

No. 1/19/2013-P&PW (E)
Government of India
Ministry of Personnel, P.G. & Pensions
Department of Pension & Pensioners' Welfare

Lok Nayak Bhawan,
Khan Market, New Delhi
Dated: 24th April, 2013

Circular

Sub: Review of Rules 32,33 and 56 to 82 of the Central Civil Services (Pension) Rules, 1972 – suggestions regarding.

The Department is in the process of reviewing rules governing the determination and authorisation of amounts of pension, gratuity, family pension and death gratuity. Some amendments to rule 32, 33 and 56 to 82 of Central Civil Services (Pension) Rules, 1972 have been proposed to be made. A proposed text of these rules is uploaded at the website of the department.

2. Suggestions/comments are invited on the proposed provisions of these Rules from all stake holders, i.e., employees, Heads of Offices, Pay and Accounts Officers, Central Pension Accounting Office, O/o Controller General of Accounts, pensioners, pensioners' associations and the Directorate of Estates. It is requested that while giving suggestions/comments, the revised Forms as notified by this department recently may be kept in mind.

3. Suggestions may be forwarded to the Deputy Secretary, Department of Pension & Pensioners' Welfare, at her e-mail sujashachaudhary.edu@nic.in, within 15 days.



(D.K. Solanki)

Under Secretary to the Govt. of India
Tel No. 24644632

NIC is requested to upload the circular on the home-pages of all the three Departments.

Amendments proposed in rules 32, 33 and 56-74

(*Green colour = insertion, red colour = deletion*)

32. Verification of qualifying service after eighteen years of service, or and five years before retirement

(1) On a Government servant completing **eighteen years** of service or and 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 servant, determine the qualifying service and communicate to him, in Form 24, the period of qualifying service so determined.

(2) Notwithstanding anything contained in sub-rule (1), where a Government servant is transferred to another department from a temporary department or on account of the closure of the department he had been previously serving or because the post he held had been declared surplus, the verification of his service may be done whenever such event occurs.

(3) The verification done under sub-rules (1) and (2) shall be treated as final and shall not be reopened except when necessitated by a subsequent change in the rules and orders governing the conditions under which the service qualifies for pension.

33-A. Verification of pay after eighteen years of service and five years before retirement

(1) On a Government servant completing eighteen years of service and on his being left with five years of service before the date of retirement, the Head of Office in consultation with the Accounts Officer shall, in accordance with the rules for the time being in force, verify the pay received by such a Government servant during that period and communicate to him, the discrepancies found, if any.

(2) Notwithstanding anything contained in sub-rule (1), where a Government servant is transferred to another department from a temporary department or on account of the closure of the department he had been previously serving or because the post he held had been declared surplus, the verification of his pay 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 pay had been given.

56. Preparation of list of Government servants due for retirement

(1) Every Head of Department shall have a list prepared every six three months, that is, on the 1st January, 1st April, and the 1st July and 1st October each year of all Government servants who are due to retire within the next 12 to 15 [24 to 30] months of that date.

(2) A copy of every such list shall be supplied to the Accounts Officer concerned not later than the 31st January, 30th April, 31st July or 30th September, as the case may be, of that year.

(3) In the case of a Government servant retiring for reasons other than by way of superannuation, the Head of Office shall promptly inform the Accounts Officer concerned, as soon as the fact of such retirement becomes known to him.

(4) A copy of intimation sent by the Head of Office to the Accounts Officer under sub-rule (3) shall also be endorsed to the Directorate of Estates if the Government servant concerned is an allottee of Government accommodation.

57. Intimation to the Directorate of Estates regarding issue of "No Demand Certificate"

(1) The Head of Office shall write to the Directorate of Estates at least one year [two years] before the anticipated date of retirement of the Government servant 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 Directorate of Estates shall take further action as provided in Rule 72.

58. Preparation of pension papers

Every Head of Office shall undertake the work of preparation of pension papers in Form 7 one year [two years] before the date on which a Government servant is due to retire on superannuation or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier.

59. Stages for the completion of pension papers on superannuation

(1) The Head of Office shall divide the period of preparatory work of one year [two years] referred to in Rule 58 in the following three stages :-

(a) First Stage. – verification of service :

- (i) The Head of Office shall go through the service book of the Government servant and satisfy himself as to whether the certificates of verification for the entire service are recorded therein. Where qualifying service has been verified under rule 32, verification of

service qualifying for pension should be done only for the period beyond the period already verified under rule 32.

- (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 *such as last pay certificate, pay slip for month of April which shows verification of service for the previous financial year* and record necessary certificates in the service book.
- (iii) If the service for any period is not capable of being verified in the manner specified in sub-clause (i) and sub-clause (ii), that period of service having been rendered by the Government servant in another office or Department, a reference shall be made to the Head of Office in which the Government servant is shown to have served during that period for the purpose of verification. *The Head of Office in that office or department shall arrange to verify the portion or portions of such service, in the manner as indicated in sub-clause (ii), and send necessary certificates to the referring Head of Office within two months from the date of receipt of such a reference. In case a period of service is incapable of being verified, it will be brought to the notice of the referring Head of Office simultaneously. If no response is received within the stipulated time, it will be presumed that such period or periods qualify for pension. Accountability of the Head of Office and other concerned authorities shall be fixed for not communicating the non-qualifying periods of service if found any time thereafter.*
- (iv) *The process given in sub-clauses (i),(ii) and (iii) shall be completed eight months prior to the date of superannuation.* If any portion of service rendered by a Government servant is not capable of being verified in the manner specified in sub-clause (i), or sub-clause (ii), or sub-clause (iii) the Government servant shall be asked to file a written statement on plain paper (.) *within a month*, 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.* *Furnishing any incorrect information, which makes him/her entitled to any benefits he/she is not otherwise entitled to, shall be construed as a grave misconduct.*
- (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 the Government servant 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 servant.

