

The M.P. Civil Services (Pension) Rules, 1976

MADHYA PRADESH

India

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Rule THE-M-P-CIVIL-SERVICES-PENSION-RULES-1976 of 1976

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Chapter I Preliminary

1. Short title and commencement.

(1) These rules may be called The Madhya Pradesh Civil Services (Pension) Rules, 1976. (2) They shall come into force on the 1st June, 1976.

2. Application.

- (i) Save as otherwise provided in these rules, these rules shall apply to every Government servant appointed to civil services and posts in connection with the affairs of the State of Madhya Pradesh and who are borne on establishments not declared as non-pensionable. (ii) These rules shall not apply to - (a) persons in a work-charged establishment; (b) persons in casual and daily rated employment; (c) persons paid from contingencies; (d) persons entitled to the benefit of Contributory Provident Fund; (e) persons employed on contract except when the contract provides otherwise; and (f) persons whose terms and conditions of service are regulated by any other rules for the time being in force. Note 1. - The service rendered in the following princely States before the 9th August, 1948, the date from which the Rewa State Pension Rules were made applicable to the United State of Vindhya Pradesh) does not count for pension as these States had no codified pension rules of their own :- Alipura, Baoni, Banka Pehari, Baraundha, Beri, Bihat, Bhaisaunda, Bijana, Dhurvai, Garrauli, Gaurihar, Jaso, Jigni, Kamta Rajaula, Khaniadhana, Kothi, Lugasi, Naigawan Rebai, Pahara, Paldeo Nayagaon, Sohawal, Teraon, Tori Fatehpur, Maihar (Reference Government of India, Ministry of Home Affairs No. F.15/69/55/Estt. (C), dated the 22nd June, 1956). [Note 2. [Substituted by Notification No. FB-6-3-78-R-II-IV, dated 10-3-1978 (w.e.f. 6-5-78).] - The services of Patwaris in

the constituent units of Madhya Pradesh State counts for pension as under-

1. Allocated Patwaris from M.P. Region-w.e.f. 1st November, 1948.

2. Allocated Patwaris from M.B. Region-w.e.f. 1st April, 1952.

3. Allocated Patwaris from Bhopal Region-w.e.f. 1-11-1956.

4. Allocated Patwaris from V.P. Region-

(a)who were in service of Rewa and Nagod States, w.e.f. the date of appointment.(b)Patwaris of covenanting units of Unites States of V.P. other than Rewa and Nagod States, w.e.f. 9-8-48.(c)Patwaris who were appointed on or after 9th August, 1948 but before 14th August, 1950 (the date from which C.S.P. were made applicable to the employee of Part 'C' State of V.P.) w.e.f. the date of appointment.(d)Patwaris appointed on or after 14th August, 1950 w.e.f. 1st November, 1956]

3. Definitions.

(1)(a)"Audit Officer" means the Accounts and Audit Officer whatever his official designation, who authorises the disbursement of pay and allowances of a Government servant or pensions of the retired Government servant;(b)"Average emoluments" means average emoluments as determined in accordance with Rule 31;(c)["Child" means a son or unmarried daughter of the Government servant who is under 25 years of age and "Children" shall be construed accordingly.] [Substituted by Notification No. B-25-18-95-PWC-IV, dated 22-6-1996 (w.e.f. 9-11-1994).](d)"Emoluments" means emoluments as defined in Rule 30;.(e)"Family Pension" means contributory family pension admissible under Rule 47 and includes non-contributory family pension admissible under Rule 48;(f)"Foreign service" means a service in which a Government servant receives his pay with the sanction of the Government from any source other than the Consolidated Fund of India or the Consolidated Fund of a State or the Consolidated Fund of a Union Territory;(g)"Form" means a Form appended to these rules;(h)"Government" means the State Government;(i)"Gratuity" includes-(1)"Service Gratuity" payable under sub-rule (1) of Rule 43;(2)"Death-cum-Retirement Gratuity" payable under sub-rule (1) of Rule 44; and(3)"Residuary Gratuity" payable under sub-rule (2) of Rule 44;(j)"Heads of departments" includes-(1)Officers who have been declared by the Government to be Heads of Department;(2)Any other authority to which the Government may delegate the powers of a Head of Department;(k)"Head of Office" means the Gazetted Officer in-charge of a local office where the Government servant was serving before his retirement;(l)"Local Fund Administered by Government" means the Fund administered by a body which, by law or rule having the force of law, comes under the Control of Government and over whose; expenditure the Government retains complete and direct control;(m)"Minor" means a person who has not completed the age of eighteen years;(n)"Pension" includes gratuity except when it is used in contradistinction to gratuity;(o)["Pension Sanctioning Authority" means the authority competent to make appointment to the post held by the Government servant at the time of retirement.] [Substituted by Notification No. FB-6-3-8t-R-II-IV, dated 20-3-81 (w.e.f. 17-4-1981).](p)"Qualifying

service" means the period between the date of joining pensionable service under the State Government and retirement therefrom which shall be taken into account for purpose of the pension and gratuity admissible under these rules and includes the period which qualifies under any other order or rule for the time being in force;(q)"Retirement benefits" include pension or service gratuity, and death-cum-retirement gratuity, where admissible;(r)"Treasury" includes a Sub-treasury.(2)Words and expressions used herein and not defined but defined in the Fundamental Rules have the meanings respectively assigned to them in those rules.

4. Government servants transferred from services and posts to which these rules do not apply.

(1)A Government servant who is transferred permanently to a service or post to which these rules apply from a service or post to which these rules do not apply and all Government servants who are in service on the date these rules come into force, shall become subject to these rules :Provided that it shall be open to every Government servant within three months of the date of issue of the order of his permanent transfer or within 3 months from the date of publication of these rules in the State Gazette or, if he is on leave on that day, within three months of his return from leave, whichever is later, to elect to be governed by the pension rules to which he was subject immediately before the date of applicability of these rules or on the date of his transfer as the case may be.(2)The option under the proviso to sub-rule (1) shall be exercised and communicated to the authority under whom he is posted or is posted after transfer, and also to the Audit Officer concerned in the case of a Gazetted Officer whose pay is not drawn on establishment pay bill.(3)In case no option is exercised within the prescribed period or before the date of retirement or death, whichever is earlier, these rules shall become applicable.(4)The option, once exercised shall be final.(4A)[Notwithstanding anything contained in Rule 4, -(i)all Government servants who are in service on 15-9-1976 shall, as from that date, become subject to these rules.(ii)any option exercised under the proviso to sub-rule (1) of Rule 4 by a Government servant before the date specified in clause (i) shall as from the said date, cease to be effective for purposes of these rules].

Chapter II

General Conditions

5. Regulations of claims to pension/gratuity or family pension.

(1)Any claim to pension/gratuity or family pension shall be regulated by the provisions of the rules in force at the time when a Government servant retires or is retired or is discharged or is allowed to resign from service or dies, as the case may be.(2)The question whether service in a particular office or department qualifies for pension is determined by the rules which were in force at the time such service was rendered and orders subsequently issued declaring service to be non-qualifying are not applied with retrospective effect.(3)The day with effect from the forenoon of which a Government servant retires or is retired or is discharged or is allowed to resign from service, as the case may be, shall be treated as a non-working day but the date of death shall be treated as a working day.

6.

[* * *] [Omitted by Notification No. FB-6-3-81-R-II-IV, dated 20-3-1981 (w.e.f. 17-4-1981).]

7. Limitation of numbers of pensions.

(1) A Government servant shall not earn two pensions in the same service or post at the same time or by the same continuous service. (2) Except as provided in Rule 18, a Government servant who having retired on a superannuation pension or retiring pension, is subsequently re-employed, shall not be entitled to a separate pension or gratuity for the period of his re-employment.

8. Pension subject to future good conduct.

(1)(a) Future good conduct shall be an implied condition of every grant of pension and its continuance under these rules. (b) The pension sanctioning authority may, by order in writing withhold or withdraw a pension or part thereof, whether permanently or for a specified period, if the pensioner is convicted of a serious crime or is found guilty of grave misconduct: Provided that no such order shall be passed by an authority subordinate to the authority competent at the time of retirement of the pensioner, to make an appointment to the post held by him immediately before his retirement from service: Provided further that where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below [the minimum pension as determined by the Government from time to time] [Substituted by Notification No. B-25-9-96-PWC-IV, dated 18-6-1996 (w.e.t. 1-1-1986)]. (2) Where a pensioner is convicted of a serious crime by a Court of law, action under clause (b) of sub-rule (1) shall be taken in the light of the judgement of the Court relating to such conviction. (3) In a case not falling under sub-rule (2), if the authority referred to in sub-rule (1) considers that the pensioner is prima facie guilty of grave misconduct, it shall before passing an order under sub-rule (1)-(a) serve upon the pensioner a notice specifying the action proposed to be taken against him and the ground on which it is proposed to be taken and calling upon him to submit, within fifteen days of the receipt of the notice or such further time not exceeding fifteen days as may be allowed by the pension sanctioning authority, such representation as he may wish to make against the proposal; and (b) take into consideration the representation, if any, submitted by the pensioner under clause (a). (4) Where the authority competent to pass an order under sub-rule (1) is the Governor, the State Public Service Commission shall be consulted before the order is passed. (5) An appeal against an order under sub-rule (1); passed by any authority other than the Governor, shall lie to the Governor and the Governor shall in consultation with the State Public Service Commission pass such order on the appeal as he deems fit. Explanation. - In this rule, -(a) the expression "serious crime" includes a crime involving an offence under the Official Secrets Act 1923 (No. 19 of 1923); (b) the expression "grave misconduct" includes the communication or disclosure of any secret official code or pass word or any sketch, plan, model, article, note, document or information such as is mentioned in Section 5 of the Official Secrets Act, while holding office under the government so as to prejudicially affect the interests of the general public, or the security of the country. [Note [Inserted by Notification No. FB-6-2(a)-80-R-II-IV, dated 1-1-1981.] - The Provisions of this rule shall also be applicable to family pension payable under Rules 47 and 48. The authority competent to make an appointment to the post held by the deceased Government

servant/ pensioner immediately before the death or retirement from the service, as the case may be, shall be the competent authority to withhold or withdraw any part of family pension.]

9. Right of Governor to withhold or withdraw pension.

(1)The Governor reserves to himself the right of withholding or withdrawing a pension or part thereof, whether permanently or for a specified period, and of ordering recovery from pension of the whole or part of any pecuniary loss caused to the Government if, in any departmental or judicial proceeding, the pensioner is found guilty of grave misconduct or negligence during the period of his service, including service rendered upon re-employment after retirement:Provided that the State Public Service Commission shall be consulted before any final orders are passed :Provided further that where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below [the minimum pension as determined by the Government from time to time] [Substituted by Notification No. B-25-9-96-PWC-IV, dated 18-6-1996 (w.e.f. 1-1-1986).];(2)(a)The departmental proceedings [xxx] [Omitted by Notification No. FB-25-31-95-PWC-IV, dated 22-12-1995 (w.e.f. 26-1-1996).], if instituted while the Government servant was in service whether before his retirement or during his re-employment, shall, after the final retirement of the Government servant, be deemed to be proceedings under this rule and shall be continued and concluded by the authority by which they were commenced, in the same manner as if the Government servant had continued in service :Provided that where the departmental proceedings are instituted by an authority subordinate to the Governor, that authority shall submit a report regarding its findings to the Governor.(b)The departmental proceedings, if not instituted while the Government servant was in service whether before his retirement or during his re-employment :- (i)shall not be instituted save with the sanction of the Governor;(ii)shall not be in respect of any event which took place more than four years before such institution; and(iii)[shall be conducted by such authority and in such place as the Government may direct and in accordance with the procedure applicable to departmental proceedings : [Substituted by Notification No. FB-6-3-78-N-II-IV, dated 10-11-1978 (w.e.f. 10-11-1978).](a)in which an order of dismissal from service could be made in relation to the Government servant during his service in case it is proposed to withhold or withdraw a pension or part thereof whether permanently or for a specified period; or(b)in which an order of recovery from his pay of the whole or part of any pecuniary loss caused by him to the Government by negligence or breach of orders could be made in relation to the Government servant during his service if it is proposed to order recovery from his pension of the whole or part of any pecuniary loss caused to the Government].(3)No judicial proceeding, if not instituted while the Government servant was in service, whether before his retirement or during his re-employment, shall be instituted in respect of a cause of action which arose or in respect of an event which took place, more than four years before such institution.(4)In the case of a Government servant who has retired on attaining the age of superannuation or otherwise and against whom any departmental or judicial proceedings are instituted or where departmental proceedings are continued under sub-rule (2), a provisional pension and death-cum-retirement gratuity as provided in [Rule 64] [Substituted by Notification No. B-6-1-77-PWC-IV, dated 26-8-1996 (w.e.f. 1-2-1977).], as the case may be, shall be sanctioned :[Provided that where pension has already been finally sanctioned to a Government servant prior to institution of departmental proceedings, the Governor may, by order in writing, withhold, with effect from the date of institution of such departmental

proceedings fifty per cent of the pension so sanctioned subject however that the pension payable after such withholding is not reduced to less than [the minimum pension as determined by the Government from time to time] [Inserted by Notification No. FB-6-3-78-N-II-IV dated 10-11-1978 (w.e.f. 10-11-1978)] :Provided further that where departmental proceedings have been instituted prior to the 25th October, 1978, the first proviso shall have effect as it for the words "with effect from the date of institution of such proceedings" the words "with effect from a date not later than thirty days from the date aforementioned," had been substituted :Provided also that-(a)If the departmental proceedings are not completed within a period of one year from the date of institution thereof, fifty per cent of the pension withheld shall stand restored on the expiration of the aforesaid period of one year;(b)If the departmental proceedings are not completed within a period of two years from the date of institution the entire amount of pension so withheld shall stand restored on the expiration of the aforesaid period of two years; and(c)If in the departmental proceedings final order is passed to withhold or withdraw the pension or any recovery is ordered, the order shall be deemed to take effect from the date of the institution of departmental proceedings and the amount, of pension since withheld shall be adjusted in terms of the final order subject to the limit specified in sub-rule (5) of Rule 43].(5)Where the Government decides not to withhold or withdraw pension but orders recovery of pecuniary loss from pension, the recovery shall not be made at a rate exceeding one-third of the pension admissible on the date of retirement of a Government servant.(6)For the purpose of this rule-(a)departmental proceedings shall be deemed to be instituted on the date on which the statement of charges is issued to the Government servant or pensioner, or if the Government servant has been placed under suspension from an earlier date, on such date; and(b)judicial proceedings shall be deemed to be instituted-(i)in the case of criminal proceedings, on the date on which the complaint or report of a police officer, of which the Magistrate takes cognizance, is made, and(ii)in the case of civil proceedings, on the date the plaint is presented in the Court.

10. Commercial employment after retirement.

(1)If a pensioner who, immediately before his retirement was in the State Service Class I, wishes to accept any commercial employment before the expiry of two years from the date of his retirement, he shall obtain the previous sanction of the Government to such acceptance [xxx] [Omitted by Notification No. FB-6-3-77-R-II-IV, dated 25-1-1977 (w.e.f. 25-2-1977).] :Provided that a Government servant who was permitted by the Government to take up a particular form of commercial employment during his leave preparatory to retirement or during refused leave shall not be required to obtain subsequent permission for his continuance in such employment after retirement.(2)[Subject to the provisions of sub-rule (3), the Government may, by order in writing, on an application made by a pensioner grant, subject to such conditions, if any, as it may deem, necessary permission, or refuse for reasons to be recorded in the order, permission, to such pensioner to take up the commercial employment specified in the application.(3)In granting or refusing permission under sub-rule (2) to a pensioner for taking up any commercial employment, the Government shall have regard to the following factors, namely-(a)the nature of the employment proposed to be taken up and the antecedents of the employer;(b)whether his duties in the employment which he proposes to take up might be such as to bring him into conflict with Government;(c)whether the pensioner while in service had any such dealing with the employer

under whom he proposes to seek employment as might afford a reasonable basis for the suspicion that such pensioner has shown favours to such employer;(d)whether the duties of the commercial employment proposed involve liason or contact work with Government departments;(e)whether his commercial duties will be such that his previous official position or knowledge or experience under Government could be used to give the proposed employer an unfair advantage;(f)the emoluments offered by the proposed employee; and(g)any other relevant factor.(4)Where within a period of sixty days of the date of receipt of an application under sub-rule (3), the Government does not refuse to grant the permission applied for or does not communicate the refusal to the applicant, the Government shall be deemed to have granted the permission applied for.(5)Where the Government grants the permission applied for subject to any conditions or refuses such permission, the applicant may within thirty days of the receipt of the order of the Government to that effect, make representation against any such condition or refusal and the Government may make such orders thereon as it deems fit :Provided that no order other than an order cancelling such condition or granting such permission without any conditions shall be made under this sub-rule without giving the pensioner making the representation an opportunity to show cause against the order proposed to be made.(6)If any pensioner takes up any commercial employment at any time before the expiry of two years from the date of his retirement without prior permission of the Government or commits a breach of any conditions subject to which permission to take up any commercial employment has been granted to him under this rule, it shall be competent for the Government to declare by order in writing and for reasons to be recorded therein that he shall not be entitled to the whole or such part of the pension and for such period as may be specified in the order :Provided that no such order shall be made without giving the pensioner concerned an opportunity of showing cause against such declaration :Provided further that in making any order under this sub-rule, the Government shall have regard to the following factors, namely-(i)the financial circumstances of the pensioner concerned;(ii)the nature of, and the emoluments from the commercial employment taken up by the pensioner concerned; and(iii)any other relevant factor.(7)Every order passed by the Government under this rule shall be communicated to the pensioner concerned] [Sub-rules (2) to (7) Inserted by Notification No. FB-6-3-77-R-II-IV, dated 25-1-1977 (w.e.f. 25-2-1977).].(8)[[Sub-rule (2), renumbered as sub-rule (8) by Notification No. FB-6-3-77-R-II-IV, dated 25-1-1977 (w.e.f. 25-2-1977).] In this rule-(a)the expression "commercial employment" means-(i)an employment in any capacity including that of an agent, under a company, co-operative society, firm or individual engaged in trading, commercial, industrial, financial or professional business and includes also a directorship of such company and partnership of such firm, but does not include employment under a body corporate, wholly or substantially owned or controlled by the Government.(ii)setting up practice, either independently or as a partner of a firm, as adviser or consultant in matters in respect of which the pensioner :(a)has no professional qualifications and, the matters, in respect of which the practice is to be set-up or is carried on, are relatable to his official knowledge or experience, or(b)has professional qualifications but the matters in respect of which such practice is to be set up are such as are likely to give his clients an unfair advantage by reason of his previous official position, or(iii)has to undertake work involving liaison or contact with the officer or officers of the Government.Explanation. - For the purpose of this clause the expression "employment under a co-operative society" includes the holding of any office, whether elective or otherwise, such as that of President, Chairman, Manager, Secretary, Treasurer and the like, by whatever name called in such society;(b)the expression "date of retirement", in relation to a Government servant re-employed

after retirement, without any break, either in the same or in another class I post under the Government or in any other equivalent post under Government means the date on which such Government servant finally ceases to be so re-employed in Government service.

11. Employment after retirement under a Government outside India.

- If a pensioner who, immediately before his retirement was holding a post other than Class IV under the State Government, wishes to accept any employment under any Government outside India, he shall obtain the previous permission of the State Government for such acceptance, and no pension shall be payable to a pensioner who accepts such an employment without proper permission in respect of any period for which he is so employed or such longer period as the Government may direct ;Provided that a Government servant who was permitted by the State Government to take up a particular form of employment under any Government outside India during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.Explanation. - For the purpose of this rule/the expression "employment under any Government outside India" includes employment under a local authority or corporation or any other institution or organisation which functions under the supervision or control of a Government outside India, or an employment under an International Organisation of which the Government of India is not a member.

Chapter III

Qualifying Service

12. Commencement of qualifying service.

(1)Except for compensation gratuity, a Government servant's service does not qualify till he has completed 18 years of age, provided that nothing contained in this clause shall apply in the case of persons who were in service on the date of commencement of these rules and in whose case a lower age limit has been prescribed.(2)Subject to the provisions of these rules, qualifying service of a Government servant shall commence fr6m the date he takes charge of the post to which he is first appointed either substantively or in an officiating or temporary capacity.

13. Conditions subject to which service qualifies.

(1)The service of a Government servant shall not qualify unless his duties and pay are regulated by the Government, or under conditions determined by the Government.(2)For the purposes of sub-rule (1), the expression "service" means service against a post under the Government and paid by the Government from the Consolidated Fund of the State which has not been declared as non-pensionable.

14. Counting of service on probation.

- Service on probation against a post shall qualify.

15. Counting of service as apprentice.

- Service as an apprentice shall not qualify, except in cases where it qualifies under the pension rules applicable at the time when the service was rendered.

16. Counting of service on contract.

(1) A person who is initially engaged by the Government on a contract for a specified period and is subsequently appointed to the same or another post in regular capacity in a pensionable establishment without interruption of duty, may opt either : (a) to retain the Government contribution in the contributory provident fund with interest including any other compensation for that service; or (b) to agree to refund to the Government the monetary benefits referred to in clause (a) or to forego the same if they have not been paid to him and count in lieu thereof the service for which the aforesaid monetary benefits may have been payable. (2) The option under sub-rule (1) shall be communicated to the Head of Office under intimation to the Audit Officer within a period of three months from the date of issue of the order of transfer to pensionable service, or if the Government servant is on leave on that day, within three months of his return from leave whichever is later. (3) If no communication is received by the Head of Office within the period referred to in sub-rule (2) the Government servant shall be deemed to have opted for the retention of the monetary benefits payable or paid to him on account of Service rendered on contract.

