

Pension- Frequently Asked Questions

Sl. No	<u>QUESTION</u>	<u>ANSWER</u>
1.	Which rules govern the grant of pension to employees of the Government of Meghalaya?	The Meghalaya Civil Service (Pension) Rules, 1983 and Meghalaya Civil Services (Commutation of Pension) Rules, 1992 as amended from time to time.
2.	What are the different types of Pension?	There are several types of pension Viz. (1) Superannuation Pension, (2) Retiring Pension, (3) Pension on absorption in or under a corporation, Company or body, (4) Invalid Pension, (5) Compensation Pension, (6) Compulsory retirement pension, (7) Compassionate allowance etc. Beside these there are other types of pension viz. Family pension and Special Family Pension.
3.	To whom is Pension admissible?	Pension is admissible to all the Govt. employee of Government of Meghalaya who is borne in pensionable establishment and joined service before 1 st April, 2010 in the Govt. of Meghalaya and rendered minimum of 10 years of Qualifying service.
4.	To whom Pension is not admissible.	The Rules shall not apply to: - (1) Persons in a Work-charged establishment, (2) Persons in casual and daily rated employment, (3) Persons paid from office expenses, (4) Persons entitled to the benefit of Contributory Provident Fund, (5) Persons employed on contract except when the contract provides otherwise and (6) Persons whose terms and conditions of service are regulated by any other rules for the time being in force.
5.	Whether pensionary benefit is allowed if qualifying service is less than 10 years.	If the qualifying service is less than 10 years, no pension is allowed but service gratuity is allowed according to completed six monthly periods of qualifying service.
6.	What is the quantum of service required for full pension?	The quantum of qualifying service required for full pension is 30 (thirty) years. (effective w.e.f 23 rd February, 2010 before that it was 33 years)
7.	What is the effect if the qualifying service is less than what is required for full pension?	If the quantum of qualifying service is less than 30 (Thirty) years, the amount of pension shall be proportionate to the service put in w.e.f 23 rd February, 2010 (Prior to 23/01/2010 this was 33 years)
8.	What is the amount of Pension?	As per 4 th Meghalaya Pay Commission the amount of Pension is equivalent to 50% of last 6 months' Average emoluments drawn immediately preceding the date of retirement subject to minimum of Rs. 3250/= only and maximum of 50% of the highest pay in the Government of Meghalaya (the highest pay in the Govt. of Meghalaya is Rs. 48,980/= only) or 24,490/=. Actual amount of pension will depend on the Qualifying service put in.
9.	What is the amount of Death-cum-retirement gratuity (DCRG) and how is it calculated?	DCRG is calculated as one fourth of emoluments (Basic pay) for each completed six monthly period subject to maximum of sixteen and half times of emoluments limited to Rs. 7 (Seven) Lakhs.
10.	When is Death-cum-Retirement Gratuity withheld?	In case the pensioner is occupying a government quarter or a vigilance case is pending against him, authorization/ payment of DCRG can be withheld on the advice of pension sanctioning authority.
11.	Why is my Death-cum-Retirement Gratuity not authorized to me in	A portion of your DCRG is withheld when Refund Advices/ No Demand Certificates/Last Pay Certificate in your case is/are wanting in AG's office from your Head of Office. The balance of DCRG withheld is released on receipt of these documents.

	full and when is the balance released?											
12.	Whether the amount of pension remains fixed.	<p>No the pension authorized is revised as per the recommendations of Pay commission. Besides, additional quantum of pension is also allowed when the pensioner attains the age of 80 years or more as follows:-</p> <table border="1"> <tr> <td>From 80 years to less than 85 years</td> <td>20% of Basic Pension.</td> </tr> <tr> <td>From 85 years to less than 90 years</td> <td>30% of Basic Pension.</td> </tr> <tr> <td>From 90 years to less than 95 years</td> <td>40% of Basic Pension.</td> </tr> <tr> <td>From 95 years to less than 100 years</td> <td>50% of Basic Pension.</td> </tr> <tr> <td>100 years or more</td> <td>100% of Basic Pension.</td> </tr> </table>	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.
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13.	Whether the pension can be withdrawn, if yes, by whom and under which circumstances.	The Governor reserves to himself the right of withholding or withdrawing a pension or part thereof, whether permanently or for a specified period, and order recovery of pension of the whole or part of any pecuniary loss caused to the Government, if in any departmental or judicial proceedings, the pensioner is found guilty of grave misconduct or negligence during the period of his service, including service rendered upon re-employment after retirement.										
14.	Whether any nomination is required to be submitted by Govt. employees with respect to pension? If yes, when and how?	Yes, a Govt. servant shall on his initial confirmation in service or post, requires to make a nomination in <i>Form-1</i> or <i>Form-2</i> as the case may be conferring on one or more persons the right to receive the death-cum-retirement gratuity payable.										

