

CHAPTER - VII

APPLICATIONS FOR AND SANCTION OF PENSIONS

51. Preparation of list of Government servant's due for retirement.-

(1) Every Head of the Department shall have a list prepared every six months that is, on the 1st January and the 1st July each year of all ¹[self drawing and non-self drawing Government servants] who are due to retire within the next ²[24 to 30 months] of that date.

(2) A copy of every list referred to in sub-rule (1) shall be supplied to the Audit Officer concerned not later than the 31st January or the 31st July, as the case may be, of that year.

(3) In the case of a Government servant retiring for reasons other than by way of superannuation, the Head of the Department shall promptly inform the Audit Officer as soon as the impending retirement become; known to him.

NOTE:- Pension application should not be treated as papers which may be dealt with in ordinary course; but their disposal as well as subsequent references, if any, from the Accountant-General or any other Officer should be regarded as urgent.

52. [Intimation to the Department in-charge of the building regarding issue of 'No Demand Certificate']- The Head of the Department or the Head of Office shall write to the Department in charge of building at least one year before the anticipated date of retirement of a Government servant who is in occupation of a Government accommodation, for issue of 'No Demand Certificate' so that the sanction of pension and gratuity is not delayed and the necessary Government dues are realised within the period specified in sub- rule (3) of rule 71.] (till 19th November 1985)

³[Intimation to the Department in-charge of the building regarding issue of 'No Demand Certificate']- The Head of the Department or the Head of Office shall write to the Department in charge of building at least two years before the anticipated date of retirement of a Government servant who is in occupation of a Government accommodation for issue of 'No Demand Certificate' so that the sanction of pension and gratuity is not delayed and the necessary Government dues are realised within the period specified in sub- rule (3) of rule 71. On receipt of such intimation, the Head of the Department or the Head of Office shall inform at least eight months before the date of retirement, the amount of rent for such Government accommodation recoverable from such Government servant.]

53. Submission of application for pension.- Every Government servant shall submit in writing an application for pension in Form 5.

¹ Rule 51(1) for the words "gazetted and non-gazetted Government servants", the words "self drawing and non-self drawing Government servants" substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

² Rule 51(1) for the expression "12 to 18 months", the expression "24 to 30 months" substituted - G.O.Ms.No.1110, Finance (BG-III) Department, dated 11-12-1980.

³ Rule 52 substituted - G.O.Ms.No.242, Finance (Pension) Department, dated 08-05-1997 with effect from 19th November 1985.

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Provided that a ¹[self-drawing Government servant] shall send his application direct to the Audit Officer and [non-self drawing Government servant] to the Head of Office.

(2) Every Government servant shall submit his application for pension at least one year in advance of the date of his anticipated retirement;

Provided that-

- (i) in a case in which the date of retirement cannot be foreseen one year in advance, the application shall be submitted immediately after the date of retirement is settled; and
- (ii) a Government servant, proceeding on leave preparatory to retirement in excess of one year, shall submit the application at the time of proceeding on such leave.

54. [Gazetted Government servants drawing pay on establishment bills and other Government servants holding gazetted posts in officiating capacity.- (1) A gazetted Government servant whose pay and allowance are drawn by the Head Office on establishment bills shall be treated as a non-gazetted Government servant. Such Government servant shall submit his application for pension to the head of office and the procedure laid down in Rule 61 to 69 (both inclusive) shall apply to him.]

²[Self-drawing Government servants drawing pay on establishment bills and other Government servants holding self-drawing posts in officiating capacity-(1) A self-drawing Government servant whose pay and allowance are drawn by the Head of Office on establishment bills shall be treated as a non-self-drawing officers. Such Government servant shall submit his application for pension to the Head of Office and the procedure laid down in Rule 61 to 69 (both inclusive) shall apply to him.]

(2) In the case of a Government servant holding a lien or a suspended lien on a ³[non-self drawing] post and holding a [self-drawing] post in a temporary or officiating capacity at the time of retirement and whose pay and allowances are not drawn by the Head of Office on establishment bills, the Head of Office shall send the service book of the Government servant concerned to the Audit Officer at least one year in advance of the date of retirement of such Government servant or as soon as possible if such Government servant is promoted to officiate in a [gazetted] self-drawing post only during the last year of his service, after verifying that the certificate of verification relating to [non-gazetted] non-self drawing service has been recorded and that the service book is complete in all respects.

55. [Authority competent to sanction pension.--(a) The Head of the Department or any other authority competent to make appointment to the post substantively held by the retiring Government servant shall be competent to sanction pension and gratuity.] (till 16th August 1987)

¹ Rule 53(1) in the Proviso, for the words "gazetted Government servant" and "non-gazetted Government servant", the words "self drawing Government servant" and "non-self drawing Government servant" respectively substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

² Rule 54(1) substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

³ Rule 54(2) for the words "gazetted" and "non-gazetted", wherever they occur, the words "self drawing" and "non-self drawing" respectively substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

¹[*Authority competent to sanction provisional pension, etc.--* (1) The Government in the case of Head of Department, the Head of the Department in the case of self-drawing officers except Head of Department, the Head of Office in the case of non-self drawing officers, shall be competent to sanction provisional pension or Death-cum-Retirement Gratuity.

(2) The Government shall be competent to sanction family pension or Death-cum-Retirement Gratuity to the family of a Government servant whose whereabouts are not known.

(3) In other cases, Government or the Head of the Department or the Head of Office, as the case may be, shall send the pension papers to the Accountant General straightaway. A "No disciplinary case Certificate" shall be sent to the Accountant General one month before retirement of a Government servant. If there is any disciplinary case pending against him, it shall also be intimated to the Accountant General one month before retirement.]

56. Revision of pension after sanction.- (1) Subject to the provisions of rules 8 and 9, pension once sanctioned after final assessment shall not be revised to the disadvantage of the Government servant, unless such revision becomes necessary on account of detection of clerical error subsequently and where it is found to be in excess of the amount finally assessed by the Audit Officer:

Provided that no revision of pension to the disadvantage of the pensioner shall be ordered by the pension sanctioning authority without the sanction of the Government if the clerical error is detected after a period of two years from the date of sanction of pension.

(2) For the purposes of sub-rule (1) the Government servant concerned shall be served with a notice by the pension sanctioning authority, requiring him to refund the excess payment of pensions within a period of two months from the date of receipt of notice by him.

(3) In case the Government servant fails to comply with the notice, their pension sanctioning authority shall, by order in writing direct that such excess payment shall be adjusted by short payments of pension in future, in one or more instalments, as the said authority may direct.

²[SELF DRAWING GOVERNMENT SERVANTS]

57. Preparation of pension paper.- The Audit Officer concerned shall undertake the work of preparing pension papers in Form 5 ³[two years] before the date on which a Government servant is due to retire on superannuation, or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier. This work shall not be delayed till the Government servant has actually submitted his application for pension.

¹ Rule 55 substituted - G.O.Ms.No.14, Finance (Pension) Department, dated 05-01-1996 with effect from 17th August 1987.

² After Rule 56, for the heading "GAZETTED GOVERNMENT SERVANTS", the heading "SELF DRAWING GOVERNMENT SERVANTS" substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

³ Rule 57, for the words "one year", the words "two years" substituted - G.O.Ms.No.276, Finance (BG-III) Department, dated 20-04-1981.

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NOTE-- (1) In this rule and in rules 58, 59 and 60 the expression "Government servant" means a gazetted Government servant other than a gazetted Government servant referred to in sub-rule (1) of rule 54.

NOTE-- (2) Where the office of the authority competent to sanction pension to a retiring Government servant is situated in the circle of an Audit Officer other than the Audit Officer who audits the pay and allowances of such retiring Government servant immediately before his retirement, the latter, Audit Officer shall be the Audit Officer for the purpose of this rule.

58. Further action to sanction pension.-(1) (a) The Audit Officer concerned shall send to every Government servant, under intimation to the Head of the Department, or where their retiring Government servant is himself the Head of the Department, to the Administrative Department concerned, the application for pension in Form 5 one year in advance of the date on which the Government servant attains the age of superannuation or before the date of his anticipated retirement, if earlier with the request that it should be returned to him duly completed within a period of ¹[six months], from the date of issue of intimation to the Government servant by him but in no case later than the actual date of retirement.

(b) The Audit Officer shall also draw the attention of the retiring Government servant to the provisions of rule 78.

(2) On receipt of a copy of application for pension from the Audit Officer, the retiring Government servant shall return it duly completed to the Audit Officer within the period mentioned in sub-rule (1) under intimation to the Head of the Department or the Administrative Department if he is himself the Head of the Department.

(3) (a) The Head of the Department or the Administrative Department shall communicate the orders of the pension sanctioning authority to the Audit Officer in Form 5 within a period of ²[six months] from the date of receipt of the intimation referred to in sub-rule (1) but in no case later than the date of retirement of the Government servant.

(b) If the orders of the pension sanctioning authority are not received by the Audit Officer within the period mentioned in clause (a) he shall assume that the retiring Government servant has been allowed full pension or gratuity or both as admissible under the rules.

(c) If, after the communication of the order of sanction to the Audit Officer, any event occurs which has a bearing on the amount of pension admissible, the fact shall be promptly reported to the Audit Officer by the pension sanctioning authority.

(d) In case no such event has occurred, a report to that effect together with a certificate as to the satisfactory nature of the service rendered by the Government servant after the despatch of Form 6 mentioned in clause (a) shall be forwarded to the Audit Officer within a week of the date on which the Government servant retires.

¹ Rule 58(3)(a), for the words "three months", the words "six months" substituted - G.O.Ms.No.242, Finance (Pension) Department, dated 08-05-1997 with effect from 19th November 1985.

² Rule 58(3)(a), for the words "three months", the words "six months" substituted - G.O.Ms.No.242, Finance (Pension) Department, dated 08-05-1997 with effect from 19th November 1985.

(4) The Head of Office shall furnish to the Audit Officer at least ¹[two months] before the date of retirement of the Government servant, the following particulars, namely,-

- (a) Government dues recoverable out of the gratuity-
- (i) contribution towards contributory family pension, if applicable:
 - (ii) Government dues which have been ascertained and assessed:
 - (iii) Dues to local bodies or to the staff co-operative societies comprising of Government servants and registered under the Tamil Nadu Co-operative Societies Act or to the corporation owned/controlled by the Government.
- (b) amount of gratuity to be held over for adjustment of Government dues which have not been assessed so far.

Provided that the Audit Officer shall not be required to withhold an amount of gratuity for adjustment of Government dues which have not been assessed, if under rule 71 the Government servant has made a cash deposit or furnished a surety of a permanent Government servant.

(5) When the Government servant has retired from service a notification in the Official Gazette specifying the actual date of his retirement shall be issued within a week of such date and a copy of every such notification shall be forwarded immediately to the Audit Officer:

Provided that where a notification in the Official Gazette regarding the grant of leave preparatory retirement to a government servant is issued, a further notification that the Government servant actually retired on the expiry of such leave shall not be necessary unless the leave is curtailed and the retirement is for any reason ante-dated or postponed.

(6) The Audit Officer shall finally assess the pension and gratuity. If the pension is payable in his circle of audit, he shall, after taking into account the orders of the pension sanctioning authority ²[***] and the dues mentioned in sub-rule (4), prepare the Pension Payment Order and order for the payment of gratuity.

Provided that the Pension Payment Orders and order for the payment of gratuity shall not be issued more than a fortnight in advance of the date on which the Government servant is due to retire.

(7) If the pension is payable in another circle of audit, the Audit Officer shall send the necessary payment authority to the Audit Officer of the circle who shall arrange payment at the Treasury concerned.

(8) The fact of the issue of the Pension Payment Order and order for the payment of gratuity shall be promptly reported to the pension sanctioning authority.

¹ Rule 58(4), for the words "fourteen days", the words "two months" substituted - G.O.Ms.No.242, Finance (Pension) Department, dated 08-05-1997.

² Rule 58(6) the expression "and the audit encasement on Section I of Part III of Form 7" omitted - G.O.Ms.No.49, Finance (Pension) Department, dated 19-01-1996.

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¹(9) (a) The calculation sheet of the Government servant shall be prepared by the Audit Officer in quadruplicate in Form 26.

(b) The Audit Officer, while issuing the authorization shall retain one copy of such calculation sheet for his office record and forward the remaining such three certified copies to that calculation sheet to each of the following persons, namely;_

- (i) The pensioner along with the pensioner's half of Pension Payment Order;
- (ii) The Pension Disbursing Officer; and
- (iii) The Head of the Department or pension sanctioning authority, as the case may be.

(c) The Head of the Department or Pension Sanctioning Authority, as the case may be, on receipt of the calculation sheet from the Audit Officer, shall keep it in safe custody after making necessary entries in the Register to be maintained for the purpose with proper index.

59. Sanction of anticipatory pension and gratuity.- (1) When a Government servant is likely to retire before his pension or, gratuity or both can be finally assessed and settled in accordance with the provisions of these rules, the Audit Officer shall determine the pension or gratuity or both to which after the most careful summary investigation that he can make without delay, he believes the Government servant to be entitled. He shall then authorise the disbursement of the pension so determined as 'anticipatory pension' not exceeding the maximum admissible and Death-cum-retirement Gratuity restricted to eighty per cent deducting there from the dues mentioned in sub-rule (4) of rule 58. If the pension is payable in England, he shall report the amount payable to the High Commissioner for India in the United Kingdom who will authorise the disbursement of the amount reported or such smaller amount as may be deemed proper.

(2) The amount payable under sub-rule (1) shall be subject to revision on the completion of the detailed investigation and inquiries, if any.

(3) If the amount of pension granted to a Government servant under sub-rule (1) is afterwards found to be in excess of that to which he is entitled under these rules, he shall be called upon to refund such excess in the manner and under the conditions specified in rule 56. If, however, the amount of the gratuity so disbursed proves to be larger than the amount finally assessed, the pensioner shall be required to refund the excess actually disbursed to him.

60. Provisional pension where departmental or judicial proceeding ²[or enquiry by the Director of Vigilance and Anti-corruption] may be pending.- (1) (a) In respect of a Government servant, referred to in sub-rule (4) of rule 9, the Audit Officer shall authorise the payment of provisional pension not exceeding the maximum pension which would have been admissible on the basis of the qualifying service up to the date of retirement of the Government servant.

¹ Rule 58(9) added - G.O.Ms.No.880, Finance (Pension) Department, dated 25-10-1994 with effect from 5th May 1988.

² Rule 60, in the marginal heading, after the words "judicial proceedings", the words "or enquiry by the Director of Vigilance and Anti-corruption" inserted - G.O.Ms.No.308, Finance (Pension) Department, dated 2nd May 1988 with effect from 1st January 1979.

(b) The provisional pension shall be authorised by the Audit Officer during the period commencing from the date of retirement to the date on which, upon conclusion of the departmental or judicial proceedings ¹[or enquiry by the Director of Vigilance and Anti-corruption], final orders are passed by the competent authority.

