

CHAPTER IX

CENTRAL UNIVERSITIES RETIREMENT BENEFIT RULES 1967

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CENTRAL UNIVERSITIES RETIREMENT BENEFIT RULES 1967

The Rules constitute the following two alternative schemes.

- (1) General Provident Fund-cum-Pension-cum-Gratuity Scheme (Given in Appendix 'A')
- (2) Contributory Provident Fund-cum-Gratuity Rules (Given in Appendix 'B')

SHORT TITLE, DEFINITION, SCOPE AND APPLICATION OF THE RULES

(1) *Title and commencement:*

- (i) These rules shall be called the “Central Universities Recruitment Benefit Rules, 1967”.
- (ii) these rules shall come into force with effect from 1st April, 1964

(2) *Definitions:*

In these rules unless there is anything repugnant in the subject or context:

- 2.1 “University” means a University established or incorporated by or under a Central Act.
- 2.2 “Executive Council” means Executive Council of the University.

2.3 ³¹⁸Emoluments means emoluments which a member of the staff was receiving immediately before his retirement or relinquishment of office and include:-

- (a) Substantive pay in respect of a permanent post other than a tenure post held in a substantive capacity;
- (b) Dearness Pay admissible in respect of (a) above³¹⁹;
- (c) Personal allowance which is granted in lieu of loss of substantive pay in respect of a permanent post other than a tenure post;
- (d) Fees or Commission if they are authorised emoluments of an appointment and are in addition to pay (in this case emoluments means the average earning for the last six months of service).
- (e) Special pay attached to the permanent post other than a tenure post when the special pay has been sanctioned permanently and the post is held in a substantive capacity;
- (f) Save as otherwise provided in Rule 2.3.1 one half of:-
 - (i) The difference between the emoluments referred to in clauses (a),(c) & (e) above and the pay actually drawn in higher officiating or temporary appointments;
 - (ii) Special pay other than referred to in clause (c) above;
 - (iii) Pay drawn in temporary or officiating appointments;
 - (iv) Personal allowance other than that referred to in clause (c) above;
 - (v) The difference between the substantive pay and the pay actually drawn in higher tenure appointments whether held in substantive or officiating capacity, provided that service in the tenure appointments does not qualify for the grant of a special additional pension.

³²⁰(NOTE – 1: In respect of employees who retire on or after 1st January, 1973 emoluments for the purpose of determining pension and death-cum-retirement gratuity, in respect of the period prior to 1st January, 1973, shall include besides pay and Dearness Pay (where admissible):-

- (i) The dearness allowance where dearness pay is not admissible.
- (ii) The balance of dearness allowance where dearness pay is admissible.
- (iii) The interim relief.

NOTE – 2: In respect of employees who continue to draw dearness allowance and interim relief on or after 1st January, 1973 by virtue of opting

³¹⁸ As substituted vide UGC letter No. F.8-16/72(CU-1) dated the 9th April, 1974, and renumbered vide UGC letter No. F.8-6/74(D-5c) dated the 30th April, 1974.

³¹⁹ Added vide UGC letter No. F.8-6/74(D-5c) dated the 30th April, 1976.

³²⁰ Notes 1 & 2 of 2.3 added vide UGC letter No. F.8-6/74 (D-5c) dated the 30th April, 1976.

for the revised scales of pay on the basis of the decisions of the Govt. of India on the recommendations of the Third Pay Commission in case of non-teaching staff and the revised scales of pay accepted by the Govt. of India effective from 1st January, 1973 in case of teaching staff (Professors, Readers and Lecturers) from the date subsequent to 1st January, 1973, besides pay and dearness pay (where admissible), dearness allowance and the interim relief as admissible on such pay under the orders in force on 31.12.1972 and drawn by the employee for the period beyond 31.12.1972 till the date the revised scales of pay as mentioned above become applicable to him shall be treated as emoluments for the purpose of determining pension and death-cum-retirement gratuity the dearness allowance granted from 1st May, 1973 and thereafter shall not be treated as emoluments. These rules will also apply to the employee who opts for the existing rules of pay and retires from service without coming over to the revised scale of pay).

³²¹2.3.1 If an employee holding a permanent post in a substantive capacity:

- (i) Officers in a higher post (other than a tenure post) continuously for not less than 3 years and retires or dies while holding the higher post; or is confirmed in such higher post at any time during the last three years of his service after having officiated in that post continuously for three years or more; his emoluments for pension in respect of the higher post for any period beyond three years continuous service in that post shall be determined under rule 2.3 as if he held that post in a substantive capacity.
- (ii) For computing the length of continuous service in respect of a higher post under clause (i) above, all kinds of leave, all periods during which an employee officiated in a higher post, and the time spent on deputation and foreign service shall be included provided that it is certified that but for his proceeding on leave or serving in other post for going on deputation or foreign service, as the case may be, the employee concerned would have officiated in or held the higher post.

NOTE: For extending the benefit of clause (i) in respect of a temporary post, the temporary post should be borne on a cadre which includes permanent post in the same time scale as the temporary post.

2.3.2 Provided further that for purposes of calculation of the amount of gratuity admissible to an employee in receipt of emoluments in excess of Rs.1800 p.m. ³²²[In respect of employees who retire on or after the 1st January, 1973 the maximum ceiling of emoluments to be taken into

³²¹ As substituted vide UGC letter No.F.8-16/72(CU-I) dated the 9th April, 1974 .

³²² Inserted vide UGC letter No. F.8-6/74(D-5c) dated 30.4.1979.

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account for calculation of gratuity has been raised to Rs.2500 per mensem].

Provided further that if immediately before retirement or relinquishment of service, an employee has been absent from duty on leave with allowances, his emoluments for the above purpose shall be taken at what they would have been had he not been absent from duty.

‘Average emoluments’ means the average of the emoluments as defined above, calculated in respect of the last three years of service.

³²³[In respect of employees who retired or may retire on or after the 29th February, 1976, the ‘average emoluments’ will be determined with reference to emoluments drawn by the employee concerned during the last 10 complete months.]

2.4 ‘Family’ for the purpose of General Provident Fund and Contributory Provident Fund means:-

(a) In the case of a male subscriber, the wife or wives and children of a subscriber and the widows and children of a deceased son of the subscriber.

Provided that if a subscriber proves his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber’s family in matters to which these rules relate, unless the subscriber subsequently intimates in writing to the Registrar that she shall continue to be so regarded.

(b) In the case of a female subscriber, the husband and children of the subscriber, and the widows and children of deceased son of the subscriber.

Provided that if a subscriber by notice in writing to the Registrar expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber’s family in matters to which these rules relate; unless the subscriber subsequently cancels such notice in writing.

NOTE: ‘Child’ means a legitimate child and includes an adopted child where adoption is recognized by the personal law governing the subscriber.

2.5 ‘Fund’ means the General Provident Fund or the Contributory Provident Fund of the University as per context.

2.6 ‘Leave’ means any variety of leave recognized by the University.

³²³ Inserted vide UGC letter No. F.26-21/77(D-5c) dated 21.9.1981.

- 2.7 'Pay' means the amount drawn monthly by an employee as pa which has been sanctioned for the post held by him substantively or in an officiating capacity and includes special pay and personal pay if any.
- 2.8 'Personal Pay' means additional pay granted to an employee:
(a) to save him from a loss of substantive pay in respect of a permanent post owing to a revision of pay or to any reduction of such substantive pay – otherwise than as a disciplinary measure; or
(b) in exceptional circumstances on other personal consideration.
- 2.9 'Qualifying Service' means service rendered as a member of the staff of the University in a substantive capacity including periods spent on probation. All service rendered to the University on a fulltime basis in a temporary or officiating capacity followed without interruption by confirmation in the same or another post shall count as qualifying service except in respect of periods of service (*****)³²⁴ paid from "Contingencies".

³²⁵**NOTE: 1**³²⁶ An employee may add to his service qualifying for superannuation pension but not for any other class of pension: The actual period not exceeding one-fourth of the full length of his service or the actual period by which his age at the time of recruitment exceeds twenty five years or a period of five years whichever is least, if the post is one:-
(a) for which postgraduate research or specialist qualifications, or experience in scientific, technological or professional field is essential, and
(b) to which candidates of more than twenty five years of age are normally recruited.

Provided that this concession shall not be admissible to any such employee unless his qualifying service at the time he quits University service is not less than ten years.

The decision to grant this concession shall be taken by the Executive Council at the time of recruitment of the employee.

³²⁷**NOTE: 2** The powers of condonation of break in service will ordinarily rest with the Executive Council of the University. The condonation of break in service can be done under the following circumstances:-
(1) The interruptions should have been caused by reasons beyond the control of the employee concerned.

³²⁴ The words in "work-changed" establishment and periods of service" deleted vide UGC letter No. F.8-11/72(CU-I) dated the 31st October, 1973.

³²⁵ Inserted vide UGC letter No. F.8-11/72(CU-I) dated the 31st October, 1973.

³²⁶ Numbered as 1 vide UGC letter No. F.6-5/71(CU-I/D-5c) dated the 26th September, 1977.

³²⁷ Inserted vide UGC letter No. F.6-5/71(CU-I/D-5c) dated the 26th September, 1977.

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- (2) Service preceding the interruption should not be less than of five years duration and in cases where there are two or more interruptions, the total service, pensionary benefits in respect of which will be lost if the interruptions are not condoned should not be less than five years;
- (3) The interruption should not be of more than one year's duration. In cases where there are two or more interruptions the total of the period of all the interruptions that are condoned should not exceed one year.

Provided that, in exceptional cases the Executive Council shall recommend to the Visitor for condonation of the break in service for a period exceeding one year; in case of an employee who has put in ten years qualifying service preceding the interruption or the first of the interruptions of the service, when there are more than one; if such condonation is considered necessary in the interest of the University. The period of break even though condoned by the Executive Council, shall not count as qualifying service.

EXPLANATION I – COUNTING OF PERIOD OF LEAVE AS QUALIFYING SERVICE

- (a) All periods of leave with pay and allowances shall count as qualifying service.
- (b) The period spent on deputation for training or deputation for any special purpose including periods of travel to and from the country of deputation shall count as qualifying service; provided that if the employee has availed himself of any extraordinary leave without allowances during the period of deputation, the period of such extraordinary leave shall be excluded;

EXPLANATION II – PERIODS OF COUNTING AS QUALIFYING SERVICE

The following periods in the service of a member of the staff shall not count as qualifying service:

- (i) Time passed under suspension by a member of the staff pending enquiry into his conduct, if the suspension is not immediately followed by reinstatement.
- (ii) Extraordinary leave without allowances.
- (iii) Unauthorised absence in continuation of authorized leave of absence.
- (iv) Service below the age of 18 years.

³²⁸**NOTE 1:** Provided that the extraordinary leave may be allowed to count at the discretion of the Executive Council in the following circumstances:

³²⁸ Inserted vide UGC letter No. F.8-11/72(CU-I) dated the 31st October, 1973.

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- (i) If it is taken for academic pursuits directly connected with the teaching/research job of the employee in the University.
- (ii) If it is taken on medical certificate.
- (iii) If it is taken due to the inability of the employee concerned to join or rejoin duty due to civil commotion or a natural calamity provided that he has not any other type of leave at his credit.
- (iv) If it is taken to take full time assignments in another University/Institution or any other Authority and that the University/Institution/ Authority or the person concerned makes necessary contribution towards pension.

³²⁹**NOTE 2:** Provided further that extraordinary leave availed prior to 11-7-1973 shall not count as qualifying service.

³³⁰**EXPLANATION III – PERIODS OF COUNTING A QUALIFYING SERVICE**

The deduction of 5 years be not made from the total service period of BHU Press staff for the purpose of calculation of Pension-Gratuity etc. in case the initial appointment was in graded pay-scales. If, however, the individual was a muster-roll employees, prior to absorption in graded scales, 5 years deduction be applied.

- 2.10 'Registrar' means the Registrar of the 'University' or other person appointed by the Executive Council to discharge the duties of the Registrar.
- 2.11 'Special Pay' means an addition of the nature of pay to emoluments of a post or of a member of the staff of the University granted in consideration of the specially arduous nature of his duties or of a specific addition to his work or responsibility.
- 2.12 'Year' means the financial year of the University.
- 2.13 'Injury' means bodily injury resulting from violence, accident or disease assessed by the Consulting Medical Officer of the University as being not less than severe involving loss of corning power.
Note: Examples of injuries of certain categories are given in Schedule 'F'.
- 2.14 'Accident' means –
 - (a) A sudden and unavoidable mishap, or
 - (b) A mishap due to an act of devotion to duty in an emergency arising otherwise than by violence out of and in the course of service.
- 2.15 'Disease' means -
 - (a) disease solely and directly attributable to an accident, or

³²⁹ Inserted vide UGC letter No. F.26-34/76(D-5c) dated the 27th April, 1977.

³³⁰ Authority: ECR No. 264 dated 30th Sept.-1st Oct., 1983.

- (b) an epidemic disease contracted by an employee in consequence of his being ordered on duty to an area in which such disease is prevalent, or in consequence of his attending voluntarily, out of humanitarian motives, upon any patient suffering from any such disease in an area where he happens to be in the performance of his duties, or
 - (c) venereal disease or septicaemia where such disease or septicaemia is contracted by a medical officer as a result of attendance in the course of his official duty on an infected patient or of conducting a postmortem examination in the course of that duty.
- 2.16 'Risk of Office' means any risk, not being a special risk of accident or disease to which an employee is exposed in the course of and as a consequence of his duties, but nothing shall be deemed to be a risk of office which is a risk common to human existence in modern conditions in India, unless such risk is definitely enhanced in kind or degree by the nature, conditions, obligations or incidents of service.

NOTE: The term 'risk of office' shall include risk of death or injury to which a member of the staff is exposed where he attends on a working day, or is required to attend on a holiday, the place of his employment for the performance of his duties during any riot or civil commotion in the locality and while proceeding from his residence to the place of his employment or vice versa, becomes a victim of the said riot or civil commotion.

- 2.17 'Special risk' means:-
- (a) a risk of suffering injury by violence;
 - (b) a risk of injury by accident to which an employee is exposed in the course of and as a consequence of the performance of any particular duty which has the effect of materially increasing his liability to such injury beyond the normal risks of his office;
 - (c) a risk of contracting disease to which a medical officer is exposed as a result of attending in the course of his official duty to a venereal or septicaemia patient or conducting a postmortem examination in pursuance of that duty.
- 2.18 "Violence" means the act of a person who inflicts an injury on an employee:
- (a) by assaulting or resisting him in the discharge of his duties, or in order to deter or prevent him from performing his duties, or
 - (b) because of anything done or attempted to be done by such member of the staff or by another member of the staff in the lawful discharge of his duty as such, or
 - (c) because of his official position.
- 2.19 "Employee" means members of the staff (both academic and non-academic) of the University.

³³¹2.20 “Vice-Chancellor” means the Vice-Chancellor of the University.

3. *Application of rules*

- (i) (a) These rules shall apply to all the employees of the Central Universities – both ‘academic and non-academic’ (other than contract officers, part-time employees, re-employed pensioners, deputationists and purely temporary and daily wage staff), who joined the university service on or after the 1st April, 1964. They shall be entitled to opt for one of the two alternative schemes set out in Appendices ‘A’ and ‘B’ to these rules.

Provided that the employees who do not exercise their option within the period prescribed under these rules, shall be deemed to have opted for the schemes set-out in Appendix ‘A’ despite the fact that they have been permitted to contribute to the C.P.F. benefit prior to promulgation of these rules.

- (b) Employees who joined the university service before the 1st April, 1964, may continue to be covered by the provisions of the E.P.F. Scheme in the university prior to the promulgation of these rules or may at their option elect to be covered by either of the two schemes referred to above.
- (i) Those who joined the university service on or after the 1st April, 1964, before the enforcement of these rules and who were therefore, permitted to contribute to the C.P. Fund obtaining in the university, will not be entitled to continue under the provisions of those rules.
- (ii) The service of the employees who joined the university service before 1st April, 1964 and who opt for General Provident Fund-cum-Pension-Cum-Gratuity Scheme shall be deemed to have been in pensionable posts from the commencement of the employees’ service in the university irrespective of the period of service for which the employees might have subscribed to the University Contributory Provident Fund.
- (iii) Such of the employees of the university who joined the university service before the 1st April, 1964 and have retired on or after 1st April, 1964 before having an opportunity of exercising option under this clause shall be entitled to exercise their option for the schemes set out in Appendices ‘A’ and ‘B’.
- (iv) Employees who hold temporary appointment in the service of the university on the 1st April, 1964 shall after continuous service of one year be entitled to the retirement benefits from the date of commencement of service or from the 1st April, 1964 whichever is earlier.
- (v) In the case of employees in service prior to 1st April, 1964 who have retired from the university service on or after the 1st April,

³³¹ Inserted vide UGC letter No. F.8-2/75(D-5c) dated the 26th December, 1975.

1964, and died before having an opportunity of exercising option under these rules, the nominee or nominees validity nominated under the existing University C.P.F. Rules can make a specific request for option to choose one of the two schemes, and either the university will have the discretion to give the benefit of either of the two schemes to a validity nominated nominee or nominees of the deceased.

Explanation – The cases of those employees who died while in service after 1.4.1964 before exercising the option can also be covered under rule 3(v) provided the benefit is restricted to families of employees of Central Universities who died without exercising the option during the time prescribed for exercising option. In their case the existing nominees who have been validity nominated can permitted to exercise the option.

³³²4. *Exercise of option*

(i) All the employees who joined the University service before 1st April, 1964 and are in service on 1st April, 1964, have to send their option in writing to the Registrar, within three months of the date of notification of these rules. Employees failing to exercise their option within the aforesaid three months shall be treated to have opted for the existing rules obtaining before 1st April, 1964, provided that the University may at its discretion extend the date in any individual case on its merits.

Option once exercised shall be final.

(ii) An employee who is initially appointed on contract basis and is subsequently continued permanently will have on cancellation of his contract terms, the option to choose either of the two schemes and he will have for the purpose of these schemes the benefit of the service rendered under contract, if the retirement benefits under the contract terms are paid back by him to the university.

³³³5. (i) *Transfer of Employees of one Central University to the other.*

As a general policy, when an employee of one Central University gets transferred to any other Central University and the latter decides to absorb him permanently, the absorption should be made with the consent of the parent University provided the transfer is judge to decide whether the transfer is in public interest or not.

³³² As substituted vide UGC letter No. F.33-19/62(CU-I) Vol.-V dated the 1st July, 1970.

³³³ This rule (5) was firstly substituted as under vide UGC letter No. F.8-13/72(CU-I) dated the 27th March, 1973 and again substituted as above vide UGC letter No. F.8-12/72 (D-5c)/11 dated the 29th July, 1974.

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“Employees joining a University after leaving the service of another Central University shall, in the event of their permanent absorption in the new University, be allowed retirement benefits in respect of their previous service rendered under the old University provided that there is no break in the service, excepting for the admissible transit time to join the new post, and the service rendered is qualifying. They will however, not be allowed to change over from scheme in Appendix ‘A’ to that in Appendix ‘B’ or vice-versa.”

“**NOTE:-** For the Purpose of these rules resignation of an appointment in a University to take up with proper permission another appointment in another University is not a resignation of service.”

In regard to the allocation of retirement benefits liability, the entire liability should be met by the University from which the employee finally retires.

In case of C.P. Fund, however, the lending University’s contribution together with the employees contributions should on permanent absorption in the borrowing University be transferred to the borrowing University.

- (ii) *When an employee of a reputed Institution/ authority not covered above is permanently absorbed in a Central University and vice-versa.*

The past services in this case will also count as in other categories under this rule and with the same conditions provided that the University Grants Commission gets the names of such Institutions/authorities approved in advances from the Central Government.

- (iii) *When an employee of an autonomous organization under the Central Government is permanently absorbed in a Central University.*

On this permanent absorption in a Central University such of the past services of an employee of an autonomous organization set up by the Central Government, as would have counted for retirement benefits in that autonomous body, should count for retirement benefit payable by the University provided that the transfer is certified to be in the public interest, of which the Executive Council of the University shall be the sole judge subject to the following:-

- (a) The transfer is with the consent of the autonomous organization.
- (b) The autonomous organization concerned pays to the Central University at the time of his permanent absorption in the Central University, the capitalized value of the retirement benefits in respect of the past service of the employee in that organization.
- (c) In case the employee in question is on CPF Scheme, that accumulations in his CPF account and the capitalized value of gratuity, shall be transferred by the autonomous organizations to the Central University at the time of permanent absorption.

