

86372

FIRST LIST
of
ADDITIONS AND CORRECTIONS
to
SWAMY'S PENSION COMPILATION
[THIRTEENTH EDITION]

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Page 6, Rule 5

Insert the following as Government of India's Decision (2) below this rule:—

(2) Day of death of an official on EXOL/EL on MC, to be treated as a part of leave.—In a particular case, the Director of Accounts (Postal), Madras, made a reference for clarification whether the day of death of an official who is on EXOL/EL on MC can be treated as a working day where the disbursing officer has drawn the full duty pay and allowances for the day of death by quoting Rule 5 (ii) of CCS (Pension) Rules, 1972, as per which the day of death shall be treated as a "working day".

The Department of Personnel and Training have been consulted and the advice given by them is reproduced below for information and reference.

"In the case under reference, the Government servant immediately before his death while in service had been absent from duty on extraordinary leave on medical grounds. It cannot be presumed that had he not died, he would have reported for duty. For resuming duty he was required to submit medical fitness certificate which it appears had not been issued in his favour. A medically unfit person cannot be treated as on duty. As such in the instant case, the day of death of the Government servant has to be treated as a part of leave which he was availing of on the day previous to the day of death."

[G.I., Dept. of Posts, Lr. No. 4-14/93-Pen., dated the 24th August, 1993.]

(No. 6, dated the 1st December, 1994.)

Page 16, Rule 10

Substitute the words '**ninety days**' for the words '**sixty days**' occurring in sub-rule (4) of this rule.

[G.I., Dept. of Per. & Trg., Notfn. No. 27012/51/93-Estt. (A), dated the 18th April, 1994, published as GSR 389 (E) in the Gazette of India Extraordinary, dated the 18th April, 1994 and takes effect from the same date.]

(No. 7, dated the 1st December, 1994.)

Pages 19 to 23, Rule 10

<i>Substitute</i>	<i>For</i>
(i) 90 days	60 days
(ii) 45 days	30 days
(iii) 30 days	3 weeks
and (iv) ten days	seven days

wherever they occur in the Government of India's Decisions (3) and (4) and Annexure 1 below GID (3) below this Rule.

[G.I., Dept. of Per. & Trg., O.M. No. 27012/51/93-Estt. (A), dated the 9th May, 1994.]

(No. 8, dated the 1st December, 1994.)

Page 38, Rule 17

Insert the following as Government of India's Decision below this rule:—

GOVERNMENT OF INDIA'S DECISION

Interest to be paid at the rate applicable to GPF deposits.—* 3.** It has been decided that wherever the employees are required to refund the pensionary benefits received by them for the service already rendered by them under the Central or State Government or autonomous bodies in order to avail of the benefit of counting of past services for pension purposes in terms of the provisions of Rules 17 to 20 of CCS (Pension) Rules, 1972 and Department of Pension and Pensioners' Welfare, O.M. No. 28/10/84-PU, dated the 29th August, 1984, as amended from time to time, the rate of interest will be the rate applicable on GPF accumulations from time to time, for the period from the date of receipt of pensionary benefits to the date of their refund to the Government/Autonomous Body.

4. 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 pensionary benefits already received by him within one month of the receipt of communication from the Government/Autonomous Body, a penal interest at one per cent per annum will be charged in addition to normal rate of interest mentioned above.

5. (a) ***

(b) The rate of interest mentioned in para. 3 above will be applicable in cases of Government servants/employees of autonomous bodies where pensionary benefits already drawn have not been refunded to Government/Autonomous Body, as on date of issue of this OM.

6. All existing instructions relating to interest rate payable by the Government or the employees, as the case may be, will cease to operate with effect from the date of issue of this OM.

[G.I., Dept. of Pen. & P.W., O.M. No. F. 7/1/93-P. & P.W. (F), dated the 25th August, 1994.—Paras. 3, 4, 5 (b) and 6]

(No. 9, dated the 1st December, 1994.)

Page 44, Rule 19

Insert the following as Government of India's Decision (1-A) below this Rule:—

(1-A) Interest to be at the rate applicable to GPF balances.—Please see Government of India's Decision below Rule 17.

[G.I., Dept. of Pen. & P.W., O.M. No. F. 7/1/93-P. & P.W. (F), dated the 25th August, 1994.]

(No. 10, dated the 1st December, 1994.)

Page 45, Rule 19

Insert the following as Government of India's Decision (6) below this rule:—

(6) Re-employed military pensioners can exercise option under Rule 19 (1) up to 23rd November, 1994.—Under O.M. No. 28/50/87-P. & P.W., dated the 31st May, 1988, a re-employed military personnel seeking the benefit of past service under Rule 19 (1) of CCS (Pension) Rules is allowed to exercise option for counting of military service as qualifying service within a period of one year from the date of joining civil service or post. It is also laid down that the amount of pension, gratuity, etc., already received by such Government servants from the military authorities shall be refunded to the Government with interest from the date of their joining the civil service. In the said order, it was specifically laid down that the administrative authorities concerned are required to incorporate in the order of re-employment itself a clause to the effect that if the re-employed ex-serviceman desired to take advantage of the retirement benefit based on combined military and civil service, he should exercise option within a period of one year from the date of his re-employment.

2. It has been represented by Associations of Military Pensioners and individuals that in some cases it has not been possible for Ministries/ Departments and field offices to disseminate the information about the facility for exercise of option in terms of the above-mentioned orders to the affected officers/servicemen who were posted in the different parts of the country. As a result, many of these officers/servicemen could not avail of the opportunity to exercise their options within the stipulated period. Keeping in view these representations, it has been decided as a one time relaxation, to provide a last opportunity to military pensioners who are presently re-employed in civil posts/services to exercise the option for counting of military service as qualifying service within a period of 6 months from the date of issue of these orders.

3. The officers/servicemen exercising option in accordance with the provisions of this OM for counting of military service as qualifying service shall be required to refund the benefits in accordance with the provisions of the Rule 19 (1) of CCS (Pension) Rules, 1972, along with 6 per cent simple interest as already notified, *vide* OM of 31st May, 1988, referred to above.

[G.I., Dept. of Pen. & P.W., O.M. No. 28/29/93-P. & P.W. (B), dated the 23rd May, 1994.]

(No. 11, dated the 1st December, 1994.)

