



**GOVERNMENT OF HARYANA
FINANCE DEPARTMENT**

**The Punjab Civil Service Rules
Volume - II**

(As applicable to Haryana State)

(Amendments incorporated upto 31st March, 2015)

**Rules relating to Pension, Death-cum-Retirement Gratuity,
Commutation of Pension & Family Pension.**

PREFACE

This is an updated compilation of Punjab Civil Services Rules, Volume-II, as applicable in Haryana State. All the amendments made after last re-print/edition, i.e. during the period between 1st March, 1992 and 31st March, 2015 have been incorporated in the respective rule of this Volume. The notification number and date vide which the amendment(s) were made after last re-print have also been given in footnote(s) below the respective rule. Whenever any amendment is made in future the same will also be incorporated in the relevant rule to make available updated copy of the rules.

Presently, the existing rules are under revision, once these rules are finalized, the same will be published in the form of Haryana Civil Services (Pension) Rules and will be uploaded on the website of Finance Department, Haryana i.e. www.finhry.gov.in.

If any error or omission is found in this Volume the same may please be brought to the notice of Finance Department (FR Branch), Haryana Civil Secretariat, Chandigarh so that the same can be corrected.

Dated : 24th April, 2015.

P. K. DAS
Principal Secretary to Government, Haryana,
Finance Department.

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THE PUNJAB CIVIL SERVICES RULES VOLUME - II

A - PRELIMINARY

CHAPTER - I

EXTENT OF APPLICATIONS AND DEFINITIONS

SECTION - I

EXTENT OF APPLICATION

- 1.1(a) Except as provided otherwise in any rule or rules, the rules in this part regulate the grant of pensions to the Government employees to whom the rules in Volume I of these Rules apply (vide Chapter I of that Volume).
- (b) Subject to the provisions of clause (a) above, a Government employee transferred to a service or post to which the rules in this part apply, from a service or post to which they do not apply, becomes subject to these rules: provided that it shall be open to him, within six months of the date of transfer, or, if he is on leave on that date, within six months of his return from leave, to elect to be governed by the pension rules to which he was subject immediately before the date of transfer. The intention of exercising this option must be specifically declared to the Government. The option once exercised shall be final.

Note.— *The Administrative authority concerned should clearly bring to the notice of the officer concerned the provision of this clause while issuing the order of confirmation of such a Government employee under the Haryana Government.*

- (c) *Deleted.*
- (d) (i) Unless the contrary appears from the context, the provisions of rules 1.5 to 1.8 of Volume I of these rules apply mutatis mutandis to the rules in this part also.
- (ii) In any case in which pension or gratuity is not admissible under any of the specific provision of these rules, a competent authority may grant a pension which shall not, save in the most exceptional circumstances, exceed Rs. 25 a month, or a gratuity not exceeding the equivalent value of such pension calculated in accordance with the table prescribed under rule 11.5, provided that the general spirit of the rules is observed.
- (iii) When special circumstances appear to justify a departure from the rules laid down regarding "ordinary pensions" it is generally desirable that the allowance granted should be an arbitrarily fixed sum rather than any exact proportion of the amount to which it might be supposed that the rules afford a claim.

Note 1.— *A departure from the rules is not justifiable, save in cases of very exceptional and distinguished service. Mere length of service, however, faithfully performed, is not in itself a sufficient ground for exceptional rewards. Recommendations for relaxation of any rule in the favour of individuals should, therefore, be extremely rare and should be restricted to cases of most exceptional, merit, in which the service has been of a nature not ordinarily falling within the duty that may be expected from a Government employee, who has been promoted to the highest position in his department, i.e. only to cases in which a Government employee, besides having shown very distinguished merit, has discharged successfully duties which while falling to him in the course of his official work*

were so exceptional and exacting that they could not ordinarily and reasonably be regarded as forming part of the normal duties of his post.

Note 2.— *Until the orders of the competent authority are received, a recommendation for any special indulgence should never be communicated, directly or indirectly, to the Government employee concerned.*

Note 3.— *See also Notes 1 and 2 below rule 8.1.*

1.1-A In these rules unless context otherwise requires, the expression "the Haryana Government" or any reference to that Government by whatever form of words, —

- (a) as respects any period before the 1st November, 1966, shall, as the case may be, mean the Government of the State of Punjab as it existed before that date or be construed as a reference to that Government; and
- (b) as respects any period on or after the 1 November, 1966, shall, as the case may be, mean the Government of the State of Haryana or be construed as a reference to that Government.

1.2 to 1.2-C - Deleted.

SECTION - II

DEFINITIONS

1.3 The terms defined in Chapter II of Volume I of these rules have, unless there is anything repugnant in the subject or context, the same meaning and implications when used in this part.

Note.— *Unless the contrary appears from the context or subject the term "pay" (defined in Rule 2.44 of Volume I of these rules) does not include "special pay" when used in this part.*

ANNEXURE - Deleted.

B - ORDINARY PENSIONS
CHAPTER - II
GENERAL PROVISIONS RELATING TO GRANT OF PENSIONS
SECTION - I
GENERAL

2.1 Every pension shall be held to have been granted subject to the conditions contained in Chapter VII of these rules.

2.2 (a) Future good conducts is an implied condition of every grant of a pension. The appointing authority reserves to itself the right of withholding or withdrawing a pension or any part of it if the pensioner be convicted of serious crime or is guilty of grave misconduct.

The decision of the appointing authority on any question of withholding or withdrawing the whole or any part of pension under this rule shall be final and conclusive.

Note 1.— *A claim against the Government employee may become known and the question of making recovery may arise—*

(a) When the calculation of pension is being made and before the pension is actually sanctioned; or

(b) after the pension has been sanctioned.

The claim and the recovery may be one or other of the following categories:-

(1) Recovery as a punitive measure in order to make good loss caused to Government as a result of negligence or fraud on the part of the person concerned while he was in service.

(2) Recovery of other Government dues such as over issues of pay, allowances or leave salary, or admitted and obvious dues such as house rent, postal life insurance premia, outstanding motor car, house building, travelling allowance or other advances.

(3) Recovery of non-Government dues.

I. *In cases falling under:-*

(a) above, none of the recoveries mentioned in (1) to (3) above may be effected by a reduction of the pension about to be sanctioned except in the following circumstances:-

(i) When an officer's service can be held to have been not thoroughly satisfactory, a reduction in the amount of pension may be made under rule 6.4 (b) of this Volume by a competent authority although no direct penal recovery from pension is permissible.

(ii) When the pensioner by request made or consent given has agreed that the recovery may be made. If such request is not made or consent is not given by the pensioner, even sums admittedly due to Government such as house rent, outstanding advances, etc., may not be recovered from pension. In such cases, however, the executive authorities concerned would have to consider whether they should not try to effect the recovery otherwise than from pension, for example, by going to a court of law, if necessary.

II. *In cases falling under (b) above, none of the recoveries described in clauses (1) to (3) may be effected by the deduction from a pension already sanctioned except at the*

request or with the express consent of the pensioner. Under rule 2.2 (a) of this Volume, future good conduct is an implied condition of every grant of a pension and a pension can be withheld or withdrawn in whole or in part if the pensioner is convicted of serious crime or is guilty of grave misconduct. This, however, refers only to crime or misconduct occurring after the pensioner has retired from service, and the rule would not, therefore, cover a reduction of pension made for the purpose of retrieving loss caused to Government as a result of negligence or fraud on the part of the pensioner occurring before he had retired from service.

In cases where the pensioner does not agree to recovery being made even of sums admittedly due to Government, the concluding remarks under I (ii) above will also be applicable.

Heads of offices should see that the pay or leave salary prior to retirement shall not be paid until it is clear that a retiring Government employee has no outstanding dues to Government. Sometimes, it may not be practicable to ascertain in time all the outstanding dues, while sometimes dues may exceed the amount of last pay or leave salary. In such cases, it is the duty of the Heads of Offices (in consultation with Treasury Officers and Accountant General, Haryana in the case of Gazetted Officers) to bring promptly to the notice of the Accountant General, Haryana, all the outstanding amounts by a separate communication, stating in detail the nature of recovery and why it has not been possible to effect it from last pay or leave salary. The outstanding amounts should also be clearly and completely noted in the last pay certificates in sufficient detail with reference to the previous correspondence with the Accountant General, Haryana and if the recovery is to be effected from pension, it should be clearly recorded on the last pay certificate itself that the request or express consent of the pensioner in writing to the recovery from his pension has been obtained.

Note 2.— *Although compassionate allowance is of the nature of an ex-gratia payment it is really a form of pension, therefore, recoveries from it, once it is sanctioned, should be governed by the above orders.*

Direct recovery of Government dues from compassionate allowance is not permissible under these orders, but recovery may be made indirectly (before the allowance is sanctioned) by reducing the allowance either permanently or as a temporary measure.

Note 3.— *Strictly speaking under the orders no recovery of amount is permissible from pension but if final recovery has been made it need not be refunded to the pensioner concerned.*

- (b) The Government further reserve to themselves the right of withholding or withdrawing a pension or any part of it, whether permanently or for a specified period and the right of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to Government, if the pensioner is found in departmental or judicial proceedings, to have been guilty of grave misconduct or to have caused pecuniary loss to Government by misconduct or negligence, during his service including service rendered on re-employment after retirement.

Provided that—

- (1) such departmental proceedings, if instituted while the officer was in service whether before his retirement or during his re-employment shall after the final retirement of the officer, be deemed to be a proceeding under this rule and shall be continued and concluded by the authority by which it was commenced in the same manner and as if the officer had continued in service,

- (2) such departmental proceedings, if not instituted while the officer was on duty either before retirement or during re-employment—
 - (i) shall not be instituted save with the sanction of the Government;
 - (ii) shall be in respect of an event which took place not more than four years before the institution of such proceedings; and
 - (iii) shall be conducted by such authority and at such place or places as the Government may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could be made;
- (3) such judicial proceedings, if not instituted while the officer was on duty either before his retirement or during his re-employment, shall be instituted in respect of an event as is mentioned in clause (ii) of proviso (2); and
- (4) The Public Service Commission shall be consulted before final orders are passed.

Explanation.— For the purpose of this rule:-

- (1) *Departmental proceedings shall be deemed to have been instituted when the charges framed against the pensioner are issued to him or, if the officer has been placed under suspension from an earlier date, on such date; and*
- (2) *Judicial proceedings shall be deemed to have been instituted—*
 - (i) *in the case of criminal proceeding, on the date on which the complaint is made or a challan is submitted to a criminal court; and*
 - (ii) *in the case of civil proceeding, on the date on which the plaint is presented or, as the case may be, an application is made to civil court.*

Note 1.— As soon as proceedings of the nature referred to in the above rule are instituted, the authority which institutes such proceedings should without delay intimate the fact to the Accountant General.

Note 2.— In a case in which a pension as such is not withheld or withdrawn, but the amount of any pecuniary loss caused to Government is ordered to be recovered from the pension, the recovery should not ordinarily be made at a rate exceeding one-third of the gross pension originally sanctioned including any amount which may have been commuted.

SECTION - II

CASES IN WHICH CLAIMS ARE INADMISSIBLE

2.3 A competent authority may rule that the service of any class of Government employees does not qualify for pension.

Note 1.— Service in Dak Bangalow and District Garden establishments does not qualify.

Note 2.— Posts of Patwaris have been declared pensionable with effect from 1st August, 1949.

2.4 In the following cases no claim to pension is admitted:-

- (a) When a Government employee is appointed for a limited time only, or for a specified duty, on the completion of which he is to be discharged.
- (b) When a person is employed temporarily on monthly wages without specified limit of time or duty; but a month's notice of discharge should be given to such a person and his wages must be paid for any period by which such notice falls short of a month.

- (c) When a person's whole-time is not retained for the public service, but he is merely paid for work done, such as Government Pleaders and Law Officers not debarred from private practice.
- (d) When a public servant holds some other pensionable office, he earns no pension in respect of an office of the kind mentioned in clause (c) or in respect of duties paid for by a compensatory allowance.
- (e) When a Government employee serves under an agreement which contains no stipulation regarding pension, unless the competent authority specially authorizes him to count such service towards pension.

Note.— *The agreements should be so worded as to preserve the inviolate and indefeasible right of Government to modify the rules from time to time, at their discretion, so that no claim may arise to the benefit of the rules as they stood at the date when the agreement was executed.*

SECTION - III **MISCONDUCT, INSOLVENCY OR INEFFICIENCY**

- 2.5** No pension may be granted to a Government employee dismissed or removed for misconduct, insolvency or inefficiency; but to Government employees so dismissed or removed, compassionate allowances may be granted when they are deserving of special consideration: provided that the allowance granted to any Government employee shall not exceed two-thirds of the pension which would have been admissible to him if he had retired on medical certificate.

Note 1.— *This rule vests Government with an absolute discretion to grant or not to grant any compassionate allowance, the only restriction being that if granted, it shall not exceed the maximum of two-thirds of the pension that would be admissible to the officer concerned on retirement on medical certificate. It is practically impossible in view of the wide variations that naturally exist in the circumstances attending each case, to lay down categorically precise principles that can uniformly be applied to individual cases. Each case, has, therefore, to be considered on its merits and a conclusion has to be reached on the question whether there were any such extenuating features in the case as would make the punishment awarded, though it may have been necessary in the interests of Government, unduly hard on the individual. In considering this question, it has been the practice to take into accounts not only the actual misconduct or course of misconduct which occasioned the dismissal or removal of the officer, but also the kind of service he has rendered. Where the course of misconduct carries with it the legitimate inference that the officer's service has been dishonest there can seldom be any good case for a compassionate allowance. Poverty is not an essential condition precedent to the grant of a compassionate allowance, but special regard is also occasionally paid to the fact that the officer has a wife and children dependent upon him, though this factor by itself, is not, except perhaps in the most exceptional circumstances, sufficient for the grant of a compassionate allowance.*

(See also Note below Rule 9.12 and Note 3 below Rule 11.1)

Note 2.— *The report of the Accountant General is required in all cases of grant of compassionate allowance.*

Note 3.— *No Government employee, even if belonging to a class entitled to commute ordinary pension, is entitled to commute a compassionate allowance; a commutation to such an*

allowance may be sanctioned by a competent authority only on proof that the proceeds of the commutation will be invested for the permanent benefit of the commuter's family.

Note 4.— *In cases where it is proposed to grant a Government employee dismissed or removed from service, a compassionate allowance, the sanctioning authority should not condone deficiencies in service, for the purpose of determining the amount of pension that would have been admissible to him if he had retired on medical certificate on the basis of which the compassionate allowance is calculated.*

SECTION - IV CLAIMS OF WIDOWS OR HEIRS

2.6 If a Government employee dies before actually retiring or being discharged, his heirs have no claim to anything in respect of his pension except as provided in rules 6.16-A to 6.16-C.

2.7 (a) It being the duty of every Government employee himself to provide for his family, the Government recognizes no claim by a widow on account of the services of her husband except as provided in rules 6.16-A to 6.16-C and is almost invariably under the painful necessity of rejecting recommendations made in contravention of this rule.

(b) The submission of such recommendations, save under very extraordinary circumstances, is disapproved, as they are calculated only to give rise to hopes which cannot be fulfilled.

Note 1.— *Except in special cases justifying extraordinary indulgence and which are of very rare occurrence, the grant of pension to the family or any member of the family of a deceased Government employee is restricted to cases where the Government employee is killed in the exercise of his public duty, or in consequence of wounds or accidents sustained therein (see rules in Chapter VIII).*

Note 2.— *In cases deserving of special considerations, relief may be given to the families of Government employees left in indigent circumstances out of Compassionate Fund under the rules regulating the grant of gratuities out of that Fund reproduced in the Annexure to this Chapter.*

SECTION - V LIMITATIONS

2.8 (a) A Government employee cannot earn two pensions in the same post at the same time, or by the same continuous service.

(b) Save as provided in rule 3.17, two Government employees may not simultaneously count service in respect of the same post.

ANNEXURE*(Referred to in Note 2 to Rule 2.7)***RULES REGULATING THE GRANT OF GRATUITIES OUT OF COMPASSIONATE FUND**

1. The Compassionate Fund is intended for relief of families of Government employees paid monthly from the State revenues, whether their rates of pay are fixed on a daily or a monthly basis, if they are left in indigent circumstances on account of the premature death of the person upon whom they depended for support: Provided no application will be considered from dependents of Government employees who were subscribers to a Contributory Provident Fund.

Provision is made for this purpose in the estimates of the Government under the minor head "103 Compassionate Allowance" of major head "2071-Pensions and other Retirement Benefits."

2. The conditions which regulate a grant from the fund are:-
 - (1) Grants from the Fund are restricted to cases of an exceptional character.
 - (2) The deceased Government employee must have been a meritorious public employee. Unusually meritorious service gives special claim for consideration.
 - (3) Death due to special devotion to duty establishes a strong claim for consideration.
 - (4) In more ordinary cases, preference will be given to persons who have rendered longer period of service but have failed to earn any gratuity and/or pension.
 - (5) Other things being equal, preference will be given to those who have been on low rates of pay.
 - (6) As a general rule, a grant will not be given if the pay of the deceased Government employee exceeds Rs.750 a month.
 - (7) Care will be taken that too many grants are not made to families of Government employees who have been serving at the Headquarters of the Government.
3. The rules for sanctioning grants are:-
 - (1) No pension is granted from the fund, but in some cases yearly grants are made for a limited period to defray the expenses of the education of children.
 - (2) The maximum gratuity payable in any individual case is Rs.1,500. The precise amount in all cases is fixed according to the number of members in the family and the necessities of the case, the equivalent of a year's pay of the deceased being considered a suitable maximum in cases in which the circumstances are such as to require liberal treatment, but in most ordinary cases, six months' pay is regarded as sufficient.
 - (3) The fund is administered by a committee appointed by the Government which meets once every three months.
4. Application should be submitted to the Finance Department in the following form through the Administrative Department concerned:-

FORM**Summary of Facts**

| | | |
|------|--|--|
| (1) | Name of the deceased; last appointment held, pay at the time of death and the date of death. | |
| (2) | Total service (whether pensionable or non-pensionable). | |
| (3) | (a) Dependents (with their respective ages) | |
| | (b) Their pecuniary circumstances. | |
| | (c) Names of immediate relatives with their occupations, status and income | |
| | (d) Whether relatives are:- | |
| | (i) able | |
| | (ii) unable | |
| | (iii) able but unwilling to give any assistance. | |
| (4) | Remarks of superior officer on deceased's work. | |
| (5) | Was death due to, or accelerated by, devotion to duty ? | |
| (6) | Recommendation of Department, etc., regarding amount of grant. | |
| (7) | Name of the treasury at which payment is desired. | |
| | Full address of the payee | |
| (8) | General | |
| (9) | Descriptive Roll A descriptive Roll in duplicate (on a separate sheet) of the applicant for the award containing the following information:- | |
| | (a) Height. | |
| | (b) Age. | |
| | (c) Colour | |
| | (d) Personal marks, if any, on the hand, face, etc. | |
| | (e) Signature or left hand thumb and finger impressions:- | |
| | Small Finger: Ring Finger: Middle Finger: Index Finger: Thumb: () () () () () | |
| (10) | Report An independent report on the financial condition of the applicant from the Collector or District Magistrate of the place where the applicant resides. | |

Note 1.— The descriptive roll and thumb and finger impressions accompanying applications for relief from the compassionate Fund should invariably be in duplicate and attested by two or more persons of respectability in the town, village or pargana in which the applicant resides.

Note 2.— *The amounts which become available to the dependents from General Provident Fund, Insurance, Bank balances, etc., should also be indicated separately against serial No.10 above.*

Note 3.— *It should be clearly indicated in the report against item (10) that the Government employee is not eligible for gratuity under New Pension Rules.*

5. Finance Department will submit a summary of the cases without comment to the Committee. The Committee's decision will be communicated by the Finance Department direct to the Administrative Department submitting the application, and, in those cases where a gratuity or yearly grant is sanctioned, to the Accountant General, Haryana, also. If payment is to be made to a person's resident in England, the Finance Department will also address the High Commissioner for India, London, for the payment to be made.

In the case of death of the original grantee of a gratuity sanctioned out of the Compassionate Fund, payment may be made to his or her heirs like ordinary service gratuities.

6. There is a fear that the existence of the Fund is likely to lead to misconception of the intentions of Government in this matter. The Fund is not intended to supplement the existing provisions relating to pensions and gratuities contained in the rules in this Volume. Grants from the Fund are restricted to cases of an exceptional character only, and before submitting a recommendation for the grant of a gratuity from the Fund every Government employee should carefully scrutinize the application and satisfy himself that it is a really deserving case. Otherwise, the submission of a recommendation only raises a hope in the mind of the applicant which very often leads to disappointment. Applications should, therefore, be carefully weighed and considered before submission to Government.

N.B.— *The Compassionate Fund maintained by Government was instituted at a time when the pension rules did not provide for any family benefit, when a Government employee died in harness, in order to alleviate to some extent the difficulties experienced by the most indigent families immediately after the death of the bread winner. The drawback in the pension system has been removed by the introduction of the New Pension Scheme. No award from the Compassionate Fund will be made in future to families of Government employees who are eligible for a gratuity under the New Pension Rules. In making recommendations for award from the Compassionate Fund, therefore, administrative authorities are requested to bear this in mind, and to indicate in every case that a gratuity under the New Pension Scheme is not admissible.*

CHAPTER - III
SERVICE QUALIFYING FOR PENSION

SECTION - I
GENERAL

3.1 to 3.7 *Omitted.*

A - BEGINNING OF SERVICE

3.8 Unless it is otherwise provided by special rule or contract, the service of every Government employee begins to qualify for pension when he takes charge of the post to which he is first appointed.

Note.— *In every contract with a Government employee appointed abroad, a clause should be inserted to the effect that service begins from the date on which the Government employee joins his post in India.*

3.9 Except for compensation gratuity, service of a Government employee does not qualify till he has completed eighteen years of age, provided that nothing contained in this rule will apply in the case of persons who were in service on the 1st June, 1961 and in whose case a lower age limit had been prescribed.

Note.— *For a Government employee in class IV service, who held a lien or a suspended lien on a permanent pensionable post under the Punjab Government on the 10th June, 1951, qualifying service should not begin until such Government employee had attained the age of 16 years.*

3.10 *Deleted.*

3.11 *Deleted.*

SECTION - II
CONDITIONS OF QUALIFICATION

A - GENERAL

3.12 The service of a Government employee does not qualify for pension unless it conforms to the following three conditions:-

| | |
|--------|---|
| First | The service must be under Government. |
| Second | The employment must be substantive and permanent. |
| Third | The service must be paid by Government. |

These three conditions are fully explained in the following rules.

Note.— *The question whether service in a particular office or department qualifies for pension or not is determined by rules which were in force at the time such service was rendered; orders subsequently issued declaring the service to be non-qualifying, are not applicable with retrospective effect.*

3.13 The competent authority may, however, in the case of service paid from the Government revenues, even though either or both of the first two conditions in the Rule 3.12 are not fulfilled,-

- (1) Declare that any specified kind of service rendered in a non-gazetted capacity shall qualify for pension;
- (2) in individual cases, and subject to such conditions as it may think fit to impose in each case, direct that services rendered by a Government employee shall count for pension.

Note.— *All services rendered in additional police if followed without a break by permanent service, shall qualify for pension.*

3.14 A competent authority may, when both the first and the second conditions mentioned in Rule 3.12 are fulfilled, declare that service paid from funds administered by Government shall in the event of the provincialisation of such funds, count for pension.

3.15 The following special provisions apply to the Police Department:-

- (a) If the Police of a town are wholly supported by, and under the control of, a Municipality, the Government has no concern with their pensions.
- (b) But if the Government, being interested in the efficiency of a Police Force, paid wholly or partly by a Municipality or from Cantonment Funds, or from the Government revenues subsidized by a contribution from a Municipality or from Cantonment Funds, undertakes the organization and control of the Force, as connected with and auxiliary to the Civil Constabulary, service in such a Force qualifies. The contributions of Municipalities or of Cantonment Fund towards the cost of the pensions of such Forces are determined in accordance with the orders of Government.
- (c) The service of members of the Railway Police, appointed and controlled by Government, qualifies, though they may be either wholly or partly paid by the Railway Companies.
- (d) Service in superior grades in any other Department rendered before enlistment in the Police Department qualifies.

B - FIRST CONDITION - SERVICE UNDER GOVERNMENT

3.16 (a) The service of a Government employee does not qualify unless he is appointed and his duties and pay are regulated by the Government, or under conditions determined by the Government.

- (b) Past service rendered in a Part B State (excluding Surashtra but including an Indian State which subsequently became a Part B State) shall be treated as equivalent to Government service for the purpose of pension and shall count for pension on permanent absorption in the Punjab Government service in the same manner as such service rendered in a former Part "A" State counts.

Note 1.— *The following are examples of Government employees excluded from pension by this rule:-*

- (1) *Employees of a municipality.*

- (2) *Employees of grant-in-aid schools and institutions.*
- (3) *Subordinates appointed by Treasurers on their own responsibility.*
- (4) *Service on an establishment paid from a Contract Establishment allowance, with the detailed distribution of which the Government does not interfere, whether such contract allowance is a fixed amount or consists of fees.*
- (5) *Service on an establishment paid from the household allowance of the Governor.*

Note 2.— *If a Government employee has served partly in capacity which would have given him claim to pension if the service had been paid from the Government revenues on the household establishment of the Governor, and partly on establishments paid from the Government revenues, he is entitled from Government revenues to a share of any pension to which he would have been entitled if his whole service had been paid from the Government revenues, proportionate to the length of the service which has been so paid.*

C - SECOND CONDITION

SUBSTANTIVE AND PERMANENT EMPLOYEMENT

(i) General

3.17 In the case of an officer retiring on or after 5th January, 1961, if he was holding substantively a permanent post on the date of his retirement, his temporary or officiating service under the State Government, followed without interruption by confirmation in the same or another post, shall count in full as qualifying service except in respect of:-

- (i) Period of temporary or officiating service in non-pensionable establishment;
- (ii) *Deleted.*
- (iii) period of service paid from contingencies.

Note 1.— *In the case of a Central Government employee who is permanently transferred to Haryana Government and becomes subject to these rules under rule 1.1 (b) of these rules, the terms "continuous temporary service or continuous officiating service", shall include such service rendered under Central Government.*

Note 2.— *In case of a purely temporary Central Government employee who is permanently transferred to Haryana Government and becomes subject to these rules, the term "continuous temporary service" includes the temporary service under the Central Government. The pensionary liability in respect of such cases shall be allocated on the length of service.*

Note 3.— (a) *In respect of temporary employees of the following categories who render service under the Central/State Governments prior to securing posts under the Central/State Governments on their own violation in response to advertisements or circulars, including those by Union/State Public Service Commission and who are eventually confirmed in their new posts, the proportionate pensionary liability in respect of temporary service rendered under the Central/State Governments to the extent such service would have qualified for grant of pension under the rules of the respective Government, will be shared by the concerned Governments on a service share basis:-*

- (1) *Those who having been retrenched from the service of Central/ State Governments secured on their own employment under State/Central Government either with or*

without interruption between the date of retrenchments and date of new appointment.

- (2) *Those who while holding temporary posts under Central/ State Governments apply for posts under State/Central Government through proper channel/with proper permission of the administrative authority concerned.*

Explanation.— *Where an employee in category (2) is required for administrative reasons for satisfying technical requirement, to tender resignation from the temporary post held by him before joining the new appointment, a certificate to the effect that such resignation had been tendered for administrative reasons and/ or to satisfy a technical requirement, to join, with proper permission, the new posts, may be issued by the authority accepting the resignation. A record of this certificate may also be made in his service book under proper attestation to enable him to get this benefit at the time of retirement.*

The gratuity, if any, received by the Government employee for temporary service under the Central/State Governments will, however, have to be refunded by him to the Government concerned.

- (b) *Those employees who while holding temporary posts under Central/State Governments apply for post under Central/ State Governments direct without permission and resign their previous post to join the new appointment under the Central/State Governments will not be entitled to count their previous service for pension.*

3.17-A. (a) All service interrupted or continuous followed by confirmation shall be treated as qualifying service; the period of break shall be omitted while working out aggregate service.

- (b) Extraordinary leave counted towards increments under rule 4.9 (b) (ii) of Punjab Civil Services Rules, Volume-I, Part-I, will be accounted towards service qualifying for pension.
- (c) Periods of suspension, dismissal, removal, compulsory retirement followed by re-instatement will count for pension to the extent permissible under rule 4.17 of Punjab Civil Services Rules Volume-II read with rule 7.3 of the Punjab Civil Services Rules, Volume-I, Part-I.
- (d) Resignation from the public service or dismissal or removal from it for misconduct, insolvency, inefficiency, not due to age, or failure to pass a prescribed examination will entail forfeiture of past service in terms of rule 4.19 (a) of Punjab Civil Service Rules Volume-II.
- (e) An interruption in the service of a Government employee caused by wilful absence from duty and unauthorized absence without leave will as hitherto entail forfeiture of past service.

[Explanation.— *The wilful refusal to perform duties by a Government employee by any means including pen down strike shall be deemed to be wilful absence from duty.]¹*

- (f) Employees retiring from Government service without confirmation (as temporary employees) in any post on or after 5 February, 1969 will be entitled to invalid/ retiring/ superannuation pension and death-cum-retirement gratuity on the same basis as

¹

Inserted vide Notification No. G.S.R.32/Const./Art.309/92, dated 09.06.1992.

admissible to permanent employees. In case of death of employees in service his family will also be entitled to similar benefits as are admissible to the families of permanent employees. This concession will, however, not apply to:

- (i) Persons paid from contingencies; provided that [full period]² of service of such persons paid from contingencies rendered from 1st January, 1973 onwards for which authentic records of service is available will count as qualifying service subject to the following conditions:-
 - (a) Service paid from contingencies should have been in a job involving whole time employment and not part time for a portion of day, (a) Service paid from contingencies should have been in a job involving whole time employment and not part time for a portion of day,
 - (b) Service paid from contingencies should be in a type of work or job for which regular post should have been sanctioned e.g. Malis, Chowkidars, Khalasis etc.
 - (c) The service should have been such for which the payment is made either on monthly or daily rates computed and paid on a monthly basis and which though not analogous to the regular scale of pay should bear some relations in the matter of pay to those being paid for similar jobs being performed by staff in regular establishments; and
 - (d) The service paid from contingencies should have been continuous and followed by absorption in regular employment without a break.

Note.— While bringing contingent paid employee to the regular establishment an entry for verification of contingent service should be made at the appropriate place in his service book, preferably before making any entry regarding his regular service in the following manner:-

"Service from _____ to _____ paid out of contingencies verified from acquittance rolls and office copies of contingent bills". This entry should be signed by the Head of Office with date.

- (ii) Deleted.
- (iii) Casual Labour;
- (iv) Contract Officer; and
- (v) Persons born on Contributory Provident Fund Establishment.
- (g) The entire service rendered by an employee as work charged shall be reckoned towards retirement benefits provided—
 - (i) such service is followed by regular employment;
 - (ii) there is no interruption in the two or more spells of service or the interruptions fall within condonable limits; and
 - (iii) such service is a whole time employment and not part-time or portion of day.

3.18 An establishment, the duties of which are not continuous, but are limited to certain fixed periods in each year, is not a temporary establishment. Service in such an establishment including the period during which the establishment is not employed

² Substituted vide Notification No. 4/51/2013-2 Pension, dated 28.05.2014, issued on 04.06.2014 w.e.f. 12.12.1997.

qualifies but the concession of counting as service the period during which the establishment is not employed does not apply to a Government employee who was not on actual duty when the establishment was discharged after completion of its work, or to a Government employee who was not on actual duty on the first day on which the establishment was reemployed.

3.19 to 3.22 *Omitted.*

(ii) Apprentices

3.23 Service as an apprentice does not qualify, except in the following cases:-

Engineer or Examiner Apprentices.

| | |
|--|--------------------------------|
| Qualified students of the Thomason College under practical training who passed out prior to 1924 | In the Public Works Department |
|--|--------------------------------|

Note.— *This will take effect from the date the Punjab Civil Services Rules, Volume II (First Edition), 1953 was published.*

3.24 to 3.26 *Cancelled.*

(iii) Deputation on special Duty on abolition of a permanent post

3.27 If the permanent post held by a Government employee substantively is abolished within the meaning of Rule 5.2, but the Government employee is, at the time, on special duty, or is, on abolition of his post, deputed on special duty, his service on special duty qualifies, but the duty must be special; mere employment, in continuation of permanent employment, in a temporary post, which happens at the time to be vacant, does not qualify.

(iv) Press employees paid for Piece Work

3.28 A press employee, who is paid for piece work is treated as having held a permanent post, if—

- (i) he is employed, not casually, but as a member of a fixed establishment; and
- (ii) during the last seventy-two months of his actual employment he has been attached to one post uninterruptedly for twenty-four months, or it has not been through his own choice or misconduct that he has not been so attached.

(v) Service in the Settlement Department on a quasi-permanent footing

3.29(a) The service of a Government employee not merely temporarily engaged in the Settlement Department which is (or was) on a quasi permanent footing qualifies.

(b) Except in the regular Department and to the extent above specified, service in the Settlement Department does not count unless it is followed, without interruption, by qualifying service in the Department or elsewhere. Settlement service followed without interruption, by pensionable service paid from a Patwaris Fund, also qualifies.

Note 1.— *The term "Service in Settlement Department" used in clause (b) includes all settlement service even if paid from a contingent grant.*

Note 2.— *Extra Assistant Commissioners and similar gazetted Government employees when not specially employed for temporary work, are not affected by this rule, as they count service independently of the particular department to which they happen for the time to be attached.*

Note 3.— *Service of a Kanungo in a colony shall be treated as "service in the Settlement Department".*

D - THIRD CONDITION - SERVICE PAID BY GOVERNMENT

(i) Sources of Remuneration

3.30 Service which satisfies the conditions prescribed in sub-sections B and C of this section qualifies, or does not qualify according to the source from which it is paid. With reference to this rule, service is classified as follows:-

- (a) Paid from the Government revenues.
- (b) Paid from Funds in respect to which the Government holds the position of Trustee.
- (c) Paid by fees levied by law, or under the authority of the Government, or by Commission.
- (d) Paid by the grant, in accordance with law or custom, of a tenure in land, or of any source of income, or right to collect money.
- (e) Paid from Local Funds.

(ii) Service paid from Government revenues

3.31 Service paid from the Government revenues qualifies. The fact that arrangements are made for the recovery, on the part of the Government, of the whole, or part of the cost of an establishment of Government employee, does not affect the operation of this principle; Provided that the establishment or Government employee is appointed, controlled and paid by the Government, e.g., Police Establishment entertain at the cost of individuals and corporate bodies.

Note.— *In making arrangements for the recovery of the post of establishments, it should not be forgotten that Government has to bear not only the immediate cost, but also that of leave, allowances and pensions.*

(iii) Service paid from Trust Funds

3.32 Service paid from Funds which Government hold only as a Trustee, such as under a Court of Wards or in an Attached Estate, does not qualify.

(iv) Service paid by Fees or Commission

3.33 Except when fees or commission are drawn in addition to pay from the Government revenues, service in a post paid only by fees, whether levied by law or under the authority of Government, or by Commission, does not qualify.

Service as official assignee does not qualify.

Note.— *Service paid from Fees and Commissions in addition to pay from the Government revenues, qualifies under this rule, but fees and commissions should not be included in pay to determine with reference to Rule 3.2, whether the service is "superior" or "inferior".*

(v) Service paid by Grant of a tenure in Land, etc.

- 3.34** Service paid by the grant, in accordance with law or custom of a tenure in land, or of any other source of income, or right to collect money, does not qualify.

(vi) Service paid from Local Funds

- 3.35** Apart from any special provisions made under the following rules service paid from a Local Fund does not qualify for pension.

3.36 to 3.41 *Cancelled.*

- 3.42** Teachers and other members of the pensionable establishments of Government schools, who are transferred with the schools to which they belong to service under Local Boards, continue to render service qualifying for pension from the Government revenues, and are entitled to the concession even though they may be moved from the School with which they are transferred to another school which was formerly under Government management.

Teachers appointed to schools transferred to the management of Local Boards are entitled to pension from the Government revenues, if the Government makes a part of its contribution to the school in the form of the free pensions.

3.43 *Cancelled.*

- 3.44** When a pension is payable partly by Government and partly by a Local Fund, the Local Fund concerned may pay the capitalized value (calculated on the basis of the Table of Commutation values for pensions applicable to the pensioners, increased by 10 per cent) of its share of the pension to Government which will thereupon accept liability for the payment of the entire pension.

- 3.45** The Government does not guarantee the solvency of Funds formed by the subscriptions of Local Fund Employees and established to provide pensions for the subscribers thereto.

CHAPTER - IV
RECKONING OF SERVICE FOR PENSION

SECTION - I
INTRODUCTORY

- 4.1** The conditions and limitations under which service in a post qualifies for pension are laid down in Chapter III.

The rules governing special additions to service qualifying for superannuation pension, and those relating to the counting of Military Service, periods of leave, suspensions, resignations, etc., for pension, and condonation of breaks and deficiencies in service are contained in the succeeding sections of this Chapter.