15.	To whom Family Pension is admissible and till which period.	<p>Family Pension is admissible to the family members of all the Govt. servant of Government of Meghalaya who is borne in Pensionable establishment joined before 1st April, 2010 and rendered minimum of 7 years of Qualifying service.</p> <p>The family pension is payable to:-</p> <p>Category-I</p> <p>(a) the widow/widower upto the date of her/his death or re-marriage whichever is earlier,</p> <p>(b) Son/Daughter including widowed daughter up to the date of his marriage/re-marriage or till he/she starts earning or till the age of 25 years of age, which ever is earlier. (the children includes legally adopted sons/daughters.)</p> <p>Category-II</p> <p>(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 earlier.</p> <p>(d) Parents who are wholly dependent on the Government employees when he/she was alive, provided the deceased Government employees had left behind neither a widow nor a child. Family pension to dependent parents/unmarried/divorced/widowed daughter shall continue till the date of death.</p> <p>Provided that Family pension to unmarried/divorced/widowed daughters in Category-II and dependent parents shall be payable only after the eligible members in category-I have ceased to be eligible 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 the 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.</p>
16.	Whether the family pension is admissible to Post retiral spouse.	Yes, family pension is admissible to post retiral spouse in respect of those officials who retired or died while in service on or after 01.01.2007.
17.	Whether family pension is admissible to child born after the retirement of Govt. servant.	Yes.
18.	What is the procedure for claim of family pension in respect of missing employees?	The family of the missing employee should have lodged the necessary complaint with the Police and obtained a report that the concerned employee has not been traced after all efforts had been made.
19.	How the claim of family will be settled in the case of missing employees?	After one year, Death-cum-retirement Gratuity, Family Pension from the date of the F.I.R./Complaint and other dues as due and admissible to the missing Government employee will be paid to nominees/dependents after they furnish the Indemnity Bond that all payments shall be adjusted against the payment due to the missing employee in case he/she appears on the scene at a later date and makes claims.
20.	When final settlement of DCRG and family pension shall be sanctioned in case of missing employee?	After death is established or after seven years subject to production of proper and indisputable proof of death or decree of the Courts, final settlement of DCRG including insurance cover, if any including family pension shall be sanctioned under the rules.
21.	Does it make any difference when the missing employee is responsible for committing fraud,	Yes, in such case, the claims may be entertained only when the Government employee has been acquitted by the Court or after the conclusion of departmental disciplinary proceedings.

