

No. Fin (Pen) A (3)-1/2001  
Government of Himachal Pradesh  
Finance (Pension) Department  
\*\*\*\*\*

Dated: Shimla-171002

20/09/2010

**OFFICE MEMORANDUM**

**Subject: Amendment to Rule 64, 71, 72 & 80 of CCS (Pension) Rules, 1972.**

I am directed to enclose herewith a Gazette copy of Notification No. S.O.829 (E) dated 7<sup>th</sup> April, 2010 issued by the Ministry of Personnel, Public Grievances and Pensions, Department of Pension and Pensioners Welfare, Government of India, published in the Gazette of India on 12<sup>th</sup> April, 2010 on the subject cited above and to say that the amendments contained therein are also applicable to the State Government employees in Himachal Pradesh. This is submitted for your kind information. The notification may also be seen in Finance Department website [www.himachal.gov.in/finance/](http://www.himachal.gov.in/finance/).

**By Order,  
Principal Secretary (Finance) to the  
Government of Himachal Pradesh**

**To**

**All Administrative Departments  
Government of Himachal Pradesh**

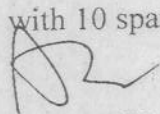
**Visit Finance Department – [www.himachal.gov.in/finance/](http://www.himachal.gov.in/finance/)**

**Endst.No. Fin (Pen) A (3)-1/2001**

**Dated: 20-09-2010**

**Copy for information and necessary action is forwarded to:-**

1. The Divisional Commissioner Shimla, Mandi and Kangra at Dharamshala Himachal Pradesh.
2. All Heads of Departments in Himachal Pradesh.
3. The Resident Commissioner, Himachal Pradesh, Himachal Bhawan, 27- Sikandra Road, New Delhi-110001 with 10 spare copies.
4. The Accountant General (Audit) Himachal Pradesh, with 10 spare copies.
5. The Accountant General (A&E) Himachal Pradesh Shimla with 10 spare copies for circulation to all the Accountant General in India with special stamp.
6. The Director (Accounts) Cabinet Secretariat, Govt. of India, East Block No. 1, R.K. Puram, New Delhi.
7. The Divisional Organizer, Punjab, Himachal Pradesh and J&K, Divisions SSB Directorate General of Security, Shimla-4.
8. The Director, H.P. Institute of Public Administration, Mashobra, Shimla-171012.
9. All Universities/ Corporations/ Boards & Public Sector Undertakings.
10. The Registrar General, H.P. High Court, Shimla-171001.
11. All Deputy Commissioners in Himachal Pradesh.
12. All District and Session Judges in Himachal Pradesh.
13. All District Treasury Officers/ Treasury Officers in H.P. with 10 spare copies.

  
**Special Secretary (Finance) to the  
Government of Himachal Pradesh**



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, सोमवार, अप्रैल 12, 2010/चैत्र 22, 1932

No. 696]

NEW DELHI, MONDAY, APRIL 12, 2010/CHAITRA 22, 1932

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(पेंशन और पेंशनभोगी कल्याण विभाग)

अधिसूचना

नई दिल्ली, 7 अप्रैल, 2010

का.आ. 829(अ).—राष्ट्रपति, संविधान के अनुच्छेद 309 के परंतुक और अनुच्छेद 148 के खंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय लेखा परीक्षा और लेखा विभाग में कार्यरत व्यक्तियों के संबंध में भारत के नियंत्रक और महालेखा परीक्षक से परामर्श के पश्चात् केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 में और आगे संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम केन्द्रीय सिविल सेवा (पेंशन) (संशोधन) नियम, 2010 है।

(2) ये राजपत्र में प्रकाशन की तारीख से प्रवृत्त होंगे।

2. केन्द्रीय सिविल सेवा पेंशन नियम, 1972 (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) के नियम 64 के उप-नियम (4) के खंड (क) के उपखंड (ii) में, "उपदान का दस प्रतिशत या एक हजार रुपए, इनमें से जो भी कम हो" शब्दों के स्थान पर, "उपदान का दस प्रतिशत" शब्द रखे जाएंगे।

3. उक्त नियम के नियम 71 के उप-नियम (3) के खंड (क) में, "अनुज्ञप्ति फीस" शब्दों के पश्चात् निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात् :—