SECTION - II
SPECIAL ADDITIONS TO SERVICE QUALIFYING FOR SUPERANNUATION PENSION

- 4.2** *Deleted.*

- [4.2-A]** A Government employee who retires from a service or post shall be eligible to add to his service qualifying for superannuation pension (but not for any other class of pension) the actual period not exceeding one-fourth of the length of his service or the actual period by which his age at the time of recruitment exceeds twenty five years or a period of five years, whichever is less, if the service or post to which the Government employee is appointed is one—

- (a) for which postgraduate research or specialist qualification or experience in scientific, technological or professional fields, is essential; and
- (b) to which candidates of more than twenty-five years of age are normally recruited :

Provided that this concession shall not be admissible to a Government employee unless his actual qualifying service at the time he quits Government service is not less than ten years:

Provided further that this concession shall be admissible only if the recruitment rules in respect of the said service or post contain a specific provision that the service or post is one which carries the benefit of this rule :

Provided further that this concession shall not be admissible to those who are eligible for counting their past service of superannuation pension, unless they opt before the date of their retirement, which option once exercised shall be final, for the weightage of service foregoing the counting of the past service.

- 4.2-B.** In case of a direct recruit to the superior Judicial Service appointed from the bar the actual period of practice at bar not exceeding ten years, shall be added to his service qualifying for superannuation pension and other retirement benefits.

Explanation.—*For removal of doubts, it is hereby clarified that a direct recruit to the Superior Judicial Service appointed from the bar, who immediately before joining the Service was a Law Officer or District Attorney, shall also be entitled to the benefit of actual number of years not exceeding ten years, put in by way of practice at the bar*

being counted towards his service qualifying for superannuation pension and other retirement benefits.]³

SECTION - III

COUNTING OF MILITARY SERVICE TOWARDS CIVIL PENSION

- 4.3(a)** [Service rendered by an employee belonging to one of the classes mentioned in the Schedule below after attaining the age of 18 years, which is pensionable under military rules, but which terminates before a pension has been earned in respect of it, [shall be counted]⁴, when followed by service qualifying for pension under civil rules, as part of such service. Service so allowed to count shall, however, be restricted to service, within or outside employee's unit or department, in India or elsewhere, which has been paid from Indian revenues or for which a pensionary continuation has been received by Indian revenues :

Provided that any bonus or gratuity received in lieu of pension on, or since, discharge from military service, shall be refunded in such number of monthly instalments, not normally exceeding 36 and beginning from such date, as in each case, the Government may decide. The amount shall be refunded along with interest calculated at the rate applicable on General Provident Fund accumulation from time to time computed in the same manner (i.e. with annual compounding) for the period from the date of receipt of pensionary/gratuity benefits till the date of refund to the Government :

Provided further that in cases where after the issue of the orders by the competent authority on the basis of option exercised by an employee for counting of past service for pensionary purposes, if an individual does not deposit the amount of bonus/gratuity already received by him from military authorities within one month of the receipt of communication from the Government/autonomous body, penal interest at the rate of 10% per annum shall also be charged in addition to normal rate of interest. The condition of payment of interest/penal interest shall also be applicable for military service benefit under the Punjab Government National Emergency (Concession) Rules, 1965.]⁵

- (b) Service pensionable under military rules which does not terminate before a pension has been earned in respect of it shall not be allowed to count for pension under civil rules[]⁶.

Note 1.— *An officer, ex-soldier, ex-sailor or ex-airman will not be brought under the operation of this rule, as a matter of course. Each case will be decided on its merits, e.g., there may be cases in which it may be open to a claimant for pension to add military service during the Great War to former non-pensionable service in the Army in order to claim the benefit of a military pension. In such cases it may be to the advantage of the claimant that he should not be brought under the operation of this rule. The bearing of paragraph 574 of the Pay and Allowances Regulations of the Army in India, Part II, on the position of soldiers of the Indian Army who re-entered during the Great War, deserves consideration in this connection.*

³ Rule 4.2-A Substituted and Rule 4.2-B inserted vide Notification No. G.S.R.17/Const./Art. 309/2004 dated 02.06.2004.

⁴ Substituted vide Notification No. 1/43/06-1Pension, dated 10.09.2007.

⁵ Substituted vide Notification No. G.S.R.34/Const./Art.309/2004 dated 02.12.2004.

⁶ Omitted vide Notification No. 1/43/06-1Pension, dated 10.09.2007.

- Note 2.**— *To be eligible for the concession in this rule, the individual concerned should take his discharge from the Army, Navy or Air Force within 12 months of the date of his confirmation in the post pensionable under civil rules. This limit will be relaxed by competent authority only in special cases.*
- Note 3.**— *Employees in the Military Police have the option of counting service under any other rules in these Regulations which would give them a similar or more liberal concession.*
- Note 4.**— *When an order is passed under this rule allowing previous military service to count as part of the service qualifying for civil pension, it should be taken as carrying with it condonation of breaks, if any, in the Military service, or the break, if any, between the military service and the civil service.*
- Note 5.**— *It is permissible under this rule to allow military service inter-spersed between two periods of civil service to count for civil pension: Provided that the condition laid down in this rule are otherwise fulfilled. The share of pension proportionate to military service in such cases will be borne by the Defence Department. Before orders are passed, in any case, the military service of the individual concerned and the amount of gratuity paid to him should be verified by reference to the Defence Accounts Officers concerned.*
- Note 6.**— *The sanction regarding the counting of military service should be accorded by the competent authority at the time of appointment of the persons concerned and not at the time of his retirement from civil service. Sanctions accorded in such cases are required specially to mention the amount of gratuity or bonus recoverable, the number of monthly installments in which the bonus or gratuity is to be recovered and the date from which the recovery is to commence. If, in any case, the gratuity is not to be recovered, the fact will be specially stated in the sanction. The gratuity once refunded in order to secure the benefit of counting former military service for civil pension cannot be paid back in any circumstances.*
- Note 7.**— *The question of the amount of military or War (Great War) service which a Government employee is entitled to count for civil pension should be considered as soon as he joins a pensionable post. In the case of non-gazetted Government employees, the amount should be shown in a certificate to be recorded in the service Book or the service roll, as the case may be, by the Head of Department who should satisfy himself that the conditions of this rule and Rule 4.6-A or other relevant rules or instructions for counting military service for civil pension are fulfilled. The military service should in all cases be verified after reference to the Defence Accounts Officer concerned. References to the relevant rules should be quoted in the certificates and attested copies of the record relied upon in support of it should be attached. As regards gazetted Government employees, such certificates, together with the necessary documents, should be sent to the Accountant General, Haryana, through the Administrative Department concerned for incorporation in the History of Services. It is not necessary to re-verify military or War (Great War) service which had already been verified before 30th July, 1936, in accordance with the old procedure.*
- Note 8.**— *See also Notes under Rule 4.6-A.*
- Note 9.**— *The expression "gratuity or bonus" occurring in clause (a) refer to service gratuity or bonus only, and not war gratuity or bonus, received as a reward for war service.*

SCHEDULE

1. Commissioned Officers and Junior Commissioned Officers.
2. Warrant Officers, non-Commissioned Officers and other enrolled personnel of the Army, and the corresponding categories of the Navy and Air Force and personnel of the Frontier Constabulary and Militias.
3. Non-combatant departmental and regimental employees and followers of the supplemental services.
4. Warrant Officers and Departmental Officers of the Commissary and Assistant Surgeon classes.

4.4 to 4.5 Cancelled

4.6 Persons who retire on or after 5th January, 1961, and who have rendered "War Service" (World War II) as members of His Majesty's Forces and have been appointed or are deemed to have been appointed permanently to War-reserved vacancies or to other vacancies which arose before the 1st January, 1948, shall, subject to the following general principle, be allowed to count the completed years of their satisfactory whole time service in His Majesty's Forces rendered between the 3rd September, 1939 or the date of their attaining the minimum age of entry into the service or post to which they are appointed on a permanent basis, whichever is later, and the 1st April, 1946, for the purposes of Civil Pension:-

- (1) In the case of services in which a minimum age is fixed for recruitment, no military service rendered below that age shall be allowed to count for pension.
- (2) The addition of War Service shall not be allowed in addition to the concession in rule 4.2, but any Government employee who may be entitled to the concessions admissible under rule 4.2 and this rule will be allowed to select whichever is more favourable. In the case of those Government employees who retire between the period commencing from the 1st day of January, 1961 and ending with the 31st day of March, 1963 (both days inclusive) the addition of war service shall not be included in rule 4.8 for the purpose of counting leave as service for pension.
- (3) British and Indian Military Service shall be allowed to count alike for pension and no contribution towards or share of pension earned as a result of this concession shall be claimed from Home Department.
- (4) No refund of military bonus or gratuity shall be demanded from the Government employee.

Note 1.— *In the case of services in which no minimum age is fixed for recruitment, this rule shall be interpreted subject to the provisions of Rule 3.9.*

Note 2.— *In the case of a Civil employee who has rendered satisfactory paid military service in the War in addition to Military service pensionable under the military rules before or after such service but who did not earn a pension by his War service in conjunction with his other military service, that portion of the military service which was rendered before or after the War Service should be dealt with in accordance with the provision of Rule 4.3, and the amount of gratuity which the Government employee will refund in respect of the latter portion should bear the same proportion to the total amount of gratuity, received in lieu of pension as the period dealt with under rule 4.3 bears to the total period of military service including the period of War Service.*

Explanation.— For the purpose of Note 2, it is immaterial whether or not, there was a break between the war service and the other military service.

Note 3.— Member of the Police Battalions other than those who, at the time of enlistment were already in the Police Department, who on demobilization are appointed to the Police Service on a permanent establishment, shall count their temporary service in the Police Battalions towards pension in the police service.

Note 4.— See also Note 8 below rule 4.3.

4.6-A. Permanent appointments against "War Reserve vacancies" or other vacancies which arose on or after the 1st January, 1948. In the case of war service candidates appointed permanently to civil posts against vacancies arising after 31st December, 1947 the war service rendered during Great War II by itself or in conjunction with other military service may be allowed to count towards civil pension to the extent of one-half. If, however, the whole or any portion of such service satisfied the conditions of rule 4.3, that portion of service may be allowed to count in full towards civil pension subject to the following conditions namely:-

- (i) The officer concerned should not have earned a pension under the military rules in respect of the service in question.
- (ii) In the case of services or posts in respect of which a minimum age is fixed for recruitment no military or war service rendered below that age shall be allowed to count for pension.
- (iii) "War Service" rendered in the Armed Forces of India and rendered in similar forces of a Commonwealth Country shall be allowed to count alike for pension and no contribution towards or share of, a pension earned as a result of this concession shall be claimed from the foreign government concerned.
- (iv) No refund of bonus or gratuity paid in respect of this 'War Service' shall be demanded from the officer concerned. If, however, the officer has been granted any retirement benefit, such gratuity shall be refundable. Also if any portion of service is allowed to count towards Civil Pension under rule 4.3, the provisions of Note 2 below rule 4.6 in regard to refund of gratuity shall mutatis mutandis apply.
- (v) Break between military or war service and the civil service shall be treated as automatically condoned, provided the period of the break does not exceed one year. Breaks exceeding one year, but not exceeding three years may also be condoned, in exceptional cases, under special orders of Government.

Note.— In a case where an officer is entitled in respect of the 'War Service' rendered between the 3rd September, 1939, and the 1st April, 1946, to the concession under rule 4.6-A he may either avail himself of the concession under this rule in respect of the whole of his military service, including 'War Service' or count the service rendered during the war period for Civil pension under rule 4.6-A and the remaining service rendered before or after the war period to the extent of one half of that service. If, however, in the latter case, the officer concerned has rendered any military service pensionable under the military rules and satisfying the conditions laid down in rule 4.3 before or after the war period, but did not earn pension by this "War Service" in conjunction with his military service, the provisions of Note 2 below rule 4.6-A shall mutatis mutandis apply.

SECTION - IV PERIODS OF LEAVE AND OTHER AUTHORISED ABSENCE FROM DUTY

A - PERIODS OF LEAVE

4.7 In respect of Government employees who retire or die on or after the 1st April, 1963, the time passed on leave of all kinds except extraordinary leave shall count as service for pension. Period of overstay of leave does not count for pension.

4.8 to 4.11 Deleted.

B - PERIODS OF TRAINING

4.12 A competent authority will decide in the case of a Government employee (including a person in training for, but not actually appointed to, Government Service) or any specified class of Government employees who is selected to undergo a course of training, whether the time spent in training shall count as service qualifying for pension.

Note.— General orders for counting the period of training as service under this rule have been issued in respect of the following:-

- (1) Police subordinates and candidates for direct appointment to the Subordinate Police Service while attending a Police Training School.
- (2) Assistant Director of Agriculture and Assistant Professor and Laboratory Assistants while in training at the Pusa Agricultural College.
- (3) Forest Rangers holding permanent substantive posts while under training at the Dehra Dun School.
- (4) All Forest Subordinates while under training at Government Forest School.
- (5) Dispensers sent to the Medical College, Amritsar, to undergo a course of training with a view to qualifying as hospital assistants (They count a maximum period of one year as service towards pension rendered under the source from which they were paid before training).
- (6) Teachers and students, who are selected to undergo a course of training in a School, College or other institutions, subject to the sanction of the Director of Public Instructions.
- (7) Subordinate Judges sent for training in Commercial Law at Bombay.

4.12-A. In respect of Class III and Class IV employees, who are required to undergo departmental training relating to jobs before they are put on regular employment, training period may be treated as qualifying service for pension, if the training is followed immediately by regular appointment. This benefit will be admissible to all such employees even if they are not given the scales of pay of the post but only a nominal allowance during the training.

C - DEPUTATION OUT OF INDIA

4.13 When a Government employee is deputed out of India on duty, the whole period of his absence from India counts, when a Government employee on leave out of India is employed, or is detained after the termination of his leave, on duty, the period of such employment or detention counts.

Note.— *The period of deputation converted into leave should count for pension as leave and not as deputation.*

D - DEPUTATION TO THE DEFENCE DEPARTMENT

4.14 A Civil Government employee, who was granted civil volunteer terms while serving in the Indian Army Reserve of Officers, during the Great War and who, after having been invalided from military service, was able to return to his civil employment, will be allowed the option of—

- (i) being treated, as regards military pension, as a temporary officer, in which case his military service will count for civil pension under civil rules, or
- (ii) being treated as regards military pension, as an officer of the regular army in which case his military service will not so count.

A Civil Government employee serving under the terms referred to above, who is invalided both from military service and from his civil appointment, on account of a disability incurred as a result of his military service will be allowed to draw the military pension admissible to a regular military officer and also to count the period of his military service for civil pension. This decision has effect from 3rd February, 1925, and any consequential adjustment should be made from that date only.

4.15 Government employees in the Police Department who joined the battalions of the Indian Army can count service rendered in that capacity as continuous service in the Police Department for purposes of pension.

E - PERIOD OF VOYAGE TO INDIA ON RECALL TO DUTY

4.16 Time spent on the voyage to India by a Government employee who is recalled to duty before the expiry of any recognized leave out of India counts: provided his return to duty is compulsory.

SECTION - V **SUSPENSIONS, RESIGNATIONS, BREAKS, AND DEFICIENCIES IN SERVICE**

A - PERIODS OF SUSPENSION

4.17 Time passed under suspension pending enquiry into conduct counts, if the suspension is immediately followed by reinstatement, but time passed under suspension adjudged as a specific penalty does not count.

4.18 If a Government employee, who has been suspended pending inquiry into his conduct, is reinstated, but with forfeiture of any part of his pay or allowances for the period of suspension, this period does not count save with the special sanction of the Head of the Department, unless the authority who reinstates the Government employee expressly declares at the time that it shall count.

B - RESIGNATIONS AND DISMISSALS

- 4.19** (a) Resignation from public service, dismissal or removal from it, either under proviso (c) to Article 311(2) of the Constitution for over anti-national activities such as sabotage, espionage etc. or for misconduct, insolvency, inefficiency not due to age or failure to pass a prescribed examination, entails forfeiture of past service and no pension shall be granted in the aforementioned circumstances.

Provided that in the case of those Government employees whose removal or dismissal results from participation in other objectionable activities affecting or endangering the security of the State, such proportionate pension may be granted as may be recommended by the Committee of the Advisors constituted under the Haryana Civil Services (Safe-guarding of National Security) Rules, 1971.

- (b) Resignation of an appointment to take up, with proper permission, another appointment, whether permanent or temporary, service in which counts in full or in part, is not a resignation of public service.

In cases where an interruption in service is inevitable due to the two appointments being at different stations, such interruptions, not exceeding the joining time permissible under the rules on transfer, shall be covered by grant of leave of any kind due to the Government employee on the date of relief or by formal condonation under Rule 4.23 to the extent to which the period is not covered by leave due to the Government employee.

Note.— *The previous service of a Government employee who is transferred to a temporary appointment is forfeited by his resigning the temporary appointment and taking up another temporary appointment of his own accord.*

- 4.20** (a) A Government employee who is dismissed, removed or compulsorily retired from public service, but is reinstated on appeal or revision, is entitled to count his past service.
- b) The period of break 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 unless regularized as duty or leave by a specific order of the authority which passed the order of reinstatement.

C - INTERRUPTIONS

- 4.21** An interruption in the service of a Government employee entails forfeiture of his past service, except in the following cases:-

- (a) Authorized leave of absence.
- (b) Unauthorized absence in continuation of authorized leave of absence so long as the post of the absentee is not substantively filled; if his post is substantively filled, the past service of the absentee is forfeited.
- (c) Suspension where it is immediately followed by reinstatement whether to the same or different office, or where the officer dies or is permitted to retire or is retired while under suspension.
- (d) Abolition of post or loss of appointment owing to reduction of establishment.

- (e) Transfer to non-qualifying service in an establishment under Government control. The transfer must be made by competent authority; a Government employee who voluntarily resigns qualifying service cannot claim the benefit of this exception. Transfer to a grant-in-aid school entails forfeiture.
- (f) Time occupied in transit from one post to another; Provided that the Government employee is transferred under the order of competent authority, or, if he is a non-gazetted Government employee, with the consent of the head of his old office.

Note 1.— *If a Government employee is suspended and applies for pension without being reinstated, he is not eligible for any pension, without the order of the competent authority.*

Note 2.— *Previous service of a Government employee would be forfeited if the new post to which he is transferred was not created until he joined it, in that case condonation under Rule 4.23 of this Volume would be required.*

Note 3.— *Joining time would not qualify if no allowances are admissible under Chapter IX of Volume I (Part I) of these rules.*

Note 4.— *A Government employee who is discharged on the abolition of an appointment is entitled to the benefit of clause (d) of this rule even though the appointment abolished may not have been that which he held or even one of the particular establishment on which he was actually serving.*

Note 5.— *In the case of Government employees governed entirely by the New Pension Rules, the word "post" or "appointment" used in clause (d) of this rule means "post" or "appointment" service in which qualifies for pension.*

4.22 The authority which sanctions the pension may commute retrospectively periods of absence without leave into leave without allowances or extraordinary leave.

Note.— *The power under this rule of commuting retrospectively periods of absence without leave into leave without allowances is absolute, the purpose of the rule being merely to obviate, for purposes of pension, the forfeiture of past service.*

D - CONDONATION OF INTERRUPTIONS AND DEFICIENCIES

4.23 Interruption in service (either between two spells of permanent, or temporary service or between a spell of temporary service and permanent service or vice versa in the case of an officer retiring on or after the 5th January, 1961, may be condoned, subject to the following conditions, namely:-

- (1) The interruption should have been caused by reasons beyond the control of Government employee concerned.
- (2) Service preceding the interruption should not be less than five years' duration. In cases where there are two or more interruptions, the total service, pensionary benefits in respect of which shall be lost if the interruptions are not condoned should not be less than five years.
- (3) The interruption should not be of more than one year's duration. In cases where there are two or more interruptions, the total period of all interruptions to be condoned should not exceed one year.

CHAPTER - V
DIFFERENT KINDS OF PENSIONS AND CONDITIONS FOR THEIR GRANT

SECTION - I
CLASSIFICATION OF PENSIONS

5.1 Pensions are divided into four classes, the rules for which are prescribed in the following Sections of this Chapter:-

- (a) Compensation Pensions (See Section II).
- (b) Invalid Pensions (See Section III).
- (c) Superannuation Pensions (See Section IV).
- (d) Retiring Pensions (See Section V).

Note.— *Besides the classes of pensions mentioned in this rule, special additional pensions are also granted to certain classes of Government employees under special circumstances (vide Rule 4.14 and 6.15).*

SECTION - II
COMPENSATION PENSION
A - CONDITIONS OF GRANT

5.2 If a Government employee is selected for discharge owing to the abolition of a permanent post, he shall, unless he is appointed to another post the conditions of which are deemed by the authority competent to discharge him to be at least equal to those of his own, have the option -

- (a) of taking any compensation pension or gratuity to which he may be entitled for the service he has already rendered, or
- (b) of accepting another post or transfer to another establishment even on a lower pay, if offered, and continuing to count his previous service for pension.

Note 1.— *The discharge of one Government employee to make room for another better qualified is not the abolition of a post within the meaning of this rule, the abolition must produce a real saving of Government.*

Note 2.— *See also Note 2 below Rule 4 of the Punishment and Appeal Rules,- vide Appendix-24 of these rules, Volume I, Part II.*

Note 3.— *A Government employee in foreign service should be held to have lost his lien from the date on which his post in Government service was abolished and no contribution could be received after that date. He should be regarded as having retired from Government service from that date and he should be permitted to draw the pension to which he is entitled in addition to the pay which he received at the time from his foreign employer.*

5.3 When a Government employee is transferred from pensionable Government service to a non-pensionable establishment, he cannot be granted any pension or gratuity admissible to him for the qualifying portion of his service until he actually retires from the non-pensionable establishment to which he is transferred.

- 5.4** If it is necessary to discharge a Government employee in consequence of a change in the nature of the duties of his post, the case for the grant of compensation pension or gratuity and notice of discharge should be referred to the competent authority.
- 5.5** *Cancelled.*
- 5.6** Compensation pension is not admissible in the following cases, viz:-
- (a) To a Government employee who belongs to the public service and in addition holds charge of a particular local post, on the abolition of that particular local post.
 - (b) For the loss of a post on discharge after the completion of a specified term of service.
 - (c) For the loss of a special pay or compensatory allowance.
 - (d) To a schoolmaster or other Government employee, who in addition to his duties, is employed in any capacity in the Postal Department, on being relieved of such duties.

B - PROCEDURE

(i) Selection for Discharge

- 5.7** The selection of Government employees to be discharged upon the reduction of an establishment should prima facie be so made that the least charge for compensation pension will be incurred.
- 5.8** Particulars of the saving effected should be fully set forth in every application for compensation pension. The saving should always exceed the cost of the pension: otherwise it may perhaps be better to postpone the reduction of establishment or abolition of post.

Note 1.— *In any scheme for reorganizing an establishment, the claim to pension that may arise in consequence of the reorganisation should always be considered before a change is made and except in cases of very urgent necessity, no revision of establishment should be carried out which would have the effect of giving rise to claims to compensation pension, the cost of which cannot be met out of savings effected by the revision.*

Note 2.— *The saving referred to in this rule should be calculated with reference to the emoluments actually drawn at the time of the abolition of the post.*

(i) Notice of discharge

- 5.9(a)** Reasonable notice should be given to a Government employee in permanent employ before his services are dispensed with, on the abolition of his post. If, in any case, notice of at least three months is not given, and the Government employee has not been provided with other employment on the date on which his services are dispensed with, then, with the sanction of the authority competent to dispense with his services, a gratuity not exceeding his emoluments for the period by which the notice actually given to him falls short of three months, may be paid to him, in addition to the pension to which he may be entitled under the rules in Chapter VI; but the pension shall not be payable for the period in respect of which he receives a gratuity in lieu of notice.

- (b) When it is proposed to discharge a person holding a temporary post before the expiry of the term of his appointment or a person employed temporarily on monthly wages without specified limit of time or duty, a month's notice of discharge should be given to such a person and his pay or wages must be paid for any period by which such notice falls short of a month.
1. The gratuity prescribed in this rule is not granted as compensation for loss of employment but only in lieu of notice of discharge with a view to mitigate the hardship caused to a Government employee by the sudden loss of employment. When, therefore, a Government employee, discharged without notice, is provided with some other employment on the date on which his services are dispensed with, whether that employment be in qualifying or non-qualifying service, he is not entitled to any gratuity.
 2. Unless it contains an express statement to the contrary, an order for the abolition of an office or post shall not be brought into operation till the expiry of three months after notice has been given to the Government employees whose services are to be dispensed with on such abolition. The immediate head of the office or the Department will be held responsible that there is no unnecessary delay in giving such notice. In the case of a Government employee on leave, the order shall not be brought into operation until the leave expires.

Note 1.— *This rule does not apply to cases where specific provision for notice of discharge already exists in the letters of appointment.*

Note 2.— *"Emoluments" in this rule means the emoluments or leave salary (or partly the one, partly the other) which, the Government employee would be receiving during period in question, had the notice not been given to him.*

Note 3.— *For refund of gratuity awarded under this rule on reemployment, see Rule 7.12.*

Note 4.— *The gratuity paid in lieu of notice on abolition of a post should be charged to the particular department to which the pay of the post was debited before its abolition.*

- 5.10** Whenever it is found necessary to determine the service of a Government employee serving under the contract within the period of his agreement, a specific intimation of the determination of the agreement and of the grounds on which it has been determined shall be furnished to the Government employee in writing.

SECTION - III INVALID PENSION

A - CONDITIONS OF GRANT

- 5.11** An invalid pension is awarded, on his retirement from the Public service, to a Government employee who by bodily or mental infirmity is permanently incapacitated for the public service, or for the particular branch of it to which he belongs.
- 5.12** In the case of partial incapacity (vide alternative certificate in Rule 5.26), a Government employee should, if possible, be employed even on lower pay so that the expense of pensioning him may be avoided. If there be no means of employing him even on lower pay, then he may be admitted to pension, but it should be considered whether, in view of his capacity for partially earning a living, it is necessary to grant to him the full pension admissible under rule.

5.13 *Cancelled.*

5.14 A Government employee discharged on grounds other than those stated in Rules 5.11 and 5.12 has no claim to pension under Rule 5.11, even though he can produce medical evidence of incapacity for service.

5.15 If the incapacity is directly due to irregular or intemperate habits, no pension can be granted. If it has not been directly caused by such habits, but has been accelerated or aggravated by them, it will be for the authority by which the pension is grantable to decide what reduction should be made on this account.

Note 1.— *The mere fact that a Government employee has suffered from syphilis taken by itself is not sufficient to bring him under the operation of this rule.*

Note 2.— *Unsoundness of mind caused by drug habits is a sufficient cause for invaliding a Government employee.*

Note 3.— *The expression "irregular or intemperate habits" occurring in this rule refers to incapacity on account of drug habit or on account of disease resulting from immoral habits. Cases where incapacity occurs due to other causes, i.e., working at irregular hours during War and after due to exigencies of service and not due to own volition do not come under the purview of this rule.*

5.16 *Deleted.*

5.17 In the Police Department, Superintendents of Police should be on their guard against endeavors to retire on an invalid pension by Government employees who are capable of serving longer. See also Rule 5.23.

B - PROCEDURE

5.18 A Government employee who has submitted a medical certificate of incapacity for further service shall, if he is on duty, be invalided from service, from the date of relief of his duties which should be arranged without delay on receipt of the medical certificate or, if he is granted leave under rule 8.18 of these rules, Volume I (Part I) on the expiry of such leave. If he is on leave at the time of submission of medical certificate, he shall be invalided from service on the expiry of that leave or extension of leave, if any, granted to him under the rule 8.18 of these Rules, Volume I (Part I).

Note 1.— *The report required by this rule may in the case of head constables and constables of Police be submitted to the Inspector General of Police instead of to the Government.*

Note 2.— *When a Government employee is retained in service, after he has submitted a medical certificate of invalidment, and is, therefore, granted leave under rule 8.18(c) of Volume I, Part I, of these rules, the maximum period up to which, he can be allowed under second subparagraph of this rule to count for pension, the service after the date of medical certificate shall not exceed six months.*

C - RULES REGARDING MEDICAL CERTIFICATES**(i) General**

5.19 An officer applying for an invalid pension shall submit a medical certificate of incapacity in the manner specified below:-

- (a) If the officer submitting the application is on leave elsewhere than in India, then the examination shall be arranged through the Indian Missions abroad by a Medical Board consisting of a Physician, a Surgeon and an Ophthalmologist, each of them having the status of a consultant. The services of doctors approved for the officers and staff of the Mission concerned, shall be utilized for this purpose, provided they fulfill the above conditions. A lady doctor shall be included as a member of the Medical Board whenever a woman candidate is to be examined.
- (b) If the officer submitting the application is in India, then the examining medical authority shall be—
 - (1) a Medical Board, in the case of all Gazetted Government employees and those non-Gazetted Government employees whose pay as defined in rule 2.44 of these Rules, Volume I, Part I, exceeds Rs.500 per mensem.
 - (2) a Chief Medical Officer or Principal Medical Officer of equivalent status in other cases.
- (c) Except in the case of the officer on leave elsewhere than in India, no medical certificate of incapacity for service may be granted unless the applicant produced a letter to show that the head of his office or department is aware of his intention to appear before the Medical Officer. The Medical Officer shall also be supplied by the head of the office or department in which the applicant is employed with a statement of what appears from official records to be the applicant's age. Where the applicant has a service book, the age there recorded should be reported.

5.20 *Cancelled.*

5.21(a) A succinct statement of the Medical case, and of the treatment adopted should, if possible, be appended.

- (b) If the examining Medical Officer, although unable to discover any specific disease in the Government employee, considers him incapacitated for further service by general debility while still under the age of fifty-five years, he should give detailed reasons for his opinion, and, if possible, a second medical opinion should always in such a case be obtained.
- (c) In a case of this kind, special explanation will be expected from the Head of the Office or Department of the grounds on which it is proposed to invalid the Government employee.

Note.— *The requirements of this rule need not to be insisted upon in the case of Class IV Government employee invalidated for general debility while his age is less than 55 years and the Medical Officer certifies him to be of over that age.*

5.22 A simple certificate that inefficiency is due to old age or natural decay from advancing years, is not sufficient in the case of a Government employee whose recorded age is less than 55 years, but a Medical Officer is at liberty when certifying that the Government employee is incapacitated for further service by general debility, to state his reason for believing the age to be understated.

Note.— *Senile Contract, arterial changes consequent on senile decay, general nervous breakdown, and commencing cataract may be treated as specific disease as they may come before a man which is the 55th year of his age.*

- 5.23** Medical Officers should confine themselves to recommending leave to such policemen as are not likely to benefit by a further stay in Hospital and should not certify that a policeman is incapacitated for further service unless they are officially requested to report upon his incapacity for further service.

The Medical Officer should be specially searching in their examination of the physical unfitness of every applicant for pension, and, whenever the number of applicants for pensions is large, the examination should, if possible, be conducted by two Medical officers.

- 5.24** Form of Medical Certificate elsewhere than in India.

The form of medical certificate given by the Medical Board arranged by the Indian Mission abroad, respecting an officer applying for invalid pension while on leave elsewhere than in India, shall be as follows:-

"We have carefully examined Mr. _____ Taking into account all the facts of the case as well as his present condition, we consider that he is incapable of discharging the duties of his situation, and that such incapability is likely to be permanent. His incapacity does not appear to us to have been caused by irregular or intemperate habits."

Note.— *(If the incapacity is obviously the result of intemperance substitute for the last sentence "In our opinion his incapacity is the result of irregular or intemperate habits.")*

If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made.

We are of opinion that A/B, is fit for further service of a less laborious character than that which he has been doing (or may, after resting for _____ months, be fit for further service of a less laborious character than that which he has been doing).

- 5.25** If any doubt arises regarding the validity of a certificate by the Medical Board arranged by the Indian Mission abroad the Accountant General must not of his own motion reject the certificate as invalid, but must submit the matter for the decision of the Government.

(iii) Form of Medical Certificates in India

- 5.26** The form of the certificate to be given respecting a Government employee applying for pension in India is as follows:-

"Certified that I (we) have carefully examined A.B., son of C.D., a _____ in the _____. His age is by his own statement _____ years, and by appearance about _____ years. I (We) consider A.B., to be completely and permanently incapacitated for further service of any kind (or in the Department to which he belongs) in consequence of (here state disease or cause). His incapacity does not appear to me (us) to have been caused by irregular or intemperate habits.

Note.— *If the incapacity is obviously the result of intemperance, substitute for the last sentence; "In my (our) opinion, his incapacity is the result of irregular or intemperate habits".*

(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 A.B. is fit for further service of a less laborious character than that which he has been doing (or may, after resting for _____ months, be fit for further service of a laborious character than that which he has been doing).

1. See also Rule 5.12.

SECTION - IV SUPERANNUATION PENSION A - CONDITIONS OF GRANT

5.27 A superannuation pension is granted to a Government employee entitled or required, by rule, to retire at a particular age. See Rule 3.26 of Volume I, Part I, of these Rules.

No claim to compensation from a Government employee who is required to retire at a particular age under rules will be entertained.

5.28 *Cancelled.*

5.29 *Omitted.*

B - PROCEDURE

5.30 Each Government employee's case should be taken up when he is approaching the age of superannuation and before the expiry of each extension of service.

5.31 *Cancelled.*

SECTION - V RETIRING PENSION

A - CONDITIONS OF GRANT

5.32 *Deleted.*

5.32-A. The rule for the grant of retiring pensions is as follows:-

- (a) A Government employee is entitled, on his resignation being accepted, to a retiring pension after completing qualifying service of not less than 30 years, but a competent authority may permit the pension to be granted in special cases where the qualifying service is not less than 25 years.
- (b) A retiring pension is also granted to a Government employee who is required by Government to retire after completing 25 years' qualifying service or more and who has not attained the age of 55 years.

Note 1.— *The Government retains an absolute right to retire any Government employee after he has completed twenty-five years of service qualifying for pension if he is holding a pensionable post or has completed service for a similar period if he is holding a non pensionable post, but is entitled to the benefits of Contributory Provident Fund, without giving any reasons and no claim to special compensation on this account will be entertained. This right will not be exercised except when it is in the public interest to dispense with the further services of a Government employee such as on account of*

inefficiency, dishonesty, corruption or infamous conduct. This clause (b) of this rule is intended for use—

- (i) *against a Government employee whose efficiency is impaired but against whom it is not desirable to make formal charges of inefficiency or who has ceased to be fully efficient (i.e. when a Government employee's value is clearly incommensurate with the pay which he draws) but not to such a degree as to warrant his retirement on a compassionate ground. It is not the intension to use the provisions of this note as a financial weapon, that is to say, the provision should be used only in the case of Government employees who are considered unfit for retention on personal as opposed to financial grounds; and*
- (ii) *in cases where reputation for corruption, dishonesty or infamous conduct is clearly established even though no specific instance is likely to be proved under the Punishment and Appeal Rules, Appendix-24 of Volume I, Part II of these rules or the Public Service (Inquiries) Act, 1850 (XXXVII of 1850).*

The word "Government" used in this note should be interpreted to mean the authority which has the power of removing the Government employee from service under the Civil Services (Punishment and Appeal) Rules.

Note 2.— *The Government employee should be given a reasonable opportunity to show cause against the proposed action under clause (b) of this rule. No Gazetted Government employee shall, however, be retired without the approval of Council of Ministers. In all cases of compulsory retirement of Gazetted Government employees belonging to the State Services, the Public Service Commission shall be consulted. In the case of non-Gazetted Government employees the Head of Departments should effect such retirement with the previous approval of the State Government.*

Note 3.— *A Government employee who has elected to retire under this rule and has given necessary intimation to that effect to the competent authority, shall be precluded from withdrawing his election subsequently except with the specific approval of the authority competent to fill the appointment; provided his request for withdrawal is made within the intended date of his retirement.*

- (c) *A retiring pension is also granted to a Government employee other than a class IV Government employee,—*

- (1) *who is retired by the appointing authority by giving him a notice of not less than three months in writing,—*

- (i) *If he is in class I or class II service or post and had entered Govt. service before attaining the age of thirty-five years, after he has attained the age of fifty years; and*

- (ii) (a) *If he is in class III service or post; or*

- (b) *If he is in class I or class II service or post and entered Government service after attaining the age of thirty five years, after he has attained the age of fifty five years;*

[Provided that in the case of a member of the judicial services, a retiring pension shall be granted if he is required to retire at the age of fifty-eight years irrespective of age at the time of entry into Government service subject to ten years qualifying service;]⁷

- (2) [who, if from category (1) (i) above retires on or after attaining the age of fifty years, or if from category (1) (ii) above retires on/or after attaining the age of fifty-five years or if from category of judicial services retires on or after attaining the age of fifty-eight years, by giving a notice of not less than three months, in writing, of his intention to retire, to the appointing authority.

Provided that where the notice is given before attaining the age of fifty years, fifty-five years in the case of Civil Services and fifty-eight years in the case of judicial services, as the case may be, it shall be given effect to from a date not earlier than the date on which the age of fifty years/fifty-five years, in the case of Civil Services and fifty-eight years in the case of judicial services, as the case may be, is attained

Note.— *Appointing authority retains an absolute right to retire any Government employee referred to above on or after he has attained the age of fifty years or fifty-five years in the case of Civil Services, or fifty-eight years in the case of Judicial Services, as the case may be, without assigning any reason. A corresponding right is also available to such a Government employee to retire on or after he has attained the age of fifty years, fifty-five years or fifty-eight years, as the case may be.*⁸

5.32-B. (1) At any time a Government employee 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. However, a Government employee may make a request in writing to the appointing authority to accept notice of less than three months giving reason therefore. On receipt of a request, the appointing authority 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 employee shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months.