(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. *Where pay has been verified under rule 33-A, verification of emoluments for pension should be done only for the period beyond the period for which pay has already been verified under rule 33-A.*

- (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 *which are incapable of being made good and the periods of service about which the Government servant has submitted no statement and 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) Calculation of average emoluments. - 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 in 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 servant, and not for any period prior to that date.
- (c) Third Stage. - As soon as the second stage is completed and in any case not later than *eight ten* months prior to the date of retirement of the Government servant, the Head of Office shall take the following action :-
- (i) He shall furnish to the retiring Government servant a certificate regarding the length of qualifying service proposed to be admitted for purpose of pension and gratuity as also the emoluments and the average emoluments proposed to be reckoned with for retirement gratuity and pension. In case the certified service and emoluments as indicated by the Head of Office are not acceptable to him, he shall furnish to the Head of Office the reasons for non-acceptance, inter alia, supported by the relevant documents in support of his claim *within two months.*
 - (ii) *In case of any difficulty in determining the length of qualifying service on account of non-availability of service book or other records or in taking the action as indicated in clauses (a) and (b), the retiring Government servant shall be asked to file a written statement of service as provided in Clause (ii) of sub-rule (1) and sub-rule (2) of Rule 64. [Omitted]*

- (iii) Forward to the retiring Government servant [delete Form 4 and] Form 5 advising him to shall submit the same duly completed Form 5 in all respects so as to reach the Head of Office not later than six months prior to his date of retirement.

(2) Action under Clauses (a),(b) and (c) of sub-rule (1) shall be completed six months prior to the date of retirement of the Government servant.

59-A. A Government servant retiring for reasons other than superannuation, may submit Form 5 before such retirement after the competent authority has approved the retirement.

60. Completion of pension papers

In cases under rule 59, the Head of office shall complete Part I of Form 7 not later than four six months of before the date of retirement of Government servant. In cases under rule 59-A, the Head of Office shall complete Part I of Form 7 within four months after submission of Form 5 by the Government servant.

61. Forwarding of pension papers to Accounts Officer

(1) After complying with the requirement of Rules 59 and 60, the Head of Office shall forward to the Accounts Officer Form 5 and Form 7 duly completed with a covering letter in Form 8 along with service book of the Government servant, duly completed, up-to-date, and any other documents relied upon for the verification of service *and determination of emoluments*.

(2) The Head of Office shall retain a copy of each of the Forms referred to in sub-rule (1) for his records.

(3) Where the payment is desired in another circle of accounting unit, the Head of Office shall send Form 7 in duplicate to the Accounts Officer. [Omitted.]

(4) The papers referred to in sub-rule (1) shall be forwarded to the Accounts Officers not later than *four six months before the date of retirement superannuation of Government servant and in other cases four months after the date of submission of Form 5.*

62. Intimation to Accounts Officer regarding any event having bearing on pension

If, after the pension papers have been forwarded to the Accounts Officer within the period specified in sub-rule (4) of Rule 61, any event occurs which has a bearing on the amount of pension admissible, the fact shall be promptly reported to the Accounts Officer by the Head of Office.

63. Intimation of the particulars of Government dues to the Accounts Officer

(1) The Head of Office after ascertaining and assessing the Government dues as in Rule 71, shall furnish the particulars thereof to the Accounts Officer at least two months before the date of

retirement of a Government servant so that the dues are recovered out of the gratuity before its payment is authorized, in Form 8 while forwarding Form 5 and Form 7.

(2) If, after the particulars of Government dues have been intimated to the Accounts 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 the Accounts Officer.

64. Provisional pension

(1) The various stages of action laid down in Rule 59 *and rule 60* shall be strictly followed by the Head of Office. There may be an isolated case where in spite of following the procedure laid down in Rule 59, it may not be possible for the Head of Office to forward the pension papers referred to in Rule 61 to the Accounts Officer within the period prescribed in sub-rule (4) of that rule or where the pension papers have been forwarded to the Accounts Officer within the prescribed period but the Accounts Officer may have returned the pension papers to the Head of Office for eliciting further information before issue of pension payment order and order for the payment of gratuity. If the Head of Office in such a case is of the opinion that the Government servant is likely to retire before his pension and gratuity or both can be finally assessed and settled in accordance with the provisions of these rules, 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 servant 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 servant 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 Head of Office shall thereafter determine the qualifying years of service and the emoluments qualifying for pension in accordance with the information available in the official records and the information obtained from the retiring Government servant under sub-rule (1). He shall, then determine the amount of provisional pension and the amount of provisional retirement gratuity.

(2) In a case of retirement other than on superannuation, the Head of Office shall take steps to grant provisional pension till issue of Pension Payment Order.

(4) After the amount of pension and gratuity have been determined *under sub-rule (3)*, the Head of Office shall take further action as follows :-

- (a) He shall issue a sanction letter addressed to the Government servant endorsing a copy thereof to the Accounts Officer authorizing -
 - (i) 100 per cent of 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 servant ; and
 - (ii) 100 per cent of the gratuity as provisional gratuity as determined under sub-rule (3) withholding ten per cent of gratuity.
- (b) He shall indicate in the sanction letter the amount recoverable from the gratuity under sub-rule (1) of Rule 63. After issue of the sanction letter he shall draw -
 - (i) the amount of provisional pension ; and
 - (ii) the amount of provisional gratuity after deducting therefrom the amount mentioned in sub-clause (ii) of Clause (a) and the dues, if any, mentioned in Rule 71,

in the same manner as pay and allowances of the establishment are drawn by him.