17. Counting of pre-retirement civil service in the case of re-employed Government servants.

(1) A Government servant who, having retired on compensation pension or invalid pension or compensation gratuity or invalid gratuity, is re-employed and appointed to a service or post to which these rules apply may exercise option either- (a) to continue to draw the pension or retain the gratuity sanctioned for his earlier service, in which case his former service shall not count as qualifying service, or (b) to cease to draw his pension or refund the gratuity, including the death-cum-retirement gratuity, and pension intermediately drawn, if any, as the case may be, and count his previous service including the period between the date of retirement and re-employment, (c) In cases of allocated Government servant from former Vindhya Pradesh and Bhopal States who were discharged on account of retrenchment from Part 'C' States before 1-11-56 and have opted to count their previous service, only the period before such retirement (excluding period of un-employment) shall count towards pension with re-employed service on refund of gratuity/ death-cum-retirement gratuity and on ceasing to draw pension. Pension intermediately drawn in such cases shall not be required to be refunded. The amount of gratuity shall be refunded to the Government of India who will bear proportionate pensionary liability for the service prior to retrenchment. Note. - Clause (c) applies to the cases of those Government servants only who were

re-employed and have refunded pensionary benefits, if any, before 14-7-1970.(2)(a)The authority issuing the order of appointment to a service or post as is referred to in sub-rule (1) shall along with such order require in writing the Government servant to exercise the option under sub-rule (1) within three months of the date of issue of such order, or if he is on leave on that day, within three months of his return from leave whichever is later and also bring to his notice the provision of clause (b).(b)If no option is exercised within the period referred to in clause (a), the Government servant shall be deemed to have opted for clause (a) of sub-rule (1).(3)In the cases of a Government servant who opts for clause (a) of sub-rule (1) the pension or gratuity admissible for his subsequent service is subject to the limitation, that service gratuity or the capital value of the pension and death-cum-retirement gratuity, if any, shall not be greater than the difference between the value of the pension and death-cum-retirement gratuity, if any, that would be admissible at the time of Government servant final retirement if two periods of service were combined and the value of retirement benefits already granted to him for the previous service.Note. - The capital value of pension shall be calculated in accordance with the Table prescribed under the [Madhya Pradesh Civil Services (Commutation of Pension) Rules, 1996] [Substituted by Notification No. B-25-10-95-PWC-IV, dated 21-8-1996 (w.e.f. 6-2-1995).] as applicable at the time of the second or final retirement.(4)(a)A Government servant who opts for clause (b) of sub-rule (1) shall be required to refund the gratuity received in respect of his earlier service, in monthly instalments not exceeding thirty-six in number, the first instalment beginning from the month following the month in which he exercised the option.(b)The right to count previous service as qualifying service shall not revive until the whole amount has been refunded.(5)In the case of a Government servant, who, having elected to refund the gratuity, dies before the entire amount is refunded, the amount of un-refunded gratuity shall be adjusted against the death-cum-retirement gratuity which may become payable to his nominee/legal heirs.

17A. [[Inserted by Notification No. FB-6-10-91-R-II-IV dated 18-6-1981 (w.e.f. 1-6-1976).]

Notwithstanding anything contained in Rule 17, service which does not forfeit under sub-rule (1) (e) of Rule 27 on account of interruption due to abolition of office or loss of appointment owing to reduction of establishment or due to transfer to non-qualifying service in an establishment under Government control under the orders of the competent authority, shall count for pension along with the period of break including spells of occasional service rendered during it or the period of non-qualifying service, as the case may be provided the Government servant has not received any retirement benefit for the previous service.] [Inserted by Notification No. B-6-9-76-R-II-IV, dated 15-9-1976 (w.e.f. 15-9-1976).]

18. Counting of military service rendered before civil employment.

(1)A Government servant who is re-employed in a civil service or post before attaining the age of superannuation and who, before such re-employment, had rendered regular military service after attaining the age of eighteen years, may, on his appointment in a civil service or post, opt either:-(a)to continue to draw the military pension or retain gratuity received on discharge from military service, in which case his former military service shall not count as qualifying service; or(b)[

to cease to draw his pension or, refund the gratuity including death-cum-retirement gratuity, if any, and account the previous military service as qualifying service, in which case the service so allowed to count shall be restricted to a service, within or outside the employee's unit or department in India or elsewhere, which is paid from the Consolidated Fund of India or for which pensionary contribution has been received by the Government of India and the pension intermediately drawn shall not be required to be refunded but the element of pension which was not taken into account for fixation of pay on re-employment shall be refunded to the Defence Department of the Government of India] [Substituted by Notification No. FB-6-1-77-N-II-IV, dated 28-9-1977 (w.e.f. 1-6-1976).].(2)(a)The authority issuing order of substantive appointment to a civil service or post as is referred to in sub-rule (1) shall along with such order require in writing the Government servant to exercise the option under that sub-rule within three months of the date of issue of such order, if he is on leave on that day, within three months of his return from leave, whichever is later and also bring to his notice the provisions of clause (b).Note. - The case of persons who were in pensionable civil service on 7-7-69 and applied for counting of their Army Service for purpose of civil pension before 7-10-69 may also be considered under this rule.(b)If no option is exercised within the period referred to in clause (a), the Government servant shall be deemed to have opted for clause (a) of sub-rule (1).(3)(a)A Government servant who opts for clause (b) of sub-rule (1) shall be required to refund the pension or gratuity received in respect of his earlier military service, in monthly instalments not exceeding thirty-six in number, the first instalment beginning from the month following the month in which he exercised the option.(b)The right to count previous service as qualifying service shall not revive until the whole amount has been refunded.(4)In the case of a Government-servant who, having elected to refund the pension or gratuity, dies before the entire amount is refunded, the un-refunded amount of pension or gratuity shall be adjusted against the death-cum-retirement gratuity which may become payable to his family.(5)When an order is passed under this rule by the Government allowing previous regular military service to count as part of the service qualifying for civil pension, the order shall be deemed to include the condonation of interruption in service if any, in the military service and between the military and civil service, but the period of interruption shall not qualify for civil pension.

19. Counting of war service rendered in World War II.

- In the case of those Government servants who retire or die on or after the date of applicability of these rules and who were appointed to civil posts and applied to count the service in Army before 7-10-69, "War Service" rendered during World War II by itself or in conjunction with other military service, may be allowed to count in full towards civil pension, if such service is followed without interruption by appointment to a pensionable post under the Government, subject to the following conditions namely:-(i)the Government servant concerned should not have earned a pension under the military rules in respect of service in question;(ii)in the case of services or posts in respect of which a minimum age is fixed for recruitment, no military or war service rendered below that age shall be allowed to count for pension;(iii)"War Service" rendered in Armed Forces of India shall be allowed to count for pension;(iv)No refund of bonus or war gratuity paid in respect of his "War Service" shall be demanded from the Government servant concerned. If, however, the Government servant has been granted any retirement gratuity for service covering both the war and post war period, such gratuity shall be refundable according to clause (vi) below.(v)The break between the

military/war service and the civil service shall be treated as automatically condoned, provided that period of break does not exceed one year. Break exceeding one year but not exceeding three years may also be condoned, in exceptional cases, under special orders of Government. The period of break shall, however, not count for pension.(vi)The pensionary liability for "War Service" devolves on State Government and for military service on the Defence authorities in accordance with para 12 of Part IV of Appendix 3 to Account Code Volume I. The retirement, gratuity in respect of service covering the war period should, therefore, be refunded and credited to the revenues of the State Government and the retirement gratuity in respect of military service (other than the service covering war period) should be refunded and credited to the Defence authorities. Notes. - (1) The service rendered by persons during World War II in the Civil Defence Department shall be treated as "War Service" for purposes of this rule.(2)Where a Government servant gets disability pension after he become eligible to ordinary pension also, and that element of ordinary pension is included in the disability pension, he is not eligible to count war/military service towards civil pension.

20. Counting (non-regular/purely temporary) military service and service rendered in the Indian National Army.

(1)Continuous military (non-regular/purely temporary) service not rendered in conjunction with war service in the Army, Navy and Air Force may be allowed to count in full towards civil pension in cases where the person applied before 7-10-69, if such service is followed without interruption by appointment to a pensionable post in the service of the State Government subject to the following conditions:-(i)The Government servant concerned should not have earned a pension under Military Rules in respect of service in question.(ii)In the case of services or posts in respect of which a minimum age is fixed before attaining of which service does not count for pension under civil rules, no military service rendered below that age shall be allowed to count for pension.(iii)If the Government servant has been granted any retirement gratuity in respect of such service, such gratuity shall be refundable to Defence authorities who will bear the pensionary liability in respect of service in question.(iv)Where there is interruption between the military service (temporary or non-regular) and pensionable service under the State Government, the interruption may be condoned under the provisions of Rule 28.(2)(a)The service rendered in the Indian National Army by the persons of the following categories may be treated as war service for purposes of counting it towards civil pension in terms of Rule 19 as applicable to employees of the State Government:-(i)persons who were holding civil posts under State Government before joining the Indian National Army and have been re-instated in same post;(ii)persons who were holding civil posts or were members of the Indian Armed Forces before joining the Indian National Army and have been re-employed in some other civil post under the State Government; and(iii)persons who joined the Indian National Army from the general public or from the Armed Forces and have subsequently been absorbed in civil posts under the State Government.(b)The service in the Indian National Army will be admitted on the basis of a certificate issued by the administrative authorities to the effect that the claim is genuine and correct. The administrative authorities will give such certificates after verification of documents or collateral evidence etc., produced by the persons concerned. In the case of persons belonging to category (iii) above the production of adequate proof like documents relating to their enrolment in the Indian National Army should be insisted upon along with collateral evidence for their having been in that Army.

21. Counting of periods spent on leave.

- All leave including extraordinary leave taken during service and granted by proper authority counts as qualifying service. Where extraordinary leave exceeding 120 days is not sanctioned by proper authority, only 120 days will be treated as qualifying service and the rest of the period shall non-qualify for pension.

22. Counting of periods spent on training.

- The Government may by order, decide whether the time spent by a Government servant under training immediately before appointment to service under Government shall count as qualifying service.

23. Counting of periods of suspension.

- Time passed by a Government servant under suspension pending inquiry into conduct shall count as qualifying service on reinstatement.

24. Forfeiture of service on dismissal or removal.

- Dismissal or removal of a Government servant from a service or post automatically entails forfeiture of his past service.

25. Counting of past service on reinstatement.

(1) A Government servant who is dismissed, removed or compulsorily retired from service, but is subsequently reinstated, is entitled to count his past service. (2) Periods of interruption due to dismissal, removal or compulsory retirement shall count as qualifying service on reinstatement.

26. Forfeiture of service on resignation.

(1) Resignation from a service or post entails forfeiture of past service : Provided that a resignation shall not entail forfeiture of past service if it has been submitted to take up with prior permission, another appointment, whether temporary or permanent, under the State Government, where service qualifies. [x x x] [Omitted by Notification No. B-25-6-95-PWC-IV, dated 20-9-96 (w.e.f. 20-10-1995).] (2) Interruption in service in a case falling under the proviso to sub-rule (1), due to the two appointments being at different stations, not exceeding the joining time permissible under the rules of transfer, shall be covered by grant of leave of any kind due to the Government servant on the date of relief or by formal condonation to the extent to which the period is not covered by leave due to the Government servant.

27. Effect of interruption in service.

(1)An interruption in the service of a Government servant entails forfeiture of his past service, except in the following cases-(a)authorised leave of absence;(b)unauthorised absence in continuation of authorised leave of absence so long as the post of absentee is not filled;(c)suspension, where it is followed by reinstatement, whether in the same or a different post, or where the Government servant dies or is permitted to retire or is retired while under suspension;(d)dismissal or removal from service followed by reinstatement in pensionable service;(e)[abolition of office or loss of appointment owing to reduction of establishment or due to transfer to non-qualifying service in an establishment under Government control under the orders of the competent authority;] [Substituted by Notification No. FB-6-10-91-R-II-IV, dated 18-6-1981 (w.e.f. 1-6-1976).](f)joining time while on transfer from one post to another.(2)Notwithstanding anything contained in sub-rule (1), the pension sanctioning authority may, by order, commute retrospectively the periods of absence without leave as extraordinary leave. The period of such extraordinary leave shall qualify for pension subject to the condition under Rule 21.

28. [Condonation of interruptions in service. [Substituted by Notification No. FB-25-6-95-PWC-IV, dated 20-10-95 (w.e.f. 1-12-1995).]

(1)In the absence of a specific indication to the contrary in the service book, an interruption between two spells of civil service rendered by a Government servant under Government shall be treated as automatically condoned and the pre-interruption service treated as qualifying service.(2)Nothing in sub-rule (1) shall apply to interruption caused by resignation, dismissal or removal from service or for participation in a strike.(3)The period of interruption referred to in sub-rule (1) shall not count as qualifying service.]

29. Verification of qualifying service after 25 years service or five years before retirement.

(1)On a Government servant Completing 25 years of service or on his being left with five years before the date of retirement or superannuation whichever is earlier, [xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).] the Head of Office, [xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).] concerned, [xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).] shall, in accordance with rules for the time being in force, verify the service rendered by such Government servant, determine the qualifying service, and communicate to him [in Form 26] [Inserted by Notification No. FB-6-1-77-R-II-IV, dated 28-3-1977 (w.e.f. 6-5-1977).] the period of qualifying service so determined.(2)Notwithstanding anything contained in sub-rule (1) where a Government servant is transferred to another department from a temporary department or on account of the closure of the department where he had been previously serving because the post he held had been declared surplus, the verification of his service may be done whenever such event occurs :[xxx] [Omitted by Notification No. FB-6-3-78-N-II-IV, dated 11-9-1978 (w.e.f. 13-10-1978).](3)[The verification done under sub-rules (1) and (2) shall be treated as final and shall not be reopened except when

necessitated by a subsequent change in the rules and orders governing the conditions under which the service qualifies for pension] [Renumbered by Notification No. FB-6-3-78-N-II-IV, dated 11-9-1978 (w.e.f. 13-10-1978).].(4)[Entries in Service Books authenticated by the administrative officers relating to service prior to 1st November, 1956 in the integrating units of new Madhya Pradesh should, for purposes of verification of pension or gratuity payable, be taken as authentic service records wherever they have been maintained in the ordinary course of business and there is no doubt about their genuineness provided that there are no interpolations, erasures, over-writings or alterations etc. which appear to have been made subsequently or appear to be of a doubtful nature.] [Inserted by Notification No. FB-6-3-78-N-II-IV, dated 11-9-1978 (w.e.f. 13-10-1978).]

Chapter IV

Emoluments and Average Emoluments

30. Emoluments.

- The expression "emoluments" means pay as defined in Rule 9 (21) of the Fundamental Rules (including dearness pay, if any, as determined by the order of the Government issued from time to time) which a Government servant was receiving immediately before his retirement or on the date of his death, as the case may be.[Explanation. [Substituted by Notification No. F-25-37-99-PWC-IV, dated 6th September 1999, Published in M.P. Rajpatra, Part IV (ga), dated 12-11-99, (Deemed to have come into force with effect from 1st Jan 1986).] - (1) For those Government Servants, who are drawing pay in the revised pay scale, under the Madhya Pradesh Revision of Pay Rules, 1990 or Madhya Pradesh Revision of Pay Rules, 1998, or pay scales of U.G.C. or All India Council of Technical Education or All India Services the expression 'emoluments' means basic pay as defined in Rule 9 (21) (a) (i) of the Fundamental Rules, which a Government Servant was receiving immediately before his retirement and will also include dearness pay and personal pay, if any, as determined by the order of State Government, from time to time.(2)Bilingual Allowance of Stenographers shall be treated as 'emoluments' for calculation of retirement benefits.(3)Special pay, if any, received in lieu of higher pay scale on promotion shall also be treated as 'emoluments' for calculation of retirement benefits.][Note 1. [Substituted by Notification No. B-25-10-95-PWC-IV, dated 29-8-96 (w.e.f. 1-4-1981).] - If a Government servant immediately before his retirement or death while in service had been absent from duty on leave for which leave salary is payable or having been suspended had been reinstated without forfeiture of service, the emoluments which he would have drawn had he not been absent from duty or suspended shall be the emoluments for the purposes of this rule.Note 2. - If a Government servant immediately before his retirement or death while in service had been absent from duty on extraordinary leave or had been under suspension, the period whereof does not count as service, the emoluments which he drew immediately before proceeding on such leave or being placed under suspension shall be the emoluments for the purposes of this rule.Note 3. - If a Government servant immediately before his retirement or death while in service, was on earned leave, and earned an increment which was not withheld, such increment, though not actually drawn, shall form part of his emoluments :Provided that the increment was earned during the currency of the earned leave not exceeding one hundred and twenty days, or during the first one hundred and twenty days of earned leave where such leave was

for more than one hundred and twenty days.]Note 4. - Pay drawn by a Government servant while on foreign service shall not be treated as emoluments, but the pay which he should have drawn under the Government had he not been on foreign service shall alone be treated as emoluments.Note 5. - Where a pensioner who is re-employed in Government service elects in terms of clause (a) of sub-rule (1) of Rule 17 or clause (a) of sub-rule (1) of Rule 18 to retain his pension for earlier service and whose pay on re-employment has been reduced by an amount not exceeding his pension, the element of pension by which his pay is reduced shall be treated as emoluments.[Note 6. [Inserted by Notification No. FB-6-1-77-N-II-IV, dated 27-11-77 (w.e.f. 30-12-1977).] - Where a Government servant has been transferred to an autonomous body consequent on the conversion of a department of the Government into such a body and the Government servant so transferred opts to retain the pensionary benefits under the rules of the Government, the emoluments drawn under the autonomous body shall be treated as emoluments for the purpose of this rule.]

31. [Average emoluments. [Substituted by Notification No. B-25-10-95-PWC-IV, dated 29-8-96 (w.e.f. 1-4-1981).]

(1)Average emoluments shall be determined with reference to the emoluments drawn by a Government servant during last 10 months of his service.Note 1. - If during the last 10 months of his service a Government servant had been absent from duty on leave for which leave salary is payable or having been suspended had been reinstated without forfeiture of service, the emoluments which he would have drawn had he not been absent from duty or suspended shall be taken into account for determining the average emoluments.Note 2. - If during the last ten months of his service, a Government servant had been absent from duty on extraordinary leave, or had been under suspension the period whereof does not count as service, the aforesaid period of leave or suspension shall be disregarded in the calculation of, the average emoluments and equal period before the 10 months shall be included.Note 3. - In tire case of a Government servant who was on earned leave during the last 10 months of his service and earned an increment, which was not withheld, such increment though not actually drawn shall be included in the average emoluments :Provided that the increment was earned during the currency of the earned leave not exceeding 120 days, or during the first 120 days of earned leave where such leave was for more than 120 days.(2)In case of Government servants retiring within nine months of a general pay revision, the Government in Finance Department may issue special orders for determination of their average emoluments :Provided that such special orders shall not be less favourable to the said Government servants than the provisions of these rules.]

Chapter V

Classes of Pensions and Conditions Governing their Grant

32. Superannuation pension.

- A superannuation pension shall be granted to a Government servant who is retired on his attaining the age of compulsory retirement.

33. [Retiring pension. [Substituted by Notification No. FB-6-5-81-R-II-IV, dated 15-4-81 (w.e.f. 15-5-1981).]

(1)A retiring pension shall be granted to a Government servant who retires or is retired, in advance of the age of compulsory retirement, in accordance with the provisions of Rule 42 of these rules, or Rule 56 of the Fundamental Rules.(2)A Government servant who receives the payment of pay and allowances for the period of notice of three months or short of three months under rules referred to in sub-rule (1) above, will retire immediately on such payment and he shall, therefore, be paid pension in addition for the said period.]

34. Pension on absorption in or under a corporation, company or body.

- A Government servant who has been permitted to be absorbed in a service or post in or under a corporation or company wholly or substantially owned or controlled by the Government in or under a body controlled or financed by the Government shall, if such absorption is declared by the Government to be in the public interest, be deemed to have retired from service on retiring pension from the date of such absorption and shall be eligible to receive retirement benefits which he may have elected or deemed to have elected, and from such date as may be determined, in accordance with the orders of the Government applicable to him : (See App. II).[Provided that the provisions of sub-rule (5) of Rule 43, shall not apply for the purpose of determining pension under this rule.] [Inserted by Notification No. FB-6-1-77-R-II-IV, dated 25-1-77 (w.e.f. 25-2-1977).]

35. Invalid pension.

(1)Invalid pension may be granted if a Government servant retires from the service on account of any bodily or mental infirmity which permanently incapacitates him for the service.(2)A Government servant applying for an invalid pension shall submit a medical certificate of incapacity from the following medical authority namely:-(a)a medical board, in the case of a Gazetted Government servant [xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).];(b)Civil Surgeon or a District Medical Officer of equivalent status in other cases.Note 1. - No medical certificate of incapacity for service may be granted unless the applicant produces a letter to show that the Head of his office or department is aware of the intention of the applicant to appear before the medical authority. The medical authority shall also be supplied by the Head of the Office or Department in which the applicant is employed with a statement of what appears from official records to be the age of the applicant. If a service book is being maintained for the applicant, the age recorded therein should be reported.Note 2. - A lady doctor shall be included as a member of the Medical Board, when a women candidate is to be examined.Note 3. - The form of the medical certificate to be granted by the medical authority specified in sub-rule (2) shall be as in Form 22.Note 4. - Where the medical authority referred to in sub-rule (2) has declared a Government servant fit for further service of less laborious character than that which he had been doing, he should, provided he is willing to be so employed, be employed on lower post and if there be no means of employing him even on a lower post, he may be admitted to invalid pension.Note 5. - (a) If the incapacity is directly due to the irregular or intemperate habits of a Government servant, no

invalid pension shall be granted under the orders of pension sanctioning authority.(b)If the incapacity has not been directly caused by such habits but has been accelerated or aggravated by them, it shall be for the pension sanctioning authority to decide what reduction should be made on this account.

36. Compensation pension.

(1)If a Government servant is selected for discharge owing to the abolition of his post, he shall, unless he is appointed to another post the conditions of which are deemed by the authority competent to discharge him, to be at least equal to those of his own, have the option,-(a)of taking compensation pension to which he may be entitled for the service he had rendered, or(b)of accepting another appointment on such pay as may be offered and continuing to count his previous service for pension.(2)(a)(i)Notice of at least three months shall be given to a Government servant in permanent employment before his services are dispensed with on the abolition of his permanent post.(ii)Notice of at least one month shall be given to a Government servant in temporary employment before his service are dispensed with on abolition of his temporary post or permanent post in which he was officiating without having been against any permanent post.(b)Where notice as provided in clause (a) is not given and the Government servant has not been provided with other employment on the date on which his services are dispensed with, the authority competent to dispense with his services may sanction the payment of a sum not exceeding the pay and allowances for the period by which the notice actually given to him falls short of the required period.(c)Neither compensation pension shall be payable for the period in respect of which he received pay and allowances in lieu of notice, nor such period shall qualify for pension.(3)In case a Government servant is granted pay and allowances for the period by which the notice given to him falls short of required period and he is re-employed before the expiry of the period for which he has received pay and allowances, he shall refund the pay and allowances so received for the period following his re-employment.(4)If a Government servant who is entitled to compensation pension accepts instead another appointment under the Government and subsequently becomes entitled to receive a pension of any class, the amount of such pension shall not be less than the compensation pension which he could have claimed if he had not accepted the appointment.

