

**Circulars issued from 1<sup>st</sup> Jan 2022 to 25<sup>th</sup> April 2022 (Plus several G.Os released in 2021)**

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1/17/2019- पी एंड पी डब्लू (ई)

भारत सरकार

कार्मिक ,लोक शिकायत तथा पेंशन मंत्रालय  
पेंशन और पेंशनभोगी कल्याण विभाग

(डेस्क-ई )

तीसरी मंजिल, लोक नायक भवन,  
खान मार्केट, नई दिल्ली-110003,  
दिनांक 8<sup>th</sup> फरवरी, 2021

कार्यालय जापन

**विषय:** Amendment of income criteria for grant of family pension to children/siblings suffering from mental or physical disability-regarding

The undersigned is directed to say that in accordance with sub-rule (6) of Rule 54 of the Central Civil Services (Pension) Rules, 1972, a child/sibling of a deceased Government servant/pensioner, who is suffering from a mental or physical disability, is eligible for family pension for life, if the disability is of such a nature so as to prevent him/her from earning his/her livelihood. Further, as per the said Rule 54, a member of the family is deemed to be earning his/her livelihood, if his/her income, from sources other than family pension, is equal to or more than the minimum family pension and the dearness relief admissible thereon. This income ceiling is also applicable for determining eligibility for family pension of a child/sibling, suffering from a mental or physical disability.

2. The matter regarding income criteria for determining eligibility for family pension in the case of a child/sibling, suffering from mental or physical disability, has been reviewed in this Department, keeping in view the special needs of such a child/sibling, who requires greater medical care and financial assistance. It is considered desirable that the income ceiling for grant of family pension to such children/siblings should commensurate with the amount of the entitled family pension in their case.

3. Therefore, it has now been decided that a child/sibling of a deceased Government servant/pensioner, who is suffering from a mental or physical disability, shall be eligible for family pension for life, if the appointing authority is satisfied that the disability is of such a nature so as to prevent him/her from earning his/her livelihood, as evidenced by a disability certificate obtained from a competent medical authority. Such a child shall be deemed to be not earning his/her livelihood, if his/her overall income from sources other than family pension is less than the entitled family pension at ordinary rate and the dearness relief admissible thereon, payable on death of the Government servant/pensioner concerned.

4. Accordingly, a child/sibling of a deceased Government servant/pensioner, who is suffering from a mental or physical disability, shall be eligible for family pension for life, if he/she fulfills, **among others**, the following conditions:

- i. A disability certificate is issued by the competent medical authority.
- ii. The overall income of the disabled child, from sources other than family pension, remains less than the entitled family pension at ordinary rate (i.e. 30% of the last pay drawn by the deceased Government servant/pensioner concerned) plus the dearness relief admissible thereon.

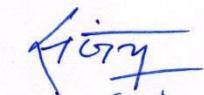
5. The provisions of Rule 54 of the CCS (Pension) Rules, 1972 **shall stand modified to the extent mentioned above only** and the amended provisions shall take effect from the date of issue of this Office Memorandum. A formal amendment of Rule 54 shall be notified separately.

6. In cases where a child/sibling, suffering from a mental or physical disability is presently not in receipt of a family pension due to non-fulfillment of the earlier income criteria, family pension may be granted to such a child/sibling, if he/she fulfils the income criteria mentioned in para 3 and 4 above **and also fulfills the other conditions for grant of family pension at the time of death of Government servant or pensioner or previous family pensioner.** The financial benefits, in such cases, shall accrue from the date of issue of this Office Memorandum and no arrears for the period from the date of death of Government servant/ pensioner/previous family pensioner shall be admissible.

7. This OM is issued with the concurrence of Ministry of Finance, Department of Expenditure vide their ID No. 1(2)/EV/2020 dated 29.12.2020 and 02.02.2021.

8. In its application to persons belonging to Indian Audit and Accounts Department, these orders are issued under Article 148(5) of the Constitution and after consultation with the Comptroller and Auditor General of India vide their यू.ओ.संख्या-28-स्टाफ हक.(नियम) / ए आर./09-2019 dated 25.01.2021.

9. The Administrative Divisions of all Ministries/Departments and attached/subordinate offices are requested to bring the contents of these instructions to the notice of all concerned for compliance.



(संजय शंकर)

भारत सरकार के उप सचिव

Ph. 24644632

To-

1. All Ministries/Departments of the Government of India
2. President's Secretariat
3. Vice President's Secretariat
4. Prime Minister's Office
5. Comptroller & Auditor General of India
6. Cabinet Secretariat
7. Union Public Service Commission
8. NIC for uploading in the Website

**1/1(2)/2020-P&PW (E) Part-1**  
**Government of India**  
**Ministry of Personnel, Public Grievances & Pensions**  
**Department of Pension & Pensioners Welfare**

**3<sup>rd</sup> Floor, Lok Nayak Bhawan,**  
**Khan Market, New Delhi**  
**Dated 12<sup>th</sup> February, 2021**

**OFFICE MEMORANDUM**

Subject: Revision of limits of two family pensions payable to a child in respect of both the parents after the 7th CPC.

In accordance with sub-rule (11) of rule 54 of the Central Civil Services (Pension) Rules 1972, in case both wife and husband are Government servants and are governed by the provisions of that rule, on their death, the surviving child/children is/are eligible for two family pensions in respect of the deceased parents. As per the existing rule 54, if one of the parents 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 the two family pensions in respect of the deceased parents, subject to the limits specified below:

- (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) of Rule 54, the amount of both the family pensions shall be limited to forty-five thousand rupees per month;
- (ii) If one of the family pensions ceases to be payable at the rate mentioned in sub-rule (3) of Rule 54, and in lieu thereof the family pension at the rate mentioned in sub-rule (2) of Rule 54 becomes payable, the amount of both the pensions shall also be limited to forty-five thousand rupees per month.
- (b) If both the family pensions are payable at the rates mentioned in sub-rule (2) of Rule 54, the amount of two family pensions shall be limited to twenty-seven thousand rupees per month.

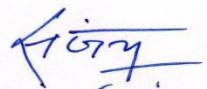
2. The limits of Rs 45,000/- per month and Rs 27,000/- per month in the existing Rule 54(11) were determined at the rate of 50% and 30%, respectively, of the highest pay of Rs. 90,000/- in the 6<sup>th</sup> CPC and were notified vide Notification No.38/80/2008-P&PW (A) dated 8th June, 2011 (GSR 176 dated the 11th June, 2011).

3. References have been received in this Department in regard to the limits of two family pensions payable to child/children in respect of both the parents, after the 7<sup>th</sup> CPC.

4. The highest pay in the Government has been revised to Rs. 2, 50,000/-per month after the 7<sup>th</sup> CPC. Accordingly, it is clarified that, **with effect from 01. 01. 2016**, the amount of Rupees

forty five thousand per month in Rule 54(11)(a)(i) & (ii) shall stand revised to Rupees one lakh-twenty-five thousand per month (being 50% of Rs.2,50,000/-) and the amount of twenty Seven thousand per month in Rule 54(11)(b) shall stand revised to Rupees seventy five thousand per month (being 30% of Rs. 2,50,000/-).

5. Formal amendment to the Central Civil Services (Pension) Rules in this respect shall be notified separately.



**Sanjoy Shankar**  
**Deputy Secretary to the Government of India**  
**Ph. 24644632**

1. All Ministries/Departments of the Government of India
2. President's Secretariat
3. Vice President's Secretariat
4. Prime Minister's Office
5. Comptroller & Auditor General of India
6. Cabinet Secretariat
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8. NIC for uploading in the Website

1/11/2021-पी एंड पी डब्लू (ई)  
भारत सरकार  
कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय  
पेंशन और पेंशन भोगी कल्पाण विभाग  
(डेस्क-ई)

तीसरा तल, लोक नायक भवन  
खान मार्केट, नई दिल्ली-110003  
दिनांक 3 जून, 2021

कार्यालय ज्ञापन

**विषय:-**Payment of family pension, death gratuity and other dues to the family on death of a Government servant during service – Regarding.

The undersigned is directed to say that the Covid-19 pandemic has claimed lives of several Government employees during the recent surge. In many cases, the deceased employees were the sole bread-winners of their family and the casualties have left families devastated and in an urgent need for funds for livelihood. It is, therefore, incumbent on the Government to ensure that the family pension and other entitlements in respect of the deceased employees are released to their families expeditiously.

2. The completion of the process for sanction of family pension and its disbursement through the Bank may take some time, as it involves reference to PAO and CPAO. To deal with such situations, Rule 80-A of the CCS (Pension) Rules, 1972 provides for payment of provisional family pension and also provisional death gratuity, pending issue of the Pension Payment Order (PPO).

3. Department of Pension & Pensioners' Welfare has issued instructions vide OM No. 1/11/2020-P&PW (E) dated 29th July, 2020 for sanction of provisional family pension by the Head of Office immediately on receipt of a claim for family pension and death certificate from the eligible family member, without waiting for forwarding of the family pension case to Pay & Accounts Office (PAO). Rule 80-A provides for payment of provisional death gratuity by the Head of Office once the family pension/death gratuity case has been forwarded to the PAO.

4. In view of the above, all Ministries/Departments and their attached and subordinate offices are requested to strictly comply with the rules/instructions as brought out above and to ensure that payment of provisional family pension is commenced by the Head of Office immediately on receipt of the claim (with death certificate) from the eligible family member and payment of provisional death gratuity is made to the nominees/family members immediately after forwarding the case to the PAO.

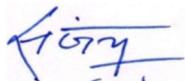
5. Simultaneously, the action may be taken on priority basis for disbursement of regular family pension through the Bank and for payment of other entitlements of the family on death of the Government servant. **It may be ensured that the PPO for family pension is issued and disbursement of regular family pension is commenced by the Bank not later than one month of the receipt of the claim for family pension.**

6. For facilitating expeditious disbursement of all the entitlements of the family on death of a Government servant, two separate notes- one in respect of the employees under Old Pension Scheme and the other in respect of the employees under National Pension System – are also enclosed as Annexure-I and Annexure-II, respectively.

7. All Ministries/Departments and their attached and subordinate offices will submit a monthly statement on 5<sup>th</sup> of every month to the Secretary of the Administrative Department in the following format:

Name & Designation of Government servant died since 1.1.2020	Date on which provisional family pension and provisional gratuity were sanctioned	Date on which PPO was issued	Date on which other entitlements were paid	Reasons for the delays, if any, and remedial action taken to avoid delays in future

8. A consolidated statement in respect of the Ministry/Department and its attached and subordinate offices may be sent by each Ministry/Department to this Department by 10th of each month.

  
(संजय शंकर)  
भारत सरकार के उप सचिव  
टेलीफोन-24644632

TO

1. Secretaries of All Ministries/Departments.
2. Chairman, Railway Board,
3. Secretary D/o Posts, Secretary Telecom,
4. Secretary, Ministry of Defence
5. Secretary, Department of Financial Services
6. O/o Controller General of Accounts
7. O/o Comptroller and Auditor General of India
8. CMDs of All Public Sector/Pension Disbursing Banks

**ENTITLEMENTS OF FAMILY ON DEATH OF A GOVERNMENT SERVANT DURING SERVICE**

**(1) Entitlements of family on death of a Government servant under Old Pension Scheme**

**A. Family Pension :**

**Amount :** 50% of last pay for a period of 10 years from the date following the date of death. Thereafter @ 30% of last pay.

(Enhanced family pension @50% of pay is payable for 10 years in all cases without reference to the length of service of the deceased employee, as per amended Rule 54(3))

**Eligibility of family members:** : Family pension will be paid to members of family in the following order:-;

Sl. No.	Eligible family member	Conditions of eligibility
1	Spouse of the deceased Government servant	For life or remarriage.
2	In the absence of spouse, unmarried dependant* son or unmarried dependant* daughter below the age of 25 years. (Eldest child shall be eligible first. Other(s) will be eligible only after elder child becomes ineligible.)	Till (i)attaining the age of 25 years or (ii) marriage or (iii) start earning livelihood, whichever is the earliest .
3	In the absence of (1) and (2) above, dependant** child suffering from a mental or physical disability	For life or till starts earning livelihood.
4	In the absence of (1), (2) and (3) above, dependant* unmarried/widowed/divorced daughter (without age limit) (Eldest daughter shall be eligible first)	Till (i)marriage/ re-marriage or (ii) starts earning livelihood, whichever is earlier
5	In the absence of (1), (2), (3) and (4) above, dependent* parents (Mother first)	For life or till start earning livelihood
6	In the absence of (1), (2), (3), (4) and (5) above, dependent** sibling suffering from a mental or physical disability	For life or till starts earning livelihood

\*A child (other than a child suffering from a mental or physical disability) and parents shall be eligible, if their income from other sources is less than the minimum family pension (i.e. Rs. 9000/- p.m.) plus dearness relief thereon.

\*\*A child or sibling suffering from a mental or physical disability shall be eligible if their overall income from other sources is less than the entitled family pension admissible on death of Government servant plus dearness relief thereon.

**Documents required to be submitted by the claimant for family pension:** (i) Application in Form 14, (ii) a copy of death certificate, (iii) proof of relationship, (iv) proof of date of birth, (v) copy of first page of the Pass Book, (vi) copy of PAN card. (vii) Specimen signature and (viii) PP size photographs

### **Action to be taken By HOO:**

- Sanction provisional family pension to eligible family member immediately on receipt of claim, without waiting for forwarding of case to PAO or authorisation by PAO. (Department of Pension & Pensioners' Welfare's OM No. 1/11/2020-P&PW (E) dated 29th July, 2020)
- Separately, process the case for family pension and death gratuity in Bhavishya and forward the case to PAO in Form 18 along with other documents for further processing/authorisation. (Rule 80)
- Government dues such as HBA, licence fee, etc. are to be recovered from death gratuity.

### **B. Death Gratuity:**

<b>Length of qualifying service</b>	<b>Rate of death gratuity</b>
(i) Less than 1 year	2 times of emoluments.
(ii) One year or more but less than 5 years	6 times of emoluments.
(iii) 5 years or more but less than 11 years	12 times of emoluments.
(iv) 11 years or more but less than 20 years	20 times of emoluments
(v) 20 years or more	Half of emoluments for every completed six-monthly period of qualifying service subject to a maximum of 33 times of emoluments.

**Maximum amount of death gratuity :** Rs. 20 lakh.

### **Eligibility:**

- Gratuity is to be paid to the family member(s)/person(s) in whose favour a valid nomination exists. If there are more than one nominee, amount of gratuity shall be shared by all nominees as specified in the nomination.
- If a nominee has pre-deceased the Government servant, then the gratuity is to be paid to the alternate nominee(s), if any, mentioned in the nomination form.
- If there is no nomination or the nomination made does not subsist, the amount of gratuity is to be equally shared among spouse, son(s), unmarried daughter(s) and widowed daughter(s).
- If none of these family members is available, the amount of gratuity is to be equally divided among other family members, i.e. father, mother, married daughters, brothers below 18 years, unmarried/widowed sisters and children of a pre-deceased son.
- Succession certificate is not to be asked for unless there is no valid nomination and also none of the family members mentioned above is available.

**Documents required to be submitted by the claimant for gratuity :** (i) Application in Form 12, (ii) Death certificate, (iii) copy of PAN card, (iv)copy of first page of bank pass book and (v) proof of relationship.

### **Action By HOO:**

- Process the case for death gratuity (along with family pension) in Bhavishya and forward the case to PAO in Form 18 along with other documents for further processing/authorisation.
- Sanction provisional death gratuity in accordance with Rule 80-A, after forwarding the case to PAO

### **C. Cash equivalent of leave salary (Leave Encashment)**

As per Rule 39-A of CCS (Leave) Rules, 1972, cash equivalent of leave salary for earned leave not exceeding 300 days is payable to the family. If the earned leave in the credit of the deceased Government servant is less than 300 days, half pay leave is encashed to the extent the earned leave is short of 300 days.

**Eligibility :** One of the available family members in this order -> Spouse, eldest surviving son, eldest surviving unmarried daughter, eldest surviving widowed daughter, father/mother, eldest surviving married daughter, eldest surviving brother below the age of eighteen years, eldest surviving unmarried sister, eldest surviving widowed sister; eldest child of the eldest predeceased son.

Leave encashment is processed/sanctioned by HOO on receipt of death certificate without seeking any application for this purpose.

### **D. Central Government Employees Group Insurance Scheme (CGEGIS)**

**Amount :** In addition to the amount standing in the Savings Fund of CGEGIS, an amount of Rs. 1,20,000, Rs. 60,000/- and Rs. 30000/- is paid to the family of the deceased employee belonging to Group A, Group B and Group C, respectively.

#### **Eligibility of family members:**

- CGEGIS amount is payable to family member(s)/person(s) in whose favour a valid nomination exists.
- In the absence of a nomination, the amount is paid to the family members eligible as per the rules applicable for payment of death gratuity.
- The claim for CGEGIS is processed/sanctioned on receipt of death certificate without seeking any application for this purpose.

### **E. General Provident Fund (GPF)**

- On receipt of the death certificate, the balance in the GPF account of the deceased Government is sanctioned to the family member(s)/person(s) in whose favour a valid nomination exists. In the absence of a nomination, GPF balance is paid to the family members eligible as per GPF Rules.
- As per the Deposit Linked Insurance Scheme under Rule 33-B of the GPF Rules, in addition to the GPF balance, an additional amount equal to the average balance in the GPF account during the 3 years immediately preceding the death of the Government is also paid, subject to the conditions that the balance at the credit did not, at any time during the three years preceding the month of death, fall below the limits mentioned in Rule 33-B.
- The additional amount to be paid shall not exceed Rs. 60,000/-.
- The claims for GPF/DLIS are to be processed/sanctioned by the office on receipt of death certificate.

(1) Entitlements of family on death of a Government servant under National Pension System who had opted for benefits under Old Pension Scheme or in whose case, no option was exercised and the default option is Old Pension Scheme

- Family Pension : Same as under Old Pension Scheme.

In addition, employee's contributions and returns thereon in the NPS pension Corpus shall also be paid to the family member. HOO will start process to sanction family pension and simultaneously close PRAN under NPS and Government contribution (and returns thereon) would be transferred into the Government account. Remaining amount would be paid in lump sum to the nominee or legal heir as per PFRDA regulations.

- Death Gratuity : Same as under Old Pension Scheme
- Cash equivalent of leave salary (Leave Encashment) : Same as under Old Pension Scheme
- Central Government Employees Group Insurance Scheme (CGEGIS) : Same as under Old Pension Scheme

(2) Entitlements of family on death of a Government servant under National Pension System:

- (i) who had specifically opted for benefits under NPS based on accumulated pension corpus or
- (ii) who had opted for Old Pension Scheme or in whose case default option is Old Pension Scheme but there is no family member eligible for family pension under Old Pension Scheme
- Benefits based on NPS Corpus: Concerned office would take action to close PRAN under NPS of the deceased Government servant and grant benefits of lump sum (maximum 20% of accumulated pension wealth) and annuity from the remaining pension wealth to the eligible family member from annuity service provider registered with PFRDA, in accordance with PFRDA (Exits and Withdrawals under NPS) Regulations, 2015
- Death Gratuity : Same as under Old Pension Scheme
- Cash equivalent of leave salary (Leave Encashment) : Same as under Old Pension Scheme
- Central Government Employees Group Insurance Scheme (CGEGIS) : Same as under Old Pension Scheme.

No. 19030/1/2017-E.IV  
Government of India  
Ministry of Finance  
Department of Expenditure

\*\*\*

North Block, New Delhi  
Dated: 15<sup>th</sup> June, 2021.

OFFICE MEMORANDUM

**Subject:** Time-limit for submission of claims for Travelling Allowance (TA) on Retirement - regarding.

The undersigned is directed to refer to this Department's OM No. 19030/1/2017-E.IV dated 13.03.2018 wherein the time limit for submission of claims for TA on Tour/Transfer/Training/ Journey on Retirement was changed from one year to sixty days, succeeding the date of completion of the journey.

2. Several references have been received in this Department regarding extension of time-limit for submission of TA claims in r/o journeys performed by retired employees and their families for going to Home town/place of settlement after retirement as difficulties are being faced by the retired Govt. officials while claiming reimbursement of TA on retirement within a period of sixty days of completion of their journey.

3. The matter has been considered in this Department and in partial modification of this Department's OM of even number dated 13.03.2018, it has been decided that the time-limit for submission of claims for TA on Retirement is modified from 60 days to 180 days (six months), succeeding the date of completion of the journey.

4. The time limit for submission of TA claim on tour, transfer and training will remain 60 days.

5. These orders will be effective from the date of issue of the order. However, the claims not settled due to time limit of 60 days in terms of the O.M. dated 13.03.2018 on the subject, may be re-considered by the concerned Ministry/ Department.

6. In their application to the persons belonging to Indian Audit and Accounts Department, these orders are issued under Article 148(5) of the Constitution and after consultation with the Comptroller & Auditor General of India.

7. This is issued with the approval of Finance Secretary & Secretary (Expenditure).

Hindi version is attached.



(Nirmala Dev)  
Director

To,

All Ministries and Departments of the Govt. of India etc. as per standard distribution list.

Copy to : C&AG and U.P.S.C. etc. as per standard endorsement list.



No. 3(8)/2021-P&PW(H)-7246

भारतसरकार /Government of India

कार्मिक, लोकशिकायत और पेंशन मंत्रालय /Ministry of Personnel, Public Grievances and Pensions

पेंशन और पेंशन भोगी कल्याण विभाग /Department of Pension and Pensioners' Welfare

\*\*\*

8 वीं मंजिल, बी-विंग, 8<sup>th</sup> Floor, B-Wing,  
जनपथ भवन, जनपथ, Janpath Bhawan, Janpath,  
नई दिल्ली-110001 /New Delhi-110001

Dated: 16<sup>th</sup> June, 2021

To,

**The CMDs /CPPCs of all Pension Disbursing Banks**

**Subject:-Expeditious settlement of family pension cases by banks.**

Sir,

I am directed to say that instances have been brought to the notice of this Department where, on death of a pensioner, the spouse/family members of the deceased pensioner are asked by the Pension Disbursing Banks to submit details and documents, which are otherwise not required for commencement of family pension. This amounts to harassment of the spouse and family members and often leads to avoidable delay in commencement of family pension by the Banks.

2. The spouse/family member, whose name is included in the PPO issued to the deceased pensioner, is required to submit **only** the following details/ documents for commencement of family pension to him/her:

**I In cases where the deceased pensioner and spouse were holding a joint account:**

- A simple letter/application for commencement of family pension
- Death certificate in respect of the deceased pensioner
- Copy of PPO issued to the pensioner, if available
- Proof of age/date of birth of the applicant

The spouse/family member is not required to submit the details in Form 14 to the Bank for commencement of family pension.

**II In cases where the spouse did not have the joint account with the deceased pensioner;**

- Application in Form 14 bearing the signatures of two witnesses
- Death certificate in respect of the deceased pensioner

- Copy of PPO issued to the pensioner, if available
- Proof of age/date of birth of the applicant

Form 14 is not required to be attested by a Gazetted officer, etc. The paying bank will identify the spouse/family member based on the information given in the PPO and its own "Know Your Customer" procedures.

**III In cases where, on death of the pensioner and spouse, family pension has to pass over to another family member;**

- If the other family member has been co-authorized for family pension in the PPO, the same procedure as in sub-para II above shall be followed.
- If the name of the other family member is not included in the PPO, he/she may be advised to approach the office which the Government servant/pensioner last served, for issue of a fresh PPO.

3. You are requested to issue suitable instructions to the CPPC(s) and the pension paying branches of your Bank to obtain only the minimum essential details/documents, as mentioned above, from the claimants of family pension, and to ensure that they are not subjected to any harassment by seeking unnecessary details and documents. **The details of family members, other than the Applicant, are not relevant for commencement of family pension by the bank and the same should not, therefore, be sought from the Applicant under any circumstances.**

4. A half-yearly statement on the progress of sanction of family pension may be submitted to this Department latest by 15th of October and 15<sup>th</sup> of April, in the enclosed format.

5. This may be treated as **MOST URGENT**.



(Naresh Bhardwaj)  
**Deputy Secretary to the Government of India**  
Tel No:- 23350020

Copy to:

Secretary, Department of Financial Services for kind information.

**Statement for the period from 1<sup>st</sup> April ..... to 30<sup>th</sup>September ..../1<sup>st</sup> October....  
to 31<sup>st</sup> March, ..../**

No. of Family Pension claims brought forward	No. of Family Pension claims received during last six months	No. of cases in which family pension commenced during last six months in					No of family pension cases pending for		
		Less than one month	1-3 months	3-6 months	6-9 months	9-12 months	1-3 months	3-6 months	6-12 months

In cases where family pension has been sanctioned after one month and the cases which are pending for more than one month, the reasons for the delay and remedial action taken to avoid delays in future may also please be indicated in the statement.

**F. No. 1/24/2019-P&PW (E)**  
**Government of India**  
**Ministry of Personnel, Public Grievances & Pensions**  
**Department of Pension & Pensioners' Welfare**  
**(Desk-E)**

**3<sup>rd</sup> Floor, Lok Nayak Bhawan,**  
**Khan Market, New Delhi**  
**Dated 16<sup>th</sup> June, 2021**

**OFFICE MEMORANDUM**

**Subject: Suspension of family pension to a person charged with the offence of murdering or abetting in the murder of the Government servant– Allowing family pension to other eligible family member.**

In accordance with sub-rule (11-C) of rule 54 of the Central Civil Services (Pension) Rules, 1972, if a person, who is eligible to receive family pension on death of a Government servant or a pensioner, is charged with the offence of murdering the Government servant/pensioner or for abetting in the commission of such an offence, the payment of family pension remains suspended till the conclusion of the criminal proceedings instituted in this regard. In that case, family pension is neither paid to the person who is charged with the offence nor to any other eligible member of the family till the conclusion of the said criminal proceedings. If on conclusion of the criminal proceedings, the person concerned is convicted for the murder or abetting in the murder of the Government servant, he/she is debarred from receiving the family pension. In that case, the family pension becomes payable to other eligible member of the family, from the date of death of the Government servant. If, however, the person concerned is subsequently acquitted of the charge, the family pension becomes payable to that person from the date of death of the Government servant.

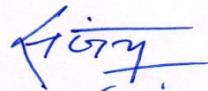
2. The above provisions have been reviewed in consultation with Department of Legal Affairs. Denying the payment of family pension to any other member of the family (e.g. dependent children, parents, etc.), who is not charged with the offence, till the conclusion of criminal proceedings is not considered justified, as finalisation of the criminal proceeding may take a long time and the eligible children/parents of the deceased may suffer for want of financial support by way of family pension.

3. It has, accordingly, been decided that in cases where a person eligible to receive family pension is charged with the offence of murdering the Government servant or for abetting in the commission of such an offence and the payment of family pension to him/her remains suspended under Rule 54(11-C) of CCS (Pension) Rules, 1972, family pension may be allowed to other eligible member of the family till the conclusion of the criminal proceedings in this regard. If the spouse of the Government servant is charged with the offence of murdering the Government servant or for abetting in the commission of such an offence and the other eligible family member is a minor child of the deceased Government servant, the family pension to such minor child shall be payable through a duly appointed guardian, and the mother or father of the minor child (who is charged with the offence) shall not act as guardian for the purpose of drawal of family pension.

4. If the concerned person is subsequently acquitted of the charge, the family pension shall become payable to that person from the date of such acquittal and the family pension to other member of the family shall be discontinued from that date.

5. This will take effect from the date of issue of this Office Memorandum. In the cases where the payment of family pension has been suspended as per the provisions of Rule 54 (11-C) of CCS (Pension) Rules, 1972, before the issue of this Office Memorandum, the arrears of family pension accruing from the date following the date of death Govt. Servant/Pensioner, shall also be paid to the other eligible family member of the Govt. Servant/Pensioner.

6. The provisions of Rule 54(11-C) of CCS (Pension) Rules, 1972, shall stand amended to the extent mentioned above. Formal amendment to the Central Civil Services (Pension) Rules, 1972 shall be notified separately.



(Sanjoy Shankar)  
**Deputy Secretary to the Government of India**  
Ph. 24644632

1. All Ministries/Departments of the Government of India
2. President's Secretariat
3. Vice President's Secretariat
4. Prime Minister's Office
5. Comptroller & Auditor General of India
6. Cabinet Secretariat
7. Union Public Service Commission
8. NIC for uploading in the Website

Government of India  
BHABHA ATOMIC RESEARCH CENTRE  
Personnel Division

Central Complex,  
Trombay, Mumbai – 400 085.

Ref.:BARC/CAO(A)/2021/OPA-83179

July 27, 2021

In order to mitigate the hardship faced by the retired employees of BARC and for delivering a robust and contemporary service to address their grievances/representations, it has been decided to start a **Public Interface Cell(PIC)** in the PR Section of BARC w.e.f. 01.08.2021. The primary role of this Cell is to act as a single window facilitator for monitoring early resolution of such grievances/representations.

2. Public Interface Cell shall be responsible for providing the following services:

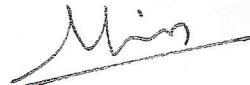
- Matters pertaining to retired employees like Pension, Retirement, TA, Reimbursement of Medical bills and LES claims.
- PIC will receive, distribute, respond and maintain records, Follow up with the concerned sections to monitor the status of disposal of the various grievances/representations.
- Providing assistance to the petitioner via email or phone.
- Grievances/Representations shall be addressed to:

Shri Priyabrat S. Mishra, Assistant Public Relation Officer, Public Interface Cell, Public Relation Section, BARC, Trombay, Mumbai-400085.	Contact No. : 2559 3709 Email : picell@barc.gov.in
---	---

3. Immediately on receipt of the representation, the APRO(PIC) will send an acknowledgement to the sender. PIC will analyse the representation and forward to the Deputy Establishment officer/Administrative Officer-III/ Dy. Controller of Accounts/Heads of Divisions/Authorised Officials concerned who in turn will accord priority, examine the same in detail as per established rules and procedures and send an appropriate response to the petitioners directly

within a reasonable time. APRO(PIC) will follow up with concerned officers regarding status of the disposal of the pending Representations/Grievances and maintain proper database of such matters. The disposing authorities will endorse a copy of their response to the petitioner, to APRO(PIC) for information and record.

4. APRO(PIC) will submit weekly reports to CAO(A), BARC on the status of disposal of such grievances/representations. APRO(PIC) shall bring to the notice of Director, BARC, all such Grievances/Representations which are not disposed off within 15 days.
5. The representations received through CPGRAMS will continue to be dealt with by HRD & SR&W Section and will be disposed off, with the approval of Chief Administrative Officer(A)/ Grievance Officer, BARC.
6. This issues with the approval of Director, BARC.



(Sriram S.)  
Chief Administrative Officer (A)

Distribution:

Director, BARC – For kind information  
Directors / Associate Directors of Groups / Controller, BARC  
Head of Divisions / Sections / IFA, BARC / CAO (P) / JC(F&A), BARC  
System Administrator (SAS) – for display on BTS.

Copy to: (i) General Secretary, AEW&SU, BARC.  
(ii) General Secretary, SAAB, BARC.



No: 17/3/2021-P&PW(Coord.) E 7179

भारत सरकार /Government of India

कामिक, लोक शिकायत और पेंशन मंत्रालय/Ministry of Personnel, Public Grievances and Pension

पेंशन और पेंशनभोगी कल्याण विभाग /Department of Pension and Pensioners' Welfare

\*\*\*

8 वीं मंजिल, बी-विंग, 8th Floor, B-Wing,

जनपथ भवन, जनपथ, Janpath Bhawan, Janpath,

नई दिल्ली -110001 /New Delhi-110001

Dated : 06.08.2021

### **OFFICE MEMORANDUM**

**Subject:- Guidelines for timely and qualitative disposal of Pensioners' Grievances-reg.**

The undersigned is directed to say that the Department of Pension & Pensioners' Welfare (DoPPW) has provided a single window interface for all Central Government pensioners to register their grievances pertaining to any of the Central Government Ministry/Department/Organisation, which is thereafter forwarded online to the concerned Ministry/Department/ Organisation for redressal through the CPENGRAMS Portal.

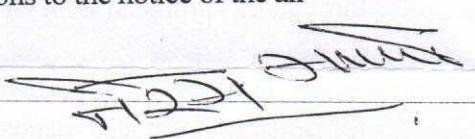
2. In 2019, Pensioners' grievance redressal system was expanded with the objective to provide easy access to pensioners who are living in remote areas and have no proper access to the Internet for registration of their grievances or not conversant with online technology. Accordingly, an Integrated Grievance Cell & Call Centre was inaugurated on 20th June, 2019 for pensioners enabling pensioners to register their grievance by calling on the toll free number 1800-11-1960. The Call Centre Executives register the grievance on CPENGRAMS, after taking inputs from pensioners, and thereafter it is forwarded to the concerned Ministry/ Department/Organization online for redressal. Department of Pension & Pensioners' Welfare also coordinates with different Ministries/Departments to resolve the grievances of the elderly pensioners and keep the pensioners informed about the progress of their grievances till disposal through this online system CPENGRAM.

3. The purpose of grievance redressal machinery is not only to allow easy access of Govt Machinery for pensioners but also disposal of the grievances expeditiously while maintaining the quality in redressal of the grievances. Keeping in view of the above objective, DoPPW has put in place a system of holding regular review meetings with Ministry/ Department/ Organization having large pendency of grievances. In order to ensure quality in disposal of Grievances, DoPPW is periodically analyzing closed Grievances and re-registering cases, wherever it is observed that Grievances were closed by the offices without taking appropriate final action. Though time and again specific guidelines/instructions have been issued to the Ministries, a need is felt to consolidate all instructions/guidelines and revise the time limit for redressal of grievances specially for the priority target groups i.e. family pensioners and super-senior pensioners in order to promote good governance and to ensure that the pensioners /family pensioners get their rightful entitlements.

**All Ministries/Departments are advised to follow the guidelines given below for redressal of the Grievances -**

- i. In accordance with the Central Civil Services (Pension) Rules, 1972, every office is responsible for pension sanction, revision and payment of retirement benefits to its employees. Therefore, every grievance related to pension and other retirement benefits shall be redressed by the concerned office from where the employee retired or served before his/her death.

- ii. Every grievance shall be disposed of within the ambit of extant rules. In case of a grievance falling outside the ambit of rules, a speaking order shall be issued indicating the rule position.
  - iii. All Ministries/Departments/Organisations shall strictly adhere to the time limit of 45 days to resolve the pensioners' grievances. If the grievance pertains to a family pensioner/super-senior pensioner (aged 80 years and above) the dead-line to resolve the grievance shall be 30 days.
  - iv. Every grievance shall be closed only after its final resolution. If a grievance pertains to subordinate/attached office, the case may be forwarded by the Ministry/ Department to the concerned office but it should not be closed until final action is taken. The responsibility lies with the concerned Ministry/ Department to follow up the matter with subordinate/attached units for final resolution. Every Nodal Officer should undertake a weekly review of pending grievances in the portal.
  - v. The grievance shall not be closed for the want of any documents from the pensioner/family pensioner. The office may contact the concerned pensioner on the mobile number or email as available in the CPENGRAM Portal in order to ensure speedy and satisfactory disposal of grievances.
  - vi. Ministry/Department/Organization shall dispose of the grievances after indicating that it is '**Accepted**' or '**Rejected**' or '**Partially Accepted**'. In case grievance is disposed of in favour of pensioner, the option 'Accepted' shall be indicated. In other cases, a speaking order shall be passed giving reasons for rejection/partial acceptance and also uploaded in the portal.
  - vii. Re-registered cases should be disposed of by Appellate Authorities nominated in every Ministry/Department/Organization for the purpose.
  - viii. Ministries/Departments/Organisations shall identify core grievance prone areas and streamline their systems to eliminate root cause of grievances. Cases delayed beyond the dead-line should be analysed and addressed promptly.
4. All the Ministries/Departments are requested to bring the above instructions to the notice of the all concerned under their administrative control for compliance.



(Naresh Bhardwaj)  
Deputy Secretary to the Govt. of India  
E-mail: naresh.bhardwaj@nic.in  
Tele: 011-23350020

To,

1. Secretaries to the GOI
2. Nodal Public Grievance officers of Ministries/Department/Attached and Subordinate organizations of Govt. of India/State Govts
3. NIC, DOPPW for appropriate action and uploading on the DOPPW Website.

Copy for information to:

1. PMO, (Attention Sh Bhaskar Khulbe, Advisor to PM), South Block, New Delhi
2. Secretary, President Secretariat, Rashtrapati Bhavan, New Delhi
3. Secretary General, Rajya Sabha Secretariat, Parliament House, New Delhi
4. Secretary General, Lok Sabha Secretariat, Parliament House, New Delhi
5. Secretary (Coordination & PG). Cabinet Secretariat, Rashtrapati Bhavan, New Delhi

**F.No. 1/7/2020 -P&PW (F)**  
**Government of India**  
**Ministry of Personnel Public Grievances and Pensions**  
**Department of Pension and Pensioners Welfare**

**3rd Floor, Lok Nayak Bhawan,**  
**Khan Market, New Delhi-110003**  
**Dated 30<sup>th</sup> September, 2021**

**Office Memorandum**

**Subject: Payment of amount of Ex-Gratia lump sum compensation to the families of Central Government servants who die in the performance of bona fide official duty- Provision for nominations regarding.**

The undersigned is directed to say that the families of Central Civil Government servants, who die in harness in the performance of their bona fide official duties under various circumstances, are entitled to payment of ex-gratia lump sum compensation in accordance with this Department's OM No. 45/55/97-P&PW(C) dated 11<sup>th</sup> September, 1998. The amount of ex-gratia lump sum compensation has been revised from time to time. The existing rates of ex-gratia lump sum payment are specified in this Department's OM No. 38/37/2016-P&PW (A) dated 04.08.2016.

2. The existing instruction, however, do not specify the member of the family to whom such ex-gratia lump sum compensation is payable in the event of death of the Government servant in the performance of bona fide duty. Therefore, in terms of para 13 of the guiding principles mentioned in the Annexure to the OM No. 45/55/97-P&PW(C) dated 11<sup>th</sup> September 1998, payment of ex-Gratia lump sum compensation is presently being made to the member of the family who is eligible for extraordinary family pension under the CCS (Extraordinary Pension) Rules, 1939.

3. The matter has been examined in consultation with Ministry of Finance (Department of Expenditure). On death of a Government servant, payment of other lump sum amounts, such as death gratuity, GPF balance and CGEGIS amount, is made in accordance with the nominations made by the Government servant during service. Accordingly, it has been decided that, on death of a Government servant in the performance of bona fide duty also, payment of ex-gratia lump sum compensation may be made to a member or members of the family in whose favour a nomination is made by the Government servant during service. Family for this purpose shall have the same meaning as in the case of gratuity and it shall include the members of family as mentioned in sub-rule (6) of Rule 50 of the CCS (Pension) Rules, 1972.

4. The Common Nomination Form in Form 1 appended to the CCS (Pension) Rules, 1972 has been amended to include the nomination in respect of the ex-gratia lump sum payment and the same is enclosed. Accordingly, nomination in respect of ex-gratia lump sum payment shall also be made in this Common Nomination Form. The nomination for ex-gratia lump sum payment shall be subject to the provisions as applicable in the case of gratuity under Rule 53 of the CCS (Pension) Rules, 1972. Since the ex-gratia lump sum payment is payable to the family only, no nomination shall be made in favour of a person who is not a member of the family, even where the Government servant has no family. If no nomination has been made or the nomination made by the Government servant does not subsist, the ex-gratia lump sum compensation will be shared equally by all eligible family members, as in the case of Gratuity, in accordance with Rule 51 of the CCS (Pension) Rules.

**Contd...**

5. These instructions shall be applicable in the case of death of a Government servant on or after the date of issue of this OM. Cases of payment of ex-gratia lump sum compensation on death of Government servants before the date of issue of this OM shall continue to be dealt with in accordance with the instructions applicable before the issue of this OM

6. This OM is issued with the concurrence of Ministry of Finance, Department of Expenditure vide their ID Note No. 27(1)/E-V/2020, dated 22.07.2021.

7. In its application to persons belonging to Indian Audit and Accounts Department, these orders are issued under Article 148(5) of the Constitution and after consultation with the Comptroller and Auditor General of India vide their U.O. No. 211-Staff -Hak (Rule)-A.R/09-2019 dated 13.09.2021.

8. The Administrative Divisions of all Ministries/Departments and attached/subordinate offices are requested to bring the contents of these instructions to the notice of all concerned for compliance.

9. Formal amendment to CCS (Pension) Rules, 1972 for amending Form 1 appended to those rules shall be notified separately.

10. Hindi version will follow.



(Sanjoy Shankar)  
Deputy Secretary to the Govt. of India

To

1. All Ministries/Departments of the Government of India
2. President's Secretariat
3. Vice President's Secretariat
4. Prime Minister's Office
5. Comptroller & Auditor General of India
6. Cabinet Secretariat
7. Union Public Service Commission
8. NIC for uploading in the Website

## FORM 1

### **Common Nomination Form for Gratuity, General Provident Fund, Central Government Employees' Group Insurance Scheme and Ex-gratia Lump Sum Compensation.**

[See Rule 53 of CCS (Pension) Rules, 1972, Rule 5 of General Provident Fund (Central Services) Rules, 1960, Para 19.7 of Central Government Employees' Group Insurance Scheme, 1980 and OM No. 38/37/2016-P&PW (A) dated 04.08.2016]

I, ..... hereby nominate the person/persons mentioned below and confer on him/her/them the right to receive in the event of my death, to the extent specified below, amount on account of the following:

- i. any gratuity the payment of which may be authorised under rule 50 of CCS (Pension) Rules
- ii. amount that may stand to my credit in the General Provident Fund
- iii. any amount that may be sanctioned by the Central Government under the Central Government Employees Group Insurance Scheme, 1980
- iv. Ex-gratia Lump sum compensation that may be authorised under OM No. 45/55/97-P&PW(C) dated 11<sup>th</sup> September, 1998 as amended from time to time.

Name, date of birth (DOB) and address of the nominee	Relationship with employee/pensioner	Share to be paid to each	If nominee is minor, name, DOB and address of person who may receive the amount on behalf of minor	Name, DOB, relationship and address of alternate nominee in case the nominee under Column (1) predeceases the employee/pensioner	Share to be paid to each	Name, DOB and address of person who may receive the amount if alternate nominee in Col. (5) is a minor	Contingency on happening of which nomination shall become invalid
1	2	3	4	5	6	7	8

These nominations supersede any nominations made by me earlier.

Place and date:

Signature of Government servant  
Telephone No.....

**Note 1:** Completely strike out the benefits for which nomination is not intended to be made. Separate copies of this nomination Form may be used for nominating different persons for benefits (i), (ii), (iii) and (iv) above

**Note 2:** The Government servant shall draw lines across the blank space below the last entry to prevent the insertion of any name after he/she has signed. The nominee(s)/alternate nominee(s)' shares together should cover the whole amount.

(To be filled in by the Head of office/authorised Gazetted Officer)

Received the nominations, dated..... under the following Rules/ Instructions:—

1. Central Civil Services (Pension) Rules, 1972 for Gratuity
2. General Provident Fund (Central Services) Rules, 1960
3. Central Government employees Group Insurance Scheme, 1980
4. OM No. 45/55/97-P&PW(C) dated 11<sup>th</sup> September, 1998

Made by Shri/Smt./Kumari.....

Designation.....

Office.....

(Strike out which nomination is not received)

Entry of receipt of nomination(s) has been made in page .....Volume..... of Service Book.

Name, Signature and Designation of Head of Office/authorised Gazetted Officer with seal Date of receipt.....

The receiving Officer will fill the above information and return a duly signed copy of the complete Form to the Government servant who should keep it in safe custody so that it may come into the possession of the beneficiaries in the event of his/her death.

The receiving officer shall put his/her dated signature on both pages of this Form.



**Government of India**

**DEPARTMENT OF PENSION & PENSIONERS' WELFARE**



**MeitY**  
Government of India

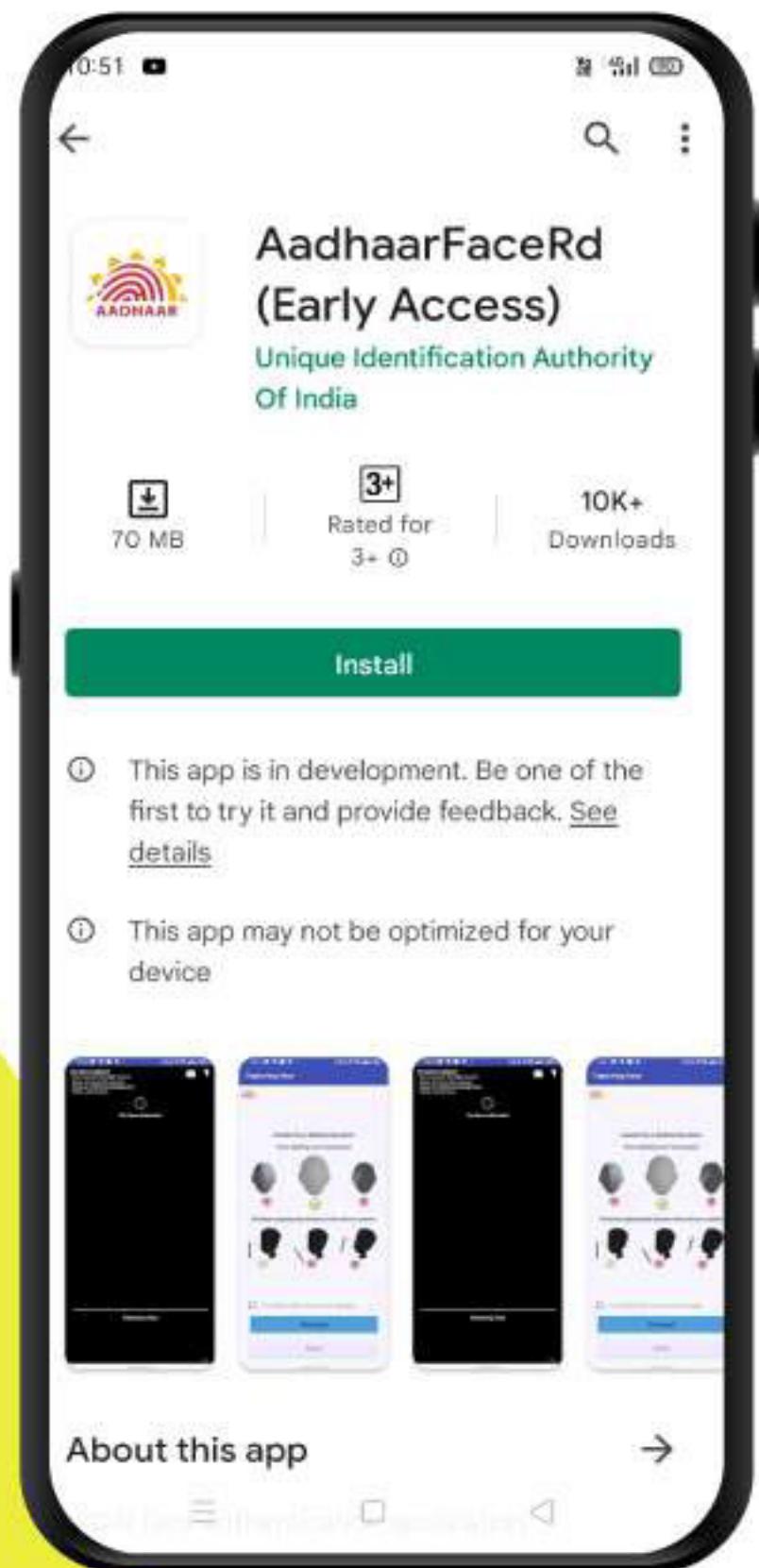
**Enhancing Ease of Submitting  
Digital Life Certificate through Face  
Authentication Technique based on  
UIDAI Aadhaar software for Digital  
Life Certificate submission by  
pensioners using only a  
smartphone.**

**Process flow as given below:-**



**Government of India  
DEPARTMENT OF PENSION & PENSIONERS' WELFARE**

**Process to submit life certificate through  
“FACE AUTHENTICATION” launched by UIDAI**



**STEP-1**

**Download **  
**AadhaarFaceRd App  
from Google Play Store**

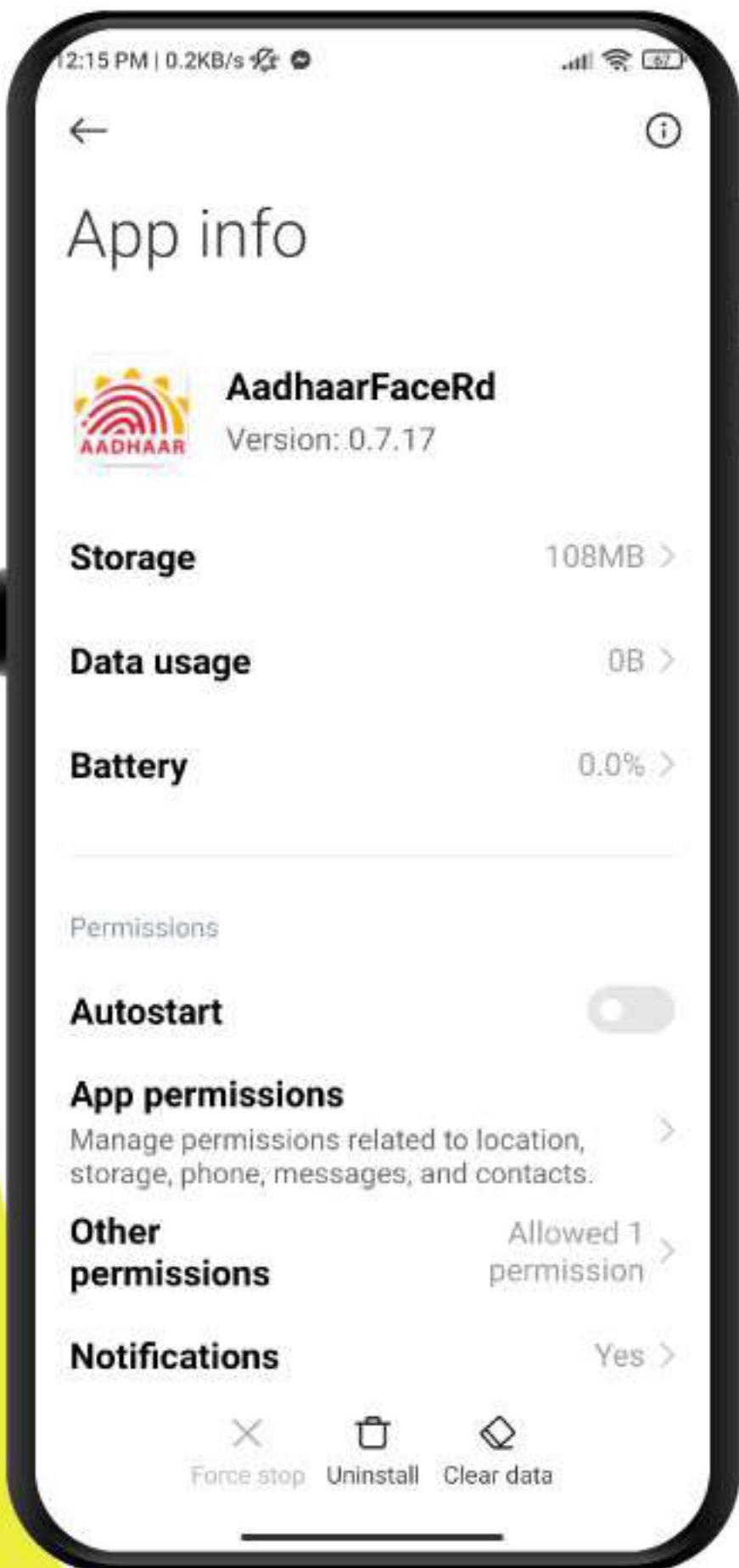


<https://play.google.com/store/apps/details?id=in.gov.uidai.facerd>

**\*NOTE-This Application is for Android Users only.**



**Government of India**  
**DEPARTMENT OF PENSION & PENSIONERS' WELFARE**



**STEP-2**

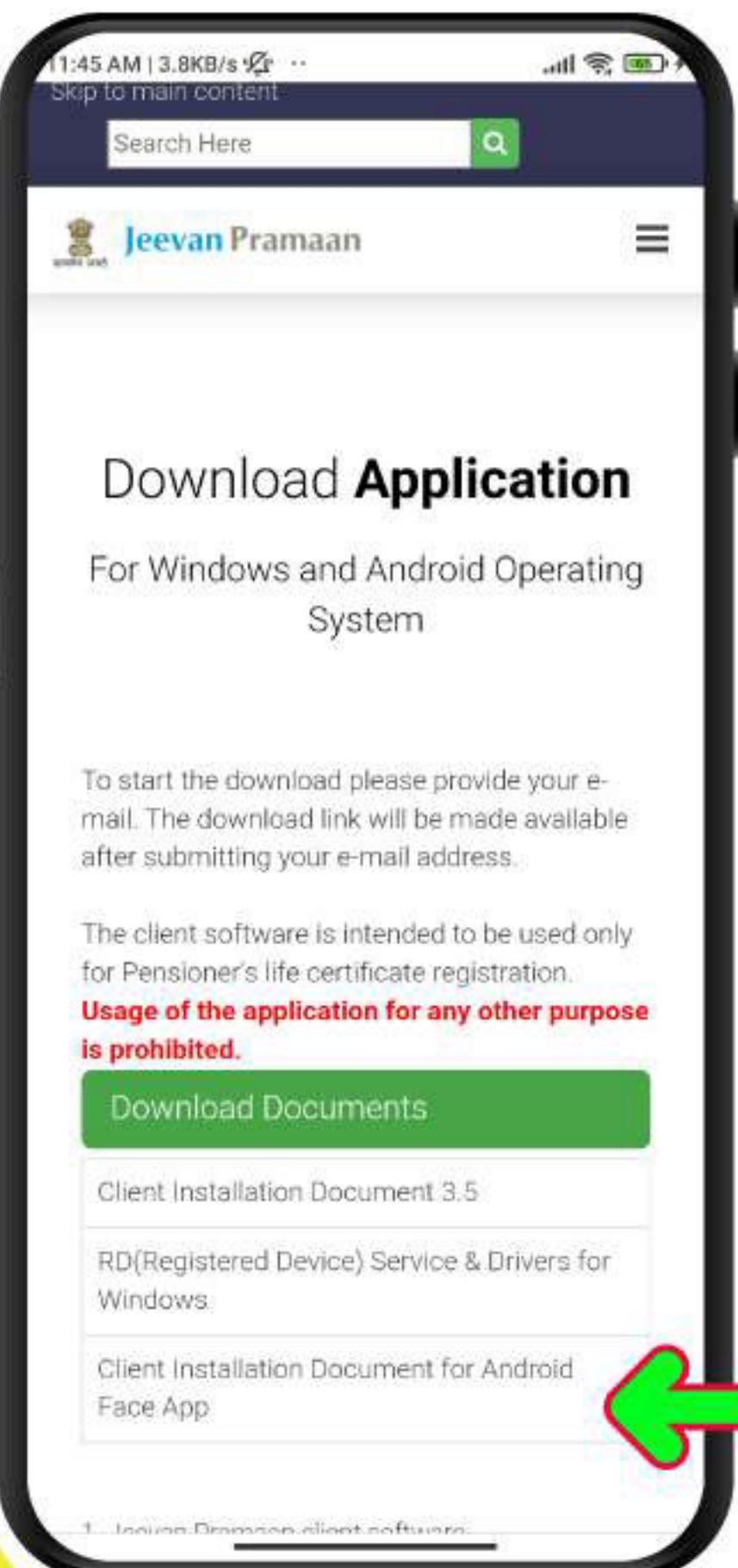
**After the Rd service is installed it will be visible in Settings**



**App Info as shown in screenshot.**



**Government of India**  
**DEPARTMENT OF PENSION & PENSIONERS' WELFARE**



**STEP-3**

**Download Jeevan  
Pramaan Face  
Application from**



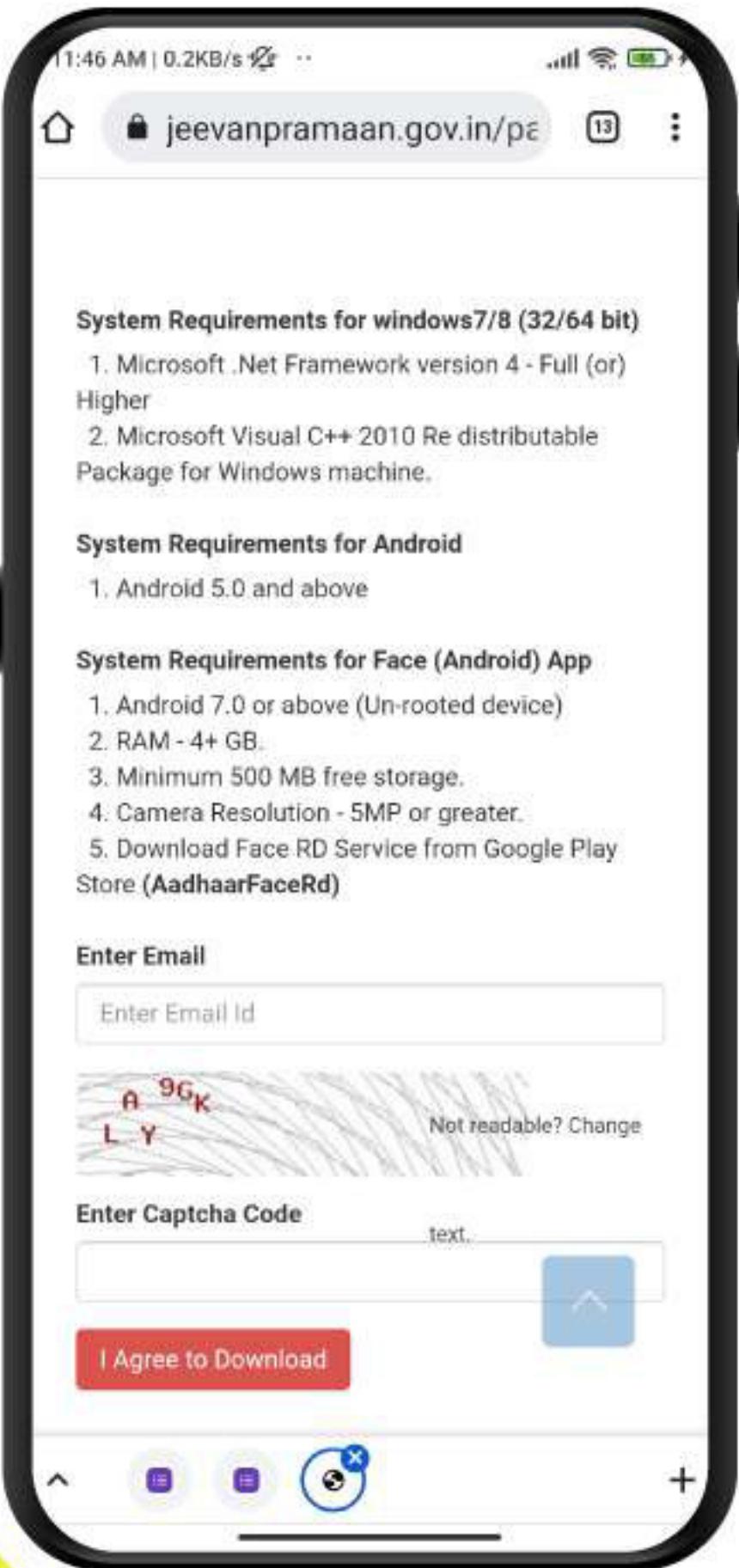
**[https://jeevanpramaan.gov.in/  
package/download](https://jeevanpramaan.gov.in/package/download)**

**Click on Client Installation  
Document for Android  
Face App.**





**Government of India**  
**DEPARTMENT OF PENSION & PENSIONERS' WELFARE**

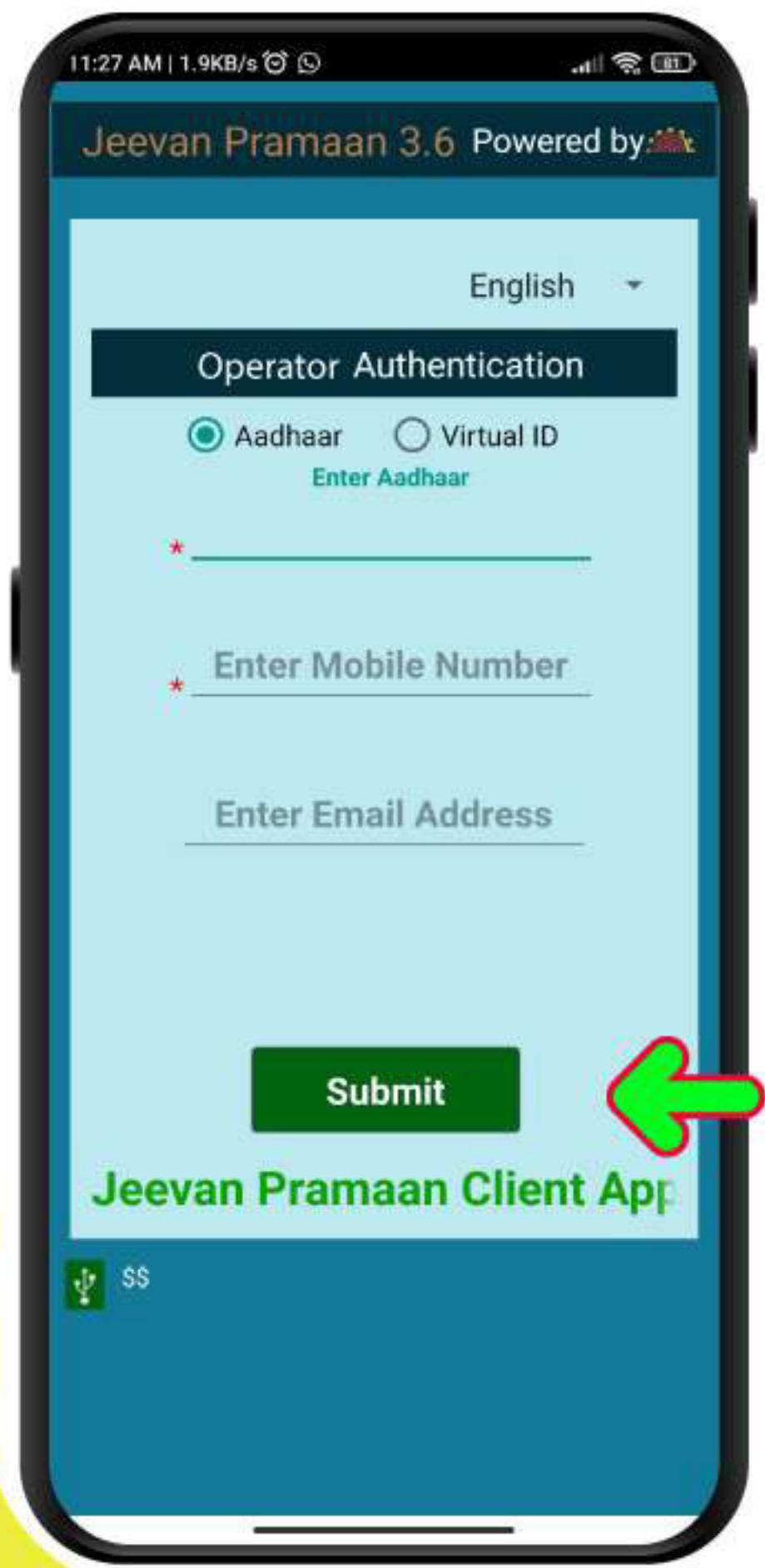


**STEP-4**

**Provide required information -> a link will be sent to the mail ID provided -> Click on link -> file gets downloaded in downloads. click on file to install app**



**Government of India**  
**DEPARTMENT OF PENSION & PENSIONERS' WELFARE**



**STEP-5**

**Open app -> give required permissions-> this opens a screen for Operator Authentication-> give required information -> submit-> enter OTP-> Scan face of operator-> on being successful, pop-up will appear “Client registration successful”**



**Government of India**  
**DEPARTMENT OF PENSION & PENSIONERS' WELFARE**

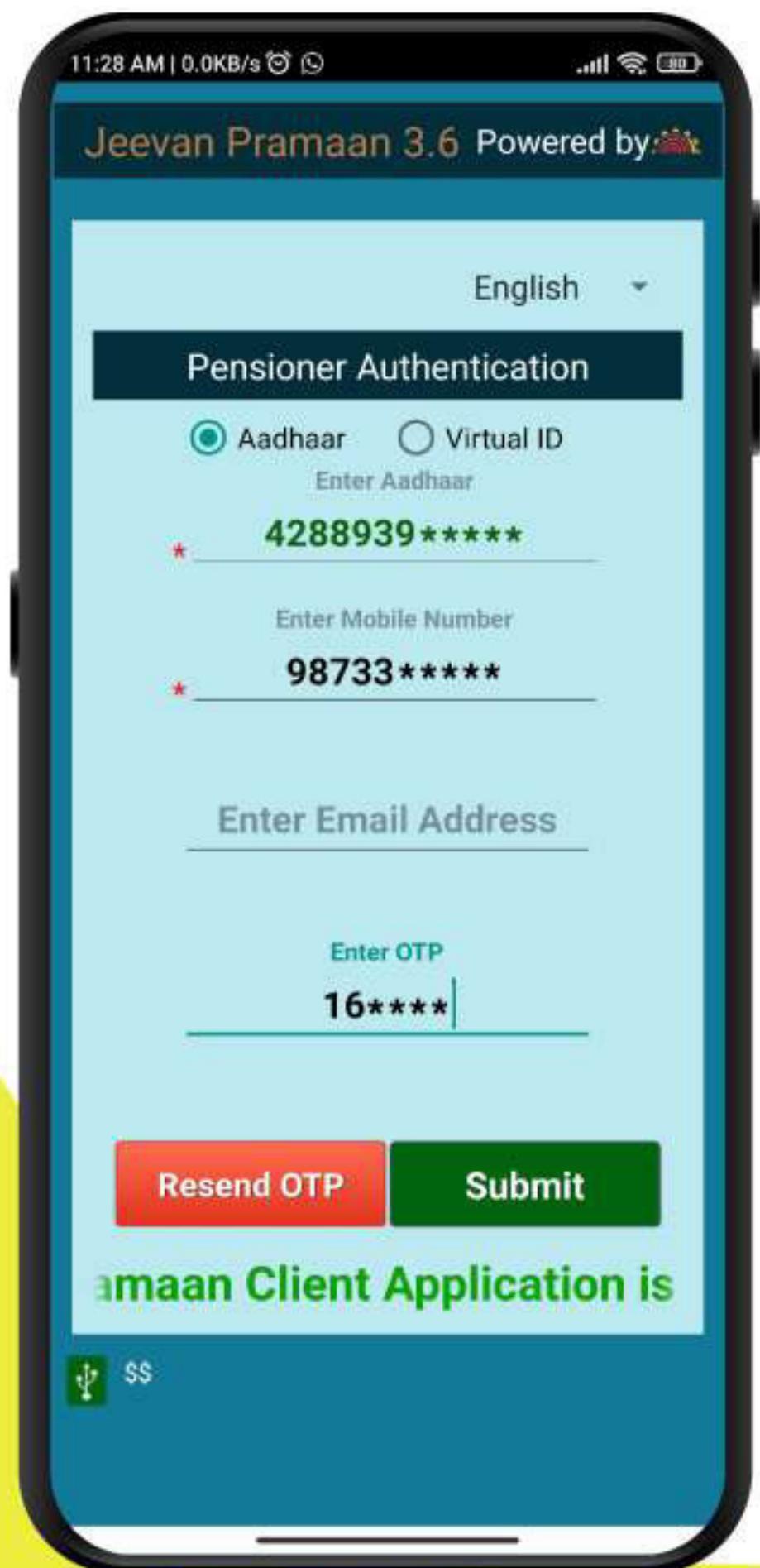
**STEP-6**

**Note**

- 1. The operator authentication is a one time process.**
- 2. Pensioner can also be the Operator.**
- 3. After operator authentication, a screen will open for pensioner authentication.**
- 4. One operator can generate DLC of multiple pensioners.**



**Government of India**  
**DEPARTMENT OF PENSION & PENSIONERS' WELFARE**

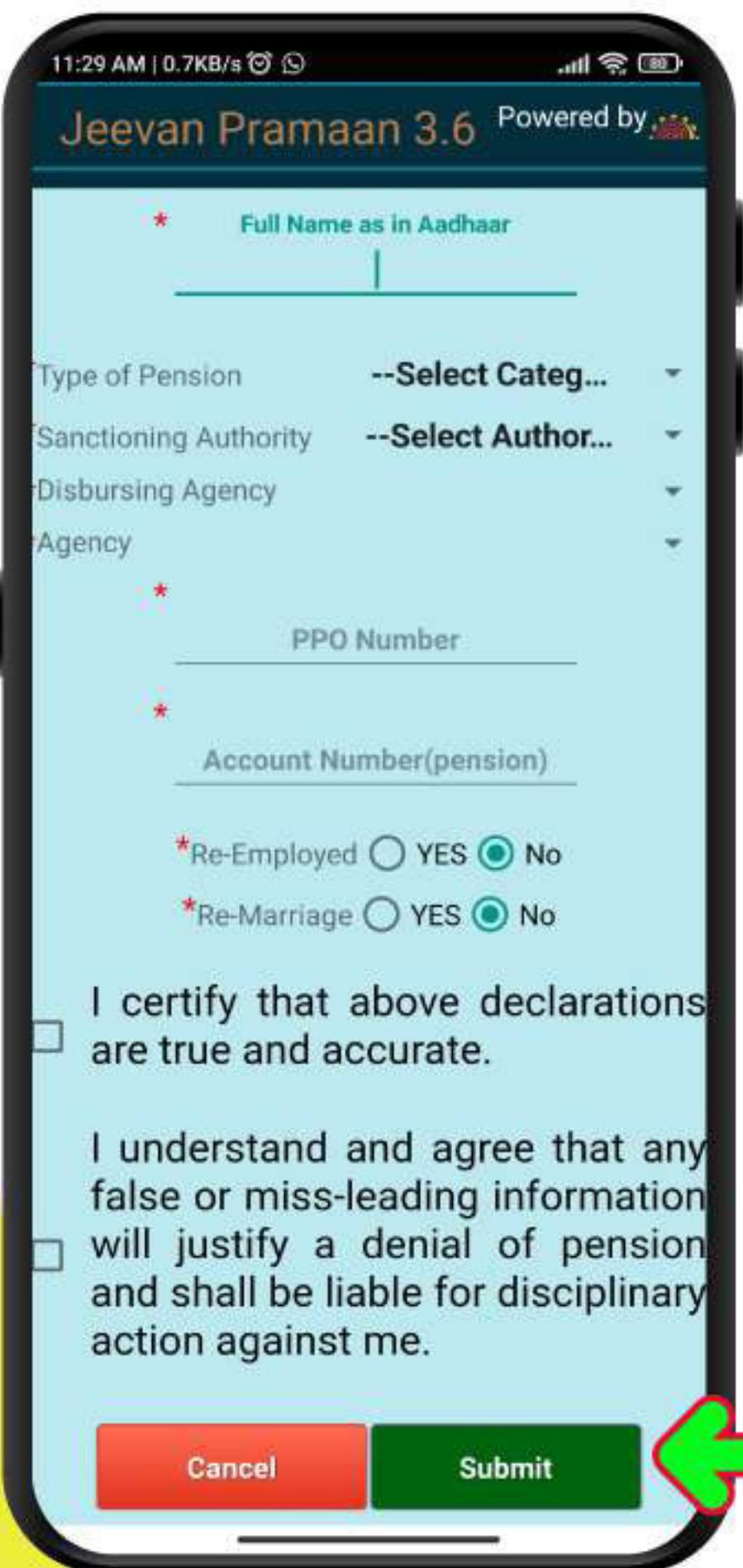


**STEP-7**

**Pensioner Authentication**  
**- Fill in required details-> submit ->  
Enter OTP -> submit**



**Government of India**  
**DEPARTMENT OF PENSION & PENSIONERS' WELFARE**



The image shows a smartphone screen displaying the 'Jeevan Pramaan 3.6' app. The app interface includes fields for 'Full Name as in Aadhaar', 'Type of Pension' (dropdown), 'Sanctioning Authority' (dropdown), 'Disbursing Agency' (dropdown), 'Agency' (dropdown), 'PPO Number', 'Account Number(pension)', and two radio button options for 'Re-Employed' (YES/No) and 'Re-Marriage' (YES/No). Below these fields are two checkboxes: one for certifying true and accurate declarations and another for agreeing to terms about false information leading to denial. At the bottom are 'Cancel' and 'Submit' buttons, with a green arrow pointing to the 'Submit' button.