Page 63, Rule 32

Insert the following as Government of India's Decision (2) below this rule:—

(2) Verification of qualifying service should be done as provided in the statutory rules.—The Study Team came to the conclusion that verification of qualifying service takes a lot of time in the absence of proper entries and verification of service recorded in the service book. The Study Team, therefore, recommended verification of qualifying service should be done as provided in the statutory rules.

[G.I., Dept. of Pen. & P.W., O.M. No. 38/116/93-P. & P.W. (F), dated the 2nd May, 1994.—Para. 3.]

(No. 12, dated the 1st December, 1994.)

Page 66, Rule 33.

Insert the following as Government of India's Decision (4) below this rule:—

(4) Twenty per cent of basic pay to be treated as basic pay for purpose of retirement/death gratuity with effect from 16-9-1993.—It has been decided that for Central Government employees who retire or die on or after 16th September, 1993, a portion of the dearness allowance as linked to average CPI of 729.91 obtaining as on 1-3-1988, i.e., 20% of basic pay shall be treated as dearness pay. This dearness pay will count only for reckoning emoluments for the purpose of retirement gratuity and death gratuity under the CCS (Pension) Rules, 1972, and for no other purpose.

2. These orders come into effect from 16-9-1993 and the Death/Retirement Gratuity of persons who have already died/retired on or after 16-9-1993, shall be recalculated on the basis of these orders and arrears, if any, shall be paid.

3. These orders shall apply to all Central Government employees who are governed by CCS (Pension) Rules, 1972. Separate orders will be issued by the respective administrative authorities in respect of members of the Armed Forces and All India Services and Railway employees.

[G.I., Dept. of Pen. & P.W., O.M. No. 7/2/93-P. & P.W. (F), dated the 19th October, 1993.]

Clarifications.—A number of Ministries/Departments have sought clarifications on certain points. The correct position on the various points is as under—

Point 1.—Whether 20% of Dearness Allowance or 20% of basic pay is to be treated as Dearness Pay for reckoning emoluments for the purpose of retirement gratuity and death gratuity?

Clarification.—It is clarified that 20% of basic pay drawn by the Government servant shall be treated as Dearness Pay for the purpose of death gratuity and retirement gratuity only.

Point 2.—Whether the basic pay to be taken into account will be the basic pay at the time of retirement or the basic pay as on 1-3-1988?

Clarification.—Under Rule 50 (5) of the CCS (Pension) Rules, 1972, gratuity is calculated on the basis of emoluments as defined under Rule 33 of the said rules which a Government servant was drawing immediately before his retirement. It is clarified that, with effect from 16-9-1993, 20% of basic pay drawn by the Government servant at the time of retirement shall be treated as dearness pay for the purpose of reckoning retirement/death gratuity.

Point 3.—Whether the intention is to treat 20% of basic pay uniformly for all Government employees who retire on or after 16-9-1993, irrespective of different pay ranges existing for payment of dearness allowance.

Clarification.—It is clarified that 20% of basic pay is to be treated as dearness pay for the purpose of reckoning retirement/death gratuity irrespective of different pay ranges existing for payment of dearness allowance.

Point 4.—Whether there will be any change in the upper ceiling of maximum amount of gratuity admissible to a Central Government employee consequent on the issue of the above orders.

Clarification.—It is clarified that there is no change in the existing maximum limit of the gratuity, i.e., 16½ times of emoluments or Rs. one lakh, whichever is less.

3. Ministry of Finance are requested to kindly bring these clarifications to the notice of all the Heads of Offices, Pay and Accounts Offices, etc., under their administrative control.

[G.I., Dept. of Pen. & P.W., O.M. No. 7/2/93-P. & P.W. (F), dated the 4th April, 1994.]

(No. 14, dated the 1st December, 1994.)

Page 66, Rule 33

Insert the following as Government of India's Decision (3) below this rule:—

(3) Nursing allowance, uniform allowance, washing allowance, special pay and qualification pay received by nursing personnel do not count as emoluments.—Enquiries are being received from time to time whether the Nursing Allowance, Uniform Allowance, Washing Allowance, Special Pay and Qualification Pay granted to nurses working in Central Government institutions under the following orders:—

- (i) No. Z-29016/4/87-PMS, dated 11-2-1987, about Nursing Allowance;
- (ii) Z-28016/2/87-PMS, dated 11-2-1987, about Uniform Allowance;
- (iii) No. Z-28016/3/87-PMS, dated 11-2-1987, about Washing Allowance;
- (iv) No. Z-28016/17/89-PMS, dated 23-10-1989, about Special Pay; and
- (v) No. Z-28016/8/87-PMS, dated 23-3-1988, about Qualification Pay;

are counted for the purpose of determining pension/gratuity, etc.

2. It is clarified that as per the Pension Rules, the term 'emoluments' for purpose of calculating various retirement and death benefits shall mean basic pay as defined in FR 9 (21) (a) (i) which the Government servant was receiving immediately before his/her retirement or on the date of his death, i.e., it includes only basic pay (substantive or officiating) drawn by him/her but does not include Special Pay, Personal Pay, Deputation (Duty) Allowance, etc. However, Non-Practising Allowance and Stagnation Increments count as "emoluments".

3. In view of the above definition of "emoluments" for purpose of determining pension/gratuity, the allowances such as Nursing Allowance, Uniform Allowance, Washing Allowance, Special Pay and Qualification Pay drawn by nursing personnel working in the Central Government Hospital/Institutions/Hospital run by the Delhi Administration, including Municipal Corporation of Delhi and New Delhi Municipal Committee and Centrally funded autonomous bodies like All India Institute of Medical Sciences, New Delhi, Postgraduate Institute of Medical Education and Research, Chandigarh, etc., do not count as 'emoluments' for purposes of retirement benefits.

4. This issues with the concurrence of Department of Pension and Pensioners' Welfare (Pension Unit), New Delhi, *vide* their Dy. No. 7464, dated 7-5-1992.

[G.I., Min. of Health and F.W., O.M. No. Z-28016/14/90-PMS, dated the 20th July, 1992.]

(No. 13, dated the 1st December, 1994.)

Page 75, Rule 37

Insert the following as Government of India's Decision (2) below this rule:—

(2) Entitlement to family pension should be indicated in the pension calculation sheet.—Please see Government of India's Decision (3) below Rule 61.

[G.I., Dept. of Pen. & P.W., O.M. No. 29/4/91-P. & P.W. (F), dated the 13th January, 1993.]