- (iv) *When an employee of Central University is transferred to an autonomous organization.*

The past service of an employee of a Central University will count for retirement benefits in the case of his permanent absorption in an autonomous organization provided that the transfer is certified to be in the public interest and the service rendered is qualifying, subject to the following:-

- (a) The transfer should be with the agreement of Central University though the autonomous organization will be the sole judge to decide whether a transfer is in public interest;
- (b) The Central University pays the capitalized value of the pension and gratuity in respect of the past service of the employee in the Central University to the autonomous organization at the time of his permanent absorption therein;
- (c) In case the employee in question is on CPF scheme, the accumulations in his CPF account and the capitalized value of gratuity will be transferred by the Central University to the autonomous organizations concerned.

- (v) *When an employee of a State Government/ University is permanently absorbed in a Central University and vice-versa.*

The past service will count for retirement benefits provided that the transfer is certified to be in the public interest and also subject to the following conditions:

- (a) The transfer is made with the consent of parent institution;
- (b) The institution to which the employee is transferred shall be the sole judge to decide as to whether the absorption is in the public interest or not;
- (c) The parent institution pays the capitalized value of pension and gratuity in respect of past service of the employee in that institution to the latter employer at the time of his permanent absorption; and
- (d) In case the employee in question is on CPF Scheme, the accumulations in the CPF account and the capitalized value of gratuity be transferred by the parent organization to the new employer.

- ³³⁴(vi) *Transfer of Central Government employees to a Central University.*

The terms and conditions of permanent absorption of Central Government employees in the Central University will be regulated by the instructions contained in the Ministry of Finance (Department of Expenditure) office Memorandum No. F.24(12)-EU/66 dated the 16th June 1967 as amended from time to time and since incorporated (consolidated) in the Ministry of

³³⁴ Inserted vide UGC letter No. F.26-3/78(D-5c) dated the 26th April, 1978.

Finance office Memorandum No. 26(18)-EV(B)/75 dated the 8th April 1976 (Vide Appendix-F).

The above decisions will apply both to the academic and non-academic employee.

In cases where the liability of retirement benefits is to be borne by a body other than a Central University prior approval of that body to the arrangements proposed should be obtained.

³³⁵**NOTE 1:** A resignation shall not entail forfeiture of past service if it has been submitted, to take up, with prior, and proper permission of the previous organization, another appointment under the University or any other organization mentioned in the Rule³³⁶, (provided that cases prior to the 31st March 1977 shall not be re-opened).

³³⁷**NOTE 2:** Government of India, Ministry of Education & Culture after careful consideration of the matter in all its aspects have agreed that the benefit of the orders regarding counting of past service for the purpose of retirement benefit in cases of transfer of employees mentioned in para 5(i), 5(ii), 5(iii), 5(iv) and 5(v) may be made applicable to all those employees who were in service on 3.8.1973, i.e. the date on which the instruction was issue by the Ministry (and conveyed to the Central Universities etc. in the Commission's letter dated 26th November, 1973) subject to the fulfilment of the conditions laid down therein viz. transfer being with the consent of the parent institution and in the public interest payment of capitalized value of pension and gratuity in respect of past service by the parent institution to the organization where an employee is transferred etc.

The past cases which have already been settled otherwise will not be re-opened.

6. General (miscellaneous)

(i) The sanction and payment of retirement benefits admissible under these Rules shall be regulated by such procedural instructions as would be issued by the Executive Council

³³⁸(ii) (a) A departmental proceeding if instituted while the Government servant was in service whether before his retirement or during his

³³⁵ Inserted vide UGC letter No. F.23-38/76(D-5c) dated the 26th April, 1977.

³³⁶ Added in terms of UGC letter No. F.26-38/76 (D-5c) dated the 26th September, 1977.

³³⁷ Authority: UGC letter No. 8-1/75(D-5c/NP-I) dated 22.7.1983.

³³⁸ Authority: Government of India, Ministry of Education and Culture DO letter No. C.33011/10/81-Vig. Dated May 19, 1981, forwarded under UGC DO letter No. F.26-

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re-employment, shall, after the final retirement of the Government servant, be deemed to be proceeding under Rule 9 of the Central Civil Services (Pension) Rules, 1972 and shall be continued and concluded by the authority by which it was commenced in the same manner as if the Government servant had continued in service.

On retirement, the Government servant is paid provisional pension but not gratuity, the payment of which is authorized only after the conclusion of proceedings, and issue of final orders thereon.

- (b) A departmental proceeding against a pensioner can also be instituted in respect of an event which took place not more than 4 years before such institution.
- (c) The President has the right of withholding or withdrawing pension or part thereof, whether permanently or for a specified period and of ordering recovery from a pension of the whole or part of any pecuniary loss caused to the Government, if, in any departmental or judicial proceeding the pensioner is found guilty of grave misconduct or negligence during the period of his service including rendered upon re-employment after retirement.

The Central Vigilance Commission has observed that similar provisions do not exist in the Rules of the Public Sector Undertakings etc. (including autonomous organization set up and financed by Government), with the result that in cases of many employees of these organizations, departmental proceedings if instituted during employment, automatically abate on retirement and the proceedings cannot be instituted after retirement. Also since most of the employees do not get pension, the question of withholding or reducing it after retirement cannot be considered. The Commission has therefore, observed that it is not desirable that the corrupt employees as of the autonomous organizations etc., should go Scot free only because no action can be taken against them after retirement.

This Ministry agrees with the observations made by the Central Vigilance Commission. It is suggested that “the Conduct, Discipline and Appeal Rules” and Pension Gratuity and Provident Fund Rules applicable to the employees of your organization should be examined with a view to introducing provisions similar to those of the CSS (Pension) Rules 1972 to the extent possible.

(iii) Interpretation

If any question arises relating to the interpretation of these rules, it shall be referred to the Visitor whose decision thereon shall not be final.

APPENDIX – ‘A’
GENERAL PROVIDENT FUND-CUM-PENSION CUM-GRATUITY
SCHEME

SECTION – I

GENERAL PROVIDENT FUND

(1) Nominations:

- 1.1 A subscriber shall, at the time of joining the Fund, send to the Registrar, a nomination in the prescribed form conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death, before that amount has become payable or having become payable has not been paid;
- 1.1.1 Provided, that if, at the time of making nomination, the subscriber has a family the nomination shall not be in favour of any person or persons other than the members of his family.
- 1.1.2 Provided further that the nomination made by the subscriber in respect of any other fund to which he was subscribing before joining the Provident Fund shall, if the amount to his credit, in such other fund, has been transferred to his credit in the Fund, be deemed to be a nomination duly made under this rule until he makes a nomination in accordance with this rule.
- 1.2 If a subscriber nominates more than one person under Rule 1.1 he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.
- 1.3 Every nomination shall be in such one of the forms appended hereto as is appropriate in the circumstances (vide Forms I to IV in Annexure).
- 1.4 A subscriber may at any time cancel a nomination by sending a notice in writing to the Registrar. The subscriber shall, along with such notice or separately, send a fresh nomination made in accordance with the provisions of this rule.
- 1.5 A subscriber may provide in a nomination:
 - (a) in respect of any specified nominee, that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination, provided that such other person or persons shall if the subscriber has other members. Where the subscriber confers such a right on more than one person under this clause, he shall specify the amount or share payable to each of such persons in such a manner as to cover the whole of the amount payable to the nominee;

- (b) that the nomination shall become invalid in the event of the happening of a contingency specified therein;
Provided that if at the time of making the nomination the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family;

Provided further that if at the time of making the nomination the subscriber has only one member of the family he shall provide in the nomination that the right conferred upon the alternate nominee under clause (a) shall become invalid in the event of his subsequently acquiring other member or members of his family.

- 1.6 Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of Rule 1.5 or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of Rule 1.5 or the proviso thereto, the subscriber shall send to the Registrar a notice in writing canceling the nomination, together with a fresh nomination made in accordance with the provisions of this rule.
- 1.7 Every nomination made, and every notice of cancellation given, by a subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Registrar.
- (2) The University will not be bound by nor will recognize any assignment or encumbrance executed or attempted to be created which affects the disposal for the amount standing to the credit of a subscriber who dies before the amount becomes payable.

(3) *Subscriber's Account:*

- 3.1 An account shall be opened in the name of each subscriber to which shall be credited the subscriber's subscription and interest as provided by these rules on subscription.
- ³³⁹[3.2 If an employee admitted to the benefit of the fund was previously a subscriber to any contributory/non-contributory provident fund of the Central Government/ State Government or of a body corporate, owned or controlled by Government or Universities/Institutions of University Status or an autonomous organization registered under the Societies Registration Act 1860, the amount of his accumulations in such contributory or non-contributory provident fund shall be transferred to his credit in the fund.]

(4) *Conditions and Rates of Subscription:*

- 4.1 Every subscriber shall subscribe monthly to the Fund when on duty in the service of the university or on foreign service.

³³⁹ Inserted vide UGC letter No. F.8-1/72(CU-I) dated the 26th April, 1973.

- 4.1.1 Provided that a subscriber shall not subscribe during the period when he is under suspension and may at his option not subscribe during any period of leave other than leave on average pay or earned leave of less than thirty day's as duration, as the case may be.
- 4.1.2 Provided further that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one sum or in instalments any sum not exceeding the maximum amount of arrear of subscription payable for that period.
- 4.2 The subscriber shall intimate his election not to subscribe during leave by a written communication addressed to the Registrar before he proceeds on leave. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe. The option of a subscriber intimated under this sub-rule shall be final.

(5) *Rates of Subscription:*

- 5.1 The rate of subscription shall be fixed by subscriber himself subject to the following conditions:
- ³⁴⁰[5.1.1 The rate of subscription may not be less than 6% of his emoluments and not more than his total emoluments, the amount so calculated being rounded off to the nearest rupee, provided that in the case of subscriptions at the minimum or maximum rates, the rounding off will be to the next higher or the next lower rupee respectively.
This is effective from 1.6.1971.]
- 5.2 For the purpose of his rule, the emoluments of a subscriber shall be:
- 5.2.1 In the case of a subscriber who was in service on 31st March of the preceding year, the emoluments to which he was entitled on that date, provided as follows:
- (i) if the subscriber was on leave on the said date and elected not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;
 - (ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India;
 - (iii) if the subscriber joined the Fund for the first time on a day subsequent to the said date, his emoluments shall be the emoluments to which he was entitled on such subsequent date.
- 5.2.2 In the case of a subscriber who was not in service on the 31st of March of the preceding year, the emoluments to which he was entitled on the first day of his service or, if he joined the Fund for

³⁴⁰ As substituted vide UGC letter No. F.8-1/71(CU-I) dated the 5th September, 1971.

the first time on a date subsequent to the first date of his service, the emoluments to which he was entitled on such subsequent date.

- 5.3 The amount of subscription so fixed may be enhanced or reduced once at any time during the course of a year, provided that when the amount of subscription is so reduced it shall not be less than the minimum prescribed under Rule 5.1.1.

(6) *Interest:*

- 6.1 The University shall pay to the credit of the account of each subscriber, interest at such rate as may be determined by the Executive Council for each year at the beginning of the year.
- 6.2 Interest shall be credited with effect from the last day in each year in the following manner:
- 6.2.1 On the amount at the credit of a subscriber on the 31^s March of the preceding year less any sums withdrawn during the current year – Interest for twelve months;
- 6.2.2 On sums withdrawn during the current year – Interest from the 1st of April of the current year up to the last date of the month preceding the month of withdrawal;
- 6.2.3 On all sums credited to the subscriber's account after the 31st March of the preceding year – Interest from the date of credit up to the 31st of March of the current year;
- 6.2.4 The total amount of interest shall be rounded to the nearest rupee (50 p. and above counting as the next higher rupee).
- 6.3 Provided that when the amount standing at the credit of a subscriber has become payable, interest thereon shall be credited under this sub-rule in respect only of the period from the beginning of the current year or from the date of credit as the case may be, up to the date on which the amount standing to the credit of a subscriber becomes payable.
- 6.4 For the purpose of this rule, the date of credit shall be deemed to be the first day of the month in which it is credited.
- 6.5 In all cases interest shall be paid in respect of balance at the credit of a subscriber up to the close of the month preceding that in which payment is made or up to the end of the sixth month after the month in which such amount becomes payable, whichever of these periods is less, provided that no interest shall be paid in respect of any period after the date on which the Registrar has intimated to the subscriber or his agent as the date on which he is prepared to make payments.

³⁴¹**NOTE:** Payment of interest on the Fund balances beyond a period of six months upto a period of one year may be authorized by the Finance Officer in the University after he has personally satisfied himself that the delay in payment was occasioned by circumstances beyond

³⁴¹ Inserted vide UGC letter No. F.26-15/76(D-5c) dated the 14th March, 1978.

the control of the subscriber and in every such case the administrative delay involved in the matter shall be fully investigated and action, if any required, taken.

(7) *Advances from the fund:*

The Vice-Chancellor or any other authority to whom power has been delegated may sanction the payment to any subscriber of advance existing of a sum of whole rupees and not exceeding in amount three months pay or half the amount standing to his credit in the Fund whichever is less, for one or more of the following purposes:

- (a) to any expenses in connection with the illness, confinement or a disability including where necessary, travelling expenses of the subscriber and members of his family or any person actually dependent on him;
- (b) to meet the cost of higher education, including where necessary the travelling expenses of the subscriber and members of his family or any person actually dependent on him in the following cases, namely:
 - (i) for education outside India for an academic, technical, professional or vocational course beyond the High School stage, and
 - (ii) for any medical, engineering or other technical, or specialized course in India beyond the High School stage provided that the course of study is for not less than three years;
- (c) to pay obligatory expenses on a scale appropriate to the subscriber's status which by customary usage the subscriber has to incur in connection with betrothal or marriages, funerals or other ceremonies;
- (d) to meet the cost of legal proceeding instituted by the subscriber for indicating his position in regard to any allegations made against him in respect of any act done or purporting to be done by him in the discharge of his official duty, the advance in this case being available in addition to any advance in this case for the same purpose from any other university source.

Provided that the advance under this sub-clause shall to be admissible to a subscriber who institutes legal proceedings in any court of law either in respect of any matter unconnected with his official duty or against university in respect of any condition of service or penalty imposed on him;

- (e) to meet the cost of his defence where the subscriber is prosecuted by university in any court of law or where the subscriber engages legal practitioner to defend himself in an enquiry in respect of any alleged official misconduct on his part;
- (f) to meet the cost of plot or construction of a house or flat for his residence or to make any payment towards the allotment of plot or

flat by the Delhi Development Authority or a State Housing Board or a House Building Cooperative Society;

(g) to meet the cost of travel abroad of the applicant, when permitted by the Executive Council to attend scientific conferences, symposia or for scientific/ technical work.

(1A) The Executive Council may, in special circumstances, sanction the payment to any subscriber of an advance if he is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-rule (1).

(2) An advance shall not, except for special reasons to be recorded in writing be granted to any subscriber in excess of the limit laid down in sub-rule (1) or until repayment of the last instalment of any previous advance.

NOTE 1: For the purpose of this rule, pay includes dearness pay, where admissible.

NOTE 2: A subscriber shall be permitted to take an advance once in every six months under item (b) of sub-rule (1) of rule 7.

(3) When an advance is sanctioned under sub-rule (2) before repayment of last instalment of any previous advance is completed, the balance of any previous advance not recovered shall be added to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.

(4) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct but such number shall not be less than twenty unless the subscriber so elects and more than twenty four. In special cases where the amount of advance exceeds three month's pay of the subscriber under sub-rule (2) of Rule (7), the sanctioning authority may fix such number of instalments to be more than twenty four but in no case more than thirty six. A subscriber may, at his option, repay more than one instalment in a month. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.

(5) Recovery shall be made from the emoluments of a subscriber in accordance with the procedure laid down/to be laid down by the University and shall commence, with the issue of pay for the month following the one in which the advance was drawn. Recovery shall not be made except with the subscriber's consent while he is in receipt of subsistence grant or is on leave for ten days or more in a calendar month which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay as the case may be. The recovery may be postponed, on the

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subscriber's written request by the sanctioning authority during the recovery of an advance of pay granted to the subscriber.

- (6) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole or balance of the amount shall, forthwith be repaid by the subscriber to the Fund or in default, be ordered by the sanctioning authority to be recovered by deduction from the emoluments of the subscriber, in a lump sum or in monthly instalments not exceeding twelve as may be directed by the authority competent to sanction an advance for the grant of which, special reasons are required under sub-rule (2) of rule 7.
- (7) Recoveries made under this rule shall be credited as they are made to subscriber's account in the Fund.

NOTE 1: The terms 'emoluments' as used in this rule does not include subsistence allowance, if any, granted in cases of suspension of an employee pending an enquiry into his alleged misconduct.

NOTE 2: The sanctioning authority shall record its reasons for granting the advance but if the reason is of a confidential nature, it may be communicated to the Registrar personally and/or confidentially.

- (8) Notwithstanding anything contained in these rules, if the sanctioning authority is satisfied that money drawn as an advance from the Fund under rule 7 has been utilized for a purpose other than that for which sanction was given to the drawal of the money, the amount in question, shall forthwith be repaid by the subscriber to the Fund, or in default, be ordered to be recovered by deduction in one sum from the emoluments of the subscriber even if he be on leave. If the total amount to be repaid be more than half the subscriber's emoluments recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount is repaid by him.

NOTE: The term 'emoluments' in this rule does not include subsistence grant.

(8) *Withdrawal from the Fund:*

8.1 Subject to the conditions specified herein, withdrawals from the fund may be sanctioned by the Vice-Chancellor or any other authority to whom power has been delegated:

- A. After the completion of twenty years of service (including broken periods of service, if any of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund, for one or more of the following purposes, namely:-

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- (a) meeting the cost of higher education, including where necessary, the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely:-
 - (i) For education outside India for academic, technical, professional or vocational course beyond the High School stage and
 - (ii) For any medical, engineering or other technical or specialized course in India beyond the High School stage.
 - (b) meeting the expenditure in connection with the betrothal/marriage of the subscriber or his sons or daughters, and any other female relations actually dependent on him;
 - (c) meeting the expenses in connection with the illness, including where necessary the travelling expenses of the subscriber and members of his family or any person actually dependent on him;
- B. After the completion of fifteen years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount of subscription and interest thereon standing to the credit of the subscriber in the Fund for one or more of the following purposes, namely:-
- (a) Building, or acquiring a suitable house or ready-built flat for his residence including the cost of the site;
 - (b) Repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence;
 - (c) Purchasing a house-site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose;
 - (d) Reconstructing or making additions or alterations of a house or flat already owned or acquired by a subscriber;
 - (e) Renovating additions or alterations or upkeep of an ancestral house at a place other than the place of duty or to a house built with the assistance of loan from University/Government at a place other than the place of duty;
 - (f) Constructing a house on a site purchased under clause (c).
- C. Within six months before the date of the subscriber's retirement from the amount standing to his credit in the Fund for the purpose of acquiring a farm land or business premises or both.

NOTE 1: A subscriber who has availed himself of an advance under the scheme of the University for the grant of advance for house building purpose or has been allowed any assistance in this regard from any other Government source, shall be eligible for the grant of final withdrawal under sub-clause (a),(c),(d) and (f) o clause (B) for the purposes specified therein and also for the purpose of repayment of any loan taken under the aforesaid scheme subject to the limit specified in the proviso to sub-rule (1) of rule 8.2.

If a subscriber has an ancestral house or built house at a place other than the place of his duty with the assistance of loan taken from the University/ Government, he shall be eligible for the grant of a final withdrawal under sub-clause (a),(c) and (f) of clause (B) for purchase of a house site or for construction of another house or for acquiring a ready built flat at the place of his duty.

- NOTE 2:** Withdrawal under sub-clause (a), (d), (e) or (f) of clause (B) shall be sanctioned only after a subscriber has submitted a plan of the house to be constructed or of the additions or alterations to be made, duly approved by the local Municipal Body of the area where the site or house is situated and only in case where the plan is actually got to be approved.
- NOTE 3:** The amount of withdrawal sanctioned under sub-clause (b) of clause (B) shall not exceed $\frac{3}{4}$ th of the balance on date of application together with the amount of previous withdrawal under sub-clause (a) reduced by the amount of previous withdrawal. The formula to be followed is $\frac{3}{4}$ th of the balance (as on date plus amount of previous withdrawal(s) for the house in question, minus the amount of the previous withdrawals).
- NOTE 4:** Withdrawals under sub-clause (a) or (d) of clause (B) shall also be allowed where the house site or house is in the name of wife or husband provided she or he is the first nominee to receive Provident Fund money in the nomination made by the subscriber.
- NOTE 5:** Only one withdrawal shall be allowed for the same purpose under this rule. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flat covered by a fresh plan duly approved by the local municipal body of the area where the house or flat is situated shall not be treated as the same purpose. Second or subsequent withdrawal under sub-clause (a) or (f) of clause (B) for completion of the same house shall be allowed upto the limit laid down under Note 3.
- NOTE 6:** A withdrawal under this rule shall not be sanctioned if an advance under rule 7 is being sanctioned for the same purpose and at the same time.

