be treated as "Basic Pension" or "Basic Family Pension", as the case may be, with effect from the 1st January, 2016. The revised pension/family pension arrived includes dearness relief sanctioned from the 1st January, 2016, and shall qualify for grant of dearness relief sanctioned thereafter by the competent authority from time to time.

Entitlement of dearness relief.

10. (1) All Pension Disbursing Authorities handling disbursement of pension to the Haryana Government pensioners/family pensioners are hereby authorized to pay pension/family pension to the existing pensioners/family pensioners at the consolidated rates in terms of above rules without any further authorization from the Principal Accountant General (Accounts and Entitlement), Haryana /Head of Office etc. However, before disbursement of the pension, the Pension Disbursing Authority shall authenticate that the fixation made is strictly in accordance with the provision of these rules.

Authorization to the Pension Disbursing Authorities.

(2) Where a pensioner is in receipt of more than one pension, consolidation may be done separately in terms of these rules.

(3) Wherever the age of pensioners/family pensioners is available on the Pension Payment Order, the additional pension/family pension in terms of rule 8 above may also be paid by the Pension Disbursing Authorities immediately without any further authorization from the Principal Accountant General (Accounts and Entitlement) Haryana / Head of Office etc.

(4) A suitable entry regarding the revised consolidated pension shall be recorded by the Pension Disbursing Authorities in both halves of the Pension Payment Order.

(5) An intimation regarding disbursement of revised pension may be sent by the Pension Disbursing Authority to the Principal Accountant General (Accounts and Entitlement), Haryana and concerned Treasury Officer/Assistant Treasury Officer.

11. It is desirable that the benefit of these rules shall reach the pensioners/family pensioners as expeditiously as possible to achieve this objective. It is desired that all the Pension Disbursing Authorities shall calculate the arrears of revised pension/family pension payable and make necessary payment to the pensioners/family pensioners or credited in their bank account preferably within 3 months from the date of notification of these rule.

Payment of arrears of pension/family pension.

Undertaking for recovery of over payment of pension/family pension.

12. (1) It is not unlikely that the arrears due in some cases may be calculated incorrectly leading to over payment that might have to be recovered subsequently. The Pension Disbursing Authorities shall, therefore, make it clear to the pensioners/family pensioners while drawing arrears that the payments are being made subject to adjustments from amounts that may be due to them if any discrepancy is noticed later. For this purpose an undertaking shall also be obtained in writing from every pensioner/family pensioner at the time of revision of pension/family pension to the effect that excess payment that may be found to have been made as a result of incorrect consolidation of pension/family pension the said amount will be refunded by him to the Government either by adjustment against future payment or otherwise. A specimen form of undertaking is enclosed as Annexure -I.

(2) The fixation of pension/family pension and adjustment of arrears shall also be subject to rectification and adjustments in certain cases where a particular pension or provisional pension had been granted to a pensioner/family pensioner at the strength of some interim orders of the court of law, after the final disposal of the case suitable appropriate decision may be taken by the Government keeping in view the observation /instructions of the Court of law. The Pension Disbursing Authority shall, therefore, also make it clear to all such pensioners/family pensioners while disbursing the arrears of pension/family pension that payments are being made subject to appropriate decision taken by the Government on such final decision of the Court of law. A specimen form of undertaking is enclosed as Annexure-II.

Overriding effect.

13. The provisions of Haryana Civil Services Rules or Punjab Financial Rules or any other rules or instructions made or issued in this regard shall not save as otherwise provided in these rules or any other subsequent instructions issued in continuation to these rules, apply to cases where pension/family pension is regulated under these rules to the extent they are inconsistent with the provisions of these rules.

Interpretation.

14. If any question arises relating to the interpretation of any of the provisions of these rules, it shall be referred to the Government for decision.

Residuary provisions.

15. In the event of any general or special circumstances which are not covered under these rules or about which certain inconsistency are noticed, the matter shall be referred to the Government and the Government shall prescribe the conditions to be followed under such circumstances. Such conditions as prescribed by the Government under this rule shall be deemed to be part of these rules. Further, if the Government is satisfied that there is a requirement to prescribe certain additional conditions, the Government may prescribe such conditions and such additional conditions as prescribed by the Government shall be deemed to be the part of these rules.

