

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PENSION–A.P. Revised Pension Rules, 1980–Orders issued in G.O. Ms No. 87, Finance & Planning (FW-Pen. I) Department, dated 25.05.1998 for calculation of pension based on the pay last drawn–Extension of the benefit to all employees retired prior to 25-05-1998 and surviving on that date–Orders of Hon'ble A.P.A.T. dated 03.01.2002 in O.A. No. 50303 of 1999 and 329 of 2000 - Implementation–Orders–Issued.

FINANCE (HRM-VI) DEPARTMENT

G.O.Ms.No.223

Dated 15th December, 2014.

Read the following:

1. G.O. Ms. No. 87, Finance & Planning (FW-Pen. I) Dept., dated 25.05.1998.
2. APAT Judgment dated 03.01.2002 in O.A. No. 50303 of 1999 and 329 of 2000.
3. A.P. High Court Judgment dated 23.12.2003 in W.P. No. 16719 of 2003 and 18490 of 2003.
4. Supreme Court of India Judgment dated 30.04.2014 in Civil Appeal No. (s) 367 – 5368 of 2005.
5. From the Director of Treasuries and Accounts, A.P., Hyderabad Letter No. D3/5594/2014, dated 04.07.2014.

oOo

ORDER:

Prior to the issue of orders first read above, pension of a retiring Government Servant was determined on the basis of average emoluments drawn by him under Rule 45(2)(b) of A.P. Revised Pension Rules, 1980. As per Rule 32 of the A.P. Revised Pension Rules 'Average Emoluments are determined with reference to the emoluments drawn by a Government Servant during the last 10 months of his service.

2. In the G.O. first read above, orders were issued dispensing with procedure of calculating the pension based on the average emoluments drawn during the last 10 months of service with a view to liberalise the procedure for computation of Pension. In the Government Order first read above, last pay drawn was ordered to be treated as the emolument for calculation of pension under Rule 45(2)(b). These orders were given effect from the date of issue i.e., 25-05-1998.

3. However, certain employees who retired prior to 25.05.1998 the approach the Andhra Pradesh Administrative Tribunal(APAT) with a prayer for extending the benefit of the said G.O. to the employees retired before 25.05.1998. The APAT in its judgment 2nd read above directed that employees retired prior to 25.05.1998 and living on the date of issue of G.O. 1st cited are entitled for arrears from 25.05.1998.

(P.T.O)

4. Aggrieved by the orders of Hon'ble A.P.A.T, Government filed Writ Petition Nos. 16719 of 2003 and 18490 of 2003 in the A.P. High Court and Hon'ble High Court in its Judgment dated 23.12.2003 upheld the orders of the APAT and also directed the Government to pay the arrears within three months from the date of Judgment.

5. The judgment of APAT was upheld by the Hon'ble High Court in WP Nos. 16719 of 2003 and 18490 of 2003 and the Civil Appeals No. 5367-5368 of 2005 filed by the Government of Andhra Pradesh against the orders of the AP High Court and the APAT were dismissed by the Supreme Court of India.

6. After careful examination and due consideration of the orders of Hon'ble A.P.A.T., Hon'ble High Court and the Hon'ble Supreme Court, Government hereby extend the benefit of orders issued in the G.O 1st read above to the Government servants retired prior to 25.05.1998 and living on the date of issue of G.O 1st read above.

7. Accordingly Government hereby order that the pension of those retired employees to whom the concession is being extended in para 6 above, shall be revised and re-fixed duly considering the pay last drawn by them as emoluments for calculation of pension under Rule 45(2)(b) of the AP Revised Pension Rules, 1980. Necessary amendments to the AP Revised Pension Rules, 1980 will be issued separately.

8. In order to ensure expeditious settlement of cases for the benefit of the pensioners, Government hereby issue the following instructions to be followed scrupulously, which are based on extensive discussions with the stake holders. The Authorities concerned at various levels shall be held personally responsible for any inordinate delay in processing the cases or any undue inconvenience created to the pensioners, some of whom may be advanced in age and ailing.

