

कार्यालय महालेखाकार (ले.व.ह.), जम्मू व कश्मीर

FAQ on Pension/Family Pension of Govt Employees of J&K State

Q. 1 When shall I retire?

Ans Retirement of an employee is effective from the afternoon of the last day of the month in which age of Superannuation is attained. However, an employee whose date of birth is the first of the month shall retire on afternoon of the last day of the preceding month.

If date of birth is not known but year of birth is known, 1st July of that year shall be taken as date of birth and date of retirement determined accordingly.

If date of birth is recorded in Bikrami Era it may be converted to Christian Era by deducting 56 years 8 months and 18 days from the Bikrami Era. For example, dates of birth of 24.9.2004(bk), 18.08.2005 (bk) and 02.06.2006 (bk) shall get converted to 06.01.1948 (AD), 30.11.1948 (AD) and 14.09.1949(AD) respectively.

Some sample examples are as under:-

<i>Date of birth</i>	<i>Date of retirement</i>
10.04.1947	30.04.2005
01.08.1948	31.07.2006
01.01.1949	31.12.2006
02.05.1950	31.05.2008
31.12.1951	31.12.2009
Year-1949(to be taken as 1.7.1949)	30.06.2007
May,1949(to be taken as 16.5.1949)	31.05.2007

Q 2. What if a Government servant is not retired on due date of superannuation?

Ans Retirement of a Government servant is automatic on attaining the age of compulsory retirement and in absence of specific orders to the contrary by the competent authority as Government servant must retire on due date. The

	<p>cases of overstayal beyond the date of superannuation involving collusive or contrived motives on the part of the Head of Office or any other higher officer should be identified and suitable action (including recovery of excess payments made as a result of such irregularities) taken against such officers to arrest such irregularities. The cases of willful tampering in the dates of birth involving moral turpitude on the part of the concerned Government servant should be identified and referred to Director General of Police for getting these investigated by a Special Cell and severe disciplinary action taken against defaulter to prove as a deterrent.</p>
Q 3.	What if a Government servant does not retire on the elected date of Voluntary retirement?
Ans	<p>The cases of overstayal in service beyond the intended/elected date of voluntary retirement (except those covered under the provisions of Note-2 below Art.230 of J&K CSRs) involving collusive or contrive motives on the part of the Head of Office or any other higher officer should be identified and suitable action (including recovery of excess payments made as a result of such overstayal) taken against such officers to arrest such irregularities.</p>
Q 4.	What benefits shall I be entitled to on my retirement?
Ans	<p>The following benefits become payable to a retiring Government servant:</p> <ul style="list-style-type: none"> ➤ Service Gratuity/Pension, if he has rendered requisite qualifying service. ➤ Retirement Gratuity, if he has rendered requisite qualifying service. ➤ Terminal Gratuity, if retired. ➤ Final payment of General Provident Fund accumulations. ➤ Leave encashment, if any due. ➤ State Life Insurance.
Q 5.	What is the procedure for preparation of pension papers?
Ans	<p>The Government's intention is that the payment of superannuation pension should in all cases commence on the first of month in which it is due. For this purpose, Heads of Office and others responsible for or connected with pension cases will be required to observe the following time schedule for the various processes leading to the authorization and payment of pension and gratuity.</p>

The Heads of office or other authority responsible for preparing the pension papers will initiate the pension case two years before the date of retirement of the Government servant. At this stage the work will be essentially that of assembling the information necessary for working out the qualifying service (or at a later date the calculation for average emoluments). As most delays in pension cases arise from gaps, deficiencies and imperfections in the service book/records, every effort should be made at this stage to remove these. This process should be completed in good time and at any rate not later than eight months in advance of the date of retirement of the Government servant.

On reaching that stage i.e. eight months before the retirement date the actual work of preparation of pension cases viz. the reckoning of qualifying service and the calculation of average emoluments etc should be taken up.