- (2) The notice of voluntary retirement given under sub rule (1) shall require acceptance by the appointing authority subject to rule 2.2 of Pb. C. S. R. Vol. II.

Provided that where the appointing authority does not refuse to grant the permission for retirement before the expiry of the period specified in sub rule (1) supra, the retirement shall become effective from the date of expiry of the said period.

Provided further that before a Government employee gives notice of voluntary retirement with reference to sub-rule(1) he should satisfy himself by means of a reference to the appropriate authority that he has, in fact, completed twenty years service qualifying for pension.

- (3) The qualifying service as on the date of intended retirement of the Govt. employee seeking retirement under this rule or under clause (e) of rule 3.26 of Pb. C. S. R. Vol. I, Part I with or without permission shall be increased by the period not exceeding 5 years subject to the condition that the total qualifying service rendered by the Govt. employee does not in any case exceed 33 years and it does not take him beyond the date of

superannuation. The weight age of five years shall not be admissible in cases of those Government employees who are prematurely retired by the Government in public interest under the relevant rules.

- (4) A Government employee, 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 before the intended date of his retirement.

- (5) The pension and death-cum-retirement gratuity of the Government employee retiring under this rule shall be based on the emoluments as defined under rule 6.24 of Punjab Civil Services Rules, Volume II and the increase not exceeding five years in his qualifying service shall not entitle him to any notional fixation of pay for the purposes of calculating pension and gratuity.
- (6) The amount of pension to be granted after giving the weightage will be subject to the provisions of rule 6.4 of Punjab Civil Services Rules Volume II.
- (7) This rule shall not apply to a Government employee who 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.

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 employee seeks voluntary retirement.

- 5.33** In the case of Class IV Government employees retiring pension may be granted if such a Government employee is permitted or required to retire after 30 years qualifying service or more.

B - PROCEDURE

- 5.34** Authorities competent to retire Government employees should carefully examine the record of every Government employee who has completed 25 years' qualifying service with particular reference to his integrity or otherwise: and if it is desirable in the public interest that he should be retired, action should be taken accordingly.

Note.— In preparing periodical reports on their subordinates all officers should deal fully with such evidence as is available of inefficiency or corruption or other failing which impairs a Government employee's value.

- 5.34-A** (1) On a Government employee completing twenty five years of service or on his being left with five years of service before the date of retirement, whichever is earlier, the head of office in consultation with the Accounts Officer shall, in accordance with the rules for the time being in force, verify the service rendered by such a Government employee, determine the qualifying service and communicate to him, in FORM PEN.-15, the period of qualifying service so determined.

- (2) Notwithstanding anything contained in sub-rule (1), where a Government employee 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 (or where a non-gazetted Government employee is promoted to gazetted rank) the verification of his service may be done whenever such event occurs.
- (3) The verification done under sub-rules(1) and (2) shall be treated as final and shall not be reopened except when necessitated by a subsequent change in the rules and orders governing the conditions under which the service qualified for pension.

5.35 Heads of Departments should report to Government once a month the action taken by them or the competent authorities subordinate to them under Rules 5.32 to 5.34.

They should also inform Government of the orders of the appellate authority where there has been an appeal against the orders of the competent authority. The report to Government should state briefly the grounds on which a Government employee has been required to retire and should be addressed to the Chief Secretary.

CHAPTER - VI AMOUNT OF PENSIONS

SECTION - I GENERAL

- 6.1** The amount of pension that may be granted is determined by length of service as set forth in the succeeding sections of this chapter. The length of qualifying service for the purpose of pension shall be calculated in terms of completed six monthly period and fraction of a year equal to three months and more shall be treated as a completed six monthly period.
- 6.2** Pensions fixed in rupees shall be rounded off to the next higher rupee. In other words the fraction of a rupee shall be rounded off to next higher rupee.
- Note 1.**— *The rounding off to the next higher rupee is to be done once and at final stage but before commutation.*
- Note 2.**— *This rule applies to all classes of pensions granted under various sets of rules including compassionate allowance which is also in the nature of pension. This rule, however, shall not apply to gratuities sanctioned under various sets of rules or to the capitalised value of commuted portion of pension where the amount worked out shall be rounded off to the nearest five paise.*
- Note 3.**— *Where the competent authority orders deduction of pension under rule 2.2(a), 2.2(b) or 2.5 of these rules, the deduction shall be effected in whole rupees only so that the resultant pension may be paid in whole rupees after effecting deduction.*
- 6.3** A pension is fixed in rupees and is payable in India.
- 6.4** *Deleted.*
- 6.5** If a Government employee who is entitled to compensation pension accepts instead another post in the public service and subsequently becomes again entitled to receive pension of any class, the amount of such pension shall not be less than he could have claimed if he had not accepted the post.

LIMITATIONS

- 6.6** A Government employee entitled to pension may not take a gratuity instead of pension.
- 6.7 & 6.8** *Cancelled.*
- 6.9** If a Government employee has held more than one post, in respect of each of which, if he had held it separately and alone, pension would have been admissible to him, the pension admissible to him is the sum of the several pensions which would have been admissible to him if he had held each post separately and alone. The consolidated pension thus admissible is subject to the limitations prescribed in Section III of this Chapter.
- 6.10** A Government employee is not entitled, for service in a post conjointly with another post, to any pension which would not have been admissible to him if he had held the post separately and alone.

SECTION - II OLD PENSION RULES

6.11 to 6.15-A Deleted.

SECTION - III NEW PENSION RULES (GRATUITY AND PENSION)

A - GENERAL

6.16 (1) In the case of a Government employee retiring in accordance with the provisions of these rules before completing qualifying service of ten years, the amount of service gratuity shall be the appropriate amount as set out in the table below, and no additional or special additional pension shall be granted to him.

| Sr. No. | Completed six-monthly periods of qualifying service. | Scale of service gratuity |
|---------|--|---------------------------|
| 1 | $\frac{1}{2}$ | month's emoluments |
| 2 | 1 | month's emoluments |
| 3 | $1\frac{1}{2}$ | month's emoluments |
| 4 | 2 | month's emoluments |
| 5 | $2\frac{1}{2}$ | month's emoluments |
| 6 | 3 | month's emoluments |
| 7 | $3\frac{1}{2}$ | month's emoluments |
| 8 | 4 | month's emoluments |
| 9 | $4\frac{3}{8}$ | month's emoluments |
| 10 | $4\frac{3}{4}$ | month's emoluments |
| 11 | $5\frac{1}{8}$ | month's emoluments |
| 12 | $5\frac{1}{2}$ | month's emoluments |
| 13 | $5\frac{7}{8}$ | month's emoluments |
| 14 | $6\frac{1}{4}$ | month's emoluments |
| 15 | $6\frac{5}{8}$ | month's emoluments |
| 16 | 7 | month's emoluments |
| 17 | $7\frac{3}{8}$ | month's emoluments |
| 18 | $7\frac{3}{4}$ | month's emoluments |
| 19 | $8\frac{1}{8}$ | month's emoluments |

6.16(2) In the case of a Government employee retiring on or after the 1st April, 1979, in accordance with the provisions of these rules after completing qualifying service of not less than thirty-three years or more, the amount of superannuation, retiring, invalid and compassionate pensions shall be 50% of average emoluments as defined in rule 6.19-C of these rules subject to a maximum of Rs. 3,800 per mensem. However, in the case of

a Government employee who at the time of retirement has rendered qualifying service of ten years or more but less than thirty-three years, the amount of pension shall be such proportion of the maximum admissible pension as the qualifying service rendered by him bears to the maximum qualifying service of thirty-three years, subject to a minimum of Rs.375 per mensem (A few illustrations are given in Annexure to this Chapter.)

ANNEXURE

(Referred to in sub-rule (2) of rule 6.16)

| Average Emoluments | Pension on completion of 33 years qualifying Service or more | Pension on completion of 30 years qualifying Service or more | Pension on completion of 25 years qualifying Service or more | Pension on completion of 20 years qualifying Service or more | Pension on completion of 16½ years qualifying Service or more |
|--------------------|--|--|--|---|--|
| 1. | 2. | 3. | 4. | 5. | 6. |
| Rs. 750 | Rs. 375 | Rs. $\frac{375 \times 30}{33}$ Rs. 341 | Rs. $\frac{375 \times 25}{33}$ Rs. 285 | Rs. $\frac{375 \times 20}{33}$ Rs. 228 | Rs. $\frac{375 \times 33}{33 \times 2}$ Rs. 188 |
| | | (But these will be given Rs. 375) | | | |
| Rs. 1200 | Rs. 600 | Rs. $\frac{600 \times 30}{33}$ Rs. 546 | Rs. $\frac{600 \times 25}{33}$ Rs. 455 | Rs. $\frac{600 \times 20}{33}$ Rs. 364 (But he will be given Rs. 375) | Rs. $\frac{600 \times 33}{33 \times 2}$ Rs. 300 (But he will be given Rs. 375) |
| Rs. 3000 | Rs. 1500 | Rs. $\frac{1500 \times 30}{33}$ Rs. 1364 | Rs. $\frac{1500 \times 25}{33}$ Rs. 1137 | Rs. $\frac{1500 \times 20}{33}$ Rs. 910 | Rs. $\frac{1500 \times 33}{33 \times 2}$ Rs. 700 |
| Rs. 6000 | Rs. 3000 | Rs. $\frac{3000 \times 30}{33}$ Rs. 2728 | Rs. $\frac{3000 \times 25}{33}$ Rs. 2273 | Rs. $\frac{3000 \times 20}{33}$ Rs. 1819 | Rs. $\frac{3000 \times 33}{33 \times 2}$ Rs. 1500 |
| Rs. 8000 | Rs. 4000 (But he will be given Rs. 3800) | Rs. $\frac{4000 \times 30}{33}$ Rs. 3637 | Rs. $\frac{4000 \times 25}{33}$ Rs. 3031 | Rs. $\frac{4000 \times 20}{33}$ Rs. 2425 | Rs. $\frac{4000 \times 33}{33 \times 2}$ Rs. 2000 |

Note.— The qualifying service shall be counted in terms of complete six monthly period for calculating pension and fraction of year equal to three months and more shall be treated as a completed six monthly period.

B - DEATH-CUM-RETIREMENT GRATUITY

6.16-A. (1) An officer who has become eligible for pension or gratuity under the rules applicable to him and has completed five years' qualifying service, may, on his retirement from service, be granted an additional gratuity not exceeding the amount specified in sub-rule(3).

(2) (a) If an officer, who has completed five years' qualifying service, dies while in service, a gratuity, not exceeding the amount specified in sub-rule(3) may be paid to the person or persons on whom the right to receive the gratuity is conferred under Rule 6.16-B or if there is no such person, it shall be paid in equal shares to those surviving members of a Government employee's family as detailed in rule 6.16-B who belongs to categories (i) to (iv) mentioned therein except widowed daughters. Where there are no such surviving members, but there is/are surviving widowed

daughters and/or one or more members of the family of the Government employee who belong(s) to categories (v) to (ix) mentioned, in rule 6.16-B, the gratuity may be paid to all such persons in equal shares. In cases where the qualifying service is less than the prescribed minimum (viz. 5 years) the deficiency should not be condoned.

- (b) The family of a pensionable employee who dies before completing five years of qualifying service shall also be eligible for the gratuity equal to six months emoluments of a Government employee at the time of his death except in cases in which death occurs in the first year of service where the gratuity admissible shall be equal to two months emoluments.
- (3) In the case of Government employee retiring in accordance with the provisions of these rules, the amount of gratuity shall be 1/4th of the emoluments of the Government employees for each completed six monthly period of qualifying service subject to maximum 16-1/2 times the emoluments in the case of class-I, II and III and 17-1/2 times the emoluments in the case of class-IV employees. In the event of death of a Government employee while in service, the gratuity shall be subject to a minimum of 12 times the "emoluments" of a Government employee at the time of his death, provided that in no case shall it exceed Rs.1,00,000.
- (4) If an officer who has become eligible for pension or gratuity under the rules applicable to him, dies after he has retired from service and the sum actually received by him at the time of death on account of such gratuity or pension together with gratuity granted under sub-rule (1) and the commuted value of any portion of pension commuted by him are less than the amount equal to twelve times his "emoluments" a gratuity equal to the deficiency may be granted to the person or persons specified in sub-rule(2).
- Note 1.**— *The residuary gratuity mentioned in sub-rule (4) is admissible only if the death of the Government employee takes place within five years, from the date of his retirement.*
- Note 2.**— *The words "sums actually received" under this rule will also include the amount of temporary increase in pension for determining the amount of residuary gratuity payable to the nominee or legal heirs of the deceased Government employee.*
- (5) The "emoluments" for the purpose of this section shall be reckoned in accordance with the rule 6.19(C) of these rules: Provided that if the "emoluments" of Government employee have been reduced during the last 10 months of his service, otherwise than as a penalty, average emoluments as defined in rule 6.24 of these rules shall be treated as emoluments.

Note.— *In the case of Government employee who during the currency of the leave preparatory to retirement upto 180 days on full pay, or earned leave not exceeding 120 days; or first 120 days of any period of earned leave on full pay exceeding 120 days, earns an increment which is not withheld, he is entitled to count the pay which he would have drawn had he remained on duty, as "emoluments" for the purpose of death-cum-retirement gratuity under this sub-rule, even though the increase in pay is not actually drawn during leave*

- (6) The Government will have the right to effect recoveries from a gratuity sanctioned under this rule, in the same circumstances as recovery can be effected from an ordinary pension under rule 2.2(b).

- (7) No gratuity may be granted under this rule, if the officer was dismissed or removed for misconduct, insolvency or inefficiency. Compassionate grants may, however, be made under this rule in accordance with rule 2.5.
- (8) A gratuity shall be sanctioned under this rule after giving due regard to the provisions of rule 6.4. The existing rules, which apply to the grant of an ordinary pension, will also apply in respect of a gratuity that may be sanctioned under this rule in so far as such rules are not inconsistent with the provisions of rule 6.16-A and 6.16-B.

6.16-B. (1) For the purpose of this rule—

| | | |
|--------|---|---|
| (a) | “family” shall include the following relatives of the Government employee:- | |
| (i) | wife or wives including judicially separated wife or wives, in the case of male Government employee; | |
| (ii) | husband including judicially separated husband in the case of female Government employee; | |
| (iii) | sons; | (including step-children and adopted children); |
| (vi) | unmarried and widowed daughters; | |
| (v) | brothers below the age of 18 years and un-married and widowed sisters, including step-brothers and sisters; | |
| (vi) | father | including step-children and adopted children) |
| (vii) | mother | |
| (viii) | married daughters; and | |
| (ix) | Children of a predeceased son | |

- (2) An officer shall, at any time after confirmation, make a nomination, conferring on one or more persons, the right to receive any gratuity that may be sanctioned under sub-rules (2) and (4) of rule 6.16-A and any gratuity which having become admissible to him under sub-rule (1) of that rule and rule 6.16 has not been paid to him before death.

Provided that if, at the time of making the nomination, the officer has a family, the nomination shall not be in favour of any person or persons other than members of his family.

- (3) If an officer nominates more than one person under sub-rule (2) he shall specify in the nomination the amount of share payable to each of the nominees, in such manner as to cover the whole amount of the gratuity.
- (4) An officer may provide in a nomination—
- (a) in respect of any specified nominee, that in the event of his predeceasing the officer the right conferred upon that nominee shall pass to such other persons as may be

specified in the nomination; provided that if at the time of making the nomination the officer 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;

- (b) that the nomination shall become invalid in the event of the happening of the contingency specified therein.
- (5) The nomination made by an officer who has no family at the time of making it, or a provision made in nomination under clause (a) of sub-rule (4) by an officer whose family consists, at the date of making the nomination, of only one member, shall become invalid in the event of the officer subsequently acquiring a family, or an additional member in the family, as the case may be.
- (6) (a) Every nomination shall be in such one of the forms PEN.-1-C to PEN.-1-F as may be appropriate in the circumstances of the case.

Note.— *The forms provide for only one alternate nominee and it is not open to a Government employee to nominate more than one alternate nominee against any original nominee.*

- (b) An officer may at any time cancel a nomination, by sending a notice in writing to the appropriate authority; provided that the officer shall, along with such notice, send a fresh nomination made in accordance with this rule.
- (7) Immediately on the death of a nominee, in respect of whom no special provision has been made in the nomination under clause (a) of sub-rule (4), or on the occurrence of any event, by reason of which the nomination becomes invalid, in pursuance of clause (b) of that sub-rule or sub-rule (5), the officer shall send to the appropriate authority a notice in writing formally cancelling the nomination, together with a fresh nomination made in accordance with this rule.
- (8) (i) Every nomination made, and every notice of cancellation given, by an officer under this rule, shall be sent by him to the Accountant General, Haryana, in the case of a gazetted officer, and to the Head of his office in the case of non-gazetted officer. Immediately on receipt of a nomination from a non-gazetted officer, the Head of the office shall countersign it, indicating the date of receipt, and keep it in safe custody.

Provided that the Head of office may authorize his subordinate gazetted officers to countersign nomination forms of Non-Gazetted Government employees.

- (ii) Suitable entry regarding receipt of nomination shall be made in the service book of the Government employee concerned.
- (9) Every nomination made, and every notice of cancellation given, by an officer shall, to the extent that it is valid, take effect on the date on which it is received by the authority mentioned in sub rule (8).

Note.— *While a nomination as also any change therein will normally be made by an officer during his service, he may be allowed to make a fresh nomination after retirement if such a contingency arises.*

6.16-BB. Debarring a person from receiving gratuity:-

- (1) If a person, who in the event of death of a Government employee while in service is eligible to receive gratuity in terms of rule 6.16-B is charged with the offence of

murdering the Government employee 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 employee, 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 employee, his share or gratuity shall be payable to him.
- (3) The provisions of sub-rules (1) and (2) shall also apply to the undisbursed gratuity admissible under rule 6.16-A, if a Government employee dies after retirement without receiving the gratuity.

C - TERMINAL GRATUITY FOR TEMPORARY GOVERNMENT EMPLOYEES

- 6.16-C.**(1) With effect from the 7th June, 1961, a temporary Government employee who is discharged on account of retrenchment will be eligible for a gratuity at the rate of 1/3rd of a month's pay for each completed year of service; provided he has completed not less than five years' continuous service at the time of discharge.
- (2) (a) For the purpose of sub-rule (1), the term "pay" means basic pay and dearness pay only on the date of his discharge from service. It will not include special pay, personal pay, and other emoluments classed as "pay". In case the person concerned was on leave with or without allowances immediately before discharge, pay for the purpose will be the pay which he drew before proceeding on such leave; provided that the benefit of increase in such pay not actually drawn due to increment or promotion to a post carrying a higher rate of pay falling during leave not exceeding 120 days of earned leave or the first 120 days of such earned leave exceeding 120 days only will also be taken into account.
 - (b) "Government service" means temporary service under the Government of Haryana and includes temporary service rendered in composite Punjab and in erstwhile Pepsu before its merger with Punjab.
 - (c) "temporary service" means service in a temporary post and officiating service in a permanent post.
 - (3) The grant of gratuity under this rule shall be subject to the service rendered by the Government employee concerned being held by the authority competent to appoint him to be approved and satisfactory. No gratuity shall be admissible:-
 - (a) In case where the Government employee concerned resigns his post or is removed or dismissed from public service;
 - (b) to a probationer or other Government employee discharged for failure to pass the prescribed test or examination;
 - (c) to a re-employed pensioner.
 - (4) In case the amount of gratuity payable under this rule remains undrawn on account of death of a Government employee, it will be payable to his family in the order of preference given below:-

- (1) Eldest surviving widow in the case of a male Government employee.
- (2) Husband in the case of a female Government employee.
- (3) Eldest surviving son.
- (4) Eldest surviving un-married daughter.
- (5) Eldest widowed daughter.
- (6) Father.
- (7) Mother.
- (8) Eldest surviving brother below the age of 18 years.
- (9) Eldest surviving un-married sister.
- (10) Eldest surviving widowed sister.

6.16-D Deleted.

6.17 to 6.19 Deleted.

6.19-A. Deleted.

6.19-B. Deleted.

E - EMOLUMENTS RECKONING FOR PENSION

- 6.19-C.(i)** [The term "emoluments" for these purposes shall mean "pay" as defined in rule 2.44(a)(i) of Punjab Civil Services Rules Volume I, Part I.]⁹ If a Government employee immediately before his retirement or death has been absent from duty or on leave with allowances his emoluments for the purpose of calculating service gratuity or death-cum-retirement gratuity should be taken at what they would have been had he not been absent from duty.
- (ii) Pay drawn in tenure appointment(s) will count provided the service in tenure appointment(s) does not qualify for grant of special additional pension.
 - (iii) There will be no change in the existing principle of reckoning those emoluments for pension which are paid by the Government. In other words the entire amount drawn as emoluments by a Government employee while on foreign service will not count for pension and gratuity. In such a case, the pay which the Government employee would have drawn under the Government had he not been sent on foreign service will alone be taken into account.
 - (iv) In the case of employees on deputation to any other State Government or the Central Government, the emoluments which he would have drawn, had he not proceeded on deputation, will alone be taken into account.

6.20 & 6.21 Deleted.

F - EMOLUMENTS NOT RECKONING FOR PENSION

- 6.22** A Government employee cannot count compensatory allowances of any description as emoluments for pension.

⁹

Substituted vide Notification No. GSR-31/Const./Art.-309/2001, dated 07.12.2001.

6.23 Any part of a Government employee's pay or emoluments, which is specially intended to provide for expenses incidental to his duty, must be excluded. The following are examples of the operation of this rule:-

- (1) When a Government employee's pay is intended partly to cover the expenses of his providing or keeping a horse, his pay must be taken only at what it would be if it was not intended to cover such expense. When a water-carrier's pay includes provision for a bullock, his pay must be taken at what it would be if he were not required to keep a bullock.
- (2) When a consolidated pay specially includes tentage, travelling allowance or horse allowance, these must be deducted.
- (3) When a Government employee's pay is fixed at two rates, a smaller rate during stationary duty and a higher rate during periods passed on tour or travelling, the former rate alone should be the basis of the calculation.

G - AVERAGE EMOLUMENTS

[6.24] (1) The pension shall be calculated on the pay last drawn by the Government employee on the date of retirement.

- (2) If on date of retirement of his service a Government employee has been absent from duty on leave with leave salary and also on extraordinary leave which counts for pension or having been suspended, has been reinstated without forfeiture of service, his emoluments should be taken at what they would have been had he not been absent from duty or suspended; provided always that, except as provided in note below, his pension must not be increased on account of increase in pay not actually drawn.

Note.— In the case of Government employee who has been on earned leave till last date of his retirement and during this period he earns an increment which was not withheld during the currency of the earned leave such increment though not actually drawn, shall be included in the last pay drawn.

- (3) If a Government employee retires while he is absent from duty or on leave without leave salary not counting for pension or was under suspension which does not count for pension, the pay drawn by him prior to the period of such absence, leave or suspension shall be taken as last pay drawn for calculation of pension.
- (4) Except as provided in sub-rules (2) and (3) above, only emoluments actually received can be included in the calculation. For example, when a Government employee is allowed to count time retrospectively towards increase of pay, but does not receive retrospectively the intermediate periodical increments, these intermediate increments are not reckoned in the calculations.
- (5) In the case of section-writers whose service has been allowed to count for pension and of press employees whose service qualifies under rule 3.28 "average-emoluments" means the average earnings of the last seventy-two months in superior service.

Note 1.— *This clause applies in the case of a press employee remunerated by a fixed rate of pay if his pay is met from the grant for piece work.*

Note 2.— *Overtime earning of press employees paid at piece work rates may be taken into account in calculating average emoluments under this clause; but such earning must be excluded in reckoning the average emoluments of press employees who draw pay at fixed rates.*

If during the last 72 months of service a press employee has been for some period on fixed pay and for other periods a piecework employee, overtime earnings may be taken into account in calculating pension only for the periods during which he was remunerated at piece-work rates.

- (6) Basis for calculation of pension in respect of seasonal establishments governed by rule 3.18, shall be calculated on the pay last drawn in respect of seasonal establishments including the periods which count but during which no emoluments were drawn should enter into calculation and not merely the periods during which emoluments were drawn. The emoluments that should be taken into account should, under sub-rule (4) above, be those actually drawn during that period.]¹⁰

6.24-A. *Omitted.*

6.24-B. *Omitted.*

CHAPTER - VII
RE-EMPLOYMENT OF PENSIONERS

SECTION - I
GENERAL

- 7.1** No Government employee civil or military may retire with a view to being re-employed, and drawing pension in addition to pay, whether in Government service or in the service of any Local Fund.
- 7.2** When a person who was formerly in the civil or military employment of any Government in India obtains re-employment, whether temporarily or permanently, in Government service or in the service of a Local Fund, it shall be incumbent on him to declare to the appointing authority the amount of any gratuity, bonus or pension granted to him in respect of the previous employment. The authority reappointing him shall specifically state in the order of reappointment whether any deduction is to be made from pension or pay as required by the rules of this Chapter and shall communicate a copy of the order to the Accountant General.

Note.— *This principle of this rule applies in the case of continued employment on retirement from Government service. The amount of the pension to be declared is that sanctioned originally, i.e., it shall be inclusive of any amount that may have been commuted (vide Rule 7.5 and 7.6).*

- 7.3** The attention of every Government employee who is re-employed should be specially called to the provisions of this Chapter by the authority re-employing him, and, whenever he becomes aware of such an appointment by the Accountant General; but the failure of such authority to do this will not be admitted as a ground for condoning any breach of the rules contained in this Chapter.
- 7.4** Notwithstanding anything contained in the rules in this Chapter, a wound or other extraordinary pension sanctioned under Chapter VIII of these rules and a wound or injury or disability pension or a disability addition to pension awarded under the Military rules shall continue to be drawn by a retired Government employee, civil or military, during re-employment or continued employment, and shall be subject only to the conditions of its award. The amount of such pension or addition to pension except the pension granted on the scale laid down in sub-clause (a) of clause (ii) of Rule 8.14 on the abandonment of all claims to any ordinary pension or gratuity admissible under Rule 8.9 shall not be taken into account when fixing the pay during re-employment or continued employment.

Note.— *When the military pension is consolidated and service and disability elements are not explicitly differentiated, the total pension may be split up in the following manner. The service portion of the pension will be represented by the service pension earned, or, if no service pension has been earned, by the proportionate service pension calculated with reference to the minimum ordinary pension admissible for the rank and the actual length of service rendered. In calculating this service element, an amount of fifty naya paise and over shall be taken as a whole rupee, amounts of less than fifty naya paise being ignored. The disability portion of the pension will be the balance.*

- 7.5** In the case of a pensioner who is re-employed in Government service or in the service of a Local Fund and who commutes a portion of his pension after such re-employment, the amount of pension which the pensioner is entitled to draw under the rules in Section II of this Chapter shall be the amount to which he would have been entitled had there been no commutation, less the amount commuted.

In the case of a pensioner whose pension is held wholly in abeyance during such re-employment and who commutes a portion of his pension during this period, his pay, during re-employment, shall be reduced by the amount of pension commuted with effect from the date on which the commutation becomes absolute. In the case of a pensioner whose pension is held partly in abeyance during such re-employment and who during this period commutes a portion of his pension in excess of the portion actually drawn, his pay during re-employment shall be reduced, with effect from the date on which the commutation becomes absolute, by an amount representing the difference between the portion of pension commuted and the portion of pension drawn until the commutation.

- 7.6** In the case of a pensioner a portion of whose pension has been commuted before re-employment, the original amount of the pension should be taken into consideration in fixing the total receipts during re-employment or continued employment and not merely the uncommitted pension.

SECTION - II

RE-EMPLOYMENT OF CIVIL PENSIONERS

A - GENRAL

- 7.7** *Cancelled.*

- 7.8** A Pensioner of any class may be employed as an Extra Departmental Agent in the Post Office.

- 7.9** *Cancelled.*

B - AFTER COMPENSATION OR INVALID GRATUITY

- 7.10** A Government employee who has retired from Government service with a compensation gratuity or who has retired with an invalid gratuity but is sufficiently restored to health, if re-employed, in qualifying service, may either retain his gratuity, in which case his former service will not count for future pension, or refund it and count his former service.

- 7.11** The intention to refund gratuity must be stated immediately on re-employment; but the refund may be made by monthly installments of not less than one-third of his pay, and also not less than the whole gratuity divided by the number of months which have elapsed since the end of the service for which the gratuity was given. The right to count previous service shall not revive till the whole gratuity is refunded. He need not refund a gratuity given under rule 5.9, in lieu of notice of discharge unless the period of unemployment falls short of three months. In the latter case he may retain a portion of the gratuity equal to the proportion which the period of unemployment bears to three months. If the Government employee is re-employed only temporarily, he need refund

no part of his gratuity; but if such temporary employment is foreseen the gratuity should be proportionately reduced.

Note.— *The equity of this rule is based upon the consideration that so long as the refund of the gratuity is postponed, the Government employee avoids the risk and the Government loses the possibility of the gratuity lapsing absolutely to the public treasury by the death or dismissal of the Government employee. A subsequent refund of a gratuity, even with compound interest does not compensate the Government for the loss of this possibility meanwhile.*

7.12 Cancelled.

C - AFTER COMPENSATION PENSION

7.13 A Government employee who has obtained a compensation pension, if re-employed, may, retain his pension in addition to his pay: Provided that if he is re-employed in a post paid from the Government revenues, the pension shall remain wholly or partly in abeyance, if the sum of the pension and initial pay on re-employment exceeds his substantive pay immediately before retirement, that is, a Government employee can draw so much of pension only as will make his initial pay plus pension equal to his substantive pay at the time of his retirement. Once the amount of the pension has not been fixed in conformity with the above condition the Government employee shall be entitled to receive the benefit of increments in his new scale or promotion to another scale or post without a further corresponding reduction in pension; nor shall the amount of pension so fixed be varied during leave. In the case, however, of a pensioner re-employed in either a permanent or a temporary post, for bona fide temporary duty lasting for not more than a year, the Government or, in cases where the pension does not exceed Rs.10 a month, the authority which controls the establishment on which the pensioner is to be employed, may allow the pension to be drawn in whole or in part even though the sum total pay and pension exceeds his substantive pay at the time of his retirement.

Note 1.— *In the case of a section-writer whose service has been allowed to qualify for pension under special orders of the competent authority or of a Press employee (see rule 3.28) re-employed, the substantive pay at the time of discharge is taken at the average earnings of the last six months of employment.*

Note 2.— *This rule applies to the re-employment on all establishments paid from the Government revenues, whether paid by fixed pay or by fluctuating monthly allowances, but it does not apply to pensioners employed on work as coolies on daily wages.*

Note 3.— *In the case of re-employment under a Local Fund, no deduction is made from a compensation pension.*

Note 4.— *The competent authority may permit a Government employee who has obtained a compensation pension and is afterwards re-employed in a permanent or temporary post duly sanctioned by competent authority, to draw his full pension, in addition to the pay and allowances of the post irrespective of the period of such re-employment.*

Note 5.— *The restriction in this rule do not apply to ex-policemen whose pension does not exceed Rs.10 a month.*

Note 6.— A re-employed Government employee is a new entrant and is, therefore, not entitled to Sterling Overseas Pay, unless, it is admissible in similar circumstances if a new entrant is recruited. As regards the fixation of initial pay on re-employment, there are two limiting conditions:-

- (a) The pay of the post in which a Government employee is re-employed; and
- (b) the substantive pay of the Government employee at the time of retirement.

Substantive pay has to be interpreted in terms of Rule 2.55 of Volume I, Part I of this book.

While there is no obligation to give a Government employee reemployed, pay (including pension) equal to substantive pay (including overseas pay) drawn by him before retirement the rules permit a Government employee being allowed so much of pension as will with, initial pay, equal to substantive pay, the fixation of pay being a matter fully within the discretion of the competent authority.

7.14 If the re-employment is in qualifying service, the Government employee may either retain his pension (subject to the proviso stated in rule 7.13) in which case his former service will not count for future pension, or cease to draw any part of his pension and count his previous service. Pension intermediately drawn need not be refunded.

Note.— A Government employee counts his previous service under this rule if on re-employment his pension remains wholly in abeyance under the proviso to rule 7.13.

7.15 If a Government employee does not, within three months from the date of his re-employment, exercise the option conceded by rule 7.14, of ceasing to draw pension and counting his former service, he cannot, thereafter, do so without the permission of the competent authority.

D - AFTER INVALID PENSION

7.16 There is no bar to the re-employment of a Government employee who has regained health after obtaining Invalid Pension, or if a Government employee is invalidated as being incapacitated for employment in a particular branch of the service, to his re-employment, in some other branch of the service. The rules in such a case as to refunding gratuity, drawing pension, and counting service, are the same as in the case of re-employment after compensation pension.

Note.— A compassionate allowance is to all intents and purposes a pension and the rules regarding the re-employment of pensioners are, therefore, equally applicable to the case of a person in receipt of a compassionate allowance, this allowance being treated as Invalid or Compensation pension.

E - AFTER SUPERANNUATION OR RETIRING PENSION

7.17 A Government employee who is in receipt of a superannuation or retiring pension shall not be re-employed or continue to be employed in service paid from the Government revenues or from a Local Fund, except on public grounds and in a purely temporary capacity with the sanction of the competent authority.

Note.— A competent authority may declare that the restrictions contained in this rule shall not apply to any particular local fund or to local funds of any particular class of that they shall apply subject to such modifications as it may direct.

7.18 The authority competent to fix the pay and allowances of the post in which the pensioner is re-employed shall determine whether his pension shall be held wholly or partly in abeyance. If the pension is drawn wholly or in part, such authority shall take the fact into account in fixing the pay to be allowed to him.

Note 1.— A Head of a Department when delegated powers under Rule 7.17, may not allow the pensioner to draw full pension in addition to the full pay of the post except when the re-employment or continued employment is for bona fide temporary duty lasting for not more than a year or the pension does not exceed Rs.10 a month, when the power is delegated to any other subordinate authority, such authority may not allow the pensioner to draw in full a pension of more than Rs.10 a month, in addition to the full pay of the post.

Note 2.— Where the employment is in service paid from a local fund the authority determining whether the pension shall be wholly or partly held in abeyance shall be either:-

- (i) The authority administering the local fund, if so empowered by the competent authority by special or general orders in this behalf; or
- (ii) In any other case such other authority as the competent authority may prescribe;
- (iii) the provisions of Note 4 below apply mutatis mutandis to retired Government employees re-employed under Local Funds.

Note 3.— The restrictions in this rule do not apply to ex-policemen whose pension does not exceed Rs.10 a month.

Note 4.— (a) In determining the pay of a re-employed pensioner the following principles shall be observed; namely:-

- (i) the initial pay on re-employment shall be fixed at the minimum stage of the scale of pay prescribed for the post in which an individual is re-employed.
- (ii) in addition to (i) above, the Government employee may be permitted to draw separately any pension sanctioned to him and to retain any other form of retirement benefit e.g. gratuity commuted value of pension etc. provided the total amount of initial pay as at (i) plus gross amount of pension and/or the pension equivalent of other forms of retirement benefits does not exceed the pay he drew before his retirement (pre-retirement pay) or [Rs.79,000 (Pay band + Grade Pay)]¹¹, whichever is less.
- (iii) in all cases, where either of these limits is exceeded, the pension and other retirement benefits may be paid in full and necessary adjustment made in pay so as to ensure that the total of pay and pensionary benefits is within the prescribed limits.
- (iv) once the initial pay of a re-employed pensioner has been fixed in the manner indicated above he may be allowed to draw normal increments in the time scale of the post to which he is appointed, provided that the pay and gross pension/pension

¹¹ Earlier Substituted to Rs. 7600/- vide Notification No. 1/1(79)98-3FR-I, dated 22.02.1999 and again Substituted vide Notification No. 2/51/2008-1Pension, dated 30.07.2014 issued on 05.08.2014.

equivalent of other retirement benefits taken together do not at any time exceed [Rs.79,000 (Pay band + Grade Pay)]¹² per month.