"और नुकसानी (आबंटिती के सेवानिवृत्ति की तारीख के पश्चात् अनुज्ञेय अवधि से परे सरकारी आवास के अधिभोग के लिए)।"

4. उक्त नियम के नियम 72 में,—

(क) उप-नियम (5) में, "उपदान का दस प्रतिशत या एक हजार रुपए, इनमें से जो भी कम हो" शब्दों के स्थान पर, "उपदान का दस प्रतिशत" शब्द रखे जाएंगे।

(ख) उप-नियम (6) के स्थान पर निम्नलिखित उप-नियम रखे जाएंगे, अर्थात् :—

"(6) अनुज्ञप्ति फीस (जहां संपदा निदेशालय के लिए बकाया अनुज्ञप्ति फीस अवधारित करना संभव नहीं है) और नुकसानी (आबंटिती के सेवानिवृत्ति की तारीख के पश्चात् अनुज्ञेय अवधि से परे सरकारी आवास के अधिभोग के लिए) की वसूली का उत्तरदायित्व संपदा निदेशालय को होगा और ऐसे सेवानिवृत्त सरकारी कर्मचारी जो सरकारी आवास के अधिभोग में हैं, की उपरोक्त उप-नियम (5) के अधीन उपदान की विधारित रकम सरकारी आवास के वास्तविक रिक्ति के पश्चात् संपदा निदेशालय से "बेबाकी प्रमाण-पत्र" पेश किए जाने पर तत्काल सूचित किया जाएगा।

(7) संपदा निदेशालय यह सुनिश्चित करेगा कि "बेबाकी प्रमाण-पत्र" सरकारी आवास की रिक्ति की वास्तविक तारीख से चौदह दिनों की अवधि के भीतर सरकारी कर्मचारी को दिया जाएगा और आबंटिती उपदान जो आबंटिती द्वारा देय अनुज्ञप्ति फीस और नुकसानी यदि कोई है, के बकाए को समायोजित करने के पश्चात् प्रतिदाय किया जाना अपेक्षित है, के अधिकतम विधारित रकम पर ब्याज (भारत सरकार द्वारा समय-समय पर अवधारित साधारण भविष्य निधि निक्षेप को लागू दर पर) चुकाने का हकदार होगा और ब्याज सरकारी आवास की रिक्ति की वास्तविक तारीख से उपदान की अधिक विधारित रकम के प्रतिदाय की तारीख तक सरकारी कर्मचारी

के संबद्ध लेखाधिकारी के माध्यम से संपदा निदेशालय द्वारा देय होगा।

(8) उपरोक्त उप-नियम (5) के अधीन वर्णित उपदान की विधार्थित रकम से समायोजन के पश्चात् अंसदत्त के कारण शेष अनुज्ञप्ति फीस या नुकसान की वसूली का आदेश पेंशनभोगी की सहमति के बिना मंहगाई भत्ते से संबद्ध लेखाधिकारियों के माध्यम से संपदा निदेशालय द्वारा दिया जाएगा और ऐसे मामलों में कोई मंहगाई भत्ता का वितरण तब तक नहीं किया जाएगा जब तक ऐसे शोध्यों की पूरी वसूली नहीं की जाती।”

5. उक्त नियम के नियम 80 के उप-नियम (4) के खंड (ग) में, “उपदान की रकम के दस प्रतिशत तक या एक हजार रुपए तक, में से जो भी कम हो” शब्दों के स्थान पर, “उपदान की रकम के दस प्रतिशत तक” शब्द रखे जाएंगे।

6. नियम के नियम 80ग के उप-नियम (1) के खंड (5) में, “मृत्यु उपदान के दस प्रतिशत या एक हजार रुपए, इसमें से जो भी कम हो” शब्दों के स्थान पर, “मृत्यु उपदान के दस प्रतिशत” शब्द रखे जाएंगे।

[फा. सं. 20/16/1998-पी एंड पीडब्ल्यू (एफ)]

