

No. Fin(C)B(7)15/84
Himachal Pradesh Government,
Finance (Reservation) Deptt.

Dated Shimla-2, the 5th September, 1988.

OFFICE MEMORANDUM

Subjects - Ex-gratia Grant to the families of ad-hoc employees who die while in service.

Of late instances have come to the notice of the

Govt. where, for various reasons, the Deptts. of the Govt. have appointed persons on ad-hoc basis against regular vacancies and such ad-hoc appointees continue to work for years. A few cases have also come to notice where such ad-hoc employees died while in service and their dependents have claimed Ex-gratia grant which is sanctioned to the dependents of the regular government employees who die while in service. The matter has been considered and after having taken a compassionate view, it has been decided by the Govt. that Ex-gratia grant will be admissible to

the family members of the deceased ad-hoc employees who die in service, on the same terms and conditions as contained in F.D.'s O4 No. 2/2/71-Fin(R) dated 3rd Feb./13th March, 1972 read with O4 No. Fin(C)-B(7)50/77-II dated 30.3.81 as amended from time to time.

2. This decision shall have effect from 1st Jan. 1988.


Deputy Secretary (Fin-R) to
Govt. of Himachal Pradesh.

All Administrative Secretaries to the
Government of Himachal Pradesh.

No. Fin-C-B(7)-3/93
Government of Himachal Pradesh
Finance (Regulations) Department

Dated, Shimla-171002, the 14th July, 1998

OFFICE MEMORANDUM

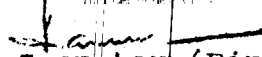
Subject: Ex-gratia grant to the families of Govt. employees who die while in service.

The Government, Himachal Pradesh, is pleased to order the revision of the entitlement for ex-gratia grant to the families of Government employees who die while in service to five times of the emoluments (basic pay in the revised pay scales) subject to a minimum of Rs. 20,000/- and a maximum of Rs. 50,000/-.

2. In the case of those employees who opt/opted for pre-revised pay scales after 1.1.96 and employees on UGC pay scales (pending revision of U.G.C. pay scales), the emoluments for the above purpose will mean basic pay plus D.A. upto C.P.I. 1510 (sanctioned upto 1.1.96) plus first two instalments of Interim Relief.

3. The other terms and conditions issued from time to time will remain unchanged. The orders issued vide O.M. No. Fin(C)B(7)3/93 dated 25.10.1993 will remain operative in-so-far as the same relate to grant of additional ex-gratia in respect of those who die at the place of duty while performing official duties.

4. These orders will be applicable from 1.4.1998 and will also apply to AIS officers borne on the respective cadres of this State Government. The cases for grant of ex-gratia grant relating to the period prior to 1.4.1998 shall be regulated in accordance with the then existing orders on pre-revised pay and the cases already decided in the light of those instructions will not be re-opened.


Joint Secretary (Finance) to
the Government of H.P.

To
All the Administrative Departments
of the Government of H.P.

P/2.....

हिमाचल प्रदेश सरकार
वित्त विनियम विभाग

सं० फिन सी। बी 17115/84

शिमला -2, दिनांक 5/2/1991.

कार्यालय ज्ञापन

विषय:

अनुग्रहपूर्वक अनुदान के अविलम्ब भुगतान के सम्बन्ध में ।

अधोहस्ताक्षरी को उपरोक्त विषय पर यह कहने का निर्देश हुआ है कि मृत कर्मचारियों को अनुग्रहपूर्वक अनुदान एक्स ग्रंथिया ग्रांटा के अविलम्ब भुगतान से सम्बन्धित निर्देश सरकार द्वारा समय-समय पर किये जाते रहे हैं। इन निर्देशों का आशय प्रभावित परिवारों को शीघ्र राहत प्रदान करना तथा उन्हें असामयिक दुख में आर्थिक सहायता तुरन्त प्रदान करना है। परन्तु सरकार के ध्यान में पेंशन अदालत की बैठक के दौरान ऐसे विभिन्न मामले आए हैं कि अनुग्रहपूर्वक अनुदान के भुगतान के सम्बन्ध में विभिन्न विभागों द्वारा अनावश्यक विलम्ब किया जा रहा है। ऐसे विलम्ब से सरकार द्वारा इस विषय पर जारी किये आदेशों/अनुदेशों का उद्देश्य अर्थहीन हो जाता है। प्रभावित शोकग्रस्त परिवारों की शोचनीय दशा के दृष्टिगत यह विलम्ब गम्भीर चिन्ता का विषय है। अतः समस्त विभागों से आग्रह है कि इस प्रकार के मामलों में तार्किक भी देर न की जाय और यदि अनुदान के भुगतान में भविष्य में किसी प्रकार का विलम्ब सरकार के नोटिस में आया तो उसे गम्भीरता से लिया जाएगा।