(c) No gratuity shall be authorised to the Government servant until the conclusion of such proceedings and issue of final orders thereon.

²[Provided that no such gratuity, shall be withheld in respect of a Government servant, who has been permitted to retire without prejudice to the departmental or judicial proceedings pending against him, where such departmental or judicial proceedings are only for administrative lapses not involving any pecuniary loss to the Government.]

³[Provided further that where a Government servant, against whom a departmental or judicial proceedings involving pecuniary loss to Government is pending, is permitted to retire without prejudice to such departmental or judicial proceedings, a portion of gratuity may be authorized after deducting the maximum computed financial loss to the Government for which the Government servant is held liable, along with un-recovered Government dues if any, of such Government servants, with interest.]

(2) Payment of provisional pension made under sub-rule (1) shall be adjusted against final retirement benefits sanctioned to such Government servant upon conclusion of such proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

(3) Nothing contained in this rule shall prejudice the operation of rule 6 when final pension is sanctioned upon the conclusion of the departmental or judicial proceedings [or enquiry by the Director of Vigilance and Anti-corruption].

⁴[NON-SELF DRAWING GOVERNMENT SERVANTS]

61. *Preparation of pension paper.*- (1) Every Head of office shall undertake the work of preparing pension papers in Form 5 ⁵[two year] before the date on which a Government servant is due to retire on superannuation, or on the date on which he proceeds on leave preparatory to retirement whichever is earlier. The work shall not be delayed till the Government servant has actually submitted his application in writing for pension in Form 5.

¹ Rule 60(1)(b) and 60(3), after the words "judicial proceedings", the words "or enquiry by the Director of Vigilance and Anti-corruption" inserted - G.O.Ms.No.308, Finance (Pension) Department, dated 2nd May 1988 with effect from 1st January 1979.

² First Proviso to Rule 60(1)(c) added - G.O.Ms.No.286, Finance (Pension) Department, dated 07-04-1995 with effect from 04th July 1988.

³ Second Proviso to Rule 60(1)(c) added - G.O.Ms.No.287, Finance (Pension) Department, dated 07-04-1995 with effect from 16th October 1991.

⁴ After Rule 60, for the heading "NON-GAZETTED GOVERNMENT SERVANTS", the heading "SELF DRAWING GOVERNMENT SERVANTS" substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

⁵ Rule 61(1), for the words "one year", the words "two years" substituted - G.O.Ms.No.242, Finance (Pension) Department, dated 08-05-1997 with effect from 19th November 1985.

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(2) (a) The Head of Officer shall send to every Government servant the application for pension in Form 5 one year in advance of the date on which the Government servant, attains the age of superannuation, or before the date of his anticipated retirement, if earlier, with the request that it should be returned to him duly completed within a period of ¹[six months] from the date of issue of intimations to the Government servant by him but in no case later than the actual date of retirement.

(b) The Head of Office shall also draw attention of the retiring Government servant to the provisions of rule 78.

²[NOTE- In this rule and in rules 62 to 69 (both inclusive), the "Government servant" means a non-self drawing Government servant whose pay and allowances are drawn by the Head of Office on establishment Bills.]

62. Verification of service. - (1) The Head of Office shall prepare in [Section I of] Part II of Form 5 a statement of the Government service.

(2) (a) The Head of Office shall go through the service book and the service roll, if any, of the Government servant and satisfy himself as to whether the annual certificates of verification for the entire service are recorded therein.

(b) In respect of the unverified portion or portions of service, he shall arrange to verify it or them, as the case may be with reference to pay bills, acquittance rolls or other relevant records and record necessary certificates in the service book or service rolls, as the case may be.

(3) If the service for any period is not capable of being verified in the manner specified in sub-rule (2), that period of service having been rendered by the Government servant in another office or department, a reference shall be made to the Head of that office, or, as the case may be. Head of that department in which the Government servant is shown to have served during that period for the purpose of verification.

(4) (a) If any portion of service rendered by a Government servant is not capable of being verified in the manner specified in sub-rule (2) or sub-rule (3), the Government servant shall file a written statement on plain paper stating that he had in fact rendered that period of service, and shall at the foot of the statement, make and subscribe to a declaration as to the truth of the statement, and shall, in support of such declaration, produce all documentary evidence and furnish all information which is in his power to produce or furnish.

(b) The authority competent to sanction pension to that Government servant shall, after taking into consideration the facts in the written statement and the evidence produced and the information furnished by that Government servant in support of the said period of service admit, if satisfied, that portion of service as having been rendered for the purposes of calculating the pension of that Government servant.

63. Completion of pension papers. - (1) After completing the service statement mentioned in rule 62, the Head of office shall complete Part I and II of

¹ Rule 61(2)(a), for the words "three months", the words "six months" substituted - G.O.Ms.No.242, Finance (Pension) Department, dated 08-05-1997 with effect from 19th November 1985.

² Rule 61 for the Note, substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

Form 5, irrespective of the fact, whether an application for pension has been received from the Government servant or not.

(2) If at the time of completing Part I of Form 5 the said application from the Government servant has not been received, the relevant columns in Part I and II of Form 5 shall be left unfilled and relevant entries made as soon as the said application is received.

64. Forwarding of pension papers to Audit Officer.- (1) (a) After complying with the requirements of rule 63 the Head of office shall certify in Form 5 as to whether the character, conduct and past service of the Government servant are such as to entitle him to the favourable consideration of the pension sanctioning authority.

(b) The Head of office shall also record in Form 5 his opinion as to whether the service claimed has been established and should be admitted or not.

(c) Whether the Head of Office is not the pension sanctioning authority, he shall obtain the orders of such authority in Form 5.

(2) (a) After completing Form 5, Head of office shall send Form 5 in original to the Audit Officer, ¹[not later than six months before the date of retirement of the Government servant], with a covering letter in Form 8 along with the Government servant's service book and service roll, if any, duly completed up-to-date and any other documents relied upon for the verification of the service claimed in such a manner that they can be conveniently consulted.

(b) The Head of office shall retain one copy of each of the above forms for his office record.

(3) Where payment is desired in another circle of audit, the Head of office shall send in duplicate Form 5 to the Audit Officer.

²[(4) (a) The Head of Office shall also prepare calculation sheet of the Government servant in quadruplicate in Form 26 and forward them to the Audit Officer along with the documents specified in clause (a) and sub-rule (2) and the Audit Officer shall certify all the four copies.

(b) The Audit Officer, while issuing the authorization shall retain one copy of such calculation sheet for his office record and forward the remaining such three certified copies of that calculation sheet to the each of the following persons, namely:-

- (i) The Pensioner along with the pensioner's half of Pension Payment Order;
- (ii) The Pension Disbursing Officer; and
- (iii) The Head of Office or Pension sanctioning authority, as the case may be.

¹ Rule 64(2)(a), after the words "Audit Officer", the words "not later than six months before the date of retirement of the Government servant" inserted - G.O.Ms.No.242, Finance (Pension) Department, dated 08-05-1997 with effect from 19th November 1985.

² Rule 64(4) added - G.O.Ms.No.814, Finance (Pension) Department, dated 30-09-1994 with effect from 27th December 1991.

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(c) The Head of Office or Pension Sanctioning Authority, as the case may be, on receipt of the calculation sheet from the Audit Officer, shall keep it in safe custody after making necessary entries in a Register to be maintained for the purpose with proper index.]

65. Intimation to Audit Officer regarding any event having a bearing on pension.- (1) If, after the pension papers have been forwarded to the Audit Officer, any event occurs which has a bearing on the amount of pension admissible, the fact shall be promptly reported to the Audit Officer by the pension sanctioning authority.

(2) Where the pension papers have been sent to the Audit Officer before the actual date of retirement of the Government servant a certificate as to the satisfactory nature of service rendered by the Government servant for the period from the date of admitting the service by the pension sanctioning authority to the date of actual retirement together with a copy of the order specifying the date of actual retirement shall be forwarded to the Audit Officer within a week from the date of actual retirement of the Government servant.

(3) The Head of office shall furnish to the Audit Officer, at least ¹[two months] before the date of retirement of the Government servant, the following particulars, namely: -

(a) Government dues recoverable out of the gratuity, before payment is authorised, that is to say-

- (i) contribution towards contributory family pension, if applicable;
- (ii) Government dues which have been ascertained and assessed;
- (iii) dues to local bodies or to the staff co-operative societies comprising of Government servants and registered under the Tamil Nadu Co-operative Societies Act or to Corporation owned /controlled by the Government.

(b) Amount of gratuity to be held over for adjustment of Government dues which have not been assessed so far:

Provided that the Head of office shall not be required to withhold an amount of gratuity for adjustment of Government dues which have not been assessed, if under rule 71, the Government servant has made a cash deposit or furnished a surety of a permanent Government servant.

²[(4) If the dues, which are not assessed, are wholly or partly due to non-vacation of Government accommodation after retirement, the Head of Office shall, within six months from the date of retirement, communicate the fact to the Audit Officer and where no such communication is received by the Audit Officer, he shall presume that the amount withheld relates to unascertainable dues not connected with the non-vacation of Government accommodation and shall proceed to refund such amount.]

66. Sanction, drawal and disbursement of provisional pension and of gratuity.- (1) After the pension papers of a Government servant have been sent to the

¹ Rule 65(3), for the words "fourteen days", the words "two months" substituted - G.O.Ms.No.242, Finance (Pension) Department, dated 08-05-1997 with effect from 19th November 1985.

² Rule 65(4) added - G.O.Ms.No.446, Finance (BG.III) Department, dated 30-06-1981.

Audit Officer concerned, the Head of office shall draw full gratuity admissible along with the provisional pension not exceeding the maximum even in the first instance as indicated in Part II of Form 5 and for this purpose adopt the following procedure, namely:-

- (a) he shall issue a sanction letter to the Government servant endorsing a copy thereof to the Audit officer indicating amount of provisional pension along with the full gratuity not exceeding the maximum payable to such Government servant on retirement from service.
 - (b) he shall indicate in the sanction letter the amount recoverable out of the gratuity under sub-rule (3) of rule 65;
 - (c) after the issue of the sanction letter he shall draw-
 - (i) the amount of provisional pension; and
 - (ii) the amount of full gratuity not exceeding the maximum admissible after deducting there from the dues mentioned in clause (b) in M.T.C 47-A appended to the Treasury Rules of the Government from the Treasury at which the pay and allowances of the establishment are drawn by him; and
 - (d) he shall obtain from such Government servant on retirement from service a certificate of non-employment as mentioned in sub-rule (6) and append the same to the said form M.T.C. 47-A.
- (2) The Head of office shall take steps to draw and disburse the provisional pension and gratuity to the retired Government servant on the first day of the month following the month in which the Government servant retired from service.
- (3) The payment of provisional pension shall continue for a period of 12 months from the date of retirement of the Government servant unless the period is extended by the Audit Officer under the proviso to sub-rule (1) of rule 68.
- (4) The Head of Office shall inform the Audit Officer-
- (a) as soon as the gratuity has been paid to the retired Government servant; and
 - (b) as soon as the provisional pension has been paid to the retired Government servant for a period of 12 months or for the period extended under the proviso to sub-rule (1) of rule 68, as the case may be.
- (5) If the pensioner desires the payment of provisional pension or of gratuity or of both through money order or bank draft, the same shall be remitted to him through money order or bank draft as the case may be, at his cost.
- (6) (a) A pensioner drawing pension in India is required to append to his bill, a certificate as follows :-
- "I declare that I have not received any remuneration for serving in any capacity, either under Government or under a local fund during the period for which the amount of pension claimed in this bill is due."

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(b) in the case of a pensioner permitted to draw pension after re-employment this certificate should be modified according to the facts.

(c) In the case of a pensioner drawing his pension through an agent, who has executed a bond of indemnity, as required by Subsidiary Rule 69 under Treasury Rule 16 of the Tamil Nadu Treasury Code, the certificate modified accordingly may be signed by the agent, provided that the pensioner shall himself furnish once a year, a certificate covering the period for which pension has been drawn on the basis of the agent's certificate.

NOTE (1).- The certificate to be furnished by a ¹[Self drawing Government servant] under the above rule should be modified to cover also non-employment under a Government outside India. For a period of three years from the date of retirement, it should however provide in addition that the pensioner has not accepted employment in commercial or private fields.

NOTE (2).- Rules regarding identification of pensioner payment to agents, transfers in India renewal of pension payment order, lapses and forfeiture and deceased pensioners etc., will be found in the subsidiary rules and instructions under Treasury Rule 16 of the T.N.T.C. Volume I.

67. Drawal of balance of gratuity from Treasury or from Head of Office.-

(1) It shall be open to the Government servant to receive the payment of the balance of the gratuity from the Treasury from which the payment of final pension is desired by him or from the Head of office.

(2) Where a Government servant desires to receive the payment of balance of the gratuity from the Head of office he shall communicate his option in this behalf to the Head of office in writing before the date of his retirement.

(3) The Head of office shall there upon take steps to draw and disburse of the balance of the gratuity after the Audit officer has issued the necessary authority as provided in sub-rule (4) of rule 68.

68. Authorisation of final pension and balance of gratuity by the Audit Officer.- (1) On receipt of the pension papers referred to in rule 64 the Audit Officer shall apply the requisite checks record ²[***] and assess the amount of final pension and gratuity within a period of twelve months from the date of retirement of the Government servant.

Provided that the adjustment of provisional pension and assess the amount aforesaid he shall communicate the fact to the Head of office under intimation to the Treasury Officer concerned and authorise the Head of office to continue to disburse the provisional pension to the retired Government servant for such period as may be specified by the Audit Officer.

(2) (a) If the pension is payable in his circle of audit, the Audit Officer shall prepare the pension payment order.

¹ Rule 66 for the Note (1), for the words "Gazetted Government servant", the words "Self drawing Government servant" substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

² Rule 68(1) the expression "record his audit enforcement on Section I of Part II of Form 7" omitted - G.O.Ms.No.49, Finance (Pension) Department, dated 19-01-1996.

(b) The payment of pension shall be effective from the date following the date on which the payment of provisional pension ceased.

(c) Arrears of pensions, if any in respect of the period for which pension was drawn and disbursed by the Head of office shall also be authorised by the Audit Officer.

(3) The Audit Officer shall authorise the payment of balance of the gratuity after adjusting the amount, if any, outstanding against the retired Government servant and if such balance is payable in his circle of audit, the Audit Officer shall prepare an order for its payment.

(4) If the Government servant has opted for receiving the payment of balance of gratuity from the Head of office, the Audit Officer shall issue the necessary authority in this behalf under intimation to the Government servant and the Treasury Officer indicating the amount, if any, which the Head of office shall adjust before making payment to the Government servant.

(5) The fact of the issue of the Pension Payment Order and order for the payment of balance of the gratuity shall be promptly reported to the Head of office and the pension papers which are no longer required shall be returned to him.

