

GOVERNMENT OF ASSAM
FINANCE (AUDIT & FUND) DEPARTMENT

NO. FMP. 4/86/23

Dated Dispur, the 26th May, 1987

OFFICE MEMORANDUM

Sub :- Simplification of procedure for the authorization of family pension and death-cum-retirement gratuity in respect of Government servants who die while in service.

The simplification of procedure for processing and finalizing pension case of Government servant due for retirement is laid down in this Deptts. O.M. No. FAP/SC/9/76/5 dtd.29.04.76. The question of simplifying the procedure for authorization of Family Pension and Death-Cum-Retirement gratuity in respect of Govt. servant who die while in service in the light of Govt. of India's decision as contained in O.M. No.F.11(9)-EV(A)/77, dtd. 15.2.79 has been under consideration of Govt. from some time past and Governor of Assam is now pleased to decide that the following procedure shall be followed therein i.e. in respect of Govt. servants who die while in service on or after the date of issue of this order.

2. Time table for the work.

As soon as the Head of Office receives intimation regarding death of a Govt. servant while in service, he shall initiate immediate action for obtaining claims for family pension and death-cum-retirement gratuity from the beneficiary or beneficiaries as indicated below :-

(i) For the purpose of family pension On receiving information of death of an officer while in service, the Head of Office will send a letter in revised form no. 9 (appended herewith) to the family of the deceased and ask for the necessary formal application in revised Form No.10 (Appended herewith and the documents mentioned herein.

(ii) For the purpose of Death-Cum-Retirement Gratuity.

(a) If the Government servant has executed a nominee in the prescribed form under rule 136 and the nomination subsists, the Head of Office shall on receipt of the death report the Govt. servant, send and intimation in revised Form No.5 (Appended herewith) to the nominees (s) asking for a forma claim for the grant of death-cum-retirement gratuity to be submitted in the revised Form No.3 (appended herewith).

(b) If there is no nomination, or if the nomination does not subsist the intimation shall be sent in revised Form No.6 (appended herewith) to all the adult members of the family about whom information may be available with the head of Office asking for a formal claim for the grant of death-cum-retirement gratuity to be submitted in the revised Form No.3 (appended herewith).

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3. (i) The Head of Office while taking action under (i) & (ii) above shall simultaneously undertake the completion of the newly appended form No. 20. The work shall be completed within the month of the date on which intimation regarding the date of death of the Government servant is received.

(ii) The Head of Office shall go through the service book/service record of the deceased Government servant and satisfy himself as to whether annual certificates of verification of service for the entire period of service and recorded therein.

(iii) If there are any period/periods unverified services, the Head of Office shall accept the unverified portion of service as verified on the basis of valid entries in the service book/service record. For this purpose, the head of office may rely on any other relevant material to which they have easy access. While accepting the unverified portion service. The Head of Office shall ensure that service was inures and was not forfeited on account of dismissal, removal , resignation from service.

(iv) (a) For the purpose of determination of emoluments family pension and death-cum-retirement gratuity, the Head of service shall normally confine the verification of the correctness of documents for a maximum period of one year preceding the death of the Government servant.

(b) In case, the Government servant was on extraordinary the date of death, the correctness of the emoluments he drew preceding the date of the commencement of the extraordinary leave shall be verified.

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

Determination of family pension and Gratuity where service records are incomplete.

According to the existing instructions, there should not be any case where service book has not been maintained properly, any particular case, the service book/service record has not maintained properly despite the Govt. order on the subject, it is not possible for the Head of Office to accept the un identified portion of service as verified on the basis of entries in service book/service record, the Head of Office shall not with verification of the entire spell of service. The verification of service in such a case shall be confined to the proving spell of service.

(A) For the purpose of Family pension 1964.

(i) If the deceased Government servant at the time of death had rendered more than one year of service but less than seven years of service, the service and the emoluments for the last year of service shall be verified and accepted by the Head of Office and amount of family pension determined as per rates of family pension indicated in rule 141 of the A.S. (P) Rules, 1969 as amended from time to time.

(ii) If the deceased Government servant at the time of his death had rendered more than seven years of service, the service for the last seven years and emoluments for service rendered in the last year shall be verified and accepted by the Head of Office and the amount of family pension and the period of its tenability determined under rule 142 of the A.S. (P) Rules, 1969.

