

Government of Himachal Pradesh
Department of Finance (Pension-Cell)

No. Fin(Pen)B(10)-4/98-II Dated Shimla- 171002 the 16th Oct., 2003.

OFFICE MEMORANDUM

Subject:- Prompt & expeditious settlement of pension claims within the prescribed time limit.

Sir,

As you are aware that the policy of the Government of Himachal Pradesh is that, 'the payment of pension of the Himachal Pradesh Government retiree should in all cases commence on the first of the month in which it becomes due'. To facilitate easy reference and proper comprehension, in this regard, various provisions are detailed at one place in the form of statutory rules entitled, "Central Civil Service (Pension) Rules, 1972," which came into force w.e.f. 1-6-1972 and are applicable to all permanent Himachal Pradesh Government employees. Henceforth, the grant of pensionary benefits of the Himachal Pradesh State Government employees are governed by the provisions contained in these rules. There have also been other important provisions relating to retirement benefits which have been issued in the form of office memorandum by the Department of Finance from time to time.

2. The important rules & decisions of the Government of India of the Central Civil Service (Pension) Rules, 1972 for 'Prompt & Expeditious settlement of Pension claims within the prescribed Time Limit.' are detailed hereunder for ready reference of the Administrative Departments, Heads of Departments & Heads of Offices for day-to-day ready references.

Sr.	Central Civil Service	Provisions
No.	(Pension) Rules, 1972.	

(1) Rule- 58

Two years in advance of the date on which the Government servant is due to attain the age of superannuation or the date of his anticipated retirement, if earlier, the Head of Office would undertake the work of preparing pension papers, including verification of service and complete the particulars required in Form-7.

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- (2) Rule-56 Every Head of Department shall have a list prepared every six months i.e. on the 1st January and 1st July of all Government servants who are due to retire within the next 24 months to 30 months of that date and forward the same to the Accountant General Himachal Pradesh Shimla-3 for preparation & issue of Pension Payment Order.
- (3) Rule-32 Verification of service of the Government servant should be completed on completion of 25 years of service or 5 Years before the date of retirement and a certificate in the prescribed form issued to him. Qualifying service indicated in this certificate will be treated as final up to that date and it will not be re-opened except when necessitated due to change of rules etc.
- (4) (i) Rule-60 The Head of office shall complete pension papers not later than six months of the date of retirement of the Government servant.
- (ii) Rule-61 The Head of office, not later than six months of the date of retirement of the Government servant, shall forward to Accountant General Himachal Pradesh Shimla-3 Form-5 & Form-7 duly completed with a covering letter in Form-8 alongwith Service Book of the Government servant duly completed up to date and any other documents relied upon for the verification of service.
- (5) Rule -61 & Annexure thereunder Lists & details of documents to be enclosed to the pension application are given in Annexure below Rule-61 of C.C.S. (Pension) Rules, 1972.
- (6) (i) Rule-62 If, after the pension papers have been forwarded to the Accountant General Himachal Pradesh within a stipulated period, any event occurs which has a bearing on the amount of pension admissible, the fact shall be promptly reported to the Accountant General Himachal Pradesh by the Head of Office.
- (ii) Rule-63 The Head of office after ascertaining and assessing the Government dues, shall furnish the particulars thereof to the Accountant General Himachal Pradesh at least two months before the date of retirement of a Government servant so that the dues are recovered out of the gratuity before its payment is authorized.

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- (7) Rule-74 & Government of India Decision No. 1 (2) thereunder. In order to ensure that the payment of pension should in all cases commence on the first of the month in which they are due, it has been decided that the progress of the pension cases should be watched by Heads of the Offices and the Heads of the Department by means of monthly & quarterly statements so that the various cut-off dates laid down are strictly followed. For Proper Monitoring & reporting system the Heads of Offices shall prepare the statement No. 1 to 5 on the prescribed format which is in section FORM at the end of the Rules of C.C.S. (Pension) Rules, 1972.