(6) The Audit Officer may authorise the payment of balance of the gratuity even during the period of the currency of provisional pension, provided the amount of gratuity has been finally assessed and no recovery of Government dues is outstanding against the Government servant.

(7) If the final pension and balance of the gratuity are payable in another circle of audit, the Audit Office shall send a copy of Form 5 along with ¹[***] the last pay certificate, if received, to the Audit Officer of that circle who shall prepare the Pension Payment Order and order for the payment of balance of the gratuity.

Provided that the adjustment of provisional pension and gratuity drawn and disbursed by the Head of Office shall be made by the Audit Officer in whose circle the provisional payments were made.

(8) If the amount of provisional pension drawn and disbursed by the Head of Office is found to be in excess of the final pension assessed by the Audit Officer, it shall be open to the Audit Officer to adjust the excess amount out of the balance of the gratuity, if any, or recover the excess amount by short payments of pension payable in future.

(9) If the amount of gratuity disbursed by the Head of office proves to be in excess of the amount finally assessed by the Audit Officer, the pensioner shall be required to refund the excess.

69. Provisional pension where departmental or judicial proceedings ²[or enquiry by the Director of Vigilance and Anti-corruption] may be pending.- (1) (2) In respect of a Government servant referred to in sub-rule (4) of 9, the Head of office

¹ Rule 68(7) the expression "his audit encasement and" omitted - G.O.Ms.No.49, Finance (Pension) Department, dated 19-01-1996.

² Rule 69, in the marginal heading, after the words "judicial proceedings", the words "or enquiry by the Director of Vigilance and Anti-corruption" inserted - G.O.Ms.No.308, Finance (Pension) Department, dated 2nd May 1988 with effect from 1st January 1979.

shall pay the provisional pension not exceeding the maximum pension which would have been admissible on the basis of qualifying service up to the date of retirement of the Government servant.

(b) No gratuity shall be paid to the Government servant until the conclusion the departmental or judicial proceedings ¹[or enquiry by the Director of Vigilance and Anti-corruption] and issue of final orders thereon.

²[Provided that no such gratuity, shall be withheld in respect of a Government servant, who has been permitted to retire without prejudice to the departmental or judicial proceedings pending against him, where such departmental or judicial proceedings are only for administrative lapses not involving any pecuniary loss to the Government.]

³[Provided further that where a Government servant, against whom a departmental or judicial proceedings involving pecuniary loss to Government is pending, is permitted to retire without prejudice to such departmental or judicial proceedings, a portion of gratuity may be authorized after deducting the maximum computed financial loss to the Government for which the Government servant is held liable, along with un-recovered Government dues if any, of such Government servants, with interest.]

(2) Payment of provisional pension made under sub-rule (1) shall be adjusted against final retirement benefits sanctioned to such Government servant upon conclusion of such proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specific period.

(3) Nothing contained in this rule shall prejudice the operation of rule 6 when final pension is sanctioned upon the conclusion of that departmental or judicial proceedings ⁴[or enquiry by the Director of Vigilance and Anti-corruption].

⁵[**69-A. Government servants on deputation.**- In the case of a Government servant who retires from service, while on deputation to the Central Government or other State Government or while on foreign service, action to sanction pension and gratuity in accordance with the provisions of this chapter shall be taken by the Audit Officer or the Head of Office as the case may be, of the authority which sanctioned the deputation of the Government servant to the Central or other State Government or to foreign service.]

⁶[**69-B. Provisional pension for isolated case.**- The pension papers could not be prepared even after following the procedures for sanction of pension, there may be

¹ Rule 69(1)(b), after the words "judicial proceedings", the words "or enquiry by the Director of Vigilance and Anti-corruption" inserted - G.O.Ms.No.308, Finance (Pension) Department, dated 2nd May 1988 with effect from 1st January 1979.

² First Proviso to Rule 69(1)(b) added - G.O.Ms.No.286, Finance (Pension) Department, dated 07-04-1995 with effect from 04th July 1988.

³ Second Proviso to Rule 69(1)(b) added - G.O.Ms.No.287, Finance (Pension) Department, dated 07-04-1995 with effect from 16th October 1991.

⁴ Rule 69(3), after the words "judicial proceedings", the words "or enquiry by the Director of Vigilance and Anti-corruption" inserted - G.O.Ms.No.308, Finance (Pension) Department, dated 2nd May 1988 with effect from 1st January 1979.

⁵ Rule 69-A added - G.O.Ms.No.513, Finance (Pension) Department, dated 25-07-1981.

⁶ Rule 69-B added - G.O.Ms.No.242, Finance (Pension) Department, dated 08-05-1997 with effect from 19th November 1985.

an isolated case. For this purpose, the Head of Office shall without delay take steps to determine the qualifying years of service and the emoluments qualifying for pension after the most careful summary investigation and grant provisional pension not exceeding maximum admissible and Death-cum-Retirement Gratuity as may be determined by the Head of Office. The provisional pension may be continued to be paid by the Head of Office (both in the case of non-self-drawing and self-drawing Government servants) without authorization from the Audit Officer, from the date of retirement till final pension is sanctioned and Pension Payment Order issued by the Audit Officer. Similarly full Death-cum-Retirement Gratuity in the case of non-self drawing Government servants and eighty per cent of the admissible amount in the case of self-drawing Government servants shall be paid.]

GOVERNMENT DUES

70. Recovery and adjustment of Government dues .- (1) It shall be the duty of every retiring Government servant to clear all Government dues before the date of his retirement.

(2) Where a retiring Government servant does not clear the Government dues and such dues as ascertainable –

- (a) an equivalent cash deposit may be taken from him; or
- (b) out of the gratuity payable to him an amount equal to that recoverable on account of ascertainable Government dues shall be deducted there from.

¹[NOTE 1.-The expression “ascertainable Government dues” includes balance of house building or conveyance advance, arrears of rent and other charges pertaining to occupation of Government accommodation, over-payment of pay and allowances and arrears of income-tax deductible at source under the Income-tax Act, 1961 (43 of 1961). It also includes dues to the local bodies or to the Staff Co-operative Societies comprising of Government servants and registered under the Tamil Nadu Co-operative Societies Act, 1961 ²[or to the Tamil Nadu Housing Board] or to the Corporation owned / controlled by the State Government.]

²[NOTE 2.- Gratuity shall not be liable to attachment in accordance with the provision of clause (g) of the proviso to sub-section (1) of Section 60 of the Code of Civil Procedure, 1908 (Central Act V of 1908).]

71. Furnishing of surety by retiring Government servant.- (1) (a) If any of the Government dues other than those referred to in rule 70 remain unrealised and unassessed for any reason, the retiring Government servant may be asked to furnish in Form 9 a surety of suitable permanent Government servant.

(b) if the surety furnished by him is found acceptable, the grant of his pension and gratuity shall not be delayed.

(2) (a) If the retiring Government servant is unable or unwilling to furnish a surety, a suitable cash deposit may be taken from him or such portion of gratuity

¹ Rule 70 – Note under rule 70 shall be renumbered as Note 1 and Note 2 added – G.O.Ms.No.763, Finance (Pension) Department, dated 05-09-1994.

² Rule 70(2)(b) under Note, after the words “Tamil Nadu Co-operative Societies Act, 1961”, the words “or to the Tamil Nadu Housing Board” substituted - G.O.Ms.No.655, Finance (Pension) Department, dated 19-06-1985.

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payable to him as may be considered sufficient may be held over till the outstanding dues are assessed and adjusted.

(b) The cash deposit to be taken or the amount of gratuity to be withheld shall not exceed the estimated amount of the outstanding dues plus twenty-five per cent thereof.

(c) where it is not possible to estimate the approximate amount recoverable from the retiring Government servant the amount of deposit to be taken or the portion of gratuity to be withheld shall be limited to ten per cent of the amount of gratuity or one thousand rupees, whichever is less.

(3) (a) Efforts shall be made to assess and adjust the recoverable Government dues within a period not exceeding twelve months from the date of retirement of the Government servant and if no claim is made on Government account against the Government servant within such a period it shall be presumed that no Government claim is outstanding against him.

NOTE (1) In respect of dues pertaining to the occupation of Government accommodation by the Government servant, the period of twelve months shall reckon from the date of retirement, or from the date of complete vacation of the Govt. accommodation whichever is later.

¹[NOTE (2) As regards the dues to Local Body by the retiring Municipal Commissioners such as Personal Advances, quarters rent, electricity charges, telephone charges, etc. the Director of Municipal Administration will call for particulars one year before their retirement and also immediately after retirement and take action for recovery of the dues. In the case of non-remittance of the dues within a period of twelve months from the date of retirement, the Director of Municipal Administration will order recovery from the Death-cum-Retirement Gratuity.]

(b) The Government dues as assessed shall be adjusted against the cash deposit or the amount withheld from the gratuity and the balance, if any, shall be released to the retired Government servant after the expiry of the period referred to in clause (a).

(c) Where the pensioner has furnished a surety, the surety shall be released after the expiry of the period referred to in clause (a) provided the dues assessed up to that time have been recovered.

(4) The Government dues which remain unrealised within the period referred to in clause (a) of sub-rule (3) and such other dues, the claim for which is received after that period shall be recoverable from the retired Government servant.

¹ G.O.Ms.No 2, Finance Department, dated 31st March 1986.

CHAPTER - VIII

SANCTION OF FAMILY PENSION AND DEATH-CUM-RETIREMENT GRATUITY IN RESPECT OF GOVERNMENT SERVANT DYING WHILE IN SERVICE.

72. Payment of family pension and death-cum-retirement gratuity when a ¹[self-drawing Government servant] dies while in service.- (1) Where the Head of Office has received an intimation about the death of a ²[self-drawing Government servant] while in service, he shall communicate the fact to the Audit Officer concerned.

Note:- For the purpose of this rule, [self-drawing Government Servant] means who has drawn pay in the scale of pay the maximum of which exceeds Rs.1,000 and whose pay and allowances are not drawn in Establishment pay bill forms.

(2) On receipt of the information communicated under sub-rule (1), the Audit Officer shall ascertain whether any death-cum- retirement gratuity or family pension or both is or are payable in respect of the deceased Government servant.

(3) (a) Where the family of the deceased Government servant is eligible for the death-cum-retirement gratuity under rule 45, the Audit Officer shall ascertain.

- (i) if the deceased Government servant had nominated any person or persons to receive the gratuity; and
- (ii) if the deceased Government servant had not made any nomination or the nomination made does not subsist, the person or persons to whom the gratuity may be payable.

(b) The Audit Officer shall then address the person concerned in Form 10 or Form 11, as may be appropriate, for making a claim in Form 12.

(4) Where the family of the deceased Government servant is eligible for the ³[***] family pension under rule 49:-

- (a) the Audit Officer shall address the widow or widower in Form 13 for making a claim in Form 14 ; and
- (b) where the deceased Government servant is survived only by child or children, the guardian of such child or children may submit a claim in Form 14 to the Audit Officers:

Provided that the guardian shall not be required to submit a claim in the said Form on behalf on the unmarried daughter if she has attained the age of eighteen years and such daughter may herself submit a claim in the said form.

¹ Rule 72 in the heading, for the words "gazetted Government servant", the words "self drawing Government servant" substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

² Rule 72 (1) including the Note thereto, for the words "gazetted Government servant", occurring in two places, the words "self drawing Government servant" respectively substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

³ Rule 72(4) the word "contributory" omitted - G.O.Ms.No.615, Finance (Pension) Department, dated 21-07-1995 with effect from 1st January 1979.

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(5) (a) Where the family of the deceased Government servant is eligible for non-contributory family pension under rule 50, the Audit Officer shall ascertain-

- (i) if the deceased Government servant had nominated a member of his family to receive the payment of the non-contributory family pension; and
- (ii) where the deceased Government servant had not made any nomination or the nomination made does not subsist, the person to whom the non-contributory family pension may be payable.

(b) The Audit Officer shall then address the person concerned in Form 15 or Form 16, as may be appropriate, for making a claim in Form 17.

(6) (a) Notwithstanding anything contained in sub-rules (3) to (5), the Head of office shall furnish to the Audit Officer the following particulars, namely:-

- (i) Government dues recoverable out of the gratuity before payment is authorised that is to say-
 - (A) contribution towards ¹[***] family pension, if applicable;
 - (B) Government dues which have been ascertained and assessed;
- (ii) amount of gratuity to be held over for adjustment of Government dues which have not been assessed so far;
- (iii) the orders of the pension sanctioning authority in part III of Form 18;
- (iv) such other particulars including details of the family of the deceased Government servant for the purpose of obtaining claim, as the Audit Officer may require.

NOTE- The amount of gratuity to be held over under sub-clause (ii) shall be determined in accordance with the provisions of clauses (b) and (c) of sub-rule (2) of rule 71.

(b) If the orders of the pension sanctioning authority are not received by the Audit Officer within a month of the date of death of the Government servant he shall assume that full death-cum-retirement gratuity and non-contributory family pension, if applicable have been sanctioned.

(7) On receipt of the claim or claims, the Audit Officer shall complete Form 18 and finally assess the amount of death-cum-retirement gratuity or family pension or both.

(8) If the family pension is payable in his circle of audit, the Audit Officer shall prepare the Pension Payment Order.

(9) (a) The Audit Officer shall authorise, the payment of gratuity after adjusting the amount, if any, outstanding against the deceased Government servant.

(b) The amount of gratuity held over under sub-clause (ii) of clause (a) of sub-rule (6) shall be adjusted by the Audit Officer against the Government dues ascertained and assessed subsequently and the balance, if any, shall be released to the

¹ Rule 72(6)(a)(i)(A) the word "contributory" omitted - G.O.Ms.No.615, Finance (Pension) Department, dated 21-07-1995 with effect from 1st January 1979.

claimant or claimants after the expiry of the period referred to in clause (a) of sub-rule (3) of rule 71.

(c) If the gratuity is payable in his circle of audit, the Audit Officer shall prepare an order for its payment.

(10) If the family pension and gratuity are payable in another circle of audit, the Audit Officer shall send the necessary payment authority to the Audit Officer of that circle who shall prepare the Pension Payment Order and order for the payment of gratuity.

(11) The fact of the issue of the Pension Payment Order and order for the payment of gratuity shall be promptly reported to the pension sanctioning authority.

¹[(12) If a Government servant against whom disciplinary action is pending or is contemplated in respect of audit objections involving financial losses or other irregularities, dies before final orders are passed in the matter, the audit objections pending against the deceased servant shall be deemed to have been settled on the date of his death and disciplinary proceedings pending or contemplated shall, on the date of his death, be deemed to have been dropped. In such cases, Death-cum-Retirement Gratuity and other retirement benefits due to the family of the deceased Government servant shall not be withheld.]