Power to relax.

16. Where the Government is satisfied that the operation of all or any of the provisions of these rules causes undue hardship in any particular case, it may, by order, dispense with or relax the requirements of these rules to such extent and subject to such conditions, as it may consider necessary for dealing with the case in a just and equitable manner.

Display.

17. The Pension Disbursing Authorities/Treasury Officers/Assistant Treasury Officers are directed to promptly display these rules on their notice board for the benefit of pensioners/family pensioners.

ANNEXURE I
[See rule 12 (1)]
UNDERTAKING

I hereby undertake that in case excess payment is found to have been made as a result of incorrect fixation of pension/family pension or any excess payment detected in the light of discrepancies noticed subsequently shall be refunded by me to the Government either by adjustment against future payments due to me or otherwise.

Date:

Place:

Signature _____

Name _____

Address _____

ANNEXURE II
[See rule 12 (2)]
UNDERTAKING

I hereby undertake that as a result of any rectification or adjustment in the pension granted to me on the basis of any interim order by any Court of law, any excess amount which is found to have been made as a result of relevant appropriate decision taken by the Government on the final decision of the Court of law, shall be refunded by me to the Government either by adjustment against future payments due to me or otherwise. I further undertake to abide by such relevant appropriate decision of the Government taken on the final decision of such Court of law as the case may be.

Date:

Place:

Signature _____

Name _____

Address _____

P. RAGHAVENDRA RAO,
Additional Chief Secretary to Government Haryana,
Finance Department.

HARYANA GOVERNMENT
FINANCE DEPARTMENT

Notification

The 3rd March, 2017

No. 2/23/2016-1Pension.— In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following rules, namely:—

1. (1) These rules may be called the Haryana Civil Services (Revised Pension) Part-II Rules, 2017. Short title and commencement.
- (2) They shall apply to all the employees who retire/die in harness on or after the 1st January, 2016 and who become eligible for pension/family pension under the Haryana Civil Services (Pension) Rules, 2016 and as applicable to the pensioners/family pensioners and whose pension/family pension is debitable to the Consolidated Fund of the State of Haryana.
2. These rules shall not apply to— Non-applicability of these rules.
 - (i) any category of employees whose services are not governed by the provisions of the Haryana Civil Services (Pension) Rules, 2016 or any other provisions of service rules which are applicable in the case of pensioners; and
 - (ii) the officers of Judicial Services whose revised pay structure is yet to be finalized.
3. The revised provision as per these rules shall apply to Government employees who retire/die in harness on or after the 1st January, 2016 (separate rules are being issued in respect of retirees who retired/died before 1st January, 2016): Date of effect.

Provided that where pension/family pension or death-cum-retirement gratuity/commutation of pension has already been sanctioned in cases occurring on or after the 1st January, 2016, the same be revised in terms of these rules:

Provided further that in cases where pension has been finally sanctioned on pre revised emoluments and if the same happens to be more beneficial than the entitled pension under these rules, the pension already sanctioned shall not be revised to the disadvantage of the pensioner in view of proviso to rule 78 of the Haryana Civil Services (Pension) Rules, 2016.
4. The term "emoluments" for the purposes of calculating various pensionary benefits other than death-cum-retirement gratuity shall mean pay as defined in clause (b) of sub-rule (7) of rule 8 of the Haryana Civil Services (Pension) Rules, 2016. Emoluments for Pension/Family Pension.
5. Basic Pay in the revised pay structure means the pay drawn in the prescribed Level in the Pay Matrix with effect from the 1st January, 2016 but does not include any other type of pay like special pay etc. Basic Pay.
6. In the case of all kinds of gratuity, dearness allowance admissible on the date of retirement/death shall continue to be treated as emoluments along with the emolument as defined in terms of rule 4 of these rules. Emoluments for Death-cum-Retirement Gratuity.
7. A Government servant retiring in accordance with the Haryana Civil Services (Pension) Rules, 2016 before completing qualifying service of ten years shall not be entitled to pension but he shall continue to be entitled to service gratuity in terms of rules 32 and 35 of the Haryana Civil Services (Pension) Rules, 2016. Pension.
8. (1) A Government servant, who retires after rendering the minimum qualifying service of 20 years, shall become entitled to full pension under the provisions of rule 34 of the Haryana Civil Services (Pension) Rules, 2016. Provision for calculation of pension.