- (v) *in case where the minimum pay of the post in which the Government employee is re-employed is more than the last pay drawn, the Government employee concerned may be allowed the minimum of the prescribed scale of post, less pension and pension equivalent of other retirement benefits.*
- (vi) *where after the pay is fixed at the minimum, it is reduced below minimum as a result of adjustment as at (iii) increase in pay may be allowed after each year of service at the rates of increment admissible, as the pay had been fixed at the minimum.*

Explanation.— *Pay drawn before retirement will be taken to be the substantive pay plus special pay, if any, and pay drawn in an officiating appointment may be taken into account if it was drawn continuously for atleast one year before retirement.*

- (b) *In fixing the pay in accordance with the above principle, the "pension equivalent" of the death-cum-retirement gratuity should always be taken into account, in cases of retired Government employees who before re-employment were governed by the New Pension Rules or had opted for the modified pension rules, - vide alternative (c) under rule 1.2-B. The pension equivalent of the death-cum-retirement gratuity will be determined on the basis of the commutation table applicable to the Government at the time of retirement.*

Note 5.— *It is permissible to allow commutation of a portion of pension, within admissible limits, even when the pension is held wholly in abeyance and even if, in cases where it is held partly in abeyance, the amount of pension desired to be commuted exceeds the amount of pension actually drawn. If a pensioner, whose pension is held wholly in abeyance, commutes his pension, his pay during re-employment will be reduced from the date the commutation becomes effective, by the amount of pension commuted. If, however, the commutation is in respect of a pension partly held in abeyance, that portion of the pension which is actually drawn during re-employment, will first be set off against commutation and if the pension drawn is not sufficient to cover the amount to be commuted, the difference will be set off against the portion held in abeyance, a corresponding reduction being made in the pay during re-employment with effect from the date the commutation becomes effective.*

Note 6.— *In the case of Government employees retiring under contributory provident fund benefits, the pension equivalent to the total contribution payable by Government alongwith the interest due thereon should be taken into account for the purpose of determining his pay during re-employment. The pension equivalent in such cases shall be determined by applying the current table of commutation of pension as in the case of death-cum-retirement gratuity.*

SECTION - III RE-EMPLOYMENT OF MILITARY PENSIONERS

- 7.19** Except where it is otherwise expressly provided, the rules in section II of this chapter do not apply to a military officer, departmental officer, warrant or non-commissioned officer or soldier, who is taken into or allowed to continue in Civil employ after he has been granted a pension under military rules. The claims of such a Government employee to

¹²

Earlier Substituted to Rs. 7600/- vide Notification No. 1/1(79)98-3FR-I, dated 22.02.1999 and again Substituted vide Notification No. 2/51/2008-1Pension, dated 30.07.2014 issued on 05.08.2014.

pay in the Civil Department are governed by Rule 7.20. His pension for service in the Civil Department will not be affected by his military pension.

7.20(a) When a person formerly in military service obtains employment in the Civil Department after having been granted a military pension, he shall continue to draw his military pension but the authority competent to fix the pay and allowances of the post in which he is re-employed shall have, in fixing his pay and allowances in the post in which he is re-employed, the power to take into account the amount of pension including such portion of it as may have been commuted.

(b) A Military Officer, departmental officer, warrant or non-commissioned officer or soldier who is granted a pension under military rules while he is in civil employ, shall draw such pension while he is in civil employ, but the authority competent to fix the pay and allowances of the post in civil employ, may, with effect from the date from which the pension is granted reduce such pay and allowances with reference to such officer or soldier by any amount not exceeding the amount of such pension.

Note 1.— *If the military pension of a person does not exceed Rs. 50/- a month, it shall not be taken into account in fixing his pay and allowances in the civil department. In respect of these military pensioners in respect of military pension exceeding Rs.50/- the first Rs.50/- per month should be ignored while fixing pay in the civil Department.*

Note 2.— *Wound or extraordinary pension should be reduced or terminated only in virtue of the conditions of its award and should not be affected by the Pensioner's re-employment in the Government service.*

Note 3.— *Whenever a military pensioner is re-employed or continued in employment after being granted a military pension, in a civil capacity, a certificate shall be attached to the first pay bill to the effect that the pay has been fixed with due regard to the provisions of rule 7.20.*

Note 4.— *A reservist while still a reservist is not a pensioner. As reserve pay is not pension it is not affected by any of the restrictions laid down in Rule 7.20.*

7.21 The pension of the heir of an Indian Military Officer or non commissioned officer or soldier (or the heir of a Medical subordinate) will, during employment in any Civil Department, merge in his pay.

SECTION - IV PENSION FOR NEW SERVICE

7.22 Except as provided in Section III, a Government employee who, having been discharged with a pension, is subsequently re-employed, may not count his new service for a separate pension. Pension (if any) is admissible only for the new service combined with the old, the whole being counted as one service.

7.23 If a Government employee who has obtained a compensation or invalid pension is re-employed in pensionable service and retain the pension (see Rule 7.13, 7.14 and 7.16) the pension or gratuity admissible for his subsequent service is subject to the following limitation, namely, that the gratuity or the capital value of the pension shall not be greater

than the difference between the value of the pension that would be admissible at the time of the Government employee's final retirement, if the two periods of service were combined and the value of the pension already granted for the previous service.

Note.— *The capital value of the pension granted for the previous service should be calculated on the basis of the age of the Government employee on the date of the final retirement from service.*

- 7.24** (a) If a gratuity received for the earlier service has not been refunded, gratuity or pension (as the case may be) may be allowed for the subsequent service, on condition that the amount of such gratuity or the present value of such pension plus the amount of the previous gratuity shall not exceed the amount of gratuity or the present value of the pension that would have been admissible had the gratuity received for the earlier service been refunded.
- (b) If the amount of such gratuity or the present value of such pension, plus the amount of the previous gratuity, exceed the amount of gratuity or the present value of the pension that would have been admissible if the gratuity received for the earlier service had been refunded, the excess must be disallowed.
- 7.25** For the purpose of rules 7.23 and 7.24, the capital or present value of a pension shall be calculated in accordance with the tables under the rules in Chapter XI.

SECTION - V

COMMERCIAL EMPLOYMENT AFTER RETIREMENT

- 7.26** (a) If a pensioner to whom this rule applies wishes to accept any commercial employment before the expiry of two years from the date of his retirement, he should obtain the previous sanction of the competent authority to such acceptance. No pension shall be payable to a pensioner who accepts a commercial employment without such sanction, in respect of any period for which he is so employed or such longer period as the competent authority may direct: Provided that a Government employee permitted by the competent authority to take up particular form of commercial employment during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuation in such employment after retirement.

Explanation.— *For the purposes of clause (a) of this Rule, the expression "the date of retirement" in relation to a Government employee re-employed after retirement without any break either in the same or in another class-I post under the State Government or in any other equivalent post under the Central Government, shall mean the date on which such Government employee finally ceases to be so re-employed in Government Service.*

- (b) This rule shall apply to every pensioner who immediately before retirement was a member of the State Service Class I.
- (c) In this rule "Commercial employment" means employment in any capacity, including that of an agent, under a company, firm or individual engaged in trading, commercial, industrial, financial or professional business, and includes also a directorship of such company and a partnership of such firm, but shall not include employment under a body corporate, owned or controlled by Government.

Explanation-1.— For the purpose of this rule commercial employment under a co-operative society shall include the holding of any office whether elective or otherwise such as that of President, Chairman, Manager, Secretary, Treasurer and the like by whatever name called in such a society; and

Explanation-2.— For the purpose of this rule commercial employment shall also include setting up practice, either independently or as a partner of a firm, as Adviser or consultant in matters in respect of which a retired Government employee,—

- (i) has no professional qualifications and the matter in respect of which the practice is to be set up or is carried on or relatable to his official knowledge experience; or
- (ii) has professional qualifications but the matters in respect of which such practice is to be set up are such as are likely to give his clients an unfair advantage by reason of his previous official position; or
- (iii) has to undertake work involving liaison or contact with the officers or officers of the Government.

SECTION - VI

EMPLOYMENT UNDER GOVERNMENT OUTSIDE INDIA AFTER RETIREMENT

7.27 (a) If a pensioner to whom this rule applies wishes to accept any employment under a Government outside India he should obtain the previous sanction of competent authority to such acceptance. 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 competent authority may direct.

Provided that a Government employee permitted by the competent authority to take up a particular form of employment under a 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.

- (b) This rule shall apply to every pensioner who immediately before retirement was a member of the State Service, Class I.
- (c) For the purpose of this rule "employment under a Government outside India" shall include employment under a local authority or Corporation or any other Institution or organization which functions under the supervision or control of a Government outside India.

C - WOUND AND OTHER EXTRAORDINARY PENSIONS

CHAPTER - VIII

WOUND AND OTHER EXTRAORDINARY PENSIONS

SECTION - I

EXTENT OF APPLICATION

8.1 Pay for the purpose of this chapter means pay, as defined in rule 2.44 of Volume I, Part I, of these rules which a person was drawing on the date of his death or injury; provided that in the case of persons remunerated by piece works rates, pay means average earnings of the last six months of service ending with the date of his death or injury.

Note 1.— *Article 320 of the Constitution of India provides that the Public Service Commission should be consulted on claims for the award of injury pensions and as to the amounts of such awards. It is, therefore, necessary to consult the commission on every claim by or in respect of a person, except class III and class IV employees, who is or was under the rule making control of the Haryana Government for the award of a pension or gratuity under the rules in this Chapter. The following supplementary instructions should be observed when the Haryana Public Service Commission is consulted in respect to claims for the award of injury pension:-*

- (i) the Commission should be consulted after the department concerned have expressed their views on a case;-*
- (ii) the point of reference to the Commission should inter alia be, whether in their opinion the award of any pension, gratuity, etc., is admissible, and if so, the amount thereof; and*
- (iii) any such reference to the Commission should be in the form of an official letter with which the relevant papers should be forwarded and except as stated in Note 2 below, the convention regarding the acceptance of the advice of the Commission should apply in these cases.*

Note 2.— *All cases of ex-gratia award of extraordinary pension shall be referred to the Haryana Public Service Commission. If commission considers that a claim is covered by the rules and recommends an award it will be open to the competent authority to examine the position before accepting the recommendation. If the competent authority is satisfied that the case is covered by the rules, it will accept the Commission's recommendations as to the amount of the award. In cases when the Commission is satisfied that the award is admissible under the rules, but would recommend ex-gratia payment, they will not make any recommendation about the amount of payment. The competent authority will in that case retain discretion after giving all due weight to the Commission's recommendations whether or not to make any ex-gratia payment and to determine the amount of such payment.*³⁴

SECTION - II

GENERAL

8.2 to 8.8 Deleted.

SECTION - III

WOUND, INJURIES OR OTHER DISABILITIES SUSTAINED BY A CIVIL GOVERNMENT EMPLOYEE WHILE SERVING WITH A MILITARY FORCE

8.9 to 8.17 Deleted.

SECTION - IV
WOUND, INJURIES OR OTHER DISABILITIES SUSTAINED OTHERWISE THAN ON
SERVICE WITH A MILITARY FORCE

8.18 to 8.24 Deleted.

SECTION - V
RULES REGULATING THE GRANT OF WOUND AND EXTRAORDINARY PENSIONS TO
PERSONS NOT HOLDING A LIEN OR A SUSPENDED LIEN ON A PERMANENT POST ON
1ST APRIL, 1937.

8.25 The rules in this section shall apply to all persons paid from civil estimates, other than those to whom the Workmen's Compensation Act, 1923 (VIII of 1923), applies whether their appointment is permanent or temporary, on time scale of pay or fixed pay or piece work rates.

Note.— *No award shall be made under these rules in respect of Civilian officer who is deputed on foreign service under United Nations bodies on or after 1st January, 1958, and who is allowed to join the United Nations Joint Staff Pension Fund as an "Associate Member".*

8.26 For the purposes of the rules in this Section unless there is anything repugnant in the subject or context:-

(1) "accident" means—

- (i) a sudden and unavoidable mishap, or
- (ii) a mishap due to an act of devotion to duty in an emergency arising otherwise than by violence out of and in course of service;

(2) "date of injury" means—

- (i) in the case of accident or violence, the actual date on which the injury is suffered or such date, not being later than the date of the report of Medical Board, as the competent authority may fix; and
- (ii) in the case of disease, the date on which the Medical Board reports or such earlier date as may be fixed by the competent authority with due regard to the opinion of the Medical Board;

(3) "disease" means—

- (i) Veneral disease or septicaemia where such disease or septicaemia is contracted by a medical officer as a result of attendance in the course of his official duty on an infected patient or of conducting a post-mortem examination in the course of that duty; or
- (ii) disease solely and directly attributable to an accident; or
- (iii) an epidemic disease contracted by an officer in consequence of his being ordered on duty to an area in which such disease is prevalent, or in consequence of his attending voluntarily, out of humanitarian motives, upon any patient suffering from any such disease in any area where he happens to be in the performance of his duties;

- (4) "injury" means bodily injury resulting from violence accident or disease assessed by a Medical Board as being not less than severe;

Note.— *Examples of injuries of certain categories are given in Schedule-I to this Section.*

- (5) "pay" means the pay as defined in Rule 2.44 in Volume I, Part I, of these rules which a person was drawing on the date of his death or injury:

Provided that in the case of a person remunerated by piece work rates, pay means the average earnings of the last six months of service ending with the date of his death or injury.

- (6) "risk of office" means any risk, not being a special risk, or accident or disease to which a Government employee is exposed in the course of and as a consequence of his duties, but nothing shall be deemed to be a risk of office which is a risk common to human existence in modern condition in India unless such risk is definitely enhanced in kind or degree by the nature, conditions, obligations or incidents of Government service;

- (7) "special risk" means-

- (i) a risk of suffering injury by violence;
- (ii) a risk of injury by accident to which a Government employee is exposed in the course of, and as a consequence of, the performance of any particular duty which has the effect of materially increasing his liability to such injury beyond the normal risk of his office;
- (iii) a risk of contracting disease to which a medical officer is exposed as a result of attending in the course of his official duty to a venereal or septicaemic patient or conducting a post-mortem examination in pursuance of that duty;

- (8) "violence" means the act of a person who inflicts an injury on a Government employee-

- (i) by assaulting or resisting him in the discharge of his duties, or in order to deter or prevent him from performing his duties; or
- (ii) because of anything done or attempted to be done by such Government employee or by any other public employee in the lawful discharge of his duty as such; or
- (iii) because of his official position.

8.27 No award shall be made except with the sanction of the competent authority. In making an award such authority may take into consideration the degree of default or contributory negligence on the part of the Government employee who sustains an injury or dies as a result of an injury or is killed.

8.28 Except as otherwise provided, an award made under these rules in this Section, shall not affect any other pension or gratuity for which the Government employee concerned or his family may be eligible under any other rules for the time being in force; and the pension granted under the provisions of these rules shall not be taken into account in fixing the pay of the pensioner on his continued employment or re-employment in Government service.

8.29 No award shall be made in respect of—

- (i) an injury sustained more than five years before the date of application, or

- (ii) death which occurred more than seven years (a) after the injury due to violence or accident was sustained, or (b) after the Government employee was medically reported as unfit for duty on account of the disease of which he died.

8.30. All awards under these rules shall be made in India in rupees.

8.31. For the purpose of these rules injuries shall be classified as follows:-

Class-A: Injuries caused as a result of special risk of office which have resulted in the permanent loss of an eye or a limb or are of a more serious nature.

Class-B: Injuries caused as a result of special risk of office and equivalent, in respect of the degree of disablement which they cause to the loss of a limb or are very severe; or injuries caused as a result of risk of office which have resulted in the permanent loss of an eye or a limb, or are of more serious nature.

Class-C: Injuries caused as a result of special risk of office which are severe, but not very severe, and likely to be permanent or injuries caused as a result of risk of office which are equivalent, in respect of the degree of disablement which they cause, to the loss of a limb or which are very severe or severe and likely to be permanent.

Example.— *A rifleman was required by his Commanding Officer to cut down branches for fuel and had to climb a tree to reach branches. He fell down and was injured. He was exposed to greater risk by nature of the duties he was asked to do. The injury falls under clause (c) of this rule. Therefore, under the provisions of Rule 8.32 (3) read with clause 2(1) and 4(1) of that rule the rifleman is entitled to injury pension with effect from the date of injury.*

8.32 (1) If a Government employee sustains an injury which falls within class A of Rule 8.31, he shall be awarded—

(a) a gratuity of the applicable amount specified in Schedule-II to this Section, and

(b) with effect from the date following the expiry of one year from the date of the injury—

(i) if the injury has resulted in the permanent loss of more than one limb or one eye, a permanent pension of the applicable amount specified in Schedule-II for a higher scale pension; and

(ii) in other cases, a permanent pension the amount of which shall not exceed the applicable amount specified in Schedule-II for a higher scale pension and shall not be less than half that amount.

(2) If a Government employee sustains an injury which falls within class B of Rule 8.31, he shall be awarded.

(i) if the injury has resulted in the permanent loss of an eye or a limb or is of more serious nature, a permanent pension, with effect from the date of the injury, of an amount which shall not exceed the applicable amount specified in Schedule-II for a lower scale pension and shall not be less than half that amount;

(ii) in other cases—

(a) for a period of one year with effect from the date of the injury a temporary pension the amount of which shall not exceed the applicable amount specified in Schedule-II for a lower scale pension and shall not be less than half that amount; and thereafter.

- (b) a pension within the limit specified in sub clause (a) if the Medical Board from year to year certifies that the injury continues to be very severe.
- (3) If a Government employee sustains an injury which falls within Class C of Rule 8.31, he shall be awarded a gratuity of the applicable amount specified in Schedule-II, if the Medical Board certifies that the Government employee is likely to be unfit for service for a year, or a proportionate amount subject to a minimum of one quarter of the amount so specified if he is certified to be likely to be unfit for less than a year:

Provided that in cases where the injury is equivalent in respect of the degree of disablement which it causes to the loss of a limb the competent authority may award, if it thinks fit, in lieu of the gratuity a pension not exceeding the amount admissible under sub-clause (ii) of clause (2) of this rule.
- (4) A temporary pension awarded under this rule may be converted into a permanent injury pension—
 - (i) When a Government employee is invalidated out of the service on account of the injury in respect of which the temporary pension was awarded, or
 - (ii) when the temporary pension has been drawn for not less than five years, or
 - (iii) at any time, if the Medical Board certifies that it sees no reason to believe that there will ever be a perceptible decrease in the degree of disablement

- 8.33** Subject to the provision contained in Note 2 below rule 8.34 (2) awards shall be made to the widow and children of a Government employee as follows—
- (i) if a Government employee is killed or dies of injury received as a result of special risk of office—
 - (a) a gratuity of the applicable amount specified in Schedule-II to this Section, and
 - (b) a pension the amount of which shall not exceed the applicable amount specified in Schedule-III;
 - (ii) if the Government employee is killed or dies of injuries received as a result of risk of office, a pension the amount of which shall not exceed the applicable amount specified in Schedule-III:

Proviso - Deleted.

Note 1.— *The amount of pension is fixed separately for each member of a Government employee's family. If one member ceases to be entitled to it by any subsequent event, for example, marriage etc. the pensions of the other members are not affected. In other words, the provision of this rule comes into operation only at the time of announcing the compensation of the amount of pension and cannot be revived again to bring the total amount to the maximum limits.*

Note 2.— *If a Government employee dies leaving behind two or more widows the pension or gratuity admissible under this rule to the widow shall be divided equally among all the widows.*

In the event of a Government employee leaving behind only one widow who is totally denied any share in the property of the Government employee under a will or deed made by him, she shall be ineligible to receive any award under these rules and in the event of her having no children, rule 8.34 shall apply.

- 8.34** (1) If the deceased Government employee has left neither a widow nor a child, an award may be made to his father and his mother individually or jointly and in the absence of the father and the mother, to minor brothers and sisters, individually or collectively, if they were largely dependent on the Government employee for support and are in pecuniary need:

Provided that the total amount of the awards shall not exceed one-half of the pension that would have been admissible to the widow under Rule 8.33.

Provided further that each minor brother's and sister's share shall not exceed the amount of pension specified in Schedule-III for a 'child' who is not motherless.

- (2) Any award made under clause (1) of this rule will, in the event of an improvement in the pecuniary circumstances of the pensioner, be subject to review in such manner as the competent authority may by order prescribe.

Note 1.— *The provisions of the Note 1 below Rule 8.19 also apply mutatis mutandis to Government employees governed by the rules in the Section.*

Note 2.— *If any of the widows, children, father, mother or minor brothers or sisters is denied any share in the property of the Government employee under a will of deed made by him, such person shall be ineligible to receive any award under these Rules and the benefit will pass on to the next person eligible.*

- 8.35** (1) A family pension will take effect from the day following the death of the Government employee or from such other date as the competent authority may decide.

- (2) A family pension will ordinarily be tenable -
- (i) in the case of widow or mother until death or remarriage whichever occurs earlier;
 - (ii) in the case of a minor son, or minor brother, until he attains the age of 21;
 - (iii) in the case of an unmarried daughter or minor sister, until marriage or until she attains the age of 24 whichever occurs earlier;
 - (iv) in the case of a father, for life,

Note 1.— *A family pension granted to a posthumous child should commence from the date of his/her birth and not from the date of death of his/her father.*

Note 2.— *The family pension of a widow will cease on re-marriage but when such re-marriage is annulled by divorce, desertion or death of the second husband her pension may be restored upon proof that she is in necessitous circumstances and otherwise deserving.*

- 8.36** (1) In respect of matters of procedure, all awards under the rules in this Section are subject to the procedure rules relating to ordinary pensions for the time being in force, to the extent that such procedure rules are applicable and are not inconsistent with these rules.

- (2) When a claim for any injury pension or gratuity or family pension arises, the head of the office or of the department, in which the injured or the deceased Government employee was employed, will forward the claim through the usual channel to the Government with the following documents:-

- (i) A full statement of circumstances in which the injury was received, the disease was contracted or the death occurred.

- (ii) The application for injury pension or gratuity in FORM PEN.-6 or as the case may be, the application for family pension in FORM PEN.-7.
 - (iii) In the case of an injured Government employee or one who has contracted a disease a medical report in FORM PEN.-8. In case of a deceased Government employee a medical report as to the death or reliable evidence as to the actual occurrence of death if the Government employee lost his life in such circumstances that a medical report cannot be secured.
 - (iv) A report of the Accountant General as to whether an award is admissible under the rules, and if so, of what amount.
- (3) Where the Government are satisfied on the evidence placed before them by a Government employee in respect of whom a medical report for the purpose of grant of injury or other extraordinary pension has been received by them, of the possibility of an error of judgment in the decision of the Medical Board which examined him, the Government may direct a second Medical Board consisting of members other than those, who constituted the first Medical Board to examine the officer and submit a report to the Government in the matter; pension shall be granted to the Officer in accordance with the decision of the second Medical Board.

8.37 Subject to such conditions as it may think fit to impose, a competent authority may grant to a Government employee who has been severely injured or has contracted a serious disease in the execution of public duty, or to the family of the Government employee who has died from the effects of such injury or disease, an extraordinary pension which will not, save in most exceptional circumstances, exceed Rs.25 a month, or a gratuity not exceeding the equivalent of that amount of Rs.1, 000, whichever may be greater.

Note.— *A gratuity or pension may be granted under this rule to a village watchman or his family even though he receives no pay from Government.*

GRANT OF PENSIONS TO DEPENDENTS OF PRIVATE INDIVIDUALS

- 8.38** The following conditions shall regulate the grant of pensions to the dependents of private individuals who are killed while assisting State authority in their task of maintaining law and order:-
1. Pensions will be granted only in exceptional circumstances to the dependent of private individuals who are killed while engaged in operation of exceptional risk such as the dispersal of unlawful assemblies, suppression of riot, the arrest of dangerous criminals or fighting dacoits or raiders across the border.
 2. No pension will be sanctioned except after the necessary medical report and the report of the Accountant General have been obtained: Provided that if the individual lost his life in circumstances which render it impossible to procure a medical report, reliable evidence of the actual occurrence of death may be accepted in lieu thereof.
 - 3.(a) When any claim for pension under these orders arises; the Inspector General of Police or the Head of Department in which the claim arises will hold a formal enquiry, taking evidence as to—
 - (i) the circumstances in which the life was lost;

- (ii) the relationship and the pecuniary circumstances of the claimants.
- (b) He will then submit the case, with a statement of the circumstances, through the usual channel to the Finance Department. The application should be in the FORM PEN.-3.
- 4. Awards shall be made to the widows and children as follows subject to a total maximum of Rs. 25 per mensem:-
 - (a) Widow at a rate not exceeding Rs.12 per mensem.
 - (b) Children—
 - (i) if the child is motherless, Rs.6 per mensem;
 - (ii) if the child is not motherless, Rs.4 per mensem.

Provided that if the total of the pensions as calculated above exceeds Rs. 25 per mensem the competent authority may at its discretion make such modifications in the mode of allotment as to restrict the total of the pensions to Rs. 25 per mensem.

- 5. (1) If the deceased has left neither a widow nor a child, an award may be made to his father and his mother, individually or jointly, and in the absence of the father and the mother, to the minor brothers and sisters individually or collectively, if they were largely dependent on the deceased for support and are in pecuniary need: Provided that the total amount of the awards shall not exceed Rs.10 per mensem in the case of the father and mother and that each minor brother's and sister's share shall not exceed the amount of pension admissible to a child who is not motherless: Provided further that the maximum pension in the case of minor brothers and sisters shall not exceed Rs.16 per mensem. If, however, the pension so calculated exceeds Rs.16 per mensem, the competent authority may at its discretion make such modification in the mode of allotment as to restrict the total of the pension to Rs.16 per mensem.
- (2) Any award made under clause (1) of this rule will, in the event of any improvement in the pecuniary circumstances of the pensioner be subject to review in such manner as the Finance Department may by order prescribe. In sanctioning pensions to parents of the deceased, the following conditions should be attached:-
 - (a) that the award is subject to review should the pecuniary circumstances of the pensioner improve; and
 - (b) that any such change of circumstances is to be promptly reported by the pensioner to the sanctioning authority.
- 6. (1) A family pension will take effect from the date following the death of the person concerned or from such date as the Finance Department may decide.
- (2) A family pension will ordinarily be tenable—
 - (i) in the case of a widow or mother until death or remarriage whichever occurs earlier;
 - (ii) in the case of a minor son or minor brother, until he attains the age of 21;
 - (iii) in the case of an unmarried daughter or minor sister, until marriage or until she attains the age of 24 whichever occurs earlier;

(iv) in the case of a father, for life.

Note 1.— *The cases of those private individuals who engages themselves in any of the operations referred to above, of their own free will, should also be treated as covered under this rule.*

Note 2.— *A family pension granted to a posthumous child should commence from the date of his/her birth and not from the date of death of his/her father.*

SCHEDULE - I*(See not to clause (4) of Rule 8.26)***CLASSIFICATION OF INJURIES****Equal to loss of limb**

Hemiplegia without aphasia.

Permanent use of a tracheotomy tube.

Artificial anus.

Total deafness of both ears.

Very Severe

Complete unilateral paralysis, likely to be permanent.

Lesion of kidney, urator or bladder.

Compound fractures (except phalanges).

Such gross destruction of soft parts as to lead to permanent disability or loss of function.

Severe and likely to be permanent

Ankylosis of, or considerable restriction in, the movement of one of the following joints:-

Knee, elbow, shoulder, hip, ankle, temporo-maxillary or rigidity of the dorsilumbar or cervical sections of the spine.

Partial loss of vision of one eye.

Destruction or loss of one testicle.

Retention of foreign bodies not causing permanent or serious symptoms.

SCHEDULE - II*(See Rule 8.23)***INJURY, GRATUITY AND PENSION**

| Sr. No. | Pay of Government employee on the date of injury | Gratuity | Monthly pension (Higher scale) | Monthly pension (Lower scale) |
|---------|--|--|--------------------------------|-------------------------------|
| | 1. | 2. | 3. | 4. |
| 1. | Rs. 2,000 and over | 3 month's pay subject to a minimum of Rs. 800. | Rs. 300 | Rs. 225 |
| 2. | Rs. 1,500 and over but under Rs. 2,000 | | Rs. 275 | Rs. 200 |
| 3. | Rs. 1,000 and over but under Rs. 1,500 | | Rs. 200 | Rs. 150 |
| 4. | Rs. 9,00 and over but under Rs. 1,000 | | Rs. 150 | Rs. 125 |
| 5. | Rs. 4,00 and over but under Rs. 9,00 | | Rs. 100 | Rs. 84 |

| | | | | |
|----|--------------------------------------|---------------|--|---|
| 6. | Rs. 350 and over but under Rs. 4,00 | | Rs. 85 | Rs. 70 |
| 7. | Rs. 2,00 and over but under Rs. 3,50 | | 67 | Rs. 50 |
| 8. | Under Rs. 2,000 | 4 month's pay | 1/3 rd of pay subject to a minimum of Rs. 8 per mensem: Provided that if the Government employee is wholly in-capacitated from earning a living he may at his option be allowed injury pension equal to the family pension if the abandons all claims or gratuity admissible under Rule 8.28. | 1/5 th of pay subject to a minimum or Rs. 4 per mensem |

For this purpose the term "family pension" will mean consolidated pension equal to the pension of a widow plus that of his children who may exist at the time of discharge and shall be payable from the date of discharge.

SCHEDULE - III

(See Rule 8.23)

FAMILY GRATUITY AND PENSIONS

| A - WIDOW | | | |
|--------------|--|---|--|
| Sr. No. | Pay of Government employee on the date of injury | Gratuity | Monthly pension (Higher scale) |
| 1. | Rs. 800 and over | 3 months' pay subject to a minimum of Rs. 800. | 1/8 th of pay subject to a minimum or Rs. 200, 1/8 th of pay subject to a minimum or Rs. 100 and a minimum of Rs. 50 |
| 2. | Rs. 200 and over but under Rs. 800 | | |
| 3. | Under Rs. 200 | 6 month's pay | 1/8 th of pay subject to a minimum or Rs. 65 and a minimum of Rs. 25 |
| B - CHILDREN | | | |
| | Pay of Government employee on the date of death | Monthly pension of each child | |
| | | If the child is motherless | If the child is not motherless |
| 1. | Rs. 800 and over | Rs. 40 | Rs. 25 |
| 2. | Rs. 250 and over but under Rs. 800 | Rs. 25 | Rs. 13 |
| 3. | Under Rs. 250 | 1/10 th of pay subject to a minimum or Rs. 6 | 1/20 th of pay subject to a minimum or Rs. 6 |

D - PROCEDURE RELATING TO PENSIONS
CHAPTER - IX
Applications for the Grant of Pensions

SECTION - I
General

9.1 All authorities dealing with applications for pension under these rules should bear in mind that delay in the payment of pensions involves peculiar hardship. It is essential to ensure, therefore, that a Government employee begins to receive his pension on the date on which it becomes due.

Note.— *In order to prevent cause for complaint on the part of pensioner, it is most important that pension cases should always be given as high a degree of priority as is possible.*

9.2 (1) Every Head of Department/Office shall have a list prepared every six months, that is, on the 1st January and the 1st July each year of all Government employees who are due to retire within the next 24 to 30 months of that date.

(2) A copy of every such list shall be supplied to the Audit Officer concerned not later than the 31st January or the 31st July, as the case may be, of that year.

(3) In the case of a Government employee retiring for reasons other than by way of superannuation, the pension sanctioning authority shall promptly inform the Audit Officer concerned of the fact of such retirement and shall forward his pension papers soon after.

(4) A copy of the intimation sent by the pension sanctioning authority to the Audit Officer under sub-rule (3) shall also be endorsed to the Accounts Officer (Rent)/Rent Assessing Authority if the Government employee concerned is an allottee of Government accommodation.

9.3 (1) The Head of Office shall write to the Accounts Officer (Rent)/Rent Assessing Authority at least two years before the anticipated date of retirement of the Government employee who is in occupation of a Government accommodation (hereinafter referred to as allottee) for the issue of a "No demand certificate" in respect of the period preceding eight months of the retirement of the allottee.

(2) On receipt of the intimation under sub-rule (1), the Accounts Officer (Rent)/Rent Assessing Authority shall take further action as provided in rule 9.18.

9.4 Every Head of Office shall undertake the work of preparation of pension papers in FORM PEN.-1 two years before the date on which a Government employee is due to retire on superannuation.

9.5 (1) The Head of Office shall divide the period of preparatory work of two years referred to in rule 9.4 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 employee and satisfy himself as to whether the certificates of verification for the entire service are recorded therein.

(ii) In respect of the unverified portion or portions of service he shall arrange to verify the portion or portions of such service, as the case may be, with

reference to pay bills, acquittance rolls or other relevant records 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 employee in another office or Department, a reference shall be made to the Head of Office in which the Government employee is shown to have served during that period for the purpose of verification.
 - (iv) If any portion of service rendered by a Government employee is not capable of being verified in the manner specified in sub-clause (i), or sub-clause (ii) or sub-clause (iii), the Government employee shall be asked to file a written statement on plain paper stating that he had in fact rendered that period of service, and shall, at the foot of the statement, make and subscribe to a declaration as to the truth of that statement, and shall in support of such declaration, produce all documentary evidence and furnish all information which is in his power to produce or furnish.
 - (v) The Head of Office shall, after taking into consideration the facts in the written statement and the evidence produced and the information furnished by that Government employee in support of the said period of service, admit that portion of service as having been rendered for the purpose of calculating the pension of that Government employee.
- (b) Second Stage - Making good omission in the Service book:-
- (i) The Head of Office while scrutinizing 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 in clause (a) and to make good omissions, imperfections or deficiencies referred to in sub-clause (i) of this clause. Any omissions, imperfections or deficiencies including 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.
 - (iii) For the purpose of calculation of 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. In order to ensure that the emoluments during the last ten months of service have been correctly shown into the service book, the Head of Office may verify the correctness of emoluments, for the period of twenty four months only preceding the date of retirement of a Government employee, and not for any period prior to that date.
- (c) Third Stage - Obtaining FORM PEN.-9 by the Head of Office:-
- Eight months prior to the date of retirement of the Government employee, the Head of Office shall obtain FORM PEN.-9 from the Government employee, duly completed.
- (2) Action under clauses (a), (b) and (c) of sub-rule (1) shall be completed eight months prior to the date of retirement of the Government employee.

- 9.6** The Head of office shall complete Part I of FORM PEN.-1 not later than six months of the date of retirement of the Government employee.³⁸
- 9.7**(1) After complying with the requirements of rules 9.5 and 9.6, the Pension Sanctioning Authority shall forward to the Audit Officer FORM PEN.-9 and FORM PEN.-1 duly completed with a covering letter in FORM PEN.-16 along with service book of the Government employee fully completed, up-to-date, and any other documents relied upon for the verification of service.
- (2) The Head of Office shall retain a copy of each of the forms referred to in sub-rule (1) for its record.
- (3) Where the payment is desired in another circle of accounting unit, the pension Sanctioning Authority shall send FORM PEN.-1 in duplicate to the Audit Officer.
- (4) The papers referred to in sub-rule (1) shall be forwarded to the Audit Officer not later than six months before the date of retirement of Government employee.
- 9.8** If, after the pension papers have been forwarded to the Audit Officer within the period specified in sub-rule (4) of rule 9.7, any event occurs which has a bearing on the amount of pension admissible, the facts shall be promptly reported to the Audit officer by the pension Sanctioning Authority.
- 9.9** (1) The Head of Office after ascertaining and assessing the Government dues as in rule 9.17, shall furnish the particulars thereof to the Audit officer at least two months before the date of retirement of a Government employee so that the dues are recovered out of the gratuity before its payment is authorised.
- (2) If, after the particulars of Government dues have been intimated to the Audit Officer under sub-rule (1) any additional Government dues come to the notice of the Head of Office, such dues shall be promptly reported to Audit Officer. He shall also record these additional dues in the last pay certificate.
- 9.10** (1) The various stages of action laid down in rule 9.5 shall be strictly followed by the Head of Office. There may be an isolated case where, inspite of following the procedure laid down in rule 9.5, it may not be possible for the Pension Sanctioning Authority to forward the pension papers referred to in rule 9.7 to the Audit Officer within the period prescribed in sub-rule (4) of that rule, or where the pension papers have been forwarded to the Audit Officer within the prescribed period but the Audit Officer may have returned the pension papers to the Pension Sanctioning Authority for eliciting further information before issue of pension payment order and order for the payment of gratuity. If the pension Sanctioning Authority in such a case is of the opinion that the Government employee 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, he shall, without delay, take steps to determine the qualifying years of service and the emoluments qualifying for pension after the most careful summary investigations that may be made. For this purpose he shall:-
- (i) rely upon such information as may be available in the official records, and

- (ii) ask the retiring Government employee to file a written statement on plain paper stating the total length of qualifying service including details of emoluments drawn during the last ten months of service but excluding the breaks and other non-qualifying periods of service.
- (2) The Government employees while furnishing the statement as in clause (ii) of sub-rule (1) shall, at the foot of the statement, make, and subscribe to, a declaration as to the truth of the statement.
- (3) The Pension Sanctioning Authority shall thereafter determine the qualifying years of service and the emoluments qualifying for pension in accordance with the information available in the official record and the information obtained from the retiring Government employee under sub-rule (1). He shall, then, determine the amount of provisional pension and amount of provisional death-cum-retirement gratuity.
- (4) After the amount of pension and gratuity have been determined under sub-rule (3), the Pension Sanctioning Authority shall take further action as follows:-
 - (a) he shall issue a sanction letter and endorse a copy thereof to the audit Officer for authorising payment at a treasury of the following:-
 - (i) 100% pension as determined under sub-rule (3) as provisional pension for a period not exceeding six months to be reckoned from the date of retirement of the Government employee; and
 - (ii) 100% of gratuity as provisional gratuity determined under sub rule (3) after deducting there from the dues mentioned in rule 9.17;
 - (b) he shall indicate in the Sanction letter the amount recoverable from the gratuity under sub rule(1) of rule 9.9.
- (5) The amount of provisional pension and gratuity payable under sub-rule (4) 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 Government employee. If the amount of final pension and the amount of final gratuity had been determined by the Pension Sanctioning Authority in consultation with the Audit Officer before the expiry of the said period of six months, the Audit Officer shall—
 - (i) issue the pension payment order; and
 - (ii) authorise the difference between the final amount of gratuity and the amount of provisional gratuity paid under sub-clause (ii) of clause (a) of sub-rule (4) after adjusting the Government dues, if any, which may have come to notice after the payment of provisional gratuity. If the Government employee was an allottee of Government accommodation, the amount of gratuity withheld under sub-clause (ii) of clause (a) of sub-rule (4) should be refunded on receipt of no demand certificate from the Accounts Officer (Rent)/Rent Assessing Authority.
- (b) If the amount of provisional pension disbursed to a Government employee under sub-rule (4) is on its final assessment found to be in excess of the final pension assessed by Audit Officer, it shall be open to the Audit Officer to adjust the excess amount of pension out of gratuity withheld under sub-clause (ii) of clause (a) of sub-rule (4) or recover the

excess amount of pension in instalments by making short payments of pension payable in future.