73. ²[*Authorisation*] of anticipatory gratuity and family pension.- (1) Where the amount of death-cum-retirement gratuity and family pension payable under rule 72 cannot be finally assessed and settled in accordance with the provisions of these rules within a reasonable time, the Audit officer shall determine the gratuity and family pension, which, after the most careful summary investigation that he can make without delay, he believes the claimant to be entitled. He shall after complying with the provisions of sub-rules (9), (10) (11) of rule 72, authorise the disbursement of the family pension so determined as anticipatory family pension not exceeding the maximum admissible and the death-cum-retirement gratuity restricted to eighty per cent of the gratuity so determined as 'anticipatory gratuity'.

(2) The anticipatory family pension and gratuity authorised under sub-rule (1) shall be subject to revision on completion of detailed investigation and inquires, if any.

(3) If the amount of anticipatory family pension granted is afterwards found to be in excess of the final family pension assessed by the Audit Officer, it shall be open to the Audit Officer to adjust the excess by short payment of family pension payable in future. If however, the amount of gratuity disbursed proves to be larger than the amount finally assessed by the Audit Officer the pensioner shall be required to refund the excess actually disbursed to him.

¹ Rule 72(12) added - G.O.Ms.No.900, Finance (Pension) Department, dated 04-12-1995 with effect from 25th March 1992.

² Rule 73 in the marginal heading, for the word "Sanction", the word "Authorisation" substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

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74. Payment of provisional family pension and death-cum-retirement gratuity when a ¹[non-self drawing Government servant] dies while in service.- (1) Where the Head of office has received an intimation about the death of a [non-self drawing Government servant] while in service he shall ascertain whether any death-cum-retirement gratuity or family pension or both is or are payable in respect of the deceased Government servant.

NOTE.- For the purposes of this rule and rule 75, the expression ²['non-self drawing Government servant'] means, he who draws pay in the scale, the maximum of which is Rs.1,000 and below and whose pay and allowances are drawn in Establishment pay bill forms.

(2) (a) Where the family of the deceased Government servant is eligible for the death-cum-retirement gratuity under rule 45, the Head of office shall ascertain-

- (i) if the deceased Government servant had nominated any person or persons to receive the gratuity; and
- (ii) where the deceased Government servant had not made any nomination or the nomination made does not subsist the person or persons to whom the gratuity may be payable.

(b) The Head of office shall, then address the person concerned in Form 10 or Form 11, as may be appropriate. Who may submit a claim in Form 12.

(3) Where the family of the deceased Government servant is eligible for the ³[***] family pension under rule 49-

- (a) The Head of office shall address the widow or widower in Form 13 for making a claim in Form 14; and
- (b) Where the deceased Government servant is survived only by child or children, the guardian of such child or children may submit a claim in Form 14 to the Head of office.

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the unmarried daughter if she has attained the age of eighteen years and such daughter may herself submit a claim in the said Form.

(4) (a) Where the family of the deceased Government servant is eligible for non-contributory family pension under rule 50, the Head of office shall ascertain-

- (i) if the deceased Government servant had nominated any member of his family to receive the payment of non-contributory family pension; and
- (ii) where the deceased Government servant had not made any nomination or the nomination made does not subsist the person to whom the non-contributory family pension may be payable.

¹ Rule 74 in the heading, for the words "non-gazetted Government servant", the words "non-self drawing Government servant" substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

² Rule 74 (1) including the Note thereto, for the words "non-gazetted Government servant", occurring in two places, the words "non-self drawing Government servant" respectively substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

³ Rule 74(3) the word "contributory" omitted - G.O.Ms.No.615, Finance (Pension) Department, dated 21-07-1995 with effect from 1st January 1979.

(b) the Head of office shall, then, address the person concerned in Form 15 or Form 16 as may be appropriate for making a claim in Form 17.

(5) The Head of office shall furnish to the Audit Officer the following particulars regarding the details of Government dues outstanding against the deceased Government servant, namely:-

- (a) Government dues recoverable out of that gratuity before payment is authorised that is to say-
 - (i) contribution towards ¹['***] family pension if applicable'
 - (ii) Government dues which have been ascertained and assessed.
- (b) amount of gratuity to be held over for adjustment of Government dues which have not been assessed so far.

NOTE.- The amount of gratuity to be held over shall be determined in accordance with the provisions of clauses (b) and (c) or sub-rule (2) of rule 71.

(6) (a) (i) On receipt of the claims, the Head of office shall complete Form 18 and certify in part III of that Form as to whether the character, conduct and past service of the deceased Government servant were such as to entitle the family to the favourable consideration of the pension sanctioning authority in the matter of grant of death-cum-retirement gratuity and non-contributory family pension (if applicable).

(ii) The Head of Office shall also record in part III of Form 18 his opinion as to whether the service claimed has been established and should be admitted or not.

(iii) Where the Head of Office, is not the pension sanctioning authority, he shall obtain the orders of such authority in Form 18.

(b) After completing Form 18, the Head of Office shall send that Form in original to the Audit Officer with a covering letter in Form 19 along with the Government servant's service book and service roll, if any, duly completed up to date and any other documents relied upon for the verification of the service claimed in such a manner that they can be conveniently consulted.

(c) The Head of Office shall retain the copy of the aforesaid Form for his office record.

(d) If the payment is desired in another circle of audit, Form 18 shall be sent in duplicate to the Audit Officer.

²[(6-A) (a) The Head of Office shall also prepare the calculation sheet of the deceased Government servant in quadruplicate in Form 27 and forward them to the Audit Officer, along with the documents specified in clause (b) of sub-rule (6) and the Audit Officer shall certify all the four copies.

(b) The Audit Officer, while issuing the authorization, shall retain one copy of such calculation sheet for his office record and forward the remaining such three certified copies of that calculation sheet to each of the following persons, namely:-

¹ Rule 74(5)(a)(i) the word "contributory" omitted - G.O.Ms.No.615, Finance (Pension) Department, dated 21-07-1995 with effect from 1st January 1979.

² Rule 74 (6-A) added - G.O.Ms.No.845, Finance (Pension) Department, dated 11-10-1994 with effect from 12th May 1987.

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- (i) The Family Pensioner;
- (ii) The Pension Disbursing Officer; and
- (iii) The Head of Office or Pension Sanctioning Authority, as the case may be.

(c) The Head of Office or Pension Sanctioning Authority, as the case may be, on receipt of the calculation sheet from the Audit Officer, shall keep it in safe custody after making necessary entries in a Register to be maintained for the purpose with proper index.]

(7) After the documents referred to in ¹[sub-rules (5), (6) and (6-A)] have been sent to the Audit Officer concerned, the Head of Office shall draw provisional family pension not exceeding the maximum family pension and full gratuity as indicated in Part I of Form 18 and for this purpose adopt the following procedure, namely:-

- (a) he shall issue a sanction letter in favour of the claimant or claimants endorsing a copy thereof to the Audit Officer indicating the amount of provisional family pension and full gratuity payable under these rules;
- (b) he shall indicate in the sanction letter the amount recoverable out of the gratuity under sub-rule (5);
- (c) after issue of the sanction letter, he shall draw-
 - (i) the amount of provisional family pension; and
 - (ii) the amount of full gratuity after deducting therefrom the dues mentioned in clause (b) ; from the Treasury at which the pay and allowance of the establishment are drawn by him.

(8) The Head of Office shall disburse the provisional family pension and gratuity to the claimant or claimants on or after the first day of the month following the month in which the Government servant died.

²[(9) The payment of provisional family pension shall continue till final family pension is authorized by the Audit Officer provided there is a clear title as regards legal heirs.]

(10) The Head of Office shall inform the Audit Officer-

- (a) as soon as the gratuity has been paid to the claimant or claimants; and
- (b) as soon as the provisional family pension has been paid for a period of twelve months, or for the period extended under the proviso to sub-rule (1) of rule 75, as the case may be.

¹ Rule 74 (7) for the expression "sub-rules (5) and (6)" the expression "sub-rules (5), (6) and (6-A)" substituted - G.O.Ms.No.845, Finance (Pension) Department, dated 11-10-1994 with effect from 12th May 1987.

² Rule 74(9) substituted - G.O.Ms.No.411, Finance (Pension) Department, dated 15-10-2001 with effect from 01st January 1979.

(11) If the claimant desires the payment of provisional family pension or of gratuity or of both through money order or bank draft, the same shall be remitted to him through money order or bank draft at his cost.

¹[(12) If a Government servant against whom disciplinary action is pending or is contemplated in respect of audit objections involving financial losses or other irregularities, dies before final orders are passed in the matter, the audit objections pending against the deceased servant shall be deemed to have been settled on the date of his death and disciplinary proceedings pending or contemplated shall, on the date of his death, be deemed to have been dropped. In such cases, Death-cum-Retirement Gratuity and other retirement benefits due to the family of the deceased Government servant shall not be withheld.]

75. Authorisation of final family pension and balance of gratuity in respect of a deceased ²[non-self drawing Government servant] referred to in rule 74.- (1) On receipt of the documents referred to in sub-rules (5) and (6) of rule 74, the Audit Officer shall within a period of twelve months from the date of death of the ³[non-self drawing Government servant], apply the requisite checks, record his audit enforcement on Section I of Part IV of Form 18 and assess the amount of final family pension and gratuity.

Provided that if the Audit Officer is for any reason unable to assess the amount within the period aforesaid he shall communicate the fact to the Head of Office under intimation to the Treasury Officer concerned and authorize the Head of Office to continue to disburse the provisional family pension to the claimant ⁴[till final family pension is authorized by the Audit Officer].

(2) (a) If the family pension is payable in his circle of audit, the Audit Officer shall prepare the Pension Payment Order.

(b) The payment of family pension shall be effective from the date following the date on which the payment of provisional family pension ceased.

(c) Arrears of family pension, if any in respect of the period for which family pension was drawn and disbursed by the Head of Office shall also be authorised by the Audit Officer.

(3) (a) The Audit Officer shall authorise the payment of balance of the gratuity after adjusting the amount, if any outstanding against the deceased Government servant.

(b) The amount of gratuity held over under sub-rule (5) of rule 74 shall be adjusted by the Audit officer against the Government dues ascertained and assessed

¹ Rule 74(12) added - G.O.Ms.No.900, Finance (Pension) Department, dated 04-12-1995 with effect from 25th March 1992.

² Rule 75 in the heading, for the words "non-gazetted Government servant", the words "non-self drawing Government servant" substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

³ Rule 75 (1), for the words "non-gazetted Government servants", the words "non-self drawing Government servants" substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

⁴ Proviso to Rule 75(1) for the expression "for such period as may be specified by the Audit Officer", the expression "till final family pension is authorized by the Audit Officer" substituted - G.O.Ms.No.411, Finance (Pension) Department, dated 15-10-2001 w.e.f. 01st January 1979.

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subsequently and the balance, if any, shall be released to the claimant or claimants after the expiry of the period referred to in clause (a) of sub-rule (3) of rule 71.

(c) If the balance of gratuity is payable in his circle of audit, the Audit Officer shall prepare an order for its payment.

(4) The fact of the issue of the Pension Payment Order and order for the payment of balance of the gratuity shall be promptly reported to the Head of Office and the documents which are no longer required shall be returned to him.

(5) The Audit Officer may authorise the payment of balance of the gratuity even during the period of the currency of provisional family pension:

Provided that the amount of gratuity has been finally assessed and no recovery of Government dues is outstanding against the deceased Government servant.

(6) If the final family pension and the balance of the gratuity are payable in another circle of audit, the Audit Officer shall send a copy of Form 18 along with the Audit encasement and the last pay certificate, if received, to the Audit Officer of that circle who shall prepare the Pension Payment Order and order for the payment of balance of the gratuity:

Provided that the adjustment of provisional family pension and gratuity drawn and disbursed by the Head of Office shall be made by the Audit Officer in whose circle the Provisional payment were made.

(7) If the amount of provisional family pension and / or death-cum-retirement gratuity drawn and disbursed by the Head of Office is found to be in excess of the final family pension and / or death-cum-retirement gratuity assessed by the Audit Officer, it shall be open to the Audit Officer to adjust the excess amount out of the balance of the gratuity, if any, or recover the excess amount by short payment of family pension payable in future.

CHAPTER - IX

SANCTION OF FAMILY PENSION AND RESIDUARY GRATUITY IN RESPECT OF DECEASED PENSIONERS

76. Sanction of family pension and residuary gratuity on the death of a pensioner.- (1) Where the Head of Office has received an intimation regarding the death of a retired Government servant who was in receipt of pension, he shall ascertain whether any family pension or residuary gratuity or both is or are payable in respect of the deceased pensioner :

Provided that the Head of Office may, when he considers it necessary so to do, consult the Audit Officer.

(2) (a) (i) If the deceased pensioner is survived by a widow or widower who is eligible for the grant of [contributory] family pension under rule 49, the amount of contributory family pension as indicated in the Pension Payment Order shall become payable to the widow or widower as the case may be, from the day following the date of death of the pensioner.

(ii) On receipt of an application from the widow or widower, as the case may be, the Treasury Officer from whom the deceased pensioner was drawing his or her pension shall authorise the payment of ¹[***] family pension to the widow or widower, as the case may be.

(b) (i) where the deceased pensioner is survived by child or children, the guardian of the child or children may submit a claim in Form 14 to the Head of Office for the payment of [contributory] family pension provided that the guardian shall not be required to submit a claim in the said Form on behalf of the unmarried daughter if she has attained the age of eighteen years and such daughter may herself submit a claim in the said Form.

(ii) On receipt of a claim ²[under sub-clause (i) above], the Head of Office shall sanction the contributory family pension in Form 20.

(c) (i) Where a widow or widower in receipt of contributory family pension remarries and has, at the time of remarriage, a child or children from the former spouse who is or are eligible for [contributory] family pension the remarried individual shall be eligible to draw the [contributory] family pension on behalf of such child or children if such individual continues to be the guardian of such child or children

(ii) For the purpose of sub-clause (i), the remarried individual shall apply to the Head of Office on plain paper furnishing the following particulars, namely:-

- (A) A declaration that the applicant continues to be the guardian of such child or children;
- (B) The date of remarriage;

¹ Rule 76(2) the word "contributory" omitted - G.O.Ms.No.615, Finance (Pension) Department, dated 21-07-1995 with effect from 1st January 1979.

² Rule 76(2)(b)(ii) for the expression "from the guardian", the expression "under sub-clause (i) above" substituted - G.O.Ms.No.134, Finance (BG-III) Department, dated 09-03-1981.

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- (C) The name and date of birth of the child or children from the former spouse;
- (D) The treasury from where payment of [contributory] family pension on behalf of such child or children is desired;
- (E) Full postal address of the applicant.

(iii) If the remarried individual has, for any reason, ceased to be the guardian of such child or children the contributory family pension shall become payable to the person entitled to act as guardian of such child or children under the law for the time being in force and such person may submit a claim in Form 14 to the Head of Office for the payment of [contributory] family pension.