(No. 15, dated the 1st December, 1994.)

Page 76, Rule 38

Insert the following as Government of India's Decision below this rule:—

GOVERNMENT OF INDIA'S DECISION

Report of Medical Board to precede or coincide with the actual date of retirement applied for.—The Study Team had recommended that in case of invalid pension, the report of Medical Board should precede or coincide with the actual date of retirement applied for on the grounds of invalidation. According to the provisions contained in Rule 38 of the CCS (Pension) Rules, 1972, a Government servant is required to make known his intention of retirement on invalid grounds to the Head of Office who will then refer the Government servant to a Medical Board or a Civil Surgeon, etc., as the case may be. The invalid pension in such cases is sanctioned after a Medical Certificate of incapacity from the appropriate medical authority is received. Cases have come to notice where invalid pension was sanctioned after considerable delay. All Heads of Offices are, therefore, advised that whenever a Government servant applies for retirement on grounds of invalidation, the case may be referred to the concerned medical authority immediately so that their findings are available without delay.

[G.I., Dept. of Pen. & P.W., O.M. No. 38/116/93-P. & P.W. (F), dated the 24th August, 1994.]

(No. 16, dated the 1st December, 1994.)

Page 402, Appendix 12

Insert the following at the end of Section V of this Appendix:—

Interest to be at the rate applicable to GPF accumulations from time to time.—Please see Government of India's Decision below Rule 17.

[G.I., Dept. of Pen. & P.W., O.M. No. F. 7/1/93-P. & P.W. (F), dated the 25th August, 1994.]

(No. 32, dated the 1st December, 1994.)

Page 86, Rule 48

Insert the following as Rule 48-C:—

48-C. Addition to qualifying service in the case of Pioneers in General Reserve Engineers Force

(1) The qualifying service of Pioneers as on the date of retirement, retiring under the 2nd proviso to clause (e) of Rule 56 of the Fundamental Rules or 1st proviso of clause (f) of Article 459 of the Civil Service Regulations shall be increased by the period not exceeding 5 years, subject to the condition that the total qualifying service rendered by the Government servant does not in any case exceed 33 years.

(2) The qualifying service of the Pioneers as on the date of retirement, retiring under the 3rd proviso of clause (e) of Rule 56 of the Fundamental Rules or the 2nd proviso to clause (f) of Article 459 of the Civil Service Regulations shall be increased by the period not exceeding 5 years, subject to the condition that the total qualifying service rendered by the Government servant does not in any case exceed 33 years and it does not take him beyond the date of superannuation.

(3) The provision in sub-rule (1) and sub-rule (2) will be without prejudice to the provisions contained in Rule 48-B in the event of the Pioneers seeking voluntary retirement under the relevant rules mentioned therein and subject to their fulfilment of the conditions prescribed by those rules.

[G.I., Dept. of Pen. & P.W., Notfn. No. 38/66/93-P. & P.W. (A), dated the 13th September, 1993.]

(No. 17, dated the 1st December, 1994.)

Page 87, Rule 49

Insert the following “Clarification” below Government of India’s Decision (3) below this Rule:—

Clarification.—*** The matter has been re-examined in consultation with the Department of Pension and Pensioners’ Welfare and it is clarified that the expression, “*maximum family pension*” should be understood to mean not the whole amount of family pension payable in each case but the maximum family pension admissible under the rules, i.e., Rs. 1,250 at ordinary rates and Rs. 2,500 at enhanced rates. The cases of family pension may, therefore, be decided accordingly before making reference to the Department of Pension and Pensioners’ Welfare.

[G.I., M.F., O.M. No. G. 19011/2/90-MF-CGA/Pension/605, dated the 8th December, 1992.]

(No. 18, dated the 1st December, 1994.)

Page 110, Rule 54

Substitute the following for the existing sub-rule (13-A):—

(13-A) A military pensioner, who on retirement from military service, on retiring pension, service pension or invalid pension is governed for the grant of the ordinary family pension by Army Instruction 2/S/64 or corresponding Navy or Air Force Instructions and is re-employed in a civil service or civil post before attaining the age of superannuation, shall for the purpose of eligibility for the family pension admissible under this rule or the family pension already authorized under the aforesaid Army/Navy/Air Force Instruction, be governed as follows:—

- (i) if he dies while holding a civil post, his family shall be allowed family pension under these rules or the family pension authorized at the time of retirement or discharge from the military service, whichever is more advantageous to the family;**
- (ii) if he has, on appointment to a civil service or post, opted to retain military pension for the past military service—**
 - (a) and retires from the civil re-employment without earning any pension therefor, his family shall be entitled to family pension as authorized at the time of his retirement/discharge from military service;**
 - (b) retires from civil re-employment after becoming eligible for pension therefor, he shall exercise an option at the time of applying for pension for civil service either to be governed by family pension under these rules or to avail of family pension benefits as authorized at the time of his retirement/discharge from military service and the said option once exercised shall be final.**
- (iii) if on appointment to a civil service or post, he has opted to surrender military pension and count the military service for civil pension, his family shall be entitled to family pension under these rules.**

[G.I., Dept. of Pen. and P.W., Notfn. No. 1 (65)-P. & P.W./91-E, dated the 19th May, 1993]

(No. 19, dated the 1st December, 1994.)

Page 311, Appendix 6

Insert the following in the Table under the heading “Dearness Relief on Pension/Family Pension” after 1-7-1992:—

1-1-1993	92%	69%	1,610	59%	2,070
1-7-1993	97%	73%	1,698	63%	2,190
1-1-1994	104%	78%	1,820	67%	2,340
1-7-1994	114%	85%	1,995	74%	2,550

(No. 31, dated the 1st December, 1994.)

Page 115, Rule 54

Substitute the following for the existing Government of India's Decision (7) below this rule:—

(7) Procedure for payment of family pension to handicapped children.—Under O.M. No. 1/80/89-P. & P.W. (C), dated the 19th February, 1990, the condition of manifestation of the disability of children before retirement or death in harness of the Government servant for grant of family pension for life has been dispensed with. Representations have been received that in such cases difficulties are experienced on account of the fact that the disability of the child is not mentioned in the details contained in the PPO.