अतः ऐसे मामलों में सभी सम्बन्धित प्राधिकारीगण व्यक्तिगत रूप से ध्यान दें तथा समस्त विभागों के अध्यक्ष यह सुनिश्चित करें कि अनुग्रहपूर्वक अनुदान का भुगतान सम्बन्धित मृत कर्मचारियों के आश्रितों को समयबद्ध रूप से किया जाय।

(Handwritten Signature)

उप सचिव, वित्त विनियम
हिमाचल प्रदेश सरकार।

समस्त प्रशासनिक सचिव
हिमाचल प्रदेश सरकार।

क्रमांक : फिन सी। बी 171-15/84

शिमला-2, दिनांक

5/2/ 991

प्रतिलिपि अग्रहित:-

1. सामान्य विभागाध्यक्ष, हिमाचल प्रदेश सरकार

2. हिमाचल प्रशासक।

Dated, SHIMLA-171002, the 25th October, 1989

OFFICE MEMORANDUM

Subject:

Ex-gratia grant to the families of Government employees who die while in service.

The undersigned is directed to state that in accordance with the instructions contained in Finance Deptt. Office Memorandum No. Fin(C)B(7)15/84 dated 11th December, 1989, ex-gratia grant is admissible to the families of Government employees who die while in service, which is equal to the 10 times of the basic pay of the employee subject to the minimum of Rs. 10,000/- and maximum of Rs. 30,000/-. The matter with regard to the additional ex-gratia grant to the families of Government employees who die at the place of duty while performing their official duties, has been under consideration of the Government for some time past. It has now been decided by the Government that the family of such employee will be entitled to an additional ex-gratia grant of Rs. 20,000/- (Rs. Twenty Thousand) in addition to the existing ex-gratia grant payable to the family of a deceased Government servant, who dies while in service. This additional ex-gratia grant will be admissible on the following terms and conditions:

1. In addition to the application on the prescribed form specified for grant of ex-gratia grant in accordance with the

place of duty while performing his official duties and is covered for the grant of additional ex-gratia grant.

- (2) In the case of the employee deputed to perform his official duties outside his headquarters, such certificate will be issued by the Head of that office/institution, where the death of such employee took place while performing his official duties, which will further be countersigned by the respective head of office, before recommending the case for the grant of additional ex-gratia under the scheme.

Explanation:

The duties at the place of duty means, where the employee normally performs his official duties including the place away from his headquarters where he is deputed to undertake his official duties; but does not include the area falling in transit between the residence/office and the duty place.

- (3) That the deceased employee is not covered under some other schemes of the Government for providing ex-gratia or allied grants as death risk cover at the higher rates than admissible under the exist-

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in the date of

issue of these orders.

(Regulations)
Pradesh.

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शिमला-१७१००२

१४ जून, १९९३

कार्यालय स्थापन

विषय:-

तदर्थ एवं टैन्पोर आधार पर नियुक्त कर्मचारियों के सेवाकाल में मृत्यु पर उनके आश्रितों को अनुग्रह पूर्वक अनुदान की अदायगी

उपर्युक्त विषय पर अधोहस्ताक्षरी को यह स्पष्टीकरण देने का निदेशा हुआ है कि इस विभाग के का० नं० ७१०० सं० फिन० सी० बी० ७१-१५/८४ दिनांक ५.९.१९८९ में विहित आदेशा टैन्पोर आधार पर नियुक्त कर्मचारियों के सेवाकाल में मृत्यु पर उनके आश्रितों को अनुग्रह पूर्वक अनुदान की अदायगी हेतु भी लागू समझे जायें वशर्ते ऐसे पदधारी की नियुक्ति भी नियमित रिक्तियों के विस्तार की गई हो जैसा कि तदर्थ कर्मचारियों के बारे में इस विभाग के का० नं० ७१०० सं० फिन० सी० बी० ७१-१५/८४ दिनांक ५.९.८९ द्वारा स्पष्ट किया गया है ।