3. Moreover, certain important Rules & Government of India's decisions of Central Civil Service (Pension) Rules, 1972, particularly on pension claims which are in day-to-day practice in Government of Himachal Pradesh are also listed below:-

Sr. No.	Central Civil Service (Pension Rules, 1972)	Provisions
1	Rule -56 to 80	The procedure for determination & authorizations of Pension & Gratuity was reviewed by the committee of secretaries of Government of India and in the light of their recommendations, the procedure was revised from 1-10-1969. The procedure was further reviewed in 1976 and with a view to eliminating delays in the payment of superannuation pension & Gratuity, time bound schedule for processing pension cases has been fixed by the Government of India. The intention of Government is that the payment of superannuation pensions should in all cases commence on the 1st of the month in which they are due.
2.	Rule-64	If, for any special reasons, it has been found possible to complete & forward the pension papers to the Accountant General Himachal Pradesh for issue of P.P.O. within the prescribed time limit or if the pension papers have been returned by the Accountant General Himachal Pradesh eliciting further information & the Accountant General Himachal Pradesh is not able to issue P.P.O. one month before the date of retirement, the Head of Office shall take .

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steps to authorize payment of provision pension and provisional gratuity by the first of the month in which it is due.

3. Rule-8 Government of India's Decision No.-1 thereunder Pensions are not in the nature of reward but there is a binding obligation on Government which can be claimed as a right.
- (ii) Rule-73 Government of India's Decision No. 7 thereunder The Heads of offices should ensure that all Government dues recoverable from retiring Government servants should be assessed well before retirement & recovered from the salary/ retirement gratuity.
4. Rule-54 (6) & (8) Issue of survivorship certificate by Revenue Authorities is also valid for claiming Family Pension.
5. Rule- 27 (2) The appointing authority may, by order commute retrospectively the periods of absence without leave as extraordinary leave.
6. Rule-21 Government of India Decision No. 1 thereunder Specific entries in the service records regarding non-qualifying periods will be taken note of and such periods excluded from the service. All spells of extraordinary leave not covered by such specific entries will be deemed to be qualifying service.
7. Rule- 59 (i) (iv) & (v) Where service records are not possible to re-write, the Government servant shall be asked to file a written statement on plain paper stating that he had in fact rendered the period of service and shall at the foot of the statement, make and subscribe to a declaration as to the truth of that statement and shall in support of such declaration produce the documentary evidence and furnish all information which is in his power to produce as furnish. The Head of office shall after taking into consideration the facts and admit that portion of service as having been rendered for the purpose of calculating the pension of that Government servant.

8. Rule-59 (1) © & The Head of office shall obtain from the Government servant, the name of the Treasury or the Branch of Public sector Bank through which the pension is to be drawn after retirement. Similarly for Family pensions, also intimate to the Head of office the Name of the Treasury or the Branch of Public Sector Bank through, which the family pension is to be drawn.

9. Rule- 54 The family pension, is admissible to the family of a deceased Government servant, where he dies.

(a) After completion of not less than one year's continuous service or before completion of one year of continuous service if the deceased Government servant immediately prior to his appointment was medically examined and declared fit for Government service.

(b) After retirement from service & was in receipt of pension on the date of death etc.

4. It is regretted to point out that in spite of a number of instructions issued from the Department of Finance (Pension), delay in preparation & forwarding of pension papers of the retiree to Senior Deputy Accountant General (A&E) Himachal Pradesh Shimla-171003 still persists. According to the quarterly reports received, in this regard, from the Senior Deputy Accountant General (A&E) Shimla-171003 vide their letter No. Pension-1/ special cell/ Joshi Committee Report/ 2003-04/ 2397-98 dated 09-07-2003, this department has taken a serious note of the following pendency for the quarter ending 30-06-2003.

Sr. No	Department	Non preparation & submission of pension cases of the retiree to Senior Deputy Accountant General (A&E) Shimla for period.				
		Year-2000	Year-2001	Year-2002	Year-2003 up to Sept.	Total
1	Public Works	19	12	17	16	64