The process of determining the qualifying service and the average emoluments and the admissible pension and gratuity should positively be completed within a period of two months and the pension papers should be sent to the office of the Accountant General not later than six months before the date of retirement. The office of the Accountant General will after the necessary scrutiny of the papers, issue the Pension Payment Order including Retirement Gratuity.

In order to ensure that the payment of pension in all cases commences on the first of the month in which it is due it has been decided that the progress of the pension cases should be watched by the Heads of offices and the Heads of the Departments by means of monthly and quarterly statements so that the various cut off dates laid above are strictly followed.

Q 6

How and when to submit the pension papers? What documents need to be furnished?

Ans

The retiring Government servant is required to submit his particulars in Form-5 eight months before the date of superannuation along with the below mentioned information/documents:-
The following details of long term advances such as, House Building, Motor car, Scooter/Motor Cycle etc. , if any drawn, are required to be furnished:-

- Nature and amount of advance(s).
- Reference to the Order Number and date of the sanctioning authority.
- Treasury Voucher number, date of drawl and name of treasury.
- Account number, if any, allotted by the Accountant General's office.

	<ul style="list-style-type: none"> • Amount of advance(s), if any, refunded- both Principal and Interest. • Outstanding amount that would remain un-liquidated on the date of superannuation. <ol style="list-style-type: none"> 1. In case no such advance(s) has/have been drawn “No demand Certificate(s)” may be furnished from the sanctioning authority/authorities. 2. Form-5 along with:- <ul style="list-style-type: none"> • Three passport size joint photographs with husband/wife. Where it is not possible for a Government servant to submit a photograph with his wife/her husband he/she may submit separate photographs. The photographs shall be attested by the Head of Office. • Descriptive roll in triplicate each indicating <ol style="list-style-type: none"> (a) height and (b) marks of identification. • Three slips each bearing at least three specimen signature of the retiree. • Declaration in Form-A in terms of Art.291(i) of J&K CSRs Volume-I
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Q 7	How is Pension calculated? What is the minimum and maximum limit of pension?
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	(a) Service Gratuity for qualifying service of less than 20 completed six monthly period of service	½ month’s emoluments for every completed six monthly periods of service.
	(b) Pension for twenty completed six monthly periods of qualifying service or more	50% of average emoluments in all cases. The amount of pension so arrived at will be related to the maximum qualifying service of 28 years. For Government servants who at the time of retirement have rendered qualifying service of ten years or more but less than 28 years, the amount of pension will be such proportion of the maximum admissible pension as the qualifying service rendered by them bears to the maximum qualifying service of 28 years.
The minimum and maximum limits of Basic Pension are as under:		
<i>Period</i>	<i>Minimum</i>	<i>Maximum</i>

01.04.1987 to 31.03.1992	Rs 325/- PM	Rs 2850/- PM
01.04.1992 to 31.12.1995	Rs 375/- PM	Rs 3750/- PM
01.01.1996 to 31.03.2004	Rs 1275/- PM	Rs 12500/- PM
01.04.2004 to 31.12.2005	Rs 1913/-PM	Rs 18750/-PM
01.01.2006 on wards	Rs 3500/- PM	Rs 40000/- PM

Art. 240-A(iv)

Q 8

How is Retirement/Death Gratuity calculated?

Ans

(a) A Government servant who has completed five years of qualifying service may, on his retirement on or after 1.4.1987 be granted retirement gratuity equal to 1/4th of his emoluments for each completed six monthly period of qualifying service subject to a maximum of 16 ½ times the emoluments.

(b) In the event of death in harness on or after 1.4.1987 death gratuity shall be admissible at the following rates:-

<i>S.No.</i>	<i>Length of qualifying service</i>	<i>Rate of Gratuity</i>
(i)	Less than one year of qualifying service	Two times of emoluments
(ii)	One year or more but less than five years	Six times of emoluments
(iii)	Five year or more but less than twenty years	Twelve times of emoluments
(iv)	Twenty years or more	½ of emoluments for every completed six monthly period of qualifying service, subject to a maximum of 33 times emoluments.