- (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 the Government servant. If the amount of final pension and the amount of final gratuity had been determined by the Head of Office in consultation with the Accounts Officer before the expiry of the said period of six months, the Accounts Officer shall -
 - (i) issue the pension payment order,
 - (ii) direct the Head of Office to draw and disburse the difference between the final amount of gratuity and the amount of provisional gratuity paid under sub-clause (ii) of Clause (b) of sub-rule (4) after adjusting the Government dues, if any, which may have come to notice after the payment of provisional gratuity.
- (b) If the amount of provisional pension disbursed to a Government servant under sub-rule (4) is, on its final assessment, found to be in excess of the final pension assessed by the Accounts Officer, it shall be open to the Accounts Officer to adjust the excess amount of pension out of gratuity withheld under sub-clause (ii) of Clause (a) of sub-rule (4) or recover the excess amount of pension in instalments by making short payments of the pension payable in future.

- (c) (i) If the amount of provisional gratuity disbursed by the Head of Office under sub-rule (4) is larger than the amount finally assessed, the retired Government servant shall not be required to refund the excess amount actually disbursed to him.
- (ii) The Head of Office shall ensure that chances of disbursing the amount of gratuity in excess of the amount finally assessed are minimized and the officials responsible for the excess payment shall be accountable for the over-payment.

(7) If the final amount of pension and gratuity have not been determined by the Head of Office in consultation with the Accounts Officer within a period of six months referred to in Clause (a) of sub-rule (6), the Accounts Officer shall treat the provisional pension and gratuity as final and issue pension payment order immediately on the expiry of the period of six months.

(8) As soon as the pension payment order has been issued by the Accounts Officer under Clause (a) of sub-rule (6) or sub-rule (7), the Head of Office shall take steps to **refund pay** the amount of withheld gratuity under sub-clause (ii) of Clause (a) of sub-rule (4) to the retired Government servant after adjusting Government dues which may have come to notice after the payment of provisional gratuity under sub-clause (ii) of Clause (b) of sub-rule (4). If the Government servant was an allottee of Government accommodation, the withheld amount should be **refunded paid** on receipt of 'No Demand Certificate' from the Directorate of Estates.

65. Authorization of pension and gratuity by the Accounts Officer

(1) (a) On receipt of pension papers referred to in Rule 61, the Accounts Officer shall apply the requisite checks, record the account encasement in Part II of Form 7 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 servant **if the pension is payable in his circle of accounting unit.**

(b) **If the pension is payable in another circle of accounting unit, the Accounts Officer shall send the pension payment order along with a copy of Form 7 and the accounts encasement to the Accounts Officer of that unit for arranging payment.**

In the cases of retirement otherwise than on attaining the age of superannuation, the Accounts Officer shall apply the requisite checks, complete Part II of Form 7 and assess the amount of pension and gratuity and issue the pension payment order within two months of date of receipt of pension papers from the Head of Office.

(2) The amount of gratuity as determined by the Accounts Officer under Clause (a) of sub-rule (1) shall be intimated to the Head of Office with the remarks that the amount of the gratuity may be drawn and disbursed by the Head of Office to the retired Government servant after adjusting the Government dues, if any, referred to in Rule 71.

(3) The amount of gratuity withheld under sub-rule (5) of Rule 72 shall be adjusted by the Head of Office against the outstanding licence fee intimated by the Directorate of Estates and the balance, if any, refunded to the retired Government servant.

65-A Authorisation of family pension in Pension Payment Order

Where there are permanently disabled child or children or siblings and/or dependent parents in the family of the retiring Government servant and, in accordance with rule 54, there are no other eligible prior claimants to family pension except spouse, such disabled children or dependent parents or disabled siblings shall be authorised by the Accounts Officer in the Pension Payment Order along with the spouse of the retiring Government servant. Family pension will be payable in such cases by the pension disbursing authority in the order and manner given in sub-rule (2) of rule 81.

66. Payment of provisional pension and gratuity through money order

If the provisional pension or gratuity or both sanctioned under sub-rule (4) of Rule 64, is desired by the pensioner to be paid 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 authorized payment of provisional pension not exceeding *three thousand* five hundred rupees per mensem exclusive of the amount of relief on pension that amount shall, at the request of the pensioner, be remitted to him by money order at Government expense.

67. Government servants on deputation

(1) In the case of Government servant who retires while on deputation to another Central Government Department, action to authorize pension and gratuity in accordance with the provisions of this Chapter shall be taken by the Head of Office of the borrowing Department.

(2) In the case of a Government servant who retires from service, while on deputation to a State Government or while on foreign service, action to authorize pension and gratuity in accordance with the provisions of this Chapter shall be taken by the Head of Office or the Cadre authority which sanctioned deputation to the State Government or to foreign service.

68. Interest on delayed payment of gratuity

(1) If the payment of gratuity has been authorized later than the date when its payment becomes due, *including the cases of retirement otherwise than on superannuation*, and it is clearly established that the delay in payment was attributable to administrative *reasons or* lapses, interest shall be paid *at the rate applicable to General Provident Fund amount from time to time* and in accordance with the instructions issued from time to time:

Provided that the delay in payment was not caused on account of failure on the part of the Government servant to comply with the procedure laid down by the Government for processing his pension papers.