**STEP-8**

**Fill in all the details  
as shown on the  
screen correctly, Click  
on both the  
checkboxes and  
submit.**

**Note:- Incorrect  
information may lead to  
non-updation of DLC at  
Pension Disbursing Office**



**Government of India**  
**DEPARTMENT OF PENSION & PENSIONERS' WELFARE**

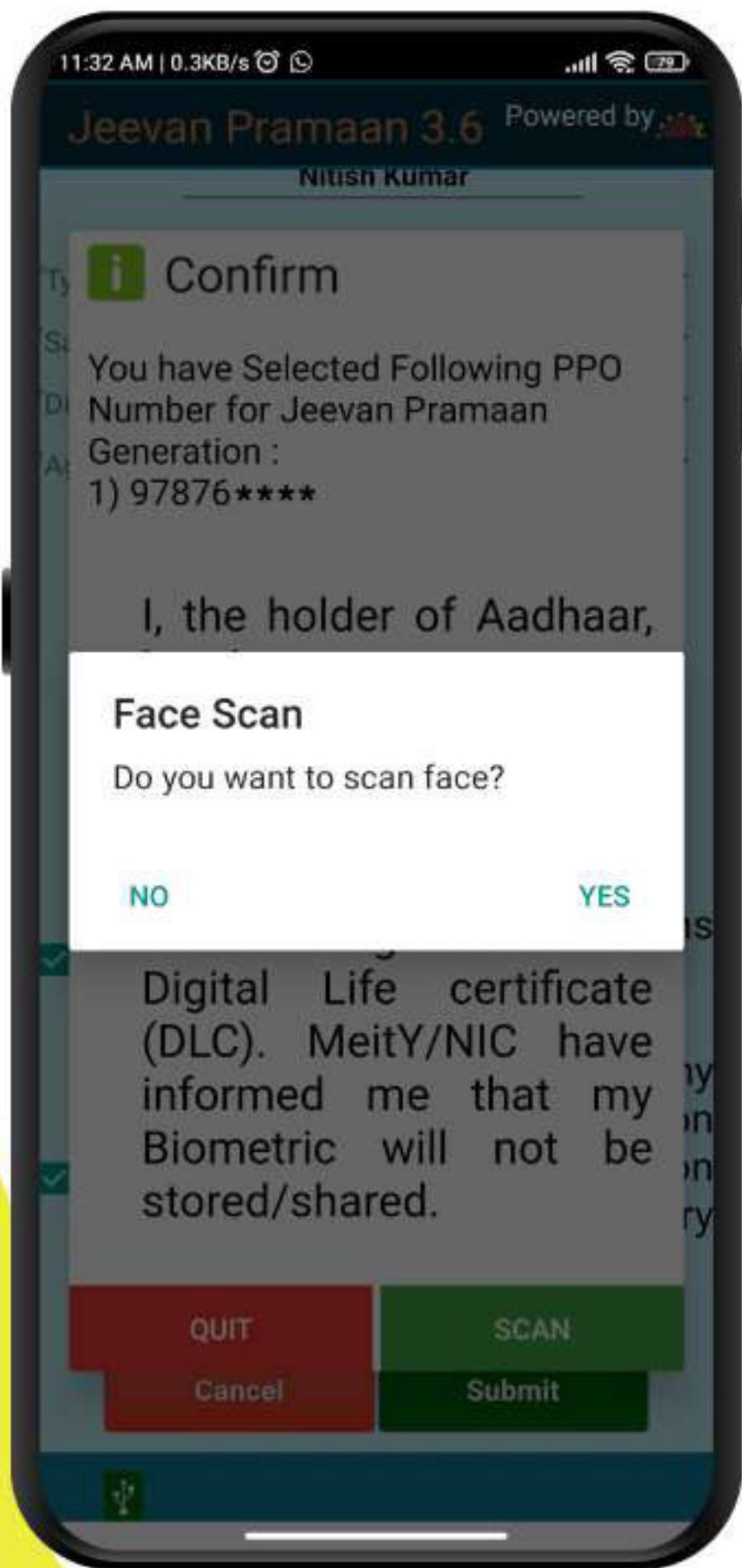


**STEP-9**

**Click on the checkbox  
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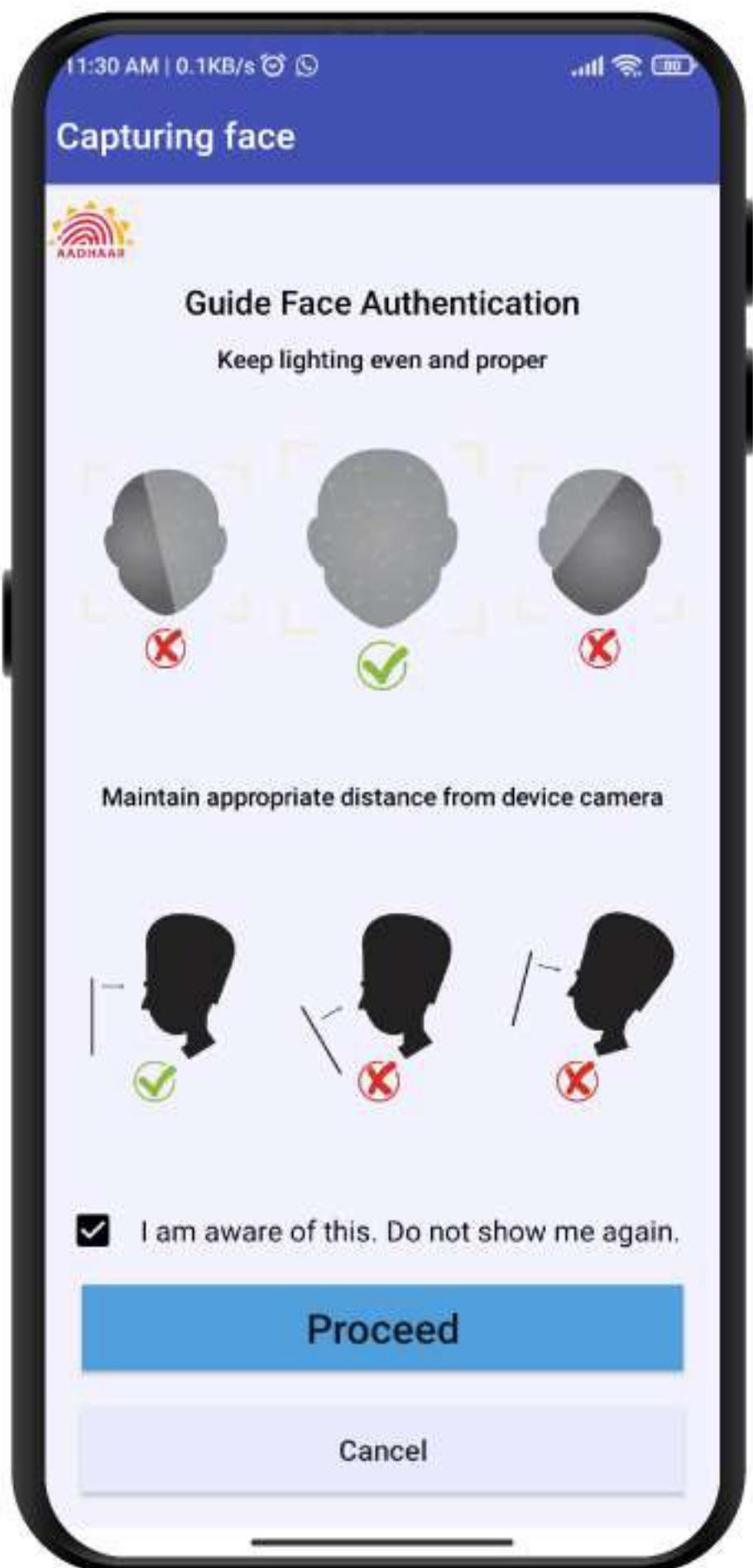


**STEP-10**

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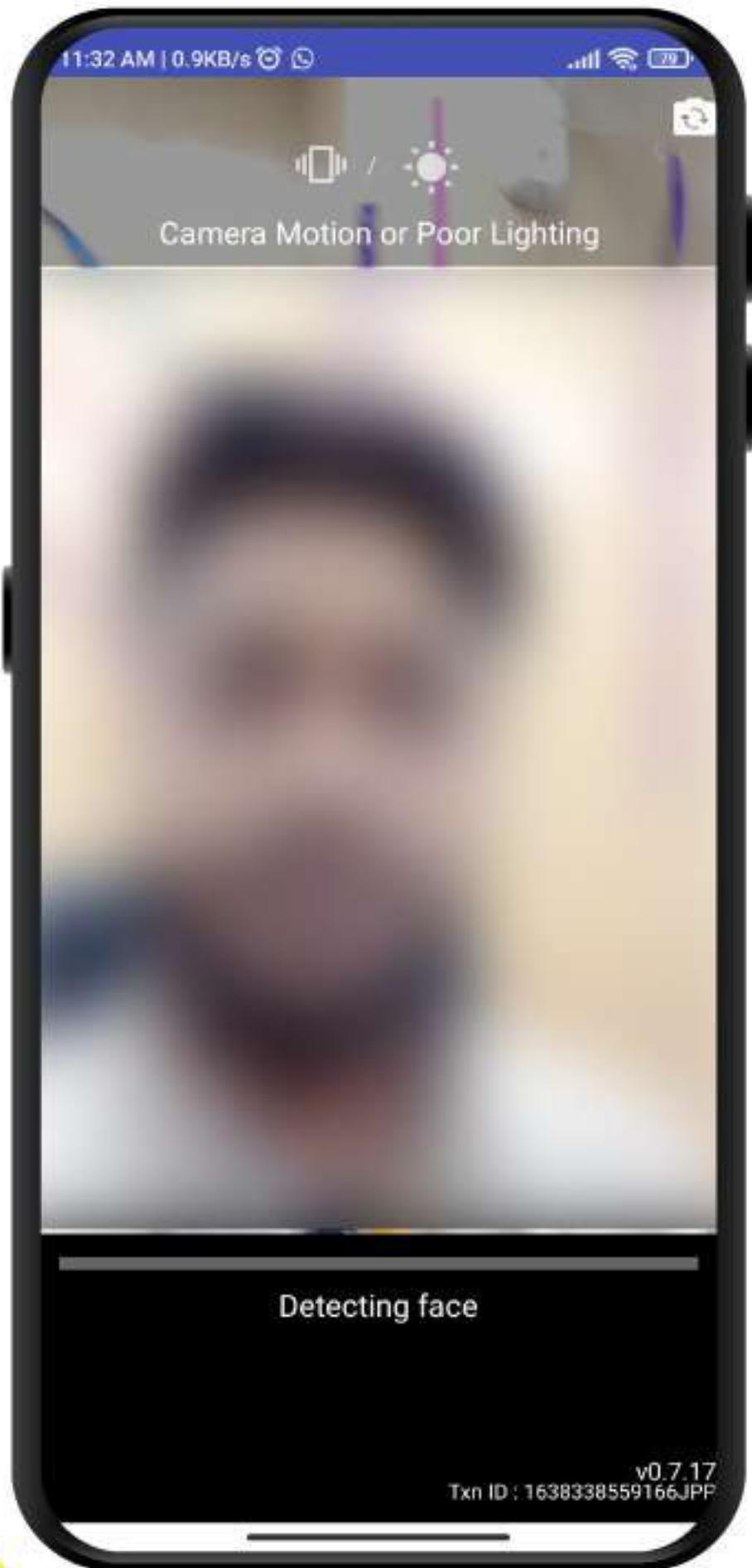


**STEP-11**

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checkbox and  
proceed.**



**Government of India**  
**DEPARTMENT OF PENSION & PENSIONERS' WELFARE**

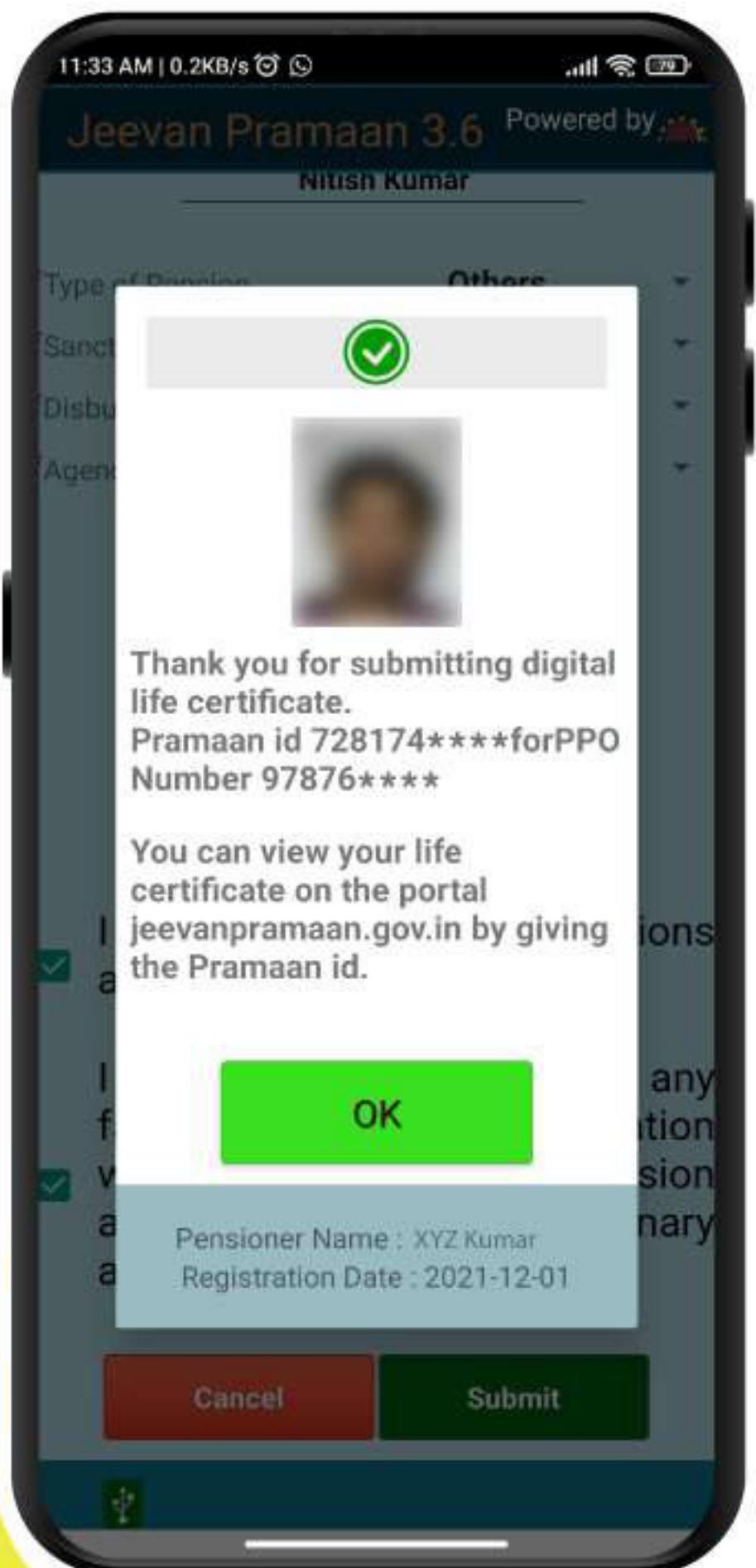


**STEP-12**

**While doing Face Authentication keep your face straight and follow the instructions shown on screen.**



**Government of India**  
**DEPARTMENT OF PENSION & PENSIONERS' WELFARE**



**STEP-13**

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Government of India  
Bhabha Atomic Research Centre

Central Complex  
Trombay  
Mumbai 400 085

No.BARC/Accts/Medical/2021-22/

November 25, 2021

Sub : Bifurcation of Medical Accounts Section into two – reg.

\* \* \* \*

With a view to streamline the subjects dealt with by the existing Medical Accounts Section, BARC, the section has been divided into two sections viz. Medical Accounts (Hospital) Section and Medical Accounts (Personal Claims) Section with immediate effect. The details of subjects which will be handled by Hospital and Personal Claims sections are furnished below for information so as to enable the user Divisions and individuals to address Files, Letters, Bills for payment, etc.

Medical Accounts (Hospital) Section – Headed by Ms. Shweta Jijusenan, AAO : ([shwetaj@barc.gov.in](mailto:shwetaj@barc.gov.in), [admmmed@barc.gov.in](mailto:admmmed@barc.gov.in), Extn. : 23308 / 27040 / 27041)

All bills received in respect of Hospitals, Consultants on Contract Basis, Pharmacies, Laboratories, Hospitals empanelled by outstation units like GCNEP, etc., proposals for approving empanelment of Hospitals in and around Mumbai and outstation places like Visakhapatnam, Haryana, etc. will be scrutinized and processed by this section. This section will also deal with matters related to Reciprocal Arrangements with VSSC, TMC, etc. and also will work out the Per-capita expenditure related works.

Medical Accounts (Personal Claims) Section – Headed by Ms. Maghor Kumari, AAO : ([pcmehar@barc.gov.in](mailto:pcmehar@barc.gov.in), Extn : 25952).

All Personal claims related to serving employees through AAIIS, retired employees' claims, LES Claims, CSMA claims, personal claims of CISF, bills of individuals related to other system of Medicines like Ayurvedic, Homeopathy, etc. and Lifetime Contribution related matters.

In view of the above, all the Groups / Divisions / Sections are requested to kindly forward the files, papers, etc. accordingly.

This issues with the approval of IFA, BARC.

 \_\_\_\_\_ Ramasubramanian  
25/11/21  
(D. Ramasubramanian)  
Joint Controller (F&A)

To

All the Officers and Staff of BARC through BTS

Copy to IFA, BARC.

# BENEFITS FOR RETIRED EMPLOYEES UNDER INCOME TAX LAW

- ▶ Higher Basic exemption limit
- ▶ Exemption from tax on amount received as Gratuity, Commuted Pension, Leave Encashment and from Provident Fund
- ▶ Higher deduction for Medical Insurance Premium
- ▶ Higher deduction limit for interest from Banks and Post Office
- ..... and many more



Income Tax Department  
Central Board of Direct Taxes

## **BENEFITS UNDER DIRECT TAXES FOR RETIRED EMPLOYEES**

I have retired from service, after serving for 35 years, at an age of 60 years. I am in receipt of various retirement benefits like gratuity, commuted pension, leave encashment, GPF etc. I have a lot of questions regarding taxability of these benefits in my hands to which I seek answers.

### **What is the Basic Exemption Limit for Retired employees like me under I-T Act, 1961? Is the Pension received after retirement taxable?**

For ordinary individual tax-payers the basic exemption limit, upto which he is not required to pay any tax is presently fixed at Rs. 2.50 lakhs for AY 2021–22. However, for Retired employees who are also Senior Citizens between 60 and 80 years of age, the basic exemption limit is fixed at a higher figure of Rs. 3 lakhs. For super senior citizens who are above 80 years of age, the exemption limit is set at Rs. 5 Lakh. The pension received by you is taxable under the Income head 'Salaries' beyond the exemption limit.

### **Will I get benefits of Standard Deduction?**

From AY 2020–21, a standard deduction upto Rs. 50,000 against salary income earned during the year has been introduced under u/s 16 of I-T Act, 1961. A retired employee above 60 years of age who is in receipt of pension income from his former employer can claim a deduction upto Rs. 50,000 against such salary income.

### **Am I exempt from payment of advance tax?**

Every person whose estimated tax liability for the year is Rs.10,000 or more, is liable to pay advance tax. However, a retired employee above 60 years of age need not to pay any advance tax, provided he does not have any income under the head "Profits and Gains of Business or Profession".

### **What are the tax rates applicable to me for AY 2021–22?**

In respect of AY 21–22, you can opt for either old or new tax regime as under:

## **INCOME TAX RATE SLABS FOR SENIOR CITIZENS FROM 60 TO 80 YEARS OF AGE:**

INCOME SLAB	RATE OF TAX
Upto Rs. 3,00,000	Nil
Rs. 3,00,001 to Rs. 5,00,000	5% (if taxable income is uptoRs. 5 lakhs, the tax liability is Nil on account of tax relief u/s 87A.)
Rs. 5,00,001 to Rs. 10,00,000	Rs. 10,000 + 20% of amount above Rs. 5,00,000
Above Rs. 10,00,000	Rs. 1,10,000 + 30% of amount above Rs. 10,00,000
Surcharge (subject to Marginal Relief)	If taxable income is more than 50 lakhs (then percentage vary from 10% to 37%)
Health & Education Cess	4% of (Income Tax + Surcharge).

## **INCOME TAX SLABS FOR SUPER SENIOR CITIZENS (80 YEARS AND ABOVE IN AGE)**

INCOME SLAB	RATE OF TAX
Upto Rs. 5,00,000	Nil
Rs. 5,00,001 to Rs. 10,00,000	20% above Rs. 5,00,000
Above Rs. 10,00,000	Rs. 1,00,000 + 30% above Rs. 10,00,000
Surcharge (subject to marginal Relief)	If taxable income is more than Rs. 50 lakhs (then percentage vary from 10% to 37%)
Health & Education Cess	4% of (Income Tax + Surcharge)

## NEW PERSONAL INCOME TAX REGIME

INCOME SLAB	RATE OF TAX
Upto Rs.2,50,000	Nil
Rs. 2,50,001 to Rs. 5,00,000	5%
Rs. 5,00,001 to Rs. 7,50,000	Rs.12,500 + 10% of amount above Rs. 5 lakhs
Rs. 7,50,001 to Rs. 10,00,000	Rs.37,500 + 15% of amount above Rs. 7.5 lakhs
Rs. 10,00,001 to Rs. 12,50,000	Rs.75,000 + 20% of amount above Rs. 10 lakhs
Rs. 12,50,001 to Rs. 15,00,000	Rs. 1,25,000 + 25% above Rs. 12,50,000
Above Rs. 15,00,000	Rs. 1,87,500 + 30% above Rs. 15,00,000
Surcharge (subject to Marginal Relief)	If taxable income is more than Rs. 50 lakhs (then percentage vary from 10% to 37%)
Health & Education Cess	4% of (Income Tax + Surcharge).



## **Is the Gratuity received by me on retirement exempt from tax?**

Yes. The gratuity received on retirement is exempt under following conditions:

- (i) Any death-cum-retirement gratuity received under the revised Pension Rules of the Central Govt. or Central Civil Service Pension Rules, 1972.
- (ii) Any gratuity received under the Payment of Gratuity Act, 1972 to the extent does not exceed an amount calculated u/s 4(2) and 4(3) of that Act.
- (iii) Any other gratuity received by an employee on the retirement or on termination of his employment or received by his widow, children or dependents on his death to the extent provided therein.

*(Section 10(10) of the I-T Act, 1961)*

## **Is the amount received by me on Commutation of Pension exempt from tax?**

Yes. The amount received on Commutation of Pension is exempt under following conditions:

- (i) Any payment in commutation of pension received under the Civil Pension (Commutation) Rules of Central Govt., or under any similar scheme.
- (ii) Any payment in commutation of pension received under any scheme of any other employer to the extent provided in the Income-tax Act, 1961.
- (iii) Any payment in commutation of pension received from a fund under Clause 23AAB i.e. Fund set up by LIC on or after 1st August, 1966.

*(Section 10(10A) of the I-T Act, 1961)*

## **Tax on Family Pension**

Family Pension is taxed under the head "Income from Other Sources."

Family Pension paid as regular monthly income (uncommuted pension) by the employer to a family member of an employee in the event of his/ her death. Family Pension is taxable after allowing a deduction of 33.33% or Rs. 15000, whichever is less.

## **Is the amount received under Leave Encashment exempt from tax?**

Yes. The amount received on Leave Encashment is exempt under following conditions:

- (i) Any payment received by an employee of the Central Govt. or a State Govt. as the cash equivalent of the leave salary in respect of the period of Earned Leave at his credit at the time of his retirement (whether) on superannuation or otherwise.
- (ii) Any such payment (as given in para (i) above) received by an employee other than employee Central or State Govt. in respect of so much of period of EL as does not exceed 10 months calculated on the basis of the average salary drawn by the employee during the period of 10 months immediately preceding his retirement.

*(Section 10(10AA) of the I-T Act, 1961)*

## **Is the amount received from a Provident Fund exempt from tax?**

Yes. The amount received from a Provident Fund is exempt from tax (when the Provident Funds Act, 1925 applies or payment is from any other Provident Fund set up by the Central Government and notified by it on this behalf in Official Gazette). Also the accumulated balance due and becoming payable to an employee participating in a recognized provident fund to the extent provided in Rule 8 of Part A of 4th Schedule.

*(Section 10(11) & 10(12) of the I-T Act, 1961).*

## **Is the amount received from a Superannuation Fund exempt from tax?**

Yes. The amount received from an approved Superannuation Fund is exempt from tax subject to certain conditions.

*(Section 10(13) of the I-T Act, 1961)*

## **What is the deduction limit for Medical Insurance Premium?**

From AY 2020–21, the maximum limit for deduction u/s 80D in respect of payment made for health insurance premium in respect of a retired employee above 60 years of age has been allowed at Rs. 50,000.

Deduction upto Rs. 50,000 is also allowed for medical expenses incurred on the health of a Senior Citizen provided no amount is paid for health insurance of such person. For claiming this deduction, it is mandatory that the health insurance premium/ medical expenses are paid by any mode other than cash.

### **What is the deduction limit in respect of Medical Treatment?**

In case you have paid any amount during the Financial Year 2018–19 (relevant to AY 2019–20) or after that period for medical treatment of specified disease or ailment and you are a senior citizen, you can claim as deduction an amount of Rs. 100,000 from your income. (Section 80DDB of the I-T Act, 1961)

### **Can you tell me the deduction limit for interest earned from Bank and Post Office in my case?**

Individual tax-payers other than senior citizens are allowed maximum deduction of Rs. 10,000 u/s 80TTA in respect of interest income from saving bank accounts. However, from AY 2019–20 onwards, a retired employee above 60 years of age can claim deduction upto Rs. 50,000 u/s 80TTB in respect of interest income earned on not only savings bank accounts but also on interest income earned on any bank deposits or any deposit with post office or cooperative banks. Further, if such interest income earned by him during the year is less than Rs. 50,000, the payer bank/ post office will not deduct any tax from such interest income.

### **Can you enlighten me on income tax provision on Transfer of Capital asset under 'Reverse Mortgage Scheme'?**

The transfer of a residential house property by way of a reverse mortgage as per the Reverse Mortgage Scheme made and notified by the Central Government for senior citizens, is not liable to be taxed as Capital Gain (nor under any other head of income).

### **What is the eligibility to file Income Tax Return manually?**

A very senior citizen aged 80 years or more filing his return of income in Form SAHAJ (ITR-1) or SUGAM (ITR-4) and having total income of more than Rs 5 lakhs or having a refund claim can file his return of income in

paper mode. For such individuals, electronic filing of ITR 1 or ITR 4 (as the case may be) is not mandatory. However, he may opt for e-filing, if he chooses to do so.

### **What are the conditions under which certain specified senior citizens are not required to file ITR?**

From AY 2022–23, in case of senior citizens of the age of 75 years or above having only pension income and interest income only from the account(s) maintained with a bank in which they receive such pension, such senior citizen shall not be required to file their ITRs. The specified bank shall be responsible for computing their total income and deducting tax thereon after giving effect to various deductions allowable under Chapter VI-A and rebate u/s 87A of the Act.

(Section 194P of Income-tax Act, 1961)



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### **DIRECTORATE OF INCOME-TAX**

(Public Relations, Publications & Publicity)

6th Floor, Mayur Bhawan, New Delhi

This Brochure should not be construed as an exhaustive statement of the law. For details reference should always be made to the relevant provisions in the Acts and the Rules

[www.incometaxindia.gov.in](http://www.incometaxindia.gov.in)

**No. 1/15/2020-P&PW (E)**  
**Government of India**  
**Ministry of Personnel Pension & Public Grievance**  
**Department of Pension & Pensioners' Welfare**  
**(Desk-E)**

**3<sup>rd</sup> Floor, Lok Nayak Bhawan**  
**Khan Market, New Delhi-110003**  
**Dated December 9, 2021**

**OFFICE MEMORANDUM**

**Subject:** - Determination of Pay/Emolument for calculation of family pension and death gratuity where a Government servant dies during currency of a penalty - regarding

The undersigned is directed to say that in accordance with Rule 54(14)(c) of CCS Pension Rules, 1972, the pay for the purpose of family pension means the emoluments as specified in Rule 33 of the CCS (Pension) Rules, 1972 or the average emoluments as referred to in Rule 34 of the CCS (Pension) Rules, 1972, if the emoluments of the deceased Government servant have been reduced during the last ten months of his service otherwise than as penalty. Similar provision exists in Rule 50(5) for calculation of retirement/death gratuity.

2. As per Rule 33, 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 or on the date of his death. As per Rule 34, average emoluments are determined with reference to the emoluments drawn by a Government servant during the last ten months of his service.

3. References have been received in this Department seeking advice as to how family pension and death gratuity in respect of a Government servant are to be calculated if a Government servant dies during the currency of a penalty, which reduces the pay of the Government servant for a specified period only, as in such cases the impact of the penalty is limited to the period specified in the order of penalty and the Government servant regains his pay and increments after the period of penalty is over. Clarifications have been sought whether, in such cases, family pension and gratuity would be calculated based on the reduced pay, which the Government servant was actually drawing on the date of death or on the pay which he would have drawn if such a penalty had not been imposed on him.

4. The matter has been examined in consultation with Department of Expenditure. The manner in which the pay of a Government servant is to be regulated on imposition of penalties of reduction to a lower stage, withholding of increment and reduction to a lower time scale, has been explained in Department of Personnel & Training's OM No. 11012/15/2016-Estt A-III dated 18th June, 2019. These instructions also bring out the penalties on imposition of which there is no impact on the pay after the expiry of the period of penalty and also the manner in which notional pay of a Government servant is to be fixed during the currency of such penalties.

5. It is observed that determination of family pension and death gratuity based on actual pay drawn in case of death during the currency of a penalty referred to in para 3 above would result in reduced amount of death gratuity and also reduced family pension to the widow/family. This may not be the intention of the disciplinary authority while imposing that penalty. Therefore, in cases where the intention of the disciplinary authority was to restrict the impact of the penalty on the Government servant for a specified period only, determination of family pension and death gratuity on the basis of the reduced pay during the currency of such penalty would result in an unintended hardship to the family of the Government servant, who dies during the currency of such penalty.

6. It has, accordingly, been decided that in cases where a Government servant dies during the currency of a penalty on expiry of which he would have regained the same pay which he would have drawn if the penalty had not been imposed on him, the family pension and death gratuity in respect of such Government servant shall be determined based on the notional pay which he would have been entitled to on the date of death and such notional pay may be treated as emoluments for this purpose.

7. These instructions shall be applicable with immediate effect and the past cases shall not be re-opened. However, the cases where the death of a Government servant has occurred before the issue of these instructions but family pension and death gratuity has not been determined so far may also be decided in accordance with these instructions.

8. Necessary amendment in the CCS (Pension) Rules, 1972 shall be made separately.

9. This OM is issued with the concurrence of Ministry of Finance, Department of Expenditure vide their ID No. 1(13)/EV/2021 dated 12.08.2021.

10. In its application to persons belonging to Indian Audit and Accounts Department, these orders are issued under Article 148(5) of the Constitution and after consultation with the Comptroller and Auditor General of India vide their यू.ओ.संख्या-216-स्टाफ हक.(नियम)/ए.आर./09-2019 दिनांक 23.09.2021.

11. The Administrative Divisions of all Ministries/Departments and attached/subordinate offices are requested to bring the contents of these instructions to the notice of all concerned for compliance.



(Sanjoy Shankar)  
Deputy Secretary to the Government of India

1. All Ministries/Departments of the Government of India
2. President's Secretariat
3. Vice President's Secretariat
4. Prime Minister's Office
5. Comptroller & Auditor General of India
6. Cabinet Secretariat
7. Union Public Service Commission
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प्रशासन अनुभाग



Government of India  
Bhabha Atomic Research Centre  
Personnel Division  
Administration Section

टेली नं./Tel. No.: 022-2559 5070

फैक्स नं./FAX No.: 022-2550 5151

ई-मेल/E-mail : [deoadmn@barc.gov.in](mailto:deoadmn@barc.gov.in)

सं./Ref : 32(1)/2016/Admn-I/1354

सेंट्रल कॉम्प्लेक्स / Central Complex,

ट्रॉम्बे / Trombay,

मुंबई / Mumbai - 400 085

दिसंबर/December 20, 2021

## परिपत्र/CIRCULAR

विषय: सीएचएसएस लाभार्थियों के लिए कोविड-19 वैक्सीन की कीमत की प्रतिपूर्ति।

Subject: Reimbursement of cost of COVID-19 vaccine to CHSS beneficiaries.

कृपया उक्त विषय पर पञ्चवि नोट सं. IRW-201(12)/15/2021/6936 दिनांकित 16/06/2021 तथा उसके बाद के कार्यालय ज्ञापन संख्या 201(12)/15/2021/IR&W/10141 दिनांकित 30/08/2021 का संदर्भ लें (प्रति संलग्न)।

Reference is invited to DAE Note No. IRW-201(12)/15/2021/6936 dated 16/06/2021 and subsequent OM No. 201(12)/15/2021/IR&W/10141 dated 30/08/2021 on the above cited subject (copy enclosed).

2. केंद्र में इस मामले की जांच की गई है तथा सक्षम प्राधिकारी ने यह निर्णय लिया है कि स्वास्थ्य एवं परिवार कल्याण विभाग के कार्यालय ज्ञापन दिनांकित 08.06.2021 में यथा निर्धारित दरों के अनुसार विभाग द्वारा यथा अनुमोदित, कर्मचारियों/आश्रित सीएचएसएस लाभार्थियों के संबंध में, कोविड-19 वैक्सीन की कीमत की प्रतिपूर्ति उचित समर्थक दस्तावेजों के जमा करने तथा किसी अन्य चिकित्सीय प्रतिपूर्ति के दौरान यथोल्लिखित समस्त निर्धारित पद्धतियों के अनुपालन के अधीन होगी। निर्धारित वैक्सीन दरों की कीमतें निम्नवत हैं:

The matter has been examined in this Centre and Competent Authority has decided **to reimburse the cost of COVID-19 vaccine in respect of employees/dependent CHSS beneficiaries** as approved by Department as per rates prescribed in the DH&FW OM dated 08/06/2021 subject to production of appropriate supporting documents and adhere to all prescribed procedures as is envisaged during any other medical reimbursement. The cost of vaccine rates prescribed are as under.

क्रम सं. Sr No.	वैक्सीन Vaccine	अधिकतम सीमा (रु.) Maximum ceiling (रु.)
1	कोविशिल्ड/Covishield	780
2	कोवैक्सीन/Covaxin	1,410
3	स्पूतनिक V/Sputnik V	1,145

3. भापअ केंद्र/बाहरी स्थानों पर टीकाकरण अभियान के माध्यम से ली गई वैक्सीन की कीमत की प्रतिपूर्ति की प्रक्रिया को तीव्र बनाने के लिए, दावों को ऑनलाइन प्रस्तुत करने हेतु आईस माड्यूल विकसित किया गया है। दावा प्रस्तुत करने के दिशा-निर्देश निम्नानुसार हैं:

In order to facilitate the reimbursement of cost of vaccine as per the above approved rates expeditiously, AAIIS module has been developed for online submission of the claims in respect of vaccination done through Teekakaran Abhiyaan of BARC/outside places. The guidelines for claim submissions are as follows:

- a. सेवारत कर्मचारी क्रय एवं दावा प्रक्रिया के अनुसार, (i) स्वास्थ्य एवं परिवार कल्याण मंत्रालय, नई दिल्ली द्वारा COWIN पर जारी कोविड-19 वैक्सीन की पहली/दूसरी डोज के प्रमाणपत्र तथा (ii) नकद रसीद अपलोड करते हुए आईस के माध्यम से ऑनलाइन आवेदन कर सकते हैं।  
Serving employees may apply online through AAIIS as per Purchase and Claim procedure by uploading (i) certificate of COVID-19 vaccination - 1st / 2nd dose issued by the Ministry of Health and Family Welfare, New Delhi on COWIN and (ii) cash receipt.
- b. वे कर्मचारी जिन्होंने स्वैच्छिक विशेष टीकाकरण (टीकारण अभियान) अभियान के माध्यम से वैक्सीन ली है, क्रय एवं दावा प्रक्रिया के अनुसार, स्वास्थ्य एवं परिवार कल्याण मंत्रालय, नई दिल्ली द्वारा COWIN पर जारी कोविड-19 वैक्सीन की पहली/दूसरी डोज के प्रमाणपत्र अपलोड करते हुए आईस के माध्यम से ऑनलाइन आवेदन करेंगे। लेखा अनुभाग, भापअ केंद्र इस मामले में किसी नकद रसीद हेतु आग्रह नहीं करेगा क्योंकि वैक्सीन की कीमत की कटौती उनके वेतन एवं भत्तों में से पहले ही की जा चुकी है।  
The employees who have availed vaccine through Voluntary Special Vaccination (Teekakaran Abhiyaan) drive shall apply online through AAIIS by uploading certificate of COVID-19 vaccination- 1st/2nd dose issued by the Ministry of Health and Family Welfare, New Delhi on COWIN as per Purchase and Claim procedure. Accounts Section, BARC will not insist for any cash receipt in this regard as the cost of vaccine has already been deducted through their Pay and allowances.
- c. टीकाकरण की प्रतिपूर्ति हेतु दावा दिनांक 31.03.2022 को या उससे पूर्व किया जाना चाहिए।  
The reimbursement of vaccination should be claimed on or before 31/03/2022.

- d. आईस माड्यूल का विवरण निम्नवत है :

The details of AAIIS module are as follows:

#### ऑनलाइन प्रक्रिया फ्लोचार्ट/ Online process flowchart

##### कर्मचारी लॉगिन/Employee Login

AAIIS(aaiis.barc.gov.in)

##### कर्मचारी स्व सेवाएं (ईएसएस)/Employee Self Services(ESS)

##### चिकित्सा बिल प्रतिपूर्ति/Medical bills Reimbursement

##### कोविड-19 वैक्सीन की प्रतिपूर्ति हेतु आवेदन

##### **Apply for reimbursement of COVID-19 vaccine**

कर्मचारी कोविड-19 वैक्सीन व्यय की प्रतिपूर्ति हेतु दावा करने के लिए निर्दिष्ट संगत अनुलग्नकों सहित आवेदन पत्र भरें  
Application form to be filled by employee, for claiming reimbursement of expenses on COVID-19 vaccine relevant enclosures specified therein.



**स्थापना अनुभाग में संबंधित सहायक एवं सहायक कार्मिक अधिकारीगण**  
**Concerned Dealing Assistants and APOs in Establishment Section**  
लाभार्थियों की अश्रितता प्रमाणित करने हेतु  
for certifying the dependency of beneficiaries

↓  
**संबंधित सहायक एवं सहायक लेखा अधिकारीगण, चिकित्सा लेखा अनुभाग**  
**Concerned Dealing Assistants and AAO, Medical Accounts Section**  
नियमानुसार दावा के निपटान हेतु  
for settlement of claim as per rule.

4. भापअ केंद्र के सभी वर्गों/प्रभागों/अनुभागों के सभी प्रशासन अधिकारी-III/सहायक कार्मिक अधिकारी/ वरिष्ठ निजी सचिवों से अनुरोध है कि वे यह जानकारी अपने वर्गों/प्रभागों/अनुभागों के सभी कर्मचारियों के ध्यान में लायें।  
All AO-III's/APOs/Sr.PS in Groups/Divisions/Sections of BARC are requested to bring this to the notice of all the concerned employees in their Groups/Divisions/ Sections .
5. इसे आंतरिक वित्त सलाहकार, भापअ केंद्र की सहमति एवं नियंत्रक, भापअ केंद्र के अनुमोदन से जारी किया जाता है।  
This issues with the concurrence of IFA, BARC and approval of Controller, BARC.

  
(के.के. डंगे/K. K. Dange) 20/12/2021  
उप स्थापना अधिकारी/Deputy Establishment Officer

वर्गों के निदेशक/सह निदेशक, नियंत्रक, भापअ केंद्र  
Directors of Groups/Associate Directors of Groups/Controller, BARC

प्रभागाध्यक्ष/अनुभागाध्यक्ष, भापअ केंद्र/Heads of Divisions/Sections in BARC

आंतरिक वित्त सलाहकार, भापअ केंद्र/IFA, BARC

वर्गों/प्रभागों/अनुभागों के प्रशासन अधिकारी-III/सहायक कार्मिक अधिकारी/वरिष्ठ निजी सचिव  
AO-III's/APOs/Sr.Ps in Groups/Divisions/Sections.

प्रतिलिपि/Copy to:

पठवि की मुंबई स्थित सभी इकाइयों के प्रशासनिक प्रधान-सूचना एवं आवश्यक कार्रवाई हेतु।

all administrative Heads of Mumbai based DAE units-for information and necessary action

Government of India  
Department of Atomic Energy  
Industrial Relations & Welfare Section

Ref : IRW-201(12)/15/2021\6936

June 16, 2021.

Subject : Fixation of maximum price per dose for COVID-19 vaccination.

Kind reference is invited to DAE's endorsement no.201(12)/7/IR&W/6628 dated 9.6.2021 wherein the OM dated 8.6.2021 from the Department of Health & Family Welfare, on the captioned subject, was circulated to all the CHSS Administering Authorities.

2. In this connection, the competent authority in the Department has approved immediate vaccination of **ALL DAE** employees/dependents in accordance with the vaccine rates as prescribed in the DH&FW's afore-stated OM dated 8.6.21, which are re-produced below :

S.No.	Vaccine	Price per Dose (Rs.)	GST @ 5% (Rs.)	Max. Service Charge inclusive of taxes (Rs.)	Maximum (ceiling) price (Rs.)
1.	Covishield	600	30	150	Rs. 780/-
2.	Covaxin	1200	60	150	Rs.1410/-
3.	Sputnik V	948	47	150	Rs.1145/-

3. All CHSS administering authorities/Heads of Constituent Units/PSUs/Aided Institutions/Autonomous Bodies of the Department, are accordingly advised to initiate immediate action to arrange/procure the vaccines from the authorized sources at a ceiling price, as prescribed in the table above.

....2/-

4. Modalities of inter-unit payments for vaccines may be worked out at the local level, wherever applicable, particularly in locations having multiple DAE units.

5. Government of India has also, in the meanwhile, announced easier availability of vaccines to all from 21.6.2021 through the free vaccination drive, which is currently in progress. Once this is ensured, the procurement of vaccines from authorized sources will be reviewed.

6. At those CHSS hospitals/dispensaries which are already designated as centres for the Government's free vaccine drive, care should be taken not to mix the vaccines procured exclusively for DAE employees/dependents.

7. Action on the above may be taken urgently and a compliance report in the matter may kindly be arranged to be forwarded to the Department immediately, after working out the detailed modalities.

8. Further clarifications, if any, in this regard, can be obtained from the undersigned.

*Suresh Nair*  
16/6/21

(Suresh Nair)  
Officer on Special Duty  
Industrial Relations & Welfare  
Email : [usvig@dae.gov.in](mailto:usvig@dae.gov.in)  
Phone : 022-22862540

1. ALL CHSS ADMINISTERING AUTHORITIES.

2. Heads of Units/PSUs/Aided Institutions/Autonomous Bodies of DAE.

Copy : Chairman's Office, DAE

( 022-22862703)  
ई-मेल/e-mail-  
irw@dae.gov.in  
फैक्स/Fax No. - 2204 8476  
& 2282

भारत सरकार  
GOVERNMENT OF INDIA  
परमाणु ऊर्जा विभाग  
DEPARTMENT OF ATOMIC ENERGY  
ओ. सं. एवं क. अनुभाग

अनुशक्ति भवन  
Anushakti Bhavan,  
छ. शि. म. मार्ग  
C.S.M. Marg,  
मुंबई/Mumbai - 400

No.201(12)/15/2021/IR&W/ 10141

August 30 2021

OFFICE MEMORANDUM

Subject: Reimbursement of cost of COVID-19 vaccine to CHSS beneficiaries

In continuation to DAE OM No.IRW-201(12)/15/2021/6936 dated June 16, 2021 (copy enclosed) notifying the maximum ceiling price for the various COVID-19 vaccine, and to ensure that all the CHSS beneficiaries are vaccinated at the earliest, the Competent Authority in the Department has approved reimbursement of cost of vaccines to the CHSS beneficiaries where they have taken/are taking vaccine on their own from private hospitals, as per the rates notified vide the above referred DAE OM dated June 16, 2021.

2. The reimbursement will, however, be subject to production of appropriate supporting documents and adherence of all prescribed procedures as is envisaged during any other medical reimbursement to CHSS beneficiaries.
3. This issues with the approval of the Competent Authority.

Encl : a/a

*Suresh Nair*  
30/8/21

(Suresh Nair)  
Officer on Special Duty (IR&W)

ALL CHSS Administering Authorities

1. Director, BARC, Mumbai
2. Director, IGCAR, Kalpakkam
3. Director, GSO, Kalpakkam
4. Chief Executive, HWB, Mumbai
5. Chief Executive, NFC, Hyderabad
6. Director, RRCAT, Indore
7. Director, VECC, Kolkata
8. Director, AMD, Hyderabad
9. Station Director, RAPS, Kota
10. Station Director, TAPS, Tarapur
11. Director (HR), NPCIL, Mumbai
12. Head, Medical Division, BARC
13. Chief Medical Officer, DAE Hospital Kalpakkam

Copy to : (1) O/o. Chairman, AEC & Secretary, DAE  
(2) PS to Joint Secretary (A&A), DAE  
(3) Secretary, Staff Side, DC  
(4) General Secretary, NFAEE  
(5) AO-III, BARC Hospital, BARC, Mumbai



# भारत का राजपत्र

# The Gazette of India

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असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)  
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 709।  
No. 709।

नई दिल्ली, सोमवार, दिसम्बर 20, 2021/अग्रहायण 29, 1943  
NEW DELHI, MONDAY, DECEMBER 20, 2021/AGRAHAYANA 29, 1943

कार्मिक, लोक शिकायत और पेंशन मंत्रालय  
(पेंशन और पेंशनभोगी कल्याण विभाग)

अधिसूचना

नई दिल्ली, 20 दिसम्बर, 2021

**सा.का.नि. 868(अ).**—राष्ट्रपति, संविधान के अनुच्छेद 309 के परंतुक और अनुच्छेद 148 के खंड(5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारतीय लेखापरीक्षा और लेखा विभाग में कार्यरत व्यक्तियों के संबंध में भारत के नियंत्रक महालेखापरीक्षा से परामर्श करने के पश्चात्, निम्नलिखित नियम बनाते हैं, अर्थात्:—

## अध्याय 1

### प्रारम्भिक

1. संक्षिप्त नाम और प्रारम्भ- (1) इन नियमों का संक्षिप्त नाम केंद्रीय सिविल सेवा (पेंशन) नियम, 2021 है।

(2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।

2. लागू होना- इन नियमों में जैसा अन्यथा उपर्युक्त है उसके सिवाय, ये नियम 31 दिसंबर, 2003 को या उसके पूर्व, संघ के कार्यकलापों से संबंधित सिविल सेवाओं और पदों पर, जो पेंशनी स्थापनों के हों, अधिष्ठायी रूप से नियुक्त सरकारी कर्मचारियों को, जिसमें रक्षा सेवाओं के सिविल सरकारी कर्मचारी सम्मिलित हैं, लागू होंगे, किंतु निम्नलिखित को लागू नहीं होंगे, —

(क) रेलवे कर्मचारी;

(ख) आकस्मिक तथा दैनिक दर वाले नियोजन में लगे व्यक्ति;

**MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS**

(Department of Pension and Pensioners' Welfare)

**NOTIFICATION**

New Delhi, the 20th December, 2021

**G.S.R. 868(E).**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor-General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules, namely:-

**CHAPTER I**

**Preliminary**

**1. Short title and commencement.**— (1) These rules may be called the Central Civil Services (Pension) Rules, 2021.

(2) They shall come into force with effect from the date of their publication in the Official Gazette.

**2. Application .**— Save as otherwise provided in these rules, these rules shall apply to the Government servants appointed on or before 31st day of December, 2003, including civilian Government servants in the Defence Services, appointed substantively to civil services and posts in connection with the affairs of the Union which are borne on pensionable establishments, but shall not apply to,—

- (a) railway servants ;
- (b) persons in casual and daily rated employment ;
- (c) persons paid from contingencies ;
- (d) persons entitled to the benefit of a Contributory Provident Fund ;
- (e) members of the All India Services ;
- (f) persons locally recruited for service in diplomatic, consular or other Indian establishments in foreign countries ;
- (g) persons employed on contract except when the contract provides otherwise ; and
- (h) persons whose terms and conditions of service are regulated by or under the provisions of the Constitution or any other law for the time being in force.

**Explanation.-** These rules shall also apply to,-

(1) a Government servant who was put on induction training on or before 31st day of December, 2003 followed by appointment on regular basis after 31st day of December, 2003:

Provided that completion of the induction training was an essential condition for appointment on regular basis to the post, the Government servant was eligible for a salary or a stipend during the period of such training and the period of training was eligible for being counted as qualifying service in accordance with the provisions of Central Civil Services (Pension) Rules, 1972.

(2) a Government servant who was initially appointed on or before 31<sup>st</sup> December, 2003,-

- (i) in an establishment or Department of the Central Government whose employees were covered by a pension scheme other than the Central Civil Services (Pension) Rules, 1972; or
- (ii) in a State Government or an autonomous body under the Central Government or State Government having a non-contributory pension scheme similar to the Central Civil Services (Pension) Rules, 1972,

and was subsequently appointed after 31<sup>st</sup> December, 2003 in an establishment of a Central Government to which these rules apply, subject to the condition that the said Government servant fulfils all other conditions for counting of service rendered in such establishment of the Central Government or State Government or autonomous body, in accordance with these rules or any general or special order issued in this regard.

(3) a Government servant appointed after 31<sup>st</sup> December, 2003 to a civil service or post in connection with the affairs of the Union, if he fulfils the conditions for coverage under these rules in accordance with any special or general order issued by the Government in this regard.

(4) subject to the provisions of rule 15, persons who were regularly appointed in Government service after 31<sup>st</sup> December, 2003 but were conferred temporary status on or before 31<sup>st</sup> December, 2003 in accordance with the "Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of Government of India, 1993" notified by Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) and such temporary status is followed without interruption by regular appointment in Government service.

(5) the cases where in the event of death or discharge from service on the ground of invalidation in the case of a Government servant who, having been appointed to civil services and posts in connection with the affairs of the Union after 31st day of December, 2003, is covered by the Central Civil Services (Implementation of National Pension System) Rules, 2021, the benefits of Invalid Pension under rule 39 and Family Pension under rule 50 shall be payable to the Government servant or his family, as the case may be, if the Government servant had exercised an option to this effect under rule 10 of the Central Civil Services (Implementation of National Pension System) Rules, 2021 or in whose case the default option is for availing benefits under these rules or the Central Civil Services (Pension) Rules, 1972.

(6) the case of Government servants appointed in temporary capacity to civil services and posts in connection with the affairs of the Union on or before 31st day of December, 2003, who retired or were retired before having been appointed in a substantive capacity, the benefits under these rules shall be payable to the Government servant to the extent provided in the Central Civil Services (Temporary Service) Rules, 1965.

### **3. Definitions.-** (1) In these rules, unless the context otherwise requires,-

- (a) "Accounts Officer" means an officer, whatever his official designation, who maintains the accounts of a Ministry, Department or Office of the Central Government or Union territory and includes an Accountant-General, who is entrusted with the functions of maintaining the accounts or part of accounts of the Central Government or Union territory;
- (b) "Allottee" means a Government servant to whom Government accommodation has been allotted on payment of licence fee or otherwise;
- (c) "Average emoluments" means average emoluments as determined in accordance with rule 32;
- (d) "Bhavishya" means an online system for sanction of retirement benefits and tracking of sanction and payment of pension by the Government servant and the authorities concerned with sanction of pension to the Government servant;
- (e) "Child" means a son or daughter of the Government servant who is eligible to receive death gratuity under rule 45 or family pension under rule 50 and the expression 'children' shall be construed accordingly;
- (f) "Dearness relief" means Dearness Relief on Pension and Family Pension as specified in rule 52;
- (g) "Defence Service" means services under the Government of India in the Ministry of Defence including the Defence Accounts Department, paid out of the Civil Estimates of Ministry of Defence and not subject to the Air Force Act, 1950 (45 of 1950) or the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957);
- (h) "Emoluments" means emoluments as defined in rule 31;
- (i) "Family Pension" means family pension admissible under rule 50 but does not include Dearness Relief;
- (j) "Foreign service" means 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;
- (k) "Form" means a form appended to these rules;
- (l) "Format" means a format appended to these rules;
- (m) "Government" means the Central Government;
- (n) "Government dues" means dues as defined in sub-rule (2) of rule 67;
- (o) "Gratuity" includes -
  - (i) 'service gratuity' payable under rule 44;
  - (ii) retirement gratuity or death gratuity payable under sub-rule (1) of Rule 45; and
  - (iii) 'residuary gratuity' payable under sub-rule (3) of rule 45;
- (p) "Head of Department" means an authority specified in Schedule I to the Delegation of Financial Powers Rules, 1978, and includes such other authority or person whom the President may, by order, specify as Head of a Department;
- (q) "Head of Office" means a Gazetted Officer declared as such under rule 14 of the Delegation of Financial Powers Rules, 1978, and includes such other authority or person whom the competent authority may, by order, specify as Head of Office;
- (r) "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 the Government and over whose expenditure the Government retains complete and direct control;
- (s) "Minor" means a person who has not completed the age of eighteen years;

- (t) "Pension" includes gratuity except when the term pension is used in contradistinction to gratuity, but does not include dearness relief;
- (u) "Pension Disbursing Authority" means –
- (i) Banks selected in consultation with the Reserve Bank of India (RBI) for payment of pension to Central Government civil pensioners, as specified by Controller General of Accounts; or
  - (ii) Post Office; or
  - (iii) Treasury including sub-treasury; or
  - (iv) Accounts Officer;
- (v) "Pension Payment Order" includes e-Pension Payment Order;
- (w) "Qualifying Service" means service rendered while on duty or otherwise which shall be taken into account for the purpose of pensions and gratuities admissible under these rules;
- (x) "Retirement Benefits" includes pension or service gratuity, and retirement gratuity, where admissible;
- (y) "Service Book" includes service roll, if any; and
- (z) "Treasury" includes a Sub-Treasury.
- (2) Words and expressions used herein and not defined but defined in the Fundamental Rules, 1922 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 shall become subject to these rules:

Provided that it shall be open to him, within six months of the date of issue of the order of his permanent transfer or, if he is on leave on that day, then, within six 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 his transfer.

(2) The option under the proviso to sub-rule (1) shall be exercised in writing and communicated to the authority making such order of transfer.

(3) The option, once exercised, shall be final.

## CHAPTER II

### General Conditions

**5. Claims to pension or family pension.-** (1) Any claim to pension or family pension shall be regulated by the provisions of these 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 day on 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 his last completed working day and the date of death shall also be treated as a completed working day:

Provided that in a case where the Government servant immediately before his retirement or death was absent from duty on leave or otherwise or was under suspension, the day of retirement or death shall be part of such leave or absence or suspension.

**6. Limitations on number 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 19 or rule 20, a Government servant who, having retired on a superannuation pension or retiring pension or compulsory retirement pension or who is in receipt of a compassionate allowance on having been dismissed or removed from service, is subsequently re-employed, shall not be entitled to a separate pension or gratuity for the period of his re-employment:

Provided that a Government servant who was previously appointed in an autonomous body or a public sector undertaking and was subsequently appointed, with proper permission of that body or undertaking, in the Government service on or before 31<sup>st</sup> December, 2003, will be eligible for pension and gratuity for the service rendered in the Government in addition to the pension and gratuity, if any, received by him from the autonomous body or the public sector undertaking for the service rendered in that body or undertaking:

Provided further that the total amount of gratuity in respect of the service rendered in the autonomous body or the public sector undertaking and the service rendered under the Government shall not exceed the amount that would have been admissible taking into account the entire service rendered by the Government servant in the autonomous body or the public sector undertaking and the Government and the emoluments on retirement from Government.

**Explanation.-1** A Government servant shall be deemed to have been appointed in the Government with proper permission if he had applied for the service or post in the Government with previous permission of the autonomous body or the public sector undertaking and the order of the autonomous body or the public sector undertaking clearly indicates that the employee is resigning to join the post in the Government with proper permission of the autonomous body or the public sector undertaking, as the case may be.

**Explanation.-2** Pension, if any, on account of service rendered in an autonomous body or a public sector undertaking shall be paid by the concerned autonomous body or the public sector undertaking itself and there shall be no liability on the part of the Government towards pension for the service rendered by the Government servant in the said autonomous body or the public sector undertaking before joining service under the Government.

**7. Pension and family 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 Appointing Authority may, by order in writing, withhold or withdraw a pension or a 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 where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below the amount of minimum pension under rule 44.

(2) Where a pensioner is convicted of a serious crime by a Court of Law, action under sub-rule (1) shall be taken in the light of the judgment 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, he 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 said 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) (a) Without prejudice to the provisions of sub-rule (3), no Government servant who having worked in an Intelligence or Security-related organisation included in the Second Schedule to the Right to Information Act, 2005 (22 of 2005), shall, without prior clearance from the Head of the Organisation, make any publication after retirement of any material relating to and including,-

(i) domain of the organisation, including any reference or information about any personnel and his designation, and expertise or knowledge gained by virtue of working in that organisation; and

(ii) sensitive information, the disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State or relation with a foreign State, or which would lead to incitement of an offence.

(b) The Government servants who have worked in any Intelligence or Security-related organisation included in the Second Schedule to the Right to Information Act, 2005 (22 of 2005), shall give an undertaking in regard to the above restriction in Format 1 and any failure to observe such an undertaking on the part of retired Government servants shall be treated as grave misconduct under this rule.

(c) In the case of a Government servant transferred out of an organisation referred to in clause (b) on completion of deputation or otherwise, the required undertaking, in duplicate, shall be obtained from the Government servant at the time of transfer and one copy of the undertaking shall be kept in the service book of the Government servant and an entry to this effect shall be made in the service book and the other copy of the undertaking shall be kept in the aforesaid organisation for record.

(5) The Head of the Organisation shall vest with the authority to decide as to whether the proposed material for publication is sensitive or non-sensitive, and whether it falls in the domain of the organisation.

(6) Where the authority competent to pass an order under sub-rule (1) is the President, the Union Public Service Commission shall be consulted before any order is passed.

(7) An appeal against an order under sub-rule (1), passed by any authority other than President, shall lie to the President and the President shall, in consultation with the Union Public Service Commission, pass such orders on the appeal as he deems fit.

**Explanation.-** For the purpose of this rule,-

(a) the expression 'pension' includes family pension and the expression 'pensioner' includes family pensioner.

(b) the expression 'serious crime' includes a crime involving an offence under the Official Secrets Act, 1923 (19 of 1923).

(c) the expression 'grave misconduct' includes the communication or disclosure of any secret official code or password or any sketch, plan, model, article, note, document or information, such as is mentioned in section 5 of the Official Secrets Act, 1923 (19 of 1923) (which was obtained while holding office under the Government) so as to prejudicially affect the interests of the general public or the security of the State.

(d) the expression 'publication' includes communication to the press or electronic media or publish or publication of any book, letter, pamphlet, poster or other document, in any form.

(e) the expression 'information' includes any material in any form including records, documents, memos, e-mails, opinion, advice, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models and data material in any electronic form held or accessed by the Government servant while in service.

**8. Power to withhold or withdraw pension .-** (1) The President reserves to himself the right of withholding a pension or gratuity, or both, either in full or in part, or withdrawing a pension in full or in part, whether permanently or for a specified period, and of ordering recovery from a pension or gratuity of the whole or part of any pecuniary loss caused to the Government, if, in any departmental or judicial proceedings, the pensioner is found guilty of grave misconduct or negligence during the period of service, including service rendered upon re-employment after retirement :

Provided that the Union 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 amount of minimum pension under rule 44.

(2)(a) The departmental proceedings referred to in sub-rule (1), 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 in all cases where the departmental proceedings are instituted by an authority subordinate to the President, that authority shall submit a report recording its findings to the President and the President shall take the final decision in the matter in accordance with sub-rule (1).

(b) Notwithstanding anything mentioned in sub-rule (1) and clause (a), departmental proceedings instituted under rule 16 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, while the Government servant was in service and continued after retirement, shall have no effect on the pension and gratuity of the pensioner.

(c) 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 President in Format 2;

(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 President may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could be made in relation to the Government servant during his service:

Provided that for the purpose of instituting departmental proceedings under this sub-rule, a memorandum of charges shall be communicated to the pensioner concerned in Format 3.

(d) Where a full-fledged enquiry is conducted giving an opportunity to the pensioner to show cause during the proceedings in accordance with the Central Civil Services (Classification, Control and Appeal) Rules, 1965, any further opportunity to show cause would not be necessary before taking action under sub-rule (1).

(3) In the case of 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 instituted under rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 are continued under sub-rule (2), a provisional pension as provided in sub-rule (4) shall be sanctioned.

(4) (a) In respect of a Government servant referred to in sub-rule (3), the Accounts Officer shall authorise the provisional pension equal to the maximum pension 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 authorised by the Accounts Officer during the period commencing from the date following the date of retirement up to and including the date on which, after the conclusion of departmental or judicial proceedings, final orders are passed by the competent authority.

(c) No gratuity shall be paid to the Government servant until the conclusion of the departmental or judicial proceedings and issue of final orders thereon.

(d) The provisions of this sub-rule shall not be applicable where allegations of misconduct are under investigation against a Government servant or where departmental or judicial proceedings are contemplated against a Government servant but have not actually been instituted or deemed to have been instituted in accordance with sub-rule (9) till the date of retirement of the Government servant. The pension and gratuity in such cases shall be authorised to be paid to the Government servant on his retirement in accordance with rule 63:

Provided that any departmental proceedings instituted after retirement of the Government servant shall be subject to the provisions of sub-rule (2).

(5) Payment of provisional pension made under sub-rule (4) shall be adjusted against final retirement benefits sanctioned to such Government servant upon conclusion of such proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

(6) Where the President decides not to withhold or withdraw pension but orders recovery of pecuniary loss from pension, the recovery shall not ordinarily be made at a rate exceeding one-third of the pension admissible on the date of retirement of a Government servant.

(7) The President may at any time, either on his own motion or otherwise call for the records of any inquiry and revise any order made under these rules, after consultation with the Union Public Service Commission, and may confirm, modify or set aside the order; or remit the case to any authority directing such authority to make such further enquiry as it may consider proper in the circumstances of the case or pass such other order as he may deem fit:

Provided that no order enhancing the amount of pension or gratuity to be withheld or withdrawn, shall be made by the President unless the Government servant concerned has been given a reasonable opportunity of making a representation against the order proposed and except after consultation with the Union Public Service Commission.

(8) The President may at any time, either on his own motion or otherwise review any order passed under these rules, where extenuating or special circumstances exist to warrant such review or when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come, or has been brought, to his notice:

Provided that no order enhancing the amount of the pension or gratuity to be withheld or withdrawn, shall be made by the President unless the Government servant concerned has been given a reasonable opportunity of making a representation against the order proposed and except after consultation with the Union Public Service Commission.

**Explanation.-** For the purpose of this rule,-

(1)(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 suit is filed in the court.

(2) the expression “misconduct” means any act done or omitted to be done by the pensioner, during the period of service, including service rendered upon re-employment after retirement, and which was in violation of any provisions of the Central Civil Services (Conduct) Rules, 1964 for which action under Central Civil Services (Classification Control and Appeal) Rules, 1965 could be taken during the period of service.

(3) action under sub-rule (1) may be taken, if the pensioner is found guilty of,-

- (i) any corrupt practices during service;
- (ii) any misconduct whether in relation to the performance of official duty or otherwise; and
- (iii) any misconduct whether resulting in pecuniary loss to the Government or otherwise.

(4) the expression “civil proceedings” would mean such proceedings in respect of a civil suit filed by the Government only.

**9. Commercial employment after retirement.-** (1) If a pensioner who, immediately before his retirement was a member of Central Service Group 'A' wishes to accept any commercial employment before the expiry of one year from the date of his retirement, he shall obtain the previous sanction of the Government to such acceptance by submitting an application in Form 1:

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:

Provided further that a Government servant shall not negotiate for commercial employment during service without prior permission of the administrative Ministry or Department and such permission shall not be given unless there are special reasons for doing so.

(2) Subject to the provisions of sub-rule (3), the Government may, by order in writing, on an application made under sub-rule (1) by a pensioner,-

(a) grant necessary permission to such pensioner to take up the commercial employment specified in the application, subject to such conditions, if any, as it may deem necessary; or

(b) refuse permission to such pensioner to take up the commercial employment specified in the application, for reasons to be recorded in the order.

(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) whether a ‘No Objection’ for the proposed post retirement commercial employment has been obtained from the cadre controlling authority and from the office where the officer retired;

(b) whether the officer has been privy to sensitive or strategic information in the last three years of his service which is directly related to the areas of interest or work of the organisation which he proposes to join or the areas in which he proposes to practise or consult;

(c) whether there is conflict of interest between the policies of the office he has held in the last three years and the interest represented or work undertaken by the organisation he proposes to join;

Explanation.- For the purposes of this clause, “conflict of interest” shall not include normal economic competition with the Government or its undertakings.

(d) whether the organisation he proposes to join has been known to be in any way in conflict with or prejudicial to India’s foreign relations, national security and domestic harmony, and whether the organisation is undertaking any activity for intelligence gathering;

(e) whether service record of the officer is clear, particularly with respect to integrity and dealings with non-Government organisations;

(f) whether the proposed emoluments and pecuniary benefits are far in excess of those currently prevailing in the industry;

Explanation.- For the purposes of this clause, the words “far in excess” shall not be construed as to cover increase in such benefit that may be as a result of buoyancy in the industry or in the economy as a whole.

(g) any other relevant factor which may be in the knowledge of the administrative Ministry but are not included in the criteria in this rule or the matters on which specific instructions may be issued by Department of Personnel and Training from time to time.

(4) The applications of pensioners for permission to accept commercial employment shall be considered in accordance with the Government of India (Transaction of Business) Rules, 1961 and the instructions issued by the Government from time to time.

(5) In order to ensure that all aspects relating to the case have received proper attention, the administrative Ministry or Department shall maintain a check list in Form 2.

(6) Where the pensioner is not disqualified on account of any of the factors mentioned in clause (b) to clause (g) of sub-rule (3), the Government may,-

(i) liberally grant permission for Directorship of a firm or consultancy or practice in professional areas;

(ii) actively encourage post service employment in scientific, literary, cultural, social and artistic activity;

(iii) be liberal in granting permission for posts of responsibility in non-Government sector; and

(iv) not distinguish between honorary and paid employment and self- employment.

(7) 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 a 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.

(8) If any pensioner takes up any commercial employment at any time before the expiry of one year from the date of his retirement without the prior permission of the Government or commits a breach of any condition 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 periods 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.

(9) Every order passed by the Government under this rule shall be communicated to the pensioner concerned.

**Explanation.-** For the purpose of 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 (which includes 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), 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 Central Government or a State 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
- (C) has to undertake work involving liaison or contact with the offices or officers of the Government.

(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 Group 'A' post under the Government or in any other equivalent post under a State Government, means the date on which such Government servant finally ceases to be so re-employed in Government service.

**10. Employment after retirement under a Government outside India.-** (1) If a pensioner, who immediately before his retirement was a member of Central Service, Group 'A', wishes to accept any employment under any Government outside India, he shall obtain the previous permission of the Central 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 Central 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.

(2) The request of a pensioner for permission to accept employment under a Government outside India shall be considered in accordance with the Government of India (Transaction of Business) Rules, 1961 and the instructions issued by the Government from time to time.

### CHAPTER III

#### Qualifying Service

**11. Commencement of qualifying service.-** Subject to the provisions of these rules, qualifying service of a Government servant shall commence from the date he takes charge of the post to which he is first appointed either substantively or in an officiating or temporary capacity:

Provided that officiating or temporary service is followed without interruption by substantive appointment in the same or another service or post:

Provided further that service rendered before attaining the age of eighteen years shall not count, except in the cases of counting of military service for civil pension under rule 20.

**12. Conditions subject to which service qualifies.**— 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.

Explanation.— For the purposes of this rule, the expression "service" means service under the Government and paid by that Government from the Consolidated Fund of India or a Local Fund administered by that Government but does not include service in an establishment not having a non-contributory pension scheme, unless such service is treated as qualifying service by that Government.

**13. Service in State Governments.**— (1) In the case of a Government servant belonging to a State Government, who was initially appointed in a pensionable establishment of the State Government on or before 31<sup>st</sup> December, 2003 and who is permanently transferred to a service or post to which these rules apply, the continuous service rendered under the State Government in an officiating or temporary or substantive capacity shall qualify:

Provided that continuous service rendered under that Government in an officiating or temporary capacity shall qualify if that service is followed without interruption by substantive appointment in the State Government or the Central Government.

(2) In the case of a Government servant belonging to a State Government who is appointed with proper permission to a service or post to which these rules apply after acceptance of his resignation from the service of State Government, the continuous service rendered under the State Government in an officiating or temporary or substantive capacity shall qualify, subject to the condition that the service rendered under that Government in an officiating or temporary capacity is followed without interruption by substantive appointment in the State Government or the Central Government.

Explanation.— A Government servant shall be deemed to have been appointed in the Government with proper permission if he had applied for the service or post in the Government with previous permission of the State Government and the order of the State Government clearly indicates that the employee is resigning to join the post in the Government with proper permission of the State Government.

(3) The liability for pension and gratuity in cases covered under sub-rule (1) and sub-rule (2) shall be borne by the Central Government and no recovery of proportionate pension shall be made from the State Government.

**14. Service in autonomous bodies.**— (1) In the case of a person who was initially appointed, on or before 31<sup>st</sup> December, 2003, in an autonomous body under the Central Government or a State Government having a non-contributory pension scheme similar to these rules and who is subsequently appointed with proper permission to a service or post in the Central Government to which these rules apply, after acceptance of his resignation from the said autonomous body, the service rendered under the said autonomous body in an officiating or temporary or substantive capacity shall qualify, subject to the following conditions, namely :-

- (a) the appointment of that Government servant in an officiating or temporary capacity in the Central Government is followed without interruption by substantive appointment;
- (b) the Government servant is not drawing a separate pension from the said autonomous body for the service rendered in that body before acceptance of resignation; and
- (c) the pension liability is discharged by the said Autonomous body by paying in lump sum the amount of pension or service gratuity and retirement gratuity for the service rendered in the autonomous body; and
- (d) the lump sum amount of pension shall be determined with reference to the commutation table laid down in the Central Civil Services (Commutation of Pension) Rules, 1981.

(2) The condition for discharge of pension liability by an autonomous body under the State Government having a non-contributory pension scheme similar to these rules shall be binding on that autonomous body in accordance with the reciprocal arrangement entered into by the Central Government with the concerned State Government.

Explanation.— A Government servant shall be deemed to have been appointed in the Government with proper permission if he had applied for the service or post in the Government with previous permission of the Autonomous Body and the order of the Autonomous Body clearly indicates that the employee is resigning to join the post in the Government with proper permission of the autonomous body.

(3) Service rendered in a public sector undertaking, including nationalized bank and financial institution, before appointment in the Central Government shall not count as qualifying service for the purpose of these rules.

**15. Service rendered in temporary status by casual labourers.**— Fifty percent of the service rendered in 'temporary status' capacity by a Government servant, who was conferred temporary status on or before 31<sup>st</sup> December, 2003 and was subsequently regularised in Government service, in accordance with the "Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of Government of India, 1993 notified by Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), shall count as qualifying service for the purpose of these rules.

**16. Counting of service on probation.**- Service on probation against a post if followed by confirmation in the same or another post shall qualify.

**17. Counting of service as apprentice.**- Service as an apprentice shall not qualify, except in the case of Subordinate Accounts Service apprentice in the Indian Audit and Accounts Department or the Defence Accounts Department.

**18. Counting of service on contract.**- A person,

- (i) who was initially engaged by the Government on a contract for a specified period and was subsequently appointed, on or before 31<sup>st</sup> December, 2003, to the same or another post in a temporary, officiating or substantive capacity in an establishment to which these rules apply, without interruption of duty; and
- (ii) who, in accordance with the option exercised under the Central Civil Services (Pension) Rules, 1972, refunded to the Government, the Government contribution in the Contributory Provident Fund with interest thereon including any other compensation for that service,

shall count the period of service, on the said contract, as qualifying service.

**19. 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, was re-employed and appointed, on or before 31<sup>st</sup> December, 2003 to a service or post to which these rules apply and who on such reemployment or appointment, in accordance with an option exercised under the Central Civil Services (Pension) Rules, 1972, ceased to draw his pension and refunded or agreed to refund—

- (i) the pension already drawn,
- (ii) the value received for the commutation of a part of pension, and
- (iii) the amount of retirement gratuity including service gratuity, if any,

shall count the former service, as qualifying service :

(2) In accordance with the Central Civil Services (Pension) Rules, 1972, for counting past service under the relevant rule,

- (i) the pension drawn prior to the date of re-employment was not required to be refunded,
- (ii) the element of pension which was ignored for fixation of his pay including the element of pension which was not taken into account for fixation of pay was to be refunded by the Government servant, and
- (iii) the element of pension equivalent of gratuity including the element of commuted part of pension, if any, which was taken into account for fixation of his pay was to be set off against the amount of retirement gratuity and the commuted value of pension and the balance, if any, was to be refunded by him.

(3) A Government servant who opted for counting of his former service was 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. In such case, the right to count previous service as qualifying service shall not revive unless the whole amount has been refunded.

(4) In the case of a Government servant, who, having elected to refund the gratuity, dies before the entire amount is refunded, the amount of unrefunded gratuity shall be adjusted against the death gratuity which may become payable to his family.

(5) In the case of a Government servant who opted to continue to draw the pension or retain the gratuity sanctioned for his earlier service, and in whose case his former service was not to be counted as qualifying service, 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 retirement gratuity, if any, shall not be greater than the difference between the value of the pension and retirement gratuity, if any, that would be admissible at the time of the Government servant's final retirement if the two periods of service were combined and the value of retirement benefits already granted to him for the previous service.

**Explanation.**- The capital value of pension shall be calculated in accordance with the table prescribed by the President under the Central Civil Services (Commutation of Pension) Rules, 1981 applicable at the time of the second or final retirement.

**20. Counting of military service rendered before civil employment.**- (1) A Government servant, who after having rendered military service, was re-employed in a civil service or post on or before 31<sup>st</sup> December, 2003 and who on such reemployment, in accordance with an option exercised under the Central Civil Services (Pension) Rules, 1972, ceased to draw his pension and refunded or agreed to refund—

- (i) the pension already drawn; and
- (ii) the value received for the commutation of a part of military pension; and
- (iii) the amount of retirement gratuity including service gratuity, if any;

shall count previous military service, as qualifying service.

Explanation.-1 In accordance with the Central Civil Services (Pension) Rules, 1972, for counting past military service under the relevant rule,

- (i) the pension drawn prior to the date of re-employment was not required to be refunded.
- (ii) the element of pension which was ignored for fixation of his pay including the element of pension which was not taken into account for fixation of pay on re-employment was not required to be refunded by him,
- (iii) the element of pension equivalent of gratuity including the element of commuted part of pension, if any, which was taken into account of fixation of pay was required to be set off against the amount of retirement gratuity and the commuted value of pension and the balance, if any, was required to be refunded by him.

Explanation.-2 A Government servant, who had rendered military service and who on re-employment in a civil service or post on or before 31<sup>st</sup> December, 2003, had opted, in accordance with Rule 19 of the Central Civil Services (Pension) Rules, 1972, to continue to draw the military pension or retain gratuity received on discharge from military service, his former military services shall not count as qualifying service under these rules.

Explanation.-3 A Government servant, who had rendered military service after joining that service after 31<sup>st</sup> December, 2003, shall, on re-employment in a civil service or post, continue to draw the military pension or retain gratuity received on discharge from military service and on re-employment in a civil service or post, he shall be covered by the rules governing the National Pension System.

(2) A Government servant, who had exercised the option referred to in sub-rule (1), was required to refund the pension, bonus 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 and in the case of such Government servant, the right to count previous service as qualifying service shall not revive unless the whole amount has been refunded.

(3) In the case of a Government servant, who, having elected to refund the pension, bonus or gratuity, dies before the entire amount is refunded, the unrefunded amount of pension or gratuity shall be adjusted against the death gratuity which may become payable to his family.

(4) Where an order was passed under the Central Civil Services (Pension) Rules, 1972 allowing previous 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 services.

(5) The pension and gratuity for the service rendered after re-employment in civil service or post shall not be subject to any limitation with reference to the pension and gratuity drawn by the Government servant in respect of the military service.

**21. Counting of periods spent on leave.-** All leave during service for which leave salary is payable and all extraordinary leave granted on medical certificate shall count as qualifying service:

Provided that in the case of extraordinary leave other than extraordinary leave granted on medical certificate, the appointing authority may, at the time of granting such leave, allow the period of that leave to count as qualifying service if such leave is granted to a Government servant,-

- (i) due to his inability to join or re-join duty on account of civil commotion; or
- (ii) for prosecuting higher scientific and technical studies.

Explanation.- In the case of extraordinary leave other than extraordinary leave granted on medical certificate and extraordinary leave allowed to be counted as qualifying service under proviso to this rule, at the time of grant of such leave, a definite entry shall be made in the service book of the Government servant to the effect that the period of extraordinary leave shall not be treated as qualifying service and such an entry in the service book, if not made at the time of grant of extraordinary leave, can be made subsequently but not later than six months before the date of retirement of the Government servant on superannuation and if no such entry is made in the service book, the period of extraordinary leave shall be treated as qualifying service.

**22. Counting of periods spent on training.-** (1) In the case of a Government servant who was required to undergo a departmental training before regular appointment to a Group C post and was in receipt of pay in a scale of pay or a stipend or a nominal allowance during such training, the period of such training shall count as qualifying service.

(2) In cases not covered under sub-rule (1), the Government may, by order, decide whether the time spent by a Government servant under training immediately before appointment to service under that Government shall be counted as qualifying service.

(3) Where time spent by a Government servant under training immediately before appointment to service under that Government is counted as qualifying service, interruption due to the training and regular appointment being at different stations, not exceeding the joining time permissible under the rules of transfer, shall be counted as qualifying service.

(4) Where the period of interruption is in excess of joining time due to administrative reasons, such period of interruption in excess of joining time shall be regularised by grant of leave of the kind due or, if no such leave is due, by grant of extraordinary leave by the Head of Department and the period of interruption regularised by grant of extraordinary leave shall be counted as qualifying service.

**23. Counting of periods of suspension.-** (1) Time passed by a Government servant under suspension pending inquiry into conduct shall be counted as qualifying service where, on conclusion of such inquiry, he has been fully exonerated or only a minor penalty is imposed and the suspension is held to be wholly unjustified.

(2) In cases not covered under sub-rule (1), the period of suspension shall not count unless the authority competent to pass orders under the rule governing such cases expressly declares at the time that it shall count to such extent as the Competent Authority may declare.

(3) In all cases of suspension, the competent authority shall pass an order specifying the extent to which, if any, the period of suspension shall count as qualifying service and a definite entry shall be made in the service book of the Government servant in this regard.

**24. Forfeiture of service on dismissal or removal.-** Dismissal or removal of a Government servant from a service or post shall entail forfeiture of his past service.

**25. Counting of past service on reinstatement.-** (1) A Government servant who was dismissed, removed or compulsorily retired from service, and is subsequently reinstated on appeal or review, is entitled to count his past service as qualifying service.

(2) The period of interruption in service between the date of dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement, and the period of suspension, if any, shall not count as qualifying service unless regularized as duty or leave by a specific order of the authority which passed the order of reinstatement.

**26. Forfeiture of service on resignation.-** (1) Resignation from a service or a post, unless it is allowed to be withdrawn in the public interest by the appointing authority, entails forfeiture of past service.

(2) A resignation shall not entail forfeiture of past service if it has been submitted to take up, with proper permission, another appointment, whether temporary or permanent, under the Government where service qualifies.

(3) The order accepting the resignation should clearly indicate that the Government servant has resigned to join another appointment with proper permission and a specific entry to this effect shall also be made by the Head of Office in the service book of the Government servant.

(4) Interruption in service in a case falling under sub-rule (2), 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 him.

(5) The appointing authority may permit a person to withdraw his resignation in the public interest on the following conditions, namely :-

(i) that the resignation was tendered by the Government servant for some compelling reasons which did not involve any reflection on his integrity, efficiency or conduct and the request for withdrawal of the resignation has been made as a result of a material change in the circumstances which originally compelled him to tender the resignation ;

(ii) that during the period intervening between the date on which the resignation became effective and the date from which the request for withdrawal was made, the conduct of the person concerned was in no way improper ;

(iii) that the period of absence from duty between the date on which the resignation became effective and the date on which the person applies for permission to withdraw the resignation is not more than ninety days;

(iv) that the post, which was vacated by the Government servant on the acceptance of his resignation or any other comparable post, is available.

(6) Request for withdrawal of a resignation shall not be accepted by the appointing authority where a Government servant resigns his service or post with a view to taking up an appointment in or under a private commercial company or in or under a corporation or company wholly or substantially owned or controlled by the Government or in or under a body controlled or financed by the Government.

(7) When an order is passed by the appointing authority allowing a person to withdraw his resignation and to resume duty, the order shall be deemed to include the condonation of interruption in service but the period of interruption shall not count as qualifying service.

(8) A resignation submitted for the purpose of rule 35 or rule 36 shall not entail forfeiture of past service under the Government.

**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, namely:-

- (a) authorised leave of absence ;
- (b) unauthorised absence in continuation of authorized leave of absence so long as the post of absentee is not filled substantively;
- (c) suspension, where it is immediately 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 on attaining the age of superannuation while under suspension ;
- (d) transfer to non-qualifying service in an establishment under the control of the Government if such transfer has been ordered by a competent authority in the public interest ;
- (e) joining time while on transfer from one post to another.

(2) Notwithstanding anything contained in sub-rule (1), the appointing authority may, by order, commute retrospectively the periods of absence without leave as extraordinary leave.

**28. Condonation of interruption in service.-** (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 including civil service rendered and paid out of Defence Services Estimates or Railway Estimates 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.

(4) The appointing authority may consider condonation of interruption in service and to treat the pre-interruption service as qualifying service.

(5) The appointing authority may take a decision not to condone interruption in service only in exceptional and grave circumstances.

(6) No such order against condonation of interruption in service shall be passed by the appointing authority without extending to the Government servant a reasonable opportunity of representation and being heard in person.

**29. Deputation to United Nations and other organizations.-** A Government servant who is deputed on foreign service to the United Nations' Secretariat or other United Nations' Bodies or the International Monetary Fund or the International Bank of Reconstruction and Development, or the Asian Development Bank or the Commonwealth Secretariat or any other International organization may opt,-

(a) to pay the pension contributions in respect of his foreign service and count such service as qualifying for pension under these rules; or

(b) not to pay the pension contributions in respect of his foreign service and not count such service as qualifying for pension under these rules:

Provided that where a Government servant opts for clause (b), pension contributions, if any, paid by the Government servant, shall be refunded to him.

**30. Periodic verification of qualifying service.-** (1) On each occasion after a Government servant has completed eighteen years of service and on his being left with five years of service before the date of superannuation, the Head of Office in consultation with Accounts Officer shall, in accordance with the rules for the time being in force, verify the service rendered by such a Government servant, determine the qualifying service and communicate to him, in Format 4, the period of qualifying service so determined

(2) For the purposes of verification of service, the Head of Office shall follow the procedure provided in clause (a) of sub-rule (1) of rule 57.

(3) 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 he had been previously serving or because the post he held had been declared surplus, the verification of his service may be done whenever such event occurs.

(4) The verification done under this rule 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.

(5) By 31<sup>st</sup> January of each year, a report shall be submitted to the Secretary of the Administrative Ministry or Department giving the details of the Government servants who were required to be issued a certificate of qualifying service during the previous calendar year under sub-rule (1), the details of the Government servants who have actually been issued the said certificate during the said period and the reasons for not issuing the said certificate in the remaining cases.

## CHAPTER IV

### Emoluments and Average Emoluments

**31. Emoluments.**— (1) The expression ‘*emoluments*’ means basic pay, as defined in rule 9 (21) (a) (i) of the Fundamental Rules, 1922 which a Government servant was receiving immediately before his retirement or on the date of his death; and will also include non-practising allowance granted to a medical officer in lieu of private practice.

Explanation.— Stagnation increment shall be treated as emoluments for calculation of retirement benefits.

(2) Where 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 on extraordinary leave on medical certificate 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 form part of his emoluments:

Provided that any increase in pay [other than the increment referred to in sub-rule (5) and the notional increase in pay referred to in sub-rule (10) or sub-rule (11)] which is not actually drawn shall not form part of his emoluments.

(3) Where a Government servant immediately before his retirement or death while in service had proceeded on leave for which leave salary is payable after having held a higher appointment whether in an officiating or temporary capacity, the benefit of emoluments drawn in such higher appointment shall be given only if it is certified that the Government servant would have continued to hold the higher appointment but for his proceeding on leave.

(4) Where 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 form part of his emoluments.

(5) Where a Government servant immediately before his retirement or death while in service, was on leave, and earned an increment which was not withheld, such increment, though not actually drawn, shall form part of his emoluments.

(6) Pay drawn by a Government servant while on deputation to an ex-cadre post in the same or some other Department of the Government or to the Armed Forces of India shall be treated as emoluments:

Provided that in the case of a Government servant while on leave after release from the ex-cadre post on completion of the period of deputation, the pay which he would have drawn in the parent department had he not been on leave shall be treated as emoluments.

(7) Pay drawn by a Government servant while on deputation to a State Government or while on foreign service shall not be treated as emoluments, but the pay which he would have drawn under the Central Government had he not been on deputation to the State Government or on foreign service shall alone be treated as emoluments.

(8) Where a pensioner who is re-employed in Government service elected to retain his pension for earlier service and whose pay on re-employment had been reduced by an amount not exceeding his pension, the element of pension by which his pay is reduced shall be treated as emoluments.

(9) When a Government servant has been transferred to a public sector undertaking or an autonomous body consequent on the conversion of a Department of the Government into such public sector undertaking or autonomous body and the Government servant so transferred opts to retain the pensionary benefits under the rules of the Government, the emoluments drawn under the public sector undertaking or autonomous body shall be treated as emoluments.