8.2 *Conditions for withdrawal:*

- (1) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in rule 8.1 from the amount standing to his credit in the fund shall not ordinarily exceed one-half of such amount or six months' pay whichever is less. The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit upto $\frac{3}{4}$ th of the balance at his credit in the fund having due regard to (i) the object for which the withdrawal is being made (ii) the status of the subscriber and (iii) the amount to his credit in Fund.

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Provided that in no case the maximum amount of withdrawal shall exceed Rs.1,25,000/- or 75 times the monthly pay, whichever is less. Provided further that in the case of a subscriber who has availed himself of an advance under the scheme of the University for the grant of advance for house building purpose, or has been allowed any assistance in this regard from any other Government source, the sum withdrawn under this sub-rule together with the amount of advance taken under the aforesaid scheme of the University or the assistance taken from any other Government source shall not exceed Rs.1,25,000/- or 75 times the monthly pay, whichever is less.

NOTE 1: A subscriber shall be permitted to make a withdrawal once in every six months under sub-clause (a) of clause (A) of rule 8.1. Every such withdrawal shall be treated as a withdrawal for a separate purpose for the purposes of sub-rule (1) of rule 8.2.

NOTE 2: In cases where a subscriber has to pay in instalments for a site or a house or flat purchased, or a house or flat constructed through the Delhi Development Authority or a State Housing Board or a House Building Cooperative Society, he shall be permitted to make a withdrawal as and when he is called upon to make a payment in any instalment. Every such payment shall be treated as a payment for a separate purpose for the purposes of sub-rule (1) of Rule 8.2.

8.3 (1) A subscriber who has been permitted to withdraw money from the Fund under rule 8.1 shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilized for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn, or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Executive Council.

(2) (a) A subscriber who has been permitted under clause (d) clause (e) or clause (f) of rule 8.1 to withdraw money from the amount standing to his credit in the Fund shall not part with the possession of the house build or acquired or house-site purchased with the money so withdrawn, whether by way of sale, mortgage (other than mortgage to the University) gift, exchange or otherwise, without the previous permission of the Vice-Chancellor.

Provided that such permission shall not be necessary for:-

(i) the house or house-site being leased for any term not exceeding three years, or

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- (ii) its being mortgaged in favour of a Housing Board, the Life Insurance Corporation or any other Corporation owned or controlled by the Central Government which advances loans for the construction of a new house or making additions or alterations to an existing house.
- (b) The subscriber shall submit a declaration not later than the 31st day of December of every year as to whether the house or the house-site, as the case may be, continues to be in his possession or has been mortgaged, otherwise transferred or let out as aforesaid and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale, mortgage or lease deed and also the documents on which his title to the property is based.
- (c) If, at any time before his retirement, the subscriber parts with the possession of the house or house-site without obtaining the previous permission of the Vice-Chancellor, he shall forthwith repay the sum so withdrawn by him in a lump sum to the Fund, and in default of such repayment, the sanctioning authority shall after giving the subscriber a reasonable opportunity or making representation in the matter, cause the said sum to be recovered from the emoluments of the subscriber either in a lump sum or in such number of monthly instalments as may be determined by it.

³⁴²8.4 A subscriber who has already drawn or may draw in future an advance under rule 7 for any of the purposes specified in Rule 8.1 (A) may convert at his discretion by written request to the sanctioning authority, the balance outstanding into a final withdrawal on his satisfying the conditions laid down in rule 8.1 (A), 8.2 and 8.3.

(9) *Fund withdrawals of accumulations in the fund:*

- 9.1 When a subscriber quits the service of the University, the amount standing to his credit in the Fund shall become payable to him.
- 9.1.1 Provided that a subscriber who has been dismissed from the service of the University and is subsequently reinstated in service, shall if required to do so, repay any amount paid to him from the Fund in pursuance of this rule with interest thereon at the rate provided in these rules in the manner provided. The amount so repaid shall be credited to his account in the fund.

³⁴² Inserted vide UGC letter No. F.33-19/62(CU) Vol. V dated the 11th June, 1970.

Explanation: A subscriber who is granted refused leave shall be deemed to have quit the service from the date of compulsory retirement or on the expiry of an extension of service.

(10) *Retirement of a subscriber:*

10.1 When a subscriber (a) has proceeded on leave preparatory to retirement or if he is entitled to vacation, on leave preparatory, combined with vacation, or (b) while on leave, has been permitted to retire or has been declared by the Consulting Medical Officer of the University or by a competent medical authority that may be prescribed by the Executive Council in this behalf to be unfit for further service, the amount standing to his credit in the Fund shall upon an application made by him in that behalf to the Registrar, become payable to the subscriber.

10.1.1 Provided that the subscriber if he returns to duty shall, if required to do so, repay to the Fund for credit to his account the whole or part of any amount paid to him from the Fund in pursuance of this rule with interest thereon at the rate provided, by instalments or otherwise by recovery from his emoluments or otherwise as the Vice-Chancellor may direct.

(11) *Procedure on the death of a subscriber:*

11.1 On the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable before payment has been made;

11.1.1 When a subscriber leaves a family:

- (a) if a nomination made by the subscriber in accordance with the provisions of Rule 1.1 or of the corresponding rule heretofore in force in favour of a member or members of his family subsists amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;
- (b) if no such nomination in favour of a member or members of the family of the subscriber subsists, or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family, become payable to the members of his family in equal shares.

Provided that no share shall be payable to:

- (i) sons who have attained majority;
- (ii) sons of a deceased son who have attained majority;
- (iii) married daughters whose husbands are alive;

(iv) married daughters of a deceased son whose husbands are alive.

If there is any member of the family other than those specified in clauses (i), (ii), (iii) and (iv).

Provided further that the widow or windows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provision of clause 1 of the first proviso.

11.1.2 When the subscriber leaves no family – if a nomination made by him in accordance with the provisions of Rule 1.1 or of the corresponding rule heretofore in force in favour of any person or persons, subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

(12) *Statement of accounts:*

12.1 As soon as possible after the 31st of March of each year, the Registrar shall send to each subscriber a statement of his account in the Fund, showing the opening balance on the 1st of April of the year the total amount credited and debited during the year, the total amount of interest credited as on the 31st of March of the year and the closing balance on that date. The Registrar shall attach to the statement of account an enquiry whether the subscriber:

- (a) desires to make any alteration in any nomination made by the subscriber.
- (b) has acquired a family (in cases where the subscriber has made no nomination in favour of a member of his family under the rules).

12.2 Subscriber should satisfy themselves as to the correctness of the annual statement, and errors should be brought to the notice of the Registrar within six months from the date of receipt of the statement.

12.3 The Registrar shall, if required by a subscriber, one, but not more than once in a year, inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.

(13) *Investment of fund:*

13.1 All sums paid into the Fund under the rules shall be credited in the books of the University to an account named “General Provident Fund Account of the University” A deposit account shall be opened in such Scheduled Bank in .. as the

University may decide upon from time to time to be operated in such manner as the Executive Council may direct. The balance of the Fund, after reserving suitable amounts for current needs, shall be invested in the National Savings Certificates and/or other investment covered by Section 20 of the Indian Trust Act of 1882, as soon as possible after monthly accounts are closed.

SECTION – II PENSION

- (14) Every employee should have put in a minimum of ten years of qualifying service to be eligible for pension subject to such rules as may be applicable to the categories of pension set out below. In case the qualifying service falls below ten years, a gratuity as in Schedule 'C' will be admissible.
- (14) (a) The minimum age after which service counts for pension shall be eighteen years.
- (15) Subject to the minimum qualifying service an employee shall be eligible for one or other of the following pension:
- 15.1 Compensation Pension – if an employee is discharged owing to the abolition of the permanent post, he shall be granted a compensation pension on the scale prescribed in Rule 16 below.
- 15.2 Invalid pension –
- ³⁴³(i) an invalid pension shall be granted to an employee on retirement from the service of the University for permanent physical or mental disability incapacitating him for further service, if certified by the Consulting Medical Officer of the University on the scale prescribed in Rule 16 below.
- ³⁴⁴(ii) In respect of an employee who retired on invalid pension on or after 1st January 1973 or who may retire as such hereafter, the amount of invalid pension shall not be less than the amount of the contributory family pension mentioned at clause (C) of Rule (24) in Section IV –Family Pension, Appendix 'A'.
- ³⁴⁵(iii)(a) If the disability is directly due to the irregular or intemperate habits of an employee no invalid pension shall be granted.
- (b) If the disability has not been directly caused by such habits but has been accelerated or aggravated by them it shall be for the pension sanctioning authority to decide what reduction should be made on this account.

³⁴³ Paragraph numbered as (i) and (ii) vide UGC letter No. F.26-15/77 (D-5c) dated the 25th April, 1977.

³⁴⁴ Added vide UGC letter No. F.8-6/74 (D-5c) dated the 30th April, 1976.

³⁴⁵ Added vide UGC letter No. F.26-15/77 (D-5c) dated the 25th April, 1977.

- 15.3 Superannuation of Retiring Pension – A superannuation or retiring pension shall be granted to an employee who may retire from service on completion of the age of retirement or on completion of thirty years of qualifying service, whichever is earlier.
- 15.3.1 Provided that in the event of retirement after thirty years of qualifying service but before the completion of the age of sixty years the member of the staff concerned shall give in this behalf a notice in writing to the Registrar at least three months before the date on which he wishes to retire.
- ³⁴⁶16.1 (a) An employee eligible for pension under any of the categories mentioned above shall be granted on retirement, $\frac{1}{2}$ 80th of the average emoluments for each complete six monthly period of qualifying service subject to a maximum pension as stipulated in the table appended (Schedule 'A') and subject also to the total pension not exceeding 30/80th of the average emoluments.
- ³⁴⁷(b) In respect of employees who retire on or after 1st January 1973 or who may retire thereafter the amount of pension in terms of this Rule shall be the appropriate amount set-out in Schedule 'AA'.
- ³⁴⁸(c)(i) In respect of the employees who were in service on the 31st March, 1979, and retiring from service on or after that date the amount of pension shall be determined in accordance with the following slabs:

		<i>Amount of monthly pension</i>
1.	Upto first Rs. 1000/- of average emoluments.	50% of average emoluments.
2.	Next Rs.500/- of average emoluments reckonable for pension.	45% of average emoluments.
3.	Balance of average emoluments reckonable for pension.	40% of average emoluments subject to an overall ceiling as per para (iii) below.

- (ii) The amount of pension arrived at on the basis of the above slabs will be related to the maximum qualifying service of 33 years. For employees, who, at the time of retirement, have rendered less than 33 years, the amount of their pension will be such proportion of the maximum admissible pension as the qualifying service re-rendered by them bears to the maximum

³⁴⁶ Re-numbered as 16.1 vide UGC letter No. F.26-19/77(D-5c) dated the 21st September, 1977.

³⁴⁷ Sub-clause added vide UGC letter No. F.8-6/74(D-5c) dated the 30th April, 1976.

³⁴⁸ Sub-para (c) to rule 16.1 added vide UGC letter No. F.26-9/79(NP-1) dated 23.8.1980.

qualifying service of 33 years. A few illustrations have been given in Annexure.

- (iii) The pension as determined in accordance with the above slabs plus the maximum relief on pension at the rate of Rs.100 per month admissible to an employee as on 1-12-1978 in accordance with the orders issued by Government of India and made applicable to the employees/ pensioners to whom these rules apply, will be subject to an overall ceiling of Rs.1500/-p.m. If the pension itself exceeds Rs.1500/-p.m. then the maximum pension for full service of 33 years will be restricted to Rs.1500/-p.m. and no relief will be payable upto index level 328.
 - (iv) The existing provisions of these Rules regarding admissibility of service gratuity, Death-cum-Retirement Gratuity, Family Pension and determination of the average emoluments, service qualifying for pension including the provision for treating completed six monthly period of service as qualifying and fraction of a rupee being rounded off to next higher rupee, will remain unaltered.
- ³⁴⁹16.2 (a) In case an employee who retires on superannuation, retiring, invalid or compensation pension on or after 1st March 1970, and the amount of pension including ad-hoc increase in accordance with the rules orders in force at the time of his retirement, is less than Rs.40/-p.m. the same shall be raised to Rs.40/-p.m. (inclusive of ad-hoc increase, where applicable) with effect from 1-3-1970.
- (b) In case of a pensioner under this scheme, if the amount of pension including ad-hoc increase or temporary increase or both, which the pensioner may be in receipt on 1-3-1970, is less than Rs.40/-p.m. the same shall be raised to Rs.40/-p.m. (inclusive of ad-hoc or temporary increase as the case may be, where applicable) with effect from 1-3-1970.

(17) *Commutation of pension:*

- 17.1 An employee shall, subject to the condition specified below, be allowed to commute for lump payment any portion or portions of his pension not exceeding one-third of the pension granted to him.
- 17.2 No commutation shall be sanctioned unless the consulting Medical Officer of the University certifies that the pensioner's health and prospects of duration of life are such as to justify commutation.

³⁵⁰Provided that an employee who applies for commutation of pension within one year of the date of his retirement on superannuation will not be subjected to medical examination for the

³⁴⁹ Added vide UGC letter No. F.26-19/77 (D-5c) dated the 21st September, 1977.

³⁵⁰ Added vide UGC letter No. F.26-7/78(D-5c) dated the 2nd May, 1979.

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purpose of payment of commuted value, subject to the limit prescribed in rule 17.1. This will neither apply to persons retiring otherwise than on superannuation nor cover persons retiring on superannuation who apply for commutation of pension after one year of the date of their retirement. Application for commutation of pension under this proviso will be made *after* the date of retirement and the commutation shall become absolute, that is the retired employee shall become entitled to receive the Commuted value on the date on which his application is received by the Finance Officer/ Registrar of the University. An employee who has applied for commutation of pension under this proviso, will have no option to withdraw his application. This proviso will take effect from the 26th December, 1977 and will also apply to those who have retired before this date but have not crossed the age next birthday after superannuation and have not gone before the Consulting Medical Officer of the University.

- 17.3 The lump sum payable on commutation shall be calculated in accordance with the table prescribed by the Govt. of India from time to time.
- 17.4 Commutation when sanctioned shall take effect on the date to be specified in the order. Such date shall be the first of a month and ordinarily about one month later than the date of the order and all calculations shall be made with reference to the date specified.

SECTION – III GRATUITY

- ³⁵¹[18 ³⁵²(i) An employee who has completed five years of qualifying service at the University may be granted a additional (Death-cum-Retirement) gratuity in accordance with the scale indicated in Rule (19). This gratuity shall be payable on his retirement from the service of the University. In the event of his demise, the gratuity shall be payable to the nominee or nominees of the deceased employer in the manner prescribed (vide Annexure Forms I to VIII).

³⁵¹ As substituted vide UGC letter No. F.8-5/72(CU-I) dated the 11th August, 1972. Prior to this, the rule as amended vide UGC letter No. L.33-19/62(CU)/ Vol. IV dated the 15 July, 1969 was as under:

(18) An employee who has completed five years of qualifying service at the University shall be granted gratuity, as distinct from the gratuity referred to in Rule 1 of Section II, in accordance with the scale of gratuity indicated in Schedule 'C'. This gratuity shall be payable on his retirement from service of the University. In the event of his demise, this gratuity shall be payable to the nominee or nominees of the deceased in the manner prescribed (vide Annexure Forms V to VIII).

No gratuity shall be payable on resignation from the service of the University or dismissal or removal from it for misconduct, insolvency, inefficiency not due to age.

³⁵² Numbered as (i) vide UGC letter No. F.8-11/75(D-5c) dated the 2nd April, 1976.

- ³⁵³(ii) If there is no such nomination or if the nomination made does not subsist the gratuity shall be paid in the manner indicated below:-
- (a) If there are one or more surviving members of the family as in the following sub-clauses (aa), (bb), (cc) and (dd), to all such members in equal shares;
 - (aa) wife or wives, in the case of a male employee,
 - (bb) husband, in the case of a female employee,
 - (cc) sons including step sons and adopted sons,
 - (dd) unmarried daughters including step daughters and adopted daughters.
 - (b) If there are no such surviving members of the family as in clause (a) above, but there are one or more members as in the following sub-clauses (aa), (bb), (cc), (dd), (ee), (ff) and (gg), to all such members in equal shares;
 - (aa) widowed daughters including step daughters and adopted daughters.
 - (bb) Father } including adoptive parents in the
 - (cc) Mother } case of individuals whose personal law permits adoption,
 - (dd) brothers, below the age of eighteen years including step brothers.
 - (ee) unmarried sisters and widowed sisters including step sisters,
 - (ff) married daughters, and
 - (gg) children of pre-deceased son.]
- ³⁵⁴(iii) No gratuity shall be payable on resignation from the service of the University or dismissal or removal from it for misconduct, insolvency, inefficiency not due to age.

³⁵⁵**NOTE I:** The right of a female members of the family that of a brother, of an employee who dies while in service or after retirement, to receive the share of gratuity shall not be affected if the female member marries or re-marries, or the brother attains the age of eighteen years, after the death of the employee and before receiving her or his share of gratuity.

NOTE II: Where gratuity is granted under this rule to a minor member of the family of the deceased employee, it shall be payable to the guardian on behalf of the minor.

NOTE III: Where an employee dies while in service, or after retirement without receiving the amount of gratuity, and

³⁵³ Added vide UGC letter No. F.8-11/75(D-5c) dated the 2nd April, 1976.

³⁵⁴ Added and numbered vide UGC letter No. F.8-11/75(D05c) dated the 2nd April, 1976; Substituted vide UGC letter No. F. 8-5/72(CU-I) dated the 11th August, 1972.

³⁵⁵ Added vide UGC letter No. F.8-11/55(D-5c) dated the 2nd April, 1976.

- (a) leaves behind no family; or
- (b) has made no nomination; or
- (c) the nomination made by him does not subsist; the amount of death-cum- retirement gratuity payable to him under this rule shall lapse to the University.

- ³⁵⁶19. (i) The amount of gratuity will be one-fourth of the emoluments of an employee for each completed six monthly period of qualifying service subject to a maximum of fifteen times the emoluments. In the event of death of an employee while in service the gratuity will be subject to a minimum of twelve times the emoluments of the employee at the time of his death.

Provided that in n case it shall exceed Rs.24,000/- and that the amount of gratuity payable is further subject to the provision of Rule (24) (A) (vi) and the note thereunder.

- ³⁵⁷(ii) In respect of employees who retired from service on or after 1st January, 1973 or who may retire from service thereafter or died while in service on or after the aforesaid date or in the event of their death in service thereafter, for death-cum-retirement gratuity, the existing maximum limit of 'fifteen times the emoluments' as prescribed in clause (i) above shall be raised to '16½ times the emoluments'.

Provided that the maximum monetary limit of Rs.24,000/- applicable to death-cum-retirement gratuity under the proviso to clause (i) above shall respect of cases failing under clause (ii) above be raised to Rs.30,000/-.

20. If an employee who has become eligible for a pension under Section II dies within a period of five years after the retires from the service of the University ³⁵⁸(***) and the sums actually received by him at the time of death on account of such pension together with the gratuity granted under the above rules and commuted value of any portion of the pension commuted by him are less than the amount equal to twelve times the emoluments, a gratuity equal to the deficiency shall be granted to the person or persons nominated by him.
21. If a permanent employee dies before completing five years of qualifying service, his family will be eligible for a gratuity equal to six times his emoluments at the time of his death except in cases in which death occurs

³⁵⁶ Numbered the clause (i) vide UGC letter No. F.8-6/74(D-5c) dated the 30th April, 1976 and substituted vide UGC letter No. F.8-5/72(CU-I) dated the 11th August, 1972.

³⁵⁷ Inserted vide UGC letter No. F.8-6/74(D-5c) dated the 30th April, 1976.