(2) Every case of delayed payment of gratuity shall be considered by the Secretary of the Administrative Ministry or the Department in respect of its employees and the employees of its

attached and subordinate offices and where the Secretary of the Ministry or the Department is satisfied that the delay in the payment of gratuity was caused on account of administrative *reasons or* lapse, the Secretary of the Ministry or the Department shall sanction payment of interest.

(3) The Administrative Ministry or the Department shall issue Presidential sanction for the payment of interest after the Secretary has sanctioned the payment of interest under sub-rule (2).

(4) In all cases where the payment of interest has been sanctioned by the Secretary of the Administrative Ministry or the Department, such Ministry or the Department shall fix the responsibility and take disciplinary action against the Government servant or servants who are found responsible for the delay in the payment of gratuity *on account of administrative lapses*.

(5) Deleted

69. Provisional pension where departmental or judicial proceedings may be pending

(1) (a) In respect of a Government servant referred to in sub-rule (4) of Rule 9, the Accounts Officer shall authorize the provisional pension equal to the maximum pension which would have been admissible on the basis of qualifying service up to the date of retirement of the Government servant, or if he was under suspension on the date of retirement up to the date immediately preceding the date on which he was placed under suspension.

(b) The provisional pension shall be authorized by the Accounts Officer during the period commencing from the date of retirement up to and including the date on which, after the conclusion of departmental or judicial proceedings, final orders are passed by the competent authority.

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

Provided that where departmental proceedings have been instituted under Rule 16 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, for imposing any of the penalties specified in Clauses (i), (ii) and (iv) of Rule 11 of the said rules, the payment of gratuity shall be authorized to be paid to the Government servant.

(2) Payment of provisional pension made under sub-rule (1) shall be adjusted against final retirement benefits sanctioned to such Government servant upon conclusion of such proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

70. Revision of pension after authorization

(1) Subject to the provisions of Rules 8 and 9, pension once authorized after final assessment shall not be revised to the disadvantage of the Government servant, unless such revision becomes necessary on account of detection of a clerical error subsequently:

Provided that no revision of pension to the disadvantage of the pensioner shall be ordered by the Head of Office without the concurrence of the Department of Pension and Pensioners' Welfare if the clerical error is detected after a period of two years from the date of authorization of pension.

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

71. Recovery and adjustment of Government dues

(1) It shall be the duty of the Head of Office to ascertain and assess Government dues payable by a Government servant due for retirement.

(2) The Government dues as ascertained and assessed by the Head of Office which remain outstanding till the date of retirement of the Government servant, shall be adjusted against the amount of the retirement gratuity becoming payable.

(3) The expression 'Government dues' includes -

(a) dues pertaining to Government accommodation including arrears of licence fee, if

(b) dues other than those pertaining to Government accommodation, namely, balance of house building or conveyance or any other advance, overpayment of pay and allowances or leave salary and arrears of income tax deductible at source under the Income Tax Act, 1961 (43 of 1961).

72. Adjustment and recovery of dues pertaining to Government accommodation

(1) The Directorate of Estates on receipt of intimation from the Head of Office under sub-rule (1) of Rule 57 regarding the issue of No Demand Certificate shall scrutinize its records and inform the Head of Office *within next one month* 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 Directorate of Estates intimates the amount of licence fee recoverable in respect of the period mentioned in sub-rule (1), the Head of Office shall ensure that outstanding licence fee is recovered in instalments from the current pay and allowances of the allottee and where the entire amount is not recovered from the pay and allowances, the balance shall be recovered out of the gratuity before its payment is authorized.

(4) The Directorate of Estates shall also inform the Head of Office the amount of licence fee for the retention of Government accommodation for the permissible period of four 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 the gratuity together with the unrecovered licence fee, if any, mentioned in sub-rule (3).

(5) If in any particular case, it is not possible for the Directorate of Estates to determine the outstanding licence fee, that Directorate shall inform the Head of Office that ten per cent of the gratuity may be withheld pending receipt of further information.

(6) The recovery of licence fee *in respect of the period preceding eight months of his retirement* (where it is not possible for the Directorate of Estates to determine the outstanding licence fee) as well as damages (for the occupation of the Government accommodation beyond the permissible period of four months after the date of retirement of allottee) shall be the responsibility of the Directorate of Estates.

(7) The Directorate of Estates shall ensure that a final “No Demand Certificate” shall be given to the Government employee within a period of fourteen days from the actual date of vacation of the Government accommodation. After adjusting the arrears of licence fee and damages, if any, payable by the allottee, the excess amount of the withheld gratuity under sub-rule (5) above shall be paid immediately on production of a final “No Demand Certificate”. The allottee shall be entitled to payment of interest (at the rate applicable to General Provident Fund deposit on the date he vacates the Government accommodation) on the excess withheld amount of gratuity. The interest shall be payable, for the period from the actual date of vacation of the Government accommodation to the date of payment of the excess withheld amount, by the Directorate of Estates through the Accounts Officer concerned.

(8) Any amount of licence fee or damages remaining unrecovered after adjustment from the withheld amount of gratuity mentioned under sub-rule (5) above or became recoverable after the payment of gratuity, may be ordered to be recovered by the Directorate of Estates through the Accounts Officer concerned from the dearness relief without the consent of the pensioner. In such cases no dearness relief shall be disbursed until full recovery of such dues has been made.

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.

73. Adjustment and recovery of dues other than dues pertaining to Government accommodation

(1) For the dues other than the dues pertaining to occupation of Government accommodation as referred to in Clause (b) of sub-rule (3) of Rule 71, the Head of Office shall take steps to assess the dues two years one year before the date on which a Government servant is due to retire on superannuation; or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier.

