

**G.O. Ms. No. 273, 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. 115, Finance, dated 6.2.75 to those retired during 2.10.70 to 31.1.75 - Orders - Issued.

Read :

G.O. Ms. No. 115, Finance, dated 6.2.1975.

ORDER :

In the G.O. read above, orders were issued based on the recommendations of the Dearness Allowance Committee that the Dearness Allowance sanctioned with effect from 1.4.1974 as detailed below by the State Government employees retiring on or after 1.2.1975 and actually drawn by them during the ten months prior to the retirement shall be treated as Dearness Pay for calculating their pension.

Pay Limit	Rate of Dearness Allowance
Upto Rs.599	Rs.55/-
From Rs.600 and above	Rs.70/-

2. The Ambasamudram Taluk Pensioners' Association through its President, T.S. Antony Jebamalai, Thiru M.Rengachari, pensioner and the Tamil Nadu Retired Officials Association represented by its General Secretary D.Samuel Doss have filed O.A. Nos. 426/1992, 2645/1994 and 2646/1994 respectively in the Tamil Nadu Administrative Tribunal to extend the orders issued in the G.O. read above to all those who retired prior to 1.2.1975. Government have filed Reply Affidavit in the Tribunal on the above O.A.s

3. The Tamil Nadu Administrative Tribunal in its order dated 6.5.1996 has allowed the above O.A.s and direct to extend the benefit ordered in the G.O. read above to all those retired prior to 1.2.1975. Government have filed Special Leave Petitions (C) Nos.23645, 23647 and 23648 respectively in the Supreme Court against the orders passed by the Tribunal in O.A. Nos.4265/1992, 2645/1994 and 2646/1994 and the Special Leave Petitions were dismissed by the Supreme Court on 1.12.1997. Review Petitions 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. Nos.4265/1992, 2645/1994, 2645/1994 and 2646/1994 and they accordingly direct that the orders issued in the G.O. read above be extended to those retired during 2.10.70 to 31.1.75 and D.A. sanctioned from time to time and actually drawn shall be treated as Dearness Pay in the case of those retired during 2.10.1970 to 31.1.1975 for 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 :

Details of Revision	Authority by whom the pension is to be revised
1. Revision of original pension at the time of retirement with reference to this order	Accountant General
2. Revised pension from 1.4.78 with reference to G.O. Ms. No. 312, Finance (Pay Commission) dated 5.3.79.	Treasury Officer/Sub-Treasury Officer/Pension Pay Officer, Chennai.
3. 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)
4. 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.
5. Revised Pension from 1.10.84 with reference to G.O.Ms. No. 562, Finance (Pay Commission), dated 10.6.85.	The Treasury Officer/Sub-Treasury Officer/Pension Pay Officer, Chennai.
6. 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.
7. Revised pension from 1.1.96 with reference to G.O.Ms. No. 174, Finance, dated 21.4.98.	The Treasury Officer/Sub-Treasury Officer/Pension Pay Officer, Chennai.

7. In the case of Government servants who have retired during 2.10.70 to 31.1.75 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, Madras.

(By Order of the Governor)

P.V.RAJARAMAN

Secretary to Government

Annexure
FORM OF APPLICATION

To

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Sub : Application for extension of orders issued in G.O. Ms. No. 115, Finance, dated 6.2.1975 to those retired during 2.10.70 to 31.1.75 - Orders issued.

Sir,

Kindly revise my pension in terms of G.O. Ms. No. 273, Finance (Pension), dated 15.6.98.

Requisite particulars are given below:

1. Name in Block letters ...
2. Postal Address in Block Letters I
(duly furnishing the District) ...
3. Designation/Office/Department from I
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