उप सचिव, वित्त
हिमाचल प्रदेश सरकार

समस्त प्रशासनिक सचिव,
हिमाचल प्रदेश सरकार ।

पुष्ठांकन सं० [redacted] सी० बी० ७१-३/९३

दिनांक १४ जून, १९९३

प्रतिलिपि प्रेषित है :-

१. समस्त विभागाध्यक्ष हिमाचल प्रदेश
२. समस्त मण्डलायुक्त हिमाचल प्रदेश
३. समस्त जिलाधीश, हिमाचल प्रदेश
४. ऑडिटर जनरल - २० प्रतियां

उप सचिव, वित्त
हिमाचल प्रदेश सरकार

NOTIFICATION

No. Fin-C-B(7)3/93 Dated, Shimla- 171002, the 18th June, 2002

The Governor, Himachal Pradesh is pleased to extend the facility of ex-gratia grant to the family members of those Government servants who are reported missing subject to the fulfilment of following terms and conditions:-

1. The ex-gratia grant shall be sanctioned by the sanctioning authority after observing the following formalities:-
 - a) The family must lodge a report with the concerned Police Station and obtain a report that the employee has not been traced after all efforts had been made by the police.
 - b) An Indemnity Bond shall be taken from the dependants of the employee that all payments will be adjusted against the payments due to the employee in case he appears on the scene and makes a claim.
2. The Head of office will assess all Government dues outstanding against the Government servant and effect their recovery in accordance with Rule 71 of CCS (Pension) Rules, 1972 and other instructions in force for effecting recovery of Government dues.
3. The family can apply to the Head of Office of the Government servant for ex-gratia grant after one year from the date of disappearance of the Government servant in accordance with the prescribed procedure for sanction of ex-gratia grant.
4. These orders regulate genuine cases of disappearance under normal circumstances and not the cases in which officials disappear after committing frauds, etc.

5. The date of disappearance of the employee will be reckoned from the date the first information report is lodged with the Police, and the period of one year after which the benefits of ex-gratia grant are to be reckoned from this date. However, this benefit to be sanctioned to the family etc. of the missing employee will be based on and regulated by the emoluments drawn by him and the rules/orders applicable to him as on the last date he/she was on duty including authorised periods of leave.

6. The Indemnity bond to be obtained for this purpose from the family members etc. will be in the formats enclosed with this notification.

7. The cases already settled otherwise than in accordance with this notification shall not be re-opened.

8. The O.M. No. 2/2/72 Fin(Reg.) dated 3rd Feb./13th March, 1972 and clarificatory instructions issued vide O.M. No. Fin(C)B(7)15/84 dated 4.11.1988 shall be deemed to have been modified to this extent.

By order

S.K. Sood

Principal Secretary (Finance) to
the Government of Himachal Pradesh.

Endst. No. Fin(C)B(7)3/93 dated, Shimla-2, the 18th June, 2002

Copy for information and necessary action to:-

1. All the Administrative Departments of H.P. Government.
2. The Commissioner (Revenue) Himachal Pradesh.
3. All Heads of Department in H.P.
4. All the Deputy Commissioners in H.P.
5. All the District & Sessions Judges in H.P.
6. All Superintendents of Police in H.P.
7. The Registrar, H.P. High Court, Shimla.
8. The Secretary, H.P. Vidhan Sabha, Shimla
9. Director, T& A Organisation, H.P.
10. All District Treasury Officers/Treasury Officers in H.P.
11. Controller/All Joint Controllers/Deputy Controllers/Assistant
Controllers (F&A) under the administrative control of T&A

organisation in H.P.

- 12. The Examiner, Local Fund Accounts, H.P.
- 13. The Accountant General (Audit) Himachal Pradesh, Shimla.
- 14. The Sr. Deputy Accountant General, H.P. Shimla.

Additional Secretary (Finance) to
the Government of Himachal Pradesh.