2. Only the revised PPO forms introduced with effect from 1-1-1990, contains provisions for entry of details of all members of the family. The PPOs issued prior to that date will not contain the names of children of the pensioner. Since only in the case of spouse of the pensioner the payment of the family pension becomes automatic on production of the death certificate and in other cases the family pension is to be authorized by the authority who sanctioned the original pension, the fact that the disability of any particular child is not mentioned in the PPO should normally not impose any hardship. However, it has been represented that in the case of a mentally handicapped child, it will be difficult to claim family pension when his or her turn comes for payment of family pension. In order to expedite sanction of family pension in such cases, the following procedure is prescribed.

3. Where the names of eligible children have not been mentioned in the PPO for various reasons like the pension was sanctioned prior to 1-1-1990, the child is a post-retiral one or post-retiral manifestation of disability of the child, the pensioner, if he so desires, can furnish a list of eligible children to the pension sanctioning authority, *inter alia*, indicating whether any child is handicapped or not. The receipt of this list may be acknowledged by the pension sanctioning authority, mentioning the details of the eligible children taken on record. This acknowledgement may be preserved by the members of the family of the pensioner for production at the time of submission of claim for family pension in their own turn to the pension sanctioning authority. In case of mentally retarded children or minor who would draw pension through a guardian, the responsibility of producing this acknowledgement will devolve on the guardian. The production of acknowledgement will, however, not be a pre-condition to the processing of claims for family pension.

4. Ministry of Finance, etc., are requested to kindly bring this to the notice of all offices under their control.

5. This OM issues in consultation with C. & A.G., *vide* U.O. No. 899-AC. II/93-94. I, dated 28-10-1992.

[G.I., Dept. of Pen. & P.W., O.M. No. 1 (21)-P. & P.W./91-E, dated the 20th January, 1993.]

(No. 20, dated the 1st December, 1994.)

Page 119, Rule 54

Insert the following as Government of India's Decision (12-A) below this rule:—

(12-A) Family pension should be sanctioned from the date of lodging FIR or expiry of leave of the employee, whichever is later.—*** At present the family pension is sanctioned and paid to the eligible member of the family one year after the date of registering the FIR with the police and no family pension is paid for the intervening period of one year from the date the FIR is lodged to the date the family pension can be sanctioned. This practice is causing hardship to the families. It has now been decided that the family pension, which, in pursuance of the earlier orders, will continue to be sanctioned and paid one year after the date of lodging the FIR, will accrue from the date of lodging the FIR or expiry of leave of the employee who has disappeared, whichever is later. When the sanction for family pension is issued, the payment of pension from the date of accrual may be authorized. The usual procedure of obtaining the indemnity bond, etc., is laid down in the OM, dated 29-8-1986 [*Decision (12) above*] will continue to be followed. While sanctioning payment of family pension, it will be ensured by the concerned authorities that family pension is not authorized for any period during which payment of pay and allowances in respect of the disappeared employee has been made.

[G.I., Dept. of Pen. & P.W., O.M. No. 1 (17)-P. & P.W./86-E, dated the 18th February, 1993.]

(No. 21, dated the 1st December, 1994.)

Page 163, Rule 79

Insert the following as Government of India's Decision (2) below this rule:—

(2) Action to be initiated immediately on receipt of intimation of death without waiting for formal death certificate.—The Study Team has recommended that the delay in sending the claim papers to the family of deceased Government servants should be avoided. In this connection, attention is invited to the detailed instructions which already exist in Chapter IX of the CCS (Pension) Rules, 1972, which provide that the Head of Office should take immediate action for sanction of family pension and other retirement benefits in case of death while in service. These instructions should be strictly followed in cases of death of a Government servant while in service to avoid delay in payment of admissible pensionary benefits. Action to process such cases should be initiated immediately on the receipt of intimation of death without waiting for production of the formal death certificate.

[G.I., Dept. of Pen. & P.W., O.M. No. 38/116/93-P. & P.W. (F), dated the 2nd May, 1994—Para. 5.]

(No. 28, dated the 1st December, 1994.)

Page 134, Rule 59

Substitute the following for the existing clause (c) of sub-rule (1) of this rule:—

- (c) **Third Stage.**—As soon as the second stage is completed and in any case not later than 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.
 - (ii) In case of any difficulty in determining the length of qualifying service on account of non-availability of service records, 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.
 - (iii) Forward to the retiring Government servant Form 4 and Form 5 advising him to submit the same duly completed in all respects so as to reach the Head of Office not later than eight months prior to his date of retirement.

[G.I., Dept. of Pen. & P.W., Notfn. No. 38/84/89-P. & P.W. (F), dated the 3rd September, 1993.]

(No. 23, dated the 1st December, 1994.)

Page 134, Rule 60

Insert the following as Government of India's Decisions below this rule:—

GOVERNMENT OF INDIA'S DECISIONS

(1) Staff dealing with pension matters to be trained properly in pension procedures.—The Study Team has pointed out that staff responsible for processing pension cases were found to be not fully aware of the urgency of maintaining the time-schedule for obtaining and processing of pension papers. It was also found that staff dealing with pension had not undergone any training on the subject. The Ministries/Departments are advised to ensure that staff dealing with pension matters are trained properly in pension procedures and they should be sent for in-service training from time to time.

(2) Periodical co-ordination meeting between Administrative Heads and Accounts Offices.—The Study Team has highlighted the need for co-ordination and periodical meetings between Administrative Head and Accounts Office to sort out any shortcomings in the service record of retiring persons. Such meetings should be monitored at the highest level.

[G.I., Dept. of Pen. & P.W., O.M. No. 38/116/93-P. & P.W. (F), dated the 2nd May, 1994.—Paras. 6 and 8.]

(No. 24, dated the 1st December, 1994.)

Page 150, Rule 68

Insert the following as Government of India's Decision (4) below this rule:—

(4) Responsibility to be fixed and disciplinary action taken in cases where payment of interest is sanctioned by the Secretary of the Ministry/Department.—The Study Team has recommended that adequate precautions should be taken by the Heads of Office so that payment of interest on delayed payment of gratuity is avoided. Moreover, dealing hand should be made accountable and responsibility be fixed if he is guilty of not taking timely action in this regard.

In spite of statutory provisions in the rules, cases must have come to the notice of Ministries/Departments where heavy interest charges have been imposed by the Courts for delayed payment of pension/gratuity. Attention in this connection is drawn to Rule 68 (4) of the CCS (Pension) Rules, 1972, providing that in all cases where 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 delay in payment of gratuity. The Administrative Heads of the Ministries/Departments are requested to keep these provisions in view for fixation of responsibility and taking suitable disciplinary action wherever employees are found guilty of not taking timely action.