(2) The assessment of Government dues referred to in sub-rule (1) shall be completed by the Head of Office eight months prior to the date of the retirement of the Government servant.

(3) The dues as assessed under sub-rule (2) including those dues which come to notice subsequently and which remain outstanding till the date of retirement of the Government servant, shall be adjusted against the amount of retirement gratuity becoming payable to the Government servant on his retirement.

74. Date of retirement to be notified

When a Government servant retires from service -

- (a) a notification in the Official Gazette in the case of a Gazetted Government servant, and
- (b) an office order in the case of a non-gazetted Government servant shall be issued specifying the date of retirement within a week of such date and a copy of every such notification or office order, as the case may be, shall be forwarded immediately to the Accounts Officer :

Provided that where a notification in the Official Gazette or an office order, as the case may be, regarding the grant of leave preparatory to retirement to a Government servant is issued, a further notification or office order that the Government servant has actually retired on the expiry of such leave shall not be necessary unless the leave is curtailed and the retirement is for any reason ante-dated or postponed

74-A]

75.]Omitted vide Notification No 6(1)/Pen(A)/79 dated 19-5-1980.

76.]

77. Obtaining of claims for family pension and death gratuity

- (1) Where the Head of Office has received an intimation about the death of a Government servant while in service, he shall ascertain whether any death gratuity or family pension or both is or are payable in respect of the deceased Government servant.
- (2) (a) Where the family of the deceased Government servant is eligible for the death gratuity under Rule 50, the Head of Office shall ascertain -
 - (i) if the deceased Government servant had nominated any person or persons to receive the gratuity ; and
 - (ii) if the deceased Government servant had not made any nomination or the nomination made does not subsist, the person or persons to whom the gratuity may be payable.
- (b) The Head of Office shall, then, address the person concerned in Form 10 or Form 11, as may be appropriate, for making a claim in Form 12
- (3) Where the family of the deceased Government servant is eligible under Rule 54 for family pension, 1964
 - (a) the Head of Office shall address the widow or widower in Form 13 for making a claim in Form 14 ; and
 - (b) Where the deceased Government servant is survived only by a child or children *or dependent parents or dependent disabled siblings*, the guardian or such child or children *or parents or siblings, whoever is/are entitled to receive family pension in terms of rule 54* may submit a claim in Form 14 to the Head of Office :

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of a child claimant if the child *he/she* has attained the age of eighteen years *and is not suffering from any disorder or disability of mind* and such child *the claimant* may himself or herself submit a claim in the said Form.

Provided further that the mother shall apply for the family pension where both mother and father of the deceased Government servant are alive and entitled to receive family pension in terms of rule 54.

(4) Omitted

(5) If on the date of death, the Government servant was an allottee of Government accommodation, the Head of Office shall address the Directorate of Estates for the issue of "No Demand Certificate" in accordance with the provisions of sub-rule (1) of Rule 80-C.

78. Completion of Form 18

(1)(a) The Head of Office while taking action to obtain claim or claims from the family in accordance with the provisions of Rule 77 shall simultaneously undertake the completion of Form 18. The work shall be completed within one month of the date on which intimation regarding the date of death of the Government servant has been received.

(b) The Head of Office shall go through the service book of the deceased Government servant and satisfy himself as to whether certificates of verifications of 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 for family pension and death gratuity, the Head of Office shall confine the verification of the correctness of emoluments for a maximum period of one year preceding the date of death of the Government servant.

(b) In case the Government servant 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 the commencement of the extraordinary leave shall be verified.

(3) The process of determination of qualifying service and qualifying emoluments shall be completed within one month of the receipt of intimation regarding the date of death of the Government servant and the amount of family pension and death gratuity shall also be calculated accordingly.

79. Determination of the amount of family pension and gratuity where service records are incomplete

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 -

(i) If the deceased Government servant 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, 1964, determined under sub-rule (2) and sub-rule (2-A) of Rule 54.

- (ii) If the deceased Government servant on the date of his 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, 1964 and the period for which it is payable shall be determined in accordance with the provisions of sub-rule (3) of Rule 54.
- (iii) If the deceased Government servant 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 provisions of sub-rule (2) and sub-rule (2-A) of Rule 54.
- (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 rate and the period for which it is payable shall be determined in accordance with the provisions of sub-rule (3) of Rule 54.
- (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 servant.

(b) For the purpose of death gratuity -

- (i) If the deceased Government servant had on the date of his death rendered more than 5 years of qualifying service but less than 20 years of qualifying service, and the spell of last 5 years has been verified and accepted by the Head of Office under clause (a), the amount of death gratuity shall be equal to 12 times of his emoluments as indicated in item (iii) of the Table below clause (b) of sub-rule (1) of Rule 50. Where the verified and accepted service is less than 5 years, the amount of death gratuity shall be the amount as indicated in Item (i) or Item (ii) in the Table below clause (b) of sub-rule (1) of Rule 50, as may be applicable.
- (ii) If the deceased Government servant had rendered more than twenty 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 servant shall be allowed, on provisional basis, the death gratuity equal to 12 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 ¹[death gratuity] shall then be authorised to the beneficiaries.

(c) [Omitted]

80. Forwarding the papers to the Accounts Officer

(1) On receipt of claim or claims, the Head of Office shall complete items 22, 23, 24, 25 and 26 items 14, 21 and 22 of Form 18 and send the said Form in original to the Accounts Officer with a covering letter in Form 19 along with the Government servant's service book duly completed up-to-date and any other documents relied upon for the verification of the service claimed (may be deleted). This shall be done not later than one month of the receipt of claim by the Head of Office.