	etc.?											
22.	What is the meaning of Special Family Pension and when was it introduced?	Govt. of Meghalaya has introduced the Scheme of Special Family pension with effect from 4 th July, 2007. The Scheme <i>inter alia</i> provides that the next of kin/relatives of the deceased Govt. employees borne on pensionable service/post holding substantive or temporary appointment and who gets killed while engaged in discharge of duties or for reasons connected with the discharge of duties.										
23.	What is the quantum of Special Family Pension? And till when it is admissible?	The special family pension is payable at the rate equal to the amount of monthly salary (Last pay drawn) including incremental benefit dearness allowance and other allowances. It is tenable for the period from the date following the date of death till the date on which the deceased employee would have attained the superannuation age had he remained in service.										
24.	Is special Family Pension admissible in addition to Family Pension?	No, Special family pension granted shall be in lieu of the Family Pension admissible under the Meghalaya Civil Services (Pension) Rules, 1983. [Please refer Para 8.1,8.2 and 8.3 of Government of Meghalaya, Finance (Pay Revision) Department O.M. No. F(PR)-71/09/184 dt. 23-02-2010. << Click here to view aforesaid para of the O.M >>										
25.	To whom Special Family Pension is admissible and till which period?	The special family pension is admissible to:- (i) widow or widower, upto the date of death or re-marriage, which ever is earlier; (ii) (In absence of surviving spouse) Minor sons and unmarried daughters; (iii) (In absence of eligible spouse and children) Parents who are wholly dependent on the Government employee when he/she was alive; and (iv) Wholly dependent minor brothers and unmarried sisters provided the deceased Government employee had left behind neither a widow nor a child including wholly dependent parents.										
26.	To which category of Govt. employee, family Pension is not admissible.	The family pension is not admissible to:- (a) Persons paid from contingencies; (b) Work Charged staff; (c) Casual Labour; (d) Contractual officers; (e) Person who die after removal or dismissal from service and were/are granted Compassionate allowance.										
27.	What is the dependency criteria for family pension?	The dependency criteria for the purpose of family pension shall be the minimum family pension with dearness allowance/relief thereon.										
28.	What is the amount of Family Pension	As per 4 th Meghalaya Pay Commission the amount of Pension is equivalent to 30% of last pay drawn immediately before retirement subject to minimum of Rs. 3250/= only and maximum of 30% of the highest pay in the Government (the highest pay in the Govt. is Rs. 48,980/= only) or Rs. 14,694/= Only.										
29.	Whether the amount of Family pension remains fixed.	No, the family pension authorized is revised as per the recommendations of Pay commission. Besides the additional quantum of pension is also allowed when the family pensioner attains the age of 80 years or more as follows:- <table border="1" data-bbox="638 1769 1484 1926"> <tr> <td>From 80 years to less than 85 years</td> <td>20% of Basic Pension.</td> </tr> <tr> <td>From 85 years to less than 90 years</td> <td>30% of Basic Pension.</td> </tr> <tr> <td>From 90 years to less than 95 years</td> <td>40% of Basic Pension.</td> </tr> <tr> <td>From 95 years to less than 100 years</td> <td>50% of Basic Pension.</td> </tr> <tr> <td>100 years or more</td> <td>100% of Basic Pension.</td> </tr> </table>	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.
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30.	What are the documentary evidences required to be submitted when pension is claimed by the members other than spouse?	If the Govt. servant was married then the pension must be claimed by spouse but in case spouse is not claiming pension then the following documents must be submitted along with the pension papers:- 1. If the spouse predeceased Govt. servant (i.e. expired before the death of Govt. Servant) then Death Certificate of the Spouse. 2. In case of separation 'Divorce Certificate'.
31.	What should a family member eligible for the grant of family pension do to get the family pension in the event of death of original pensioner?	Normally, family pension is sanctioned and authorized at the same time as pension and this fact is indicated in the Pension Payment Order. Family pension is to be drawn after the death of the pensioner. In case, a government servant dies while in service, the widow or widower has to make a claim in Form 8 to the Head of Office who will sanction and authorize the family pension through the AG's office. Where the deceased government servant is survived only by a child or children, the guardian (in case of minor child/children) or such child or children may submit a claim in Form 8 to the Head of Office for sanction and authorization through the AG's office for family pension. The application for family pension in Form 8 must be accompanied with a copy of the death certificate of the deceased pensioner (i) to the Pension Disbursing Authority if the amount of family pension is already indicated in the Pension Payment Order (ii) to the Head of Office for sanction of family pension in all other cases.
32.	Up-to which period is family pension payable?	Family pension is payable to one member of the family at a time in the order and for the period as under: a) In the case of a widow or widower, up to the date of death or remarriage, whichever is earlier, b) In the case of minor son, until he attains the age of 18 yrs. c) In the case of an unmarried daughter, until she attains the age of 21 yrs or marriage or starts earning Rs. 2550/- or more p.m. which ever is earlier. d) After (a) (b) & (c) above; for the lifetime to any unemployed son/daughter who is suffering from any disorder or disability of mind (including mentally retarded) or physically crippled or disabled.
33.	How is the family pension payable when there are two or more wives?	In case where there are two or more widows, pension will be payable to the eldest surviving widow. On her death it will be payable to the next surviving widow, if any. The term eldest would mean seniority with reference to the date of marriage.
34.	How is the family pension payable to twin children?	Where the family pension is payable to twin children, it will be paid to such children in equal shares provided that when one such child ceases to be eligible his/her share shall revert to the other child and when both of them cease to be eligible, the family pension shall be payable to the next eligible single child/twin children.
35.	Is family pension payable to a spouse judicially separated?	Yes, family pension is payable to a spouse judicially separated but not to a spouse judicially separated on the ground of adultery.
36.	Whether family pension is sanctioned to a handicapped child during the lifetime of a pensioner who has no wife or any other children?	No, Family Pension in this case is sanctioned only when the contingency arises. However, the particulars of the handicapped are to be recorded in both halves of the Pension Payment Order issued by the AG's office. The pensioner having a handicapped child is advised to ensure that the required formalities for making the child eligible for family pension are done well before his/her retirement.