37. Compulsory retirement pension.

(1)A Government servant compulsorily retired from service as a penalty may be granted, by the authority competent to impose such penalty, pension or gratuity, or both at a rate not less than two-thirds and not more than full compensation pension or gratuity or both admissible to him on the date of his compulsory retirement.(2)Whenever in the case of a Government servant, the Governor passes an order (whether original, appellate or in exercise of powers of review) awarding a pension less than the full compensation pension admissible under these rules, the Public Service Commission shall be consulted before such order is passed.Explanation. - In this sub-rule, the expression "pension' includes "gratuity".(3)A pension granted or awarded under sub-rule (1) or as the case may be, under sub-rule (2), shall not be less than [minimum pension as determined by the Government from time to time] [Substituted by Notification No. B-25-9-96-PWC-IV, dated 18-6-96 (w.e.f. 1-1-1986).].

38. Compassionate allowances.

(1) A Government servant who is dismissed or removed from service shall forfeit his pension and gratuity : Provided that the authority competent to dismiss or remove him from service may, if the case is deserving of special consideration, sanction a compassionate allowance not exceeding two-thirds of pension or gratuity or both which would have been admissible to him if he had retired on compensation pension. (2) A compassionate allowance sanctioned under the proviso to sub-rule (1) shall not be less than the limit specified in sub-rule (5) of Rule 43.

Chapter VI

Regulation of Pension of Pre 1933 Entrants

39. Scope.

- The provisions of this Chapter shall apply to a Government servant other than Class IV who on the 30th November, 1933 held a lien or a suspended lien on a permanent pensionable post under the State Government or Government of India or a Local Fund Administered by Government and was holding a lien or a suspended lien on a permanent pensionable post under the erstwhile State of new Madhya Pradesh on 1st September, 1950 and opted for provisions relating to pension and gratuity under clause (b) or clause (c) of Rule 8 (1) of Madhya Pradesh New Pension Rules, 1951.

40. Applicability of pension rules.

(1) The Government servant, who exercised option under clause (b) of Rule 8 (1) of Madhya Pradesh New Pension Rules, 1951, shall be subject to the pension rules which were applicable to him before 1st September, 1950, as amended from time to time by the State Government, and nothing in these rules shall apply to him. (2) The Government servant who exercised option under clause (c) of sub-rule (1) of Madhya Pradesh New Pension Rules, 1951 shall be eligible to : (a) pension including additional pension under the existing rule applicable to him before 1st September, 1950, as amended from time to time, reduced by the pension (other than additional pension) equivalent of death-cum-retirement gratuity admissible under Rule 44 calculated in accordance with the Table prescribed under Madhya Pradesh Civil Pensions (Commutation) Rules, 1976 applicable at the time of retirement of Government servant; (b) family pension under Rule 47 or 48, as per option of such Government servant exercised on or after 17th August, 1966.

Chapter VII

Regulation of Amounts of Pensions of Post 1933 Entrants

41. Scope.

- The provisions of this Chapter shall apply to a Government servant-(a) who on the 30 November, 1933 held a lien or a suspended lien on a permanent pensionable post under the Government of

erstwhile Madhya Pradesh or Government of India or a Local Fund administered by the Government and who did not opt for clause (b) or clause (c) of sub-rule (1) of Rule 8 of Madhya Pradesh New Pension Rules, 1951, and (b) to all Government servants whose cases do not fall under clause (a) above.

42. Retirement on completion of [20 years] [Substituted by Notification No. F-25-2-2000-PWCMV, dated 30th May, 2000, for '20/25 years'.] qualifying service.

- [(1) (a) A Government servant may retire at any time after completing 20 years qualifying service, by giving a notice in Form 28, to the appointing authority at least three months before the date on which he wishes to retire or on payment by him of pay and allowances for the period of three months or for the period by which the notice actually given by him falls short of three months :Provided that where the Government servant giving such notice is under suspension, he shall not be allowed to retire from service without the prior permission in writing of the appointing authority.(b)The appointing authority may in the public interest require a Government servant to retire from service at any time after he has completed [20 years qualifying service or he attains the age of 50 years whichever is earlier], with the approval of the State Government by giving him three months notice in Form 29 :Provided that such Government servant may be retired forthwith and on such retirement the Government servant shall be entitled to claim a sum equivalent to the amount of his pay plus allowances for the period of the notice at the same rates at which he was drawing then immediately before his retirement or, as the case may be, for the period by which such notice falls short of three months.Note 1. - Before a Government servant serves notice of retirement under clause (a) above, he should satisfy himself by means of a reference to the appointing authority that he has in fact, completed [20 years qualifying service or he attains the age of 50 years] [Substituted by Notification No. F-25-2-2000-PWC-IV, dated 30th May, 2000.] for pension. Similarly the appointing authority, while giving notice of retirement to a Government servant under clause (b), above, should also satisfy itself, that the Government servant has, in fact completed [20 years qualifying service or he attains the age of 50 years] [Substituted by Notification No. F-25-2-2000-PWC-IV, dated 30th May, 2000.] [xxx] [The words 'the appointing authority may obtain report from the Accountant General, Madhya Pradesh about.... qualifying service of the Government servant, if necessary', omitted by Notification No. F-25-2-2000-PWC-IV, dated 30th May, 2000.]Note 2. - The period of notice of three months or notice period which is short of three months, as the case may be, shall be reckoned from the date on which it is signed and put in communication under registered post. Where the notice is served personally the period shall be reckoned from date of receipt thereof.Note 3. - The Government servant, on submission of an application shall be granted such leave during the period of notice to which he is entitled according to rules :Provided that no leave shall be granted beyond the expiry of the period of notice]. [Note 4. [Substituted by Notification No. FB-6-5-81-R-II-IV, dated 15-4-81 (w.e.f. 15-5-1981).] - The payment of pension for the period for which pay and allowances have been paid to a Government servant in lieu of notice, shall be regulated by the provision of sub-rule (2) of Rule 33 of these rules].(2)A Government servant who has elected to retire under this rule and has given the necessary intimation to that effect to the appointing authority, shall be precluded from withdrawing his election subsequently except with the specific approval of such authority on consideration of the

circumstances of the case to withdraw the notice given by him :Provided that the request for withdrawal shall be prior to the intended date of his retirement.(3)Where the notice of retirement has been served by appointing authority on the Government servant, it may be withdrawn, if so desired for adequate reasons, provided that the Government servant concerned is agreeable.

43. Amount of pension.

(1)In the case of a Government servant retiring in accordance with the provisions of these rules before completing qualifying service of 10 years, the amount of service gratuity shall be appropriate amount as set out below namely :-

Completed six monthly periods of qualifying service (1)	Scale of gratuity. (2)	
	GRATUITY	
1	1/2	month's emoluments
2	1	"
3	1 1/2	"
4	2	"
5	2 1/2	"
6	3	"
7	3 1/2	"
8	4	"
9	4 3/8	"
10	4 3/4	"
11	5 1/8	"
12	5 1/2	"
13	5 7/8	"
14	6 1/4	"
15	6 5/8	"
16	7	"
17	7 3/8	"
18	7 3/4	"
19	8 1/8	"

(2)In the case of a Government servant retiring in accordance with the provisions of these rules after completing qualifying service of not less than ten years, the amount of pension shall be appropriate; amount as set out below, namely :-

Completed six monthly periods of qualifying service (1)	Scale of pension (2)	Maximum pension in Rs. per annum (3)
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PENSION

20	10/80th	of average emoluments	3126.00
21	10 1/2/80th	"	3281.25
22	11/80th	"	3437.50
23	11 1/2/80th	"	3593.75
24	12/80th	"	3750.00
25	12 1/2/80th	"	3906.25
26	13/80th	"	4062.50
27	13 1/2/80th	"	4218.75
28	14/80th	"	4375.00
29	14 1/2/80th	"	4531.25
30	15/80th	"	4687.50
31	15 1/2/80th	"	4843.75
32	16/80th	"	5000.00
33	16 1/2/80th	"	5156.25
34	17/80th	"	5312.50
35	17 1/2/80th	"	5468.75
36	18/80th	"	5625.00
37	18 1/2/80th	"	5781.25
38	19/80th	"	5937.50
39	19 1/2/80th	"	6093.75
40	20/80th	"	6250.00
41	20 1/2/80th	"	6406.25
42	21/80th	"	6562.50
43	21 1/2/80th	"	6718.75
44	22/80th	"	6875.00
45	22 1/2/80th	"	7031.25
46	23/80th	"	7187.50
47	23 1/2/80th	"	7343.75
48	24/80th	"	7500.00
49	24 1/2/80th	"	7656.25
50	25/80th	"	7812.50
51	25 1/2/80th	"	7968.75
52	26/80th	"	8125.00
53	26 1/2/80th	"	8281.25
54	27/80th	"	8437.50

55	27 1/2/80th	“	8593.75
56	28/80th	“	8750.00
57	28 1/2/80th	“	8906.25
58	29/80th	“	9062.50
59	29 1/2/80th	“	9218.75
60	30/80th	“	9375.00
61	30 1/2/80th	“	9531.25
62	31/80th	“	9687.50
63	31 1/2/80th	“	9843.75
64	32/80th	“	10,000.00
65	32 1/2/80th	“	10,000.00
66	33/80th	“	10,000.00

(3) In calculating the length of service, fraction of a year equal to 6 months and above shall be treated as a completed six monthly period. (4) The amount of pension shall be fixed at monthly rates and be expressed in whole rupees and where the pension contains a fraction of a rupee it shall be rounded off to the next higher rupee : Provided that in no case a pension in excess of the maximum pension prescribed under this rule shall be allowed. (5) Where the amount of pension :- (a) calculated by taking into account dearness pay, if any, or (b) calculated after excluding dearness pay, but inclusive of ad hoc increase or temporary increase or both if any, is less than [minimum pension as determined by the Government from time to time] [Substituted by Notification No. B-25-9-96-PWC-IV, dated 18-6-96 (w.e.f. 1-1-1986).] the difference shall be made good by the grant of further increase in pension: [Provided that the amount of invalid pension shall not be less than the amount of ordinary family pension which may be admissible to the family of the Government servant under Rule 47 (2) :] [Substituted by Notification No. FB-6-1-77-II-IMV, dated 22-7-77 (w.e.f. 1-6-1976).] [Provided further that nothing in this sub-rule shall apply to a Government servant referred to in Rule 34] [Inserted by Notification No. FB-6-1-77-R-II-IV, dated 25-1-77 (w.e.f. 25-7-1977).] [Note. [Inserted by Notification No. FB-6-1-77-N-II-IV, dated 22-7-77 (w.e.f. 1-6-1976).] - For commutation of pension, amount of original invalid pension i.e. determined with reference to qualifying years of service and the average emoluments will only be taken into account. However relief on pension will be admissible on the total original invalid pension and extra pension allowed to bring the amount of invalid pension to the level of the amount of ordinary family pension admissible to the family on the death of the pensioner.](6) [x x x] [Omitted by Notification No. FB-6-2 (a)-80-R-II-IV, dated 1-1-1981.] Provided that where the amount of military pension (including ad hoc increase or temporary increase or both) is forty rupees per mensem, and his pension for civil service (including ad hoc increase if any) falls below forty rupees per mensem his civil pension shall be raised to Rs. 40 per mensem in accordance with the provisions of sub-rule (5).

44. Death-cum-retirement gratuity.

(1)(a) A Government servant who has completed 5 years qualifying service and has become eligible for service gratuity or pension under Rule 43 shall on his retirement, be granted death-cum-retirement gratuity equal to one-fourth of his emoluments for each completed six

monthly period of qualifying service, subject to a maximum of 16 1/2 times the emoluments;(b)If a Government servant dies while in service after completing 5 years' qualifying service, the amount of death-cum-retirement gratuity shall be equal to 12 times of his emoluments or the amount determined under clause (a), whichever is higher and it shall be paid in the manner indicated in Rule 45 :Provided that the amount of death-cum-retirement gratuity payable under this rule shall, in no case, exceed twenty-five thousand rupees.(2)If a Government servant, who has become eligible for service gratuity or pension, dies after he has retired from service, and the sums actually received by him at the time of his death on account of such gratuity or pension together with the gratuity granted under clause (a) of sub-rule (1) is less than an amount equal to 12 times his 'emoluments' a gratuity equal to the deficiency may be granted to the person or persons specified in sub-rule (1) of Rule 45. This benefit shall not be admissible if the Government servant has commuted a portion of his pension before death.Note. - The residuary gratuity is admissible only if the death of Government servant takes place within five years from the date of retirement. For determining the amount of residuary gratuity payable under this rule the temporary increase or ad hoc increase or both drawn by the deceased shall also be taken into account.(3)[* * *] [Omitted by Notification No. B-25-9-96-PWC-IV, dated 28-9-1996 (w.e.f. 31-3-1979).](4)The emoluments for the purpose of gratuity admissible under this rule shall be subject to a maximum of two thousand rupees per mensem and shall be reckoned in accordance with Rule 30 :Provided that if the emoluments of a Government servant have been reduced during the last one year of his service otherwise than as penalty, average emoluments as referred to in Rule 31, may at the discretion of the Head of Office, be treated as emoluments.(5)For the purpose of this rule and Rules 45 and 46 'family' in relation to Government servant means :-(i)Wife in the case of a male Government servant,(ii)Husband, in the case of a female Government servant,(iii)Sons including step sons and adopted sons,(iv)Unmarried daughters including step daughters and adopted daughters,(v)Widowed daughters including step daughters and adopted daughters,(vi)Father, including adoptive parents in the case of individuals,(vii)Mother, whose personal law permits adoption,(viii)Brothers below the age of eighteen years including step brothers,(ix)Unmarried sisters and widowed sisters including step sisters,(x)Married daughters, and(xi)Children of pre-deceased son.

45. Persons to whom gratuity is payable.

(1)(a)The gratuity payable under clause (b) of sub-rule (1) or sub-rule (2) of Rule 44 shall be paid to the person or persons on whom the right to receive the gratuity is conferred by means of a nomination under Rule 46.(b)If there is no such nomination or if the nomination made does not subsist, the gratuity shall be paid to the legal heirs of the Government servant.Note. - Payment of death-cum-retirement gratuity claimed on behalf of deceased Government servant or on behalf of a Government servant who died after retirement, without executing a nomination or nomination made does not subsist at the time the gratuity becomes payable, may be made up to the extent of rupees ten thousand under the orders of the Head of Office on the execution of an indemnity bond with such sureties of suitable permanent Government servants in Form 24, as he may require, without insisting on the production of usual legal authority, if he is satisfied of the right and title of the claimant. In any case of doubt payment shall be made only to the person producing usual legal authority.(2)If a Government servant dies after retirement without receiving the gratuity admissible under clause (a) of sub-rule (1) of Rule 44 the gratuity shall be disbursed to the legal heirs in the

manner indicated in clause (b) of sub-rule (1).(3)The right of female member of a family, or that of brother, of a Government servant who dies while in service or after retirement, to receive the share of gratuity shall not be affected if the female member marries or remarries, or the brother attains the age of eighteen years, after the death of the Government servant and before receiving her or his share of gratuity.(4)Where gratuity is granted under Rule 44 to a minor member of the family of the deceased Government servant, [it shall be payable to the guardian on behalf of the minor :Provided that if in a particular case, in the opinion of the Head of the office of the concerned administrative department it is not possible to get a suitable guardian or it is objected by a minor to make payment of gratuity to the guardian, the amount of gratuity shall be deposited in the saving bank account in the post office which will be operatable jointly by Collector and District Treasury Officer and necessary amount shall be made available from time to time to the minor for his education/treatment etc. The saving bank account shall be closed after making the payment of the whole of the balance amount to the minor when he attains majority.] [Substituted by Notification No. F. 25-238-2000-IV-PWC, dated 20-12-2001, Published in M.P. Rajpatra, Part IV (Ga), dated 18-1-2002 at p. 7 for the words 'it shall be payable to the Guardian on behalf of the Minor'.]Note. - In the case where payment of minors' share of death-cum-retirement gratuity is to be made to the natural guardian of minor(s), or in the absence of a natural guardian of minor(s), to the person who furnishes a guardianship certificate, the name of the natural/legal guardian should be given in the sanction order itself to bring in the knowledge of the Accountant General the names of the persons to whom the payment is to be made, before any authority is issued by him in such cases.Explanation. - The legal position as to whom the share of minor in the capacity of minor's natural/legal guardian would be payable is explained below :-(i)Where no valid nomination subsists. - (a) When a share is payable to minor sons or minor unmarried daughters, it should be paid to the surviving parent except in the case when the surviving parent happens to be a Muslim lady, or a step mother. Where, however, there is no surviving parent or the surviving parent is a Muslim lady/step mother, payment will have to be made to the person producing the guardianship certificate.(b)When a share is payable to widowed minor daughter(s) production of a guardianship certificate would be necessary.(c)If in a rare case the wife herself happens to be a minor, the death-cum-retirement gratuity payable to her shall be paid to the person producing a guardianship certificate.(d)When the death-cum-retirement gratuity becomes payable to a minor brother or minor unmarried sister, the payment should be made to the father or, in his absence to the mother of the beneficiary except in case where the mother happens to be a Muslim lady or a step mother. In this case, too, if there is no surviving parent or the surviving parent happens to be a Muslim lady or a step mother, the payment will have to be made to the person producing the guardianship certificate. If any share is payable to a widowed minor sister, the production of guardianship certificate would be necessary.(ii)Where a valid nomination subsists. - (a) Where the nomination is in respect of one or more of the members of the family, the position stated against para (i) would apply.(b)Where there is no family, the nomination in favour of an illegitimate child, a married daughter or a married sister would also be valid. The position would, therefore, be as follows,-(i)If the nominee is an illegitimate child, share will be payable to the mother, and, in her absence the production of a guardianship certificate would be necessary.(ii)If the share is payable to a married minor girl, the share will be payable to her husband and if such girl is a Muslim, the amount should be paid to a person who produces a certificate of guardianship.Note. - When there is no surviving parent of the minor(s) or the surviving parent is a Muslim lady or a step mother, inconvenience and hardship may be caused in producing a

guardianship certificate. In such cases the payment of death-cum-retirement gratuity to the extent of Rs. 5,000 (or first Rs. 5,000 when the amount payable exceeds Rs. 5,000) in favour of a minor may be made to his/her de facto guardian having the custody of the person of the minor(s) and his/her property on production of an affidavit in this behalf and subject to the production of an indemnity bond in Form No. 23 on plain paper (stamp duty will be borne by State Government) with two sureties to the satisfaction of the sanctioning authorities. The balance in excess of Rs. 5,000 if any, would become payable only on the production of a certificate of guardianship.

45A. [Debarring a person from receiving gratuity. [Inserted by Notification No. FB-6-7-81-R-II-IV, dated 10-6-1981 (w.e.f. 24-7-1981).]

(1) If a person, who in the event of death of a Government servant while in service is eligible to receive gratuity in terms of Rule 45 is charged with the offence of murdering the Government servant or for abetting in the Commission of such an offence, his claim to receive his share of gratuity shall remain suspended till the conclusion of the criminal proceedings instituted against him. (2) If on the conclusion of the criminal proceedings referred to in sub-rule (1), the person concerned (a) is convicted for the murder or abetting in the murder of the Government servant, he shall be debarred from receiving his share of gratuity which shall be payable to other eligible members of the family, if any; (b) is acquitted of the charge of murder or abetting in the murder of the Government servant, his share of gratuity shall be payable to him. (3) The provisions of sub-rule (1) and sub-rule (2) shall also apply to the undisbursed gratuity referred to in sub-rule (2) of Rule 45.] [Substituted by Notification No. FB-6-2(a)-81-R-II-IV, dated 31-3-80.]

46. Nominations.

(1) A Government servant shall, on his initial appointment in a pensionable service or post, make a nomination in Form 1 or Form 2 as may be appropriate in the circumstances of the case, conferring on one or more persons the right to receive the death-cum-retirement gratuity payable under clause (b) of sub-rule (1) or sub-rule (2) of Rule 44 : Provided that if at the time of making the nomination :- (i) the Government servant has a family, the nomination shall not be in favour of any person or persons other than the members of his family; or (ii) the Government servant has no family, the nomination may be made in favour of a person or persons, or a body of individuals, whether incorporated or not. (2) If a Government servant nominates more than one person under sub-rule (1) he shall specify in the nomination the amount of share payable to each of the nominees in such manner as to cover the entire amount of gratuity. (3) A Government servant may provide in the nomination :- (i) that in respect of any specified nominee who predeceases the Government servant, or who dies after the death of the Government servant but before receiving the payment of gratuity the right conferred on that nominee shall pass to such other person as may be specified in the nomination : Provided that if at the time of making the nomination the Government servant has a family consisting of more than one member, the person so specified shall not be a person other than a member of his family : Provided further that where a Government servant has only one member in his family, and a nomination has been made in his favour, it is open to the Government servant to nominate alternate nominee or nominees in favour of any person or a body of individuals, whether incorporated or not; (ii) that the nomination shall become invalid in the event of the happening of the

contingency provided therein.(4)The nomination made by a Government servant who has no family at the time of making it, or the nomination made by a Government servant under the second proviso to clause (i) of sub-rule (3) where he has only one member in his family shall become invalid in the event of the Government servant subsequently acquiring a family, or an additional member in the family, as the case may be.(5)A Government servant may, at any time, cancel a nomination by sending a notice in writing to the authority mentioned in sub-rule (7) :Provided that he shall, along with such notice, send a fresh nomination made in accordance with this rule.(6)Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (i) of sub-rule (3) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (ii) of that sub-rule, the Government servant shall send to the authority mentioned in sub-rule (7) a notice in writing cancelling the nomination together with a fresh nomination made in accordance with this rule.(7)[(a) Every nomination made (including every notice of cancellation, if any, given) by a Government servant under this rule, shall be sent [to the Head of Office.] [Substituted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).](b)[The Head of Office] [Substituted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).] shall immediately on receipt of the nomination referred to in clause (a), countersign it indicating the date of receipt and keep it under his custody.(c)(i)The Head of Office may authorise his subordinate Gazetted Officers to countersign the nomination forms of Non-Gazetted Government servants.(ii)Suitable entry regarding receipt of nomination shall be made in the service book of Government servant.](8)Every nomination made, and every notice of cancellation given, by a Government servant shall, to the extent that it is valid, take effect from the date on which it is received by the authority mentioned in sub-rule (7).