³⁵⁸ The word "as the case may be" deleted vide UGC letter No. F.33-19/62 (CU-I) vol. V dated the 27th October, 1970.

in the first year of service, when the gratuity admissible will be equal to two months' emoluments.

22. *Temporary employees:*

22.1 Terminal gratuity – A temporary employee who retires on superannuation or is discharged on account of retrenchment or is declared invalid for further service will be eligible for a gratuity at the rate of one-third of a month's pay for each completed year of service, provided that he has completed not less than five years of continuous service at the time of retirement, discharge or invalidment.

22.2 Death gratuity – The family of temporary employee who dies while in service will be eligible for a death gratuity on the scale and subject to the conditions specified below:

(a)	On death after completion of one year of service but before completion of three years of service.	A gratuity equal to one month's pay.
(b)	On death after completion of three years of service but before completion of five years of service.	A gratuity equal to two month's pay.
(c)	On death after completion of five years of service or more.	A gratuity equal to three month's pay or the amount of terminal gratuity mentioned in Rule 22.1 above whichever is more.

NOTE: For the purpose of determining the amount of terminal or death gratuity under Rule 22.1 and 22.2 pay will mean only basic pay and also dearness pay (if any) at the time of relinquishing service or of death, as the case may be. It will not include special pay, personal pay and other emoluments as pay. In case the employee concerned was on leave with or without allowance immediately before retirement, discharge, invalidment or death, pay for this purpose will be the pay which he would have drawn had he not proceeded on such leave.

SECTION – IV
FAMILY PENSION

23. The Family Pension Scheme as detailed below will be applicable to regular employees in pensionable service – temporary or permanent subject to the provision of Rule 38.
24. It will be administered as below:
- (A) For those who were in service on the 1st April, 1964 but retired before the 1st January, 1966 and are still alive and who opt for the GPF-cum-Pension-cum-Gratuity Scheme, the following provision will apply:
- (i) The family pension will be admissible in case of death while in service or after retirement, if at the time of death, a retired officer was in receipt of a compensation, invalid, retiring or superannuation pension. In case of death while in service, the employee should have completed a minimum period of one year in service.
- (ii) ‘Family’ for purpose of this Scheme will include the following relatives of the employee:
- (a) Wife in the case of male officer;
- (b) Husband in the case of female officer;
- (c) Minor sons;
- (d) Unmarried minor daughters.

Note: (i) (c) and (d) will include children adopted legally before retirement.

Note: (ii) Marriage after retirement will not be recognized for the purpose of the scheme.

(iii) The pension will be admissible:

- (a) In the case of widow/widower up to the date of death or re-marriage whichever is earlier.
- (b) In the case of minor son until he attains the age of 18 years.
³⁵⁹“With effect from 29th March 1978 in case of son until he attains the age of 21 years”.
- (c) In the case of unmarried daughter until she attains the age of 21 years or marries which ever is earlier.
“With effect from 29th March, 1978, in the case of unmarried daughter until she attains the age of 24 years or marries whichever is earlier”.

³⁶⁰Provided that if the son or daughter of an employee is suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after attaining the age of 18 years

³⁵⁹ Inserted vide UGC letter No. F.26-3/79(D-5c) dated the 6th August, 1979.

³⁶⁰ Inserted vide UGC letter No. F.8-4/74(D-5c) dated the 18th April, 1976.

in the case of the son and 21 years in the case of the daughter, the family pension shall be payable to such son or daughter for life subject to the following conditions, namely:-

- (i) If such son or daughter is one among two or more children of the employee, the family pension shall be initially payable to the minor children in the order set out in item (c) of sub-para (iv) of this rule until the last minor child attains the age of 18 or 21, as the case may be, and there after the family pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him/her for life;
- (ii) If there are more than one such son or daughter suffering from disorder or disability of mind or who are physically crippled or disabled, the family pension shall be paid in the following order namely:-
 - (a) Firstly, to the son, and if there are more than one son, the younger of them will get the family pension only after the life time of the elder;
 - (b) Secondly, to the daughter, and if there are more than one daughter, the younger of them will get the family pension only after the life time of the elder;
- (iii) The family pension shall be paid to such son or daughter through the guardian as if he or she were a minor;
- (iv) Before allowing the family pension for life to any such son or daughter, the sanctioning authority shall satisfy that the handicap is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer not below the rank of a Civil Surgeon setting out, as far as possible, the exact mental or physical condition of the child.
- (v) The person receiving the family pension as guardian of such son or daughter shall produce every three years a certificate from a medical officer not below the rank of a Civil Surgeon to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled.

Note 1: Where an officer is survived by more than one widow, the pension will be paid to them in equal shares. On the death of a widow her share of the pension will become payable to her eligible minor child. If at the time of her death a widow leaves no eligible minor child, the payment of their share of the pension will cease.

Note 2: Where an officer is survived by a widow but has left behind an eligible minor child from another wife, the eligible

minor child will be paid the share of the pension which the mother would have received if she had been alive at the time of the death of the officer.

- ³⁶¹[(vi) (a) Except as provided in notes (1) and (2) below sub-para (v), the family pension shall not be payable to more than one member of the family at the same time.
- (b) If a deceased employee or pensioner leaves behind a widow or widower, the family pension shall become payable to the widow or widower, failing which to the eligible child.
- (c) If sons and unmarried daughters are alive, unmarried daughters shall not be eligible for family pension unless the sons attain the age of 21 years w.e.f. 29th March, 1978 and thereby become ineligible for the grant of family pension.]
- (vii) In the event of re-marriage or death of the widow/widower the pension will be granted to the minor children through their natural guardian. In disputed cases, however, payments will be made through a legal guardian.
- (viii) Every employee eligible to the benefit of the above scheme will be required to surrender a portion of gratuity where admissible equal to two months' emoluments or 'pay' as the case may be subject to a maximum of ³⁶²Rs.3,600/- (however, in respect of employees who retired from service on or after 1st January, 1973 or who may retire from service thereafter or died, while in service on or after the aforesaid date or in the event of their death in service thereafter the maximum limit of gratuity required to be surrendered shall be Rs.5000/- (instead of Rs.3600/-. Where an employee governed by this scheme retires, as a bachelor who has not adopted any child, no deduction from his gratuity will be made. In case where the gratuity admissible is less than two month' pay, the family pension benefit admissible under the scheme.

³⁶³With effect from the 22nd September, 1977, no deduction should be made from Death-cum-retirement gratuity as a Contribution towards the family pension.

Note: In the case of employees retiring without wife/ husband or minor children including the adopted children the deduction of

³⁶¹ As substituted vide UGC letter No. F.8-4/74(D-5c) dated the 18th April, 1976.

³⁶² Added vide UGC letter No. F.8-6/74 (D-5c) dated the 30th April, 1976.

³⁶³ GIMF OM No. F.1(14)-EV(B)/76 dated the 22nd Sept., 1977.

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two month's pay/ emoluments from the gratuity will not be made as in the case of bachelor.

(vii) Under the scheme the following benefits will be awarded:

	<i>Pay of the employee</i>	<i>Monthly pension of widow/widower/children</i>
1.	Rs.800 and above	12% of pay subject to a maximum of Rs.150.
2.	Rs.200 and above but below Rs.800.	15% of pay subject to a maximum of Rs.96 & a minimum of Rs.60.
3.	Below Rs.200	30% of pay subject to a minimum of Rs.25.

³⁶⁴Note 1: In case an employee dies on or after the 28th February, 1970 and his family is eligible for pension under this scheme and the amount of family pension including ad-hoc increase in accordance with the rules/orders in force at the time of his death, is less than Rs.40/-p.m. the same shall be raised to Rs.40/-p.m. (inclusive of ad-hoc increase where applicable) with effect from 1-3-1970.

Note 2: In case of recipients of family pension under this scheme, if the amount of pension including ad-hoc increase or temporary increase or both which the beneficiary may be in receipt on 1.3.1970 is less than Rs.40/-p.m., the same shall be raised to Rs.40/-p.m. (inclusive of ad-hoc or temporary increase as the case may be where applicable) with effect from 1.3.1970.

(B) For those who are in service on or after 1st January, 1966 the following additional provision will apply:

(i) If the employee has put in 7 years of service or more prior to his death, for a period of 7 years from the date of death or till the date on which the officer would have reached the normal age of superannuation had he remained alive, whichever period is shorter, the pension payable under the aforesaid orders will be at 50% of ³⁶⁵(****) pay last drawn subject to a maximum of twice the pension admissible under (ii) below.

(ii) if the employee has not put in 7 years of service prior to death or after 7 years of payment as in (i) above, the rate of the family pension will be as under:

³⁶⁴ Inserted vide UGC letter No. F.26-19/77 (D-5c) dated the 21st Sept., 1977.

³⁶⁵ The words "the basic" omitted vide UGC letter No. F.8-11/72(CU-I) dated the 31st October, 1973.

	<i>Pay of the employee</i>	<i>Monthly pension of widow/widower/children</i>
1.	Rs.800 and above	12% of pay subject to a maximum of Rs.150.
2.	Rs.200 and above but below Rs.800.	15% of pay subject to a maximum of Rs.96 & a minimum of Rs.60.
3.	Below Rs.200	30% of pay subject to a minimum of Rs.25.

Note 1³⁶⁶: 'Pay' for this purpose means the pay which the employee was drawing on the date of his death while in service or immediately before his retirement. If on the date of his death, while in service, or immediately before his retirement, an employee has been absent from his duty on leave (including extraordinary leave) or suspension 'pay' means the pay which he drew immediately before proceeding on such leave or suspension.

Note 2: In case an employee dies on or after the 28th February, 1970 and his family is eligible for pension under this scheme and the amount of family pension including ad-hoc increase in accordance with the rules/orders in force at the time of his death is less than Rs.40/-p.m. the same shall be raised to Rs.40/-p.m. (including of ad-hoc increase where applicable) with effect from 1.3.1970.

Note 3: In case of recipient of family pension under this scheme, if the amount of pension including ad-hoc increase or temporary increase or both which the beneficiary may be in receipt on 1.3.1970 is less than Rs.40/-p.m., the same shall be raised to Rs.40/-p.m. (inclusive of ad-hoc or temporary increase as the case may be where applicable) with effect from 1.3.1970.

³⁶⁷(C) For the employees who died while in service on or after the 1st January 1973 or in the event of their death after retirement on or after 1st January, 1973 and were receipt of compensation, invalid, retiring and superannuation pension on the date of death the rates of the Contributory Family Pension shall be revised as follows:-

	<i>Pay of the employee</i>	<i>Amount of monthly family pension</i>
(a)	Below Rs.400	30% of pay subject to a minimum of Rs.60 and a maximum of

³⁶⁶ Numbered as (1) and added Note 2 & 3 vide UGC letter No. F.26-19/77 (D-5c) dated the 21st September 1977.

³⁶⁷ Inserted vide UGC letter No. F.8-6/74(D-5c) dated the 30th April, 1976.

		Rs.100.
(b)	Rs.400 and above but below Rs.1200.	15% of pay subject to a minimum of Rs.100 and a maximum of Rs.160.
(c)	Rs.1200 and above.	12% of pay subject to a minimum of Rs.160 and a maximum of Rs.250.

The amount of the contributory family pension at enhanced rates as determined under clause (B)(i) above shall be payable:-

- (a) In the event of the death of an employee while in service for a period of seven years or up to the date on which he would attain the age of 65 years had he survived, whichever period is less.
 - (b) In the event of the death after retirement the family pension at enhanced rates shall be payable up to the date on which the employee would have attained the age of 65 years had he survived, or for seven years whichever period is less, but in no case the amount of family pension shall exceed the pension sanctioned to the employee at the time of retirement. However, in cases where the amount of family pension admissible as per this Clause (c) exceeds the pension sanctioned at the time of the retirement, the amount of family pension sanctioned under this sub-clause shall not be less than that amount. The pension sanctioned at the time of retirement shall be the pension inclusive of any portion which may have been commuted before death.
- (25) All employees entitled to the benefit of Family Pension shall be required to furnish details of their 'family' as defined in sub-para (ii) of para 24(A) above i.e. the date of birth of each member with his/her relationship with the employee. This statement shall be countersigned by the Registrar and pasted in the service record of the employee. The employee will thereafter be required to keep the statement upto date. Additions and alterations in this statement will be made by the Registrar from time to time on receipt of information from the employee concerned.
- (26) In cases where death occurs while in service the Registrar on receiving information of death of an employee while in service shall send a letter as prescribed in For IX to the family of the deceased and ask for necessary documents mentioned therein. On receiving documents the Registrar shall take necessary action to sanction the pension to the eligible member of the family.

SECTION – V **Extraordinary Pension and Gratuity**

- (27) Extraordinary pension and gratuity may be sanctioned by the Executive Council of the University on the advice of an ad-hoc committee when an employee sustains injury or dies as a result of an injury or is killed.

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In making the award the Executive Council will take into consideration the degree of the fault or contributory negligence on the part of an employee who sustains injury or dies as a result of an injury or is killed.

The said ad-hoc committee shall consist of five members, four appointed by the Executive Council from amongst themselves and fifth member will be the representative from the Ministry of Finance, Government of India.

- (28) For the purpose of these rules, injury shall be classified as follows:
- Class A: Injuries caused as a result of special risk of office which have resulted in the permanent loss of an eye or a limb or are of a more serious nature.
 - Class B: Injuries caused as a result of special risk of office and equivalent in respect of the degree of disablement which they cause to the loss of a limb or are very severe; or injuries caused as a result of risk of office which have resulted in the permanent loss of an eye or a limb, or are of a more serious nature.
 - Class C: Injuries caused as a result of special risk of office which are severe, but not very severe, and likely to be permanent or injuries caused as a result of risk of office which are equivalent, in respect of the degree of disablement which they caused, to the loss of a limb or which are very severe or severe and likely to be permanent.
- (29) If an employee sustains an injury which falls within Class 'A' he shall be awarded:
- (a) a gratuity of the applicable amount specified in Schedule 'D' and
 - (b) with effect from the date following the expiry of one from the date of the injury.
 - (i) if the injury has resulted in the permanent loss of more than one limb or one eye, a permanent pension of the applicable amount specified in Schedule 'D' for a higher scale pension; and
 - (ii) in other cases, a permanent pension the amount specified in Schedule 'D' for a higher scale pension and shall not be less than half that amount.
- (30) If an employee sustains an injury which falls within Class 'B' he shall be awarded:
- (a) if the injury has resulted in the permanent loss of an eye or a limb or is of more serious nature, a permanent pension, with effect from the date of the injury, of an amount which shall not exceed the applicable amount specified in Schedule 'D' for a lower scale pension and shall not be less than half that amount;
 - (b) in other cases –
 - (i) for a period of one year with effect from the date of the injury a temporary pension the amount of which shall not exceed the applicable amount specified in Schedule 'D' for a lower scale

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pension and shall not be less than half that amount, and thereafter;

- (ii) a pension within the limit specified in sub-clause (i) if the Consulting Medical Officer of the University from year to year certifies that the injury continues to be very severe.

- (31) If an employee sustains an injury which falls within Class 'C' he shall be awarded a gratuity of the applicable amount specified in Schedule 'D' if the Consulting Medical Officer of the University certifies that the employee is likely to be unfit for service for a year, or a proportionate amount subject to a minimum of one-fourth, the amount so specified if he is certified to be likely to be unfit for less than a year.

- 31.1 Provided that in cases where the injury is equivalent in respect of the degree of disablement which it causes to the loss of a limb, the Executive Council may award if it thinks fit, in lieu of the gratuity a pension not exceeding the amount admissible under clause (b) of Rule 30.

- (32) A temporary pension awarded under this section may be converted into a permanent injury pension –

- (a) when the employee is rendered invalid out of service on account of the injury in respect of which the temporary pension was awarded, or
- (b) when the temporary pension has been drawn for not less than five years, or
- (c) at any time if the Consulting Medical Officer certifies that he sees no reason to believe that there will ever be a perceptible decrease in the degree of disablement.

- (33) The award shall be made to the widow and children of an employee as follows:

- (a) if the employee is killed or dies of injury received as a result of 'special risk' of office –
 - (i) a gratuity of the applicable amount specified in Schedule 'E', and
 - (ii) a pension the amount of which shall not exceed the applicable amount specified in Schedule 'E'.
- (b) if the member of the staff is killed or dies of injuries received as a result of 'risk of office', a pension the amount of which shall not exceed the applicable amount specified in Schedule 'E'.

NOTE: The rates in Schedule 'E' are subject to the condition that the pension payable to a child/children will in no case be less than the amount of pension which would have been admissible to him/them had the provisions of the family pension been applied (Section IV).

- 33.1 Provided that if the pay of the deceased member of the staff was less than Rs.200, the monthly pension or the sum of pension that may be granted under this section, shall not, irrespective the rates (including the minimum limits) specified in Schedule 'E' exceed

the limit of one-half of his pay; and if in any case the sum of pensions calculated under Schedule 'E' exceeds the limit of one-half of his pay, such a prorate reduction shall be made in the amount of each individual pension as will reduce the sum of such limit.

³⁶⁸32.2 Provided further that for a period of 7 years from the date of death or till the date on which the employee would have reached the normal age of superannuation had he remained alive, whichever period is shorter the pension payable will be at 50% of the basic pay last drawn subject to a maximum of twice the pension admissible under Rule 24 (Section IV), if the employee has rendered continuous service for not less than 7 years.

NOTE: This provision is not applicable to those employees who retired before 1.1.1966.

- (34) If the deceased member of the staff has left neither a widow nor a child, an award may be made to his father and his mother individually or jointly and in the absence of the father and the mother to minor brothers and sisters, individually or collectively, if they were largely dependent on the employee for support and are in pecuniary need.
- 34.1 Provided that the total amount of the awards shall not exceed one-half of the pension that would have been admissible to the widow under the preceding rule.
- 34.2 Provided further that each minor brother's or sister's share shall not exceed the amount of pension specified in Schedule 'E' for a child who is not motherless.
- (35) Any award made under Rule 34 will, in the event of an improvement in the pecuniary circumstances of the pensioner, be subject to review in such manner as the Executive Council may by order prescribe.
- (36) An extraordinary family pension will take effect from the day following the death of the employee or from such other date as the Executive Council may decide.
- (37) An Extraordinary family pension will ordinarily be tenable-
- (a) in the case of a widow or mother until death or re-marriage whichever occurs earlier;
 - (b) in the case of a minor son, or minor brother, until the age of 18;
 - (c) in the case of an unmarried daughter or minor sister, until marriage or until she attains the age of 21, whichever occurs earlier;
 - (d) in the case of a father, for life.
- ³⁶⁹(38) The family of the employee dying as a result of 'risk of office' or 'special risk of office' who are paid pension etc. under Rule 33 will not be entitled to the family pension under Section IV.

³⁶⁸ Introduced vide Circular of Ministry of Finance OM No. F.9(24)-Ex (A)/65 dated 5.1.1966.

³⁶⁹ Opening paragraph of Government of India, Ministry of Finance (Department of Expenditure), OM No. F.19(3)-EV(A)/65 dated 9.9.1965.

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- (39) When a claim for any injury pension or gratuity or family pension arises under any of the rules in this Section, the officer-in-charge of the office or the department or section in which the injured, or the deceased, was employed will forward the claim to the Executive Council through the Registrar with the following documents:
- (a) a full statement of circumstances in which the injury was received, the disease was contracted or the death occurred;
 - (b) the application for injury or gratuity in Form X or as the case may be, the application for family pension in Form XI, in the Annexure;
 - (c) in the case of an injured member of the staff or one who has contracted a disease, a medical report in Form XII in the Annexure. In the case of deceased member of the staff, a medical report as to the death or reliable evidence as to the actual occurrence or the death if the member of the staff lost his life in such circumstances that a medical report cannot be secured.

³⁷⁰ **Appendix 'B'**

CONTRIBUTORY PROVIDENT FUND-CUM-GRATUITY SCHEME

1. The employee who opt for the Contributory Provident Fund-cum-Gratuity scheme will be subject to the rules as contained in Part II of the Central Universities Retirement Benefit Rules, 1967.
2. Gratuity admissible under the scheme will, however, be at the same rate and on the same conditions as laid down in Appendix 'A', Section II of the Central Universities Retirement Benefit Rules, 1967.