- (c) (i) If the amount of provisional gratuity authorised by the Pension Sanctioning Authority under sub-rule (4) is larger than the amount finally assessed, the retired Government employee shall not be required to refund excess amount actually disbursed to him.
- (ii) The Pension Sanctioning Authority shall ensure that chances of authorising the amount of gratuity in excess of the amount finally assessed are minimised and the official 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 Pension Sanctioning Authority in consultation with the Audit Officer within a period of 6 months referred to in clause (a) of sub-rule (6) the Audit Officer shall treat the provisional pension and gratuity as final and issue pension payment order immediately on the expiry of the period of 6 months.

9.11 (1) (a) On receipt of pension papers referred to in rule 9.7 the Audit Officer shall apply the requisite checks and assess the amount of pension and gratuity and issue the pension payment order not later than one month in advance of the date of the retirement of the Government employee if the pension is payable in his circle of accounting unit.

(b) If the pension is payable in another circle of accounting unit, the Audit Officer shall send the pension payment order alongwith a copy of FORM PEN.-1 to the Audit Officer of that unit for arranging payment.

- (2) The payment of the amount of gratuity to the retired Government employee as determined by the Audit Officer under clause (a) of sub-rule (1) shall be authorised at a Treasury after adjusting the Government dues, if any, referred to in rule 9.17.
- (3) The amount of gratuity withheld under sub-rule (5) of rule 9.18 shall be adjusted by the Head of Office against the outstanding licence fee intimated by the Accounts Officer (Rent)/ Rent Assessing Authority and the balance, if any, refunded to the retired Government employee.

9.12 If the provisional pension or gratuity or both sanctioned under sub-rule (4) of rule 9.10, is desired to be paid by the pension through money order or bank draft, the same shall be remitted to him through money order or bank draft at his cost.

Provided that in the case of any pensioner who has been authorised payment of provisional pension not exceeding two hundred and fifty rupees so per mensem (inclusive of the amount or relief on pension) that amount shall, at the request of the pensioner, be remitted to him by money order at Government expense.

9.13 In the case of a Government employee who retires while on deputation or while on foreign service action to authorise pension and gratuity in accordance with the provisions of this chapter shall be taken by the cadre authority which sanctioned deputation or foreign service.

- 9.14 (1)** If the payment of gratuity has been authorized after three months from the date when its payment became due, and it is clearly established that the delay in payment was attributable to administrative lapse, interest at the rate of 5% per annum or any enhanced rate as may be decided by Government from time to time on the amount of gratuity in respect of the period beyond three months shall be paid;

Provided that the delay in payment was not caused on account of failure on the part of the Government employee to comply with the procedure laid down in this Chapter.

- (2) Every case of delayed payment of gratuity shall, suo moto, be considered by the Administrative Department, as the case may be, and where the Department is satisfied that the delay in the payment of gratuity was caused on account of administrative lapse, that Department shall make a recommendation to the Administrative Department for the payment of interest.
- (3) If the recommendation of the Department made under sub-rule (2) is accepted by the Administrative Department, it shall issue Governor's sanction for the payment of interest.
- (4) In all cases where the payment of interest has been authorised by the Administrative Department, the Department concerned shall fix the responsibility and take disciplinary action against the Government employee or employees concerned who are found responsible for the delay in the payment of gratuity.
- (5) If as a result of Government's decision taken subsequent to the retirement of a Government employee the amount of gratuity already paid on his retirement is enhanced on account of:-
- (a) grant of emoluments higher than the emoluments on which gratuity, already paid, was determined; or
 - (b) liberalisation in the provisions of these rules from a date prior to the date of retirement of the Government employee concerned; no interest on the arrears of gratuity shall be paid.

- 9.15 (1)** (a) In respect of a government employee referred to in rule 2.2 of these rules, the Audit 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 employee, or if he was under suspension on the date of retirement, upto the date of immediately preceding the date on which he was placed under suspension.
- (b) The provisional pension shall be authorised by the Audit Officer during the period commencing from the date of retirement up to and including the date on which, after the concluding of departmental or judicial proceedings, final orders are passed by the competent authority.
- (c) No gratuity shall be paid to the Government employee until the conclusion of the departmental or judicial proceedings and issue of final orders thereon.
- (2) Payment of provisional pension made under sub-rule (1) shall be adjusted against final retirement benefits sanctioned to such Government employee 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.

- 9.16** (1) Subject to the provision of rule 2.2, pension once authorised after final assessment shall not be revised to the disadvantage of the Government employee, unless such revision becomes necessary on account of detection of a clerical error subsequently;

Provided that no revision of pension to the disadvantage of the pensioner shall be ordered by the Pension Sanctioning Authority without the concurrence of the Finance Department if the clerical error is detected after a period of two years from the date of authorisation of pension.

- (2) For the purpose of sub-rule (1), the retired Government employee concerned 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.
- (3) In case the Government employee fails to comply with the notice, the Head of Office shall, by order in writing, direct that such excess payment shall be adjusted in installments by short payments of pension in future, in one or more installments, as the Head of the Office may direct.

- 9.17** (1) Action for reconciliation of long-term advances shall be initiated one year prior to the retirement of the Government employee.

- (2) The Government dues as ascertained and assessed by the Head of Office which remain outstanding till the date of retirement of the Government employee, shall be adjusted against the amount of death-cum-retirement gratuity becoming payable.
- (3) The expression, "Government dues" includes—
- (a) dues pertaining to Government accommodation including arrears of licence fee, 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 deduction at source under the Income Tax Act, 1961 (43 of 1961).

- 9.18** (1) The Accounts Officer (Rent)/Rent Assessing Authority on receipt of intimation from the Head of Office under sub-rule (1) of rule 9.3 regarding the issue of No Demand Certificate shall scrutinise its record and inform the Head of Office eight months before the date of retirement of the allottee, if any licence fee was recoverable from him in respect of the period prior to eight months of his retirement. 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 his retirement.

- (2) The Head of Office shall ensure that licence fee for the next eight months, that is up to the date of retirement of the allottee is recovered every month from the pay and allowances of the allottee.
- (3) Where the Accounts Officer (Rent)/Rent Assessing Authority intimates the amount of licence fee recoverable in respect of 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 the payment is authorised.

- (4) The Accounts Officer (Rent)/Rent Assessing Authority shall also inform the Head of Office the amount of licence fee for the retention of Government accommodation for the permissible period of two months beyond the date of retirement of the allottee. The Head of Office shall adjust the amount of that licence fee from the amount of 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 Accounts Officer (Rent)/Rent Assessing Authority to determine the outstanding licence fee, that office shall inform the Head of Office that 10% of the gratuity or one thousand rupees, whichever is less, may be withheld pending receipt of the further information.
- (6) The recovery of licence fee for the occupation of the Government accommodation beyond the permissible period of two months after the date of retirement of the allottee shall be the responsibility of the Accounts Officer (Rent)/Rent Assessing Authority.

Note.— *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.*

- 9.19** (1) For the dues other than the dues pertaining to occupation of Government accommodation as referred to in clause (b) of sub-rule (3) of rule 9.17, the Head of Office shall take steps to assess the dues two years before the date on which a Government employee is due to retire on superannuation, or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier.
- (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 employee.
 - (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 employee, shall be adjusted against the amount of death-cum-retirement gratuity becoming payable to the Government employee on his retirement.

9.20 When a Government employee retires from service:-

- (a) a notification in the Official Gazette in the case of gazetted Government employee, and
- (b) an office order in the case of a non-gazatted Government employee,

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 Audit 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 employee, is issued a further notification or office order that the Government employee 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.

SECTION - II
DETERMINATION AND AUTHORISATION OF THE AMOUNT OF FAMILY PENSION AND
DEATH-CUM-RETIREMENT GRATUITY IN RESPECT OF GOVERNMENT EMPLOYEES
DYING WHILE IN SERVICE

- 9.21** (1) Where the Head of Office has received an intimation about the death of Government employee while in service, he shall ascertain whether any death-cum-retirement gratuity or Family Pension or both is/are payable in respect of deceased Government employee.
- (2) (a) Where the family of the deceased Government employee is eligible for the death-cum-retirement gratuity under rule 6.16 (A) of these rules, the Head of Office shall ascertain:-
- (i) if the deceased Government employee had nominated any person or persons to receive the gratuity; and
 - (ii) if the deceased Government employee had not made any nomination or the nomination made does not subsist, the person or persons to whom the gratuity may be payable.
- (b) The Head of Office shall then, address the person concerned in FORM PEN.-19 or FORM PEN.-20 as may be appropriate for making a claim in FORM PEN.-1-B.
- (3) Where the family of the deceased Government employee is eligible for family pension under Appendix-1 to these rules,—
- (a) the Head of Office shall address the widow or widower in Annexure-I to Appendix-1 to these rules for making a claim in Annexure-II to Appendix-1 to these rules; or
 - (b) where the deceased Government employee is survived only by a child or children, the guardian of such child or children may submit a claim in Annexure-II to Appendix-1 to these rules;
- Provided that the guardian shall not be required to submit a claim in the said form on behalf of a child, if the child has attained the age of 18 years, if male and 21 years, if female, and such child may himself or herself submit a claim in the said form.
- (4) If on the date of death, the Government employee was an allottee of Government accommodation, the Head of Office shall address the Accounts Officer (Rent)/Rent Assessing Authority for the issue of "No Demand Certificate" in accordance with the provisions of sub-rule (1) of rule 9.27.
- 9.22**(1)(a) The Head of Office while taking action to obtain claim or claims from the family in accordance with the provision of rule 9.21 shall simultaneously undertake the completion of FORM PEN.-17. The work shall be completed within one month of the date on which intimation regarding the date of death of the Government employee has been received.
- (b) The Head of Office shall go through the service book of the deceased Government employee and satisfy himself as to whether certificates of verification of the service for the entire service are recorded therein.
 - (c) 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. For this purpose, the Head of Office may rely on any other relevant material to which he may have ready access 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 of family pension and death-cum-retirement gratuity, the Head of Office shall confine the verification of correctness of emoluments for a maximum period of one year preceding the date of death of the Government employee.
- (b) In case the Government employee was on extraordinary leave on the date of death, the correctness of the emoluments for a maximum period of one year which he drew preceding the date of commencement of 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 regarding the date of death of the Government employee and the amount of family pension and death-cum-retirement gratuity shall also be calculated accordingly.

9.23. According to the existing instructions, there should not be any case where service book has not been maintained properly. If in any particular case, the service book has not been maintained properly despite the Government's orders 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 not proceed with the verification of the entire spell of service. The verification of service in such a case shall be confined to the following spells of service:-

(a) For the purpose of Family Pension Scheme, 1964:-

- (i) if the deceased Government employee on the date of death had rendered more than one year of service but less than seven years of Service, the service and emoluments for the last year of service shall be verified and accepted by the Head of Office and the amount of family pension determined under para 1 of Appendix-1 to these rules,
- (ii) if the deceased Government employee on the date of death had rendered more than seven years of service, the service for the last seven years and emoluments for service rendered in the last year shall be verified and accepted by the Head of Office and the amount of family pension and the period for which it is payable shall be determined in accordance with the provision of para 2 of Appendix-1 to these rules,
- (iii) if the deceased Government employee at the time of death had rendered more than seven years of service and the service of last seven years is not capable of being verified and accepted by the Head of Office but the service rendered during the last year is capable of being verified and accepted, the Head of Office, pending the verification of service for seven years, shall calculate the amount of family pension in accordance with the provision of para 1 of Appendix-1 to these rules,
- (iv) the service for the last seven years shall be verified and accepted within the next two months and the amount of family pension at the enhanced rates and the period for which it is payable shall be determined in accordance with the provision of para 2 of Appendix-1 to these rules,
- (v) the determination of the amount of family pension in accordance with the provisions of sub-clauses (i), (ii) and (iii) shall be done within one month of the receipt of intimation of the date of death of the Government employee.

(b) for the purpose of death-cum-retirement gratuity:-

- (i) if the deceased Government employee had, on the date of his death rendered more than five years qualifying service but less than twenty-four years of qualifying service, and the spell of last five years service has been verified and accepted by the Head of Office under clause (a), the amount of death-cum-retirement gratuity shall be equal to twelve times of his emoluments as indicated in clause (a), of sub-rule (2) of rule 6.16A of these rules. where the verified and accepted service is less than five years of qualifying service, the amount of death-cum-retirement gratuity shall be the amount as indicated in clause (b) of sub-rule (2) of rule 6.16-A of these rules;
- (ii) if the deceased government employee had rendered more than twenty-four years of service and the entire service is not capable of being verified and accepted, but the service for the last five years has been verified and accepted under sub-clause (i), the family of the deceased Government employee shall be allowed on the provisional basis, the death-cum-retirement gratuity equal to twelve times of the emoluments. Final amount of the gratuity shall be determined by the Head of Office on the acceptance and verification of the entire spell of service which shall be done by the Head of Office within a period of six months from the date on which the authority for the payment of provisional gratuity was issued. The balance, if any, becoming payable as a result of determination of the final amount of the death-cum-retirement gratuity shall then be authorised to the beneficiaries.

- 9.24** (1) On receipt of claim or claims, the Head of Office shall complete items 20, 21, 22, 23, 24 of FORM PEN.-17 and send the said form in original to the Audit Officer with a covering letter in FORM PEN.-18 alongwith the Government employee's service book duly completed upto date 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 the claim by the Head of Office.
- (2) The Head of Office shall retain one copy of the aforesaid FORM PEN.-17 for his office record.
 - (3) If the payment is desired in other circle of accounting unit, FORM PEN.-17 shall be sent in duplicate to the Audit Officer.
 - (4) The Head of Office shall draw the attention of the Audit Officer to the details of Government dues outstanding against the deceased government employee, namely:-
 - (a) Government dues as ascertained and assessed in term of rule 9.27 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 a 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 10% of the amount of gratuity or Rs.1000/-, whichever is less.
 - (5) (a) If FORM PEN.-17 has been completed and the claim or claims in the respective forms have not been received from the beneficiary or beneficiaries, the Head of Office shall forward FORM PEN.-17 and the documents referred to the sub-rule (1) to the Audit Officer leaving unfilled items 20, 21, 22, 23 and 24 of part I of the said form;

- (b) As soon as the claim or claims are received by the Head of Office they shall immediately be forwarded to the Audit Officer with the request that item 20, 21, 22, 23 and 24 of Part I of FORM PEN.-17 may be filled by the Audit Officer.

- 9.25** (1) After the documents referred to in rule 9.24 have been sent to the Audit Officer, the Pension Sanctioning Authority shall issue a sanction letter and endorse a copy thereof to the Audit Officer for authorising payment at a treasury of the provisional family pension and 100% of gratuity as determined. He shall also indicate in the sanction letter the amount recoverable out of gratuity under sub-rule (4) of rule 9.24.
- (2) 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 employee unless the period is extended by the Audit Officer under the proviso to sub-rule (1) of rule 9.26.
- (3) If the claimant or any of the claimants desire the payment of provisional family pension or of gratuity or of both through money order or bank draft, the same shall be remitted to him or her through money order or bank draft at his or her cost.

Provided that in the case of any claimant who is sanctioned a provisional family pension not exceeding two hundred and fifty Rupees (inclusive of relief on family pension) per mensem, the amount of pension shall, at the request of the claimant, be remitted to him or her by money order at Government expense.

- 9.26** (1) On receipt of the documents referred to in sub-rule (1) of rule 9.24, the Audit Officer shall, within a period of three months from the date of receipt of the documents apply the requisite checks and complete Section I of Part II of FORM PEN.-17 and assess the amount of family pension and gratuity;

Provided that if the Audit Officer is, for any reason unable to assess the final amount within the period aforesaid he shall continue to authorise the provisional family pension to the claimant for such period as may be required by him.

- (2) (a) If the family Pension is payable in his circle of accounting unit, the Audit Officer shall prepare the pension payment order.
- (b) the payment of family pension shall be effective from the date following the date on which the payment of provisional family pension ceased.
- (c) Arrears of family pension, if any, in respect of the period for which provisional family pension was sanctioned by the Head of Office shall also be authorised by the Audit Officer.
- (3) The Audit Officer shall determine and authorise payment of the amount of the balance of gratuity after adjusting the amount, if any, outstanding against the deceased Government employee.
- (4) The fact of the issue of the pension payment order shall be promptly reported to the Head of Office by the Audit Officer and the documents which are no longer required shall also be returned to him.
- (5) If the final family pension including the arrears of the provisional family pension is payable in another circle of accounting unit, the Audit Officer shall send the pension

payment order together with the copy of FORM PEN.-17 duly completed to the Audit Officer of that unit for arranging payment.

- (6) (a) If the amount of gratuity sanctioned by the Head of Office proves to be larger than the amount finally assessed by the Audit Officer the beneficiary shall not be required to refund the excess.
- (b) The Head of Office shall ensure that chances of sanctioning the amount of gratuity in excess of the amount actually admissible are minimised and the official or officials responsible for the excess payment shall be accountable for the overpayment.³⁹

9.27(1)(i) If on the date of death of Government employee was allottee of Government accommodation, the Head of Office on receipt of intimation regarding the death of the Government employee shall within seven days of the receipt of such intimation write to the Accounts Officer (Rent)/ Rent Assessing Authority for the issue of "No Demand Certificate" so that authorization of family pension and death-cum-retirement gratuity is not delayed. While addressing the Accounts Officer (Rent)/ Rent Assessing Authority for the issue of no demand certificate, the Head of Office shall also supply the following information in duplicate (one copy marked to the Rent Wing and the second to the Allotment Wing) :-

- (a) name of the deceased Government employee with designation
 - (b) particulars of the accommodation (quarter No., type and sector);
 - (c) date of death of Government employee;
 - (d) whether the Government employee was on leave at the time of his death and, if so, the period and nature of leave;
 - (e) whether the government employee was enjoying rent free accommodation;
 - (f) the period up to which licence fee has been recovered from the pay and allowances of the deceased Government employee and the monthly rent of recovery and particulars of pay bill under which last recovery was made;
 - (g) if the licence fee had not been recovered up to the date of death and the family intends to retain Government accommodation for the permissible period of four months from the date of death of the Government employee, details of the :
 - (a) period for which licence fee still remains to be 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 Government employee for the concessional period of four months beyond the date of death of Government employee to be determined on the basis of standard rent bill;
 - (d) the amount of licence fee mentioned at (b) and (c) proposed;
 - (e) details of any previous reference from the Accounts Officer (Rent/ Rent Assessing Authority having bearing on the recovery of licence fee outstanding against the allottee and action taken thereon.
- (ii) The Head of Office shall recover from the death-cum-retirement gratuity the amount of licence fee as intimated to the Accounts Officer (Rent/ Rent Assessing Authority under clause (i).

- (iii) The recovery of licence fee for the occupation of Government accommodation beyond the permissible period of four months shall be the responsibility of the Accounts Officer (Rent)/ Rent Assessing Authority.
 - (iv) The Accounts Officer (Rent)/ Rent Assessing Authority shall scrutinize their records with a view to determine if licence fee other than the licence fee referred to in clause (i) was outstanding against deceased Government employee. If any recovery is found, the amount and the period to which such recovery or recoveries relate shall be communicated to the Head of Office within a period of three months of the receipt of intimation regarding the death of the government employee under clause (i).
 - (v) Pending receipt of information under clause (iv) the Head of Office shall withhold ten percent of the death-cum-retirement gratuity of one thousand rupees, whichever is less.
 - (vi) If no intimation is received by the Head of Office within the period prescribed under clause (iv) regarding recovery of licence-fee, it shall be presumed that nothing was recoverable from the deceased Government employee and the amount of gratuity withheld shall be paid to the person or persons to whom the amount of death-cum-retirement gratuity was paid.
 - (vii) If the Head of Office has received intimation from the Accounts Officer (Rent)/ Rent Assessing Authority under clause (iv) regarding licence fee outstanding against the deceased Government employee, the Head of Office shall verify from the acquittance rolls if the outstanding amount of licence fee was recovered from the pay and allowances of the deceased Government employee. If as a result of verification, it is found that the amount of licence fee shown as outstanding by the Accounts Officer (Rent)/ Rent Assessing Authority had already been recovered, the Head of Office shall draw the attention of the Accounts Officer (Rent)/ Rent Assessing Authority 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 amounts of gratuity withheld under clause (v) to the person or persons to whom the death gratuity was paid.
 - (viii) If the outstanding amount of licence fee was not recovered from the pay and allowances of deceased Government employee the outstanding amount shall be adjusted against the amount of the gratuity withheld under clause (v) and the balance, if any, repaid to the person or persons to whom the amount of death-cum-retirement gratuity was paid.
- (2) The Head of Office shall within one month of the receipt of intimation regarding death of a Government employee, take steps to ascertain if any dues as referred to in rule 9.17 excluding the dues pertaining to the allotment of Government accommodation were recoverable from the deceased Government employee. Such ascertainable dues shall be recovered from the amount of death-cum-retirement gratuity becoming payable to the family of the deceased Government employee.
- 9.28** In the case of a Government employee who dies while on deputation or while on foreign service action to authorize the payments of family pension and death-cum-retirement gratuity in accordance with the provisions of the chapter shall be taken by the cadre, authority which sanctioned the deputation or foreign service.

CHAPTER - X
PAYMENT OF PENSIONS

SECTION - I
GENERAL RULES

A - DATE OF COMMENCEMENT OF PENSION

10.1 Apart from special orders, a pension, other than a wound or extraordinary pension under chapter VIII, is payable from the date on which the pensioner ceased to be borne on the establishment.

Note 1.— *The pension of a government employee who under Rule 5.9 has received a gratuity in lieu of notice is not payable for the period in respect of which the gratuity is paid.*

Note 2.— *A Government employee who has taken leave without pay in the hope of being able to resume duty and who subsequently decides that his health will not permit of his return should not be regarded as entitled to pension from the commencement of his leave without pay.*

10.2 The preceding rule applies to ordinary, not to special cases. If, under special circumstances, a pension is granted long after a Government employee had retired, retrospective effect should not be given to it without the special orders of the Government; in the absence of special orders such a pension takes effect only from the date of sanction.

10.3 In cases where considerable delay has occurred in making application for a wound or injury pension it will, save as provided in Chapter VIII, be granted only from the date of the report by the Medical Board and no application for a gratuity or pension will be entertained unless submitted within five years of the date of the wound or injury.

10.4 *Cancelled.*

10.5 *Deleted.*

10.6 All pensions shall be payable in rupees in India.

10.6-A to 10.9- *Deleted.*

10.10 *Deleted.* (with effect from 1st March, 1961).

SECTION - II
A - PENSION PAYMENT ORDER

10.11 The Accountant General of the State in which payment is to be made will communicate to the treasury officer, who is to pay the pension, authority to make the payment: in the case of a pension such authority will be a Pension Payment Order in FORM PEN.-10.

Note.— *Each pension payment order will be accompanied by a wallet intended to be delivered by the disbursing officer to the pensioner concerned for use in respect of the pensioner's half of the Pension Payment Order.*

B - PAYMENT OF GRATUITIES

10.12 (a) A gratuity is paid in a single sum, and not by instalments, on receipt of the Accountant General's authority:

- (b) A gratuity may, at the discretion of the competent authority or with its sanction on the application of the recipient, be converted either into a life annuity payable for a fixed number of years with remainder to the annuitant's heirs in case of his death. The amount of the life annuity will be determined by the table prescribed under the rules in Chapter XI, while that of the temporary life annuity will be determined in each case in consultation with the Actuary to the Government of India on the assumption of the same rates of interest and mortality on which the table prescribed under the rules in Chapter XI is based.
- (c) The competent authority will never insist on the conversion of a gratuity into an annuity, unless the expectation of life of the Government employee be reported by competent medical authority to be equal to the average.

C - LAPSES AND FORFEITURE

- 10.13**(a) Unless the Government by general or special order otherwise directs, a pension remaining undrawn for a period of more than one year shall cease to be payable by the disbursing officer. If the pensioner afterwards appears or a claim is presented on his behalf, the disbursing officer may make the payment but the arrears can be paid -
- (i) If the amount in arrears does not exceed two thousand five hundred rupees or with the previous sanction of the collector of the district in which the pension payment office is located if it exceeds two thousand and five hundred rupees, but does not exceed five thousand rupees; provided that in both the cases the arrears shall not be paid for the first time without obtaining the sanction of the authority by whom the pension was sanctioned.
 - (ii) In all other cases with the sanction of the authority by whom the pension was sanctioned:

Provided that if in any case a pension remains undrawn for a period of three years or more in the case of service pension, six years or more in the case of political pension, it will not be paid without the authority of the Accountant General.

- (b) *Substituted- 10.13 (a) & (b) are substituted to (a)*
- (c) If the suspension of payment is attributable to error or neglect by any public officer, the Accountant General may direct payment of the arrears without taking the orders of the authority competent to sanction the arrears.
- (d) On the death of a pensioner, payment of any arrears actually due may be made to his heirs: provided that they apply within one year of his death.

It cannot be paid thereafter without the sanction of the authority by whom the pension was sanctioned to be obtained through the Accountant General.
- (e) But if the arrears do not exceed Rs. 1500 and the case presents no peculiar features, the Accountant General is empowered to pass the arrears on his authority.
- (f) After payment of the arrears of pension, both halves portions of the pension payment order should be returned to the Accountant General with a report of the date of death of the pensioner.

- (g) A gratuity payment order shall remain in force for one year only and no such order shall be retained in a disbursing officer, if payment has not been made on it within a year of its issue.

SECTION - III
PAYMENT IN ENGLAND

10.14 to 10.22 Deleted.

E - COMMUTATION OF PENSIONS**CHAPTER - XI****COMMUTATION OF CIVIL PENSIONS****SECTION - I****GENERAL**

11.1 (1) [A Government employee, on superannuation/pre-mature retirement, shall be entitled to commute for a lump sum payment a fraction not exceeding 40% (forty percent) of his pension. The fraction of pension so commuted on retirement i.e. superannuation/pre-mature retirement shall, however, be restored to him on completion of 15 years from the date of retirement or 15 years from the actual receipt of commutation value, whichever is later.]¹³

(2) In an application for commutation in FORM PEN.-12 or FORM PEN.-12-A, as the case may be, the applicant shall indicate the fraction of pension which he desires to commute and may either indicate the maximum limit of [40% (forty percent)]¹⁴ of pension or such lower limit as he may desire to commute.

[Provided that in the case of Judicial Officers, the commutation of pension shall be @ 50% of pension]¹⁵

(3) If fraction of pension to be commuted results in fraction of rupee, such fraction of a rupee shall be ignored for the purpose of commutation;

Provided that in calculating the amount of the uncommuted residue there may be added to it the uncommuted portion of any other permanent pension or pensions payable to the applicant from the revenues of the Haryana Government, any other State Government, or Central Government;

Provided further that a Government employee against whom judicial or a departmental proceeding has been instituted or a pensioner against whom any such proceeding has been instituted or continued under rule 2.2 (b) *ibid*, shall not be permitted to commute any part of his pension during the pendency of such proceedings.

Note 1.— *The commutation of a provisional pension will require the sanction of the Finance Department. An explanation of the reasons of delay in the sanction of final pension should be furnished to the Finance Department, alongwith the report on the title to the commutation applied for. In order to secure repayment of the commuted value of the part of provisional pension paid in, declaration in the form enclosed should be obtained from the pensioner concerned alongwith the application for commutation.*

FORM OF DECLARATION

Whereas the (here state the designation of the officer sanctioning the commutation) has consented, provisionally to advance to me the sum of _____ being the commuted value of a part of the provisional pension, in anticipation of the completion of

¹³ Clause (1) & (2) earlier Substituted vide Notification No. 1/2/8/98-2FR-II, dated 04.03.2003w.e.f. 04.03.2003 and Clause (1) again substituted vide Notification No. 2/51/2008-1Pension, dated 10.05.2011.

¹⁴ Substituted vide Notification No. 1/2/8/98-2FR-II, dated 04.03.2003.

¹⁵ Proviso inserted vide Notification No. 1/2/1/94-2Pension, dated 04.08.2005, w.e.f. 01.07.1996.

the enquires necessary to enable the Government to fix the amount of any pension and consequently the part of that pension that may be commuted. I hereby acknowledge that in accepting the advance, I fully understand that the commuted value now paid is subject to revision on the completion of the necessary formal enquiries, and I promise to base no objection to such revision on the ground that the provisional amount now to be paid to me as the commuted value of the part of provisional pension exceeds the amount to which I may be eventually found entitled. I further promise to repay either in cash or by deduction from subsequent payments of pension any amount advanced to me in excess of the amount to which I may be eventually found entitled.

Note 2.— *If two different Governments within the meaning of direction 1 in Appendix-3 to the Punjab Financial Rules, are concerned, a Government employee shall be deemed to be under the administrative control of the Government (other than the Central Government) to which the payment of the commuted value of his pension will be debited and the application for commutation shall be disposed of by that Government according to the procedural rules frames for its own employees. In cases, in which the commuted value of pension, divisible between the Central Government and that State Government, is wholly chargeable to the Central Government, the application for commutation should be decided by the State Government to which the pension is partly chargeable. If, however, an application for commutation is made before the date on which the pension is sanctioned the Government under which the applicant was last permanently employed shall be the Government competent to dispose off his application in accordance with the procedural rules prescribed for its employees.*

Note 3.— *Government employee, even if belonging to a class entitled to commute ordinary pension, is entitled to commute a compassionate allowance. A commutation of such an allowance may be sanctioned by competent authority only on proof that the proceeds of the commutation will be invested for the permanent benefit of the commuter's family.*

Note 4.— *These rules are also followed generally, as a matter of convenience, in respect of commutation of pensions of political pensioners who are non-officials, subject to the following main reservations:-*

- (1) *The tables of present values prescribed under rule 11.5 apply to commutation of these pensions with 10 percent deduction.*
- (2) *The reduction of pension by the commuted portion will take effect from the date of payment of the commuted value.*

SECTION - II

SUBMISSION OF APPLICATIONS

11.2 An application for commutation of pension should be made in Part I of FORM PEN.-12, accompanied by two passport size photograph (one duly attested and other without any attestation) and addressed:

- (1) if the applicant is still in service, or has retired but his pension has not yet been sanctioned, to the authority competent to sanction his pension, through the Head of the Office in which he is or was employed, or, if he is or was himself the Head of the office, through the Head of his Department;
- (2) if the applicant's pension has already been sanctioned :
 - (a) if he draws his pension from a Treasury in India or if, being resident of a colony having an account current with the Accountant General, central Revenue, he draws his pension from the local treasury, to the Head of the

Office in which he was employed at the time of his retirement, or if, he was himself the Head of the Office to the Head of his department, and

- (b) if he draws his pension otherwise than in sub-clause (a) to the High Commissioner for India, provided that in the case of pensioners residing in a Dominion or Colony, other than those referred to in sub-clause (a) the application shall be addressed to the High Commissioner through the official from whom the pension is drawn.

Note.— *The attested copy will be pasted on part I of FORM PEN.-12 and the other copy loosely attached to it.*

11.3 The authorities mentioned in rule 11.2 (1) and 11.2 (2) (a) after complying with the instructions contained in Note 2 under rule 11.6 shall forward the application to the proper Accounts Officer, who is -

- (a) in the case of an applicant mentioned in rule 11.2 (1) the Accounts Officer who is reporting on the title of his pension;
- (b) in the case of pensioner mentioned in rule 11.2 (2) (a)—
 - (i) if he draws his pension in India, the Accounts Officer of the State in which the treasury from which the pensioner draws his pension is situated;
 - (ii) if being resident in a colony having an account current with the Accountant General, Central Revenues, he draws his pension from the local treasury, the Accounts Officer who issued the authority for payment of the pension in the colony.

Note 1.— *If the pensionary charge is adjustable in the books of a different Accounts Officer, who received the application should transmit it forthwith to that officer.*

Note 2.— *In forwarding an application for commutation of pension already sanctioned, the number of the pensions payment order held by the pensioner and the name of the treasury from which the pension is drawn should invariably be given to enable the Accounts Officer to trace his pension file.*

SECTION - III

REPORT BY THE ACCOUNTS OFFICER

11.4 The Accounts Officer should complete (IV) of FORM PEN.-12 without delay and transmit it together with copies of the medical reports mentioned in the concluding portion of Rule 11.7 (iii), if they are on record in his office, to the authority competent to sanction the commutation, whether that authority is correctly named in Part I, or not.

Note.— *In order to avoid delay and save the pensioners from loss, the Accounts Officer should issue a report on the commutation of pension in advance of the formal report on the title to pensions in cases in which the report on the title to pension is not likely to be issued, in sufficient time to permit of arrangements being carried through before the applicants next birthday; provided that the portion of the pension to be committed is clearly well below one-half of the approximate amount of the total pension likely to be sanctioned. If, in such a case, the commutation becomes absolute before the pension is formally sanctioned, the payment of commutation money should not be authorized until the formal sanction of the pension is received but an intimation of the possibility of loss because of delay in the sanction to pension should be sent to the pensioner when reporting on the claim for commutation.*

This relates to the position which exists when no pension has been sanctioned, i.e. it contemplates that no commutation of pension will be paid until the pension itself is sanctioned. In the case of an anticipatory pension, sanction to the amount of pension granted an anticipatory pension can for all practical purposes be taken as given, since an anticipatory pension is always sanctioned at an amount less than the amount of pension ordinarily admissible. In cases in which a portion of an anticipatory pension is committed, commutation value should, therefore, be paid as soon as the commutation becomes absolute and that reports on the title to commutation of a portion of an anticipatory pension should be referred to the Administrative Department concerned who will obtain the concurrence of the Finance Department.

- 11.5** The lump sum payable on commutation shall be calculated in accordance with a table or tables of present values which shall be prescribed by the competent authority.

Note 1.— *The lump sum payable on commutation to Government employees who have served under more than one Government when the commutation tables applied by the different Governments are not identical, shall be calculated according to the commutation table of the Government under whose rule-making control they are, at the time of retirement. In the case of Government employees who are temporarily lent by one Government to another the commutation shall be according to the table of the lending Government and in the case of those who are permanently transferred from one Government to another it shall be according to the table of the Government to which their services have been permanently transferred.*

Note 2.— *In the event of the table of present values applicable to an applicant having been modified between the date of administrative sanction to commutation and the date on which commutation is due to become absolute, payment shall be made in accordance with the modified table, but it shall be open to the applicant if the modified table is less favourable to him than that previously in force, to withdraw his application, by notice in writing dispatched within 14 days of the date on which he receives notices on the modification.*

The table of present values is given in Annexure to this Chapter and will be applicable to all Government employees.

For the purpose of this rule, the age, in case of impaired lives, shall be assumed to be such age not being less than the actual age as the certifying medical authority may direct.

SECTION - IV ADMINISTRATIVE SANCTION AND MEDICAL EXAMINATION

A - ADMINISTRATIVE SANCTION

- 11.6** The forwarding of application in Part III of FORM PEN.-12 and FORM PEN.-12-A by the Sanctioning Authority to the audit office for arranging payment shall be treated as administrative sanction/ approval for commutation.

Note 1.— *If the Accounts Officer's certificate in Part IV shows that the commutation charges fall partly on any other State Government which has stipulated that it should be consulted regarding availability of funds, the sanctioning authority must obtain that Government's consent before arranging the payment. These Governments are Tamil Nadu, Maharashtra, West Bengal, Uttar Pradesh and Assam.*

Note 2.— *Deleted.*

B - INTIMATION TO THE APPLICANT AND THE CHIEF ADMINISTRATIVE MEDICAL OFFICER**11.7** The Sanctioning Authority should then—

- (i) transmit to the applicant, on FORM PEN.-13, a certified copy of the Accounts Officer's certificate contained in Part IV of FORM PEN.-12 (of lump sum payable on commutation in the event of his being reported by the medical authority prescribed in rule 11.9 to be a fit subject for commutation) and one copy of FORM PEN.-14, Part I of which is to be filled in by the applicant before his medical examination and handed to the medical authority.
- (ii) instruct him to appear for examination before the said medical authority within three months from the date of its order, or if he has applied for commutation in advance of the date of his retirement, within three months of that date, but in no case earlier than the actual date of retirement;
- (iii) forward to the Chief Administrative Medical Officer, in original the completed FORM PEN.-12 together with a copy of FORM PEN.-14 a copy of the unattested photograph sent alongwith the application as in rule 11.2 above and an extra copy of Part IV of that form if the applicant has been granted an invalid pension, or has previously commuted any portion of his pension (or declined to accept commutation on the basis of an addition of years to his actual age, or has been refused commutation) on medical grounds, copies of the previous medical reports or statements of his case.