(10) Where the pay of a Government servant is notionally increased with retrospective effect in any of the following circumstances after his retirement, such notional pay shall be treated as emoluments, namely:-

- (i) the pay scale of the post from which the pensioner retired is increased with retrospective affect from a date when the pensioner was in service and his pay in the higher pay scale is fixed from such date on notional basis;
- (ii) the retired Government servant is promoted from a retrospective date on the recommendation of a Review DPC or on exoneration in any departmental proceedings or in compliance of a court order and the benefit of fixation of pay is allowed to the pensioner on notional basis from the date of such promotion.

(11) Where a Government servant dies during the currency of a penalty which has the effect of reducing his pay only during the currency of that penalty and on expiry of which he would have regained the pay admissible to him without any impact of the said penalty, the notional pay on the date of death ignoring the effect of such penalty shall be treated as emoluments.

**32. Average Emoluments.**—(1) Average emoluments shall be determined with reference to the emoluments drawn by a Government servant during the last ten months of his service.

(2) In case during the last ten months of his service a Government servant had been absent from duty on leave for which leave salary is payable or on Extraordinary leave on medical certificate 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 :

Provided that any increase in pay [other than the increment referred to in sub-rule (4) and the notional increase in pay referred to in sub-rule (5) or sub-rule (6)] which is not actually drawn shall not form part of his emoluments.

(3) In case 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 ten months shall be included. In order that the fractions of a month, when added, worked out to one full month, a month for this purpose shall be reckoned as consisting of thirty days.

Illustration: A Government servant retires on 16<sup>th</sup> July, 2019. The last ten months comprise nine full months and fractions of fourteen days of September, 2018 and sixteen days of July, 2019. The emoluments for fractional periods shall be computed by multiplying the emolument by the factor 14/30 and 16/30 irrespective of the number of days in the month. This formula shall also apply in the case of the month of February, irrespective of whether the month has twenty eight days or twenty nine days.

(4) In the case of a Government servant who was on leave during the last ten 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.

(5) Where the pay of a Government servant is notionally increased with retrospective effect during the last ten months of his service in any of the following circumstances after his retirement, such notional pay shall be taken into account for determining the average emoluments for the purpose of this rule,-

- (i) the pay scale of the post from which the pensioner retired is increased with retrospective affect from a date when the pensioner was in service and his pay in the higher pay scale is fixed from such date on notional basis;
- (ii) the retired Government servant is promoted from a retrospective date on the recommendation of a review Departmental Promotion Committee or on exoneration in any departmental proceedings or in compliance of a court order and the benefit of fixation of pay is allowed to the pensioner on notional basis from the date of such promotion.

(6) Where a Government servant dies during the currency of a penalty which has the effect of reducing his pay only during the currency of that penalty and on expiry of which he would have regained the pay admissible to him without any impact of the said penalty, the notional pay during the last ten months of his service ignoring the effect of such penalty shall be taken into account for determining the average emoluments.

## CHAPTER V

### Classes of pensions and conditions governing their grant

**33. Superannuation pension or service gratuity.**—A superannuation pension or superannuation service gratuity, as the case may be, shall be granted in accordance with rule 44 to a Government servant who is retired on his attaining the age of superannuation or, if the service of the Government servant has been extended beyond superannuation, on expiry of such period of extension of service beyond the age of superannuation.

**34. Retiring pension or service gratuity.**—(1) A retiring pension or retiring service gratuity, as the case may be, shall be granted in accordance with rule 44, to a Government servant ,—

- (a) who retires on his own volition, before attaining the age of superannuation, in accordance with the provisions of rule 43 of these rules, or rule 56 of the Fundamental Rules; or
- (b) who, on being declared surplus, opts for voluntary retirement in accordance with the provisions of the Special Voluntary Retirement Scheme for surplus employees notified by the Department of Personnel and Training vide Office Memorandum No. 25013/6/2001-Estt.(A), dated the 28<sup>th</sup> February, 2002, as amended from time to time; or
- (c) who is retired by the Government, before attaining the age of superannuation, in accordance with the provisions of rule 42 of these rules or rule 56 of the Fundamental Rules.

(2) A permanent Government servant, who on being declared surplus to the establishment in which he was serving, opts for Special Voluntary Retirement Scheme notified by the Department of Personnel and Training vide

Office Memorandum No. 25013/6/2001-Estt. (A), dated the 28<sup>th</sup> February, 2002 as amended from time to time, shall be entitled to payment of ex-gratia amount in accordance with that Scheme, in addition to the Retiring pension or service gratuity in accordance with rule 44 and Retirement gratuity under rule 45.

**35. Pension on absorption in or under a State Government.-** (1) A Government servant, who has been permitted to be absorbed in a service or post in or under a State Government, shall be deemed to have retired from service under the Central Government from the date of such absorption and, subject to sub-rule (6), he shall be eligible, on such absorption, to receive pension or service gratuity, as the case may be, and retirement gratuity on the basis of the qualifying service and emoluments on the date of absorption in accordance with rule 44 and rule 45:

Provided that on retirement from the State Government, the total amount of gratuity in respect of the service rendered under the Government and the service rendered in the State Government shall not exceed the amount that would have been admissible had the Government servant continued in the Central Government service and retired on the same pay which he drew on retirement from the State Government.

(2) The date of absorption shall be –

- (i) in case a Government employee joins a State Government on immediate absorption basis, the date on which he actually joins that Government. For this purpose, immediate absorption would mean acceptance of a technical resignation of a Government servant from Central Government service to enable him to take up an appointment in the State Government, for which he had applied with proper permission;
- (ii) in case a Government employee initially joins a State Government on deputation, the date from which his unqualified resignation is accepted by the Central Government.

(3) In the case of a Government employee who joins a State Government on immediate absorption basis, the relieving order shall be issued in the Format 5 which, shall indicate the period within which the Government servant shall join the State Government:

Provided that this period may be extended by the relieving authority for reasons beyond the control of the Government servant, which shall be recorded in writing.

(4) The period between the date of relief and the date of joining in the State Government may be regularised by grant of leave due and, if no such leave is due, the period may be regularised by grant of extraordinary leave.

(5) The relieving authority, before processing the case for sanction of retirement benefits, will ascertain the date of joining by the Government servant in the State Government and accept the resignation of the Government servant from the date preceding the date of joining.

(6) Where a pension scheme similar to the pension scheme under these rules exists in the State Government in which a Government servant is absorbed, he shall be entitled to exercise option either,-

(a) to receive retirement benefits for the service rendered under the Central Government in accordance with sub-rule (1); or

(b) to count the service rendered under the Central Government in that State Government.

(7) Where a Government servant is absorbed in a State Government and exercises an option under clause (b) of sub-rule (6), on retirement from the State Government, the payment of pension and gratuity for the entire service, including the service rendered in the Central Government, shall be made by that Government and no liability of proportionate pension shall be borne by the Central Government.

**36. Pension on absorption in or under a corporation, company or body.-** (1) 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 Central Government or a State Government or in or under a Body controlled or financed by the Central Government or a State Government, shall be deemed to have retired from service from the date of such absorption and, subject to sub-rule (9), he shall be eligible, on such absorption, to receive pension or service gratuity, as the case may be, and retirement gratuity on the basis of the qualifying service and emoluments on the date of absorption in accordance with rule 44 and rule 45:

Provided that on retirement from such Corporation or Company or Body, the total amount of gratuity in respect of the service rendered under the Government and the service rendered in such Corporation or Company or Body shall not exceed the amount that would have been admissible had the Government servant continued in Government service and retired on the same pay which he drew on retirement from that Corporation or Company or Body.

(2) The date of absorption shall be,—

- (i) in case, a Government servant joins a corporation or company or body on immediate absorption basis, the date on which he actually joins that corporation or company or body. For this purpose, immediate absorption would mean acceptance of a technical resignation of a Government servant from Government service to enable him to take up an appointment in a Corporation or Company wholly or

- substantially owned or controlled by the Central Government or a State Government or in or under a Body controlled or financed by the Central Government or a State Government, for which he had applied with proper permission;
- (ii) in case, a Government employee initially joins a corporation or company or body on foreign service terms, the date from which his unqualified resignation is accepted by the Government.
- (3) The provisions of sub-rule (1) shall also apply to Central Government servants who are permitted to be absorbed in joint sector undertakings, wholly under the joint control of the Central Government and State Governments or Union territory administrations or under the joint control of two or more State Governments or Union territory administrations.

(4) In the case of a Government servant who joins a corporation or company or body on immediate absorption basis, the relieving order shall be issued in the Format 5.

(5) The relieving order shall indicate the period within which the Government servant shall join the Corporation or Company or the Body:

Provided that this period may be extended by the relieving authority for reasons beyond the control of the Government servant, which shall be recorded in writing.

(6) The period between the date of relief and the date of joining in the Corporation or Company or the Body may be regularised by grant of leave due and if no such leave is due, the period may be regularised by grant of extraordinary leave.

(7) The relieving authority, before processing the case for sanction of retirement benefits, will ascertain the date of joining by the Government servant in the Corporation or Company or the Body and accept the resignation of the Government servant from the date preceding the date of joining.

(8) No lien of the Government servant shall be retained in the relieving department and all his connections with the Government shall stand severed on his absorption in the Corporation or Company or the Body.

(9) Where a pension scheme similar to the pension scheme under these rules exists in a body controlled or financed by the Central Government or a State Government in which a Government servant is absorbed, he shall be entitled to exercise option either,-

(a) to receive retirement benefits for the service rendered under the Central Government in accordance with sub-rule (1); or

(b) to count the service rendered under the Central Government in that body for pension.

(10) Where a Government servant is absorbed in a body controlled or financed by the Central Government or a State Government and exercises an option under clause (b) of sub-rule (9), the Government will discharge its pension liability by paying in lump sum as a one time payment.

(11) The pension liability shall comprise the capitalised value of pension or service gratuity and retirement gratuity for the service up to the date of absorption in that body.

(12) Lump sum amount of pension shall be determined with reference to the Table of values for commutation of pension appended to the Central Civil Services (Commutation of Pension) Rules, 1981.

**Explanation.-** Body means autonomous body or statutory body.

**37. Conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Public Sector Undertaking.**- (1) On conversion of a department of the Central Government into a public sector undertaking, all Government servants of that Department shall be transferred en-masse to that public sector undertaking, on deemed deputation on terms of foreign service without any deputation allowance till such time as they get absorbed in the said undertaking, and such transferred Government servants shall be absorbed in the public sector undertaking with effect from such date as may be notified by the Government.

(2) The public sector undertaking shall frame its rules and regulations within a time frame not exceeding five years.

After such rules and regulations are framed by the public sector undertaking, all Government servants on deemed deputation shall be asked, within a period not exceeding three months from the date of notification of the rules and regulations by the public sector undertaking, to exercise their option to revert back to the Government or to seek permanent absorption in the public sector undertaking.

Such Government servants shall be asked to exercise this option within a period of three months from the date of the communication asking the Government servants to exercise the option.

(3) The option referred to in sub-rule (2) shall be exercised by every transferred Government servant in such manner as may be specified by the Government.

(4) In case, a Government servant, does not exercise any option within the prescribed time limit, shall be deemed to have opted for permanent absorption in the public sector undertaking.

(5) The permanent absorption of the Government servants as employees of the public sector undertaking shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from Government service.

(6) Upon absorption of Government servants in the public sector undertaking, the posts which they were holding in the Government before such absorption shall stand abolished.

(7) The employees who opt to revert to Government service shall be repatriated to the Government within two years from the date of exercise of the option and shall be redeployed through the surplus cell of the Government.

(8) The period between the date of option and the date of reversion to the Government shall continue to be on deemed deputation on terms of foreign service without any deputation allowance.

(9) Where an employee retires or dies during the period of such deemed deputation, the pay which he would have drawn under the Central Government had he not been on deemed deputation shall be treated as emoluments for calculating the pensionary benefits to be paid by the Government.

(10) The pensionary benefits in respect of such employee shall be drawn and paid in the manner to be specified by the administrative Ministry of the public sector undertaking.

(11) Subject to the provisions of sub-rule (12) to sub-rule (17), the employees including temporary employees but excluding casual labourers, who opt for permanent absorption in the public sector undertaking shall, on and from the date of absorption, be governed by the rules and regulations or bye-laws of the public sector undertaking.

(12) A Government servant who has been absorbed as an employee of a public sector undertaking shall be entitled to exercise option either,-

(a) to receive pension or service gratuity, as the case may be, and retirement gratuity from the Government for the service rendered under the Central Government in accordance with rule 44 and rule 45; or

(b) to count the service rendered under the Central Government in that public sector undertaking for pension and gratuity.

(13) In the case of a Government servant who has exercised option under clause (a) of sub-rule (12), the pay which he would have drawn under the Central Government had he not been on deemed deputation shall be treated as emoluments for calculating the pensionary benefits to be paid by the Government and the pensionary benefits in respect of such employee shall be drawn and paid in the manner to be specified by the administrative Ministry of the public sector undertaking.

(14) A Government servant who has exercised option under clause (b) of sub-rule (12) and his family shall be eligible for pensionary benefits (including commutation of pension, gratuity, family pension or extra-ordinary pension), on the basis of combined service rendered by the employee in the Government and in the public sector undertaking in accordance with the formula for calculation of such pensionary benefits as may be in force in the Central Government at the time of his retirement from the public sector undertaking or his death.

(15)(a) On retirement from the public sector undertaking or on death of an absorbed employee who has exercised option under clause (b) of sub-rule (12), the amount of pension or family pension shall be calculated in the same manner as calculated in the case of a Central Government servant retiring or dying, on the same day.

Explanation.- The emoluments or average emoluments for this purpose shall be based on the pay drawn in the public sector undertaking as per Industrial Dearness Allowance pattern.

(b) The pensionary benefits of such employee shall be drawn and paid in the manner specified in sub-rule (18) to sub-rule (26).

(16) In addition to pension or family pension, as the case may be, the employee who opts for pension on the basis of combined service shall also be eligible to dearness relief as per Industrial Dearness Allowance pattern.

(17) If a Permanent Government servant absorbed in a public sector undertaking or a temporary Government servant, who has been confirmed in the public sector undertaking subsequent to his absorption therein, had exercised option under clause (b) of sub-rule (12), he shall be eligible to seek voluntary retirement after completing ten years of qualifying service with the Government and the public sector undertaking taken together, and such person shall be eligible for pensionary benefits on the basis of these rules.

(18) The Central Government shall create a Pension Fund in the form of a trust and the pensionary benefits of absorbed employees shall be paid out of such Pension Fund.

(19)(a) The Secretary of the administrative Ministry of the public sector undertaking shall be the Chairperson of the Board of Trustees of the Pension Fund.

(b) The Board of Trustees shall include representatives of the Department of Expenditure, Department of Pension and Pensioners' Welfare, Ministry of Labour and Employment, concerned public sector undertaking, employees of the concerned public sector undertaking and experts in the relevant field to be nominated by the Central Government.

(20) The procedure and the manner in which pensionary benefits to the employees, who have exercised option under clause (b) of sub-rule (12), are to be sanctioned and disbursed from the Pension Fund shall be determined by the Government on the recommendation of the Board of Trustees.

(21)(a) The Government shall discharge its pensionary liability in respect of employees who have exercised option under clause (b) of sub-rule (12), by paying in lump sum as a one time payment to the Pension Fund.

(b) The pensionary liability shall comprise the capitalised value of pension or service gratuity and retirement gratuity for the service rendered till the date of absorption of the Government servant in the public sector undertaking.

(c) Lump sum amount of the pension shall be determined with reference to Commutation Table laid down in Central Civil Services (Commutation of Pension) Rules, 1981.

(22) The manner of sharing the financial liability on account of payment of pensionary benefits by the public sector undertaking to the employees who have exercised option under clause (a) of sub-rule (12), shall be determined by the Government.

(23) In respect of the employees who have exercised option under clause (b) of sub-rule (12), the public sector undertaking shall make pensionary contribution to the Pension Fund for the period of service to be rendered by the concerned employees under that undertaking at the rates as may be determined by the Board of Trustees so that the Pension Fund shall be self-supporting.

(24) If, for any financial or operational reason, the Trust is unable to discharge its liabilities fully from the Pension Fund and the public sector undertaking is also not in a position to meet the shortfall, the Government, through the administrative Ministry for the public sector undertaking, shall be liable to meet such expenditure and such expenditure shall be debited to either the Fund or to the public sector undertaking.

(25) Payments of pensionary benefits of the pensioners of a Government Department who retired from that Department before the date of its conversion into a Public Sector Undertaking shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account shall be determined by the Government.

(26) Nothing contained in sub-rules (18) to (25) shall apply in the case of conversion of the Departments of Telecom Services and Telecom Operations into Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited, in which case the pensionary benefits including family pension shall be paid by the Government.

(27) For the payment of pensionary benefits including family pension referred to in sub-rule (26), the Government shall specify the arrangements and the manner including the rate of pensionary contributions to be made by Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited to the Government and the manner in which financial liabilities on this account shall be met.

(28) The arrangements under sub-rule (27) shall be applicable to the existing pensioners and to the employees who are deemed to have retired from the Government service for absorption in Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited and shall not apply to the employees directly recruited by the Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited for whom they shall devise their own pension schemes and make arrangements for funding and disbursing the pensionary benefits.

(29) Upon conversion of a Government Department into a public sector undertaking,-

(a) the balance of provident fund standing at the credit of the absorbed employees on the date of their absorption in the public sector undertaking shall, with the consent of such undertaking, be transferred to the new Provident Fund Account of the employees in such undertaking;

(b) earned leave and half pay leave at the credit of the employees on the date of absorption shall stand transferred to such undertaking;

(c) the dismissal or removal from service of the public sector undertaking of any employee after his absorption in such undertaking for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the service rendered under the Government and in the event of his dismissal or removal or retrenchment the decisions of the undertaking shall be subject to review by the Ministry administratively concerned with the undertaking.

(30) In case the Government disinvests its equity in any public sector undertaking to the extent of fifty-one per cent or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such public sector undertaking.

(31) The safeguards specified under sub-rule (30) shall include option for voluntary retirement or continued service in the undertaking or retirement benefits on terms applicable to Government employees or employees of the public sector undertaking as per option of the employees and assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government.

**38. Conditions for payment of pension on absorption consequent upon conversion of a Government Department into a Central Autonomous Body.**—(1) On conversion of a department of the Central Government into an autonomous body, all Government servants of that Department shall be transferred en-masse to that autonomous body on deemed deputation on terms of foreign service without any deputation allowance till such time as they get absorbed in the said body and such transferred Government servants shall be absorbed in the autonomous body with effect from such date as may be notified by the Government.

(2) The autonomous body shall frame its rules and regulations within a time frame not exceeding five years. After such rules and regulations are framed by the autonomous body, all employees on deemed deputation shall be asked, within a period not exceeding three months from the date of notification of the rules and regulations by the autonomous body, to exercise their option to revert back to the Government or to seek permanent absorption in the autonomous body. Such employees shall be asked to exercise this option within a period of three months from the date of the communication asking the employees to exercise the option.

(3) The option referred to in sub-rule (2) shall be exercised by every transferred Government servant in such manner as may be specified by the Government and an employee, who does not exercise any option within the prescribed time limit, shall be deemed to have opted for permanent absorption in the autonomous body.

(4) The permanent absorption of the Government servants as employees of the autonomous body shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from Government service.

(5) In case of absorption of Government servants in the autonomous body, the posts which they were holding in the Government before such absorption shall stand abolished.

(6) The employees who opt to revert to Government service shall be repatriated to the Government within two years from the date of exercise of the option and shall be redeployed through the surplus cell of the Government.

(7) The period between the date of option and the date of reversion to the Government shall continue to be on deemed deputation on terms of foreign service without any deputation allowance.

(8) Where an employee retires or dies during the period of such deemed deputation, the pay which he would have drawn under the Central Government had he not been on deemed deputation shall be treated as emoluments for calculating the pensionary benefits to be paid by the Government.

(9) The pensionary benefits in respect of such employee shall be drawn and paid in the manner to be specified by the administrative Ministry of the autonomous body.

(10) Subject to the provisions of sub-rule (11) to sub-rule (15), the employees including temporary employees but excluding casual labourers, who opt for permanent absorption in the autonomous body shall, on and from the date of absorption, be governed by the rules and regulations or bye-laws of the autonomous body.

(11) A Government servant who has been absorbed as an employee of the autonomous body shall be entitled to exercise option either,-

(a) to receive pension or service gratuity and retirement gratuity, as the case may be, for the service rendered under the Central Government in accordance with rule 44 and rule 45 of these rules; or

(b) to count the service rendered under the Central Government in that body for pension and gratuity.

(12) In the case of a Government servant who has exercised option under clause (a) of sub-rule (11), the pay which he would have drawn under the Central Government had he not been on deemed deputation shall be treated as emoluments for calculating the pensionary benefits to be paid by the Government.

(13) The pensionary benefits in respect of such employee shall be drawn and paid in the manner to be specified by the administrative Ministry of the autonomous body.

(14) A Government servant who has exercised option under clause (b) of sub-rule (11) and his family shall be eligible for pensionary benefits (including commutation of pension, gratuity, family pension or extra-ordinary pension), on the basis of combined service rendered by the employee in the Government and in the autonomous body in accordance with the formula for calculation of such pensionary benefits as may be in force at the time of his retirement from the autonomous body or his death.

**Explanation.**—The amount of pension or family pension in respect of the absorbed employee on retirement from the autonomous body or on death shall be calculated in the same manner as calculated in the case of a Central Government servant retiring or dying, on the same day. The pensionary benefits in respect of such employee shall be drawn and paid in the manner specified in sub-rule (16) to sub-rule (27).

(15) In addition to pension or family pension, as the case may be, the absorbed employees who opt for pension on the basis of combined service shall also be eligible to dearness relief as per central dearness allowance pattern.

(16) The Central Government shall create a Pension Fund in the form of a trust and the pensionary benefits of absorbed employees shall be paid out of such Pension Fund.

(17) The Secretary of the administrative Ministry of the autonomous body shall be the Chairperson of the Board of Trustees which shall include representatives of the Department of Expenditure, Department of Pension and Pensioners' Welfare, Ministry of Labour and Employment, concerned autonomous body, employees of the concerned autonomous body and experts in the relevant field to be nominated by the Central Government.

(18) The procedure and the manner in which pensionary benefits to the employees, who have exercised option under clause (b) of sub-rule (11), are to be sanctioned and disbursed from the Pension Fund shall be determined by the Government on the recommendation of the Board of Trustees.

(19) The Government shall discharge its pensionary liability in respect of employees, who have exercised option under clause (b) of sub-rule (11), by paying in lump sum as a one time payment to the Pension Fund.

(20) The pensionary liability shall comprise the capitalised value of pension or service gratuity and retirement gratuity for the service rendered till the date of absorption of the Government servant in the autonomous body.

(21) Lump sum amount of the pension shall be determined with reference to Commutation Table laid down in Central Civil Services (Commutation of Pension) Rules, 1981

(22) The manner of sharing the financial liability on account of payment of pensionary benefits to the employees, who have exercised option under clause (a) of sub-rule (11), by the autonomous body shall be determined by the Government.

(23) In respect of the employees who have exercised option under clause (b) of sub-rule (11), the autonomous body shall make pensionary contribution to the Pension Fund for the period of service to be rendered by the concerned employees under that body at the rates as may be determined by the Board of Trustees so that the Pension Fund shall be self-supporting.

(24) If, for any financial or operational reason, the Trust is unable to discharge its liabilities fully from the Pension Fund and the autonomous body is also not in a position to meet the shortfall, the Government, through the administrative Ministry for the autonomous body, shall be liable to meet such expenditure and such expenditure shall be debited to either the Fund or to the autonomous body, as the case may be.

(25) Payments of pensionary benefits of the pensioners of a Government Department who retired from that Department before the date of its conversion into an autonomous body shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account shall be determined by the Government.

(26) In case of conversion of a Government Department into an autonomous body,-

(a) the balance of provident fund standing at the credit of the absorbed employees on the date of their absorption in the autonomous body shall, with the consent of such body, be transferred to the new Provident Fund Account of the employees in such body;

(b) earned leave and half pay leave at the credit of the employees on the date of absorption shall stand transferred to such body;

(c) the dismissal or removal from service of the autonomous body of any employee after his absorption in such body for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the service rendered under the Government and in the event of his dismissal or removal or retrenchment the decisions of the body shall be subject to review by the Ministry administratively concerned with the body.

(27) In case the Government disinvests its equity in any autonomous body to the extent of fifty-one per cent or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such autonomous body.

(28) The safeguards specified under sub-rule (27) shall include option for voluntary retirement or continued service in the body, as the case may be, or voluntary retirement benefits on terms applicable to Government employees or employees of the autonomous body as per option of the employees, assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government.

(29) Nothing contained in this rule shall be applicable to the officers or employees including members of Indian Information Service, Central Secretariat Service or any other service or to the persons borne on cadres outside Akashvani and Doordarshan, serving in the Akashvani and Doordarshan and engaged in the performance of functions transferred to Prasar Bharati established under Prasar Bharati (Broadcasting Corporation of India) Act, 1990.

**39. Invalid pension.-** (1) The case of a Government servant acquiring a disability, where the provisions of section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) are applicable, shall be governed by the provisions of the said section:

Provided that such employee shall produce a disability certificate from the competent authority as prescribed under the Rights of Persons with Disabilities Rules, 2017.

(2) If a Government servant, in a case where the provisions of section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) are not applicable, intends to retire from the service on account of any bodily or mental infirmity which permanently incapacitates him for the service, he may apply to the Head of Department for retirement on Invalid Pension:

Provided that an application for invalid pension submitted by the spouse of the Government servant failing which by a member of the family of the Government servant may also be accepted, if the Head of Department is satisfied that the Government servant himself is not in a position to submit such application on account of the bodily or mental infirmity:

Provided further that where a Government servant, who has acquired a disability and in whose case the provisions of section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) are applicable, intends to retire under this rule, the Government servant shall be advised that he has the option of continuing in service with the same pay scale and service benefits which he is otherwise entitled to and in case the Government servant does not withdraw his request for retirement under this rule, his request may be processed in accordance with the provisions of this rule.

(3) On receipt of an application under sub-rule (2), the Head of Office or Head of Department shall, within fifteen days of the receipt of such application, request the concerned authority for examination of the Government servant, not later than thirty days from the date of receipt of such request by the following medical authority, namely:-

(a) a Medical Board in the case of a Gazetted Government servant and of a non-Gazetted Government servant whose pay, as defined in rule 9 (21) of the Fundamental Rules, 1922 exceeds fifty- four thousand rupees per month; and

(b) Civil Surgeon or a District Medical Officer or Medical Officer of equivalent status in other cases.

(4) The medical authority shall also be supplied by the Head of the Office or Head of Department in which the applicant is employed with a statement of what appears from official records to be the age of the applicant, and if a service book is being maintained for the applicant, the age recorded therein should be reported and a copy of the letter requesting for examination by the medical authority shall be endorsed to the Government servant.

(5) The Government servant shall appear before the concerned medical authority for medical examination on the date fixed by that authority and the medical authority shall examine the Government servant to ascertain whether or not the Government servant is fit for further service or whether he is fit for further service of less laborious character than that which he had been doing.

(6) No medical certificate of incapacity for service may be granted unless the medical authority has received a request from the Head of his Office or Head of Department for medical examination of the Government servant.

(7) A lady doctor shall be included as a member of the Medical Board when a woman candidate is to be examined.

(8) Where the medical authority referred to in sub-rule (3) has found a Government servant mentioned in sub-rule (2) not fit for further service or has found him fit for further service of less laborious character than that which he had been doing, it shall issue a Medical Certificate in Format 6 and if the Government servant is found to be unfit for further service, he may be granted invalid pension in accordance with rule 44 not later than forty five days from the date of the receipt of medical certificate in Format 6.

(9) A Government servant, who retires from service even before completing qualifying service of ten years, shall also be granted invalid pension and, in his case, the amount of pension shall also be calculated at fifty percent of emoluments or average emoluments, whichever is more beneficial to him in accordance with rule 44:

Provided that in such cases the Government servant-

(a) *has been examined by the appropriate medical authority either before his appointment or after his appointment to the Government service and declared fit by such medical authority for Government service; and*

(b) *fulfils all other conditions mentioned in this rule for grant of invalid pension.*

(10) In case, the Government servant has been found to be fit for further service of less laborious character than that which he had been doing, he shall, if, 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.

**40. 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 retirement gratuity or both at a rate not less than two-thirds and not more than full superannuation 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 President passes an order (whether original, appellate or in exercise of power of review) awarding a pension less than the full superannuation pension admissible under these rules, the Union Public Service Commission shall be consulted before such order is passed.

Explanation.- For the purpose of this sub-rule, the expression "pension" includes retirement gratuity.

(3) The order regarding the quantum of pension and gratuity to be granted under sub-rule (1) may be issued simultaneous with the order of imposition of penalty of compulsory retirement. Where such an order regarding the quantum of pension and gratuity to be granted under sub-rule (1) is not issued simultaneous with the order of imposition of penalty of compulsory retirement, a provisional pension and a provisional gratuity at a rate of two-thirds of full superannuation pension and gratuity shall be sanctioned to the Government servant immediately.

(4) Where a provisional pension and a provisional gratuity is sanctioned to the Government servant under sub-rule (3), order for grant of final pension and gratuity under sub-rule (1) shall be issued in consultation with Union Public Service Commission, where necessary, not later than three months after the date of issue of the order imposing the penalty of compulsory retirement and the provisional pension shall continue to be paid till the payment of final pension and gratuity in accordance with the order issued under sub-rule (1).

(5) A pension or provisional pension granted or awarded under sub-rule (1) or, as the case may be, under sub-rule (2), shall not be less than the amount of minimum pension mentioned in rule 44.

**41. Compassionate allowance.-** (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 superannuation pension.

(2) The competent authority shall, either on its own or after taking into consideration the representation of the Government servant, if any, examine whether any compassionate allowance is to be granted and take a decision in this regard in accordance with the proviso to sub-rule (1) not later than three months after the date of issue of the order imposing the penalty of dismissal or removal from service.

(3) The competent authority shall consider,-

(a) each case of dismissal and removal from service on its merit to decide whether the case deserves of special consideration for sanction of a compassionate allowance and, if so, the quantum thereof.

(b) the actual misconduct which occasioned the penalty of dismissal or removal from service and the kind of service rendered by the Government servant.

(c) in exceptional circumstances, factors like family members dependent on the Government servant along with other relevant factors.

(4) Where an order imposing the penalty of dismissal or removal from service was issued before the date of commencement of these rules and the competent authority, at that time, did not examine or decide whether or not any compassionate allowance was to be granted in that case, that authority shall take a decision in this regard not later than six months from the date of commencement of these rules.

(5) No compassionate allowance shall be sanctioned after the expiry of the aforesaid period of six months, to a Government servant on whom a penalty of dismissal or removal from service was imposed before the date of commencement of these rules.

(6) A compassionate allowance sanctioned under the proviso to sub-rule (1) shall not be less than the amount of minimum pension under rule 44.

## CHAPTER VI

### Premature Retirement and Voluntary Retirement

**42. Retirement on completion of thirty years' qualifying service.-** (1) At any time after a Government servant has completed a qualifying service of thirty years, he may be required by the appointing authority to retire in the public interest and in the case of such retirement, the Government servant shall be entitled to a retiring pension calculated in accordance with rule 44.

(2) The appointing authority may give a notice in writing to a Government servant at least three months before the date on which he is required to retire in the public interest or three months' pay and allowances in lieu of such notice.

(3) For retirement of a Government servant under this rule, the same procedure, as laid down by Department of Personnel and Training for retirement under rule 56 of the Fundamental Rules, 1922 shall be applicable.

**Explanation.**— For the purpose of this rule the expression 'appointing authority' shall mean the authority which is competent to make appointments to the service or post from which the Government servant retires.

**43. Retirement on completion of twenty years' qualifying service.**— (1) At any time after a Government servant has completed twenty years' qualifying service, he may, by giving notice of not less than three months in writing to the appointing authority, retire from service and in the case of such retirement the Government servant shall be entitled to a retiring pension calculated in accordance with rule 44:

Provided that before giving notice of voluntary retirement, a Government servant shall request the appropriate administrative authority for a certificate regarding completion of qualifying service of twenty years on the intended date of retirement and the administrative authority shall issue the required certificate within fifteen days of such request by the Government servant and if no such certificate is issued by the administrative authority within the prescribed period of fifteen days, the Government servant may give the notice of voluntary retirement without such certificate:

Provided further that before accepting the notice for voluntary retirement and passing orders in this regard, the appointing authority shall satisfy itself that the Government servant has completed the qualifying service of twenty years:

Provided also that this sub-rule shall not apply to a Government servant, including scientist or technical expert who is,-

- (i) on assignments under the Indian Technical and Economic Cooperation (ITEC) Programme of the Ministry of External Affairs and other aid programmes; or
- (ii) posted abroad in foreign based offices of the Ministries or Departments; or
- (iii) on a specific contract assignment to a foreign Government,

unless, after having been transferred to India, he has resumed the charge of the post in India and served for a period of not less than one year:

Provided also that a Government servant shall be eligible to retire under this rule only if he has completed or will complete a qualifying service of twenty years on the intended date of retirement and the provision in sub-rule (7) of rule 44 for treating fraction of a year equal to three months and above as a completed six monthly period, shall not be applicable for the purpose of determining the qualifying service under this rule.

(2) The notice of voluntary retirement given under sub-rule (1) shall require acceptance by the appointing authority:

Provided that where the appointing authority does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice, the retirement shall become effective from the date of expiry of the said period.

(3) It shall be open to the appropriate appointing authority to withhold permission to a Government servant who seeks to retire under this rule in the following circumstances,-

- (i) If the Government servant is under suspension; or
- (ii) If a charge sheet has been issued and the disciplinary proceedings are pending; or
- (iii) If judicial proceedings on charges which may amount to grave misconduct, are pending:

Provided that in cases where the appointing authority proposes to accept the notice of voluntary retirement in spite of the circumstances referred to in this sub-rule, approval of President shall be obtained.

**Explanation.**— For the purpose of this sub-rule, judicial proceedings shall be deemed to be pending, if a complaint or report of a police officer, of which the Magistrate takes cognizance, has been made or filed in a criminal proceedings.

(4) (a) Government servant referred to in sub-rule (1) may make a request in writing to the appointing authority to accept notice of voluntary retirement of less than three months giving reasons therefor.

(b) On receipt of a request under clause (a), the appointing authority, subject to the provisions of sub-rule (2), may consider such request for the curtailment of the period of notice of three months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months on the condition that the Government servant shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months.

(5) If a Government servant acquiring a disability, where the provisions of section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) are applicable, gives a notice of voluntary retirement under this rule, the Government servant shall be advised that he has the option of continuing in service with the same pay scale and service benefits which he is otherwise entitled to and in case the Government servant does not withdraw the notice for voluntary retirement, his request for voluntary retirement may be processed.

(6) Government servant, who has elected to retire under this rule and has given the necessary notice to that effect to the appointing authority, shall be precluded from withdrawing his notice except with the specific approval of such authority:

Provided that the request for withdrawal shall be made not less than fifteen days before the intended date of voluntary retirement.

(7) This rule shall not apply to a Government servant who –

- (a) retires under the Special Voluntary Retirement Scheme relating to voluntary retirement of surplus employees; or
- (b) retires from Government service for being absorbed permanently in an autonomous body or a public sector undertaking to which he is on deputation at the time of seeking voluntary retirement or for joining an autonomous body or a public sector undertaking on immediate absorption basis.

**Explanation.-** For the purpose of this rule the expression “appointing authority” shall mean the authority which is competent to make appointments to the service or post from which the Government servant seeks voluntary retirement.

## CHAPTER VII

### Regulation of pension and gratuity

**44. Amount of Pension.-** (1) A Government servant, who retires under rule 33, rule 34, rule 35, rule 36, rule 37, rule 38 or rule 39, after completing a qualifying service of not less than ten years, shall become eligible for grant of a pension calculated at fifty per cent of emoluments or average emoluments, whichever is more beneficial to him, subject to a minimum of nine thousand rupees per month and maximum of one lakh twenty-five thousand rupees per month:

Provided that a Government servant who retires under rule 39 before completing a qualifying service of ten years but fulfils the conditions mentioned in sub-rule (9) of rule 39, shall also be eligible for an invalid pension calculated at fifty per cent of emoluments or average emoluments, whichever is more beneficial to him and the condition of completion of minimum qualifying service of ten years shall not be applicable for grant of pension in his case.

(2) A Government servant, who retires under any of the rules referred to in sub-rule (1) but has not become eligible for grant of pension in accordance with that sub-rule, shall be eligible for grant of a service gratuity.

The amount of service gratuity in such cases shall be calculated at the rate of half month's emoluments for every completed six monthly period of qualifying service.

(3) In case the emoluments of a Government servant have been reduced during the last ten months of his service, average emoluments as referred to in rule 32 shall be treated as emoluments for the purpose of sub-rule (2) and the dearness allowance admissible on the date of retirement shall also be treated as part of emoluments.

(4)(a) Where a Government servant is compulsorily retired from service after completing a qualifying service of not less than ten years and has become eligible for grant of compulsory retirement pension under rule 40, the amount of compulsory retirement pension shall be such portion or percentage of the superannuation pension calculated under sub-rule (1), as the competent authority may sanction under rule 40.

(b) A Government servant, who is compulsorily retired from service before completing a qualifying service of ten years, shall be eligible for grant of a compulsory retirement service gratuity under rule 40 and the amount of service gratuity in such cases shall be such portion or percentage of the superannuation service gratuity calculated under sub-rule (2), as the competent authority may sanction under rule 40.

(5)(a) Where a Government servant is dismissed or removed from service after having completed a qualifying service of not less than ten years and is sanctioned a compassionate allowance under rule 41, the amount of compassionate allowance shall be such portion or percentage of the pension which would have been admissible to him if he had retired on superannuation pension, as the competent authority may sanction under rule 41.

(b) A Government servant, who is dismissed or removed from service before completing a qualifying service of ten years and is sanctioned a compassionate allowance under Rule 41, the amount of compassionate allowance in such cases shall be such portion or percentage of the service gratuity which would have been admissible to him if he had retired on superannuation service gratuity, as the competent authority may sanction under rule 41.

(6) After completion of eighty years of age or above by a retired Government servant, in addition to a pension or a compassionate allowance admissible under this rule, additional pension or additional compassionate allowance shall be payable to the retired Government servant in the following manner, namely:-

Sl.No.	Age of pensioner	Additional pension/ additional compassionate allowance
(1)	(2)	(3)
(i)	From 80 years to less than 85 years	20% of basic pension/ compassionate allowance
(ii)	From 85 years to less than 90 years	30% of basic pension/ compassionate allowance
(iii)	From 90 years to less than 95 years	40% of basic pension/ compassionate allowance
(iv)	From 95 years to less than 100 years	50% of basic pension/ compassionate allowance
(v)	100 years or more	100% of basic pension/ compassionate allowance

(b) The additional pension or additional compassionate allowance shall be payable from first day of the calendar month in which it falls due.

Illustration: A pensioner born on 20<sup>th</sup> August, 1942 shall be eligible for additional pension at the rate of twenty percent of the basic pension with effect from 1<sup>st</sup> August, 2022. A pensioner born on 1<sup>st</sup> August, 1942 shall also be eligible for additional pension at the rate of twenty percent of the basic pension with effect from 1<sup>st</sup> August, 2022.

(7) In calculating the length of qualifying service, fraction of a year equal to three months and above shall be treated as a completed six monthly period and reckoned as qualifying service.

(8) In the case of a Government servant who has rendered a qualifying service of nine years and nine months or more but less than ten years, his qualifying service for the purpose of this rule shall be ten years and he shall be eligible for pension in accordance with sub-rule (1).

(9) The amount of pension or service gratuity or compassionate allowance or additional pension or additional compassionate allowance finally determined under this rule, shall be expressed in whole rupees and where it contains a fraction of a rupee, each such amount shall be rounded off to the next higher rupee separately for arriving at the final amount payable to the retired Government servant.

(10) In cases where pension is discontinued in the middle of a calendar month, the amount of pension payable for the fraction of that month shall also be rounded off to the next higher rupee.

**45. Retirement Gratuity and Death Gratuity.-** (1)(a) A Government servant, who has completed five years' qualifying service and has become eligible for service gratuity or pension under Rule 44 shall, on his retirement, be granted retirement gratuity equal to one-fourth of his emoluments for each completed six monthly period of qualifying service, subject to a maximum of 16½ times the emoluments.

(b) If a Government servant dies while in service, the death gratuity shall be paid to his family in the manner indicated in sub-rule (1) of Rule 47 at the rates given in the Table below, namely:-

Sl. No.	Length of qualifying service	Rate of death gratuity
(1)	(2)	(3)
(i)	Less than 1 year	2 times of emoluments.
(ii)	One year or more but less than 5 years	6 times of emoluments.
(iii)	5 years or more but less than 11 years	12 times of emoluments.
(iv)	11 years or more but less than 20 years	20 times of emoluments
(v)	20 years or more	Half of emoluments for every completed six-monthly period of qualifying service subject to a maximum of 33 times of emoluments.

Provided that the amount of retirement gratuity or death gratuity payable under this rule shall in no case exceed twenty lakh rupees:

Provided further that where the amount of retirement or death gratuity, as finally calculated, contains a fraction of a rupee, it shall be rounded off to the next higher rupee.

(2) The provision of clause (b) of sub-rule (1) shall also be applicable in the case of death of a Government servant by suicide.

(3) In case a Government servant, who, on retirement, became eligible for a 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, together with the retirement gratuity admissible under sub-rule (1) 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 may be granted to his family in the manner indicated in sub-rule (1) of rule 47.

(4) In calculating the length of qualifying service under this rule, fraction of a year equal to three months and above shall be treated as a completed six monthly period and reckoned as qualifying service.

(5) In the case of a Government servant who has rendered a qualifying service of four years and nine months or more but less than five years, his qualifying service for the purpose of this rule shall be five years and he shall be eligible for retirement gratuity in accordance with clause (a) of sub-rule (1).

(6) The emoluments for the purpose of gratuity admissible under this rule shall be reckoned in accordance with rule 31:

Provided that if the emoluments of a Government servant have been reduced during the last ten months of his service, average emoluments as referred to in rule 32 shall be treated as emoluments.

Provided further that the dearness allowance admissible on the date of retirement or death, as the case may be, shall also be treated as emoluments for the purpose of this rule.

**Explanation.-** For the purposes of this rule and rules 46, 47, 48 and 49, ‘family’, in relation to a Government servant, means,-

- (i) wife or wives including judicially separated wife or wives in the case of a male Government servant;
- (ii) husband, including judicially separated husband in the case of a female Government servant;
- (iii) sons including stepsons and adopted sons;
- (iv) unmarried daughters including stepdaughters and adopted daughters;
- (v) widowed or divorced daughters including stepdaughters and adopted daughters;
- (vi) father including adoptive parents in the case of individuals whose personal law permits adoption;
- (vii) mother including adoptive parents in the case of individuals whose personal law permits adoption;
- (viii) brothers including stepbrothers who are suffering from any disorder or disability of mind including the mentally retarded or physically crippled or disabled without any limit of age and brothers, including stepbrothers, below the age of eighteen years, in other cases;
- (ix) unmarried sisters, widowed sisters and divorced sisters including stepsisters;
- (x) married daughters; and
- (xi) children of a pre-deceased son.

**46. Nominations.-** (1) A Government servant shall, on his initial appointment in a service or post, make a nomination in Form 3 conferring on one or more persons the right to receive the retirement gratuity and death gratuity payable under rule 45.

(2) In case at the time of making the nomination,—

- (i) the Government servant has one or more members of family as referred to in the explanation below sub-rule (6) of rule 45, the nomination shall be in favour of any member or members of his family referred to in that rule; or
- (ii) the Government servant has no family as referred to in the explanation below sub-rule (6) of rule 45, the nomination may be made in favour of a person or persons, or a body of individuals, whether incorporated or not.

(3) If a Government servant nominates more than one person under sub-rule (2), he shall specify in the nomination the share payable to each of the nominees, in such manner as to cover the entire gratuity.

(4) 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 on 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 any person or a body of individuals, whether incorporated or not as alternate nominee or nominees;

(ii) that the nomination shall become invalid in the event of the happening of the contingency provided therein.

(5)(a) Where a Government servant has no family, as referred to in the explanation below sub-rule (6) of rule 45, at the time of making a nomination, the nomination made by the Government servant in favour of a person or a body of individuals under clause (ii) of proviso to sub-rule (2) shall become invalid in the event of the Government servant subsequently acquiring a family.

(b) Where a Government servant has only one member in his family at the time of making a nomination and a nomination has been made in his favour, in the event of the Government servant subsequently acquiring an additional member in the family, the alternate nomination made by the Government servant in favour of a person or a body of individuals under the second proviso to clause (i) of sub-rule (4), if any, shall become invalid but the nomination made by the Government servant in favour of a member of the family under clause (i) of proviso to sub-rule (2) shall not be affected.

(6) Nomination made by an unmarried Government servant, under clause (i) of sub-rule (2), in favour of any member of his family specified in the explanation below sub-rule (6) of rule 45 shall not become invalid on his or her marriage, unless the Government servant cancels the earlier nomination and files a fresh nomination in accordance with sub-rule (7).

(7) A Government servant may, at any time, cancel a nomination by sending a notice in writing to the Head of Office:

Provided that he shall, along with such notice, send a fresh nomination made in accordance with this rule.

(8) 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 (4) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (ii) of sub-rule (4), the Government servant shall send to the Head of Office a notice in writing cancelling the nomination together with a fresh nomination made in accordance with this rule.

(9)(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.

(b) The Head of Office shall, immediately on receipt of such nomination, verify that the nomination made by the Government servant is in accordance with the provisions of this rule and, if the Government servant has a family, the nomination made is in favour of one or more members of the family as referred to in the explanation below sub-rule (6) of rule 45. The Head of Office shall, thereafter, countersign the nomination indicating the date of receipt and keep it under his custody:

Provided that the Head of Office may authorise his subordinate Gazetted Officers to countersign nomination forms of non-gazetted Government servants.

(c) Suitable entry regarding receipt of nomination shall be made in the service book of the Government servant concerned.

(d) A duly signed copy of the nomination form shall be returned to the Government servant for keeping it in his safe custody.

(10) 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 Head of Office.

**47. Persons to whom gratuity is payable.-** (1)(a) The gratuity payable under rule 45 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) In case there is no such nomination or if the nomination made does not subsist, the gratuity shall be paid in the manner indicated below,—

(i) if there are one or more surviving members of the family as in clauses (i), (ii), (iii), (iv) and (v) of the explanation below sub-rule (6) of rule 45, to all such members in equal shares; or

(ii) if there are no such surviving members of the family as in sub-clause (i) above, but there are one or more members as in clauses (vi), (vii), (viii), (ix), (x) and (xi) of the explanation below sub-rule (6) of rule 45, to all such members in equal shares.

(2) In case a nominee pre-deceases the Government servant and the right conferred on that nominee has not been passed on to any other person under sub-rule (4) of rule 46 or the nomination made in respect of such person does not subsist or the nomination has become invalid on account of happening of any contingency mentioned therein, the share of gratuity in respect of such nominee shall be disbursed equally to all other members of the family who were eligible and alive on the date of death of the Government servant, including the members of the family in whose favour nomination has been made for payment of remaining amount of gratuity.

(3) In case a Government servant dies after retirement without receiving the retirement gratuity admissible under sub-rule (1) of rule 45, the gratuity shall be disbursed to the family in the manner indicated in sub-rule (1) of this rule.

(4) The right of a female member of the family, or that of a 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 the gratuity.

(5) Where gratuity is granted under rule 45 to a minor member of the family of the deceased Government servant, it shall be payable to the guardian on behalf of the minor.

(6) Payment of the minor's share of gratuity shall be made to the natural guardian of the minor, if any. In the absence of a natural guardian, the payment of minor's share of gratuity shall be made to the person who furnishes a certificate of guardianship.

(7) In the absence of a natural guardian, payment of an amount not exceeding twenty percent of minor's share of gratuity may be made to the guardian without the production of a guardianship certificate but on production of an indemnity bond in Format 7 and the balance amount of minor's share of gratuity may be paid to the guardian on production of the certificate of guardianship.

(8) If there are more than one member of the family eligible to receive gratuity under this rule and if a member of the family has not submitted his claim for gratuity in Form 9, the case for sanction of gratuity to him may be processed after his claim has been received and the case of other eligible members of the family for sanction of gratuity may be processed without linking it with the case of the family member who has not submitted the claim in Form 9.

**48. Debarring a person from receiving gratuity.-** (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 47, 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 murdering 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 (3) of rule 47.

Explanation.- For the purpose of this rule, the charge of murder or abetting in the murder of Government servant will include the charge of abetting death by suicide.

**49. Lapse of retirement gratuity and death gratuity.-** Where a Government servant dies while in service or after retirement without receiving the amount of gratuity and leaves behind no family and –

(a) has made no nomination, or

(b) the nomination made by him does not subsist,

the amount of retirement gratuity or death gratuity payable in respect of such Government servant under rule 45 shall lapse to the Government:

Provided that the amount of death gratuity or retirement gratuity shall be payable to the person in whose favour a Succession Certificate in respect of the gratuity in question has been granted by a Court of Law.

## CHAPTER VIII

### Family Pension

**50. Family Pension.-** (1) Where a Government servant dies,-

(i) after completion of one year of continuous service; or

(ii) before completion of one year of continuous service, provided the deceased Government servant concerned immediately prior to his appointment to the service or post was examined by the appropriate medical authority and declared fit by that authority for Government service; or

(iii) after retirement from service and was on the date of death in receipt of a pension, or compassionate allowance, referred to in these rules,

the family of the deceased shall be entitled to a family pension from the date following the date of death of the Government servant or the retired Government servant, as the case may be.

Explanation - 'Continuous service' means service rendered in a temporary or permanent capacity in a pensionable establishment and does not include period of suspension, if any and period of service, if any, rendered before attaining the age of eighteen years.

(2)(a)(i) Subject to sub-clause (ii) and sub-clause (iii), the amount of family pension shall be determined at a uniform rate of thirty per cent of pay subject to a minimum of nine thousand rupees per month and a maximum of seventy-five thousand rupees per month.

(ii) Where a Government servant dies while in service, the rate of family pension payable to the family shall be equal to fifty per cent of the pay and the amount so admissible shall be payable from the date following the date of death of the Government servant for a period of ten years.

(iii) In the event of death of a Government servant after retirement, the family pension as determined under sub-clause (ii) shall be payable for a period of seven years, or for a period up to the date on which the retired deceased Government servant would have attained the age of sixty seven years had he survived, whichever is less:

Provided that in no case the amount of family pension determined under this sub-clause shall exceed the pension authorised on retirement or dismissal from Government service:

Provided further that where the amount of pension authorised on retirement or dismissal is less than the amount of family pension admissible under sub-clause (i), the amount of family pension determined under this sub-clause shall be limited to the amount of family pension admissible under sub-clause (i).

(iv) The amount of family pension payable under sub-clause (ii) or sub-clause (iii) shall be subject to a minimum of nine thousand rupees per mensem and a maximum of one lakh twenty five thousand rupees per mensem.

Explanation.-1. Pay for the purpose of sub-clause (i) and sub-clause (ii) means (i) emoluments as referred to in rule 31 or (ii) average emoluments as referred to in rule 32, whichever is more.

Explanation.-2. For the purpose of sub-clause (iii), pension authorised on retirement includes the part of the pension which the retired Government servant may have commuted before death.

Explanation.-3. For the purpose of sub-clause (iii), the expression ‘pension authorised on retirement’ includes the pension authorised on compulsory retirement and compassionate allowance sanctioned on dismissal or removal from Government service.

(b) After the expiry of the period referred to in sub-clause (ii) and sub-clause (iii) of clause (a), the family, in receipt of family pension under those sub-clauses, shall be entitled to family pension at the rate admissible under sub-clause (i) of clause (a).

(3)(a) In addition to family pension admissible in accordance with sub-rule (2), additional family pension shall be payable to the family pensioner after completion of age of eighty years in the following manner:-

Sl. No.	Age of family pensioner	Additional family pension
(1)	(2)	(3)
(i)	From 80 years to less than 85 years	20 per cent of basic family pension.
(ii)	From 85 years to less than 90 years	30 per cent of basic family pension.
(iii)	From 90 years to less than 95 years	40 per cent of basic family pension.
(iv)	From 95 years to less than 100 years	50 per cent of basic family pension.
(v)	100 years or more	100 per cent of basic family pension.

(b) The additional family pension shall be payable from first day of the calendar month in which it falls due.

Illustration: A family pensioner born on 20<sup>th</sup> August, 1942 shall be eligible for additional family pension at the rate of twenty percent of the basic family pension with effect from 1<sup>st</sup> August, 2022. A family pensioner born on 1<sup>st</sup> August, 1942 shall also be eligible for additional family pension at the rate of twenty percent of the basic family pension with effect from 1<sup>st</sup> August, 2022.

(4) The amount of family pension admissible under sub-rule (2) and additional family pension admissible under sub-rule (3), where applicable, shall be fixed at monthly rates and shall be expressed in whole rupees and where the family pension or the additional family pension contains a fraction of a rupee, it shall be rounded off to the next higher rupee:

Provided that in no case a family pension under sub-rule (2) shall be allowed in excess of the maximum prescribed under this rule.

(5) (a) Where an award of family pension under the Central Civil Services (Extraordinary Pension) Rules, 1939 is authorised, no family pension under this rule shall be payable during the currency of award.

(b) Where a claim for an award of family pension under the Central Civil Services (Extraordinary Pension) Rules, 1939 is under consideration, a family pension may be authorised in accordance with these rules and if, subsequently, it is decided to authorise family pension under the Central Civil Services (Extraordinary Pension) Rules, 1939, a revised Pension Payment Authority shall be issued for payment of family pension under those Rules and the family pension authorised under these rules shall be discontinued.

(c) The family pension payable under this rule shall not be subject to any limitation with reference to the family pension admissible to a member of the family in respect of the same Government servant or pensioner for the service rendered by him in any other organisation, including the service rendered in the armed forces.

(6) The family pension shall be payable to the members of the family of the deceased Government servant or pensioner in the following order, namely:-

(i) subject to provisions of sub- rule (8), widow or widower, (including a post-retiral spouse and judicially separated wife or husband),

(ii) subject to provisions of sub-rule (9), children (including adopted children, step children and children born after retirement of the pensioner),

(iii) subject to provisions of sub-rule (10), dependent parents (including adoptive parents) of the deceased Government servant or pensioner,

(iv) subject to provisions of sub-rule (11), dependent siblings ( i.e. brother or sister) of the deceased Government servant or pensioner, suffering from a mental or physical disability,

Explanation.- For the purposes of this rule ‘widow’ and ‘widower’, shall mean a spouse, legally wedded to the deceased Government servant or the pensioner.

(7)(a) Subject to the proviso to clause (b), clauses (c), (d), (e), (f) and (g) of sub-rule (8) and clause (g), proviso to sub-clause (iii) of clause (h) and clause (k) of sub-rule (9), the family pension shall not be payable to more than one member of the family of the deceased Government servant or the pensioner at the same time.

(b) Where the family pension is payable to more than one member of the family at the same time, it will be paid in equal shares and if the share of the family pension contains a fraction of a rupee, it shall be rounded off to the next higher rupee:

Provided that a family pension in excess of the maximum prescribed under this rule shall not be allowed and if, as a result of rounding off fraction of a rupee on division of family pension among two or more members of the family, total amount of family pension exceeds the maximum prescribed under this rule, such fraction of a rupee shall be ignored.

(8)(a) If the deceased Government servant or the pensioner is survived by a widow or widower, family pension at the rate specified in sub-rule (2) shall be payable to such widow or widower, up to the date of death or re-marriage, whichever is earlier and the eligibility of widow or widower for family pension shall not be affected by the amount of her or his income from other sources.

(b) Where a deceased Government servant is survived by a childless widow, on re-marriage by the childless widow, family pension shall continue to be payable to her, if her income from all other sources is less than the amount of minimum family pension under sub-rule (2) and the dearness relief admissible thereon:

Provided that if, after re-marriage, income of childless widow from all other sources becomes equal to or exceeds the amount of minimum family pension under sub-rule (2) of this rule and the dearness relief admissible thereon, family pension payable to her shall be stopped and shall become payable to the other eligible member of the family, if any, of the deceased Government servant.

(c) Where the deceased Government servant or pensioner is survived by more widows than one, the family pension shall be paid to the widows in equal shares and on the death or ineligibility of a widow, her share of the family pension shall become payable to her child or children who fulfil the eligibility conditions mentioned in sub-rule (9).

(d) In case, the widow is not survived by any child, her share of the family pension shall not lapse but shall be payable to the other widows in equal shares, or if there is only one such other widow, in full, to her.

(e) Where the deceased Government servant or pensioner is survived by a widow without any child eligible for family pension but has left behind eligible child or children from another wife who is not alive, the child or children who fulfil the eligibility conditions mentioned in sub-rule (9) shall be entitled to the share of family pension which the mother would have received if she had been alive at the time of the death of the Government servant or pensioner and on the share or shares of family pension payable to such a child or children or to a widow or widows ceasing to be payable, such share or shares shall not lapse, but shall be payable to the other widow or widows and/or to other child or children otherwise eligible in accordance with sub-rule (9), in equal shares, or if there is only one widow or child, in full, to such widow or child:

Provided that if the deceased Government servant or pensioner is survived by the widow with child or children eligible for family pension, on the share of family pension payable to the widow ceasing to be payable, such share shall be payable to her child or children in accordance with clause (c) and sub-rule (9).

(f) Where the deceased Government servant or pensioner is survived by a widow without any child eligible for family pension but has left behind eligible child or children from a divorced wife or wives, the child or children who fulfil the eligibility conditions mentioned in sub-rule (9) shall be entitled to the share of family pension which the mother would have received at the time of the death of the Government servant or pensioner had she not been so divorced. On the share or shares of family pension payable to such a child or children or to a widow or widows ceasing to be payable, such share or shares, shall not lapse, but shall be payable to the other widow or widows and/or to the other child or children otherwise eligible in accordance with sub-rule (9), in equal shares, or if there is only one widow or child, in full, to such widow or child:

Provided that if the deceased Government servant or pensioner is survived by the widow with child or children eligible for family pension, on the share of family pension payable to the widow ceasing to be payable, such share shall be payable to her eligible child or children in accordance with clause (c) and sub-rule (9).

(g) Where the deceased Government servant or pensioner is survived by a widow without any child eligible for family pension but has left behind eligible child or children from a void or voidable marriage, the child or children from the void or voidable marriage who fulfil the eligibility conditions mentioned in sub-rule (9) shall be entitled to the share of family pension which the mother would have received at the time of the death of the Government servant or pensioner had the marriage not been void or voidable and on the share or shares of family pension payable to such a child or children or to a widow ceasing to be payable, such share or shares, shall not lapse, but shall be payable to the widow or to the child or children otherwise eligible, in equal shares, or if there is only one widow or child, in full, to such widow or child.

Provided that if the deceased Government servant or pensioner is survived by the widow with child or children eligible for family pension, on the share of family pension payable to the widow ceasing to be payable, such share shall be payable to her eligible child or children in accordance with clause (c) sub-rule (9).

(h) Where a male Government servant or pensioner or female Government servant or pensioner dies leaving behind a judicially separated widow or widower and no child or children, the family pension in respect of the deceased shall be payable to the person surviving.

(i) Where a male Government servant or pensioner or female Government servant or pensioner dies leaving behind a judicially separated widow or widower with a minor child or children or a child or children suffering from disorder or disability of mind including the mentally retarded, the family pension in respect of deceased shall be payable to the surviving person provided he or she is the guardian of such child or children and if the surviving person ceases to be the guardian of such child or children, such family pension shall be payable to the person who is the actual guardian of such child or children:

Provided that where the minor child, after attaining the age of majority, remains eligible for family pension, the family pension shall become payable to such child from the date on which he attains the age of majority and after the child ceases to be eligible for family pension under this rule, such family pension shall become payable to the surviving judicially separated spouse of the deceased Government servant till his or her death or remarriage, whichever is earlier.

(j) Where a male Government servant or pensioner or female Government servant or pensioner dies leaving behind a judicially separated widow or widower with a child who has attained the age of majority but is eligible for family pension, the family pension shall become payable to such child after the death of the Government servant. After the child or children cease to be eligible for family pension under this rule, such family pension shall become payable to the surviving judicially separated spouse of the deceased Government servant till his or her death or remarriage, whichever is earlier.

(k) It shall be the duty of a childless widow after her re-marriage to furnish a certificate to the Pension Disbursing Authority once in a year that she has not started earning her livelihood.

**Explanation.-** For the purposes of this rule, a childless widow shall be deemed to be earning her livelihood if her income from other sources is equal to or more than the minimum family pension under sub-rule (2) of this rule and the dearness relief admissible thereon.

(9)(a) If the deceased Government servant or the pensioner is not survived by a widow or widower or if the widow or widower dies or ceases to be eligible for family pension, family pension at the rate specified in sub-rule (2) shall be payable to the child or children who fulfil the following conditions:

(i) In the case of a son (other than a son suffering from a mental or physical disability) (including adopted son, step son and son born after retirement of the pensioner) – unmarried, below the age of twenty five years and not earning his livelihood;

- (ii) In the case of a daughter (other than a daughter suffering from a mental or physical disability) (including adopted daughter, step daughter and daughter born after retirement of the pensioner) – unmarried or widowed or divorced and not earning her livelihood
  - (iii) In the case of a son or daughter suffering from a mental or physical disability (including adopted son or daughter, step son or daughter and son or daughter born after retirement of the pensioner) – not earning his or her livelihood.
- (b) A son or a daughter, other than a son or a daughter suffering from a mental or physical disability, shall be deemed to be earning his or her livelihood if his or her income from other sources is equal to or more than the minimum family pension under sub-rule (2) of this rule and the dearness relief admissible thereon.
- (c) A child suffering from a mental or physical disability shall be deemed to be not earning his or her livelihood, if his or her overall income from sources other than family pension is less than the entitled family pension under sub-clause (i) of clause (a) of sub-rule (2) of this rule and the dearness relief admissible thereon, payable on death of the Government servant or pensioner concerned.
- (d) Where a deceased Government servant or pensioner leaves behind more children than one, family pension shall first be payable to children below the age of twenty-five years, who fulfil the eligibility conditions for grant of family pension, in the order of their birth.
- (e) The elder child shall be entitled to the family pension till he or she has attained the age of twenty-five years or has got married or remarried or has started earning his or her livelihood, whichever is the earliest and the younger of the children will be eligible for family pension after the elder next above him or her has attained the age of twenty-five years or has got married or remarried or has started earning his or her livelihood or has died.
- (f) Where family pension is granted under this rule to a minor, it shall be payable to the minor through the guardian.
- (g) Where the family pension is payable to twin children it shall be paid to such children in equal shares and when one such child ceases to be eligible, his or her share shall revert to the other child and when both of them cease to be eligible the family pension shall be payable to the next eligible single child or twin children.
- (h) Where a deceased Government servant or pensioner is not survived by a son or daughter below the age of twenty-five years and eligible for family pension or where such son or daughter has died or has ceased to be eligible for family pension, the family pension shall be payable for life to a son or daughter who is suffering from any disorder or disability of mind including the mentally retarded or is physically disabled or suffering from any other disability referred to in the Rights of Persons with Disabilities Act, 2016 (49 of 2016) so as to render him or her unable to earn a living even after attaining the age of twenty-five years, subject to the following conditions, namely:-
- (i) the disability existed before the death of the Government servant or pensioner and his or her spouse;
  - (ii) if such son or daughter is one among two or more children of the Government servant, the family pension shall be initially payable to the children below the age of twenty-five years in the order set out in clause (d) until the last child attains the age of twenty-five and thereafter the family pension shall be resumed in favour of the son or daughter suffering from a disability referred to in clause (h) and shall be payable to him or her, for life;
  - (iii) if there are more than one such children suffering from a disability referred to in clause (e), the family pension shall be paid in the order of their birth and the younger of them will get the family pension only after the elder next above him or her ceases to be eligible or dies:
- Provided that where the family pension is payable to such twin children it shall be paid in the manner set out in clause (d);
- (iv) the family pension shall be paid to a son or daughter, who is suffering from any disorder or disability of mind including the mentally retarded, through the guardian as if he or she were a minor except in the case of the physically disabled son or daughter who has attained the age of majority;
  - (v) before allowing the family pension for life to any such son or daughter, the appointing authority shall satisfy that the disability is of such a nature so as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from,-
- (A) an authority competent to issue disability certificate in accordance with the Rights of Persons with Disabilities Act, 2016 (49 of 2016), the Rights of Persons with Disabilities Rules, 2017 and the guidelines and notifications issued by the Central Government or a State Government or a Union territory administration; or
  - (B) a Medical Board comprising of a Medical Superintendent or a Principal or a Director or Head of the Institution or his nominee as Chairman and two other members, out of which at least one shall be a Specialist in the particular area of disability, setting out, as far as possible, the exact mental or physical condition of the child.

(vi) the person receiving the family pension as guardian of such son or daughter or such son or daughter not receiving the family pension through a guardian shall produce a certificate, from,-

- (A) an authority competent to issue disability certificate in accordance with the Rights of Persons with Disabilities Act, 2016 (49 of 2016), the Rights of Persons with Disabilities Rules, 2017 and the guidelines and notifications issued by the Central Government or a State Government or a Union territory administration; or
- (B) a Medical Board comprising of a Medical Superintendent or a Principal or a Director or Head of the Institution or his nominee as Chairman and two other members, out of which at least one shall be a Specialist in the particular area of disability including mental retardation,

once, if the disability is permanent and if the disability is temporary, once in every five years, to the effect that he or she continues to suffer from a disability referred to in clause (h);

(vii) in the case of a mentally retarded son or daughter, the family pension shall be payable to a person nominated by the Government servant or the pensioner, as the case may be, and in case no such nomination has been furnished to the Head of Office by such Government servant or pensioner during his lifetime, to the person nominated by the spouse of such Government servant or family pensioner, as the case may be, later on and the Guardianship Certificate issued under section 14 of the National Trust Act, 1999 (44 of 1999), by a local level Committee, shall also be accepted for nomination or appointment of guardian for grant of family pension in respect of the person suffering from Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities as indicated in the said Act;

(i) Marriage by a child who is suffering from a disability referred to in clause (h) shall not render him or her ineligible for family pension under this sub-rule;

(j) Where a deceased Government servant or pensioner is not survived by a son or daughter eligible for family pension under clause (d) or clause (h) or if a son or daughter eligible for family pension under clause (d) or clause (h) dies or ceases to fulfil the eligibility conditions for family pension prescribed in those clauses, the family pension shall be granted or continued to be payable to an unmarried or widowed or divorced daughter beyond the age of twenty-five years for life or until she gets married or re-married or until she starts earning her livelihood, whichever is the earliest subject to the following conditions, namely:-

- (i) the family pension shall be initially payable to the children in the order set out in clause (d) until the last child attains the age of twenty-five years;
- (ii) there is no disabled child eligible to receive family pension in accordance with clause (e);
- (iii) the unmarried or widowed or divorced daughter was dependant on her parent or parents when he or she or they were alive;
- (iv) where a deceased Government servant or pensioner leaves behind more than one unmarried or widowed or divorced daughter beyond the age of twenty-five years, family pension shall first be payable to such daughter, who fulfil the eligibility conditions for grant of family pension under this sub-rule, in the order of their birth;
- (v) The elder daughter shall be entitled to the family pension till she has got married or remarried or has started earning her livelihood, whichever is earlier and the younger of the daughters will be eligible for family pension after the elder next above her has got married or remarried or has started earning his or her livelihood or has died;
- (vi) in the case of widowed daughter, death of her husband and in the case of divorced daughter, her divorce took place during the lifetime of the Government servant or pensioner or his or her spouse:

Provided that the family pension shall be payable to a divorced daughter from the date of divorce if the divorce proceedings were filed in a competent court during the life time of the Government servant or pensioner or his or her spouse but the divorce took place after their death:

Provided further that if, consequent on the death of the Government servant or pensioner and his or her spouse, the family pension to any other eligible member of the family has become payable before the date of divorce of daughter, the family pension to such divorced daughter shall not commence before the aforesaid member of the family ceases to be eligible for family pension or dies;

(k) Where a deceased Government servant or pensioner leaves behind children from more than one widow or from a widow and a divorced wife or from a widow or a divorced wife and void or voidable marriage, the child or children who fulfil the eligibility conditions mentioned in this sub-rule shall be entitled to the share of family pension which their mother would have received at the time of the death of the Government servant or pensioner if she had been alive or if she had not been so divorced or if the marriage had not been void or voidable, as the case may be.

(l) Where there are more than one child from a widow or a divorced wife and void or voidable marriage, the share of family pension to such children shall be payable in the manner specified in this sub-rule.

(m) Where the share or shares of family pension payable to such a child or children ceasing to be payable, such share or shares, shall not lapse, but shall be payable to the child or children from other widow or divorced wife or void or voidable marriage, otherwise eligible, in equal shares, or if there is only one child, in full, to such child.

Explanation.- The expressions ‘son’ or ‘daughter’ will include a posthumous son or posthumous daughter, respectively.

(n) An unmarried son or an unmarried or widowed or divorced daughter, except a disabled son or daughter, shall become ineligible for family pension from the date he or she gets married or remarried.

(o) The family pension payable to a son or a daughter shall be stopped if he or she starts earning his or her livelihood.

(p) It shall be the duty of son or daughter or the guardian to furnish a certificate to the Pension Disbursing Authority once in a year that,-

(i) he or she has not started earning his or her livelihood; and

(ii) he or she has not yet married or remarried and a similar certificate shall be furnished by the son or daughter suffering from a mental or physical disability to the Pension Disbursing Authority once in a year that he or she has not started earning his or her livelihood.

(10)(a) Where a deceased Government servant or pensioner is not survived by a widow or widower or a child eligible for family pension or if the widow or widower and all children cease to be eligible for family pension, the family pension at the rate specified in sub-rule (2) shall be payable to the parents for life, if the parents were dependent on the Government servant or pensioner immediately before his or her death.

(b) The family pension, wherever admissible to parents will be payable to the mother of the deceased Government servant or pensioner failing which to the father of the deceased Government servant or pensioner.

Explanation.- Parents shall be deemed to be dependent on the Government servant if their combined income is less than the minimum family pension under sub-rule (1) of this rule and the dearness relief admissible thereon.

(c) It shall be the duty of parents to furnish a certificate to the Pension Disbursing Authority once in a year that they have not started earning their livelihood and the family pension payable to parents shall be stopped if they start earning their livelihood.

(11)(a) Where a deceased Government servant or pensioner is not survived by a widow or widower or a child or parents eligible for family pension or if the widow or widower, children and parents of the Government servant or pensioner cease to be eligible for family pension, the family pension at the rate specified in sub-rule (2) shall be payable to the dependent siblings suffering from a mental or physical disability, of the Government servant or pensioner for life if the siblings were wholly dependent upon the Government servant or pensioner immediately before his or her death.

(b) Such a sibling shall be eligible for family pension for life in the same manner and subject to same eligibility conditions and following the same disability criteria, as laid down in clause (h) and clause (i) of sub-rule (9) in the case of son or daughter of a Government employee or pensioner suffering from any disability referred to in clause (h), so as to render him or her unable to earn a living even after attaining the age of twenty-five years:

Provided that the family pension to such sibling shall be payable if the disability existed before the death of the Government servant or pensioner.

Explanation.- A sibling suffering from a mental or physical disability shall be deemed to be dependent on the Government servant if his or her overall income from sources other than family pension is less than the entitled family pension under sub-clause (i) of clause (a) of sub-rule (2) of this rule and the dearness relief admissible thereon, payable on death of the Government servant/pensioner concerned.

(c) It shall be the duty of such a sibling to furnish a certificate to the Pension Disbursing Authority once in a year that he or she has not started earning his or her livelihood and the family pension payable to such a sibling shall be stopped if he or she starts earning his or her livelihood.

Explanation.- For the purpose of this rule,-

(a) a member of the family, other than a child or a sibling, suffering from a mental or physical disability, shall be deemed to be earning his or her livelihood if his or her income from other sources is equal to or more than the minimum family pension under sub-rule (2) of this rule and the dearness relief admissible thereon.

(b) in the case of a child or a sibling suffering from a mental or physical disability shall be deemed to be not earning his or her livelihood, if his or her overall income from sources other than family pension is less than the entitled family pension under sub-clause (i) of clause (a) of sub-rule (2) of this rule and the dearness relief admissible thereon, payable on death of the Government servant or pensioner concerned.

(12)(a) The family pension admissible to a person consequent on death of a Government servant or pensioner shall not be considered as income for the purpose of determination of eligibility for a family pension under this rule consequent on death of another Government servant or pensioner, subject to the condition that the sum of both the family pensions shall not exceed the limits specified in sub-rule (13).

(b) (i) In order to decide the eligibility for family pension under this rule, a member of the family, other than the widow or widower of the deceased Government servant or pensioner, shall be required to submit, along with the claim for family pension, a copy of the last Income Tax Return filed by the said member of the family with the Income Tax Department.

(ii) In case the said member of the family informs that he or she has not filed the Income Tax Return with the Income Tax Department, he or she shall submit a certificate of income from a sub-divisional magistrate.

(iii) In case the member of the family is not able to submit either a copy of the Income Tax Return or a certificate of income from a sub-divisional magistrate, the Head of Office may rely on any other document produced by the said member of the family in support of his or her claim regarding income and decide the eligibility of the said member of the family for family pension accordingly.

(c) A person, while claiming family pension on death of a Government servant or a pensioner or a family pensioner, shall indicate against the specific column in Form 10 whether or not he or she is already in receipt of a family pension in respect of another Government servant or pensioner and, if so, the amount of family pension being received by him or her.

(d) The Head of Office, while determining the amount of family pension payable to such person, shall take into account the information furnished by the claimant in this regard and ensure that the sum of family pensions payable to that person does not exceed the limits specified in sub-rule (13).

(13) 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 the two family pensions in respect of the deceased parents, subject to the limits specified below, namely,-

(i) if the surviving child or children is or are eligible to draw two family pensions at the rate mentioned in sub-clause (ii) or sub-clause (iii) of clause (a) of sub-rule (2), the amount of both the family pensions shall be limited to one lakh twenty-five thousand rupees per mensem;

(ii) if one of the family pensions ceases to be payable at the rate mentioned in sub-clause (ii) or sub-clause (iii) of clause (a) of sub-rule (2), and in lieu thereof the family pension at the rate mentioned in sub-clause (i) of clause (a) of sub-rule (2) becomes payable, the amount of both the pensions shall also be limited to one lakh twenty-five thousand rupees per mensem;

(iii) if both the family pensions are payable at the rates mentioned in sub-clause (i) of clause (a) of sub-rule (2), the amount of two family pensions shall be limited to seventy-five thousand rupees per mensem.

(14)(a) A child of a Government servant or a pensioner, while claiming family pension on death of the said Government servant or pensioner, shall indicate against the specific column in Form 10 whether or not he or she is eligible for another family pension under this rule in respect of the other parent and, if so, the amount of family pension admissible to him or her from that source.

(b) The Head of Office, while determining the amount of family pension payable to such person, shall take into account the information furnished by the claimant in this regard and ensure that the sum of family pensions payable to that person in respect of both parents does not exceed the limits specified in sub-rule (13).

(c) If a person, who in the event of death of a 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 family pension shall not be paid to such a person till the conclusion of the criminal proceedings instituted against him.

(d) During the period the family pension is not paid to a person under clause (c), the family pension shall be paid to other eligible member of the family, if any, from the date following the date of death of the Government servant:

Provided that if the spouse of the Government servant is charged with the offence of murdering the Government servant or for abetting in the commission of such an offence and the other member of the family eligible for family pension is a minor child of the deceased Government servant, the family pension to such minor child shall be payable through a duly appointed guardian, and the mother or father of the minor child shall not act as guardian for the purpose of drawal of family pension.

(e) If on the conclusion of the criminal proceedings referred to in clause (c), the person concerned,-

- (i) 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 continued to be paid to other eligible member of the family, if any;
- (ii) is acquitted of the charge of murder or abetting in the murder of the Government servant, the family pension shall become payable to such a person from the date of such acquittal and the family pension to other member of the family shall be discontinued from that date:

Provided that if there was no other eligible member of the family or the family pension ceased to be payable to the other eligible member of the family before the date of acquittal of the person concerned, the family pension shall be payable to such a person from the date following the date of death of the Government servant or from the date on which family pension ceased to be payable to the other eligible member of the family, as the case may be.

- (f) The provisions of clause (c) to clause (e) shall also apply for the family pension becoming payable on the death of a Government servant after his retirement.

**Explanation.-** For the purpose of this sub-rule, the charge of murdering or abetting in the murder of Government servant will include the charge of abetting death by suicide.

**15(a)(i)** As soon as a Government servant enters Government service, he shall give details of his family in Form 4 to the Head of Office, which shall include all relevant details relating to spouse, all children, parents and disabled siblings (whether or not eligible for family pension).

(ii) If the Government servant has no family, he shall furnish the details in Form 4 as soon as he acquires a family.

(b) The Government servant shall communicate to the Head of Office any subsequent change in the size of his family, including the fact of marriage of his child.

(c) As and when the disability referred to in clause (h) of sub-rule (9) manifests itself in a child or dependant sibling which makes him or her unable to earn his or her living, the fact shall be brought to the notice of the Head of Office duly supported by a Medical Certificate from, -

(i) an authority competent to issue disability certificate in accordance with the Rights of Persons with Disabilities Act, 2016 (49 of 2016), the Rights of Persons with Disabilities Rules, 2017 and the guidelines and notifications issued by the Central Government or a State Government or a Union territory administration; or

(ii) a Medical Board comprising of a Medical Superintendent or a Principal or a Director or Head of the Institution or his nominee as Chairman and two other members, out of which at least one shall be a Specialist in the particular area of disability including mental retardation.

(d) (i) The Head of Office shall, on receipt of the said Form 4 verify that it has been properly filled by the Government servant in accordance with this rule and acknowledge receipt of the said Form 4 indicating the date of its receipt and get it pasted on the service book of the Government servant concerned and all further communications received from the Government servant in this behalf shall also be acknowledged by the Head of Office indicating the date of their receipt;

(ii) The Head of Office on receipt of communication from the Government servant regarding any change in the size of family shall have such a change incorporated in Form 4 under his signature and the fact regarding disability or change of marital status of a family member shall be indicated in the ‘Remarks’ column of Form 4;

(e) The Government servant shall submit the up to date details of the family in Form 4 again along with the pension papers, before retirement from Government service.

(f) Where a Government servant marries or remarries or a child is born to the Government servant after retirement, he shall give an intimation to this effect to the Head of Office in Form 5 along with a copy of the marriage certificate or birth certificate, as the case may be, from an authority competent to issue such certificate.

(g) Where the family of a Government servant undergoes a change after his retirement rendering a member of the family to be eligible for family pension on account of events such as birth of a child or disability of a child or sibling or divorce of a daughter or death of husband of a daughter, the retired Government servant or, if the Government servant has already died, his or her spouse or any other member of the family in receipt of the family pension, may give an intimation to this effect along with the supporting documents to the Head of Office and the Head of Office shall return a copy of the intimation acknowledging the receipt of the said intimation.

(h) The details of the following members of the family shall be included in Form 4,-

- (i) Wife or husband, including a judicially separated wife or husband;

- (ii) Son or daughter, whether or not eligible for family pension on the date of submission of Form 3 and the details of all children (including those from a deceased or divorced wife or from a void or voidable marriage);
- (iii) Parents;
- (iv) Disabled siblings.

(i) The claim of a member of the family of the deceased Government servant shall not be rejected on the ground that the details of such member of the family are not available in Form 4 or office records, if the Head of Office is otherwise satisfied about the eligibility of the member of the family for grant of family pension under these rules.

(16) Nothing contained in this rule shall apply to a re-employed Government servant who had retired from civil service or military service if, on such reemployment, he is not eligible for a pension or service gratuity under these rules.