[G.I., Dept. of Pen. & P.W., O.M. No. 38/116/93-P. & P.W. (F), dated the 2nd May, 1994—Para. 4.]

(No. 27, dated the 1st December, 1994.)

Page 142, Rule 64

Insert the following para. at the end of Government of India's Decision (3) below this rule:—

Head of Office should exercise his option so that retiring person gets his pension in time.—Rule 64 stipulates that Head of Office is empowered to sanction provisional pension and gratuity for a period of six months to a retiring employee, if he is of the opinion that the Government servant is likely to retire before his pension and gratuity or both can be finally assessed. The Study Team has observed that this option has not been exercised at all in many cases and the retiring person could not get his pension in time due to one or the other objection. In this connection, attention is also invited to Decision (3) above, whereby Heads of Departments/Offices were made accountable for strict compliance of Government orders for issuing authorization of Pension and Gratuity, provisional or final, at the date of retirement on superannuation.

[G.I., Dept. of Pen. & P.W., O.M. No. 38/116/93-P. & P.W. (F), dated the 2nd May, 1994.—Para. 9.]

(No. 25, dated the 1st December, 1994.)

Page 146, Rule 68

Substitute the following for the existing Government of India's Decision (2) below this rule:—

(2) Interest to be at the rate applicable to GPF deposits.—1. In supersession of O.M. No. 7/3/84-PU, dated the 28th July, 1984, it has been decided that where the payment of DCRG has been delayed beyond three months from the date of retirement, an interest at the rate applicable to GPF deposits (at present 12 per cent compounded annually) will be paid to retired/dependants of deceased Government servants.

2. The Administrative Ministries are requested to ensure that in all cases where interest has to be paid on Death-cum-Retirement Gratuity because of administrative delay, action should be taken against the officer responsible for the delay.

5. (a) The rate of interest mentioned in Para. 1 above will be applicable in all cases where the DCRG has not been paid as on date of issue of this OM.

6. All existing instructions relating to interest rate payable by the Government or the employees, as the case may be, will cease to operate with effect from the date of issue of this OM.

[G.I., Dept. of Pen. & P.W., O.M. No. F. 7/1/93-P. & P.W. (F), dated the 25th August, 1994.—Paras. 1, 2, 5 (a) and 6.]

(No. 26, dated the 1st December, 1994.)

Page 128, Rule 54

Insert the following as Government of India's Decision (21) below this rule:—

(21) Option for defence beneficiaries to draw family pension either from Defence or Civil source, whichever is more beneficial.—A number of representations have been received from the families of Armed Forces pensioners who are drawing their family pension from the Central Government/State Governments/PSUs/Autonomous Bodies where the deceased Armed Forces pensioners were re-employed. Such family pensioners are representing for being allowed an option to draw military family pension if the same is more beneficial.

2. The question of grant of such an option for drawing ordinary family pension for the Armed Forces service rendered by the Armed Forces pensioners has been under consideration of the Government for some time. The President is pleased to decide that the families of the Armed Forces pensioners who were in receipt of military pension till their death, (their widows/eligible members of the families drawing family pension from the Central Civil Ministries/Departments/State Governments/PSUs/Autonomous Bodies) for the re-employed service of the deceased may now be allowed to exercise an option within two years from the date of issue of this letter or the date of death of the Armed Forces pensioners, whichever is later, to draw ordinary military family pension with effect from 1-1-1992, or the date following the date of death of pensioner, whichever is later, forgoing the family pension from the Civil source from that date. Such an option will be exercised in the form prescribed at Appendix to this letter. Those family pensioners who do not opt for drawal of ordinary military family pension within the stipulated period of two years, will be deemed to have opted for continued drawal of ordinary family pension from civil side.

Action by family pensioners

3. The application form (as per Appendix) will be submitted in quadruplicate to the authorities indicated below duly countersigned by the Pension Disbursing Authority for civil family pension concerned—

Commissioned Officers

Personnel below officer rank

Army

(i) AG's Br./Org. 3 and 9, West Block III, R.K. Puram, New Delhi-110 066, in respect of all officers other than officers of AMC/ADC/MNS.

Respective Record Offices.

(ii) Director-General, Medical Services, MPRS (O) 'L' Block, New Delhi-110 011, in respect of Commissioned Officers of AMC/ADC/MNS.

C2—CL/3

Commissioned Officers

Personnel below officer rank

Air Force

Air Headquarters/Dte. of PP & R, West Block
VI, R. K. Puram, New Delhi-110 066.

Air Force, Record Office, Subroto Park,
New Delhi-110 010.

Navy

NHC/Dte. of P & A, 'D' Wing, Sena Bhavan,
New Delhi-110 011.

Bureau of Sailors, Mankhurd Road,
Cheetah Camp, Bombay.

Action by the Civil Family Pension Paying Authority

4. The civil pension paying authority should scrutinize the entries/complete the entries in Part I of the application form and countersign in Part II of the application form and hand over the same to the family pensioner for onward transmission to Service Headquarters/Record Office concerned along with two copies of passport size photograph duly attested, two specimen signatures duly attested on a separate sheet of paper and two slips each bearing left thumb and finger impressions duly attested on a separate sheet of paper. At this stage no copy of the application will be retained by civil family pension paying authority.

Action by the Service Headquarters/Record Office concerned

5. The concerned Service Headquarters/Record Office on receipt of the application will scrutinize the details furnished by the family pensioner in Part I of the application form with reference to the documents available at their end and indicate the amount of ordinary family pension on Defence side likely to be sanctioned or already endorsed in the Service/Retiring Pension Payment Order of the deceased Armed Forces Pensioners in the Part III of the application form. In case the family pension from the Civil side is more beneficial, the application form may be returned to the family pensioner with appropriate advice for reconsidering the option. In other cases where military family pension is more advantageous, the application form will be sent to the re-employing civil authority. At this stage no copy of the application will be retained by Service Headquarters/Record Office.

Action by the Re-employing Civil Authorities

6. On receipt of application (four copies) from the Service Headquarters/Record Office concerned, the re-employing civil authority shall issue Cancellation PPO effective after the end of nine calendar months from the date three copies of the application form and three copies of Cancellation PPO are forwarded to the Civil Pension Paying Agency after completing Part IV of the application form. A copy of the application will be retained by them and suitable entries will be made in the service records of the deceased pensioner.