47. Contributory family pension.

(1)The provisions of this rule shall apply :(a)to a Government servant entering service in a pensionable establishment on or after 1st April, 1966; and(b)to a Government servant who was in service on 31st March, 1966 and came to be governed by the provisions of the Family Pension Scheme for State Government Employees, 1966 contained in Government of Madhya Pradesh Finance Department Memo No. 1963/C.R. 903-IV-R.II, dated 17th August, 1966 as in force immediately before the commencement of these rules.(2)[Without prejudice] [Substituted by Notification No. 25-9-96-PWC-IV, dated 28-9-1996 (w.e.f. 31-3-1979).] to the provisions contained in sub-rule (3), where a Government servant dies-(a)[while in service provided he had been medically examined and found fit for appointment under the Government.] [Substituted by Notification No. FB-6-I-79-N-II-IV, dated 2-8-79 (w.e.f. 2-8-1979).](b)after retirement from service and was on the date of death in receipt of a pension or compassionate allowance, referred to in Chapter V [x x x] [The words and figures, 'other than the pension referred to in Rule 34', omitted by Notification No. 25-18-97-PWC-IV, dated 28th November, 1997; (w.e.f. 20-5-1997).] on the date of death,the family of the deceased shall be entitled to a contributory family pension (hereinafter in this rule referred to as Family Pension) the amount of which shall be determined as follows :-

Pay of Government servant

(1)

Amount of monthly family pension

(2)

- | | |
|--|--|
| (i) Below Rs. 400. | 30 per cent of pay subject to a minimum of Rs. 60 and a maximum of Rs. 100. |
| (ii) Rs. 400 and above but not exceeding Rs. 1200. | 15 per cent of pay subject to a minimum of Rs. 100 and a maximum of Rs. 160. |
| (iii) Above Rs. 1200. | 12 per cent of pay subject to a minimum of Rs. 160 and a maximum of Rs. 250. |

(2A) The amount of family pension shall be fixed at monthly rates and be expressed in whole rupees and where the family pension contains a fraction of a rupee it shall be rounded off to next higher rupee provided that in no case family pension in excess of the maximum [prescribed] [Substituted by Notification No. FB-6-1-77-R-II-IV, dated 2-5-77 (w.e.f. 8-7-1977).] under this rule shall be allowed. (3)(a) [Where a Government servant] [Substituted by Notification No. B-25-9-96-PWC-IV, dated 18-10-1996 (w.e.f. 1-1-1986).], who is not governed by the Workman's Compensation Act, 1923 (No. 8 of 1923), dies while in service after having rendered not less than seven years continuous service, the rate of family pension payable to the family shall be equal to 50 per cent of the pay last drawn or twice the family pension admissible under sub-rule (2), whichever is less, and the amount so admissible shall be payable from the date following the date of death of the Government servant :-(i) for a period of seven years; or (ii) up to the date on which the deceased Government servant would have attained the age of 65 years had he survived, whichever period is less. (b) [Where a Government servant] [Substituted by Notification No. B-25-9-96-PWC-IV, dated 18-10-1996 (w.e.f. 1-1-1986).] who is not governed by the Workmen's Compensation Act, 1923 (No. 8 of 1923) dies after retirement after having rendered not less than seven years continuous service, the rate of family pension payable to the family shall be equal to 50 per cent of the pay last drawn by the pensioner before retirement or twice the family pension admissible under sub-rule (2), whichever is less, and the amount so admissible shall be payable from the date following the date of death of the pensioner :-(i) for a period of seven years; or (ii) till the date on which the pensioner would have reached the age of 65 years had he remained alive, whichever period is shorter : Provided that the amount of family pension shall not exceed the pension sanctioned to the Government servant at the time of retirement. In cases where the amount of family pension as admissible under clause (b) of sub-rule (2) of this rule exceeds the pension sanctioned at the time of retirement, the amount of family pension sanctioned under this sub-rule shall not be less than that amount. The term 'pension sanctioned at the time of retirement' shall mean 'the pension inclusive of the part of the pension which the retired Government servant may have commuted before death.' (c) (i) Where a Government servant who is governed by the Workmen's Compensation Act, 1923 (No. 8 of 1923) dies while in service after having rendered not less than seven years continuous service, the rate of family pension payable to the family shall be equal to 50 per cent of the pay last drawn or one and a half times the family pension admissible under sub-rule (2) whichever is less. (ii) Where a Government servant who is governed by the Workmen's Compensation Act, 1923 (No. 8 of 1923) dies after retirement after having rendered not less than seven years continuous service, the rate of family pension payable to the family shall be equal to 50 per cent of pay last drawn by the Government servant or one and half times the family pension admissible under sub-rule (2), whichever is less. (iii) The family pension so determined under sub-clause (i) or (ii) shall be payable for the period mentioned in clause (a) or clause (b) as the case may be : Provided that where a compensation is not payable under the aforesaid Act, the Head of Office shall issue a certificate to the Audit Officer to the effect that the family of the deceased Government servant is not eligible for

any compensation under the aforesaid Act and the family shall be paid family pension on the scale and for the period mentioned in clause (a).(d)After the expiry of the period referred to in clause (a) or (b), the family, in receipt of family pension under those clauses or clause (c), shall be entitled to family pension at the rate admissible under sub-rule (2).(4)Families of Government servants who die as a result of the "Risk of Office" or "Special Risk of Office", as defined under Madhya Pradesh Civil Services (Extraordinary Pension) Rules, 1963 will not be eligible to the benefits of family pension under this rule. Similarly the family of the Government servant entitled to extraordinary pension benefits under Madhya Pradesh (Police Personnel Extraordinary Family Pension) Rules, 1965, will not be entitled to the benefits of family pension under this rule.(5)[* * *] [Omitted by Notification No. B-25-9-96-PWC-IV, dated 28-9-1996 (w.e.f. 31-3-1979).](6)The period for which family pension is payable shall be as follows:-(i)in the case of a widow or widower, up to the date of death or remarriage whichever is earlier;(ii)in the case of a son, until he attains the age of [21] [Substituted by Notification No. FB-6-1-79-N-II-IV, dated 26-10-79 (w.e.f. 1-4-1979).], years; and(iii)in the case of an unmarried daughter, until she attains the age of [24] [Substituted by Notification No. FB-6-1-79-N-II-IV, dated 26-10-79 (w.e.f. 1-4-1979).] years or until she gets married, whichever is earlier :Provided that if the son or unmarried daughter of a Government servant is suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after attaining the age of [25 years] [Substituted by Notification No. B-25-18-95-PWC-IV, dated 22-6-96 (w.e.f. 9-11-1994).] the family pension shall be payable to such son or unmarried daughter for life subject to the following conditions, namely :-(a)If such son or unmarried daughter is one among two or more children of the Government servant, the family pension shall be initially payable to the minor children in the order set out in sub-rule (6) of this rule until the last minor child attains the age of [25 years] [Substituted by Notification No. B-25-18-95-PWC-IV, dated 22-6-96 (w.e.f. 9-11-1994).], as the case may be, and thereafter the Family Pension shall be resumed in favour of the son or unmarried daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him/her for life.(b)If there are more than one such son or unmarried daughter suffering from disorder or disability of mind or who are physically crippled or disabled, the family pension shall be paid in the following order, namely :-(i)Firstly to the son, and if there are more than one son, the younger of them will get the family pension only after the lifetime of the elder;(ii)Secondly, to the unmarried daughter, and if there are more than one unmarried daughters, the younger of them will get the family pension only after the lifetime of the elder;(iii)The family pension shall be paid to such son or unmarried daughter through the guardian as if he or she was a minor;(iv)Before allowing the family pension for life to any such son or unmarried daughter, the sanctioning authority shall satisfy that the handicap is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer not below the rank of a Civil Surgeon setting out, as far as possible, the exact mental or physical condition of the child;(v)The person receiving the family pension as guardian of such son or unmarried daughter shall produce [every five years] [Substituted by Notification No. FB-6-2-83-R-II-IV, dated 12-4-83 (w.e.f. 19-8-1983).] a certificate from a medical officer not below the rank of Civil Surgeon to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled.[Explanation. - (a) Only that disability which manifests itself before the retirement or death of the Government servant while in service shall be taken into account for the purpose of grant of family pension under this sub-rule.(b)A daughter shall become ineligible for

family pension under this sub-rule from the date she gets married.(c)The family pension payable to such a son or daughter shall be stopped if he or she starts earning his/her livelihood.(d)In such cases it shall be the duty of guardian to furnish a certificate to the Treasury or Bank, as the case may be, every month that (i) he or she has not started earning his/her livelihood; (ii) in case of daughter, that she has not yet married.](7)(a)(i)Where the family pension is payable to more widows than one, the family pension shall be paid to the widows in equal shares.(ii)On the death of a widow, her share of family pension shall become payable to her eligible child :Provided that if the widow is not survived by any child, her share of the family pension shall cease to be payable.(b)Where the deceased Government servant or pensioner is survived from another wife who is not alive, the eligible child or children shall be entitled to the share of family pension which the mother would have received if she had been alive at the time of death of Government servant or pensioner.(c)Where a female Government servant is survived by a husband and an eligible minor child from the first husband the family pension will be paid to both in equal shares. In the absence of the second husband, share of his pension will be paid to his eligible minor child from deceased female Government servant.(8)(i)Except as provided in sub-rule (7) the family pension shall not be payable to more than one member of the family at the same time.(ii)If a deceased Government servant or pensioner leaves behind a widow or widower, the family pension shall become payable to the widow or widower, failing which to the eligible child.(iii)If sons and unmarried daughters are alive, unmarried daughters shall not be eligible for family pension unless the sons attain the age of [25 years] [Substituted by Notification No. B-25-18-9S-PWC-IV, dated 22-6-1996 (w.e.f. 9-11-1994).] and thereby become ineligible for the grant of family pension.(9)Where a deceased Government servant or pensioner leaves behind more children than one eldest eligible child shall be entitled to the family pension for the period mentioned in clause (ii) or clause (iii) of sub-rule (6) as the case may be, and after the expiry of that period the next child shall become eligible for the grant of family pension.(10)Where family pension is granted under this rule to a minor, [it shall be payable to the guardian on behalf of the minor :Provided that if the payment of Family Pension is objected by the minor or if it is expressed by the head of office of concerned department that it is not possible to get a suitable guardian the amount of family pension of the minor shall be deposited in the saving bank account in the post office every month till he attains majority. The saving bank account shall be operated jointly by Collector and District Treasury Officer and from this account certain amount shall be disbursed every month to the minor for his education and livelihood. But disbursed amount under no circumstances shall be more than the amount of family pension payable every month. The whole of the balance amount of saving bank account shall be paid to the minor family pensioner when he attains majority and saving bank account shall be closed.] [Substituted by Notification No. F. 25-238-2000-IV-PWC, dated 20-12-2001, Published in M.P. Rajpatra, Part IV (Ga), dated 18-1-2002 at p. 7 for the words 'it shall be payable to the Guardian on behalf of the Minor'.](11)In case both wife and husband are Government servants and are governed by the provisions of this rule and one of them dies while in service or after retirement, the family pension in respect of the deceased shall become payable to the surviving husband or wife and in the event of the death of the husband or wife, the surviving child or children shall be granted two family pensions in respect of the deceased parents subject to the limits specified below, namely :-(a)(i)If the surviving child or children is or are eligible to draw two family pensions at the rate mentioned in sub-rule (3), the amount of both the pensions shall be limited to Rs. 500 (five hundred rupees) per mensem.(ii)If one of the family pension ceases to be payable at the rate mentioned in sub-rule (3), in

lieu thereof the pension at the rate mentioned in sub-rule (2) become payable, the amount of both the pensions shall also be limited to five hundred rupees per mensem;(b)If both the family pensions are payable at the rate mentioned in sub-rule (2), the amount of two pensions shall be limited to two hundred and fifty rupees per mensem;(c)[(i) If a person, who in the event of death of Government servant while in service, is eligible to receive family pension under this rule, is charged with the offence of murdering the Government servant or for abetting in the commission of such an offence, the claim of such a person, including other eligible member or members of the family to receive the family pension, shall remain suspended till the conclusion of the criminal proceedings instituted against him. [Inserted by Notification No. FB-6-7-81-R-II-IV, dated 10-6-81 (w.e.f. 24-7-1981).](ii)If on the conclusion of the criminal proceedings referred to in sub-clause (i) the person concerned :- (a)is convicted for the murder or, abetting in the murder of the Government servant, such a person shall be debarred from receiving the family pension which shall be payable to other eligible member of the family, from the date of death of the Government servant;(b)is acquitted of the charge of murder or abetting in the murder of the Government servant, the family pension, shall be payable to such person from the date of death of the Government servant.(iii)The provisions of sub-clause (i) and sub-clause (ii) shall also apply to the family pension becoming payable on the death of a Government servant after his retirement.](12)(a)(i)As soon as a Government servant has completed one year's continuous service, he shall give details of his family in Form 3 [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).] to the Head of Office.[x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).](ii)If the Government servant has no family he shall furnish the details in Form 3 as soon as he acquires a family.(b)The Government servant shall communicate to [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).] the Head of Office, [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).] any subsequent change in the size of his family, including the fact of marriage of his female child.(c)[x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).](d)The Head of Office shall, on receipt of the said Form 3 paste it in the service book of the Government servant concerned and acknowledge receipt of the said Form 3 and all further communication received from the Government servant in this behalf.(e)The [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).] Head of Office, [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).] on receipt of the communication from the Government servant regarding any change in the size of family shall incorporate such change in Form 3.(13)The ad hoc increase in pension, sanctioned under Finance Department Memorandum No. 1294/R-1508/IV-R-H, dated the 21st May, 1965 as amended from time to time and ad hoc relief sanctioned under Finance Department Memorandum No. B-6-21-74-R-II-IV, dated the 22nd May, 1975 shall not be admissible on the family pension granted under this rule.(14)For the purpose of this rule-(a)"continuous service" means all periods from the date of entry into pensionable service which counts for pension/gratuity admissible to the Government servant under these rules.(b)"family" in relation to tire Government servant means-(i)[* * *] [Omitted by Notification No. FB-6-1 -77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).](ii)[son or an unmarried or widowed or divorced daughter till such son or daughter attains the age of twenty five years or upto the date of his/her marriage/remarriage as the case may be, whichever is earlier, subject to the income criteria as prescribed by the State Government from time, to time including such son or daughter adopted legally before retirement.] [[Substituted by Notification No. F. 25/145/2001/IV/PWC, dated

22-1-2002 (w.e.f. 1-1-1998), old Sub-clause (ii) runs as under-'Son or an unmarried or widowed or divorced daughter till such son or daughter attains the age of twenty five years or up to the date of his/her marriage/remarriage as the case may be, whichever is earlier, subject to the income criteria as prescribed by the State Government from time to time.'](iii)the parents, provided they were wholly dependent on the Government servant when he she was alive and the deceased employee had left behind neither a widow nor a child subject to the dependency criteria as prescribed by the State Government from time to time;(iv)son, unmarried or widowed or divorced daughter and parents, as the case may be, shall provide an annual Certificate of income/dependency Criteria as fixed by the State Government from time to time.][x x x] [Omitted by Notification No. G. 25-24-95-IV, dated 21-7-95 (w.e.f. 11-8-1995).][Note 1. [Inserted by Notification No. B-6-1-92-PWC-IV, dated 29-6-96 (w.e.f. 21-8-1995).] - A posthumous child shall be entitled to family pension.Note 2. - The application for inclusion of post-retiral spouse and child born out of the marriage after retirement of Government servant shall be made in Form 30.](c)"pay" means the emoluments as specified in Rule 30.(15)Nothing contained in this rule shall apply to-(a)a re-employed Government servant who had retired before 1st April, 1966 from-(i)civil service on retiring pension or superannuation pension, or(ii)military service on retiring pension, service pension or invalid pension and who on the date of re-employment, had attained the age of superannuation applicable to the post in which he is re-employed;(b)a military pensioner who has retired from military service on or after the 1st April, 1966, or retires from such service after the commencement of these rules, on retiring pension, service pension or invalid pension, and is re-employed in a civil service or post before attaining the age of superannuation.(c)[x x x] [Omitted by Notification No. 25-18-97-PWC-IV, dated 28-11-1997, (w.e.f. 20-5-1997).]

48. Non-contributory family pension.

(1)The provisions of this rule shall apply to a Government servant who was in service on the 31st March, 1966 and had specifically opted for the scheme of family pension (hereinafter in this rule referred to as non-contributory family pension) as in force immediately before commencement of the Family Pension Scheme, 1966 (Contributory Family Pension).(2)A non-contributory family pension shall be granted for a period not exceeding ten years to the family of a Government servant who dies while in service after completion of not less than twenty years qualifying service :Provided that the period of payment shall, in no case, extend beyond a period of five years from the date on which the Government servant would have retired in the normal course of superannuation pension.Explanation. - Where a Government servant dies while on extension of service, the date up to which extension of service had been granted to him before his death shall be construed as the date on which the Government servant would have retired on superannuation pension:(3)A Government servant who at the time of his retirement had rendered qualifying service of not less than 20 years and dies within five years of the date of his retirement, a non-contributory family pension shall be granted to his family for the unexpired portion of 5 years from the date of his retirement.(4)(a)The amount of non-contributory family pension payable under sub-rule (2) shall be one-half of the superannuation pension which would have been admissible to the Government servant had he retired on the date following the date of his death.(b)The amount of non-contributory family pension payable under sub-rule (3) shall be one half of the pension sanctioned to the Government servant at the time of his retirement and if the pensioner had, before his death, commuted a part of

his pension it shall be deducted from the amount of non-contributory family pension :Provided that the amount of non-contributory family pension shall be subject to a maximum of one hundred and fifty rupees per month and a minimum of forty rupees per month :Provided further that where the amount of non-contributory family pension (calculated after taking into account, the ad hoc increase, if admissible sanctioned in the Government of Madhya Pradesh, Finance Department Memo No. 1069-IV-R-II-70, dated the 29th April, 1970 as amended from time to time) is less than forty rupees per month, the difference shall be made good by the grant of further increase in the amount of non-contributory family pension.(5)No non-contributory family pension shall be payable under this rule-(a)to a person mentioned in clause (b) of sub-rule (6) without production of reasonable proof that such person was dependent on the deceased Government servant for support;(b)to an unmarried female member of a Government servant's family in the event of her marriage;(c)to a widow female member of a Government servant's family in the event of her re-marriage;(d)to a brother of a Government servant, on his attaining the age of eighteen years; and(e)to a person who is not a member of a Government servant's family.(6)(a)Except as may be provided by nomination under sub-rule (7) the non-contributory family pension sanctioned under this rule shall be payable-(i)to the widow, and if there are more widows than one, to the eldest surviving widow, if the deceased was a male Government servant.Explanation. - The expression "eldest surviving widow" shall be construed with reference to the seniority according to the date of marriages of the surviving widows and not with reference to their age;(ii)failing a widow or husband as the case may be, to the eldest surviving son;(iii)failing (i) and (ii) above, to the eldest surviving unmarried daughter;(iv)failing the above, to the eldest surviving widowed daughter.(b)If there are no surviving members of the family as in clause (a), the non-contributory family pension may be granted :-(i)to the father;(ii)failing (i) above to the mother;(iii)failing (i) and (ii) above, to the eldest surviving brother below the age of 18 years;(iv)failing (i), (ii) and (iii) above, to the eldest surviving unmarried sister;(v)failing the above, to the eldest surviving widowed sisters.(7)(a)A Government servant shall at any time before completion of twenty years qualifying service make a nomination in Form 4 indicating the order in which a non-contributory family pension should be paid to the members of his family and, to the extent it is valid, the non-contributory family pension shall be payable in accordance with such nomination :Provided that the person concerned satisfy the requirement of sub-rule v5) on the date from which such non-contributory pension may fall due.(b)In case person concerned does not satisfy the requirements of sub-rule (5), the non-contributory family pension shall be granted to the person next lower in the order shown in the nomination.(c)The provisions of sub-rules (5), (7) and (8) of Rule 46 shall apply in respect of nominations made under this sub-rule.(8)(a)A non-contributory family pension granted under this rule shall not be payable to more than one member of a Government servant's family at the same time.(b)If the non-contributory family pension granted under this rule ceases to be payable on account of death or marriage of the recipient or other causes it shall be re-granted to the person next lower in the order mentioned in sub-rule (6) or to the person next lower in order shown in the nomination made under sub-rule (7) as the case may be, who satisfies the other provision of this rule.(9)A non-contributory family pension sanctioned under this rule shall be tenable in addition to any extraordinary pension or gratuity or compensation that may be granted to the members of a Government servant's family.(10)Where non-contributory family pension is granted under this rule to a minor member of the family of the deceased Government servant, [it shall be payable to the guardian on behalf of the minor :Provided that if the payment of Family Pension is objected by the

minor or if it is expressed by the head of office of concerned department that it is not possible to get a suitable guardian the amount of family pension of the minor shall be deposited in the saving bank account in the post office every month till he attains majority. The saving bank account shall be operated jointly by Collector and District Treasury Officer and from this account certain amount shall be disbursed every month to the minor for his education and livelihood. But disbursed amount under no circumstances shall be more than the amount of family pension payable every month. The whole of the balance amount of saving bank account shall be paid to the minor family pensioner when he attains majority and saving bank account shall be closed.] [Substituted by Notification No. F. 25-238-2000-IV-PWC, dated 20-12-2001, Published in M.P. Rajpatra, Part IV (Ga), dated 18-1-2002 at p. 7 for the words 'it shall be payable to the Guardian on behalf of the Minor'.](11)For the purposes of this rule, the expression "family" in relation to a Government servant means, the family as defined in clauses (i) to (xi) of sub-rule (5) of Rule 44.(12)Nothing contained in this rule shall apply to a Government servant who, on absorption in a service or post in or under a corporation or company wholly or substantially owned or controlled by the Government, or any other body, incorporated or not, is sanctioned pension under Rule 34.

Chapter VIII

Applications for and Sanction of Pensions

General

49. Preparation of list of Government servants due for retirement.

(1)Every Head of the Department/Head of Office shall have a list prepared every six months, that is, on the 1st January and 1st July, each year of all Gazetted and Non-Gazetted Government servants who are due to retire under his order within the next 24 to 30 months of that date.(2)Two copies of every list referred to in sub-rule (1) shall be supplied to the Audit Officer (one for Pension Branch and other for Fund Section) concerned and one copy to the Finance Department not later than the 31st January or the 31st July, as the case may be, of that year.(3)In the case of a Government servant retiring for reasons other than by way of superannuation, the Head of the Department/Head of Office shall promptly inform the Audit Officer and Finance Department as soon as the impending retirement becomes known to him.(4)Copy of every list referred to in sub-rule (1) and sub-rule (3) shall also be sent to Executive Engineer, Public Works Department and Public Health Engineering Department to enable them to check the house rent and water supply dues against such Government servants.

50. Gazetted Government servants drawing pay on establishment bill and other Government servants holding gazetted posts in officiating capacity.

- [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).]

51.

[x x x] [Omitted by Notification No. FB-6-3-81-R-II-IV, dated 20-3-1981 (w.e.f. 17-4-1981).]