C - MEDICAL EXAMINATION

11.8 Chief Administrative Medical Officer should arrange for the medical examination of the applicant by the medical authority prescribed in Rule 11.9 at the nearest available station to that named by the applicant in part I of FORM PEN.-12 and as early as possible within the period prescribed and inform the applicant direct, the form and other documents shall be transmitted by the Chief Administrative Medical Officer to the examining medical authority.

11.9(i) Before any commutation administratively sanctioned becomes absolute, the applicant must be examined by the proper medical authority hereinafter prescribed.

(ii) The Medical authority shall be—

- (a) in the case of an applicant who has been or is about to be granted an invalid pension or in whose case the total of the amount of the pension to be commuted together with the amount or amounts previously commuted, if any exceeds Rs. 100/- a Medical Board or a Standing Invaliding Committee in the State concerned nearer to the place of applicant's residence before which the applicant must appear in person;
- (b) applicant who has not been or is not about to be granted an invalid pension and who applies for commutation, of a sum such that the total of the amount of pensions to be commuted, together with the amount or amounts previously commuted, if any, is Rs. 100/- or less, the Medical Officer, not being of lower status than the Chief Medical Officer or Principal Medical Officer of the district in which he is ordinarily resident.

- (iii) The medical authority after obtaining from the applicant a statement in Part I of FORM PEN.-14 (which must be signed in its presence) shall subject him to a strict examination; enter the results in Part II of FORM PEN.-14 and record its opinion as to the accuracy with which the pensioner has answered the question prescribed in Part I regarding his medical history and habits. Lastly, it shall attest the unattested copy of the photograph of the pensioner, complete the certificate contained in Part III of FORM PEN.-14.
- (iv) In the case of an applicant who has been or is about to be granted an invalid pension, the grounds of invaliding or the statement of the medical case shall be duly considered by the certifying medical authority before the certificate (Part III of FORM PEN.-14) is signed.
- (v) If the examination is conducted by a single medical officer, the applicant shall himself pay the fee of the Medical Officer who shall retain an amount of Rs. 12, out of the prescribed fee of Rs. 16, and credit the remaining Rs. 4 to Government, but if he is originally examined by a medical board or an invaliding committee in India, he shall pay a fee of Rs. 4 into a Government treasury and make over the receipt for the fee to the Board or Committee before examination, together with an additional fee of Rs. 12 in cash to be retained and divided by the members of the Board or the Committee, as the case may be, among themselves. If he is examined by a Board outside India, he shall pay to the board such fee as may be required of him.

Note 1.— *The above rule applies only in the case of ordinary monthly standing Medical Board and Invaliding Committee. In cases where special Medical Boards or Committees are convened at a very short notice in the interest of the applicant, a fee of Rs. 48 will have to be paid by the applicant for his medical examination. Of that fee, a sum of Rs. 12 shall be paid by the applicant into a government treasury and the receipt for it shall be made over by him to the Board or Committee, as the case may be, before examination, together with the remaining amount of the fee, viz. Rs. 36 in cash to be retained and divided by the members of the Board or the Committee among themselves. This enhanced fee will not, however, be charged from such pensioners as entered Government service prior to 9th March, 1926.*

Note 2.— *No fee will be payable for medical examination in the case of Government employees in Class IV service who are granted invalid pension under rule 5.11.*

- (vi) An applicant who has once been refused commutation on medical ground or after he has once declined to accept commutation on the basis of an addition to years to his actual age, may apply for a second medical examination, at his own expense if at least a year has elapsed, since his first examination. Such an examination shall invariably be made by a Medical Board or Standing Invaliding Committee. The medical authority examining the pensioner should be furnished, in addition to the documents mentioned in the concluding portion of Rule 11.7 (iii), with a copy of the report of the medical authority which previously examined him.
- (vii) The ultimate medical authority prescribed in clause (ii) shall without delay forward the completed Forms PEN.-12 and PEN.-14 in original and the copy of photograph attested by it to the Accounts Officer, who gave the certificate contained in Part IV of FORM PEN.-12, a certified copy of the completed FORM PEN.-14 to the sanctioning authority.

A certified copy of Part III of PEN. 14 should be given to the pensioner on the spot after his medical examination.

Note 1.— *If in the opinion of the medical authority prescribed in clause (ii) some special examination is necessary which is not in a position to carry out itself, it may require the applicant to undergo such examination at his own expense. No refund of such expenditure will be given by Government irrespective of the result of the examination.*

Note 2.— *In case, a copy of the report of the medical authority or the intimation by the Accounts Officer, where necessary, of the revised sum payable on commutation, has to be sent to the applicant by post, it should be sent invariably by registered post with acknowledgement due to the Accounts Officer.*

D - LAPSE OF ADMINISTRATIVE SANCTION AND THE PERIOD FOR THE WITHDRAWAL OF APPLICATION

11.10(1) The applicant may, after giving notice in writing to the Head of the Office withdraw his application any time before subjecting himself to medical examination before the medical authority but in no case after he has appeared before such authority.

(2) In case the medical authority directs that the applicant's age for the purpose of commutation shall be assumed to be greater than his actual age, the applicant may :-

(a) by giving notice in writing to the Head of Office withdraw his application within 14 days from the date on which he receives the certified copy of Part III of FORM PEN.-14 and endorse a copy of notice to the Accounts Officer; or

(b) request the Head of Office within the period specified in clause (a) under intimation to the Accounts Officer that he may be permitted to reduce the amount of pension already applied for commutation to an amount to be indicated by the Applicant.

(3) Where a request for withdrawal has not been made by the applicant within the time specified in clause (a) of sub rule (2), it shall be presumed that he has accepted the findings of the medical authority and the Accounts Officer shall take action to authorize the payment of commuted value of pension.

(4) If a request for reduction in the amount of pension to be commuted is made as provided in clause (b) of sub-rule (2), the Accounts Officer shall authorize the payment of commuted value of pension with reference to the reduced amount.

(5) If the applicant is informed by the Accounts Officer that on account of modification of the table, the commuted value becoming payable to the applicant will be less than the value communicated to him in FORM PEN.-13, it shall be open to the applicant to withdraw his application by a written notice addressed to the Accounts Officer and the applicant shall endorse a copy of the notice to the Head of Office within 14 days of the date on which he receives intimation of such modification.

11.11(1) The commutation of pension shall become absolute in the case of an applicant referred to :-

(i) in sub-rule (2) of rule 11.19, on the date on which the application in FORM PEN.-12-A is received by the Head of Office;

- (ii) in rule 11.2, on the date on which the medical authority signs the medical report in Part III of FORM PEN.-14:

Provided that—

- (a) in the case of an applicant who is drawing his pension from a treasury, the reduction in the amount of pension on account of commutation shall be operative from the date of receipt of the commuted value of pension or at the end of three months after issue of authority by the Accounts Officer for the payment of commuted value of pension, whichever is earlier; and
 - (b) in the case of an applicant who is drawing his pension from a branch of a nationalized bank, the reduction in the amount of pension on account of commutation shall be operative from the date on which the commuted value of pension is credited by the bank to the applicant's account to which pension is being credited.
- (2) The date on which the payment of the commuted value of pension was made to the applicant or the commuted value was credited to the applicant's account shall be entered in the both halves of the pension payment order by the disbursing authority under intimation, to the Accounts Officer who authorized the payment of commuted value of pension.

Note 1.— *The applicant who has clearly indicated his intention to commute the maximum amount of his pension or expressed the amount proposed to be commuted as a fraction or, percentage of the full and, final pension, within the maximum permissible limit and is allowed to commute such fraction or percentage of the provisional pension sanctioned to him on the earlier occasion, shall neither be required to apply afresh nor to produce a fresh certificate of medical examination for commutation of the difference between the fraction or percentage of final pension and the anticipatory or provisional pension. As the commutation in such cases is payable in two instalments- one out of the provisional pension and the other after final assessment of pension, the report from the Accounts Officer, will have to be called for in Part IV of FORM PEN.-12 for commutation of Civil pensions, twice.*

Note 2.— *A person who is allowed provisionally to commute a portion of his pension not exceeding Rs. 100/- and who anticipates that the final amount of pension that he would be entitled to commute might exceed Rs.100/- shall indicate that fact in his application in case he desires to commute a sum exceeding Rs.100/-. The Sanctioning Authority shall in such cases arrange for medical examination as if the amount to be commuted exceeds Rs. 100/-. In case such fact is not indicated, the Government employee shall be permitted on finalization of the amount of pension, to commute the difference between the amount of pension originally commuted and Rs.100/- without further medical examination if the original amount commuted together with the difference referred to does not exceed Rs. 100/-. If the same exceeds Rs.100/- the commutation of any further sum if admissible shall be treated as fresh commutation and allowed subject to examination by a Medical Board.*

The date on which the Medical Board sign the Medical report shall be the date of effect for the difference of the amount of the portion of pension to be commuted for which the medical examination is conducted..

- 11.12** If the applicant makes any statement found to be false within his knowledge or willfully suppresses any material fact in answer to any question, written or oral, put to him in connection with his medical examination the sanctioning authority may cancel the

sanction at any time before payment is actually made; and such a statement or suppression may be treated as grave misconduct for the purpose of Rule 2.2.

SECTION - V PAYMENT OF COMMUTED VALUE

11.13(a) The Accounts Officer on receipt of the completed Forms PEN.-12 and PEN. 14 and the copy of photographs attested by the Medical Authority shall arrange forthwith for the payment of the appropriate commuted value and for the corresponding reduction of pension.

(b) If the applicant on receipt of the sanctioning order withdraws his application within the period prescribed in rule 11.10, he should intimate his intention in writing to the Accounts Officer direct and to the sanctioning authority simultaneously.

Note 1.— *If the Medical Certificate prescribes that more than five years should be added to the applicant's actual age, the Accounts Officer shall forthwith inform the applicant of the revised sum payable on commutation.*

Note 2.— *See also Rules 7.5 and 7.6.*

11.14 The payment of the commuted value shall be made as expeditiously as possible, but in the case of an impaired life no payment shall be made until either a written acceptance of the commutation has been received or the period within which the application for the commutation may be withdrawn has expired. The reduction in the amount of pension on account of commutation shall become operative from the date of receipt of the commuted value of the pension by the pensioner or three months after the issue of the authority asking the pensioner to collect the commuted value of the pension by the Accounts Officer, whichever is earlier. This date will be entered in both halves of the pension payment order by the Treasury Officer under intimation to the Accounts Officer.

Note 1.— *In the case of an impaired life, this rule does not preclude the pensioner's right to record his acceptance of the commutation after the medical examination and before he receives intimation of the revised sum payable on a commutation from the Accounts Officer. Such acceptance will, however, always be treated as final, that is to say, the pensioner will have no title whatsoever to rescind his acceptance on receipt of intimation of the revised sum from the Accounts Officer.*

Note 2.— *In view of the fact that rule 11.11 confers an absolute right on commutation subject to the prescribed conditions; payment of commuted value should not be postponed on the ground of lack of funds.*

11.15 The lump sum, in cases in which application is addressed to the authorities in India under clauses (1) and (2) of Rule 11.2, shall be payable in India; in all other cases it shall be payable at the Treasury in U.K. The rate of exchange for conversion of the lump sum, where the question of conversion arises, shall be such as the Government of India may from time to time prescribe.

11.16 If the pensioner dies on or after the date on which commutation became absolute but before receiving the commutation value, this value shall be paid to his heirs.

- 11.17** A commutation once applied for, sanctioned and given effect to, cannot be rescinded, i.e. the portion of a pension commuted cannot be restored on refund of the capitalized value.

SECTION - VI

COMMUTATION OF PENSION WITHOUT MEDICAL EXAMINATION

- 11.18**(1) The provisions of this section shall apply to an applicant who is eligible to commute a fraction of his pension without medical examination.

- (2) An applicant who is authorized “

- (i) a superannuation pension under rule 5.27 of these rules; or
- (ii) a retiring pension under rule 5.32-A of these rules; or
- (iii) a pension on absorption in or under a corporation or company or body in terms of F.D. letter No. 6226-2FR-68, dated 7th October, 1968 and who elect to receive monthly pension and death-cum-retirement gratuity; or
- (iv) a compensation pension on abolition of permanent post under rule 5.2 of these rules; or
- (v) a pension in whole or in part on the finalization of the departmental or judicial proceedings referred to in rule 2.2 of these rules and issue of final orders thereon; shall subject to the limit of rule 11.1, be eligible to commute a fraction of his pension without medical examination;

Provided that he applies for commutation of pension in FORM PEN.-12-A in accordance with the provisions of rule 11.19.

Note.— *A Government employee who is granted extension of service on attaining the age of fifty eight years with the sanction of the appropriate authority, will also be eligible if he applies within one year of the expiry of extension period to commute a fraction of his pension without medical examination.*

- 11.19** (1) An applicant, who is in receipt of any pension referred to in rule 11.18 and desires to commute a fraction of that pension any time after the date following the date of his retirement from service but before the expiry of one year from the date of retirement, shall—

- (a) apply to the Head of Office in FORM PEN.-12-A after the date of his retirement;
- (b) ensure that the application in FORM PEN.-12-A duly completed, is delivered to the Head of Office as early as possible but not later than one year of the date of his retirement;

Provided that the case of an applicant, -

- (a) referred to in clause (iii) of rule 11.18, where order retiring him from Government service had been issued from a retrospective date the period of one year referred to in this sub rule shall reckon from the date of issue of the retirement orders;
- (b) referred to in clause (v) of rule 11.18 the period of one year referred to in this sub-rule shall reckon from the date of the issue of the orders consequent on the finalization of the departmental or judicial proceedings.

- (2) An applicant who applies for commutation of pension within one year of the date of his retirement but his application in FORM PEN.-12-A is received by the Head of Office after one year of the date of his retirement, shall not be eligible to get his pension commuted without medical examination. Such an applicant, if he desires to commute a fraction of his pension shall apply afresh in FORM PEN.-12 in accordance with the procedure laid down in Section II.

11.20 (1) The Head of Office on receipt of application in FORM PEN.-12 A under sub rule (1) of rule 11.19 shall-

- (a) initial the Form indicating the date of its receipt;
- (b) acknowledge immediately the receipt of FORM PEN.-12-A in Part II of that Form and dispatch the same to the applicant;
- (c) take immediate action to complete Part III of FORM PEN.-12 A and forward the same to the Accounts Officer after retaining one copy for his record.

- (2) In case application in FORM PEN.-12-A is received by the Head of Office under sub-rule (1) after one year of the date of retirement of the applicant, the Head of Office shall inform the applicant that—

- (a) he shall not be eligible to commute a fraction of pension without medical examination;
- (b) if he desires to get a fraction of the pension commuted, he should apply afresh in FORM PEN.-12 so that arrangements for medical examination are made to accordance with the procedure laid down in Section II.

11.21(1) The Accounts Officer on receipt of FORM PEN.-12-A, from the Head of Office shall verify that—

- (a) the information furnished by the Head of Office in Part III of FORM PEN.-12 A is correct;
- (b) the applicant is eligible to commute a fraction of his pension without medical examination;
- (c) the commuted value of pension has been determined correctly by the Head of Office.

- (2) The Accounts Officer after necessary verification the information furnished in FORM PEN.-12-A shall—

- (a) issue authority for the payment of commuted value of pension to the disbursing authority concerned;
- (b) draw the attention of the disbursing authority concerned to the proviso to sub-rule (1) of rule 11.11 so that the disbursing authority may take entry in the Pension Payment Order regarding the date on which the amount of pension is to be reduced on account of commuted part of pension;
- (c) endorse to the applicant a copy of the authority referred to in clause (a) with the instruction that he should collect the commuted value of pension from the disbursing authority.

11.22 An applicant who has commuted a fraction of his final pension and after commutation his pension has been revised and enhanced retrospectively as a result of Government's

decision, the applicant shall be paid the difference between the commuted value determined with reference to enhanced pension and the commuted value already authorized. For the payment of difference the applicant shall not be required to apply afresh:

Provided that in the case of an applicant who has commuted a fraction of his original pension not exceeding Rs. 100/- after being declared fit by a Chief Medical Officer or Principal Medical Officer and as a result of retrospective enhancement of pension, he becomes eligible to commute an amount exceeding Rs. 100/- per mensem, he shall be allowed the difference between the commuted value of one hundred rupees per mensem and the commuted value of the fraction of the original pension without further medical examination. The commutation of any further amount beyond Rs. 100 per mensem shall be treated as fresh commutation and allowed subject to examination by a Medical Board.

ANNEXURE*(Referred to in Rule 11.5)*

Commutation Table based on the rate of interest of 4.75% per annum and the improvement in mortality rate as adopted by the Central Government in case of their pensioners (commutation value for a pension of Rupee One per annum)

| Age next birthday | Commutation value expressed as Number of years purchase | Age next birthday | Commutation value expressed as Number of years purchase |
|-------------------|---|-------------------|---|
| 17 | 19.28 | 51 | 12.95 |
| 18 | 19.20 | 52 | 12.66 |
| 19 | 19.11 | 53 | 12.35 |
| 20 | 19.01 | 54 | 12.05 |
| 21 | 18.91 | 55 | 11.73 |
| 22 | 18.81 | 56 | 11.42 |
| 23 | 18.70 | 57 | 11.10 |
| 24 | 18.59 | 58 | 10.78 |
| 25 | 18.47 | 59 | 10.46 |
| 26 | 18.36 | 60 | 10.13 |
| 27 | 18.21 | 61 | 9.81 |
| 28 | 18.07 | 62 | 9.48 |
| 29 | 17.93 | 63 | 9.15 |
| 30 | 17.78 | 64 | 8.82 |
| 31 | 17.62 | 65 | 8.50 |
| 32 | 17.46 | 66 | 8.17 |
| 33 | 17.29 | 67 | 7.85 |
| 34 | 17.11 | 68 | 7.53 |
| 35 | 16.92 | 69 | 7.22 |
| 36 | 16.72 | 70 | 6.91 |
| 37 | 16.52 | 71 | 6.60 |
| 38 | 16.31 | 72 | 6.30 |
| 39 | 16.09 | 73 | 6.01 |
| 40 | 15.87 | 74 | 5.72 |
| 41 | 15.64 | 75 | 5.44 |
| 42 | 15.40 | 76 | 5.17 |
| 43 | 15.15 | 77 | 4.90 |
| 44 | 14.90 | 78 | 4.65 |
| 45 | 14.64 | 79 | 4.40 |
| 46 | 14.37 | 80 | 4.17 |
| 47 | 14.10 | 81 | 3.94 |
| 48 | 13.82 | 82 | 3.72 |
| 49 | 13.54 | 83 | 3.52 |
| 50 | 13.25 | 84 | 3.32 |
| | | 85 | 3.13 |

CHAPTER - XII
LIST OF AUTHORITIES WHO EXERCISE THE POWERS OF
COMPETENT AUTHORITY

12.1 The following authorities shall exercise the powers of a competent authority under the various rules :-

| Sr. No. | No. of Rule | Nature of power | Authority to which the powers delegated | Extent |
|---------|-------------|---|--|--|
| 1. | 2.5 | Power to grant compassionate allowance to a Government employee dismissed or removed from service for misconduct, insolvency, or inefficiency. | Authority competent to order dismissal or removal of the Government employee | Up to half of the pension that would have been admissible to the Government employee dismissed or removed if he had retired on medical certificate. In the exercise of these powers due regard should be paid to the instructions contained in Punjab Govt. letter No. 4979-F/G, dated 24 th February, 1925. |
| 2. | 3.13 | Power to allow in individual cases service rendered by a Government employee to count for pension even though it does not fulfill either or both of conditions (1) & (2) of Rule 3.12 | All Departments of Government | (1) Full power if the pension does not exceed Rs. 50 per mensem. N.B.— These powers are to be exercised in special circumstances and not as a matter of course. (2) If the pension exceeds Rs. 50 per mensem, half the actual non - qualification service paid from the Government revenues may allowed to count for pension, subject to a maximum of 12 month in all. |
| 3. | 4.12 | Power to declare that the period spent by Government employees undergoing a course of training shall be counted towards pension. | All Departments of Government | Full powers except in regard to a person in training for, but not actually appointed to Government service. |
| 4. | 7.17 & 7.18 | Power to sanction re-employment on the guard establishment of military and police pensioners with full pension in addition to the full pay of the post. | Divisional officers and Superintending Engineering, Irrigation Branch, Haryana | Full power |
| 5. | 7.26 | Power to sanction the acceptance of commercial employment by a pensioner before the expiry of two years from the date of retirement | All the Departments of Government | Full power |

| | | | | |
|----|------|--|------------------------------------|--|
| 6. | 11.1 | Power to sanction the commutation of pensions. | 1. All Administrative Secretaries. | Gazetted staff Full powers subject to the provisions of Chapter XI. |
| | | | 2. All Heads of Departments. | Non-gazetted staff under them subject to the provisions of Chapter XI. |
| | | | 3. Speaker Haryana Vidhan Sabha | Gazetted Staff except Secretary, Full powers subject to the provisions of Chapter - XI |

Note.— *The Administrative Departments and Head of Department may re-delegate the powers delegated to them in the above table, on their own responsibility and subject to such restrictions as they may like to impose, to any officer under them at their headquarters officers. Copies of such orders should invariably be endorsed to Finance Department and the Accountant General, Haryana.*

CHAPTER - XIII

[Repealed]¹⁶

CHAPTER - XIV

[Repealed]¹⁷

¹⁷ This Chapter alongwith Forms was repealed vide Notification No. 4/4(2)2003-2FR, dated 04.05.2006.

APPENDIX-1**FAMILY PENSION SCHEME, 1964**

- [1. (i) This scheme called the “Family Pension Scheme, 1964”, has been formulated to lay down the guidelines for the grant of family pension to the family of deceased Government employee.
- (ii) The family pension shall be calculated at a uniform rate of 30% of basic pay + dearness pay in all cases and shall be subject to a minimum of Rs. 1913/- per month and maximum of 30% of the highest pay + dearness pay.
- (iii) “Pay” for this purpose means the pay as defined in rule 2.44 (a) (i) of the Punjab Civil Services Rules, Volume I, Part I, which the person was drawing on the date of his death while in service or immediately before his retirement and includes Dearness Pay. If on the date of his death while in service or immediately before his retirement, a person has been absent from duty or leave without leave salary i.e. extraordinary leave or suspension, “Pay” means the pay which he drew immediately before proceeding on such leave or suspension.
2. (a) In respect of Government employees who die in harness, family pension shall be admissible from the date following the date of completion of period of financial assistance as per Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2006. The family pension shall be payable at enhanced rate of 50% of pay for 7 years subject to fulfillment of condition of minimum 7 years service at the time of death [see rule 9.23 (a)(ii)]. Thereafter, the family shall be entitled to family pension at the rate of 30% of pay.
- (b) In the event of death after retirement, the enhanced family pension shall be admissible at the same rate at which the pension was sanctioned to the Government employee at the time of retirement which shall include the pension which the retired Government employee may have commuted before death. The enhanced family pension shall be admissible until he would have attained the age of 65 years or for a period of 7 years, whichever period is less. Thereafter, the family shall be entitled to family pension at the rate of 30% of pay.]¹⁸
3. This scheme comes into force with effect from 1st July, 1964 and is applicable to all regular employee on pensionable establishment- temporary or permanent who were in service on the 1st July, 1964, or are recruited thereafter.
4. This scheme is administered as below:-
- (i) The family pension is admissible in case of death while in service or after retirement on or after the 1st July, 1964, if at the time of death, the retired officer was in receipt of a compensation, invalid, retiring or superannuation pension. The family pension will not be admissible in case of death after retirement if the retired employee at the time of death was in receipt of gratuity only. In case of death while in service a government employee should have completed a minimum period of one year of continuous service without break.

Note 1.— *The term one year continuous service used in para-4 (i) above is inclusive of permanent/ temporary service in a pensionable establishment but does not include periods of extraordinary leaves, boy service and suspension period unless that is regularized by the competent authority or before completion of one year continuous service provided the deceased government employee concerned immediately prior to his recruitment to the service or post was examined by the appropriate Medical Authority and declared fit by that authority for Government service.*

Note 2.— *In the cases of persons who were in service in composite state of Punjab prior to 1st November, 1966 and came over to Haryana State on or after 1st November, 1966 or those who have been recruited by the Haryana Government on or after 1st November, 1966, or who are transferred to Haryana State from the Central Government or other State Governments and to those cases it had been agreed to count their previous service for pension, the family pension scheme would be applicable in the event of their death/ retirement without putting in one year continuous, service under the State Government if their total service at the time of death (inclusive of service rendered under the previous government) exceeds one year.*

[(ii) "Family" for the purposes of this scheme includes the following relatives of the officer :-

- (a) wife, in the case of a male officer;
- (b) husband, in the case of a female officer;
- (c) minor sons;
- (d) unmarried minor daughters;
- (e) widowed/legally divorced daughters; and
- (f) the parents of an unmarried officer.

Note 1.— *Clauses (c) and (d) include children adopted legally before retirement.*

Note 2.— *A judicially separated wife/husband does not lose her/his legal status of wife/husband of the Government employee and is thus eligible for the benefit of the Family Pension Scheme, 1964.*

[(iii) The pension is admissible—

- (a) in the case of widow/widower upto the date of death or remarriage, whichever is earlier;
- (b) in the case of son/unmarried daughter until he/she attains the age of twenty five years;
- (c) in the case of parents who were wholly dependent on the Government employee when he/she was alive, upto the date of death provided the deceased employee had left behind neither a widow nor a child;
- (d) in the case of children in the order of their birth and younger of them will not be eligible for family pension unless the elder next above him/her has become ineligible for grant of family pension;
- (e) in the case of divorced/widowed daughter till they are alive :

Provided that an unmarried daughter including widowed/divorced daughter will become ineligible for pension from the date of her marriage/remarriage:

Provided further that the son/unmarried daughter including widowed/ divorced daughter shall become ineligible for pension if he or she starts earning livelihood.

The income criteria in respect of parents and widowed/divorced daughter shall be that their earning is not more than Rs. 2550/- per month. Provided also that parents

and widowed/divorced daughter shall produce an annual certificate to the effect that their earning is not more than Rs. 2550/- per month. The upper ceiling of family pension shall be 30% of basic pay of the deceased employee, subject to a minimum of Rs. 1913/- per month.

Notes.—

- (i) *Where an officer is survived by more than one widow, the pension will be paid to them in equal shares. On the death of a widow, her share of the pension will become payable to her eligible minor child. If at the time of her death, a widow leaves no eligible minor child, the payment of her share of the pension will cease.*
- (ii) *Where an officer is survived by a widow but has left behind an eligible minor child from another wife, the eligible minor child will be paid the share of pension which the mother would have received, if she had been alive at the time of the death of the officer.*
- (iii) *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/her share shall revert to the other child and when both of them cease to be eligible the family pension shall be payable to the next eligible single child/twin children.]¹⁹*

[(f) In the case of unmarried daughter beyond twenty five years of age at par with widowed/divorced daughters subject to other conditions being fulfilled. Grant of family pension to unmarried/widowed/divorced daughter shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above her has become ineligible for grant of family pension. Further pension to unmarried/widowed/divorced daughter above the age of twenty five years shall be payable only after the other eligible children below the age of twenty five years have ceased to be eligible to receive family pension and that there is no disabled child to receive the family pension.

Provide that unmarried daughter including widowed/divorced daughter will become ineligible for pension from the date of her marriage/remarriage or when she starts earning livelihood.

Provided further that the income criteria for grant of family pension to unmarried daughter shall be the same as in respect of parents and widowed/divorced daughter as per notification dated 21st July, 2006.]²⁰

- 4-A.** (a) If a person, who in the event of death of government employee while in service, is eligible to receive family pension under this rule, is charged with the offence of murdering the Government employee or for abetting in the commission of such an offence, the claim of such a person, including other eligible member or members of the family to receive the family pension, shall remain suspended till the conclusion of the criminal proceedings instituted against him.
- (b) If on the conclusion of the criminal proceedings referred to in clause (a), the persons concerned—
- (i) is convicted for the murder or abetting in the murder of the government employee, such a person shall be debarred from receiving the family pension which shall be payable to other eligible member of the family, from the date of the death of government employee;

¹⁹ Clause (iii) of Rule 4 was earlier Substituted vide Notification No. 1/3/17/02/SO-I/Pension, dated 26.08.2004 and again substituted vide Notification No. 1/3/17/02 SO-IPen, dated 21.07.2006.

²⁰ Inserted vide Notification No. 2/57/2007-1Pension, dated 21/31.10.2008.

- (ii) is acquitted of the charge of murder or abetting in the murder of the government employee, the family pension, shall be payable to such person from the date of death of the government employee.
- (c) The provisions of sub para (a) and (b) shall also apply for the family pension becoming payable on the death of a government employee after his retirement.

[4-B. If the son or daughter of a Government employee is suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after attaining the age of twenty five years the family pension shall be payable to such son or daughter for life subject to the following conditions, namely :-

- (i) (a) Persons with impairment in functions of the body should be examined by the Board under the Chairmanship of the Civil Surgeon of the District on every Wednesday. Board should include the specialist according to the requirement. Appellant Medical Board is at Post Graduate Institute of Medical Science, Rohtak, Haryana Government employees working in Chandigarh/Panchkula and resident of Chandigarh/ Panchkula can also be examined by the Disability Medical Boards of General Hospital, Sector-16, Chandigarh and Medical College and General Hospital, Sector-32, with the appellant Medical Board at Post Graduate Institute of Medical Education and Research, Chandigarh.
- (b) Medical certificates in which percentage of disability is given issued by the Board after examination of the candidates will be valid for three years.
- (c) Impairment of above forty percent of any kind will be entitled for benefits. Disability broadly are of four types :-
 1. Visual,
 2. Locomotor,
 3. Speech and hearing,
 4. Mental disorders;
- (ii) If such son or daughter is among two or more children of the Government employee, the family pension shall be initially payable to the one elder/eldest among physically fit children until he/she attains the age of twenty five years or he/she becomes ineligible for family pension whichever is earlier. Therefore, family pension will be paid to the next physically fit children up to the above-mentioned period. When all physically fit children become ineligible for family pension the same shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him/her for life;
- (iii) If there are more than one such children suffering from disorder or disability of mind or who are physically crippled or disabled, 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/her ceases to be eligible :
 Provided that where the family pension is payable to such twin children it shall be paid in equal shares; provided that when one such child ceases to be eligible his/her share shall revert to the other child and when both of them cease to be eligible the family pension shall be payable to the next eligible single child/twin children.
- (iv) The family pension shall be paid to such son or daughter through the guardian as if he or she were a minor except in the case of the physically crippled son/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 handicap 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 medical Board as mentioned in (i) (a) above 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/ daughter or such son/daughter not receiving the family pension through a guardian shall produce every three years a certificate from medical Board that he or she continues to suffer from disorder or disability of mind or continue to be physically crippled or disabled.
- (vii) In the case of mentally retarded son or daughter, the family pension shall be payable to a person nominated by the Government employee 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 employee or pensioner during his lifetime, to the person nominated by the spouse of such Government employee or family pensioner, as the case may be, later on;
- (viii) *[Omitted]*²¹
- (ix) The family pension payable to such a son or daughter shall be stopped if he or she starts earning his/her livelihood;
- (x) In such cases it shall be the duty of the guardian or son or daughter by whom pension is being received to furnish a certificate to the Treasury Officer or bank, as the case may be, every month that—
 - (a) he or she has not started earning his/her livelihood or is not in receipt of any other pension under any other rules of this State/ any other State/Central Government of State/autonomous bodies/undertakings;
 - (b) in case of daughter, that she has not yet married;
- (xi) [This benefit shall be admissible to the eligible disabled children whether born before or after retirement; and]^{22/23}

[Explanation.— *An eligible person receiving family pension, shall receive the same for the benefit of all the eligible persons of the family.]*²⁴

5. Deleted.

6. Government employees in service on the 30th June, 1964, who are governed by the new pension rules wholly or partially, were given an option to elect this scheme in substitution of the existing Family Pension benefits as admissible under the New Pension Rules or retain their existing benefits. The option was required to be exercised in Form A given at the end by the 31st March, 1965 which date was extended to 30th September, 1965. Persons who failed to exercise option with the stipulated period are to be deemed to have elected the Family Pension Scheme, 1964. Option once exercised was to be treated as final.

The Government employees who were in service on the 30th June, 1964 and retired with effect from 1st July, 1964, were also eligible to exercise the option for this scheme; and

²¹ Omitted vide Notification No. 2/50/2013-1Pension, dated 02.03.2015.

²² Para 4-B inserted vide Notification No. 1/4(4)-97/SO-I/Pension, dated 26.08.2004.

²³ Sub-para (xi) of Para 4-B substituted vide Notification No. 2/50/2013-1Pension, dated 02.03.2015 issued on 04.03.2015

²⁴ Inserted vide Notification No. 2/50/2013-1Pension, dated 02.03.2015 issued on 04.03.2015.

hence the benefits of this scheme would accrue to them provided they opted for this scheme.

Government employees who were in service on 30th June, 1964 and had not opted to be governed by the Family Pension Scheme, 1964, were allowed to exercise a fresh option by the 30th September, 1966, to elect this scheme. In case of failure to exercise a fresh option within the stipulated period, the earlier option, if any, was to be deemed to subsist. The option was to be exercised in writing and communicated by the officer concerned to the Head of the Office if he was a non-gazetted officer and to the Accountant General, Haryana, if he was a gazetted officer, non-gazetted officers who were officiating as gazetted officers, had to exercise their option like non-gazetted officers as laid down in para 8 infra,

Note.— *The cases of persons who died while in service after 1st July, 1964, but before 30th September, 1965, without exercising any option were to be dealt with on the merits and the beneficiaries were to be allowed the benefit of rules favourable to them. Those government employees who retired after 1st July, 1964, but before 30th September, 1965 without exercising option could exercise option upto 30th September, 1965. In all such cases gratuity equal to two months emoluments was to be withheld till the official exercised the option for the scheme, when the amount so withheld could be resumed to government; and in case he had opted out of the scheme, the gratuity previously withheld could be released. In respect of cases of retirement falling after 1st July, 1964 where full amounts of death-cum-retirement gratuity had already been paid to the retiree he had to be asked to deposit the gratuity equal to two months emoluments or pay as the case might be, if he had opted for the scheme before 30th September, 1965.*

7. (i) Those who were governed by the old Pension Rules in toto were not entitled to the benefits of this scheme unless they opted in favour of New Pension Rules wholly or partially. They were allowed to opt for new Pension Rules (wholly or partially) and to avail the benefit of this scheme. The option was to be exercised in Form 'B' given at the end of the 31st March, 1965 (which was extended to 30th September, 1965).
- (ii) In view of the further liberalization of the Punjab New Pension Rules, the employee of erstwhile Pepsu Government who were governed by the Pepsu Pension Rules were allowed to exercise option afresh first for the corresponding clause of the Punjab New Pension Rules of Punjab Government by the 31st March, 1965, and further to exercise option for the Family Pension Scheme, 1964.

Note 1.— *The Government employee who were governed partially by Old Pension Rules and partially by New Pension Rules, i.e. under clause 9 (i) (c) could come wholly under New Pension Rules, i.e. clause 9(i) (a) by exercising the option to that effect by 30th September, 1965.*

Note 2.— *The employee governed under clause 8 (i) (b) of Pepsu New Pension Rules could opt for corresponding clause 9(i) (b) and then clause 9 (i) (a) of Punjab New Pension Rules upto 3rd April, 1964, in terms of the Punjab Government Finance Department letter No. 12190-5FR-I-62/3706, dated the 4th April, 1963. The same concession was further extended to them alongwith Family Pension Scheme. The employees governed under para 8 (i) (b) could opt for clause 9(i)(b) and then for clause 9 (i) (c) or 9 (i) (a) of the Punjab New Pension Rules and could further avail the benefit of this scheme. Thus, the employees governed by clause 8 (i) (c) were not only allowed to opt for clause 9 (i) (a) ibid in terms of the Punjab Government Finance department letter No. 12190-5FR-I-*

62/3706, dated 4th April, 1963. Similar concession was allowed to them under the Family Pension Scheme and they could opt for clauses 9 (i) (c) and then 9 (i) (a) and further avail of the benefit of the Family Pension Scheme.

Note 3.— Class IV Government employees of erstwhile Pepsu were not required to opt for the corresponding clause of Punjab Pension Rules but they would opt for clause 9 (i) (a) of Punjab New Pension Rules in case they wished to avail the benefit of this scheme.

8. The option- vide paragraphs 6 and 7 was to be exercised in writing and communicated by the officer concerned to the Head of his office, if he was a non-gazetted officer and to the Accountant General, Haryana, if he was a gazetted officer. The non-gazetted officers who were officiating as gazetted officers were required to exercise their option like non-gazetted officers. The option when received from a non-gazetted officer was to be countersigned by the head of Office and pasted in the service book of the officer concerned. It will be ensure that the option had reached the Head of Office/ Accountant General, Haryana.

Note.— The Deputy Commissioner can delegate their power to countersign options exercised and the details of family furnished by non-gazetted staff working under them to one of their subordinate gazetted officers.