(2) In all such cases where Government servant becomes entitled to pension on superannuation after completion of 10 years of qualifying service in accordance with rule 34 of the Haryana Civil Services (Pension) Rules 2016, pension shall be calculated on proportion basis to the amount of full pension admissible to him.
9. (1) The amount of pension shall be subject to a minimum of ₹9000/- and the maximum ₹ 1,12,050/- i.e. 50% (fifty percent) of highest pay of ₹ 2,24,100/- in the Government of Haryana with effect from 1st January, 2016. Minimum and maximum ceiling of pension.

(2) The provisions of sub-rule (1) shall not apply in those cases where the length of service of an employee at the time of his retirement is less than 20 years. The pension of these Government employees shall be calculated proportionately as per provisions specified in the Haryana Civil Services (Pension) Rules, 2016 keeping in view his length of service.

Additional Pension/Family Pension.

10. (1) The quantum of additional pension/family pension available to the old pensioners/family pensioners shall continue to be as specified in the table given below:—

Table

Serial Number	Age of pensioner/family pensioner	Additional quantum of pension/family pension
1	2	3
1.	From 80 years to less than 85 years	20% of revised basic pension/family pension
2.	From 85 years to less than 90 years	30% of revised basic pension/family pension
3.	From 90 years to less than 95 years	40% of revised basic pension/family pension
4.	From 95 years to less than 100 years	50% of revised basic pension/family pension
5.	From 100 years or more	100% of revised basic pension/family pension

(2) The Principal Accountant General (Accounts and Entitlement) Haryana shall ensure that the date of birth and the age of the pensioners/ family pensioners is invariably indicated in the PEN-I and the Pension Payment Order to facilitate payment of additional pension/family pension by the Pension Disbursing Authority as soon as it becomes due. The amount of additional pension/family pension shall be shown distinctly in the Pension Payment Order.

Illustration, In case where a pensioner is more than 80 years of age and his pension is ₹10,000 PM, the pension shall be shown as (i) Basic Pension= ₹10,000 and (ii) Additional Pension= ₹2,000 per month. The pension on his attaining the age of 85 will be shown as (i) Basic Pension= ₹10,000 and (ii) Additional Pension= ₹3,000 per month.

(3) The Additional quantum of pension/family pension on attaining the age of 80 years and above shall be admissible from the first day of the month in which his date of birth falls. For example, if a pensioner/family pensioner completes the age of 80 years in the month of July, 2016, he shall be entitled to additional pension/family pension with effect from the 1st July, 2016. Those pensioners/family pensioners whose date of birth is 5th July, shall also be entitled to additional pension/family pension with effect from 1st July, 2016 on attaining the age of 80 years and above.

(4) Dearness relief shall also be admissible on the additional quantum of pension/family pension available in accordance with the orders issued from time to time.

Death-cum-Retirement Gratuity.

11. The maximum limit of death-cum-retirement gratuity shall be ₹20.00 Lakh (twenty lakh). The ceiling on gratuity shall increase by 25% (twenty five percent) whenever the dearness allowance rises by 50% (fifty percent) of the basic pay.

Family Pension Scheme, 1964.

12. (1) Family pension shall be calculated at a uniform rate of 30% (thirty percent) of basic pay in the revised pay structure and shall be subject to a minimum of ₹9,000/- per month and maximum of ₹67,230/- i.e., 30% of the highest pay of ₹2,24,100/- in the Government of Haryana with effect from the 1st January, 2016.

(2) The amount of enhanced family pension shall be 50% (fifty percent) of basic pay in the revised pay structure and shall be subject to a minimum of ₹9,000/- per month and maximum of 50% of the highest pay in the Government of Haryana.