37.	How long is enhanced family pension payable?	Enhanced family pension is payable upto the attainment of 65 years of age of the pensioner had he survived or upto 7 years from the date of death of pensioner whichever is earlier.
38.	Who is the Pension/Family pension Sanctioning Authority?	The authority competent to make appointment to the post held at the time of retirement shall be competent to sanction pension and gratuity.
39.	How the Pension is sanctioned.	Pension is sanctioned by the sanctioning authority in <i>Form No.-3</i> .
40.	When the processing of pension cases starts?	Every Head of the Department shall have a list prepared every six months, i.e. on the 1 st January and the 1 st July each year of all gazetted and non-gazetted Govt. servants who are due to retire within the next 24 to 30 months in <i>Form No. 18</i> . A copy of the list shall be supplied to the Audit Officer (Accountant General) not later than the 31 st of January and July as the case may be.
41.	What should a government servant do to claim his/her pension?	The Head of Office is required to undertake the work of preparation of pension papers in <i>Form No. 4</i> of Meghalaya Civil Service (Pension) Rules, 1983 two years before the date on which a government servant is due to retire on superannuation. Eight months prior to the retirement date, a government servant is required to furnish certain information (e.g. joint photo with spouse, family details, name of the Treasury Officer through which he desires to draw his pension etc.) to his Head of Office. After complying with the requirements of Rules 65 and 66 of the MCS Pension Rules, 1983, the Head of Office has to forward to the Accountant General's Office Form 3 and Form 4 duly completed with a covering letter in <i>Form 5</i> along with service book of the government servant duly completed up-to-date and any other documents relied upon for the verification of service, not later than six months before the date of retirement of the government servant.
42.	What should a Family pensioner do to claim his/her family pension?	The Head of Office/Department is required to intimate the family pensioner in <i>Form No. 7 (Form for intimation for family pension)</i> regarding entitlement of Family pension. After which the pensioner will apply for the family pension in <i>Form No-8 (Form for Application for family pension)</i> After completion of the above procedure, the head of the Office should forward the grant of Family pension and Death-Cum-Retirement Gratuity to the Audit Officer/Accountant General in <i>Form No.-12</i> Along with list of enclosures viz. (1) Specimen signature or left hand thumb and finger impressions of the beneficiary, duly attested, (2) Two attested copies of passport photograph of the beneficiary and (3) Descriptive Roll of the beneficiary duly attested.
43.	How is the family pension sanctioned?	The sanctioning authority will sanction family Pension in <i>Form-9</i> after necessary verification of service in <i>Form-10</i> . The necessary Assessment of Pension and DCRG in <i>Form No.-11</i>
44.	Whether any intimation is required to be given to Estate Officer, if yes, by whom.	Yes, the Head of Office will write to Estates Officer at least two years before the anticipated date of retirement of Govt. servant for issue of "No Demand Certificate".

45.	How is the pension papers forwarded to the Accountant General?	The Head of Department/Office will forward the pension paper to the Accountant General along-with the enclosures in <u>Form No.-5</u> (click on hyperlink for enclosures)
46.	Who is to authorize the pension?	On receipt of pension papers from Head of Office duly forwarded in <i>Form No.-5</i> , these will be checked/ verified in Pension Section of the Accountant General's office. If the papers are found in order, the amount of pension payable will be assessed and thereafter the Pension Payment Order (i.e. disburser's portion and pensioner's portion) will be dispatched by registered post to the Treasury Officer from where the government servant has opted to draw his pension. A personal copy to the effect will also be sent to the pensioner concerned.
47.	What is to be done in case the pensioner finds that his pension has not been authorized correctly?	The pensioner's portion of the Pension Payment Order will show the details of the monthly pension payable. If it is found that pension has been fixed incorrectly, the pensioner should write to the Pension Section of AG's office giving the particulars of his case. The pensioner should send this letter through the Treasury/Bank from where he is drawing his pension.
48.	What are provisional Pension and Provisional Gratuity? Is there any limit for these?	When the Govt. servant is likely to retire and before his pension and gratuity assessed and settled, the Head of the office shall determine the pension/gratuity and pay 80% of such anticipated amount as Provisional gratuity and full amount of pension upto a maximum period of six months from the date of retirement or till the date of authorization of pension by the AG's office whichever is earlier.
49.	Whether the Provisional Pension and Provisional Gratuity are admissible where departmental or judicial proceedings are pending?	Yes, the Audit officer shall authorize the payment of provisional pension not exceeding the maximum pension admissible. However, no gratuity shall be paid to the Government servant until the conclusion of the departmental or judicial proceedings and issue of final orders thereon.
50.	Whether any recovery can be made from the DCRG?	Yes, all the Govt. dues outstanding against the employee including the amount of provisional gratuity shall be adjusted against the final amount of DCRG.
51.	Is the Dearness Relief payable on original basic pension OR on reduced pension after commutation?	The Dearness Relief is payable on original basic pension even after commutation of portion of basic pension.
52.	Is there any restriction on commutation of pension?	Yes, Rule 9 of the Meghalaya Civil Service (Pension) Rules, 1983 stipulates that no government servant against whom departmental or judicial proceedings have been instituted before the date of his retirement or the pensioner against whom such proceedings are instituted after the date of retirement, shall be eligible to commute a fraction of his provisional pension authorized under Rule 64 of the Pension Rules or the pension, as the case may be, during the pendency of such proceedings.
53.	Is there any limit on commutation of pension?	A government servant is entitled to commute for a lump sum payment up to one-third of his/her pension.

