

**G.O. Ms. No. 272, Finance (Pension) Department,  
dated 15.6.1998, Government of Tamil Nadu**

**ABSTRACT**

Pension - Treatment of Dearness Allowance as Pay for the purpose of pensionary benefits extension of orders issued in G.O. Ms. No. 371, Finance, dated 30.4.86 to those retired during 1.4.79 to 30.9.87 - Orders - issued.

---

**Read :**

1. G.O. Ms. No. 371, Finance, dated 30.4.1986.
2. Government Letter No. 124414/Pension/96-1, Finance dated 11.2.1987

**ORDER :**

In G.O. first read above as amended in the Government letter second read above, orders were issued treating the Dearness Allowance and Additional Dearness Allowance sanctioned upto 30.9.87 as Dearness Pay

for the purpose of calculation of pensionary benefits in respect of those who retired or died on or after 1.10.1987 and the concession of Dearness Pay was made available for the entire 10 months of average emoluments only in the case of those retired after 31.7.1989.

2. The Ambasamudram Taluk Pensioners' Association through its President, T.S. Antony Jebamalai and Sankarankoil Taluk Pensioners' Association represented by its President, V.Krishnaswamy have filed O.A. 2227/1992 and 4953/1992 in the Tamil Nadu Administrative Tribunal respectively praying direction to allow the concession of dearness pay ordered in the references read above in respect of those who retired prior to 1.10.1987 also. Government have filed Reply Affidavit in the Tribunal on the above O.As.

3. The Tamil Nadu Administrative Tribunal in its order dated 6.5.1996 has allowed the above O.A.s and directed to allow the concession of Dearness Pay ordered in the references read above in respect of those who retired/died prior to 1.10.1987 and also to allow the pensioners who retired during 1.10.87 to 31.5.88 to count the Dearness Allowance and Additional Dearness Allowance as Dearness Pay for all the 10 months preceding retirement for computing average emoluments. Government have filed Special Leave Petitions (C) Nos.23644 and 23646 respectively in the Supreme Court against the orders passed by the Tribunal on 6.5.1996 in the above O.A.s and the Special Leave Petitions were dismissed by the Supreme Court on 1.12.1997. Review filed by the Government were also dismissed by the Supreme Court on 31.3.1998.

4. The Government have therefore decided to implement the orders passed by the Tribunal in O.A.No. 2227/1992 and 4953/1992. Accordingly, they direct that the Dearness Allowance/Additional Dearness Allowance sanctioned from time to time and actually drawn shall be treated as Dearness Pay for calculation of pensionary benefits, in respect of those who retired/died during the period between 1.4.1979 to 30.9.1987. The Government also direct that in the case of those retired during the period between 1.10.1987 to 30.6.1988 the Dearness Allowance and Additional Dearness Allowance sanctioned from time to time upto 30.9.1987 and actually drawn shall be allowed as Dearness Pay for the entire 10 months preceding retirement for computing average emoluments for the calculation of pensionary benefits.

5. Each pensioner shall apply for recomputation of their original pension at the time of retirement in prescribed form (Annexure) to the Accountant General through the pension disbursing authority. In respect of pensioners

who are getting payment outside the State, such pensioners have to send the application to the Accountant General (Accounts & Entitlements), Chennai through the Treasury Officer/Accountant General concerned for revision. In the case of pensioners who are getting payment through Public Sector Banks, they have to send the application to the Accountant General through the Link Branch/Treasury Officer.

6. The recomputation of pension in terms of these orders shall be made as detailed below :

<b>Details of Revision</b>	<b>Authority by whom the pension is to be revised</b>
1. Revision of original pension at the time of retirement with reference to this order	Accountant General
2. Revised pension from 1.10.79 with reference to G.O. Ms. No. 397, Finance (Pension) Dated 14.6.84.	a) If opted for ready reckoner previously, the Treasury Officer/ Sub-Treasury Officer/Pension Pay Officer, Chennai. b) If opted for actual calculation, Accountant General (Accounts & Entitlements), Chennai
3. Revised Pension from 1.10.79 with reference to G.O. Ms. NO. 742, Finance (Pension) dated 25.10.88.	The Treasury Officer/Sub-Treasury Officer/Pension Pay Officer, Chennai.
4. Revised Pension from 1.10.84 with reference to G.O. Ms. No. 562, Finance (Pay Commission) dated 1.10.84	The Treasury Officer/Sub-Treasury Officer/Pension Pay Officer, Chennai.
5. Revised pension from 1.6.88 with reference to G.O. Ms. No. 810 Finance (Pay Commission), dated 9.8.89	The Treasury Officer/Sub-Treasury Officer/Pension Pay Officer, Chennai
6. Revised Pension from 1.1.96 with reference to G.O. Ms. No. 174, Finance dated 21.4.98	-do-

7. In the case of Government servants who have retired during 1.4.79 to 30.9.87 but died, the life time arrears of pension is payable to the legal heirs. For this purpose the legal heirs may also apply to the pension disbursing authority who will forward the application along with death certificate to the Accountant General (Accounts & Entitlements), Chennai.

(By Order of the Governor)

**P.V.RAJARAMAN**  
Secretary to Government

**Annexure**

**FORM OF APPLICATION**

To

.....  
.....  
.....

Sub : Application for extension of orders issued in G.O. Ms. No. 371, Finance, dated 30-4-86 to those retired during 1.4.79 to 30.9.87 - Orders issued.

Sir,

Kindly revise my pension in terms of G.O. Ms. No. 272, Finance (Pension), dated 15.6.98.

Requisite particulars are given below:

1. Name in Block letters ...
2. Postal Address in Block Letters (duly furnishing the District) ...
3. Designation/Office/Department from which retired ...
4. Date of retirement
5. Pension Payment Order No. ...
6. PPO No/OAC/UST No. (in the case of pensioners who are getting payment outside the State) ...

7. Amount of Original Pension
8. Amount of pension commuted (if any) ...
9. Name of authority who issued PPO ...
10. Name of Treasury/Sub-Treasury/Pension Pay Office, Chennai ...
11. (i) Date of re-employment (if any) ...  
(ii) Date of discharge from re-employment (if any) ...

\* Strike if not applicable

Signature of Pensioner

Date....

Particulars verified

Signature  
Rubber Stamp of the  
Pension Disbursing Authority