Central Universities Retirement Benefit Rules, 1967

Part II

Containing Contributory Provident Fund Rules

1. *Application of Rules*

These rules shall apply to all the employees of the Central Universities including Indian Institute of Science, Bangalore, – both academic and non-academic except the following:

- (a) Persons appointed against purely temporary vacancies, part-time servants and daily wages staff who are not entitled to the benefit of the fund under their conditions of service.
- (b) Employees of the Central Government or any State Government who may be serving with the University on Foreign Service Terms and in respect of whom the University pays leave and pension contributions, unless any decision to the contrary is taken at the time of their appointment.
- (c) Employees appointed on contract and where conditions of service are laid down in the terms of contract, provided that a person who is

³⁷⁰ Vide UGC letter No. F.50-22/67(CU-I/D-5c) dated the 5th December, 1977.

initially appointed on contract and is subsequently made permanent employee of the University shall be entitled to the benefits of the Fund if the retirement benefits received by him in respect of his contract period are paid back to the University.

- NOTE:** (i) A person retired from any civil or military department or the Central Government or from services of any local funds administered by government or from any other institution may on re-employment in the University be admitted to the Fund by the University subject to such instructions as may be issued from time to time.
- (ii) For the purpose of these Rules, emoluments means pay, leave salary, or subsistence grant and includes,
- (a) Special Pay
 - (b) Personal Pay
 - (c) Dearness Pay appropriate to pay, leave salary or subsistence grant, if admissible.
 - (d) Any wages paid by the University to employees not remunerated by fixed monthly pay.
 - (e) Any remuneration of the nature of pay received in respect of foreign service.

For any other items the definitions as laid down in Part –I of the Central Universities Retirement Benefit Rules, 1967 will apply.

2. *Transfer of an employee from the University to another:*

The amount payable towards Provident Fund balance by a University in respect of an employee on his joining another university shall be credited to the Provident Fund account to be opened in the new University.

3. *Nominations:*

- (i) A subscriber shall, at the time of joining the Fund send to the Registrar, a nomination in the prescribed form conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death, before that amount has become payable or having become payable has not been paid.

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

Provided further that the nomination made by the subscriber in respect of any other Provident Fund to which he was subscribing before joining the Fund shall if the amount to his credit in such other fund has been transferred to his credit in the Fund, be deemed to be a nomination duly made under this rule until he makes nomination in accordance with this rule.

- (ii) If a subscriber nominates more than one person under Rule (i) he shall specify in the nomination the amount or share payable to each of the

nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

- (iii) Every nomination shall be in such one of the Forms appended hereto as is appropriate in the circumstances (vide Forms I to IV in the Schedules).
- (iv) A subscriber may at any time cancel a nomination by sending a notice in writing to the Registrar. The subscriber shall, alongwith such notice or separately send a fresh nomination made in accordance with the provisions of this rule.
- (v) A subscriber may provide in a nomination:
 - (a) In respect of any specified nominee, that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination provided that such other person or persons shall, if the subscriber has other members of his family, be such other member or members. Where the subscriber confers such a right on more than one person under this clause he shall specify the amount or share payable to each of such persons in such a manner as to cove the whole of the amount payable to the nominee;
 - (b) that the nomination shall become invalid in the event of the happening of a contingency specified therein;

Provided that if at the time of making the nomination the subscriber has no family he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family;

Provided further that if all the time of making the nomination the subscriber has only one member of the family, he shall provide in the nomination that the right conferred upon the alternate nominee under clause (a) shall become invalid in the event of his subsequently acquitting other member or members of his family.

- (vi) Immediately on the death of a nominee in respect of whom to special provision has been made in the nomination under clause (a) of Rule 3 or on the occurrence of event by reason of which the nomination becomes invalid in pursuance of clause (b) of Rule 3 or the proviso thereto, the subscriber shall send to the Registrar a notice in writing canceling the nomination, together with a fresh nomination, made in accordance with the provisions of this rule.
- (vii) Every nomination made, and every notice of cancellation given, by a subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Registrar.

4. *Subscriber's Accounts:*

An account shall be opened in the name of each subscriber, in which shall be credited:

- (i) The subscriber's subscriptions;

- (ii) contributions made under rule 8 by the university to his account;
- (iii) interest, as provided by rule 9 on subscriptions;
- (iv) interest, as provided by rule 9 on contributions; and
- (v) advances and withdrawals from the Fund.

5. *Conditions of subscriptions:*

- (i) Every subscriber shall subscribe to the fund when on duty but not during a period of suspension.
- (ii) A subscriber may at his option not subscribe during leave which either does not carry any leave salary or carries leave salary equally to or less than half pay or half average pay.
- (iii) A subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one sum or in instalments any sum not exceeding the maximum amount of arrears of subscription permissible for that period.

6. *Rates of subscription:*

The amount of subscription shall be fixed by the subscriber himself subject to the following conditions namely:

- (i) It shall be expressed in whole rupees;
- (ii) It may be any sum, so expressed, not less than 8 1/3% of his emoluments and not more than his emoluments. The amount of subscription so fixed may be enhanced or reduced, subject to the limit specified in this rule once at any time during the course of a financial year.

7. *Realisation of subscriptions:*

The recoveries towards subscriptions and advances shall be made in accordance with such procedures as may be laid down by the University.

In the case of subscribers on deputation to another University, the subscription should be recovered either from the employee or the University whereto the subscriber has gone on deputation and credited to his account.

8. *Contribution by the University:*

- (i) The University shall with effect from the 31st March of each year make a contribution to the account or each subscriber;

Provided that if a subscriber quits the service or dies during a year contribution shall be credited to his account for the period between the close of the preceding year and the date of the casualty;

Provided that if, through oversight or otherwise the amount subscribed is less than the minimum subscription payable by the subscriber under

Rule 6 and if the short subscription together with the interest accrued thereon is not paid by the subscriber within such time as may be specified by the authority competent to sanction an advance for the grant of which special reasons are required under sub-rule (2) of rule 10, the contribution payable by the University shall be equal to the amount actually paid by the subscriber or the amount normally payable by University, whichever is less, unless, the University in any particular case, otherwise directs.

- (ii) The contribution shall be 8% of the subscriber's emoluments drawn on duty during the year or period as the case may be.
- (iii) Should a subscriber elect to subscribe during leave, his leave salary for the purpose of this rule, be deemed to be emoluments drawn on duty.
- (iv) The amount of contribution payable shall be rounded to the nearest whole rupee (fifty paise or more counting as the next higher rupee).

9. *Interest:*

- (i) The University shall pay to the account of a subscriber interest as may be prescribed by the Executive Council for each year after taking into account the interest that may be earned on the investment of the Fund.
- (ii) Interest shall be credited with effect from the 31st March of each year in the following manner namely;
 - (a) on the amount at the credit of a subscriber on the 31st March of the preceding year, less any sums withdrawn during current year-interest for twelve months;
 - (b) on sums withdrawn during the current year-interest from the 1st of April of the current year to the last day of the month preceding month of withdrawal.
 - (c) On all sums credited to the subscriber's account after the 31st March of the preceding year- interest from the date of deposit up-to-the 31st March of the current year;
 - (d) The total amount of interest shall be rounded to the nearest rupee in the manner provided in rule 8(iv);
 - (e) When the amount standing at the credit of a subscriber has become payable interest shall thereon be credited under this sub-rule in respect current year or from the date of deposit, as the case may be, up to the date on which the amount standing at the credit of the subscriber becomes payable;
 - (f) In all cases interest shall be paid in respect of balance at credit of a subscriber up to the close of the month preceding that in which payment is made, or up to the end of sixth month after the month in which the amount becomes payable, whichever of the period is less, provided that no interest shall be paid in respect of any period after the date on which the Registrar has intimated to the subscriber or his agent as the date on which he is prepared to make payments.
 - (g) Interest shall not be credited to the account of a subscriber if he informs the Registrar that he does not wish to receive it, but if he

subsequently desires to receive interest, it shall be credited w.e.f. 1st April of the year in which he asks for the same.

- Note 1: For the purpose of this rule the date of deposit shall be deemed to be the first date of the month in which the amount was credited in the Fund account, if this was credited before the fifth day of the month. When the amount is credited after the fifth day of that month, the date of deposit shall be deemed to be the first day of the next succeeding month.
- Note 2: Payment of interest on the Fund balances beyond a period of six months upto a period of one year may be authorized by the sanctioning authority in the University after he has personally satisfied himself that the delay in payment was occasioned by circumstances beyond the control of the subscriber and in every such case the administrative delay involved in the matter shall be fully investigated and action, if any required, taken.

10. *Advances from the fund:*

The Vice-Chancellor or any other authority to whom the power has been delegated may sanction the payment to any subscriber of an advance consisting of a sum of whole rupees and not exceeding in amount three month's pay or half the amount of subscription and interest thereon standing to the credit of the subscriber in the fund, whichever is less, for one or more of the following purposes:

- (a) to pay expenses in connection with the illness, confinement or a disability, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him;
- (b) to meet the cost of higher education, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him in the following cases, namely:
 - (i) for education outside India for an academic, technical, professional or vocational course beyond the High School Stage; and
 - (ii) for any medical, engineering or other technical or specialized course in India beyond the High School stage, provided that the course of study is for not less than three years;
- (c) to pay obligatory expenses on a scale appropriate to the subscriber's status which by customary usage the subscriber has to incur in connection with betrothals or marriages, funerals or other ceremonies;
- (d) to meet the cost of legal proceeding instituted by the subscriber for vindicating his position in regard to any allegation made against him in respect of any act done or purporting to be done by him in respect of any charge of his official duty, the advance in this case being available in addition to any advance admissible for the same purpose from any other University/Government source.

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Provided that the advance under this sub-clause shall not be admissible to a subscriber who institutes legal proceeding in any court of law either in respect of any matter unconnected with his official duty or against University/Government in respect of any condition of service or penalty imposed on him;

- (e) to meet the cost of his defence where the subscriber is prosecuted by Government in any court of law or where the subscriber engages a legal practitioner to defend himself in an enquiry in respect of any alleged official misconduct on his part.
- (f) to meet the cost of plot or construction of a house or flat for his residence or to make any payment towards the allotment of plot or flat by the Delhi Development Authority or a State Housing Board or a House Building Cooperative Society.
- (1A) The Executive Council may in special circumstances sanction the payment to any subscriber of an advance if he is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-rule (1).
- (2) An advance shall not, except for special reasons to be recorded in writing be granted to any subscriber in excess of the limit laid down in sub-rule (1) or until repayment of the last instalment of any previous advance.

Provided that an advance shall in no case exceed the amount of subscriptions standing to the credit of the subscriber in the Fund.

NOTE 1: For the purpose of this rule, pay includes dearness pay, where admissible.

NOTE 2: A subscriber shall be permitted to take on advance once in every six months under item (b) of sub-rule (1) of rule 10.

- (3) When an advance is sanctioned under sub-rule (2) before repayment of last instalment of any previous advance is completed, the balance of any previous advance nor recovered shall be added to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.

11. *Recovery of Advances:*

- (1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct, but such number shall not be less than twelve unless the subscriber so elects and more than twenty-four. In special cases where the amount of advance exceeds three months' pay of the subscriber under sub-rule (2) of rule 10, the sanctioning authority may fix such number of instalments to be more than twenty-four but in no case more than thirty-six. A subscriber may, at his option, make repayment in a smaller number of instalments than that prescribed. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.

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- (2) Recovery shall be made in accordance with the procedure laid down/ to be laid down by the University and shall commence with the issue of pay for the month following the one in which the advance was drawn. Recovery shall not be made, except with the subscriber's consent, while he is in receipt of subsistence grant or is on leave for ten days or more in a calendar month which either does not carry any leave salary or carries leave salary equal to or less than pay or half average pay as the case may be. The recovery may, be postponed, on the subscriber's written request by the sanctioning authority during the recovery of an advance of pay granted to the subscriber.
- (3) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole or balance of the amount withdrawn shall forthwith be repaid by the subscriber to the Fund, or in default, be ordered by the sanctioning authority to be recovered by deduction from the emoluments of the subscriber in a lump sum or in monthly instalments not exceeding twelve, as may be directed by the authority competent to sanction an advance for the grant of which, special reasons are required under sub-rule (2) of rule 10.
- (4) Recoveries made under this rule shall be credited, as they are made to the account of the subscriber in the Fund.
- (5) Notwithstanding anything contained in these rules, if the sanctioning authority is satisfied that money drawn as an advance from the Fund under rule 13 has been utilized for a purpose other than that for which sanction was given to the drawal of the money, the amount in question, shall forthwith be repaid by the subscriber to the Fund, or in default, be ordered to be recovered by deduction in one sum from the emoluments of the subscriber even if he be on leave. If the total amount to be repaid be more than half the subscriber's emoluments recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount is repaid by him.

NOTE: The term 'emoluments' in this rule does not include subsistence grant.

12. *Withdrawal from the Fund:*

- 12.1 (1) Subject to the conditions specified herein, withdrawals may be sanctioned by the Vice-Chancellor or any other authority to whom power has been delegated.
 - A. After the completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund, for one or more of the following purposes, namely:-

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- (a) meeting the cost of higher education, including where necessary, the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely:
 - (i) for education outside India for academic, technical, professional or vocational, course beyond High School stage; and
 - (ii) for any medical engineering or other technical or specialized course in India beyond High School stage;
 - (b) meeting the expenditure in connection with the betrothal/marriage of the subscriber or his sons or daughters, and any other female relation actually dependent on him;
 - (c) meeting the expenses in connection with the illness, including where necessary, the travelling expenses, of the subscriber and members of his family or any person actually dependent on him;
- B. After the completion of fifteen years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier from the amount standing to his credit in the Fund for one or more of the following purposes, namely:
- (a) building or acquiring a suitable house or ready built flat for his residence including the cost of the site.
 - (b) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence;
 - (c) purchasing a house site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose.
 - (d) reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber;
 - (e) renovating, additions or alterations or upkeep of an ancestral house at a place other than the place of duty or to a house built with the assistance of loan from University/ Government at a place other than the place of duty;
 - (f) constructing a house on a site purchased under clause (c);
- C. Within six months before the date of the subscriber retirement, from the amount standing to his credit in the Fund for the purpose of acquiring a farm land or business premises or both.

NOTE 1: A subscriber who has availed himself of an advance under the scheme of the University for the grant of advance for house-building purpose, or has been allowed any assistance in this regard from any other Government sources shall be eligible for the grant of final withdrawal under sub-clauses (a), (b), (c), (d) and (f) of clause (B) for the purposes specified therein and also for the purpose of repayment of any loan taken under the aforesaid scheme subject to the limit specified in the proviso to sub-rule (1) of rule 12.2.

If a subscriber has an ancestral house or built a house at a place other than the place of his duty with assistance of loan taken from the University/Government, he shall be eligible for the grant of a final withdrawal under sub-clause (a), (c), and (f) of clause (B) for purchase of a house or for construction of another house or for acquiring a ready built flat at the place of his duty.

NOTE 2: Withdrawal under sub-clauses (a), (d), (e) or (f) of clause (B) shall be sanctioned only after a subscriber has submitted a plan of the house to be constructed or of the additions or alterations to be made, duly approved by the local municipal body of the area where the site or house is situated and only in cases where the plan is actually got to be approved.

NOTE 3: The amount of withdrawal sanctioned under sub-clause (b) of clause (B) shall not exceed $\frac{3}{4}$ th of the balance on date of application together with the amount of previous withdrawal under sub-clause (a) reduced by the amount of previous withdrawal. The formula to be followed is $\frac{3}{4}$ th of the balance (as on date plus amount of previous withdrawal(s) for the house in question) minus the amount of the previous withdrawals.

NOTE 4: Withdrawal under sub-clauses (a) or (d) of clause (B) shall also be allowed where the house site or house is in the name of wife or husband provided she or he is the first nominee to receive Provident Fund money in the nomination made by the subscriber.

NOTE 5: Only one withdrawal shall be allowed for the same purpose under this rule. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flat covered by a fresh plan duly approved by the local municipal body of the area where the house or flat is situated shall not be treated as the same purpose. Second or subsequent withdrawal under sub-clauses (a) or (f) of

clause (B) for completion of the same house shall be allowed upto the limit laid down under Note 3.

NOTE 6: A withdrawal under this rule shall not be sanctioned if an advance under rule 10 is being sanctioned for the same purpose and at the same time.

12.2 *Conditions for withdrawal:*

- (1) Any sum withdrawn by a subscriber at any one or more of the purposes specified in rule 12.1 from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund or six months pay, whichever is less. The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit upto three-fourths of the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund having due regard to (i) the object for which the withdrawal is being made (ii) the status of the subscriber and (iii) the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund;

Provided that in no case the maximum amount of withdrawal shall exceed Rs.1,25,000/- or 75 times the monthly pay, whichever is less; provided further that in the case of subscriber who has availed himself of an advance under the scheme of the University for the grant of advances for house building purpose, or has been allowed any assistance in this regard from any other Government source, the sum withdrawn under this sub-rule together with the amount of advance taken under the aforesaid scheme or the assistance taken from any other Government source shall not exceed Rs.1,25,000/- or 75 times the monthly pay, whichever is less.

NOTE 1: A subscriber shall be permitted to make a withdrawal once in every six months under sub-clause (a) of clause (A) of sub-rule (1) of rule 12.1. Every such withdrawal shall be treated as a withdrawal for a separate purpose for the purposes of sub-rule (1) of rule 12.2.

NOTE 2: In case where a subscriber has to pay in instalments for a site or a house or flat purchased or a house or a flat constructed through the Delhi Development Authority or a State Housing Board or a House Building Cooperative Society, he shall be permitted to make a withdrawal as and when he is called upon to make a payment in any instalment. Every such payment shall

be treated as a payment for a separate purpose for the purposes of sub-rule (1) of rule 12.2.

NOTE 3: In case the sanctioning authority is satisfied that the amount standing to the credit of a subscriber in the Fund is insufficient and he is unable to meet his requirements otherwise than by withdrawal, the amount already withdrawn by the subscriber from the Fund to finance any insurance policy or policies under rule 14, may be taken into account as an addition to the actual amount standing to his credit in the Fund for the purpose of the limit laid down in this sub-rule. After the amount of withdrawal admissible has been so determined:-

- (i) If the amount so determined exceeds the amount already withdrawn from the Fund to Finance insurance policy or policies under rule 14, the amount so withdrawn may be treated as final withdrawal and the difference, if any, between the amount so treated and the total amount of withdrawal admissible may be paid in cash; and
- (ii) if the amount so determined does not exceed the amount already withdrawn from the Fund to finance any insurance policy or policies under rule 14, the amount so withdrawn may, irrespective of the limit specified in sub-rule (1), be treated as final withdrawal.

For the above purpose, the University shall reassign the policy or policies to the subscriber or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber, who will then be free to utilize the same for the purposes for which it has been released.

This Note 3 will be applicable only in those cases where rule 14 applies.

- (2) A subscriber who has been permitted to withdraw money from the Fund under rule 12.1 shall satisfy the sanctioning authority within a reasonable period as may be specified by the authority that the money has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn, or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum by the subscriber to the Fund, and in default of such payment, it shall be recovered from his emolument either in a lump sum or in such number of monthly instalments, as may be determined by the Executive Council.

- (3) (a) A subscriber who has been permitted under sub-clause (a), sub-clause (b) or sub-clause (c) of Clause (B) of Rule 12.1 to withdraw money from the amount of subscription together with interest therein standing to his credit in the Fund, shall not part with the possession of the house built or acquired or house site purchased with the money so withdrawn, whether by way of sale, mortgage (other than mortgage to the University) permission of the Vice-Chancellor.

Provided that such permission shall not be necessary for –

- (i) the house or house site being leased for any term not exceeding three years; or
 - (ii) it being mortgaged in favour of a Housing Board 'Nationalised Banks' the Life Insurance Corporation or any other Corporation owned or controlled by the Central Government which advances loans for the construction of a new house or for making additions or alteration to an existing house.
- (b) The subscriber shall submit a declaration not later than the 31st of December of every year as to whether the house or the house-site, as the case may be, continues to be in his possession or has been mortgaged, otherwise transferred or let out at aforesaid and shall, if so require, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale, mortgage or lease deed and also the documents on which his title to the property is based.
- (c) If at any time before his retirement, the subscriber parts with the possession of the house or house-site without obtaining the previous permission of the Vice-Chancellor he shall forthwith repay the sum so withdrawn by him in a lump sum to the Fund, and, in default of such repayment the sanctioning authority shall, after giving the subscriber a reasonable opportunity of making a representation in the matter, cause the said sum to be recovered from the emoluments of the subscriber either in a lump sum or in such number of monthly instalments, as may be determined by it.