**51. Entitlements of family of a missing Government servant or pensioner or family pensioner.-** (1)(a) In the case of a Government servant who goes missing, family pension shall be payable to a member or members of the family at a rate specified in sub-rule (2) of rule 50, and in the manner and subject to the eligibility conditions as applicable in the case of death of a Government servant during service.

(b) The family pension under clause (a) shall be payable from the date following the date up to which leave was sanctioned to the Government servant before he went missing or from the date up to which pay and allowances have been paid to the Government servant or from the date on which a report has been lodged with the concerned Police Station in the form of First Information Report or a Daily Diary Entry or a General Diary Entry, whichever is the latest.

(2)(a) In the case of a pensioner who goes missing, family pension shall be payable to an eligible member or members of the family at a rate specified in sub-rule (2) of rule 50, and in the manner and subject to the eligibility conditions as applicable in the case of death of a pensioner.

(b) The family pension under clause (a) shall be payable from the date following the date up to which pension has been paid to the pensioner who went missing or from the date on which a report was lodged with the concerned Police Station in the form of First Information Report or a Daily Diary Entry or a General Diary Entry, whichever is later.

(3)(a) In the case of a family pensioner who goes missing, family pension shall be payable to a member of the family who is eligible to receive the family pension after the death of the family pensioner, at a rate specified in sub-rule (2) of rule 50, and in the manner and subject to the eligibility conditions as applicable on death of a family pensioner.

(b) The family pension under clause (a) shall be payable from the date following the date up to which family pension has been paid to the family pensioner before he went missing or from the date on which a report was lodged with the concerned Police Station in the form of First Information Report or a Daily Diary Entry or a General Diary Entry, whichever is later.

(4) In the case of a Government servant who goes missing or a retired Government servant who goes missing without receiving the retirement gratuity admissible under sub-rule (1) of Rule 45, the amount of retirement gratuity shall be payable to a member or members of the family in the manner and subject to the conditions applicable in the case of a Government servant who dies after retirement without receiving the retirement gratuity.

(5)(a) Claims for payment of family pension and gratuity shall be submitted to the Head of Office by the member or members of the family eligible for family pension and nominees or members of family eligible to receive the amount of gratuity, after a report has been lodged with the concerned Police Station in the form of a First Information Report or a Daily Diary Entry or a General Diary Entry.

(b) The claims shall be accompanied by an Indemnity Bond in Format 8 along with a copy each of the report lodged with the concerned Police Station and the report obtained from the police to the effect that the Government servant or pensioner or family pensioner could not be traced so far despite all efforts made in that regard.

(6) In the case of a Government servant referred to in clause (a) of sub-rule (1), the pay for family pension and emoluments for retirement gratuity shall be determined in accordance with Explanation-1 below sub-rule (2) of rule 50 and sub-rule (6) of rule 45, respectively, based on the pay and emoluments on the last date on which he was on duty before he went missing or, if he was on leave, the date on which leave sanctioned to him expired.

(7) In the case of a retired Government servant referred to in sub-rule (4) the emoluments for the purpose of retirement gratuity shall be reckoned in accordance with sub-rule (6) of rule 45.

(8)(a) The payment of family pension (including the arrears of family pension for the period from the date specified in sub-rule (1) or sub-rule (2) or sub-rule (3), as the case may be, up to the date of commencement of payment of family pension) and the amount of gratuity shall not be made before the expiry of a period of six months from the date of lodging of report with the concerned Police Station:

Provided further that if the payment of gratuity is delayed and the delay is attributable to administrative lapses or reasons, interest shall be payable for the period of delay beyond a period of six months from the date of submission of claim and responsibility shall be fixed for such delayed payment of gratuity, in accordance with rule 65.

(b) In the case of a Government servant referred to in clause (a) of sub-rule (1), death gratuity shall become payable after the death of the Government servant is conclusively established or on expiry of a period of seven years from the date of lodging of the report with the police, whichever is earlier.

(c) The difference between the amount of death gratuity and retirement gratuity shall be paid to the person or persons eligible for payment of death gratuity in accordance with these rules, not later than three months from the date of submission of claim for difference between the amount of death gratuity and retirement gratuity.

(d) If the payment of difference between the amount of death gratuity and retirement gratuity is delayed and the delay is attributable to administrative lapses or reasons, interest shall be payable for the period of delay beyond a period of six months from the date of submission of claim for difference between the amount of death gratuity and retirement gratuity.

(9) In addition to the family pension and retirement gratuity, the family of the Government servant shall also be entitled to receive arrears of pay and allowances or leave salary, if any, cash equivalent to leave salary and amount available in the General Provident Fund Account of the Government servant in accordance with the rules as applicable to a Government servant who dies during service.

(10) Nothing in this rule shall apply in the case of a Government servant or a pensioner or a family pensioner who disappears and against whom allegation of fraud or embezzlement or any other crime is under investigation or who has been charged or convicted for such crimes.

(11) No payment under this rule shall be authorised to be paid to a person or persons other than a member or members of the family eligible to receive that payment.

## CHAPTER IX

### Dearness Relief

**52. Dearness Relief on Pension and Family Pension .-** (1) Relief against price rise may be granted to the pensioners, including the persons drawing compassionate allowance under rule 41 and family pensioners, in the form of dearness relief at such rates and subject to such conditions as the Central Government may specify from time to time.

(2) If a pensioner drawing pension or compassionate allowance under these rules is re-employed under the Central Government or State Government or a Corporation or Company or Body or Bank under them in India or abroad including permanent absorption or immediate absorption in such Corporation or Company or Body or Bank, he shall not be eligible to draw dearness relief on the pension or compassionate allowance during the period of such re-employment or permanent absorption or immediate absorption:

Provided that the dearness relief shall continue to be payable to a pensioner on re-employment or on permanent absorption or immediate absorption if,-

- (i) before such re-employment, including permanent absorption or immediate absorption, he was not holding a post included or classified as Group 'A'; and
- (ii) in accordance with the relevant rules or orders, his pay was fixed at the minimum of the scale of pay of the post in which he was so re-employed or absorbed and such minimum of the scale of pay was less than the pay which he was drawing immediately before his retirement or absorption; and
- (iii) while fixing his pay in the post in which he was so re-employed or absorbed, the entire amount of pension sanctioned by the Central Government was ignored.

(3) For claiming dearness relief on pension or compassionate allowance, a pensioner who is re-employed, including permanent absorption or immediate absorption, under the Central or State Government or a Corporation or Company or Body or Bank under them in India or abroad, shall be required to obtain a certificate from the said Central or State Government Department or office or the Corporation or the Company or the Body or the Bank to the effect that,-

- (i) the re-employed pensioner or absorbee pensioner was holding a civil post not included or classified as Group 'A' in the Central Government before such re-employment; and
- (ii) the pay of the re-employed pensioner or absorbee pensioner was fixed at the minimum of the pay scale of the post in which he is so re-employed or absorbed and such minimum of the pay scale is less than the pay which the pensioner was drawing immediately before his retirement or absorption; and

- (iii) the entire amount of pension or compassionate allowance sanctioned by the Central Government was ignored in fixation of the pay on re-employment or absorption and no part of the pension or compassionate allowance was taken into account in such fixation of pay in the pay scale of the post in which the pensioner is re-employed or absorbed.
- (4) Nothing in sub-rule (2) or sub-rule (3) shall be applicable in the case of a family pensioner who is employed under the Central or State Government or a Corporation or Company or Body or Bank under them in India or abroad and is eligible to draw a family pension from the Government in respect of a deceased member of his family in accordance with rule 50 and such family pensioner shall continue to be eligible to draw dearness relief on family pension during the period of such employment in accordance with sub-rule (1).

## CHAPTER X

### Determination and authorisation of the amounts of pension and gratuity

**53. Processing of pension cases in the online pension sanctioning system.**—(1) Unless otherwise exempted by a general or special order of the Government, the pension case of a Government servant shall be processed through 'Bhavishya'.

(2)(a) In the case of a department or office or person exempted from the purview of Bhavishya in accordance with sub-rule (1), the details or documents in respect of the person due to retire shall be transmitted in physical mode and his pension case shall be processed manually.

(b) In a case or cases where a particular action or activity cannot be performed under Bhavishya, such action or activity shall be performed manually.

**54. Preparation of list of Government servants due for retirement.**—(1) Every Head of Department shall have a list prepared by 15<sup>th</sup> day of every month, of all Government servants who are due to retire within the next fifteen months of that date.

(2) A copy of every such list shall be supplied to the Accounts Officer concerned before the last day of every month.

(3) In the case of a Government servant retiring for reasons other than by way of superannuation, the Head of Office shall inform the Accounts Officer concerned not later than ten days from the date of issue of order regarding retirement of Government servant.

**55. Intimation to the Directorate of Estates regarding issue of "No Demand Certificate".**—(1) Immediately after preparing the list of Government servants due to retire within the next fifteen months, the Head of Office shall obtain from each such Government servant, who was or is in occupation of a Government accommodation (hereinafter referred to as the allottee), the complete details regarding the Government accommodation, as prescribed by the Directorate of Estates and shall send these details to the Directorate of Estates, at least one year before the anticipated date of retirement of the Government servant for issuing a 'No demand certificate' in respect of the period preceding eight months of the retirement of the allottee.

(2) Immediately after the orders for retirement of a Government servant for reasons other than by way of superannuation, the Head of Office shall also obtain from such Government servant, the details regarding the Government accommodation held by him from time to time, if any.

(3) The Head of Office shall, within ten days of receipt of the details from the Government servant, send these details to the Directorate of Estates along with a copy of intimation sent by him to the Accounts Officer under sub-rule (3) of rule 54 for issuing a 'No demand certificate', if the Government servant concerned was or is an allottee of Government accommodation.

(4) A Government servant, referred to in sub-rule (1), if he is not in occupation of any residential accommodation and had also not been allotted any residential accommodation during his service, shall submit a declaration to the Head of Office to this effect one year before his retirement on superannuation.

(5) A Government servant, referred to in sub-rule (2), if he is not in occupation of any residential accommodation and had also not been allotted any residential accommodation during his service, shall submit a declaration to the Head of Office to this effect immediately after the competent authority has approved such retirement or the retirement has become effective, as the case may be.

(6) The Head of Office, after verification of the records, shall issue the 'No Demand Certificate' in respect of a Government servant referred to in sub-rule (4) and sub-rule (5). No separate 'No Demand Certificate' from the Directorate of Estates shall be necessary in such a case.

**Explanation.**— The term 'Directorate of Estates', wherever occurring in these rules, shall also include any other office or agency concerned with allotment and maintenance of accommodation for Government servants in a Department or office.

**56. Preparation for processing of pension case.**— Every Head of Office shall undertake the preparatory work for processing of pension case one year 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.

**57. Stages for the processing of pension case on superannuation.**— (1) The Head of Office shall divide the period of preparatory work of one year referred to in Rule 56 in the following three stages, namely:—

(a) First Stage. — Verification of service,—

- (i) the Head of Office shall go through the service book of the Government servant and satisfy himself as to whether the certificates of verification for the service subsequent to the service verified under rule 30 are recorded therein;
- (ii) in respect of the unverified portion or portions of service, he shall verify the portion or portions of such service, as the case may be, based on pay bills, acquittance rolls or other relevant records, such as last pay certificate and pay slip for month of April (which shows verification of service for the previous financial year) and record necessary certificates in the service book;
- (iii) If the service for any period is not capable of being verified in the manner specified in sub-clause (i) and sub-clause (ii), that period of service having been rendered by the Government servant in another office or Department, the Head of Office under which the Government servant is at present serving shall refer the said period of service to the Head of Office in which the Government servant is shown to have served during that period for the purpose of verification;
- (iv) on receipt of communication referred to in sub-clause (iii), the Head of Office in that office or Department shall verify the portion or portions of such service, in the manner as specified in sub-clause (ii), and send necessary certificates to the referring Head of Office within two months from the date of receipt of such a reference:

Provided that in case a period of service is incapable of being verified, it shall be brought to the notice of the referring Head of Office simultaneously;

- (v) if no response is received within the time referred to in the preceding sub-clause, such period or periods shall be deemed to qualify for pension;
- (vi) if at any time thereafter, it is found that the Head of Office and other concerned authorities had failed to communicate any non-qualifying period of service, the Secretary of the administrative Ministry or Department shall fix responsibility for such non-communication;
- (vii) the process specified in sub-clauses (i), (ii), (iii), (iv) and (v) shall be completed eight months before the date of superannuation;
- (viii) if any portion of service rendered by a Government servant is not capable of being verified in the manner specified in sub-clause (i) or sub-clause (ii) or sub-clause (iii) or sub-clause (iv) or sub-clause (v), the Government servant shall be asked to file a written statement on plain paper within a month, stating that he had in fact rendered service for that period, and shall, at the foot of the statement, make and subscribe to a declaration as to the truth of that statement;
- (ix) the Head of Office shall, after taking into consideration the facts in the written statement referred to in sub-clause (viii) admit that portion of service as having been rendered for the purpose of calculating the pension of that Government servant; and
- (x) if a Government servant is found to have given any incorrect information wilfully, which makes him or her entitled to any benefits which he or she is not otherwise entitled to, it shall be construed as a grave misconduct.

(b) Second Stage.— Making good the omissions in the service book,—

- (i) the Head of Office while scrutinising the certificates of verification of service, shall also identify if there are any other omissions, imperfections or deficiencies which have a direct bearing on the determination of emoluments and the service qualifying for pension;
- (ii) every effort shall be made to complete the verification of service, as specified in clause (a) and to make good the omissions, imperfections or deficiencies referred to in sub-clause (i);
- (iii) any omission, imperfection or deficiency which is incapable of being made good and the periods of service about which the Government servant has submitted no statement and the portion of service shown as unverified in the service book which it has not been possible to verify in accordance with the procedure laid down in clause (a) shall be ignored and service qualifying for pension shall be determined on the basis of the entries in the service book;

- (iv) for the purpose of calculation of emoluments and average emoluments, the Head of Office shall verify from the service book the correctness of the emoluments drawn or to be drawn during the last ten months of service;
  - (v) in order to ensure that the emoluments during the last ten months of service have been correctly shown in the service book, the Head of Office shall verify the correctness of emoluments only for the period of twenty-four months preceding the date of retirement of a Government servant, and not for any period prior to that date.
- (c) Third Stage.- As soon as the second stage is completed, but not later than eight months prior to the date of retirement of the Government servant, the Head of Office shall,-
- (i) furnish to the retiring Government servant a certificate regarding the length of qualifying service proposed to be admitted for the purpose of pension and gratuity and also the emoluments and the average emoluments proposed to be reckoned for retirement gratuity and pension;
  - (ii) direct the retiring Government servant to furnish to the Head of Office the reasons for non-acceptance, supported by the relevant documents in support of his claim within two months if the certified service and emoluments as indicated by the Head of Office are not acceptable to him;
  - (iii) advise the retiring Government servant to submit Form 4 and Form 6 along with an undertaking to the Bank in Format 9, a common nomination form for arrears of pension and commuted value of pension in Form A appended to the Payment of Arrears of Pension (Nomination) Rules, 1983 and an option form for availing Fixed Medical Allowance or out-patient medical facility provided by the Government.
- (2)(a) The Government servant shall submit to the Head of Office duly completed Form 4 and Form 6 along with an undertaking to the Bank in Format 9, a common nomination form for arrears of pension and commuted value of pension in Form A appended to the Payment of Arrears of Pension (Nomination) Rules, 1983 and an option form for availing Fixed Medical Allowance or out-patient medical facility provided by the Government, not later than six months prior to his date of retirement.
- (b) The Government servant shall also apply in Form 6, if he so desires, for commutation of a percentage of pension in accordance with the Central Civil Services (Commutation of Pension) Rules, 1981.
- (3)(a) Where the Head of Office is satisfied that the Government servant is not in a position to submit the forms referred to in sub-rule (2) on account of any bodily or mental infirmity, the Head of Office may allow the spouse of the Government servant or, in the absence of the spouse, the member of the family eligible to receive family pension on death of Government servant, to submit Form 4 and Form 6.
- (b) If there is no member of the family eligible to receive family pension on death of Government servant, a member of the family in whose favour a nomination was made by the Government servant for payment of gratuity, may be allowed to submit Form 4 and Form 6:

Provided that where the said forms are submitted by the spouse or any other member of the family, the Government servant shall not be entitled to the benefit of commutation of a percentage of pension until he himself subsequently applies for such commutation in accordance with the Central Civil Services (Commutation of Pension) Rules, 1981.

**58. Submission of forms by Government servant retiring for reasons other than superannuation.**- (1) A Government servant, who is retiring or has retired for reasons other than superannuation, shall submit to the Head of Office duly completed Form 4 and Form 6 along with an undertaking to the Bank in Format 9, a common nomination form for arrears of pension and commuted value of pension in Form A appended to the Payment of Arrears of Pension (Nomination) Rules, 1983 and an option form for availing Fixed Medical Allowance or out-patient medical facility provided by the Government, immediately after the competent authority has approved such retirement or the retirement has become effective, as the case may be.

(2)(a) Where the Head of Office is satisfied that the Government servant is not in a position to submit the forms referred to in sub-rule (1) on account of any bodily or mental infirmity, the Head of Office may allow the spouse of the Government servant or, in the absence of the spouse, any other member of the family eligible to receive family pension on death of Government servant, to submit Form 4 and Form 6.

(b) If there is no member of the family eligible to receive family pension on death of Government servant, a member of the family in whose favour a nomination was made by the Government servant for payment of gratuity, may be allowed to submit Form 4 and Form 6:

Provided that where the forms are submitted by the spouse or any other member of the family, the Government servant shall not be entitled to the benefit of commutation of a percentage of pension until he himself subsequently applies for such commutation in accordance with the Central Civil Services (Commutation of Pension) Rules, 1981.

**59. Completion of pension case.**—(1) In cases under rule 57, the Head of Office shall complete Part I of Form 7 along with the check list and the pension calculation sheet not later than four months before the date of retirement of a Government servant. In cases under rule 58, the Head of Office shall complete Part I of Form 7 along with the check list and the pension calculation sheet within two months after submission of Form 4 and Form 6 by a Government servant or his or her spouse or member of his or her family, as the case may be.

(2) In the case of a Government servant who has died after retirement and in respect of whom Forms referred to in rule 57 or rule 58 have not been submitted, action shall be taken in accordance with sub-rule (5) of rule 80.

**60. Forwarding of pension case to Accounts Officer.**—(1) After complying with the requirement of rules 57, 58 and 59, the Head of Office shall forward the pension case to the Accounts Officer and shall also send to the Accounts Officer,—

(i) copies of Form 4, Form 6 and an undertaking to the Bank in Format 9, signed and submitted by the Government servant;

(ii) copies of Form 7 (including the check list and the pension calculation sheet) and the covering letter in Format 10, and

(iii) duly completed and up-to-date service book of the Government servant along with any other documents relied upon for the verification of service.

(2) The particulars of the Government dues referred to in rule 67 ascertained and assessed by the Head of Office and the amount to be withheld, if any, as per the intimation of Directorate of Estates under sub-rule (5) of rule 68 shall also be furnished to the Accounts Officer in Format 10 so that the dues are recovered out of the gratuity before its payment is authorised.

(3) The Head of Office shall retain a copy of each of the Forms referred to in sub-rule (1) and sub-rule (2) for his records.

(4) The pension case and the papers referred to in sub-rule (1) and sub-rule (2) shall be forwarded to the Accounts Officer not later than four months before the date of superannuation of a Government servant and in cases other than retirement on superannuation not later than two months after the date of submission of Form 4 and Form 6.

**61. Intimation to Accounts Officer regarding any event having bearing on pension or any Government dues.**—

(1) If, after the pension case and pension papers have been forwarded to the Accounts Officer under rule 60, any event occurs which has a bearing on the amount of pension admissible, the fact shall be promptly reported to the Accounts Officer by the Head of Office.

(2) If, after the particulars of Government dues have been intimated to the Accounts Officer under sub-rule (2) of rule 60, any additional Government dues come to the notice of the Head of Office, such dues shall be promptly reported to the Accounts Officer.

**62. Provisional pension for reasons other than Departmental or Judicial proceedings.**—(1) Where, in a case of retirement on superannuation, after a Government servant or his or her spouse or a member of his or her family, as the case may be, has submitted the Forms in accordance with sub-rule (2) or sub-rule (3) of rule 57 but,—

(i) in spite of following the procedure laid down in rule 57, it is not possible for the Head of Office to forward the pension case and pension papers referred to in rule 60 to the Accounts Officer within the period specified in sub-rule (4) of that rule; or

(ii) the pension case and pension papers forwarded to the Accounts Officer have been returned by the Accounts Officer to the Head of Office for eliciting further information before issuing pension payment order and order for the payment of gratuity,

and the Government servant is likely to retire before his pension and gratuity or both can be finally assessed and settled in accordance with the provisions of these rules, the Head of Office shall rely upon such information as may be available in the official records and shall determine the amount of provisional pension and the amount of provisional retirement gratuity.

(2) In a case of retirement otherwise than on superannuation, on receipt of Forms from Government servant or his or her spouse or a member of his or her family in accordance with sub-rule (1) or sub-rule (2) of rule 58, the Head of Office shall rely upon such information as may be available in the official records and shall determine the amount of provisional pension and the amount of provisional retirement gratuity.

(3) Where the amount of pension and gratuity cannot be determined for reasons other than the departmental or judicial proceedings and a provisional pension and provisional gratuity is required to be sanctioned in accordance with sub-rule (1) or sub-rule (2), the Head of Office shall do the following, namely:—

(a) issue a letter of sanction addressed to the Government servant endorsing a copy thereof to the Accounts Officer authorising,—

- (i) 100 per cent. of pension as provisional pension from the date following the date of retirement; and
- (ii) 100 per cent. of the gratuity as provisional gratuity withholding ten per cent of gratuity.
- (b) specify in the letter of sanction, the amount recoverable from the gratuity as assessed under rule 67 and after issuing the letter of sanction referred to in clause (a), the Head of Office shall draw,—
- (i) the amount of provisional pension; and
- (ii) the amount of provisional gratuity after deducting therefrom the amount specified in sub-clause (ii) of clause (a) and the dues, if any, specified in rule 68, in the same manner as pay and allowances of the establishment are drawn by him.
- (4) A sanction for provisional pension under sub-rule (3) shall be issued not later than ten days after the date of retirement of Government servant in cases covered under sub-rule (1) and within one month from the date of submission of forms in cases covered under sub-rule (2).
- (5) The amount of provisional pension and gratuity payable under sub-rule (2) or sub-rule (3) shall, if necessary, be revised on the completion of the detailed scrutiny of the records.
- (6)(a) The payment of provisional pension shall not continue beyond the period of six months from the date of retirement of a Government servant or from the date of submission of Form 4 and Form 6 by the Government servant, whichever is later, and if the amount of final pension and the amount of final gratuity had been determined by the Head of Office in consultation with the Accounts Officer before the expiry of the said period of six months, the Accounts Officer shall,—
- (i) issue the pension payment order; and
- (ii) direct the Head of Office to draw and disburse the difference between the final amount of gratuity and the amount of provisional gratuity paid under sub-clause (ii) of clause (b) of sub-rule (3) after adjusting the Government dues, if any, which may have come to notice after the payment of provisional gratuity.
- (b) If the amount of provisional pension disbursed to a Government servant under sub-rule (3) is, on its final assessment, found to be in excess of the final pension assessed by the Accounts Officer, it shall be open to the Accounts Officer to adjust the excess amount of pension out of gratuity withheld under sub-clause (ii) of clause (a) of sub-rule (3) or recover the excess amount of pension in instalments by making short payments of the pension payable in future.
- (c) (i) If the amount of provisional gratuity disbursed by the Head of Office under sub-rule (3) is more than the amount finally assessed, the retired Government servant shall not be required to refund the excess amount actually disbursed to him.
- (ii) The Head of Office shall ensure that chances of disbursing the amount of gratuity in excess of the amount finally assessed are minimized and the officials responsible for the excess payment shall be accountable for the over-payment.
- (7) If the final amount of pension and gratuity have not been determined by the Head of Office in consultation with the Accounts Officer within a period of six months referred to in clause (a) of sub-rule (6), the Accounts Officer shall treat the provisional pension and gratuity as final and issue pension payment order immediately on the expiry of the period of six months.
- (8) As soon as the pension payment order has been issued by the Accounts Officer under clause (a) of sub-rule (6) or sub-rule (7), the Head of Office shall release the amount of withheld gratuity under sub-clause (ii) of clause (a) of sub-rule (3) to the retired Government servant after adjusting Government dues which may have come to notice after the payment of provisional gratuity under sub-clause (ii) of clause (b) of sub-rule (3).
- (9) If a Government servant is or was an allottee of Government accommodation, the withheld amount should be paid on receipt of 'No Demand Certificate' from the Directorate of Estates.
- (10) It shall be the responsibility of the Head of Office to ensure that in cases where there is a delay in issue of Pension Payment Order, a provisional pension and provisional gratuity is sanctioned in accordance with this rule.
- 63. Authorisation of pension and gratuity by the Accounts Officer.-** (1)(a) On receipt of pension case and pension papers referred to in rule 60, the Accounts Officer shall apply the requisite checks, record the account encasement in Part II of Form 7 and assess the amount of pension, family pension and gratuity and issue the pension payment order not later than two months in advance of the date of the retirement of a Government servant on attaining the age of superannuation.
- (b) In the cases of retirement otherwise than on attaining the age of superannuation, the Accounts Officer shall apply the requisite checks, complete Part II of Form 7, assess the amount of pension, family pension and gratuity, assess dues and issue the pension payment order within forty five days of the date of receipt of pension papers from the Head of Office.

(c) While applying the requisite checks, the Accounts Officer shall verify the correctness of emoluments only for the period of twenty-four months preceding the date of retirement of a Government servant, and not for any period prior to that date.

(d) The Accounts Officer shall indicate in the Pension Payment Order, the name of the spouse of the Government servant, if alive, as family pensioner:

Provided that in the case of a Government servant whose family includes more than one wife who is alive, the Accounts Officer shall indicate, in the Pension Payment Order, the names of all the wives with their respective share in the family pension:

Provided further that in the case of a Government servant whose family includes a wife, who is alive, and a child or children from a wife who is not alive or from a divorced wife or from a void or voidable marriage, the Accounts Officer shall indicate, in the Pension Payment Order, only the name of wife who is alive with her share in the family pension, then on death of the pensioner, the share of family pension indicated in the Pension Payment Order shall initially become payable to the surviving widow and on receipt of a communication from the Head of Office, the Accounts Officer shall issue a revised Pension Payment Authority, indicating the names of all the members of family who are eligible for family pension on the date of death of the pensioner with their respective share in the family pension, in accordance with rule 50.

(e) The Accounts Officer shall also indicate in the Pension Payment Order, the names of the permanently disabled child or children and dependent parents and disabled siblings as family pensioners if there is no other member of family to whom family pension may become payable before such disabled child or children or dependent parents or disabled siblings.

(f) On receipt of a written communication from the Head of Office on an application in Form 8 from an existing pensioner or family pensioner, the Accounts Officer shall also indicate in the Pension Payment Order, the names of the permanently disabled child or children and dependent parents and disabled siblings as family pensioners if there is no other member of family to whom family pension may become payable before such disabled child or children or dependent parents or disabled siblings.

(g) Where an intimation regarding marriage or remarriage after retirement has been received from a retired Government servant in accordance with clause (f) of sub-rule (15) of Rule 50, the Head of Office, after due verification, forward the papers to the Account Officer and the Account Officer shall take the said intimation on record and, if there is no child or children from an earlier marriage or if the child or children from an earlier marriage are not eligible for family pension, issue a Revised Pension Payment Authority including the name of such spouse as family pensioner in the pension payment order.

(h) The Pension Disbursing Authority shall commence disbursement of family pension, as authorized in the Pension Payment Order, to the members of family referred to in clause (c), (d), (e) or (f), in accordance with the provisions of rule 79 and in the order indicated in rule 50.

(2) The amount of gratuity as determined by the Accounts Officer under Clause (a) of sub-rule (1) shall be intimated to the Head of Office with the remarks that the amount of the gratuity may be drawn and disbursed by the Head of Office to the retired Government servant after adjusting the Government dues, if any, referred to in rule 67 and the amount to be withheld, if any, as per the intimation of Directorate of Estates under sub-rule (5) of rule 68.

(3) The amount of gratuity withheld under sub-rule (5) of rule 68 shall be adjusted by the Head of Office against the outstanding licence fee intimated by the Directorate of Estates and the balance, if any, refunded to the retired Government servant.

(4)(a) The Accounts Officer shall forward a copy of the Pension Payment Order or the Revised Pension Payment Authority issued under this rule along with the undertaking in Format 9 to the Central Pension Accounting Office, not later than two months from the date of receipt of pension papers from the Head of Office, for issuing a Special Seal of Authority.

(b) The Central Pension Accounting Office shall issue the Special Seal of Authority and forward the same to the Pension Disbursing Authority along with the copy of the Pension Payment Order or the Revised Pension Payment Authority issued by the Accounts Officer and the undertaking in Format 9, not later than twenty one days from the date of receipt of the Pension Payment Order or the Revised Pension Payment Authority from the Accounts Officer, in accordance with the orders issued by the Controller General of Accounts.

(c) The Pension Disbursing Authority shall take action to disburse the pension to the retired Government servant on the date on which it becomes due, in accordance with the orders issued by the Controller General of Accounts and Central Pension Accounting Office.

(5)(a) In case, any departmental or judicial proceedings are pending against the Government servant, a provisional pension as provided in sub-rule (5) of rule 8 shall be authorised by the Accounts Officer and no gratuity shall be paid to the Government servant until the conclusion of the departmental or judicial proceedings and issue of final orders

thereon and after the conclusion of departmental or judicial proceedings and issue of final orders thereon, the Head of Office shall forward the copy of final orders passed by the competent authority along with the details in Form 7-A, not later than thirty days from the date of issue of the said orders.

(b) On receipt of the copy of final orders passed by the competent authority and the details in Form 7-A from the Head of Office, the Accounts Officer shall take further action to authorise the final pension to the retired Government servant in accordance with the orders passed by the competent authority in regard to the departmental or judicial proceedings within thirty days of the date of receipt of the said Form 7-A.

**64. Government servants on deputation.-** (1) In the case of Government servant who retires while on deputation to another Central Government Department, action to authorise pension and gratuity in accordance with the provisions of these rules shall be taken by the Head of Office of the borrowing Department.

(2) If, a Government servant retires from service, while on deputation to a State Government or while on Foreign Service, action to authorise pension and gratuity in accordance with the provisions of these rules shall be taken by the Head of Office or the Cadre authority which sanctioned deputation to the State Government or to foreign service.

**65. Interest on delayed payment of gratuity, pension and family pension.-** (1) In all cases where provisional pension or provisional family pension or provisional gratuity has not been sanctioned in accordance with these rules or where the payment of pension or family pension or gratuity has been authorised later than the date when its payment becomes due, including in the cases of retirement otherwise than on superannuation, and it is clearly established that the delay in payment was attributable to administrative reasons or lapses, interest shall be paid on arrears of pension or family pension or gratuity at the rate and in the manner as applicable to General Provident Fund amount in accordance with the instructions issued from time to time:

Provided that no interest under this sub-rule shall be payable if the delay in payment was caused on account of failure on the part of the Government servant or the pensioner or the member of the family of the Government servant to comply with the procedure laid down by the Government for processing the pension or family pension case.

(2) Every case of delayed payment of pension or family pension or gratuity (including provisional pension or family pension or gratuity) in respect of employees of a Ministry or Department and the employees of its attached and subordinate offices shall be considered by the Secretary of that Ministry or Department or any other officer, not below the level of Joint Secretary to the Government of India, authorised by him for this purpose, and where the Secretary or the officer authorised by him is satisfied that the delay in the payment of pension or family pension or gratuity was caused on account of administrative reasons or lapse, the said Secretary or the officer authorised by him shall sanction payment of interest.

(3)(a) The administrative Ministry or the Department or the office shall issue sanction for the payment of interest after the Secretary or the officer authorised by him has sanctioned the payment of interest under sub-rule (2).

(b) The payment of interest on delayed payment of gratuity or pension or family pension shall be paid within two months from the date on which payment of interest has been sanctioned by Secretary or the officer authorised by him.

(4) In all cases where the payment of interest has been sanctioned by the Secretary of the administrative Ministry or the Department or the officer authorised by him, such Ministry or the Department or Office shall fix the responsibility and take disciplinary action against the Government servant or servants who are found responsible for the delay in the payment of gratuity or pension or family pension on account of administrative lapses:

Provided that payment of interest under sub-rule (3) shall be made without waiting for the outcome of the disciplinary proceedings, if any.

(5) Without prejudice to the generality of the provisions of sub-rule (1), the period for which interest shall be payable for the delay in payment of pension or gratuity shall be determined in the following manner, namely:-

(a) In the case of a Government servant who retires on superannuation, interest shall be payable from the date following the date of expiry of a period of three months from the date of retirement, up to the date of payment of arrears of pension or gratuity or both;

(b) In the case of a Government servant who retires or is retired otherwise than on superannuation or is absorbed in a public sector undertaking or an autonomous body or dies during service or after retirement, interest shall be payable from the date following the date of expiry of a period of three months from the date of retirement or absorption or death, as the case may be, up to the date of payment of arrears of pension or gratuity;

(c) In the case of a Government servant to whom provisional pension was paid and retirement gratuity was not paid on retirement in accordance with clause (c) of sub-rule (4) of rule 8 on account of departmental or judicial proceedings pending against him on the date of retirement and who is exonerated of all charges on conclusion of such departmental or judicial proceedings, interest shall be payable on retirement gratuity and arrears of pension, if any, from the date following the date of expiry of a period of three months from the date of retirement up to the date of payment of arrears of pension and gratuity;

(d) In the case of a Government servant to whom provisional pension was paid and retirement gratuity was not paid on retirement in accordance with clause (c) of sub-rule (5) of rule 8 on account of departmental or judicial proceedings pending against him on the date of retirement and despite him not having been fully exonerated of all charges on conclusion of such departmental or judicial proceedings, the competent authority decides to allow payment of pension and retirement gratuity, either in full or in part, interest shall be payable on retirement gratuity and arrears of pension, if any, from the date of expiry of a period of three months from the date on which the order for payment of pension and gratuity is issued by the competent authority up to the date of payment of pension and gratuity.

(e) In the case of a Government servant to whom provisional pension was paid and gratuity was not paid on retirement in accordance with clause (c) of sub-rule (5) of rule 8 on account of departmental or judicial proceedings pending against him on the date of retirement and such departmental or judicial proceedings are dropped consequent on his death, interest shall be payable on arrears of pension, family pension and gratuity from the date of expiry of a period of three months from the date of death up to the date of payment of such arrears of pension, family pension and gratuity.

(f) Where arrears of pension or gratuity become payable to a Government servant on account of enhancement of the amount of pension authorised or the amount of gratuity paid on retirement consequent on retrospective revision of emoluments or liberalisation in the provisions relating to grant of pension or gratuity, interest shall be payable on arrears of pension or gratuity to the Government servant from the date of expiry of a period of three months from the date of issue of the order revising the emoluments or liberalising the provisions relating to grant of pension or gratuity, as the case may be, up to the date of payment of arrears of pension or gratuity.

**66. Revision of pension after authorisation.-** (1) The pension authorised under rule 44 and family pension authorised under rule 50 may be revised by the Government in accordance with any general order issued in implementation of decisions taken on the recommendations of the Central Pay Commissions, or otherwise, and the pension or family pension so revised shall thereafter be the basic pension or basic family pension for grant of additional pension under sub-rule (5) of rule 44 or additional family pension under sub-rule (3) of rule 50 or dearness relief under rule 52.

(2) Subject to the provisions of rule 7 and rule 8, pension or family pension once authorised after final assessment or revised under sub-rule (1) shall not be revised to the disadvantage of the Government servant, unless such revision becomes necessary on account of detection of a clerical error subsequently:

Provided that no revision of pension or family pension to the disadvantage of the pensioner or family pensioner shall be ordered without the concurrence of the Department of Pension and Pensioners' Welfare if the clerical error is detected after a period of two years from the date of authorisation or revision of pension or family pension.

(3) The question whether the revision has become necessary on account of a clerical error or not shall be decided by the administrative Ministry or Department.

(4) If, consequent on revision of pension or family pension under sub-rule (2), an excess payment of pension or family pension is found to have been made to the pensioner or family pensioner and if such excess payment is not on account of any misrepresentation of facts by the pensioner or family pensioner, the administrative Ministry or Department shall examine in consultation with the Ministry of Finance (Department of Expenditure) whether or not recovery of such excess payment can be waived off and issue appropriate orders in accordance with the relevant rules and instructions in this regard.

(5) Where the administrative Ministry or Department decides not to waive off the excess payment of pension or family pension, the retired Government servant concerned or family pensioner shall be served with a notice by the Head of Office requiring him to refund the excess payment of pension within a period of two months from the date of receipt of notice by him.

(6) In case the Government servant fails to comply with the notice, the Head of Office shall, by order in writing, direct that such excess payment shall be adjusted in instalments by short payments of pension in future, in one or more instalments, as the Head of Office may direct.

**67. Recovery and adjustment of Government dues.-** (1) It shall be the duty of the Head of Office to ascertain and assess Government dues payable by a Government servant due for retirement on superannuation and by the Government servant who has retired or is retiring otherwise than on attaining the age of superannuation.

(2) The Government dues as ascertained and assessed by the Head of Office which remain outstanding till the date of retirement of the Government servant, shall be adjusted against the amount of the retirement gratuity becoming payable.

**Explanation.-** The expression 'Government dues' includes –

(a) dues pertaining to Government accommodation including arrears of licence fee as well as damages (for the occupation of the Government accommodation beyond the permissible period after the date of retirement of the allottee, subletting, unauthorised occupation, transfer to an ineligible office, etc.) and dues or arrears in respect of electricity, water and PNG charge, if any;

(b) dues other than those pertaining to Government accommodation, namely, balance of house building or conveyance or any other advance, overpayment of pay and allowances or leave salary and arrears of income tax deductible at source under the Income Tax Act, 1961 (43 of 1961).

(3) Only the Government dues as referred to in sub-rule (2) shall be adjusted against the amount of retirement gratuity payable to the retired Government servant and any other dues which are not Government dues in terms of sub-rule (2) shall not be recoverable from the amount of retirement gratuity.

**68. Adjustment and recovery of dues pertaining to Government accommodation.-** (1)(a) In the case of a Government servant who is due for retirement on superannuation, the Directorate of Estates, on receipt of intimation and details from the Head of Office under sub-rule (1) of rule 55 for issue of a No Demand Certificate, shall scrutinise its records and inform the Head of Office within two months, if any licence fee was recoverable from the Government servant in respect of the period prior to eight months of his retirement.

(b) In the case of a Government servant who has retired or is retiring otherwise than on attaining the age of superannuation, the Directorate of Estates shall inform the Head of Office within one month from the date of receipt of intimation and details from Head of Office under sub-rule (2) of rule 55, if any licence fee was recoverable from the Government servant up to the date of retirement.

(c) If no intimation in regard to recovery of outstanding licence fee is received by the Head of Office by the stipulated date, it shall be presumed that no licence fee was recoverable from the allottee in respect of the period preceding eight months of the date of his superannuation or up to the date of retirement in other cases.

(2) In the case of retirement on superannuation, the Head of Office shall ensure that licence fee for the next eight months, that is upto the date of retirement of the allottee, is recovered every month from the pay and allowances of the allottee.

(3) Where the Directorate of Estates intimates the amount of licence fee recoverable in respect of the period mentioned in sub-rule (1), the Head of Office shall ensure that outstanding licence fee is recovered in instalments from the current pay and allowances of the allottee and where the entire amount is not recovered from the pay and allowances, the balance shall be recovered out of the gratuity before its payment is authorised.

(4) The Directorate of Estates shall also inform the Head of Office the amount of licence fee for the retention of Government accommodation for the permissible period beyond the date of retirement of the allottee and the Head of Office shall adjust the amount of that licence fee from the amount of the gratuity together with the unrecovered licence fee, if any, mentioned in sub-rule (3).

(5) If in any particular case, it is not possible for the Directorate of Estates to determine the outstanding licence fee, that Directorate shall inform the Head of Office that ten per cent of the gratuity may be withheld pending receipt of further information.

(6) The recovery of licence fee (where it is not possible for the Directorate of Estates to determine the outstanding license fee) as well as damages (for occupation of the Government accommodation beyond the permissible period after the date of retirement of allottee) shall be the responsibility of the Directorate of Estates and the withheld amount of gratuity under sub-rule (5) above of the retiring Government employee, who was in occupation of Government accommodation, shall be paid immediately on production of 'No Demand Certificate' from the Directorate of Estates after actual vacation of the Government accommodation.

(7)(a) The Directorate of Estates shall ensure the No Demand Certificate shall be given to the Government servant within a period of fourteen days from the date of submission of application for the said certificate after actual vacation of the Government accommodation.

(b) If the Directorate of Estates fails to issue the No Demand Certificate within fourteen days from the date of the application, the allottee shall be entitled to payment of interest (as per the rate and manner applicable to General Provident Fund deposit determined from time to time by the Government of India) on the excess withheld amount of gratuity which is required to be refunded after adjusting the arrears of licence fee and damages, if any, payable by the allottee till the date of issue of No Demand Certificate or the date of expiry of the period of fourteen days from the date of application for No demand certificate, whichever is earlier.

(c) The interest shall be payable by the Directorate of Estates through the concerned Account Officer of the retired Government servant from the date of application for the said certificate after vacation of the Government accommodation, up to the date of refund of excess withheld amount of gratuity.

(8) If after adjustment from the withheld amount of gratuity, if any, mentioned under sub-rule (5), or if no amount of gratuity was withheld under sub-rule (5), any amount on account of licence fee or damages (for overstay or unauthorised occupation or subletting or transfer to an ineligible office etc.) or dues on account of electricity, water or PNG charges, remaining unpaid, may be ordered by the Directorate of Estates to be recovered through the concerned Account Officer from the dearness relief without the consent of the pensioner and in such case no dearness relief shall be disbursed until full recovery of such dues has been made.

**Explanation.**— For the purpose of this rule, the licence fee shall also include any other charges payable by the allottee for any damage or loss caused by him to the accommodation or its fittings.

**69. Adjustment and recovery of dues other than dues pertaining to Government accommodation.**— (1) For the dues other than the dues pertaining to occupation of Government accommodation as referred to in clause (b) of sub-rule (2) of rule 67, the Head of Office shall take steps to assess the dues one year 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, in the case of retirement on superannuation and immediately on retirement or when the fact of retirement of the Government servant is known to the Head of Office, whichever is earlier, in the case of retirement otherwise than on superannuation.

(2) The assessment of Government dues referred to in sub-rule (1) shall be completed by the Head of Office eight months prior to the date of the retirement of the Government servant, in the case of retirement on superannuation, and within thirty days after the date of retirement in the case of retirement otherwise than on superannuation.

(3) The dues as assessed under sub-rule (2) including those dues which come to notice subsequently and which remain outstanding till the date of retirement of the Government servant, shall be adjusted against the amount of retirement gratuity becoming payable to the Government servant on his retirement.

**70. Date of retirement to be notified.**— (1) When a Government servant retires from service,—

- (a) a notification in the Official Gazette in the case of a Gazetted Government servant; or
- (b) an office order in the case of a non-gazetted Government servant,

shall be issued specifying the date of retirement within a week of such date and a copy of every such notification or office order, as the case may be, shall be forwarded immediately to the Accounts Officer:

Provided that where a notification in the Official Gazette or an office order, as the case may be, regarding the grant of leave preparatory to retirement to a Government servant is issued, a further notification or office order that the Government servant has actually retired on the expiry of such leave shall not be necessary unless the leave is curtailed and the retirement is for any reason ante-dated or postponed.

(2) Unless specific orders for extension of service are issued by the competent authority, the Government servant shall be deemed to have retired from service on the date on which he attains the age of superannuation and failure on the part of the office to issue a notification or office order under sub-rule (1) shall not make the Government servant entitled to continue in service beyond the date of superannuation.

## CHAPTER XI

### Determination and authorisation of the amounts of family pension and gratuity in respect of a Government servant who dies or goes missing while in service

**71. Obtaining of claims for family pension and gratuity.**— (1) Where the Head of Office has received an intimation or information about the death of a Government servant while in service, he shall ascertain whether any death gratuity or family pension or both is or are payable in respect of the deceased Government servant.

(2)(a) Where the family of the deceased Government servant is eligible for the death gratuity under rule 45, the Head of Office shall ascertain,—

- (i) if the deceased Government servant had nominated any person or persons to receive the gratuity; and
- (ii) if 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 persons concerned in Format 11 and send the letters to those persons for making a claim for gratuity in Form 9.

(3) Where the family of the deceased Government servant is eligible for family pension under [rule 50](#), the Head of Office shall address the eligible member of the family or the guardian, as the case may be, in Format 12 for making a claim for family pension in Form 10 and to submit an undertaking to the Bank in Format 9.

(4)(a) If on the date of death, the Government servant was an allottee of Government accommodation, the dues pertaining to outstanding licence fee payable in respect of the period before the date of death of the Government servant shall stand waived off.

(b) Any dues relating to damages in respect of the Government accommodation shall be recovered from the death gratuity payable to the family and if the Government accommodation is retained by the family of the deceased Government servant, the licence fee for the month in which the Government servant has died and the first three months thereafter, shall not be recovered from the family.

(c) The Head of Office shall address the Directorate of Estates within seven days of the date of receipt of intimation or information of death of a Government servant for the issue of "No Demand Certificate" in accordance with the provisions of sub-rule (1) of rule 77.

(5) Where the Head of Office has received an intimation that a Government servant has gone missing, he shall ascertain whether any gratuity or family pension or both is or are payable in respect of the missing Government servant in accordance with sub-rule (1) of rule 51 and sub-rule (4) of rule 51.

(6)(a) In the case of a missing Government servant, the Head of Office shall take action in accordance with sub-rule (2) and sub-rule (3) in respect of the missing Government servant and shall address the member of the family eligible to receive the amount of gratuity in Format 11 advising him or her for making a claim for gratuity in Form 9.

(b) The Head of Office shall also address the eligible member of the family or the guardian, as the case may be, in Format 12 for making a claim for family pension in Form 10.

(c) The Head of office shall inform the eligible members of the family that claims for payment of family pension and gratuity shall be submitted to the Head of Office after a report has been lodged with the concerned Police Station in the form of a First Information Report or a Daily Diary Entry or a General Diary Entry and a report has been obtained from the police to the effect that the Government servant could not be traced so far despite all efforts made in that regard.

(d) The claims shall be accompanied by an undertaking to the Bank in Format 9, an Indemnity Bond in Format 8, a copy each of the report lodged with the concerned Police Station and a copy of the report obtained from the police to the effect that the Government servant could not be traced so far despite all efforts made in that regard.

(e) The Head of Office shall not wait for a death certificate issued by an appropriate authority and shall initiate action under this rule on receipt of an intimation or a credible information, in any form, about the death of the Government servant.

(f) The Head of Office shall make special efforts to get the claims from the family of the deceased Government servant in the respective forms as early as possible and where the family is residing in the place of duty of the deceased Government servant, the forms and documents may be got completed by the family personally and if the family is residing outside the place of duty, all the blank forms and other documents should be forwarded to the family with clear instructions, so as to avoid unnecessary correspondence and consequent delay.

(g) In order to decide the eligibility for family pension, a member of the family, other than the widow or widower of the deceased Government servant or pensioner, shall be required to submit, along with the claim for family pension, the documents referred to in the clause (b) of sub-rule (12) of rule 50.

**72. Verification of service and emoluments for family pension and gratuity.-** (1)(a) The Head of Office shall go through the service book of the deceased or missing Government servant and satisfy himself as to whether certificates of verification of service for the entire service are recorded therein.

(b)(i) If there are any periods of unverified service, the Head of Office shall accept the unverified portion of service as verified on the basis of the available entries in the service book;

(ii) the Head of Office may rely on any other relevant material to which he may have ready access;

(iii) while accepting the unverified portion of service, the Head of Office shall ensure that service was continuous and was not forfeited on account of dismissal, removal or resignation from service, or for participation in strike.

(2)(a) For the purpose of determination of emoluments for family pension and gratuity, the Head of Office shall confine the verification of the correctness of emoluments for a maximum period of one year preceding the date of death or disappearance of the Government servant.

(b) In case the Government servant was on extraordinary leave on the date of death or disappearance, the correctness of the emoluments for a maximum period of one year which he drew preceding the date of the commencement of the extraordinary leave shall be verified.

(3) The process of determination of qualifying service and qualifying emoluments shall be completed within one month of the receipt of intimation or information regarding the death of the Government servant or within one month of the receipt of intimation regarding disappearance of the Government servant, as the case may be.

**73. Action to be taken in cases where service records are incomplete.-** (1) Subject to the provisions of sub-rules (2) and (3), and sub-rule 7 of rule 75 there shall not be any case where service book has not been maintained properly.

(2) Notwithstanding anything in sub-rule (1), if the service book has not been maintained properly despite the orders of the Government on the subject, and it is not possible for the Head of Office to accept the unverified portion of service as verified on the basis of entries in the service book, the Head of Office shall take action as follows, namely :-

(a) For the purpose of Family Pension, if the family of the deceased or missing Government servant has become eligible for family pension in accordance with sub-rule (1) of rule 50 or sub-rule (1) of rule 51, the amount of family pension and the period for which it is payable shall be determined in accordance with sub-rule (2) of rule 50 within one month from the date of receipt of intimation or information regarding death of the Government servant or the date of receipt of intimation regarding disappearance of the Government servant.

(b) For the purpose of gratuity,—

(i) In respect of the unverified portion or portions of service the Head of Office shall verify the portion or portions of such service, as the case may be, based on pay bills, acquittance rolls or other relevant records, such as last pay certificate and pay slip for the month of April (which shows verification of service for the previous financial year) and record necessary certificates in the service book;

(ii) If the service for any period is not capable of being verified in the manner specified in sub-clause (i), that period of service having been rendered by the Government servant in another office or Department, the Head of Office under which the Government servant is at present serving shall refer the said period of service to the Head of Office in which the Government servant is shown to have served during that period for the purpose of verification;

(iii) On receipt of communication referred to in sub-clause (ii), the Head of Office in that office or Department shall verify the portion or portions of such service, in the manner as specified in sub-clause (i), and send necessary certificates to the referring Head of Office within one month from the date of receipt of such a reference:

Provided that in case a period of service is incapable of being verified, it shall be brought to the notice of the referring Head of Office simultaneously;

(iv) If no response is received within the time referred to in the preceding sub-clause, such period or periods shall be deemed to qualify for pension;

(v) If at any time thereafter, it is found that the Head of Office and other concerned authorities had failed to communicate any non-qualifying period of service, the Secretary of the administrative Ministry or Department shall fix responsibility for such non-communication;

(vi) Every effort shall be made to complete the verification of service, as specified in sub-clause (i) to sub-clause (iv) and to make good any omissions, imperfections or deficiencies and if any omission, imperfection or deficiency is incapable of being made good and the portion of service shown as unverified in the service book which it has not been possible to verify in accordance with the procedure laid down in sub-clause (i) to sub-clause (iv), shall be ignored and service qualifying for gratuity shall be determined on the basis of the entries in the service book.

(3) Notwithstanding anything in sub-rule (1), where in the case of a deceased Government servant, the entire service is not capable of being verified and accepted immediately and there is likely to be a delay in determination of final amount of gratuity, the amount of gratuity shall be provisionally determined and drawn on the basis of the spell of qualifying service which is verified and accepted immediately preceding the date of death of the Government servant, in accordance with sub-rule (7) of rule 75.

**74. Forwarding the family pension case to the Accounts Officer.**—(1) On receipt of claim or claims, the Head of Office shall complete the Form 11 in respect of a deceased Government servant or a missing Government servant and send the said Form 11 to the Accounts Officer, with a covering letter in Format 10 along with the undertaking to the Bank in Format 9, duly completed and up-to-date service book of the Government servant and any other documents relied upon for the verification of the service claimed. This shall be done not later than one month of the receipt of claim by the Head of Office.

(2) The claim of a member of the family of the deceased or missing Government servant shall not be rejected on the ground that the details of such member of the family are not available in Form 4 or office records, if the Head of Office is otherwise satisfied about the eligibility of the member of the family for grant of family pension under these rules.

(3) The Head of Office shall retain one copy of the aforesaid Format 10, Form 10 and Form 11 for his office record.

(4) The Head of Office shall draw the attention of the Accounts Officer to the details of Government dues outstanding against the deceased or missing Government servant, namely:-

(a) Government dues as ascertained and assessed in term of rule 77 and recoverable out of the gratuity before payment is authorised;

(b) amount of gratuity to be held over partly for adjustment of Government dues which have not been assessed so far and partly as margin for adjustment in the light of the final determination of the gratuity;

(c) the maximum amount of gratuity to be held over for the purpose of clause (b) shall be limited to ten per cent of the amount of gratuity.

**75. Sanction, drawal and disbursement of provisional family pension and provisional gratuity on death of a Government servant.**—(1) In the case of death of a Government servant, after a claim for family pension has been received by the Head of Office in accordance with rule 71 and the Head of Office is satisfied regarding the eligibility of the claimant for family pension, he shall draw provisional family pension not exceeding the maximum family pension as determined in accordance with the provisions of these rules, within fifteen days of the receipt of the claim. For this purpose, the Head of Office shall adopt the following procedure, namely :—

(a) he shall issue a sanction letter in favour of claimant or claimants endorsing a copy thereof to the Accounts Officer concerned indicating the amount of provisional family pension as determined;

(b) after issue of the sanction letter he shall draw the amount of the provisional family pension in the same manner as pay and allowances of the establishment are drawn by him.

(2) The Head of Office shall disburse the provisional family pension (including arrears, if any) immediately after the same has been drawn under sub-rule (1).

(3) Unless the period of provisional family pension is extended under the proviso to sub-rule (1) of rule 76, the payment of provisional family pension shall continue for a period of six months from the date following the date of death of the Government servant.

(4) The Head of Office shall inform the Accounts Officer as soon as provisional family pension has been paid for a period mentioned in sub-rule (3) or for the period extended under proviso to sub-rule (1) of rule 76, as the case may be.

(5) In the case of death of a Government servant, after the family pension and gratuity case has been forwarded by the Head of Office to the Accounts Officer concerned in accordance with rule 74, the Head of Office shall draw hundred per cent of the gratuity as determined in accordance with the provisions of these rules and for this purpose the Head of Office shall adopt the following procedure, namely :—

(a) he shall issue a sanction letter in favour of claimant or claimants endorsing a copy thereof to the Accounts Officer concerned indicating the amount of hundred per cent of the death gratuity as determined;

(b) he shall indicate in the sanction letter the amount recoverable out of the death gratuity under sub-rule (3) of rule 74;

(c) after issue of the sanction letter he shall draw the amount of hundred per cent of the death gratuity after deducting therefrom the dues mentioned in clause (b).

(6) The Head of Office shall disburse the death gratuity immediately after the same has been drawn under sub-rule (5).

(7)(a) Notwithstanding anything in sub-rule (1) of rule 73, if in a case of death of a Government servant, where the entire service rendered by the deceased Government servant is not capable of being verified and accepted immediately and there is likely to be a delay in determination of final amount of gratuity and forwarding the case to the Accounts Officer, the amount of gratuity shall be provisionally determined in accordance with clause (b) of sub-rule (1) of rule 45 on the basis of the spell of qualifying service which is verified and accepted immediately preceding the date of death of the Government servant.

(b) If a claim in Form 9 has been received by the Head of Office, the amount of gratuity, so determined shall be authorised by the Head of Office, on provisional basis, within one month from the date of receipt of intimation or information about the death of the Government servant.

(c) The final amount of the gratuity shall be determined by the Head of Office on the acceptance and verification of the entire spell of service by him within a period of three months from the date on which the authority for the payment of provisional gratuity was issued and the balance, if any, becoming payable as a result of determination of the final amount of gratuity shall then be authorised to the beneficiaries.

(8) The Head of Office shall inform the Accounts Officer as soon as the provisional gratuity has been paid to the claimant or claimants in accordance with sub-rule (6) or sub-rule (7).

**76. Authorisation of final family pension and balance of the gratuity by the Accounts Officer.**—(1) On receipt of the family pension case and the documents referred to in sub-rule (1) of rule 74, the Accounts Officer shall, within a period of one month from the date of receipt of the family pension case and the documents, apply the requisite checks and complete Section I of Part II of Form 11 and assess the amount of family pension and gratuity:

Provided that while applying the requisite checks, the Accounts Officer shall confine the verification of the correctness of emoluments for a maximum period of one year preceding the date of death or disappearance of the Government servant.

Provided further that, in the case of a deceased Government servant, if the Accounts Officer is, for any reason, unable to assess the amount of family pension within the period aforesaid, he shall communicate the fact to the Head of Office to continue to disburse the provisional family pension to the claimant for such period as may be specified by the Accounts Officer.

(2) The Head of Office shall submit the case to the Head of Department for extension of the period of provisional family pension. After approval of the Head of Department, the Head of Office shall issue a sanction for extension of the period of provisional family pension for the period as specified by the Accounts Officer and approved by the Head of Department.

(3)(a) The Accounts Officer shall prepare the pension payment order not later than one month of the receipt of family pension case from Head of Office.

(b) Where on death of a Government servant, provisional family pension was sanctioned in accordance with rule 75, the payment of family pension shall be effective from the date following the date on which the payment of provisional family pension ceased.

(c) The Accounts Officer shall, after taking into consideration the time likely to be taken to issue Special Seal of Authority by the Central Pension Accounting Office and disbursal of family pension by the Pension Disbursing Authority, indicate in the Pension Payment Order the date up to which the provisional family pension shall continue to be paid and the date from which the payment of family pension by the Pension Disbursing Authority shall become effective.

(d) The arrears of family pension, if any, in respect of the period for which provisional family pension was drawn and disbursed by the Head of Office shall also be authorised by the Accounts Officer to be paid by the Head of Office.

(e) In the case of a missing Government servant, the payment of family pension shall be effective from the date following the date up to which leave was sanctioned to the Government servant before he went missing or from the date up to which pay and allowances have been paid to the Government servant or from the date on which a report has been lodged with the concerned Police Station in the form of First Information Report or a Daily Diary Entry or a General Diary Entry, whichever is the latest.

(f) Payment of family pension shall be authorised with a condition that the payment of family pension and the arrears of family pension for the period from the date specified in clause (e) up to the date of commencement of payment of family pension shall be made by the Pension Disbursing Authority only after the expiry of a period of six months from the date of lodging of report with the concerned Police Station.

(4) The Accounts Officer shall, while authorising the family pension for the first eligible member of the family, indicate the names of the permanently disabled child or children and dependent parents and disabled siblings of deceased Government servant as family pensioners in the Pension Payment Order, if there is no other member of family to whom family pension may become payable before such disabled child or children or dependent parents or disabled siblings.

(5)(a) The Accounts Officer shall determine the amount of the balance of the gratuity after adjusting the amount, if any, outstanding against the deceased Government servant.

(b) The Accounts Officer shall intimate to the Head of the Office, the amount of the balance of the death gratuity determined under clause (a) with the remarks that the amount of the balance of the death gratuity may be drawn and disbursed by the Head of Office to the person or persons to whom the provisional gratuity has been paid in accordance with rule 75.

(c) In the case of a missing Government servant, the Accounts Officer shall determine the amount of the gratuity payable after adjusting the amount, if any, outstanding against him or her.

(d) The Accounts Officer shall, within one month of the date of receipt of case, intimate to the Head of the Office, the amount of gratuity determined under clause (c) with the remarks that the amount of the gratuity may be drawn and disbursed by the Head of Office to the person or persons to whom the gratuity is payable in accordance with rule 47, only after the expiry of a period of six months from the date of lodging of report with the concerned Police Station.

(e) The amount of gratuity withheld under clause (b) of sub-rule (1) of rule 77 shall be adjusted by the Head of Office against the outstanding licence fee mentioned in clause (viii) of sub-rule (1) of rule 77 and the balance, if any, refunded to the person or persons to whom gratuity has been paid.

(5) The fact of the issue of the pension payment order shall be promptly reported to the Head of Office by the Accounts Officer and the documents which are no longer required shall also be returned to him.

(6) If the amount of provisional family pension as disbursed by the Head of Office is found to be in excess of the final family pension assessed by the Accounts Officer, it shall be open to the Accounts Officer to adjust the excess amount from the gratuity failing which, in instalments, from family pension payable in future.

(7)(a) If the amount of provisional gratuity disbursed by the Head of Office proves to be larger than the amount finally assessed by the Accounts Officer, the beneficiary shall not be required to refund the excess.

(b) The Head of Office shall ensure that chances of disbursing the amount of gratuity in excess of the amount actually admissible are minimized. In all cases where the amount of gratuity paid is more than the amount of gratuity finally assessed by the Accounts Officer, the Head of Department shall fix the responsibility for the excess payment.

(8)(a) The Accounts Officer shall forward a copy of the Pension Payment Order issued under this rule along with the undertaking to the Bank in Format 9 to the Central Pension Accounting Office, not later than one month of the date of receipt of family pension case from the Head of Office, for issuing a Special Seal of Authority.

(b) The Central Pension Accounting Office shall issue the Special Seal of Authority and forward the same to the Pension Disbursing Authority along with the copy of the Pension Payment Order issued by the Accounts Officer and the undertaking in Format 9 within ten days of the date of receipt of the Pension Payment Order from the Accounts Officer, in accordance with the orders issued by the Controller General of Accounts.

(c) The Pension Disbursing Authority shall take action to disburse the family pension to the family pensioner from the date on which it becomes due, in accordance with the orders issued by the Controller General of Accounts and Central Pension Accounting Office, not later than fifteen days of the date of receipt of Special Seal of Authority from the Central Pension Accounting Office.

(d) If there are more than one member of the family eligible to receive family pension in accordance with these rules and if a member of the family has not submitted his or her claim for family pension in Form 10, the case for issuing Pension Payment Order in favour of such member of family may be processed after his or her claim has been received and the case of other eligible members of the family for grant of family pension may be processed without linking it with the case of the family member who has not submitted the claim in Form 10.

(e) If there are more than one member of the family eligible to receive gratuity and if a member of the family has not submitted his claim for gratuity in Form 9, the case for drawal of gratuity in his favour may be processed after his claim has been received and the case of other eligible members of the family for sanction of gratuity may be processed without linking it with the case of the family member who has not submitted the claim in Form 9.

**77. Adjustment of Government dues.-** (1) In case of dues pertaining to Government accommodation, the following action shall be taken, namely:-

(i) If on the date of death or disappearance, the Government servant was allottee of Government accommodation, the Head of Office, on receipt of intimation or information regarding the death or disappearance of the Government servant shall, within seven days of the receipt of such intimation or information, forward the available details regarding the Government accommodation, to the Directorate of Estates and request the Directorate of Estates for issuing a 'No demand certificate' in respect of the deceased or missing Government servant so that authorisation of family pension and gratuity is not delayed and the Head of Office shall also supply the following information to the Directorate of Estates, namely:-

- (a) name of the deceased or missing Government servant with designation;
- (b) particulars of the existing accommodation along with available details of any other accommodation, which was in occupation of the Government servant in the past (Quarter number, type and locality);
- (c) date of death or disappearance of Government servant;
- (d) whether the Government servant was on leave at the time of his death or disappearance and, if so, the period and nature of leave;
- (e) whether the Government servant was enjoying rent-free accommodation;
- (f) the period up to which licence fee had been recovered from the pay and allowances of the deceased or missing Government servant and the monthly rate of recovery and particulars of the pay bill under which last recovery was made;
- (g) if the licence fee had not been recovered up to the date of death or disappearance and the family intends to retain Government accommodation for the permissible period thereafter, details of the -

(A) period for which licence fee has not been recovered;

(B) the amount of licence fee in respect of the period at (A) to be determined on the basis of the standard rent bill;

(C) the amount of licence fee for the retention of Government accommodation by the family of the deceased or missing Government servant for the permissible concessional period beyond the date of death or disappearance of the Government servant to be determined on the basis of standard bill;

(D) the amount of licence fee mentioned at (C) proposed to be recovered out of gratuity;

(E) details of any previous reference from the Directorate of Estates having bearing on the recovery of licence fee outstanding against the allottee and action taken thereon.

(ii) While calculating the dues in respect of the Government accommodation, the dues pertaining to outstanding licence fee payable in respect of the period before the date of death of the Government servant shall be waived off and if the Government accommodation is retained by the family of the deceased Government servant after his death, the licence fee for the month in which the Government servant has died and the first three months thereafter, shall not be recovered from the family.

- (iii) The Head of Office shall recover from the gratuity the amount of licence fee as intimated to the Directorate of Estates under clause (i) and clause (ii).
- (iv) The recovery of licence fee for the occupation of Government accommodation beyond the permissible concessional period shall be the responsibility of the Directorate of Estates.
- (v) The Directorate of Estates shall scrutinise their records with a view to determine if any dues other than the licence fee referred to in clause (i) was outstanding against deceased or missing Government servant and if any recovery is found, the amount and the period or periods to which such recovery or recoveries relate shall be communicated to the Head of Office within a period of one month of the receipt of intimation from Head of Office under clause (i) regarding the death or disappearance of the Government servant.
- (vi) Pending receipt of information under clause (v), the Head of Office shall withhold ten per cent of the death gratuity.
- (vii) If no intimation is received by the Head of Office regarding recovery of outstanding dues or the Directorate of Estates expresses its inability to assess the outstanding dues within the period specified under clause (v), it shall be presumed that nothing was recoverable from the deceased or missing Government servant and the amount of gratuity withheld shall be paid to the person or persons to whom the amount of gratuity was paid.
- (viii) If the Head of Office has received intimation from the Directorate of Estates under clause (v) regarding dues outstanding against the deceased or missing Government servant, the Head of Office shall verify from the acquaintance rolls if the outstanding amount was recovered from the pay and allowances of the deceased Government servant and if as a result of verification, it is found that the amount of dues shown as outstanding by the Directorate of Estates, had already been recovered, the Head of Office shall draw the attention of the Directorate of Estates to the pay bills under which the necessary recovery of the licence fee was made and subject to the provisions of sub-rule (2) take steps to pay the amount of the gratuity withheld under clause (vi) to the person or persons to whom the gratuity was paid.
- (ix) If the outstanding amount of dues was not recovered from the pay and allowances of the deceased or missing Government servant, the outstanding amount shall be adjusted against the amount of the gratuity withheld under clause (vi) and the balance, if any, repaid to the person or persons to whom the amount of gratuity was paid.
- (x) Any amount of licence fee or damages, remaining unpaid after adjustment from the withheld amount of gratuity and any dues intimated by the Directorate of Estates after the amount of gratuity has been paid, may be ordered to be recovered by the Head of Office through the Accounts Officer concerned from the dearness relief without the consent of the family pensioner and in such cases no dearness relief shall be disbursed until full recovery of such dues has been made.

(2) In case of dues other than those referred to in sub-rule (1), the Head of Office shall, within fifteen days of the receipt of intimation regarding death or disappearance of a Government servant, take steps to ascertain if any dues as referred to in rule 67, excluding the dues pertaining to the allotment of Government accommodation were recoverable from the deceased or missing Government servant and such ascertainable dues shall be recovered from the amount of gratuity becoming payable to the family of the deceased or missing Government servant.

**78. Payment of family pension and death gratuity when a Government servant dies or goes missing while on deputation.-** (1) In the case of a Government servant who dies or goes missing while on deputation to another Central Government Department, action to authorise family pension and gratuity in accordance with the provisions of these rules shall be taken by the Head of Office of the borrowing Department.

(2) In the case of a Government servant who dies or goes missing while on deputation to a State Government or while on foreign service, action to authorise the payments of family pension and gratuity in accordance with the provisions of these rules shall be taken by the Head of Office or the cadre authority which sanctioned the deputation of the Government servant to the State Government or to the foreign service.

## CHAPTER XII

### Sanction of family pension and residuary gratuity in respect of deceased or missing pensioners or family pensioner

**79. Sanction of family pension and residuary gratuity on the death or disappearance of a pensioner or family pensioner.-** (1) Where the Head of Office has received an intimation or information regarding the death or disappearance of a pensioner or death or disappearance or ineligibility of a family pensioner, he shall ascertain whether any family pension or residuary gratuity or both in respect of the deceased pensioner or any family pension in respect of the missing pensioner or any family pension in respect of the deceased or missing family pensioner are payable and proceed as hereinafter provided.

(2)(a)(i) In the case of death of a pensioner, if the deceased pensioner is survived by a widow or widower who is eligible for the grant of family pension under rule 50, the amount of family pension as indicated in the Pension Payment Order shall become payable to the widow or widower, as the case may be, from the date following the date of death of the pensioner.

(ii) The Pension Disbursing Authority shall commence disbursement of family pension, as authorised in the Pension Payment Order, to the widow or widower, whose name has been included in the Pension Payment Order, within one month of the receipt of a claim in Form 12 from the widow or widower along with a copy of the death certificate and an undertaking to the Bank in Format 9.

(iii) Subject to the provisions of clause (b), if the deceased pensioner is survived by a permanently disabled child or children or dependent parents or disabled siblings, whose names have been included in the Pension Payment Order as family pensioners under clause (e) of sub-rule (1) of rule 63, the Pension Disbursing Authority shall, on receipt of a claim in Form 12 along with a copy of the death certificate and an undertaking to the Bank in Format 9, commence disbursement of family pension, as authorized in the Pension Payment Order, to the member of family who is eligible to receive family pension in accordance with the provisions of rule 50, within one month of the date of receipt of the claim.

(iv) Where the deceased pensioner is survived by spouse and permanently disabled children or dependent parents or disabled siblings, whose names had not been included in the Pension Payment Order previously, the Accounts Officer shall include their names in the Pension Payment Order on receipt of a written communication from the Head of Office on the basis of a request made by the spouse of the deceased pensioner in Form 8.

(v) The Pension Disbursing Authority shall, on death or ineligibility of the family pensioner and on receipt of a claim in Form 12 along with a copy of the death certificate and an undertaking to the Bank in Format 9, commence disbursement of family pension, as authorised in the Pension Payment Order, to a permanently disabled child or dependent parent or disabled sibling whose name has been included in the Pension Payment Order as family pensioner and who is eligible to receive family pension in accordance with the provisions of rule 50, within one month of the date of receipt of the claim.

(b)(i) Where the Pension Payment Order does not include name of any member of the family for payment of family pension or where the Head of Office is of the opinion that in accordance with the provisions of rule 50, on death of a pensioner or family pensioner, the family pension in respect of a deceased pensioner or family pensioner has become payable to a member of the family other than that whose name has been included in the Pension Payment Order under sub-rule (1) of rule 63 or sub-clause (i) or sub-clause (iv) of clause (a), including a person who became member of the family of the pensioner after his retirement, he shall, within one month of the date of receipt of a claim in Form 10, sanction the family pension in Format 13, to such member of family to whom family pension has become payable.

(ii) If family pension is sanctioned under sub-clause (i), the Head of Office shall include the names of any permanently disabled child or children and dependent parents and disabled siblings as family pensioners if there is no other member of the family to whom family pension may become payable before such disabled child or children or dependent parents or disabled siblings.

(3)(i) Where the Head of Office has received an intimation that a pensioner or family pensioner has gone missing, he shall ascertain whether any family pension is payable in respect of the missing pensioner or family pensioner in accordance with sub-rule (2) and sub-rule (3) of rule 51.

(ii) The Head of Office shall address the eligible member of the family or the guardian, as the case may be, in Format 12 for making a claim for family pension in Form 10.

(iii) A claim for payment of family pension shall be submitted by the eligible member of family to the Head of Office in Form 10 after a report has been lodged with the concerned Police Station in the form of a First Information Report or a Daily Diary Entry or a General Diary Entry and the claim shall be accompanied by an Indemnity Bond in Format 8, a copy of the report lodged with the concerned Police Station, a copy of the report obtained from the police to the effect that the Government servant or pensioner or family pensioner could not be traced so far despite all efforts made in that regard and an undertaking to the Bank in Format 9.

(iv) On receipt of a claim in Form 10, the Head of Office shall sanction the family pension in Format 13, to such member of family to whom family pension has become payable. The family pension in such a case shall become payable from the date following the date up to which pension or family pension has been paid to the pensioner or family pensioner who went missing or from the date on which a report was lodged with the concerned Police Station in the form of First Information Report or a Daily Diary Entry or a General Diary Entry, whichever is later.

(v) The sanction for family pension under clause (iv) shall be issued by the Head of Office with a stipulation that the family pension (including the arrears of family pension for the period from the date specified in sub-clause (iv), up to the date of commencement of payment of family pension) shall in no case be paid by the Pension Disbursing Authority before the expiry of a period of six months from the date of lodging of report with the concerned Police Station.

(vi) The claim of a member of the family of the deceased or missing pensioner shall not be rejected on the ground that the details of such member of the family are not available in Form 4 or office records, if the Head of Office is otherwise satisfied about the eligibility of the member of the family for grant of family pension under these rules.

(vii) In order to decide the eligibility for family pension, a member of the family, other than the widow or widower of the deceased Government servant or pensioner, shall be required to submit, along with the claim for family pension, the documents referred to in clause (b) of sub-rule (12) of rule 50.

(4)(a)(i) Where a widow or widower in receipt of family pension remarries and has, at the time of remarriage, minor child or children from the deceased Government servant or pensioner who is or are eligible for family pension, the remarried individual shall be eligible to draw the family pension on behalf of such child or children if such individual continues to be the guardian of such minor child or children.

(ii) For the purposes of clause (i), the remarried individual shall apply to the Head of Office in Form 10, along with a declaration that the applicant continues to be the guardian of such minor child or children.

(iii) If the remarried individual has, for any reason, ceased to be the guardian of such minor child or children, the family pension shall become payable to the person entitled to act as guardian of such child or children under any law for the time being in force and such person may submit a claim in Form 10 to the Head of Office for the payment of family pension.

(b) In a case referred to in clause (a), the family pension shall become payable to the child from the date on which he attains the age of majority, subject to the condition that he or she remains eligible for family pension after attaining the age of majority.

(c) Where a widow or widower in receipt of family pension remarries and has, at the time of remarriage, a child from the deceased Government servant or pensioner who has already attained the age of majority and is eligible for family pension, the family pension shall be payable to such child after the remarriage of his father or mother.

(5) If the person eligible for family pension is a minor or is suffering from any disorder or disability of mind or is mentally retarded, the guardian may submit a claim in Form 10 on behalf of such person.

(6) Where on the death of a retired Government servant a residuary gratuity becomes payable to the family of the deceased under sub-rule (2) of rule 45, the Head of Office shall sanction its payment on receipt of a claim or claims in Form 13 from the person or persons eligible to receive the residuary gratuity.

**80. Authorisation of payment by Accounts Officer.**—(1) On receipt of the sanction under rule 79 regarding the payment of family pension or of residuary gratuity or of both, the Accounts Officer shall authorise the payment of the same within one month from the date of receipt of the sanction:

Provided that if the payment of gratuity is delayed and the delay is attributable to administrative lapses or reasons, interest shall be payable for the period of delay beyond a period of three months from the date of submission of claim and responsibility shall be fixed for such delayed payment of gratuity, in accordance with rule 65.

Provided further that, in the case of a missing pensioner or family pensioner, the Accounts Officer shall indicate in the Pension Payment Order the date up to which the pension or family pension had been paid to the missing pensioner or family pensioner and specify that the payment of family pension (including the arrears of family pension for the period from the date it has become due, up to the date of commencement of payment of family pension) shall not be paid by the Pension Disbursing Authority before the expiry of a period of six months from the date of lodging of report with the concerned Police Station.

(2) The Accounts Officer shall forward a copy of the Pension Payment Order issued under this rule along with the undertaking to the Bank in Format 9 to the Central Pension Accounting Office, within one month of the date of receipt of family pension case from the Head of Office, for issuing a Special Seal of Authority.

(3) The Central Pension Accounting Office shall issue the Special Seal of Authority and forward the same to the Pension Disbursing Authority along with the copy of the Pension Payment Order issued by the Accounts Officer and the undertaking in Format 9 within ten days of the date of receipt of the Pension Payment Order from the Accounts Officer, in accordance with the orders issued by the Controller General of Accounts.

(4) The Pension Disbursing Authority shall take action to disburse the family pension to the family pensioner from the date on which it becomes due, in accordance with the orders issued by the Controller General of Accounts and Central Pension Accounting Office, within fifteen days of the date of receipt of Special Seal of Authority from the Central Pension Accounting Office.

(5)(a) In the case of a Government servant who has died after retirement and in respect of whom forms referred to in rule 57 or rule 58 were not submitted before his death, the Head of Office shall allow the spouse of the deceased Government servant or, in the absence of the spouse, any other member of the family eligible to receive family pension on death of Government servant to submit the claim in Form 10 along with Form 4 and an undertaking to the Bank in Format 9:

Provided that if there is no member of the family eligible to receive family pension on death of Government servant, a member of the family in whose favour a nomination was made by the Government servant for payment of gratuity, shall be allowed to submit Form 6 in place of Form 10 and the said member of the family shall indicate, the details of his or her Bank Account in Form 6.

(b) The Head of Office shall fill up Form 7 for payment of pension and retirement gratuity in respect of the deceased retired Government servant and he shall also make an indication in Form 7 to the effect that the case pertains to a retired Government servant, who did not submit Form 6 and other documents before his death and if a claim for family pension has been submitted in Form 10, the Head of Office shall also issue a sanction in Format 13 for authorisation of family pension to the eligible member of the family.

(c) The Head of Office shall send Form 4, Form 7, Form 10 or Form 6, as the case may be, Format 9 and Format 13 (if applicable) with a forwarding letter in Format 10 to the Accounts Officer for authorisation of pension, retirement gratuity and family pension, if applicable.

(d) The Accounts Officer shall authorise the pension, retirement gratuity and family pension (if applicable) in Part-II of the Pension Payment Order and he shall also authorise the Head of Office to make payment of arrears of pension for the period from the date following the date of retirement up to the date of death to the member of the family who is authorised to receive family pension:

Provided that if there is no member of the family eligible to receive family pension, the arrears of pension shall be paid to the member of the family who has been authorised to receive retirement gratuity.

(e) If a family pension has been authorised to a member of the family, the Accounts Officer shall forward a copy of the Pension Payment Order issued under clause (d) along with the undertaking to the Bank in Format 9 to the Central Pension Accounting Office, for issuing a Special Seal of Authority and for disbursement of family pension in accordance with sub-rule (2) to sub-rule (4).

## CHAPTER XIII

### Payment of Pensions

**81. Date from which pension becomes payable.-** (1) Subject to the provisions of rule 8, 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) Subject to provisions of clause (d) of sub-rule (2) of rule 76 and clause (iv) of sub-rule (3) of rule 79, family pension shall be payable from the date following the date on which a Government servant or a pensioner dies or a family pensioner dies or becomes ineligible.

(3) Pension including family pension shall be payable for the day on which its recipient dies.

**82. Currency in which pension is payable.-** All pensions including gratuities admissible under these rules shall be payable in rupees in India only.

**83. 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 last working day of the month to which the pension relates except for the month of March when it shall be payable on or after 1st working day of April.

**84. Application of other rules.-** (1) Save as otherwise provided in these rules, the Treasury Rules of the Central Government shall apply in regard to the procedure of payment of,-

- (i) gratuity;
- (ii) pension;
- (iii) pension undrawn for more than a year; and
- (iv) pension in respect of deceased pensioner.

(2) The Central Civil Services (Commutation of Pension) Rules, 1981 shall apply in regard to commutation of pension authorised under these rules, payment of commuted value of pension and restoration of commuted pension on expiry of the period of commutation.

(3) The Payment of Arrears of Pension (Nominations) Rules, 1983 shall apply in regard to nomination for receiving the arrears of pension after the death of the pensioners.