- i) All eligible Pensioners shall apply in the Annexure-I of this order to their pension sanctioning authorities duly enclosing the relevant documents.
- ii) The pension sanctioning authority has to calculate the revised pension as per the last pay drawn and the net qualifying service as per Rule 45(2)(b) and send proposal to the Accountant General(A&E) / District Audit Officer, State Audit Department as the case may be, for authorizing the revised pension. The sanctioning authority shall within **15 days**, after scrutiny of the relevant particulars forward the application along with sanction orders in Annexure-II through a covering letter printed on **Ledger Green color paper** (to draw immediate attention) to the Accountant General/Director of State Audit as the case may be.
- iii) While the proposals are under examination in his office, the pension sanctioning authority shall feed information in advance by logging on to the website of the Director of Treasuries and Accounts, A.P, which will provide concurrent access to the Accountant General/District Audit Officer in order that the Accountant General/District Audit Officer will take preparatory steps in advance to locate the relevant old records and process the case soon after it is received by them.

(P.T.O)

- iv) The Accountant General, A.P., Hyderabad/Director of State Audit, A.P., Hyderabad, after scrutiny of the revised pension proposals shall authorize the revised pension as per the record available with them, to the concerned District Treasury Officers concerned.
- v) A separate box will be kept in the Accountant General's Office with duplicate keys held by the Director of Treasuries and Accounts, A.P and the Accountant General's Office so that the cases will be collected daily by the Director of Treasuries and Accounts, A.P.
- vi) Advance online intimation will be given by the Accountant General and the Treasuries will take preparatory action for taking action for drawl and disbursement soon after the papers are received from the Accountant General's office.
- vii) The arrears on revision of pension will be paid by the Sub Treasury Officers within 7 days from the date of receipt of revised authorization.

9. Service pensioners who retired prior to 25.05.1998 and whose pension is fixed based **on average** emoluments are covered under the Judgment and **service pensioner living as on 25.05.1998 are only eligible** for payment of arrears w.e.f. 25.05.1998.

10. Service pensioners who retired prior to 25.05.1998 and expired on or before that date are not eligible for payment of arrears as per the judgment.

11. In respect of Surviving Pensioners as on 25.05.1998 and died after 25.05.1998 arrears have to be paid as per rules in force to the legal heirs of the deceased pensioner.

12. The pensioners covered under the judgment are not entitled to any arrears relating to gratuity and commutation of pension as per para 15 of the Judgment of Hon'ble APAT.

13. The subsequent revised consolidation of pension based on the revised pension may be done without further delay.

14. The arrears arising out of revision of pension due to the orders issued in para 7 above shall be paid in three equal installments as detailed below:

- First Instalment** : **1/3rd of the arrears amount in the first quarter of the financial year 2015-16**
- Second Instalment** : **1/3rd of the arrears amount in the third quarter of the financial year 2015-16**
- Third Instalment** : **1/3rd of the arrears amount in the third quarter of the financial year 2016-17**

(P.T.O)

15. The expenditure shall be debited to the regular Head of Account where the pensioners are drawing their pension now.
16. All the pension sanctioning authorities shall accord top priority to this item of work and ensure disposal of the proposal in period not exceeding 15 days from the date of receipt of application.
17. All the Heads of Departments shall monitor the settlement of the claims of the pensioners and ensure expeditious settlement of the claims.
18. The Director of Treasuries and Accounts, Hyderabad is directed to take action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. P.V. RAMESH
PRINCIPAL SECRETARY TO GOVERNMENT(R&E)

