

## FINANCE DEPARTMENT

## OFFICE MEMORANDUM

No. 39590—Pen-83/90.-F.

The 24th November 1990

**Subject—Payment of gratuity in respect of cases where departmental and judicial proceedings are pending.**

According to rule 11 of O. P. R. 1977 where departmental or judicial proceedings under Rule 10 or where a departmental proceedings is instituted under Clause (a) of the proviso thereto against a Government servant who are retired on attaining the age of compulsory retirement or otherwise, the officer concerned is to be paid a provisional pension not exceeding the maximum pension which would have been admissible on the basis of his qualifying service up to the date of retirement or if he was under suspension on the date of retirement up to the date immediately preceding the date on which he was placed under suspension but no gratuity or D.C.R.G. is to be paid to him until conclusion of such proceedings. Departmental/Judicial proceedings are instituted under Rule 10 of O.P.R. 1977 where a pensioner appears to be guilty of grave misconduct warranting imposition of a major penalty. Proceedings are also initiated for loss of Government money. In these cases the pension sanctioning authority should not release gratuity until conclusion of the proceeding.

However, if departmental proceedings are instituted under Rule 16 of the O. C. S. (C. C. A. Rule, 1962) for imposing any of the penalties specified in Clause (i), (ii), (iii) and (iii-A) of Rule 13 of the said Rules, then the payment of gratuity need not be held up and be released and paid to the Government servant. It may so happen that for the same offence departmental and judicial proceedings run concurrently, in such cases if the judicial proceeding has been finalised, the competent authority should take a final decision on the departmental proceeding and finalise the same as early as possible for release of final pension and gratuity.

S. K. RATH

Joint Secretary to Government

## FINANCE DEPARTMENT

Memo. No. 2279(220)—Pen-46/89-F.

The 22nd January 1991

To

All Departments of Government  
All Heads of Departments

**Sub—Deposit Scheme for retiring Government Employees.**

The undersigned is directed to send herewith a copy of the Government of India, Ministry of Finance (Department of Economic Affairs) Notification No. F/2/14/89-N. S. II, dated the 10th August 1989 on the subject noted above containing the amendments made in the deposit scheme for retiring Government employees by the Government of India for information and necessary action in continuation of this Department O. M. No. 26791, dated the 3rd August 1990.

S. K. RATH

Joint Secretary to Government

## GOVERNMENT OF INDIA

## MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 10th August 1989

## Deposit Scheme for Retiring Government Employees, 1989

## NOTIFICATION

No. F. 2/14/89-NS.II.—The following amendments may be made in the Government of India, Ministry of Finance (Department of Economic Affairs) Notification No. F. 2/14/89-NS. II, dated the 7th June 1989.

(i) In para. 4, in sub-paragraph (a), the following proviso may be added at the end, namely:—

“Provided further that where the amount of deposit does not exceed Rupees five lakhs, an affidavit on stamped paper signed by the depositor indicating the amount of retirement benefits received by him shall be accepted in lieu of a certificate from the employer”.

(ii) In Form 1—

(a) for paragraph (4), the following paragraph shall be substituted, namely:—

“4 A copy of certificate from employer indicating retirement benefits is enclosed\*/An affidavit on stamped paper indicating retirement benefits is enclosed (applicable for deposits not exceeding Rupees five lakhs)”.

(b) The following foot note may be added at the end, namely:—

“\*Delete whichever is not applicable”.

2. These amendments shall take effect from the date of publication of the notification in the Official Gazette.

OM PAL SINGH

Under-Secretary to the Government of India

## GOVERNMENT OF INDIA

## MINISTRY OF FINANCE

(Department of Economic Affairs)

New-Delhi, the 12th October 1989

## Deposit Scheme for Retiring Government Employees, 1989

## NOTIFICATION

No. F. 2/14/89-NS. II.—The following amendments shall be made in the Government of India, Ministry of Finance (Department of Economic Affairs) Notification No. F. 2/14/89-NS. II, dated the 7th June 1989.

(1) In para 4, in sub-paragraph (a), after the words “within three months from the date of receiving the retirement benefits” the words and figures, “or up to 31st December 1989, whichever is later” shall be added.

(b) for the words "three months" in the first proviso, the words "six months" shall be substituted.

(2) These amendments shall take effect from the 1st October 1989.

OM PAL SINGH

Under-Secretary to the Government of India

Note:—The Deposit Scheme was notified vide notification No. F2/14/89-NS.II., dated 7th June 1989 and amended vide notification No. F. 2/14/89-NS.II., dated the 10th August 1989.

**FINANCE DEPARTMENT**

**OFFICE MEMORANDUM**

No. 2833—Pen-74/90 (Pt.)-F.

The 25th January 1991

**Subject—Grant of Family Pension to the families of Government employees who retired or died before the 1st January 1964 or otherwise not covered by the Family Pension Scheme, 1964.**

In Finance Department Resolution No. 44348-F., dated the 9th September 1986, the benefit of Family Pension Scheme, 1964 was extended to the families of those Government servants who were/are borne on pensionable establishment and are presently not covered by the scheme namely the families of those Government employees who retired/died before the 31st December 1963 and those who were alive on the 31st December 1963 and opted for the 1964 scheme. Such benefit of Family Pension Scheme has been extended to all eligible members of the deceased Government employees or pensioners who were alive on the 13th December 1977 and died subsequently.

The question has arisen whether such family pension will be made available to the family of the deceased Government servants who died or retired prior to introduction of the Liberalised Pension Rules in Finance Department Resolution No. 13795, dated the 19th September 1951. The matter has been reviewed and it is hereby clarified that the benefit of Family Pension Scheme, 1964 will also be made applicable to the families of those Government servants, who are/were borne on pensionable establishment but died/retired before introduction of Family Pension Scheme in Finance Department Resolution dated the 19th September 1951 stated above with effect from the 13th December 1977.

The other conditions specified in Finance Department Resolution No. 44348, dated the 9th September 1986 will remain unaltered and will continue to apply such cases.

S. K. RATH

Joint Secretary to Government

**FINANCE DEPARTMENT**

**OFFICE MEMORANDUM**

No. 4508—Pen-30/90-F.

The 8th February 1991

**Subject—Expeditious disposal of pension cases—issue of No Demand Certificate**

The undersigned is directed to say that according to the provisions contained in Rule 157 of Orissa Pension Rules, 1977 a retired Government servant shall have to clear all Government dues before the date of his retirement. In the Pension Adalat it has been brought to notice that Government dues outstanding against a pensioner remain unassessed due to reasons attributable to a retired Government servant as a result of which issue of No Demand Certificate is delayed by the pension sanctioning authorities.