## CHAPTER XIV

### Miscellaneous

**85. Interpretation.**— Where any doubt arises as to the interpretation of these rules, it shall be referred, for decision, to the Government in the Department of Pension and Pensioners' Welfare or the Department of Personnel and Training, depending upon the rule or the subject on which a decision is required and the Department which is concerned with that rule or subject.

**86. Power to relax.**— Where any Ministry or Department of the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, that Ministry or Department, as the case may be, 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 Department of Pension and Pensioner's Welfare or the Department of Personnel and Training, depending upon the rule or the subject on which a relaxation is required and the Department which is concerned with that rule or subject.

**87. Repeal and Saving.**— (1) On the commencement of these rules, every rule [including Central Civil Services (Pension) Rules, 1972], 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 cesser of operation,—

- (a)(i) every nomination for the payment of gratuity; and
- (ii) every form regarding the details of family of a Government servant for the purpose of Family Pension;
- (iii) every formal application for the sanction of pension,

which a Government servant had made or given under the old rule, shall be deemed to have been made or given under the corresponding provisions of these rules.

(b) any nomination for the payment of gratuity or any form regarding the details of family of a Government servant for the purpose of Family Pension required to be made or given by a 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 authorisation 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 rule as if these rules had not been made.

(d) any case which pertains to the authorisation of gratuity and family pension to the 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 rule 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 rule shall be deemed to have been done or taken under the corresponding provisions of these rules.

[F. No. 38/3/2017-P&PW(A)]

SANJIV NARAIN MATHUR, Jt. Secy.

**FORM 1**

(See Rule 9(1))

**Application for permission to Central Services Officers to accept commercial employment within a period of one year after retirement.****A. Particulars of Officer**

1.	Name of the Pensioner(in block letters)	
2.	Date of retirement	
3.	Particulars of the Ministry/Department/Office in which the pensioner served during the last five years preceding retirement (with duration)	
4.	Post held at the time of Retirement and period for which held	
5.	Pay scale/Pay Band & Grade Pay of the post and the Pay drawn by the officer at the time of retirement	
6.	Pensionary benefits  (a) Gross monthly Pension sanctioned/expected (b) Commutation, if any. (c) Gratuity, if any	

**B. Particulars of proposed employment**

7.	Details regarding commercial employment proposed to be taken up:- (a) (i) Name of organisation (firm or company or co-operative society, etc.). (ii) Brief nature of the organisation. (iii) Full address of the registered office of the organisation. (iv) Permanent Account Number or Tax Identification Number or Registration Number of the organisation. (b) Products being manufactured by the firm/type of business carried out by the firm etc. (c) Whether the officer had during the last three years of his official career, any dealings with the firm or company or cooperative society, etc. (d) Duration and nature of the Official dealing with the firm (e) Name of the job/post offered (f) Whether post was advertised, if not, how offer made (Attach Newspaper cutting of the advertisement and copy of the offer of appointment, if any) (g) Description of the duties of the Post/job, Remuneration offered for the post/job. (h) If proposing to set up practice, indicate: (i) Professional Qualification in the field of practice (ii) Nature of proposed practice	
8	Any other information which the Applicant desires to furnish in support of his request	

9.

## Declaration:

I hereby declare that –

(a) I have not been privy to sensitive or strategic information in the last three years of service, which is directly related to the areas of interest or work of the organisation that I propose to join or to the areas in which I propose to practice or consult.

(b) The proposed employment will not involve conflict of interest with the policies of the office held by me during the last three years and the interest represented or work undertaken by the organisation I propose to join will not bring me into conflict with the working of the Government.

(c) The organisation in which I am seeking employment is not involved in activities which are conflict with or prejudicial to India's foreign relations, national security and domestic harmony. The organisation is not undertaking any activity for intelligence gathering. The employment, which I propose to take up also will not entail activities which are in conflict with or involve activities prejudicial to India's foreign relations, national security and domestic harmony.

(d) My service record is clear, particularly with respect to integrity and dealings with Non-Government Organisations.

(e) The proposed emoluments and pecuniary benefits are in conformity with the industry standards.

(f) I agree to withdraw from the commercial employment in case of any objection by the Government.

## Undertaking

I hereby solemnly declare that the above information is true to the best of my knowledge and belief and that no material information has been concealed. In the event of any of the information being found to be false the permission may be withdrawn without assigning any reason and without prejudice to any other action the Government may consider appropriate including action under Central Civil Services (Pension) Rules, 2021 and criminal proceedings.

Signature of applicant

Date: .....

Place : .....

Address of the Applicant"

## FORM 2

(See Rule 9(5))

**Check list for processing requests of pensioners for permission to accept commercial employment after retirement****Subject: – Grant of permission to retired Group 'A' Officers for commercial employment after retirement– Case of**

.....

1. Date of receipt of application in Office/Ministry/Department

2. Comment with reference to the prescribed criteria –

Criteria	Comments
a. The nature of the employment proposed to be taken up and the antecedents of the employer. (If the firm concerned was black-listed by the Government, this should be clearly indicated)	
b. Are his duties in the employment which he proposes to take up such as might bring him into conflict with Government?	

- c. Did the pensioner while in service have any such dealings with the employer under whom he proposes to seek employment as might afford a reasonable basis for the suspicion that the pensioner had shown favours to such employer?
- d. Do the duties of the commercial employment proposed involve liaison or contact work with Government departments?
- e. Will his commercial duties be such that his previous official position or knowledge or experience under Government could be used to give the proposed employer unfair advantage?
- f. Any other relevant factor
3. Was the retired official's integrity while in service certified?
4. The APAR Dossier of the applicant is attached/may be attached by the Ministry/Department of .....
5. Recommendation regarding grant or refusal of permission including conditions, if any, subject to which permission may be granted

Signature of authority recommending the case

Name :

Designation

### FORM 3

Common Nomination Form for Gratuity, General Provident Fund and Central Government Employees' Group Insurance Scheme

[See Rule 46 of Central Civil Services (Pension) Rules, 2021, Rule 5 of General Provident Fund (Central Services) Rules, 1960 and Para 19.7 of Central Government Employees' Group Insurance Scheme, 1980]

I, ..... hereby nominate the person/persons mentioned below and confer on him/her/them the right to receive in the event of my death, to the extent specified below, amount on account of the following:

- i. any gratuity the payment of which may be authorised under rule 44 and Rule 45 of CCS (Pension) Rules
- ii. amount that may stand to my credit in the General Provident Fund
- iii. any amount that may be sanctioned by the Central Government under the Central Government Employees Group Insurance Scheme, 1980

Name, date of birth (DOB) and address of the nominee	Relationship with employe e/ pensione r	Share to be paid to each	If nominee is minor, name, DOB and address of person who may receive the amount on behalf of minor	Name, DOB, relationship and address of alternate nominee in case the nominee under Column (1) predeceases the employee	Share to be paid to each	Name, DOB and address of person who may receive the amount if alternate nominee in Col. (5) is a minor	Contingency on happening of which nomination shall become invalid
1	2	3	4	5	6	7	8


These nominations supersede any nominations made by me earlier.

Place and date:

Signature of Government servant

Mobile No.

Note 1 : Completely strike out the benefits for which nomination is not intended to be made. Separate copies of this nomination Form may be used for nominating different persons for benefits (i), (ii) and (iii) above

Note 2 : The Government servant shall draw lines across the blank space below the last entry to prevent the insertion of any name after he/she has signed.

Note 3 : The nominee(s)/alternate nominee(s)' shares together should cover the whole amount.

(To be filled in by the Head of Office/authorised Gazetted Officer)

Received the nominations, dated ....., under the following Rules :—

1. Central Civil Services (Pension) Rules, 2021 for Gratuity
2. General Provident Fund (Central Services) Rules, 1960
3. Central Government Employees Group Insurance Scheme, 1980

made by Shri/Smt./Kumari.....

Designation.....

Office.....

(Strike out which nomination is not received)

Verified that the nomination(s) made by the Government servant is/are in accordance with the provisions of the relevant rules. Entry of receipt of nomination(s) has been made in page .....Volume.....of Service Book.

Name, Signature and Designation of Head of Office/authorised Gazetted Officer with seal

Date of receipt.....

The receiving officer will fill the above information and return a duly signed copy of the complete Form to the Government servant who should keep it in safe custody so that it may come into the possession of the beneficiaries in the event of his/her death.

The receiving officer shall put his/her dated signature on both pages of this Form.

#### FORM 4

[See rules 50 (15), 57, 58, 59, 60, 62, 74, 79 and 80]

#### Details of Family

#### Important

1. The original Form submitted by the Government servant is to be retained. All additions/alterations are to be communicated by the Government servant/pensioner along with the supporting documents and the changes shall be recorded in this Form under the signature of Head of Office in column (7). No new Form will substitute the original Form. However, the retiring Government servant should submit the details of family afresh along with Form 6.

2. The details of all members of family (whether eligible for family pension or not) including spouse, all children, parents /parents in law and disabled siblings (brothers and sisters) may be given.
3. The Head of Office shall indicate the date of receipt of communication regarding addition or alteration in the family in the 'Remarks' column. The fact regarding disability or change of marital status of a family member should also be indicated in the 'Remarks' column.
4. Wife and husband shall include judicially separated wife and husband.
5. The pensioner shall intimate the details of change in family structure after retirement in Form 5.
6. Copies of birth certificates to be attached. If birth certificate is not available, then copy of any other certificate, as proof of date of birth, may be attached.

Name of the Government servant		Designation		Nationality	
--------------------------------	--	-------------	--	-------------	--

**Details of family members:**

S.N.	Name	Date of birth (DD/MM/YYYY)	Aadhaar no.* (voluntary)	Relationship with Govt. servant	Marital status	Remarks	Dated signature of Head of Office
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							

I hereby undertake to keep the above particulars up to date by notifying to the Head of Office any addition or alteration.

E-mail:  (Optional)

Place:

Mobile:

Date

(Signature)

\*Providing Aadhaar No. is voluntary. However, if it is provided, consent to link it to Bank Account and also for authentication of identity from UIDAI for pension related purpose only, is presumed.

**FORM 5**

(See Rule 50(15))

**Intimation regarding marriage/birth of a child after retirement**

To

**The Head of Office**

.....

**Sub: Intimation regarding marriage/birth of a child after retirement**

Sir,

I am to state that I have married/remarried on..... I give below the requisite particulars of my spouse for necessary endorsement on my PPO. I also enclose three copies of passport size joint photograph with my spouse for necessary action.

1. Name of the Pensioner (as recorded in PPO)
2. Full present Address
3. Date of Retirement
4. (i) PPO No. & Date  
(ii) Name of PPO Issuing Authority
5. Name of the Pension Disbursing Authority  
(i) Station  
(ii) Treasury/DPDO/PAO/PSB, as the case may be  
(iii) Bank Branch with full Address and A/c. No.
6. (a) Details of family (as already available in records)

S.No	Name(s) and Address of members of family	Relationship with the Pensioner	Martial Status in case of son/ daughter	Whether the child is physically handicapped

(b) If the application is for inclusion of post-retiral spouse, the date of death/divorce of the previous spouse (Self - attested copies of death certificate/ divorce decree to be enclosed)

7. Particulars of spouse from post-retiral marriage

- (i) Name
- (ii) Date of marriage with the pensioner. (Please attach self-attested copy of marriage certificate)

(iii) If the pensioner is having a spouse living in addition to the one whose name is proposed to be included, is this marriage valid as per the personal law applicable to the pensioner? If so, give details.

8. Particulars of Children born after retirement

S. No	Name of child born after retirement	Date of Birth (Attach Birth certificate)	Whether the child suffers from any disability

9. Verification

I certify that the particulars furnished above are correct.

Signature of Pensioner  
(with name in Block letters and address)  
Date .....

**List of Documents to be submitted with Form 5**

1. Copy of PPO.
2. Three copies of passport size joint photograph with spouse.
3. Photocopy of the first page of Pass Book of the Joint Bank Account (with spouse) in which the pension is to be credited
4. Self -attested copies of death certificate/ divorce decree
5. Self-attested copy of marriage certificate
6. Birth certificate of child borne after retirement.
7. Disability certificate of child (If the child suffers from a disability)

**FORM 6**

[See rules 57(1), 58, 59 and 60, 62, 80]

**Particulars to be obtained by the Head of Office from the retiring/retired Government Servant****Photograph(s)****1. Detail of Government servant:**

Name		Designation/ Rank	
Date of birth		Date of retirement	
Ministry/Department/Office		PAN No.	
Aadhaar No.*(voluntary)		Nationality	

**2. Address after retirement for future correspondence:**

Flat/House No./Bldg. Name		Street/Locality	
Village & Post Office/Block		City & District	
State		Pin Code	
Telephone No. (If any)		Mobile No.	
E-mail ID			

**3. Details of Bank through which Pension is to be drawn:**

Type of A/c	<input type="checkbox"/> Single <input checked="" type="checkbox"/> Joint with Spouse	A/c No.	
Bank's Name		Branch	
IFS Code			

Note 1: Please attach a copy of the first page of passbook/Cancelled cheque/document showing the name of Account Holder. (The name should be the same in the bank account, this form and the office records.)

Note 2: Please ensure that the Government servant is the Primary Account holder in the Joint Account

Note 3: In case Head of Office is satisfied that it is not possible for the retiring Government servant to open a joint account for reasons beyond his/her control, this requirement may be relaxed.

**4. Details of member of the family of Government servant who has been authorised under Rule 57(3) to submit this Form on behalf of the retiring/retired Government servant:**

Name		Relationship with the Government servant	
Aadhaar No.*(voluntary)		Nationality	
Flat/House No./Bldg. Name		Street/Locality	
Village & Post Office/Block		City & District	
State		Pin Code	
Telephone No. (If any)		Mobile No.	
E-mail ID		Reasons why Government servant is not able to submit this form	

5. I desire to commute  % of my pension under Central Civil Services (Pension) Rules, 2021 in accordance with the provisions of the Central Civil Services (Commutation of Pension) Rules, 1981.

**Note : A member of family who has been authorised under Rule 57(3) to submit this Form on behalf of the retiring/retired Government servant shall not be eligible to apply for commutation of a percentage of pension.**

6. Indicate whether family pension is also admissible from any other source- (Tick whichever is applicable)

Military

State Govt.

Public sector undertaking/ autonomous body/ local fund under the Central or State Govt.

7. Whether any departmental or judicial proceedings pending against the Government servant? If so, the details thereof. ....

8. Whether any member of the family (other than spouse) is proposed to be co-authorised for family pension? (If yes, please attach Form 8.).....Yes/No

9. Whether the Government servant wants to receive Pension Payment Order (PPO) in Office through Head of Office? .... Yes/No

**Declarations:**

\*(1) I am satisfied with the length of qualifying service to be reckoned for pension and gratuity, as intimated by the Head of Office under Rule 57(1)(c)

**OR**

I am not satisfied with the length of qualifying service to be reckoned for pension and gratuity, as intimated by the Head of Office under Rule 57(1)(c) and I have submitted a representation in this respect separately.

**OR**

I have not been intimated about the length of qualifying service to be reckoned for pension and gratuity.

**\*Tick the statement which is applicable.**

\*(2) I am satisfied with the emoluments and average emoluments to be reckoned for pension and gratuity, as intimated by the Head of Office under Rule 57(1)(c).

**OR**

I am not satisfied with the emoluments and average emoluments to be reckoned for pension and gratuity, as intimated by the Head of Office under Rule 57(1)(c) and I have submitted a representation in this respect separately.

**OR**

I have not been intimated about the emoluments and average emoluments to be reckoned for pension and gratuity.

**\*Tick the statement which is applicable.**

(3) I am aware that future good conduct of the pensioner/family pensioner shall be an implied condition for every grant of pension/family pension and its continuance.

Enclosures: As per list attached

Place:

Date:

(Signature of Government servant/Family member  
(with name) authorised to submit this Form)

*Note 1: Commutation of pension is optional. Item 5 may be struck off if the retiring Government servant does not desire to commute a percentage of pension.*

*Note 2: A separate application for commutation of superannuation pension in Form 1-A of Central Civil Services (Commutation of Pension) Rules, 1981 is required to be submitted in case the retiring/retired Government servant desires to apply for commutation of pension after submission of this form.*

*Note 3: Commutation of pension after one year or for commutation of pension in case of compulsory retirement pension/invalid pension/compassionate allowance will be applied in Form-2 of Central Civil Services (Commutation of Pension) Rules, 1981.*

\*Providing Aadhaar No. is voluntary. However, if it is provided, consent to link it to bank account and also for authentication of identity from UIDAI for pension related purpose only, is presumed.

#### **List of Documents to be attached with Form 6**

1. Two specimen signatures (to be furnished in a separate sheet). If the claimant cannot sign his/her name then he/she is required to put the impression of his/her left/right thumb on the document in lieu of specimen signature.
2. Form 8, if a family member is proposed to be co-authorised for family pension. In accordance with Rule 63(1), the following members of family are eligible for co-authorisation for family pension along with spouse, if there is no other member of family eligible for family pension before them:
  - Disabled child/ children (Disability certificate to be attached for co-authorisation.)
  - Dependent parents.
  - Disabled siblings. (Disability certificate to be attached for co-authorisation.)
3. Three copies of Joint photograph with spouse or, if it is not possible to submit joint photograph with spouse, separate photographs of self and spouse, along with three copies of photograph of the member or members of the family whose names are to be included in the Pension Payment Order as a co-authorised family pensioner. (Photographs to be attested by Head of Office).
4. Form 4 – Details of Family.
5. Undertaking in Format 9 for refunding any excess payment made by the pension disbursing bank.
6. Nomination for Gratuity, Central Government Employees' Group Insurance Scheme and General Provident Fund in Common Nomination Form –Form 3.
7. Nomination for arrears of pension and commuted value of pension (if applied for commutation of pension) in common nomination form - Form A.
8. Undertaking in Format 1 ( applicable for those who served in Security-related or Intelligence Organizations referred to in rule 7 of the Central Civil Services (Pension) Rules, 2021).
9. Form for submitting details under Anubhav (optional).
10. Form of option for availing Medical facilities of Central Government Health Scheme or Fixed Medical Allowance after retirement
11. Photocopy of the first page of Pass Book of the Bank Account in which the pension is to be credited or any other bank document showing the name and account details of Account Holder
12. Copy of PAN Card

**FORM 7**

[See rules 59, 60, 63, 80]

**Form for Assessing Pension/Family Pension and Gratuity**

[To be sent to the PAO four months before the date of retirement]

**PART-I (To be filed by Head of Office)**

<b>1. Name of the retiring Government servant</b>				Nationality	
Name of Mother/Father		<input type="checkbox"/> Mother			
		<input type="checkbox"/> Father			
*Aadhaar No. (if available)			PAN no.	Date of Birth (DD/MM/YYYY)	
<b>2. Post held at the time of retirement: -</b>					
(a) Name of the office			(b) Post held		
(c) Level of pay in the pay matrix			(D) Basic pay		
(e) Whether the appointment mentioned above was under Government or outside the Government on foreign service terms					
(f) Level of pay /basic pay in the pay matrix of the post in the parent department					
Whether declared substantive in any post under the Central Government					
<b>3. Date of beginning of service (DD/MM/YYYY)</b>					
<b>4. Date of ending of service (DD/MM/YYYY)</b>					
<b>5. Cause of ending of service (please tick one)</b>					
(a) Superannuation (Rule 33)	(b) Voluntary retirement on being declared surplus (Rule 34)				
(c) Voluntary retirement [under Rules 43 or FR 56 (k)]					
(d) Premature retirement at the initiative of the Government [ Rule 42 or FR 56 (j) ]					
(e) Permanent absorption in State Government/ public sector undertaking/autonomous body (Rules 35, 36, 37 or 38)					
(f) Invalidation on medical grounds (Rule 39)					
(g) Compulsory retirement (Rule 40)		(h) Dismissal/Removal from service (Rules 24 and 41)			
<b>5.A. In the case of compulsory retirement, the orders of the competent authority whether pension may be allowed at full rates or at reduced rates and in case of reduced rates, the percentage at which it is to be allowed (Please see Rule 40)</b>					
<b>5.B. In case of removal/dismissal from service, whether orders of competent authority have been obtained for grant of compassionate allowance and if so, at what rate (Please see Rule 41)</b>					
<b>6. Military service, if any :-</b>					
(a) Period of military service		(b) Terminal benefits drawn/being drawn for military service			
(c) Whether opted for counting of military service towards civil pension (Rule 20)					
(d) If answer to (c) above is in the affirmative, whether the terminal benefits have been refunded					

<b>7. Service in Autonomous body/State Government, if any :-</b>													
(a) Details of service :		Name of organisation						Post held					
Period of service	From (DD/MM/YYYY)							To (DD/MM/YYYY)					
(b) Whether the above service is to be counted for pension in the Government													
(c) Whether the Autonomous Organisation has discharged its pensionary liability to the Central Government													
<b>8. Whether any departmental or judicial proceedings are pending against the retiring Government servant. If yes, particulars of Memorandum of charges/suspension order/criminal case may be indicated.( In terms of Rule 8, provisional pension will be admissible and gratuity will be withheld till the conclusion of departmental or judicial proceedings and issue of final orders thereon.)</b>													
<b>9. Details of Service</b>													
(a) Period of service		From To [ ] [ ]				Total duration of service [ ]							
(b) Details of omission, imperfection or deficiencies in the Service Book which have been ignored [under Rule 57(1) (b)(ii)]													
(c) Period not counted as qualifying service :-													
(i) Boy service (2nd proviso to Rule 11)													
(ii) Extraordinary leave not counted as qualifying service (Rule 21)													
(iii) Periods of suspension not treated as qualifying service (Rule 23)													
(iv) Interruptions in service [Rule 27 (1) (b) and Rule 28 (c)]													
(v) Periods of foreign service with United Nation Bodies for which no pension contributions are payable/paid (Rule 29)													
(vi) Any other period not treated as qualifying service (give details)													
(d) Additions to qualifying service :-													
(i) Civil service (Rule 19)						(ii) Military service (Rule 20)							
(iii) Benefit of service in a State Government or Autonomous Body (Rule 13/Rule 14)						Temporary Status service (Rule 15)							
(e) Net qualifying service (a - b - c + d)													
(f) Qualifying service expressed in terms of completed six monthly periods (Period of three months and above is to be treated as completed six monthly period (Rule 44 and Rule 45))													
<b>10. Emoluments :-</b>													
(a) Emoluments in terms of Rule 31													
(b) Emoluments during ten months preceding retirement-		From (DD/MM/YYYY)							To (DD/MM/YYYY)				
From Date	To Date	Basic Rate	NPA		Other pay			Basic pay for the purpose of Average Emoluments					

				(including NPA)
<p>Note : If the officer was on foreign service immediately before retirement, the emoluments which he would have drawn under Government but for being on foreign service may be mentioned in items (a) and (b) above (Rule 31)</p> <p>.</p>				
(c) Average emoluments (Rule 32)				
(d) Emoluments or average emoluments (whichever is higher) to be reckoned for pension (Rule 44)				
(e) Emoluments reckoned for retirement gratuity [(a) or (c), whichever is higher] (Rule 45)				
(f) Pay reckoned for family pension [(a) or (c), whichever is higher] (Rule 50)				
<b>11. Proposed Pension Details:-</b>				
(a) Proposed pension / service gratuity (Rule 44)				
(b) Proposed dearness relief on pension (as on the date of retirement)				
(c) Date from which pension is to commence (Rule 81)				
(d) Date from which provisional pension under Rule 62 being paid, if any.		Date upto which provisional pension is sanctioned by HOO		Amount of provisional pension being paid (per month)
<b>12. (a) Amount of retirement gratuity (Rule 45)</b>				
<b>(b) Amount of Provisional gratuity paid under Rule 62, if any</b>				
<b>13. Details of Government dues recoverable out of gratuity</b>				
(a) Licence fee for Government accommodation [see sub-rules (2), (3) & (4) of Rule 68]				
(b) Dues referred to in Rule 69				
(c) Amount indicated by Directorate of Estates to be withheld under sub-Rule (5) of Rule 68				
<b>14. Amount and Period of family pension :</b>		<b>Amount</b>		
(a) Enhanced rate [Rule 50(2)(a)(iii)]				
(b) Ordinary rate [Rule 50(2)(a)(i)]				
<p><b>Note:</b> In the event of death of pensioner, the family pension at enhanced rate shall be payable for a period of seven years, or for a period up to the date on which the retired deceased Government servant would have attained the age of 67 years had he survived, whichever is less.</p>				
<b>15. Name of the family member(s) to whom family pension is to be authorized in Pension Payment Order</b>				
a. Name of the Spouse				
b. Percentage of family pension to be paid to spouse, if the family pension is to be shared with other members of the family (e.g. children from a wife who is not alive or children from a divorced wife)				
c. Names and relationship of other family members, referred to in (b) above.	1. 2. 3.			
d. Name of family member to be co-authorised (i.e. disabled child/dependant parent/disabled sibling)				

16. Whether Fixed Medical Allowance is admissible		<input type="checkbox"/> Yes	<input type="checkbox"/> No	Amount(₹)
<b>17. Commutation of pension :-</b>				
(a) Percentage of pension commuted				
(b) Amount of monthly pension commuted				
(c) Commuted value of pension				
(d) Amount of residuary pension after deducting commuted portion				
Post-retirement address of the retiree				
e-mail ID, if any			Mobile number	
<i>*Providing Aadhaar No. is voluntary. However, if it is provided consent to link it to Bank Account for authentication of identity from UIDAI for pension related purpose only, is presumed.</i>				

**Note: Commuted part of pension will be restored after 15 years from the date of retirement or payment of commuted value of pension, whichever is later.**

#### **FORM 7- CHECK LIST FOR HEAD OF OFFICE FOR TIMELY PROCESSING OF RETIREMENT DUES**

1. Whether retiring Government servant is an allottee of Government accommodation								
2. The date on which action initiated to obtain the 'No demand certificate from the Directorate of Estates as provided in Rule 55.								
3. Date of receipt of 'No Demand Certificate' from Directorate of Estates								
4. Date on which intimation regarding any recovery/withholding of amount from gratuity received from Directorate of Estates								
5. If retiring <b>Government servant</b> is not an allottee of Government accommodation, date on which 'No Demand Certificate' issued by the office(DD/MM/YYYY)								
6. Date on which a certificate regarding the length of qualifying service and the emoluments/average emoluments proposed to be reckoned for retirement gratuity and pension was provided to the Government servant. (DD/MM/YYYY)								
7. Whether any objection received from the <b>Government servant</b> on the above certificate								
8. Whether the objection has been resolved to the satisfaction of <b>Government servant</b>								
<b>9. Whether nominations made in common nomination forms for</b>								
(i) Death gratuity/retirement gratuity		(ii)Payment under Central Government Employees' Group Insurance Scheme						
(iii) Amount of General Provident Fund, if applicable		(iv)Arrears of pension						
(v)Commutted value of pension (if applicable)								
10.(i)Has the retiring Government servant worked in any of the organisations mentioned in sub-rule 4 of Rule 7 of the Central Civil Services (Pension) Rules, 2021								
(ii)If yes, whether an undertaking in Format 1 has been obtained along with Form 6 and placed on record								
11. Whether name in 'Pension Disbursing Authority' i.e. Bank Account is tallying with service records	<input type="checkbox"/> Yes <input type="checkbox"/> No							
12. Disbursement of commuted value of pension	<input type="checkbox"/> PAO <input type="checkbox"/> Disbursing Authority							

**PART-II**  
**(Account Authorisation (by Accounts Officer))**

Date of receipt of pension papers by the Accounts Officer from Head of Office(DD/MM/YYYY)										
<b>Entitlements admitted -</b>										
<b>A. Length of qualifying service</b>										
<b>B. Pension</b>	(i) Class of pension				(ii) Amount of monthly pension					
(iii) Date from which provisional pension under Rule 62 being paid by Head of Office, if any.					(iv) Amount of Provisional Pension being paid					
(v) Date up to which provisional pension to be continued					(vi) Date from which regular pension is to commence					
<p>Note 1 : The date from which the final pension shall be commenced by the Pension Disbursing Authority shall be at least two months after the date of issue of the PPO, taking into consideration the time likely to be taken by CPAO and CPPC to process the pension case. Pay &amp; Accounts Office shall record a note in this regard in the PPO while authorizing the final pension.</p> <p>Note 2: The payment of provisional pension shall, accordingly, continue from the office till the date mentioned in the PPO for commencement of final pension by the PDA.</p> <p>Note 3: The HOO will draw and disburse the difference between the amount of pension finally assessed and the amount of provisional pension. If the amount of pension finally assessed is less than the amount of provisional pension, the difference will be adjusted from the amount of gratuity payable failing which, in instalments from pension payable in future.</p>										
<b>C. Commutation of pension -</b>										
(i) Portion of pension commuted, if any										
(ii) Commuted value of portion of pension commuted, if any										
(iii) Residuary pension after commutation										
(iv) Date from which reduced pension is payable(DD/MM/YYYY)										
(v) Date of restoration of commuted portion of pension (subject to the pensioner continuing to live) (DD/MM/YYYY)										
<b>D. Retirement Gratuity -</b>										
(i) Total amount of gratuity										
(ii) Provisional gratuity paid by Head of Office under Rule 62										
(iii) Amount to be adjusted towards arrears of licence fee for Government accommodation and licence fee for retention of Government accommodation beyond retirement [Rule 68(1) and 68(4)]										
(iv) Amount intimated by Directorate of Estates for being withheld on account of unassessed licence fee (Rule 68(5))										
(v) Amount to be adjusted towards Government dues other than those pertaining to Government accommodation (Rule 69)										
(vi) Net amount to be released immediately										
<b>E. Amount and period of Family pension –</b>			<b>Amount</b>		<b>Period</b>					
(i) At enhanced rate										
(ii)At normal rate										
<b>F. Name of the family member(s) to whom family pension is to be authorized in Pension Payment Order</b>										
(a) Name of the Spouse										

(b) Percentage of family pension to be paid to spouse, if the family pension is to be shared with other members of the family (e.g. children from a wife who is not alive or children from a divorced wife)	
(c) Names and relationship of other family members, referred to in (b) above.	
(d) Name of family member to be co-authorised (i.e. disabled child/dependant parent/disabled sibling)	
<b>G. Head of account to which the amount of pension, retirement/death gratuity and family pension are to be debited</b>	

Signature of Accounts Officer

**PENSION CALCULATION SHEET**

1. Name	2. Designation			
3. Date of birth	4. Level of pay in the pay matrix	5. Basic pay		
6 Date of entry in the Government service(DD/MM/YYYY)		7.Date of retirement (DD/MM/YYYY)		
8. Length of qualifying service reckoned for pension/gratuity(as indicated in PPO)				
9(a). Emoluments for pension				
9(b). Emoluments drawn during the last ten months				
9(c). Average emoluments				
10. Emoluments or average emoluments, whichever is more beneficial for pension (as indicated in PPO)				
11. Pension admissible (if qualifying service is ten years or more) calculations to be shown as follows :- Emoluments or average emoluments/2				
12. Emoluments for gratuity (as indicated in PPO)				
<b>13. Retirement gratuity admissible:</b> calculation to be shown as follows :- Emoluments/4 x Qualifying Service (In completed six monthly periods, not exceeding 66.)				
14. Pay for family pension (as indicated in Pension Payment Order)				
15. Family pension admissible (calculation to be shown as follows) :-				

(a) Ordinary family pension : Pay x 30% (subject to prescribed minimum and maximum)	
(b) Enhanced family pension: Pay /2 (Subject to prescribed minimum and maximum)	
<b>16. Details of Commutation of Pension, If any</b>	
(a) The percentage of pension commuted	
(b) Amount of monthly pension commuted	
(c) Commuted value of pension	
(d) Amount of residuary pension after deducting commuted portion	
<b>17. Amount of Fixed Medical Allowance, if admissible</b>	

[Signature Box]

Office

Signature of the Head of

[Signature Box]

Countersigned by PAO

Copy to:- Shri/Smt./Kumari .....

(Retired/retiring Govt. servant)

#### Form 7-A

[See Rule 63(5) ]

**Form for Assessing Pension/Family Pension and Gratuity in respect of a Government servant against whom departmental or judicial proceedings were pending at the time of retirement and to whom provisional pension was sanctioned in accordance with Rule 8**

#### PART-I (To be filed by Head of Office)

<b>1. Name of the retiring Government servant</b>											
Name of <input type="checkbox"/> Mother <input type="checkbox"/> Father		<input type="checkbox"/> Mother <input type="checkbox"/> Father									
*Aadhaar No. (if available)		PAN no.		Date of Birth DD-MM-YYYY							
<b>2. Post held at the time of retirement: -</b>											
(a) Name of the office			(b) Post held								
(c) Level of pay in the pay matrix			(d) Basic pay								
(e) Whether the appointment mentioned above was under Government or outside the Government on foreign service terms											
(f) Level of pay /basic pay in the pay matrix of the post in the parent department											
Whether declared substantive in any post under the Central Government											
<b>3. Date of beginning of service (DD/MM/YYYY)</b>						<b>4. Date of ending of service (DD/MM/YYYY)</b>					
<b>5. Cause of ending of service (please tick one)</b>											
(a) Superannuation (Rule 33)		(b) Voluntary retirement on being declared surplus (Rule 34)									
(c) Voluntary retirement [under Rules 43 and FR 56 (k)]											

(d) Premature retirement at the initiative of the Government [ Rule 42 or FR 56 (j) ]			
(e) Permanent absorption in State Government/public sector undertaking/Autonomous Body (Rule 35, 36, 37 or 38)			
(f) Invalidation on medical ground (Rule 39)			
(g) Compulsory retirement (Rule 40)		(h) Dismissal/ Removal from service (Rules 24 and 41)	

**6. Details of Service**

(a) Period of service From \_\_\_\_\_ To \_\_\_\_\_ Total duration of service \_\_\_\_\_

**(b) Details of omission, imperfection or deficiencies in the Service Book which have been ignored [under Rule 57]****(c) Period not counted as qualifying service :-**

(i) Boy service (2nd proviso to Rule 11)	
(ii) Extraordinary leave not counted as qualifying service (Rule 21)	
(iii) Periods of suspension not treated as qualifying service (Rule 23)	
(iv) Interruptions in service [Rule 27 (1) (b) and Rule 28 (c)]	
(v) Periods of foreign service with United Nation Bodies for which no pension contributions are payable/paid (Rule 29)	
(vi) Any other period not treated as qualifying service (give details)	

**(d) Additions to qualifying service :-**

(i) Civil service (Rule 19)		(ii) Military service (Rule 20)	
(iii) Benefit of service in a State Government/ Autonomous Body (Rule 13/Rule 14)		Temporary status service (Rule 15)	
(e) Net qualifying service(a - b - c + d)			

**(f) Qualifying service expressed in terms of completed six monthly periods (Period of three months & above is to be treated as completed six monthly period (Rule 44 and Rule 45)****7. Emoluments :-**

(a) Emoluments in terms of Rule 31

(b) Emoluments drawn during ten months preceding retirement- From (DD/MM/YY YY) \_\_\_\_\_ To (DD/MM/YY YY) \_\_\_\_\_

Note: If the officer was on foreign service immediately preceding retirement, the notional emoluments which he would have drawn under Government but for being on foreign service may be mentioned in items (a) and (b) above (Rule 32)

(c) Average emoluments (Rule 32)

(d) Emoluments or average emoluments (whichever is higher) to be reckoned for pension (Rule 44)

(e) Emoluments reckoned for retirement gratuity (Rule 45)

(f) Pay reckoned for family pension (Rule 50)

**8. Proposed Pension Details:-**

(a) Amount of pension/service gratuity at full rates (Rule 44)

(b) Amount of retirement gratuity at full rates (Rule 45)

(c) Whether any part of pension or gratuity to be withheld/withdrawn on conclusion of departmental/judicial proceedings under Rule 8

(d) Percentage of pension to be withheld / withdrawn	
(e) Whether pension is to be withheld/withdrawn permanently or for a specified period	
(f) Date from which pension is to be withdrawn / withheld	
(g) Date up to which pension is to be withdrawn/withheld (if withheld/withdrawn for a specified period)	
(h) Amount of pension payable after deduction of the amount withheld / withdrawn	
(i) Date from which regular pension is to commence	
(j) Percentage of gratuity to be withheld under Rule 8	
(k) Amount of gratuity after deduction of amount withheld	
(l) Amount of provisional pension which was sanctioned under Rule 8	
(m) Date from which provisional pension paid	

**9. Details of Government dues recoverable out of gratuity**

(a) Licence fee for Government accommodation [see sub-rules (2), (3) & (4) of Rule 68]	
(b) Dues referred to in Rule 69	
(c) Amount indicated by Directorate of Estates to be withheld under sub-Rule (5) of Rule 68	

**10. Amount and Period of family pension :****Amount**

(a) Enhanced rate [Rule 50(2)(a)(iii)]	
(b) Ordinary rate [Rule 50(2)(a)(i)]	

**Note: In the event of death of pensioner, the family pension at enhanced rate shall be payable for a period of seven years, or for a period up to the date on which the retired deceased Government servant would have attained the age of 67 years had he survived, whichever is less.**

**11. Name of the family member(s) to whom family pension is to be authorized in Pension Payment Order**

(a) Name of the Spouse	
(b) Percentage of family pension to be paid to spouse, if the family pension is to be shared with other members of the family (e.g. children from a wife who is not alive or children from a divorced wife)	
(c) Names and relationship of other family members, referred to in (b) above.	1 2 3
(d) Name of family member to be co-authorised (i.e. disabled child/dependant parent/disabled sibling)	

**12. Commutation of pension :-**

(a) The percentage of pension commuted	
(b) Amount of monthly pension commuted	
(c) Commuted value of pension	
(d) Amount of residuary pension after deducting commuted portion	
Post-retirement address of the retiree	
e-mail ID, if any	Mobile number

**Note: Commuted part of pension will be restored after 15 years from the date of payment of commuted value of pension.**

**PART-II**  
**(Account Authorisation (by Accounts Officer))**

Date of receipt of pension papers by the Accounts Officer from Head of Office (DD/MM/YYYY)								
<b>Entitlements admitted -</b>								
A. Length of qualifying service								
B. Pension - (i) Class of pension				(ii) Amount of monthly pension				
(iii) Percentage of pension to be withheld / withdrawn under Rule 8								
(iv) Amount of pension payable after deduction of the amount withheld / withdrawn								
(v) Period for which pension is to be withdrawn / withheld								
(vi) Date of commencement								
(vii) Amount of provisional pension paid (Statement of provisional pension paid every month to be attached)								
<b>C. Commutation of pension -</b>								
(i) Portion of pension commuted, if any								
(ii) Commuted value of portion of pension commuted, if any								
(iii) Residuary pension after commutation								
(iv) Date from which reduced pension is payable (DD/MM/YYYY)								
(v) Date of restoration of commuted portion of pension (subject to the pensioner continuing to live) (DD/MM/YYYY)								
<b>D. Retirement/Death Gratuity -</b>								
(i) Total amount of gratuity								
(ii) Percentage of gratuity to be withheld under Rule 8								
(iii) Amount of gratuity after deduction of amount withheld								
(iv) Amount to be adjusted towards arrears of licence fee for Government accommodation and licence fee for retention of Govt. accommodation beyond retirement (Rule 68(1) and 68(4))								
(v) Amount intimated by Directorate of Estates for being withheld on account of unassessed licence fee (Rule 68(5))								
(vi) Amount to be adjusted towards Government dues other than those pertaining to Government accommodation (Rule 69)								
(v) Net amount to be released immediately								
<b>E. Amount and period of Family pension –</b>		<b>Amount</b>	<b>Period</b>					
(i) At enhanced rate								
(ii) At normal rate								
<b>F. Name of the family member(s) to whom family pension is to be authorized in Pension Payment Order</b>								
(a) Name of the Spouse								
(b) Percentage of family pension to be paid to spouse, if the family pension is to be shared with other members of the family (e.g. children from a wife who is not alive or children from a divorced wife)								
(c) Names and relationship of other family members, referred to in (b) above.		1 2 3						
(d) Name of family member to be co-authorised (i.e. disabled child/dependant parent/disabled sibling)								
<b>G. Head of account to which the amount of pension, retirement/death gratuity and family pension are to be debited</b>								
<b>H. Whether any order affecting pension/ gratuity issued under Rule 8 of CCS (Pension) Rules.</b>		Yes <input type="checkbox"/> No <input type="checkbox"/> If so, details thereof						

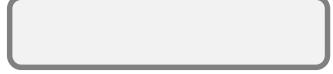


Signature of Accounts Officer

**PENSION CALCULATION SHEET**

1. Name								2. Designation									
3. Date of birth	[ ]	4. Level of pay in the pay matrix										5. Basic pay					
6 Date of entry in the Government service (DD/MM/YYYY)		[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	7.Date of retirement (DD/MM/YYYY)	[ ]	[ ]	[ ]	[ ]	[ ]
8. Length of qualifying service reckoned for pension/gratuity(as indicated in PPO)																	
9. Emoluments drawn during the last ten months																	
10. Emoluments or average emoluments, whichever is more beneficial for pension (as indicated in PPO)																	
11. Pension admissible (if qualifying service is ten years or more) calculations to be shown as follows :- Emoluments or average emoluments/2																	
12. Amount of pension withheld/withdrawn																	
13. Amount of pension payable																	
14. Emoluments for gratuity (as indicated in PPO)																	
15. Retirement gratuity admissible at full rates: calculation to be shown as follows :- Emoluments/4 x Qualifying Service (In completed six monthly periods, not exceeding 66.)																	
16. Amount of Retirement Gratuity to be withheld/withdrawn																	
17. Amount of Retirement Gratuity payable																	
18. Pay for family pension (as indicated in PPO)																	
19. Family pension admissible (calculation to be shown as follows) :- (a) Ordinary family pension : Pay x 30% subject to prescribed minimum and maximum																	
(b) Enhanced family pension: Pay /2 [Subject to prescribed minimum and maximum]																	
20. Details of Commutation of Pension, If any																	
(a) The percentage of pension commuted																	
(b) Amount of monthly pension commuted																	
(c) Commuted value of pension																	
(d) Amount of residuary pension after deducting commuted portion																	


 Signature of the Head of Office


 Countersigned by PAO

Copy to:- Shri/Smt./Kumari .....

(Retired/retiring Govt. servant)

## FORM 8

(See Rule 63(1) and 79(2))

**Application by a Government servant/pensioner or his/her spouse for including /co-authorisation of names of permanently disabled child/dependent parents/disabled sibling as family pensioner in the Pension Payment Order**

**Photograph(s)  
of the Family  
member(s) to  
be co-  
authorised**

**1. Details of Government servant/Pensioner :**

Name		Office/Dept./Ministry		Nationality	
Date of retirement (DD/MM/YYYY)		Date of death (DD/MM/YYYY)		PPO No. (If issued)	

**2. Details of primary/existing family pensioner :**

Name		Relationship with deceased Government servant/pensioner		PPO No.	
------	--	--	--	---------	--

**3. Details of family member to be co-authorised for family pension i.e. Permanently Disabled Child/Dependent Parents / Permanently Disabled Sibling:**

Name		Date of birth (DD/MM/YYYY)		Aadhaar No. *(voluntary)	
PAN		Relationship with deceased Govt. servant		Personal marks of identification	
Signature/left hand Thumb impression		Whether in receipt of any other pension/family pension. If so, particulars and source from which being drawn			

**4. Postal address of family member to be co-authorised for family pension:**

Flat/House No./Bldg. Name		Street/Locality	
Village & Post Office/Block		City & District	
State		Pin Code	
Telephone /Mobile No.		E-mail ID	

**5. In case the family member to be co-authorised is minor or suffering from disorder or disability of mind, including mental retardation, details of guardian/ nominee, wherever applicable:**

Name		Date of Birth (DD/MM/YYYY)		Aadhaar No. *(voluntary)	
PAN		Relationship with minor/ mentally disabled family member			

Relationship with the Government servant /pensioner

Postal address of guardian/nominee:

Flat/House No./Bldg. Name		Street/Locality	
Village & Post Office/Block		City & District	
State		Pin Code	
Telephone /Mobile No.		E-mail ID	

**6. Details of Bank account of family member to be co-authorised (Optional):**

A/c No. (Optional)		Bank's Name and branch	
IFS Code			

Signature or left hand thumb impression of the Government servant/Pensioner/family pensioner  
Address.....

Mobile/Telephone No.....

Notes:- (i) If more than one family member are proposed to be co-authorised for family pension, photographs and details in item 3 to item 6 above in respect of all such family members may be given in separate sheets with this Form

(ii) The name(s) of permanently disabled child/children/siblings and/or dependent parents shall be added in the PPO only if there is no other eligible prior claimant for family pension

(iii) The co-authorisation shall become invalid in case any other member of family becomes entitled to family pension prior to the co-authorised family member.

**List of Documents to be submitted with Form 8 in respect of each family member who is proposed to be co-authorised for family pension.**

1. Two specimen signatures (to be furnished in a separate sheet) .If the member of the family cannot sign his/her name then he/she is required to put the impression of his/her left/right thumb etc. on the document in lieu of specimen signature.
2. Proof of identity.
3. Proof of relationship with the deceased Government servant/pensioner.
4. Two copies of self attested passport size photographs of the member of the family.
5. Certificate of age showing the dates of birth. The certificate should be from the municipal authorities or from the local panchayat or from the head of a recognized school or Central/state board of education.
6. Two specimen signatures of guardian (to be furnished in a separate sheet if the member of the family is minor or suffering from mental disability)
7. If the guardian cannot sign his/her name then he/she is required to put the impression of his/her left/right thumb etc. on the document in lieu of specimen signature.
8. A copy of Photo ID proof of the guardian along with proof of Permanent Address.
9. Two self attested copies of passport size photograph of the guardian/nominee
10. Last Income Tax Return failing which Certificate from SDM failing which any other document regarding income in support of the claim for family pension.
11. Copy of the first page of the Pass Book or cancelled cheque or any other document showing name and account number in which the family pension is to be credited. (Name of the claimant in the form and in the bank account should be the same)

**FORM 9**

[See rules 71(2)(b) and 71(6)]

**Application for the Grant of Gratuity in respect of a deceased/missing Government Servant**

(To 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 with one guardian for all of them, the guardian should claim gratuity in one Form on their behalf)

Photograph(s)

**1. Details of deceased/missing Government servant:**

Name		Date of death (DD/MM/YYYY)		Date from which missing (DD/MM/YYYY)	
Office/Department/Ministry in which the deceased/missing Government servant served last		Date of lodging report with Police (in case of missing Government servant only) (DD/MM/YYYY)		Nationality	

**2. Details of claimants:**

Sl. No .	Name	Date of birth (DD/MM/YYYY)	Aadhaar No.* (Voluntary)	Relationship with deceased/missing Government servant	Postal address	Mobile No.
1.						
2.						
3.						

**3. In case the claimant is/are minor or suffering from disorder or disability of mind, including mental retardation, details of guardian:**

Name	Date of birth (DD/MM/YYYY)	Aadhaar No.* (Voluntary)	Relationship with the minor/mentally disabled	Relationship with the deceased/missing Govt. Servant	Postal address

**4. Details of bank:**

Bank's Name and address of the Bank Branch		A/c No.		IFS Code	
--	--	---------	--	----------	--

Place: Date:  DD-MM-YYYY

(Signature of the claimant/guardian)

Mobile no.: **Enclosure:**

- a. Death certificate
- b. Guardianship Certificate/ Indemnity Bond (Format 7) and Date of Birth Certificate in case the claimant is a minor.
- c. Guardianship Certificate/ nomination and Medical Certificate in case the claimant is mentally disabled.
- d. Copy of the report lodged with the police. (in the case of missing Government servant only)
- e. Copy of the report from the police that the Government servant could not be traced so far despite all efforts made (in the case of missing Government servant only)
- f. Indemnity Bond in Format 8 (in the case of missing Government servant only)

\*Providing Aadhaar No. is voluntary. However, if it is provided, consent to link it to bank account and also for authentication of identity from UIDAI for pension related purpose only, is presumed.

**FORM 10**

[See rules 50, 71, 74, 76, 79 and 80]

**Application to the Head of Office for Family Pension on Death of a Government Servant or Pensioner or on Death or Ineligibility of a Family Pensioner or when a Government Servant or Pensioner or Family Pensioner goes missing****Photograph**

Application for family Pension on : (Tick one box)

Death of Government servant	Death of Pensioner	Death of Family Pensioner	Ineligibility of Family Pensioner
Disappearance of Government servant	Disappearance of Pensioner	Disappearance of Family Pensioner	

**1. Details of deceased/missing Government Servant/Pensioner (To be filled only if a Government servant/pensioner has died or gone missing)**

Name	Office/Dept./Ministry	Nationality
Date of retirement (in case of pensioner) (DD/MM/YYYY)	Date of death (in case of death of Government servant/pensioner) (DD/MM/YYYY)	Date from which missing (in case of missing Government servant/pensioner)(DD/MM/YYYY)
Date of lodging of report with Police (In case of missing Government servant/pensioner) (DD/MM/YYYY)	PPO No. (If issued)(in case of pensioner)	

**2. Details of previous family pensioner who has died or become ineligible or gone missing (To be filled only if a family pensioner has died or become ineligible or gone missing):**

*Name of deceased Government servant/ pensioner	*Office/Dept./Ministry	*Nationality
*Date of retirement of Government servant (DD/MM/YYYY)	*Date of death of Government servant/ pensioner (DD/MM/YYYY)	*PPO No. (Issued on retirement/ death of Government servant )
Name of previous family pensioner who has died/become ineligible or gone missing	Date of death/ineligibility of previous family pensioner (DD/MM/YYYY)	Date from which missing (in case of missing family pensioner only) (DD/MM/YYYY)
Date of lodging of report with Police (In case of missing family pensioner) (DD/MM/YYYY)	PPO No. sanctioning family pension to previous family pensioner who has died or become ineligible or gone missing	

**Note: The information for items marked ( \*) is to be given in respect of the person who was employed in the Department and on whose death, family pension was originally sanctioned. Remaining information is to be given in respect of deceased/ineligible/missing family pensioner.**

**3. Details of claimant:**

Name		Date of birth (DD/MM/YYYY)	Aadhaar No. *(Voluntary)	
PAN		Relationship with deceased/missing Govt. servant/pensioner		
If the claimant is a widowed daughter, date of death of husband of the claimant (DD/MM/YYYY)		If the claimant is a divorced daughter	If the claimant is a disabled child/sibling, date from which suffering from the disability (DD/MM/YYYY)	
		Date of filing of divorce petition (DD/MM/YYYY)		
	Date of divorce (DD/MM/YYYY)			

**4. Postal address:**

Flat/House No./Bldg. Name		Street/Locality	
Village & Post Office/Block		City & District	
State		Pin Code	
Telephone /Mobile No.		E-mail ID	

**5. In case the claimant is minor or suffering from disorder or disability of mind, including mental retardation, details of guardian/ nominee, wherever applicable:**

Name		Date of Birth (DD/MM/YYYY)	Aadhaar No. *(Voluntary)	
PAN		Relationship with minor/ mentally disabled claimant		
Relationship with the deceased /missing Government servant /pensioner				

**Postal address:**

Flat/House No./Bldg. Name		Street/Locality	
Village & Post Office/Block		City & District	
State		Pin Code	
Telephone /Mobile No.		E-mail ID	

**6. Details of Bank:**

A/c No.		Bank's Name and branch	
IFS Code			

7. Indicate whether family pension is also admissible from any other source- (Tick whichever is applicable)

Military

State Govt.

Public sector undertaking/ autonomous body/ local fund under the Central or State Govt.

8. Are there any criminal proceedings pending against the claimant? If so, give details. ....

9. Are there any charges of fraud or any other serious crime against the missing Government servant/ pensioner/family pensioner ? If so give details. (Applicable in case of missing Government servant/pensioner/family pensioner) .....

I declare that the information given by me is true to the best of my knowledge and nothing has been concealed therefrom.

I am aware that future good conduct of the claimant/family pensioner shall be an implied condition for every grant of family pension and its continuance.

Place:

Date:

(Signature of the claimant/guardian)

*\*Providing Aadhaar No. is voluntary. However, if it is provided, consent to link it to bank account and also for authentication of identity from UIDAI for pension related purpose only, is presumed.*

Note: If a member or members of family is/are proposed to be co-authorised for family pension, an application in Form 8 may be attached. In accordance with Rule 63(1), the following members of family are eligible for co-authorisation for family pension along with spouse, if there is no other member of family eligible for family pension before them:

- Disabled child/ children
- Dependent parents.
- Disabled siblings.

#### **List of Documents to be submitted with Form 10**

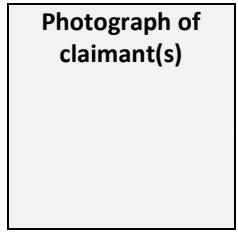
1. Two specimen signatures (to be furnished in a separate sheet) .If the claimant cannot sign his/her name then he/she is required to put the impression of his/her left/right thumb etc. on the document in lieu of specimen signature.
2. Proof of identity.
3. Proof of relationship with the deceased/missing Government servant/pensioner
4. Two copies of self attested passport size photographs of the claimant.
5. Details of family in Form 4.
6. Undertaking for refunding any excess payment made by the pension disbursing bank in Format 9.
7. Certificate(s) of age showing the dates of birth of the children. The certificates should be from the municipal authorities or from the local panchayat or from the head of a recognized school or Central/state board of education.
8. Two specimen signatures of guardian (to be furnished in a separate sheet if the claimant is minor or suffering from mental disability)
9. If the guardian cannot sign his/her name then he/she is required to put the impression of his/her left/right thumb etc. on the document in lieu of specimen signature.
10. A copy of Photo ID proof of the guardian along with proof of Permanent Address.
11. Two self attested copies of passport size photograph of the guardian/nominee
12. Copy of Pension Payment Order of previous pensioner/family pensioner.
13. Copy of death certificate of Government servant/pensioner/previous family pensioner , if applicable
14. Copy of document regarding ineligibility of previous family pensioner, if applicable
15. Copy of report lodged with police in respect of missing Government servant or pensioner or previous family pensioner.(In case of missing pensioner/family pensioner only)
16. Copy of the report from the police that the Government servant could not be traced so far despite all efforts made (In case of missing pensioner/family pensioner only)
17. Indemnity Bond in Format 8 (In case of missing pensioner/family pensioner only)
18. Last Income Tax Return failing which Certificate from SDM failing which any other document regarding income in support of the claim for family pension (Not applicable in the case of spouse).
19. Copy of the first page of the Pass Book showing name and account number in which the family pension is to be credited. (Name of the claimant in the form and in the bank account should be the same)
20. If the claimant is a widowed/divorced daughter or a disabled child/sibling, document in support of the eligibility of the claimant (i.e death certificate of husband in the case of widowed daughter/divorce decree in the case of divorced daughter/disability certificate in the case of a disabled child)
- 21 Form 8, if a family member is proposed to be co-authorised for family pension.

## FORM 11

[See Rules 74(1), 76(1)]

**Assessment and Authorisation of Payment of Family Pension and Death Gratuity when a Government Servant dies or goes missing while in Service**

**Photograph of claimant(s)**



**Family Pension / Death Gratuity case on**  
(Tick one box)

**Death of Government Servant**

**Disappearance of Government servant**

**Part I**  
Section I

**1. Details of deceased/missing Government servant:**

(a) Name	(b) Nationality		(c) Religion								
(d) Mother's name	(e) Father's Name	(f) Date of birth(DD/MM/YYYY)									
(g) Date of death (in the case of death of Government servant) (DD/MM/YYYY)		(h) Date from which missing (in the case of missing Government servant) (DD/MM/YYYY)									
(i) Date of lodging of report with police (in the case of missing Government servant) (DD/MM/YYYY)		(j) Date up to which pay and allowances/leave salary has been paid (in the case of missing Government servant) (DD/MM/YYYY)									

**2. Post held at the time of death /disappearance:-**

(a) Name of the office						
(b) Post held substantively	(c) Officiating post					
(d) Level of pay in the pay matrix	(e) Basic Pay					

**(f) In case the last post was held outside the Government on foreign service terms-**

(i) Level of pay of the post held in the parent department	(ii) Basic pay			
--	----------------	--	--	--

**(g) Total period of military service, if any, for which pension and/or gratuity was sanctioned**

(h) Amount of any pension/gratuity received for the military service	(i) Nature of any pension/gratuity received for the military service			
--	--	--	--	--

**3. Date of beginning of service (DD/MM/YYYY)**



**4. Date of death/disappearance (DD/MM/YYYY)**



**5. Service in Autonomous Body/State Government, if any particulars of service:**

(a) Name of organization	(b) Post held	(c) Period of service		
		From	To	Total period
(d) Whether the above service is to be counted for gratuity in the Government			<input type="radio"/> Yes	<input type="radio"/> No

(e) Whether the Autonomous Organization has discharged its pensionary liability to the Central Government		<input type="radio"/> Yes	<input checked="" type="radio"/> No
(f) Amount of any pension/gratuity received for the previous civil service, if any		(g) Nature of any pension/gratuity received for the previous civil service, if any	
<b>6. Service qualifying for gratuity:</b>			
(a) Details of omission, imperfection or deficiencies in the service book which have been ignored]			
<b>(b) Periods of non-qualifying service:</b>		From	To
Interruption in service condoned under Rules 27 & 28			
Extraordinary leave not qualifying for gratuity			
Period of suspension treated as non-qualifying			
Boy service (2nd proviso to Rule 11)			
Periods of foreign service with United Nations bodies for which no pension contributions are payable/paid (Rule 29)			
Any other service not treated as qualifying service			
Total Period of non-qualifying service			
<b>(c) Additions to qualifying service:</b>		From	To
Civil service (Rule 19)			
Military service (Rule 20)			
Benefit of service in a State Government/ Autonomous Body Rule 13/Rule 14)			
Temporary status service (Rule 15) (half of the total period)			
Total Period of qualifying service			
<b>(d) Net qualifying service</b>			
(e) Qualifying service expressed in terms of completed six monthly periods (Period of three months & above is to be treated as completed six monthly period (Rule 45)			
<b>7. Emoluments</b>			
<b>(a) Emoluments in terms of Rule 31</b>			
(b) Emoluments drawn during ten months preceding death/ disappearance-	From (DD/MM/Y YYY)	T o	
Note: If the officer was on foreign service immediately preceding retirement, the notional emoluments which he would have drawn under Government but for being on foreign service may be mentioned in items (a) and (b) above (Note 5 below Rule 31)			
(c) Average emoluments (Rule 32)			
(d) Emoluments or average emoluments (whichever is higher)			
(e) Pay reckoned for family pension [same as (d) ]			
(f) Dearness Allowance on (d) as admissible on the date of death/disappearance			
(g) Emoluments reckoned for gratuity/ gratuity (Rule 45) [(d) +(f)]			
<b>8. Amount of gratuity</b>			
Death gratuity (in case of deceased Government servant)			
Retirement gratuity (in case of missing Government servant)			
Note: Difference between death gratuity and retirement gratuity will be payable in the case of a missing Government servant after the death is conclusively established or on expiry of seven years from the date of disappearance.			

**9. Details of Government dues recoverable out of gratuity:**

(a) Licence fee for occupation of Government accommodation [ See Rule 77]	
(b) Amount to be withheld as indicated by the Directorate of Estates [See Rule 77 (1) (v)].	
(c) Dues referred to in Rule 77 (2)	
(d) Net amount payable as gratuity	

**10. Details of the nominee(s) to whom gratuity is payable:**

S.No.	(a) Name	(b) Date of birth (DD/MM/YY YY)	(c) Aadhaar No.* (if available)	(d) Share in gratuity	(e) Relationship with deceased/missing Govt. servant	(f) Address
1.						
2.						
3.						

**11. Details of guardian/nominee who will receive payment of gratuity in the case of minor/mentally disabled children**

- S. N.	(a) Name of minor/mentally disabled child	(b) Name of guardian	(c) Aadhaar No.* (if available)	(d) Relationship with deceased/missing Govt. servant	(e) Address of guardian
1.					
2.					
3.					

**12. Details of payment of family pension**

Rate of family pension	Amount of family pension	Period for which it is payable		
		From	To	Total period
(a) Enhanced rate [Rule 50 (2)(ii)]				
(b) Ordinary rate [Rule 50 (2)(i)]				

**13. Name of the family member(s) to whom family pension is to be authorized in Pension Payment Order**

(a) Details of spouse and other family members, if any, who will share the family pension with percentage of family pension payable to each.	Name	Relation with Government servant	Monthly income	If the claimant is a widowed/divorced daughter, date of death of husband/date of divorce*	If the claimant is a disabled child/sibling, date from which suffering from disability	Postal address (with PIN code), Mobile No. and e-mail ID	Percentage of family pension payable

\*If the date of divorce is after the date of death of both parents, then date of filing of divorce petition may be indicated in this column.

(b) Name and relation of family member to be co-authorised (i.e. disabled child/dependant parent/disabled sibling)	Name	Relation with deceased Government servant/pensioner

**14. Details of guardian who will receive payment of family pension in the case of minor/ mentally disabled children**

S. N.	(a) Name of minor/mentally disabled child	(b) Name of guardian	(c) Aadhaar No.* (if available)	(d) Relationship with deceased/ missing Govt. servant	(e) Address of guardian
1.					
2.					
3.					

<b>15. Whether Fixed Medical Allowance is admissible</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Amount(₹)
Place: <input type="text"/>	<input type="text"/>		
Date: <input type="text" value="DD-MM-YYYY"/>	<input type="text"/>		
(Signature of Head of Office)			
<hr/> <hr/>			

### Section II

**Details of provisional family pension and gratuity drawn and disbursed by the  
Head of Office in accordance with Rule 75 of Central Civil Services (Pension) Rules, 2021.**

Name of person to whom Provisional family pension has been sanctioned	.	Date from which provisional family pension sanctioned		Amount of provisional family pension	Rs.....per month
Death gratuity [amount mentioned in item 9 (d) of Section I]			Rs.....		
Place: <input type="text"/> Date: <input type="text" value="DD-MM-YYYY"/> <input type="text"/> (Signature of Head of Office)					

**PART II****Account Authorisation****Section I**

Total period of qualifying service accepted for gratuity								
Net amount of gratuity after adjusting Government dues								
<b>Family Pension</b>								Amount of Family Pension
At enhanced rate [Rule 50 (2)(ii)]								
At ordinary rate [Rule 50 (2)(i)]								
Date from which family pension is admissible (DD/MM/YYYY)								
Head of account to which gratuity and family pension are debit able								

**Section II**

<b>Details of deceased/missing Government servant</b>									
Name	Date of death (in case of deceased Government servant)								
	Date from which missing (in case of missing Government servant) (DD/MM/YYYY)								
	Date of lodging of report with police (in case of missing Government servant)								
Amount of family pension authorised		Amount of gratuity authorised							
Date of commencement of family pension (DD/MM/YYYY)		Amount recoverable from gratuity							
Amount of gratuity withheld pending receipt of 'No Demand Certificate'									
<b>Name of the family member(s) to whom family pension is to be authorized in Pension Payment Order</b>									
(a) Details of spouse and other family members who will share the family pension, with percentage of family pension payable to each.	Name			Relation with Government servant/pensioner		Percentage of family pension payable			
(b) Name and relation of family member(s) to be co-authorised (i.e. disabled child/dependant parent/disabled sibling)	Name			Relation with deceased Government servant/pensioner					
<b>Name of the person to whom provisional family pension is being paid, if any.</b>									
Date from which provisional family pension under Rule 75 being paid by Head of Office,		Amount of Provisional Family Pension being paid							
Date up to which provisional family pension to be continued (DD/MM/YYYY)									
Date from which regular family pension is to commence by Pension Disbursing Authority (DD/MM/YYYY)									

Note 1 : The date from which the final family pension shall be commenced by the Pension Disbursing Authority shall be at least two months after the date of issue of the PPO, taking into consideration the time likely to be taken by CPAO and CPPC to process the pension case. Pay & Accounts Office shall record a note in this regard in the PPO while authorizing the final family pension.

Note 2: The payment of provisional family pension shall, accordingly, continue from the office till the date mentioned in the PPO for commencement of final pension by the PDA so that there is no gap between the date up to which the provisional pension is to be paid and the date of commencement of final pension by the PDA.

Note 3: The HOO will draw and disburse the difference between the amount of family pension finally assessed and the amount of provisional family pension. If the amount of family pension finally assessed is less than the amount of provisional family pension, the difference will be adjusted from the amount of gratuity payable failing which, in instalments from family pension payable in future.

Place:

Date:

(Signature of Account Officer)

#### CALCULATION SHEET FOR GRATUITY/FAMILY PENSION

1. Name								2. Designation																	
3. Date of birth	<span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span>	4. Level of pay in the pay matrix							5. Basic pay																
6 Date of entry in the Government service (DD/MM/YYYY)																	7. Date of Death/Disappearance (DD/MM/YYYY)								
8. Length of qualifying service reckoned for pension/gratuity(as indicated in PPO)																									
9. Emoluments drawn during the last ten months																									
10. Emoluments or average emoluments, whichever is higher																									
11. Dearness Allowance on item (10) on the date of death/disappearance																									
12. Emoluments for gratuity [(10)+(11)]																									
13. Gratuity admissible (In case of missing Government servant): calculation to be shown as follows :- Emoluments for gratuity/4 x Qualifying Service (In completed six monthly periods, not exceeding 66.)																									
14. Death Gratuity admissible (In case of deceased Government servant):																									
15. Pay for family pension (as indicated in Pension Payment Order)																									
16. Family pension admissible (calculation to be shown as follows) :-																									
(a) Ordinary family pension : Pay x 30% subject to prescribed minimum and maximum																									
(b) Enhanced family pension: Pay /2 [Subject to prescribed minimum and maximum]																									
17. Amount of Fixed Medical Allowance, if admissible																									

Signature of the Head of Office

Countersigned by PAO

Copy to:- Shri/Smt./Kumari .....

Family member of deceased/missing Govt. servant

## FORM 12

**Application to be submitted to Pension Disbursing Authority by spouse/co-authorised family member for commencement of family pension on death of a pensioner or family pensioner**

Photograph

- 1 . (i) Name of the Government servant/pensioner in respect of whom family pension is being claimed
- (ii) Name of pensioner/family pensioner on whose death family pension is claimed
- (iii) Date of death of pensioner/ family pensioner
- (iv) PPO No. of pensioner/ family pensioner

2 Name and other details of claimant—

Name	Date of birth (DD/MM/YYYY)	Relationship with the deceased Government servant/pensioner	Postal Address

3. In case the claimant is minor or suffering from disorder or disability of mind, including mental retardation, details of guardian/nominee, wherever applicable—

Name	Date of birth (DD/MM/YYYY)	Relationship with the minor/mentally disabled claimant	Relationship with the deceased Government servant/pensioner	Postal Address

**4. Details of Bank account to which family pension is to be credited**

A/c No.		Bank's Name and branch	
IFS Code			

I am aware that future good conduct of the claimant/family pensioner shall be an implied condition for every grant of family pension and its continuance.

Signature or left hand thumb impression of the claimant/guardian  
Mobile/Telephone No.....  
Permanent Account Number for Income Tax (PAN).....  
Aadhar No. (voluntary)- .....

**List of Documents to be submitted with Form 12**

1. Two specimen signatures of claimant (to be furnished in a separate sheet)  
(Two slips each bearing the left hand thumb and finger impressions may be furnished by a person who is not literate to sign his name. If such an on account of physical disability is unable to give left hand thumb and finger impressions he/she may give thumb and finger impressions of the right hand. Where a Government servant has lost both the hands, he/she may give toe impressions..)
2. Two copies of passport size photographs of the claimant
3. Undertaking for refunding any excess payment made by the pension disbursing Bank
4. Specimen signature or left hand thumb and finger impressions of guardian, in the case of the guardian who is not literate enough to sign his or her name
5. Two self -attested copies of passport size photograph of the guardian/nominee
6. Descriptive roll of the guardian/nominee, wherever applicable, showing the particulars of height and identification marks, self- attested.
7. Copy of PPO of pensioner/ previous family pensioner (To be provided, if available)
8. Proof of permanent address of the guardian.
9. Copy of death certificate of the deceased pensioner/previous family pensioner

**FORM 13**  
**[See rule 79 (6)]**

**Application for the Grant of Residuary Gratuity on the Death of a Pensioner**  
(To be filled in separately by each claimant)

Photograph(s)

**1. Details of pensioner:**

Name		Office/Dept./Ministry		Nationality	
Date of retirement		Date of death (DD/MM/YYYY)		PPO no.	

**2. Details of claimant(s):**

Name	Date of birth [DD/MM/YYYY]	Aadhaar No.* (voluntary)	Mobile No.	Relation with the deceased pensioner	Postal address

**3. In case the claimant is minor or suffering from disorder or disability of mind, including mental retardation, details of guardian/nominee, wherever applicable:**

Name	Date of birth [DD/MM/YY YY]	Aadhaar No.* (voluntary)	Mobile No.	Relation with minor	Relation with the deceased pensioner	Postal address

**4. Details of Bank Account:**

A/c No.		Bank's Name and Branch		IFS code	

Place:

Date:

(Signature of the claimant/guardian)

**For office use**

1.	Amount of monthly pension (including ad hoc increase, if any)/service gratuity sanctioned to the deceased pensioner	
2.	Amount of retirement gratuity received by the deceased pensioner	
3.	The amount of pension (including ad-hoc increase, if any)/service gratuity drawn by the deceased till the date of death	
4.	If the deceased had commuted a portion of pension before his death, the commuted value of the pension	
5.	Total of items 2, 3 and 4	
6.	Amount of death gratuity equal to 12 times of the emoluments	
7.	The amount of residuary gratuity payable, i.e., the difference between the amount shown against items 5 and 6	

*Note:- If a retired Government servant 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. When a Government servant has retired before earning a pension, the amount of service gratuity should be indicated.*

\*Providing Aadhaar No. is voluntary. However, if it is provided, consent to link it to bank account and also for authentication of identity from UIDAI for pension related purpose only, is presumed.

#### FORMAT 1

(See Clause (b) of Sub-rule (4) of Rule 7)

**Undertaking by Government servants who have worked in any Intelligence or Security-related organisation**

I, ..... , who have worked in (Name of Organization) on the post of ..... , for the period from ..... to..... , do hereby solemnly declare that, save with prior approval of the Competent Authority, I shall not publish in any manner, while in service or after my retirement, any information or material or knowledge which is related to the domain of the organisation and obtained by virtue of my working in the said Organisation. This declaration is notwithstanding my responsibilities and liability, in terms of the relevant conduct rules, pension rules, laws dealing with offences relating to official secrets or national security and Intelligent Organisations (Restriction of Rights) Act, 1985 (58 of 1985), as the case may be. I further agree that in the event of any failure of the above undertaking by me, the decision of the Government as to whether it was likely to prejudicially affect the aspects stated above shall be binding on me.

2. I am aware that the pension which may be granted to me after retirement, in terms of the relevant pension rules, can be withheld or withdrawn, in full or part, for any failure of this undertaking given.

Signature of the Government servant

Place : \_\_\_\_\_

Date : \_\_\_\_\_

#### FORMAT 2

(See Rule 8)

**Sanction for instituting departmental proceedings after retirement**

No.....  
Government of India  
Ministry/Department of.....

Dated the.....

#### ORDER

WHEREAS it has been made to appear that Shri/Smt./Km .....while serving as.....in the Ministry/ Department.....from .....to.....was .....(here specify briefly the imputations of misconduct or misbehavior in respect of which it is proposed to institute departmental proceedings):

NOW, THEREFORE, in exercise of the powers conferred on him by sub-clause (i) of clause (c) of sub-rule (2) of Rule 8 of the Central Civil Services (Pension) Rules, 2021, the President hereby accords sanction for institution of the departmental proceedings against the said Shri/Smt./Km .....

The President further directs that the said departmental proceedings shall be conducted in accordance with the procedure laid down in Rules 14 and 15 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, by .....(here specify the authority by whom the departmental proceedings should be conducted) at ..... (here specify the place at which the departmental proceedings would be conducted).

By order and in the name of the President\*

---

(Name and designation of the competent authority)\*

\* To be signed by an officer in the appropriate Ministry/Department authorized under Article 77 (2) of the Constitution to authenticate orders on behalf of the President.

No.....

Copy forwarded to Shri/Smt./Km.....

Copy also forwarded to Shri/Smt.Km.....

### **FORMAT 3**

(See Rule 8)

#### **Memorandum for instituting departmental proceedings after retirement**

No.....  
 Government of India  
 Ministry of .....  
 Department of.....

Dated the.....

#### **MEMORANDUM**

In pursuance of the sanction accorded by the President under Rule 8 of the Central Civil Services (Pension) Rules, 2021, for instituting departmental proceedings against Shri/Smt./Km....., vide Ministry/Department of.....Order No....., dated.....it is proposed to hold an inquiry against the said Shri/Smt./Km..... in accordance with the procedure laid down in Rules 14 and 15 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. The enquiry shall be conducted by.....(here specify the authority by whom the departmental proceedings are to be conducted in accordance with the Presidential sanction) at ..... (here specify the name of the place where proceedings are to be conducted).

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexures III and IV).
3. Shri/Smt./Km.....is directed to submit within 10 days of the receipt of this Memorandum a written statement of his/her defence and also to state whether he/she desires to be heard in person.

4. He/she is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He/she should, therefore, specifically admit or deny each article of charge.

5. Shri/Smt./Km. ....is further informed that if he /she does not submit his/her written statement of defence on or before the date specified in para 3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rules 14 and 15 of the CCS (CCA) Rules, 1965, or the orders/directions issued in pursuance of the said Rules, the inquiring authority may hold the inquiry against him/her *ex parte*.

6. The receipt of this Memorandum may be acknowledged.

By order and in the name of the President

-----  
(Name and designation of the competent authority)\*

\* To be signed by an officer in the appropriate Ministry/Department authorized under Article 77 (2) of the Constitution to authenticate orders on behalf of the President.

OR

-----  
(Name and designation of the authority which has been directed by the President to conduct the departmental proceedings)

To  
Shri/Smt./Km.....  
.....

#### ANNEXURE - I

Statement of articles of charge framed against Shri/Smt./Km..... (name of the retired Government servant) formerly.....

#### Article - I

That the said Shri/Smt./Km.....while functioning as ..... during the period.....

#### Article - II

That during the aforesaid period and while functioning in the aforesaid office, the said Shri/Smt./Km.....

#### Article - III

That during the aforesaid period and while functioning in the aforesaid office, the said Shri/Smt./Km.....

#### ANNEXURE - II

Statement of imputations of misconduct or misbehaviour in support of the articles of charge framed against Shri/Smt./Km..... (name of the retired Government servant) formerly.....

**Article – I****Article – II****Article - III****ANNEXURE - III**

List of documents by which the articles of charge framed against Shri/Smt./Km. ....(name of retired Government servant) formerly.....are proposed to be sustained.

**ANNEXURE - IV**

List of Witnesses by whom the articles of charge framed against Shri/Smt./Km. .... (name of the retired Government servant) formerly.....are proposed to be sustained.

**FORMAT 4**

[See Rule 30]

**Certificate of verification of Service for Pension and Gratuity**

No.....  
 Government of India  
 Ministry of.....  
 Department/Office.....  
 Dated the .....

**Certificate**

It is certified, in consultation with the Accounts Officer, that Shri/Smt./Km. ....

(Name and Designation) has completed a qualifying service of .....years .....months..... 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 of service under sub rules (1) and (2) of Rule 30 of the Central Civil Services (Pension) Rules, 2021, 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 and gratuity.

**DETAILS OF QUALIFYING SERVICE**

S. No.	Name of Ministry/Department /Office	From	To	Length of qualifying service
1.				
2.				
3.				


 Signature & stamp of Head of Office

To

Shri

(Name &amp; Designation)

**FORMAT 5**

[See Rules 35(3) and 36(4)]

**Relieving order on joining a State Government or Corporation or Company or Body on immediate absorption basis**

No.....  
 Government of India  
 Ministry/Department of.....

Dated the.....

**ORDER**

Shri/Smt./Km. ....(i)..... is hereby relieved to join.....(ii) .....as.....(iii).....on permanent absorption basis. He/she should join.....(ii).....by .....(iv)..... His/her resignation from Government service will be effective from the day he/she actually joins .....(ii)..... and it will be notified on the receipt of intimation about the date of his/her joining .....(ii)..... In case for some reason he/she does not join .....(ii).....by .....(iv)....., he/she should report back to his/her office forthwith.

2. The period between the date of relief and the date of joining in .....(ii).....will be regularized by grant of any type of leave due and if no leave is at credit, by extraordinary leave.

- (i) Name, designation and office of the Government servant to be relieved.
- (ii) Name of the State Government or corporation or company or body.
- (iii) Post against which the officer is to be appointed in the State Government or corporation or company or body.
- (iv) The Ministry/Department/Office should indicate the date by which the officer should join the State Government or corporation or company or body. This date will be determined by giving him/her a maximum of 15 days' time from the date of relief. The Competent Authority in the Administrative Ministry/Department/Office may allow any further extension beyond this date in case of reason beyond the control of officer like natural calamity, civil commotion, etc.

(Name and designation of the Relieving Officer)

Copy to :

1. .....( Officer concerned)
2. .....(State Government or corporation or company or body).
3. Pay & Accounts Office

**FORMAT 6**

[See rule 39(8)]

**Medical Certificate**

Certified that I/We have carefully examined ..... (Name of Government servant)  
 son/daughter of ..... a ..... (Designation) in the  
 ..... (Department/Office). His/ her age by his/her own statement is .....  
 years.

I/(we) consider ..... (Name of Government servant) to be completely and  
 permanently incapacitated for further service of any kind in the Department to which he/she belongs in  
 consequence of ..... (here state disease or cause).

(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 ..... (Name of Government servant) is fit for further  
 service of a less laborious character than that which he/she had been doing/may, after resting for .....  
 months, be fit for further service of less laborious character than that which he/she had been doing."

Place:

Date:



(Signature & stamp of Medical Authority)

**FORMAT 7**

[See rule 47(7)]

**Indemnity Bond by Guardian for payment of gratuity to minor**

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 .....  
 ..... and  
 ..... son/wife/daughter of ..... resident of .....  
 ..... the sureties for and on behalf of the Obligor  
 (hereinafter called "the Sureties") are held firmly bound to the President of India (hereinafter called "the  
 Government") on 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 representatives, successors and assigns by these presents.

Signed this ..... day of ..... two thousand and .....

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  
 ..... only) for and towards share of his minor son/daughter in the death/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 the said minor(s).

AND WHEREAS the Obligor has satisfied the (e) ..... that he/she is entitled to the aforesaid sum and that it would cause undue delay and hardship if the Obligor be 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 at 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 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 and subscribed their respective hands hereunto on the day, month and year above-written.

Signed by the above named 'Obligor' in the presence of

1. ....  
2. ....

Signed by the above named 'Surety' / 'Sureties'

1. ....  
2. ....

Accepted for and on behalf of the President of India by

[Name and designation of the Officer directed or authorized, in pursuance of Article 299 (1) of the Constitution, to accept the Bond for and on behalf of the President ] in the presence of

(Name and designation of witness)

NOTE I. -

- (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 II. - The Obligor as well as the Sureties should have attained majority so that the bond may have legal effect or force.

**FORMAT 8**

(See Rule 51(5), 71(6) and 79(3)(iii)

**Indemnity Bond to be furnished by a claimant of Gratuity or Family Pension in the case of a missing Government Servant or Pensioner or Family Pensioner****Part I (To be filled in the case of missing Government servant)**

KNOW ALL MEN by these presents that we (a).....(b)....., the wife/son /brother/nominee, etc., of (c) .....who was holding the post of .....in the Ministry/Department /Office of .....is reported to have been missing since .....(hereinafter referred to as 'missing Government servant') resident of .....(hereinafter called "the Obligor") and (d) .....son/wife/daughter of Shri .....resident of .....and .....son/wife/daughter of .....resident of .....the sureties for and on behalf of the Obligor (hereinafter called "the Sureties") are held firmly bound to the President of India (hereinafter called "the Government") in the sum of Rs..... (Rupees ..... equivalent of the amount on account of payment of salary, leave encashment, GPF, Gratuity and each and every sum being the monthly family pension well and truly to be paid to the Government, on demand and without a demur together with simple interest @..... % p.a. from the date of payment there of until repayment for which payment we bind ourselves and our respective heirs, executors, administrators, successors and assigns by these presents.