52. Revision of pension after sanction.

(1) Subject to the provisions of Rules 8 and 9 pension once sanctioned after final assessment shall not be revised to the disadvantage of the Government pensioner, unless such revision becomes necessary on account of detection of clerical or computational error subsequently : Provided that no revision of pension to the disadvantage of the pensioner shall be ordered by the pension sanctioning authority without the sanction of the Finance Department, if the clerical or computational error is detected after a period of two years from the date of sanction of pension. (2) For the purposes of sub-rule (1), the Government pensioner concerned shall be served with a notice by the pension sanctioning authority, requiring him to refund the excess payments of pensions within a period of two months from the date of receipt of notice by him. (3) In case the Government pensioner fails to comply with the notice, the pension sanctioning authority shall, by order in writing, direct that such excess payment shall be adjusted by short payments of pension in future, in one or more instalments, as the said authority may direct.

53.

-56. [Omitted] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).]

57. Preparation of pension papers.

(1) Every Head of Office shall undertake the work of preparing pension papers in Form 6 two years before the date on which a Government servant is due to retire on superannuation, or on the date on which he proceeds on leave preparatory to retirement whichever is earlier. [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).]

58. Verification of service.

(1)(a) The Head of Office shall go through the service book and the service roll, if any, of the Government servant and satisfy himself as to whether the annual certificates of verification for the entire service excluding the portion referred to in sub-rule (3) of Rule 29 are recorded therein. (b) In respect of the unverified portion or portions of service, he shall arrange to verify it or them, as the case may be, with reference to pay bills, acquittance rolls or other relevant records and records necessary certificates in the service book or service rolls, as the case may be. (2) If the service for any period is not capable of being verified in the manner specified in sub-rule (1), that period of service having been rendered by the Government servant in another office or Department, a reference shall be made to the Head of that Office or, as the case may be, Head of that Department in which the Government servant is shown to have served during that period for the purpose of verification. (3)(a) If any portion of service rendered by a Government servant is not capable of being

verified in the manner specified in sub-rule (1) or sub-rule (2), the Government servant shall file a written statement on plain paper stating that he had in fact rendered that period of service, and shall, at the foot of the statement, make and subscribe to a declaration as to the truth of that statement, and shall in support of such declaration, produce all documentary evidence and furnish all information which is in his power to produce or furnish.(b)The Head of Office shall, after taking into consideration the facts in the written statement and the evidence produced and tire information furnished by the Government servant in support of the said period of service, admit, if satisfied, that portion of service as having been rendered for the purposes of calculating the pension of that Government servant.

59. Completion and forwarding of pension papers to audit officer.

(1)(a)On reaching the stage i.e. 13 months before the date of retirement the Head of Office shall take up the actual work of preparation of pension papers in Part I and II of Form 6. Any deficiency or imperfection or omission which still remain in the service record shall be ignored at this stage and the qualifying service shall be proceeded with on the basis of entries in the service record, whatever the degree of perfection to which it might have been possible to bring them by that time.[x x x] [Omitted by Notification No. FB-6-3-81-R-II-IV, dated 20-3-1981 (w.e.f. 17-4-1981).](2)(a)The Head of Office shall send Form 6 [x x x] [Omitted by Notification No. FB-6-3-81-R-II-IV, dated 20-3-1981 (w.e.f. 17-4-1981).] to the Audit Officer 12 months before retirement date with a covering memo, in Form 7 along with service book, service roll duly completed and up to date and any other documents relied upon for the verification of service claimed in such a manner that they can be conveniently consulted.(b)The Head of Office shall retain one copy of each of the above Forms for his office record.(3)Where payment is desired in another circle of audit, the Head of Office shall send in duplicate [x x x] [Omitted by Notification No. FB-6-3-81-R-II-IV, dated 20-3-1981 (w.e.f. 17-4-1981).] to the Audit Officer.

60. Intimation to audit officer regarding any event having a bearing on pension.

(1)If, after the pension papers have been forwarded to the Audit Officer, any event occurs which has a bearing on the amount of pension admissible, the fact shall be promptly reported to the Audit Officer by the Head of Office. If no such report is received within a week from the date of retirement, Audit Officer shall assume that there has occurred no such event.(2)The Head of Office shall furnish to the Audit Officer, at least one and a half months before the date of retirement of the Government servant, the following particulars, namely :-(a)Government dues recoverable out of the gratuity before payment is authorised that is to say-(i)contribution towards contributory family pension, if applicable;(ii)Government dues which have been ascertained and assessed;(b)amount of gratuity to be held over for adjustment of Government dues which have not been assessed so far :Provided that the Head of Office shall not be required to withhold an amount of gratuity for adjustment of Government dues which have not been assessed, if under Rule 65 the Government servant has made a cash deposit or furnished a surety of a permanent Government servant.

61. Sanction, drawal and disbursement of anticipatory pension and of gratuity.

(1)After the pension papers of a Government servant have been sent to the Audit Officer concerned, the Head of Office shall read with Rule 74 draw anticipatory pension not exceeding the maximum pension and 90% of the gratuity as indicated in Part I of Form 6 and for this purpose the following procedure be adopted namely :-(a)The Head of Office shall issue a sanction letter to the Government servant endorsing a copy thereof to the Audit Officer indicating the amount of anticipatory pension and 90% of the gratuity payable to such Government servant on retirement from service.(b)The Head of Office shall indicate in the sanction letter the amount recoverable out of the gratuity under sub-rule [(2)] [Substituted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).] of Rule 60;(c)After the issue of the sanction letter, Head of Office shall draw :-(i)the amount of anticipatory pension; and(ii)the amount of 90% of the gratuity after deducting therefrom the dues mentioned in clause (b).On the establishment pay bill from the Treasury at which the pay and allowances of the establishment are drawn by him, under intimation to Audit Office.(d)The Head of Office shall obtain from such Government servant on retirement from service a certificate of non-employment each month and keep it with record of payment of anticipatory pension.(2)The Head of Office shall take steps to draw and disburse the anticipatory pension and gratuity to the retired Government servant on the first day of the month following the month in which the Government servant retired from service, if P.P.O./G.P.O. is not received by the date on which pension/gratuity becomes payable.(3)If the pensioner desires the payment of anticipatory pension through money order the same shall be remitted to him through money order at the cost of Government if the amount does not exceed Rs. 100.

62. Drawal of balance of gratuity from treasury or from head of office.

(1)It shall be open to the Government servant to receive the payment of the balance of the gratuity from the Treasury from which the payment of final pension is desired by him or from the Head of Office.(2)Where a Government servant desires to receive the payment of balance of the gratuity from the Head of Office, he shall communicate his option in this behalf to the Head of Office in writing before the date of his retirement.(3)The Head of Office shall thereupon take steps to draw and disburse the balance of the gratuity after the Audit Officer has issued the necessary authority as provided in sub-rule (4) of Rule 63.

63. Authorization of final pension and gratuity by the Audit Officer.

(1)On receipt of pension papers referred to in Rule 59 the Audit Officer shall apply the requisite checks, record his audit enforcement on Section 1 of Part III of Form 6 and assess the amount of final pension and gratuity not later than 2 months in advance of date of retirement :Provided that if the Audit Officer is, for any reason, unable to assess the amount aforesaid, he shall communicate the fact to the Head of Office.Note. - The Audit Officer while applying requisite checks shall keep in mind that what is intended is not a total overhaul or audit of entire service book or records, but only a scrutiny limited to the immediate purpose on hand, namely, the preparation of pension papers.

Similarly, any check of correctness of emoluments whether in the office preparing pension papers or in Audit Office shall not become an occasion for an extensive examination going back into the distant past; the check should be of the last 12 months at the minimum which is absolutely necessary and it shall in any case not go back to a period earlier than a maximum of 24 months preceding the date of retirement.(2)(a)If the pension is payable in his circle of audit, the Audit Officer shall prepare the Pension Payment Order including order of payment of D.C.R. Gratuity one month in advance of the date of retirement.(b)The payment of pension shall be effective from the date the Government servant ceased to be borne on the establishment.(c)The amount of pension paid by Head of Office as anticipatory pension shall be adjusted against the arrears of final pension.(3)The Audit Officer shall authorise the payment of gratuity after adjusting the amount if any, outstanding against the retired Government servant and the amount paid as anticipatory gratuity. If such gratuity is payable in his circle of audit, the Audit Officer shall prepare an order for its payment.(4)If the Government servant has opted for receiving the payment of balance of the gratuity from the Head of Office, the Audit Officer shall issue the necessary authority in this behalf under intimation to the Government servant and the Treasury Officer indicating the amount, if any, which the Head of Office shall adjust before making payment to the Government servant along with the amount paid by him as anticipatory gratuity.(5)The fact of the issue of the Pension Payment Order and order for the payment of the gratuity shall be promptly reported to the Head of Office and the pension papers which are no longer required shall be returned to him.(6)The Audit Officer may authorise the payment of balances of the gratuity even during the period of the currency of anticipatory pension, provided the amount of gratuity has been finally assessed and no recovery of Government dues is outstanding against the retired Government servant.(7)If the final pension and gratuity are payable in another circle of audit, the Audit Officer shall obtain information of the amount of anticipatory pension/gratuity paid by the Head of Office and send [a copy of Form 6] [Substituted by Notification No. FB-6-3-81-R-II-IV, dated 20-3-81 (w.e.f. 17-4-1981).] alongwith the audit encasement and the last pay certificate, if received to the Audit Officer of that circle who shall prepare the Pension Payment Order and the orders for the payment of gratuity :Provided that the adjustment of anticipatory pension/gratuity drawn and disbursed by the Head of Office shall be made by the Audit Officer in whose circle the payment of anticipatory pension/gratuity was made.(8)If the amount of anticipatory pension drawn and disbursed by the Head of Office is found to be in excess of the final pension assessed by the Audit Officer it shall be open to the Audit Officer to adjust the excess amount out of the balance of the gratuity, if any, or recover the excess amount by short payments of pension payable in future.(9)If the amount of anticipatory gratuity disbursed by the Head of Office proves to be in excess of the amount finally assessed by the Audit Officer, the gratuitant shall not be required to refund the excess.

64. Provisional pension where departmental or judicial proceeding may be pending.

(1)(a)In respect of Government servants refer to in sub-rule (4) of Rule 9 the Head of Office shall authorise the payment of provisional pension not exceeding the maximum pension and 50% of gratuity taking into consideration the gravity of charges levelled against such Government servant, which would have been admissible on the basis of qualifying service up to the date ,of retirement of the Government servant or if he was under suspension on the date of retirement, up to the date

immediately preceding the date on which he was placed under suspension.(b)The provisional pension shall be drawn on establishment pay bill and paid to retired Government servant by the Head of Office during the period commencing from the date of retirement to the date on which upon conclusion of departmental or judicial proceedings, final orders are passed by the competent authority.(c)Provisional gratuity shall be drawn on establishment pay bill and paid to retired Government servant by the Head of Office after adjusting dues mentioned in sub-rule [(2)] [Substituted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).] of Rule 60, under intimation to Audi Office. Payment of provisional pension/gratuity made under sub-rule (1) shall be adjusted against final retirement benefit sanctioned to such Government servant upon conclusion of such proceedings, but no recovery shall be made where the pension/gratuity finally sanctioned is less than the provisional pension/gratuity or the pension/gratuity is reduced or withheld either permanently or for a specified period.(3)[x x x] [Omitted by Notification No. FB-6-3-81-R-II-IV, dated 20-3-1981 (w.e.f. 17-4-1981).]

64A. Government servant on deputation.

- In the case of a Government servant who retires from service, while on deputation or while on foreign service, action to sanction pension and gratuity in accordance with the provisions of this Chapter shall be taken by [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).] the Head of Office of the departmental authority which sanctioned the deputation of the Government servant or sent him on foreign service.Government dues

65. Recovery and adjustment of Government dues.

(1)It shall be the duty of every retiring Government servant to clear all Government dues before the date of his retirement.(2)Where a retiring Government servant does not clear the Government dues and such dues are-ascertainable -(a)an equivalent cash deposit may be taken from him; or(b)out of the gratuity payable to him, his nominee or legal heir, an amount equal to that recoverable on account of ascertainable Government dues shall be deducted.Explanation. - 1. The expression "ascertainable Government dues" includes balance of house building or conveyance advance, arrears of rent and other charges pertaining to occupation of Government accommodation, over-payment of pay and allowances and arrears of income-tax deductible at source under the Income-tax Act, 1961 (No. 43 of 1961).

66. Furnishing of surety by retiring Government servant.

(1)(a)If any of the Government dues (other than those referred to in Rule 65 remain unrealised and unassessed for any reasons, the retiring Government servant may be asked to furnish in Form 8 a surety of a suitable permanent Government servant, holding a pensionable post.(b)If the surety furnished by him is found acceptable the grant of his pension and gratuity shall not be delayed.(2)(a)If the retiring Government servant is unable or unwilling to furnish a surety, a suitable cash deposit may be taken from him, or such portion of gratuity payable to him as may be considered sufficient may be held over till the outstanding dues are assessed and adjusted.(b)The cash deposit to be taken or the amount of gratuity to be withheld shall not exceed the estimated

amount of the outstanding dues plus twenty-five per cent thereof.(c)Where it is not possible to estimate the approximate amount recoverable from the retiring Government servant the amount of deposit to be taken or the portion of gratuity to be withheld shall be limited to ten per cent of the amount of gratuity or one thousand rupees, whichever is less.(3)(a)Efforts shall be made to assess and adjust the recoverable Government dues within a period not exceeding six months from the date of retirement of the Government servant and, if no claim is made on Government account against the Government servant within such a period it shall be presumed that no Government claim excluding claim of house rent and water charges is outstanding against him.(b)The Government dues as assessed shall be adjusted against the cash deposit or the amount withheld from the gratuity and the balance, if any, shall be released to the retired Government servant after the expiry of the period referred to in clause (a).(c)Where a pensioner has furnished a surety, the surety shall be released after the expiry of the period referred to in clause (a) provided the dues assessed up to that time have been recovered.(4)The Government dues which remain unrealised within the period referred to in clause (a) of sub-rule (3) and such other dues, the claim for which is received after that period, shall be recoverable from the retired Government servant through legal procedure :Provided that in respect of house rent and water charges, the amount, if any, the claim for which is received after the period of 12 months from the date of retirement of the Government servant shall not be recoverable from the retired Government servant.Note. - Where Public Works Department and Public Health Engineering Department have not found it possible within 1 ½ months from the date of demand by Head of Office which shall be made immediately after the date of the retirement of the Government servant, whether any amounts are due from a retired Government servant, or have not issued no dues certificate, the Head of Office in addition to the action under this rule should call upon the retired Government servant concerned to furnish a declaration in Form 25. He should be further required to sign an undertaking in Form 26. On receipt of the aforesaid declaration and undertaking, Head of Office may write to the Audit Officer to release the pension/gratuity. If the demands for any amount due against such retired Government servant are not made within 12 months of his retirement the officers concerned in Public Works Department and Public Health Engineering Department as the case may be, would be held personally responsible for any loss incurred by the Government.

Chapter IX

Sanction of Family Pension and Death-Cum-Retirement Gratuity in Respect of Government Servant Dying while in Service

67.

-68.[x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).]

69. [Payment of family pension and anticipatory family pension and death-cum-retirement gratuity when a Government servant dies when in service.] [Substituted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).]

- Where the Head of Office has received an intimation about the death of a [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).] Government servant while in service, he shall ascertain whether any death-cum-retirement gratuity or family pension or both is or are payable in respect of the deceased Government servant.[x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).](2)(a)Where the death-cum-retirement gratuity under Rule 44, is payable the Head of Office shall ascertain :-(i)If the deceased Government servant had nominated any person or persons to receive the gratuity; and(ii)Where the deceased Government servant had not made any nomination or the nomination made does not subsist, the person or persons to whom the gratuity may be payable.(b)The Head of Office shall, then address the person concerned in Form 9 or Form 10 as may be appropriate who may submit a claim in Form 11.(3)Where the family of the deceased Government servant is eligible for the contributory family pension under Rule 47,-(a)the Head of Office shall address the widow or widower in Form 12 for making a claim in Form 13; and(b)Where the deceased Government servant is survived only by child or children, the guardian of such child or children may submit a claim in Form 13 to the Head of Office :Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the unmarried daughter if she has attained the age of eighteen years and such daughter may herself submit a claim in the said Form 13.(4)(a)Where the family of the deceased Government servant is eligible for non-contributory family pension under Rule 48 the Head of Office shall ascertain,-(i)if the deceased Government servant had nominated any member of his family to receive the payment of non-contributory family pension; and(ii)where the deceased Government servant had not made any nomination or the nomination made does not subsist, the person to whom the non-contributory family pension may be payable.(b)The Head of Office shall, then, address the person concerned in Form 14 or Form 15 as may be appropriate for making a claim in Form 16.(5)The Head of Office shall furnish to the Audit Officer the following particulars regarding the details of Government dues outstanding against the deceased Government servant namely :-(a)Government dues recoverable out of the gratuity before payment is authorised, that is to say :-(i)contribution towards contributory family pension, if applicable;(ii)Government dues which have been ascertained and assessed;(b)Amount of gratuity to be held over for adjustment of Government dues which have not been assessed so far.Note. - The amount of gratuity to be held over shall be determined in accordance with the provisions of clauses (b) and (c) of sub-rule (2) of Rule 66.[x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 10-5-1977 (w.e.f. 29-7-1977).](a)[Renumbered by Notification No. FB-6-1-77-N-II-IV, dated 10-5-1977 (w.e.f. 29-7-1977).] After completing Form 17 the Head of Office shall send that Form in original to the Audit Officer with a covering letter in Form 18 alongwith the Government servant's service book/service roll, duly completed upto date and any other documents relied upon for the verification of the service claimed in such a manner that they can be conveniently consulted.(b)[Renumbered by Notification No. FB-6-1-77-N-II-IV, dated 10-5-1977 (w.e.f. 29-7-1977).] The Head of Office shall retain one copy of the aforesaid Form for his office record.(c)[Renumbered by Notification No. FB-6-1-77-N-II-IV, dated 10-5-1977 (w.e.f. 29-7-1977).] If the payment is desired in another circle of audit, Form 17 shall be sent in duplicate to the Audit Officer.(7)After the documents referred to in sub-rules (5) and (6) have been sent to the Audit Officer concerned, the Head of Office shall draw anticipatory family pension not exceeding the maximum family pension and 90% of the gratuity as indicated in Part I of Form 17 and for this purpose adopt the following procedure namely :-(a)he shall issue a sanction letter in favour of the claimant or claimants endorsing a copy thereof to the Audit Officer indicating

the amount of anticipatory family pension and 90% of the gratuity payable under these rules;(b)he shall indicate in the sanction letter the amount recoverable out of the gratuity under sub-rule (5);(c)after issue of the sanction letter, he shall draw-(i)the amount of anticipatory pension; and(ii)the amount of 90% of the gratuity after deducting therefrom the dues mentioned in clause (b);from the Treasury at which the pay and allowances of the establishment are drawn by him.(8)The Head of Office shall disburse the anticipatory family pension and gratuity to the claimant or claimants on or after the first day of the month following the month in which the Government servant died, if final P.P.O./G.P.O. is not received by that time.(9)The Head of Office shall inform the Audit Officer as soon as the gratuity has been paid to the claimant or claimants with all details of the amount recovered from such gratuity.(10)If the claimant desires the payment of anticipatory family pension or of gratuity or of both through money order the same shall be remitted to him through money order at the cost of State Government, if the amount is Rs. 100 or less.

70. Authorisation of final family pension and balance of gratuity in respect of a deceased non-gazetted Government servant referred to in Rule 69.

(1)On receipt of the documents referred to in sub-rules (5) and (6) of Rule 69 the Audit Officer shall within a period of six months from the date of death of the [xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).] Government servant, apply the requisite checks, record his audit enfacement on Section 1 of Part IV of Form 17 and assess the amount of final family pension and gratuity :Provided that if the Audit Officer is, for any reason, unable to assess the amount within the period aforesaid, he shall communicate the fact to the Head of Office.(2)(a)If the family pension is payable in his circle of audit, the Audit Officer shall prepare the Pension Payment Order.(b)The payment of family pension shall be effective from the date following the date on which the Government servant died.(c)Amount of anticipatory family pension, if any, in respect of the period for which family pension was drawn and disbursed by the Head of Office shall be intimated by the Head of Office to the Treasury Officer concerned and adjusted by him from the final payment of such family pension.(3)(a)The Audit Officer shall authorise the payment of the gratuity after adjusting the amount, if any, outstanding against the deceased Government servant including the amount of gratuity paid by Head of Office as anticipatory gratuity.(b)The amount of gratuity held over under sub-rule (5) of Rule 69 shall be adjusted by the Audit Officer against the Government dues ascertained and assessed subsequently and the balance, if any, shall be released to the claimant or claimants after the expiry of the period referred to in clause (a) of sub-rule (3) of Rule 66.(c)If the gratuity is payable in his circle of audit the Audit Officer shall prepare and issue order for its payment.(4)The fact of the issue of the Pension Payment Order and order for payment of the gratuity shall be promptly reported to the claimant and Head of Office and the documents which are no longer required shall be returned to him.(5)The Audit Officer may authorise the payment of gratuity even during the period of the currency of anticipatory family pension :Provided that the amount of gratuity has been finally assessed and no recovery of Government dues is outstanding against the deceased Government servant.(6)If the final family pension and the gratuity are payable in another circle of audit, the Audit Officer shall send a copy of Form 17 along with the audit enfacement and the last pay certificate, if received, to the Audit Officer of that circle who shall prepare Pension Payment Order and order for the payment of gratuity :Provided that the adjustment of anticipatory family pension and gratuity drawn and disbursed by the Head of Office

shall be made by the Audit Officer in whose circle the provisional payments were made.(7)If the amount of anticipatory family pension drawn and disbursed by the Head of Office is found to be in excess of the final family pension assessed by the Audit Officer, it shall be open to the Audit Officer to adjust the excess amount out of the gratuity, if any, or recover the excess amount by short payments of family pension payable in future.(8)If the amount of gratuity disbursed by the Head of Office proves to be larger than the amount finally assessed by the Audit Officer, the gratuitant shall not be required to refund the excess.

70A. Payment of family pension and death-cum-retirement gratuity when a Government servant dies while on deputation to a State Government or while on foreign service.

- In the case of a Government servant who dies while on deputation or while on foreign service, action to authorise the payment of family pension and death-cum-retirement gratuity in accordance with the provisions of this Chapter shall be taken by [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).] the Head of Office [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976).] of the departmental authority which sanctioned the deputation of the Government servant or sent him on foreign service.