NOTE: A subscriber who has taken loan from University/Government and in lieu thereof has mortgaged the house or house site to the University/Government shall be required to furnish the declaration to the following effect, namely;

“I do hereby certify that the house site for the construction of which or for the acquisition of which I have taken a final withdrawal from the Provident Fund continues to be in my

possession but stands mortgaged to University/
Government.”

- (4) Continuous service rendered in another Central University will be taken into account while determining the period of service for the purpose of this rule.

13. *Conversion of an advance into a withdrawal:*

A subscriber who has already drawn or may draw in future an advance under rule (10) for any of the purposes specified in clause (a), (b) and (c) of rule 12 may convert, at his discretion by written request addressed to the Vice-Chancellor, the balance outstanding against it into a final withdrawal on his satisfying the condition, laid down in rule 12.

14. *Payments towards Insurance Policies:*

- (i) A subscriber may be allowed to withdraw from his subscriptions amount required for payment of annual premium on his Life Insurance Policy provided the Life Insurance Policy for which the premia are so paid is assigned in favour of the University. On the retirement of the subscriber from the service of the University, the policy shall be reassigned to him by the University.
- (ii) In case of maturity of the policy during the service, of the subscriber in the University, the full amount of the policy shall be credited to the fund of the subscriber. In case of the death of the subscriber, during the service of the University, the full amount of the policy shall be paid to the legal representative of the deceased entitled to the Provident Fund.

NOTE: The provision of this rule shall apply only to subscribers, who before the date of introduction of these rules have been substituting in whole or in part payments towards policies of Life Insurance for subscriptions to the fund or making withdrawals from the fund for such payments.

Provided that such subscribers shall not be permitted to substitute such payments or subscriptions due to the fund or to withdraw from the fund for making such payments in respect of any new policy.

15. *Circumstances on which Accumulations are payable:*

- (1) When a subscriber quits the service, the amount standing to his credit in the fund shall, subject to any deduction under rule 16, become payable to him;

Provided that a subscriber, who has been dismissed from the service and is subsequently reinstated in the service, shall, if required to do so by the Vice-Chancellor repay any amount paid to him from the fund in pursuance of this rule, with interest thereon at the rate provided in rule

9 in the manner provided in this rule. The amount so repaid shall be credited to his account in the fund, the part which represents the University's contribution with interest thereon, being accounted for in the manner provided in rule 4.

- (2) when a subscriber -
- (a) has proceeded on leave preparatory to retirement, or
 - (b) while on leave, has been permitted to retire or declared by competent medical authority to be unfit for further service, the amount of subscriptions and interest thereon standing to his credit in the Fund, shall, upon application made by him in that behalf to the Registrar become payable to the subscriber.

Provided that the subscriber if he returns to duty, shall, if required to do so by the Vice-Chancellor, repay to the fund for credit to his account, the whole or part of any amount paid to him from the fund in pursuance of this rule, with interest thereon at the rate provided in rule 11 in cash or securities or partly in cash and partly in securities by instalments or otherwise by recovery from his emoluments or otherwise as the Vice-Chancellor may direct.

- (3) Subject to any deduction under rule 16 on the death of a subscriber before the amount standing to his credit has become payable, or, where the amount has become payable before payment has been made:

- (1) When the subscriber leaves a family -
- (a) if a nomination made by the subscriber in accordance with the provisions of rule 3 in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination;
 - (b) if no such nomination in favour of a member or members of the family of the subscriber subsists or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family become payable to the members of his family in equal shares:-

Provided that no share shall be payable to:-

- (i) sons who have attained legal majority;
- (ii) sons of a deceased son who have attained legal majority;
- (iii) married daughters whose husbands are alive;
- (iv) married daughters of a deceased son whose husbands are alive.

If there is any member of the family other than those specified in clauses (i), (ii), (iii) and (iv);

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Provided also that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

NOTE: Any sum payable under these rules to a member of the family of a subscriber vests in such member under sub-section (2) of section 3 of the Provident Fund Act, XIX of 1925.

(2) when the subscriber leaves no family, if a nomination made by him in accordance with the provisions of rule 3, in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

NOTE: (i) When a nominee is a dependent of the subscriber as defined in clause (c) of section (2) of the Provident Fund Act XIX of 1925 the amount vests in such nominee under sub-section (2) of section 3 of that Act.

NOTE: (ii) When the subscriber leaves no family and no nomination made by him in accordance with the provisions of rule 5 subsists, or if such nomination relates only to part of the amount standing to his credit in Fund, the relevant provision of clause (b) and sub-clause (ii) of clause (c) of sub-section (1) of section 4 of the Provident Fund Act, XIX of 1925 are applicable to the whole amount or the part thereof to which the nomination does not relate.

16. *Deduction:*

Subject to the condition that no deduction may be made which reduces the credit by more than the amount of any contribution by the University with interest thereon credited under Rules 8 & 9 before the amount standing to the credit of a subscriber in the fund is paid out of the fund, the Vice-Chancellor may direct the deduction there from the payment to the University of –

(a) all amounts representing such contribution and interest if misconduct, insolvency or inefficiency.

Provided that where the Vice-Chancellor is satisfied that such deduction would cause exceptional hardship to the subscriber, he may, by order, exempt from such deduction and amount not exceeding two-third of the amount of such contribution and interests which would have been payable to the subscriber, if he had retired on medical grounds, provided further that if any such order of dismissal is subsequently

cancelled, the amount so deducted shall on his reinstatement in the service be replaced to his credit in the Fund.

- (b) All amounts representing such contribution and interests, if the subscriber within five years of the commencement of his service as such, resigns from the service or ceases to be an employee under University otherwise than by reason of death, superannuation or declaration by a competent medical authority that he is unfit for further service, or the abolition of the post or the reduction of establishment;
- (c) Any amount due from the subscriber under liability incurred by the subscriber to the University.

NOTE 1: (a) For the purpose of this rule the period of five years shall be reckoned from the commencement of the subscriber's continuous service under the University.

- (b) Resignation from service with proper permission to take up appointment in another university without break in service will not constitute resignation of service for the purpose of this rule.

17. *Payment:*

- (1) When the amount standing to the credit of a subscriber in the Fund, or the balance thereof after any deduction under rule 16, becomes payable, it shall be duty of the Registrar after satisfying himself, when no such deduction has been directed under that rule, that no deduction is to be made to make payment on receipt of a written application as provided in clause (3).
- (2) If the person to whom, under these rules, any amount is to be paid is a lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act, IV of 1912, the payment will be made to such manager, and not to the lunatic.

Provided that where no manager has been appointed and the person to whom the sum is payable is certified by a Magistrate to be a lunatic, the payment shall under the orders of the Collector, be made in terms of sub-section (1) of section 95 of the Indian Lunacy Act, 1912, to the person having charge of such lunatic and the sanctioning authority in the University shall pay only the amount which he thinks fit to the person having charge of the lunatic and the surplus, if any, or such part thereof, as he thinks fit, shall be paid for the maintenance of such members of the lunatics family as are dependent on him for maintenance.

- (3) Any person who desires to claim payment under this rule shall send a written application in that behalf to the Registrar. Payment of amounts withdrawn shall be made in India only. The persons to whom the amounts are payable shall make their own arrangements to receive payment in India.

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NOTE: When the amount standing to the credit of a subscriber has become payable under rule 15, the Registrar shall effect prompt payment of that portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon after as may be.

18. *Investment of Fund:*

All sums paid into the Fund under these Rules shall be credited in the books of the University to an account named "Contributory Provident Fund Account of the University". A deposit account shall be opened in such state Bank of India or any other Nationalised Bank as the University may decide upon from time to time to be operated in such manner as the Executive Council may direct. The balance of the Fund, after reserving suitable amount for current needs shall be invested in the National Saving Certificates, securities or other investment covered by section 20 of the Indian Trust Act of 1882, as soon as possible after monthly accounts are closed.

19. *Procedure Rules:*

The rules regarding accounting of the sums paid into the Fund, preparation of subscriber's statement of accounts showing the balance as on the beginning of the financial year etc., shall be such as may be laid down by the University.

Schedule I
FORM OF NOMINATION
(See Rule 3 of Appendix B)

Forms of Nomination

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

I hereby nominate the person mentioned below who is a member of my family as defined in the Central Universities Contributory Provident Fund Rules to receive the amount that may stand to my credit in the Fund, in the event o my death before that amount has become payable or having become payable has not been paid:-

Name and Address of nominee	Relationship with subscriber	Age	Contingencies on the happening of which the nomination shall become invalid	Name, address & relationship of the person if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber

Dated this day ofyear at

Two witnesses to signature :

1.

2.

Signature of subscriber

Schedule II
FORM OF NOMINATION

(See Rule 3 of Appendix B)

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

I hereby nominate the persons mentioned below, who are members of my family as defined in the Central Universities Contributory Provident Fund Rules, to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable or having become payable has not been paid and direct that the said amount shall be distributed among the said persons in the manner shown below against their names:-

Name and Addresses of Nominee	Relationship with subscriber	Age	Amount ³⁷¹ or share of accumulations to be paid to each	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person whom the right of the nominee shall pass in the event of his predeceasing the subscriber

Dated this day of year..... at

Two witnesses to signature

1.

2.

Signature of subscriber

³⁷¹ This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

Schedule III

FORM OF NOMINATION

(See Rule 3 of Appendix B)

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

I having no family as defined in the Central Universities Contributory Provident Fund Rules, hereby nominate the person mentioned below to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid.

Name and Address of nominee	Relationship with subscriber	Age	³⁷² Contingencies on the happening of which the nomination shall become invalid	Name, address & relationship of the person if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber

Dated this day of year.....
at

Two witnesses to signature

1.

2.

Signature of subscriber

³⁷² Note: Where a subscriber who has no family makes a nomination he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

Schedule IV
FORM OF NOMINATION
(See Rule 3 of Appendix B)

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

I, having no family as defined in the Central Universities Contributory Provident Fund Rules, hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable, or having become payable has not been paid, and direct that the said amount shall be distributed among the said persons in the manner shown below against their names:

Name and Address of Nominee	Relation-ship with subscri-ber	Age	³⁷³ Amo-unt or share of accumu-lations to be paid to each	³⁷⁴ Contin-gencies on the happen-ing of which the nomina-tion shall become invalid	Name, address and relation-ship of the person whom the right of the nominee shall pass in the event of his predeceasing the subscri-ber

Dated this day of year..... at

Two witnesses to signature

1.

2.

Signature of subscriber

³⁷³ This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

³⁷⁴ Where a subscriber who has no family makes a nomination he shall become invalid in the event of his subsequently acquiring a family.

Schedule 'A'

SCALE OF PENSION

(See Rule 16 of Appendix 'A')

<i>Completed six monthly periods of qualifying service</i>	<i>Scale of Pension</i>	<i>Maximum pension in Rs. Per annum</i>
20	10 / 80th of average emoluments	2,700
21	10½ / 80th of average emoluments	2,835
22	11 / 80th of average emoluments	2,970
23	11½ / 80th of average emoluments	3,105
24	12 / 80th of average emoluments	3,240
25	12½ / 80th of average emoluments	3,375
26	13 / 80th of average emoluments	3,510
27	13½ / 80th of average emoluments	3,645
28	14 / 80th of average emoluments	3,780
29	14½ / 80th of average emoluments	3,915
30	15 / 80th of average emoluments	4,050
31	15½ / 80th of average emoluments	4,185
32	16 / 80th of average emoluments	4,320
33	16½ / 80th of average emoluments	4,455
34	17 / 80th of average emoluments	4,590
35	7½ / 80th of average emoluments	4,725
36	18 / 80th of average	4,860

	emoluments	
37	18½ / 80th of average emoluments	4,995
38	19 / 80th of average emoluments	5,130
39	19½ / 80th of average emoluments	5,265
40	20 / 80th of average emoluments	5,400
41	20½ / 80th of average emoluments	5,535
42	21 / 80th of average emoluments	5,670
43	21½ / 80th of average emoluments	5,805
44	22 / 80th of average emoluments	5,940
45	22½ / 80th of average emoluments	6,075
46	23 / 80th of average emoluments	6,210
47	23½ / 80th of average emoluments	6,345
48	24 / 80th of average emoluments	6,480
49	24½ / 80th of average emoluments	6,615
50	25 / 80th of average emoluments	6,750
51	25½ / 80th of average emoluments	6,885
52	26 / 80th of average emoluments	7,020
53	26½ / 80th of average emoluments	7,155
54	27 / 80th of average emoluments	7,290
55	27½ / 80th of average emoluments	7,425
56	28 / 80th of average emoluments	7,560
57	28½ / 80th of average	7,695

		emoluments	
58	29	/ 80th of average emoluments	7,830
59	29½	/ 80th of average emoluments	7,965
60	30	/ 80th of average emoluments	8,100

Schedule 'AA'

SCALE OF PENSION IN RESPECT OF THE EMPLOYEES WHO
RETIRE FROM SERVICE ON OR AFTER 1.1.1973
(Reference: Rule 16 under Section 11 of Appendix 'A')

<i>Completed six monthly periods of qualifying service</i>	<i>Scale of Pension</i>		<i>Maximum pension in Rs. Per annum</i>
20	10	80th of average emoluments	3750.00
21	10½	/ 80th of average emoluments	3937.50
22	11	/ 80th of average emoluments	4125.00
23	11½	/ 80th of average emoluments	4312.50
24	12	/ 80th of average emoluments	4500.00
25	12½	/ 80th of average emoluments	4687.50
26	13	/ 80th of average emoluments	4875.00
27	13½	/ 80th of average emoluments	5062.50
28	14	/ 80th of average emoluments	5250.00
29	14½	/ 80th of average emoluments	5437.50
30	15	/ 80th of average emoluments	5625.00
31	15½	/ 80th of average emoluments	5812.50
32	16	/ 80th of average	6000.00

	emoluments	
33	16½ / 80th of average emoluments	6187.50
34	17 / 80th of average emoluments	6375.00
35	7½ / 80th of average emoluments	6562.50
36	18 / 80th of average emoluments	6750.00
37	18½ / 80th of average emoluments	6937.50
38	19 / 80th of average emoluments	7125.00
39	19½ / 80th of average emoluments	7312.50
40	20 / 80th of average emoluments	7500.00
41	20½ / 80th of average emoluments	7687.50
42	21 / 80th of average emoluments	7875.00
43	21½ / 80th of average emoluments	8062.00
44	22 / 80th of average emoluments	8250.00
45	22½ / 80th of average emoluments	8437.50
46	23 / 80th of average emoluments	8625.00
47	23½ / 80th of average emoluments	8812.50
48	24 / 80th of average emoluments	9000.00
49	24½ / 80th of average emoluments	9187.50
50	25 / 80th of average emoluments	9375.00
51	25½ / 80th of average emoluments	9562.50
52	26 / 80th of average emoluments	9750.00
53	26½ / 80th of average	9937.50

		emoluments	
54	27	/ 80th of average emoluments	10125.00
55	27½	/ 80th of average emoluments	10312.50
56	28	/ 80th of average emoluments	10500.00
57	28½	/ 80th of average emoluments	10687.50
58	29	/ 80th of average emoluments	10875.00
59	29½	/ 80th of average emoluments	11062.50
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60	30	/ 80th of average emoluments	11250.00
61	30½	/ 80th of average emoluments	11437.50
62	31	/ 80th of average emoluments	11625.00
63	31½	/ 80th of average emoluments	11812.50
64	32	/ 80th of average emoluments	12000.00
65	32½	/ 80th of average emoluments	12000.00
66	33	/ 80th of average emoluments	12000.00

Schedule 'B'COMMUNICATION VALUE FOR A PENSION OR RUPEE ONE PER
ANNUM

(See Rule 17.3 of Appendix 'A')

(Effective 1st March 1971)

<i>Age next birthday</i>	<i>Commutation value expressed as No. of years' purchase</i>	<i>Age next birthday</i>	<i>Commutation value expressed as No. of years' purchase</i>	<i>Age next birthday</i>	<i>Commutation value expressed as No. of years' purchase</i>
17	19.28	40	15.87	63	9.15
18	19.20	41	15.64	64	8.82
19	19.11	42	15.40	65	8.50
20	19.01	43	15.15	66	8.17
21	18.91	44	14.90	67	7.85
22	18.81	45	14.64	68	7.53
23	18.70	46	14.37	69	7.22
24	18.59	47	14.10	70	6.91
25	18.47	48	13.82	71	6.60
26	18.34	49	13.54	72	6.30
27	18.21	50	13.25	73	6.01
28	18.07	51	12.95	74	5.72
29	17.93	52	12.66	75	5.44
30	17.75	53	12.35	76	5.17
31	17.62	54	12.05	77	4.90
32	17.46	55	11.73	78	4.65
33	17.29	56	11.42	79	4.40
34	17.11	57	11.10	80	4.17
35	16.92	58	10.78	81	3.96
36	16.72	59	10.46	82	3.72
37	16.52	60	10.13	83	3.52
38	16.31	61	9.81	84	3.32
39	16.09	62	9.48	85	3.13

Schedule 'C'

SCALE OF GRATUITY

(See Rule 14 of Appendix 'A')

<i>Completed six monthly periods of qualifying service</i>	<i>Scale of Gratuity</i>
1.	$\frac{1}{2}$ months' emoluments
2.	1 months' emoluments
3.	$1\frac{1}{2}$ months' emoluments
4.	2 months' emoluments
5.	$2\frac{1}{2}$ months' emoluments
6.	3 months' emoluments
7.	$3\frac{1}{2}$ months' emoluments
8.	4 months' emoluments
9.	$4\frac{3}{8}$ months' emoluments
10.	$4\frac{3}{4}$ months' emoluments
11.	$5\frac{1}{8}$ months' emoluments
12.	$5\frac{1}{2}$ months' emoluments
13.	$5\frac{7}{8}$ months' emoluments
14.	$6\frac{1}{4}$ months' emoluments
15.	$6\frac{5}{8}$ months' emoluments
16.	7 months' emoluments
17.	$7\frac{3}{8}$ months' emoluments
18.	$7\frac{3}{4}$ months' emoluments
19.	$8\frac{1}{8}$ months' emoluments

Schedule 'D'**SCALE OF INJURY GRATUITY AND PENSION**

(See Rules 29, 30 & 31 of Appendix 'A')

<i>Pay of the employee on the date of injury</i>	<i>Gratuity</i>	<i>Monthly pension higher scale</i>	<i>Monthly pension lower scale</i>
		Rs.	Rs.
1. Rs. 2,000 and over	3 months' pay subject to a minimum of Rs. 800	300	225
2. Rs. 1,500 and over but under Rs. 2,000		275	200
3. Rs. 1,000 and over but under Rs. 1,500		200	150
4. Rs. 900 and over but under Rs. 1,000		150	125
5. Rs. 400 and over but under Rs. 900		100	84
6. Rs. 350 and over but under Rs. 350		85	70
7. Rs. 200 and over but under Rs. 350		67	50
8. Under Rs. 200	4 months' pay	1/3rd of day subject to a minimum of Rs. 8 per mensem	1/5th of pay subject to a minimum of Rs. 4 per mensem

Schedule 'E'**FAMILY GRATUITY AND PENSION**

(See Rules 33 & 34 of Appendix 'A')

A – WIDOW

<i>Pay of employee on the date of death</i>	<i>Monthly pension of each child</i>	
1. Rs. 800 and over	3 months' pay subject to minimum of Rs. 200	20% pay subject to a maximum of Rs. 275.25% of pay subject to a maximum of Rs. 150 and

		minimum of Rs. 75
2.	Rs. 200 and over but under Rs. 800	
3.	Under Rs. 200	4 months' pay
		45% of pay subject to a maximum of Rs. 75 and minimum of Rs.40

B – CHILDREN

	<i>Pay of employee on the day of death</i>	<i>Monthly pension of each child</i>	
		<i>If the child is motherless</i>	<i>If the child is not motherless</i>
1.	Rs. 800 and over	Rs. 60	Rs. 25
2.	Rs. 250 and over but under Rs. 800	Rs. 37.50	Rs. 13
3.	Under Rs. 250	15% of pay subject to a minimum of Rs. 4	1/20 of pay subject to a minimum of Rs. 3

Schedule 'F'

CLASSIFICATION OF INJURIES

Equal to loss of limb

Hemiplegia without aphasia.
 Permanent use of a tracheotomy tube.
 Artificial anus.
 Total deafness of both ears.

Very Severe

Complete unilateral facial paralysis, likely to be permanent.
 Lesion of kidney, urotor or bladder.
 Compound fracture (except phalanges).

