

No. - 28/91/2022-P&PW(B)/8331
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Pension and Pensioners' Welfare

3rd Floor, Lok Nayak Bhavan, Khan Market,
New Delhi, Dated the 11th October, 2022

OFFICE MEMORANDUM

Subject: Grant of Retirement Gratuity and Death Gratuity under Central Civil Services (Pension) Rules, 2021-reg.

The undersigned is directed to say that Department of Pension and Pensioners' Welfare has notified the Central Civil Services (Pension) Rules, 2021 in supersession of the Central Civil Service (Pension) Rules, 1972. In accordance with sub-rule (1)(a) of Rule 45 of the Central Civil Service (Pension) Rules, 2021, retirement gratuity is admissible on retirement of a Government servant, who has completed five years' qualifying service and has become eligible for service gratuity or pension under Rule 44. The amount of retirement gratuity is equal to one-fourth of the emoluments for each completed six monthly period of qualifying service, subject to a maximum of 16½ times the emoluments.

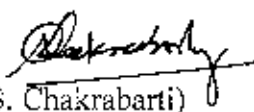
2. On death of a Government servant while in service, the death gratuity is payable to his family at the rates given in the Table in Rule 45(1)(b).

3. The emoluments for the purpose of retirement/death gratuity are reckoned in accordance with rule 31. If the emoluments of a Government servant have been reduced during the last ten months of his service, average emoluments as referred to in rule 32 are treated as emoluments. Dearness allowance admissible on the date of retirement or death is also treated as emoluments for calculating the amount of retirement/death gratuity. The maximum amount of retirement gratuity or death gratuity admissible under Rule 45 is twenty lakh rupees.

4. In calculating the length of qualifying service under Rule 45, fraction of a year equal to three months and above is treated as a completed six monthly period and reckoned as qualifying service. In the case of a Government servant who has rendered a qualifying service of four years and nine months or more but less than five years, his qualifying service for the purpose of this rule shall be five years and he shall be eligible for retirement gratuity.

Contd.

5. All Ministries/Departments are requested that the above provisions regarding grant of Retirement Gratuity and Death Gratuity under Central Civil Services (Pension) Rules, 2021 may be brought to the notice of the personnel dealing with the pensionary benefits in the Ministry/Department and attached/subordinate offices thereunder, for strict implementation.



(S. Chakrabarti)

Under Secretary to the Govt. of India

To
All Ministries/Departments/Organisations,
(As per standard list)

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Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Pension and Pensioners' Welfare

3rd Floor, Lok Nayak Bhavan, Khan Market,
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OFFICE MEMORANDUM

Subject: Nominations for payment of Gratuity under Central Civil Services (Pension) Rules, 2021-reg.

The undersigned is directed to say that Department of Pension and Pensioners' Welfare has notified the Central Civil Services (Pension) Rules, 2021 in supersession of the Central Civil Service (Pension) Rules, 1972. Rule 46 of the Central Civil Service (Pension) Rules, 2021 deals with nominations for conferring the right to receive gratuity payable under rule 45.

2. As per Explanation below Rule 45, family for the purpose of payment of gratuity means:

- (i) wife or wives including judicially separated wife or wives in the case of a male Government servant;
- (ii) husband, including judicially separated husband in the case of a female Government servant;
- (iii) sons including stepsons and adopted sons;
- (iv) unmarried daughters including stepdaughters and adopted daughters;
- (v) widowed or divorced daughters including stepdaughters and adopted daughters;
- (vi) father including adoptive parents in the case of individuals whose personal law permits adoption;
- (vii) mother including adoptive parents in the case of individuals whose personal law permits adoption;
- (viii) brothers including stepbrothers who are suffering from any disorder or disability of mind including the mentally retarded or physically crippled or disabled without any limit of age and brothers, including stepbrothers, below the age of eighteen years, in other cases;
- (ix) unmarried sisters, widowed sisters and divorced sisters including stepsisters;

Contd.

(x) married daughters; and

(xi) children of a pre-deceased son.

Rule 46 inter alia provides that if the Government servant has one or more members of family as mentioned above, the nomination shall be in favour of any member or members of his family.

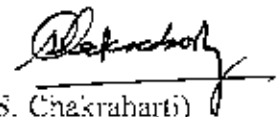
3. If the Government servant has no family, the nomination can be made in favour of a person or persons, or a body of individuals, whether incorporated or not.

4. The Government servant shall specify in the nomination the share of each nominee. The Government servant shall also specify the name and details of the other person(s) (alternate nominee) to whom the right conferred on a nominee shall pass if the nominee predeceases the Government servant or dies after the death of the Government servant but before receiving the payment of gratuity.