Signed this .....day of .....two thousand and .....

WHEREAS (c) .....was at the time of his disappearance in the employment of the Government receiving a pay at the rate of Rs. .....(Rupees.....) only per month from the Government.

AND WHEREAS the said (c) .....disappeared on the .....day of .....20 ....and there was due to him at the time of his disappearance the sum equivalent of (i) salary due (ii) leave encashment, (iii ) GPF and (iv) Retirement/Death Gratuity.

AND WHEREAS the Obligor is entitled to family pension at Rs. .....(Rupees.....only) plus admissible dearness relief thereon.

AND WHEREAS the Obligor has represented that he/she is entitled to the aforesaid sum and approached the Government for making payment thereof to avoid undue delay and hardship.

AND WHEREAS the Government has agreed to make payment of the said sum of Rs.....(Rupees ..... ) and monthly family pension @ Rs. .....(Rupees.....) only and relief thereon to the Obligor upon the Obligor and the Sureties entering into a Bond in the above-mentioned sum to indemnify the Government against all claims to the amount so due to the aforesaid missing Government servant.

AND WHEREAS the Obligor and at 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 or the missing **Government servant** on appearance, against the Government with respect to the aforesaid sum of Rs. .....(Rupees ..... ) and the sums paid by the Government as monthly pension and relief as aforesaid then refund to the Government the said sum of Rs.....(Rupees.....) and each and every sum paid by Government as monthly pension and relief together with simple interest @ .....% per annum and shall, otherwise , indemnify and keep the Government harmless and indemnified against and from all liabilities in respect of the aforesaid sums 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 Surety/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 would but for this provision shall have no 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 and subscribed their respective hands hereunto on the day, month and year above-written.

(Signature of Obligor)

Signed by the above named 'Obligor' in the presence of

1. ....

2. ....

Signed by the above named 'Surety' / 'Sureties'

1. ....

2. ....

Accepted for and on behalf of the President of India by

[Name and designation of the Officer directed or authorized, in pursuance of Article 299(1) of the Constitution, to accept the Bond for and on behalf of the President ] in the presence of .....

(Name and designation of witness)

NOTE I. - (a) Full name of the claimant referred to as the 'Obligor'.

(b) State relationship of the 'Obligor' to the 'missing Government servant'.

(c) Name of the 'missing Government servant'.

(d) Full name or names of the Sureties with name or names of the father (s)/husband(s) and place of residence.

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

NOTE III. - The rate of simple interest will be as prescribed by the Government from time to time.

#### **Part – II (To be filled in the case of missing Pensioner)**

KNOW ALL MEN by these presents that we (a)..... (b).....  
 the widow/son/brother/nominee, etc., of (c)..... who had retired from the  
 post of ..... in the Ministry /Department/Office of  
 ..... and who was in receipt of pension from  
 ..... is reported to have been missing since .....(hereinafter  
 referred to as 'missing pensioner') resident of ..... (hereinafter called  
 "the Obligor") and (d) ..... son/wife /daughter of Shri. ..... resident  
 of ..... and .....  
 son/wife/daughter of Shri. ..... resident of .....  
 ..... the Sureties for and on behalf of the Obligor  
 (hereinafter called "the Sureties") are held firmly bound to the President of India (hereinafter called "the  
 Government") in each and every sum being the arrears of pension and monthly family pension and relief thereon  
 well and truly to be paid to the Government, on demand and without a demur together with simple interest at the  
 rate of .....% per annum from the date of payment until repayment for which payment we bind ourselves and our  
 respective heirs, executors, administrators, legal representatives, successors and assigns by these presents'.

Signed this .....day of .....two thousand and .....

WHEREAS (c) ..... was at the time of his disappearance a Central Government pensioner receiving a pension at the rate of Rs. ..... (Rupees ..... only) per month and relief thereon from the Government.

AND WHEREAS the said (c) ..... disappeared on the ..... day of ..... 20..... and there was due to him at the time of his disappearance the sum equivalent of arrears of pension due.

AND WHEREAS the Obligor is entitled to family pension at Rs. .... (Rupees ..... only) plus admissible dearness relief thereon. AND WHEREAS the obligor has represented that he/she is entitled to the aforesaid sum and approached the Government for making payment thereof to avoid undue delay and hardship.

AND WHEREAS the Government has agreed to make payment of the said sum of Rs. .... (Rupees ..... ) and monthly family pension at Rs. .... (Rupees ..... ) plus relief thereon to the obligor upon the Obligor and the Sureties entering into a Bond in the abovementioned sum to indemnify the Government against all claims to the amount so due to the aforesaid missing Government pensioner.

AND WHEREAS the Obligor and at 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 or the missing pensioner on appearance, against the Government with respect to the aforesaid sum of Rs. .... (Rupees ..... ) and the sums paid by the Government as monthly pension and relief as aforesaid then refund to the Government the said sum of Rs. .... (Rupees ..... ) and each and every sum paid by Government as monthly family pension and relief together with simple interest @ .....% per annum and shall, other wise, indemnify and keep the Government harmless and indemnified against and from all liabilities in respect of the aforesaid sums 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 other wise it shall remain in full force, effect and virtue.

AND THESE PRESENTS ALSO WITNESS that the liability of the Surety/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 would but for this provision shall have no 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 and subscribed their respective hands hereunto on the day, month and year above-written.

(Signature of Obligor)

Signed by the above named 'Obligor' in the presence of

1. .....

2. .....

Signed by the above named 'Surety' / 'Sureties'

1. .....

2. .....

Accepted for and on behalf of the President of India by ..... [Name and designation of the Officer directed or authorized, in pursuance of Article 299 (1) of the Constitution, to accept the Bond for and on behalf of the President] in the presence of .....  
.....  
.....

(Name and designation of witness)

NOTE I. - (a) Full name of the claimant referred to as the 'Obligor'.

(b) State relationship of the 'Obligor' to the 'missing pensioner'.

(c) Name of the 'missing pensioner'.

(d) Full name or names of the Sureties with name or names of the father(s)/husband(s) and place of residence.

**NOTE II.** - The Obligor as well as the Sureties should have attained majority so that the Bond may have legal effect or force.

**NOTE III.** -The rate of simple interest will be as prescribed by the Government from time to time.

### **Part – III (To be filled in the case of missing Family Pensioner)**

**KNOW ALL MEN** by these presents that we (a)..... resident of .....and the son/daughter/mother/father/disabled sibling etc. (hereinafter called "the Obligor") of (b)..... who was in receipt of /eligible for family pension before reported to have been missing since..... on account of being the widow/widower/son/daughter/disabled sibling etc. (hereinafter referred to as 'missing family pensioner') of (c)..... who was holding/had retired from the post of ..... in the Ministry/Department/Office of .....and who died on ..... and (d).....son/wife/daughter of Shri. .... resident of .....and .....son/wife/daughter of Shri. .... resident of ..... the Sureties for and on behalf of the Obligor (hereinafter called "the Sureties") are held firmly bound to the President of India (hereinafter called "the Government") in each and every sum being the arrears of pension and monthly family pension and relief thereon well and truly to be paid to the Government, on demand and without a demur together with simple interest at the rate of .....% per annum from the date of payment until repayment for which payment we bind ourselves and our respective heirs, executors, administrators, legal representatives, successors and assigns by these presents'.

Signed this .....day of .....two thousand and .....

**WHEREAS** (b) ..... was at the time of his disappearance a Central Government family pensioner receiving/eligible for receiving a family pension at the rate of Rs. ..... (Rupees ..... only) per month and relief thereon from the Government.

**AND WHEREAS** the said (b) ..... disappeared on the ..... day of ..... 20..... and there was due to him/her at the time of his/her disappearance the sum equivalent of arrears of family pension due.

**AND WHEREAS** the Obligor is entitled to family pension at Rs. .... (Rupees..... only) plus admissible dearness relief thereon.

**AND WHEREAS** the obligor has represented that he/she is entitled to the aforesaid sum and approached the Government for making payment thereof to avoid undue delay and hardship.

**AND WHEREAS** the Government has agreed to make payment of the said sum of Rs .....(Rupees ..... ) and monthly family pension at Rs. ..... (Rupees ..... ) plus relief thereon to the obligor upon the Obligor and the Sureties entering into a Bond in the abovementioned sum to indemnify the Government against all claims to the amount so due to the aforesaid missing Government family pensioner.

**AND WHEREAS** the Obligor and at 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 or the missing family pensioner on appearance, against the Government with respect to the aforesaid sum of Rs. .... (Rupees ..... ) and the sums paid by the Government as monthly pension and relief as aforesaid then refund to the Government the said sum of Rs. .... (Rupees ..... ) and each and every sum paid by Government as monthly family pension and relief together with simple interest @ .....% per annum and shall, otherwise, indemnify and keep the Government harmless and indemnified against and from all liabilities in respect of the aforesaid sums 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 Surety/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 would but for this provision shall have no 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 and subscribed their respective hands hereunto on the day, month and year above-written.

(Signature of Obligor)

Signed by the above named 'Obligor' in the presence of

1. ....
2. ....

Signed by the above named 'Surety' / 'Sureties'

1. ....
2. ....

Accepted for and on behalf of the President of India by .....

[Name and designation of the Officer directed or authorized, in pursuance of Article 299 (1) of the Constitution, to accept the Bond for and on behalf of the President] in the presence of .....

.....  
.....  
.....

(Name and designation of witness)

**NOTE I.** - (a) Full name of the claimant referred to as the 'Obligor'.

(b) State relationship of the 'Obligor' to the 'missing family pensioner'.

(c) Name of the deceased **Government servant** /pensioner.

(d) Full name or names of the Sureties with name or names of the father(s)/husband(s) and place of residence.

**NOTE II.** - The Obligor as well as the Sureties should have attained majority so that the Bond may have legal effect or force.

**NOTE III.** -The rate of simple interest will be as prescribed by the Government from time to time.

#### FORMAT 9

(See Rules 57,58,60, 63,71,74,76, 79 and 80 )

#### UNDERTAKING

Date: \_\_\_\_\_

To

The Branch Manager  
<Bank Branch Address>

**Payment of Pension/Family Pension under A/C No.:\_\_\_\_\_ through your Bank**

Dear Sir,

In consideration of your having, at my request, agreed to make payment of pension due to me every month by credit to my account with you. I the undersigned agree and undertake to refund or make good any amount to which I am not entitled or any amount which may be credited to my account in excess of the amount to which I am or would be entitled. I further hereby undertake and agree to bind myself and my heirs, successor, executors and administrators to indemnify the bank from and against any loss, suffered or incurred by the bank in so crediting my pension to my account under the scheme and to forthwith pay the same to the bank and also irrevocably authorise the bank to recover the amount due by debit to my said account or any other account/ deposits belonging to me in the possession of the bank.

2. The date of birth of spouse is \_\_\_\_\_ and her mark of identification is \_\_\_\_\_.

Yours faithfully,

Signature:

Spouse Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Witnesses:

1. Signature

Name:

Address:

Date:

2. Signature:

Name:

Address:

Date:

#### FORMAT 10

[See rules 60, 74 and 80]

**Letter to the Accounts Officer forwarding the papers for pension/ family pension and gratuity of a Government Servant**

No.....  
Government of India  
Ministry of .....  
Department of .....

To,

The Pay and Accounts Officer/Accountant General,

Date (DD/MM/YYYY)

**Subject: Authorisation of pension/family pension and gratuity in respect of Shri/Smt./Km.**

.....

Sir/Madam,

1. I am directed to forward herewith the pension/ family pension and gratuity papers of Shri/Smt./Km. .... of this Ministry/ Department/Office for further necessary action.

2. The details of Government dues which will remain outstanding on the date of retirement / disappearance/death of the Govt. servant and which need to be recovered/withheld are indicated in item No. 13 of Form 7/ item no 9 of Form 11.
3. The receipt of this letter may be acknowledged and this Ministry/Department/Office informed that necessary instructions for the disbursement of pension/family pension have been issued to disbursing authority concerned, under intimation to the retiring /retired Government servant/family pensioner.
4. The retirement/ death gratuity will be drawn and disbursed by this Ministry/Department/Office on receipt of authority from you.

Yours faithfully,

(Head of Office)

Enclosures:

1. Service Book (date of retirement/ death/ disappearance to be indicated in the service book).
2. Details of family in Form 4

3. Form 6 or 10 and Form 7 or 11, duly completed, along with enclosures and checklists.
4. Undertaking to the Bank in Format 9
5. Medical certificate of incapacity (for invalid pension).
6. Orders of the competent authority regarding grant of compulsory retirement pension/ compassionate allowance in the cases of compulsory retirement/dismissal/removal.
7. Brief statement leading to reinstatement of the Government servant attached (In case the Government servant has been reinstated after having been suspended, compulsorily retired, removed or dismissed from service.)

**Notes:**

When initials or name of the Government servant are or is incorrectly given in the various records consulted, this fact should be mentioned in the letter.

**FORMAT 11**

[See rules 71(2)(b) and 71(6)]

**Letter to the nominee/ member of family of a deceased/missing Government Servant for grant of gratuity**

Government of India

Nu mb er										
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Ministry of

Department/Office

To

Dated (DD/MM/YYYY)							
-----------------------	--	--	--	--	--	--	--

**Subject: - Payment of gratuity in respect of Shri/Smt./Kumari**

Sir/Madam,

I am directed to state that:

\* (I) In terms of the nomination made by Shri/Smt./Km.....

..... (Name & Designation) in the Office/Department/Ministry o....., a gratuity is payable to his/her nominee(s). A copy of the said nomination is enclosed herewith.

I am to request that a claim for the payment of gratuity may be submitted in the enclosed Form 9 as soon as possible.

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

**OR**

\* (II) No valid nomination for grant of gratuity exists in this Office. In terms of Rule 47 and Rule 51 (in the case of missing **Government servant** only) of the Central Civil Services (Pension) Rules, 2021, a gratuity is payable to the following members of the family of Shri/Smt./Km. ....

..... (Name and Designation), in the Office/Department/Ministry of ..... in equal shares: -

- (i) Wife/husband, including judicially separated wife/husband
- (ii) Sons
- (iii) Unmarried daughter
- (iv) Widowed and divorced daughters } including step children and adopted children.

**Or**  
(In the absence of above members)

- (v) Father and Mother, including adoptive parents in case of individuals whose personal law permits adoption;
- (vi) Brothers including stepbrothers who are suffering from any disorder or disability of mind including the mentally retarded or physically crippled or disabled without any limit of age and brothers, including stepbrothers, below the age of eighteen years, in other cases.
- (vii) Unmarried, widowed and divorced sisters including step sisters;
- (viii) Married daughters; and
- (ix) Children of a pre-deceased son.

2. I am to request that a claim for the payment of gratuity may be submitted in the **enclosed** Form 9 along with an indemnity Bond in **enclosed** Format 8 (in the case of missing **Government servant** only) as soon as possible.

Yours faithfully,



Signature of Head of the Office

Encl: 1. Form 9

2. Format 8 (In case of missing **Government servant** /pensioner only)

\* Strike out if not applicable.

Note: If there are more than one beneficiary eligible to receive a share from the amount of gratuity, separate letter will be addressed to all the beneficiaries.

#### FORMAT 12

[See rules 71 and 79]

**(Letter to family member of a deceased/missing Government servant for grant of Family Pension)**

No.....  
Government of India  
Ministry of.....  
Department/Office.....

Dated the .....

To

.....  
.....

Subject:- Payment of Family Pension in respect of Shri/Smt. .....

Sir/Madam,

I am directed to state that in terms of rule 50 and Rule 51 (in the case of missing **Government servant** only) of the Central Civil Services (Pension) Rules, 2021, a family pension is payable to you in respect of Shri/Smt./Km. .... (Name and Designation) in the Office/Department/Ministry of ..... , who has died/ is reported missing.

2. You are advised that a claim for the grant of Family Pension may be submitted in the enclosed Form 10 along with an undertaking to the Bank in **enclosed** Format 9 and an Indemnity Bond in **enclosed** Format 8 (in the case of missing **Government servant** only).

\*3. In the event of death or ineligibility after re-marriage of the widow/widower, the Family Pension shall be granted to the eligible child or children, dependent parents or disabled siblings, if any, as per the provisions of rule 50 of Central Civil Service (Pension) Rules, 2021.

\*4. In the case of a childless widow, the family pension shall be payable even after re-marriage subject to the conditions mentioned in Rule 50 of the Central Civil Service (Pension) Rules, 2021.

\*Applicable only in the case of death of Government servant

Yours faithfully,  
Head of Office

**Encl :** (1) Format 9  
(2) Form 10  
(3) Format 8 (In case of missing Government servant)

#### FORMAT 13

[See rules 79(2)(b)(i) and 79(3)(iv)]

**Letter sanctioning Family Pension when a Pensioner dies/goes missing or a Family Pensioner dies/ceases to be eligible/goes missing**

No.....

Government of India

Ministry of.....

Department/Office.....

Dated the .....

To,

The Pay and Accounts Officer,


**Subject: Grant of family pension**

Sir/Madam,

I am directed to say that Shri/Smt./Km. .... formerly ..... (designation) in this Ministry/Department/Office was authorised the payment of pension of ₹. .... with effect from ..... on his / her retirement from service. Intimation has been received in this Ministry / Department/Office that Shri/Smt./Km..... has died/gone missing on .....

A report in this respect was lodged with the Police on ..... A report dated ..... has also been received from the Police that whereabouts of Shri/Smt./km..... could not be located despite all efforts made in this regard. (To be filled in case of missing pensioner only)

**OR**

I am directed to say that Shri/Smt./km .....(Name of the previous family pensioner) .....(relationship) of late Shri/Smt./Km..... formerly .....(designation) in this Ministry / Department /Office was authorized the payment of Family Pension of ₹ ..... with effect from ..... vide PPO No .....

Intimation has been received in this Ministry / Department / Office that Shri/Smt./Km. .... has died/ceased to be eligible for family pension/gone missing on .....

A report in this respect was lodged with the Police on ..... A report dated ..... has also been received from the Police that whereabouts of Shri/Smt./Km. could not be located despite all efforts made in this regard. (To be filled in case of missing family pensioner only)

2. There are the following surviving members of family of the deceased Government servant/ pensioner or missing pensioner:--

S.N.	Name	Date of birth	Aadhaar No.* (if available)	Relationship with deceased Government servant or deceased/missing pensioner	Whether suffering from any disability	Marital Status	Address
1.							
2.							
3.							

3. In terms of Rule 50 / 51 of the Central Civil Services (Pension) Rules, 2021, the amount of family pension has become payable to Shri/Smt/Km .....

The Family Pension will be payable, on behalf of the minor/mentally disabled child, to Shri/Smt./Km. .... who is the nominee/guardian.

4. Sanction for the grant of Family Pension of ₹. .... per month at enhanced rate from ..... to .....

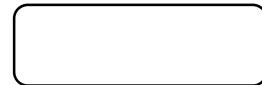
and ₹. ....at ordinary rate from ..... to Shri/Smt./Km. .... is hereby accorded. The family pension will be tenable as per the provisions of Rule 50 and Rule 51 of the Central Civil Services (Pension) Rules, 2021.

## 5. Whether Fixed Medical Allowance is Admissible

<input type="checkbox"/> Yes	<input type="checkbox"/> No	Amount (₹)

6. The receipt of this letter may be acknowledged and this Ministry/Department/Office informed that necessary instructions for the disbursement of family pension have been issued to the disbursing authority concerned, under intimation to the family pensioner.

Yours faithfully,



(Head of Office)

**Enclosure:**

1. Death certificate (in case of death of pensioner/family pensioner)
2. Form 10 (with enclosures)
3. Undertaking to the Bank in Format 9
4. Report lodged by the family with the police (In case of missing **Government servant**)
5. Report received by the family from the police

# Strike out which is not applicable.

Note : The Form may be suitably modified if there are more than one member of family to whom family pension is payable as per Rule 50. The names of all such members and the amount of family pension payable to each may be indicated accordingly.

No. 36-03/2019-Pen(T)  
Government of India  
Ministry of Communications  
Department of Telecommunications  
(Pension Section)

516, Sanchar Bhawan  
20, Ashoka Road, New Delhi  
Dated: 30<sup>th</sup> December, 2021

**OFFICE MEMORANDUM**

**Subject: Circulation of DoP&PW OM No. 38/09(02)/2020-P&PW (A) (6721) dated 30.11.2021 regarding Non-payment/Delay in payment of retirement benefits on account of delay in verification of caste certificate in respect of retiring employees**

The undersigned is directed to circulate above mentioned DoP&PW OM dated 30.11.2021 regarding the referred subject for information and necessary action.

2. As directed by DoP&PW, in para 6 of said OM, a quarterly report on number of employees whose pensionary benefits have been withheld due to reasons other than pending administrative or judicial proceedings and the reasons thereof is required to be submitted to DoP&PW.

3. All the CCA offices may submit the 1st report, through CGCA Office, in compliance of para 6 of the DoP&PW OM, to this Department by 10.01.2022 for onward submission to DoP&PW. Thereafter, the O/o CGCA must ensure that compiled quarterly reports in respect of all the CCA offices must be submitted to this Department within 10 days after each quarter.

Encl: As above.

*01/01/2021*  
(Neha Singh)

**Under Secretary to the Govt. of India**  
**Ph. 011 2303 6213**

To:

1. O/o CGCA, NICF Campus, Ghitorni, New Delhi – 110 030, compiled data may be submitted to Dir(A/cs-I), DoT.
2. Dir(A/cs-I), DoT - with request that Compiled data in respect of all the CCA offices may be provided to Pension Section.
3. All the office of Pr. CCAs/ CCAs/LSAs/Heads of BSNL circles.
4. Administrator (USOF), Sr. DDG(TEC), Khurshid Lal Bhawan, New Delhi, WMO/NCCS
5. DDG(A/cs), DDG(C&A), DDG(Pers.), DDG(E&T), JWA, DoT, HQ.
6. Dir (Accounts-II), Dir (Staff), Dir (SEA), Dir (Civil), Dir (Arch.), Dir (Elect.), DS (Admn.I), DS (Admn.II), DoT, HQ.
7. US (Admn.I), US (Admn.II), US(Admn.III), US(SGT), US(SNG), ADG(SEA-I), ADG(SEA-II), DoT
8. ADG(E&C), DoT for uploading this OM on DoT website.

Copy, in respect of DoT employees working on deputation, to:

9. CMD, BSNL/MTNL/BBNL/TCIL/ITI.
10. Registrar, TDSAT, Secretary TRAI, Chairman C.DoT

फा. न. 38/09(02)/2020-P&PW (A) (6721)

भारत सरकार Government of India

कार्मिक, लोक शिकायत और पेंशन मंत्रालय Ministry of Personnel, PG & Pensions  
पेंशन और पेंशन भोगी कल्याण विभाग Department of Pension & Pensioners' Welfare

लोक नायक भवन 3<sup>rd</sup> Floor, Lok Nayak Bhawan  
खान मार्केट, नई दिल्ली Khan Market, New Delhi-110 003  
दिनांक Dated: 30.11.2021

कार्यालय ज्ञापन/Office Memorandum

**Subject: Non-payment/Delay in payment of retirement benefits on account of delay in verification of caste certificate in respect of retiring employees - Regarding**

The undersigned is directed to say that instructions/ orders have been issued by Department of Personnel and Training (DoPT) from time to time for timely initiation/completion of verification of caste certificate of the employees. In spite of these instructions, completion of verification of caste certificate is inordinately delayed and, in many cases, the verification is not completed even till the retirement of the employee and pensionary/retirement benefits of such employees are not released till the completion of verification of caste certificate.

2. This issue has also been raised before the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes and the Committee has taken a serious note of the same. The Committee has directed to sensitize the concerned Ministries/ Departments/ organizations about the need for timely completion of verification of caste certificate and also for timely release of pensionary benefits to the employees in respect of whom verification of caste certificate is delayed due to administrative reasons or lapse.

3. The matter has been examined in this Department. In accordance with Rule 9 and Rule 69 of the Central Civil Services (Pension) Rules, 1972, a provisional pension may be sanctioned to an employee against whom any departmental or judicial proceedings are pending at the time of retirement. In that case, no gratuity shall be paid till the conclusion of the departmental or judicial proceedings and issue of final orders thereon. **The Central Civil Services (Pension) Rules, 1972 or instructions/guidelines issued by this Department, however, do not provide for withholding of the retirement benefits under any other circumstances, including on account of pending verification of caste status of the employee.**

4. All the Ministries/Departments are, therefore, advised to ensure that the verification of caste certificate of employees is completed expeditiously and, in

any case, well before the date of their superannuation, in accordance with the instructions issued by the Department of Personnel & Training. **Unless departmental or judicial proceedings are pending against a retiring employee, the pensionary/ retirement benefits of the retiring employee should not be withheld or delayed on the ground of pendency of verification of caste certificate.**

5. All the Ministries/Departments are also advised to bring these instructions to the notice of the attached/ subordinate offices under their administrative control for strict compliance.

6. All the Ministries/ Departments are directed to submit a quarterly report on number of employees whose pensionary benefits has been withheld due to reason other than pending administrative or judicial proceedings and the reasons thereof.



(Ruchir Mittal)  
Director

सेवा में,

The Secretaries of all Ministries / Departments of Government of India

No.19030/1/2017- E.IV  
Government of India  
Ministry of Finance  
Department of Expenditure

\*\*\*

North Block, New Delhi,  
Dated the 6<sup>th</sup> January, 2022

OFFICE MEMORANDUM

**Subject : Admissibility of Composite Transfer Grant (CTG) on Retirement.**

References have been received in Department of Expenditure seeking clarification on admissibility of Composite Transfer Grant (CTG) in r/o Central Government employees on settlement after Retirement at the last station of duty or other than last station of duty. As per existing rules in this regard, one third of CTG is admissible at present for settling down at last station of duty or at a station not more than 20 km. from the last station of duty.

2. The matter has been considered in this Department. In partial modification of Para 4 (ii) (a) and (b) of the O.M. of even No. dated 13.07.2017, it has been decided that for the purpose of Composite Transfer Grant in r/o Central Government employee who wishes to settle down at the last station of duty or other than last station of duty after retirement, the condition of 20 km. from the last station of duty, is done away with subject to the condition that change of residence is actually involved. To settle down at the last station of duty or other than last station of duty after retirement, full CTG would be admissible i.e. at the rate of 80% of the last month's basic pay. The employee has to submit a Self-declaration Certificate regarding change of residence in prescribed format enclosed with this O.M. as Annexure – I.

3. In case of settlement to and from the Island territories of Andaman & Nicobar and Lakshadweep, CTG shall be paid at the rate of 100% of last month's Basic Pay in terms of Para 4 (ii) (a) of this Department's O.M. No. 19030/1/2017- E.IV dated 13.07.2017.

4. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders are issued in consultation with the Comptroller and Auditor General of India, as mandated under Article 148(5) of the Constitution of India.

5. These orders will be effective from the date of issue of the O.M.

6. This is issued with the approval of the Finance Secretary and Secretary (Expenditure).

Hindi version is attached.

  
(Nirmala Dev)  
Director

To,

All Ministries / Departments of the Government of India as per standard distribution list.

Copy to :- C&AG and UPSC etc. as per standard endorsement list.

**Self-declaration Certificate for Change of Residence for claiming  
Composite Transfer Grant (CTG) on Retirement**

(Annexure to O.M. No. 19030/1/2017-E.IV dated 06.01.2022 issued by D/o Expenditure, M/o Finance, Government of India)

I, .....(Name of the employee) hereby declare and certify that:

1. I have changed my residence from.....to.....for settlement on my retirement.
- 2 In case the above declaration given by me is not found true at any stage, I shall be liable to disciplinary action under Central Civil Services (Pension) Rules, 1976 as amended from time to time and to refund the sum along with penal interest thereon to the Government.

(Signature/Thumb impression)

Name of the retired Government servant/Pensioner.....

Name of the Ministry/Department.....

Address and Phone Number.....

To

Admin/Establishment Section

Ministry/Department.....

1/4/2021-पी एंड पी डब्लू (ई) भाग-I

भारत सरकार

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

पेंशन और पेंशनभोगी कल्याण विभाग

(डेस्क - ई)

तीसरा तल, लोक नायक भवन

खान मार्केट, नई दिल्ली-110003

दिनांक-जनवरी 19, 2022

To

**CMDs of All Pensions Disbursing Banks  
(Through E-mail)**

**Sub:** Payment of family pension in respect of a child suffering from a disorder or disability of mind through the person nominated by the Government servant/pensioner/family pensioner

I am directed to say that in accordance with the Central Civil Services (Pension ) Rules, family pension is payable for life, subject to certain conditions, to a child of a deceased Government servant/pensioner, who is suffering from any disorder or disability of mind or is physically disabled so as to render him or her unable to earn a living even after attaining the age of twenty-five years.,

2. As per Rule 50(9)(h)(iv) of the Central Civil Services (Pension ) Rules, 2021 (earlier clause (iii) of second proviso to Rule 54(6) of the Central Civil Services (Pension ) Rules, 1972), family pension shall be paid to a son or daughter, who is suffering from any disorder or disability of mind including the mentally retarded, through the guardian as if he or she were a minor.

3. Rule 50(9)(h)(vii) of the CCS (Pension ) Rules, 2021 (earlier clause (vi) of second proviso to Rule 54(6) of the CCS (Pension) Rules, 1972), however, provides that in the case of a mentally retarded son or daughter, the family pension can be paid to a person nominated by the Government servant or the pensioner, as the case may be, and in case no such nomination has been furnished to the Head of Office by such Government servant or pensioner during his lifetime, to the person nominated by the spouse of such Government servant or family pensioner, as the case may be, later on. The Guardianship Certificate issued under section 14 of the National Trust Act,1999 (44 of 1999), by a local level Committee, shall also be accepted for nomination or appointment of guardian for grant of family pension in respect of the person suffering from Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities as indicated in the said Act.

4. It has been brought to the notice of this Department that in some cases, the Pension Disbursing Banks are not allowing family pension in respect of a mentally retarded child through the person nominated by the pensioner or his/her spouse in accordance with Rule 50(9)(h)(vii) of the CCS (Pension ) Rules, 2021 (earlier clause (vi) of second proviso to Rule 54(6) of the CCS (Pension ) Rules, 1972) in spite of the fact that such nomination has been duly incorporated in the Pension Payment Order issued to the mentally retarded child. These banks insist for payment of family pension through a person having a guardianship certificate issued by a court of law.

5. Clause (vii) in the Rule 54(9)(h) of the CCS (Pension) Rules, 2021 is intended to avoid any hassles to the child suffering from a mental disability in obtaining the guardianship certificate from the court and in claiming family pension after the death of his/her parents. As per this rule, a Government servant/pensioner or his/her spouse can nominate a person to receive family pension payable to a mentally retarded child. In cases where such nomination is submitted by a Government servant/pensioner/family pensioner, a guardianship certificate issued by a court of law is not necessary.

6. Accordingly, in cases where a nomination made by the Government servant/pensioner/family pensioner has been incorporated in the Pension Payment Order issued to child suffering from a mental disability, it is incumbent on the Pension Disbursing Banks to disburse the family pension in respect such child through the person so nominated. Insisting for a guardianship certificate by the Banks in such cases would defeat the very purpose of such nomination and would also amount to violation of the statutory provisions of the CCS (Pension) Rules, 2021.

7. It is requested that suitable instructions may be issued to the CPPCs/Pension Paying Branches of your Bank for payment of family pension in respect of a mentally retarded child through the person nominated by the Government servant/pensioner/family pensioner in accordance with the statutory provisions of CCS (Pension) Rules and not to insist for a guardianship certificate issued by a court of law in such cases. All Pension disbursing branches also be asked to acknowledge receipt of these instructions.

8. This issues with the approval of Competent Authority.

भवदीय

(संजय शंकर)

भारत सरकार के उप सचिव

टेलीफोन-24635979

Copy to:

1. CGA,
2. CPAO
3. CPPCs of all Pension Disbursing Banks
4. Secretary, Department of Financial Services for information

Government of India  
Bhabha Atomic Research Centre  
Medical Division

BARC hospital  
Anushakti Nagar  
Mumbai – 400 094

February 16<sup>th</sup>, 2022

C I R C U L A R

**Subject:** COVID Vaccination programme (PRECAUTION DOSE/3RD DOSE) for Healthcare workers (HCW), Front line workers (FLW) and CHSS beneficiaries of 60 years or more with co-morbidities in Greater Mumbai and Navi Mumbai.

COVID Vaccination programme for PRECAUTION DOSE/3RD DOSE is scheduled to commence from 21/02/2022 onwards. Appointments will be available through TEEKA Portal (<https://teeka.chssmumbai.in>) from evening of 18/02/2022.

Venue – BARC Hospital Campus, Anushakti Nagar.

The following CHSS beneficiaries will be eligible for COVISHIELD vaccination (Precautionary/Booster Dose):

- 1) CHSS beneficiaries with a valid CHSS card.
- 2) Only COVISHIELD vaccine will be given.
- 3) Beneficiaries above 60 years of age with co-morbidities.
- 4) Health care worker (HCW) Medical Division), RMC, TIFR and NPICL (Mumbai).
- 5) Front Line Workers.
- 6) Beneficiaries who have completed 90 days post COVID infection are eligible for vaccination from above categories.
- 7) Beneficiaries who will not be accepted by COWIN App will not be eligible for vaccination.

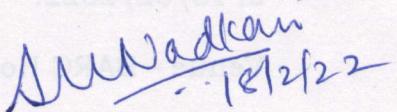
GOVERNMENT OF MAHARASHTRA  
महाराष्ट्र शासन  
Medical Division

- 8) HCW and FLW who have taken their vaccine as under 'General Citizen' will need to visit BMC/Govt. Centres to avail Precaution dose. Beneficiaries should check their status and eligibility on COWIN app.

The above CHSS beneficiaries are requested to take an appointment on TEEKA PORTAL after confirming their eligibility in COWIN APP. All the listed beneficiaries are requested to attend the vaccination as per schedule shown on Portal.

It is mandatory to bring along the Employee I-Card/CHSS Card and Aadhar/PAN card for verification without which vaccination will not administered. In case the beneficiary does not attend on scheduled date, rescheduling of vaccination will not be possible.

Though the Covid-19 Precaution Vaccination is voluntary, it is recommended.

  
Dr (Smt) S. U. Nadkarni  
Head, Medical Division

Note: - Vaccination will be given in a group of 10 people

भारत सरकार  
कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय  
पेंशन और पेंशनभोगी कल्याण विभाग  
(Desk-H)

8<sup>th</sup> Floor, Janpath Bhawan,  
Janpath, New Delhi,  
Dated the 23<sup>rd</sup> February, 2022

OFFICE MEMORANDUM

**Sub: Payment of Provisional Pension and gratuity under Rule 62 of the Central Civil Services (Pension) Rules, 2021 in case of delay in issue of PPO authorizing regular pension – reg**

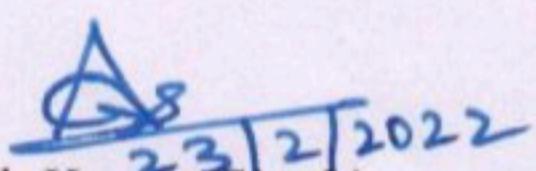
The undersigned is directed to say that in accordance with Rule 62 of the Central Civil Services (Pension) Rules, 2021 (Rule 64 of the erstwhile Central Civil Services (Pension) Rules, 1972), the Head of Office is required to sanction a provisional pension/gratuity, in cases where a delay is anticipated in issuing a PPO authorizing regular pension. **Rule 65 of the CCS (Pension) Rules, 2021 further provides that in all cases where pension/ family pension/gratuity (including provisional pension/ family pension/gratuity) has not been sanctioned or is delayed, and it is clearly established that the delay in payment was attributable to administrative reasons or lapses, interest shall be paid on arrears of pension/family pension/gratuity at the rate and in the manner as applicable to General Provident Fund amount.** Every case of delayed payment of pension/family pension/gratuity in respect of employees of a Ministry or Department and the employees of its attached and subordinate offices shall be considered by the Secretary of that Ministry or Department or any other officer authorized by him, and where it is found that the delay in the payment of pension/family pension/ gratuity was caused on account of administrative reasons or lapse, interest shall be required to be paid to the affected pensioner/family pensioner. In such cases, responsibility shall be fixed and disciplinary action shall be taken against the Government servant or servants who are found responsible for the delay on account of administrative lapses.

2. Although as per Rule 62 of CCS(Pension) Rules, 2021, payment of provisional pension shall not continue beyond the period of six months from the date of retirement of the Government servant, the Rule further provides that the Accounts Officer shall treat the provisional pension as final and issue pension payment order immediately on the expiry of the period of six months, if the final amount of pension and gratuity have not been determined by the Head of Office in consultation with the Accounts Officer within the aforesaid period of six months.

Cont. 2

3. In view of the provisions of Rule 62 of CCS (Pension) Rules, 2021 (earlier Rule 64 of CCS (Pension) Rules, 1972), the Accounts Officer has to treat the provisional pension as final and issue pension payment order immediately on the expiry of the period of six months provided in the Rule, if the final amount of pension and gratuity have not been determined by the Head of Office in consultation with the Accounts Officer within the said period. Therefore, there should not be a situation where regular pension is not authorized by the Accounts Officer to a retired Government servant on expiry of the period of six months.

4. All Ministries/Departments and their Account Officers are advised to strictly comply with the provisions of Rule 62 of the CCS (Pension) Rules, 2021. It is further emphasized that pension should not be discontinued under any circumstances, if, for any reason, PPO for regular pension could not be issued by the Accounts Officer till the expiry of the aforesaid period of six months.

  
(Ashok Kumar Singh)  
Under Secretary to the Govt. of India  
Ph: 23310108

To

1. All the Ministries/ Departments, Government of India.
2. All Officers/Desks of the Department.
3. NIC, DoPPW: for uploading on website of this Department.

Copy to:

Controller General of Accounts, Mahalekha Niyantark Bhawan, Ministry of Finance, New Delhi.



# Cash Transaction, Limit & Penalty – Under Income Tax

2 Comments / INCOME TAX / By Taxtimes / February 25, 2022

In the Indian economy, cash transactions have always played a major role and serve as a consistent reason for the accumulation of black money. The Government has recently initiated various measures to curb cash transactions and boost digital payments. In this article, we look at the cash transaction limit under the Income Tax Act along with the penalty for transacting in cash over and above the specified threshold.

## Cash Transaction Limit – Section 269ST

The Finance Act 2017, took various measures to restrain black money and as an outcome of these measures, a new Section 269ST was inserted in the Income Tax Act. Section 269ST imposed restriction on a cash transaction and limited it to Rs.2 Lakhs per day. Section 269ST states that no person shall receive an amount of Rs 2 Lakh or more:

- In aggregate from a person in a day; or
- In respect of a single transaction; or
- In respect of transactions relating to one event or occasion from a person.

However, the Central Board of Direct Taxes (CBDT) has clarified that this cash withdrawal limit does not apply for withdrawals from Banks and Post offices.

**Thus the provisions of section 269ST will not apply to:** [Read on app](#)

- Cash received through an Account Payee Cheque or an Account Payee Bank draft or use of electronic clearing system (ECS) through a bank account.
- Any receipt by the Government, any banking company, post office savings bank or co-operative bank.
- Transactions of nature referred to in section 269SS.
- Such other persons or class of persons or receipts, which the Central Government may, by notification Official Gazette, specify.

## Withdrawal from Post Office

- Post offices under the Department of India Post facilitate drawings from Post Office savings account along with ATM facility.
- The limit of cash that can be withdrawn in a single day from a post office or ATM is Rs.25,000 and is limited to Rs.10,000 per transaction.
- The post office permits five free transactions per month including financial and non-financial transactions (balance enquiry, statement request). Beyond the free transactions, Rs.20 with GST is charged.
- Withdrawal from other bank ATMs is admissible wherein it is upto 3 free transactions in metro cities while it is five free transactions in non-metro cities. A fee of Rs.20 with GST is charged for transactions above the free transactions.

## Withdrawal from Banks

The amount deposited can be withdrawn from both savings account and current account using a chequebook/withdrawal slip or using automated teller machine through a debit card. Cash withdrawal limit varies from bank to bank and also

 depends on the type of card being used. It varies from 10,000 to 50,000 per day based on the bank. However, the

transaction details notified by the State Bank of India is furnished below.

- Withdrawals using chequebook has been restricted to 60 withdrawals per half-year by most of the banks.
- The amount of money that can be debited from the current account is limited to Rs.1,00,000 per week whereas an overall of Rs.24,000 can be drawn per week from the savings account.
- ATM withdrawals allow Rs.10,000 to be drawn per day and permits unlimited free transactions for salary account whereas 3 transactions from other ATMs with a fee of Rs.20 plus GST per month.

## Cash Transaction Limit under Income Tax

The following are the main income tax sections that pertain to cash transaction limit:

- Section 40A(3) and Section 43 – Pertains to Cash Payment
- Section 269SS and Section 269ST – Pertains to Cash Receipts
- Section 269T – Pertains to Repayment of Certain Loans / Deposits

### Section 40A(3) of Income Tax

Section 40A(3) of the Income Tax Act pertains to cash transaction limit for expenditure made in cash. Under Section 40A(3), if payment for any expenditure of over Rs.10,000 is made in cash, then the expenditure will be disallowed under the Income Tax Act. Hence, it is important for all taxpayers to make any payment for the expense over Rs.10,000 through banking channels like debit card, account transfer, cheque or demand draft.

### Section 43 of Income Tax

Under section 43 of Income Tax Act, if payment of more than Rs.10,000 is made by a taxpayer for the acquisition of an asset by cash, the expenditure would be ignored for the purposes of determination of actual cost of the asset. Hence, it is important for all taxpayers acquiring assets to make a payment to seller through banking channels. **Read on app**

### Section 269SS of Income Tax

Section 269SS prohibits a taxpayer from taking/accepting loans or deposits or a sum of more than Rs.20,000 in cash. All loans and deposits of more than Rs.20,000 must always be taken through a banking channel. Section 269SS of the Income Tax Act is however not applicable when accepting/taking loan or deposit from a person or entity mentioned below:

- Government;
- Any banking company, post office saving bank or co-operative bank;
- Any corporation established by a Central, State or Provincial Act
- Any Government company as defined in clause (45) of section 2 of the Companies Act, 2013
- An institution, association or body or class of institutions, associations or bodies notified by Central Government in the official gazette.

Finally, if the person from whom the loan or deposit is taken and the person by whom the loan or deposit is accepted, are both having agricultural income and neither have any income taxable under Income Tax Act, then the provisions of Section 269SS will not apply.

### Penalty under Section 269SS

Failure to comply with provisions of section 269SS could lead to a penalty equal to the amount of loan or deposit or specified sum accepted.



## Section 269ST of Income Tax Act

Section 269ST of the Income Tax Act provides that no person can receive an amount of INR 2 Lakhs or more in cash:

- In aggregate from a person in a day;
- In respect of a single transaction; or
- In respect of transactions relating to one event or occasion from a person.

Provisions of Section 269ST are not applicable when cash of more than Rs.2 lakhs is received from the following persons:

- Government;
- Any banking company, post office saving bank or co-operative bank;
- An institution, association or body or class of institutions, associations or bodies notified by Central Government in its official gazette.

### Penalty under Section 269ST

As per section 271DA, in case of failure to comply with provisions of section 269ST, a penalty amount equal to the amount of receipt is payable.

## Section 269T of Income Tax Act

Section 269T provides that any branch of a banking company or a co-operative society, firm or another person cannot repay any loan or deposit otherwise than by an account payee cheque or account payee bank draft drawn in the name of the person, who has made the loan or deposit, if:

- The amount of the loan or deposit together with interest is INR 20,000 or more; or
- The aggregate amount of loans or deposits held by such person, either in his name or jointly with another person on the date of such repayment together with interest is INR 20,000 or more.

Provisions of section 269T are not applicable when the loan is repaid or deposit taken or accepted from below mentioned person:

1. Government;
2. Any banking company, post office saving bank or co-operative bank;
3. Any corporation established by a Central, State or Provincial Act
4. Any Government company as defined in clause (45) of section 2 of the Companies Act, 2013
5. An institution, association or body or class of institutions, associations or bodies notified by Central Government in the official gazette.

### Penalty under Section 269T

As per section 271E, in case of failure to comply with provisions of section 269T, penalty amount equal to the amount of loan or deposit repaid is payable.

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प्रशासन अनुभाग Administration Section

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सेंट्रल कोम्प्लेक्स /Central Complex,  
ट्रोम्बे / Trombay  
मुंबई / Mumbai - 400 085

संदर्भ/Ref : 32(1)/277/प्रश./2022/1413

मार्च 15, 2022

## परिपत्र / CIRCULAR

विषय : परमाणु ऊर्जा विभाग की सीएचएसएस - आयुर्वेदिक/होम्योपैथिक चिकित्सा प्रणाली के अंतर्गत प्राधिकृत चिकित्सा परिचारकों के नामांकन/नियुक्ति में विस्तार।

Subject : DAE CHSS - Extension of nomination/Appointment of AMAs under the Ayurvedic / Homeopathic systems of medicine.

भारत परमाणु अनुसंधान केंद्र में सक्षम प्राधिकारी ने विभाग की अंशदायी स्वास्थ्य सेवा योजना के अधीन लाभार्थियों के हित में निम्नलिखित पंजीकृत चिकित्सकों के नामांकन के विस्तार/नियुक्ति को आयुर्वेदिक/होम्योपैथिक चिकित्सा प्रणाली के अंतर्गत प्राधिकृत चिकित्सा परिचारकों (एएमएएस) के रूप में अनुमोदित किया है :

The Competent Authority in BARC has approved extension of nomination/ appointment of the following registered medical practitioners as Authorised Medical Attendants (AMAs) under the Ayurvedic/Homeopathic system of medicine for the benefit of beneficiaries under the Department's Contributory Health Service Scheme.

क्र.सं. Sl. No.	प्राधिकृत चिकित्सा परिचारक का नाम एवं पता Name of AMA and address	क्षेत्र Area	संपर्क सं. एवं औषधालय का समय Contact number and Clinic timing
<b>आयुर्वेदिक / AYURVEDIC</b>			
1.	<b>डॉ. (श्रीमती) रेखा गोपालकृष्णन</b> वैद्यरत्नम औषधशाला, शॉप नं. 02, प्लॉट नं. 20, सेक्टर 40, नेरुल, नवी मुंबई - 400706. <b>Dr (Smt) Rekha Gopalakrishnan</b> Vaidyaratnam Oushadhasala, Shop no.2, Plot no. 20, Sector 40, Nerul, Navi Mumbai - 400706. <b>Email:</b> rekha_gopalkrishnan@yahoo.co.in	नेरुल Nerul	<b>2770 6655 / 93245 21761</b> <b>समय / Timing:</b> सायं 6 से रात्रि 9 बजे तक 6 pm to 9 pm (सोमवार अवकाश / Monday Holiday)

2. <b>डॉ. (श्रीमती) सपना गोपालकृष्ण</b> कोट्टाकल आर्य वैद्य शाला, बी-001, क्रिस्टल अपार्टमेंट्स, प्लॉट नं. 25, सेक्टर 19, एक्सिस बैंक के सामने, न्यू पनवेल-410 206 <b>Dr. (Smt) Sapna Gopalakrishna,</b> Kottakkal Arya Vaidya Sala (Authorised dealer) B-001, Crystal Apartments, Plot no.25, Sector 19, Opp. Axis Bank, New Panvel- 410206.	पनवेल Panvel	2745 8671 / 98206 77308 <b>समय / Timing:</b> प्रातः : 10.30 से दोपहर 1 बजे तक (शनिवार छोड़कर) 10.30 am to 1 pm (except Saturday) सायं 6 से रात्रि 8 बजे तक (मंगलवार छोड़कर) 6 pm to 8 pm (except Tuesday) रविवार अवकाश/Sunday Holiday
कोट्टाकल आर्य वैद्य शाला, रो हाऊस ई-55, केंद्रीय विहार के सामने, सेक्टर 12, खारघर - 410 210 Kottakkal Arya Vaidya Sala (Authorised dealer) Row House E-55, Opp. Kendriya Vihar, Sector 12, Kharghar - 410 210 <b>Email :</b> sputhuraya@yahoo.com sputhuraya.sg@gmail.com	खारघर Kharghar	9768418195/9820677308 <b>समय / Timing:</b> <b>मंगलवार/Tuesday -</b> सायं 6 से रात्रि 8 बजे तक 6 pm to 8 pm <b>शनिवार / Saturday -</b> प्रातः 11 से दोपहर 1 बजे तक 11 am to 1 pm रविवार अवकाश / Sunday Holiday
3. <b>डॉ. शशिकुमार पी. नायर</b> नेशनल आयुर्वेदिक डिस्पेन्सरी, 02, गोकुल, भाऊ दाजी रोड, किंग्स सर्कल, सायन, मुंबई - 400 019. <b>Dr. Shashikumar P. Nair</b> National Ayurvedic Dispensary, 02, Gokul, Bhaudaji Road, King's Circle, Mumbai - 400 019. <b>Email :</b> drnairs53@gmail.com	सायन Sion	022 2402 2030 98335 74684 <b>समय / Timing:</b> <b>मंगलवार से शनिवार/Tue to Sat -</b> प्रातः: 10 से दोपहर 12.30 बजे तक 10 am to 12.30 pm सायं 5 से रात्रि 7.30 बजे तक 5 pm to 7.30 pm <b>रविवार / Sunday -</b> प्रातः: 10 से दोपहर 12.30 बजे तक 10 am to 12.30 pm सोमवार अवकाश/Monday closed
4. <b>डॉ. (श्रीमती) भारती बी. लाल</b> श्री नारायण मंदिर समिति का केरल आयुर्वेदिक औषधालय, भूतल, दिलवारा बिल्डिंग, एसबीआई बैंक के समीप, अनुशक्ति नगर, मुंबई - 400 094 <b>Dr. (Smt.) Bharathi B. Lal</b> Sree Narayana Mandira Samiti's Kerala Ayurvedic Dispensary, Ground Floor, Dilwara Bldg, Near SBI Bank, Anushaktinagar, Mumbai-400 094 <b>Email :</b> mumbaism@ gmail.com	अनुशक्तिनगर Anushakti Nagar	25588595 / 95946 46204 <b>समय / Timing:</b> प्रातः : 10 से दोपहर 1 बजे तक 10 am to 1 pm सायं 4.30 से रात्रि 7.30 बजे तक 4.30 pm to 7.30 pm <b>प्राधिकृत चिकित्सा परिचारकों के परामर्श का समय -</b> <b>AMA Consultation timings -</b> बुधवार, शुक्रवार, शनिवार-

			सायं 4.30 से रात्रि 7.30 बजे तक Wed, Fri, Sat – 4.30 pm to 7.30 pm (रविवार अवकाश/Sunday Holiday)
5.	<b>डॉ. (श्रीमती) सौमिया राजेश</b> वैद्यरत्नम औषधशाला, शॉप नं.1, सिद्धार्थ चौक, वेपन इक्यूपमेंट डिपो गेट के सामने, स्टेशन रोड, मानखुर्द (पूर्व), मुंबई - 400 088 <b>Dr. (Smt). Sowmiya Rajesh,</b> Vaidyaratnam Oushadhasala,Shop No.1, Siddarth Chowk,Opp. Weapon Equipment Depot Gate, Station Road, Mankhurd (East), Mumbai- 400088 <b>Email :</b> <a href="mailto:rajeshpd@barc.gov.in">rajeshpd@barc.gov.in</a>	मानखुर्द Mankhurd	9869072461/90827 64310  <u>समय / Timing:</u> मंगलवार, गुरुवार, शनिवार - शाम 5 से 8.30 बजे तक Tuesday, Thursday, Saturday - 5 pm to 8.30 pm
6.	<b>डॉ. आनंद वारियर</b> आर्य वैद्य शाला, कोट्टाकल, केरला भवनम, 16/ए., के.ए., सुब्रमणियन रोड, माटुंगा पुलिस स्टेशन के पीछे, माटुंगा पूर्व, मुंबई - 400 019. <b>Dr. Anand Warrier,</b> Arya Vaidya Sala, Kottakkal Kerala Bhavanam, 16/A, K A Subramaniam Road, Behind Matunga Police Station Matunga East, Mumbai-400 019. <b>Email :</b> <a href="mailto:mumbaibr@aryavaidyasala.com">mumbaibr@aryavaidyasala.com</a>	माटुंगा Matunga	022 24016879/ 022 24015195  <u>समय / Timing:</u> मंगलवार से शनिवार/Tue to Sat - प्रातः: 9 से रात्रि 8 बजे तक 9 am to 8 pm <u>रविवार /Sunday -</u> प्रातः: 9 से सायं 6.30 बजे तक 9 am to 6.30 pm (भोजन अवकाश / Lunch break दोपहर 1 से 1.30 तक 1 pm to 1.30 pm) सोमवार अवकाश/Monday holiday
7.	<b>डॉ.(श्रीमती) के. दीपा राजमोहन,</b> कोट्टाकल आर्य वैद्य शाला एजेंसी, प्रोग्रेसिव आर्केड 'ए' सीएचएस, शॉप नं. 2, सेक्टर 14, सीबीडी बेलापुर, नवी मुंबई <b>Dr.(Smt.) K. Deepa Rajmohan,</b> Kottakkal Arya Vaidya Sala Agency, Progressive Arcade 'A' CHS, Shop No. 2, Sector 14, CBD Belapur, Navi Mumbai.  कोट्टाकल आर्य वैद्य शाला एजेंसी, श्रमिक सीएचएस , शॉप नं. 18, सेक्टर-20, खारघर Kottakkal Arya Vaidya Sala Agency, Shramik CHS,Shop No 18, Sector 20, Kharghar. <b>Email:</b> <a href="mailto:karathdeepa@gmail.com">karathdeepa@gmail.com</a>	सीबीडी बेलापुर CBD Belapur	022 2770 1010/92244 09878  <u>समय / Timing:</u> प्रातः: 9.30 से दोपहर 12.30 बजे तक 9.30 am to 12.30 pm सायं 5 से रात्रि 8 बजे तक 5 pm to 8 pm <u>रविवार अवकाश /Sunday Holiday</u>

### होमियोपैथी / HOMEOPATHIC

क्र.सं. Sr. No	प्राधिकृत चिकित्सा परिचारक का नाम एवं पता Name of AMA and address	क्षेत्र Area	संपर्क सं. एवं औषधालय का समय Contact number and Clinic timing
8.	<p>डॉ. मिलिंद सी. जोशी वर्सटाईल होमियोपैथी, शॉप नं.8 सिटी एवेन्यू, रत्नमणि ज्वेलर्स के ऊपर, शबरी हॉटेल के पास, विजय मार्ग, सेक्टर-1 (एस), न्यू पनवेल - 410 206.</p> <p><b>Dr. Milind C. Joshi,</b> Versatile Homeopathy, Shop No. 8, City Avenue, Above Ratnamani Jewellers, Near Hotel Shabari, Vijay Marg, Sector-1(S), New Panvel-410206</p> <p>Email: <a href="mailto:drmilindi@gmail.com">drmilindi@gmail.com</a></p>	पनवेल Panvel	<p>98696 77900 क्लिनिक / Clinic-99693 64488</p> <p><b>समय / Timing:</b> दोपहर 12 से दोपहर 2 बजे तक 12 pm to 2pm सायं 6.30 से रात्रि 9.30 बजे तक 6.30 pm to 9.30pm</p> <p>रविवार अवकाश / Sunday Holiday</p>
9.	<p>डॉ. (श्रीमती) छाया ए. लड्डा, मारवा (मंडाला रेसिडेंट वेलफेर असोसिएशन) कार्यालय, हेमंत बी बिल्डिंग के समीप, न्यू मंडाला, मुंबई-400 094</p> <p><b>Dr. (Smt.) Chhaya A. Laddha,</b> MRWA (Mandala Residents Welfare Association) office, Near Hemant B building, New Mandala, Mumbai-400 094</p> <p>Email : <a href="mailto:drchhaya_laddha@yahoo.com">drchhaya_laddha@yahoo.com</a></p>	अनुशक्तिनगर Anushakti Nagar	<p>98331 70765 / 98690 02825</p> <p><b>समय / Timing:</b> <u>मंगलवार एवं शनिवार / Tue &amp; Sat</u> - सायं 4 से सायं 5.30 बजे तक 4 pm to 5.30 pm <u>गुरुवार एवं रविवार / Thu &amp; Sun</u> - दोपहर 12 से 1.30 बजे तक 12 pm to 1.30 pm</p>
10.	<p>डॉ. समीर कुमार जिंदल , संजीवनी होमियोपैथ क्लिनिक, ऑफिस नं.-13, पहली मंजिल, लखानीज़ पाम व्यू प्लॉट नं.-12, सेक्टर-48, सीवुड, नेरुल(पश्चिम), नवी मुंबई- 400 706</p> <p><b>Dr. Sameer Kumar Jindal ,</b> Sanjeevani Homeopathic Clinic, Office No.13, 1<sup>st</sup> floor, Lakhani's Palmview, Plot No.12, Sector-48, Seawoods, Nerul (West), Navi Mumbai 400 706</p> <p>Email : <a href="mailto:drsameerjindal@gmail.com">drsameerjindal@gmail.com</a></p>	सीवुड, नेरुल (प.) Seawoods, Nerul (West)	<p>98204 41975 क्लिनिक/Clinic-022 2770 1975</p> <p><b>समय/Timing :</b> <u>सोमवार-शनिवार/ Mon-Sat</u> - प्रातः 11 से दोपहर 1.30 बजे तक 11 am to -1.30 pm सायं 6 से रात्रि 9.00 बजे तक 6 pm to 9 pm रविवार अवकाश / Sunday Holiday</p>
11.	<p>डॉ. (श्रीमती) स्मिता प्रविण जाधव श्री समर्थ होमियोपैथिक क्लिनिक, शॉप नं. 20, उमा-शिव कॉर्नर, गोकुल डेरी के सामने, प्लॉट नं.22ए, सेक्टर 19, कामोठे, पनवेल-410 209</p> <p><b>Dr. (Smt.) Smita Pravin Jadhav ,</b> Shri Samarth Homoeopathic Clinic Shop no. 20, Uma-Shiv Corner, Opposite to Gokul Dairy, Plot no.22A, Sector19, Kamothe, Panvel-410209</p> <p>Email : <a href="mailto:jadhavdrsmita@gmail.com">jadhavdrsmita@gmail.com</a></p>	कामोठे Kamothe	<p>84548 77707</p> <p><b>समय / Timing :</b> <u>सोमवार-शनिवार/ Mon-Sat</u> - प्रातः 10.30 से दोपहर 1.30 बजे तक 10.30 am to 1.30 pm सायं 5.30 से रात्रि 8.30 बजे तक 5.30 pm to 8.30 pm रविवार अवकाश /Sunday Holiday</p>

12.	<p>डॉ. नाजिश नाझ रशिद अहमद आरवा (अणुशक्तिनगर रेसिडेंट वेलफेर असोसिएशन) होमिओपैथी औषधालय, वृंदावन, अणुशक्तिनगर, मुंबई - 400 094 <b>Dr. Nazish Naaz Rashid Ahmed,</b> ARWA(Anushaktinagar Resident's Welfare Association) Homeopathy Dispensary, Brindavan, Anushaktinagar, Mumbai-400 094 <b>Email : <a href="mailto:nazishrashid25@gmail.com">nazishrashid25@gmail.com</a></b> <b><a href="mailto:arwa.association1971@gmail.com">arwa.association1971@gmail.com</a></b></p>	<p>अणुशक्तिनगर Anushakti Nagar</p>	<p>022-25583532/96194 40696 <b>समय / Timing :</b> सोमवार-शनिवार/ Mon-Sat - सायं 6 से सायं 8 बजे तक 6 pm to 8.00 pm रविवार अवकाश /Sunday Holiday</p>
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क्र.सं. 1 से 10 तक के प्राधिकृत चिकित्सा परिचारकों के नामांकन का विस्तार दिनांक 01/01/2022 से 31/12/2022 तक की अवधि के लिए होगा तथा क्र.सं. 11 एवं 12 के प्राधिकृत चिकित्सा परिचारकों की नियुक्ति दिनांक 01/03/2022 से 31/12/2022 तक की अवधि के लिए होगी।

The extension of nomination of AMAs at Sl. No. 1 to 10 will be for the period from 01/01/2022 to 31/12/2022 and appointment of AMAs at Sl. No. 11 & 12 will be for the period from 01/03/2022 to 31/12/2022.

नामांकन / नियुक्तियां वर्तमान निबंधनों एवं शर्तों पर होगी तथा किसी भी समय बिना कोई कारण बताए या कोई सूचना दिये बिना समाप्त की जा सकती है। प्राधिकृत चिकित्सा परिचारक अनुमेय मानदेय का दावा करने के लिए पात्र होंगे। प्राधिकृत चिकित्सा परिचारक विभाग द्वारा भेजे गए सीएचएसएस के लाभार्थियों से कोई परामर्श शुल्क नहीं लेंगे।

The nominations/appointments will be on existing terms and conditions and can be terminated any time without assigning any reason or giving any notice. The AMAs will be eligible to claim honorarium as admissible. The AMAs will not charge consultation fee from the CHSS beneficiaries referred to them by the Department.

प्राधिकृत चिकित्सा परिचारकों से अनुरोध है कि इस पत्राचार की दूसरी प्रति विधिवत मोहर सहित हस्ताक्षर कर वापस कर दें।

The AMAs are requested to return the second copy of this communication duly signed and stamped to this office.

*22/01/2022  
(कै. कै. डांगे / K.K.Dange) 14/3/2022*

उप स्थापना अधिकारी / Deputy Establishment Officer

उपर्युक्त सभी प्राधिकृत चिकित्सा परिचारक  
All the AMAs referred above.

प्रतिलिपि /Copy to:

01. भा.प.अ. केंद्र के सभी वर्गों/प्रभागों/अनुभागों के अध्यक्ष  
All Heads of Groups/Divisions/Sections in BARC
02. अवर सचिव( प्रशासन), पञ्चवि, मुंबई  
Under Secretary (Admin), DAE, Mumbai
03. प्रशासन अधिकारी, डीसीएसएंडईएम, वी.एस. भवन  
Administrative Officer, DCS&EM, VS Bhavan
04. प्रशासन अधिकारी-III, भारी पानी बोर्ड, वी.एस. भवन  
Administrative Officer-III, HWB, VS Bhavan
05. उप स्थापना अधिकारी, पेंशन (प्रशासन), भापअ केंद्र  
Dy. Establishment Officer, Pension (Admin), BARC
06. प्रशासन अधिकारी-III, आयुर्विज्ञान प्रभाग, अणुशक्तिनगर, मुंबई  
Administrative Officer-III, Medical Division, Anushakti Nagar, Mumbai
07. प्रशासन अधिकारी-III, एईआरबी, अणुशक्तिनगर  
Administrative Officer-III, AERB, Anushakti Nagar
08. प्रशासन अधिकारी-III, ब्रिट, वाशी, नवी मुंबई  
Administrative Officer-III, BRIT, Vashi, Navi Mumbai
09. प्रशासन अधिकारी-III, एनआरबी, अणुशक्तिनगर  
Administrative Officer-III, NRB, Anushakti Nagar
10. प्रशासन अधिकारी-III, डीपीएस, वी.एस. भवन  
Administrative Officer-III, DPS, VS Bhavan
11. प्रशासन अधिकारी, एईइएस, अणुशक्तिनगर  
Administrative Officer, AEES, Anushakti Nagar
12. प्रशासन अधिकारी-III, टीएमसी, परेल  
Administrative Officer-III, TMC, Parel
13. प्रशासन अधिकारी, टीआईएफआर, कोलाबा  
Administrative Officer, TIFR, Colaba
14. सीएमडी, आईआरईएल, प्रभादेवी, दादर  
CMD, IREL, Prabhadevi, Dadar
15. वरिष्ठ प्रबंधक (का.), एनपीसीआईएल, वी.एस. भवन  
Sr. Manager (Per), NPCIL, VS Bhavan
16. सहायक लेखा अधिकारी, चिकित्सा, भापअ केंद्र  
Asstt. Accounts Officer, Medical, BARC
17. सहायक कार्मिक अधिकारी, सीएचएसएस, एमडी, अणुशक्तिनगर  
Asstt. Personnel Officer, CHSS, MD, Anushakti Nagar
18. अध्यक्ष, एसआईआरडी, भापअ केंद्र / Head, SIRD, BARC -  
बीएआरसी वेबसाइट - पेंशन कॉर्नर पर परिपत्र अपलोड करने के अनुरोध के साथ  
With a request to upload circular on BARC website - Pension corner
19. महा सचिव, एईडब्ल्यूएंडएसयू, मुंबई  
General Secretary, AEW&SU, Mumbai
20. मानद सचिव, पेंशनर वेल्फेअर असोसिएशन, मुंबई  
General Secretary, Pensioners' Welfare Association, Mumbai
21. प्रणाली प्रशासन अनुभाग - कार्मिक प्रभाग की वेबसाइट में अद्यतन करने हेतु  
SAS - for updating in PD website

Ref: MD/ HA/16(19)/2022 /715

March 28, 2022

CIRCULAR

In order to aid the CHSS beneficiaries Contract has been entered into, with the following 2 Chemist Shops to supply 'Not Available' medicines on Cashless Basis on production of prescription issued by 3 dispensaries viz. Deonar(East) No. 9, Deonar(West) No.8 & Mandala dispensaries No. 12 :

- 1) M/s. Nawaz Medical Stores,  
Shop No.3, Sahakar Baug, ST Road,  
Pailipada, Opp. BMC Hospital,  
Trombay, Mumbai 400 088  
Phone No.: 9322085581/7666721112
- 2) M/s Sai Vinayak Chemist & General Store,  
4/2, Sai Darshan, Siddharth Chowk,  
Opp, Navy Equipment Depot,  
Mankhurd Station Road, Mankhurd (East),  
Mumbai 400 088  
Phone No.: 9324376025/022-25557705/022-25565989

CHSS Beneficiaries of above mentioned dispensaries are requested to avail facility from above Empanelled Chemists. The facility is effective from 01.04.2022 until further orders.

*S.U.Nadkarni*  
29/3/22  
(Dr. (Smt.) S.U. Nadkarni)  
Head, Medical Division

System Administrator, SAS – with a request to display on BTS

~~JAN~~-Medical Division

Heads of Units, Medical Division

M.O. In-Charge, Deonar (E) Dispensary No. 9

M.O. In-Charge, Deonar (W) Dispensary No. 8

M.O. In-Charge, Mandala Dispensary No. 12

Office of the Director, BARC.

**No. 1/2(40)/2022-P&PW (E)**  
**Government of India**  
**Ministry of Personnel, P.G. & Pensions**  
**Department of Pension & Pensioners' Welfare**

**3" Floor, Lok Nayak Bhawan,**  
**Khan Market, New Delhi,**  
**Dated March 31, 2022**

To

The CMDs of Pension Disbursing Banks  
CPPCs of Pension Disbursing Banks

**Subject:** Nomination by pensioners under the Payment of Arrears of Pension (Nomination) Rules, 1983 for payment of life-time arrears

I am directed to say that in accordance with the Payment of Arrears of Pension (Nomination) Rules, 1983 notified on 10.09.1983 (Annexure-1), pensioners who retired before the notification of the Rules were required to submit nomination to the respective Pension Disbursing Authority. Every employee who retired or will retire after the notification of the Rules, was/is required to submit the nomination, in triplicate, in Form "A" to the Head of Office or the Department from where he retired/ is retiring. The Head of Office is required to return a duly attested duplicate copy of the nomination in Form "A" to the pensioner. The triplicate copy of the nomination is to be passed on to the Pension Disbursing Authority along with the Pension Payment Order, through the PAO/CPAO.

2. The pensioner can, subsequently, modify the nomination (if nominee pre-deceases the pensioner, or otherwise) by submitting Form "A" in triplicate to the Pension Disbursing Authority. The Pension Disbursing Authority is required to return to the pensioner the duly attested duplicate copy of the nomination within thirty days of the receipt of nomination. The triplicate copy is to be sent to the Accounts Officer of the Department from where the pensioner had retired while the original copy of the nomination shall be recorded with the PDA. If any arrears of pension accrue after the death of a pensioner, such arrears of pension are paid to the person in whose favour a nomination under the Payment of Arrears of Pension (Nomination) Rules, 1983 exists.

3. Representations have been received in this Department from some pensioners/pensioners' associations that, quite often, when pensioners submit their nominations to the Pension Disbursing Authority (PDA), there is reluctance on the part of the bank staff to accept these nominations as they are not quite conversant with the above rules. Further, in case a nomination is accepted by the bank, the pensioner is not aware of its safe custody and its retrieval when needed because he is not sure whether the nomination has been fed into the system of the Bank.

4. The matter has been examined in this Department. The procedure for submission and acknowledgement of nominations for life-time arrears of pension is well defined in the Payment of Arrears of Pension (Nomination) Rules, 1983. All retiring Government employees are mandatorily required to submit the nomination for arrears of pension in Form A while filling up the pension papers. This nomination is then forwarded to the Pension Disbursing Authority along with the PPO.

5. In most cases, the problem of non-availability of nomination may be due to improper handling of the nominations by the Banks, as the Banks may not be keeping a proper record of the nominations. The problem may also arise if the nomination submitted at the time of retirement becomes invalid on account of the nominee predeceasing the pensioner or for some other reason and the pensioner fails to submit a fresh nomination to the Bank in Form A or the staff in the Bank Branches does not accept the nomination due to ignorance.

6. In view of the above, all Ministries/Departments, Accounts Offices/CPAO and Pension Disbursing Authorities/Banks are enjoined upon to strictly follow the procedure for handling of the nominations of the pensioners submitted under the Payment of Arrears of Pension (Nomination) Rules, 1983. In short, the following actions are required to be taken by Ministries/Departments, Accounts Offices/CPAO and Pension Disbursing Authorities/Banks in this regard:

**Actions by Ministries/Departments and attached/subordinate offices thereunder**

- i. Obtain nomination in Form A from the retiring employees, in triplicate. The Head of Office or Department must return the duly attested duplicate copy of the nomination to the retiring employee, as acknowledgement, within 30 days of the receipt of nomination from the retiring employee.
- ii. Affix the acceptance of nomination in the triplicate copy of the nomination form and forward it to the Accounts Officer, along with the pension papers/pension case, for onward transmission to the CPAO/Pension Disbursing Authority along with the Pension Payment Order.

**Action by the Accounts Officers**

- i. Forward the triplicate copy of the nomination form, duly accepted by the Head of Office, along with the Pension Payment Order, to the Central Pension Accounting Office for onward transmission to the Pension Disbursing Authority along with the Pension Payment Order/Special Seal Authority.

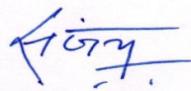
**Action by the Central Pension Accounting Office**

- i. Forward the triplicate copy of the nomination form, duly accepted by the Head of Office, along with the Pension Payment Order to the Pension Disbursing Authority/Bank along with the Pension Payment Order/Special Seal Authority.

**Actions by the Pension Disbursing Authority/Bank**

- i. Retain the triplicate copy of the nomination of the pensioner, as received from Accounts Officer/CPAO, for record.
- ii. Keep a proper record in their system in respect of the nominations received from the Accounts offices/CPAO.
- iii. Review the availability of nomination under the Payment of Arrears of Pension (Nomination) Rules, 1983 in respect of all pensioners. In case, nomination in respect of any pensioner is not available in the record of the PDA/Bank, the concerned pensioner may be advised by the PDA/Bank to submit the same in Form A forthwith.
- iv. Accept any modification of existing nomination/fresh nomination from the pensioner in Form A (in triplicate) of the Payment of Arrears of Pension (Nomination) Rules, 1983 and return to the pensioner the duly attested duplicate copy of the nomination within thirty days of the receipt of nomination.
- v. Send the triplicate copy of the nomination to the CPAO/Accounts Officer of the Department from where the pensioner had retired and retain the original copy of the nomination for record.
- vi. Instruct the staff dealing with pensioners to accept any fresh nomination or modification in the existing nomination submitted by the pensioners in Form A.
- vii. Keep a proper record in their system in respect of the fresh nominations/modifications received from the pensioners.
- viii. Indicate the status of availability of nomination under the Payment of Arrears of Pension (Nomination) Rules, 1983 in Pension Seva Portals or any other similar portal maintained by them.
- ix. Indicate the status of availability of nomination under the Payment of Arrears of Pension (Nomination) Rules, 1983 in the monthly pension slips issued by them to the pensioners.

7. The above instructions may be circulated widely for strict compliance by all concerned.
8. This issues with the approval of Competent Authority.



(Sanjoy Shankar)  
Deputy Secretary to the Government of India  
Ph-24635979

Copy to:-

1. All Ministries/Departments
2. CGA/CPAO
3. C&AG/AGs
4. NIC for uploading on Department's Website

## Form A

### **(Common Nomination Form for Arrears of Pension and Commutation of Pension)**

[See Rule 5 of Payment of Arrears of Pension (Nomination) Rules, 1983 and Rule 7 of Central Civil Services (Commutation of Pension) Rules, 1981]

I, ..... hereby nominate the person/persons mentioned below and confer on him/her/them the right to receive in the event of my death, to the extent specified below, amount on account of the following:

- i. Arrears of Pension
- ii. Commuted Value of Pension payable under Central Civil Services (Commutation of Pension) Rules, 1981

Name, date of birth (DOB) and address of the nominee	Relationship with employee/ pensioner	Share to be paid to each	If nominee is minor, name, DOB and address of person who may receive the amount on behalf of minor	Name, DOB and address of alternate nominee in case the nominee under Column (1) predeceases the employee/ pensioner	Relationship with employee/ pensioner	Name, DOB and address of person who may receive the amount if alternate nominee in Col. (5) is a minor	Contingency on happening of which nomination shall become invalid
1	2	3	4	5	6	7	8

These nominations supersede any nominations made by me earlier.

Place and date:

Signature of Government servant/Pensioner  
Telephone No.

**Note 1 :** Completely strike out the benefit for which nomination is not intended to be made. Separate copies of this nomination Form may be used for nominating different persons for benefits (i) and (ii) above.

**Note 2 :** The Government servant shall draw lines across the blank space below the last entry to prevent the insertion of any name after he/she has signed. The nominee(s)/alternate nominee(s)' shares together should cover the whole amount.

(To be filled in by the Head of Office/ authorised Gazetted Officer)

Received the nominations, dated ....., under the following Rules:

1. Payment of Arrears of Pension (Nomination) Rules, 1983
2. Central Civil Services (Commutation of Pension) Rules, 1981

made by Shri/Smt./Kumari.....

Designation.....

Office.....

(Strike out which nomination is not received)

Entry of receipt of nomination(s) has been made in page ..... Volume ..... of Service Book.

Name, Signature and Designation of Head of Office/authorised Officer with seal

Date of receipt.....

The receiving Officer will fill the above information and return a duly signed copy of the complete Form to the Government servant who should keep it in safe custody so that it may come into the possession of the beneficiaries in the event of his/her death.

The receiving officer shall put his/her dated signature on both pages of this Form.

No. 1/2/2022-E-II (B)  
Government of India  
Ministry of Finance  
Department of Expenditure  
\*\*\*\*\*

North Block, New Delhi  
Dated the 31<sup>st</sup> March, 2022.

OFFICE MEMORANDUM

**Subject: Grant of Dearness Allowance to Central Government employees - Revised Rates effective from 01.01.2022.**

The undersigned is directed to refer to this Ministry's Office Memorandum No. 1/4/2021-E-II (B) dated 25<sup>th</sup> October, 2021 on the subject mentioned above and to say that the President is pleased to decide that the Dearness Allowance payable to Central Government employees shall be enhanced from the existing rate of **31% to 34% of the Basic Pay with effect from 1<sup>st</sup> January, 2022.**

2. The term 'Basic Pay' in the revised pay structure means the pay drawn in the prescribed Level in the Pay Matrix as per 7<sup>th</sup> CPC recommendations accepted by the Government, but does not include any other type of pay like special pay, etc.

3. The Dearness Allowance will continue to be a distinct element of remuneration and will not be treated as pay within the ambit of FR 9(21).

4. The payment on account of Dearness Allowance involving fractions of 50 paise and above may be rounded to the next higher rupee and the fractions of less than 50 paise may be ignored.

5. The payment of arrears of Dearness Allowance shall not be made before the date of disbursement of salary of March, 2022.

6. These orders shall also apply to the civilian employees paid from the Defence Services Estimates and the expenditure will be chargeable to the relevant head of the Defence Services Estimates. In respect of Armed Forces personnel and Railway employees, separate orders will be issued by the Ministry of Defence and Ministry of Railways, respectively.

7. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders are issued in consultation with the Comptroller and Auditor General of India, as mandated under Article 148(5) of the Constitution of India.

  
(Nirmala Dev)  
Director

To,

All Ministries/Departments of the Government of India (as per standard distribution list)  
Copy to: C&AG, UPSC, etc. as per standard endorsement list.

1  
भारत सरकार  
वित्त मन्त्रालय, व्यय विभाग  
केन्द्रीय पेंशन लेख कार्यालय  
त्रिकूट-II भीकाजी कामा प्लेस  
नई दिल्ली-110066  
फोन : 26174596, 26174456, 26174438



GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
DEPARTMENT OF EXPENDITURE  
CENTRAL PENSION ACCOUNTING OFFICE  
TRIKOOT-II, BHAKAJI CAMA PLACE,  
NEW DELHI-110066  
PHONES : 26174596, 26174456, 26174438

CPAO/IT & Tech/Clarification/13 Vol. III A/7380/2022-23 / ०३

05.04.2022

### Office Memorandum

#### **Subject: Recovery of excess payment made to pensioners**

Attention is invited to the Reserve Bank of India's circular dated 21st January, 2021 regarding withdrawal of circulars on Recovery of excess pension made to pensioners. The RBI decided that the following circulars issued by the Department of Government and Bank Accounts, Reserve Bank of India related to recovery of excess pension made by agency banks stands withdrawn from effect from the date of the circular-

- Circular No. DGBA.GAD.No. 2960/45.01.001/2015-16 dated March 17<sup>th</sup>, 2016
- Circular No. CO.DGBA (NBS) No. 44/GA.64 (11-CVL) 90/91 dated April 18, 1991
- Circular No. CO. DGBA (NBS) No. 50/GA. 64 (11-CVL) 90/91 dated May 6, 1991

It was further stated that agency banks will seek guidance from respective Pension Sanctioning Authorities regarding the process to be followed for recovery of excess pension paid to the pensioners, if any.

The Department of Pension and Pensioners' Welfare has clarified (copy enclosed) that the question of recovery or waiver of recovery of any excess payment on account of an error in initial authorization or revision of pension by the office is to be dealt with in accordance with rule 66 (4) of the CCS (Pension) rules 2021.

This issues with the approval of the Chief Controller (Pensions).

(Anang Rawat)  
(Dy. Controller of Accounts)

To

1. All the Heads of CPPCs of all the Authorised Banks
2. All the Heads of GBDs of Authorised Banks

फा. नं. 38/18/2018-P&PW(A)(5130)

भारत सरकार Government of India

कार्मिक, लोक शिकायत और पेंशन मंत्रालय Ministry of Personnel, PG & Pensions

पेंशन और पेंशनभोगी कल्याण विभाग Department of Pension & Pensioners' Welfare

लोक नायक भवन 3rd Floor, Lok Nayak Bhawan  
खान मार्केट नई दिल्ली Khan Market, New Delhi-110 003

दिनांक Dated: 08.02.2022

सेवा में,

✓ Central Pension Accounting Office  
Ministry of Finance, Department of Expenditure  
Trikoot-II, Bhikaji Cama Place,  
Rama Krishna Puram, New Delhi- 110066

विषय : Recovery of excess payment made to pensioners.