तृप्ति पी. घोष, निदेशक

टिप्पण : मूल नियम सं. का.आ. 934, तारीख 1 अप्रैल, 1972 द्वारा प्रकाशित किए गए थे। जुलाई, 1988 तक संशोधित नियम का चौथा संस्करण वर्ष 1988 में प्रकाशित किया गया था। उक्त नियम निम्नलिखित अधिसूचनाओं द्वारा तत्पश्चात् संशोधित किए गए :—

1. का.आ. 254, तारीख 4 फरवरी, 1989
2. का.आ. 970, तारीख 6 मई, 1989
3. का.आ. 2467, तारीख 7 अक्टूबर, 1989
4. का.आ. 899, तारीख 14 अप्रैल, 1990
5. का.आ. 1454, तारीख 20 मई, 1990
6. का.आ. 2329, तारीख 8 सितम्बर, 1990
7. का.आ. 3269, तारीख 8 दिसम्बर, 1990
8. का.आ. 3270, तारीख 8 दिसम्बर, 1990
9. का.आ. 3273, तारीख 8 दिसम्बर, 1990
10. का.आ. 409, तारीख 9 दिसम्बर, 1991
11. का.आ. 464, तारीख 16 फरवरी, 1991
12. का.आ. 2287, तारीख 7 सितम्बर, 1991
13. का.आ. 2740, तारीख 2 नवम्बर, 1991
14. सा.का.नि. 677, तारीख 7 दिसम्बर, 1991
15. सा.का.नि. 399, तारीख 1 फरवरी, 1992
16. सा.का.नि. 55, तारीख 15 फरवरी, 1992

17. सा.का.नि. 570, तारीख 19 दिसम्बर, 1992
18. का.आ. 258, तारीख 13 फरवरी, 1993
19. का.आ. 1673, तारीख 7 अगस्त, 1993
20. सा.का.नि. 449, तारीख 11 सितम्बर, 1993
21. का.आ. 1984, तारीख 25 सितम्बर, 1993
22. सा.का.नि. 389(अ), तारीख 18 अप्रैल, 1994
23. का.आ. 1775, तारीख 19 जुलाई, 1997
24. का.आ. 259, तारीख 30 जनवरी, 1999
25. का.आ. 904(अ), तारीख 30 सितम्बर, 2000
26. का.आ. 717(अ), तारीख 27 जुलाई, 2001
27. सा.का.नि. 75(अ), तारीख 1 फरवरी, 2002
28. का.आ. 4000, तारीख 28 दिसम्बर, 2002
29. का.आ. 860(अ), तारीख 28 जुलाई, 2003
30. का.आ. 1483(अ), तारीख 30 दिसम्बर, 2003
31. का.आ. 1487(अ), तारीख 14 अक्टूबर, 2005
32. सा.का.नि. 723(अ), तारीख 23 नवम्बर, 2006
33. का.आ. 1821(अ), तारीख 25 अक्टूबर, 2007
34. सा.का.नि. 258(अ), तारीख 31 मार्च, 2008
35. का.आ. 1028(अ), तारीख 25 अप्रैल, 2008

## MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Pension and Pensioners' Welfare)

### NOTIFICATION

New Delhi, the 7th April, 2010

S.O. 829(E).—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor-General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely :—

1. (1) These rules may be called the Central Civil Services (Pension) (Amendment) Rules, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Central Civil Services (Pension) Rules, 1972 (hereinafter referred to as the said rules), in rule 64, in sub-rule (4), in clause (a), in sub-clause (ii), for the words “ten per cent of gratuity or one thousand rupees, whichever

is less", the words "ten per cent of gratuity" shall be substituted.

3. In rule 71 of the said rules, in sub-rule (3), in clause (a), after the words "licence fee", the following shall be inserted, namely :—

as well as damages (for the occupation of the Government accommodation beyond the permissible period after the date of retirement of allottee)".

4. In rule 72 of the said rules,—

(a) in sub-rule (5), for the words "ten per cent of gratuity or one thousand rupees, whichever is less", the words "ten per cent of gratuity" shall be substituted.