Art.240-BB

The maximum limits of Retirement/Death Gratuity are as under:

<i>Period</i>	<i>Maximum Retirement/Death Gratuity</i>
01.04.1987 to 31.03.1995	Rs 80,000
01.04.1995 to 31.12.1995	Rs 1,00,000
01.01.1996 to 31.12.2005	Rs 3,50,000
01.01.2006 onwards	Rs 10,00,000

Art 240-BB

Q 9 How much pension can I commute? When will it get restored?

- Ans**
- **The Government servants who have retired and may retire from J&K State Government service on or after 1.1.1996 can commute a portion not exceeding 40% (forty percent) of their monthly pension.**
 - **The commuted portion of pension shall get restored after fifteen years from the date of commutation.**
 - **The date of commutation shall be the date of drawal of commuted value of pension OR three months after the date of issue of payment authority whichever be earlier.**

Q 10 What is the procedure for transfer of pension from one Treasury to another (within the State)?

Ans

The Accountant General may, on application and on sufficient cause being shown, permit the transfer of a pension from one Government Treasury to another. Such application should be made by the pensioner to the Accountant General through the Treasury Officer concerned. Both halves of the Pension Payment Order (PPO) should be forwarded by the Treasury Officer to the Accountant General, in order that the PPO may be amended or a fresh PPO

	be issued, if necessary, by the Accountant and the one submitted cancelled
Q 11	What to do when pensioner's portion of PPO is lost?
Ans	When the pensioner's half of the PPO is stated to have been lost, the Treasury Officer will renew the PPO on a renewed fee of One Rupee in each case which should be paid into the Treasury and the Treasury receipt should be attached to the application for renewal.[Art.298]
Q 12	Can I draw Dearness Allowance on my service pension as well family pension which I am drawing after the death of my wife?
Ans	No, Dearness Allowance can be drawn either on Service Pension or Family Pension whichever is more beneficial.
Q 13	Can I draw Dearness Allowance both on my Army pension and civil pension?
Ans	Yes, with effect from 01.06.2015 Dearness Allowance can be drawn on both Pensions Civil Pension as well as Defence Pension.
Q 14	Can I draw Two Family Pensions on account of my husband Defence service (Central Government) and other from the State Government for any Pensionable Service?
Ans	Yes, with effect from 01.06.2015 the widow of such pensioner is allowed two Family Pensions subject to fulfillment of other prescribed conditions. (SRO 180 of 2015 dated 17/06/2015)
Q 15	What is the procedure for drawing pension through a Bank?
Ans	Pensioners of J&K State can draw their Pension/family pension only from a paying Branch of Jammu & Kashmir Bank Ltd. It can not be drawn from any other bank except the J&K Bank. For this purpose you need to open a Saving Account in any paying Branch of Jammu & Kashmir Bank Ltd. in your name. This Account should not be a joint account. Thereafter, you may apply to the concerned Treasury Officer in the prescribed format for

