

No.G.19011/24/2021-F.APF
GOVERNMENT OF MIZORAM
FINANCE DEPARTMENT
APF BRANCH

NOTIFICATION

Dated Aizawl, the 21st October, 2021

In pursuance of 'The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2018' (Act No. 10 of 2018) and in exercise of the power conferred under Section 16(5) of the Right to Information Act, 2005, and on repeal of 'The State Chief Information Commissioner, Mizoram (Terms and Conditions of Service) Rules, 2012 vide No.F.23015/1/2019-GAD Dated the 20th April, 2021 with retrospective effect from 1.1.2016; the Governor of Mizoram is pleased to order Revision of Pension, Additional Pension, Special Additional Pension, Family Pension and other pensionary benefits in respect of existing incumbent of the State Chief Information Commissioner, Mizoram appointed before the commencement of the Right to Information (Terms of Office, Salaries, Allowances and other Terms and Conditions of Service of Chief Information Commissioner, Information Commissioner in the Central Information Commission; State Chief Information Commissioner and State Information Commissioner in the State Information Commission) Rules, 2019, that is 24th October, 2019 as under:-

1. **Pension:** The pension to which he is entitled under the ordinary rules of his service if he had not been appointed the State Chief Information Commissioner, Mizoram, his services as the State Chief Information Commissioner, Mizoram being treated as service therein for the purpose of calculating that pension.

[Part III of Schedule under section 13 of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958]

2. **Additional Pension:** If, at the time of his appointment in the Information Commission, the State Chief Information Commissioner, is in receipt of a pension in respect of any previous service in any other pensionable civil post under the Union or a State, the pension payable to him shall be an additional pension for service in the SCIC equal to the difference between his original pension and the pension to which he would have been entitled under this order.

[(Section 17 of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958]

3. **Special Additional Pension:** A Special Additional Pension of Rs 45,016 per annum in respect of each completed year of service for pension as State Chief Information Commissioner.

Provided that the pension under para (1) and the Special Additional Pension under para (3) above together shall in no case exceed Rs 15,00,000 per annum.

[Clause 2(b), Part III of Schedule under Section 13 and 14 of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958]

4. **Family Pension:** Where the State Chief Information Commissioner, Mizoram-
- (a) Dies before retirement, family pension calculated at the rate of fifty percent of his salary on the date of his death shall be payable to the person or persons entitled thereto and the amount so payable shall be paid from the day following the date of death of the State Chief Information Commissioner, Mizoram for a period of seven years or for a period upto the date on which the State Chief Information Commissioner, Mizoram would have attained the age of sixty five years, had he survived, whichever is earlier, and thereafter at the rate of thirty percent of his salary; and
 - (b) Dies after retirement on attaining the age of sixty five years, family pension shall be thirty percent of his salary, and shall be payable to the person or persons thereto;
 - (c) Dies after retirement after seeking premature retirement and before attaining the age of sixty five years, family pension shall be calculated at the rate specified in Para (a) above and shall be payable to the person or persons entitled thereto:

Provided that in no case the amount of family pension so calculated according to the above provisions shall exceed pension payable to the State Chief Information Commissioner, Mizoram.

Explanation: For the purposes of determining the person or persons entitled to family pension under the foregoing provisions in relation to the State Chief Information Commissioner, Mizoram, the ordinary rules of his service if he had not been appointed the State Chief Information Commissioner, Mizoram with respect to the person or persons entitled to pension shall apply and his service as the State Chief Information Commissioner, Mizoram being treated as service therein.

[As per clause (a) of sub-section (5) of Section 16 of the RTI Act, 2005 read with Section 6 of the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991 read with sub-section (1) of Section 16A of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958]

5. **Death-Cum-Retirement Gratuity:** The rules, notifications and orders for the time being in force with respect to the Death-cum-Retirement Gratuity benefits to or in relation to an Officer of the Central Civil Services, Class-I (including

the provisions relating to deductions from the pension for the purpose) shall apply to or in relation to the grant of Death-cum-Retirement Gratuity benefits to or in relation to the State Chief Information Commissioner, Mizoram who retires, or dies, in circumstances to which the foregoing provisions do not apply subject to the modifications:

- (i) The minimum qualifying service for the purpose of entitlement to the gratuity shall be two years and six months;
- (ii) The amount of gratuity shall be calculated on the basis of the ten days salary for each completed six months period of service as the State Chief Information Commissioner, Mizoram.