9. Those who enter service on or after the 1st July, 1964 will be automatically governed by this scheme.
10. Widow/ Widowers of such government employees as are governed by this scheme will not be entitled to family pension under any other rules.

[Provided that widows/widowers of such Government employees as are governed by this scheme shall be allowed to draw dual family pension i.e. one from civil side and another from military side.]²⁵

11. This scheme will not be applicable to—
 - (a) Persons who retired before 1st July, 1964 but may be re-employed on that date or thereafter;
 - (b) Persons paid from contingencies;
 - (c) Work charged staff;
 - (d) Casual labour;
 - (e) Contract officers, and
 - (f) Persons who were in service in the composite State of Punjab prior to 1st November, 1966 and came over to Haryana State on or after 1st November, 1966 or those who have been recruited by the Haryana Government on or after 1st November, 1966, without a minimum service of five years in the Haryana State.
12. The procedure to be followed in respect of claims arising out of this scheme is as under:-

FURNISHING OF “FAMILY” DETAILS

- (i) All non-Gazetted employees entitled to the benefit of this scheme shall be required to furnish details of their “family” as defined in sub para (ii) of paragraph 4 of the scheme, i. e. the date of birth of each member with his/ her relationship with the

government employees. This statement shall be countersigned by the Head of Office and pasted in the service book of the Government employee. Government employees will thereafter be required to keep this statement up-to-date. Additions and alterations in this statement will be made by the Head of Office from time to time on receipt of information from the Government employees concerned.

- (ii) All gazetted officers will furnish the details of their "family" to the Accountant General, Haryana. It will be their responsibility to keep these particulars up-to-date. The Accountant General, Haryana will be required to acknowledge the receipt of these communications.

CASES WHERE DEATH OCCURS WHILE IN SERVICE

- (iii) On receiving information of death of an officer while in service, the administrative authority will send a letter as prescribed in Annexure-I to the family of the deceased and ask for the necessary documents mentioned therein.
 - (iv) On receiving the documents referred in the sub- para (iii) above the pension sanctioning authority will sanction family pension as in Annexure-III and send all these documents alongwith the service book of the Government employee to the Accountant General, Haryana, who will then issue the pension payment order to the beneficiary.
- [(iv-a) The Family Pension shall be admissible from the date following the date of death of the employee while in service. If under special circumstances, a family pension is granted long after a Government employee had died, retrospective effect shall not be given to it without the special orders of the Government. In absence of special orders such Family Pension will take effect only from the date of sanction. However, procedural delay upto one year shall not require special sanction of Government.]²⁶

CASES WHERE DEATH OCCURS AFTER RETIREMENT

- (v) In order to facilitate quick payment of family pension to the widow of the pensioner, pension payment order has been amended so as to provide for the admissibility of the family pension to her under the same pension payment order under which the pensioner was drawing his pension. It has, accordingly been decided that while applying for the grant of pension the government employee would furnish three copies of his joint photograph with wife; one of which will after having been attested by the pension sanctioning authority be henceforth pasted in the pension payment order, pensioner's portion. The amount of family pension admissible will be mentioned in the pension payment order. The Treasury Officer will start payment of family pension to the widow/ widower on receipt of death certificate of the pensioner and the form of application (Annexure-II) for the grant of family pension to her/ him (under intimation to the Accountant General, Haryana, in form given in Annexure-IV). If the widow/ widower is also not there and the family pension is payable to the minor children through their natural guardian, the guardian will apply on behalf of the children with two copies of his photograph and the other necessary documents to the administrative authorities on surrendering the First Pension Payment Order. Fresh Pension Payment Order will have to be issued in such cases.

13. Effect of commutation of pension on the quantum of Family Pension- The commutation of Pension has no effect on the quantum of family pension as the rate of family pension is based on the pay which the Government employee was drawing immediately before his retirement and not on the pension sanctioned to him.
14. Payment of family pension in cases where both husband and wife are government employees, and in the event of their death to their minor children. The scheme does not debar a government employee/ pensioner from drawing family pension in addition to his/ her pay or pension. In the event of death of father and the mother who were both government employees, the minor children will be eligible to draw two family pensions subject to a total of Rs. 150 per mensem, provided both the employees were governed by the Family Pension Rules, 1964.
15. Grant of option to persons who are on Contributory Provident Fund benefits to come over to pensionable service.—
 - (i) Government employee who were otherwise declared eligible to come on to the Pensionary Scheme on the day their services were provincialised but retained the Contributory Provident Fund benefits were allowed another opportunity to opt up to the 31st March, 1965 for the New Pension Rules including the benefits of the Family Pension Scheme, 1964. The option now exercised was to be final. The date of exercising option was extended upto 30th September, 1965 and finally extended upto 30th September, 1966. They, however, had no option to elect the liberalized Pension Rules without the benefit of the Family Pension Scheme, 1964.
 - (ii) An officer who does not exercise an option within the prescribed period or quits service or dies without exercising option or whose option is incomplete or conditional or ambiguous shall be deemed to have opted to remain under the existing Contributory Provident Fund benefits.

Note.— *In the event of an office dying without exercising option before the due date, the Administrative Department at its discretion, may give the benefits of New Pension Rules, alongwith the Family Pension Scheme, 1964, in lieu of Contributory Provide Fund benefits, when such a request is specially made by the nominee or nominees validity nominated by the subscriber, or in their absence by all the members of the family as defined in the Contributory Provident Fund Rules. If all these latter are not agreed on making such a request then the Contributory Provident Fund will be paid to them according to provisions of the rules in this regard.*

 - (iii) In the case of an officer who elects to be governed by the New Pension Rules, the "Government Contribution" with interest thereon standing to his credit in the Contributory Provident Fund shall be credited to the State Government. The Government Employee's subscriptions together with interest thereon in that fund shall be transferred to his General Provident Fund account which he shall be asked to pen and to which he shall subscribe under the rules of fund.
16. Minimum Pension for Government employees- In all cases of retirement occurring on or after the 1st July, 1964, where the amount of pension together with the benefit of adhoc increase as admissible under Punjab Government Finance Department circular letter No. 8206-FR-I/64/ 7668, dated 13th August, 1964, thereon comes to less than Rs. 25 per mensem the same shall be raised to Rs. 25 per mensem.

Note.— *A doubt arose whether in cases where the amount of pension admissible falls short of Rs.17.50 per mensem the person should be authorized at Rs.17. 50 and the adhoc increase of Rs. 7.50 per mensem should be shown as a distinct item. The matter was considered and it was decided that—*

- (i) In all cases where the actual pension is less than Rs.17.50 the amount of pension will be raised and shown as Rs. 17. 50 so that the pension together with the adhoc increase of Rs. 7. 50 comes to Rs. 25 per mensem.
- (ii) All future enhancement in adhoc increase would be regulated with reference to the enhanced pension of Rs. 17. 50 and not the original pension.

(On reconsideration it has been decided by Governor vide orders contained in letter No. 5931 2FR-67/ 3230, dated the 20th December, 1967 that in such cases the rounding off the amount of pension to the next higher rupee will be done before taking into account of adhoc increase.)

FORM-A**(TO BE USED BY THOSE WHO ARE GOVERNED BY THE NEW PENSION RULES WHOLLY OR PARTIALLY)**

Having fully understood the comparative advantages and disadvantages of the Family Pension Scheme, 1964, as applicable in my case:-

- (i) I opt for the Scheme as introduced,- vide Punjab Govt. letter No. 7856-7FR-1-64/9641, dated the 16th October, 1964, in substitution of the existing Family Pension benefits as now admissible under the New Pension Rules.
- (ii) I opt to retain the existing Family Pension benefits under the New Pension Rules.

Witness:-
 Signature _____
 Name in Full _____
 (in block letters)
 Designation _____
 Office _____

Signature _____
 Date _____
 Name in Full _____
 (in block letters)
 Designation _____
 Office _____

Left hand thumb-impression in the case of those who are not literate enough to sign their name.

CERTIFICATE

(Applicable only in the case of class IV and illiterate employees and to be signed by a responsible officer of the office concerned).

The rules were explained to Shri _____ in my presence.

Signature _____
 Name in Full _____
 (in block letters)
 Designation _____

ACKNOWLEDGEMENT

Received from Shri _____ Designation _____ office
 _____ and _____ an option, dated _____.

- (1) For the Family Pension Scheme, 1964.
- (2) For retaining the existing Family Pension benefits under the New Pension Rules.

Signature _____
 Designation _____
 Office _____

FORM-B**(TO BE USED BY THOSE WHO ARE GOVERNED BY THE OLD PENSION RULES, IN TOTO)**

Having fully understood the comparative advantages and disadvantages of the Family Pension Scheme, 1964, as applicable in my case:-

- (i) I opt to be governed by the New Pension Rules Wholly including the benefit of the Family Pension Scheme, 1964.
- (ii) I opt to be governed by the New Pension Rules, partially as per paragraph 9 (i) (c) of the Punjab government, Finance Department's letter No. 3022-FR-51/3116, dated 4th July, 1951, together with the benefit of the Family Pension Scheme, 1964

Witness:-
 Signature _____
 Name in Full _____
 (in block letters)
 Designation _____
 Office _____

Signature _____
 Date _____
 Name in Full _____
 (in block letters)
 Designation _____
 Office _____

Left hand thumb-impression in the case of those who are not literate enough to sign their name.

Note.— Strike out item (i) or (ii) as per option.

CERTIFICATE

(Applicable only in the case of class IV and illiterate employees and to be signed by a responsible officer of the office concerned).

The rules were explained to Shri _____ in my presence.

Signature _____
 Name in Full _____
 (in block letters)
 Designation _____

ACKNOWLEDGEMENT

Received from Shri _____ Designation _____ office
 _____ and _____ an option, dated _____.

- (1) For the New Pension Rules Wholly including the benefit of the Family Pension Scheme, 1964.
- (2) For the New Pension Rules, partially together with the benefit of the Family Pension Scheme, 1964.

Signature _____
 Designation _____
 Office _____

Strike out which is inapplicable.

Annexure-I**FORM OF LETTER TO THE WIDOW/WIDOWERS OF A DECEASED GOVERNMENT
EMPLOYEE FOR A GRANT OF FAMILY PENSION, 1964.**

No. _____

Government of Haryana,
Department of

Dated the _____

To

_____Subject: Payment of Family Pension Scheme, 1964 in respect of late
Shri/Smt. _____.

Sir/Madam

I am directed to say that in terms of Appendix-1 of Punjab Civil Services Rules, Volume-II, a family pension is payable to you as widow/widower of the late Shri/Smt. _____ (Designation _____ in the office/ Department of _____.)

2. You are advised that a claim for the grant of family pension may be submitted in the enclosed Annexure-II.

3. The Family pension will be payable till you death or remarriage, whichever event occurs earlier. In the event of your death or re-marriage the family pension shall be granted to the child or Children, if any, though the guardian.

Yours faithfully,

Head of office.

Attestation should be done by two Gazetted Government employees or two or more persons of respectability in the town, village or pargana in which the applicant resides.

Annexure-II**FORM OF APPLICATION FOR THE GRANT OF FAMILY PENSION ON THE DEATH OF A GOVERNMENT EMPLOYEE/PENSIONER**

| | | | | |
|----|--|------|---------------------------------------|---|
| 1. | Name of the applicant | | | |
| | (i) Widow /Widower | | | |
| | (ii) Guardian, if the deceased person (s) is child of children survived by | | | |
| 2. | Name and age of surviving widow/widower and children of the deceased Government employee/pensioner. | | | |
| | Sr. No | Name | Relationship with the deceased person | Date of birth by Christian era (to be attested by the head of office) |
| | 1. | | | |
| | 2. | | | |
| | 3. | | | |
| | 4. | | | |
| | 5. | | | |
| | 6. | | | |
| 3. | Date of death of the Government employee/pensioner. | | | |
| 4. | Office/Department in which the deceased Government employee/pensioner served last. | | | |
| 5. | If the applicant is guardian, his date of birth and relationship with the deceased Government employee/pensioner. | | | |
| 5A | If the applicant is a widow/widower the amount of service pension which she/he may be in receipt on the date of death of the husband/wife. | | | |
| 6. | Full address of the applicant | | | |
| 7. | Place of payment of pension and gratuity (Treasury, Sub-Treasury, Public Sector Bank Branch). | | | |
| 8. | Enclosures:- | | | |
| | (i) Two specimen signatures of the applicant, duly attested (To be furnished in two separate sheets) | | | |
| | (ii) Two copies of passport size photograph of the applicant, duly attested. | | | |

| | (iii) Two slips each bearing left hand thumb and finger impression of the applicant, duly attested. | | | | | | | | | | | | | |
|---------|---|--------------|------------|--------------|------------|-----|--|--|--|------|--|--|--|--|
| | (iv) Descriptive Roll of the applicant, duly attested, indicating (a) height and (b) personal marks, if any, on the hand, face, etc. (To be furnished in duplicate). | | | | | | | | | | | | | |
| | (v) Certificate(s) of age (in original with two attested copies) showing the dates of birth of the children. The certificate should be from the Municipal Authorities or from the local Panchayat or from the head of a recognised school if the child is studying in such school. (This information should be furnished in respect of such child or children the particulars of whose date of birth are not available with the Audit officer/Head of official. | | | | | | | | | | | | | |
| | (vi) Death Certificate. | | | | | | | | | | | | | |
| 9. | Signature of left hand thumb impression of the applicant. | | | | | | | | | | | | | |
| 10. | Attested by:— <table border="1" data-bbox="279 1137 874 1328"> <thead> <tr> <th>Sr. No.</th> <th>Name</th> <th>Full Address</th> <th>Signatures</th> </tr> </thead> <tbody> <tr> <td>(i)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>(ii)</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> | Sr. No. | Name | Full Address | Signatures | (i) | | | | (ii) | | | | |
| Sr. No. | Name | Full Address | Signatures | | | | | | | | | | | |
| (i) | | | | | | | | | | | | | | |
| (ii) | | | | | | | | | | | | | | |
| 11. | Witnesses:- (i) _____ (ii) _____ | | | | | | | | | | | | | |

Note.— Attestation should be done by two gazette Government employees or two or more persons of respectability in the town, village or Pargana in which the applicant resides. To be furnished in case the applicant is not literate enough to sign his name. In the case of re-marriage of the widow applying for family pension on behalf of the minor child, the widow should furnish (i) the date of her re-marriage, (ii) name of the Treasury/Sub Treasury at which payment is desired and (iii) her full address in the application for family pension. It is not necessary to furnish a fresh application nor the documents as they are already available with the pension papers on which family pension was originally admitted to her.

Annexure-III
FORM FOR SANCTIONING FAMILY PENSION

| | | |
|-----|--|--|
| 1. | Name of the Government employee. | |
| 2. | Father's name (and also husband's name in the case of a woman Government employee). | |
| 3. | Religion and Nationality. | |
| 4. | Last appointment held including name of establishment. | |
| 5. | Date of beginning of service. | |
| 6. | Date of ending of Service. | |
| 7. | Substantive appointment held. | |
| 8. | Pension Rules opted/eligible. | |
| 9. | Length of continuous qualifying service prior to death. | |
| 10. | "Pay" as per paragraph 2 of the Punjab Government Finance Department letter No. 7856-(7) FRI-64/9691, dated the 16 th October, 1964. | |
| 11. | Amount of family pension admissible. | |
| 12. | Date from which pension is to commence. | |
| 13. | <p>Place of payment (Government Treasury or Sub Treasury).</p> <p>The undersigned having satisfied himself of the above particulars of late Shri/Smt. _____ hereby orders the grant of a family pension of Rs. _____ P.M. to Shri/Smt. _____ which may be accepted by the Accountant General, Haryana as admissible under the rules.</p> <p style="text-align: right;">Signature and Designation of the Sanctioning Authority.</p> | |

From

The Treasury officer,
_____.

To

The Accountant General,
Haryana.

Subject: Intimation regarding death of pensioner who elected the new family pension scheme, 1964.

Sir,

I am to inform you that Shri/Smt. _____ holder of P.P.O. No. _____ who was drawing his/her pension _____ from this treasury/sub-treasury _____ died on _____.

2. The first payment of family pension @ Rs. _____ (Rupees _____ only) per month has been made to _____ in T.V. No. _____ dated _____ and included in the pension payment schedule for _____ 19____. Before making the said payment, the death certificate, the application form and other documents prescribed in Government of _____ in office Memorandum / letter No. _____ dated _____ have been obtained from the claimant and accepted after necessary scrutiny. I have also personally satisfied myself about the identity and title of the claimant.

Yours faithfully,

Treasury Officer

APPENDIX-2

Shifted to Haryana General Provident Fund Rules, 2006.

APPENDIX-3

Repealed.

TABLE OF FORMS

| Sr.No | Number of Form | Rule in which referred | Description |
|-------|---|-----------------------------|---|
| 1. | PEN. Series | 9.4,9.6,9.7,(1)(3) 9.11 (1) | Application for pension or gratuity and death-cum-retirement gratuity. |
| | 1-A | <i>Deleted.</i> | -- |
| | 1-B | 9.21 (i) | -- |
| | 1-C | .. | -- |
| | 1-D | .. | -- |
| | 1-E | .. | -- |
| | 1-F | .. | -- |
| | 1-G | | -- |
| 2. | <i>Deleted.</i> | | |
| 3. | 8.38 | | Form of application for family pension dependents of private individuals who are killed while assisting State authorities. |
| 4. | <i>Deleted.</i> | | |
| 5. | <i>Deleted.</i> | | |
| 6. | 8.36 (2) | | Form of application for injury pension or gratuity |
| 7. | Ditto | | Form of application for family pension |
| 8. | Ditto | | Form to be used by Medical Boards when reporting on injuries. |
| 9. | 9.2 | | Application for sanction of pension |
| 10. | 10.11 and note thereunder. | | Pension payment order |
| 11. | 10.19 | | Colonial (pension payment) warrant |
| 12. | 11.2, 11.4,11.6 etc. | | Application for commutation of pension after medical examination by an applicant. |
| 12-A | 11.1, 11.11, 11.18, 11.19, 11.20, 11.21 | | Form of application for commutation of a fraction of pension without medical examination. |
| 13. | 11.7 | | Letter to the Chief Administrative Medical Officer, Officer and Administrative sanction. |
| 14. | 11.7 (i) and (iii), 11.9 (iii) and (iv) etc. | | Report of the Medical Authority regarding medical examination. |
| 15. | | | Certificate of verification of service for pension. |
| 16. | 9.17 (i) | | Letter to Audit Officer forwarding the pension papers of a Government employee. |
| 17. | 9.22 (i), 9.24 (1) (3) & (5) and 9.26 (1) & (5) | | Form for assessing and authorizing the payment of family pension and D.C.R.G. when a Government employee dies while in service. |
| 18. | 9.24 (i) | | See Form 18. |
| 19. | 9.21 (i) | | See Form 19. |
| 20. | | | See Form 20. |

FORM PEN.-1*[See rules 9.4, 9.6, 9.7(1) (3) and 9.11 (1)]***(To be sent in duplicate if payment is desired in a different circle of accounting unit).****PART - I**

| 1. | Name of the Government employee. | | | | | | | |
|-------|---|-------|--------|------|--|--|--|--|
| 2. | Father's name (and also husband's name in the case of a female Government employee) | | | | | | | |
| 3. | Date of birth (by Christian era) | | | | | | | |
| 4. | Religion and Nationality | | | | | | | |
| 5. | Permanent residential address showing village, district and state | | | | | | | |
| 6. | Present and last appointment including name of establishment | | | | | | | |
| | (i) Substantive | | | | | | | |
| | (ii) Officiating, if any | | | | | | | |
| 7. | Date of beginning of service | | | | | | | |
| 8. | Date of ending of service | | | | | | | |
| 9. | (i) Total period of military service for which pension or gratuity was sanctioned (ii) Amount and nature of any pension/gratuity received for the military service | | | | | | | |
| 10. | Amount and nature of any pension/gratuity received for previous civil service. | | | | | | | |
| 11. | Government under which service has been rendered in order of employment | | | | | | | |
| | <table border="1"> <thead> <tr> <th>Years</th> <th>Months</th> <th>Days</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table> | Years | Months | Days | | | | |
| Years | Months | Days | | | | | | |
| | | | | | | | | |
| 12. | Class of pension applicable | | | | | | | |
| 13. | The date on which action initiated to | | | | | | | |
| | (i) Obtain the "No demand certificate" from the Accounts Officer (Rent)/ Rent Assessing Authority as provided in rule 9.3 | | | | | | | |
| | (ii) assess the service and emoluments qualifying for pensioner as provided in rule 9.5, and | | | | | | | |
| | (iii) assess the Government dues other than the dues relating to the allotment of Government accommodation as provided in rule 9.19 (1). | | | | | | | |

| | | | | | | | |
|-----|--|------|----|-----|--------------------------|--------------------|----|
| 14. | Details of omissions, imperfections or deficiencies in the service book which have been ignored under rule 9.5(1) (b) (ii) | | | | | | |
| 15. | Total length of qualifying service 9for the purpose of adding towards broken periods, a month is reckoned as thirty days) | | | | | | |
| 16. | Periods of non-qualifying service | | | | | From | To |
| | (i) Interruption in service condoned under rule 3.17-A | | | | | | |
| | (ii) Extraordinary leave not qualifying for pension | | | | | | |
| | (iii) Period of suspension not treated as qualifying for pension | | | | | | |
| | (iv) Any other service not treated as qualifying for pension. | | | | | | |
| 17. | Emoluments reckoning for gratuity | | | | | | |
| 18. | Average emoluments | | | | | | |
| | Emoluments drawn during the last ten months of service | | | | | | |
| | Post held | From | To | pay | Pay Personal Special Pay | Average Emoluments | |
| | | | | | | | |
| | (i) In case where the last ten months include some period not to be reckoned for calculating average emoluments an equal period backward has to be taken for calculating average emoluments. | | | | | | |
| | (ii) The calculation of average emoluments should be based on actual number of days contained in each month. | | | | | | |
| 19. | Date on which FORM PEN.-9 has been obtained from the Government employees (to be obtained eight months before the date of retirement of Government employees) | | | | | | |
| 20. | (i) Proposed pension | | | | | | |
| | (ii) Proposed graded relief | | | | | | |
| 21. | Proposed death-cum-retirement gratuity | | | | | | |
| 22. | Date from which pension is to commence | | | | | | |
| 23. | Proposed amount of provisional pension, if departmental or judicial proceeding is instituted against the Government employees before retirement. | | | | | | |

| | | | |
|-----|--|----------------------------------|----------------------------------|
| 24 | Details of Government dues recoverable out of gratuity:- | | |
| | (i) Licence fee for the allotment of Government accommodation (See sub-rule (2), (3) and (4) of rule 9.18) | | |
| | (ii) Dues referred to in rule 9.19 | | |
| 25. | Whether nomination made for death-cum-retirement gratuity | | |
| 26. | (i) The amount of the family pension becoming payable to the family of the Government employee, if death takes place after retirement. | | |
| | (a) before attaining the age of 65 Years. | Rs. | |
| | (b) after attaining the age of 65 years | Rs. | |
| | (ii) Complete and upto date details of the family, as given below:- | | |
| | Sr. No. | Name of the member of the family | Date of birth |
| | 1. | | Relationship with Govt. employee |
| | 2. | | |
| | 3. | | |
| | 4. | | |
| | 5. | | |
| 27. | Height | | |
| 28. | Identification marks | | |
| 29. | Place of payment of pension (Treasury, sub-treasury or Branch of Public Sector Bank) | | |
| 30. | Head of Account to which pension and gratuity are debit able. | | |

Signature of the Head of Office

FORM PEN.-1-A

Deleted.

FORM PEN.-1-B*[See rule 9.21 (i)]***FORM OF APPLICATION FOR THE GRANT OF DEATH-CUM-RETIREMENT GRATUITY ON THE DEATH OF A GOVERNMENT EMPLOYEE**

(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, the guardian should claim gratuity in one form on their behalf).

| 1. | (i) Name of the claimant in case he is not minor | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--------|---|--------|---|----------------|---|----------------|----|--|--|--|--|----|--|--|--|--|----|--|--|--|--|----|--|--|--|--|--|
| | (ii) Date of birth of the claimant | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. | (i) Name of the guardian in case the claimants are minors | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | (ii) Date of birth of the guardian | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3. | (i) Name of the deceased Govt. employee in respect of whom gratuity is being claimed | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | (ii) Date of death of Govt. employee | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | (iii) Office/ Department in which the deceased served last | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4. | Relationship of the claimant/guardian with the deceased Government employee. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5. | Full postal address of the claimant/guardian | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6. | (i) Where gratuity is claimed by the guardian on behalf of minors, the names of the minors, their ages, relationship with the deceased Government employee, etc.: <table border="1" data-bbox="256 1305 954 1585"> <thead> <tr> <th>Sr. No</th> <th>Name</th> <th>Age</th> <th>Relationship with the Deceased Govt. employee</th> <th>Postal address</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>2.</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>3.</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>4.</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> | Sr. No | Name | Age | Relationship with the Deceased Govt. employee | Postal address | 1. | | | | | 2. | | | | | 3. | | | | | 4. | | | | | |
| Sr. No | Name | Age | Relationship with the Deceased Govt. employee | Postal address | | | | | | | | | | | | | | | | | | | | | | | |
| 1. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | (ii) Relationship of the guardian with minor | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7. | Place of payment of pension and gratuity (Treatment /Sub-treasury, Public Sector Bank Branch) Signature /Thumb impression of The claimant/guardian | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8. | Two specimen signatures or *left hand thumb and finger impressions of the claimant/guardian duly attest | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9. | Attested by:- | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | | |
|-----|--|----------------|----------------|--|
| | Name | Full address | Signature | |
| | (i) _____ (ii) _____ | _____ _____ | _____ _____ | |
| 10. | Witnesses : (i) _____ (ii) _____ | | | |

To be furnished in case the applicant is not literate enough to sign his name.

FORM PEN.-1-C**NOMINATION FOR DEATH-CUM-RETIREMENT GRATUITY**

When the Officer has a family and wishes to nominate one member thereof.

I hereby nominate the person mentioned below, who is a member of my family, and confer on him the right to receive any gratuity that may be sanctioned by Government in the event of my death while in service and the right to receive on my death any gratuity which having become admissible to me on retirement may remain unpaid at my death:-

| Name and address of the nominee | Relationship with the officer | Age | Contingencies on the happening of which the nomination shall become invalid | Name and Address and relationship of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the officer or the nominee dying after the death of the officer but before receiving payment of gratuity | Amount or share of gratuity payable to each |
|---------------------------------|-------------------------------|-----|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |
| | | | | | |

This nomination supersedes the nomination made by me earlier on _____ which stands cancelled.

Dated this _____ day of _____ 19.
at _____.

Witnesses to signature

1. _____
2. _____

***Note.**— This column should be filled in so as to cover the whole amount of gratuity.

(To be filled in by the Head of office in the case of Non-gazetted Officers)

Nomination by _____

Designation _____

Office _____

Date _____

Signature of Head of office _____

Designation _____

**PRO FORMA FOR ACKNOWLEDGING THE RECEIPT OF THE NOMINATION
FORM BY THE HEAD OF OFFICE/AUDIT OFFICER**

To

Sir,

In acknowledging the receipt of your nomination dated _____
cancellation dated _____ of the nomination made earlier, in respect of
D.C.R.G. in Form. I am to state that they have been duly placed on record.

Dated

Signature of Head of Office/ Audit Officer
(Designation)_____

FORM PEN.-1-D**NOMINATION FOR DEATH-CUM-RETIREMENT GRATUITY**

When the officer has a family and wishes to nominate more than one member thereof.

I hereby nominate the persons mentioned below who are members of my family and confer on them the right to receive, to the extent specified below, any gratuity that may be sanctioned by Govt. in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death:-

| Name and address of the nominee | Relationship with the officer | Age | Amount or share of gratuity payable to each | Contingencies on the happening of which the nomination shall become invalid | Name, and Address and relationship of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the officer or the nominee dying after the death of the officer but before receiving payment of gratuity | Amount or share of gratuity payable to each |
|---------------------------------|-------------------------------|-----|---|---|--|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |
| | | | | | | |

This nomination supersedes the nomination made by me earlier on _____

which stands cancelled.

N.B.— The officer shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

Note 1.— This column should be filled in so as to cover the whole amount of gratuity.

Note 2.— The amount/share of gratuity shown in this column should cover the whole amount/share payable to the original nominees.

Dated this _____ Day of _____ 19.

at -----.

Witnesses to signature

1. _____

2. _____

Signature of officer

(To be filled in by the Head of office in the case of non-gazetted officer).

Nomination by _____ Signature of Head of office _____

Designation _____ Date _____

Office _____ Designation _____

**PRO FORMA FOR ACKNOWLEDGINT EH RECEIPT OF THE NOMINATION FORM BY
THE HEAD OF OFFICE/AUDIT OFFICER**

To

Sir,

In acknowledging the receipt of your nomination dated _____
cancellation dated _____ of the nomination made earlier, in respect of D.C.R.G.
in Form. I am to state that they have been duly placed on record.

Dated _____

Signature of Head of Office/Audit Officer
(Designation) _____

FORM PEN.-1-E**NOMINATION FOR DEATH-CUM-RETIREMENT GRATUITY**

When the officer has no family and wishes to nominate one person.

I, having no family, hereby nominate the person mentioned below and confer on him the right to receive any gratuity that may be sanctioned by Government in the event of my death while in service and the right to receive on my death any gratuity which having become admissible to me on retirement may remain unpaid at my death:-

| Name and address of the nominee | Relationship with the officer | Age | Contingencies on the happening of which the nomination shall become invalid | Name and Address and relationship of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the officer or the nominee dying after the death of the officer but before receiving payment of gratuity | Amount or share of gratuity payable to each |
|---------------------------------|-------------------------------|-----|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

This nomination supersedes the nomination made by me earlier on _____ which stands cancelled.

Dated this _____ day of _____ 19.

Witnesses to signature

1. _____
2. _____

Signature of officer

Note; This column should be filled in so as to cover the whole amount of gratuity.

(To be filled in by the Head of Office in the case of
Non-Gazetted Officer)

Nomination by _____

Designation _____

Office _____

Signature of Head of office _____

Date _____

(Designation) _____

**PRO FORMA FOR ACKNOWLEDGING THE RECEIPT OF THE NOMINATION
FORM BY THE HEAD OF OFFICE/AUDIT OFFICER**

To

Sir,

In acknowledging the receipt of your nomination dated _____ cancellation
dated _____ of the nomination made earlier, in respect of D.C.R.G. in Form _____ I
am to state that they have been duly placed on record.

Dated _____

Signature of Head of office /Audit Officer

(Designation) _____

FORM PEN.-1-F**NOMINATION FOR DEATH-CUM-RETIREMENT GRATUITY**

When the officer has no family and wishes to nominate more than one person.

I, having no family, hereby nominate the persons mentioned below, and confer on them the right to receive to the extent specified below, any gratuity that may be sanctioned by Government in the event of my death while in service and the right to receive on my death, to the extent specified below any gratuity which having become admissible to me on retirement may remain unpaid at my death:-

| Name and address of the nominee | Relationship with the officer | Age | Amount or share of gratuity payable to each | Contingencies on the happening of which the nomination shall become invalid | Name, and Address and relationship of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the officer or the nominee dying after the death of the officer but before receiving payment of gratuity | Amount or share of gratuity payable to each* |
|---------------------------------|-------------------------------|-----|---|---|--|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |

This nomination supersedes the nomination made by me earlier on _____ which stands cancelled.

Dated this _____ day of _____ 19.

Witnesses to Signature

1. _____
2. _____

Signature of officer

N.B.— The officer shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

Note 1.— This column should be filled in so as to cover the whole amount of gratuity.

Note 2.— The amount /share of gratuity shown in the column should cover the whole amount/share payable to the original nominees.

(To be filled in by the Head of office in the case of Non-gazetted officer)

Nomination by _____

Signature of Head of office _____

Designation _____

Date _____

Office _____

Designation _____

**PRO FORMA FOR ACKNOWLEDGING THE RECEIPT OF THE NOMINATION FORM
BY THE HEAD OF OFFICE/AUDIT OFFICER**

To

Sir,

In acknowledging the receipt of your nomination dated _____
cancellation dated _____ of the nomination made earlier, in respect of
D.C.R.G. in Form _____, I am to state that they have been duly placed on
record.

Dated

Signature of Head of Office/Audit Officer.
(Designation) _____

FORM PEN.-1-G**NOMINATION FOR FAMILY PERSON**

I hereby nominate the persons mentioned below who are members of my family, to receive in the order shown below the family pension which may be granted by Government in the event of my death after completion of 10 years qualifying service :-

| Name and address of nominee | Relationship with officer | Age | Whether married or unmarried |
|-----------------------------|---------------------------|-----|------------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

This nomination supersedes the nomination made by me earlier on _____ which stands cancelled.

N.B.— *The officer should draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.*

Dated this _____ day of _____ 19.
at _____

Witnesses to signature

1. _____
2. _____

Signature of officer

(To be filled in by the Head of office in the case of a Non gazetted Officer).

Nomination by _____
Designation _____
Office _____

Signature of Head of office _____
Date _____
Designation _____

**PRO FORMA FOR ACKNOWLEDGING THE RECEIPT OF THE NOMINATION FORM
BY THE HEAD OF OFFICE/AUDIT OFFICER**

To

Sir,

In acknowledging the receipt of your nomination dated _____ cancellation dated _____ of the nomination made earlier, in respect of family pension in Form _____, I am to state that they have been duly placed on record.

Dated

Signature of Head of office/ Audit officer

Designation _____

FORM PEN.-2

Deleted.

FORM PEN.-3*(Referred to in Rule 8.38)***FORM OF APPLICATION FOR FAMILY PENSION**

Application for an extraordinary pension for the family of A.B. late a _____, killed or died of injuries received as a result of _____.

| | | | |
|---|-----------|---|--|
| Submitted by the | 1. | Name and residence, showing village Tehsil and district | |
| | 2. | Age | |
| Description of the Claimant | 3. | Height | |
| | 4. | Race, caste or tribe | |
| | 5. | Marks for identification | |
| | 6. | Present occupation and pecuniary circumstances | |
| | 7. | Degree of relationship to deceased | |
| Description of the deceased | 8. | Name | |
| | 9. | Occupation | |
| | 10. | Income of the deceased | |
| | 11. | Nature of injury causing death | |
| | 12. | Amount of pension or gratuity proposed | |
| | 13. | Place of payment | |
| | 14. | Date from which pension is to commence | |
| | 15. | Remarks | |
| | | Name _____ Date of birth by Christian era _____ | |
| Name and age of surviving kindred of deceased | Sons | | |
| | Widows | | |
| | Daughters | | |
| | Father | | |
| | Mother | | |

Note.— If the deceased has left no son, widow, daughter, father or mother surviving him the word “none” or “dead” should be entered opposite to such relative.

Place _____

Signature of Head of office

Date _____

FORM PEN.-4

Deleted.

FORM PEN.-5

Deleted.

FORM PEN.-6*[Referred to in Rule 8.36 (2)]***FORM OF APPLICATION FOR INJURY PENSION OR GRATUITY**

| | | |
|-----|---|--|
| 1. | Name of applicant. | |
| 2. | Father's name | |
| 3. | Race, sect and caste | |
| 4. | Residence showing village, tehsil and district. | |
| 5. | Present or last employment, including name of establishment | |
| 6. | Date of beginning of service | |
| 7. | Length of service, including interruptions _____ of which _____ | |
| | Superior | |
| | Inferior | |
| 8. | Classification of injury | |
| 9. | Pay at the time of injury | |
| 10. | Proposed pension or gratuity | |
| 11. | Date of injury | |
| 12. | Place of payment | |
| 13. | Special remarks, if any | |
| 14. | Date of applicant's birth by Christian era * | |
| 15. | Height | |
| 16. | Marks | |
| | Thumb and fingers impressions | |
| | Thumb forefinger middle finger ring finger little finger | |
| | () () () () () | |
| 17. | Date on which the applicant applied for pension | |

Signature of Head of office

Note.— *In the case of European ladies, gazetted Government employees, Government title-holders and other persons who may be specially exempted by Government, thumb and finger impressions and particulars of height and personal marks are not required.*

** If not known exactly, must be stated on the best information or estimate.*

FORM PEN.-7*[Referred to in Rule 8.36 (2)]***FORM OF APPLICATION FOR FAMILY PENSION**

Application for an extraordinary pension for the family of _____ late a _____ killed, or died of injuries received as a result of special risk of office or risk of office.

| | | | |
|---|-----------|---|--|
| Submitted by the | 1. | Name and residence, showing village Tehsil and district | |
| | 2. | Age | |
| Description of the Claimant | 3. | Height | |
| | 4. | Race, caste or tribe | |
| | 5. | Marks for identification | |
| | 6. | Present occupation and pecuniary circumstances | |
| | 7. | Degree of relationship to deceased | |
| Description of the deceased | 8. | Name | |
| | 9. | Occupation | |
| | 10. | Length of service | |
| | 11. | Pay when killed | |
| | 12. | Nature of injury causing death | |
| | 13. | Amount of pension or gratuity proposed | |
| | 14. | Place of payment | |
| | 15. | Date from which pension is to commence | |
| | 16. | Remarks | |
| | | Name _____ Date of birth by Christian era _____ | |
| Name and age of surviving kindred of deceased | Sons | | |
| | Widows | | |
| | Daughters | | |
| | Father | | |
| | Mother | | |

Note.— If the deceased has left no son, widow, daughter, father or mother surviving him the word “none” or “dead” should be entered opposite to such relative.

