To: Mr. Fin(C)\(8\)7/75/Ex-A

Himachal Pradesh Government,
Finance (Ex-Grant) Deptt.

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

OFFICE MEMORANDUM

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 Deptt.s 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 OM No.2/2/71-Fin(Rg) dated 3rd Feb./13th March, 1972 read with OM No. Fin(C)-B(7)50/77-11 dated 30.3.81 as amended from time to time.

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

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

3/9/88

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 Governor, 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 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 AFS 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.

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

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

अनुदेशपूर्वक अनुदान के अधिकार भूगतान के समबंध में।

अनुदेशपूर्वक अनुदान का उपरोक्त विषय पर यह कहने का निर्देश हुआ है कि गृह विभाग के अनुदेशपूर्वक अनुदान के अधिकार भूगतान के समबंध में निर्देश दिया गया है। कई निर्देशों का आधार प्रभावित परिवारों को प्लान रहेगा प्लान करना तथा उन्हें असामाजिक दुख में आत्महत्या शायरता युक्त युद्ध करना है। परन्तु सरकार के ध्यान में चेतावनी अदालत की बैठक के दौरान ऐसे निवियत श्रमिकों को उपेक्षा अत्यूच्छता किया जा रहा है। ऐसे निवियत समकालीन सरकार के ध्यान में चेतावनी अदालत की बैठक के दौरान ऐसे निवियत श्रमिकों को उपेक्षा अत्यूच्छता किया जा रहा है। प्रभावित श्रमिकों पर निर्देश की श्रमिकों द्वारा अभावश्लय विलय किया जा रहा है। ऐसे निवियत समकालीन सरकार के ध्यान में चेतावनी अदालत की बैठक के दौरान ऐसे निवियत श्रमिकों को उपेक्षा अत्यूच्छता किया जाएगा।

अत: ऐसे निवियतों में सही समबंधित प्रतिविद्यार्थी व्यक्तिगत रूप से ग्राम के तथा समस्त विकास का यह सुनिश्चित करें कि अनुदेशपूर्वक अनुदान का भूगतान समबंधित मूल कसर विकल्प के आँध्रितों को समयबाद ला दिया जाएगा।

उप लिखित विलय में नवजीवन अनुदेश प्रदेश सरकार।

मुख्य: फिल ईस्टर ही। 878-15264। निम्नलिखित अभी तक ही।

1. समातल लिखित ग्रामिक, हिमाचल प्रदेश सरकार
2. हिमाचल प्रदेश।
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, 1983, an ex-gratia grant is admissible to the families of Government employees who die while in service, which is equal to the 13 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 the 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 duly performing 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-

2. will take

issue of these orders.

in the date of

Regulations)

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

(2) In case of the employee deputing 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 an 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 intermittently 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 then admissible under the exist-

2. All

will take from the date of

ance-Regulations) General Prades.
कार्यालय हापन

उपर्युक्त विषय पर अधोद्वस्तक्षर की यह स्पष्टतीकरण देना का
निर्देश हुआ है- कि, इस विभाग के क्रू इ.की.भी. 78-15/84 दिनांक
5.9. 1989 में विभिन्न आदेश, तैनाती आधार पर नियुक्ति, बिविंदा रिक्तियों के साक्षात
में मृत्यु पर उनके आशीर्वाद को अनुपालन पूर्वक अनुदान की अदायगी देने भी लाग समझे।
आपकी वास्तव ऐसे पदाधिकारी की नियुक्ति भी नियमित रिक्तियों के विस्तृ देने की गई हो।
अतः कि मृत्यु पर उनके आशीर्वाद को अनुपालन पूर्वक अनुदान की अदायगी देने का
पठिन के 78-3/93 दिनांक 5.9.89 में इस विभाग के क्रू इ.की.भी. 78-15/84 दिनांक 5.9.89

उप सचिव विभाग हिमाचल प्रदेश सरकार

दिनांक 13 जून 993
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.
3. 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 format 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.
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 of ........ in the Ministry/Department/office of
........ is reported to have been missing since.......(hereinafter
referred to as missing Government servant) resident of
........ (hereinafter called "the Obligor") and
(d)........ son/wife/daughter of ........ resident of
.......... the 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 until 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 the
.....day of ....19....... and there as due to him at the time of his
disappearance the sum equivalent of (i)salary due/(ii)leave
cashment; (iii)GPF and (iv)Retirement/Death Gratuity.

AND WHEREAS the Obligor is entitled to family pension
at Rs.......(Rupess ......... 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/Surieties 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 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 ..............

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.