(3) There shall be no other change in the provisions regulating family pension, enhanced family pension and additional family pension to old family pensioners.

Entitlement of family pension.

13. For the purpose of these rules, "family pension" means, the family pension as defined in sub-clause (b) of clause (10) of rule 8 of the Haryana Civil Service (Pension) Rules, 2016.

14. There shall be no change in the provisions relating to commutation values, the limit upto which the pension may be commuted or the period after which the commuted pension is to be restored. Commutation of Pension.
15. The consolidated pension/family pension as worked out in accordance with the provisions of these rules shall be treated as "Basic Pension" or "Basic Family Pension", as the case may be, with effect from 1st January, 2016. The revised pension/family pension arrived includes dearness relief from the 1st January, 2016 and shall qualify for grant of dearness relief sanctioned thereafter. Admissibility of dearness relief.
16. The Pension Disbursing Authorities shall calculate the arrears of revised pension/family pension payable and make necessary payment of arrears to the pensioners/family pensioners preferably within 3 months from the date of notification of these rules. Payment of arrears of pension/family pension to those employees who retired/died after 1st January, 2016.
17. (1) It is not unlikely that the arrears due in some cases may be calculated incorrectly leading to over payment that might have to be recovered subsequently even after this exercise. The Pension Disbursing Authorities shall, therefore, make it clear to the pensioners/family pensioners while drawing arrears of pension that the payments are being made subject to adjustments from amounts that may be due to them, if any, discrepancy is noticed later. For this purpose an undertaking shall be obtained in writing from every pensioner/family pensioner at the time of revision of pension/family pension to the effect that excess payment that may be found to have been made as a result of incorrect consolidation of pension/calculation of arrears shall be refunded by him to the Government either by adjustment against future payment or otherwise. A specimen form of undertaking is enclosed as Annexure-I. Undertaking for recovery of over payment of pension/family pension and gratuity.
- (2) The fixation of pension/family pension and adjustment of arrears shall also be subject to rectification and adjustments in certain cases where a particular pre-revised scale or provisional pension has been granted to a Government servant/pensioner at the strength of some interim orders of the court of law, after the final disposal of the case suitable appropriate decision may be taken by the Government keeping in view the observation/instructions of the Court of law. The Pension Disbursing Authorities should, therefore, also make it clear to all such concerned employees/pensioners while disbursing the arrears/pension that payments are being made subject to appropriate decision taken by the Government on such final decision of the Court of law. A specimen form of undertaking is also enclosed as Annexure - II.
18. The provisions of Haryana Civil Service Rules or Punjab Financial Rules or any other rules or instructions made or issued in this regard shall not, save as otherwise provided in these rules or any other subsequent instructions issued in continuation to these rules, apply to cases where pension/family pension and death-cum-retirement gratuity is regulated under these rules to the extent they are inconsistent with the provisions of these rules. The provisions of CSR Vol. II and other rules which are not specifically modified by these rules will remain unchanged. Overriding effect.
19. If any question arises relating to the interpretation of the provisions of these rules, it shall be referred to the Government of Haryana in Finance Department for decision. Interpretation.
20. In the event of any general or special circumstance which is not covered under these rules or about which certain inconsistencies are noticed, the matter shall be referred to the Government and the Government shall prescribe the conditions to be followed under such circumstances. Such conditions as prescribed by the Government under this rule shall be deemed to be part of these rules. Further, if the Government is satisfied that there is a requirement to prescribe certain additional conditions, the Government may prescribe such conditions and such additional conditions as prescribed by the Government under this rule, shall be deemed to be the part of these rules. Residuary provisions.
21. Where the Government is satisfied that the operation of all or any of the provisions of these rules causes undue hardship in any particular case, it may, by order, dispense with or relax the requirements of these rules to such extent and subject to such conditions, as it may consider necessary for dealing with the case in a just and equitable manner. Power to relax.
22. The Pension Disbursing Authorities/Treasury Officers/Assistant Treasury Officers shall promptly display these rules on their notice board for the benefit of pensioners/family pensioners. Display.