

PENSION RULES

&

PROCEDURES

- **OLD PENSION SCHEME**

[CENTRAL CIVIL SERVICES (PENSION) RULES, 2021]

- **NEW PENSION SCHEME**

(NATIONAL PENSION SYSTEM)

WHAT IS PENSION?

- **PENSION IS A MONTHLY RECURRING PAYMENT GIVEN TO PENSIONERS IN ACKNOWLEDGEMENT OF THE PAST SERVICES RENDERED BY THEM.**

A. SUPERANNUATION PENSION (RULE 33)

- GRANTED TO A GOVERNMENT SERVANT WHO RETIRES ON SUPERANNUATION ON COMPLETION OF 35 YEARS OF SERVICE OR ON ATTAINING 60 YEARS OF AGE, WHICHEVER IS EARLIER.**
- NAGALAND RETIREMENT FROM PUBLIC EMPLOYMENT (SECOND AMENDMENT) ACT, 2009.**

(W.E.F. 31ST OCTOBER 2009)

B. VOLUNTARY RETIREMENT PENSION (RULE 43)

- GRANTED TO A GOVERNMENT SERVANT WHO PROCEEDS ON VOLUNTARY RETIREMENT AFTER COMPLETING MINIMUM 20 YEARS OF QUALIFYING SERVICE.**
- 3 MONTHS PRIOR NOTICE TO BE GIVEN TO THE HEAD OF DEPARTMENT/HEAD OF OFFICE.**

- **THE PERIOD OF NOTICE OF 3 MONTHS CAN BE CURTAILED BY THE APPOINTING AUTHORITY IF IT IS SATISFIED THAT THE CURTAILMENT OF THE PERIOD OF NOTICE WILL NOT CAUSE ANY ADMINISTRATIVE INCONVENIENCE.**

- **A GOVERNMENT SERVANT WHO HAS GIVEN THE NECESSARY NOTICE FOR VOLUNTARY RETIREMENT SHALL BE PREVENTED FROM WITHDRAWING THE NOTICE EXCEPT WITH THE SPECIFIC APPROVAL OF THE APPOINTING AUTHORITY.**

PROVIDED THAT THE REQUEST FOR WITHDRAWAL OF NOTICE SHALL BE MADE NOT LESS THAN 15 (FIFTEEN) DAYS BEFORE THE INTENDED DATE OF VOLUNTARY RETIREMENT.

- APPOINTING AUTHORITY CAN WITHHOLD PERMISSION FOR VOLUNTARY RETIREMENT IN THE FOLLOWING CIRCUMSTANCES:-

- 1. IF THE GOVERNMENT SERVANT IS UNDER SUSPENSION.**
- 2. IF A CHARGE-SHEET HAS BEEN ISSUED AND DISCIPLINARY PROCEEDINGS ARE PENDING.**
- 3. IF JUDICIAL PROCEEDINGS ON CHARGES WHICH MAY AMOUNT TO GRAVE MISCONDUCT ARE PENDING.**

C. INVALID PENSION (RULE 39)

- GRANTED TO A GOVERNMENT SERVANT WHO HAS COMPLETED MINIMUM 10 YEARS OF QUALIFYING SERVICE.**
- GRANTED ONLY ON MEDICAL GROUND. THEREFORE, MEDICAL CERTIFICATE FROM THE CONCERNED MEDICAL BOARD IS COMPULSORY.**
- PRIOR APPROVAL OF P&AR DEPARTMENT IS MANDATORY.**

D. COMPULSORY RETIREMENT PENSION (RULE 40)

- GRANTED TO A GOVERNMENT SERVANT WHO HAS BEEN COMPULSORILY RETIRED FROM SERVICE AS A PENALTY.**
- MAJOR PENALTY UNDER RULE 7(VII) OF THE NAGALAND SERVICES (DISCIPLINE & APPEAL) RULES, 1967.**

E. FAMILY PENSION (RULE 50)

- GRANTED TO THE FAMILY OF GOVERNMENT SERVANT WHO DIES,**
 - 1. AFTER COMPLETION OF ONE YEAR OF CONTINUOUS SERVICE; OR**
 - 2. BEFORE COMPLETION OF ONE YEAR OF CONTINUOUS SERVICE, PROVIDED THE DECEASED GOVERNMENT SERVANT CONCERNED IMMEDIATELY PRIOR TO HIS/HER APPOINTMENT TO THE SERVICE OR POST WAS EXAMINED BY THE APPROPRIATE MEDICAL AUTHORITY AND DECLARED FIT BY THAT AUTHORITY FOR GOVERNMENT SERVICE; OR**