(b) for sub-rule (6), the following sub-rules shall be substituted, namely :—

"(6) The recovery of licence fee (where it is not possible for the Directorate of Estates to determine the outstanding licence fee) as well as damages (for the occupation of the Government accommodation beyond the permissible period after the date of retirement of allottee) shall be the responsibility of the Directorate of Estates and the withheld amount of gratuity under sub-rule (5) above, the retiring Government employees, who are in occupation of Government accommodation, shall be paid immediately on production of "No Demand Certificate" from the Directorate of Estates after actual vacation of the Government accommodation;

(7) The Directorate of Estates shall ensure that "No Demand Certificate" shall be given to the Government employee within a period of fourteen days from the actual date of vacation of the Government accommodation and the allottee shall be entitled to payment of interest (at the rate applicable to General Provident Fund deposit determined from time to time by the Government of India) on the excess withheld amount of gratuity which is required to be refunded, after adjusting the arrears of licence fee and damages, if any, payable by the allottee and the interest shall be payable by the Directorate of Estates through the concerned Accounts Officer of the Government employee from the actual date of vacation of the Government accommodation up to the date of refund of excess withheld amount of gratuity;

(8) On account of licence fee or damages remaining unpaid after adjustment from the withheld amount of gratuity mentioned under sub-rule (5) above, may be ordered to be

recovered by the Directorate of Estates through the concerned Accounts Officer from the Dearness Relief without the consent of the pensioners and in such cases no Dearness Relief shall be disbursed until full recovery of such dues has been made."

5. In rule 80 of the said rule, in sub-rule (4), in clause (c), for the words "ten per cent of the amount of gratuity or rupees one thousand, whichever is less", the words "ten per cent of the amount of gratuity" shall be substituted.

6. In rule 80-C of the said rules, in sub-rule (1), in clause (v), for the words "ten per cent of the death gratuity or one thousand rupees, whichever is less", the words "ten per cent of death gratuity" shall be substituted.

[F. No. 20/16/1998-P&PW (F)]

TRIPTI P. GHOSH, Director

Note : The Principal rules were published vide number S.O. 934, dated the 1st April, 1972. The Fourth Edition of the rules corrected up to July, 1988 was published in the year of 1988. The said rules were subsequently amended vide notifications given below :—

1. S.O. 254, dated the 4th February, 1989
2. S.O. 970, dated the 6th May, 1989
3. S.O. 2467, dated the 7th October, 1989
4. S.O. 899, dated the 14th April, 1990
5. S.O. 1454, dated the 26th May, 1990
6. S.O. 2329, dated the 8th September, 1990
7. S.O. 3269, dated the 8th December, 1990
8. S.O. 3270, dated the 8th December, 1990
9. S.O. 3273, dated the 8th December, 1990
10. S.O. 409, dated the 9th December, 1991
11. S.O. 464, dated the 16th February, 1991
12. S.O. 2287, dated the 7th September, 1991
13. S.O. 2740, dated the 2nd November, 1991
14. GSR. 677, dated the 7th December, 1991
15. GSR. 399, dated the 1st February, 1992
16. GSR. 55, dated the 15th February, 1992
17. GSR. 570, dated the 19th December, 1992
18. S.O. 258, dated the 13th February, 1993
19. S.O. 1673, dated the 7th August, 1993
20. GSR. 449, dated the 11th September, 1993
21. S.O. 1984, dated the 25th September, 1993
22. GSR. 389(E), dated the 18th April, 1994
23. S.O. 1775, dated the 19th July, 1997
24. S.O. 259, dated the 30th January, 1999
25. S.O. 904(E), dated the 30th September, 2000



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|---|--|
| 26. S.O. 717(E), dated the 27th July, 2001      | 31. S.O. 1487(E), dated the 14th October, 2005   |
| 27. G.S.R. 75(E), dated the 1st February, 2002  | 32. G.S.R. 723(E), dated the 23rd November, 2006 |
| 28. S.O. 4000, dated the 28th December, 2002    | 33. S.O. 1821(E), dated the 25th October, 2007   |
| 29. S.O. 860(E), dated the 28th July, 2003      | 34. G.S.R. 258(E), dated the 31st March, 2008    |
| 30. S.O. 1483(E), dated the 30th December, 2003 | 35. S.O. 1028(E), dated the 25th April, 2008.    |

