

CHAPTER - III

DETERMINATION OF FAMILY PENSION & DEATH GRATUITY IN RESPECT OF GOVT. SERVANT DYING WHILE IN SERVICE BY HEAD OF OFFICE

Completion of forms and determination of family pension and death gratuity :

In order to ensure the timely payment of family pension and Death gratuity to the family members of the deceased government servant the Head of office shall undertake the following work of preparation of Pension Papers:-

1. Head of the Office on receipt of an intimation about the death of Govt. Servant while in service shall ascertain whether any death gratuity or family pension or both is / are payable in respect of deceased govt servant.
2. (i) Where the family of the deceased Government Servant is eligible for the death gratuity under Rule 50, the Head of Office shall ascertain-
 - (a) If the deceased Government Servant had nominated any person or persons to receive the gratuity; and
 - (b) If the deceased Government Servant had not made any nomination or the nomination made does not subsist, the person or persons to whom the gratuity may be payable.
- (ii) The Head of Office shall, then, address the person concerned in Form 10 or Form 11, as may be appropriate, for making a claim in Form 12.
3. Where the family of the deceased Government servant is eligible for Family Pension under Rule 54 for the Family Pension, 1964-
 - (i) The Head of Office shall address the eligible member of family or guardian in form 13 for making claim in Form 14 as the case may be ; and
 - (ii) Where the deceased Government servant is survived only by a child or children, the guardian of such child or children may submit a claim in Form 14 to the Head of Office; the guardian shall not be required to submit a claim on behalf of a child if the child has attained the age of 18 years and such child may himself or herself submit a claim in Form 14.
4. (i) The Head of Office, while taking action to obtain claim or claims from the family in accordance with the provisions of Rule 77 shall simultaneously undertake the completion of Form 18. The work shall be completed within 1 month of the date on which intimation, regarding the date of death of the Government servant has been received.
- (ii) The Head of Office shall go through the Service Book of the deceased Government servant and satisfy himself as to whether certificates of verification of service for the entire service are recorded therein.

- (iii) If there are any periods of unverified service, the Head of Office shall accept the unverified portion of service as verified on the basis of the available entries in the Service Book. For this purpose, the Head of Office may rely on any other relevant material to which he may have ready access. While accepting the unverified portion of service, the Head of Office shall ensure that service was continuous and was not forfeited on account of dismissal, removal or resignation from service, or for participation in strike.
- 5.
- (i) For the purpose of determination of emoluments for family pension and death gratuity, the Head of Office shall confine the verification of the correctness of emoluments for a maximum period of 1 year preceding the date of death of the Government servants.
 - (ii) In case the Government servant was on extraordinary leave on the date of death, the correctness of the emoluments for a maximum period of 1 year which he drew preceding the date of the commencement of the extraordinary leave shall be verified.
 - (iii) The process of determination of qualifying service and qualifying emoluments shall be completed within 1 month of the receipt of intimation regarding the date of death of the Government servant and the amount of family pension and death gratuity shall also be calculated accordingly.

Rule 77

ASSESSMENT AND RECOVERY OF GOVERNMENT DUES

1. The Head of Office shall, within one month of the receipt of intimation regarding death of a Government servant, take steps to ascertain if any dues as referred to in Rule 71 excluding the dues pertaining to the allotment of Government accommodation were recoverable from the deceased Government servant. Such ascertainable dues shall be recovered from the amount of death gratuity becoming payable to the family of the deceased Government Servant.
2. If on the date of death, the Government servant was an allottee of Government accommodation, the Head of Office shall within 7 days of the receipt of such intimation, address the Directorate of Estates for the issue of "No Demand Certificate" in accordance with the provisions of sub-rule (1) of Rule 80-C.
3. The Directorate of Estates shall scrutinize their records with a view to determine if licence fee other than the licence fee referred to in Clause (i) was outstanding against deceased Government servant. If any recovery is found, the amount and the periods to which such recovery or recoveries relate shall be communicated to the Head of Office within a period of 3 months of the receipt of intimation regarding the death of the Government Servant.
4. In case the family intend to retain government accommodation for the permissible period, the Directorate of Estates shall also inform the Head of Office the amount of

licence fee for the retention of government accommodation for the permissible period beyond the date of death of the government servant.. The Head of office shall adjust the amount of that licence fee from the amount of the gratuity together with the unrecovered licence fee, if any,