	drawing pension through the bank.																		
Q 16	Who will be eligible to family pension in the event of death of a Government servant while in service or after retirement?																		
Ans	Eligibility for Family Pension, in the event of death of a Government Servant while in Service or after retirement may be decided in terms of Rule 11 of Schedule XV of J&K CSR Vol-II and Government Instruction there under.																		
Q 17	What is the period of tenability for family in case of various beneficiaries?																		
Ans	<p>Period of tenability for Family Pension in case of various beneficiaries will be decided as under:</p> <table border="1"> <thead> <tr> <th><i>In case the Family Pensioner is</i></th> <th><i>Tenable till</i></th> </tr> </thead> <tbody> <tr> <td>Spouse</td> <td>Death or remarriage whichever is earlier</td> </tr> <tr> <td>Son</td> <td>Attaining the age of 25 years or employment or death whichever is earlier</td> </tr> <tr> <td>Unmarried daughter</td> <td>Attaining the age of 25 years or marriage or employment or death whichever is earlier</td> </tr> <tr> <td>Widowed or divorced daughter</td> <td>Remarriage or employment or death whichever is earlier</td> </tr> <tr> <td>Unmarried sister</td> <td>Attaining the age of 25 years or marriage or employment or death whichever is earlier</td> </tr> <tr> <td>Brother</td> <td>Attaining the age of 25 years or employment or death whichever is earlier</td> </tr> <tr> <td>Father</td> <td>Death or employment whichever is earlier</td> </tr> <tr> <td>Mother</td> <td>Death or remarriage or employment whichever is earlier</td> </tr> </tbody> </table> <p>The beneficiaries (unmarried female member/ son/ brother) of a Govt servant may draw the family pension even beyond the prescribed age limit, provided it is certified by a Medical Board that the beneficiaries is permanently disabled and incapacitated for earning livelihood. In the case of female beneficiaries, it shall also be certified that the disability is permanent and prevents her from marriage.</p> <p style="text-align: right;">Rule 21, G. Ins No 1</p>	<i>In case the Family Pensioner is</i>	<i>Tenable till</i>	Spouse	Death or remarriage whichever is earlier	Son	Attaining the age of 25 years or employment or death whichever is earlier	Unmarried daughter	Attaining the age of 25 years or marriage or employment or death whichever is earlier	Widowed or divorced daughter	Remarriage or employment or death whichever is earlier	Unmarried sister	Attaining the age of 25 years or marriage or employment or death whichever is earlier	Brother	Attaining the age of 25 years or employment or death whichever is earlier	Father	Death or employment whichever is earlier	Mother	Death or remarriage or employment whichever is earlier
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Q 18	Can I draw arrears on account of Additional quantum of Pension/Family Pension authorized in terms of SRO 138 of 2016?																		

Ans	As the SRO is effective prospectively therefore no arrears can be drawn. (OM No A/14(85)-II-383 dated 28.04.2016)																														
Q 19	What are the rates of Medical Allowance for the State Pensioners?																														
Ans	<table border="1"> <thead> <tr> <th><i>S.No</i></th> <th><i>Period</i></th> <th><i>Rate per month</i></th> <th><i>Government Order No.</i></th> </tr> </thead> <tbody> <tr> <td>1</td> <td>01.04.1982 to 31.03.1988</td> <td>Rs 10</td> <td>117-F of 1982 dated 30.03.1982</td> </tr> <tr> <td>2</td> <td>01.04.1988 to 31.12.1993</td> <td>Rs 25</td> <td>94-F of 1988 dated 01.04.1988</td> </tr> <tr> <td>3</td> <td>01.01.1994 to 31.12.1994</td> <td>Rs 50</td> <td>25-F of 1994 dated 28.01.1994</td> </tr> <tr> <td>4</td> <td>01.01.1995 to 31.12.1998</td> <td>Rs 80</td> <td>45-F of 1995 dated 07.03.1995</td> </tr> <tr> <td>5</td> <td>01.01.1999 to 30.09.2006</td> <td>Rs 100</td> <td>9-F of 1999 dated 10.02.1999</td> </tr> <tr> <td>6</td> <td>01.10.2006 onwards</td> <td>Rs 300</td> <td>310-F of 2006 dated 19.10.2006</td> </tr> </tbody> </table>			<i>S.No</i>	<i>Period</i>	<i>Rate per month</i>	<i>Government Order No.</i>	1	01.04.1982 to 31.03.1988	Rs 10	117-F of 1982 dated 30.03.1982	2	01.04.1988 to 31.12.1993	Rs 25	94-F of 1988 dated 01.04.1988	3	01.01.1994 to 31.12.1994	Rs 50	25-F of 1994 dated 28.01.1994	4	01.01.1995 to 31.12.1998	Rs 80	45-F of 1995 dated 07.03.1995	5	01.01.1999 to 30.09.2006	Rs 100	9-F of 1999 dated 10.02.1999	6	01.10.2006 onwards	Rs 300	310-F of 2006 dated 19.10.2006
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