(Place) _____

Signature of Head of office

(Date) _____

FORM PEN.-8*[Referred to in Rule 8.36 (2)]***FORM TO BE USED BY MEDICAL BOARDS WHEN REPORTING ON INJURIES
PROCEEDINGS OF MEDICAL BOARD****CONFIDENTIAL**

Proceedings of a Medical Board assembled by order of _____ for the purpose of examining and reporting on the present state of the injury sustained by/diseases contracted by at (place of injury etc.) on the (date of injury, etc.)

- (a) State briefly the circumstances under which the injury /disease was sustained/ contracted.
- (b) What is the Government employee's present condition?
- (c) Is the Government employee's present condition wholly due to the injury/disease ? If not, state to what other causes it is attributable.
- (d) In the case of disease from which date does it appear that the Government employee has been incapacitated ?

The opinion of the Board upon the questions below is as follows:-

PART A - FINAL EXAMINATION

The severity of the injury should be assessed in accordance with the following classification and details given in the remarks column below.

| | | | |
|----|---|-----|----|
| 1. | Is the injury— | Yes | No |
| | (i) (a) the loss of an eye or a limb ? | | |
| | (b) the loss of more than one eye or limb? | | |
| | (ii) more severe than the loss of an eye or a limb? | | |
| | (iii) equivalent to the loss of an eye or a limb? | | |
| | (iv) Very severe ? | | |
| | (v) severe and likely to be permanent? | | |
| | (vi) severe, but not likely to be permanent? | | |
| | (vii) slight but likely to be permanent? | | |
| 2. | For what period from the date of the injury — | | |
| | (a) has the Government employee been unfit for duty ? | | |
| | (b) is the Government employee likely to remain unfit for duty? | | |

Remarks.— Here the classification above may be amplified, if necessary, or details of additional injuries to the main injury may be given.

PART B - SECOND OR SUBSEQUENT EXAMINATIONS

If the original degree of disability of the Government employee has changed in which of the above categories, should it now be placed ?

Remarks.— In this space additional details may be given if necessary.

Instructions to be observed by the Medical Board preparing the Report.

1. The medical board before recording their opinion should invariably consult the proceedings of previous Medical Boards, if any, as also all previous medical documents connected with the Government employee brought before them for examination.
2. If the injuries be more than one, they should be numbered separately; and should it be considered that, for instances, though only “serve” or “slight” in themselves, they represent together the equivalent of a single “very severe” injury, such an opinion may be expressed in the columns provided.
3. In answering the questions in the prescribed form the Medical Board will confine itself exclusively to the medical aspect of the case and will carefully discriminate between the Government employee’s unsupported statements and the medical documentary evidence available.
4. The board will not express any opinion, either to the Government employee examined, or in their report, as to whether he is entitled to compensation, or as to the amount of it, nor will it inform the Government employee how the injury has been classified.

FORM PEN.-9*(See rule 9.2)*

Particulars to be obtained by the Head of office from the retiring Government employee before eight months of the date of retirement.

| | | |
|----|---|--|
| 1. | Name of the Government employee | |
| 2. | Date of Birth/Retirement | |
| 3. | Two specimen signature duly attested (to be furnished in a separate sheet) | |
| 4. | Three copies of passport size @ joint photographs of the Government employee with his/her wife/husband | |
| 5. | Two slips showing the particulars of height and personal identification marks duly attested | |
| 6. | Present address | |
| 7. | Address after retirement | |
| 8. | Name of the treasury/Public Sector Bank Branch through which the Government employee wants to draw his pension. | |
| 9. | Details of the family as defined in Appendix-1 of the Punjab C.S.R. Vol. II. | |

Dated the _____

Signature _____

Designation _____

Department/Office _____

* Two slips each bearing the left hand thumb and finger impressions attested, may be furnished by a person who is not literate enough to sign his name. If such a Government employee on account of physical disability is unable to give left hand thumb and finger impressions, he may give the thumb and finger impressions of the right hand. Where a Government employee has lost both the hands, he may give his toe impressions. Impressions should be duly attested.

** Only two copies of passport size photographs of self need the furnished if the Government employee is governed by Appendix-1 of Punjab C.S.R. Vol. II and is unmarried or a widower or widow.

\$ Any subsequent change of address should be notified to the Head of Office/Audit Office.

+Where it is not possible for a Government employee to submit a photograph with his wife/her husband, he/she may submit separate photograph. The photographs shall be attested by the Head of Office.

@ Applicable only where Appendix-1 of the Punjab C.S.R. Vol. II is applied to the Government employee.

FORM PEN.-10*(Referred to in Rule 1.11 and Note thereunder)*

Debitable to _____ Government

Head of account :-

PENSION PAYMENT ORDER

| | | |
|------------------------|--------------------------|--|
| DISBURSER'S PORTION | Major Head | |
| | Minor Head | |
| | Voted /Charged/Non-voted | |

Place for signature of pensioner on the first payment made _____

| Class of pension and date of order sanctioning it. | Personal identification | Height Ft. Inch | Approximate date of birth | Sect | Residence showing village | Amount of Monthly pension Rs. |
|--|-------------------------|-----------------|---------------------------|------|---------------------------|-------------------------------|
| | | | | | | |

REVERSE OF DISBURSER'S PORTION

Amount of pension Rs. _____ (in words) Rupees _____

This document is to be retained by the Disbursing Officer so long as the authority remains in force in such manner that the pensioner shall have no access to it. Every separate payment is to be recorded below:-

| Month for which pension is due | 19 | -19 | 19 | -19 | 19 | -19 | 19 | -19 | Remarks |
|-----------------------------------|-----------------|-------------|-----------------|-------------|-----------------|-------------|-----------------|-------------|-----------------|
| | Date of payment | DDO initial | Date of payment | DDO initial | Date of payment | DDO initial | Date of payment | DDO initial | |
| March | | | | | | | | | |
| April | | | | | | | | | |
| May | | | | | | | | | |
| June | | | | | | | | | |
| July | | | | | | | | | |
| August | | | | | | | | | |
| September | | | | | | | | | |
| October | | | | | | | | | |
| November | | | | | | | | | |
| December | | | | | | | | | |
| January | | | | | | | | | |
| February | | | | | | | | | |
| Note of pensioners identification | Date of Initial | | Date of Initial | | Date of Initial | | Date of Initial | | Date of Initial |
| | | | | | | | | | |
| | | | | | | | | | |

Punjab Civil Services Rules Volume-II (Forms) (Haryana State)

| | | | | | | | | | |
|-----------------------------------|-----------------|-------------------------------|-----------------|-------------------------------|-----------------|-------------------------------|-----------------|-------------------------------|-----------------|
| Month for which pension is due | 19 | -19 | 19 | -19 | 19 | -19 | 19 | -19 | Remarks |
| | Date of payment | DDO initial | Date of payment | DDO initial | Date of payment | DDO initial | Date of payment | DDO initial | |
| | Date of payment | Disbursing officer's initials | Date of payment | Disbursing officer's initials | Date of payment | Disbursing officer's initials | Date of payment | Disbursing officer's initials | |
| March | | | | | | | | | |
| April | | | | | | | | | |
| May | | | | | | | | | |
| June | | | | | | | | | |
| July | | | | | | | | | |
| August | | | | | | | | | |
| September | | | | | | | | | |
| October | | | | | | | | | |
| November | | | | | | | | | |
| December | | | | | | | | | |
| January | | | | | | | | | |
| Note of pensioners identification | Date of Initial | | Date of Initial | | Date of Initial | | Date of Initial | | Date of Initial |
| | | | | | | | | | |

* If the payment is by Postal Money Order identification is required twice a year as prescribed, otherwise annually.

PENSIONER'S PORTION
PENSION PAYMENT ORDER
Pensioner's Portion

Debitable to _____ Government

| | | | | | |
|--|---------------------------|------|---------------------------|-------------------------------|--|
| Head of Account | | | | | |
| Major Head | | | | | |
| Minor Head | | | | | |
| Voted/Charged/Non-voted | | | | | |
| Name of Pensioner | | | | | |
| Class of pension and date of order sanctioning it. | Approximate date of birth | Sect | Residence showing village | Amount of monthly Pension Rs. | |
| | | | | | |

OFFICE OF THE _____

No. _____ Dated _____ 19.

Sir,

UNTIL FURTHER NOTICE, and on the expiration of every month be pleased to pay to _____ sum of Rupees _____ (less income tax) being the amount of _____ PENSION as _____ upon the production of this order and a receipt according to usual form.

The payment should commence from _____

Signature _____

Designation _____

THE TREASURY OFFICER,
AT

Note 2.— Payment under this order is to be made only to the pensioner in person with the following exceptions:-

- (Payment in both cases (a) and (b) is made on production of a Life Certificate signed by a responsible officer to Government or other well-known and trustworthy person)

- (d) In all cases referred to in clauses (a), (b) and (c), the Disbursing Officer must, at least once a year, require proof, independent of that furnished by the Life Certificate, of the continued existence of the pensioner.

Amount of Pension Rs. _____ (in words) Rupees _____

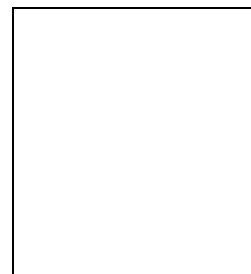
Every separate payment is to be recorded. Below by the disbursing officer

[illegible]

[illegible][illegible]

FORM PEN.-11

Deleted.

FORM PEN.-12*(Referred to in rules 11.2, 11.4 and 11.6 etc.)***FORM OF APPLICATION FOR COMMUTATION OF PENSION AFTER MEDICAL EXAMINATION BY AN APPLICANT***(To be submitted in duplicate)***PART - I**

To

The _____

(her indicate the designation and full address of the Head of office)

Subject: Commutation of pension after medical examination.

Sir,

I desire to commute a fraction of my pension in accordance with the provisions of rule 11.1 of these rules, an attested copy of my photograph is pasted on the application and an unattested copy is enclosed. The necessary particulars are furnished below:-

| | | |
|-----|---|--|
| 1. | Name (in block letters) | |
| 2. | Father's name (and also husband's name in case of female Government Employee). | |
| 3. | Designation | |
| 4. | Name of office/Department in which employed. | |
| 5. | Date of Birth (by Christian era). | |
| 6. | Class of pension on which retired. | |
| 7. | Date of retirement | |
| 8. | Amount of pension authorized. | |
| 9. | Fraction of pension proposed to be commuted. | |
| 10. | Designation of the Accounts Officer who authorised the pension and the number and | |

| | | |
|-----|---|--|
| | date of the pension payment order. | |
| 11. | Disbursing authority for payment of pension. | |
| | (a) Treasury/ Sub-treasury (Name and Complete address of the Treasury/Sub-treasury to Be indicated) | |
| | (b) (i) Branch of the Nationalised Bank with complete postal address | |
| | (ii) Bank Account No. to which monthly pension is being credited each month. | |
| 12. | Appropriate date from which commutation is desired to have effect. | |
| 13. | The amount of pension already commuted, if any. | |
| 14. | Preference for station where medical examination is desired to take place. | |

Place:

Date:

Signature _____

Postal Address _____

* The applicant should indicate the fraction of the amount monthly pension (subject to a maximum of one-third thereof) which he desires to commute and not the amount in rupees.

** Score out which is not applicable.

Note.— The payment of commuted value of pension shall be made through the disbursing authority from which pension is being drawn. It is not open to an applicant to draw the commuted value of pension from a disbursing authority other than the authority from which pension is being drawn.

PART - II ACKNOWLEDGEMENT

Received from Shri _____ (Name and designation) application in Part I of FORM PEN.-12 for commutation of a fraction of pension after medical examination.

Place:

Date:

Signature
Head of Office

PART - III

No. _____

Dated _____

Forwarded to the Accounts Officer (here indicate the address and designation) _____ with the remarks that the particulars furnished by the applicant in Part I, have been verified and are correct and the applicant is eligible to get a fraction of his pension commuted after medical examination.

2. It is requested that Part IV of the Form may be completed and returned to this office as early as possible.

Place:

Date:

(Head of the Office)

PART - IV

| | | | | | | | | |
|------------------------------------|---|----------------------------|--|------------------------------------|---------|--|--|--|
| 1. | Name of the applicant | | | | | | | |
| 2. | Date of birth (by Christian era) | | | | | | | |
| 3. | Date of retirement. | | | | | | | |
| 4. | Amount of pension authorised. | | | | | | | |
| 5. | Class of pension. | | | | | | | |
| 6. | Amount of pension desired to be commuted. | | | | | | | |
| | <table border="1"> <tr> <td>On the basis of Normal age</td> <td></td> </tr> <tr> <td>On the basis of Normal Added years</td> <td>1yr/2ys</td> </tr> <tr> <td></td> <td></td> </tr> </table> | On the basis of Normal age | | On the basis of Normal Added years | 1yr/2ys | | | |
| On the basis of Normal age | | | | | | | | |
| On the basis of Normal Added years | 1yr/2ys | | | | | | | |
| | | | | | | | | |
| 7. | Sum payable if commutation becomes absolute before the applicant's next birthday, which falls on _____ | Rs. _____ | | | | | | |
| | (ii) sum payable if commutation becomes absolute after the applicant's next birth day which falls on _____ | Rs. _____ | | | | | | |
| 8. | The Head of Account to which the commuted value is debitable | | | | | | | |
| 9. | Number of enclosures, if any (See Note below). | | | | | | | |
| 10. | The sum payable will be a charge on :- Central Revenue Rs. _____ the Government of _____ (State) Rs. _____. | | | | | | | |

Note.— *The Accounts Officer should enclose with the Form a copy of the report of statement of the applicant's case if the applicant has been granted invalid pension or has previously commuted a part of his pension or declined to accept commutation on the basis of an addition of years to actual age, or has been refused commutation on medical grounds.*

Place:
Date:

Signature and Designation of the Accounts Officer

Countersigned (Head of office) _____

Full Address _____

FORM PEN.-12-A

(See rules 11.1, 11.11, 11.18, 11.19, 11.20, 11.21)

FORM OF APPLICATION FOR COMMUTATION OF A FRACTION OF PENSION WITHOUT MEDICAL EXAMINATION.***(To be submitted in duplicate after retirement but within one year of the date of retirement)*****PART - I**

To

The _____

*(Here indicate the designation and full address of the Head of office)***Subject: Commutation of pension without medical examination.**

I furnish below the relevant particulars and request that I may be permitted to commute a part of my pension as indicate below:-

| | | |
|-----|---|--|
| 1. | Name (in Block letters) | |
| 2. | Father's name (also husband's name in case of a female Government employee) | |
| 3. | Designation at the time of retirement. | |
| 4. | Name of Office/Department in which employed. | |
| 5. | Date of Birth (by Christian era). | |
| 6. | Date of retirement. | |
| 7. | Class of pension on which retired. | |
| 8. | Amount of pension authorised (in case final amount of pension has not been authorised, indicate the amount of provisional pension). | |
| 9. | Fraction of pension proposed to be commuted. | |
| 10. | Designation of the Accounts Officer who authorised the pension and No. and date of the pension payment order, if issued. | |
| 11. | (a) Treasury/sub-treasury (name and complete address of the Treasury/ sub-treasury to be indicated). | |
| | (b)(i) Branch of the Nationalised Bank with complete postal address. | |
| | (ii) Bank Account No. to which monthly pension is being credited each month. | |

Place:

Signature _____

Date:

Postal _____

Address _____

Notes.— *The payment of commuted value of pension shall be made through the disbursing authority from which pension is being drawn. It is not open to an applicant to draw the commuted value of pension from disbursing authority other than the disbursing authority from which pension is being drawn.*

The applicant should indicate the fraction of the amount of monthly pension (subject to the maximum of one-third thereof) which he desires to commute and not the amount in rupees.

Score out which is not applicable.

PART - II

ACKNOWLEDGEMENT

Received from Shri _____ (Name and former designation)
Application in Part I of FORM PEN.-12-A for the commutation of a fraction of pension without medical examination.

Place:
Date

Signature of Head of Office _____

Note.— *This acknowledgement is to be signed, stamped and dated and is to be detached from the Form and handed over to the applicant. If the form has been received by post, it has to be acknowledged on the same day and the acknowledgement sent under registered cover*

PART - III

No. _____

Dated _____

Forwarded to the Accounts Officer (here indicate the address and designation) _____ with the remarks that :-

- (i) the particulars furnished by the applicant in Part I have been verified and are correct
 - (ii) the applicant is eligible to get a fraction of his pension commuted without medical examination;
 - (iii) the commuted value of pension determined with reference to the Table applicable at present comes to Rs. _____.
 - (iv) the amount of residuary pension after commutation will be Rs. _____
2. It is requested that further action to authorize the payment of the amount of commuted value of pension may be taken in accordance with rule 11.21 of these rules.
 3. The receipt of Part I of the form has been acknowledged in Part II which has been forwarded separately to the applicant on _____.
 4. The commuted value of pension is debitable to Head of Account, namely, _____.

Place:
Dated:

Signature of Head of Office: _____

FORM PEN.-13*(Referred to in rule 11.7)***FORM OF LETTER TO THE CHIEF ADMINISTRATIVE MEDICAL OFFICER**

No. _____

Government of Haryana Department of _____

Dated _____

To

_____**Subject: Medical Examination - Commutation of pension.**

Sir,

Shri _____ who retired _____ from service on _____ as _____ (Designation) has applied for commuting a fraction of his pension for a lump sum payment. The following documents are forwarded herewith:-

- (a) Application in FORM PEN.-12 in original together with:-
 - (i) an unattested copy of the applicant's photograph.
 - (ii) Part IV of Form 12 in original duly completed by the Accounts Officer.
 - (b) a copy of FORM PEN.-14 with a spare copy of Part III of the Form.
 - (c) Report of the statement of the applicant's case if he has been granted invalid pension, or has previously commuted a fraction of his pension or declined to accept commutation on the basis of addition of years to his actual age or has been refused commutation on medical grounds.
2. In terms of rule 11.9 of these rules Shri _____ should be examined by a Medical Board/ Medical Officer not lower than the rank of Chief Medical Officer or a Principal Medical Officer. It is requested that arrangement may be made to get Shri _____ examined as expeditiously as possible before his next birthday which falls on _____.
 3. It is requested that arrangements for medical examination by the medical authority Indicated in para-2 above may be made at the nearest available station mentioned by Shri _____ in his application in FORM PEN.-12. The attention of the Medical authority may be drawn to the provisions of rule 11.9 of these rules.
 4. It is requested that Shri _____ may be informed direct under intimation to this Ministry/ Department/ Office as to where and when he should appear before the appropriate authority for medical examination. A copy of this letter is being endorsed to his so that he may comply with your instructions on hearing from you.
 5. The receipt of this letter may please be acknowledged.

Yours faithfully,

(Head of office)

Copy forwarded to Shri _____ (here give complete postal address) with the remarks that subject to the medical authority recommending commutation, he will on the basis of the report of the Accounts Officer, be eligible for the lump sum payment in lieu of the amount of pension to be commuted as follows:-

| | |
|--|---------|
| On the basis of Normal age | |
| On the basis of Normal Added years | 1ys/2ys |
| (i) Sum payable is commutation becomes absolute before the applicant's next birth day which falls on _____ | Rs. |
| (ii) Sum payable if commutation becomes absolute after applicant's next birthday which falls on _____ | Rs. |

The table of the present value, on the basis of which the calculation by the Accounts Officer has been made, is subject to alteration at any time without notice and consequently the basis are liable to revision before payment is made. The sum payable will be sum appropriate to the applicant's age on his birth day next after the date on which the commutation become absolute or if the medical authority directs that years will be added to that age, to the consequent assumed age.

Shri _____ should report for medical examination to the medical authority direct on hearing from _____. He should take with him the enclosed FORM PEN.-14 with the particulars required in Part I completed except the signature or thumb or finger impressions.

Place
Date

Signature
Head of Office

Copy forwarded to the Accounts Officer (here indicate designation and address _____ with reference to his letter No. _____ dated _____.

Place
Date

Signature of Head of Office

FORM PEN.-14*Referred to in rules 11.7 (i) and (iii), 11.9 (iii) and (iv) etc.*

MEDICAL EXAMINATION BY THE _____ (here enter the medical authority)

PART - I

The applicant must complete this statement prior to his examination by the _____ (here enter the medical authority) and must sign the declaration appended thereto in the presence of that authority:-

| | | |
|----|--|--|
| 1. | Name of the applicant (in block letters) | |
| 2. | Date of birth (by Christian era) | |
| 3. | Place of birth | |
| 4. | Particulars regarding parents, brothers and sisters:- | |
| | Father's age, if living and state of health | Father's age at death and cause of death |
| | | |
| | Mother's age If living and state of health | Mother's age at death and cause of death |
| | | |
| | Number of brothers living, their ages and state of health. | Number of brother's dead, their ages at death and cause of death |
| | | |
| | Number of sisters living, their ages and state of health. | Number of sister's dead, their ages at death and cause of death |
| | | |
| 5. | Have you ever been examined - | |
| | (a) for life Insurance, or /and | |
| | (b) by any Government Medical Officer or medical Board. | |
| 6. | Have you been granted or considered for grant of invalid pension ? If so, state the ground thereof. | |
| 7. | Have you ever been granted leave on medical certificate during the last five years ? If so, state periods of leave and nature of illness. | |
| 8. | Have you ever :- | |
| | (a) Had small pox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood asthma, inflammation of lungs, pleurisy, heart | |

| | | |
|----|---|--|
| | disease, fainting attacks rheumatism appendicitis, epilepsy, insanity, or other nervous disease, discharge from or other disease of the ear, syphilis, or gonorrhea; or | |
| | (b) had any other disease or injury which required confinement to bed, or? | |
| | (c) undergone any surgical operation ? or | |
| | (d) suffered from any illness, wound or injury sustained while on active service? Or | |
| | (e) presence of albumen or sugar in urine. | |
| 9. | Present state of Health. | |
| | (a) have you a hernia ? | |
| | (b) have you varicocele, varicose vein or piles? | |
| | (c) Is your vision in each eye good (with or without glasses) ? | |
| | (d) Is your hearing in each ear good ? | |
| | (e) Have you any congenital or acquired malformation, defect or deformity ? | |
| | (f) Have you lost or gained weight markedly during the last three years? | |
| | (g) Have you been under treatment of any doctor within the last three months and nature of illness for which such treatment was taken? | |

DECLARATION BY APPLICANT*(To be signed in the presence of Medical authority)*

I declare all the above answers to be, to the best of my knowledge and belief, are true and correct. I am fully aware that he will fully making a false statement or concealing a relevant fact. I shall incur the risk of losing the commutation. I have applied for any of having my pension withheld or withdrawn under rule 2.2 of the Punjab Civil Services Rules Volume II.

Applicant's Signature _____

Or

Thumb-impression in case of illiterate applicant

Signed in presence of _____

Signature and
Designation of Medical Authority.

PART - II
(To be filled in by the examining medical authority)

| | | |
|-----|--|--|
| 1. | Apparent age. | |
| 2. | Height. | |
| 3. | Weight. | |
| 4. | Describe any scars or identifying | |
| 5. | Pulse rate. | |
| | (a) Sitting. | |
| | (b) Standing. | |
| | What is the character of pulse? | |
| 6. | Blood pressure. | |
| | (a) Systolic. | |
| | (b) Diastolic. | |
| 7. | Is there any evidence of disease of the main organs? | |
| | (a) Hart | |
| | (b) Lungs | |
| | (c) Liver | |
| | (d) Spleen | |
| | (e) Kidney | |
| 8. | Investigations - | |
| | (i) Urine State Specific gravity | |
| | (ii) Blood | |
| | (iii) X-Ray /Chest | |
| | (iv) E.C.G. | |
| 9. | Has the applicant a hernia ? if so, state the kind and if reducible. | |
| 10. | any additional finding. | |

PART - III

I/We have carefully examined Shri/Shrimati/Kumari _____ and am/are of opinion that _____ He/She is in good bodily health and has the prospect of an average duration of life.

OR

He/She is not in good bodily health and is not a fit subject for commutation.

OR

Although he/she is suffering from _____, he/she is considered a fit subject for commutation but his/her age for purpose of commutation, i.e., the age next birthday should be taken to be _____ (in words) years more than his/her actual age.

Station:

Dated:

Signature and designation
of examining medical authority.

FORM PEN.-15**FORM OR CERTIFICATE OF VERIFICATION OF SERVICE FOR PENSION**

No. _____

Government of Haryana,

Department of _____

Dated _____

CERTIFICATE

It is certified, in consultation with the Accounts Officer, that Shri _____ has completed a qualifying service of (names and designation) _____ year _____ month and _____ days as on service has been verified on the basis of his service qualifying service in force at present. The verification done under sub-rules (1) and (2) of rule 5.34 a 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.

DETAILS OF QUALIFYING SERVICE

| | From | To |
|----|------|----|
| 1. | | |
| 2. | | |
| 3. | | |

Head of Office/
Pension Sanctioning Authority

To

Shri _____

(Name and designation)

FORM PEN.-16*[See rule 9.17 (1)]***FORM OF LETTER TO THE AUDIT OFFICER FORWARDING THE PENSION PAPERS OF A GOVERNMENT EMPLOYEE**

No _____

Government of Haryana

Department/Office _____

Dated the _____

To

The Accountant General, Haryana
_____Subject: Pension papers of Shri/Shrimati/Kumari _____ for
authorization of pension.

Sir,

I am directed to forward herewith the pension papers of Shri/Shrimati/Kumari
_____ of this department/office for further necessary action.

2. The details of Government dues which will remain outstanding on the date of retirement of the Government employee and which need to be recovered out of the amount of death-cum-retirement gratuity are indicated below:-

| | |
|--|-----|
| Balance of the house building or conveyance advance | Rs. |
| Over payment of pay and allowances including leave salary | Rs. |
| Income tax deductible at source under the income tax Act 1961 (43 of 1961) | Rs. |
| Arrears of licence fee for occupation of Government accommodation | Rs. |
| The amount of licence fee for the retention of Government accommodation for the permissible period of two months beyond the date of retirement | Rs. |
| Any other assessed dues and the nature thereof | Rs. |
| The amount of gratuity to be withheld for adjustment of unassessed dues, if any | Rs. |
| Total | |

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

4. The receipt of this letter may be acknowledged and this department /office informed that necessary instructions for the disbursement of pension have been issued to disbursing authority concerned.

Yours faithfully,

Head of Office/Pension/Sanctioning Authority

List of Enclosures.—

1. FORM PEN.-1 and FORM PEN.-9* duly completed.
2. Medical certificate of incapacity (if the claim is for invalid pension)
3. Statement of the savings effected and the reasons why employment could not be found elsewhere (if claims is for compensation pension or gratuity)
4. Service book (date of retirement to be indicated in the service book).
- 5.(a) Two specimen signatures, duly attested by a gazetted Government employee or in the case of pensioner not literate enough to sign his name, two slips bearing the left hand thumb and finger impressions, duly attested by a gazetted Government employee.
- (b) Three copies of passport size photograph with wife or husband (either jointly or separately) duly attested by the Head of Office.
- (c) Two slips showing the particulars of height and identification marks, duly attested by a gazetted Government employee.
6. A statement indicating the reasons for delay in case the pension papers are not forwarded before six months of the retirement of Government employee.
7. Written statement, if any, of the Government employee as required under rule 9.5(1)(a).
8. Brief statement leading to reinstatement of the Government employee in case the Government employee has been reinstated after having been suspended, compulsorily retired, removed or dismissed from service.

Note.— *When initials or name of the Government employee are/is incorrectly given in the various records consulted, this fact should be mentioned in the letter.*

* *If a Government employee is compulsorily retired from service and delay is anticipated in obtaining FORM PEN.-9 from the Government employee, the Head of office may forward the pension papers to the Accounts Officer without FORM PEN.-9. The form may be sent as soon as it is obtained from the Government employee.*

** Only two copies of passport size photograph need be furnished if the Government employee is governed by Appendix-1 (i.e. a Family Pension Scheme 1964) and is unmarried or a widower or a widow.

FORM PEN.-17*[See rules 9.22(1), 9.24(1), (3) and (5) and 9.26 (1) and (5)]***FORM FOR ASSESSING AND AUTHORISING THE PAYMENT OF FAMILY PENSION AND DEATH-CUM-RETIREMENT GRATUITY WHEN A GOVERNMENT EMPLOYEE DIES WHILE IN SERVICE.****(To be sent in duplicate if payment is desired in a different circle of accounting unit).****PART - I
SECTION - I**

| | | |
|-----|--|--|
| 1. | Name of the deceased Government employee | |
| 2. | Father's name and also husband's name in the case of female Government employee | |
| 3. | Date of birth (by Christian era). | |
| 4. | Date of death (by Christian era). | |
| 5. | Religion and Nationality. | |
| 6. | Office/Department in which last employed. | |
| 7. | Appointment held last | |
| | (1) Substantive | |
| | (2) Officiating | |
| 8. | Date of beginning of service | |
| 9. | Date of ending of service | |
| 10. | Total period of military service for which pension/gratuity was sanctioned; and | |
| | Amount and nature of any pension/gratuity received for military service. | |
| 11. | Amount and nature of any pension received for previous civil service, if any. | |
| 12. | Government under which service has been rendered in order of employment. | |
| 13. | The date on which intimation regarding the death of a Government employee was received by the Head of Office. | |
| 14. | The date on which action initiated to:- | |
| | Obtain claim or claims from the claimants in the appropriate form death-cum-retirement gratuity and family pension as provided in rule 9.21. | |
| | Obtain the "No demand certificate" from the Accounts Officer (Rent)/Rent Assessing Authority as provided in rule 9.27 (1). | |
| | Assess the Government dues other than the dues pertaining to occupation of Government accommodation as provided in rule 9.24 (2) | |

| | | | | | | |
|------|--|------|----|--|--|--|
| | Assess the service and emoluments qualifying for death-cum-retirement gratuity and family pension as provided in rules 9.22 and 9.23 | | | | | |
| 15. | Whether nomination made for death-cum-retirement gratuity. | | | | | |
| 16. | Length of service qualifying for death-cum-retirement gratuity/pension. | | | | | |
| 17. | Period of non-qualifying service. | | | | | |
| | interruption in service condoned under rule 3.17-A. | | | | | |
| | extraordinary leave not qualifying for gratuity. | | | | | |
| | period of suspension treated as non-qualifying from _____ to _____. | | | | | |
| | any other service not treated as qualifying service. | | | | | |
| | Total period of non-qualifying service. | | | | | |
| 18. | Emoluments reckoning for death-cum-retirement gratuity, | | | | | |
| | Amount of death-cum-retirement gratuity. | | | | | |
| 19. | If Family Pension Scheme 1964 applies | | | | | |
| | (i) Proposed family pension at :- | | | | | |
| | enhanced rates (if service rendered at the time of death is more than seven years) (as in para 2 of Appendix-1 to these rules) | | | | | |
| | Ordinary rates (as in para 1 of Appendix-1 to these rules). | | | | | |
| | (ii) Period of tenability of Family Pension Scheme, 1964. | | | | | |
| | <table border="1"> <tr> <td>From</td><td>To</td></tr> <tr> <td></td><td></td></tr> </table> | From | To | | | |
| From | To | | | | | |
| | | | | | | |
| | Enhanced rates | | | | | |
| | Ordinary rates. | | | | | |
| 20. | Person to whom family pension is payable. | | | | | |
| | Name (Relationship with the deceased Government employee) | | | | | |

| | | |
|-----|---|--|
| | | |
| | Full postal address | |
| 21. | Details of Government dues recoverable out of gratuity:- | |
| | (i) Licence fee for occupation of Government accommodation (See rule 9.27). | |
| | (ii) Amount of death-cum-retirement gratuity to be held over pending receipt of information from the Accounts Officer (Rent) /Rent Assessing Authority. See rule 9.27 (1) (v) | |
| | (iii) dues referred to in rule 9.27 (2). | |
| 22. | Date on which claim received from the claimants. | |
| 23. | Name of guardian who will receive payment of death-cum-retirement gratuity and family pension in the case of minors. | |
| 24. | Place of payment (Treasury, Sub-treasury or branch of public sector bank). | |
| 25. | Head of Account to which death-cum-retirement gratuity and family pension are debitable. | |

Place :
Dated the

Signature of Head of Office

SECTION - II

**Details of provisional family pension and gratuity to be sanctioned by the pension
Sanctioning Authority in accordance with rule 9.25.**

| | |
|--|-----|
| Provisional family Pension | Rs. |
| Gratuity (the amount mentioned in item 18 (b) of Part 1) | Rs. |
| Less | |
| (a) Licence fee recoverable from gratuity for occupation of Government accommodation (as in item 21(i) of part 1). | Rs. |
| (b) amount of gratuity to be held over pending receipt of information from the Accounts Officer(Rent)/ Rent Assessing Authority as in item 21 (ii)of part 1) | Rs. |
| (c) Other Government dues as mentioned in item 21 (iii) of part 1 | Rs. |
| (d) Total of (a), (b) and (c) | Rs. |

Place:

Dated, the

Signature of Head of office

FORM PEN.-18

(See rule 9.24 (1))

FORM OF LETTER TO THE AUDIT OFFICER FORWARDING PAPERS FOR THE GRANT OF FAMILY PENSION AND DEATH-CUM-RETIREMENT GRATUITY TO THE FAMILY OF A GOVERNMENT EMPLOYEE WHO DIES WHILE IN SERVICE.

No _____
 Government of Haryana
 Department /Office _____
 Dated, the _____

To

Accountant General, Haryana,

Subject: Grant of Family Pension and death-cum-retirement gratuity.

Sir,

I am directed to say that Shri _____ designation _____ died on _____. His family has become eligible for the grant of family pension and death-cum-retirement gratuity. FORM PEN.-17 duly completed is forwarded herewith for the further necessary action.

2. Government dues in respect of the deceased Government employee will be recovered out of the death-cum-retirement gratuity as indicated in Section II of Part - I of FORM PEN.-17.

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

4. The receipt of this letter may be acknowledged and this Department/office informed that necessary instructions for the disbursement of family pension and death-cum-retirement gratuity have been issued to the disbursing authority concerned.

Yours faithfully

Head of Office/Pension Sanctioning Authority.

List of enclosures:-

1. FORM PEN.-17 duly completed.
2. Service Book (date of death to be indicated in the service book)
3. the specimen signature or left hand thumb and finger impressions of the claimant or guardian duly attested.
4. Two copies of passport size photographs of the claimant or guardian duly attested.
5. Two copies of descriptive roll of the claimant or guardian duly attested indicating height and personal marks.
6. Postal address of the claimant or guardian.

FORM PEN.-19*(See rule 9.21)*

FORM OF LETTER TO THE MEMBER OR MEMBERS OF THE FAMILY OF A DECEASED GOVERNMENT EMPLOYEE WHERE VALID NOMINATION FOR THE GRANT OF THE DEATH-CUM-RETIREMENT GRATUITY EXISTS.

No _____
 Government of Haryana
 Department of _____
 Dated, the _____

To

Subject: **Payment of death-cum-retirement gratuity in respect of the late Shri/Smt.** _____

Sir/Madam,

I am directed to state that in terms of the nomination made by the late Shri/Shrimati _____ (Designation) _____ in the office/Department of _____ a death-cum-retirement gratuity is payable to his/her nominee(s). A copy of the said nomination is enclosed herewith.

2. I am to request that a claim for the grant of the gratuity may be submitted by you in the enclosed FORM PEN.-1-B.
3. Should any contingency have happened since the date of making the nominating, so as to render the nomination invalid, in whole or in part, precise details of the contingency may kindly be stated.

Yours faithfully,

Head of Office

FORM PEN.-20**FORM OF LETTER TO THE MEMBER OR MEMBERS OF THE FAMILY OF A DECEASED GOVERNMENT EMPLOYEE WHERE VALID NOMINATION FOR THE GRANT OF DEATH-CUM-RETIREMENT GRATUITY DOES NOT EXISTS.**

No _____
 Government of Haryana
 Department of _____
 Dated, the _____

To

Subject: Payment of death-cum-retirement gratuity in respect of the late Shri/Shrimati _____

Sir/Madam,

I am directed to say that in terms of Rule 6.16 A of Punjab CSR VOL. II, a death-cum-retirement gratuity is payable to the following members of the family of late Shri/ Shrimati _____ (Designation), _____ in the office/Department of _____ in equal share:-

| | | |
|-------|---------------------|---|
| (i) | Wife /Husband | including judicially separated wife/husband |
| (ii) | Sons | including step children and adopted children. |
| (iii) | Unmarried daughters | |

2. In the event of there being no surviving member of the family as indicated above, the gratuity will be payable to the following members of the family in equal share:-
 - (i) Widowed daughters (including step daughters and adopted daughters)
 - (ii) Father) including adoptive parents in case of
 - (iii) Mother) individuals whose personal law permits adoption.
 - (iv) Brother below the age of eighteen years and unmarried and widowed sisters including step brothers and step sisters.
 - (v) Married daughters, and
 - (vi) Children of a pre-deceased son.
3. It is requested that a claim for the payment of gratuity may be submitted in the enclosed FORM PEN.-1-B as soon as possible.

Yours faithfully,

Head of Office