54.	What will be the effective date of reduced pension?	The reduction in the amount of pension on account of the commutation shall be operative from the date of receipt of the commuted value of pension or at the end of three months after issue of authority by the AG's office for the payment of commuted value of pension, whichever is earlier.
55.	How does the period of 15 years for restoration of commuted portion of pension reckon?	Rule 30 of the Meghalaya Civil Service (Commutation of Pension) Rules, 1992 stipulates that the 15-year period for restoration is to be reckoned from the date of retirement itself.
56.	Whether the family of a pensioner can be given the benefit of commuting the pension in a case a pensioner dies before exercising this option?	Government of Meghalaya has clarified that the option to commute a portion of pension cannot be extended to the family.
57.	Is any authority required from the AG for restoring the commuted portion of pension?	No, Restoration of commuted portion of pension after 15 years (from the date of retirement) or as fixed by the Government of Meghalaya from time to time is to be done automatically by Treasury Officer/ Bank on receipt of application in prescribed format (Form-10 of the Commutation of Pension Rules, 1992) from the eligible pensioner.
58.	What is reduced pension?	Reduced pension is the part of pension which is payable after deducting commuted portion of the pension.
59.	Can the excess payment of pension, if any, credited to the pensioner's account be recovered by the bank?	Before commencing payment of pension the paying Bank is required to obtain a written undertaking from the pensioner that in the event of any excess payment, the same can be recovered by the Bank. On the strength of this undertaking the excess payment, if any, credited to the pensioner's account can be recovered by the paying Bank.
60.	Which authorities are responsible for revising the pension of pre-2007 pensioners/ family pensioners?	All disbursing authorities including Public Sector Banks handling disbursement of pension to the State Government pensioners/family pensioners are authorized to revise the pension of pre-2007 pensioners.
61.	What is the minimum/maximum pension?	Minimum pension shall not be less than Rs.3,250/- and maximum not more than Rs. 24,490/- per month.
62.	What is the medical allowance for pensioners?	Rs.700/- per month.
63.	Are the employed family pensioners and the re-employed pensioners entitled to Dearness Relief on their family pension/pension?	No.
64.	Whether retirement gratuity/death gratuity, commuted value of pension is taxable?	Retirement/death gratuity and the lump sum amount received on account of commutation of pension are not taxable under Income Tax Act.

65.	Can the deduction of income tax at source be made from pension payments?	Yes, the Treasury Officer/Bank will be responsible for deducting income tax at source from pension payments in accordance with the rates prescribed from time to time. While deducting such tax from pension payments the Treasury Officer/Bank will also allow deduction on account of relief available under the Income Tax Act from time to time on production of proper and acceptable evidence of eligible savings by pensioners. The Treasury Officer/Bank will also issue the pensioner in April each year a certificate of tax deducted in the form prescribed in the Income Tax Rules.
66.	When can a government servant apply for voluntary retirement?	A government servant can apply for voluntary retirement after completion of 20 years of government service.
67.	What is the meaning of the following terms? (a) Pension Disbursing Authority (b) Pension Sanctioning Authority (c) PPO Issuing Authority	(a) Pension Disbursing Authority: Your Pension paying branch Bank/Treasury Officer. (b) Pension Sanctioning Authority: The authority that sanctions your pension before forwarding the case to the AG's office. (c) PPO Issuing Authority: Accountant General (A&E) Meghalaya, Shillong