(iv) On receipt of the claim referred to in sub-clause (iii) the Head of Office shall sanction [contributory] family pension in Form 21.

(d) (i) Where a widow or widower in receipt of [contributory] family pension dies and leaves behind a child or children who is or are eligible for [contributory] family pension, the guardian may submit a claim in Form 14 to the Head of Office for the payment contributory family pension:

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the unmarried daughter if she has completed the age of eighteen years and such daughter may herself submit a claim in the said Form.

(ii) On receipt of a claim under sub-cause (I) above the Head of Office shall sanction contributory family pension in Form 21.

(3) (a) In case the deceased pensioner was governed by the non-contributory family pension and his death had taken place within five years of his retirement, the non-contributory family pension shall become payable to the eligible member of the family of the deceased pensioner as provided in rule 50 for the unexpired period of five years from the date of retirement of the deceased.

(b) On receipt of a claim in Form 17 from such member, the Head of Office shall sanction the non-contributory family pension for the unexpired period aforesaid.

(4) Where on the death of a retired Government servant a residuary gratuity become payable to the family of the deceased under sub-rule (2) of rule 45, the Head of Office shall sanction his payment on receipt of a claim or claims in Form 22 from the person or persons eligible to receive the residuary gratuity.

77. Authorisation of payment by Audit Officer.- On receipt of the sanction under rule 76 regarding the payment of family pension or of residuary gratuity or of both, the Audit Officer shall authorise the payment of the same.

CHAPTER - X
PAYMENT OF PENSIONS

78. Date from which pension becomes payable.- (1) Except in the case of a Government servant to whom the provision of rule 34 apply and subject to the provisions of rule 9, 60 and 69 a pension other than family pension shall become payable from the date on which a Government servant ceases to be borne on the establishment.

¹[The pension of a Government servant who under rule 38 has received a gratuity in lieu of notice is not payable for the period in respect of which the gratuity is paid.]

²[***]

(2) Pension including family pension shall be payable for the day on which its recipient dies.

³[**79. Currency in which pension and gratuity is payable.-** All pensions including gratuities admissible under these rules shall be payable in rupees in India only.]

80. Manner of payment of gratuity and pension.- (1) Except as otherwise provided in these rules a gratuity shall be paid in lump sum.

[(2) A pension fixed at monthly rates shall be payable monthly on or after the first day of the following month.] (*Up to 16th August 1986*)

⁴[(2) Pension including family pension fixed at monthly rates shall be payable monthly and such pension shall be paid on the last working day of the month.

Provided that such pension for the month of March shall be payable on the first working day of the month of April.]

81. Application of Treasury Rules.- Save as otherwise provided in these rules, the treasury rules of the Government shall apply in regard to the procedure of payment.

(i) of gratuity

(ii) of pension.

(iii) of pension undrawn for more than a year and

(iv) of pension in respect of a deceased pensioner.

¹ Rule 78(1) Second Paragraph substituted - G.O.Ms.No.1160, Finance (BG.III) Department, dated 31-12-1980.

² Proviso to Rule 78(1) First Paragraph omitted - G.O.Ms.No.165, Finance (BG-III) Department, dated 23-03-1981.

³ Rule 79 substituted - G.O.Ms.No.1160, Finance (BG.III) Department, dated 31-12-1980.

⁴ Rule 80(2) substituted and Proviso added - G.O.Ms.No.753, Finance (Pension) Department, dated 02-09-1994 with effect from 17th August 1987.

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CHAPTER - XI
MISCELLANEOUS

82. Power to relax.- Where any Department of the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, the Department, may by order for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner:

Provided that no such order shall be made except with the concurrence of the Finance Department.

83. Repeal and Saving.- (1) On the commencement of these rules, every rule, regulation or order including Office Memorandum (hereinafter referred to this rule as the old rule) in force immediately before such commencement shall, in so far as it provided for any of the matters contained in these rules, cease to operate.

(2) Notwithstanding such ceaser of operation.—

(a) (i) every nomination for the payment of death-cum-retirement gratuity, or of non-contributory family pension;

(ii) every form regarding the details of family of a Government servant for the purpose of [***] family pension ; and

(iii) Every formal application for the sanction of Pension which a Government servant had made or given under the old rule shall be deemed to have been made or given under the corresponding provisions of these rules ;

(b) any nomination for the payment of death-cum-retirement gratuity, or of non contributory family pension, any form regarding the details of family of a Government servant for the purpose of ¹[***] family pension or any formal application for the sanction of pension, required to be made or given by a Government servant under the old rule but not made or given before the commencement of these rules shall be made or given after such commencement in accordance with the provisions of these rules ;

(c) any case which pertains to the sanction of pension to a Government servant who had retired before the commencement of these rules and is pending before such commencement shall be disposed of in accordance with the provisions of the old rules as if these rules had not been made ;

(d) any case which pertains to the sanction of death-cum-retirement gratuity and family pension to the family of a deceased Government servant or of a deceased pensioner and is pending before the commencement of these rules shall be disposed of in accordance with the provisions of the old rule as if these rules had not been made.

¹ Rule 83(2)(a)(ii) and Rule 83(2)(b) the word "contributory" each omitted - G.O.Ms.No.615, Finance (Pension) Department, dated 21-07-1995 with effect from 1st January 1979.

(e) subject to the provisions of clauses (c) and (d) anything done or any action taken under the old rule shall be deemed to have been done or taken under the corresponding provisions of these rules.

CHAPTER - XII

**FOREIGN SERVICE, REGULAR ESTABLISHMENTS; THE
COST OF WHICH IS RECOVERED BY ESTABLISHMENT;
SERVICE UNDER LOCAL FUNDS**

84. Service under Local Funds.-(1) Apart from any special provisions made under the following rules, service paid for from a Local Fund does not qualify for pension.

(2) In the case of other Local Funds, the rule that service does not qualify for pension does not prohibit the grant and payment of pensions in conformity with the general terms of the pension rules by the authorised administrators of the funds. But government is in no way responsible for the sanction or continuance of such pension, and no standing order for their payment may be issued to or received by any Government treasury, and the procedure in rules 51, 53, 56-59, 61-68, 70,71 and 78-80 do not apply to them.

NOTE 1.- All the members of the pensionable establishment of a Government school employed in such school at the time of its transfer to municipal councils will be held to be still rendering service qualifying for pension from Government under sub-rule (7) of this rule.

NOTE 2.- All servants of Government other than those referred to in Note 1 above, transferred from qualifying service to service under a municipal council, are entitled to claim payment by such municipal council, or the usual contribution to Government in order to maintain their claim to pension eventually from State Funds.

(3) Service in the following establishment paid from Local Fund is treated as qualifying service for pension provided that pension for service under the Fund is Paid from the Fund, the rule of proportions being applied in the case of service paid partly from the Fund and partly from other sources. Establishment paid from Port Funds managed by the Government.

NOTE 1.- The transfer of Government servants to service under Local Funds should ordinarily be dealt with under the rules regarding foreign service. The application of the rule of proportions to service partly under a local fund requires the specified sanction of Government who before giving such sanction should satisfy itself that the fund in question is not of a merely temporary character, that it is solvent and able to bear the charge and that the pension can legally be charged to it.

NOTE 2.- Service in establishment paid from the Madras Coast Light Fund qualifies for pension from the 1st April 1904 and service in establishment paid from the Pilotage, Landing, Shipping Fees and Pier Funds, from the 1st April 1905.

NOTE 3.- Rule 1 under this rule is not applicable in the case of a municipal employee for part of whose service contribution was paid under rule sub-rule (5) of this and a pension cannot therefore, be sanctioned which is chargeable to Government and the municipality according to the rule of proportions.

NOTE 4.- The rule of proportions is applied only in cases where officers are transferred in the interest of the service from Government employment to service under Excluded Local Funds and vice versa ; where an

officer is not transferred but resigns the one service to take up other, rule of proportions should not be applied, but separate pension may be given for the different services.

NOTE 5.- When a Government Officer is compulsorily transferred to an appointment paid by a Local Fund and is subsequently dismissed therefrom he has no claim to a pension or gratuity but if Government consider that he is deserving of a compassionate allowance it may award a pension not exceeding that which could have been granted as a compensation pension on the termination of the officer's service under Government.

(4) Any person transferred from a local body in consequences of the transfer of such body to the control of the State Government shall not be entitled to count his previous service under the said body for pension, unless-

- (1) Such service was rendered in a pensionable post or posts and pensionary contributions were being paid on his behalf by such local body; or
- (2) Such person was subscribing to a provident fund maintained by such local body; and
 - (i) such local body agrees to contribute its share of the pension calculated according to the rule of proportion; and
 - (ii) such person agrees to forego the bonus earned by him in respect of his service under the local body.

(5) The administrators of a Local Fund may, with the permission of the Government make a permanent arrangement for contributing for pensions from the Consolidated Fund for its permanent employees or for any specified classes of them by paying to the Government a contribution of one-ninth of the sanctioned salaries of the several appointment.

Provided that-

- (a) the contribution must be paid in full at the beginning of each month by cash or cheque to the nearest Government Treasury. Any default in the payment of the contribution entails forfeiture of the claim against the Government .
- (b) The bills for establishment charges must be subject to audit by the Government with a view to ensuring that health Certificates have been obtained for a new entrant; that the contributions are recovered in respect of the whole establishment sanctioned; and that no employee in any month draws more than the amount sanctioned for the appointment held by him.

Arrear contributions in respect of either individual officer or classes of officers proposed with a view to render past services qualifying cannot be accepted.

No officer or servant of a district board entered in its service on or after the first day of April 1932 shall be eligible to be paid any pension from the fund of the board, nor shall any pensionary contribution be paid on his behalf from such fund. Where an officer or servant of any such board was on

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the said date, holding in a post in its service in respect of which pensionary contribution was being paid with the previous sanction of the Government, such contribution shall, unless the Government otherwise direct, continue to be paid so long as the officer or servant continues to hold such post or any other post in respect of which pensionary contribution was being paid with such sanction of the said date. Contribution towards pension will continue to be paid in respect of incumbents whose services are pensionable under this sub-rule in district where a Provident Fund Scheme has been or will be introduced, so long as the individual concerned is in service.

NOTE 1. There is no authority for receiving pensionary contributions, arrear or otherwise, from a local body for individual employees selected from among its establishment. The note in this rule authorizes Government to permit the Administrators of a Local Fund to contribute for pensions from the Consolidated Fund for the whole of its permanent employees or for any specified classes of them. It is intended that the contribution should be calculated upon the total of the sanctioned salaries of the appointments in respect of which they are paid, without reference, to the question whether the particular individuals who at any time hold the appointments are rendering qualifying service or not. The effect of a transfer to service under a Local Fund in the case of any particular individual a pension from Consolidated Fund if the appointment to which he is transferred is one of class for which contributions are paid, whether his previous service under Government was qualifying or not but it will not qualify if the appointment does not belong to such a class.

NOTE 2.- For the purpose of this rule Audit by the Examiner or Local Fund Accounts may be regarded as audit by Government.

NOTE 3.- The reporting on applications for pensions should however, be undertaken by the Accountant-General's Office, and the annual establishment returns should, therefore, be recorded in that office.

NOTE 4.- If an officer, whose service is pensionable under the provisions of this sub-rule, is detached on temporary duty to a non pensionable post or to a post under the same or a different local board which is non-pensionable, under that rule, he counts his detached service under rule 12.

NOTE 5.- Pensionary contribution is payable by the local body concerned on the personal allowances paid to the employees in addition to the contribution fixed for the scales of pay of their posts.

NOTE 6.- Pension payable to local board servants in respect of whom pensionary contribution is recovered under this sub-rule will be based on the pay that would have been drawn by them had the local body not reduced by the pay of those servants as a measure of retrenchment.

(6) An officer who is in qualifying service under Government may be transferred by the Government to service under a Local Fund under the same limitations and conditions as are applicable to transfers to foreign service (see Fundamental Rule 129).

(7) Teachers and other members of the pensionable establishment of a Government school, who are transferred with the school to which they belong for service under local board or municipal council continue to render service qualifying for pension payable by the Government irrespective of the institution in which they are employed on similar duty, provided such institution is under the control of the same local board or municipal council.

NOTE 1.- If the pay of an officer is increased after he is transferred, with the school to which he belongs to service under local boards, the Audit Officer will submit an alternative report as to the pension admissible on the basis of the pay enjoyed at transfer and at retirement, and in each case the Director of Public Instruction will make his recommendations for the grant of the higher or lower pension, as may be deemed suitable for the sanction of Government.

NOTE 2.- The audit staff under the Examiner of Local Fund Accounts shall, at the time of local audit of accounts of local bodies, call for and check the Service Books of teachers and other staff under local bodies, who are eligible for pension under this sub-rule of the Civil Service Regulations and who are likely to retire before the time of the next annual or local audit verify the services rendered by the teachers from independent records maintained in the audit office of local bodies and certify in writing in the service books as to the correctness of the entries made in regard to the teachers and the staff.

(8) If an Officer, whose service is reckoned as pensionable under the provisions under sub-rule (5) is transferred to the similarly pensionable establishment of another Local Fund, the transfer will not interrupt the continuity of service for pension. Transfers may also be made between such service under Local Funds and service in Government establishments.

85. Pensions payable partly by Government and partly by a Local Fund.- When a pension is payable partly by the Government and partly by a Local Fund, the Local Fund concerned may pay the capitalized value (calculated on the basis of the table of commutation values for the pensions applicable to the pensioner, increased by 10 per cent), of its share of the pension to Government which will thereupon accept liability for the payment of the entire pension.

NOTE 1.- When a pension is payable partly by Government and partly by a Local Fund, the Local Fund concerned may pay the capitalized value (calculated according to the Post Office Annuity Table) or its share of the pension into Government Treasury instead of purchasing an annuity from the Post Office.

NOTE 2.- A district Board or municipality may with the previous sanction of Government grant a gratuity as such to any of its servants in lieu of the annuity purchaseable under this article, if the gratuity proposed is not large enough to purchase an annuity of Rs. 2 a month or more.

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FORM 1.

[See rule 48 (1)]

NOMINATION FOR RETIREMENT / DEATH GRATUITY

When the Government servant has a family and wishes to nominate one person or more than one persons, thereof.

I,, hereby nominate the person/persons mentioned below who is/are member(s) of my family, and confer on him/them the right to receive, to the extent specified below, any gratuity, the payment of which may be authorised by the Government of Tamil Nadu in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death.

Original Nominee(s)				Alternative Nominee(s)	
Name and address of the nominee(s).	Relationship with the Government servant.	Age	Amount or Share of Gratuity payable to each*	Name, address relationship and age of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee pre-deceasing the Government servant or the nominee dying after the death of the Government servant but before receiving payment of gratuity	Amount of share of gratuity payable to each**
(1)	(2)	(3)	(4)	(5)	(6)

Place :

Date :

Signature of the
Subscriber.Signature of two witnesses with
Name and Address:

- 1.
- 2.