Action by the Civil Pension Paying Authority

7. The Civil Pension Paying Authority shall complete Part V of the application form and forward two copies of the same to the concerned

Service Headquarters/Record Office along with two copies of the Cancellation PPO. One copy of application and Cancellation PPO each will be retained for his record.

Further action by the Service Headquarters/Record Office concerned

8. The concerned Service Headquarters/Record Office will take the following action:—

- (a) In cases where simultaneous notification/endorsement of Ordinary Family Pension does not exist on the Service/Retiring Pension Payment Order of the deceased Armed Forces pensioner, the application shall be processed in the manner as applicable in the case of pre-1964 family pension cases. A copy of the application along with a copy of Cancellation PPO in this case shall be sent to the concerned Pension Sanctioning Authority within one month of receipt of application form from the Civil Pension Paying Authority. A copy of the application and Cancellation PPO will be retained in his office.
- (b) In cases where simultaneous notification/endorsement of Ordinary Family Pension already exists in the Service/Retiring Pension Payment Order of the deceased Armed Forces Pensioner, a copy of the application together with a copy of Cancellation PPO will be sent to the Pension Sanctioning Authority concerned for cancellation of simultaneous notification/endorsement of Ordinary Family Pension Payment Order and issue of fresh Family Pension Payment Order by them. A copy of the application and Cancellation PPO will be retained in his office.

Action by the Pension Sanctioning Authority of Armed Forces Pensioners

9. The concerned pension sanctioning authority will scrutinize the application form with reference to pension documents available/received in his office and notify the Pension Payment Order sanctioning Ordinary Family Pension in favour of the claimant. Necessary adjustment of the amount on the basis of difference in amount of civil family pension and Ordinary Military Family Pension and dearness relief thereon will be worked out by the PSA and indicated in the PPO for payment. The PSA will notify the PPO within a maximum period of 60 days from the date of receipt of claim from the Service Headquarters/Record Office.

10. The benefit of option under these orders will accrue with effect from 1-1-1992 or the date following the date of death of the deceased Armed Forces Pensioner, whichever is later. The option is available for one time and once exercised shall be final.

11. The Pension Regulations for the three Services shall be amended in due course.

12. This issues with the concurrence of the Finance Division of this Ministry, *vide* their U.O. No. 2242-Pen. 92, dated 28-9-1992.

APPENDIX[*Referred to in Para. 3*]

**Application Form for drawal of
Ordinary Family Pension from Defence Source**
[*To be furnished in quadruplicate*]

To

.....
.....

Sir,

I.....widow/son/daughter of Ex. No.....
Rank.....Name.....hereby opt to draw Ordinary
Family Pension admissible to me on account of military service rendered
by the above-named deceased Armed Forces Pensioner, with effect from
1-1-1992 (or the date following the date of death of the pensioner, which-
ever is later). The pension particulars of the above-named deceased are
as under—

- (i) Pension Payment Order/PC No. (with Part,
Descriptive Serial No. and year)
- (ii) Date of commencement of military pension ...
- (iii) Date of death of the deceased
- (iv) Particulars of Service Headquarters/Record
Office (as per para. 3 of the Government letter)

2. I am in receipt of family pension from civil side on account of
re-employed service of the above-named deceased Armed Forces Pensioner
as per details given below—

- (a) Particulars of the Government/Department in
which re-employed and post held at the time of
retirement/death
- (b) Particulars of the Civil Pension Issuing Autho-
rity
- (c) Civil Pension Payment Order No. and date...
- (d) Amount of family pension
- (e) Amount of Dearness Relief (as on 1-1-1992, or
the date following the date of death of the pen-
sioner, whichever is later)
- (f) Date of commencement of family pension ...
- (g) Date of birth of son/daughter (in case family
pension is sanctioned to son/daughter) ...
- (h) Particulars of Treasury/PSB/Post Office, etc.,
from where civil family pension is being drawn
- (i) Treasury Serial No./Bank A/c No. ...

3. I hereby forgo my right to draw civil family pension from the date military family pension is sanctioned to me. I propose to draw my military family pension from Pension Paying Authority as per details given below—

- (a) Name of the Authority DPDO/TO/PSB ...
- (b) Address
- (c) Bank Account No.
(if the pension is to be drawn from PSB)

4. I certify that I have not got re-married/married (in the case of daughter) after the death of the above-named deceased pensioner or I am not otherwise disqualified from receiving ordinary family pension.

Date: Signature/Left hand thumb-impression
 Station: Name.....

PART II

[*To be countersigned by the Civil Pension Paying Authority*]

Particulars shown in para. 2 (a) to (i) have been verified/completed.

Countersigned
 Date: Signature of Civil Pension Paying
 Station: Authority
 (Seal)

PART III

[*To be completed by the Service Headquarters/Record Office*]

- (a) Amount of Defence Family Pension as per simultaneous notification/endorsement or likely to be sanctioned
- (b) Amount of Dearness Relief
- (c) PPO No. and date, if simultaneous notification/endorsement of family pension already exist...

Date: Signature of Service Headquarters
 Office/Record Office with Seal

PART IV

[*To be completed by the re-employing Civil Authority*]

Certified that the particulars given in para. 2 (a) to (i) have been verified and found to be correct. The pension to the claimant will be stopped with effect from.....(after the end of nine calendar months from the date the three copies of application duly completed are forwarded to the Civil Pension Paying Authority along with three copies of the

Cancellation PPO). One copy of this application has been retained and necessary entries made in the pension records of the deceased pensioner/claimant held by this office.

Signature.....
 Place: Designation.....
 Date: Office Seal

PART V

[*To be completed by the Civil Pension Paying Authority*]

- (a) The rate of family pension and relief as on 1-1-1992 (or the date following the date of death of the pensioner, whichever is later) is as under—
- | | | | | |
|-----------------|-----|-----|-----|-----|
| Family Pension | ... | ... | ... | Rs. |
| Dearness Relief | ... | ... | ... | Rs. |
- (b) Date of discontinuance of Civil Ordinary Family Pension consequent on issue of Cancellation PPO

Certified that one copy each of the Application Form and the Cancellation PPO have been retained and necessary note for discontinuance of Civil Family Pension has been made in the records.