## List of Endorsements

1. President's Secretariat,
2. Vice President's Secretariat
3. Prime Minister's Office
4. Cabinet Secretariat
5. Supreme Court of India
6. Lok Sabha Secretariat
7. Rajya Sabha Secretariat
8. Secretary, U.P.S.C., New Delhi
9. Election Commission
10. Planning Commission
11. Secretariats of Governments/Lt. Governors of all States/Union Territories.
12. All State Governments and Union Territories
13. All Finance Secretaries of State Governments and Union Territories
14. All Integrated Financial Advisor to Ministries/Departments
15. Department of Personnel and Training (All India Services Division), North Block, New Delhi
16. Ministry of Finance, Department of Expenditure (E.V. Branch) , North Block, New Delhi
17. Ministry of Finance, Department of Expenditure (I.C. Branch), North Block, New Delhi
18. Ministry of Defence, Department of Ex-servicemen Welfare (Director Pension), Sena Bhavan, ND
19. Dte of Estates(Policy-III Division), Nirman Bhavan, New Delhi-110011
20. Legislative Department, Shastri Bhavan, New Delhi-110001
21. Ministry of Railways (Railway Board)(Shri Sunil Bhardwaj, Deputy Director Finance(Estt)III, Rail Bhavan, New Delhi-110001
22. Ministry of Defence (Fin.AG).
23. Ministry of Defence/D (Est.1/Gp.1)
24. Naval Headquarters/Directorate of Supplies/Pension Section
25. Air Headquarters/PP&R
26. Army Headquarters/AG's Branch
27. Director General of Posts
28. Department of Telecommunications
29. Chief Controllers/Controllers/Principal Accounts Officers of Ministry/Department.
30. Controller General of Defence Accounts, Ulan Batar Road, Palam, Delhi Cantt-110010
31. Controller General of Accounts, 7th floor Lok Nayak Bhawan Khan Market, New Delhi-110003
32. Director of Accounts, Cabinet Secretariat
33. Controller of Accounts, Ministry of Finance (Department of Expenditure)
34. CDA (P), Draupadighat Allahabad -211014
35. CDA (PD), Sena Bhavan, D1-Block, New Delhi.
36. Central Pension Accounting Office, M/o Finance, D/o Expenditure, Trikoot II Complex, Bhikaji Cama Place, New Delhi 66.
37. Comptroller & Auditor General of India
38. Accountant General I, Andhra Pradesh, Hyderabad
39. Accountant General (AE), Andhra Pradesh, Hyderabad
40. Accountant General (AE), Assam, Guwahati (Pension Branch)
41. Accountant General (AE), Bihar, Ranchi
42. Accountant General II, Bihar, Patna-
43. Sr. Deputy Accountant General (AE), Gujarat. Ahmedabad
44. Director of Audit, Central Madhu P.B. Marg, Mumbai
45. Accountant General II, Gujarat. Rajkot
46. Accountant General (AE), Kerala. Thiruvananthapuram
47. Accountant General (AE)-II. M.P., Gwalior
48. Pr. Accountant General. Tamilnadu, Madras (Accounts Officers, Pension Accounts)

49. Accountant General II, Maharashtra, Nagpur
50. Accountant General (AE) Maharashtra, Mumbai
51. Accountant General (AE), Orissa, Bhubaneswar
52. Accountant General (AE), Karnataka, Bangalore
53. Accountant General (AE), Punjab, Chandigarh
54. Sr. Dy. Accountant General (AE), Haryana, Chandigarh
55. Sr. Dy. Accountant General (AE), HP and Chandigarh, Shimla
56. Accountant General (AE), Rajasthan, Jaipur
57. Accountant General (AE), HP and Chandigarh, Shimla
58. Pr. Accountant General, U.P., Allahabad
59. Accountant General (AE), WB, Calcutta
60. Accountant General (AE), J&K, Srinagar
61. Accountant General (AE), Manipur, Imphal
62. Accountant General (AE), Tripura, Agartala
63. Accountant General (AE), Meghalaya, Shillong
64. Accountant General (AE), Nagaland, Kohima
65. Director of Audit (Central), Calcutta.
66. Director of Audit, Central Revenues, New Delhi
67. Director of Audit, Central Mumbai
68. Director of Audit, Scientific and Commercial Department, Mumbai
69. Director, Pension Deptt., Jyoti Nagar, Jaipur -5, Rajasthan
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