(2) The Head of Office shall retain one copy of the aforesaid Form 18 for his office record.

(3) If the payment is desired in another circle of accounting unit, Form 18 shall be sent in duplicate to the Accounts Officer. [Omitted]

(4) The Head of Office shall draw the attention of the Accounts Officer to the details of Government dues outstanding against the deceased Government servant, namely, -

- (a) Government dues as ascertained and assessed in term of Rule 80-C and recoverable out of the gratuity before payment is authorized.
 - (b) Amount of gratuity to be held over partly for adjustment of Government dues which have not been assessed so far and partly as margin for adjustment in the light of the final determination of the gratuity.
 - (c) The maximum amount of gratuity to be held over for the purpose of Clause (b) shall be limited to ten per cent of the amount of gratuity.
- (5) (a) If Form 18 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 18 and the documents referred to in sub-rule (1) to the Accounts Officer leaving unfilled items 22, 23, 24, 25 and 26 items 14, 21 and 22 of Part I of the said Form.
- (b) As soon as the claim or claims are received by Head of Office, they shall immediately be forwarded to the Accounts Officer with the request that items 22, 23, 24, 25 and 26 items 14, 21 and 22 of Part I of Form 18 may be filled by the Accounts Officer.

80-A. Sanction, drawal and disbursement of provisional family pension and gratuity

(1) After the documents referred to in Rule 80 have been sent to the Accounts Officer concerned, the Head of Office shall draw provisional family pension not exceeding the maximum family pension and hundred per cent of the gratuity as determined in accordance with the provisions of this Chapter. For this purpose the Head of Office shall adopt the following procedure, namely:-

- (a) he shall issue a sanction letter in favour of claimant or claimants endorsing a copy thereof to the Accounts Officer concerned indicating the amount of provisional family pension and hundred per cent of the gratuity as determined ;
- (b) he shall indicate in the sanction letter the amount recoverable out of the gratuity under sub-rule (4) of Rule 80 ;
- (c) after issue of the sanction letter he shall draw -
 - (i) the amount of the provisional family pension ; and
 - (ii) the amount of hundred per cent of the gratuity after deducting therefrom the dues mentioned in Clause (b), in the same manner as pay and allowances of the establishment are drawn by him.

(2) The Head of Office shall disburse the provisional family pension (including arrears, if any) and the gratuity immediately after the same have been drawn under sub-rule (1).

3) The payment of provisional family pension shall continue for a period of six months from the date following the date of death of the Government servant unless the period is extended by the Accounts Officer under the proviso to sub-rule (1) of Rule 80-B.

(4) The Head of Office shall inform the Accounts Officer -

- (a) as soon as the gratuity has been paid to the claimant or claimants ; and
- (b) as soon as provisional family pension has been paid for a period of six months or for the period extended under proviso to sub-rule (1) of Rule 80B, as the case may be.

(5) 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 own 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) three thousand five hundred rupees and admissible dearness relief 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.

80-B. Authorisation of final *family* pension and balance of the gratuity by the Accounts Officer

(1) On receipt of the documents referred to in sub-rule (1) of Rule 80, the Accounts 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 18 and assess the amount of family pension and gratuity :

Provided that if the Accounts Officer is, for any reason, unable to assess the amount within the period aforesaid, he shall communicate the fact to the Head of Office to continue to disburse the provisional family pension to the claimant for such period as may be specified by the Accounts Officer.

(2) (a) If the family pension is payable in his circle of accounting unit, the Accounts 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 drawn and disbursed by the Head of Office shall also be authorized by the Accounts Officer.

(3) (a) The Accounts Officer shall determine the amount of the balance of the gratuity after adjusting the amount, if any, outstanding against the deceased Government servant.

(b) The Accounts Officer shall intimate to the Head of the Office, the amount of the balance of the gratuity determined under Clause (a) with the remarks that the amount of the balance of the gratuity may be drawn and disbursed by the Head of Office to the person or persons to whom the provisional gratuity has been paid.

(c) The amount of gratuity withheld under Clause (b) of sub-rule (1) of Rule 80C shall be adjusted by the Head of Office against the outstanding licence-fee mentioned in Clause (viii) of sub-rule (1) of Rule 80C and the balance, if any, refunded to the person or persons to whom gratuity has been paid.

(4) The fact of the issue of the pension payment order shall be promptly reported to the Head of Office by the Accounts Officer and the documents which are no longer required shall also be returned to him.

(5) *If the final family pension including the arrears of provisional family pension is payable in another circle of accounting unit, the Accounts Officer shall send the pension payment order together with a copy of Form 18, duly completed to the Accounts Officer of that unit for arranging payment :*

Provided that the adjustment of provisional family pension drawn and disbursed by the Head of Office shall be made by the Accounts Officer in whose circle of accounting unit the provisional family pension was paid. [Omitted]

(6) If the amount of provisional family pension as disbursed by the Head of Office is found to be in excess of the final pension assessed by the Accounts Officer it shall be open to the

Accounts Officer to adjust the excess amount in instalments by short payments of family pension payable in future.