(iii) If the deceased Government servant at the time of death had rendered more than seven years of service and the service of last seven years is not capable of being verified and accepted by the Head of Office but the service rendered during the last year is capable of being verified and accepted, the head of Office, pending verification of service for seven years, shall calculate the amount of family pension indicated in rule 141 of the A.S. (P) Rules, 1969 as amended.

(iv) The service for the last seven years shall be verified and accepted within the next two months and the amount of family pension at the enhanced rates and the period for which it is payable shall be determined under rule 142 of the A.S.(P) Rules,1969.

(v) The determination of the amount of family pension in terms of sub-clause (i),(ii) & (iii) shall be done within one month of the receipt of intimation of the date of death of the Govt. servant.

(B) For the purpose of death-cum-retirement gratuity.

(i) If the deceased Government servant had, at the time of death, rendered more than five years of qualifying service but less than twenty-four years of qualifying service but less than twenty-four years of qualifying service and spell of last five years service has been verified and accepted by the Head of Office under clause (A), the amount of death-cum-retirement gratuity shall be equal to 12 times the emoluments of the deceased Government servant as indicated in sub-rule 3 of Rule 135 the A.S. (P) Rules, 1969.

(ii) If the deceased Government servant had rendered than twenty-four years of service and entire service is capable of being verified and accepted, but the service of the last five years has been verified and accepted under sub-clause (i), the Head of Office pending verification of service for the entire period, shall calculate the amount of D.C.R.G. as indicated at sub-clause (i) above final amount of gratuity shall be determined by the Head of Office on the basis of the entire spell of service which may be verified and accepted the Head of Office not later than six months from the date of death of the Government servants.

4. Forwarding the papers to the Accountant General, Assam.

(1) On receipt of claim or claims, the Head of Office shall complete item 20,21,22,23,24 of the newly appended form No.20 and send the form in original to the Accountant General, Assam with a covering letter in the newly appended Form No.21 along with the Government servant's service Book/service record duly completed upto date and any other documents relied upon for the verification of the service claimed in such manner that they can be conveniently consulted. The forwarding of papers to the Accountant General, Assam shall however be done after granting provisional pension in the manner as indicated at para 5 of this O.M. and this shall be completed not later than one month of receipt of this claim by the Head of Office.

(2) The Head of Office shall retain one ***aforesaid form No.20 for his office records.

(3) If the payment is desired in other ***** accounting unit, the newly appended form No.20 shall be sent in duplicate to the Accountant General Assam.

(4) The Head of Office shall draw the particular attention of Accountant General, Assam regarding the details of Government dues outstanding against the deceased Government servant, namely :-

(a) Govt. dues as intimated and assessed **norms of para 7 of this O.M. and recoverable out of the gratuity before payment is authorized.

(b) amount of gratuity to be held over para**for the adjustment of Govt. dues which have not been assessed so far and partly as margin for adjustment in the light of the final determination of the gratuity.

(5) (a) If the newly appended Form No. 20 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 the Form No.20 &21 and the documents referred to in sub-para (1) to the Accountant General, Assam leaving items 20,21,22,23 &24 of Part-I of the Form No.20 as unfilled.

(b) As soon as the claim or claims are received by the Head of Office , they shall immediately be forwarded to The Accountant General, Assam with the request that items 20,21,23 & 24 of Part I of the Form No.20 may be filled by the accountant General, Assam.

5. Sanction drawl and disbursement of provisional family pension and gratuity before forwarding the papers to Accountant General Assam.

(1) As soon as the documents referred to in para 4 have been made for forwarding it to the Accountant General Assam the Head of Office shall grant provisional family pension not exceeding the maximum family pension as admissible and ninety per cent of the gratuity as determined under para 2 or para 3 of this O.M. after adjustment of all outstanding dues. For this purpose, the Head of Office shall adopt the following procedure :-

(a) he shall issue an office order in favour of claimant or claimants endorsing a copy of thereof to the Accountant General, Assam indicating the amount of hundred percent of provisional family pension and ninety per cent of gratuity as determined after adjustment of all outstanding Govt. dues.

(b) he shall indicate in the office order the amount recoverable out of the gratuity in terms of para 4 (4) of this O.M.

(c) after issue of the office order, he shall either draw himself or authorize Treasury Officer concerned the drawal of the following.

