



FINANCE (Pension) DEPARTMENT

**Secretariat,
Chennai-600 009.**

Letter No.7457/Pension/2018-1, Dated :23-02-2018.

From

Thiru K.Shanmugam, I.A.S.,
Additional Chief Secretary to Government.

To

All Secretaries to Government.
All Departments of Secretariat.
All Heads of Department.

Sir/Madam,

Sub: **PENSION** – Revision of Provisional Pension sanctioned under Rule 60, 66 or 69 Tamil Nadu Pension Rules, 1978 – Clarification - Regarding.

- Ref: 1. G.O.Ms.No.235, Finance (Pay Cell) Department, dated: 01-06-2009.
2. Govt. Letter No.41473/ Pay Cell / 2009-1, Finance (Pay Cell) Department, dated: 31-07-2009.
3. G.O.Ms.No.303, Finance (Pay Cell) Department, dated: 11-10-2017.
4. G.O.Ms.No.313, Finance (Pay Cell) Department, dated: 25-10-2017.

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In the Government Order fourth cited, orders were issued based on the recommendations of the Official Committee, 2017 revising the Pension / Family Pension and Retirement benefits to the retired Government employees with notional effect from 1-1-2016 or date of entitlement to pension / family pension whichever is later with monetary benefit from 1-10-2017.

2. The sub-rule (4) of rule 9 of Tamil Nadu Pension Rules, 1978 provides that in the case of a Government servant who has retired on attaining the age of superannuation or otherwise and against whom any departmental proceedings are continued under sub-rule (2) of rule 9 of Tamil Nadu Pension Rules, 1978 or any enquiry is being conducted by the Director of Vigilance and Anti Corruption, a provisional pension as provided in rule 60, 66 or rule 69 as the case may be, shall be sanctioned.

3. The following categories of pensioners are drawing provisional pension, as provided in rules, 60, 66 or 69 of Tamil Nadu Pension Rules, 1978, i.e. the Government servant who is permitted to retire on attaining the age of superannuation or otherwise without prejudice to the disciplinary proceeding

P.T.O.

pending against him under sub-rule (2) of rule 9 of Tamil Nadu Pension Rules, 1978 based on their pre-revised pay/pension: -

- (i) Employees retired before 1-1-2016 and sanctioned provisional pension on account of departmental/judicial proceedings.
- (ii) In the case of employees suspended before 1-1-2016 and sanctioned provisional pension on retirement on or after 1-1-2016.
- (iii) In the case of employees those who are drawing provisional pension due to administrative delay in finalizing the pension proposals.

4. The provisional pension sanctioned in respect of the above cases may be revised in the normal course in accordance with the instructions contained in the Paragraphs 5 to 13 of the Government Order fourth cited. The above categories of pensioners are also eligible for dearness allowance on provisional pension, as revised from time to time. The additional pension applicable to pensioners of age 80 years and more shall not be applicable to the above class of pensioners until the conclusion of the departmental / judicial proceedings and issue of final orders thereon.

Government Servants under suspension – Not permitted to retire on his reaching the date of retirement, but retained in service until the enquiry is concluded and the final orders passed thereon.

5. Such a Government servant, on retirement, is entitled to only for subsistence allowance which is restricted to the amount of provisional pension. During the period of extension of service, the service rights which have accrued to the Government servant shall freeze at the level reached on the date of normal retirement. The subsistence allowance (which is restricted to the amount of provisional pension) should not exceed the maximum pension which would have been admissible on the basis of the qualifying service up to the date of retirement of the Government Servant. The emoluments which a Government employee drew prior to his/her suspension shall be the emoluments for the purpose of arriving provisional pension. In the above cases, the subsistence allowance (which is restricted to the amount of provisional pension) shall not be revised until the conclusion of the departmental / judicial proceedings and issue of final orders thereon. However, the employees on suspension are entitled for the Dearness Allowance in the pre-revised rates.

6. All the Departments of Secretariat / Heads of Departments concerned are requested to communicate the above clarifications to all the subordinate officers under their administrative control for strict adherence.

Yours faithfully,

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for **ADDITIONAL CHIEF SECRETARY TO GOVERNMENT.**

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