- (7) (a) If the amount of gratuity disbursed by the Head of Office proves to be larger than the amount finally assessed by the Accounts Officer, the beneficiary shall not be required to refund the excess.
- (b) The Head of Office shall ensure that chances of disbursing the amount of gratuity in excess of the amount actually admissible are minimized and the official or officials responsible for the excess payment shall be accountable for the overpayment.
- (8) *Where there are permanently disabled child or children or siblings and/or dependent parents in the family of the deceased Government servant and in accordance with rule 54, there are no other eligible prior claimants to family pension except the claimant, such disabled children or dependent parents or disabled siblings shall be authorised by the Accounts Officer in the Pension Payment Order of the claimant. Family pension will be payable in such cases by the pension disbursing authority in the order and manner given in sub-rule (2) of rule 81.*

80-C. Adjustment of Government dues

(1) Dues pertaining to Government accommodation -

(i) If on the date of death the Government servant was allottee of Government accommodation, the Head of Office on receipt of intimation regarding the death of the Government servant shall, within seven days of the receipt of such intimation, write to the Directorate of Estates for the issue of 'No demand certificate' so that authorization of family pension and death gratuity is not delayed. While addressing the Directorate of Estates 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 servant with designation;
- (b) particulars of the accommodation (quarter No., type and locality);
- (c) date of death of Government servant;
- (d) whether the Government servant was on leave at the time of his death and, if so, the period and nature of leave;
- (e) whether the Government servant was enjoying rent-free accommodation;

(f) the period up to which licence fee had been recovered from the pay and allowances of the deceased Government servant and the monthly rate of recovery and particulars of the pay bill under which last recovery was made;

(g) if the licence fee had not been recovered up to the date of death and the family intends to retain Government accommodation for the permissible period of four months from the date of death of the Government servant thereafter, 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 servant for the concessional period of four² months beyond the date of death of the Government servant to be determined on the basis of standard bill ;

(D) the amount of licence fee mentioned at (B) and (C) proposed to be recovered out of death gratuity;

(E) details of any previous reference from the Directorate of Estates having bearing on the recovery of licence fee outstanding against the allottee and action taken thereon.

(ii) The Head of Office shall recover from the death gratuity the amount of licence fee as intimated to the Directorate of Estates 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 Directorate of Estates.

(iv) The Directorate of Estates 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 servant. If any recovery is found, the amount and the period or periods to which such recovery or recoveries relate shall be communicated to the Head of Office within a period of three months of the receipt of intimation regarding the death of the Government servant under Clause (i).

(v) Pending receipt of information under Clause (iv), the Head of Office shall withhold ten per cent of the death gratuity.

(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 revocable from the deceased Government servant and the amount of gratuity withheld shall be paid to the person or persons to whom the amount of death gratuity was paid.

(vii) If the Head of Office has received intimation from the Directorate of Estates under Clause (iv) regarding licence fee outstanding against the deceased Government servant, 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 servant. If as a result of verification, it is found that the amount of licence fee shown as outstanding by the Directorate of Estates, had already been recovered, the Head of Office shall draw the attention of the Directorate of Estates to the pay bills under which the necessary recovery of the licence fee was made and subject to the provisions of sub-rule (2) take steps to pay the amount of the gratuity withheld under Clause (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 the deceased Government servant, 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 gratuity was paid.

(ix) Any amount of licence fee or damages, remaining unpaid after adjustment from the withheld amount of gratuity, may be ordered to be recovered by the Head of Office through the Accounts Officer concerned from the dearness relief without the consent of the family pensioner. In such cases no dearness relief shall be disbursed until full recovery of such dues has been made.

(2) Dues other than those referred to in sub-rule (1) -

The Head of Office shall, within one month of the receipt of intimation regarding death of a Government servant take steps to ascertain if any dues as referred to in Rule 71 excluding the dues pertaining to the allotment of Government accommodation were recoverable from the deceased Government servant. Such ascertainable dues shall be recovered from the amount of death gratuity becoming payable to the family of the deceased Government servant.

80-D. Payment of family pension and death gratuity when a Government servant dies while on deputation

(1) In the case of a Government servant who dies while on deputation to another Central Government Department, action to authorize family pension and death gratuity in accordance with the provisions of this Chapter shall be taken by the Head of Office of the borrowing Department.

(2) In the case of a Government servant who dies while on deputation to a State Government or while on foreign service, action to authorize the payments of family pension and death gratuity in accordance with the provisions of this Chapter shall be taken by the Head of Office or the cadre authority which sanctioned the deputation of the Government servant to the State Government or to the foreign service.

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

(1) Where the Head of Office has received an intimation regarding the death of a retired Government servant who was in receipt of pension, he shall ascertain whether any family pension or residuary gratuity or both is or are payable in respect of the deceased pensioner:

Provided that the Head of Office may, when he considers it necessary so to do, consult the Accounts Officer.

- (2) (A) (i) If the deceased pensioner is survived by a widow or widower who is eligible for the grant of Family Pension, 1964 under Rule 54, the amount of Family Pension, 1964 as indicated in the Pension Payment Order shall become payable to the widow or widower, as the case may be, from the day following the date of death of the pensioner.
- (ii) On receipt of a claim in Form 14 from the widow or widower, the Pension Disbursing Authority from whom the deceased pensioner was drawing his or her pension shall authorise the payment of Family Pension, 1964 to the widow or widower, as the case may be.

Provided that in case the pensioner and spouse were holding a joint account, there is no requirement of submitting a claim in Form 14. The spouse shall inform the Pension Disbursing Authority of death of the pensioner and request for commencement of family pension through a simple letter. He/she shall enclose a copy of death certificate of pensioner, PPO and an undertaking that any amount to which he/she is not entitled or any amount which may be credited to his/her account in excess of the amount to which he/she is entitled would be refunded or made good.

- (B) (i) Where the deceased pensioner is survived by *an eligible child or children or dependent parents or dependent disabled siblings*, the guardian *of* or the child or children *or dependent parents or dependent disabled siblings, whoever is/are entitled to receive family pension in terms of rule 54* may submit a claim in Form 14 to the Head of Office for the payment of Family Pension, 1964:

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the son or unmarried daughter claimant if he or she has attained the age of eighteen years *and is not suffering from any disorder or disability of mind* and such a person may himself or herself submit a claim in the said Form.