5. Where a Government servant has no family at the time of making a nomination, any nomination made by the Government servant in favour of a person or a body of individuals shall become invalid, if the Government servant subsequently acquires a family. Nomination made by an unmarried Government servant in favour of any member of his family shall not become invalid on his or her marriage, unless the Government servant cancels the earlier nomination and files a fresh nomination.

6. It is the responsibility of the Head of Office to verify that the nomination made by the Government servant is in accordance with the provisions of this rule and, if the Government servant has a family, the nomination made is in favour of one or more members of the family. The Head of Office may, however, authorise his subordinate Gazetted Officers to countersign nomination forms of non-gazetted Government servants. The Head of Office or the authorised officer shall, thereafter, countersign the nomination indicating the date of receipt and keep it under his custody. He will also make suitable entry regarding receipt of nomination in the service book of the Government servant concerned. A duly signed copy of the nomination form shall be returned to the Government servant for keeping it in his safe custody.

7. All Ministries/Departments are requested that the above provisions regarding nominations for Gratuity under Central Civil Services (Pension) Rules, 2021 may be brought to the notice of the personnel dealing with the pensionary benefits in the Ministry/ Department and attached /subordinate offices thereunder, for strict implementation.



(S. Chakrabarti)

Under Secretary to the Govt. of India

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Department of Pension and Pensioners' Welfare

3rd Floor, Lok Nayak Bhavan, Khan Market,
New Delhi, Dated the 11th October, 2022

OFFICE MEMORANDUM

Subject: Payment of Gratuity on death of a Government servant under Central Civil Services (Pension) Rules, 2021-reg.

The undersigned is directed to say that Department of Pension and Pensioners' Welfare has notified the Central Civil Services (Pension) Rules, 2021 in supersession of the Central Civil Service (Pension) Rules, 1972. Rule 47 of the Central Civil Services (Pension) Rules, 2021 deals with payment of gratuity in the event of death of a Government servant.

2. In accordance with Rule 47(1)(b) read with the Explanation below Rule 45, on death of a Government servant, the gratuity shall be paid to the person or persons on whom the right to receive the gratuity is conferred by means of a nomination. In case there is no such nomination or if the nomination made does not subsist, the gratuity shall be paid to all surviving members of the family falling in the following categories, in equal shares:

- (i) wife or wives including judicially separated wife or wives in the case of a male Government servant;
- (ii) husband, including judicially separated husband in the case of a female Government servant;
- (iii) sons including stepsons and adopted sons;
- (iv) unmarried daughters including stepdaughters and adopted daughters;
- (v) widowed or divorced daughters including stepdaughters and adopted daughters;

If there are no such surviving members of the family as mentioned above, the gratuity shall be paid to all surviving members of the family falling in the following categories, in equal shares :

- (vi) father including adoptive parents in the case of individuals whose personal law permits adoption;

contd.

(vii) mother including adoptive parents in the case of individuals whose personal law permits adoption;

(viii) brothers including stepbrothers who are suffering from any disorder or disability of mind including the mentally retarded or physically crippled or disabled without any limit of age and brothers, including stepbrothers, below the age of eighteen years, in other cases;

(ix) unmarried sisters, widowed sisters and divorced sisters including stepsisters;

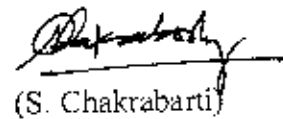
(x) married daughters; and

(xi) children of a pre-deceased son.

3. The above provisions also apply in cases where a Government servant dies after retirement without receiving the retirement gratuity.

4. If a Government servant dies while in service or after retirement without receiving the amount of gratuity and leaves behind no family and (a) has made no nomination, or (b) the nomination made by him does not subsist, the amount of retirement gratuity or death gratuity shall lapse to the Government. However, the amount of death gratuity or retirement gratuity may be paid to the person in whose favour a Succession Certificate in respect of the gratuity in question has been granted by a Court of Law.

5. All Ministries/Departments are requested that the above provisions regarding payment of Gratuity on death of a Government servant under Central Civil Services (Pension) Rules, 2021 may be brought to the notice of the personnel dealing with the pensionary benefits in the Ministry/Department and attached/subordinate offices thereunder, for strict implementation.



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OFFICE MEMORANDUM

Subject: Payment of Gratuity on death of a Government servant under Central Civil Services (Pension) Rules, 2021- reg.