RULE 77, 80-C

CHECK LIST AND PENSION FORMS

1. The check list for submission of family pension cases to be followed by the Head of Office to Pay Accounts Officer is placed at **ANNEXURE III.**
2. The set of Pension Forms to be used by the Head of Office for preparation of Family Pension Cases is at **ANNEXURE V**

FORWARDING OF PAPERS TO THE PAY & ACCOUNTS OFFICER

1. After receiving the claim or claims in Form 12, 13 and 14 from the claimants as the case may be, determination of qualifying service and emoluments for determination of Death Gratuity and Family Pension and completion of Form 18, the Head of Office shall send the said Forms with information/documents in original to the Accounts Officer with a covering letter in Form 19 along with the Government servant's Service Book duly completed up-to-date and any other documents relied upon for the verification of the service claimed. This shall be done not later than one month of the receipt of claim by the Head of Office.
2. The Head of Office shall retain one copy of the aforesaid documents including Form 18 for record.
3. The Head of Office shall draw the attention of the Accounts Officer to the details of Government dues outstanding against the deceased Government servant, namely,-
 - (i) Government dues as ascertained and assessed in terms of Rule 80-C and recoverable out of the gratuity before payment is authorized.
 - (ii) Amount of gratuity to be held over partly for adjustment of Government dues which have not been assessed so far and partly as a margin for adjustment in the light of the final determination of the gratuity.
 - (iii) The maximum amount of gratuity to be held over for the purpose of Para (b) shall be limited to ten per cent of the amount of gratuity.
4.
 - (i) If Form 18 has been completed and the claim or claims in the respective Forms have not been received from the beneficiary or beneficiaries, the Head of Office shall forward Form 18 and the documents referred to in sub-rule (1) to the Accounts Officer leaving unfilled Items 14, 21 & 22 of Part-I of the said Form.
 - (ii) As soon as the claim or claims are received by Head of Office, they shall immediately be forwarded to the Accounts Officer with the request that Items 22, 23, 24, 25 & 26 of Part-I of Form 18 may be filled by the Accounts Officer.

Rule 80

AUTHORIZATION OF FINAL FAMILY PENSION AND GRATUITY BY THE ACCOUNTS OFFICER

1. On receipt of the proposal of sanctioning / authorisation of Family Pension and Death Gratuity with necessary Forms, Documents / Information from the Head of Office, the Accounts Officer shall, within a period of three months from the date of receipt of the documents apply the requisite checks and complete Section I of Part-II of Form 18 and assess the amount of family pension and death gratuity:
2. The Pay & Accounts shall then issue the Authorisation of payment of Death Gratuity to be drawn and disburse through the Head of Office of the deceased government servant after adjusting the government dues, if any.
3. On receipt of necessary payment bill on account of Death Gratuity from the Head of Office, Pay & Accounts Officer shall release the payment either through Cheque or Electronic Mode.
4. After releasing the payment of Death Gratuity, the Pay & Accounts Officer shall issue the Pension Payment Order to the Pension Disbursing Authority (Bank) from where the payment of monthly family pension has been opted by the eligible family member mentioning therein the date on which the amount Death Gratuity was paid.
5. The Pay & Accounts Officer shall also provide a copy of calculation sheet of Family Pension and Letter of Family Pension Authorisation to the family member through the Head of Office.
6. The arrears family pension from the date of eligibility of family pension to the date of issue of Pension Payment Order may be drawn and disburse through the Head of Office and thereafter Pension Payment Order should be issued mentioning therein the fact of payment of arrears of family pension through the Head of Office.

Rule 80-B

PROCEDURE FOR PREPARATION OF PENSIOINARY BENEFIT CASES IN CASE OF DEATH OF GOVERNMENT WHILE ON DEPAUTATION.

1. In case of government servant who dies while on deputation to another department of the government, action to authorize family pension and death gratuity shall be taken by the Head of office of the borrowing department.
2. In case of government servant who dies while on deputation on foreign service, action to authorize the payment of family pension and death gratuity shall be taken by the Head of Office of the Cadre Authority which sanctioned the deputation of the government servant to the foreign employer.

Rule 80-D