



GOVERNMENT OF SIKKIM
OFFICE OF THE DIRECTOR PENSION, GROUP INSURANCE & PROVIDENT FUND
FINANCE, REVENUE & EXPENDITURE DEPARTMENT
GANGTOK

No.40/Fin/PGIPF

Dated: 12/01/2010

Notification

In exercise of the power conferred by the provision to Article 309 of Constitution of India, the Governor of Sikkim hereby makes the following rules, namely :-

1. Short Title and Commencement

- (i) These rules may be called the Sikkim Government Services (Revised Pension) Rules, 2010.
- (ii) They shall be deemed to have come into force on the first day of January 2006.

2. Applicability

These rules shall apply to State Government Employees governed by the Sikkim Government Services (Pension) Rules, 1990.

3. Emoluments

- (i) The term 'Emoluments' for purposes of calculating various pensionary benefits other than various kinds of Gratuity shall have the same meaning as in rule 23 of the Sikkim Government Services (Pension) Rules, 1990.
- (ii) Basic pay in the revised pay structure means, the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other types of pay like special pay, etc.
- (iii) In the case of all kinds of Gratuity, DA admissible on the date of retirement/death be treated as emoluments along with the (emoluments) as defined in sub-rule (i) and (ii) above.

4. Pension

- (i)** A Government servant retiring in accordance with the provision of the State Government Services (Pension) Rules, 1990 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 rule 31 of the State Government Services (Pension) Rules, 1990.
- (ii)** Linkage of full pension with 33 years of qualifying service shall be dispensed with. Once a Government servant has rendered the minimum qualifying service of twenty years, pension shall be paid at 50% of the emolument or average emoluments received during the last 10 (Ten) months, whichever is more beneficial to the Government servant.
- (iii)** In cases where Government servant becomes entitled to pension on completion of 10 (ten) years of qualifying service in accordance with sub-rule 2 of rule 34 of the State Government Services (Pension) Rules, 1990, pension in those cases shall be paid at 50% of the emoluments or average emoluments, whichever is more beneficial to the Government servant.
- (iv)** The revised provision for calculation of pension in sub-rule (ii) and (iii) of above shall come into force with effect from the date of issue of this notification and shall be applicable to Government servants retiring on or after that date. The Government servants who have retired on or after 1.1.2006 but before the date of issue of this notification will continue to be governed by the rules/orders which were in force immediately before coming into effect of these orders.
- (v)** The amount of pension shall be subject to a minimum of Rs.3700/- (Rs. Three Thousand Seven Hundred) and maximum up to 50% of highest pay in the Government (The highest pay of the Govt. is Rs.77000/- since 1.1.2006).
- (vi)** The provisions of sub-rule (1),(2),(3),(4) and (5) of rule 34 of the Sikkim Government Service (Pension) Rules 1990 shall stand modified to the extent mentioned in sub-rule (i) to sub-rule (v) above. The other provisions contained in rule 34 shall continue to apply.

- (vii) The quantum of pension available to the old pensioners shall be increased as follows:

Age of Pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of basic pension
From 85 years to less than 90 years	30% of basic pension
From 90 years to less than 95 years	40% of basic pension
From 95 years to less than 100 years	50% of basic pension
100 years or more	100% of basic pension

The Pension Sanctioning Authorities should ensure that the date of birth and the age of a pensioner is invariably indicated in the pension payment order to facilitate payment of additional pension by the Pension Disbursing Authority as soon as it become due. The amount of additional pension will be shown distinctly in the pension payment order.

For example, in case where a pensioner is more than 80 (eighty) years of age and his pension is Rs.10,000/- pm, the pension will be shown as (i) Basic pension= Rs.10000 and (ii) Additional pension =Rs.2000/- pm. The pension on his attaining the age of 85 (eighty five) years will be shown as (i) Basic pension= Rs.10,000/- and (ii) Additional pension=Rs.3000/- pm.

5. Gratuity

The maximum limit of all kinds of gratuity shall be Rs. 10 lakh (Rupees Ten lakhs). Accordingly, first proviso under sub-rule (2) of rule 35 of Pension Rules shall stand modified to the effect that the amount of retirement gratuity or death gratuity payable under this rule shall in no case exceed Rs. 10 lakh (Rupees ten lakh).

6. Addition to Qualifying Service

In view of revised provisions for computation of pension in rule 4 above, the extant benefit of adding years of qualifying service for the purpose of computation of pension shall stand withdrawn with effect from the date of issue of this notification, sub-rule (3) of rule 26 of the State Government Services (Pension) Rules, 1990 shall stand modified to this extent.