Provided further that the mother shall apply for the family pension where both mother and father of the deceased pensioner are alive and entitled to receive family pension in terms of rule 54.

- (ii) On receipt of a claim from the guardian, the Head of Office shall sanction the Family Pension, 1964 in Form 20

- (C) (i) Where a widow or widower in receipt of Family Pension, 1964 remarries and has, at the time of remarriage, child or children from the former spouse who is or are eligible for Family Pension, 1964 the remarried individual shall be eligible to draw the Family Pension, 1964 on behalf of such child or children if such individual continues to be the guardian of such child or children.
- (ii) For the purposes of sub-clause (i), the remarried individual shall apply to the Head of Office on plain paper furnishing the following particulars, namely :-
- (a) a declaration that the applicant continues to be the guardian of such child or children;
 - (b) the date of remarriage;
 - (c) the name and date of birth of the child or children from the former spouse;
 - (d) the pension disbursing authority from where payment of Family Pension 1964 on behalf of such child or children is desired;
 - (e) full postal address of the applicant.
- (iii) If the remarried individual has, for any reason, ceased to be the guardian of such child or children, the Family Pension, 1964 shall become payable to the person entitled to act as guardian of such child or children under the law for the time being in force and such person may submit a claim in Form 14 to the Head of Office for the payment of Family Pension, 1964 :

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the son or unmarried daughter if he or she has attained the age of eighteen years and such person may himself or herself submit a claim in the said Form.

- (iv) On receipt of the claim referred to in sub-clause (iii), the Head of Office shall sanction Family Pension, 1964 in Form 21.

- (D) (i) Where a widow or widower in receipt of Family Pension, 1964 dies and leaves behind *eligible child or children or dependent parents or dependent disabled siblings, eligible child or children or the guardian or the child or children or parents or disabled siblings, whoever is/are entitled to receive family pension in terms of rule 54* may submit a claim in Form 14 to the Head of Office for the payment of Family Pension, 1964 :

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the son or unmarried daughter claimant if he or she has attained the age of eighteen years *and is not suffering from any disorder or disability of mind* and such person may himself or herself submit claim in the said Form.

Provided further that the mother shall apply for the family pension where both mother and father of the deceased Government servant or pensioner are alive and entitled to receive family pension in terms of rule 54.

- (ii) On receipt of a claim under sub-clause (i) the Head of Office shall sanction Family Pension, 1964 in Form 21.

(E) Where the name(s) of permanently disabled child or children or siblings and/or dependent parents had been added to the Pension Payment Order issued to the retiring Government servant, fresh Pension Payment Order shall not be issued and the family pension will be payable in such cases by the pension disbursing authority in the following order and the following manner:

- (i) To the spouse – on the death of the pensioner - on production of death certificate of pensioner. This family pension will continue till death or remarriage of spouse. In the case of a childless widow, the family pension may continue even after her re-marriage as per rules.*
- (ii) To the permanently disabled child or children – on the death/remarriage of spouse – on production of such death certificate/remarriage-intimation. Family pension to the spouse will be discontinued and family pension would be allowed by the PDA for life for permanently disabled children in the order prescribed in Rule 54 of the CCS (Pension) Rules, 1972.*
- (iii) To the dependent parents – first mother, then father - when claimants in (i) and (ii) die or become ineligible – on production of death certificate/remarriage-intimation of spouse and/or death certificates of all permanently disabled children, family pension would be allowed by the PDA to dependent parents. This family pension would continue till death of the dependent parents.*
- (iv) To the permanently disabled siblings – when family pension to all above ceases to be payable on account of death/re-marriage – on production of death certificates/ remarriage-intimation as applicable, the family pension will be allowed by PDA to the permanently disabled siblings.*

(F) In all other cases where there are other eligible prior claimants to family pension in accordance with rule 54, the names of disabled child or children or dependent parents or permanently disabled siblings will be added to the Pension Payment Order issued to the preceding eligible family pensioner. Family pension to these permanently disabled child or children or siblings or dependent parents will be payable after the death or ineligibility of the prior claimant, as the case maybe.

(G) Such an authorisation shall become invalid in case a person becomes member of family after issue or amendment of such Pension Payment Order and is entitled to

family pension prior to the disabled child or sibling or dependent parents at the time of the death of the pensioner or his/her spouse.

- (3) Omitted
- 4) Where on the death of a retired Government servant a residuary gratuity becomes payable to the family of the deceased under sub-rule (2) of Rule 50, the Head of Office shall sanction its payment on receipt of a claim or claims in Form 22 from the person or persons eligible to receive the residuary gratuity.

65-A *Where there are permanently disabled child or children or siblings and/or dependent parents in the family of the retiring Government servant and in accordance with rule 54, there are no other eligible prior claimants to family pension except spouse, such disabled children or dependent parents or disabled siblings shall be authorised by the Accounts Officer in the Pension Payment Order along with the spouse of the retiring Government servant. Family pension will be payable in such cases by the pension disbursing authority in the order and manner given in sub-rule (2) of rule 81.*

80-B (8) *Where there are permanently disabled child or children or siblings and/or dependent parents in the family of the deceased Government servant and in accordance with rule 54, there are no other eligible prior claimants to family pension except the claimant, such disabled children or dependent parents or disabled siblings shall be authorised by the Accounts Officer in the Pension Payment Order of the claimant. Family pension will be payable in such cases by the pension disbursing authority in the order and manner given in sub-rule (2) of rule 81.*