Signature.....
 Name.....
 Designation.....
 Office Seal

PART VI

[*To be completed by the Service Headquarters/Record Office concerned*]

- (a) Certified that an endorsement of Family Pension does exist/does not exist in the PPO No....., dated....., of the deceased Armed Forces pensioner.

Or

Certified that endorsement of family pension was made by the pension sanctioning authority, *vide* PPO No....., dated....., in terms of Ministry of Defence, O.M. No. 6 (4)/87/1369/B/D (Pens/Sers), dated the 30th June, 1988.

Or

Certified that Military Family Pension has not been sanctioned to the claimant in respect of the above-named deceased Armed Forces pensioner.

- (b) The particulars given in para. 1 (i) to (iv) have been verified with reference to documents available at this end and found to be correct.

(c) A copy each of this Application and Cancellation PPO issued by(name of the re-employing Civil Authority) has been retained for record.

Signature.....
 Name.....
 Place: Designation.....
 Date: Office Seal
 ID No...../DP/PGC/
 Dated.....

FORM OF COMPLAINT

To

Pension Grievances Cell,
 Ministry of Defence,
 206/A, Sena Bhavan,
 NEW DELHI—110 011

Subject:—(i) *Grant/Payment of Pension.*

Sir,

My particulars/particulars of the deceased Government servant are as under—

- | | | | |
|-------------------------------------|-----|-----|-----|
| 1. Name | ... | ... | ... |
| 2. Regimental No. | ... | ... | ... |
| 3. Record Office/HOO | ... | ... | ... |
| 4. Rank | ... | ... | ... |
| 5. Date of Appointment | ... | ... | ... |
| 6. Date of discharge | ... | ... | ... |
| <i>If granted pension—</i> | | | |
| 7. PC/PPO No./Corrigendum PPO No. | ... | ... | ... |
| 8. PDO from where receiving pension | ... | ... | ... |
| 9. PS/TS/HO No. allotted by the PDO | ... | ... | ... |
| 10. Precise problem | ... | ... | ... |

Yours faithfully,

Address:

Name: ()

Please quote our ID No. in all your future reference to link the case.

Dated:

[G.I., Min. of Defence, Circular No. 10 (6)/92/D (Pens./Sers.), dated the 2nd September, 1992.]

(No. 22, dated the 1st December, 1994.)

Page 181, Form 7

Substitute the following for the existing Form 7:—

FORM 7

Form for assessing Pension/Family Pension and Gratuity

[To be sent in duplicate if payment is desired in
a different circle of accounting unit]

[See Rules 58, 60, 61 (1) and (3) and 65 (1)]

PART I

1. Name of the retiring Government employee...
2. Father's/Husband's name
3. Height
4. Marks of Identification
5. Date of Birth
6. Service to which belongs (indicate name of
organized service, if any, otherwise say, General
Central Service)
7. Particulars of post held at the time of retire-
ment—
 - (a) Name of the Office
 - (b) Post held
 - (c) Whether the appointment mentioned above
was under Government or outside the
Government on foreign service terms ...
8. Whether declared substantive in any post under
the Central Government
9. Date of beginning of service
10. Date of ending of service
11. Cause of ending of service—
 - (a) Voluntary retirement on being declared
surplus (Rule 29)
 - (b) Permanent absorption in public sector
undertaking/autonomous body (Rule 37-A)
 - (c) Due to abolition of post (Rule 59) ...
 - (d) Superannuation (Rule 35)
 - (e) Invalidment on medical ground (Rule 38)

- (f) Voluntary/premature retirement at the initiative of the Government servant [*under Rules 48, 48-A and FR 56 (k)*] ...
 - (g) Premature retirement at the initiative of the Government [*Rule 48 or FR 56 (j)*] ...
 - (h) Compulsory retirement (*Rule 40*) ...
 - (i) Removal/dismissal from service (*Rules 24 and 41*)
 - (j) Death
12. In the case of compulsory retirement, the orders of the competent authority whether pension may be allowed at full rates or at reduced rates and, in case of reduced rates, the percentage at which it is to be allowed
13. In case of removal/dismissal from service whether orders of competent authority have been obtained for grant of compassionate allowance and if so, at what rate
14. Particulars relating to military service, if any—
- (a) Period of military service
 - (b) Terminal benefits drawn/being drawn for military service
 - (c) Whether opted for counting of military service towards civil pension
 - (d) If answer to (c) above is in the affirmative, whether the terminal benefits have been refunded
 - (e) In case of ex-servicemen who are eligible for family pension under the Armed Forces Rules, whether opted to retain family pension under the Armed Forces rules or to draw family pension under the Civil rules
15. Particulars relating to service in autonomous body, if any—

(a) Particulars of Service:

Name of Organization	Post held	Period	
		From	To

- (b) Whether the above service is to be counted for pension
 - (c) Whether the autonomous organization has discharged its pensionary liability to the Central Government
16. Whether any departmental or judicial proceedings are pending against the retiring employees
17. Qualifying service—
- (a) Details of omission, imperfection or deficiencies in the Service Book which have been ignored [*under Rule 59 (1) (b) (iii)*] ...
 - (b) Period not counting as qualifying service—
 - (i) Boy service (*2nd proviso to Rule 13*)
 - (ii) Extraordinary Leave not counting as qualifying service (*Rule 21*) ...
 - (iii) Periods of suspension not treated as qualifying service (*Rule 23*) ...
 - (iv) Interruptions in service [*Rule 27 (1) (b) and Rule 28 (c)*]
 - (v) Periods of foreign service with United Nations bodies for which United Nations pension has been availed ...
 - (vi) Any other period not treated as qualifying service (give details)
 - (c) Additions to qualifying service—
 - (i) Military service (*Rule 19*)
 - (ii) War service (*Rule 20*)
 - (iii) Weightage on voluntary retirement on being declared surplus (*Rule 29*) ...
 - (iv) Weightage under Rule 30... ..
 - (v) Benefit of service in an autonomous body (*Rule 37*)
 - (vi) Weightage under Rule 48-B
 - (d) Net qualifying service
 - (e) Qualifying service expressed in terms of completed six monthly periods (period of three months and over is treated as completed six monthly period)

18. Emoluments—

(a) Emoluments drawn during 10 months preceding retirement—

From	To	Rate of Pay	Amount

(b) If the officer was on foreign service immediately preceding retirement, the notional emoluments which he would have drawn under Government but for being on foreign service