[As per Clause (a) of sub-section (5) of Section 16 of RTI Act, 2005 read with Section 6 of the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991 read with sub-section (2) of Section 16A of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958]

6. Additional Quantum of Pension or Family Pension: Every retired State Chief Information Commissioner, Mizoram or after his death, the family, as the case may be, shall be entitled to an additional quantum of pension or family pension in accordance with the following scale:-

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

[As per clause (a) of sub-section (5) of Section 16 of the RTI Act, 2005 read with Section 8 of the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991 read with sub-section (2) of Section 16B of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 as inserted by Ordinance No.1 of 2009]

7. Extraordinary Pension and Gratuities: The rules for the time being in force with respect to the grant of extraordinary pension and Gratuities in relation to an Officer of the Central Civil Services, Class-I, who may suffer injury or dies as a result of violence in the course of and as consequence of the due performance of his official duties, shall apply in relation to the State Chief Information Commissioner, Mizoram, subject to the modification that reference in those rules to be tables of injury gratuities and pensions, and of family gratuities and pensions shall be construed as reference to the tables in the Second Schedule of the Supreme Court Judges Rules, 1959 as under:

(a) Injury Gratuity and Pension		
Officer	Gratuity	Annual Pension
State Chief Information Commissioner, Mizoram	Rs 22,000	Rs 5,400/-Higher Scale Rs 4,700/-Lower Scale
(b) Family Gratuity		
Entitled Official	Gratuity	Annual Pension
Widow	-	Rs 15,000/-Higher Scale Rs 5,000/-Lower Scale
<u>Children</u>		
If the Child is motherless	-	Rs 550/-
If the Child is not motherless	-	Rs 320/-

[As per clause (a) of sub-section (5) of Section 16 of the RTI Act, 2005 read with Section 8 of the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991 read with Section 16 of the Supreme Court Judges(Salaries and Conditions of Service) Act, 1958 and Rule 3 of the Supreme Court Judges Rules, 1959]

8. **Commutation of pension:** The Civil Pensions(Commutation) Rules, for the time being in force, shall with necessary modifications, apply to the State Chief Information Commissioner, Mizoram.

[As per Clause (a) of sub-section (5) of Section 16 of the RTI Act, 2005 read with Section 8 of the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991 read with Section 19 of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 and the rules framed there under]

AUTHORITY COMPETENT TO GRANT PENSION: Save as may be otherwise expressly provided in the relevant Act or rules relating to the grant of pension, extraordinary pension and gratuities, the authority competent to grant pension and gratuity to the State Chief Information Commissioner, Mizoram shall be the Governor of Mizoram.

[As per Clause (a) of sub-section (5) of Section 16 of the RTI Act, 2005 read with Section 8 of the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991 read with Section 21 of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 and the rules framed there under]

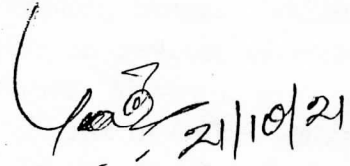
These orders shall come into force from 01.01.2016

Sd/-VANLAL CHHUANGA
Finance Commissioner
Government of Mizoram

Memo No.G.19011/24/2021-F.APF: Dated Aizawl, the 21st October, 2021

Copy to :-

1. Secretary to Governor, Mizoram.
2. P.S. to Chief Minister, Mizoram.
3. P.S. to Dy. Chief Minister, Mizoram
4. P.S. to Speaker/Ministers/Dy. Speaker/Ministers of State, Mizoram.
5. P.S. to Vice Chairman, State Planning Board, Mizoram.
6. P.S. to Government Deputy Chief Whip, Mizoram.
7. P.P.S to Chief Secretary, Government of Mizoram.
8. All Administrative Departments, Government of Mizoram.
9. Secretary, Mizoram Legislative Assembly.
10. Secretary, MPSC/MSIC/MSEC, Mizoram.
11. Secretary, State Information Commission, Mizoram.
12. All Heads of Departments, Government of Mizoram.
13. Chief Controller of Accounts, Govt. of Mizoram for information and necessary action.
14. Controller of Printing & Stationeries, Mizoram with 6(six) spare copies for publication in Mizoram Gazette Extra Ordinary.
15. Treasury Officer, Aizawl South Treasury.
16. Guard File.

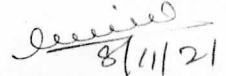


(C.LUNGMUANPUIA)

Under Secretary to the Govt. of Mizoram
Finance Department (APF)

Memo.No.A.38012/127/2018 – DTE (SW&TA) : Dated Aizawl, the November, 2021.

- Copy to :- 1) All subordinate office, SW&TA for information.
2) All officers, Directorate of SW&TA for information.



(A.VANLALZAWNI)

Director,
Social Welfare & Tribal Affairs,
Social Welfare Department,
Mizoram : Aizawl.