3. AFTER RETIREMENT FROM SERVICE AND WAS ON THE DATE OF DEATH IN RECEIPT OF A PENSION REFERRED TO IN THESE RULES.

• DEFINITION OF FAMILY FOR THE PURPOSE OF PENSION INCLUDES THE FOLLOWING:-

1. HUSBAND

2. WIFE

3. SON/DAUGHTER INCLUDING LEGALLY ADOPTED SON/DAUGHTER.

4. WHOLLY DEPENDENT PARENTS

- **DEFINITION OF FAMILY FOR THE PURPOSE OF GRATUITY INCLUDES THE FOLLOWING:-**

- 1. HUSBAND**

- 2. WIFE**

- 3. SON/DAUGHTER INCLUDING LEGALLY ADOPTED SON/DAUGHTER.**

- 4. STEPCHILDREN**

- 5. MARRIED DAUGHTERS**

- 5. WIDOWED/DIVORCED DAUGHTER**

- 6. PARENTS INCLUDING ADOPTIVE PARENTS**

- 7. BROTHERS/SISTERS BELOW THE AGE OF EIGHTEEN YEARS INCLUDING STEP-BROTHERS/SISTERS**

- **PERIOD FOR WHICH FAMILY PENSION IS PAYABLE:-**
 1. **HUSBAND/WIFE – UPTO THE DATE OF DEATH OR RE-MARRIAGE, WHICHEVER IS EARLIER.**
[RULE 50(8)(a) of CCS (Pension) Rules, 2021]

 2. **SON/DAUGHTER – UNTIL HE/SHE ATTAINS THE AGE OF 25 YEARS OR STARTS EARNING OR GETS MARRIED, WHICHEVER IS THE EARLIEST.**
[Vide letter No.FIN/ROP/PEN-6/87 Dated 01/09/06]

3. PHYSICALLY/MENTALLY DISABLED SON/DAUGHTER WITH 40% OR MORE DISABILITY – FOR LIFE OR UNTIL HE/SHE STARTS EARNING THE MINIMUM FAMILY PENSION WITH DEARNESS RELIEF ADMISSIBLE THEREON, WHICHEVER IS EARLIER.

[RULE 50(9)(h) of CCS (Pension) Rules, 2021]

4. WHOLLY DEPENDENT PARENTS – UPTO THE DATE OF DEATH OR UNTIL THEY START EARNING, WHICHEVER IS EARLIER.

[Vide No.FIN/ESTT-11/2006 Dated 22/04/08]

AMOUNT OF PENSION

- SUPERANNUATION/VOLUNTARY/INVALID PENSION
 - 50% OF LAST EMOLUMENTS OR 50% OF AVERAGE EMOLUMENTS OF LAST 10 MONTHS, WHICHEVER IS MORE BENEFICIAL, SUBJECT TO A MINIMUM OF ₹ 9000/- PER MONTH.
- COMPULSORY RETIREMENT PENSION
 - NOT LESS THAN TWO-THIRDS OF PENSION OR GRATUITY OR BOTH AND NOT MORE THAN FULL SUPERANNUATION PENSION OR GRATUITY OR BOTH ADMISSIBLE TO HIM/HER ON THE DATE OF HIS/HER COMPULSORY RETIREMENT, SUBJECT TO A MINIMUM OF ₹ 9000/- PER MONTH.

- **FAMILY PENSION**

1. **DEATH WHILE IN SERVICE** - 50% OF LAST EMOLUMENTS PAYABLE FOR A PERIOD OF 10 YEARS, FOLLOWED BY NORMAL FAMILY PENSION AT THE RATE OF 30%.

2. **DEATH AFTER RETIREMENT** - 50% OF LAST EMOLUMENTS PAYABLE FOR A PERIOD OF 7 YEARS, OR FOR A PERIOD UPTO THE DATE ON WHICH THE DECEASED PENSIONER WOULD HAVE ATTAINED THE AGE OF 67 YEARS HAD HE/SHE SURVIVED, WHICHEVER IS EARLIER, FOLLOWED BY NORMAL FAMILY PENSION AT THE RATE OF 30%.