Chapter X

Sanction of Family Pension and Residuary Gratuity in Respect of Deceased Pensioners

71. Sanction of family pension and residuary gratuity on the death of a pensioner.

(1)Where the Head of Office has received an intimation regarding the death of a retired Government servant who was in receipt of pension, he shall ascertain whether any family pension or residuary gratuity or both is or are payable in respect of the deceased pensioner :Provided that the Head of Office may, when he considers it necessary so to do, consult the Audit Officer.(2)(a)(i)If the deceased pensioner is survived by a widow or widower who is eligible for the grant of contributory family pension under Rule 47 the amount of contributory family pension as indicated in the Pension Payment Order shall become payable to the widow or widower, as the case may be, from the day following the date of death of the pensioner.(ii)On receipt of an application from the widow or widower, the Treasury Officer from whom the deceased pensioner was drawing his or her pension shall authorise the payment of contributory family pension to the widow or widower, as the case may be.(b)(i)Where the deceased pensioner is survived by child or children, the guardian of the child or children may submit a claim in Form 13 to the Head of Office for the payment of contributory family pension :Provided that the guardian shall not be required to submit claim in the said Form on behalf of the unmarried daughter if she has attained the age of eighteen years and such daughter may herself submit a claim in the said Form.(ii)On receipt of a claim from the guardian, the Head of Office shall sanction the contributory family pension in Form 19.(c)(i)Where a widow or

widower in receipt of contributory family pension remarries and has, at the time of remarriage, child or children from the former spouse who is or are eligible for contributory family pension the remarried individual shall be eligible to draw the contributory family pension on behalf of such child or children if such individual continues to be the guardian of such child or children.(ii)For the purpose of sub-clause (i), the remarried individual shall apply to the Head of Office on plain paper furnishing the following particulars, namely :-(a)a declaration that the applicant continues to be the guardian of such child or children;(b)the date of remarriage;(c)the name and date of birth of the child or children from the former spouse;(d)the Treasury from where payment of contributory family pension on behalf of such child or children is desired; and(e)full postal address of the applicant.(iii)If the remarried individual has, for any reason, ceased to be the guardian of such child or children, the contributory family pension shall become payable to the person entitled to act as guardian of such child or children under the law for the time being in force and such person may submit a claim in Form 13, to the Head of Office for the payment of contributory family pension.(iv)On receipt of the claim referred to in sub-clause (iii) the Head of Office shall sanction contributory family pension in Form 20.(d)(i)Where a widow or widower in receipt of contributory family pension dies and leaves behind child or children who is or are eligible for contributory family pension, the guardian may submit a claim in Form 13 to the Head of Office for the payment of contributory family pension :Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the unmarried daughter if she has completed the age of eighteen years and such daughter may herself submit a claim in the said Form.(ii)On receipt of a claim from the guardian, the Head of Office shall sanction contributory family pension in Form 20.(3)(a)In case the deceased pensioner was governed by the noncontributory family pension and his death had taken place within five years of his retirement, the non-contributory family pension shall become, payable to the eligible member of the family of the deceased pensioner as provided in Rule 48 for the unexpired period of five years from the date of retirement of the deceased.(b)On receipt of a claim in Form 16 from such member, the Head of Office shall sanction the non-contributory family pension for the unexpired period aforesaid.(4)Where on the death of a retired Government servant a residuary gratuity becomes payable under sub-rule (2) of Rule 44, the Head of Office shall sanction its payment on receipt of a claim or claims in Form 21, from the person or persons eligible to receive the residuary gratuity.

72. Authorisation of payment by Audit Officer.

- On receipt of the sanction under Rule 71 regarding the payment of family pension or of residuary gratuity or of both, the Audit Officer shall authorise the payment of the same.

Chapter XI

Payment of Pension

73. Date from which pension becomes payable.

(1)Except in the case of a Government servant to whom the provisions of Rule 34 apply and subject to the provisions of Rules 9, [x x x] [Figure '56' Omitted by Notification No. FB-6-1-77-N-II-IV,

dated 1-2-1977 (w.e.f. 1-8-1976)] and 64 a pension other than family pension shall become payable from the date on which a Government servant ceases to be borne on the establishment.(2) Pension including family pension shall be payable for the day on which its recipient dies.

74.

If the Pension Payment Order is not received 15 days before the date the pension becomes due, the Head of Office shall sanction and disburse the anticipatory pension in all cases from the 1st of the month in which it is due. Similarly provisional pension shall be sanctioned and disbursed by the Head of Office on the 1st of the month in which it becomes due. For this purpose such information as is available in the official record may be used, and further, the Head of Office should ask the retiring Government servant for a simple statement giving his total length of service (from the date of joining duty to the date of retirement indicating the period of breaks, if any), and also the emoluments during the last 12 months of service. The retiring Government servant may also be asked to certify that the facts stated by him are correct to the best of his knowledge and belief. If complete information regarding the emoluments drawn during the last 12 months is not available the emoluments last drawn should be taken provisionally as average emoluments. The Head of Office shall sanction 100% of the pension calculated with reference to the information so obtained as anticipatory/provisional pension. The death-cum-retirement gratuity should similarly be determined but before disbursing the anticipatory/provisional death-cum-retirement gratuity, all known dues such as long term advances still outstanding, over payments of pay and allowances etc., and other recoverable dues shall be adjusted. [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-1977 (w.e.f. 1-8-1976)]

75. Currency in which pension is payable.

(1) Except as otherwise provided in this rule, all pensions shall be payable in rupees in India. (2) In the case of non-Indian Government servant who on retirement takes up his residence outside India, the payment of pension and rate at which it should be paid shall be governed by the rules made by the Government of India, in this behalf from time to time for their pensioners.

76. Manner of payment of gratuity and pension.

(1) Except as otherwise provided in these rules, a gratuity shall be paid in lump sum. (2) A pension fixed at monthly rates shall be payable monthly on or after the first day of the following month.

77. Application of treasury rules.

- Save as otherwise provided in the rules, the M.P. Treasury Rules, shall apply in regard to the procedure of payment :- (i) of gratuity, (ii) of pension, (iii) of pension un-drawn for more than an year; and (iv) of pension in respect of deceased pensioner.

Chapter XII

Miscellaneous

78. Interpretation.

- Where any doubt arises as to the interpretation of these rules, it shall be referred to the Government in the Finance Department for decision.

79. Power to relax.

- Where any department of the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, the State Government may by order for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner :Provided that no such order shall be made except with the concurrence of the Finance Department.

80. Repeal and saving.

(1)On the commencement of these rules, every rule, regulation or order including Office Memorandum (hereinafter referred to in this rule as the old rule) in force immediately before such commencement shall, in so far as it provides for any of the matters contained in these rules, cease to operate.(2)Notwithstanding such cessation of operation,-(a)(i)every nomination for the payment of death-cum-retirement gratuity, or of non-contributory family pension;(ii)every form regarding the details of family of a Government servant for the purposes of contributory family pension, which a Government servant had given under the old rules shall be deemed to have been made or given under the corresponding provisions of these rules;(b)any nomination for the payment of death-cum-retirement gratuity or of non-contributory family pension, any form regarding the details of family of a Government servant for the purpose of contributory family pension required to be made or given by the Government servant under the old rule but not made or given before the commencement of these rules shall be made or given after such commencement in accordance with the provisions of these rules;(c)any case which pertains to the sanction of pension to a Government servant who had retired before the commencement of these rules and is pending before such commencement shall be disposed of in accordance with the provisions of the old rules as if these rules had not been made;(d)any case which pertains to the sanction of death-cum-retirement gratuity and family pension to family of a deceased Government servant or of a deceased pensioner and is pending before the commencement of these rules shall be disposed of in accordance with the provisions of the old rules as if these rules had not been made;(e)subject to the provisions of clauses (c) and (d), anything done or any action taken under the old rules shall be deemed to have been done or taken under the corresponding provisions of these rules.

Form 1[See Rule 46
(1)][Nomination] [This nomination supersedes the nomination made by me earlier on which stands cancelled.] for death-cum-retirement gratuityWhen the Government servant has a family and wishes to nominate one member, or more than one member, thereof.I hereby nominate the

person/persons mentioned below who-is/are member(s) of my family, and confer on him/them the right to receive, to the extent specified below, any gratuity that may be sanctioned by the Government in the event of my death while in service or after retirement.

Original nominee(s)	Alternate nominee(s)				
Names and addresses of nominee/ nominees	Relationship with the Government servant	Age	Amount of share of gratuity payable to each*	Name, address, relationship and age of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the Government servant or the nominee dying after the death of the Government servant but before receiving payment of gratuity.	Amount of share of gratuity payable to each**
(1)	(2)	(3)	(4)	(5)	(6)

* This column should be filled in so as to cover the whole amount of gratuity.** The amount/share of the gratuity shown in this column should cover the whole amount/share payable to the original nominee(s). Note. - (i) The Government servant shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed. (ii) Strike out if not applicable. Dated this.....day of 20.....at.....

Witness to Signature:

1.

2.

Signature of Government Servant

(To be filled in by the Head of Office)

Nomination by.....

Signature of Head of Office

Designation..... Date.....

Office..... Designation.....

Proforma for Acknowledging the Receipt of the Nomination form by the Head of Office/audit Officer To..... I acknowledge the receipt of your nomination dated the..... cancellation dated the..... of the nomination made earlier in respect of gratuity in Form..... and state that it has been fully placed on record.

Place.....

Dated the.....

Signature of Head of Office

(Designation)

Note. - The Government servant is advised that it would be in the interest of his nominee, if copies of the nominations and the related notices and acknowledgments are kept in safe custody so that

they may come into the possession of the beneficiaries in the event of death. Form 2 (See Rule 46 (1)) [Nomination] [This nomination supersedes the nomination made by me earlier on..... which stands cancelled.] for death-cum-retirement gratuity When the Government servant has no family and wishes to nominate one person or more than one person. I,..... having no family, hereby nominate the person/persons mentioned below and confer on him/them the right to receive, to the extent specified below, any gratuity that may be sanctioned by the State Government in the event of my death while in service or after retirement:

Original nominee(s)		Alternate nominee(s)			
Names and addresses of nominee/ nominees	Relationship with the Government servant	Age	Amount of share of gratuity payable to each*	Name, address, relationship and age of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the Government servant or the nominee dying after the death of the Government servant but before receiving payment of gratuity.	Amount of share of gratuity payable to each**
(1)	(2)	(3)	(4)	(5)	(6)

* This column should be filled in so as to cover the whole amount of gratuity. ** The amount/share of the gratuity shown in this column should cover the whole amount/share payable to the original nominee(s). Note. - (i) The Government servant shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed. (ii) Strike out if not applicable. Dated this.....day of.....20... at..... Witness to Signature:

1.

.....

2.

.....Signature of Government servant (To be filled in by the Head of Office) [xxx]
[The Words 'Audit Officer', Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).]

Nomination by.....

Signature of Head of Office

Designation..... Date.....

Office..... Designation.....

Proforma for Acknowledging the Receipt of the Nomination form by the Head of Office/audit Officer To..... I acknowledge the receipt of your nomination

dated the..... cancellation dated the..... of the nomination made earlier in respect of gratuity in Form..... and to state that it has been duly placed on record.

Place.....

Dated the.....

Signature of Head of Office
(Designation)

Note. - -The Government servant is advised that it would be in the interest of his nominees, if copies of the nominations and the related notice and acknowledgments are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death. Form 3[See Rule 47

(12)]Details of familyName of Government

servant.....Designation.....Date of
birth.....Date of appointment.....Details of the members
of my [family] [Section Note given under form.] as on.....

S. No.	Name of the members of 'family'	Date of birth	Relationship with other Officer/Government servant	Initials of the Head of Office	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

1.2.3.4.5.6.7.8.9.

I hereby undertake to keep the above particulars up-to-date by notifying to the [x x x] [The words 'Audit Officer' Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).]/Head of Office any addition or alternation.

Place.....

Dated the.....

Signature of Government servant

Note. - 1. Family for this purpose means:-(a)wife or wives in the case of a male Government servant;(b)husband, in the case of female Government servant;(c)[sons below twenty one years of age and unmarried daughters below twenty-four years of age, including such sons or daughters adopted legally before retirement.] [Substituted by Notification No. FB-6-1-79-N-II-IV, dated 26-10-79 (w.e.f. 1-4-1979).]

2. Wife and husband shall include respectively judicially separated wife and husband.

(To be filled in by Head of Office) [xxx] [The words 'Audit Officer', omitted by Notification No. F-B-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).]Details of family:Filled
by.....Designation.....Office.....Signature of Head of
Office[xxx] [The words 'Audit Officer', omitted by Notification No. F-B-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).]Dated.....Designation.....Form 4[See Rule 48 (7)]Nomination for non-contributory family pensionI,.....hereby nominate the persons mentioned below who are members of my family to receive in the order shown below the non-contributory family pension which may be granted by the State Government in the event of my death.

Name and address of nominee	Relationship with the Government servant	Age	Whether married or unmarried
(1)	(2)	(3)	(4)

This nomination supersedes the nominations made by me earlier on.....which stands cancelled.*(Strike out, if not applicable).Note. - The Government servant should draw lines across blank space below the last entry to prevent the insertion of any name after he has signed.Dated this.....day of 20.... at....Witness to Signature :

1.

.....

2.

.....Signature of Government servantDesignation.(To be filled in by the Head of Office) [x x x] [The words 'Audit Officer', omitted by Notification No. F-6-1-77-N-II-IV, dated 1-2-77 (w.e.f 1-8-1976).]Nomination
by.....Designation.....Office.....Signature of Head of
OfficeDate.....Designation.....Proforma for Acknowledging the Receipt of the Nomination
form by the Head of OfficeTo.....I acknowledge the receipt of your
nomination, dated the..... cancellation dated the..... of the nomination made earlier in respect of
non-contributory family pension in Form.... and state that it has been duly placed on
record.Place.....Dated the.....Signature of Head of
Office(Designation)Form 5[Omitted] [Omitted by Notification No. FB-6-3-81-R-II-IV, dated
20-3-81 (w.e.f. 17-4-1981).]Form 6Form of assessing pension and gratuity[Rules 57 (1), 59, 61 (1), 63
(1) and (7)]

Part I – 1. Name of the Government servant.....

2. Father's name (and also husband's name in the case of a female Government servant).....

3. Date of birth (by Christian Era).....

4. Religion and nationality.....

5. Permanent residential address showing village/town, district and State.....

- 6. Present or last appointment including name of establishment.....**
- 7. Date of beginning of service.....**
- 8. Date of ending of service.....**
- 9. (i) Total of military service for which pension/gratuity was sanctioned.....**

(ii) Amount and nature of any pension/gratuity received for the military service.....
- 10. Amount and nature of any pension/gratuity received for previous civil service.....**
- 11. Government under which service has been rendered in order of employment.....**
- 12. Interruption and non-qualifying service.....**
- 13. Length of qualifying service.....**
- 14. Class of pension or service gratuity applied for by the Government servant and cause of application. (In case of invalid pension medical certificate to be attached).....**
- 15. Whether the Government servant is a pre-1933 entrant and sub-rule (2) of Rule 40 of M.P. Civil Services (Pension) Rules, 1976, applies to him.....**

(in respect of allocated employees of former M.P. only).....
- 16. Emoluments reckoning for gratuity.....**
- 17. Average emoluments reckoning for pension.....**
- 18. Proposed pension.....**
- 19. Proposed death-cum-retirement gratuity.....**

20. Proposed service gratuity, if any.....

21. Date from which pension is to commence.....

22. Whether nomination made for-

(i)Death-cum-retirement gratuity.....(ii)Non-contributory family pension, if applicable.....

23. Whether the Government servant has paid all the Government dues.....

24. Whether contributory family pension applies to the Government servant and if so-

(i)emoluments reckoning for contributory family pension.....(ii)the amount of contribution to be recovered out of the gratuity.....(iii)the amount of the contributory family pension becoming payable to the wife/husband of the Government servant in the event of his/her death after retirement.....

at enhanced rate of..... From....To.....

at normal rate of..... From....To.....

(iv)Complete and upto date details of family as given in Form 3:-

S. No. Name of the member of family Date of birth Relationship with Government servant

(1) (2) (3) (4)

1.2.3.4.

25. Height.....

26. Identification marks.....

27. Place of payment of pension/gratuity.....

(Treasury or Sub-Treasury).

27A. [Name and place of a branch of public sector bank if pension/gratuity is desired to be drawn through it] [Inserted by Notification No. FB-6-2(a)-80-R-II-IV, dated 31-3-80 (w.e.f. 18-4-1980).].....

28. Head of account to which pension and gratuity are debitable.....

Place.....Dated the.....Signature of Head of Office[The following Public Sector Banks located in Madhya Pradesh are to be utilised for payment of State pensions- i.e. (1) State Bank of India, (2) State Bank of Indore, (3) Central Bank of India, (4) Bank of India, (5) Punjab National Bank, and (6) Allahabad Bank] [Inserted by Notification No. FB-6-2(a)-80-R-II-IV, dated 31-3-80 (w.e.f. 18-4-1980).].

Part II – Section I

Emoluments drawn during the last 12 months of service

Post held	From	To	Pay	Personal/Special pay
(1)	(2)	(3)	(4)	(5)

Average emoluments-

In a case where the 1st 12 months include some period not to be reckoned for calculating average emoluments an equal period backwards has to be taken for calculating the average emoluments. Section II Details of non-qualifying service

Y.M.D. From To

1. Interruption(s)

2. Any other service not treated as qualifying Total

Section III

1. Period of service verified with reference to..... acquittance Rolls.

2. Whether the above period has been verified in accordance with the provisions of Rule 58 of the M.P. Civil Services (Pension) Rules, 1976

[Section IV] [Inserted by Notification No. FB-6-1-77-R-II-IV, dated 28-3-77 (w.e.f. 6-5-1977).](To be used by the Head of Office for grant of anticipatory/provisional pension/gratuity)Details of anticipatory/provisional pension and gratuity to be drawn and disbursed by the Head of Office in accordance with the provisions of Rules 61 and 64.

Pension..... Rs.....p.m.....

Gratuity (90% or 50 per cent of the gratuity mentioned against item 19 of Part I as the case may be).

Rs.....Less(a)Contribution towards contributory family pension, if applicable [See item 24 (ii) of Part I]. Rs.....(b)Government dues which have been ascertained and assessed Rs.....(c)Amount of gratuity held over for adjustment of Government dues which have not been assessed so far.

Rs.....(d)Total of (a), (b) and (c) Rs.....Net amount of anticipatory/provisional gratuity payable Rs.....

Part III – Section I

Audit enfacement

1. Total period of qualifying service which has been accepted for the grant of superannuation/retiring/invalid/compensation/compulsory retirement pension/gratuity with reasons for disallowance, if any.

Note. - Service for the period commencing from....and up to the date of retirement has not yet been verified; this would be done before the pension payment order is issued.

2. Amount of superannuation/retiring/invalid/compensation/ compulsory retirement pension/gratuity, that has been admitted.

3. [x x x] [Omitted by Notification No. FB-6-3-81-R-II-IV, dated 20-3-81 (w.e.f. 17-4-1981).]

4. The date from which superannuation/retiring/invalid/ compensation/compulsory retirement pension/gratuity, is admissible.

5. Head of Account to which superannuation/retiring/invalid/ compensation/compulsory retirement pension/gratuity, is chargeable.

6. The amount of contributory family pension becoming payable to the entitled members of the family in the event of death of the Government servant after retirement;

at enhanced rate of..... P.M. From..... To..... at normal rate of..... P.M. From..... To.....Accounts Officer/Assistant Accountant-GeneralSection II

1. Name of the Government servant

2. Class of pension or gratuity

3. Amount of pension sanctioned

4. Amount of gratuity sanctioned

5. Date of commencement of pension

6. Amount of contributory family pension admissible in the event of the death of the Government servant after retirement.

at enhanced rate.....at normal rate.....

7. Amount recoverable from gratuity under sub-rule 2 (b) of Rule 65 of the M.P. Civil Services (Pension) Rules, 1976.

8. The amount of cash deposit or the amount of gratuity held over for adjustment of unassessed Government dues.

Part IV – Instructions

1. Average emoluments - The calculation of average emoluments, mentioned in item 17 of Part I should be based on the actual number of days contained in each month.

2. Compensation pension or gratuity -

(a)if the case is of a compensation pension or gratuity the particulars of the savings affected should be fully stated against item 14 of Part I of this Form.(b)State why employment was not found elsewhere.

3. Details of service - All periods not reckoned as service should be distinguished.

4. Identification marks - Specify a few conspicuous marks, not less than two, if possible.

5. Name - When initials or name of the Government servant are or is incorrectly given in the various records consulted mention this fact in the letter forwarding the pension papers.

6. Date of retirement - Date of retirement to be indicated in the service book and the Last Pay Certificate, if any.

7. Reinstatement - In the case of a Government servant who has been reinstated after having been suspended; compulsory retired, removed or dismissed from service, brief statement leading to his reinstatement should be appended.

8. Alterations - Alterations to be made in red ink under dated initials of a Gazetted Government servant.

Form 7 Form of Memo to the Audit Officer forwarding the pension papers of a Government servant [Rule 69 (2)] No..... Government of Madhya Pradesh Department/ Office..... Dated, the..... To The Accountant General, M.P..... Subject: Pension papers of Shri/Shrimati/Kumari..... for authorisation of pension. The pension papers (as detailed in the list of enclosures) of Shri/Shrimati/Kumari..... of this Office/Department are forwarded herewith for further necessary action.

2. The receipt of the letter may be acknowledged.

Head of Office List of enclosures

1. Form 6 [xxx] [Omitted by Notification No. FB-6-3-81-R-II-IV, dated 20-3-81 (w.e.f. 17-4-1981).] containing the orders of the pension sanctioning authority, if necessary.

2. Medical certificate for invalidation (if the claim is for invalid pension).

3. Service book.

4. Memorandum of average emoluments reckoning for pension.

5. [(a) Two specimen signatures, duly attested by Gazetted Government servant or in the case of pensioner not literate enough to sign his name two slips bearing the left hand thumb and finger impressions, duly attested by a Gazetted Government servant, and] [If a Government servant is compulsorily retired, the Head of Office may forward the pension papers to the Audit Officer even in the absence of papers at serial No. 5.]

(b) [Three copies of passport size joint photograph with wife/husband and duly attested by the Head of Office.] [Only two copies of passport size photograph of Government servant need be furnished.] (i) if the Government servant is governed by Rule 47 of the M.P. Civil Services (Pension) Rules, 1976 and is unmarried or a widower or a widow. (ii) if the Government servant is governed by

Rule 48 of the M.P. Civil (Pension) Rules, 1976.(c)Two slips showing the particular of height and identification marks, duly attested.