महोदय,

I am directed to refer to your letter No. CPAO/IT&Tech/Clarification (Recovery)/13 Vol-III(A)/7380/173 dated 23.12.2022 on the above cited subject and to say that this Department has, on 20.12.2021, notified the CCS (Pension) Rules 2021 in supersession of CCS (Pension) Rules 1972. As per rule 66(4) of the said CCS (Pension) Rules 2021:

XXXX

(2)

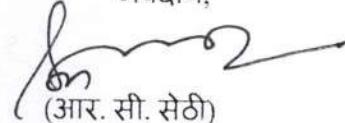
(3)

(4) If, consequent on revision of pension or family pension under sub-rule (2), an excess payment of pension or family pension is found to have been made to the pensioner or family pensioner and if such excess payment is not on account of any misrepresentation of facts by the pensioner or family pensioner, the administrative Ministry or Department shall examine in consultation with the Ministry of Finance (Department of Expenditure) whether or not recovery of such excess payment can be waived off and issue appropriate orders in accordance with the relevant rules and instructions in this regard.

2. Thus, the question of recovery or waiver of recovery of any excess payment on account of an error in initial authorization or revision of pension by the office is to be dealt with in accordance with rule 66(4) of the said CCS (Pension) Rules 2021, which is in the spirit of the Apex Court's judgement in Rafiqe Masih's case and DoPT's OM dated 2.3.2016. Therefore, there does not seem to be a need for issuing further instructions in regard to dealing with excess payment to pensioners on account of an error on the part of the office.

3. Therefore, CGA/CPAO may take a decision in this regard in consultation with Department of Expenditure/Financial Services, if necessary.

अवधीय,

  
(आर. सी. सोठी)

अवर सचिव, भारत सरकार

<https://www.businessleague.in/bank-opening-hours-changed-important-news-bank-opening-hours-changed-today-customers-will-get-more-time-check-new-opening-hours-here/>

## **Bank opening hours changed: Important news! Bank opening hours changed today, customers will get more time, check new opening hours here**

**Bank opening hours changed: The Reserve Bank of India has changed the opening hours of banks from Monday, April 18, 2022, after being closed for 4 days. Banks will open from Monday at 9 am.**

Bank opening hours changed: There is a big news for the customers of the bank. Now you will get 1 hour extra time to deal with the business related to the bank. RBI has changed the timings from the trading hours of the market to the bank with effect from April 18, 2022. The Reserve Bank of India has changed the opening hours of banks from Monday, April 18, 2022, after 4 days of bank closure. Banks will open from Monday at 9 am.

### **RBI implemented new system**

However, no change has been made in the closing time of banks. Accordingly, one more hour has been added to the working of banks. Significantly, due to the increasing infection of Corona, the opening hours of banks were reduced during the day. But now things are getting back to normal. In such a situation, RBI is implementing this facility from 18 April 2022.

### **Trading time in the markets also changed**

RBI has also said in its release that transactions in the foreign exchange market and government securities will now be possible with the changed time. With effect from 18 April 2022, trading in RBI regulated markets such as Forex Derivatives, Rupee Interest Rate Derivatives, Repo in Corporate Bonds etc. for Foreign Exchange (FCY)/ Indian Rupee (INR) trades as against its pre-Covid timing i.e. 10 AM at 9 am It will start from 0:00 in the morning.

### **Old system re-applied**

Significantly, in view of the corona transition in the year 2020, RBI had changed the trading hours of the market on 7 April. The market timings were changed from 10 am to 3.30 pm, reducing the trading hours by half an hour. But now the conditions are getting normal, after which now RBI is re-implementing the old time table.

# **Income tax dept tracks these 46 financial transactions of yours via the Annual Information Statement**

*Preeti Motiani*

The newly launched [Annual Information Statement \(AIS\)](#) is a comprehensive statement containing details of 46 of the [financial transactions](#) (income, investment, expenditure) undertaken by you in a financial year (FY). Sujit Bangar, Ex-IRS officer and founder, Taxbuddy.com, an ITR filing website, says, "AIS is an information statement. It provides details of all the income received from various sources irrespective of whether tax has been deducted on such income or not. Further, any investments made by you will be reflected in the AIS as well."

Here is a look at 46 financial transactions that reflect in the AIS, as per the income tax website.

## **1. Salary**

AIS will show information about the salary amount paid to you along with the tax deducted, if any. It will show the TAN of employer and PAN of employee. The amount mentioned in the AIS will be gross salary including all exempt allowances. Individual will be required to claim exemption and deductions as applicable while filing income tax return (ITR).

## **2. Rent received**

This section includes rent received from various sources. This includes:

- If you have given your PAN to your tenant and your tenant has given PAN to his employer to claim HRA exemption.
- If you are receiving rent of Rs 50,000 or more per month;
- If you have received rent from land, building, machinery etc. where TDS has been deducted at the rate of 10%.

As per the new income tax portal, information for rent received will be summed up at PAN level. Similarly, employer reports the PAN of landlord to whom rent is paid by an employee in Annexure II of the TDS statement. The sum of rent received from all tenants will be reflected in the Taxpayer Information Summary (TIS).

## **3. Balance in account**

Opening of account other than savings account or fixed deposits (e.g. recurring deposit accounts) will be shown in AIS. Further, bank accounts with balance exceeding Rs 50,000 at the closing of financial year will be reflected in AIS.

## **4. Cash deposits**

Cash deposits made in current accounts will be reflected in AIS. Also, cash deposits made in other accounts reported by financial entities, mandated to do so under income tax law, will be reflected in AIS. Form 61A has to be filed by the reporting agency that includes bank, co-operative bank, Post office, NBFC etc.

## **5. Cash withdrawals**

Cash withdrawals made from current accounts will be reflected in AIS. Also, cash withdrawals from other accounts reported by financial entities such as bank, co-operative bank, post office etc., mandated to do so under income tax law will be reflected in AIS.

**6. Credit/debit card**

Any credit/debit card issued to you during the financial year will be reflected in AIS.

**7. Dividend**

It will show dividends received by you from equity shares, mutual funds. Further, tax deducted by the companies, mutual fund houses will also be reflected in the AIS. Dividend income will be listed on the basis of PAN of the reportee, information source and value.

**8. Interest from savings bank**

Interest paid, credited or accrued on savings account held by you during the financial year is reported in the AIS. Do keep in mind that interest earned from savings account is taxable in your hands. However, you are allowed to claim deduction of up to Rs 10,000 under section 80TTA except for senior citizens and super citizens.

**9. Purchase of time deposits**

If you have made any investments in time deposits (such as bank fixed deposits), then such investments will be reflected in AIS. Reporting entity includes bank, NBFC, post office etc.

**10. Interest from deposits**

This section includes interest received by individuals from various deposits like fixed deposits, recurring deposits. If any tax has been deducted, then it will be reflected as well. Reporting entities, such as banks inform the income tax department about the interest paid/credited/accrued on fixed deposits and recurring deposits. Reporting entities include banks, post office etc.

Interest from fixed deposits and recurring deposits are fully taxable. However, senior citizens and super senior citizens can claim deduction of Rs 50,000 under section 80TTB. This section covers interest received from savings account, fixed deposits, recurring deposits, post office schemes etc.

**11. Purchase of securities and units of mutual funds**

Buying of shares, bonds, mutual fund units etc. will be reflected in AIS. Information relating to purchase of mutual funds is reported to the income tax department by the AMC.

**12. Sale of securities of units and mutual fund**

Registrar and Transfer Agents (RTAs) and depositories report sale transactions based on PAN, name and other details etc. of an individual to the income tax department. The capital gains accrued from the sale of units of mutual funds will be classified on the basis of holding period. The capital gains will be reflected in the AIS.

**13. Interest from other sources**

If you have received the interest from sources other than savings account, term deposits, recurring deposits, then such interest information will be reported to the income tax department by the paying entity. This interest income received from these other sources will also be listed in your AIS.

**14. Cash payments**

Cash payments made for goods and services, purchase of bank drafts or pay orders or bankers' cheque, prepaid instruments in cash, bullion and jewellery etc. will be reflected in AIS, wherever these payments are made to the reporting entity as mandated under the law.

**ITR changes in 2021, precautions to take when filing and tax resolutions for 2022**



We recap tax changes, particularly in context of the ITR filing season and for last-minute tax filers, with the help of Divya Baweja, Partner, Deloitte India. He also gives us insightful tax tips for the coming year.

#### **15. Receipt of accumulated balance of PF from employer u/s 111**

If you have withdrawn from provident fund account or have received accumulated balance from your employer, then the amount received will be reflected in the AIS. Do keep in mind that if you have withdrawn more than Rs 50,000 before the completion of five years of service, then tax at source (TDS) will be deducted on the amount. If the withdrawal is made before the completion of five years of continuous service, then the entire amount received will be taxable. If withdrawn after 5 years, it will be exempt from tax.

#### **16. Receipts from life insurance policy**

Receipts from life insurance policy are exempted from tax under section 10(10D), provided certain conditions are met. If the conditions are not met, then receipt will be taxable, and TDS will be deducted as well. Amount received from life insurance policy will be shown in AIS. If the proceeds are tax-exempt, then you can report the same while filing income tax return.

#### **17. Withdrawal of deposits from national savings scheme**

National Savings Scheme is also known as Post Office Savings Scheme. Money received from these schemes, either prematurely withdrawn or at the time of maturity, will be reflected in the AIS.

#### **18. Interest from income tax refund**

The income tax department pays interest on the income tax refund amount. The interest is calculated at the rate of 0.5% per month. The interest received on the income tax refund is taxable in the hands of individual and taxed as 'Income from Other Sources'. If any such refund is received, then it would reflect in the AIS also.

#### **19. Purchase of foreign currency**

Foreign currency purchased for the buying of equity shares, debt instruments, real estate etc. or opening of bank account abroad or for travel for pilgrimage, medical treatment, education etc. will be reflected in AIS.

#### **20. Rent payments**

AIS will not only show the rent received by you but also rent payments made by you, provided tax has been deducted at the time of making payment. If you are

paying monthly rent of Rs 50,000 or more, then you are required to deduct tax at the rate of 5% on the payment made. As a tenant, the total amount paid by you as rent will be reflected in AIS in this situation.

#### **21. Foreign travel**

Purchasing of overseas tour package or payment made in connection with foreign travel is reflected in AIS.

#### **22. Purchase of immovable property**

During the financial year, if you have bought any immovable property such as house, land building etc. then such purchase will be reflected in AIS.

#### **23. Receipts from transfer of immovable property**

The amount received from sale of immovable property such as a house etc. will be reflected in the AIS. The information will be sourced from Form 26QB as reported by the buyer. Form 16B will be issued to the seller for the tax deducted on the amount paid to him/her.

Tax is deducted if the overall payment in respect of such property exceeds Rs 50 lakh.

#### **24. Receipt of foreign remittance**

Any payment received by non-residents related to royalty or fees for technical services etc. will be reflected in AIS. Similarly, any other receipt of foreign remittances such as money received due to sale of foreign shares or dividend received from foreign shares etc. will also be reflected in AIS.

#### **25. Rent from plant and machinery**

If you are receiving rent from plant and machinery, where tax has been deducted at the rate of two per cent, then such information will be reflected in the AIS as well.

#### **26. Winnings from lottery or crossword puzzle u/s 115BB**

Winnings from lottery/crossword and any tax deducted on it will be reflected in the AIS. At the time of making payment to the winner of the lottery etc., payer will be required to deduct tax at the applicable rate. Individual will receive Form 16A from the payer reflecting amount paid and tax deducted on it.

#### **27. Winnings from horse race u/s 115BB**

Similar to winnings from lottery/crosswords, winnings from horse race will also be reflected in the AIS.

#### **28. Interest from Infrastructure Debt Fund**

Interest received from investment made in infrastructure debt fund will be reflected in the AIS. Tax will be deducted at the time of receiving interest payment from infrastructure debt fund. The interest received is taxable under the head 'Income from Other Sources'.

## **Your ITR filing document checklist for FY20-21**

### **9 documents you need to file tax return**

ITR-1 form (Sahaj), which is the form used by most salaried taxpayers, comes prefilled with majority of the information. [Click here](#) to find out if you have filed your ITR using the correct form.

Besides choosing the correct ITR filing form for yourself and thoroughly checking the pre-filled information, you need to keep in handy the documents and proofs associated with the task. Here we list down the nine documents you must collect before you start filing your ITR for FY 2020-21.

#### **29. Interest from specified company by a non-resident**

As a non-resident, if you receive interest from specified company under the law, then the amount received will be reflected in AIS. Further, any tax deducted at the time of making the payment will be reflected as well.

**30. Interest on bonds and government securities**

Interest received from government securities and/or bonds is taxable in the hands of an individual. Information related to interest paid will be reflected in the AIS. If tax has been deducted on the interest paid, then Form 16A will be issued to individual by the tax deductor.

**31. Income in respect of units of non-resident**

If a non-resident receives interest income from an Indian company as specified under section 115A(1)(a)(iiab), then interest received will be shown in the AIS. Any tax deducted will be reflected in the AIS and Form 16A will be issued to the non-resident.

**32. Income and long-term capital gain from foreign currency bonds or shares of Indian companies**

Interest from an Indian company or dividends from Global Depository Receipts as specified under section 115AC of the Income Tax Act, as received by a non-resident, will be shown in AIS.

**33. Insurance Commission**

Insurance commission received from selling of insurance policy will be shown in AIS.

**34. Receipt of commission etc. on sale of lottery tickets**

AIS also shows the amount of commission received from sale of lottery tickets. The amount of commission paid is reported by payer of commission via Form 26Q.

**35. Sale of land or building**

Any amount received from the sale of land or building will be reflected in the AIS. The amount reported in the AIS will be taken from Form 26QB. This is the TDS return form filed by the buyer of the property after deducting tax on the sale consideration paid to the seller. If no tax is deducted on the sale amount, then data will be collected via your PAN which would be furnished by the transacting party. Compensation received on acquisition of immovable property (for e.g. individual receives compensation from government on the land or building acquired by the government) will also be reflected here as well.

**36. Off-market debit transactions**

The depository and registrar and transfer agents (RTAs) will be required to submit details of off-market transactions (of shares, other securities) to be reflected in AIS. Off-market transactions include gifting of shares, mutual funds, transmission due to death of first holder etc.

**37. Off-market credit transactions**

Similar to off-market debit transactions, off-market credit transactions will also be reflected in AIS.

**38. Business receipts**

Receipts related to business income will be shown in the AIS. The information here includes receipts from contract payments, as reported in Form 26Q, fees for professional or technical services, any other commission or brokerage received as reported in Form 26QD. The incomes received are taxable under the head 'Income from business and profession'.

**39. Business expenses**

Any expenses incurred in conducting business are also reflected in AIS. Expenses that will be shown here are: purchase of alcoholic liquor, timber obtained under forest lease or from any other mode, scrap, commission or brokerage paid, payment for professional services etc.

**40. Miscellaneous payments**

The miscellaneous payments include - payment made for contract/work, purchase of bank drafts or pay orders, payment to hotel, life insurance premium, [credit card](#) etc. These payments would be reported by the entity receiving the payment subject to reporting requirements under income tax laws.

**41. Purchase of vehicle**

Purchase of a vehicle where tax has been collected from purchaser at time of buying will be reflected in AIS.

**42. Income distributed by business trust**

Income from units of business trust which is reported by payer in Form 27Q is shown in the recipient's AIS.

**43. Income distributed by investment fund**

Income from units of investment fund as reported by payer in Form 26Q is shown in AIS of the recipient of the income.

**44. Income from investment in securitisation trust**

Income from investment made in securitisation trust is subject to tax deduction at source (TDS). The payer reports such information in Form 27Q on a quarterly basis. Therefore, it would reflect in the recipient's AIS

**45. Sale of Vehicle**

Amount received from the sale of vehicle will be shown in the AIS of the seller.

**46. Payment to non-resident sportsmen or sports association under section 115BBA**

If any non-resident sportsman or sports association receives income from participating in any game in India (Other than winnings from the game, advertisement and contribution to articles relating to game or sport in India in newspapers, magazines etc.) then such amount received will be shown in AIS of the recipient of the income.

केवल भाष्यकंद्र के पेंशनर्स हेतु  
For BARC Pensioners only

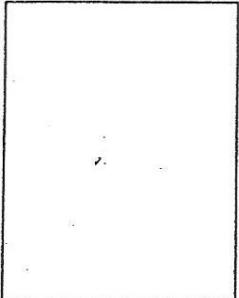
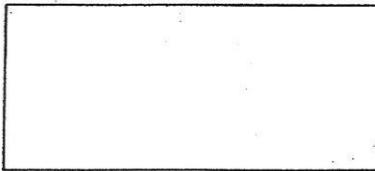
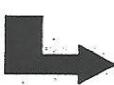
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P/IC/1/128(R)-Pens

भाभा परमाणु अनुसंधान केंद्र  
Bhabha Atomic Research Centre

पहचान पत्र जारी करने हेतु आवेदन - पेंशनर्स

APPLICATION FOR ISSUE OF IDENTITY CARD-Pensioners

कृपया बाक्स के भीतर भी (काली स्थाही से) हस्ताक्षर करें  
Please also sign within this box [in black ink]



ऊपरी भाग का स्कैनिंग हेतु प्रयोग किया जाएगा  
Upper portion to be used for Scanning

कृपया सामने का स्पष्ट, रंगीन फोटो चिपकाएं (3 x 4 सेमी.)  
Please affix clear Colour Front Photo (3x4 cm size)

(कृपया मोटे अक्षरों का प्रयोग करें / Please Use Capital Letters)

1. नाम (उपनाम पहले) / टाइटल [डॉ./श्री/श्रीमती/कृ/प्रो. आदि] Name (Surname first) / Title [Dr./Shri/Smt/Kum/Prof etc]	2. सेवानिवृत्ति के समय धारित पद Post Held at Retirement	3. सेवानिवृत्ति के समय वेतनमान Pay Scale at Retirement	4. संगणक संकेत संख्या तथा कर्मचारी संख्या Comp. Code & Employee No.
			/ / -
5. जन्मतिथि Date of Birth	6. सेवानिवृत्ति की तिथि Date of Retirement	7. अहरित अंतिम वेतन Last Pay drawn	8. औसत उपलब्धियाँ Average Emoluments
		₹	₹

10. कार्य स्थल / Place of work

11. मूलतः मंजूर पेंशन / Pension Originally Sanctioned

12. पीपीओ संख्या / PPO No.

	₹	
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13. रक्त वर्ग / Blood Group (वैकल्पिक /Optional)

--

14. डाक का पता /Mailing address:

टेलिफोन सं./ TEL NO:	पिन /PIN:
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15. लिंग/Sex

पुरुष Male / स्त्री Female
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कृपया मेरा आईडी कार्ड पंजीकृत डाक द्वारा भेजें / मैं इसे स्वयं प्राप्त करूँगा / मेरे द्वारा जारी प्राधिकृत पत्र प्राप्त व्यक्ति द्वारा प्राप्त किया जाएगा (एक चूने).  
Please send my Id Card (Choose One) by Regd.Dak/I will collect it myself /through the Person having an authority letter from me.

Continued on page 2

संलग्नक / Enclosures:

1. लेखा अधिकारी, भापअ केंद्र के नाम डाकघर द्वारा जारी मूल्य ₹10 का भारतीय पोस्टल आईर नं. \_\_\_\_\_ दिनांक \_\_\_\_\_  
Indian Postal Order of ₹10/- bearing No dated / / in favour of AO, BARC.
2. पीपीओ की पृष्ठ सं. 3, 5, 7, 8, 9, 10 की फ़ेरोवॉक्स प्रति (2) Xerox Copy of page No. 3, 5, 7, 8, 9, 10 of PPO
3. मूल अस्थायी फोटो प्रवेश अनुज्ञापत्र सं. \_\_\_\_\_, \_\_\_\_\_ तक वैध
3. Original Temp Photo Entry Permit No. \_\_\_\_\_ Valid up to \_\_\_\_\_

दिनांक /Date: \_\_\_\_\_

आवेदक के हस्ताक्षर  
Signature of applicant

(\*\*)

- (1) कृपया आपके रिकार्ड के लिए इस आवेदन की प्रति रखें। आई डी कार्ड केवल एक ही बार जारी किया जाएगा।  
(1) Please keep a copy of this application for your record. The Id Card is only issued once.  
(2) कृपया मूल पीपीओ संलग्न न करें। (2) Please do not enclose original PPO.  
(3) पृष्ठांताल हेतु दूरभाष # 022 2559 3657 पर संपर्क करें। (3) For Enquiry Contact Ph. # 022 2559 3657  
(4) कृपया आई डी कार्ड के प्रेषण हेतु 30 दिन का समय दें। (4) Please allow 30 days for despatch of Id. Card.  
(5) यदि कोई विकल्प न दिया गया हो, उपरोक्त पते पर कार्ड पंजीकृत डाक द्वारा भेजा जाएगा।  
(5) The card will be sent at the above address by Regd. Dak, if no other option is desired.  
(6) भापअ केंद्र के परिसर में प्रवेश के लिए यह आई डी कार्ड वैध नहीं है।  
(6) This Id. Card will not be valid for Entry into BARC Premises.  
(7) यदि खो गया हो, तो मूल पुलिस शिकायत प्रस्तुत करें। (7) If lost, original Police Complaint be produced.

प्रति/To:

स.का.अ., एस एण्ड एम आई एस, तीसरी मंजिल, सेंट्रल कॉम्प्लेक्स, भापअ केंद्र, ट्रांबे, मुंबई - 400 085  
APO, S&MIS, 3<sup>rd</sup> Floor, Central Complex, BARC, Trombay, Mumbai - 400 085

### **In case of loss of Pensioner's Card**

The Following documents need be submitted to ID Cell, North Gate, BARC.

1. FIR at local police station regarding lost / Misplace of official documents.
2. Demand Draft of Rs.200/- in favour of AO, BARC
3. Copy of PPO Book
4. Duly filled Form (Attached with the Mail).



भारत सरकार Government of India  
**भाभा परमाणु अनुसंधान केंद्र** Bhabha Atomic Research Centre  
**कार्मिक प्रभाग** Personnel Division  
**प्रशासन अनुभाग** Administration Section



सेंट्रल कॉम्प्लेक्स / Central Complex,  
ट्रॉम्बे / Trombay  
मुंबई / Mumbai - 400 085

संदर्भ : 32(1)/2016/Admin/2022 / 1440

अप्रैल April 25, 2022

**पृष्ठांकन/ ENDORSEMENT**

निम्नलिखित टिप्पणी की एक प्रति इस अनुरोध के साथ अग्रेषित की जा रही है।

A copy of following is forwarded herewith:

दस्तावेज / Document	जिस अधिकारी से प्राप्त हुआ Received from	विषय Subject
पऊवि कार्यालय ज्ञापन संख्या 201(12)/17/2020/IR&W/Vol.II/1062/5197 दिनांकित 20/04/2022	अवर सचिव (ओ.सं.एवं.क.) पऊवि, अनुशक्ति भवन, सी.एस.एम मार्ग, मुंबई -400 001	आश्रित सीएचएसएस लाभार्थियों के आयकर रिटर्न कि पावती प्रस्तुत करने के संबंध में (असाधारण मामलों में छुट)
DAE Office Memorandum no. 201(12)/17/2020/IR&W/Vol.II/1062/5197 dated 20/04/2022	Under Secretary (IR&W) DAE, Anushakti Bhavan, C.S.M. Marg, Mumbai - 400 001	Submission of Acknowledgement of Income Tax Returns in respect of dependent CHSS beneficiaries (Relaxation in exceptional cases)-reg.

*(Signature)* 25/04/2022  
(बीरबल डाबरिया / Birbal Dabaria)

उप स्थापना अधिकारी/ Deputy Establishment Officer

संलग्न : यथोपरि।

Encl : As above.

सभी वर्गों के निदेशक /All Directors of Groups

सभी वर्गों के सह निदेशक /Associate Directors of Groups

सभी प्रभागों/अनुभागों के अध्यक्ष /Heads of Division/Sections

मुख्य प्रशासन अधिकारी, आर एम पी (मैसूरु) /CAO, RMP(Mysore)

मुख्य प्रशासन अधिकारी, बी ए आर सी एफ (के) / CAO, BARCF(K)

मुख्य प्रशासन अधिकारी, बी ए आर सी एफ (वैजाग) / CAO, BARCF (Vizag)

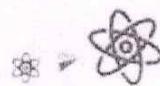
मुख्य प्रशासन अधिकारी, जी एस ओ (टी) / CAO, GSO(T)



(022-22862703)  
ई-मेल/e-mail-[irw@dae.gov.in](mailto:irw@dae.gov.in)  
फैक्स/Fax No. - 2204 8476 &  
22824354



सर्वोदय जपते  
भारत सरकार  
**GOVERNMENT OF INDIA**  
परमाणु ऊर्जा विभाग  
**DEPARTMENT OF ATOMIC ENERGY**  
आ०. सं. एवं क. अनुभागIR&W SECTION



NEW INDIA = 75  
नेहरी का अमृत महोत्तम

अनुशक्ति भवन  
Anushakti Bhavan,  
छ. शि. म. मार्ग C.S.M. Marg,  
मुंबई Mumbai - 400 001

No. 201(12)/17/2020/IR&W/Vol.II/1062 | 5197

April 20, 2022

### OFFICE MEMORANDUM

**SUBJECT :** Submission of Acknowledgement of Income Tax Returns in respect of dependent CHSS beneficiaries (Relaxation in exceptional cases)-Reg

**Ref :** OM No. 7/3/2017/IR&W/11383 dated 07/09/2018  
OM No. 7/2/2019/IR&W/14359 dated 22/11/2019  
OM No. VIG-10-10/2020-DAE/Vol.II/15019 dated 14/12/2021

In terms of OMs referred above, the submission of acknowledgement of IT Return in respect of dependent by prime beneficiaries was insisted upon by the Department.

2. Several requests has been received in the Department from the prime beneficiaries/dependents in connection with the difficulties faced by the employees/dependents in submission of ITR due to various reasons . The requests has been examined in the Department and it has been decided to continue with the practice of submission of Acknowledgement of IT Returns in the normal course, for dependent beneficiaries covered by the aforestated OMs.

3. However, in exceptional cases, where submission of Acknowledgement of IT Returns is not possible due to procedural difficulties, employees may furnish a Self Declaration in the enclosed format for continuing/extending fresh CHSS facilities to such dependents.

3. This issues with the approval of Joint Secretary (A&A), DAE.
4. Hindi version follows.

Encl: a/a

To,

All CHSS Administering Authorities / All Administrative Heads of Units.

Cc: 1) Office of the Chairman, AEC & Secretary, DAE  
2) Office of JS (A&A).  
3) All Officers/Sections in DAE, Mumbai / New Delhi.

*Anil Meena*  
20/4/2022  
(Meena Anil)  
Under Secretary (IR&W)

10  
11/4/22

Smt V  
J. S.  
21/4/22

## Self Declaration

### I. Employee Details

01. Name:	02. Designation:	03. Emp. No.:
04. CHSS No.:	05. Unit:	06. Pan Card No.:
07. Aadhar Card No.:		
08. Ration Card No.:		

List of beneficiaries as per ration card:

- 1.
- 2.
- 3.

### II. Details of Dependent (Separate Declaration in respect of each Dependent):

i) Name :  
ii) Relationship:  
iii) Date of Birth:  
iv) Age:  
v) Marital Status:  
vi) Disability (if any):  
vii) Whether Studying or not:  
viii) Profession/Employment/Occupation:  
ix) Address for Communication:

x) Permanent Address:

xi) Monthly Income:  
xii) Annual Income (Copy of relevant proof to be attached)

Pension :  
Mutual Fund:  
Bank Deposit:  
Agriculture :  
Rented Income:  
Other Sources :  
Total :

xiii) a) PAN/GST Details:  
(Proof to be attached)

b) if not available reason thereof:

xiv) a) ITR/Income Certificate  
(Proof to be attached)

b) if not available, reason thereof:

xv) a) Aadhar Card Number :

b) if not available, reason thereof:

xvi) Bank Account details (Provide all available A/c's in which the dependent's name appears as the first account holder)

Bank Name	Account No.	IFSC No.

(Signature of the Dependent/

Left hand thumb impression)

Name:

(Signature of the Employee)

Name:

Designation:

Unit:

### Undertaking

I, Shri/Smt. \_\_\_\_\_, son/wife/daughter of Shri \_\_\_\_\_, age \_\_\_\_\_ resident of \_\_\_\_\_, District \_\_\_\_\_, designation working at office hereby declare that the information given above and in the enclosed documents is true to the best of my knowledge and belief and nothing has been concealed therein. I am well aware of the fact that if the information given by me is proved false/not true, I will have to face the punishment as per the Law. Also, all the benefits availed by me shall be summarily withdrawn.

Date:

Place:

Signature of the Applicant  
Phone/Mob.:  
E-mail:

Note: Penal/Criminal action including cancellation of CHSS Card will be taken against officer in case of suppression of facts or submission of false information in the Declaration.



( ०२२-२२८६२७०३ )

ई-मेल/e-mail-[irw@dae.gov.in](mailto:irw@dae.gov.in)  
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&  
22824354



भारत सरकार  
GOVERNMENT OF INDIA  
परमाणु ऊर्जा विभाग  
DEPARTMENT OF ATOMIC ENERGY  
ओ. स. एवं क. अनुभाग IR&W SECTION



अनुशक्ति भवन  
AnushaktiBhavan,  
छ. शि. म. मार्ग C.S.M.  
Marg,  
मुंबई/ Mumbai - 400 001

सं. No. 201(12)/17/2020/IR&W/Vol.II/ 5364

अप्रैल 22, 2022

### कार्यालय ज्ञापन

विषय: आश्रित सीएचएसएस लाभार्थियों के आयकर रिटर्न की पावती प्रस्तुत करने के संबंध  
में (असाधारण मामलों में छूट)।

संदर्भ Ref : OM No. 7/3/2017/IR&W/11383 dated 07/09/2018.  
OM No. 7/2/2019/IR&W/14359 dated 22/11/2019.  
OM No. VIG-10-10/2020-DAE/Vol.II/15019 dated 14/12/2021.

उपरोक्त कार्यालय ज्ञापनों के अनुसार विभाग ने मुख्य लाभार्थियों के आश्रितों के आयकर रिटर्न की पावती प्रस्तुत करने के लिए अनुरोध किया था।

2. विभाग में मुख्य लाभार्थियों/आश्रितों द्वारा विभिन्न कारणों से आयकर रिटर्न प्रस्तुत करने में कर्मचारियों/आश्रितों को हो रही कठिनाइयों के संबंध में कई अनुरोध प्राप्त हुए हैं। विभाग में अनुरोध पर विचार किया गया और यह निर्णय लिया गया कि उपरोक्त कार्यालय ज्ञापनों के तहत शामिल आश्रित लाभार्थियों के लिए आयकर रिटर्न की पावती प्रस्तुत करने की प्रक्रिया सामान्य तौर पर जारी रखी जाएगी।

3. हालांकि, असाधारण मामलों में जहां प्रक्रिया संबंधी परेशानियों के कारण आयकर रिटर्न की पावती प्रस्तुत करना संभव नहीं है, वहां कर्मचारी ऐसे आश्रितों को नई सीएचएसएस सुविधा को जारी रखने/विस्तारित करने के लिए संलग्न प्रारूप में स्वयं घोषणा पत्र प्रस्तुत करेंगे।

...2..

4. इसे संयुक्त सचिव (प्रशासन एवं लेखा) के अनुमोदन से जारी किया जाता है।

संलग्न : यथोपरि

*मीना अनिल  
31/07/2022  
22/04/2022*

(मीना अनिल)

अवर सचिव (आईआरएंडडब्ल्यू)

सेवामें ,

सभी यूनिटों के सीएचएसएस प्रशासन प्राधिकारी/ प्रशासनिक प्रमुख

- प्रति : 1) अध्यक्ष, एईसी एवं सचिव, पठवि का कार्यालय  
2) संयुक्त सचिव (प्रशासन एवं लेखा) का कार्यालय Office of JS (A&A).  
3) पठवि, मुंबई/ नई दिल्ली के सभी अधिकारी/ अनुभाग

## स्वयं घोषणा पत्र Self Declaration

### I. कर्मचारी का विवरण Employee Details

01. नाम Name: 02. पदनाम Designation:

03. कर्मचारी संख्या Emp.No.:

04. सीएचएसएस सं. CHSS No.: 05. यूनिट Unit:

06. पैन कार्ड सं. Pan Card No.:

07. आधार कार्ड सं. Aadhar Card No.:

08. राशन कार्ड सं. Ration Card No.:

राशन कार्ड के अनुसार लाभार्थियों की सूची List of beneficiaries as per ration card:

- 1.
- 2.
- 3.

### II. आश्रित का विवरण (प्रत्येक आश्रित के संबंध में अलग घोषणापत्र)

Details of Dependent (Separate Declaration in respect of each Dependent):

i) नाम Name :

ii) संबंध Relationship:

iii) जन्म तारीख Date of Birth:

iv) आयु Age:

v) वैवाहिक स्थिति Marital Status:

vi) दिव्यांगता (यदि कोई हो) Disability (if any):

vii) यदि अध्ययन कर रहे हैं या नहीं Whether Studying or not:

viii) व्यवसाय/रोजगार/पेशा Profession/Employment/Occupation:

ix) पत्राचार के लिए पता Address for Communication:

x) स्थायी पता Permanent Address:

xi) मासिक आय Monthly Income:

xii) वार्षिक आय (आवश्यक प्रमाण की प्रति संलग्न की जाए) Annual Income (Copy of relevant proof to be attached)

पेंशन Pension :

म्यूचुअल फंड

Mutual Fund:

बैंक जमा Bank

Deposit:

कृषि Agriculture

:

किराए से आय

Rented Income:

Other Sources :

कुल Total :

xiii) a) पैन/जीएसटी विवरण PAN/GST Details:

(प्रमाण संलग्न किया जाए Proof to be attached)

b) यदि उपलब्ध नहीं है तो उसका कारण if not available reason thereof:

...2..

-2-

xiv) a) आईटीआर/ आय प्रमाणपत्र ITR/Income Certificate

(प्रमाण संलग्न किया जाए Proof to be attached)

b) यदि उपलब्ध नहीं है तो उसका कारण if not available, reason thereof:

xv) a) आधार कार्ड संख्या Aadhar Card Number :

b) यदि उपलब्ध नहीं है तो उसका कारण if not available, reason thereof:

xvi) बैंक खाते का विवरण (प्रथम खाता धारक के रूप में आश्रित के नाम से सभी खातों का विवरण दें)

Bank Account details (Provide all available A/c's in which the dependent's name appears as the first account holder)

बैंक का नाम Bank Name	खाता सं. Account No.	आईएफएससी सं. IFSC No.

(आश्रित के हस्ताक्षर/ बाएं हाथ के अंगूठे का निशान

Signature of the Dependent/  
Left hand thumb impression)

नाम Name:

(कर्मचारी के हस्ताक्षर  
Signature of the Employee)

नाम Name:

पदनाम Designation:

यूनिट Unit:

**शपथपत्र Undertaking**

मैं श्री/श्रीमती-----, श्री-----की पुत्र/पत्नी/पुत्री -----आयु --  
-----निवासी-----, जिला-----, कार्यालय में पदनाम----- एतदद्वारा यह घोषणा  
करता/करती हूं कि उपरोक्त और संलग्न दस्तावेजों में दी गयी जानकारी मेरे विश्वास से सही है  
और इसमें तथ्यों को छुपाया नहीं गया है। मैं इस बात से अवगत हूं कि यदि मेरे द्वारा दी गयी  
जानकारी गलत/झूठी साबित होती है तो मुझे विधि अनुसार दंड मान्य होगा। इसके साथ ही, मेरे  
द्वारा लिए गए सभी लाभ तुरंत वापस ले लिए जाएंगे।

I, Shri/Smt. \_\_\_\_\_, son/wife/daughter of Shri \_\_\_\_\_,  
age \_\_\_\_\_ resident of \_\_\_\_\_, District \_\_\_\_\_, designation working at  
office hereby declare that the information given above and in the enclosed documents is  
true to the best of my knowledge and belief and nothing has been concealed therein. I  
am well aware of the fact that if the information given by me is proved false/not true, I  
will have to face the punishment as per the Law. Also, all the benefits availed by me  
shall be summarily withdrawn.

दिनांक Date:

स्थान Place:

आवेदक के हस्ताक्षर Signature of the Applicant

फोन/मोबाइल Phone/Mob.:

E-mail:

नोट: घोषणा पत्र में अधिकारी द्वारा तथ्यों को छुपाने या झूठी जानकारी देने पर सीएचएसएस  
कार्ड निरस्त करने के साथ साथ दंडात्मक/आपराधिक कार्रवाई की जाएगी।

Note: Penal/Criminal action including cancellation of CHSS Card will be taken against  
officer in case of suppression of facts or submission of false information in the  
Declaration.

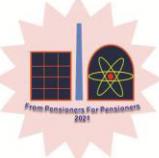


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## THE MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS ACT, 2007

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paramanuseniorshealth.org)  
Blog on the web site





# HARYANA STATE LEGAL SERVICES AUTHORITY

## THE MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS ACT, 2007

माता—पिंता एवं वरिष्ठ नागरिकों का  
भरण—पोषण एवं कल्याण,  
आधिनियम, 2007

# HARYANA STATE LEGAL SERVICES AUTHORITY



## **PATRON-IN-CHIEF**

**Hon'ble Mr. Justice Sanjay Kishan Kaul**

Chief Justice of Punjab and Haryana High Court

## **EXECUTIVE CHAIRMAN**

**Hon'ble Mr. Justice Satis Kumar Mittal**

Judge, Punjab and Haryana High Court

## **MEMBER SECRETARY**

**Deepak Gupta**

District & Sessions Judge

## **AUTHORED BY**

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*Published by :*

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**Sub-document page No: 3**

**THE MAINTENANCE AND  
WELFARE OF PARENTS AND SENIOR  
CITIZENS ACT, 2007**

## **DISCLAIMER**

In this book, the contents and provisions of the Act have been simplified for the benefit of the user by using user-friendly language. This book does not in any way substitute The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 or its provisions. This book is in a series for spreading legal literacy amongst the masses, and is solely meant for spreading legal literacy.



*Justice Sanjay Kishan Kaul,  
Chief Justice,  
Punjab and Haryana High Court  
Patron-in-Chief,  
Haryana Legal Services Authority,*

### ***Foreword***

*Senior Citizens are important pillars of society. It is of utmost significance to promote and protect the welfare of the Senior Citizens. It is our duty to give them a society in which they feel secure and live with dignity in the twilight years of their life.*

*The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is an important piece of enactment, which contains various provisions for the welfare and protection of life and property of Senior Citizens. Many of the elderly people are unaware of this enactment, which guarantees them protection on various aspects.*

*It is good to see that Haryana Legal Services Authority has come up with a book on The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, which expounds quite lucidly the various provisions this Act. I wish the legal literacy campaign a grand success, and hope that elderly people will be greatly benefited from this book.*

A handwritten signature in black ink, appearing to read "Sanjay Kaul".  
*(Sanjay Kishan Kaul)*

**Sub-document page No: 7**

**225**

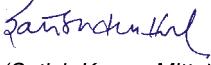


Justice S. K. Mittal, Judge,  
Punjab & Haryana High Court  
Executive Chairman,  
Haryana Legal Services Authority

### ***Foreword***

*It is said that a society is judged on how it treats its old. It is very unfortunate to see that in our country, which is culturally rich nation, neglect and physical abuse of elderly has become very common. Considerable decline in the values is a matter of concern. Life and property of elderly need to be protected.*

*The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is a beneficial piece of enactment. It provides various provisions for the welfare and protection of life and property of Senior Citizens. This book explains in simple language various provisions of this Act. I hope that elderly will become aware of various beneficial provisions of this Act, and will be considerably benefited from this book.*



(Satish Kumar Mittal)

**Sub-document page No: 9**

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## **Introduction:**

Indian culture has always been respectful and supportive of elders. Elder abuse was never considered as a problem in India. It was always thought of as a western problem.

However, the rapid urbanization has been bringing changes in the social structure in India. Joint family system is breaking down. Traditional values have been declining considerably. A child used to learn at home in a joint family civic virtues of love, co-operation, obedience, tolerance, discipline and renouncement, which enabled the child to grow up as a good citizen. It is no longer happening.

Due to the said changing social structure in India, elderly in India no longer receive care and respect within families. Many of them silently suffer abuse at the hands of their progenies. Disrespect, neglect and physical and verbal abuse have become common features.

Longevity has increased. Elderly population is increasing in India. As per 2001 Census, total population of Senior Citizens (60+) was 7.7 crore, of which population of males and females was 3.8 crore and 3.9 crore, respectively.

Both the share and size of elderly population is increasing over time. From 5.6% in 1961 it is projected to rise to 12.4% of population by the year 2026. According to official population projections, the number of elderly persons will rise to approximately 140 million by 2021.

The well-being of senior citizens is mandated in the Constitution of India under Article 41. It says

“ The state shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement and in other cases of underserved want”.

Nowadays elderly are exposed to various kinds of problems such as lack of physical, social, emotional and financial support. To overcome such difficulties and to face new challenges, the Government of India, in consonance with Article 41 of the Constitution of India, has enacted The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 law in the fifty- eighth year of republic so as to provide maintenance and protection to parents and senior citizens.

**1. What are the objectives of the Act?**

- A) To set up appropriate mechanism to provide maintenance to the parents and senior citizens.
- B) Providing better medical facilities to senior citizens.
- C) Provide for protection of life and property of older persons.
- D) Setting up of old age home in every district.

**2. Who is entitled to Maintenance under the Act?**

- (a) Parents;
- (b) grand-parents; and
- (c) senior citizens

who are unable to maintain themselves from their own income and property.

**(Parents include biological and adoptive parents and step fathers and step mothers.)**

**3. Who is senior citizen?**

Senior citizen means any person

- a) Who is a citizen of India, and
- b) Who has attained the age of 60 years or above.

**4. Whether parent below 60 years of age can claim maintenance under the Act?**

Age is prescribed only for senior citizen. Parent below 60 years of age can claim maintenance under the Act.

**5. What is the definition of Maintenance under the Act?**

The "Maintenance" includes provision for food, clothing, residence and medical attendance and treatment.

**6. Against whom the parent and grand parent can file an application for maintenance under the Act?**

Parent or grandparent can file an application for maintenance against one or more of his children. Children include son, daughter, grandson and grand-daughter. Children does not include a minor.

**7. Before which authority an application for maintenance can be filed?**

The application for maintenance can be filed before the Tribunal which is headed by the Sub-Divisional Officer.

**8. Can a childless senior citizen claim maintenance under the Act?**

Yes, childless senior citizen can claim maintenance under the Act from the relative who:-

- (a) is not minor; and
- (b) is in possession of property of Senior Citizen; or
- (c) would inherit the property of senior citizen after his death.

**9. Where the maintenance proceedings can be initiated?**

Maintenance proceedings may be initiated against any child/children or relative in any district where:-

- (a) the parent or senior citizen lives; or
- (b) last lived; or
- (c) where the child/children or relative live.

**10. Whether the application for Maintenance is to be filed by parent or senior citizen himself/herself before the Maintenance Tribunal?**

Application for maintenance under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 can be filed :

- (a) by a senior citizen or a parent as the case may be; or
- (b) If the senior citizen or parent is incapable of filing application by himself/herself then any person or organization(voluntarily association registered under the Societies Registration Act 1860) can be authorized to file the application for maintenance; or
- (c) Tribunal may take cognizance suo moto.

**(Suo Moto refers to a situation wherein a judge acts without request by either party to the action before the court. Court acts of its own motion)**

**11. What Tribunal does after receiving an application?**

Upon receipt of the application, the Tribunal would issue notices to the children, conduct hearings and take evidence. After that the Tribunal may order maintenance. Tribunal may also refer the case for reconciliation or

pass interim orders for maintenance.

**12. Can parent or senior citizen claim maintenance under the Maintenance and Welfare of Parents and Senior Citizens Act and Chapter IX of the Code of Criminal Procedure simultaneously?**

Parent or Senior citizen if entitled for maintenance under Code of Criminal Procedure and also under the Maintenance and Welfare of Parents and Senior Citizens Act can claim maintenance under either of those Acts. They cannot claim maintenance simultaneously under both the Acts.

**13. Can copy of the order of maintenance be got free of cost?**

As per section 11 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, the copy of the order of maintenance and order regarding expenses of proceedings, as the case may be, is to be given to the parent or senior citizen without payment of any fee.

**14. Is there any penal provision for enforcement of maintenance order of the Tribunal?**

The Maintenance Order given by the Tribunal will have the same effect as the maintenance order passed under Section 125 of Cr. PC. This will include imprisonment upto one month and also issuance of warrant for levying the amount due in the manner provided for levying fines.

**15. Is there any upper limit for maintenance allowance?**

State Government may provide for the maximum maintenance allowance which may be given per month. In any case, maintenance allowance shall not exceed ten thousand rupees per month.

**16. Can the Tribunal alter, cancel or vary the monthly allowance for the Maintenance?**

The Maintenance Tribunal can alter the monthly allowance for maintenance:-

- (a) On proof of misrepresentation; or
- (b) On proof of mistake of fact; or
- (c) On proof of a change in the circumstances of any person receiving a monthly allowance.

The Maintenance Tribunal can cancel or vary the monthly allowance for maintenance in consequence of any decision of a competent civil court.

**17. Can Senior Citizen or parent file an appeal, if aggrieved by the order of Tribunal?**

Yes, Senior Citizen or parent, if aggrieved by an order of a Tribunal, may within sixty days from the date of order prefer an appeal to the Appellate Tribunal.

**18. Within what time the appeal is to be decided by the Appellate Tribunal?**

Section 16(5) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 provides that Appellate Tribunal shall make an endeavor to pronounce its order in writing within one month of the receipt of an appeal.

**19. Whether abandonment of senior citizen is an offence?**

Under Section 24, if anybody who is having the care or protection of a senior citizen leaves him/her in any place, with the intention of wholly abandoning him/her, such person shall be punishable under the Act with imprisonment of either three months or fine upto Rs. 5,000 or both. The offence would be cognizable and bailable.

**20. Can Senior Citizen reclaim the property transferred by him/her?**

Senior Citizen can file an application before the Tribunal for declaring the transfer of property as void. The Tribunal may declare the transfer as void if the following conditions exist:

- (a) Any property transferred by way of gift or otherwise by senior citizen after the commencement of this Act.
- (b) The said property is transferred subject to the condition that transferee shall provide the basic amenities and basic physical needs to the senior citizen.
- (c) The transferee refuses or fails to provide such amenities and physical needs.

**Illustration:**

Sohan is 62 years old. He transfers by way of gift his house to his nephew Sumit. The house is transferred by Sohan to Sumit after the commencement of

the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The said house is transferred by Sohan subject to the condition that Sumit shall provide the basic amenities and basic physical needs to him. However, after the transfer, Sumit refuses or fails to provide the basic amenities and basic physical needs to Sohan. In the said circumstance, Sohan can file an application before the Tribunal for declaring the said transfer in favour of Sumit as void. The Tribunal may declare the transfer as void, and hence Sohan can get back his house.

## **21. What is provided for medical care of senior citizens in the Act?**

The Act provides that State Government shall ensure that, -

- the Government hospitals or hospitals funded fully or partially by the Government shall provide beds for all senior citizens as far as possible;
- separate queues be arranged for senior citizens;
- facility for treatment of chronic, terminal and degenerative diseases is expanded for senior citizens;
- research activities for chronic elderly diseases and ageing is expanded;
- there are earmarked facilities for geriatric patients in every district hospital duly headed by a medical officer with experience in geriatric care.

## **22 Are there provisions with regard to Old-age Homes?**

- Under the Act State government may establish at least one old age Home in each District for indigent senior citizens.
- Such Old age Home must have capacity to accommodate a minimum of one hundred fifty senior citizens who are indigent.
- State government shall also prescribe a scheme for maintenance of old age home, including the standards and services to be provided by them.

**माता-पिता एवं वरिष्ठ नागरिकों का  
भरण-पोषण एवं कल्याण,  
अधिनियम, 2007**

## अस्वीकरण

इस पुस्तक में, माता—पिता एवं वरिष्ठ नागरिकों के लिए भरण—पोषण एवं कल्याण अधिनियम, 2007 के प्रावधानों का सरलीकरण, पाठकों के लाभ के लिए किया गया है।

यह पुस्तक, माता—पिता एवं वरिष्ठ नागरिकों के लिए भरण—पोषण एवं कल्याण अधिनियम, 2007 का या उसके प्रावधानों का विकल्प नहीं है। अपितु, यह तो प्रयास की उस श्रंखला में एक और कड़ी है, जिसका एकमात्र प्रयोजन, जन—मानस में कानूनी जागरूकता का उत्तरोत्तर विकास है।

## प्रस्तावना:-

भारत की संस्कृति में बुजुर्गों का सम्मान व उनकी सेवा, स्वभावजन्य है। बुजुर्गों के साथ दुर्व्यहार, भारतीय संस्कृति में अनदेखा रहा है। यह समस्या अधिकतर पाश्चात्य सभ्यता की ही मानी गई है।

प्राचीन भारत के गुरुकुलों व विद्यालयों में 'मातृ देवो भव' 'पितृ देवो भव' व 'आचार्य देवो भव', इन मन्त्रों का उद्घोष, प्रतिदिन सुना जाता था। परन्तु पाश्चात्य संस्कृति के प्रभाव व तीव्र गति के शहरीकरण की वजह से भारतीय समाज की संरचना में परिवर्तन आ रहे हैं। संयुक्त परिवार की सुखद व्यवस्था में दरारें पड़ रहीं हैं। संयुक्त परिवार में बच्चे सहज रूप से ही प्रेम, सहयोग, आज्ञाकारिता, सहिष्णुता, अनुशासन एवं त्याग जैसे आधारभूत जीवन—मूल्यों को सीख जाते थे व अच्छे नागरिक बनते थे। परन्तु अब ऐसा दृष्टिगोचर नहीं हो रहा।

उपरोक्त परिवर्तन के कारण, भारत में बुजुर्गों को पहले जैसा सम्मान व यथोचित सेवा प्राप्त नहीं है। बहुत से बुजुर्ग, मूक दर्शक बनकर अपने बच्चों के हाथों दुर्व्यवहार सहन कर रहे हैं। बुजुर्गों का अनादर, उपेक्षा शारीरिक, मौखिक दुर्व्यवहार, एक सामान्य घटना हो गई है। उधर जीवन—प्रत्याशा के बढ़ने से वरिष्ठ नागरिकों की जन—संख्या भी बढ़ रही है। वर्ष 2001 की जनगणना के अनुसार, भारत में वरिष्ठ नागरिकों की कुल संख्या 7.7 करोड़ है। इनमें से 3.8 करोड़ पुरुष एवं 3.9 करोड़ महिलाएँ हैं।

कालक्रम के साथ ही वृद्ध जनसंख्या का आकार बढ़ रहा है। ऐसी परिकल्पना है कि जो वृद्ध जनसंख्या 1961 में 5.6 प्रतिशत थी वह वर्ष 2026 तक 12.4 प्रतिशत हो जाएगी। सरकारी जनगणना के अनुसार वर्ष 2021 तक वृद्ध जनसंख्या लगभग 1.4 करोड़ हो जाएगी। वरिष्ठ नागरिकों के हितार्थ, भारत के संविधान के अनुच्छेद 41 में अनिवार्य प्रावधान है कि:—

'राज्य, अपने आर्थिक सामर्थ्य एवं विकास की परिसीमा के भीतर, वृद्धों के लोक—सहायता के अधिकारों को सुरक्षित रखने के लिए, प्रभावी प्रावधान बनायेंगे।'

वर्तमान परिस्थिति में बुजुर्गों को विभिन्न प्रकार की समस्याओं का सामना करना पड़ रहा है, जैसे कि शारीरिक, सामाजिक, भावनात्मक एवं आर्थिक सहारा ना मिलना। इस समस्या के समाधान एवं ऐसी नई चुनौतियों का सामना करने के लिए, भारत सरकार ने संविधान के अनुच्छेद 41 का पालन करते हुए, यह कानून बनाया। 'माता—पिता एवं वरिष्ठ नागरिकों का भरण—पोषण एवं कल्याण अधिनियम, 2007', भारतीय गणतन्त्र के 58वें वर्ष में बना, ताकि माता—पिता व वरिष्ठ नागरिकों को यथोचित भरण—पोषण व सुरक्षा प्राप्त रहे।

1. इस अधिनियम के उद्देश्य क्या है ?
  - A. एक उपयुक्त तन्त्र का निर्माण जो माता—पिता और वरिष्ठ नागरिकों के लिए भरण—पोषण की व्यवस्था कर सके।
  - B. वरिष्ठ नागरिकों के लिए बेहतर चिकित्सा सुविधा प्रदान करना।
  - C. बुजुर्गों के जीवन और सम्पत्ति की पूर्ण सुरक्षा।
  - D. प्रत्येक जिले में वृद्ध—निवासों की स्थापना करना।
2. अधिनियम 2007, के तहत, भरण—पोषण प्राप्त करने के हकदार कौन है ?
  - a. माता —पिता
  - b. दादी—दादा
  - c. वरिष्ठ नागरिक

उपरोक्त श्रेणियों में जो भी अपनी आय और सम्पत्ति से अपना भरण—पोषण नहीं कर सकते, वे अधिनियम, 2007 के तहत भरण—पोषण का दावा कर सकते हैं।  
(माता—पिता की परिभाषा में जैविक, गोद व सौतेले, माता—पिता भी आते हैं )
3. वरिष्ठ नागरिक कौन हैं ?  
वरिष्ठ नागरिक वे व्यक्ति हैं:-
  - a. जो भारत के नागरिक हैं और
  - b. जो 60 वर्ष या उससे अधिक आयु के हैं।
4. क्या 60 वर्ष से कम आयु के माता—पिता भी इस अधिनियम के तहत भरण—पोषण प्राप्त कर सकते हैं ?  
आयु का यह मानक केवल वरिष्ठ नागरिकों के लिए है। 60 वर्ष से कम आयु के माता—पिता, इस अधिनियम के तहत भरण—पोषण का दावा कर सकते हैं।
5. अधिनियम, 2007 के तहत, भरण—पोषण की परिभाषा क्या है ?  
'भरण—पोषण' के अन्तर्गत, भोजन, वस्त्र, आवास एवं चिकित्सा—ईलाज, आते हैं।
6. माता—पिता व दादी—दादा, इस अधिनियम के तहत, किसके खिलाफ, भरण—पोषण का दावा दायर कर सकते हैं ?  
माता—पिता व दादी—दादा अपनी, एक या एक से अधिक, सन्तानों पर भरण—पोषण का दावा दायर कर सकते हैं।

'सन्तान' में पुत्र, पुत्री, पौत्र व पौत्री आते हैं, किन्तु अल्पव्यरक्त नहीं आते।

7. **किस अधिकरण के समक्ष, भरण—पोषण का दावा दायर हो सकता है?**  
भरण—पोषण का दावा अधिनियम के तहत गठित विशेष अधिकरण (Tribunal) के समक्ष डाला जाएगा, जिसका अध्यक्ष उप—खण्ड अधिकारी (SDO), होता है।

8. **क्या निस्संतान वरिष्ठ नागरिक भी भरण—पोषण का दावा कर सकते हैं ?**

जी हां, निस्संतान वरिष्ठ नागरिक, भरण—पोषण का दावा, अपने उस सम्बन्धी से कर सकते हैं जो:-

- a. अल्पव्यरक्त (नाबालिग) नहीं है।
- b. वरिष्ठ नागरिक की सम्पत्ति पर काविज है; या
- c. वरिष्ठ नागरिक की सम्पत्ति का वारिस है।

9. **भरण—पोषण के दावे की कार्यवाही कहां प्रारम्भ करें ?**

भरण—पोषण के दावे की कार्यवाही का प्रारम्भ किसी भी संतान या संबंधी के विरुद्ध, उस जिले में होगी जहां:-

- a. माता—पिता या वरिष्ठ नागरिक वर्तमान में निवास करते हैं; या
- b. पहले निवास किया है; या
- c. जहां पर सन्तान या संबंधी, निवास कर रहे हैं।

10. **क्या भरण—पोषण अधिकरण के समक्ष, भरण—पोषण का दावा माता—पिता या वरिष्ठ नागरिक को स्वयं दायर करना होगा?**

अधिनियम 2007 के अनुसार, भरण—पोषण का दावा निम्नलिखित के द्वारा दायर किया जा सकता है:-

- a. वरिष्ठ नागरिक या माता—पिता, स्वयं; या
- b. यदि वरिष्ठ नागरिक या माता—पिता, दावा दायर करने में असमर्थ हैं तो वे किसी भी व्यक्ति या संस्था (जो सोसाईटीस रजिस्ट्रेशन एक्ट, 1860 के अन्तर्गत पंजीकृत है) को दावा दायर करने के लिए अधिकृत कर सकते हैं; या
- c. भरण—पोषण अधिकरण स्वयं संज्ञान (Suo Moto Cognizance) ले सकता है।

न्यायाधीश, बिना किसी पक्ष की प्रार्थना के, न्याय के हित में स्वयं कार्यवाही प्रारम्भ करते हैं।)

11. भरण—पोषण दावा दायर होने के पश्चात, भरण—पोषण अधिकरण (Tribunal) क्या करता है ?

दावा प्राप्त होने के बाद, अधिकरण संतान पक्ष को नोटिस जारी करेगा, सुनवाई होगी, गवाही होगी व उसके पश्चात, अधिकरण भरण—पोषण का आदेश पारित कर सकता है। अधिकरण दावे को आपसी समझौते के लिए भी भेज सकता है व भरण—पोषण के अंतरिम आदेश भी पारित कर सकता है।

12. क्या अधिनियम, 2007 व आपराधिक प्रक्रिया संहिता 1973 (Code of Criminal Procedure 1973) के अध्याय 9 के तहत एक साथ भरण—पोषण का दावा कर सकते हैं ?

माता—पिता या वरिष्ठ नागरिक, उपरोक्त दोनों अधिनियमों में से किसी भी एक में भरण—पोषण का दावा कर सकते हैं। दोनों अधिनियमों के तहत, एक साथ, भरण—पोषण का दावा नहीं किया जा सकता।

13. क्या भरण—पोषण के आदेश की प्रति, निशुल्क प्राप्त की जा सकती है?

अधिनियम, 2007 के सैक्षण 11 के तहत, भरण—पोषण आदेश की प्रति वरिष्ठ नागरिक या माता—पिता को निःशुल्क दी जाएगी।

14. क्या भरण—पोषण आदेश के अमल के लिए कोई दण्ड—प्रावधान है ?  
अधिकरण द्वारा पारित भरण—पोषण आदेश का प्रभाव, सैक्षण 125, Cr.P.C. 1973, के आदेश के समान होगा। यानि 1 महीने तक का कारावास एवं वसूली के वारंट भी हो सकते हैं।

15. क्या भरण—पोषण भत्ते की कोई अधिकतम सीमा है ?

राज्य सरकार, भरण—पोषण मासिक भत्ते की अधिकतम सीमा निर्धारित कर सकती है। किसी भी परिस्थिति में भरण—पोषण भत्ते, प्रतिमाह दस हजार रुप्ये से अधिक नहीं हो सकता।

16. क्या भरण—पोषण अधिकरण, मासिक भत्ते को परिवर्तित या निरस्त कर सकता है ?

भरण—पोषण अधिकरण, मासिक भत्ते को निम्नलिखित परिस्थितियों में परिवर्तित कर सकता है:-

- a. यदि गलत व्यानी सिद्ध हो जाये; या

- b. यदि कोई तथ्यात्मक भूल सिद्ध हो जाये; या
- c. यह सिद्ध हो जाये कि प्राप्तकर्ता की परिस्थितियों में परिवर्तन हो गया है।

भरण—पोषण अधिकरण, सक्षम दिवानी न्यायालय के आदेश के तहत भी मासिक भत्ते को परिवर्तित या निरस्त कर सकता है।

17. यदि वरिष्ठ नागरिक या माता—पिता, भरण—पोषण अधिकरण के आदेश से असंतुष्ट हैं, तो क्या वे अपील दायर कर सकते हैं?

जी हॉ, यदि वरिष्ठ नागरिक या माता—पिता, अधिकरण के आदेश से असंतुष्ट हैं तो वे, 60 दिन के अन्दर अपीलीय अधिकरण (Appellate Tribunal), के समक्ष अपील दायर कर सकते हैं।

18. अपीलीय अधिकरण को कितने समय में अपील का फैसला करना होगा?

अधिनियम, 2007 के सैक्षण 16(5) के अनुसार अपीलीय अधिकरण को, अपील प्राप्त होने के 1 माह के भीतर अपील का फैसला करने का प्रयास करना होगा।

19. क्या वरिष्ठ नागरिक का परित्याग करना, एक कानूनी अपराध है?

अधिनियम, 2007 के सैक्षण 24 के अनुसार यदि कोई व्यक्ति जिस पर वरिष्ठ नागरिक की देखभाल या सुरक्षा का उत्तरदायित्व है, पूर्ण परित्याग के इरादे से, उन्हें किसी स्थान पर छोड़ जाता है, ऐसे व्यक्ति को 3 महीने का कारावास या 5000/- रुप्ये जुर्माना या दोनों एक साथ दण्ड दिया जाएगा। अपराध संज्ञेय व जमानती है।

20. क्या वरिष्ठ नागरिक, हस्तान्तरित सम्पत्ति को वापस ले सकते हैं?

वरिष्ठ नागरिक, अधिकरण के समक्ष सम्पत्ति के हस्तान्तरण को अमान्य घोषित करने के लिये दावा कर सकते हैं। अधिकरण निम्नलिखित परिस्थितियों में हस्तान्तरण को अमान्य घोषित कर सकता है:-

- a. अधिनियम, 2007 के प्रभावी होने के बाद, यदि किसी वरिष्ठ नागरिक ने उपहार या अन्य माध्यम से सम्पत्ति हस्तान्तरित की हो।
- b. हस्तान्तरण इस शर्त पर किया गया हो कि प्राप्तकर्ता, वरिष्ठ नागरिक की मूलभूत आवश्यकताओं को पूर्ण करेगा।
- c. प्राप्तकर्ता उपरोक्त आवश्यकताओं को पूर्ण करने से इन्कार कर दे या उन्हें पूरा ना कर पाये।

## **उदाहरण:—**

सोहन 62 वर्ष का है। वह अपने भतीजे सुमित को अपना मकान उपहार के रूप में हस्तान्तरित कर देता है। यह हस्तान्तरण, अधिनियम, 2007 के प्रभावी होने के बाद हुआ है। हस्तान्तरण की शर्त यह है कि सुमित, सोहन की मूलभूत आवश्यकताओं को पूरा करेगा। परन्तु बाद में सुमित ऐसा नहीं कर पाता या ऐसा करने से इन्कार कर देता है। इन परिस्थितियों में सोहन हस्तान्तरण को अमान्य घोषित करने का दावा, अधिकरण के समक्ष दायर कर सकता है। अधिकरण हस्तान्तरण को अमान्य घोषित कर सकता है व सोहन को उसका मकान वापिस मिल सकता है।

**21. अधिनियम 2007 में वरिष्ठ नागरिकों की चिकित्सा—देखभाल के लिये क्या प्रावधान है ?**

अधिनियम में प्रावधान है कि राज्य सरकार यह सुनिश्चित करे कि:—

- a. वह वरिष्ठ नागरिकों को सरकारी हस्पतालों में या सरकारी सहायता प्राप्त हस्पतालों में बैड अधिकाधिक उपलब्ध कराये।
  - b. वरिष्ठ नागरिकों के लिये हस्पतालों में अलग कतार हो।
  - c. वरिष्ठ नागरिकों के दीर्घकालिक, गम्भीर व अपजनन (Degenerative) रोगों के लिये, चिकित्सा सुविधा उपलब्ध हो।
  - d. वृद्धावस्था—जन्य स्थाई रोगों की चिकित्सा—प्रणाली में अनुसंधान कार्य बढ़े।
  - e. प्रत्येक जिला हस्पताल में, अनुभवी चिकित्सा अधिकारी की देखरेख में जराचिकित्सा (Geriatric Care) के लिये विशेष प्रबन्ध हो।
- 22. क्या वृद्ध निवासों का भी प्रावधान है ?**

- अधिनियम, 2007 के तहत राज्य सरकार प्रत्येक जिले में कम से कम एक वृद्ध निवास की स्थापना करें जिसमें निर्धन वरिष्ठ नागरिक रह सकें।
- ऐसे प्रत्येक वृद्ध—निवास में कम से कम 150 निर्धन वरिष्ठ नागरिकों के निवास का प्रबंध हो।
- राज्य सरकार वृद्ध—निवासों की सुचारू व्यवस्था के लिये नीति बनाये जिसमें सुविधाओं का (मापदण्ड सहित), विशेष प्रावधान हो।

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## **HARYANA STATE LEGAL SERVICES AUTHORITY**

**2nd Floor, New Block, Old District Court Premises, Sector 17, Chandigarh - 160 017**  
**Tel.No./Fax No. : 0172-2770055, Toll Free No.1800-180-2057**  
**Website : [www.hrlsa.nic.in](http://www.hrlsa.nic.in), E-mail : [hrlsa@hry.nic.in](mailto:hrlsa@hry.nic.in), [hrlsa.haryana@gmail.com](mailto:hrlsa.haryana@gmail.com)**

**हरियाणा राज्य विधिक सेवा प्राधिकरण**

**द्वितीय तल, नया ब्लॉक, पुराना जिला न्यायालय, सैकटर 17, चण्डीगढ़।**  
**दूरभाष/फैक्स 0172—2770055 Toll Free No.1800-180-2057**

**Website : [www.hrlsa.nic.in](http://www.hrlsa.nic.in), E-mail : [hrlsa@hry.nic.in](mailto:hrlsa@hry.nic.in), [hrlsa.haryana@gmail.com](mailto:hrlsa.haryana@gmail.com)**

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**THE MAINTENANCE AND WELFARE OF PARENTS AND SENIOR  
CITIZENS ACT, 2007**

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**ARRANGEMENT OF SECTIONS**

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**CHAPTER I**

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2. Definitions.
3. Act to have overriding effect.

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5. Application for maintenance.
6. Jurisdiction and procedure.
7. Constitution of Maintenance Tribunal.
8. Summary procedure in case of inquiry.
9. Order for maintenance.
10. Alteration in allowance.
11. Enforcement of order of maintenance.
12. Option regarding maintenance in certain cases.
13. Deposit of maintenance amount.
14. Award of interest where any claim is allowed.
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18. Maintenance Officer.

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19. Establishment of old age homes.

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20. Medical support for senior citizens.

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**PROTECTION OF LIFE AND PROPERTY OF SENIOR CITIZEN**

21. Measures for publicity, awareness, etc., for welfare of senior citizens.
22. Authorities who may be specified for implementing the provisions of this Act.
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**CHAPTER VI**  
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- 24. Exposure and abandonment of senior citizen.
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- 26. Officers to be public servants.
- 27. Jurisdiction of civil courts barred.
- 28. Protection of action taken in good faith.
- 29. Power to remove difficulties.
- 30. Power of Central Government to give directions.
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THE MAINTENANCE AND WELFARE OF PARENTS AND SENIOR  
CITIZENS ACT, 2007  
ACT NO. 56 OF 2007

[29 December, 2007.]

An Act to provide for more effective provisions for the maintenance and welfare of parents and senior citizens guaranteed and recognised under the Constitution and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Fifty-eighth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

**1. Short title, extent, application and commencement.**—(1) This Act may be called the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

(2) It extends to the whole of India<sup>1\*\*\*</sup> and it applies also to citizens of India outside India.

(3) It shall come into force in a State on such date as the State Government may, by notification in the Official Gazette, appoint.

**2. Definitions.**—In this Act, unless the context otherwise requires,—

(a) “children” includes son, daughter, grandson and grand-daughter but does not include a minor;

(b) “maintenance” includes provisions for food, clothing, residence and medical attendance and treatment;

(c) “minor” means a person who, under the provisions of the Majority Act, 1875 (9 of 1875) is deemed not to have attained the age of majority;

(d) “parent” means father or mother whether biological, adoptive or step father or step mother, as the case may be, whether or not the father or the mother is a senior citizen;

(e) “prescribed” means prescribed by rules made by the State Government under this Act;

(f) “property” means property of any kind, whether movable or immovable, ancestral or self acquired, tangible or intangible and includes rights or interests in such property;

(g) “relative” means any legal heir of the childless senior citizen who is not a minor and is in possession of or would inherit his property after his death;

(h) “senior citizen” means any person being a citizen of India, who has attained the age of sixty years or above;

(i) “State Government”, in relation to a Union territory, means the administrator thereof appointed under article 239 of the Constitution;

(j) “Tribunal” means the Maintenance Tribunal constituted under section 7;

(k) “welfare” means provision for food, health care, recreation centres and other amenities necessary for the senior citizens.

**3. Act to have overriding effect.**—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act, or in any instrument having effect by virtue of any enactment other than this Act.

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1. The words “except the State of Jammu and Kashmir” omitted by Act 34 of 2019, s. 95 and the Fifth Schedule (w.e.f. 31-10-2019).

## CHAPTER II

### MAINTAINANCE OF PARENTS AND SENIOT CITIZENS

**4. Maintenance of parents and senior citizens.**—(1) A senior citizen including parent who is unable to maintain himself from his own earning or out of the property owned by him, shall be entitled to make an application under section 5 in case of—

- (i) parent or grand-parent, against one or more of his children not being a minor;
- (ii) a childless senior citizen, against such of his relative referred to in clause (g) of section 2.

(2) The obligation of the children or relative, as the case may be, to maintain a senior citizen extends to the needs of such citizen so that senior citizen may lead a normal life.

(3) The obligation of the children to maintain his or her parent extends to the needs of such parent either father or mother or both, as the case may be, so that such parent may lead a normal life.

(4) Any person being a relative of a senior citizen and having sufficient means shall maintain such senior citizen provided he is in possession of the property of such citizen or he would inherit the property of such senior citizen:

Provided that where more than one relatives are entitled to inherit the property of a senior citizen, the maintenance shall be payable by such relative in the proportion in which they would inherit his property.

**5. Application for maintenance.**—(1) An application for maintenance under section 4, may be made—

- (a) by a senior citizen or a parent, as the case may be; or
- (b) if he is incapable, by any other person or organisation authorised by him; or
- (c) the Tribunal may take cognizance *suomotu*.

*Explanation.*—For the purposes of this section “organisation” means any voluntary association registered under the Societies Registration Act, 1860 (21 of 1860) or any other law for the time being in force.

(2) The Tribunal may, during the pendency of the proceeding regarding monthly allowance for the maintenance under this section, order such children or relative to make a monthly allowance for the interim maintenance of such senior citizen including parent and to pay the same to such senior citizen including parent as the Tribunal may from time to time direct.

(3) On receipt of an application for maintenance under subsection (1), after giving notice of the application to the children or relative and after giving the parties an opportunity of being heard, hold an inquiry for determining the amount of maintenance.

(4) An application filed under sub-section (2) for the monthly allowance for the maintenance and expenses for proceeding shall be disposed of within ninety days from the date of the service of notice of the application to such person:

Provided that the Tribunal may extend the said period, once for a maximum period of thirty days in exceptional circumstances for reasons to be recorded in writing.

(5) An application for maintenance under sub-section (1) may be filed against one or more persons:

Provided that such children or relative may implead the other person liable to maintain parent in the application for maintenance.

(6) Where a maintenance order was made against more than one person, the death of one of them does not affect the liability of others to continue paying maintenance.

(7) Any such allowance for the maintenance and expenses for proceeding shall be payable from the date of the order, or, if so ordered, from the date of the application for maintenance or expenses of proceeding, as the case may be.

(8) If, children or relative so ordered fail, without sufficient cause to comply with the order, any such Tribunal may, for every breach of the order, issue a warrant for levying the amount due in the manner provided for levying fines, and may sentence such person for the whole, or any part of each month's allowance for the maintenance and expenses of proceeding, as the case be, remaining unpaid after the execution of the warrant, to imprisonment for a term which may extend to one month or until payment if sooner made whichever is earlier:

Provided that no warrant shall be issued for the recovery of any amount due under this section unless application be made to the Tribunal to levy such amount within a period of three months from the date on which it became due.

**6. Jurisdiction and procedure.**—(1) The proceedings under section 5 may be taken against any children or relative in any district—

- (a) where he resides or last resided; or
- (b) where children or relative resides.

(2) On receipt of the application under section 5, the Tribunal shall issue a process for procuring the presence of children or relative against whom the application is filed.

(3) For securing the attendance of children or relative the Tribunal shall have the power of a Judicial Magistrate of first class as provided under the Code of Criminal Procedure, 1973 (2 of 1974).

(4) All evidence to such proceedings shall be taken in the presence of the children or relative against whom an order for payment of maintenance is proposed to be made, and shall be recorded in the manner prescribed for summons cases:

Provided that if the Tribunal is satisfied that the children or relative against whom an order for payment of maintenance is proposed to be made is willfully avoiding service, or willfully neglecting to attend the Tribunal, the Tribunal may proceed to hear and determine the case *ex parte*.

(5) Where the children or relative is residing out of India, the summons shall be served by the Tribunal through such authority, as the Central Government may by notification in the official Gazette, specify in this behalf.

(6) The Tribunal before hearing an application under section 5 may, refer the same to a Conciliation Officer and such Conciliation Officer shall submit his findings within one month and if amicable settlement has been arrived at, the Tribunal shall pass an order to that effect.

*Explanation.*—For the purposes of this sub-section “Conciliation Officer” means any person or representative of an organisation referred to in *Explanation* to sub-section (1) of section 5 or the Maintenance Officers designated by the State Government under sub-section (1) of section 18 or any other person nominated by the Tribunal for this purpose.

**7. Constitution of Maintenance Tribunal.**—(1) The State Government shall within a period of six months from the date of the commencement of this Act, by notification in Official Gazette, constitute for each Sub-division one or more Tribunals as may be specified in the notification for the purpose of adjudicating and deciding upon the order for maintenance under section 5.

(2) The Tribunal shall be presided over by an officer not below the rank of Sub-Divisional Officer of a State.

(3) Where two or more Tribunals are constituted for any area, the State Government may, by general or special order, regulate the distribution of business among them.

**8. Summary procedure in case of inquiry.**—(1) In holding any inquiry under section 5, the Tribunal may, subject to any rules that may be prescribed by the State Government in this behalf, follow such summary procedure as it deems fit.

(2) The Tribunal shall have all the powers of a Civil Court for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and of compelling the discovery and production of documents and material objects and for such other purposes as may be prescribed; and the Tribunal shall be deemed to be a Civil Court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

(3) Subject to any rule that may be made in this behalf, the Tribunal may, for the purpose of adjudicating and deciding upon any claim for maintenance, choose one or more persons possessing special knowledge of any matter relevant to the inquiry to assist it in holding the inquiry.

**9. Order for maintenance.**—(1) If children or relatives, as the case may be, neglect or refuse to maintain a senior citizen being unable to maintain himself, the Tribunal may, on being satisfied of such neglect or refusal, order such children or relatives to make a monthly allowance at such monthly rate for the maintenance of such senior citizen, as the Tribunal may deem fit and to pay the same to such senior citizen as the Tribunal may, from time to time, direct.

(2) The maximum maintenance allowance which may be ordered by such Tribunal shall be such as may be prescribed by the State Government which shall not exceed ten thousand rupees per month.

**10. Alteration in allowance.**—(1) On proof of misrepresentation or mistake of fact or a change in the circumstances of any person, receiving a monthly allowance under section 9, for the maintenance ordered under that section to pay a monthly allowance for the maintenance, the Tribunal may make such alteration, as it thinks fit, in the allowance for the maintenance.

(2) Where it appears to the Tribunal that, in consequence of any decision of a competent Civil Court, any order made under section 9 should be cancelled or varied, it shall cancel the order or, as the case may be, vary the same accordingly.

**11. Enforcement of order of maintenance.**—(1) A copy of the order of maintenance and including the order regarding expenses of proceedings, as the case may be, shall be given without payment of any fee to the senior citizen or to parent, as the case may be, in whose favour it is made and such order may be enforced by any Tribunal in any place where the person against whom it is made, such Tribunal on being satisfied as to the identity of the parties and the non-payment of the allowance, or as the case may be, expenses, due.

(2) A maintenance order made under this Act shall have the same force and effect as an order passed under Chapter IX of the Code of Criminal Procedure, 1973 (2 of 1974) and shall be executed in the manner prescribed for the execution of such order by that Code.

**12. Option regarding maintenance in certain cases.**—Notwithstanding anything contained in Chapter IX of the Code of Criminal Procedure 1973 (2 of 1974) where a senior citizen or a parent is entitled for maintenance under the said Chapter and also entitled for maintenance under this Act may, without prejudice to the provisions of Chapter IX of the said Code, claim such maintenance under either of those Acts but not under both.

**13. Deposit of maintenance amount.**—When an order is made under this Chapter, the children or relative who is required to pay any amount in terms of such order shall within thirty days of the date of announcing the order by the Tribunal, deposit the entire amount ordered in such manner as the Tribunal may direct.

**14. Award of interest where any claim is allowed.**—Where any Tribunal makes an order for maintenance made under this Act, such Tribunal may direct that in addition to the amount of maintenance, simple interest shall also be paid at such rate and from such date not earlier than the date of making the application as may be determined by the Tribunal which shall not be less than five per cent. and not more than eighteen per cent.:

Provided that where any application for maintenance under Chapter IX of the Code of Criminal Procedure, 1973 (2 of 1974) is pending before a Court at the commencement of this Act, then the Court shall allow the withdrawal of such application on the request of the parent and such parent shall be entitled to file an application for maintenance before the Tribunal.

**15. Constitution of Appellate Tribunal.**—(1) The State Government may, by notification in the Official Gazette, constitute one Appellate Tribunal for each district to hear the appeal against the order of the Tribunal.

(2) The Appellate Tribunal shall be presided over by an officer not below the rank of District Magistrate.

**16. Appeals.**—(1) Any senior citizen or a parent, as the case may be, aggrieved by an order of a Tribunal may, within sixty days from the date of the order, prefer an appeal to the Appellate Tribunal:

Provided that on appeal, the children or relative who is required to pay any amount in terms of such maintenance order shall continue to pay to such parent the amount so ordered, in the manner directed by the Appellate Tribunal:

Provided further that the Appellate Tribunal may, entertain the appeal after the expiry of the said period of sixty days, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.

(2) On receipt of an appeal, the Appellate Tribunal shall, cause a notice to be served upon the respondent.

(3) The Appellate Tribunal may call for the record of proceedings from the Tribunal against whose order the appeal is preferred.

(4) The Appellate Tribunal may, after examining the appeal and the records called for either allow or reject the appeal.

(5) The Appellate Tribunal shall, adjudicate and decide upon the appeal filed against the order of the Tribunal and the order of the Appellate Tribunal shall be final:

Provided that no appeal shall be rejected unless an opportunity has been given to both the parties of being heard in person or through a duly authorised representative.

(6) The Appellate Tribunal shall make an endeavour to pronounce its order in writing within one month of the receipt of an appeal.

(7) A copy of every order made under sub-section (5) shall be sent to both the parties free of cost.

**17. Right to legal representation.**—Notwithstanding anything contained in any law, no party to a proceeding before a Tribunal or Appellate Tribunal shall be represented by a legal practitioner.

**18. Maintenance Officer.**—(1) The State Government shall designate the District Social Welfare or an officer not below the rank of a District Social Welfare Officer, by whatever name called as Maintenance Officer.

(2) The Maintenance Officer referred to in sub-section (1), shall represent a parent if he so desires, during the proceedings of the Tribunal, or the Appellate Tribunal, as the case may be.