INDEMNITY BOND

(In the case of missing employee)

Know all men by these presents that we (a).....(b).....the wife/son/brother/nominee etc. of (c) who was holding the post ofin the Ministry/Department/office ofis reported to have been missing since.....(hereinafter referred to as missing Government servant) resident of(hereinafter called "the Obligor") and (d).....son/wife/daughter ofresident ofthe surities for and on behalf of the Obligor(hereinafter called "the Surities") are held firmly bound to the President of India (hereinafter called "the Government") in the sum of Rs.....(in words) equivalent of the amount on account of payment of salary, leave encashment, GPF, retirement/death gratuity etc. and each and every demand and without a demur together with simple interest @.....% p.a. from the date of payment thereof untill repayment for which payment we bind ourselves and our respective heirs, executors, administrators, legal representatives, successors and assigns by these presents.

Signed this....day of

WHEREAS (C).....was at the time of his disappearance in the employment of the Government receiving a pay at the rate of Rs.....(in words) only per month from the Government.

AND WHEREAS the said (c).....disappeared on theday of ... 19.... and there as due to him at the time of his disappearance the sum equivalent of (i)salary due/(ii)leave encashment, (iii)GPF and (iv)Retirement/Death Gratuity.

AND WHEREAS the obligor is entitled to family pension at Rs.....(Rupees only) plus admissible dearness relief thereon.

AND WHEREAS the Obligor has represented that he/she is entitled to the aforesaid sum and approached the Government for making payment thereof to avoid undue delay and hardship.

AND WHEREAS the Government has agreed to make payment of the said sum of Rs.....(in words) and monthly family pension @ Rs.....(in words) only and relief thereon to the Obligor upon the Obligor and the Surities entering into a Bond in the above-mentioned sum to indemnify the Government against all claims to the amount so due to the aforementioned missing Government servant.

AND WHEREAS t
Surety/Surities have agreed to
manner hereinafter contained.

NOW THE CONDITION OF THIS BOND is such that if after
payment has been made to the Obligor, the Obligor and/or the Surities
shall in the event of a claim being made, by any other person or the
missing employee on appearance against the Government with respect to
the aforesaid sum of Rs.....(in words) and the sums paid by the
Government as monthly pension and relief as aforesaid then refund to
the Government the said sum of Rs.....(in words) and each and every
sum paid by Government as monthly pension and relief together with
simple interest @.....% per annum and shall otherwise indemnify and
keep the Government harmless and indemnified against and from all
liabilities in respect of the aforesaid sums and all costs incurred in
consequence of the claim thereto THEN the above written Bond or
Obligation shall be void and of no effect but otherwise it shall
remain in full force, effect and virtue.

AND THESE PRESENTS ALSO WITNESS that the liability of
the Surety/Surities hereunder shall not be impaired or discharged by
reason of time being granted by or any forbearance act or omission of
the Government whether with or without the knowledge or the consent of
the Surety/Surities in respect of or in relation to the obligation or
conditions to be performed or discharged by the Obligor or by any
other method or thing whatsoever which under the law relating to
surities would but for this provision shall have no effect of so
releasing the Surety/Surities from such liability nor shall it be
necessary for the Government to sue the Obligor before suing the
Surety/Surities or either of them for the amount due hereunder, and
the Government agrees to bear stamp duty, if any, chargeable on these
presents.

IN WITNESS WHEREOF the Obligor and the Surety have set
and subscribe their respective hands hereunto on the day, month and
year above-written.

Signed by the above-named 'Obligor' in the presence of

1.....

2.....

Signed by the above-named 'Surety'/Surities'

1.....

2.....

(Accepted for and on behalf of the President of India
by.....(Name and designation of the
officer directed or authorised in pursuance of, Article 299(i) of the
Constitution, to accept the Bond for and on behalf of the President)
in the presence of

(Name and designation of witness)

Note I

- (a) Full name of the claimant referred to as the
'Obligor'.
- (b) State relationship of the 'Obligor' to the
missing Government servant.
- (c) Name of the 'missing Government servant'.
- (d) Full name or names of the Surities with name or
names of the father(s)/husband(s) and place of
residence.

NOTE II

The Obligor as well as the Surities should have
attained majority so that the bond may have legal
effect or force.