-/ Countersigned /-

Signature of Head of Office.

Office Address:

Note: (i) The Government Employee shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

(ii) Strike out which is not applicable.

(iii) If the Original Nominee(s)/Alternate Nominee(s) is/are minor, furnish the name and address of the person with relationship to the Government Employee to receive the amount.

* This column should be filled in so as to receive the amount.

** The amount / share of the gratuity shown in this column should cover the whole amount / share payable to the original nominee(s).";

FORM 2.

[See rule 48 (1)]

NOMINATION FOR RETIREMENT / DEATH GRATUITY

When the Government servant has no family and wishes to nominate one person or more than one persons, thereof.

I,, having no family, hereby nominate the person/persons mentioned below and confer on him/them the right to receive, to the extent specified below, any gratuity the payment of which may be authorised by the State Government in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity, which having become admissible to me on retirement may remain unpaid on my death.

Original Nominee(s)				Alternative Nominee(s)	
Name and address of the nominee(s).	Relationship with the Government servant.	Age	Amount or Share of Gratuity payable to each*	Name, address relationship and age of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee pre-deceasing the Government servant or the nominee dying after the death of the Government servant but before receiving payment of gratuity	Amount of share of gratuity payable to each**
(1)	(2)	(3)	(4)	(5)	(6)

Place :
Date :

Signature of the Subscriber.

Signature of two witnesses with Name and Address:

- 1.
- 2.

-/ Countersigned /-

Signature of Head of Office.

Office Address:

- Note: (i) The Government Employee shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.
 (ii) Strike out which is not applicable.
 (iii) If the Original Nominee(s)/Alternate Nominee(s) is/are minor, furnish the name and address of the person with relationship to the Government Employee to receive the amount.
 * This column should be filled in so as to receive the amount.
 ** The amount / share of the gratuity shown in this column should cover the whole amount / share payable to the original nominee(s)."

¹ Form 2 substituted - G.O.Ms.No.455, Finance (Pension) Department, dated 15-09-2009.

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FORM 3.

[See rule 49(12).]

DETAILS OF FAMILY MEMBERS

1. Name of the Government Servant :
2. Designation :
3. Date of Birth :
4. Date of Appointment :
5. Details of the Members of my family* as on:

Sl. No.	Name of the Members of the Family	Date of Birth	Relationship with the Government Servant	Initials of the Head of Office.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
1.					
2.					
3.					
4.					
5.					

I hereby undertake to keep the above particulars up to date by notifying to the Audit Officer / Head of Office any addition or alteration.

Place:

Signature of the
Government Servant :

Date :

Designation :

Family for this purpose means:-

- (a) Wife, in the case of a male Government Servant .
- (b) Husband, in the case of a female Government Servant .
- (c) Sons below ¹[twenty five years] of age and unmarried daughters below [twenty five years] of age, including such son or daughter adopted legally ²[and also such son or unmarried daughter born through illegitimate wife] ³[before retirement]; and
- ⁴[(d) Father and mother including step mother, in the case of unmarried Government Servant.]

Note – Wife and husband shall include respectively judicially separated wife and husband.

¹ Form 3 for the items (c), for each of the words "eighteen years" and "twenty one", the words "twenty five years" substituted - G.O.Ms.No.283, Finance (Pension) Department, dated 07-04-1995 with effect from 1st June 1988.

² Form 3 for the items (c), after the words "including such son or daughter adopted legally", the words "and also such son or unmarried daughter born through illegitimate wife" added - G.O.Ms.No.602, Finance (Pension) Department, dated 13-09-1996 with effect from 1st January 1979.

³ Form 3 for the items (c), the words "before retirement" omitted - G.O.Ms.No.92, Finance (Pension) Department, dated 07-02-1995 with effect from 22nd June 1994.

⁴ Form 3 for the items "(d) Parents, in the case of unmarried Government servants", substituted - G.O.Ms.No.132, Finance (Pension) Department, dated 23-02-1995 with effect from 28-12-1983.

FORM 4.

[See rule 50(6).]

NOMINATION FOR NON-CONTRIBUTORY FAMILY PENSION

I.....hereby nominate the persons mentioned below who are member of my family to receive in the order shown below, the non-contributory family pension which may be granted by the Government in the event of my death after completion of ten years qualifying service.

Name and Address of nominee.	Relationship with the Government servant	Age	Whether married of unmarried.
(1)	(2)	(3)	(4)
1.			
2.			
3.			
4.			
5.			

The nomination supersedes the nomination made by me earlier on which stands cancelled.

Dated this day of at

Witness to signature:

1.....

2.....

Signature of Government Servant :

Designation :

(To be filled in by the Head of Office/Audit Officer)

Nomination by.....

Designation.....

Office.....

Signature of

Head of Office/Audit Officer.....

Dated:.....

Designation.....

NOTE.- The Government servant should draw lines across blank space below the last entry to prevent the insertion of any name after he has signed.

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Pro-forma for acknowledging the receipt of the nomination form by the Head of Office/Audit Officer.

To

.....
.....
.....

Sir,

In acknowledging the receipt of your nomination, datedcancellation dated theof the nomination made earlier in respect of non-contributory family pension Form

I am to state that it has been duly placed on record.

Signature of Head of Office/Audit Officer, Designation.

Place.....

Dated the.....

FORM 5.

[See rules 53 (1), 55 (h), 57, 58, 58 (1), 61, 61 (1), 63, 64, 64 (2) & (3), 68 (7)]

COMBINED APPLICATION FORM FOR GENERAL PROVIDENT FUND FINAL CLOSURE AND PENSION

PART-I

FOR RETIREMENT / REVISION CASES ONLY

(To be sent in duplicate)

1. Name of the Government Employee (IN : CAPITAL LETTERS).
2. Father's Name / Husband's Name in : the case of Female Government Employee.
3. Designation with Selection Grade / : Special Grade.
4. Religion :
5. P.P.O. No. allotted by A.G's. Office. : [Applicable only for Revision Cases].
6. G.P.F. No. with Departmental Suffix. :

7. Date of Birth.

8. Date of Joining.

9. Date of Retirement.

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10. Present Residential Address with PIN : Code.

MOBILE No. :
11. Residential Address after Retirement : with PIN Code.
12. Place of Payment of Pension :
(a) Pension Pay Office
(b) District Treasury
(c) Sub-Treasury
13. Whether the Pension is proposed to be : commuted. Yes No
(Tick in appropriate place)?

If Yes, fraction proposed to be : Fraction : commuted.

¹ Form 5 substituted - G.O.Ms.No.455, Finance (Pension) Department, dated 15-09-2009.

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14. Are you in receipt of Military Pension? : Yes No

15. If Yes, P.P.O.No. and Treasury from which it is drawn may be furnished.

P.P.O.No.	
PPO / District Treasury / Sub-Treasury	

16. If you are in receipt of Military Pension, state whether you opt for Military Family Pension or Civil Family Pension. (Option once exercised is final.)

17. List of Family Members including Wife / Husband.

Sl. No.	Name (s)	Relationship	Marital Status	Date of Birth	Whether Handicapped / Mentally Retarded *

* Medical Certificate to be enclosed.

18. Name of Guardian in case of mentally retarded children.

DECLARATION

I hereby declare that I have neither applied for nor received any Pension or gratuity in respect of any portion of the service qualifying for this pension and in respect of which pension and gratuity are claimed herein nor shall I submit an application hereafter without quoting a reference to this application and the orders which may be passed thereon.

I do hereby declare to refund the pension or gratuity authorized by the Accountant General, Chennai, if afterwards found to be in excess of the amount to which I am entitled under the Rules.

I hereby certify to make good any loss caused to the Government by way of any overdrawal of pay, allowances, leave salary or other admitted obvious dues as a result of negligence or fraud on my part in service in the department in a lump sum or in suitable installments from my pension.

Place :

Date :

**Signature of Government
Employee with Date.**

PART-II**TO BE FILLED IN BY THE DEPARTMENTAL OFFICER**

1. A.G's Office Reference No. in which :
the proposals were returned with
objections earlier.
2. Date of Beginning of Service. :
3. Date of Ending of Service. :
4. Gross Qualifying Service. :
5. Non-Qualifying Service. :
6. Additional Qualifying Service under :
Rule 27 / Due to Voluntary
Retirement / Contingent Service /
Military Service.
7. Net Qualifying Service. :
8. Total Period of Military Service and :
Military Pension / Gratuity received.
(Details of remittance to be furnished
separately).
9. Scale of Pay :
10. Pay Last Drawn (Special Pay, Personal :
Pay drawn if any to be shown
separately)
11. Class of Pension applicable :
12. Whether any charges are pending :
against the Government Employee? If
so, furnish the details thereof.
13. Office served in the last three years. :
14. a. Drawing Officer for G.P.F. with Full :
Postal Address and PIN Code.
- b. Phone No. of the Office with STD :
Code.
- c. e-mail ID / FAX :
15. Treasury / PAO for G.P.F. :

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16. a. Drawing Officer for D.C.R.G. with :
Full Postal Address and PIN Code.
- b. Phone No. of the Office with STD :
Code.
- c. e-mail ID / FAX :
17. Treasury / PAO for D.C.R.G. :
18. Particulars of Last G.P.F. Deduction :
[Last 12 Months Details].

Pay for Month	GPF Sub- scription	Recovery / Refund	Total Amount of Cr. Schedule.	Date & Place of Payment.	Sub-Account of Account	Voucher No.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

19. Details of Temporary Advance / Part :
Final Withdrawal sanctioned in the last 12 months (If no debit is drawn in last 12 months, the details of last debit drawn should be specified).

Month	Amount	Voucher No.	Date of Payment
(1)	(2)	(3)	(4)

CERTIFICATE

It is certified that:

- All the particulars furnished above have been fully verified with reference to office records and are found correct.
- Advance / withdrawal from GPF was granted during the last 12 months as detailed in Column 18 above.
- No Charges are pending / Charges are pending against the individual. (Details furnished separately)[⊗]
- Provisional Pension not paid / Provisional Pension paid (Details furnished separately)[⊗]
- Conditions laid down in Rule 11(2) and Rule 11(3) of the Tamil Nadu Pension Rules, 1978 have been satisfied and the same has been recorded in Service Book.

[⊗] Strike out whichever is not applicable.

CHECK LIST / LIST OF ENCLOSURES

1. Service Book(s). [No. of Volumes] : [Enclosed / Not Enclosed]
2. Recent Joint Passport size Photo with :
Spouse, Specimen Signature / left hand
thumb impression (in the case of
illiterate) and Descriptive Roll of the
Government Employee, all in triplicate,
duly attested [furnished in the
Annexure].
3. Sanction order in respect of :
Non-Government Aided Educational
Institution cases and Missing
Employee.
4. In case of Teachers, :
Non-Employment/Re-employment
Certificate.
5. Copy of First Information Report in :
respect of Missing Employee.
6. Nomination for General Provident Fund :
(GPF).
7. Nomination for Death cum Retirement :
Gratuity (DCRG).
8. Nomination for Life Time Arrears of :
Pension
9. Nomination for Commutation of :
Pension (in duplicate).
10. Medical Certificate in original in Form :
23 as prescribed in Rule 36 of TNPR for
invalidation cases issued by Medical
Board.
11. Certificate of Medical Opinion of the :
Doctors for admitting Commuted Value
of Pension in the cases of Invalidation
and Compulsory Retirement cases.
12. Ratification Order of Government for :
waiving any shortfall in notice period
due to sanction of Extraordinary Leave
with / without Medical Certificate (in
respect of Voluntary Retirement cases).
13. Military Verification Certificate. :
14. Copy of the Chalan for refund of :
Gratuity received with Interest for
Military Service.

15. Copy of Proceedings issued in the case :
of Compulsory Retirement / Voluntary
Retirement / Invalidation cases.
16. Copy of Government Order imposing :
cut in Pension issued on completion of
Disciplinary Proceedings / Dropping the
Charges.
17. Copy of Adoption Deed, in case of :
adopted children.
18. Copy of Medical Certificate in the case :
of Mentally Retarded Children /
Handicapped Children.

Place :

Date :

**Signature of the Head of Office
/ Department with Seal.**

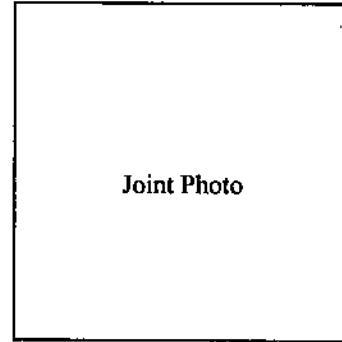
INSTRUCTIONS

1. Please send the application in **DUPLICATE**.
2. Please fill up all columns in capital letters.
3. Incomplete application will not be processed.
4. Annual Account Statement of GPF need not be sent.
5. Last Fund deduction particulars mean deduction to GPF before stopping recovery.
6. For arriving at the Commuted value of Pension, dated signature of the Government servant in Part I is compulsory.

ANNEXURE

(To be sent in triplicate)

1. Joint Passport size Photo of the Government Employee with spouse. (Name of the Government servant and spouse should be written).



Name of Government Employee :

Name of the Spouse :

Counter Signature of the Head of Office with Seal.

2. Specimen Signature / Left Hand ; 1.
Thumb impression in case of illiterate. 2.
3.

3. Descriptive Roll of Government ; 1.
Employee. [Personal Marks of Identification]. 2.
3.

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¹FORM 5-A

[see rule 48]

NOMINATION FOR LIFE TIME ARREARS OF PENSION

I, (Name of the Pensioner in Capital Letters), hereby nominate the person / persons named below under Rule 48 of Tamil Nadu Pension Rules, 1978.

Name and address of the nominee(s).	Relationship with the pensioner.	Date of Birth / Age	Name and address of other nominee in case the nominee under column (1) predeceases the pensioner.	Relationship with pensioner	Date of Birth / Age	Contingency on happening of which nomination shall become invalid.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

NOTE: If nominee / alternate nominee is minor, furnish the name and address of person who may receive the arrears of pension.

Place :
Date :

**Signature of the
Subscriber.**

Signature of two witnesses with
Name and Address:

- 1.
- 2.

-/ Countersigned /-

Signature of Head of Office.

Office Address:

²FORM 6.

[See rule 55(b) 58, 64 and 68 (7).]

FORM FOR SANCTIONING PENSIONS.

²[³FORM 7].

[See rule 57, 61 (1), 63, 64(2) and (3), 68 (7).]

FORM FOR ASSESSING PENSION / FAMILY PENSION / GRATUITY.

¹ Form 5-A inserted - G.O.Ms.No.455, Finance (Pension) Department, dated 15-09-2009.

² Form 6 and 7 deleted - G.O.Ms.No.455, Finance (Pension) Department, dated 15-09-2009.

³ Form 7 substituted - G.O.Ms.No.49, Finance (Pension) Department, dated 19-01-1996.