7. Family Pension

- (i) Family pension shall be calculated at a uniform rate of 30% of basic pay in all cases and shall be subject to a minimum of Rs 3700/- (Rs. Three Thousand Seven Hundred) pm and maximum of 30% of the highest pay in the Government. Sub-rule (2) and (3) of rule 30 of the Sikkim Government Services (Pension) Rules, 1990, shall stand modified to this extent.
- (ii) The enhanced family pension under sub-rule (4) of rule 40 of the Sikkim Government Services (Pension) Rules, 1990, shall be payable to the family of a Government servant who dies in service from the date of death of the Government servant for a period of ten years, without any upper age limit. Sub-clause (i) of clause (a) of sub-rule (4) of rule 40 of Sikkim Government Services (Pension) Rules, 1990 stand modified to this extent. There will be no change in the period for payment of enhanced family pension to the family in the case of death of a pensioner.
- (iii) The quantum of family pension available to the old family pensioners shall be increased as follows, namely:-

Age of Family Pensioner	Additional quantum of Family pension
From 80 years to less than 85 years	20% of basic Family pension
From 85 years to less than 90 years	30% of basic Family pension
From 90 years to less than 95 years	40% of basic Family pension
From 95 years to less than 100 years	50% of basic Family pension
100 years or more	100% of basic Family pension

The Pension Sanctioning Authorities should ensure that the date of birth and the age of a family pensioner are invariably indicated in the Form 3 (regarding details of family) and the pension payment order to facilitate payment of additional family pension by the pension disbursing authority as soon as it becomes due. The amount of additional family pension will be shown distinctly in the pension payment order. For example, in case where a family pensioner is more than 80 years of age and his/her family pension is Rs 10,000 pm the pension will be shown as (i) Basic Family pension=Rs.10,000 and (ii) Additional Family pension=Rs. 2000 p.m. The family pension on his/her attaining the age of 85 years will be shown as (i) Basic Family pension='Rs.10,000 and (ii) Additional Family pension=Rs. 3000 p.m.

- (iv) For the purpose grant of Family Pension, the 'Family' shall be categorized as under:-

Category I

- (a) Widow or widower up to the date of death or re-marriage, whichever is earlier.
- (b) Son/daughter (including widowed daughter) up to the date of his/her marriage/re-marriage or till the date he/she starts earning or till the age of 25 (twenty five) years whichever is the earliest.

Category II

- (c) Unmarried/Widowed/Divorced daughter not covered by Category I above, up to the date of marriage/re-marriage or till the date she starts earning or up to the date of death, whichever is earliest.
- (d) Parents who were wholly dependent on the Government servant when he/she was alive provided the deceased employee had left behind neither a widow nor a child. Family pension to dependent parents unmarried/divorced/widowed daughter will continue till the date of death.
Family pension to unmarried/widowed/divorced daughters in Category II and dependent parents shall be payable only after the other eligible family members in Category I have ceased to be eligible to receive family pension and there is no disabled child to receive the family pension. Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension in that category.
- (v) The dependency criteria for the purpose of family pension shall be the minimum family pension along with dearness relief thereon.
- (vi) The childless widow of a deceased Government employee shall continue to be paid family pension even after her remarriage subject to condition that the family pension shall cease once her independent income from all other sources becomes equal to or higher than the minimum prescribed family pension in the State Government. The family pensioner in such cases would be required to give a declaration regarding her income from other sources to the pension disbursing authority every six months.
- (v) In the case of Family Pensioner who are in receipt of more than one pension under sub-rule (4) of rule 40 of Sikkim Government Service (Pension) Rule 1990, The floor ceiling limit of Rs.3700/-Per month will apply to each pension taken separately.

8. Commutation of Pension

- (i) A Government servant shall continue to be entitled to commute for a lump sum payment up to 40% of his pension.
- (ii) The existing Table of Commutation Value for Pension Annexed to the Sikkim Service (Commutation of Pension) Rules, 1985 shall be substituted by a new Table of Annex-I of issue of this notification.
- (iii) The revised Table of Commutation value for Pension will be used for all commutations of pension which become absolute after the date of issue of this notification; the pre-revised Table of Commutation Value for pension will be used for payment of commutation of pension based on pre-revised pay/pension. Such pensioners shall have an option to commute the amount of pension that has become additionally commutable on account of retrospective revision of pay/pension on implementation of the recommendations of the Fourth State Pay Commission. On exercising such an option by the pensioner, the revised Table of Commutation Value for Pension will be used for the commutation of the additional amount of pension that has become commutable on account of retrospective revision of pay/pension. In all cases where the date of retirement/commutation of pension is on or after the date of issue of this notification, the revised Table of Commutation Value for Pension will be used for commutation of entire pension.
- (iv) Provisions of Sikkim Service (Commutation of Pension) Rules, 1985 shall stand modified in accordance with sub-rule (2) and (3) above.

9. Special Provision for those who retain the Pre-Revised Scale of Pay

The pension and death cum retirement gratuity of those, who have elected to continue to draw pay in the pre-revised scale of pay in terms of rule 11 of the Sikkim Government Service(Revised Pay) Rules, 2009 and have retired or will be retiring after 1.1.2006, shall be regulated as follows, namely:-

- (i) The term 'Emoluments' will include Dearness pay and DA up to average AICPI 536 (Base year 1982=100)
- (i) Pension will be calculated at 50% of emoluments or average emoluments rules whichever is more beneficial to the employee.