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

Severe and likely to be permanent

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Analysis of or considerable restriction in the movement of one of the following joints:

Knee, elbow, shoulder, hip, ankle, temporomaxillary or rigidity of the dorsilumbar or cervical section of the spine.

Partial loss of vision of one eye.

Retention of foreign bodies not causing permanent or serious symptoms.

Annexure A

FORM OF NOMINATION

Form I

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

(See Rule 1.3 of Appendix 'A')

I, hereby nominate the person mentioned below, who is a member of my family as defined in Rule 2.4 of the General Provident Fund-cum-Pension-cum-Gratuity Rules of the University ofto receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable, has not been paid :

<i>Name and Address of the nominee</i>	<i>Relationship, Age with subscriber</i>	<i>Contingencies on the happening of which the nomination shall become invalid</i>	<i>Name, address and relationship. If any, to whom the right of the nominee shall pass in the event of the nominee predeceasing the subscriber</i>

Dated this.....day of19.....
at.....

(Signature of the subscriber)
Designation.....
...
Department.....

Two witnesses to signature

- 1.....
- 2.....

Annexure A-2

Form of Nomination

Form II

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

(See Rule 1.3 of Appendix 'A')

I, hereby nominate the persons mentioned below, who are members of my family as defined in Rule 3.4 of the General Provident Fund-cum-Pension-cum-Gratuity Rules of the University ofto receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid, and direct that the said amount shall be distribute among the said persons in the manner shown below against their names :

Name and address of the nominees	Relation with subscriber	Age	*Amount or share of accumulation paid to each	Contingencies on the happening of the nomination shall become invalid	Name, address and relationship of the person to whom the right of the nominee shall pass in the event of the pre-deceasing subscriber
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*This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

Dated this.....day of19.....at.....

(Signature of the Subscriber)

Designation.....

Department.....

Two witnesses to signature

1.....

2.....

Annexure A-3

Form III

When the subscriber has no family and wishes to nominate one person

(See Rule 1.3 of Appendix 'A')

I, having no family as defined in Rule 2.4 of the General Provident Fund-cum-Pension-cum-Gratuity Rules of the University ofhereby nominate the person mentioned below, to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable, or having become payable, has not been paid:

<i>Name and address of the nominee</i>	<i>Relations hip with subscribe r</i>	<i>Age</i>	<i>*Contingenci es on the happening of which the nomination shall become invalid</i>	<i>Name, address and relationship of the person or persons, if any, to whom the right of the nominee shall pass in the event of the nominee's predeceasing the subscriber</i>
--	---------------------------------------	------------	--	---

* Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

Dated thisday of19..... at.....

(Signature of the subscriber)

Designation.....

Department.....

Two witnesses to signature :

1.

2.

Annexure A-4

Form IV

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

(See Rule 1.3 of Appendix ‘A’)

I, having no family as defined in Rule 2.4 of the General Provident Fund-cum-Pension-cum-Gratuity Rules of the University of hereby nominate the persons mentioned below, to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable, or having become payable, has not been paid, and direct that the said amount shall be distributed among the said persons in the manner shown below against their names :

<i>Name and address of the nominee</i>	<i>Relationship with subscriber</i>	<i>Age</i>	<i>*Amount or share of accumulations to be paid to each</i>	<i>*Contingencies on the happening of which the nomination shall become invalid</i>	<i>Name, address and relationship of the person or persons, if any, to whom the right of the nominee shall pass in the event of the nominee’s predeceasing the subscriber</i>
--	-------------------------------------	------------	---	---	---

* This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

** Where a subscriber who has no family makes a nomination he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

Dated thisday of19..... at.....

(Signature of the subscriber)

Designation.....

Department.....

Two witnesses to signature :

1.

2.

Annexure A-5

Form V

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

(See Rules 18 of Appendix 'A' and Rule 2 of Appendix 'B')

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

<i>Name and address of the nominee</i>	<i>Relationship with the employee</i>	<i>Age</i>	<i>Contingencies on the happening of which the nomination shall become invalid</i>	<i>Name, address and relationship of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the employee or the nominee dying after the death of the employee but before receiving payment of the gratuity</i>	<i>Amount or share of gratuity payable to each</i>

This nomination supersedes the nomination made by me earlier onwhich stands cancelled. Dated this.....day of..... 19..... at.....

(Signature of employee)

Two witnesses to signature:

1.

2.

Note : The last column should be filled in so as to cover the whole amount of gratuity.

Nomination.....

Designation.....

Department.....

.....

Signature of Registrar

Dated.....

Annexure A-6

Form VI

When the member of staff has family and wishes to nominate more than one member thereof

(See Rules 18 of Appendix ‘A’ and Rule 2 of Appendix ‘B’)

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

<i>Name and address of the nominee</i>	<i>Relationship with the employee</i>	<i>Age</i>	<i>Amount or share of gratuity payable to each</i>	<i>Name, address and relationship of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the employee or the</i>	<i>Amount or share of gratuity payable to each</i>
--	---------------------------------------	------------	--	--	--

*nominee dying
after the death of
the employee but
before receiving
payment of the
gratuity*

This nomination supersedes the nomination made by me earlier onwhich stands cancelled.

Note : The number of staff shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

Dated this.....day of..... 19.....

at.....

.....
(Signature of
employee)

Two witnesses to signature:

1.
2.

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

2. The amount/share of gratuity shown in last column should be the whole amount/share payable to the original nominees.

Nomination by.....

Designation.....

Department.....

.....
Signature Registrar

Dated.....

Annexure A-7

Form VII

When the employee has no family and wishes to nominate one person

(See Rule 18 of Appendix 'A' and Rule 2 of Appendix 'B')

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

<i>Name and Relationship of the nominee</i>	<i>Age of the employee</i>	<i>Contingencies on the happening of which the nomination shall become invalid</i>	<i>Name, address and relationship of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the employee or the nominee dying after the death of the employee but before receiving payment of the gratuity</i>	<i>Amount or share of gratuity payable to each</i>

This nomination supersedes the nomination made by me earlier onwhich stands cancelled. Dated this.....day of..... 19..... at.....

.....
(Signature of employee)

Two witnesses to signature:

- 1.
- 2.

Nomination.....

Designation.....

Department.....

.....

Signature Registrar

Dated.....

Annexure A-8

Form VIII

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

(See Rule 18 of Appendix ‘A’ and Rule 2 of Appendix ‘B’)

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

<i>Name and address of the nominees</i>	<i>Relationship with the employee</i>	<i>Age or share of gratuity payable to each</i>	<i>Contingencies on the happening of which the nomination shall become invalid</i>	<i>Name, address and relationship of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the employee or the nominee dying after the death of the employee but before receiving payment of</i>	<i>Amount or share of gratuity payable to each</i>
---	---------------------------------------	---	--	--	--

the gratuity

- *This column should be filled in so as to cover the whole amount of gratuity.
- ** The amount/share of gratuity shown in last column should cover the whole amount of share payable to the original nominees.

This nomination supersedes the nomination made by me earlier onwhich stands cancelled. Dated this.....day of..... 19..... at.....

.....
 (Signature of employee)
 Dated.....

Two witnesses to signature:

1.
2.

Nomination by.....
 Designation.....
 Department.....

.....
 (Signature Registrar)
 Dated.....

Annexure – B

FORM IX

FORM OF FAMILY PENSION

(See Rule 26 of Appendix ‘A’)

Subject: Payment of family pension in respect of the late
 Shri/Smt.....

The undersigned has learnt with regret the death of
Shri/Smt.

.....

(Designation)

in this University and is directed to inform you that under Rule
..... of Appendix 'A' to Central Universities' Retirement Benefit
Rules you are entitled to Family Pension for life/till attaining the date of
majority.³⁷⁵

I am accordingly to suggest that formal claim of the grant of
family pension may be submitted by you in the enclosed form along with
the following documents:

1. Death certificate
2. Two copies of a passport size photograph duly attested by a
gazetted officer.
3. Guardianship certificate where pension is admissible to the minor
children.

(Designation)

To

.....

.....

.....

³⁷⁵ Where family pension is admissible to the minor children.

Annexure – C

Form X

FORM OF APPLICATION FOR INJURY PENSION OR GRATUITY

(See Rule 39 of Appendix ‘A’)

1. Name _____ of _____ applicant
.....
.....
2. Father’s name
.....
3. Residence, _____ showing _____ village _____ and
.....
Pergunnah
4. Present or last employment _____ -
Designation.....
Department/
Section.....
5. Date of beginning of service at the Institute
.....
6. Length of service including interruptions
.....
7. Classification of injury
.....
8. Pay at the time of injury
.....
9. Proposed _____ pension _____ or _____ gratuity
.....

10. Date of injury

.....

11. Place of payment

12. Date of applicant's birth by Christian era³⁷⁶

.....

13. Date on which the applicant applied for pension

.....

Place

Date

.....
(Signature of applicant)

Special remarks, if any, by
the employee in-charge of
the Department/Section/office

.....

(Signature)

Annexure – D
Form XI
FOR OF APPLICATION

For family of late Died of
injuries received, as a result of special risk of office.

(See Rule 39 of Appendix 'A')

Submitted by 1. Name and residence
Description of claimant showing village and
pergunnah

³⁷⁶ If not known exactly, must be stated on the best information or estimate.

	2. Age	.....
		
	3. Height	.....
		
	4. Marks for identification	.....
		
	5. Present occupation and pecuniary circumstances	.....
	6. Degree of relationship to deceased	.....
Description of deceased	7. Name	.....
		
	8. Occupation and service	.....
		
	9. Length of service	.....
		
	10 Pay when killed	.....
	
	11 Nature of injury causing death	.....
	
	12 Amount of pension or gratuity proposed	.....
	
	13 Place of payment	.....
	
	14 Date from which pension is to commence	.....
	
Name and ages of surviving kindred of deceased	15 Remarks	.....
	
	Name	.....
		
	Sons	Date of birth by Christian era	
	Widows		
	Daughters		
	Father		
	Mother		

Note: If the deceased has left no son, widow, daughter, father or mother surviving him, the word “none” or “dead” should be entered opposite to such relative.

Place.....
.....

Date..... (Signature
of Claimant)

Place..... Signature of
the employee

Date..... Incharge of
department/section

Annexure – E

Form XII

**FORM TO BE USED BY CONSULTING MEDICAL OFFICER WHEN
REPORTING ON INJURIES**

(See Rule 39 of Appendix ‘A’)

Confidential

Report of the Consulting Medical Officer on the Present state of the injury sustained by disease contracted by (Place of injury etc.) on (date of injury, etc.)

- (a) State briefly the circumstances under which the injury was sustained/diseases was contracted.
- (b) What is the present condition of the employee ?
- (c) Is the present condition of the employee wholly due to the injury/disease ?
If not, state to what other causes it is attributable.
- (d) In the case of disease, from which date does it appear that he employee has been incapacitated ?

The opinion of the Consulting Medical Officer on the questions below is as follows:-

PART A – FIRST EXAMINATION

The severity of the injury should be assessed in accordance with the following classification and details given in the remarks column below:

1. The injury

- (i) (a) the loss of an eye or a limb? Yes/No
- (b) the loss of more than one eye or a limb?
- (ii) more severe than the loss of an eye or a limb?
- (iii) equivalent to the loss of an eye or a limb?
- (iv) very severe?
- (v) severe, but not likely to be permanent?
- (vi) slight but likely to be permanent?

2. For what period from the date of the injury

- (a) has the employee been unfit for duty?
- (b) is the employee likely to remain unfit for duty?

Remarks:- Here the classification above may be amplified, if necessary, or details of additional injuries to the main injury may be given.

Part B – SECOND OR SUBSEQUENT EXAMINATIONS

If the original degree of disability of the employee has changed: in which of the above categories should it now be placed?

Remarks:- In this space additional details may be given, if necessary.

.....
Signature of Consulting Medical Officer

Date

Instructions to be observed by the Consulting Medical Officer in preparing the report.

1. Before recording his opinion he should invariably consult the previous reports, if any, as also all medical documents connected with the employee on previous examinations brought before him for examination.

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2. If the injuries be more than one they should be numbered and described separately: and should it be considered that, for instance, though only “severe” or “slight” in themselves, they represent together the equivalent of a single “very severe” injury, such an opinion may be expressed in the columns provided.
3. In answering the questions in the prescribed form he will confine himself exclusively to the medical aspect of the case and will carefully discriminate between the unsupported statements of the employees and the medical and documentary evidence available.
4. He will not express any opinion, either to the employee examined, or in his report, as to whether he is entitled to compensation, or as to the amount of it nor will he inform the employee how the injury has been classified.

Annexure – F**PERMANENT TRANSFER OF GOVERNMENT SERVANTS TO
AUTONOMOUS BODIES GRANT OF RETIREMENT BENEFITS**

Ref. :- Rule-5 (VI) of “Short Title Definition. Scope & Application of the Rules”.

(G.I.M.F. O.M. No. 26(18)-E.V(B)/75 dated 8-4-1976)

A need has been felt for sometime past of consolidating at one place, the instructions/orders issued from time to time and still in force on the subject mentioned above. Accordingly, it has been decided, in supersession of all the orders issued on the subject so far by this Ministry and the Department of Personnel, to bring out the salient features of the existing instructions in this O.M. This may please be brought to the notice of all Administrative authorities in or under the Ministry of Home Affairs, etc., for information/guidance and compliance.

The provisions of has consolidated orders are applicable to the permanent Central Government employees permanently absorbed in the Central Public Sector Undertakings also where the permanent absorption in the public sector undertakings has taken place prior to 8th November 1968 cases of permanent absorption in the public sector undertakings from 8-11-68 onwards are regulated by separate set of orders issued by the Bureau of Public Enterprises from time to time.

(G.I. M.F. O.M. No. 26(18)-E.B(V)/75, dated the 10th February, 1971).

2. Basis of calculation of retirement benefits

Such of the government servants as were deputed or transferred to a body corporate owned or controlled by Government or whose services were lent to such a body, should, in the event of their permanent absorption in service under that body, with effect from a date prior to 16th June, 1967 be paid an amount equal to what Government would have contributed had the officer been on contributory provident fund terms under Government, together with simple interest thereon at 2% for the period of his pensionable service under Government. In such cases the interest (2%) on the total balance of contribution should be calculated for the entire period of pensionable service of the Government servant rendered prior to his permanent absorption in an autonomous body. The amount is to be credited to his G.P. Fund

account with the autonomous body as an opening balance on the date of permanent absorption and Government's liability in respect of the officer's pensionable service under them would be treated as extinguished by this payment. This decision applies, however, only where the permanent transfer from Government service to an autonomous body is in the public interest and the transfer is to a Government or to a quasi-Government Corporation or an autonomous body and not to a private institution. In all other cases, Government will not accept any liability to pay any retirement benefits for the period of service rendered by the officer before his transfer. The concession is not to be claimed as a matter of right but is sanctioned at the discretion of Government in individual cases where it is merited, and each case has to be referred to the Department of Personnel and the Ministry of Finance.

3. *Retirement benefits – Transfer to new account*

Credit to the Contributory Provident Fund Account of the Government servant permanently absorbed in the service of a body corporate wholly or partially owned by Government, as indicated above, was to be given as an opening balance on the date of absorption, in cases of those permanently absorbed upto the 17th August, 1964. In cases of those absorbed thereafter, the credit was only to be given either after the Government servant had rendered five years service under the body including and period of service rendered immediately before permanent absorption) or on the date on which he would have retired had he continued in Government service, whichever was earlier.

3. *Transfer of Provident Fund Balances*

A. (i) According to Explanation III below Rule 31 of the Central Provident Fund Rules and corresponding Rule 33 of Contributory Provident Fund Rules (India), 1962 which provides that when a subscriber is transferred, without any break, to service under a body corporate owned or controlled by Government, the amount of subscription, together with interest thereon, shall not be paid to him but shall be transferred, with the consent of that body, to his new Provident Fund Account under that body.

It has been, however, decided that in cases where the corporate bodies do not have any Provident Fund Scheme or whose

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Provident Fund do not provide for the acceptance of balance from other Provident Funds, the amount in question should be finally paid to the person concerned at the time of his permanent transfer to such a body.

In case where the Provident Fund money is accepted by the corporate body subject to fulfillment of certain conditions, viz., that the Government servant should complete the probationary period with them or that he should be confirmed in a post under them, the Provident Fund money of the persons concerned may be retained with Government till such time as it is transferred to the body concerned. In such cases the Provident Fund account of the individual concerned would cease to be 'alive' on the date of permanent transfer of the person concerned to such body. In other words, no withdrawals from the Provident Fund will be permitted for any purpose insurance policies. Fresh subscription to the Fund, except recoveries in respect of outstanding advances, shall not be accepted. The Provident Fund money held by Government would continue to earn interest at the normal rate till the date of transfer of the amount to the corporate body.

Classification:- The provisions of the above sub-rule apply to the permanent Central Government employees permanently absorbed in the autonomous bodies as the expression "Body Corporate owned or controlled by the Government" used includes the autonomous bodies.

(G.I., M.F., O.M. No. 26(18)-E. V(B)/75 dated the 10th February, 1977).

- (ii) In respect of the Government servants permanently absorbed in the public sector undertakings, the position is as follows;

The amount of subscriptions, together with interest thereon standing in the Provident Fund account or a Government offices opting for service under an enterprise may, if he so desires, be transferred to his new Provident Fund account under enterprise provided the concerned enterprise also agrees to such a transfer. If, however, the subscriber does not operate a Provident Fund, the amount aforesaid shall be refunded to the subscriber. Similarly in case of Contributory Provident Fund, the amount of subscription and the Government contribution together with interest thereon, of a subscriber

opting for service under a public enterprise may, if he so desires, be transferred to his new Provident Fund Account under the enterprise if the concerned enterprise also agrees to such transfer. If, however, the subscriber does not desire the transfer or the concerned enterprise does not operate a Provident Fund, the amount aforesaid shall be refunded to the subscriber.

4. The retirement benefits granted to a Government servant who is permanently absorbed in the autonomous body/public sector undertaking have been reviewed and the following revised terms were sanctioned in respect of those absorbed on or after 16th June, 1967.

- (i) A permanent Government servant on absorption in public undertaking is eligible for pro-rata pension and Death-cum-Retirement Gratuity based on the length of his qualifying service under Government till the date of absorption. The pension will be calculated on the basis of average emoluments for three years preceding the date of absorption and the Death-cum-Retirement Gratuity on the basis of the emoluments immediately before absorption.

Classification:- The expression “Emoluments” and “Average Emoluments” referred to will mean the emoluments and average emoluments as defined in Rule 33 and 34 respectively of Central Civil Services (Pension) Rules 1972 as amended from time to time.

Payment of service gratuity in lieu of pension:

In cases where a Government servant at the time of absorption has less than ten years' service and is not entitled to pension, the question of proportionate pension will not arise; he will only be eligible to proportionate service gratuity in lieu of pension and to Death-cum-Retirement Gratuity based on length of service.

- (ii) The amounts of pension/gratuity and the Death-cum-Retirement Gratuity would be concurrently worked out and will be intimated to the Government servant concerned as well as to the undertaking as and when an officer is absorbed.

Exercise of option:

- (iii) Every Government servant is to exercise an option, within six months of his absorption, for either of the alternatives indicated below:
- (a) Receiving the monthly pension and Death-cum-Retirement Gratuity, already worked out, under the usual Government arrangements.
 - (b) Receiving the gratuity and a lump sum amount in lieu of pension worked out with reference to commutation tables obtaining on the date from which the pro-rata pension, gratuity, etc. would be disburseable.

Where no option is exercised within the prescribed period, the officer will automatically be governed by alternative (b) above. Option once exercised shall be final. The option shall be exercised in writing and communicated by the government servant concerned to the undertaking/autonomous body.

- (iv) Cases of resignation from a public undertaking/ autonomous body will, for the purpose of these orders be treated as resignation from Government service, entailing forfeiture of earlier service under Government and loss of the pensionary benefits under these orders.
- (v) For the period of service rendered in a public undertaking/autonomous body, the absorbed officers will be entitled to all the benefits admissible to other corresponding employees of the organization.
- (vi) The total gratuity admissible in respect of the service rendered under the Government and that under the public undertaking/autonomous body should not exceed the amount that would have been admissible had the Government servant continued in Government service and retired on the same pay which he draw on retirement from the public undertaking/autonomous body.
- (vii) *Non-admissibility of liberalizations of Pension Rules after absorption.*

Any further liberalization of pension rules decided upon by Government after the permanent absorption of a Government servant in a public undertaking/ autonomous body would not be extended to him. However, the benefit of further liberalization in pension shall also be allowed to a Government servant after his permanent absorption if, in any

case, such liberalization is sanctioned retrospectively with effect from a date prior to the date of such absorption.