6. Explanation for delay, if any, beyond one month from the date of retirement of the Government servant in forwarded Form 6 [xxx] [Omitted by Notification No. FB-6-3-81-R-II-IV, dated 20-3-81 (w.e.f. 17-4-1981).] when necessary.

7. When the fact of service in another office, is not satisfactorily attested in the service book, duly certified abstract from the Head of Office.

8. Written statement, if any, of the Government servant as required by Rule 58 of the M.P. Civil Services (Pension) Rules, 1976 duly admitted by the Head of Office.

Note. - Pardanashin Ladies are exempted from joint photograph. In such a case declaration that applicant is pardanashin lady shall be enclosed. Form 8 Form of Surety bond [Rule 66(1)] In consideration of the Governor of Madhya Pradesh (hereinafter called the 'Government' with expression shall include his successors and assigns) having agreed to settle the final accounts of Shri/Shrimati..... without production of a 'No Demand Certificates' from the PWD/PHED, I hereby stand surety (which expression shall include my heirs, executors and administrators) for payment by the said of rent and other dues in respect of residence allotted to him/her by the Government and also for any residence that may be allotted or that was allotted to the said....from time to time by the Government. I, the surety, further agree and undertake to indemnify the Government against all loss and damage until delivery of vacant possession of the above-said residence is made over to the Government. I hereby also stand surety for any amounts that may be due by said..... to the Government by way of over payment of pay, allowances, leave salary, advances for conveyance, house-building or other purposes, or any other dues. The obligation undertaken by me shall not be discharged or in a way affected by an extension of time or any other indulgence granted by the Government to the said..... This guarantee shall remain in force till: (i) the "No Demand Certificate" is issued by the PWD/PHED in favour of the said..... (ii) the Head of Office in which the said..... was last employed, and in case he/she was drawing pay and allowances on Gazetted Government servants bill forms the concerned Audit Officer has certified that nothing is now due to the Government from the said.... The stamp duty on this instrument shall be borne by the Government..... Signature of the Surety Signed and delivered by the said surety at..... this..... day of..... in the presence of :

1. Signature.....Address and occupation of witness.....

2. Signature.....Address and occupation of witness.....

Certified that Shri/Shrimati..... is a permanent Government servant he/she shall not attain the age of superannuation, within 2 years from the date he/she stands surety. Signature of the Head of the Department or Head of Office in which the surety employed. This bond is hereby accepted. [Signature & Designation of the Head of Office for and on behalf of the Governor of Madhya Pradesh] [Substituted by Notification No. FB-6-1-77-N-II-IV, dated 10-5-77 (w.e.f. 29-7-1977).]. Form 9 [Rule 69 (2)] Form of memo to the member or members of the family of a deceased Government servant where valid nomination for the grant of the death-cum-retirement gratuity exists. No..... Government of Madhya Pradesh Department/Office Dated, the..... To,..... Subject: Payment of death-cum-retirement gratuity in respect of the late Shri/Shrimati..... In terms of nomination made by the late Shri/Shrimati..... (Designation), in the Office/Department of....., death-cum-retirement gratuity is payable to his/her nominee(s). A copy of the said nomination is enclosed herewith.

2. It is requested that a claim for the grant of the gratuity may be submitted by you in the enclosed Form 11.

3. Should any contingency have happened since the date of making the nomination, so as to render the nomination invalid, in whole or in part, precise details of the contingency may kindly be stated.

Head of Office [xxx] [The words 'Audit Officer', omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).] Form 10 [Rule 69 (2)] Form of memo to the members of the family of a deceased Government servant where valid nomination for the grant of the death-cum-retirement gratuity does not exist. No..... Government of Madhya Pradesh Department/Office Dated, the..... To,..... Subject: Payment of death-cum-retirement gratuity in respect of the late Shri/Shrimati..... In terms of Rule 5 of the M.P. Civil Services (Pension) Rules, 1976, a death-cum-retirement gratuity is payable to the legal heirs of late Shri/Shrimati..... (Designation), in the Office/Department of.....

2. It is requested that a claim for the payment of gratuity may be submitted by legal heirs in the enclosed Form 11, as soon as possible with the [proof of legal heirship/Succession Certificate granted by the competent Court of law/and indemnity bond with 2 sureties in the Form 24] [May file an affidavit giving full details of family members of the Government servant with ages and relationship with the deceased Government servant alongwith Form 24 where payment is requested without production of succession certificate and amount of D.C.R. gratuity does not exceed Rs. 10,000.].

Head of Office [xxx] [The words 'Audit Officer' omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).]Form 11[See Rule 60 (2) (b)]Form of application for the grant of death-cum-retirement gratuity on the death of a Government servantTo be filled in separately by each claimant and in case the claimant is minor the Form should be filled in by the guardian on his/her behalf. Where there are more than one minor, the guardian should claim gratuity in one Form on their behalf).

1. (i) Name of the claimant in case he is not minor.

(ii)Date of birth of the claimant.

2. (i) Name of the guardian in case the claimants are minors.

(ii)Date of birth of the guardian.

3. (i) Name of the deceased Government servant in respect of whom gratuity is being claimed.

(ii)Date of death of Government servant.(iii)Office/Department in which the deceased served last.

4. Relationship of the claimant/guardian with the deceased Government servant.

5. Full postal address of the claimant/guardian.

6. (i) Where gratuity is claimed by the guardian on behalf of minors, the names of the minors, their ages, relationship with the deceased Government servant, etc. :

S. No.	Name	Age	Relationship with the deceased Government servant	Postal Address
(1)	(2)	(3)	(4)	(5)

1.2.3.4.5.

(ii)Relationship of the guardian with minor.

7. Name of the treasury or sub-treasury at which payment is desired.

Signature/Thumb impression of the claimant guardian

8. Two specimen [signatures or left hand thumb] [To be furnished in case the applicant is not literate enough to sign his name.] and finger impression of the claimant/guardian duly attested.

(To be furnished in a separate sheet).

9. [Attested by] [Attestation should be done by two Gazetted Government servants or, two or more persons of respectability in the town, village or Pargana in which the applicant resides.] :

Name	Full Address	Signature
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(1)	(2)	(3)
-----	-----	-----

(i)(ii)

Witness :

(i)(ii)

Form 12[Rule 69 (3)]Form of memo to the widow/widower of a deceased Government servant for grant of contributory family pensionNo.....Government of Madhya

PradeshDepartment/OfficeDated,

the.....To,Shrimati/Shri.....Subject:

Payment of contributory family pension in respect of late Shri/Shrimati.....In terms of Rule 47 of the M.P. Civil Services (Pension) Rules, 1976, a contributory family pension is payable to you as widow/widower of the late Shri/Shrimati.....(Designation), in the Office/Department...

2. You are advised that a claim for the grant of contributory family pension may be submitted in the enclosed Form 13.

3. The contributory family pension will be payable till; your death or remarriage whichever event occurs earlier. In the event of your death or remarriage the contributory family pension shall be granted to the child or children, if any, through the guardian.

Head of Office [xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f.

1-8-1976).]Note. - Where there are more widows than one, family pension is payable to all widows in equal shares and all of them should be asked separately to submit application.Form 13[Rules 69 (3) and 71 (2)]Form of application for the grant of contributory family pension of the death of a Government servant/pensioner

1. Name of the applicant

(i)Widow/Widower(ii)Guardian if the deceased person is .survived by child or children.

2. Name(s) and age(s) of surviving widow or widows/widower and children of the deceased Government servant/pensioner.

S. No.	Name	Relationship with the deceased person	Date of birth by Christian Era
(1)	(2)	(3)	(4)

1.2.3.4.5.

3. Date of death of the Government servant/pensioner....

4. Office/Department in which the deceased Government servant/pensioner served last....

5. If the applicant is guardian, his date of birth and relationship with the deceased Government servant/pensioner.

5A. [If the applicant is a widow/widower the amount of service pension which she/he may be in receipt on the date of death of the husband/wife] [Inserted by Notification No. FB-6-3-78-N-II-IV, dated 11-9-1978 (w.e.f. 13-10-1978).].

6. Full address of the applicant.

7. Name of the Treasury or Sub-Treasury at which payment is desired.

8. Enclosures-

(i)Two specimen signatures of the applicant, duly attested (To be furnished in two separate sheets).(ii)[Two copies of passport size photograph of the applicant, duly attested.] [Purdanashin ladies are exempted from joint photograph. In such cases declaration that beneficiary is purdanashin lady shall be enclosed.](iii)Two slips each bearing left hand thumb and finger impressions of the applicant, duly attested.(iv)Descriptive Roll of the applicant, duly attested, indicating.(a)height, and (b) personal marks, if any, on the hand face, etc., (To be furnished in duplicate).(v)Certificate(s) of age (in original with two attested copies) showing the dates of birth of the children. The certificate should be from the Municipal Authorities or from the Local Panchayat or from the head of a recognised school if the child is studying in such school. This information should be furnished in respect of such child or children the particulars of whose date of birth are not available with Audit Officer/Head Office.

9. Signature or [left hand thumb impression] [To be furnished in case the applicant is not literate enough to sign his name.] of the applicant.

10. Attested by:

Name Full Address Signature

(1) (2) (3)

(i)(ii)

Witness :

(i)(ii)

Note. - Attestation should be done by two Gazetted Government servants or two or more persons of respectability in the town, village or Pargana in which the applicant resides. Form 14 [Rule 69 (4)] Form of memo to the member of the family of a deceased Government servant where valid nomination for the grant of non-contributory family pension exists No..... Government of Madhya Pradesh Department/Office..... Dated, the..... To..... Subject: Payment of non-contributory family pension in respect of the late Shri/Shrimati..... In terms of the nomination made by the late Shri/Shrimati..... (Designation), in the Office/Department of..... a non-contributory family pension is payable to you as his/her nominee.

2. You are advised that a claim for the grant of non-contributory family pension may be submitted by you in the enclosed Form 16.

3. Should any contingency have happened since the date of making the nomination, so as to render the nomination invalid, precise details of the contingency may kindly be stated.

Head of Office [xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).] Form 15 [See Rule 69 (4)] Form of memo to the member of the family of a deceased Government servant where valid nomination for the grant of non-contributory family pension does not exist. No..... Government of Madhya Pradesh Department/Office..... Dated, the..... To..... Subject: Payment of non-contributory family pension in respect of the late Shri/Shrimati.... In terms of Rule 48 of the M.P. Civil Services (Pension) Rules, 1976, a non-contributory family pension is payable to the family of the late Shri/Shrimati..... (Designation) in the Office/Department of as follows : (a) (i) to the eldest surviving widow or to the husband; (ii) failing a widow/husband to the eldest surviving son; (iii) failing (i) and (ii) above, to the eldest surviving unmarried daughter; and (iv) failing these to the eldest surviving widowed daughter; and (b) if there are no surviving members of the family as at clause (a) above, (i) to the father; (ii) failing the father, to the mother; (iii) failing the father and mother, to the eldest surviving brother below eighteen years of age; (iv) failing (i), (ii) and (iii) above, to the eldest surviving unmarried sister; (v) failing the above, to the eldest surviving widowed sister. (c) No non-contributory family pension is payable to a person mentioned in clause (b) above without production of reasonable proof that such person was dependent on the deceased for support.

2. I am to suggest that a claim for the non-contributory family pension may be submitted in the enclosed Form 16 as soon as possible. If you have a prior claim to it in accordance with gradation given above, you are requested to furnish an affidavit to the effect that there is no other surviving member of the family of Shri/Shrimati..... ranking above you in the order given in the first paragraph. If, in the light of the above gradation, you have no prior claim to the non-contributory family pension, you are requested to intimate this office/department the name, address and relationship with the deceased, of the person who according to your knowledge has a prior claim to the non-contributory family pension. Any false information given or declaration made by you in this connection will render you liable to legal action.

Head of office [xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).]Form 16[See Rules 69 (4) and 71 (3)]Form of application for the grant of non-contributory family pension on the death of a Government servant/pensioner

1. Name of the applicant.

2. (i) Name of the guardian in case the applicant is a minor.

(ii)Relationship of the guardian with the applicant.

3. Name of the deceased Government servant/pensioner.

4. Relationship of the applicant with the deceased Government servant/pensioner.

5. Date of death of the Government servant/pensioner.

6. Office/Department in which the deceased served last.

7. (i) Date of birth of the applicant.

(ii)Date of birth of the guardian in case the applicant is a minor.

8. Full address of the applicant/guardian.

9. Name of the treasury or sub-treasury at which payment is desired.

10. Enclosures :

*(i) Two specimen signatures of the applicant, duly attested (to be furnished on two separate sheets)**(ii) Two copies of a passport size photograph of the applicant, duly attested.(iii)Two slips each bearing left hand thumb and finger impressions of the applicant, duly attested.(iv)Descriptive roll of the-applicant, duly attested, indicating (a) height; and (b) personal marks, if any, on hand, face etc.(To be furnished in duplicate)(v)If the applicant belongs to a category mentioned at (b) of item 11, he/she should produce reasonable proof of his/her dependence on the deceased Government servant/pensioner for support.(vi)If the applicant is a minor brother of the deceased Government servant/pensioner, certificate of age (in original with two attested copies) showing the date of birth should be furnished. (The original will be returned to the applicant after necessary verification).(vii)Affidavit (Please see paragraph 2 of Form 15).

11. Name and ages of surviving kindred of the deceased Government servant/ pensioner-

Name Date of birth by Christian Era

(1) (2)

(a)Widow/husband/sons/Unmarried daughters/Widow daughters(b)Father/Mother/Brothers below the age of 18 years/Unmarried sister/Widowed sisters

12. Signature or thumb impressions of the applicant.

13. Attested by

Name Full Address Signature

(1) (2) (3)

(i)(ii)

Witness :

(i)(ii)

Note. - (1) Attestation should be done by two Gazetted Government servants or by two or more persons of respectability, in the town, village or pargana in which the applicant resides.(2)If the applicant is a minor, the enclosures against items 10 (i) to (iv) are to be furnished by the guardian.In case of more than one widow, name of eldest surviving widow to be mentioned which should be with reference to seniority according to date of marriage and not with reference of age.*To be furnished in case the applicant is not literate enough to sign his name.**Purdanashin ladies are exempted from joint photograph. If photograph is not enclosed declaration that beneficiary is purdanashin lady shall be enclosed.Form 17[See Rules 69 (6) and (7) and 70 (6)]Form for assessing and sanctioning family pension and death-cum-retirement gratuity when a Government servant dies while in service(To be sent in duplicate if the payment is desired in a different circle of audit)

Part I – 1. Name of the deceased Government servant.....

2. Father's name (and also husband's name in the case of a female Government servant).....

3. Date of birth (by Christian Era).....

4. Date of death (by Christian Era).....

5. Religion and nationality.....

6. Office/Department in which last employed.....

7. Appointment held last-

(i)Substantive.....(ii)Officiating.....(iii)Temporary.....

8. Date of beginning of service.....

9. Date of ending of service.....

10. (i) Total period of military service for which pension/gratuity was sanctioned.....

(ii)Amount and nature of any pension/gratuity received for the military service.....

11. Amount and nature of any pension received for previous civil service, if any.....

12. Government under which service has been rendered in order of employment.....

13. Interruption and non-qualifying service.....

14. Length of qualifying service.....

15. Whether the deceased Government servant was a pre-1933 entrant and Rule 40 (2) of the M.P. Civil Services (Pension) Rules, 1976, applied to him.....

16. Emoluments reckoning for gratuity.....

17. Proposed death-cum-retirement gratuity.....

18. Whether nomination made for-

(i)Death-cum-retirement gratuity.....(ii)Non-contributory family pension, if applicable.....

19. If non-contributory family pension applies and the Government servant had rendered more than 20 years qualifying service-

(i)"Average emoluments" for pension if the Government servant would have retired on the date following the date of his death had he remained alive.....(ii)Proposed pension.....(iii)Proposed non-contributory family pension.....(iv)Period of tenability of non-contributory family pension.....

20. If contributory family pension applies-

(i)Proposed contributory family pension.....(a)at enhanced rate of Rs..... from..... to.....(b)at normal rate of Rs..... from..... to.....(ii)[the amount of contribution to be recovered out of the gratuity.] [Inserted by Notification No. FB-6-1-77-R-II-IV, dated 28-3-1977 (w.e.f. 6-5-1977).]

21. Persons to whom family pension (contributory or non-contributory) is payable.....

Name.....Relationship with the deceased Government servant.....Full Postal Address.....

22. Persons to whom death-cum-retirement gratuity is payable-

				[The basis on which DCR gratuity is payable i.e.nomination or succession certificate or indemnity bond on Form24] [Inserted by Notification No. FB-6-1-79-N-II-IV, dated 13-2-1979 (w.e.f. 23-2-1979).].	
S.No.	Name	Amount of the share of the death-cum-retirementgratuity	Relationship with the deceased		Full postal address
(1)	(2)	(3)	(4)	(5)	(6)
1.	2.	3.	4.	5.	6.

23. Name of the guardian who will receive payment of family pension and death-cum-retirement gratuity in the case of minors.

24. Government dues, if any, outstanding against the deceased Government servant.

25. Head of account to which family pension and death-cum-retirement gratuity are debitable.

26. Name of the Treasury or Sub-Treasury where the payment of family pension and death-cum-retirement gratuity is desired.

Place.....Dated the.....Signature of the Head of Office/[xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 1-2-77 (w.e.f. 1-8-1976).]

Part II – Section I

(To be filled in, if non-contributory family pension is admissible)[Emoluments drawn during the last 12 months] [In a case where the last 12 months include some period not to be reckoned for calculation average emoluments of an equal period backwards has to be taken for calculating the average emoluments.]

Post held	From	To	Pay	Personal/Special pay
(1)	(2)	(3)	(4)	(5)

Average emoluments:

Section IIDetails of non-qualifying service

1. Interruptions.....

2. Any other service not treated as qualifying.....

Section IIIPeriod of service not verified with reference to the acquittance

Rolls.....Whether the above period has been verified in accordance with the provision of sub-rule 3 (a) of Rule 58 of the M.P. Civil Services (Pension) Rules, 1976.....

Part III – [xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 10-5-77 (w.e.f. 29-2-1977).] [Part III-A] [Inserted by Notification No. FB-6-1-77-R-II-IV, dated 28-3-1977 (w.e.f. 6-5-1977).] (To be used by the Head of Office in the case of

Government servants referred to in Rule 69)

Details of anticipatory family pension and gratuity to be drawn and disbursed by Head of Office in accordance with Rule 69 (7).

(a) Anticipatory family pension	Rs.....p.m.
(b) Gratuity (90% of gratuity mentioned in item 17 of Part I)	
Less	Rs.....
(a) Contribution towards contributory family pension [mentioned in item 20 (ii) of Part I]	Rs.....
(b) Government dues which have been ascertained and assessed	Rs.....
(c) Amount of gratuity held over for adjustment of Government dues which have been assessed so far	Rs.....
(d) Total of (a), (b) and (c)	Rs.....
Net amount of gratuity payable provisionally (b) - (d).	Rs.....

Part IV – Section I

Audit encasement-

1. Total period of qualifying service which has been accepted for-

(i) Death-cum-retirement gratuity.....(ii) Family pension (contributory or noncontributory).....Note. - Service for the period commencing from and upto the date of death has not yet been verified; this should be done immediately and audit office informed.

2. [xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 10-5-77 (w.e.f. 29-2-1977).]

3. [Net amount of death-cum-retirement gratuity after adjusting the Government dues.] [Substituted by Notification No. FB-6-1-77-N-II-IV, dated 10-5-77 (w.e.f. 29-2-1977).].....

4. Amount of contributory family pension-

(i) if death took place before seven years of service.....(ii) if death took place after seven years of service, the period of tenability of the enhanced pension.....

5. Amount of non-contributory family pension [xxx] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 10-5-77 (w.e.f. 29-2-1977).] and the period for which it is tenable.

6. The date from which family pension is admissible.

7. Head of Account to which death-cum-retirement gratuity and family pension are chargeable.

.....Accounts Officer.....Assistant Accountant GeneralSection II

1. Name of the deceased Government servant.....

2. Date of death of the Government servant.....

3. Date of submission of claim by the family of the deceased Government servant.....

4. Amount of family [pension authorised] [Substituted by Notification No. FB-6-1-77-N-II-IV, dated 10-5-1977 (w.e.f. 29-2-1977).].....

5. Amount of [gratuity authorised] [Substituted by Notification No. FB-6-1-77-N-II-IV, dated 10-5-1977 (w.e.f. 29-2-1977).].....

6. Amount recoverable from gratuity.....

7. The amount of gratuity held over for adjustment of unassessed Government dues.....

Part V – Instructions

1. Average emoluments. - The calculation of average emoluments, mentioned in item 19 of Part I of this Form should be based on the actual number of days contained in each month.

2. Details of service. - All periods not reckoned as service should be distinguished.

3. Identification marks. - Specify few conspicuous marks, not less than two, if possible.

4. Name. - When initials or the name of the Government servant are or is incorrectly given in the various records consulted mention this fact in the letter forwarding the pension papers.

5. Date of death. - Date of death to be indicated in the service book, and the last Pay Certificate, if any.

6. Alterations. - Alterations to be made in red ink under dated initials of a Gazetted Government servant.

Form 18[See Rule 69 (6)]Form of letter to the Audit Officer forwarding papers for the grant of family pension and death-cum-retirement gratuity to the family of a Government servant who dies while in service.No.....Government of Madhya PradeshDepartment/Office.....Dated the.....ToThe Accountant GeneralMadhya PradeshSubject: Grant of family pension and death-cum-retirement gratuity.I am to inform you that Shri..... (Designation), died on..... His family has become eligible for the grant of family pension and death-cum-retirement gratuity. Form 7 duly completed [x x x] [Omitted by Notification No. FB-6-1-77-N-II-IV, dated 10-5-77 (w.e.f. 29-2-1977).] is forwarded herewith for further necessary action.

2. Your attention is invited to the list of enclosures which is forwarded herewith.

3. The receipt of this letter, may be acknowledged and this Department/Office informed that necessary instruction for the disbursement of family pension and death-cum-retirement gratuity have been issued to the Treasury Officer concerned.

Head of OfficeList of enclosures.

1. Specimen signature or left hand thumb and finger impressions of the beneficiary, duly attested.

2. [Two attested copies of a passport size photograph of the beneficiary.] [Purdanashin ladies are exempted from submission of photograph. In such cases declaration that beneficiary is purdanashin lady shall be enclosed.]