(c) Average emoluments reckoned for pension

(d) Emoluments reckoned for retirement gratuity/death gratuity

(e) Emoluments reckoned for family pension

19. Date on which the retiring employee submitted his application for pension in Form 5 ...

20. Complete and up-to-date details of the family as given in Form 3—

Sl. No.	Name of the Member of the family	Date of Birth	Relation with the Government servant
1	2	3	4

21. Whether nomination made for death gratuity/retirement gratuity

22. The date on which action initiated to—

(a) obtain the 'No demand certificate' from the Directorate of Estates as provided in Rule 57

(b) assess the service and emoluments qualifying for pension as provided in Rule 59 and

(c) assess the Government dues other than the dues relating to the allotment of Government accommodation as provided in Rule 73 (1)

23. Details of Government dues recoverable out of gratuity—
- (a) Licence fee for Government accommodation [see *sub-rules (2), (3) and (4) of Rule 72*]
- (b) Dues referred to in Rule 73
24. (a) Proposed pension/service gratuity
- (b) Proposed dearness relief on pension (as on the date of retirement)
- (c) Date from which pension is to commence
25. Rate of Family Pension—
- (a) Enhanced rate
- (b) Period for which family pension will be payable at enhanced rate
- (c) Ordinary rate
- (d) Date from which ordinary rate of family pension will be payable
26. Amount of retirement gratuity/death gratuity
27. Commutation of pension—
- (a) Whether simultaneously applied for commutation of pension with the pension application (applicable only in the case of those who retire on superannuation pension)
- (b) The portion of pension commuted
- (c) Commuted value of pension
- (d) Amount of residuary pension after deducting commuted portion
- (e) Date from which reduced pension is payable
28. Name and address of Bank/Pension Accounting Office from where pension is to be drawn
29. Head of Account to which pension and gratuity are debitable
30. Post-retirement address of the retiree

*Signature of the
Head of Office*

PART II

1. Date of receipt of pension papers by the Accounts Officer from Head of Office
2. Entitlements admitted—
- A. Length of qualifying service...**

- B. Pension—**
- (i) Class of pension
 - (ii) Amount of monthly pension ...
 - (iii) Date of commencement... ..
- C. Commutation of Pension—**
- (i) Commuted value of portion of pension commuted, if any
 - (ii) Residuary pension after commutation
 - (iii) Date from which reduced pension is payable
 - (iv) Date of restoration of commuted portion of pension subject to the pensioner continuing to live
- D. Retirement/Death Gratuity—**
- (i) Total amount payable
 - (ii) Amount to be adjusted towards Government dues
 - (iii) Amount to be withheld for adjustment of unassessed dues
 - (iv) Net amount to be released immediately
- E. Family Pension—**
- (i) At enhanced rate
 - (ii) Period for which Family Pension at enhanced rate is payable ...
 - (iii) At normal rate
3. Head of Account to which the amount of pension, retirement/death gratuity and family pension are to be debited

Accounts Officer

[G.I., Dept. of Pen. & P.W., Notfn. No. 38/84/89-P. & P.W. (F), dated the 3rd September, 1993.]

(No. 29, dated the 1st December, 1994.)

Page 255, Appendix 2

1. *Substitute* the following for the existing heading:—

COMPASSIONATE APPOINTMENT IN THE CASE OF DEATH/INVALIDATION OF GOVERNMENT SERVANT

2. *Insert* the following at the beginning of this Appendix:—

Near relative not eligible for compassionate appointment with effect from 9-12-1993.—*** The Supreme Court in its judgment, dated the 8th April, 1993, in the case of Auditor-General of India and others v. Shri G. Ananta Rajeswara Rao has held as under—

“If the appointments are confined to the son/daughter or widow of the deceased Government employee who dies in the harness and who needs immediate appointment on grounds of immediate need of assistance in the event of there being no other earning member in the family to supplement the loss of income from the bread winner to relieve the economic distress of the members of the family, it is unexceptionable. But in other cases, it cannot be a rule to take advantage of the memorandum to appoint the persons to these posts on the ground of compassion. Accordingly, we allow the appeal in part and hold that the appointment in para. 1 of the memorandum is upheld and that appointment on compassionate grounds to a son, daughter or widow to assist the family to relieve economic distress by sudden demise in harness of Government employees is valid. It is not on the ground descent *simpliciter*, but exceptional circumstances for the ground mentioned. It should be circumscribed with suitable modification by an appropriate amendment to the memorandum limiting to relieve the members of the deceased employee who died in harness, from economic distress. In other respects, Article 16 (2) clearly attracted.”

2. The implications of the above observations/directions of the Supreme Court on the existing scheme of compassionate appointment have been examined in consultation with the Ministry of Law (Department of Legal Affairs). It has been decided to delete the provision in the existing scheme providing for appointment on compassionate ground of near relative. In other words, no near relative will, henceforth, be eligible for appointment on compassionate ground and it is only a widow or son or daughter (or adopted son or adopted daughter) of a deceased Government servant who can be considered for appointment on compassionate grounds. However, if a Government servant is retired on medical grounds under Rule 38 of Central Civil Services (Pension) Rules, 1972, or corresponding provision in the Central Civil Services Regulations, before attaining the age of 55 years (57 years for Group ‘D’) and the Ministry/Department is satisfied that the family is in great economic distress, his wife or son or daughter may also be considered for appointment on compassionate grounds.

3. While considering a request for compassionate appointment, it may be kept in view that the purpose is to relieve the family members from economic distress due to sudden demise in harness of the Government servant as observed by the Supreme Court.

4. In case where any member of the family of the deceased is already in employment and is not supporting the other members of the family of the deceased, extreme caution has to be observed in ascertaining the economic distress of the members of the family of the deceased so that the facility of appointment on compassionate ground is not circumvented and misused by making grounds that the members of the family already employed is not supporting the family.

5. The above decisions may please be brought to the notice of all concerned.

3. *In the order and the GIDs thereunder, substitute*

“son/daughter/widow” for “son/daughter/near relative” in the case of Government servant dying in harness; and

“son/daughter/wife” for “son/daughter/near relative” in the case of Government servant retired on invalidation.

[G.I., Dept. of Per. & Trg., O.M. No. 14014/20/90-Estt. (D), dated the 9th December, 1993.]

(No. 30, dated the 1st December, 1994.)