### CHAPTER III

#### ESTABLISHMENT OF OLDAGE HOMES

**19. Establishment of old age homes.**—(1) The State Government may establish and maintain such number of old age homes at accessible places, as it may deem necessary, in a phased manner, beginning with at least one in each district to accommodate in such homes a minimum of one hundred fifty senior citizens who are indigent.

(2) The State Government may, prescribe a scheme for management of oldage homes, including the standards and various types of services to be provided by them which are necessary for medical care and means of entertainment to the inhabitants of such homes.

*Explanation.*—For the purposes of this section, “indigent” means any senior citizen who is not having sufficient means, as determined by the State Government, from time to time, to maintain himself.

### CHAPTER IV

#### PROVISIONS FOR MEDICAL CARE OF SENIOR CITIZEN

**20. Medical support for senior citizens.**—The State Government shall ensure that,—

(i) the Government hospitals or hospitals funded fully or partially by the Government shall provide beds for all senior citizens as far as possible;

(ii) separate queues be arranged for senior citizens;

(iii) facility for treatment of chronic, terminal and degenerative diseases is expanded for seniorcitizens;

(iv) research activities for chronic elderly diseases and ageing expanded;

(v) there are earmarked facilities for geriatric patients in every district hospital dully headed by a medical officer with experience in geriatric care.

## CHAPTER V

### PROTECTION OF LIFE AND PROPERTY OF SENIOR CITIZEN

**21. Measures for publicity, awareness, etc., for welfare of senior citizens.**—The State Government shall, take all measures to ensure that—

(i) the provisions of this Act are given wide publicity through public media including the television, radio and the print, at regular intervals;

(ii) the Central Government and State Government Officers, including the police officers and the members of the judicial service, are given periodic sensitization and awareness training on the issues relating to this Act;

(iii) effective co-ordination between the services provided by the concerned Ministries or Departments dealing with law, home affairs, health and welfare, to address the issues relating to the welfare of the senior citizens and periodical review of the same is conducted.

**22. Authorities who may be specified for implementing the provisions of this Act.**—(1) The State Government may, confer such powers and impose such duties on a District Magistrate as may be necessary, to ensure that the provisions of this Act are properly carried out and the District Magistrate may specify the officer, subordinate to him, who shall exercise all or any of the powers, and perform all or any of the duties, so conferred or imposed and the local limits within which such powers or duties shall be carried out by the officer as may be prescribed.

(2) The State Government shall prescribe a comprehensive action plan for providing protection of life and property of senior citizens.

**23. Transfer of property to be void in certain circumstances.**—(1) Where any senior citizen who, after the commencement of this Act, has transferred by way of gift or otherwise, his property, subject to the condition that the transferee shall provide the basic amenities and basic physical needs to the transferor and such transferee refuses or fails to provide such amenities and physical needs, the said transfer of property shall be deemed to have been made by fraud or coercion or under undue influence and shall at the option of the transferor be declared void by the Tribunal.

(2) Where any senior citizen has a right to receive maintenance out of an estate and such estate or part thereof is transferred, the right to receive maintenance may be enforced against the transferee if the transferee has notice of the right, or if the transfer is gratuitous; but not against the transferee for consideration and without notice of right.

(3) If, any senior citizen is incapable of enforcing the rights under sub-sections (1) and (2), action may be taken on his behalf by any of the organisation referred to in *Explanation* to sub-section (1) of section 5.

## CHAPTER VI

### OFFENCES AND PROCEDURE FOR TRIAL

**24. Exposure and abandonment of senior citizen.**—Whoever, having the care or protection of senior citizen leaves, such senior citizen in any place with the intention of wholly abandoning such senior citizen, shall be punishable with imprisonment of either description for a term which may extend to three months or fine which may extend to five thousands rupees or with both.

**25. Cognizance of offences.**—(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), every offence under this Act shall be cognizable and bailable.

(2) An offence under this Act shall be tried summarily by a Magistrate.

## CHAPTER VII

### MISCELLANEOUS

**26. Officers to be public servants.**—Every officer or staff appointed to exercise functions under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

**27. Jurisdiction of civil courts barred.**—No Civil Court shall have jurisdiction in respect of any matter to which any provision of this Act applies and no injunction shall be granted by any Civil Court in respect of anything which is done or intended to be done by or under this Act.

**28. Protection of action taken in good faith.**—No suit, prosecution or other legal proceeding shall lie against the Central Government, the State Governments or the local authority or any officer of the Government in respect of anything which is done in good faith or intended to be done in pursuance of this Act and any rules or orders made thereunder.

**29. Power to remove difficulties.**—If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of the commencement of this Act.

**30. Power of Central Government to give directions.**—The Central Government may give directions to State Governments as to the carrying into execution of the provisions of this Act.

**31. Power of Central Government to review.**—The Central Government may make periodic review and monitor the progress of the implementation of the provisions of this Act by the State Governments.

**32. Power of State Government to make rules.**—(1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the manner of holding inquiry under section 5 subject to such rules as may be prescribed under sub-section (1) of section 8;

(b) the power and procedure of the Tribunal for other purposes under sub-section (2) of section 8;

(c) the maximum maintenance allowance which may be ordered by the Tribunal under sub-section (2) of section 9;

(d) the scheme for management of old age homes, including the standards and various types of services to be provided by them which are necessary for medical care and means of entertainment to the inhabitants of such homes under sub-section (2) of section 19;

(e) the powers and duties of the authorities for implementing the provisions of this Act, under sub-section (1) of section 22;

(f) a comprehensive action plan for providing protection of life and property of senior citizens under sub-section (2) of section 22;

(g) any other matter which is to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of State Legislature, where it consists of two Houses or where such legislature consists of one House, before that House.

AS INTRODUCED IN LOK SABHA

**Bill No. 374 of 2019**

**THE MAINTENANCE AND WELFARE OF PARENTS AND SENIOR  
CITIZENS (AMENDMENT) BILL, 2019**

A

BILL

*further to amend the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.*

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

**1. (I)** This Act may be called the Maintenance and Welfare of Parents and Senior Citizens (Amendment) Act, 2019.

Short title  
and  
Commencement.

(2) It shall come into force on such date as the Central Government may, by notification  
5 in the Official Gazette, appoint.

56 of 2007. **2.** In the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as the principal Act), for the long line, the following long line shall be substituted, namely:—

Amendment of  
long line.

"An Act to give effect to the provisions for the welfare of parents and senior citizens as guaranteed and recognised under the Constitution by providing for the maintenance and welfare of parents and senior citizens, ensuring their overall physical and mental well-being, establishment, management and regulation of institutions for senior citizens and services therefor and for other matters connected therewith or incidental thereto;

5

Amendment  
of section 2.

**3. In section 2 of the principal Act,—**

(i) for clauses (a) and (b), the following clauses shall be substituted, namely:—

'(a) "children", in relation to a parent or a senior citizen, means his son or daughter, whether biological, adoptive or step-child and includes his son-in-law, daughter-in-law, grandson, grand-daughter and the legal guardian of minor children, if any;

10

(aa) "Code" means the Code of Criminal Procedure, 1973;

2 of 1974.

(ab) "Conciliation Officer" means the person referred to in sub-section (6) of section 6;

15

(ac) "local body" means the Municipality as defined in clause (e) of article 243P of the Constitution or, as the case may be, the Panchayat as defined in clause (d) of article 243 thereof;

(b) "maintenance" includes provision for food, clothing, housing, safety and security, medical attendance, healthcare and treatment necessary to lead a life of dignity;';

20

(ii) after clause (b), the following clause shall be inserted, namely:—

'(ba) "Maintenance Officer" means an officer designated as such by the State Government under sub-section (1) of section 18;';

(iii) after clause (c), the following clauses shall be inserted, namely:—

25

'(ca) "Multi-Service Day Care Centre for Senior Citizens" means an institution registered as such under sub-section (2) of section 19, established or maintained by the Government or a local body or an organisation for providing day-care facilities, including healthcare, peer interaction, recreation and entertainment to senior citizens;'

30

(cb) "Nodal Officer for Senior Citizens" means a police officer designated as such by the State Government under sub-section (2) of section 22;

(cc)"organisation" includes any voluntary or private or non-Governmental organisation or a society or trust registered under any law for the time being in force;';

35

(iv) for clauses (d) and (e), the following clauses shall be substituted, namely:—

'(d) "parent" means father or mother, whether biological, adoptive or step-parent and includes father-in-law, mother-in-law and grandparents, whether or not a senior citizen;'

(e) "prescribed" means prescribed by rules made under this Act;';

40

(v) in clause (g), for the words "citizen who is not a minor and is", the words "citizen, including a minor through his legal guardian, who is" shall be substituted;

(vi) after clause (h), the following clause shall be inserted, namely:—

'(ha) "Senior Citizens' Care Home" means an institution registered as such under sub-section (2) of section 19, established or maintained by the Government

45

or a local body or an organisation for providing residential facilities to senior citizens for their care and welfare;';

(vii) for clause (k), the following clause shall be substituted, namely:—

5                   '(k) "welfare" means provision for food, clothing, housing, safety and security, medical attendance, healthcare, treatment, recreation and other amenities necessary for the physical and mental well being of parents and senior citizens.'

**4.** For section 4 of the principal Act, the following section shall be substituted, namely:—

Substitution of new section for section 4.

10                  "4. (1) A parent or a senior citizen who is unable to maintain himself to lead a life of dignity from his own earning, including earning from any property owned by him, and is either not maintained by his children or relatives or is neglected by them, shall be entitled to make an application for maintenance under section 5.

Maintenance of parents and senior citizens.

(2) The obligation of the children to maintain a parent extends to such needs of the parent as are necessary for him to lead a life of dignity.

15                  (3) The obligation of a relative to maintain a childless senior citizen extends to such needs of the senior citizen as are necessary for him to lead a life of dignity provided such relative has sufficient means to do so and is either in possession of, or shall inherit, the property of such senior citizen after his death:

20                  Provided that where more than one relative is in possession of, or shall inherit, the property of a childless senior citizen, the obligation of such relatives shall be in proportion in which they are in possession of, or shall inherit, the property."

**5.** In section 5 of the principal Act, for sub-sections (1) to (5), the following sub-sections shall be substituted, namely:—

Amendment of section 5.

25                  "(1) An application for maintenance under section 4 may be made to the Tribunal in person or by registered post or online or by any other means, by—

(a) a parent or senior citizen, as the case may be, against one or more children as defined in clause (a) of section 2; or

(b) a childless senior citizen, against one or more relatives as defined in clause (g) of section 2,

30                  and if such parent or senior citizen is incapable so to do, he may authorise any other person or organisation to make such application on his behalf or the Tribunal may also take *suo motu* cognizance of such matter.

35                  (2) On receipt of an application for maintenance under sub-section (1), the Tribunal may, after giving notice of the application to the children or relative, as the case may be, and after giving the parties an opportunity of being heard, hold an inquiry for determining the maintenance in accordance with the provisions of section 6.

40                  (3) During the pendency of the proceeding for maintenance, the Tribunal may, by order, direct the children or relative to pay such monthly allowance towards the interim maintenance of such parent or senior citizen, as may be determined by it from time to time.

(4) Every application under sub-section (1) shall be disposed of by the Tribunal within a period of ninety days from the date of receipt of such application:

45                  Provided that in case of senior citizens who are eighty years or above, such application shall be disposed of within a period of sixty days:

Provided further that in exceptional circumstances and for reasons to be recorded in writing, the Tribunal may extend such period only once for a maximum period of thirty days.

(5) Where an application under sub-section (1) is filed against one or more children or relatives, such children or relative may implead any other person who is liable to maintain the parent or senior citizen, as the case may be.".

5

**6. In section 6 of the principal Act,—**

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) The proceedings referred to in section 5 may be taken against the children or relatives in the district where—

(a) the parent or senior citizen resides or has last resided; or 10

(b) any of the children or relatives reside.";

(ii) in sub-section (3), for the words and figures "as provided under the Code of Criminal Procedure, 1973", the words "as provided under the Code" shall be substituted; 2 of 1974.

(iii) in sub-section (4),—

(a) in the opening portion, for the words "an order for payment of maintenance is proposed to be made", the words and figure "the application under section 5 has been filed" shall be substituted; 15

(b) in the proviso, for the words "an order for payment of maintenance is proposed to be made is", the words, brackets and figure "process has been issued under sub-section (2), are" shall be substituted; 20

(iv) for sub-section (6), the following sub-section shall be substituted, namely:—

"(6) The Tribunal may, for assisting and persuading the parties to arrive at amicable settlement, refer the proceedings under section 5 to a Conciliation Officer, nominated by the Tribunal in such manner as may be prescribed, and such Conciliation Officer shall submit his findings within fifteen days from the date of his nomination and in case of any amicable settlement, the Tribunal shall pass an order to that effect.". 25

**Amendment of section 7.** 7. In section 7 of the principal Act, in sub-section (1), for the words "order for maintenance", the words "application filed" shall be substituted.

**Amendment of section 8.** 8. In section 8 of the principal Act, in sub-section (2), for the words and figures "the Code of Criminal Procedure, 1973", the words "the Code" shall be substituted. 30  
2 of 1974.

**Substitution of new section for section 9.** 9. For section 9 of the principal Act, the following section shall be substituted, namely:—

"9. (1) The Tribunal may, on being satisfied of the neglect or refusal on part of the children or the relative, as the case may be, to maintain a parent or senior citizen who is unable to maintain himself to lead a life of dignity, pass an order for maintenance directing such children or relative to provide such monthly allowance, other resources and care for the maintenance of the parent or senior citizen, as it may, from time to time, determine. 35

(2) While determining the maintenance, the Tribunal may take into consideration the standard of living of the parent or senior citizen and the earnings of such parent or senior citizen and of the children or relative. 40

(3) The order for maintenance shall be enforceable from the date of such order or, if so ordered by the Tribunal, from the date of the application.

(4) A copy of the order for maintenance shall be—

(i) made available free of cost to the parent or senior citizen, as the case may be;

(ii) posted on the Notice Board of the Tribunal;

5 (iii) made available online on the website of the concerned Department of the State; and

(iv) provided to the Maintenance Officer.

(5) Where an order for maintenance is made against more than one person, the death of one of them shall not affect the liability of the others to continue providing the maintenance.".

10 **10.** In section 10 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

Amendment of section 10.

15 "(I) On proof of misrepresentation or mistake of fact or any change in the circumstances of the parent or senior citizen receiving maintenance under section 9, the Tribunal may make such alteration in the order for maintenance, as it deems fit.".

**11.** In section 11 of the principal Act,—

Amendment of section 11.

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

20 "(I) An order for maintenance may be enforced by the Tribunal in any place where the person against whom it is made resides, on being satisfied as to the identity of the parties and non-compliance of such order.";

2 of 1974. (ii) in sub-section (2), for the words and figures, "Code of Criminal Procedure, 1973 and shall be executed in the manner prescribed for the execution of such order by that Code", the words "the Code and shall be executed in the manner prescribed by the Code for the execution of such order" shall be substituted;

25 (iii) after sub-section (2), the following sub-sections shall be inserted, namely:—

"(3) If the children or relative against whom an order for maintenance is passed under section 9 fails to comply with such order without sufficient cause, the Tribunal may, for every breach of the order, issue a warrant for levying the amount due in the manner provided for levying fines:

30 Provided that no warrant shall be issued for the recovery of any amount due under this section unless application is made by the parent or the senior citizen to the Tribunal to levy such amount.

35 (4) If the children or relatives, as the case may be, fails to pay the fine levied under sub-section (3), the Tribunal may sentence him to imprisonment for a term which may extend to one month or until the payment is made, whichever is earlier.".

**12.** In section 12 of the principal Act, the following provisos shall be inserted, namely:—

Amendment of section 12.

40 "Provided that where any application for maintenance under Chapter IX of the Code is pending before any Court prior to the date of commencement of the Maintenance and Welfare of Parents and Senior Citizens (Amendment) Act, 2019, the Court may, on the request of the parent or senior citizen, allow withdrawal of such application and such parent or senior citizen shall be entitled to file an application for maintenance before the Tribunal under this Act:

45 Provided further that such application filed before the Tribunal shall be deemed to have been filed from the date when such application was filed before the Court.".

Amendment of section 13.	<b>13.</b> In section 13 of the principal Act, for the words "within thirty days", the words "within fifteen days" shall be substituted.	
Amendment of section 16.	<b>14.</b> In section 16 of the principal Act,— (i) in sub-section (1),— (a) in the opening portion, after the words "senior citizen or a parent", the words "or any of the children or relatives" shall be inserted; <span style="float: right;">5</span> (b) in the first proviso, after the word "parent", the words "senior citizen" shall be inserted; (ii) in sub-section (6), after the words "receipt of an appeal", the words "and in exceptional circumstances and for reasons to be recorded in writing, within a further period of thirty days" shall be inserted. <span style="float: right;">10</span>	
Amendment of section 18.	<b>15.</b> In section 18 of the principal Act,— (i) for sub-section (1), the following sub-section shall be substituted, namely: "(1) The State Government shall designate an officer in the rank of District Social Welfare Officer or an officer of equivalent rank from any related Department of the State or the Block level Officer or the Tehsildar as Maintenance Officer for the purposes of this Act."; <span style="float: right;">15</span> (ii) in sub-section (2), for the words "shall represent a parent", the words "may represent a parent or a senior citizen" shall be substituted; (iii) after sub-section (2), the following sub-sections shall be inserted, namely: "(3) It shall be the duty of the Maintenance Officer to ensure that the order for maintenance passed under section 9 is complied with, and in case of its non-compliance, he may take such steps as may be necessary for the compliance of such order. (4) The Maintenance Officer shall be a point of contact for the parent or senior citizen to liaison and co-ordinate with them.". <span style="float: right;">20</span> <span style="float: right;">25</span>	
Amendment of heading of CHAPTER III.	<b>16.</b> In the principal Act, for the heading of CHAPTER III, the following heading shall be substituted, namely:— "ESTABLISHMENT AND MANAGEMENT OF SENIOR CITIZENS' CARE HOMES AND MULTI-SERVICE DAY CARE CENTRES FOR SENIOR CITIZENS".	
Substitution of new section for section 19.	<b>17.</b> For section 19 of the principal Act, the following section shall be substituted, namely:— "19. (1) The Government or an organisation may establish or maintain Senior Citizens' Care Homes for providing residential facilities for the care of senior citizens or Multi-Service Day Care Centre for Senior Citizens for providing day care facilities for senior citizens. <span style="float: right;">30</span> (2) Notwithstanding anything contained in any other law for the time being in force, all such institutions established and maintained as Senior Citizens' Care Homes or as Multi-Service Day Care Centre for Senior Citizens shall be registered with the Registration Authority referred to in sub-section (3). <span style="float: right;">35</span> (3) The State Government shall designate a Registration Authority for registration of institutions under this Act in such manner as may be prescribed. <span style="float: right;">40</span>	

	(4) Every institution registered under this Act shall provide necessary amenities specified under sub-section (5) and if it fails to do so, the State Government may cancel or withhold registration of such institution, after following such procedure as may be prescribed.	
5	(5) The Central Government shall prescribe minimum standards for establishment and maintenance of Senior Citizens' Care Homes and Multi-Service Day Care Centres and for the food, infrastructure, medical facilities, recreation, staff, safety and security and such other matters as may be necessary.	
10	(6) The State Government shall designate such authority, as it deems fit, as the Regulatory Authority to monitor the functioning of the institutions registered under this Act through regular inspections or social audit to ensure that the Minimum Standards are adhered to.".	
	<b>18.</b> In the principal Act, in the heading of CHAPTER IV, for the word "MEDICAL", the word "HEALTHCARE" shall be substituted.	Amendment of heading of CHAPTER IV.
15	<b>19.</b> For section 20 of the principal Act, the following sections shall be substituted, namely:—	Substitution of new sections 20 and 20A for section 20.
	"20. The Government shall ensure that,—	Healthcare for senior citizens.
20	(i) all hospitals, whether fully or partially funded by the Government or private healthcare institutions, provide beds for senior citizens as far as possible;	
	(ii) separate queues are earmarked for senior citizens in all healthcare and allied institutions;	
	(iii) facilities for treatment of chronic, terminal and degenerative diseases are expanded for senior citizens;	
25	(iv) research and development in geriatric sciences is undertaken;	
	(v) facilities are earmarked for geriatric patients in every district hospital duly headed by a medical officer with experience in geriatric care and other objectives and outcomes of National and State level programmes for geriatric healthcare are monitored and achieved;	
30	(vi) necessary measures are taken to provide barrier-free access for senior citizens in all healthcare and allied institutions.	
	<b>20A.</b> (1) The Government or an organisation may provide homecare services for such senior citizens who suffer from difficulties in performing activities of daily life due to any physical or mental impairment.	Homecare services for senior citizens.
35	(2) The institutions providing such homecare services shall engage trained and certified attendants or caregivers for the senior citizens as per their needs.	
	(3) Institutions providing training, certification and homecare services shall be registered as service provider with the Registration Authority referred to in section (3) of section 19.".	
40	<b>20.</b> In the principal Act, for the heading of CHAPTER V, the following heading shall be substituted, namely:—	Amendment of heading of CHAPTER V.
	"PROTECTION OF LIFE AND PROPERTY OF SENIOR CITIZENS AND OTHER WELFARE MEASURES".	
	<b>21.</b> In section 21 of the principal Act, for clauses (i), (ii) and (iii), the following clauses shall be substituted, namely:—	Amendment of section 21.
45	"(i) the provisions of the Act and measures for the well-being of senior citizens are given wide publicity through various means;	

(ii) the officers of the Central Government and of the State Government, including the members of Civil Defence Corps and Home Guards, police officers and members of judicial service are given periodic sensitisation and awareness training on the provisions of this Act and the issues relating thereto.". 5

Insertion of  
new section  
21A.

**22.** After section 21 of the principal Act, the following section shall be inserted, namely:— 5

Action plan  
for senior  
citizens.

"21A. (I) The State Government shall prepare and implement a comprehensive action plan for the welfare of senior citizens including for protection of their life and property.

(2) The State Government shall take all measure to ensure effective co-ordination between the services provided by the concerned Ministries or Departments, non-Governmental organisations and other stakeholders to address the issues relating to the welfare of the senior citizens and that periodical review of the same is conducted.". 10

Amendment  
of section 22.

**23.** In section 22 of the principal Act, for sub-section (2), the following sub-sections shall be inserted, namely:— 15

"(2) In every police station, at least one officer, not below the rank of Assistant Sub-Inspector possessing aptitude, appropriate training and orientation shall be designated as the Nodal Officer for senior citizens to deal with issues relating to parents and senior citizens.

(3) The State Government shall constitute a Special Police Unit for senior citizens in each district to co-ordinate the functions of police in respect of parents and senior citizens and such Unit shall be headed by a police officer not below the rank of Deputy Superintendent of Police and consist of the Nodal Officers for senior citizens designated under sub-section (2) and two social workers having experience of working in the field of senior citizens, of whom one shall preferably be a woman.". 20 25

Amendment  
of section 23.

**24.** In section 23 of the principal Act, for the words "senior citizen", wherever they occur, the words "parent or senior citizen" shall be substituted.

Insertion of  
new section  
23A.

**25.** After section 23 of the principal Act, the following section shall be inserted, namely:—

Other welfare  
measures for  
senior  
citizens.

"23A. (I) The Central Government and the State Government shall take suitable measures to create more accessible and age-friendly environment, transportation, information and communications and other public facilities including separate queues for senior citizens. 30

(2) The State Government shall establish and maintain helpline for safety and security of senior citizens having one common number across the nation and it shall be linked to healthcare facilities, police department and other related agencies. 35

(3) The Government may undertake welfare measures for the benefit of senior citizens and any benefit for elderly persons made available by the Government or semi-Government or organisation shall also be available to senior citizens who are sixty years and above: 40

Provided that the provisions of this section shall not have any effect on any benefits extended by the Government or semi-Government or organisations to any person below sixty years.". 45

Substitution of  
new section  
for section 24.

**26.** For section 24 of the principal Act, the following section shall be substituted, namely:—

Abuses and  
abandonment  
of senior  
citizen.

'24. Whoever, having the care or protection of a parent or senior citizen, intentionally abuses or abandons such parent or senior citizen, shall be punishable

with imprisonment for a term which shall not be less than three months, but which may extend to six months or with fine up to ten thousand rupees or with both.

5           **Explanation.**—For the purposes of this section, the term "abuse" includes physical abuse, verbal and emotional abuse and economic abuse, neglect and abandonment causing assault, injury, physical or mental suffering.".

**27.** After section 28 of the principal Act, the following sections shall be inserted, namely:—

10           "28A. The details of the institutions registered under sub-section (3) of section 19 or, as the case may be, under sub-section (3) of section 20A shall be made available by the State Government by placing it on the website of concerned Department of that State.

Insertion of new sections 28A and 28B.

Obligation of State Government to place details of registered institutions on website.

"28B. The institutions registered under sub-section (3) of section 20A shall be accredited for quality of services by accreditation agencies authorised under any law for the time being in force.".

Accreditation of institutions.

15           **28.** For section 29 of the principal Act, the following section shall be substituted, namely:—

20           "(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of the commencement of the Maintenance and Welfare of Parents and Senior Citizens (Amendment) Act, 2019.

Substitution of new section for section 29.  
Power to remove difficulties.

25           "(2) Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before each House of Parliament.".

**29.** In section 32 of the principal Act,—

Amendment of section 32.

(a) in sub-section (1), the following proviso shall be inserted, namely:—

30           "Provided that the Central Government may frame model rules in respect of all or any of the matters with respect to which the State Government is required to make rules and where any such model rules have been framed in respect of any such matter, they shall apply to the State *mutatis mutandis* until the rules in respect of that matter are made by the State Government and while making any such rules, they conform to such model rules.";

(b) in sub-section (2),—

35           (i) for clause (a), the following clauses shall be substituted, namely:—

"(a) the manner of nominating Conciliation Officer under sub-section (6) of section 6;

(aa) the manner of holding inquiry under section 5 subject to such rules as may be prescribed under sub-section (1) of section 8;";

40           (ii) after clause (d), the following clauses shall be inserted, namely:—

"(da) the manner of designating Registration Authority under sub-section (3) of section 19;

(db) the procedure for cancellation or withholding of registration of institutions under sub-section (4) of section 19;

45

(dc) the minimum standards for the establishment and maintenance of Senior Citizens' Care Homes and Multi-Service Day Care Centres and for the food, infrastructure, medical facilities, recreation, staff, safety and security and other matters under sub-section (5) of section 19;".

## STATEMENT OF OBJECTS AND REASONS

The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 was enacted on 29th December, 2007 to ensure need based maintenance for parents and senior citizens and their welfare. It's been more than a decade now that the Act is in place, serving the needy parents and senior citizens, with the active co-operation of the State Governments and Union territory Administrations.

2. However, with the gradual breakdown of joint family system in the society, number of cases of neglect, crime, exploitation and abandonment of parents and senior citizens are in the rise. Various High Courts have also issued orders directing the Government to review provisions of the Act.

3. After examining various provisions of the Act, the Group of Secretaries have made recommendations to extend all the benefits to senior citizens of uniform age, to enhance maintenance amount for senior citizens and standardisation of homecare services. Besides, petitions and representations have been received from individuals and institutions requesting to make certain modifications in the Act, including to bring daughter-in-law and son-in-law within the ambit of the definition of 'children', to provide punishment for abuse of parents and senior citizens. It is, therefore, decided to revise various provisions of the said Act and to incorporate new provisions therein to make the Act more comprehensive and helpful to the greying population.

4. The Maintenance and Welfare of Parents and Senior Citizens (Amendment) Bill, 2019 seeks to—

(a) expand the scope of the Act by modifying the definitions of 'children', 'parents', 'maintenance', 'welfare' and 'senior citizens', to enable parents and senior citizens to lead a life of dignity;

(b) enlarge the mode of submission of application for maintenance by the parents or senior citizens;

(c) provide for expeditious disposal of maintenance applications with special preference to the applications of senior citizens above eighty years of age, so as to enable parents or senior citizens to receive necessary relief;

(d) remove the upper limit of rupees ten thousand as monthly maintenance amount that may be awarded by the Tribunal;

(e) extend the right to file appeal to children and relatives also who are aggrieved by the order of the Maintenance Tribunal, if they continue to pay the maintenance amount as ordered by the Maintenance Tribunal;

(f) provide for registration of Senior Citizens' Care Homes, Multi-Service Day Care Centre for Senior Citizens and Institutions providing Homecare Services for Senior Citizens and their minimum standards;

(g) constitute Special Police Unit for Senior Citizens in each district and appoint Nodal Officers for Senior Citizens in every Police Station;

(h) maintain Helpline for senior citizens; and

(i) provide stringent punishment to those who abuse or abandon parents or senior citizens.

5. The Bill seeks to achieve the above objects.

NEW DELHI;  
*The 6th December, 2019.*

THAAWARCHAND GEHLOT.

*Notes on clauses*

*Clause 3* of the Bill provides for definitions of certain expressions including "children", "maintenance", "parent", etc.

*Clause 4* of the Bill seeks to substitute a new section for section 4 which provides for maintenance of parents and senior citizens and obligation of children and relatives to maintain them.

*Clause 5* of the Bill seeks to amend section 5 to expand the mode of filing application before the Tribunal for maintenance.

*Clause 6* of the Bill seeks to amend section 6 *inter alia* to empower the Tribunal to refer the proceedings to the Conciliation Officers.

*Clause 7* of the Bill seeks to amend section 7 to substitute the words 'order for maintenance' with the words 'application filed'.

*Clause 8* of the Bill seeks to amend section 8 to substitute the words 'the Code' with the words 'the Code of Criminal Procedure, 1973'.

*Clause 9* of the Bill proposes to substitute a new section for section 9 which provides manner of determining maintenance by the Tribunal.

*Clause 10* of the Bill seeks to substitute sub-section (1) of section 10 to provide for making alteration in the order for maintenance passed by the Tribunal.

*Clause 11* of the Bill seeks to amend section 11 to provide for the enforcement of order of maintenance.

*Clause 12* of the Bill seeks to amend section 12 so as to insert a proviso therein to enable the parent or senior citizen to withdraw the application pending before any court and to file the same before the Tribunal and such application shall be deemed to have been filed from the date when such application was filed before the court.

*Clause 13* of the Bill seeks to amend section 13 to substitute the words 'within fifteen days' with the words 'within thirty days'.

*Clause 14* of the Bill seeks to amend section 16 to enable the children or relatives of parent or senior citizens to file appeal against the order of the Tribunal.

*Clause 15* of the Bill seeks to amend section 18 to provide for appointment of the Maintenance Officer.

*Clause 16* of the Bill seeks to amend heading of chapter III as 'Establishment and Management of Senior Citizens' Care Homes and Multi Service day Care Centres for Senior Citizens.

*Clause 17* of the Bill seeks to substitute section 19 with a new section to provide for setting up and management of Senior Citizens' Care Homes and Multi Service day Care Centres for Senior Citizens'.

*Clause 18* of the Bill seeks to amend heading of chapter IV to substitute the word 'Medical' with the word 'Healthcare'.

*Clause 19* of the Bill seeks to substitute section 20 with a new section to provide for the healthcare of senior citizens and for homecare services for senior citizens.

*Clause 20* of the Bill seeks to amend heading of Chapter V as 'Protection of Life and Property of senior citizens and other welfare measures'.

*Clause 21 of the Bill seeks to amend section 21 to provide for giving wide publicity to the provisions of the Act and measures for the well-being of the senior citizens and also to sensitise the officers of the Central Government and the State Government.*

*Clause 22 of the Bill seeks to insert a new section 21A to provide for Action Plan for Senior Citizens.*

*Clause 23 of the Bill seeks to amend section 22 to provide for designation of Nodal Officer for senior citizens to deal with issues relating to parents and senior citizens in every police stations and to constitute a Special Police Unit for senior citizens in each district to coordinate the functions of police in respect of parents and senior citizens.*

*Clause 24 of the Bill seeks to amend section 23 to substitute the words 'senior citizens', wherever they occur, with the words 'parent or senior citizen'.*

*Clause 25 of the Bill seeks to insert a new section 23A to provide for other welfare measures for senior citizens.*

*Clause 26 of the Bill seeks to substitute section 24 with a new section to provide punishment for the abuse or abandonment of the senior citizen.*

*Clause 27 of the Bill seeks to insert new sections 28A and 28B to provide for obligation of State Governments to place details of registered institutions on website and accreditation of institutions, respectively.*

*Clause 28 of the Bill seeks to substitute a new section for section 29 to provide for power to remove difficulties.*

*Clause 29 of the Bill seeks to amend section 32 to empower the Central Government to frame model rules and to empower the State Government to make rules in respect of certain matters.*

#### FINANCIAL MEMORANDUM

Clause 17 of the Bill seeks to substitute a new section for section 19 which provides for establishment or maintenance of Senior Citizens' Care Homes for providing residential facilities for the care of senior citizens or Multi-Service Day Care Centre for Senior Citizens for providing day care facilities for senior citizens.

Clause 19 of the Bill seeks to substitute new sections 20 and 20A for section 20 section 20A provides for provisioning of homecare services to senior citizens who suffer from difficulties in performing activities of daily life due to any physical or mental impairment.

Clause 25 of the Bill seeks to insert a new section 23A which provides for creating more accessible and age-friendly environment, transportation, information and communications and other public facilities for senior citizens and for establishing and maintaining Helpline for safety and security of senior citizens.

Since these provisions will be implemented in a phased manner mostly by the State Government, it is not possible at this stage to estimate the full financial burden likely to be incurred. Further, there would be no additional requirement of fund from the Consolidated Fund of India at present. The Bill does not involve any other recurring or non-recurring expenditure.

## **MEMORANDUM REGARDING DELEGATED LEGISLATION**

Sub-clause (a) of clause 29 of the Bill seeks to insert provisions in sub-section (1) of section 32 to empower the Central Government to frame model rules in respect of all or any of the matters with respect to which the State Government is required to make rules and where any such model rules have been framed in respect of any such matter, they shall apply to the State *mutatis mutandis* until the rules in respect of that matter are made by the State Government and while making any such rules, they conform to such model rules.

Sub-clause (b) of clause 29 of the Bill seeks to amend sub-section (2) of section 32 to empower the State Government to make rules to provide for (i) the manner of nominating Conciliation Officer under sub-section (6) of section 6; (ii) the manner of designating Registration Authority under sub-section (3) of section 19; (iii) the procedure for cancellation or withholding of registration of institutions under sub-section (4) of section 19; (iv) the minimum standards for the establishment and maintenance of Senior Citizens' Care Homes and Multi-Service Day Care Centres for senior citizens for the food, infrastructure, medical facilities, recreation, staff, safety and security and other matters under sub-section (5) of section 19.

The matters in respect of which rules may be made are generally matters of procedure and administrative details and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

## ANNEXURE

### EXTRACTS FROM THE MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS ACT, 2007

(56 OF 2007)

An Act to provide for more effective provisions for the maintenance and welfare of parents and senior citizens guaranteed and recognised under the Constitution and for matters connected therewith or incidental thereto.

\* \* \* \* \*

Definitions.

**2. (1)** In this Part, unless the context otherwise requires,—

(a) "children" includes son, daughter, grandson and grand-daughter but does not include a minor;

(b) "maintenance" includes provisions for food, clothing, residence and medical attendance and treatment;

\* \* \* \* \*

(d) "parent" means father or mother whether biological, adoptive or step father or step mother, as the case may be, whether or not the father or the mother is a senior citizen;

(e) "prescribed" means prescribed by rules made by the State Government under this Act;

\* \* \* \* \*

(g) "relative" means any legal heir of the childless senior citizen who is not a minor and is in possession of or would inherit his property after his death;

\* \* \* \* \*

(k) "welfare" means provision for food, healthcare, recreation centres and other amenities necessary for the senior citizens.

\* \* \* \* \*

## CHAPTER II

### MAINTENANCE OF PARENTS AND SENIOR CITIZENS

Maintenance of parents and senior citizens.

**4. (1)** A senior citizen including parent who is unable to maintain himself from his own earning or out of the property owned by him, shall be entitled to make an application under section 5 in case of—

(i) parent or grand-parent, against one or more of his children not being a minor;

(ii) a childless senior citizen, against such of his relative referred to in clause (g) of section 2.

(2) The obligation of the children or relative, as the case may be, to maintain a senior citizen extends to the needs of such citizen so that senior citizen may lead a normal life.

(3) The obligation of the children to maintain his or her parent extends to the needs of such parent either father or mother or both, as the case may be, so that such parent may lead a normal life.

(4) Any person being a relative of a senior citizen and having sufficient means shall maintain such senior citizen provided he is in possession of the property of such citizen or he would inherit the property of such senior citizen:

Provided that where more than one relatives are entitled to inherit the property of a senior citizen, the maintenance shall be payable by such relative in the proportion in which they would inherit his property.

**5. (1)** An application for maintenance under section 4, may be made—

- (a) by a senior citizen or a parent, as the case may be; or
- (b) if he is incapable, by any other person or organisation authorised by him; or
- (c) the Tribunal may take cognizance *suo motu*.

Application  
for  
maintenance.

*Explanation.*—For the purposes of this section "organisation" means any voluntary association registered under the Societies Registration Act, 1860 or any other law for the time being in force.

(2) The Tribunal may, during the pendency of the proceeding regarding monthly allowance for the maintenance under this section, order such children or relative to make a monthly allowance for the interim maintenance of such senior citizen including parent and to pay the same to such senior citizen including parent as the Tribunal may from time to time direct.

(3) On receipt of an application for maintenance under sub-section (1), after giving notice of the application to the children or relative and after giving the parties an opportunity of being heard, hold an inquiry for determining the amount of maintenance.

(4) An application filed under sub-section (2), for the monthly allowance for the maintenance and expenses for proceeding shall be disposed of within ninety days from the date of the service of notice of the application to such person:

Provided that the Tribunal may extend the said period, once for a maximum period of thirty days in exceptional circumstances for reasons to be recorded in writing.

\* \* \* \*

**6. (1)** The proceedings under section 5 may be taken against any children or relative in any district—

Jurisdiction  
and  
procedure.

- (a) where he resides or last resided; or
- (b) where children or relative resides.

\* \* \* \*

(3) For securing the attendance of children or relative the Tribunal shall have the power of a Judicial Magistrate of first class as provided under the Code of Criminal Procedure, 1973.

(4) All evidence to such proceedings shall be taken in the presence of the children or relative against whom an order for payment of maintenance is proposed to be made, and shall be recorded in the manner prescribed for summons cases:

Provided that if the Tribunal is satisfied that the children or relative against whom an order for payment of maintenance is proposed to be made is wilfully avoiding service, or wilfully neglecting to attend the Tribunal, the Tribunal may proceed to hear and determine the case *ex parte*.

\* \* \* \*

(6) The Tribunal before hearing an application under section 5 may, refer the same to a Conciliation Officer and such Conciliation Officer shall submit his findings within one month and if amicable settlement has been arrived at, the Tribunal shall pass an order to that effect.

*Explanation.*—For the purposes of this sub-section "Conciliation Officer" means any person or representative of an organisation referred to in *Explanation* to sub-section (1) of

section 5 or the Maintenance Officers designated by the State Government under sub-section (I) of section 18 or any other person nominated by the Tribunal for this purpose.

Constitution  
of  
Maintenance  
Tribunal.

**7. (I)** The State Government shall within a period of six months from the date of the commencement of this Act, by notification in Official Gazette, constitute for each Sub-division one or more Tribunals as may be specified in the notification for the purpose of adjudicating and deciding upon the order for maintenance under section 5.

\* \* \* \* \*

Summary  
procedure in  
case of  
inquiry.

**8. (I) \***

(2) The Tribunal shall have all the powers of a Civil Court for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and of compelling the discovery and production of documents and material objects and for such other purposes as may be prescribed; and the Tribunal shall be deemed to be a Civil Court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.

2 of 1974.

\* \* \* \* \*

Order for  
maintenance.

**9. (I)** If children or relatives, as the case may be, neglect or refuse to maintain a senior citizen being unable to maintain himself, the Tribunal may, on being satisfied of such neglect or refusal, order such children or relatives to make a monthly allowance at such monthly rate for the maintenance of such senior citizen, as the Tribunal may deem fit and to pay the same to such senior citizen as the Tribunal may, from time to time, direct.

(2) The maximum maintenance allowance which may be ordered by such Tribunal shall be such as may be prescribed by the State Government which shall not exceed ten thousand rupees per month.

Alteration in  
allowance.

**10. (I)** On proof of misrepresentation or mistake of fact or a change in the circumstances of any person, receiving a monthly allowance under section 9, for the maintenance ordered under that section to pay a monthly allowance for the maintenance, the Tribunal may make such alteration, as it thinks fit, in the allowance for the maintenance.

\* \* \* \* \*

Enforcement  
of order of  
maintenance.

**11. (I)** A copy of the order of maintenance and including the order regarding expenses of proceedings, as the case may be, shall be given without payment of any fee to the senior citizen or to parent, as the case may be, in whose favour it is made and such order may be enforced by any Tribunal in any place where the person against whom it is made, such Tribunal on being satisfied as to the identity of the parties and the non-payment of the allowance, or as the case may be, expenses, due.

(2) A maintenance order made under this Act shall have the same force and effect as an order passed under Chapter IX of the Code of Criminal Procedure, 1973 and shall be executed in the manner prescribed for the execution of such order by that Code.

2 of 1974.

\* \* \* \* \*

Deposit of  
maintenance  
amount.

**13.** When an order is made under this Chapter, the children or relative who is required to pay any amount in terms of such order shall within thirty days of the date of announcing the order by the Tribunal, deposit the entire amount ordered in such manner as the Tribunal may direct.

\* \* \* \* \*

Appeals.

**16. (I)** Any senior citizen or a parent, as the case may be, aggrieved by an order of a Tribunal may, within sixty days from the date of the order, prefer an appeal to the Appellate Tribunal:

Provided that on appeal, the children or relative who is required to pay any amount in terms of such maintenance order shall continue to pay to such parent the amount so ordered, in the manner directed by the Appellate Tribunal:

Provided further that the Appellate Tribunal may, entertain the appeal after the expiry of the said period of sixty days, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.

\* \* \* \* \*

(6) The Appellate Tribunal shall make an endeavour to pronounce its order in writing within one month of the receipt of an appeal.

\* \* \* \* \*

**18.** (1) The State Government shall designate the District Social Welfare or an officer not below the rank of a District Social Welfare Officer, by whatever name called as Maintenance Officer.

Maintenance Officer.

(2) The Maintenance Officer referred to in sub-section (1), shall represent a parent if he so desires, during the proceedings of the Tribunal, or the Appellate Tribunal, as the case may be.

\* \* \* \* \*

### CHAPTER III

#### ESTABLISHMENT OF OLDAGE HOMES

**19.** (1) The State Government may establish and maintain such number of oldage homes at accessible places, as it may deem necessary, in a phased manner, beginning with at least one in each district to accommodate in such homes a minimum of one hundred fifty senior citizens who are indigent.

Establishment of oldage homes.

(2) The State Government may, prescribe a scheme for management of oldage homes, including the standards and various types of services to be provided by them which are necessary for medical care and means of entertainment to the inhabitants of such homes.

*Explanation.*—For the purposes of this section, "indigent" means any senior citizen who is not having sufficient means, as determined by the State Government, from time to time, to maintain himself.

### CHAPTER IV

#### PROVISIONS FOR MEDICAL CARE OF SENIOR CITIZEN

**20.** The State Government shall ensure that,—

Medical support for senior citizens.

- (i) the Government hospitals or hospitals funded fully or partially by the Government shall provide beds for all senior citizens as far as possible;
- (ii) separate queues be arranged for senior citizens;
- (iii) facility for treatment of chronic, terminal and degenerative diseases is expanded for senior citizens;
- (iv) research activities for chronic elderly diseases and ageing expanded;
- (v) there are earmarked facilities for geriatric patients in every district hospital dully headed by a medical officer with experience in geriatric care.

### CHAPTER V

#### PROTECTION OF LIFE AND PROPERTY OF SENIOR CITIZEN

**21.** The State Government shall, take all measures to ensure that—

Measures for publicity, awareness, etc., for welfare of senior citizens.

- (i) the provisions of this Act are given wide publicity through public media including the television, radio and the print, at regular intervals;
- (ii) the Central Government and State Government Officers, including the police officers and the members of the judicial service, are given periodic sensitisation and awareness training on the issues relating to this Act;

(iii) effective co-ordination between the services provided by the concerned Ministries or Departments dealing with law, home affairs, health and welfare, to address the issues relating to the welfare of the senior citizens and periodical review of the same is conducted.

\* \* \* \*

Transfer of property to be void in certain circumstances.

**23.** (1) Where any senior citizen who, after the commencement of this Act, has transferred by way of gift or otherwise, his property, subject to the condition that the transferee shall provide the basic amenities and basic physical needs to the transferor and such transferee refuses or fails to provide such amenities and physical needs, the said transfer of property shall be deemed to have been made by fraud or coercion or under undue influence and shall at the option of the transferor be declared void by the Tribunal.

(2) Where any senior citizen has a right to receive maintenance out of an estate and such estate or part thereof is transferred, the right to receive maintenance may be enforced against the transferee if the transferee has notice of the right, or if the transfer is gratuitous; but not against the transferee for consideration and without notice of right.

(3) If, any senior citizen is incapable of enforcing the rights under sub-sections (1) and (2), action may be taken on his behalf by any of the organisation referred to in *Explanation* to sub-section (1) of section 5.

## CHAPTER VI

### OFFENCES AND PROCEDURE FOR TRIAL

Exposure and abandonment of senior citizen.

**24.** Whoever, having the care or protection of senior citizen leaves, such senior citizen in any place with the intention of wholly abandoning such senior citizen, shall be punishable with imprisonment of either description for a term which may extend to three months or fine which may extend to five thousand rupees or with both.

\* \* \* \*

Power to remove difficulties.

**29.** If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of the commencement of this Act.

\* \* \* \*

Power of State Government to make rules.

**32.** (1) \*

\* \* \*

\* \* \*

(2) Without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the manner of holding inquiry under section 5 subject to such rules as may be prescribed under sub-section (1) of section 8;

\* \* \* \*

LOK SABHA

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A  
**BILL**

further to amend the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

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*(Shri Thaawarchand Gehlot, Minister of Social Justice and Empowerment)*

MGIPMRND—4172LS(S3)—06-12-2019.



## SOCIAL JUSTICE & SPECIAL ASSISTANCE DEPARTMENT

GOVERNMENT OF MAHARASHTRA



### Tribunal

Application for Maintenance [PDF \(70 KB\)](#)

Presiding officer

क्रमांक	जिल्हा	तालुका	पद	टूरंधवनी क्र. (कार्यालय)
1	मुंबई शहर	कुलाबा	उपविभागीय अधिकारी	22664788
2	मुंबई शहर	धारावी	उपविभागीय अधिकारी	22624740
3	मुंबई उपनगर	उपविभागीय अधिकारी पश्चिम उपनगर	उपविभागीय अधिकारी	9122 26556799
4	मुंबई उपनगर	उपविभागीय अधिकारी पुर्व उपनगर	उपविभागीय अधिकारी	9122 26556799
5	ठाणे	ठाणे	उपविभागीय अधिकारी	9122 25345110
6	ठाणे	कल्याण	उपविभागीय अधिकारी	91251 2315124
7	ठाणे	उल्हासनगर	उपविभागीय अधिकारी	91251 2568685
8	ठाणे	भिरंडी	उपविभागीय अधिकारी	912522 254453
9	रायगड	अलिबाग	उपविभागीय अधिकारी	(02141) 224434
10	रायगड	पनवेल	उपविभागीय अधिकारी	(022) 27452328
11	रायगड	माणगांव	उपविभागीय अधिकारी	(02140) 263141

12	रायगड	महाड	उपविभागीय अधिकारी	(02145) 222136
13	रत्नागिरी	रत्नागिरी	उपविभागीय अधिकारी	91-2352-223127
14	रत्नागिरी	चिपळून	उपविभागीय अधिकारी	91-2355-252044
15	रत्नागिरी	दापोली	उपविभागीय अधिकारी	91-2358-282036
16	रत्नागिरी	मंडनगड	उपविभागीय अधिकारी	91-2350-225236
17	रत्नागिरी	खेड	उपविभागीय अधिकारी	91-2356-262031
18	रत्नागिरी	गुहागर	उपविभागीय अधिकारी	91-2359-240237
19	रत्नागिरी	संगमेश्वर	उपविभागीय अधिकारी	91-2354-240024
20	रत्नागिरी	लांजा	उपविभागीय अधिकारी	91-2351-230024
21	रत्नागिरी	राजापूर	उपविभागीय अधिकारी	91-2351-230024
22	सिंधुदुर्ग	सावंतवाडी	उपविभागीय अधिकारी	02362 272029
23	सिंधुदुर्ग	कणकवली	उपविभागीय अधिकारी	02362 232092
24	सिंधुदुर्ग	कुडाळ	उपविभागीय अधिकारी	02362 222525
25	नाशिक	नाशिक	उपविभागीय अधिकारी	2578400
26	नाशिक	इगतपुरी- त्रंबक	उपविभागीय अधिकारी	2315320
27	नाशिक	दिंडोरी पेठ	उपविभागीय अधिकारी	

28	नाशिक	निफाड सिन्नर	उपविभागीय अधिकारी	2550 241152
29	नाशिक	येवला नांदगांव	उपविभागीय अधिकारी	
30	नाशिक	मालेगांव	उपविभागीय अधिकारी	2554 256600
31	नाशिक	कळवण	उपविभागीय अधिकारी	2592222800
32	नाशिक	सटाणा	उपविभागीय अधिकारी	
33	नाशिक	देवळा	उपविभागीय अधिकारी	2556252666
34	धुळे	धुळे	उपविभागीय अधिकारी	288719
35	धुळे	शिरपूर	उपविभागीय अधिकारी	025633 256397
36	नंदुरबार	नंदुरबार	उपविभागीय अधिकारी	02564 210010
37	नंदुरबार	शहादा	उपविभागीय अधिकारी	02565-227733
38	नंदुरबार	तळोदा	उपविभागीय अधिकारी	02567- 232373
39	जळगांव	जळगांव	उपविभागीय अधिकारी	0257 2220868
40	जळगांव	पाचोरा	उपविभागीय अधिकारी	2596 240296
41	जळगांव	अमळनेर	उपविभागीय अधिकारी	2587 223057
42	जळगांव	भुसावळ	उपविभागीय अधिकारी	2582 223192
43	अहमदनगर	नगर	उपविभागीय अधिकारी	0241 2345194

44	अहमदनगर	श्रीरामपूर	उपविभागीय अधिकारी	02422 223775
45	अहमदनगर	संगमनेर	उपविभागीय अधिकारी	02425 225311
46	अहमदनगर	कर्जत	उपविभागीय अधिकारी	02489 222387
47	पुणे	हवेली	उपविभागीय अधिकारी	०१०-२६३३०८३२
48	पुणे	शिरूर	उपविभागीय अधिकारी	०२०-२६१४०४७२
49	पुणे	मुळशी	उपविभागीय अधिकारी	०१०-६१२२३९
50	पुणे	वेल्हा	उपविभागीय अधिकारी	०२०-२६१२१२४७
51	पुणे	पुरंदर	उपविभागीय अधिकारी	०२११५-२२२०७९
52	पुणे	आंबेगांव	उपविभागीय अधिकारी	०२१३३-२२३००४
53	पुणे	खेड	उपविभागीय अधिकारी	०२१३५-२२२०३९
54	पुणे	इंदापूर	उपविभागीय अधिकारी	०२११२-२२४३८५
55	सातारा	सातारा	उपविभागीय अधिकारी	2162 २३४२९५
56	सातारा	कराड	उपविभागीय अधिकारी	०२१६४ २२१३७८
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59	सातारा	कोरेगांव	उपविभागीय अधिकारी	०२१६३ २२१३००

60	सातारा	पाटण	उपविभागीय अधिकारी	2372 २८३१२२
61	सातारा	माण	उपविभागीय अधिकारी	
62	सांगली	मिरज	उपविभागीय अधिकारी	(0233) 2222683
63	सांगली	जत	उपविभागीय अधिकारी	(02344) 246234
64	सांगली	विटा	उपविभागीय अधिकारी	(02347) 272777
65	सांगली	कडेगांव	उपविभागीय अधिकारी	(02347) 243122
66	सांगली	वाळवा	उपविभागीय अधिकारी	(02342) 225673
67	सोलापूर	सोलापूर-1	उपविभागीय अधिकारी	2731009
68	सोलापूर	सोलापूर-2	उपविभागीय अधिकारी	23203385
69	सोलापूर	पंढरपूर	उपविभागीय अधिकारी	02186 22229
70	सोलापूर	मंगळवेळा	उपविभागीय अधिकारी	02187 221955
71	सोलापूर	माढा	उपविभागीय अधिकारी	021833 223261
72	सोलापूर	माळशिरस	उपविभागीय अधिकारी	02185 223332
73	कोल्हापूर	पन्हाळा	उपविभागीय अधिकारी	
74	कोल्हापूर	इचलकरंजी	उपविभागीय अधिकारी	0230 2436787
75	कोल्हापूर	करवीर	उपविभागीय अधिकारी	2523337

76	कोल्हापूर	राधानगरी	उपविभागीय अधिकारी	2659135
77	ओरंगाबाद	ओरंगाबाद	उपविभागीय अधिकारी	0240:232410
78	ओरंगाबाद	पैठण-फुलंब्री	उपविभागीय अधिकारी	0240: 248829
79	ओरंगाबाद	वैजापूर	उपविभागीय अधिकारी	02436:222062
80	ओरंगाबाद	सिल्लोड	उपविभागीय अधिकारी	02430:22217
81	ओरंगाबाद	कन्नड	उपविभागीय अधिकारी	02435: 222322
82	जालना	जालना	उपविभागीय अधिकारी	220117
83	जालना	अंबड	उपविभागीय अधिकारी	02483-221026
84	जालना	परतुर	उपविभागीय अधिकारी	02484-221001
85	जालना	भोकरदन	उपविभागीय अधिकारी	02485-244600
86	परभणी	परभणी	उपविभागीय अधिकारी	
87	परभणी	सैलू	उपविभागीय अधिकारी	
88	परभणी	गंगाखेड	उपविभागीय अधिकारी	
89	परभणी	पाथरी	उपविभागीय अधिकारी	
90	हिंगोली	हिंगोली	उपविभागीय अधिकारी	02456-221452
91	हिंगोली	वसमत	उपविभागीय अधिकारी	02454-221016

92	बीड	बीड	उपविभागीय अधिकारी	222273
93	बीड	अंबाजोगाई	उपविभागीय अधिकारी	247075
94	नांदेड	कंधार (प्रभारी)	उपविभागीय अधिकारी	02466-223051
95	नांदेड	भोक्नर	उपविभागीय अधिकारी	02467-223884
96	नांदेड	हटगांव (प्रभारी)	उपविभागीय अधिकारी	02468-222099
97	नांदेड	किनवट	उपविभागीय अधिकारी	02469-222228
98	नांदेड	देगलूर	उपविभागीय अधिकारी	02463-255033
99	नांदेड	धर्माबाद	उपविभागीय अधिकारी	2465-244279
100	उस्मानाबाद	उस्मानाबाद	उपविभागीय अधिकारी	02472-224545
101	उस्मानाबाद	भूम	उपविभागीय अधिकारी	02478-272006
102	उस्मानाबाद	कळंब	उपविभागीय अधिकारी	02473-263254
103	उस्मानाबाद	उमरगा	उपविभागीय अधिकारी	02475-251251
104	लातूर	औसा-रेणापूर	उपविभागीय अधिकारी	
105	लातूर	निलंगा	उपविभागीय अधिकारी	
106	लातूर	अहमदपूर	उपविभागीय अधिकारी	
107	लातूर	उदगीर	उपविभागीय अधिकारी	

108	बुलढाणा	बुलढाणा	उपविभागीय अधिकारी	०७२६२ २४२३९१
109	बुलढाणा	मेहकर	उपविभागीय अधिकारी	०७२६८ २२४५३२
110	बुलढाणा	मलकापूर	उपविभागीय अधिकारी	०७२६७ २२२१२२
111	बुलढाणा	खामगांव	उपविभागीय अधिकारी	०७२६३ २५२०४७
112	बुलढाणा	जळगांव-जामोद	उपविभागीय अधिकारी	०७२६६ २२१४२९
113	अकोला	अकोला	उपविभागीय अधिकारी	०७२४- २४२३९१
114	अकोला	मुर्तिजापूर	उपविभागीय अधिकारी	०७२४८- २४३४७२
115	अकोला	बाळापूर	उपविभागीय अधिकारी	०७२४३- २२२१३३
116	अकोला	अकोट	उपविभागीय अधिकारी	०७२५८- २२२६७४
117	वाशिम	वाशिम	उपविभागीय अधिकारी	०७२५२ - २३२०८२
118	वाशिम	मंगरुळपीर	उपविभागीय अधिकारी	०७२५३ - २३०२३६
119	अमरावती	अमरावती	उपविभागीय अधिकारी	(०७२१-२५६५०२३)
120	अमरावती	धारणी	उपविभागीय अधिकारी	(०७२६-२२४२११)
121	अमरावती	चांदुर रेल्वे	उपविभागीय अधिकारी	(०७२२-२५४०२४)
122	अमरावती	अचरपूर	उपविभागीय अधिकारी	(०७२३-२२७२००)
123	अमरावती	मोर्शी	उपविभागीय अधिकारी	(०७२८-२२२२२१)

124	अमरावती	दर्यापूर	उपविभागीय अधिकारी	(0724-234226)
125	अमरावती	भातकुली	उपविभागीय अधिकारी	(0721-2664328)
126	यवतमाळ	यवतमाळ	उपविभागीय अधिकारी	07232 - 244237
127	यवतमाळ	दारव्हा	उपविभागीय अधिकारी	07238 - 254162
128	यवतमाळ	पुरद	उपविभागीय अधिकारी	07233 - 246074
129	यवतमाळ	उमरेखड	उपविभागीय अधिकारी	07231 - 237238
130	यवतमाळ	केळापूर	उपविभागीय अधिकारी	07235 - 227530
131	यवतमाळ	वणी	उपविभागीय अधिकारी	07239 - 225356
132	वर्धा	वर्धा	उपविभागीय अधिकारी	2425 61
133	वर्धा	हिंगणघाट	उपविभागीय अधिकारी	244080
134	वर्धा	अर्वा	उपविभागीय अधिकारी	222028
135	नागपूर	नागपूर शहर	उपविभागीय अधिकारी	0712 2560048
136	नागपूर	नागपूर ग्रामीण	उपविभागीय अधिकारी	0712 252064
137	नागपूर	श्रीरामपूर	उपविभागीय अधिकारी	07116-24217
138	नागपूर	रामटेक	उपविभागीय अधिकारी	07114-25530
139	नागपूर	मौदा	उपविभागीय अधिकारी	07115-28110

140	नागपूर	सावनेर	उपविभागीय अधिकारी	07113-232227
141	नागपूर	काटोल	उपविभागीय अधिकारी	07112-222040
142	भंडारा	भंडारा	उपविभागीय अधिकारी	7184 252372
143	भंडारा	साकोती	उपविभागीय अधिकारी	7186 236136
144	भंडारा	तुमसर	उपविभागीय अधिकारी	07183 232286
145	गोंदिया	गोंदिया	उपविभागीय अधिकारी	7182236789
146	गोंदिया	टेवरी	उपविभागीय अधिकारी	7199225273
147	गोंदिया	चंद्रपूर	उपविभागीय अधिकारी	०७१७२-२५१४०९
148	चंद्रपूर	मुल	उपविभागीय अधिकारी	०७१७४-२२०३१०
149	चंद्रपूर	गोडपिपरी	उपविभागीय अधिकारी	०७१७०-२२००४०
150	चंद्रपूर	वरोरा	उपविभागीय अधिकारी	०७१७६-२८२०१६
151	चंद्रपूर	चिमुर	उपविभागीय अधिकारी	०७१७०-२६५०५५
152	चंद्रपूर	राजुरा	उपविभागीय अधिकारी	०७१७३-२२२१२३
153	चंद्रपूर	ब्रह्मपूरी	उपविभागीय अधिकारी	०७१७७-२७२०२८
154	गडचिरोली	गडचिरोली	उपविभागीय अधिकारी	07132 233015
155	गडचिरोली	वडसा	उपविभागीय अधिकारी	07133 272041

156	गडचिरोली	एटापल्ली	उपविभागीय अधिकारी	071 272041
157	गडचिरोली	चामोर्शी	उपविभागीय अधिकारी	7060731408
158	पालघर	पालघर	उपविभागीय अधिकारी	०२५२५-२५४९३०
159	पालघर	डहाणू	उपविभागीय अधिकारी	०२५२५-२२११८२
160	पालघर	वसई	उपविभागीय अधिकारी	०२५०-२३२२००७
161	पालघर	जव्हार	उपविभागीय अधिकारी	०२५२९-२५६६२६
162	पालघर	वाडा	उपविभागीय अधिकारी	०२५२६-२७१४२३

#### Appellate Officer

क्रमांक	नाव	जिल्हा	दूरध्वनी क्र. (कार्यालय)	ई-मेल
1	श्रीमती. अश्वीनी मधुकर जोशी	मुंबई शहर	०२२-२२६६२४४०	collector[dot]mumbaicity[at]maharashtra[dot]gov.in
2	श्री दिपेंद्रसिंह कुशवाह	मुंबई उपनगर जिल्हा	०२२-२६५१४७४२	collector[dot]mumbaisuburb[at]maharashtra[dot]gov.in
3	डॉ.महेंद्र कल्याणकर	ठाणे	०२२-२५३४४०४१	collector[dot]thane[at]maharashtra[dot]gov.in
4	श्रीमती.शितल शहाजीराव उगले	रायगड	०२१४१-२२२००१, २२२११८	collector[dot]raigad[at]maharashtra[dot]gov.in
5	श्री प्रभाकर प्रदीप	रत्नागिरी	०२३५२-२२२३०१	collector[dot]ratnagiri[at]maharashtra[dot]gov.in
6	श्री. उदय चौधरी	सिंधुदुर्ग	०२३६२-२२८८४४	collector[dot]sindhudurg[at]maharashtra[dot]gov.in

7	श्री. राधाकृष्ण बी.	नाशिक	०२५३-२५७८५००, २५७८७००	collector[dot]nashik[at]maharashtra[dot]gc
8	श्री. दिलीप पांडरपट्टे	धुळे	०२५६२-२८८७०९	collector[dot]dhule[at]maharashtra[dot]gc
9	श्री. एम.एस. कालशेटी	नंदुरबार	०२५६४-२२१००९	collector[dot]nandurbar[at]maharashtra[dot]gc
10	श्रीमती रुबल अग्रवाल	जळगाव	०२५७-२२२०४००, २२४२४००	collector[dot]jalgaon[at]maharashtra[dot]gc
11	श्री. आ. म. कावडे	अहमदनगर	०२४१-२३४५००९	collector[dot]ahmednagar[at]maharashtra[dot]gc
12	श्री सौरभ राव	पुणे	०२०-२६११४९४९	collector[dot]pune[at]maharashtra[dot]gc
13	श्री अश्वनी मुदगल	सातारा	०२१६२-२३२७५०	collector[dot]satara[at]maharashtra[dot]gc
14	श्री. शेखर गायकवाड	सांगली	०२३३-२३७३००९	collector[dot]sangli[at]maharashtra[dot]gc
15	श्री. रणजित कुमार	सोलापूर	०२१७-२७३१०००	collector[dot]solapur[at]maharashtra[dot]gc
16	डॉ. अमित सैनी	कोल्हापूर	०२३१-२६५४८११, २६६६७५१	collector[dot]kolhapur[at]maharashtra[dot]gc
17	डॉ. निधी पांडे	औरंगाबाद	०२४०-२३३१२००	collector[dot]aurangabad[at]maharashtra[dot]gc
18	श्री. एस.आर.जॉधळे	जालना	०२४८२-२२४७००	collector[dot]jalna[at]maharashtra[dot]gc
19	श्री राहूल रंजन महिवाल	परभणी	०२४५२-२२३५५५	collector[dot]parbhani[at]maharashtra[dot]gc
20	श्री अनिल भंडारी	हिंगोली	०२४५६-२२१७०९	collector[dot]hingoli[at]maharashtra[dot]gc
21	श्री नवल किशोर राम	बीड	०२४४२-२२२२०९	collector[dot]beed[at]maharashtra[dot]gc
22	श्री सुरेश मन्नालालजी काकानी	नांदेड	०२४६२-२३७१०९	collector[dot]nanded[at]maharashtra[dot]gc
23	डॉ. प्रशांत नारनवरे	उस्मानाबाद	०२४७२-२२४५०९	collector[dot]osmanabad[at]maharashtra[dot]gc

24	श्री पांडूरंग फोले	लातूर	०२३८२-२४३००१	collector[dot]latur[at]maharashtra[dot]gov.in
25	डॉ विजय झाडे	बुलढाणा	०७२६२-२४२३०७	collector[dot]buldhana[at]maharashtra[dot]gov.in
26	श्री. जी.श्रीकांत	अकोला	०७२४-२४२४४४२	collector[dot]akola[at]maharashtra[dot]gov.in
27	श्री.राहूल विद्वेदी	वाशिम	०७२५२-२३३४००	collector[dot]washim[at]maharashtra[dot]gov.in
28	श्री किरण कुमार गिते	अमरावती	०७२१-२६६२५२२	collector[dot]amravati[at]maharashtra[dot]gov.in
29	श्री सचिन्द्र प्रताप सिंह	यवतमाळ	०७२३२-२४२५०९	collector[dot]yavatmal[at]maharashtra[dot]gov.in
30	श्री शैलेश नवाल	वर्धा	०७१५२-२४०९०२	collector[dot]wardha[at]maharashtra[dot]gov.in
31	श्री सचिन कुर्वे	नागपूर	०७१२-२५६४९७३	collector[dot]nagpur[at]maharashtra[dot]gov.in
32	डॉ. अभिजीत विश्वनाथ चौधरी	भंडारा	०७१८४-२५४५५५, २५४७७७	collector[dot]bhandara[at]maharashtra[dot]gov.in
33	श्री. ए. आर. काळे	गोंदिया	०७१८२-२३६१४९	collector[dot]gondia[at]maharashtra[dot]gov.in
34	श्री आशुतोष सलिल	चंद्रपुर	०७१७२-२५५३००	collector[dot]chandrapur[at]maharashtra[dot]gov.in
35	श्री ए.एस.आर. नायक	गडचिरोली	०७१३२-२२२००९	collector[dot]gadchiroli[at]maharashtra[dot]gov.in
36	श्री.अभिजीत सुधाकर बांगर	पालघर	०२५२५-२५३१११	collector[dot]palghar[at]maharashtra[dot]gov.in

#### Maintenance Officer

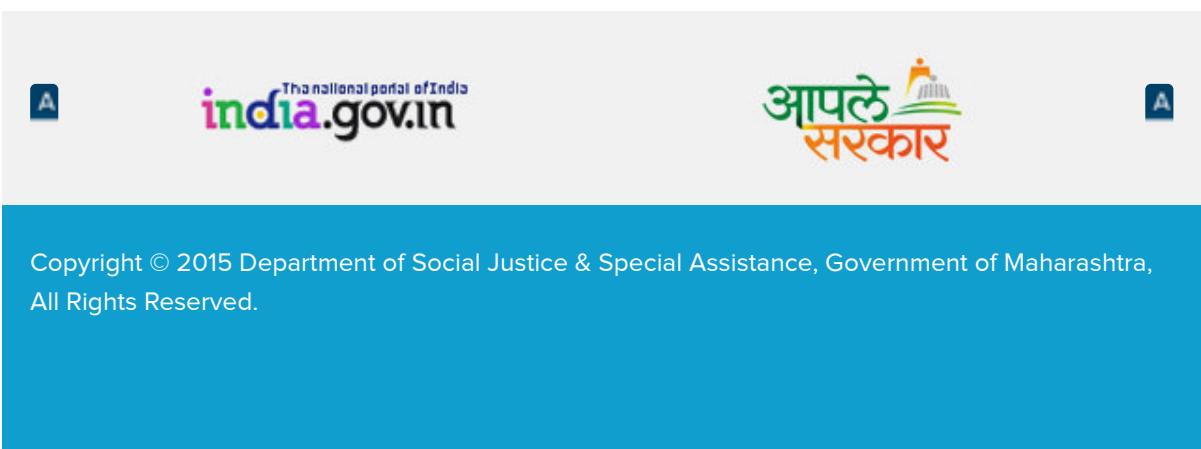
अ.क्र	जिल्हा	निर्वाह अधिकारी	पुर्ण पत्ता फोन नं. ईमेल
1	मुंबई शहर	सहाय्यक आयुक्त, समाज कल्याण, मुंबई शहर	सहाय्यक आयुक्त, समाज कल्याण, मुंबई शहर(प्रशासकिय इमार 1, चौथा मजला, आर.सी.मार्ग, चैंबूर, मुंबई 400071) ०२२-2527507. mumbaicityspldswo@yahoo.com
2	मुंबई उपनगर	सहाय्यक आयुक्त, समाज कल्याण, मुंबई उपनगर	सहाय्यक आयुक्त, समाज कल्याण, मुंबई उपनगर ०२२-25222023. spldswo_mumsub@yahoo.co.in

3	ठाणे	सहाय्यक आयुक्त, समाज कल्याण,ठाणे	सहाय्यक आयुक्त, समाज कल्याण, ठाणे (5 वा मजला,जिल्हाधि इमारत,कोर्ट नाका,ठाणे(प.) ०२२-२५३४१३५९  asstcomsj.thane@maharashtra.gov.in/acswthane15@gm
4	रत्नागिरी	सहाय्यक आयुक्त, समाज कल्याण,रत्नागिरी	सहाय्यक आयुक्त, समाज कल्याण, रत्नागिरी (डॉ.बाबासाहेब आंबे सामाजिक न्याय भवन,कुवारबांव) ०२३५२-२३०९५७  acsworatnagiri@gmail.com
5	रायगड	सहाय्यक आयुक्त, समाज कल्याण,रायगड	
6	सिंधुदूर्ग	सहाय्यक आयुक्त, समाज कल्याण,सिंधुदूर्ग	सहाय्यक आयुक्त, समाज कल्याण, सिंधुदूर्ग  ०२३६२-२२८८८२. spswo-sindhudurg@mhsj.gov.in
7	पालघर	सहाय्यक आयुक्त, समाज कल्याण,पालघर	
8	नाशिक	सहाय्यक आयुक्त, समाज कल्याण,नाशिक	सहाय्यक आयुक्त, समाज कल्याण, नाशिक(डॉ.बाबासाहेब आंबेडकर सामाजिक न्याय भवन,बी-विंग,दुसरा मजला,नासही पुला जवळ,ना रोड,नाशिक-४२२०११) फोन नं. ०२५३-२२३६०५९  dswonashik@gmail.com
9	धुळे	सहाय्यक आयुक्त, समाज कल्याण,धुळे	सहाय्यक आयुक्त, समाज कल्याण, धुळे  ०२५६२-२४१८१२. s.d.s.w.o.dhule@gmail.com
10	जळगांव	सहाय्यक आयुक्त, समाज कल्याण,जळगांव	सहाय्यक आयुक्त, समाज कल्याण, जळगाव (डॉ.बाबासाहेब आंबे सामाजिक न्याय भवन,मायादेवी मंदिरा समोर,महाबळ रोड जळगांव)०२५९-२२६३३२८. dswojalgaon5@gmail.com
11	नंदुरबार	सहाय्यक आयुक्त, समाज कल्याण,नंदुरबार	
12	अहमदनगर	सहाय्यक आयुक्त, समाज कल्याण,अहमदनगर	सहाय्यक आयुक्त, समाज कल्याण, अ.नगर(अभिविश्व कॉम्पलेक्स,बोल्हेगाव फाटा,नगर मनमाड रोड नागपूर अहमदनग र नं. ०२४१-२३२९३७८  asstcomsw.ahmednagar@maharashtra.gov.in
13	पुणे	सहाय्यक आयुक्त, समाज कल्याण,पुणे	सहाय्यक आयुक्त, समाज कल्याण, पुणे (पी.एम.टी.इमारत,कामऱ न्यायालयाच्या वर,2 रा मजला स्वारगेट,पुणे-४२

			०२०-24456336spldswo@gmail.com
14	सातारा	सहाय्यक आयुक्त, समाज कल्याण,सातारा	सहाय्यक आयुक्त, समाज कल्याण, सातारा (समाज कल्याण संकुल, 409/9 ब, सदरबङ्गार सातारा 415001 फोन नं. ०२१६२-२३८८०८४४ संकुल, 409/9 ब, सदरबङ्गार सातारा 415001 फोन नं. ०२१६२-२३८८०८४४ sdswo@satara@gmail.com)
15	सांगली	सहाय्यक आयुक्त, समाज कल्याण,सांगली	
16	सोलापूर	सहाय्यक आयुक्त, समाज कल्याण,सोलापूर	
17	कोल्हापूर	सहाय्यक आयुक्त, समाज कल्याण,कोल्हापूर	सहाय्यक आयुक्त, समाज कल्याण, कोल्हापूर 2651318sdswoko@gmail.com
18	अमरावती	सहाय्यक आयुक्त, समाज कल्याण,अमरावती	सहाय्यक आयुक्त, समाज कल्याण, अमरावती (डॉ.बाबासाहेब आंसामाजिक न्याय भवन, चांदुर रोड, अमरावती) ०७२१-२६६१२६१. speldswo_amt@rediffmail.com
19	अकोला	सहाय्यक आयुक्त, समाज कल्याण,अकोला	सहाय्यक आयुक्त, समाज कल्याण, अकोला(मा.जिल्हाधिकारी,क परिसर,प्रशासकिय इमारत दुसरा माळा,अकोला)०७२४-२४२६४३८ sdswo_alk@rediffmail.com
20	वाशिम	सहाय्यक आयुक्त, समाज कल्याण,वाशिम	
21	बुलढाणा	सहाय्यक आयुक्त, समाज कल्याण,बुलढाणा	
22	यवतमाळ	सहाय्यक आयुक्त, समाज कल्याण,यवतमाळ	सहाय्यक आयुक्त, समाज कल्याण, यवतमाळ ०७२३२-२४२०३५. spldsw.yml@gmail.com
23	नागपूर	सहाय्यक आयुक्त, समाज कल्याण,नागपूर	सहाय्यक आयुक्त, समाज कल्याण, नागपूर(डॉ.बाबासाहेब आंबेडकर सामाजिक न्याय भवन, शासकिय आय.टी.आय.समोर, श्रद्धानंदपेट नागपूर-२२) ०७१२-२५५५१७८sdsw.nagpur@gmail.com
24	वर्धा	सहाय्यक आयुक्त, समाज कल्याण,वर्धा	सहाय्यक आयुक्त, समाज कल्याण, वर्धा(सामाजिक न्याय भवन सेवाग्राम रोड वर्धा) ०७१५२-२४३३३१. Sdsw.१२३wrd@gmail.c

25	भंडारा	सहाय्यक आयुक्त, समाज कल्याण,भंडारा	
26	गोंदिया	सहाय्यक आयुक्त, समाज कल्याण,गोंदिया	सहाय्यक आयुक्त, समाज कल्याण, गोंदिया  ०७१८२-२३४११७, acswgondia@gmail.com
27	चंद्रपूर	सहाय्यक आयुक्त, समाज कल्याण,चंद्रपूर	सहाय्यक आयुक्त, समाज कल्याण, चंद्रपूर  ०७१७२-२५३१९८. chasdsws@gmail.com
28	गडचिरोली	सहाय्यक आयुक्त, समाज कल्याण,गडचिरोली	सहाय्यक आयुक्त, समाज कल्याण, गडचिरोली  ०७१३२-२२२१९२. sdswo@gmail.com
29	औरंगाबाद	सहाय्यक आयुक्त, समाज कल्याण,औरंगाबाद	सहाय्यक आयुक्त, समाज कल्याण, औरंगाबाद  डॉ. बाबासाहेब आंबेडकर सामाजिक न्याय भवन , खोडकरपूर, शिंत हायस्कूल जवळ, औरंगाबाद, ०२४०-२४०२३९१  spldswoaurangabad@yahoo.com
30	जालना	सहाय्यक आयुक्त, समाज कल्याण,जालना	
31	बीड	सहाय्यक आयुक्त, समाज कल्याण,बीड	सहाय्यक आयुक्त, समाज कल्याण, बीड, डॉ.बाबासाहेब आंबेडकर,सामाजिक न्याय भवन, नगर रोड, बीड  ०२४४२-२२२६७२  spldswo_beed@yahoo.in/acswbeed22@gmail.com
32	परभणी	सहाय्यक आयुक्त, समाज कल्याण,परभणी	सहाय्यक आयुक्त, समाज कल्याण, परभणी डॉ.बाबासाहेब आंबेडकर सामाजिक न्याय भवन,जायकवाडी वसाहत परभणी, फोन नं. ०२४५२-२२०५९५. spldswo_parbhani@yahoo.co.in
33	लातूर	सहाय्यक आयुक्त, समाज कल्याण,लातूर	सहाय्यक आयुक्त, समाज कल्याण, लातूर(मध्यवर्ती प्रशाकिय इमारत,लातूर)०२३८२-२५८४८५. acswlatur@gmail.com
34	नांदेड	सहाय्यक आयुक्त, समाज कल्याण,नांदेड	सहाय्यक आयुक्त, समाज कल्याण, नांदेड  ०२४६२-२८५४७७.acswnanded@gmail.com
35	हिंगोली	सहाय्यक आयुक्त, समाज	

		कल्याण,हिंगोली	
36	उस्मानाबाद	सहार्यक आयुक्त, समाज कल्याण,उस्मानाबाद	



**The Maintenance and Welfare of Parents and Senior Citizens' Act,**

**Applicant for Maintenance**

Name of Applicant: \_\_\_\_\_

First

Middle Name

Last

Address:

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Pin Code: \_\_\_\_\_

Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Nationality: \_\_\_\_\_

Last Occupation / Profession last held by applicant: \_\_\_\_\_

Last salary earned: \_\_\_\_\_

Full Name of Respondent: \_\_\_\_\_

Address of Respondent: \_\_\_\_\_

\_\_\_\_\_

Relationship with applicant: \_\_\_\_\_

Occupation of Respondent: \_\_\_\_\_

Projected /Estimated income of the Respondent: \_\_\_\_\_

Number of Dependents relying on the income of the respondent: \_\_\_\_\_

Details of All Children of applicant:

Detail of Spouse: \_\_\_\_\_ Deceased/Separated/Residing with applicant

Medical ailments (if any): \_\_\_\_\_

Details of Property Owned: \_\_\_\_\_

Total Gross Income from the Property Owned: Rs. \_\_\_\_\_

Whether abandoned or not (with Details): \_\_\_\_\_

Whether any Property was transferred: Yes / No

If yes, details of the same: \_\_\_\_\_

\_\_\_\_\_

Form A

**Declaration:** I do hereby, state on solemn affirmation that I am unable to support myself out of my own income, savings and assets and therefore require maintenance and support from the respondent, subject to the conditions mentioned herein:

I am not receiving any maintenance from any other sources.

I state that there are no proceedings before this tribunal in respect of this matter, nor any case pending before any Magistrate filed under sec. 125 of the Code of Criminal Procedure, 1973.

I state that the above information is true to the best of my knowledge and belief.

THIS APPLICATION IS FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ IN THE YEAR, \_\_\_\_\_  
AT \_\_\_\_\_

Signature of Applicant

---

Acknowledgement Receipt No.

Shri/Smt. \_\_\_\_\_

Full Address: \_\_\_\_\_  
\_\_\_\_\_

Tel. No. / Mobile No. \_\_\_\_\_

Your Application No \_\_\_\_\_ of \_\_\_\_\_ is received by THE MAINTENANCE TRIBUNAL FOR  
PARENTS AND SENIOR CITIZENS.

At \_\_\_\_\_ and its registration number for further reference is \_\_\_\_\_

Presiding Officer.