The Principal Accountant General, A.P., Hyderabad. (with a covering letter)
The Accountant General, (A&E), A.P., Hyderabad.
The Accountant General, (Audit. I), A.P., Hyderabad.
The Accountant General, (Audit. II), A.P., Hyderabad.
The Registrar General, High Court of Telangana and Andhra Pradesh
at Hyderabad. (with a covering letter)
The Registrar, Andhra Pradesh Administrative Tribunal, Hyderabad.
(with a covering letter)
The Registrar, Lokayukta and Upa Lokayukta, A.P., Hyderabad(with a covering letter)
The Secretary, Andhra Pradesh Public Service Commission. (with a covering letter)
All Departments of Secretariat.
All the Heads of Departments.
All Collectors
All the District Judges
All the District Treasury Officers.
All the Chief Executive Officers of Zilla Praja Parishads in Andhra Pradesh
All the District Panchayat Officers.
All the District Educational officers.
The Resident Commissioner, Andhra Pradesh Bhavan, Ashoka Road,
New Delhi – 110 001.
All the Commissioners of Municipal Corporations.
All the Commissioners/Special Officers of Municipalities
through the Commissioner and Director of Municipal Administration.
The Registrar of all the Universities in Andhra Pradesh.
All the Secretaries, Agricultural Market Committees
through Commissioner and Director of Agriculture Marketing, A.P., Hyderabad.
All Pensioners Associations.
Copy to:
The Special Chief Secretary to Governor, Raj Bhavan, Hyderabad.
(through a covering letter)
The Prl. Secretary to Chief Minister, A.P., Hyderabad.
The Prl. Secretary to Government, Finance Department, Telangana State.

The Director of Treasuries and Accounts, A.P., Hyderabad.
The Director of State Audit, A.P., Hyderabad.
The Director of Works Accounts, A.P., Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Chairman-Central Adhoc Committee, State Government Pensioners Association,
101, Padmavathi Residency, Saleem Nagar, Hyderabad-500 036.
The President, Andhra Pradesh Pensioners 'Samaj, 12-2-709/27, Navodaya Colony,
Mehdipatnam, Hyderabad-500 028.
The Chairman, State Government Pensioners Association, Pension Home,
Taluk Office Compound, Guntur-522 002.
SF/SCs.

//forwarded: :by order//

SECTION OFFICER

ANNEXURE – I

Form of Application for Revision of Service Pension as per Supreme Court Judgment dt 30.04.2014 and G.O. Ms No 222 Finance (HRM.VI) Department Dated 15.12.2014

Part-I:-Information to be furnished by the Government Servant/Applicant:

To

- 1) Name of the Govt. Servant :
- 2) Post Held as on the date of Retirement :
- 3) Office from which the Government Servant retired :
- 4) Name of the Applicant (in case of death of the Service Pensioner) :
- 5) Pension payment Order (PPO) No :
- 6) AG/DSA Pension File Reference No :
- 7) Name of the Sub-Treasury Office/Pension Payment office in twin cities with District From where present Pension is being drawn:
- 8) Name of the Bank Branch & Account Number :
- 9) Date of Birth of the Government Servant :
- 10) Date of appointment :
- 11) Date of Retirement and date of death (in case of death of Service Pension) :
- 12) Last drawn Basic Pay :
- 13) Details of Revised Pay Scales (RPS) under which the Pension was sanctioned :
- 14) Present Address with mobile No :
- 15) Permanent Address with mobile No :

Signature of the Retired
Government
Servant/Applicant

Note: A copy of the PPO/PPO slip downloaded from pension website shall be enclosed

ANNEXURE – II

PART-II

(Information to be furnished by the Pension Sanctioning Authority with Sanction Order)

- 1) Name of the Government Servant :
 - 2) Father / Husband Name :
 - 3) Designation :
 - 4) Office Where he/she retired :
 - 5) Date of Birth :
 - 6) Date of entry into service :
 - 7) AG/DSA Pension File Reference No :
 - 8) Date of Retirement :
 - 9) Date of Death of Service Pensioner
(in case of death) :
 - 10) Last Basic Pay drawn :
 - 11) Total qualifying Service :
 - 12) PPO No (latest) :
 - 13) Sanction of :
-
- (i) Revised Service Pension : Rs
w.e.f.....
- (ii) Revised Enhanced Family Pension: Rs
w.e.f.....(if applicable)
- (iii) Revised Normal Family Pension : Rs
w.e.f.....(if applicable)

Signature and Designation of
Pension Sanctioning Authority