The undersigned is directed to say that Department of Pension and Pensioners' Welfare has notified the Central Civil Services (Pension) Rules, 2021 in supersession of the Central Civil Service (Pension) Rules, 1972. Rule 65 of the Central Civil Services (Pension) Rules, 2021 deals with payment of interest on delayed payment of gratuity, pension and family pension.

2. As per Rule 65 of the Central Civil Services (Pension) Rules, 2021, in all cases where provisional pension or provisional family pension or provisional gratuity has not been sanctioned in accordance with these rules or where authorisation of payment of pension or family pension or gratuity has been delayed, and it is clearly established that the delay in payment was attributable to administrative reasons or lapses, interest shall be paid on arrears of pension or family pension or gratuity at the rate and in the manner as applicable to General Provident Fund amount. However, if the delay in payment was caused on account of failure on the part of the Government servant or the pensioner or the member of the family of the Government servant to comply with the procedure laid down by the Government for processing the pension or family pension case, no interest shall be payable.

3. All cases of delayed payment of pension or family pension or gratuity (including provisional pension or family pension or gratuity) in respect of employees of a Ministry or Department and the employees of its attached and subordinate offices shall be considered by the Secretary of that Ministry or Department or any other officer, not below the level of Joint Secretary to the Government of India, authorised by him for this purpose, and where the Secretary or the officer authorised by him is satisfied that the delay in the payment of pension or family pension or gratuity was caused on account of administrative reasons or lapse, payment of interest shall be authorised by him.

4. The Department or Office shall also fix the responsibility and take disciplinary action against the Government servant(s) who are found responsible for the delay on account of administrative lapses. Interest shall be paid within two months from the date on which it has been sanctioned by Secretary or the officer authorised by him without waiting for the outcome of the disciplinary proceedings, if any.

Contd.

5. The period for which interest shall be payable for the delay in payment of pension or gratuity shall be determined in the following manner, namely:-

(a) In the case of a Government servant who retires on superannuation, interest shall be payable from the date following the date of expiry of a period of three months from the date of retirement, up to the date of payment of arrears of pension or gratuity or both;

(b) In the case of a Government servant who retires or is retired otherwise than on superannuation or is absorbed in a public sector undertaking or an autonomous body or dies during service or after retirement, interest shall be payable from the date following the date of expiry of a period of three months from the date of retirement or absorption or death, as the case may be, up to the date of payment of arrears of pension or gratuity;

(c) In the case of a Government servant to whom provisional pension was paid and retirement gratuity was not paid on retirement on account of departmental or judicial proceedings pending against him on the date of retirement and who is exonerated of all charges on conclusion of such departmental or judicial proceedings, interest shall be payable on retirement gratuity and arrears of pension, if any, from the date following the date of expiry of a period of three months from the date of retirement up to the date of payment of arrears of pension and gratuity;

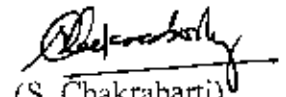
(d) In the case of a Government servant to whom provisional pension was paid and retirement gratuity was not paid on retirement on account of departmental or judicial proceedings pending against him on the date of retirement and despite him not having been fully exonerated of all charges on conclusion of such departmental or judicial proceedings, the competent authority decides to allow payment of pension and retirement gratuity, either in full or in part, interest shall be payable on retirement gratuity and arrears of pension, if any, from the date of expiry of a period of three months from the date on which the order for payment of pension and gratuity is issued by the competent authority up to the date of payment of pension and gratuity.

(e) In the case of a Government servant to whom provisional pension was paid and gratuity was not paid on retirement on account of departmental or judicial proceedings pending against him on the date of retirement and such departmental or judicial proceedings are dropped consequent on his death, interest shall be payable on arrears of pension, family pension and gratuity from the date of expiry of a period of three months from the date of death up to the date of payment of such arrears of pension, family pension and gratuity.

Contd.

(f) Where arrears of pension or gratuity become payable to a Government servant on account of enhancement of the amount of pension authorised or the amount of gratuity paid on retirement consequent on retrospective revision of emoluments or liberalisation in the provisions relating to grant of pension or gratuity, interest shall be payable on arrears of pension or gratuity to the Government servant from the date of expiry of a period of three months from the date of issue of the order revising the emoluments or liberalising the provisions relating to grant of pension or gratuity, as the case may be, up to the date of payment of arrears of pension or gratuity.

6. All Ministries/Departments are requested that the above provisions regarding payment of interest on **delayed payment of gratuity, pension and family pension** under Central Civil Services (Pension) Rules, 2021 may be brought to the notice of the personnel dealing with the pensionary benefits in the Ministry/Department and attached/subordinate offices thereunder, for strict implementation.


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