FORM 8.**FORM OF LETTER TO THE AUDIT OFFICER FORWARDING THE PENSION PAPERS OF A GOVERNMENT SERVANT.**

No.....

Government of Tamil Nadu

Department/ Office.....

Dated the

To

The Accountant – General

.....
.....
.....Subject: Pension papers of Thiru/Tmt/Selvi for
authorisation of pension.

-oOo-

Sir,

I am directed to forward herewith the pension papers of Thiru/ Tmt/ Selviof this Office/ Department for further necessary action.

2. The details of Government dues which will remain outstanding on the date of the retirements of Government servant which need to be recovered out of death-cum retirement gratuity are indicated below :-

(a)	Balance of the house building or Conveyance advances	Rs.
(b)	Overpayment of pay and allowance including leave salary	Rs.
(c)	Income- tax deductible at source under the Income – tax Act, 1961.	Rs.
(d)	Arrears of rent for occupation of Government accommodation	Rs.
(e)	Advance amount of rent for the retention of Government accommodation for the permissible period of occupation beyond the date of retirement or 25 per cent of death cum-retirement gratuity or Rs.2,000/- (Rupees Two Thousand only) whichever is less.	Rs.
(f)	Any other assessed dues and the nature thereof	Rs.
(g)	Amount of gratuity to be with-held for adjustment of unassessed dues, if any	Rs.

Total

Rs.

It is requested that the above mentioned dues may be recovered out of death-cum-retirement gratuity before authorising its payment.

3. Your attention is invited to the list of enclosures which is forwarded herewith.

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4. The receipt of this letter may be acknowledge and this Department/Office informed that necessary instructions for the disbursement of pension and death-cum-retirement gratuity have been issued to the disbursing officer concerned.

Yours faithfully,

Head of Office.

List of enclosures:

1. From 5*, ¹[Forms 6 and 7] duly completed.
2. Medical Certificate of incapacity (if the claim is for invalid pension).
3. Service Book (date of retirement to be indicated in the Service Book)
4. (a) Two specimen signatures, duly attested by the Head of office or in the case of pensioner not literate enough to sign his name, two slips bearing the left hand thumb and finger impressions duly attested by the Head of Office.
- ** (b) Three copies of passport size photograph with wife/husband (either jointly or separately) duly attested by the Head of Office.
- (c) Two Slips showing the particulars of height and identification marks, duly attested by the Head Office.
5. A statement indicating the reasons for delay in case the pension papers are not forwarded before six months of the retirement of Government servant.
6. Written statement, if any, of the Government servant as required under rule 62 of the Tamil Nadu Pension Rules, 1978.
7. Brief statement leading to the reinstatement of the Government servant in case the Government servant has been reinstated after having been suspended, compulsorily retired, removed or dismissed from service.

Explanation:- When initials or name of the Government servant are or is incorrectly given in the various records consulted that fact should mentioned in this letter.

* If a Government servant is compulsorily retired from service and delay is anticipated in obtaining Form 5 from the Government servant, the Head of Office may forward the pension papers to the Audit Officer, without Form 5. The Form may be sent as soon as it is obtained from the Government servant.

** Only two copies of passport size photograph need be furnished –

- (i) If the Government servant is governed by rule 49 of the Tamil Nadu Pension Rules, 1978 and is unmarried or a widower or a widow.
- (ii) if the Government servant is governed by rule 50 of the Tamil Nadu Pension Rules, 1978.

List of Enclosures.

1. From 6 Containing the orders of the pension sanctioning authority and Form 7 with details of service, etc.
2. Medical certificate for invalidation (if the claim is for invalid Pension).
3. Service Book.

¹ Form 6 and 7 omitted – G.O.Ms.No.455, Finance (Pension) Department, dated 15-09-2009.

4. Memorandum of average emoluments reckoning for Pension.
5. Last pay Certificate.
6. [(a) two specimen signatures duly attested by gazetted Government servant or in the case of pensioner not literate enough to sign his name, slips bearing the left hand thumb and finger impressions, duly attested by gazetted Government servant], and
 - ¹[(a) Two specimen signatures of the pensioner or slips bearing the left hand thumb and finger impressions in the case of pensioner who is not literate enough to sign his name, duly attested by Government servant in Group 'A' or by Government servant who is drawing time scale of pay, the minimum of which is Rs.1820/- and above, coming under Group 'B'.]
 - * (b) Three copies of passport size joint photograph with wife/ husband duly attested by the Head of Office.
 - (c) Two slips showing the particulars of height and identification marks duly attested.
7. Application for pension in Form 5
8. Explanation for delay, if any beyond one month from the date of retirement of the Government servant in forwarding Forms 6 and 7
9. When the fact of service in another Office, is not satisfactorily attested in the service book., duly certified abstract from the Head of Office.
10. Written statement if any, of the Government servant as required by rule 62 of the Tamil Nadu Pension Rules, 1978, duly admitted by the pension sanctioning authority.

¹ Form 8, after the Explanation, under the heading "List of Enclosures" in Sl.No.6, for item (a) substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

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FORM 9.

[See rule 71 (1)]

FORM OF SURETY BOND

In consideration of the Government of Tamil Nadu (hereinafter called the "Government" which expression shall include his successors in office and assigns) having agreed to settle the final accounts of Thiru / Thirumathi / Selvi..... without production of a "No Demand Certificate" from the Department in charge of Government accommodation, I hereby stand surety (which expression shall include my heirs, executors and administrators) for payment of the said of rent and other dues in respect of residence now allotted to him/her by the Government and also for any residence that may be allotted or that was allotted to the said..... from time to time by the Government. I, the surety, further agree and undertake to indemnify the Government against all loss and damage until delivery of vacant possession of the above said residence is made over to the Government.

I hereby also stand surety for any amounts that may be due by the said.....to the Government by way of over payment of pay, allowances, leave salary, advances for conveyance, house-building or other purposes, of any other dues.

The obligation undertaken by me shall not be discharged or in any way affected by an extension of time or any other indulgence granted by the Government in the said.....

This guarantee shall remain in force till,

- (i) the "No Demand Certificate" is issued by the Department in-charge of Government accommodation in favour of the said.....
- (ii) the Head of Office in which the said.....was last employed, and in case he/she drawing pay allowances on ¹[self drawing Government servants] bill forms the concerned Audit Officer has certified that nothing is now due to the Government from the said

The stamp duty on this instrument shall be born by the Government.

Signature of surety.

Signed and delivered by the said surety atthisday ofin the presence of:

1. Signature

Address and occupation of witness

2. Signature

Address and occupation of witness

Certified that Thiru \Thirumathi is a Permanent Government servant and he/she shall not attain the age of superannuation within two years from the date he/she stands surety.

**Signature of the Head of Department or Office in
which the surety is employed.**

This bond is hereby accepted.

**(Signature and designation for and on behalf of
Governor of Tamil Nadu)**

¹ Form 9, for the words "Gazetted Government servants", the words "self drawing Government servants" substituted - G.O.Ms.No.118, Finance (Pension) Department, dated 14-03-1997.

FORM 10.

{(see rules 72 (3) and 74 (2))}

FORM OF LETTER TO THE MEMBERS OF THE FAMILY OF A DECEASED GOVERNMENT SERVANT WHERE VALID NOMINATION FOR THE GRANT OF THE DEATH-cum-RETIREMENT GRATUITY EXISTS.

No.....

Government of Tamil Nadu

Department/ Office.....

Dated the

To

The Accountant – General

.....
.....
.....

Subject: Payment of death cum-retirement gratuity/in respect of the late Thiru / Thirumathi

-oOo-

Sir/Madam,

I am directed to state that in terms of the nomination made by the late Thiru / Thirumathi (Designation) in the Office/ Department a death-cum retirement gratuity is payable to his her nominee(s). A Copy of the said nomination is enclosed herewith.

2. I am to request that a claim for the grant of the gratuity may be submitted by you in the enclosed Form 12.

3. Should any contingency have happened since the date of making the nomination, so as to render the nomination invalid, in whole or in part precise details of the contingency may kindly be started.

Yours faithfully,

Head of Office/Audit Officer.

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FORM 11.

[See rules 72 (3) and 74 (2)]

**FORM OF LETTER TO THE MEMBER OR MEMBERS OF THE FAMILY OF A
DECEASED GOVERNMENT SERVANT WHERE VALID NOMINATION FOR THE
GRANT OF THE DEATH-cum-RETIREMENT GRATUITY DOES NOT EXIST.**

No.....
Government of Tamil Nadu
Department/ Office.....
Dated the

To

The Accountant – General

.....
.....

Subject : Payment of death-cum-retirement gratuity in respect of the
Thiru/Thirumathi _____.

-oOo-

Sir/Madam,

I am directed to say that in terms of rule 45 of the Tamil Nadu Pension Rules, 1978, a death-cum-retirement gratuity is payable to the following members of the family of late Thiru/Thirumathi _____ (Designation), in the _____ Office/Department in equal shares:-

- | | |
|---------------------------|--|
| (i) Wife/Husband | } [including step children,
adopted children and children
born through illegitimate wife.] |
| (ii) Sons | |
| (iii) Unmarried daughters | |

2. In the event of there being no surviving member of the family as indicated above, the gratuity will be payable to the following members of the family in equal shares:-

- | | |
|---|--|
| (i) Widowed daughters including step daughters and adopted daughters. | } Including adoptive parents in case of individuals whose personal law permits adoption. |
| (ii) Father | |
| (iii) Mother | |
| (iv) Brothers below the age of eighteen years and unmarried and widowed sisters including step brothers and step sisters. | |
| (v) Married daughters, and | |
| (vi) Children of a pre-deceased son. | |

3. It is requested that a claim for the payment of gratuity may be submitted in the enclosed form 12 as soon as possible.

Yours faithfully,
Head of Office/Audit Officer.

1 Form 11 for the words "including step children and adopted children", the words "including step children, adopted children and children born through illegitimate wife" added - G.O.Ms.No.602, Finance (Pension) Department, dated 13-09-1996 with effect from 1st January 1979.

FORM 12.*[See rules 72 (3) and 74 (2)].***FORM OF APPLICATION FOR THE GRANT OF DEATH-cum-RETIREMENT
GRATUITY ON THE DEATH OF A GOVERNMENT SERVANT.***(To be filled in separately by each claimant and in case the claimant is minor, the Form should be filled in by the guardian on his/her behalf. Where there are more than one minor the guardian should claim gratuity in one Form on their behalf.)*

1. (i) Name of the claimant in case he is not minor. :
- (ii) Date of Birth of the claimant. :
2. (i) Name of the guardian in case applicant are minor. :
- (ii) Date of death of guardian. :
3. (i) Name of the deceased Government servant in respect of whom gratuity is being claimed. :
- (ii) Date of death of Government servant. :
- (iii) Office / Department in which the deceased served last. :
4. Relationship of the claimant guardian with the deceased Government servant. :
5. Full postal address of the claimant/guardian. :
6. (i) where gratuity is claimed by the guardian on behalf of minor the name of the minor, age, relationship with the deceased Government servant, etc.

Serial Number	Name	Age	Relationship with the deceased Government servant	Postal address
(1)	(2)	(3)	(4)	(5)

- (ii) Relationship of the guardian with minor. :
7. Name of the Treasury or Sub-Treasury at which Payment is desired. :

**Signature / Thumb impression of the
claimant / guardian.**

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8. Two specimen signatures or *left hand thumb and finger impression of the claimant / guardian duly attested. [To be furnished in a separate sheet]

14. @ Attested by:

<i>Name</i>	<i>Full Address</i>	<i>Signature</i>
(1)	(2)	(3)

(i)

(ii)

15. Witnesses:

(i)

(ii)

* To be furnished in case the applicant is not literate enough to sign his name.

@ Attestation should be done by two gazetted Government servants or by two or more persons of respectability in the town or village in which the applicant resides.

FORM 13.

[See rule 72(4) and 74(3)]

**FORM OF LETTER TO THE WIDOW /WIDOWER OF A DECEASED
GOVERNMENT SERVANT FOR GRANT OF [CONTRIBUTORY] FAMILY
PENSION.**

No.....
Government of Tamil Nadu
Department/ Office.....
Dated the

To

Thiru / Thirumathi
.....
.....

Sir/Madam,

I am directed to say that in terms of rule 49 of the Tamil Nadu Pension Rule., 1978, a
[***] family pension is payable to you as widow / widower of the late Thiru /
Thirumathi..... (Designation) in the Office / Department of
.....

2. You are advised that a claim for the grant of [contributory] family pension may be
submitted in the enclosed Form 14.

3. The [***] family pension will be payable till your death or re-marriage whichever
event occurs earlier. In the event of your death or remarriage, the [contributory] family
pension shall be granted to the child or children, if any, through the guardian.

Yours faithfully,
Head of Office/ Audit Officer.

¹ Form 13, the word "contributory" wherever it occurs omitted - G.O.Ms.No.615, Finance (Pension)
Department, dated 21-07-1995 with effect from 1st January 1979.

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FORM 14.

[See rules 72 (4), 74 (3) and 76 (2)]

FORM OF APPLICATION FOR THE GRANT OF FAMILY PENSION ON THE DEATH OF GOVERNMENT SERVANT / PENSIONER.

1. Name of the Applicant :
 (i) Widow / Widower :
 (ii) Guardian if the deceased :
 Government Servant / Pensioner is
 survived by Minor child
2. Name and Age of surviving widow / :
 widower and children of the deceased
 Government servant / Pensioner

Serial Number	Name	Relationship with deceased person	Date of Birth by Christian Era
(1)	(2)	(3)	(4)
1.			
2.			
3.			
4.			
5.			

3. Name of the deceased Government Servant / :
 Pensioner
4. Pension Pay Order No. of the deceased :
 Pensioner, if any
5. Date of death of the deceased Government
 Servant / Pensioner
6. Office / Department in which deceased :
 Government Servant / Pensioner served last.
 In the case of Educational Institution
 whether it is Government / Aided /
 Panchayat / Municipal School and the
 District in which the Institution falls may
 also be stated.
7. If the applicant is guardian, his date of birth :
 and relationship with the deceased
 Government Servant / Pensioner
8. (i) If the applicant is widow / widower, the :
 details of the amount of service pension
 if any which she / he may be in receipt
 on the date of death of the husband /
 wife.
 (ii) If the widow / widower or the son / :
 daughter is employed, the details of
 such employment

9. Full address of the Applicant :
10. Name of the Treasury or Sub-Treasury at which payment desired :
11. Indicate whether Family Pension is admissible from any other source (Military / Government of India / Local Body) :
12. Signature of left hand thumb impression of the applicant :
13. Enclosures :
- (i) Two specimen signatures of the applicant, duly attested (to be furnished in two separate sheets) :
 - (ii) Two copies of passport size photograph of the applicant duly attested. :
 - (iii) Two slips each bearing left hand thumb and finger impressions of the applicant duly attested. :
 - (iv) Descriptive Roll of the applicant, duly attested, indicating (a) height and (b) personal marks, if any, on the hand, face, etc. (To be furnished in duplicate.) :
 - (v) Certificate (s) of age (in original with two attested copies) showing the dates of birth of the children. The certificate should be from the Municipal Authorities or from the Local Panchayat or from the Head of a recognized school if the child is studying in such school. :

14. Attested by:

<i>Name</i>	<i>Full Address</i>	<i>Signature</i>
(1)	(2)	(3)

- (i)
- (ii)

15. Witnesses:

- (i)
- (ii)

NOTES.-

1. Proof for Death (Original or attested copy) should be attached:
2. Heirship Certificate (original or attested copy) issued by Tahsildar or Court of Law should be furnished in all cases of claim for family pension except in the cases where Joint Pension Payment Orders have already been issued.]
3. Where claim is made by guardian, a guardianship certificate issued by Court of Law should be furnished.