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2.	Forest	03	06	04	66	79
3.	Agriculture	---	01	---	12	13
4.	Horticulture	---	---	03	13	16
5.	I.P.H.	---	---	03	14	17
6.	Police	01	---	01	16	18
7.	Industry	---	01	---	---	01
8.	Food & Supplies	01	---	01	14	01
9.	Ayurveda	---	---	---	04	15
10.	Fire Services	---	---	---	04	04
11.	H.P.	---	---	---	02	02
	Sectt. (i) S.A.	---	---	---	02	02
	(ii) Controller	---	---	---	02	02
	(F&A)	---	---	---	01	01
12.	D.C. Sirmaur	---	---	---	01	01
13.	D.C. Kinnaur	---	---	---	01	01
14.	Mount. & Allied sports Manali	---	---	---	02	02
15.	H.P. High Court	---	---	---	01	01
16.	Fisheries	---	---	---	01	01
17.	Distt. Arbitration Shimla	---	---	---	---	---
	Total	24	20	29	167	240

5. There is no justification for the pendency of 73 cases for the year 2000 to 2002. It is necessary that all pending cases of the retiree are reviewed by the Heads of Departments immediately and report on clearance as well as details of pending cases involving court proceedings etc; if any, be sent to their Administrative Secretaries as well as to this department in the usual statement No.4 of CCS (Pension) Rules, 1972, copy enclosed at Annexure-B, within one month from the date of issue of this office memorandum.

6. The Administrative Departments in turn shall review the position with reference to each and dispose off the cases pending at their

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level. A final report may be sent to Finance (Pension) Department within one month positively for further necessary action.

Additional Secretary (Fin-Pen) to the,
Government of Himachal Pradesh.

To

All the Administrative Departments, Govt. of H.P.,
All the Heads of Departments, Govt. of H.P.

Endst. No. As above.

Dated Shimla-2, the 16/10-2003.

Copy of above is forwarded for taking immediate necessary action in respect of Para 4 to 6 above, to:-

- (i) The Principal Secretary (Fisheries) to the Govt. of Himachal Pradesh.
- (ii) The Principal Secretary (Food & Civil Supplies) to the Government of Himachal Pradesh.
- (iii) The Principal Secretary (Forest & Horticulture) to the Government of Himachal Pradesh.
- (iv) The Principal Secretary (IPH) to the Government of Himachal Pradesh.
- (v) The Principal Secretary (PWD) to the Government of Himachal Pradesh.
- (vi) The Principal Secretary (Ayurveda) to the Government of Himachal Pradesh.
- (vii) The Secretary (SAD & GAD) to the Government of Himachal Pradesh.
- (viii) The Secretary (Agriculture) to the Government of Himachal Pradesh.
- (ix) The Registrar General Himachal Pradesh High Court Shimla-171001.
- (x) The Special Secretary (Home) to the Government of Himachal Pradesh Shimla-2.
- (xi) The Special Secretary (Industry) to the Government of Himachal Pradesh Shimla-2.
- (xii) The Senior Deputy Accountant General (A&E) Himachal Pradesh Shimla-171003.
- (xiii) The Engineer-in-Chief Himachal Pradesh PWD U.S. Club Shimla-171001.
- (xiv) The Principal Chief Conservator of Forest Tailand Shimla-171001.
- (xv) The Director, Agriculture Himachal Pradesh Shimla-171004.
- (xvi) The Director, Horticulture Himachal Pradesh Shimla-171002.
- (xvii) The Engineer-in-Chief IPH US Club Shimla-171001.
- (xviii) The Director General of Police Himachal Pradesh Shimla-171002.
- (xix) The Director General of Home Guards U.S. Club Shimla-171001.
- (xx) The Director Food & Civil Supplies SAD Complex Kasumpti Shimla-171009.

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ANNEXURE-B

Statement No-4

(See Decision (1) below Rule-74 of CCS (Pension) Rules, 1972)

Quarterly Statement showing particulars of Government servants where presumptions have been made in favour of retiring Government servants because of incomplete/ improper maintenance of service records.

(To be submitted to the Head of Department with a copy to Administrative Department & Finance (Pension) Department.

Name of office _____ Place _____
Statement for the quarter ending _____

Sr. No.	Name of the retiree	Designation	Date of retirement	Date on which final PPO issued	Nature of presumption made	Monetary effect of the presumption i.e. the amount by which the pension/ Gratuity of the retiree has increased because of presumption	Officer(s) responsible for improper maintenance of record	Action taken against the officer responsible for lapse.
1	2	3	4	5	6	7	8	9