3. Descriptive Roll of the beneficiary, duly attested.

Form 19[See Rule 71 (2)]Form of letter sanctioning Contributory family pension to the child or children of a retired Government servant who dies after retirement but does not leave behind a widow/widowerNo.....Government of Madhya PradeshDepartment/Office.....Dated the.....ToThe Accountant GeneralMadhya Pradesh, GwaliorSubject: Grant of family pension to the child/children.I am to inform you that Shri/Shrimati..... formerly..... (Designation)..... in this Department/Office was sanctioned pension of Rs.... with effect from..... on his/her retirement from service.

2. Intimation has been received in this Department/Office that Shri/Shrimati..... died on and that at the time of death left no widow/widower but was survived by the following [children] [The names of children should be mentioned in the order of eligibility mentioned in Rule 47 of the M.P. Civil Services (Pension) Rules, 1976. Children born as a result of marriage which took place before the retirement of the Government servant or children adopted legally before retirement should only be included.] :-

S. No.	Name Son/daughter	Date of birth in Christian Era	Date from which family pension ceases to be payable.
(1)	(2)	(3)	(4)
1.	2.	3.	4.
5.	6.		

3. In terms of Rule 47 of the M.P. Civil Services (Pension) Rules, 1976, the amount of contributory family pension has become payable to the children in the order mentioned above. The contributory family pension will be payable on behalf of the minors to Shri/Shrimati..... who is the guardian.

4. Sanction for grant of contributory family pension is accorded as under :-

(a)at enhanced rate of Rs..... p.m. from..... to.....(b)at normal rate of Rs..... p.m. from..... to..... to the children mentioned above is hereby accorded. This sanction is subject to the provision of sub-rule (b) or Rule 47 of the M.P. Civil Services (Pension) Rules, 1976.

5. The contributory family pension is debitable to the Head.....

6. Attention is invited to the information furnished in the enclosed list.

7. The receipt of this letter may kindly be acknowledged and this Department/Office informed that necessary instructions for the payment of contributory family pension to the guardian have been issued to the Treasury

Officer concerned.

Head of OfficeList of enclosures.-

- 1. Permanent address of the guardian.**
- 2. Place of payment (Government Treasury or Sub-Treasury).**
- 3. Specimen signature or [left hand thumb] [To be furnished in the case of the guardian who is not literate enough to sign his/her name.] and finger impressions of the guardian, duly attested.**
- 4. [Two attested copies of a passport size photograph of the guardian.] [If lady guardian is purdanashin lady and does not wish to furnish photograph, a declaration of being a purdanashin lady shall be enclosed.]**
- 5. Descriptive Roll of the guardian, duly attested.**

Form 20Form of letter sanctioning family pension to the child or children on the death or re-marriage of a widow/widower who was in receipt of contributory family pension.No.....Government of M.P.Department/Office.....Dated the.....ToThe Accountant GeneralMadhya Pradesh.Subject: Grant of family pension to the child/children.Shrimati/Shri..... widow/Widower of late Shri/Shrimati..... formerly..... (Designation) in this Department/Office, was sanctioned contributory family pension of Rs..... with effect from the..... This contributory family pension was tenable till the death or remarriage of the widow/widower.

- 2. Intimation has been received in this Department/Office that Shri/Shrimati..... died/re-married/on.....**
- 3. At the time of death/re-marriage, Shri/Shrimati..... had following [children] [The names of children should be mentioned in the order of eligibility mentioned in Rule 47 of the M.P. Civil Services (Pension) Rules, 1976. Children born as a result of marriage which took place before the retirement of the Government servant or children adopted legally before retirement should only be included.] :-**

S. No.	Name Son/daughter	Date of birth in Christian Era	Date from which family pension ceases to be payable.
(1)	(2)	(3)	(4)
			(5)

1.2.3.4.5.6.

4. In terms of Rule 47 of the M.P. Civil Services (Pension) Rules, 1976 the amount of contributory family pension has become payable to the children in the order mentioned above. The contributory family pension will be payable on behalf of the minors to Shri/Shrimati..... who is the guardian.

5. Sanction for grant of contributory family pension to the children mentioned above is accorded as under :-

(a) at enhanced rate of Rs..... p.m. from..... to..... (b) at normal rate of Rs..... p.m. from..... to.....
This sanction is subject to the provision of sub-rule (6) of Rule 47 of the M.P. Civil Services (Pension) Rules, 1976.

6. The Contributory family pension is debitable to the Head.....

7. Attention is invited to the information furnished in the enclosed list.

8. The receipt of this letter may kindly be acknowledged and this Department/Office informed that necessary instructions for the payment of contributory family pension to the guardian have been issued to the Treasury Officer concerned.

.....Head of OfficeList of enclosures-

1. Permanent address of the guardian.

2. Place of payment (Government Treasury or Sub-Treasury).

3. Specimen signature or [left hand thumb] [To be furnished in the case of the guardian who is not literate enough to sign his/her name.] and finger impressions of the guardian, duly attested. ;

4. [Two attested copies of a passport size photograph of the guardian.] [Purdanashin ladies are exempted from submission of photograph. In such cases a declaration that beneficiary is purdanashin lady shall be enclosed.]

5. Descriptive Roll of the guardian, duly attested.

Form 21[See Rule 71 (4)]Form of application of the grant of residuary [gratuity] [If a retired Government servant is in receipt of service gratuity or pension dies within five years from the date of

his retirement from service including compulsory retirement as a penalty and the sums actually received by him at the time of his death on account of such gratuity or pension including ad hoc increase, if any, together with the death-cum-retirement gratuity and the commuted value of any portion of pension commuted by him are less than the amount equal to 12 times of his emoluments, a residuary gratuity equal to the deficiency becomes payable to the family.] on the Death of a pensioner (To be filled in separately by each applicant)

1. Name of the applicant.....

2. (i) Name of the guardian in case the applicant is a minor.....

(ii) Date of birth of guardian.....

3. Name of the deceased pensioner.....

4. Office/Department in which the deceased pensioner served last.....

5. Date of death of the pensioner.....

6. Date of retirement of the deceased pensioner.....

*7. Amount of monthly pension (including ad hoc increase if any) sanctioned to deceased pensioner.....

8. Amount of death-cum-retirement gratuity received by the deceased pensioner.....

9. The amount of pension (including ad hoc increase if any) drawn by the deceased till the date of death.....

10. If the deceased had commuted a portion of pension before his death, the commuted value of the pension.....

11. Total of items 8,9 and 10.....

12. Amount of death-cum retirement gratuity equal to 12 times of the emoluments.....

13. The amount of residuary gratuity claimed, i.e. the difference between the amount shown against item 12 and item 11.....

14. Relationship of the applicant with the deceased pensioner.....

15. Date of birth of the applicant.....

16. Name of the Treasury or Sub-Treasury at which payment is desired.....

17. Full address of the applicant.....

18. Signature or thumb impression of the applicant (to be furnished in a separate sheet) duly attested.....

****19. Attested by:-**Name.....Full address.....Signature.(i)(ii)**20. Witness,-(i)(ii)***When a Government servant has retired before earning a pension, the amount or service gratuity should be indicated.******Attestation should be done by two Gazetted Government servants or by two or more persons of respectability in the town, village or pargana in which the applicant resides.**Form 22[See Rule 35 (3)]**Form of medical certificateCertified that *I/We have carefully examined..... son of..... in the..... His age by his own statement is..... years, and by appearance about..... years. I/We consider..... to be completely and permanently incapacitated for further service of any kind in the department to which he belongs in-consequence of..... (here state disease or cause). His incapacity does not appear to me/us to have been caused by irregular or intemperate habits.[Note (1). - If the incapacity is the result of irregular or intemperate habits, the following will be substituted for this sentence:-]in *my/our opinion his incapacity *is directly due to the irregular or intemperate habits/has been accelerated or aggravated by the irregular or intemperate habits.[Note (2). - If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made.]I am/we are of opinion that..... *is fit for further service of a less laborious character than that which he had been doing/may, after resting for..... months, be fit for further service of less laborious character than that which he had been doing.**Date.....(Signature and designation of**Examining Medical Authority)***Strike out whichever is not applicable.****Form 23[See Rule 45 (4)]**Know all men by these presents that we(a)..... (b) the widow/son/brother etc. of (c)..... deceased, resident of..... (hereinafter called, "the Obligor") and (d)..... son/wife/daughter of..... resident..... of..... and..... son/wife/daughter of..... resident of..... the sureties for and on behalf of the Obligor (hereinafter called "the Sureties") are held and firmly bound to the Governor of Madhya Pradesh (hereinafter called "the Government") in the sum of Rs..... (Rupees.....) only well and truly to be paid to the Government on demand and without a demur for which payment we bind ourselves and our respective heirs, executors, administrators, legal representative, successors and assigns by these presents.Signed this..... day of..... two thousand and.....of the day of.....20.....Whereas (c)..... was at the time of his death in the employment of the Government/receiving a pension at

the rate of Rs..... (Rupees.....only) per month from the Government.And whereas the said (c)..... died on the..... day of..... 20..... and there was due to him at the time of his death the sum of Rs..... (Rupees.....) for and towards share of his minor son/daughter in the death-cum-retirement gratuity.And whereas the Obligor claims to be entitled to the said sum as de facto guardian of the minor son/daughter of the said (c)..... but has not obtained till the date of these presents the certificate of guardianship from any competent Court of law in respect of said minor(s).And whereas the Obligor has satisfied the (c) that he/she is entitled to the aforesaid sum and that it would cause undue delay and hardship if the Obligor is required to produce the certificate of guardianship from the competent Court of law before payment to him of the said sum of Rs.....And whereas the Government has no objection to the payment of the said sum to the Obligor but under Government rules and orders, it is necessary for the Obligor to first execute a bond with one surety/two sureties to indemnify the Government against all claims to; the amount so due as aforesaid to the said (c)..... before the said sum can be paid to the Obligor.And whereas the Obligor and it his/her request the surety/sureties have agreed to execute the bond in the terms and manner hereinafter contained.Now the condition of this bond is such that if after payment has been made to the Obligor, the Obligor and/or the surety/sureties shall in the event of a claim being made by any other person against the Government with respect to the aforesaid sum of Rs..... refund to the Government the said sum of Rs..... and shall otherwise indemnify and keep the Government harmless and indemnified against and from all liabilities in respect of the aforesaid sum and all costs incurred in consequence of the claim thereto. Then the above written bond or obligation shall be void and of no effect but otherwise it shall remain in full force, effect and virtue.And these presents also witness that the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted by or any forbearance act or omission of the Government whether with or without the knowledge or consent of the surety/sureties in respect of or in relation to the obligations or conditions to be performed or discharged by the Obligor or by any other method or thing whatsoever which under the law relating to sureties shall but for this provision have the effect of so releasing the surety/sureties from such liability nor shall it be necessary for the Government to sue the Obligor before suing the surety/sureties or either of them for the amount due hereunder, and the Government agrees to bear the stamp duty, if any, chargeable on these presents.In witness whereof the Obligor and the surety/sureties hereto have set up subscribed their respective hands here unto on the day and year above written.Signed by the above named "Obligor" in the presence of Witnesses:

1.

.....

2.

.....Signature of ObligorSigned by the above named,Surety/Sureties in the presence ofSignature of Surety/Sureties.Accepted for and on behalf of the Governor of Madhya Pradesh by..... in the presence of.....

(Name and designation
of witness).....

Name and designation of officer accepting
the bond

Signature of witness

Note 1. - (a) Full name of the claimant referred to as the "Obligor". (b) State relationship of the Obligor to the deceased. (c) Name of the deceased Government officer. (d) Full name or names of the sureties with name or names of the father(s)/husband(s) and place of residence. (e) Designation of the officer responsible for payment.

Note 2. - The Obligor as well as the sureties should have attained majority so that the bond may have legal effect or force.

Form 24 [See note under Rule 45] Form of bond of indemnity for drawing of D.C.R.G. where there is no nomination or nomination does not subsist

Know all men by these presents..... (a).....
Widow/husband/son/daughter of Shri/Shrimati..... (b)..... residing at..... (c)..... (hereinafter called, "the Obligor" which expression shall unless excluded by or repugnant to the context include his/her heirs, executors, administrators and legal representatives) and I/we (1)..... (d)..... son of resident of..... and (2)..... (e)..... son of..... resident of..... Surety/Sureties on behalf of the Obligor (hereinafter called "the Surety"/"the Sureties" which expression shall unless excluded by or repugnant to the context include his/their heirs, executors, administrators and legal representatives) bind ourselves jointly and severally to pay to the Governor of Madhya Pradesh (hereinafter called "the Government" which expression shall unless excluded by or repugnant to the context include his successors and assigns) on demand and without a demur a sum of Rs..... (f) (Rupees.....) for which payment well and truly to be made we bind ourselves firmly by these presents.

Dated this..... day of..... 20..... Whereas the aforesaid Shri/Shrimati..... (b)..... at the time of his/her death in the employment of Government and he/his/her family was/is entitled to death/cum/retirement gratuity of Rs.... from the Government, and whereas the said Shri/Shrimati..... (b)..... died on the..... day of..... 20..... and there was/is due to him/her/his legal heirs tire sums of Rs.... (f).... (Rupees) for death/cum/retirement gratuity in respect of his/her said employment. And whereas the above bounded Obligor.... (a).... claims to be entitled to the said sum as heir of her/his husband/wife/father, the said Shri/Shrimati.... (b)...., but has not obtained letters of administration of or a succession certificate, to the property and effects of Shri/Shrimati.... (b).... and whereas the Obligor has satisfied the Government that she/he is entitled to the aforesaid sum and that it would cause undue delay and hardship if she/he were required to produce letters of administration of or a succession certificate to the property and effects of the said Shri/Shrimati..... (b).... And whereas the Government desire to pay the said sum to the Obligor but under Government rules and orders it is necessary that she/he should first execute a bond with one surety/two sureties to indemnify against all claims to the amount so due to the said Shri/Shrimati.... (b).... before the said sum can be paid to the Obligor. Now the condition of this bond is such that if after payment has been made to the Obligor, the Obligor or the Surety/Sureties shall in the event of a claim being made by any other person against the Government with respect to the aforesaid sum of Rs..... (f)..... (Rupees.....) refund to the Government the sum of Rs.... (f).... (Rupees) and shall otherwise indemnify and save the Government harmless from all liability in respect of the aforesaid sum and all costs incurred in consequence of the claims thereto then the above written bond or obligation shall be void but otherwise the said bond shall remain in full force, effect and virtue. In witness whereof the parties hereto have here unto set their respective hands the day and the year first above written.

[.....] [Signature of the Obligor.]

Signed by the above named "Obligor" in the presence
of.....

Witnesses:

(1)[.....] [Signature of the First Surety.]

(1).....

(2)[.....] [Signature of the Second Surety.]

(2).....

Signed by the above named sureties in the presence of:-

Witnesses (1).....

(2).....

Accepted for and on behalf of the Governor of Madhya Pradesh by [.....] [Name and designation of the officer directed or authorised, in pursuance of Article 299 (1) of the Constitution, to accept the bond for and on behalf of the Governor of Madhya Pradesh.] in the presence of.....

[Signature of witness] [Name and designation of witness.]

[Signature and designation] [Signature of the officer accepting the bond.]

[Certified that Shri/Shrimati..... is a permanent Government servant and he/she shall not attain the age of superannuation within 2 years from the date.....] [In respect of every surety certificate shall be obtained.] Signature of Head of Office in which Surety/Sureties is/are employed. (a) Full name of the claimant. (b) Name of the deceased Government servant/pensioner. (c) Full address and place of residence of the claimant. (d) First Surety. (e) Second Surety. (f) Amount of the claim. Note. - (1) The Obligor as well as the Sureties should have attained majority so that the bond may have legal effect or force. Form 25 [See note below Rule 66] Declaration I (Name)..... was employed in..... as.... under the Government..... (Name of the Officer) as..... (Designation) under the Government of Madhya Pradesh, hereby declare that to the best of my knowledge and belief no Government dues on account of house rent or water charges in respect of the Government accommodation occupied by me while in the service of Government of Madhya Pradesh are outstanding against me.

Attested Signature of Head of Office/Department. Signature of retired Government servant Form 26 [See note below Rule 66] Undertaking Whereas I (Name)..... was holding the office of..... under the Government of Madhya Pradesh; And whereas I have retired from Government service due to my attaining the age of superannuation on...../or in pursuance of the orders of Government.....; And whereas the examination and enquiry of the accounts of all moneys due to Government including house rent and water charges recoverable from me is likely to take some time; And whereas the Government have consented to grant me the amount of pension and gratuity due to me for the services rendered by me in anticipation of the completion of enquiry to enable the Government to determine the amount of any dues that may be found recoverable from me; And whereas it is incumbent upon me to pay the amount of said dues found recoverable from me as a result of the said enquiry; Now, therefore, I hereby undertake to pay the amount that may be found recoverable from me and in case I fail to pay the same within a period of three months from the date of demand, the said amount may be recovered from me as arrears of land revenue. This undertaking applies only to dues which may be intimated to me within 12 months of my retirement.

Date : Signature and designation

Witnesses:

1.....

2..... Signed before meSignature and designation.

[Form 27] [Inserted by Notification No. FB-6-1-77-R-II-IV, dated 28-3-77 (w.e.f. 6-5-1977).][See Rule 29]Form of certificate of verification of service for pensionNo.....Government of Madhya Pradesh.....DepartmentDated.....MemorandumIt is certified in consultation with the Audit Officer, that Shri..... (Name and designation) has completed a qualifying service of..... years..... month..... and days..... as on..... (date) as per details given below. The service has been verified on the basis of his service documents and in accordance with the rules regarding qualifying service in force at present.[The verification done under sub-rules (1) and (2) shall be treated as final and shall not be re-opened except when necessitated by a subsequent change in the rules and orders governing the conditions under which the service qualifies for pension] [Substituted by Notification No. FB-6-3-78-N-II-IV, dated 11-9-78 (w.e.f. 13-10-1978).].Details of qualifying serviceFrom To

1.

2.

3.

Signature of Head of OfficeToShri.....(Name and designation)[Form 28] [Inserted by Notification No. FB-6-2(a)-80-R-II-IV, dated 1-1-81 (w.e.f. 27-3-1981).][See Rule 42 (1)(a)]To.....Whereas, I have completed 20 yeas qualifying service and now desire to retire from Government service under clause (a) of sub-rule (1) of Rule 42 of the M.P. Civil Services (Pension) Rules, 1976, with effect from..... a notice whereof is hereby given accordingly.Or*Whereas, I have completed 20 years qualifying service and now desire to retire from Government service under clause (a) of sub-rule (i) of Rule 42 of the M.P. Civil Services (Pension) Rules, 1976, with effect from a notice whereof is hereby given accordingly;And, whereas the period of this notice falls short of..... days, the pay and allowances for the days aforesaid have been credited under challan No..... dated..... a copy whereof is enclosed herewith;Or*Whereas, I have completed 20 years qualifying service and now desire to retire from Government service under clause (a) of sub-rule (i) of Rule 42 of the M.P. Civil Services (Pension) Rules, 1976, forthwith, that is to say from..... a notice whereof is hereby given accordingly;The pay and allowances for three months have been credited under challan No..... dated..... a copy whereof is enclosed; in lieu of three months notice as required by the said clause.Dated.....Signature and designation ofthe Government servant.*Strike out which are not applicable.[Form 29] [Substituted by Notification No. F-25-2-2000-PWC-IV, dated 30th May, 2000.][See Rule 42(1) (b)]To.....*Whereas, you have completed 20 years qualifying service/50 years of age on.....

2. And whereas, with the approval of the State Government, it has been decided in the public interest to retire you from service with effect from, under clause (b) of sub-rule (1) of Rule 42 of the Madhya Pradesh Civil

Services (Pension) Rules, 1976, three months notice in that behalf is hereby given accordingly.

OR*Whereas, you have completed 20 years qualifying service/50 years of age on.....

2. And whereas, with the approval of the State Government, it has been decided to retire you in public interest from service with effect from under clause (b) of sub-rule (1) of Rule 42 of the Madhya Pradesh Civil Services (Pension) Rules, 1976, a notice short of three months in that behalf is hereby given accordingly.

OR*Whereas, you have completed 20 years qualifying service/50 years of age on.....

2. Now therefore, in exercise of the powers conferred by clause (b) of sub-rule (1) of Rule 42 of the Madhya Pradesh Civil Services (Pension) Rules, 1976, with the approval of the State Government you are hereby retired in public interest forthwith without notice that is to say with effect from.....

Date.....Appointing Authority.*Strike out which are not applicable.[Form 30]
[Inserted by Notification No. B-6-1-92-PWC-IV, dated 29-6-96 (w.e.f. 21-8-1995).][See Rule 47 (14) (b) (ii)]Form of application for authorisation of family pension of spouse from post retiral marriage and children born after retirement(To be filled in Triplicate and submitted to the Head of Office, from where the Pensioner retired).To(Head of Office)Sir/Madam,I am to inform you that I have married/remarried on..... I give below the necessary particulars of my spouse/children born after retirement of such marriage, for necessary endorsement on my Pension Payment Order (P.P.O.):

1. Name of the pensioner (As recorded in the P.P.O.)

2. Date of retirement

3. Post held at the time of retirement.

4. Details of the P.P.O.

(a)No. and date(b)Designation of issuing authority.

5. Address

(a)Permanent(b)Postal

6. Details of pension Disbursing Authority

1. Station

2. Name of Treasury, Sub-Treasury or Bank

7. (a) Details of family as furnished at the time of retirement -

S. No.	Name(s) and Address(es) of member(s) of family	Relationship with the pensioner	Marital status in case of daughters	Date of birth of children	Whether children are physically handicapped
(1)	(2)	(3)	(4)	(5)	(6)

(Please attach certified copies of medical certificate regarding handicap.) (b) If the application is for inclusion of post retiral spouse, the date of death/divorce of the previous spouse (please enclose certified copy of death certificate/divorce decree)

8. Name of husband/wife of post retiral marriage.

9. Particulars of children born after retirement:-

S.No.	Name(s) and Address(es) of post retiral family	Relationship with the pensioner	Date of birth	Whether the children are physically handicapped
(1)	(2)	(3)	(4)	(5)

(Please attach certified copies of medical certificate regarding handicap.)

10. Verification :

I certify that the particulars furnished above are correct. Signature of pensioner.....Name.....Place.....Date.....

11. Attestation :

1. (i) Signature

(ii) Name (iii) Full designation and address of the office

2. (i) Signature

(ii)Name(iii)Full designation and address of the officeNote. - (1) Attestation would be done by two Gazetted Officers.(2)Two joint photographs duly attested of the pensioner and spouse referred to in Column 8 above should be enclosed with the application.[Substituted by Notification No. FB-6-3-78-N-II-IV dated 11-9-1978 (w.e.f. 13-11-1978).]