- (ii) Death-cum-retirement gratuity shall be admissible with reference to emoluments at sub-rule (1) above plus dearness allowance, under the order in force immediately before coming into effect of these orders. The maximum amount of gratuity shall not exceed Rs.3,50,000/- (Rs. Three Lakhs Fifty Thousand) in terms of Finance, Revenue and Expenditure Department Notification No. 01/Fin/Adm dated 19/5/2006
- (iii) Commutation of pension shall be admissible in accordance with the orders in force immediately before coming into effect of these rules.
- (iv) Family pension shall be allowed in accordance with orders applicable prior to the issue of these orders and shall be calculated with reference to basic pay in to average AICPI 536 (Base year 1982=100) shall be added. The amount so arrived at will be regarded as the family pension for regulating payment of dearness relief beyond average AICPI 536.

10. Fixation of Pension/Family Pension for pre 2006

- (a) The Pension/Family Pension of pre 2006 pensioners/family pensioners will be consolidated w.e.f 1st January 2006 by adding together:-
 - (i) Existing pension/family pension
 - (ii) Dearness pension where applicable
 - (iii) Dearness relief of 24% of basic pension plus dearness pension as admissible
 - (iv) Fitment weight age at the rate of 40% of existing pension/family pension (excluding Dearness pension)
- (b) The Fixation of pension will be subject to the provision that the revised pension, in no case, shall be lower than fifty percent of the minimum of the pay in the pay band plus the grade pay corresponding to the pre-revised pay scale from which the pensioner had retired.

11. Dearness Relief

Pension/Family Pension in terms of these orders will qualify for Dearness Relief beyond average AICPI 536 under the revised pattern being introduced on the recommendations of the Fourth State Pay Commission.

12. Medical Allowances

Medical Relief of Rs. 100/ p.m will now be enhanced to Rs. 1000/ p.m. The enhanced medical allowances come into force from 1st April 2009.

By Order.

Sd/-
(R. Ongmu), IAS
Principal Secretary
Finance, Rev.and Expenditure Department.
Government of Sikkim.

Copy to;

1. Secretary to H.E.the Governor of Sikkim
2. Pr. Secretary to the Hon'ble Chief Minister, Sikkim
3. Chief Secretary, Sikkim.
4. Addl. Chief Secretary-cum-Dev. Commissioner/DOPART.
5. All Heads of Departments.
6. Director, AATI.
7. Joint Secretary, Home for publication in the Official Gazette.
8. File.

(B.K.Pradhan),
Director/PGIPF
Finance, Rev. &.Expdt.department

ANNEXURE - I

COMMUTATION TABLE FOR COMPUTATION OF PENSION

Age next birthday	Commutation value expressed as number of year's purchase	Age next birthday	Commutation value expressed as number of year's purchase	Age next birthday	Commutation value expressed as number of year's purchase
20	9.188	41	9.075	62	8.093
21	9.187	42	9.059	63	7.982
22	9.186	43	9.040	64	7.862
23	9.185	44	9.019	65	7.731
24	9.184	45	8.996	66	7.591
25	9.183	46	8.971	67	7.431
26	9.182	47	8.943	68	7.262
27	9.180	48	8.913	69	7.083
28	9.178	49	8.881	70	6.897
29	9.176	50	8.846	71	6.703
30	9.173	51	8.808	72	6.502
31	9.169	52	8.768	73	6.296
32	9.164	53	8.724	74	6.085
33	9.159	54	8.678	75	5.872
34	9.152	55	8.627	76	5.657
35	9.145	56	8.572	77	5.443
36	9.136	57	8.512	78	5.229
37	9.126	58	8.446	79	5.018
38	9.116	59	8.371	80	4.812
39	9.103	60	8.287	81	4.611
40	9.090	61	8.194		

FORM FOR PENSION REVISION W.E.F.01/01/2006 VIDE NOTIFICATION
NO.40/FIN/PGIPF DATE 12/01/2010.FOR PRE 2006.

1	NAME OF THE PENSIONER/FAMILY PENSIONER	
2	P.P.O. No.	
3	DATE OF BIRTH	
4	DATE OF RETIREMENT/DEATH	
5	SCALE OF PAY IN THE DATE OF RETIREMENT/DEATH	
6	CORRESPONDING PAY BAND AND GRADE PAY w.e.f.01/01/2006	

COMPUTATION OF PENSION/FAMILY PENSION.

	PART-A.	
A	BASIC PENSION/FAMILY PANSION	
B	DEARNESS PENSION	
C	DEARNESS RELIEF as on 01/01/2006.i.e.24 %	
D	40 % OF THE BASIC PENSION	
E	CONSOLIDATED PENSION(A+B+C+D)	

	PART-B.	
(i)	50 % OF MINIMUM OF THE PAY BAND + GRADE PAY.	
(ii)	QUALIFYING SERVICE(maximum of 33 years)	
(iii)	$PENSION=(i) \times (ii) / 33$	

PENSION FIXED AS PER PART –A OR PART-B.WHICHEVER IS HIGHER

PENSION= Rs. -----/(Rupees.....)only
W.e.f.01/01/2006

Authorized Signatory
Date

Signature/Designation
Head of Office