(i) the amount of provisional family pension and (ii) the amount of Ninety per cent of the gratuity after deduction of the dues mentioned in clause (b) above. The drawal of the amount of family pension gratuity provisionally may be done by the Head of Office in establishment pay bill and by the Treasury Office concerned in the same manner as pension and gratuity of the Retd. Govt. servants are drawn.

(2) The Head of Office or Treasury Officer concerned as the case may be shall disburse.

(a) the provisional family pension as would fall due to the claimant on or after the first day of each month following the month in which the Govt. servant died.

(b) the amount of the death-cum-retirement gratuity to the claimant or claimants immediately after the same has been drawn under sub-para (1) (c) (ii).

(3) The payment of provisional family pension shall continue for a period of one year from the date of death of the Government servant unless the period is extended by the Accountant General, Assam under the proviso to clause (1) of para 6 of this O.M.

(4) The Head of Office shall inform the Accountant General Assam.

(a) as soon as the provisional gratuity has been paid to the claimant or claimants, and

(b) as soon as the provisional family pension has been paid for a period of one year or for the period extended under proviso to clause (1) of para 6 of this O.M. as the case may be.

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(5) If the claimant desires the payment of provisional family pension or a gratuity or of both through money order or bank draft, the same shall be remitted to him through money order or bank draft at his cost;

Provided that in the case of any claimant who is sanctioned a provisional family pension not exceeding ₹ .100/- per mensem, the amount of pension shall, at the request of the claimant be remitted to him by money order at Govt's expense.

6. Authorization of final pension and balance of the gratuity in respect of the deceased Government servant.

(1) On receipt of the documents referred to in a para 4 of O.M the Accountant General, Assam shall, within a period of deaths from the date of receipt of the documents apply the checks and complete Section I of part-II of newly appended assess the amount within the validity of the provision he shall communicate the fact to the Head of Office the Treasury Officer concerned for continuance of the dis** of provisional family pension to the claimant for such may be specified by the Accountant General , Assam.

(2) (a) If the ****family pension is payable in the of Accountant General, Assam the Accountant General, Assam ****epare the pension payment Order.

(b) The payment of family pension shall be effective **death* date following the date on which the payment of provisional pension ceased.

(c) Arrears of family pension, if any, in respect of the for which provisional family pension was drawn and disburse the Head of Office or Treasury Officer concerned shall also authorized by the Accountant General, Assam.

(3) (a) The Accountant General, Assam shall authorize the balance of the gratuity after adjusting the amount, if any pending against the deceased Govt. servant.

(b) The amount of gratuity withheld under clause ** of this O.M. shall be adjusted by the Accountant General, Assam against the outstanding license/rent fee mentioned in clause (i) of the para 7 of the O.M. and the balance, if any refunded the person or persons to whom the gratuity has been paid.

(4) The fact of the issue of the pension payment order, order for the payment of balance of gratuity shall be promptly reported to the head of Office and documents which are no longer required shall be returned to him.

(5) The Accountant General, Assam may authorize the payment of balance of the gratuity even during the period of the currency of provisional family pension.

Provided that the amount of gratuity has been finally assessed and no recovery of Government dues is outstanding against the deceased Govt. servant.

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(6) If the final family pension and the balance of the gratuity are payable in another circle of Accounting Unit, the Accountant General, Assam shall send a copy of newly appended Form No.20 duly completed to the Accountant General of that unit who shall prepare the Pension Payment Order and order for the payment of balance of the gratuity.

Provided that the adjustment of provisional family pension and gratuity drawn and disbursed by the Head of Office/Treasury Officer concerned shall be made by the Accountant General in whose circle of accounting unit the provisional payments were made.

(7) If the amount of provisional family pension as disbursed by the Head of Office/Treasury Officer concerned is found to be excess of the final family pension by the Accountant General, Assam it shall be open to the Accountant General, Assam to adjust the excess amount by short payment of family pension payable in future.

(8) (a) If the amount of gratuity disbursed by the Head of Office/Treasury Officer concerned to be proves larger than the amounts finally assessed by the Accountant General, Assam the gratuity shall not be required to refund the excess.

(b) The Head of Office shall ensure that chances of disbursing the amount of gratuity in excess of the amount actually admissible shall be minimized and the officials responsible.