Commutation of pension:

- (viii) In cases where an officer has opted to receive pension as at (iii) (a) above but wishes to commute a portion of the pension, such commutation will be regulated in accordance with the Government rules in force at the time of commutation of his pension.

Public Interest

The above decisions will apply only where the permanent transfer from Government service to a public undertaking/autonomous body is in the public interest. In all other cases, Government will not accept liability to pay any retirement benefits for the period of service rendered by Government servant before his transfer.

5. Permanent transfer of Government servants who apply in response to a Press advertisement, etc., for posts in autonomous bodies/public sector undertaking whether incorporated or not, which are wholly or substantially owned by the Government of India is not treated as in the public interest and the Government has no liability to pay any retirement benefits or for carry forward of leave for the period of service rendered under the Government. However, on the position being reviewed further, it was decided that a permanent Government servant who has been appointed in an autonomous body financed wholly or substantially by Government on the basis of his own application shall, on his permanent absorption in such body with effect from the 21st April, 1972 or thereafter be entitled to the same retirement benefits in respect of his past service under the Government as are admissible to a permanent Government servant going on deputation to an autonomous body and getting absorbed therein, except carry forward of leave.

Finance Ministry's prior approval:

6. In all such cases of grant of pro-rata retirement benefits to Central Government employees, under the orders quoted in the preceding paragraphs, the administrative Ministries are required to consult the Ministry of Finance before orders are issued in each individual case, However, in respect of the non-gazetted employees of the Indian

Audit and Accounts Department, the Comptroller and Auditor General will be the competent authority to confer retirement benefits.

A question had also been raised whether retrospective absorption is permissible in terms of the orders referred to above. Such question would arise in cases where a person is initially sent to such a company/corporation on deputation and deputation period is sought to be curtailed retrospectively. While a person is on deputation, leave/pension contributions are payable to Government by the company, etc., or the person concerned. Retrospective absorptions may lead to claim for refund or non-payment of such contributions which cannot be withheld or refunded under the rules. In view of this it has been decided not to allow retrospective absorption of the employees on deputation to the companies/corporations etc.

Carry forward of leave

7. In respect of deputations who opt for absorption in any statutory body or autonomous organisation owned or controlled by Government, such body or organisation should take over the liability in regard to leave on average pay/Earned Leave that the optee has to his credit at the time of leaving Government service and in return Government shall pay to the statutory body/autonomous organisation a lump sum equal to leave salary for the leave on average pay/earned leave due to the Government servant on the date of his permanent absorption in such body/organisation. While issuing the final sanction for the absorption of the optee in the autonomous organisation the administrative Ministry/Cadre authority concerned should also incorporate the provision with regard to payment of lump sum equal to leave salary by Government. This benefit will be available only in cases where statutory body/autonomous organisation is in public interest. These orders take effect from the 20th February, 1971 and cases already decided otherwise will not be reopened.

Re-fixation of Pay:

The pay of the Government servant permanently absorbed in an autonomous body will be re-fixed as re-employed pensioner with effect from the date from which he becomes entitled to draw the pro-rata retirement benefits.

Family Pension:

8. (i) The families of Government servants permanently absorbed in the autonomous bodies with effect from the 16th June, 1967 will also be eligible for family pension under Rules 54 and 55 of CCS (Pension) Rules 1972.
- (ii) The benefit of family pension will be admissible only to the families of those who were/are actually in receipt of pension from the Central Government after their absorption in autonomous body/public undertaking. This benefit will not be admissible to the families of those who got only the service gratuity, i.e., who were/are absorbed before rendering ten years' qualifying service under the Government. Family pensions will, however, also be admissible to the families of those Government servants absorbed in the public sector undertakings/autonomous bodies who draw the lump sum amount in lieu of monthly pension on their absorption in the date of death. Similarly Family Pension will also be payable to the families of those whose monthly pension or lump sum amount has not become payable and is disburseable from the earliest date of voluntary retirement but the person dies before that date without receiving these benefits.
- (iii) This benefit will also be admissible to the families of such Government servants as have been appointed in the autonomous bodies financed wholly or substantially by Government on the basis of their own applications and granted retirement benefits on their permanent absorption therein in respect of the past service under the Government.
- (iv) Grant of family pension will be subject to the usual contribution of two months emoluments of the Government servant at the time of permanent absorption in an autonomous body/undertaking. Persons who have already drawn the pension and other benefits on absorption should deposit their two months, contribution within six months from 8th October, 1975. "The amount is creditable to the head C66 contributions and recoveries towards pensions and other retirement benefits other receipts.

Note: Contributory family pension in such cases is admissible only to those who had earlier opted for coming over to this scheme or to whom this scheme was already applicable. Those who had earlier opted for non-contributory family pension scheme will continue to be governed by that scheme and in their case no contribution is necessary.

(G.I., M.F., O.M. No. F.26(18)-E. V(B)/75 dated the 17th June, 1977).

- (v) Family pension will be admissible from only one source, i.e. either from the Central Government or the public sector undertaking/autonomous bodies in case such organisation has a similar scheme for payment of family pension.

The public sector undertakings, etc., are covered under the Employee's Family Pension and Life Insurance Scheme with effect from 1-3-1971 and in terms of this scheme all employees who become members of the Contributory Provident Fund on or after 1-3-1971 are required to be brought compulsorily thereunder. The Ministry of Labour have held the view that the Employees' Provident Fund and Miscellaneous Provisions Act, 1962, does not exclude from its purview the Central Government employees who are absorbed in the public sector undertakings. The Employees' Family Pension Scheme 1971, has been framed under the Act mentioned above and the employees covered by the scheme are legally entitled to the benefit of family pension along with other benefits accruing from the scheme. In view of these considerations, it has been decided that family pension scheme under the C.C.S. (Pension) Rules, 1972, will be applicable only in those cases of absorption in public sector undertakings and autonomous bodies where no other family pension scheme, is available.

Note: In those cases where the benefit of family pension scheme under the C.C.S. (Pension) Rules, 1972 has neither been availed of so far nor it is admissible in future on account of the above decision, contribution towards the family pension scheme, if recovered from any person who had opted for family pension under the C.C.S. (Pension) Rules, 1972, under earlier orders, may be refunded forthwith.
(G.I., M.F. O.M. No. F.4(10)-E, V(B)/77 dated the 10th July, 1978.).

- (vi) It will be the responsibility of the pension sanctioning authority to process the claim for family pension, forwarding to the audit once for issue of an authority after satisfying itself that no such claim exists in the public sector undertaking/autonomous body or that the undertaking or autonomous body has not extended its family pension scheme to the person concerned.
- (vii) The above orders will apply automatically to the cases in which necessary Government sanction has already been issued. Therefore, it is not necessary to issue formal amendments to the

relevant sanction letters. Suitable provision will, however, be incorporated in the relevant sanctions to be issued thereafter.

Procedure for payment of family pension:

In the case of normal retirement, family pension to the spouse is authorized in the PPO for service pension itself but in the case of retirement on absorption in an autonomous body or a public sector undertaking where the person absorbed has opted to receive the lump sum amount in lieu of full pension, no PPO for service pension is required to be issued. In such cases only a report on the admissibility of family pension will be sent by the Accounts Officer to the Ministry/Department in which he was serving before absorption, the public sector undertaking/ autonomous body in which absorbed and the Government servant concerned.

In the case of Government servants who have opted for Central Government Pension Scheme, the administrative Ministry on receipt of death report from the beneficiary will send the necessary intimation to the Departmental Pay and Accounts Officer and the latter will issue the PPO for family pension. In case the person concerned had opted for the family pension scheme of the organisation concerned where he was permanently absorbed, it will be the duty of the organisation concerned to initiate action for authorizing family pension and the Departmental/Pay and Accounts Office will not come in the picture.

As regards the cases where retirement had already taken place before the date of departmentalization and in whose cases pensions were reported by the Accountants General, the A.G. concerned will issue the report on the admissibility of family pension under special seal along with concerned documents to the concerned Pay and Accounts Office under intimation to the Ministry/Department in which he was serving before absorption, the public sector undertaking/autonomous body in which absorbed and the Government servant concerned and based on this authorization the Pay and Accounts Office will issue family pension PPO on the occurrence of the event entitling drawal of family pension.

(G.I.,M.F., O.M. No. F.26(18)-E, V(B)/75 dated the 17th June, 1977).

Consultation with Parent Department:

9. In all cases where a Government servant is to be absorbed permanently by the foreign employer under his organisation it would

be incumbent to consult the parent employer before issuing order absorbing the Government servant permanently in his service. The orders of permanent absorption should be issued only after the resignation of the Government servant has been accepted by the Government and with effect from the date of such acceptance.

Formal resignation not necessary:

10. With the coming into force of C.C.S. (Pension) Rules, 1972 (which inter-alia, contain a provision of deemed retirement in the case of Government servants absorbed permanently in a public sector undertaking/autonomous body), it has now been decided that obtaining of formal resignation is not necessary if an individual is deemed to have retired from service by virtue of Rule 37 of C.C.S (Pension) Rules, 1972, i.e., consequent on the conditions required by this Rule, viz., permission should have been granted to the absorption in the service of the company or other body corporate, the absorption should be declared by the Government to be in the public interest, there should be an actual orders of absorption and the Government servant should also consent to such absorption, being satisfied.

Commutation and exemption from income-tax:

11. In accordance with Rule 37 of C.C.S. (Pension) Rules, 1972, a Government servant who has been permitted to be absorbed in a service or post in or under a corporation or company wholly or substantially owned or controlled by the Government or in or under a body controlled or financed by the Government shall, if such absorption is declared by the Government to be in the public interest, be deemed to have retired from service from the date of such absorption. Each such Government servant is required under the relevant orders applicable to him to exercise an option within six months of his absorption for either of the alternatives indicated below:
 - (a) receiving the monthly pension and Death-cum-Retirement Gratuity under the usual Government arrangements, or
 - (b) receiving the gratuity and a lump sum amount in lieu of pension worked out with reference to the commutation tables obtaining on the date from which the commuted value becomes payable.

Where no option is exercised within the prescribed period, the Government servant is automatically governed by alternative (b).

12. A person opting for alternative (a) is entitled to commutation of a portion of the pension admissible to him in accordance with the provisions of Civil Pension (Commutation) Rules.

13. It has been decided that where a Government servant elects the alternative (b) referred to above he should be granted:
- (i) on an application made in this behalf, a lump sum amount not exceeding the commuted value of one third of his pension as may be admissible to him in accordance with the provisions of Civil Pension (Commutation) Rules;
 - (ii) a terminal benefit equal to twice the amount of lump sum referred to in (i) above subject to the condition that the Government servant surrenders his right of drawing two-third of his pension.

The commuted value of one-third of the pension mentioned at (i) above will be exempted from income tax whereas the terminal benefit component mentioned at (ii) above will be chargeable to tax as the income of the year in which it is due. However, the recipient will be eligible for a relief in tax in respect of the said amount; such relief being calculated by spreading the amount equally over the three preceding years immediately preceding the year in which the payment is received and subjecting it to tax at the average of the average rates applicable to the total income of those years after adding thereto one third of the amount. The relief in such cases is to be granted by the Central Board of Direct Taxes and an application for such relief under section 89(1) of the Income Tax Act should be made to the Board through the Income Tax Officer concerned.

14. In the case of Government servants who opt for or are automatically governed by the alternative (b) in para 11 above, the payment of monthly pension will commence from the due date pending their medical examination in accordance with the provisions of the Civil Pensions (Commutation) Rules. The Commutation shall become absolute and the title to receive the commuted value shall accrue on the date on which the Medical Board (Authority) signs the medical certificate. If the Medical Board (Authority) directs that the age of the employee for the purpose of commutation shall be assumed to be greater than his actual age, the person concerned will have the opportunity to change his option for receiving a lump sum in lieu of monthly pension to receiving the monthly pension by written notice dispatched within two weeks from the date on which he receives intimation of the finding of the Medical Board (Authority). If the applicant does not change his option within the period of two weeks prescribed above, he shall be assumed to have accepted the findings of the Medical Board (Authority).

Date of payment of pro-rata retirement benefits:

15. A Government servant who is permitted to be absorbed in the public interest in a public sector undertaking or autonomous body is deemed to have retired from Government service from the date of his absorption in public sector undertaking or autonomous body and his retirement benefits are determined with reference to the length of qualifying service rendered under Government till the date of his absorption. In the case of absorption in an autonomous body from 16-6-1967 onwards or public sector undertaking prior to 8-11-68, retirement benefits become payable either from the earliest date from which Government servant could have retired voluntarily under the rules applicable to him or from the date of absorption in the undertaking/corporation whichever is later.

Procedure for drawal of pro-rata retirement benefits:

16. Clarifications have been sought as to the procedure which should be followed for sanctioning and authorizing the payment of retirement benefits to those absorbed in public sector undertaking and autonomous bodies. Since the Government servants are deemed to have retired from Government service on the date of absorption, the procedure laid down in Chapter VIII of C.C.S. (Pension) Rules, 1972 which applies to Government servants who retire in normal course, should mutatis mutandis apply in the case of Government servants who are absorbed in the public interest in a public sector undertaking or in an autonomous body. The disbursement of the retirement benefits should be authorized from the date indicated in Governments' letter allowing the Government servant to be absorbed in public sector undertaking or autonomous body.
17. In respect of employee who held non-gazetted posts before absorption, Forms 6 and 7 of C.C.S. (Pension) Rules, 1972 should be filled in by the Head of Office and forward to the Audit Office for determining final amount of pension and death-cum-retirement gratuity. Where the retirement benefits are payable from the date of absorption, the Head of Office should obtain the particulars required under paras 2 to 4 of Form 5 and forward the same to the Audit Officer along with the pension papers. The Audit Officer after applying the necessary audit checks, will inform the absorbed employee, autonomous body/public sector undertaking and the Head of Office of the amount of pension and D.C.R. Gratuity and the date from which they are payable to him. Where the retirement benefits become payable from a date subsequent to the date of absorption, the particulars required under paras 2 to 4 of Form 5 should be furnished to the Audit Officer by the absorbed employee through his employer

six months before the date on which the payment of the retirement benefits is to commence to enable him to issue PPO/GPO.

18. In respect of employees who held gazetted posts before absorption, action to fill in Form 7 should be initiated by the audit Officer. The Audit Officer after determining the amount of pension and Death-cum-Retirement Gratuity will inform the absorbed employee, autonomous body/public sector undertaking and Head of Office/Department of the amount of retirement benefits and the date from which they are payable to him. Where the retirement benefits are payable from the date of absorption, the Audit Officer will also obtain the particulars required under paras 2 to 4 of Form 5 should be furnished to the Audit Officer by the absorbed employee through his employer six months before the date of which the payment of the retirement benefits is to commence. As soon as Government Orders regarding absorption of a Government servant are issued the Head of Office will forward Form 7 duly completed to the Audit Officer and such other information as the Audit Officer may require.
19. the procedure laid down in Chapter VIII of the C.C.S. (Pension) Rules, 1972 may be adopted keeping in view the position stated in these orders. The provisions contained in Chapter VIII for authorizing payment of provisional pension for a period of six months and three-fourth of the Death-cum-Retirement Gratuity by the Head of Office need not be observed in the case of an employee who before his absorption had held a non-gazetted post. Payment of the retirement benefits will be received by the employee concerned or from the treasury of his own choice.

Benefits of service rendered under Government in respect of Scientific employees:

20. On the basis of the recommendations of the Second Pay Commission (i) for counting towards pension of service rendered by Scientific employees of semi-Government Institutions, financed from cess or Government grants, on their appointment to a pensionable service under the Government of India; and (ii) the rate of pension contribution payable by universities when they borrow service of Government servants who are Scientists and Technologists, it was decided as follows:
 - (i) A scientific employee of a semi Government institution which is financed wholly or mainly from cess or Central Government grant who was on a Contributory Provident Fund basis in such an institution may, on permanent appointment without any interruption to a pensionable service or post under the

Government of India count his previous service in that institution during which he subscribed to that Fund as service qualifying for pension provided that the contribution together with interest thereon paid by the institution is made over to the Government. The service during which he did not subscribe to the Contributory Provident Fund will not be so reckoned unless the previous employer agree to bear proportionate charges on account of pensionary benefits for the service so rendered. If, however, the officer was not on a Contributory Provident Fund basis in such an institution, his previous service will be reckoned as qualifying for pension if the previous employer agrees to bear proportionate charges on amount of pensionary benefits.

- (ii) If the services of a Government servant who is a scientist or technologist are lend to a university, the rate of pension contribution, which the university will pay, will be restricted to the rate at which it contributes to the Provident Fund of its employees.

These orders take effect from 26-3-1960 and past cases of transfer will be regulated in accordance with the orders already in force. The concession sanctioned in para 1(i) is admissible to all officers who were in service of the Government of India on 28-3-1960 provided that:

- (i) the officers who had already drawn the Contributory Provident Fund benefits in respect of their service under the semi-Government institutions refund either in lump sum or in monthly instalments not exceeding twelve in number, the institutions share of contribution together with interest thereon from the date of withdrawal to the date of final payment. The title to count service for pension will not accrue until the amount refundable and interest thereon have been refunded in full.
- (ii) if no such benefits had been received, the previous employer agrees to bear the proportionate pensionary liability.

21. With a view to increasing mobility of scientific talent all round, the benefit of the concessions contained in para 20 should also be made available to scientific employees of Government going over to Central autonomous organizations like C.S.I.R., etc., without break. These orders will also apply to Central Universities.
22. The pensionary liability in such cases will be allocated on the basis of length of service in case the autonomous organisation where the officer taken up service has pensionary benefits for its employees. The Government of India would discharge their liability by payment of capitalized value of their share of pension together with the share of

gratuity, if any, to autonomous organisation on retirement of the officer from the service of such on organisation. Similar procedure should apply in the event of death of an officer while in service of the autonomous organisation. In other cases Government's liability will be discharged by way of payment of pro-rata retirement benefits for the part of service rendered under the Government before absorption according to the instructions contained in the preceding paragraphs.

23. It was clarified in this Ministry's O.M. No. 12(4)-E. V/60, dated the 5th June, 1969 that in the case of Scientific employees of Government going over to the Central autonomous organizations like C.S.I.R., etc., without break on or after 16.6.1967, the pensionary liability will be discharged by way of payment of pro-rata retirement benefits for the part of service rendered under the Government. As a result of the issue of this clarification, Scientific employees belonging to Government departments who get absorbed in an autonomous body which has the pensionary benefits to its employees, have been deprived of the pensionary benefits, i.e., benefit of pension of combined service by counting the service rendered under the Government as well as the autonomous organisation. The pension has been reviewed as a result of representations from scientific employees and it has been decided that such employees belonging to Government departments on their absorption in autonomous bodies which have pensionary schemes will, on retirement from service of the autonomous body concerned become eligible for pensionary benefits based on the combined service rendered under Govt. and the service rendered under the autonomous body. Death benefits, if admissible under the rules of the autonomous body, will also be payable in such an absorbed employee. The pensionary liability including liability arising out of grant of death benefits will continue to be allocated as aforesaid. Thus the provisions of his Ministry's clarificatory orders, dated the 5th June 1969 will cease to apply to a scientific employee who is absorbed in an autonomous body which has a pensionary scheme.
24. The provisions of the orders contained in para 23 shall not apply to a scientific employee absorbed in an autonomous body who, before 12th September, 1974 had quit the service of the autonomous body or who while in the service of the autonomous body has started receiving or has become eligible to receive the pro-rata pension, etc. However, a scientific employee who was absorbed in an autonomous body before 12th September, 1974 but had not become eligible to receive the pro-rata pension, etc. will get retirement benefits in terms of these orders, i.e., benefit of pension on the basis of combined service.

State Government employees absorbed in Central autonomous bodies.

25. Normally when a State Government servant is absorbed in a Central autonomous body the liability for the benefits accruing for the past service rendered by him under a State Government falls on that Government and should be discharged by them. However, in case a State Government refuses to bear the liability, the question whether it should be taken over by the autonomous body will arise only if the absorption is considered inescapable. In such cases the autonomous body should, in their proposal relating to the initial appointment or absorption of the State Government employee, bring out specifically and clearly the extra expenditure involved in absorbing the employee so that this factor is given due weight by Government before it is decided to absorb him.

In so far as the persons working in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor General of India.