¹ Form 14, under the heading "Notes", item 2. "Heirship Certificate (original or attested copy) issued by Tahsildar / Court of Law should be furnished" substituted - G.O.Ms.No.31, Finance (Pension) Department, dated 09th January 1996.

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4. In case of claim by a widow who happened to be the second wife of the deceased, the information whether the first wife is alive or not, whether the second marriage had taken place after the demise of the first wife, whether the children are through the first wife or second wife etc. should be furnished against column 2.

[5. In case where a Passport size of Joint Photograph of the pensioner with wife or husband, as the case may be, is already available, there is no need to obtain the photograph of the wife or husband, as the case may be, again while applying for family pension on the death of the pensioner.]

(X) To be furnished in case the applicant is not literate enough to sign his name.

(Y) Attestation should be done by one gazetted Government Servant or one or more persons of responsibility in the town or village in which the applicant resides.

[Form 14 substituted – G.O.Ms.No.830, Finance (Pension) Department, dated 03-12-1993.]

¹ Form 14, under the heading "Notes", after item 4, item 5 added – G.O.Ms.No.838, Finance (Pension) Department, dated 07th October 1994 with effect from 03rd December 1993.

FORM 15.

[See rules 72 (5) and 74 (4)]

**FORM OF LETTER TO THE MEMBER OF THE FAMILY OF A DECEASED
GOVERNMENT SERVANT WHERE VALID NOMINATION FOR THE GRANT OF
NON-CONTRIBUTORY FAMILY PENSION EXISTS**

No.....

Government of Tamil Nadu

Department/ Office.....

Dated the

To

.....
.....
.....

Sir/Madam,

Subject : Payment of Non-contributory Family Pension in respect of
late Thiru/Thirumathi _____.

-oOo-

I am directed to state that in terms of nomination made by the late Thiru/ Thirumathi
..... (Designation) in the Office / Department of
..... a non-contributory family pension is payable to you as his/her
nominee.

2. I am accordingly to suggest that a claim for the grant of non-contributory family
pension may be submitted by you in the enclosed Form 17.

3. Should any contingency have happened since the date of making the nomination,
so as to render the nomination invalid precise details of contingency may kindly be stated .

Yours faithfully,

Head of Office/Audit Office.

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FORM 16.

[See rules 72(3) and 74(4)]

**FORM OF THE LETTER TO THE MEMBER OR THE FAMILY OF A DECEASED
GOVERNMENT SERVANT WHERE VALID NOMINATION FOR THE GRANT OF
NON CONTRIBUTORY FAMILY PENSION DOES NOT EXIST.**

To

.....

Sir/Madam,

Subject: Payment of non-contributory family pension in respect of late
 Thiru / Thirumathi

-oOo-

I am directed to state that in terms of rule 50 of the Tamil Nadu pension Rules, 1978 a non-contributory family pension is payable to the family of the late Thiru/Thirumathi Designation in the Office/Department of a as follows:-

- (a) (i) to the eldest surviving widow or to the husband
- (ii) failing widow/husband to the eldest surviving son;
- (iii) failing (i) and (ii) above, to the eldest surviving unmarried daughter;
and
- (iv) these failing to the eldest surviving widowed daughter ; and
- (b) if there are no surviving members of the family as at clause (a) above.
 - (i) to the father;
 - (ii) failing the father and the mother;
 - (iii) failing the father and mother, to the eldest surviving brother below
eighteen years of age;
 - (iv) failing (i), (ii) and (iii) above to the eldest surviving unmarried sister;
and
 - (v) failing the above , to the eldest surviving widowed sister,
- (c) No non-contributory family pension is payable to a person mentioned in clause (b) above without production of reasonable proof that such person was dependent on the deceased for support.

2. I am to suggest that a claim for the non-contributory family pension may be submitted in the enclosed Form 17, as soon as possible. If you have a prior claim to it in accordance with gradation given above, you are requested to furnish an affidavit to the effect that there is no other surviving member of the family of Thiru/Thirumathi ranking above you in the order given in the first paragraph. If in the light of the above gradation, you have no prior claim to the non-contributory family pension, you are requested to intimate this Office/Department the name, address and relationship with the deceased, the person who according to your knowledge has a prior claim to the non-contributory family pension. Any false information given or declaration made by you in this connection will render you liable to legal action.

Yours faithfully,

Head of Office / Audit Officer.

FORM 17.*[see rules 72 (4), 74 (3) and 76 (2)]***COMBINED APPLICATION FOR GENERAL PROVIDENT FUND
FINAL CLOSURE AND FAMILY PENSION****PART-I****FOR DEATH WHILE IN SERVICE / EXTENSION OF FAMILY PENSION CASES
(To be sent in duplicate)**

1. Name of the Government :
Employee (IN CAPITAL LETTERS).

Designation and Department. :
2. Date of Death. :
3. Date of Retirement in case of :
death after retirement. :
4. Name of the Applicant / :
Guardian in case of minor. :
5. Relationship of Applicant / :
Minor with Government
Employee. :
6. Religion. :
7. Date of Birth in case of Minor :
with proof. :
8. P.P.O. No. allotted by A.G's. :
Office (applicable only for
revision cases) :
9. G.P.F. No. with Departmental :
Suffix. :
10. Residential Address with PIN :
Code. :

MOBILE No. :
11. Place of Payment of Pension :
(a) Pension Pay Office.
(b) District Treasury.
(c) Sub-Treasury. :
12. Are you in receipt of Family :
Pension from any other source? Yes No

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13. If Yes, P.P.O. No. and Treasury :
from which it is drawn may be
furnished.

P.P.O.No.	
PPO / District Treasury / Sub-Treasury	

14. List of Family Members. :

Sl. No.	Name (s)	Relationship	Marital Status	Date of Birth	Whether Handicapped / Mentally Retarded*

* Medical Certificate to be enclosed.

15. Name of Guardian in case of :
mentally retarded children.
16. Death Certificate / :
Legal Heir ship Certificate / :
Proof of Date of Birth in case of :
minor children. (Enclose :
separately.)
17. If the applicant is second wife, :
Date of Marriage with proof and :
Details of first wife and children :
born through both wives may be :
furnished. [Copy of Death :
Certificate / Court Orders for :
divorcing the first wife, as the :
case may be, to be furnished]

Place :

Date :

Signature of the Applicant / Guardian.

PART-II**TO BE FILLED IN BY THE DEPARTMENTAL OFFICER**

1. A.G's Office Reference No. in which :
the proposals were returned with
objections earlier.
2. Date of Beginning of Service. :
3. Date of Ending of Service. :
4. Gross Qualifying Service. :
5. Additional Qualifying Service due :
to Contingent Service.
6. Non-Qualifying Service. :
7. Net Qualifying Service. :
8. Scale of Pay :
9. Pay Last Drawn (Special Pay, :
Personal Pay drawn if any to be
shown separately).
10. Office served in the last three years. :

11. Has the Subscriber filed any : Yes No
nomination for G.P.F.?

If YES, enclose the same in Original :
or Attested Copy.
12. a. Drawing Officer for G.P.F. with :
Full Postal Address and PIN
Code.

b. Phone No. of the Office with STD :
Code.

c. E-mail ID / FAX :
13. Treasury / PAO for G.P.F. :

14. a. Drawing Officer for D.C.R.G. :
with Full Postal Address and
PIN Code.

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- b. Phone No. of the Office with STD :
Code.
- c. E-mails ID / FAX. :
15. Treasury / PAO for D.C.R.G. :
16. Details of Temporary Advance /
Part Final Withdrawal sanctioned in
the last 12 months (If no debit is
drawn in last 12 months, the details
of last debit drawn should be
specified).

Month	Amount.	Voucher No.	Date of Payment

CERTIFICATE

It is certified that:

1. All the particulars furnished above have been fully verified with reference to office records and are found correct.
2. Advance / withdrawal from GPF was granted during the last 12 months as detailed in Column 16 above.
3. Provisional Pension has been / has not been paid (Details furnished separately)®
4. Conditions laid down in Rule 11(2) and Rule 11(3) of the Tamil Nadu Pension Rules, 1978 have been satisfied and the same has been recorded in Service Book.

® *Strike out whichever is not applicable.*

CHECK LIST / LIST OF ENCLOSURES

1. Service Book(s). [No. of Volumes] : [Enclosed / Not Enclosed]
2. Recent Passport size Photo, Specimen Signature / left hand thumb impression (in the case of illiterate) and Descriptive Roll of the claimant, all in triplicate, duly attested. (furnished in the Annexure).
3. Attested copy of Legal Heir Certificate and Death Certificate.
4. Proof of Date of Birth in the case of children.
5. Dependency Certificate from the claimant in case of parent.
6. Income Certificate issued by Revenue Authorities.
7. Non-remarriage Certificate duly countersigned by any Gazetted Officer.
8. Sanction order in respect of Non-Government Aided Educational Institution cases and Missing Employee / Pensioner cases..
9. Guardianship Certificate issued by Court of Law, if payments is to be authorized through Guardian on behalf of minor / mentally retarded children.
10. Medical Certificate issued by Senior Civil Surgeon of the same discipline where payment is to be authorized to physically handicapped children.
11. Copy of First Information Report in respect of missing employee / pensioner cases.
12. Nomination for GPF /DCRG
13. Death Certificate of first wife or copy of Court Orders for divorce.
14. Copy of Adoption Deed in case of adopted children.

15. Copy of Medical Certificate in the :
case of Mentally Retarded
Children.

Place :

Date :

**Signature of the Head of Office /
Department with Seal.**

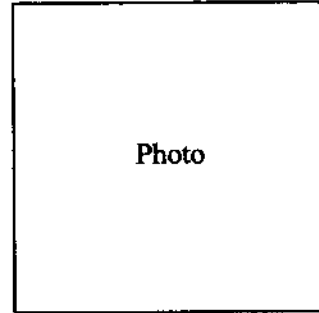
INSTRUCTIONS

1. Please send the application in **DUPLICATE**.
2. Please fill up all items in capital letters.
3. Incomplete application will not be processed.
4. Annual Account Statement of GPF need not be sent.
5. Last Fund deduction particulars mean deduction to GPF before stopping recovery.

ANNEXURE

(To be sent in Triplicate)

1. Passport size Photo of the :
Applicant / Guardian in case of
minor with Name.



Name of Applicant. :

Name of Guardian in case of :
minor.

**Counter Signature of the Head of
Office with Seal.**

2. Specimen Signature / Left hand : 1.
thumb impression of the
applicant / guardian. 2.

3.

3. Descriptive Roll of Applicant / : 1.
Guardian. [Personal Marks of
Identification]. 2.

3.

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FORM 18.

[See rules 72 (6) and (7), 74 (6) and (7) and 75 (6)]

**FORM FOR ASSESSING AND SANCTIONING FAMILY PENSION AND
DEATH-CUM-RETIREMENT GRATUITY WHEN A GOVERNMENT SERVANT
DIES WHILE IN SERVICE.**

(To be sent in duplicate if the payment is desired in a different circle of audit.)

PART I

1. Name of the deceased Government servant. :
2. Father's Name :
(and also husband's name in the case of female Government servant.)
3. Date of birth (by Christian era) :
4. Date of death (by Christian era) :
5. Religion and Nationality. :
6. Office/Department in which last employed. :
7. Appointment held last- :
 - (i) Substantive :
 - (ii) Officiating :
8. Date of beginning of service. :
9. Date of ending of service. :
 - (i) Total period of military service for which pension/gratuity was sanctioned. :
 - (ii) Amount and nature of any pension/gratuity received for the military service. :
11. Amount and nature of any pension received for previous civil service, if any. :
12. Government under which service has been rendered in order of employment. :
13. Interruption and non-qualifying service. :
14. Length of qualifying service. :
15. Emolument reckoning for gratuity. :
16. Proposed death-cum-retirement Gratuity.
17. Whether nomination made for - :
 - (i) Death-cum retirement gratuity. :
 - (ii) Non-contributory family pension if applicable. :

18. If non-contributory family pension applies and the Government servants had rendered more than ten years qualifying service –
- (i) "Average Emoluments" for pension, if the Government servant had retired on the date following the date of his death. :
 - (ii) Proposed Pension. :
 - (iii) Proposed non-contributory Family Pension. :
 - (iv) Period of tenability of non-contributory Family Pension. :
19. If ¹[***] family pension applies –
- (i) Proposed [***] Family Pension. :
 - (ii) Period of tenability of [***] Family Pension. : From _____ To _____
20. ²[Persons to whom Family Pension (contributory or non-contributory) is payable.]
- (i) Name :
 - (ii) Relationship with the deceased Government servant. :
 - (iii) Full Postal Address. :
21. Persons to whom death-cum-retirement gratuity is payable.

Serial Number	Name	Amount of the Share of the DCRG	Relationship with the deceased.	Full Postal Address
(1)	(2)	(3)	(4)	(5)
1.				
2.				
3.				
4.				
5.				

22. Name of the guardian who will receive payment of family pension and death-cum-retirement gratuity in the case of minor(s). :

¹ Form 18, Sl.No.19(ii), the word "contributory" omitted - G.O.Ms.No.615, Finance (Pension) Department, dated 21-07-1995 with effect from 1st January 1979.

² Form 18, for the Sl.No.20. "Persons to whom family pension (contributory or non-contributory) is payable.", the following substituted "Persons to whom family pension or non-contributory family pension is payable." - G.O.Ms.No.615, Finance (Pension) Department, dated 21-07-1995 with effect from 1st January 1979.

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23. Government dues, if any, outstanding :
against the deceased Government servant.
24. Head of Account to which family :
pension and death-cum-retirement gratuity are debatable.
25. Name of the Treasury or Sub-Treasury where the payment of family pension and death cum-retirement gratuity is desired.

Signature of the Head of Office /
Audit Officer.

Dated the

Place

PART II
SECTION I

Details of service (showing interruption) of the late Thiru/Thirumathi/Selvi

Date of Birth

Date of Death

Establishment	Appointment	Officiating / Substantive	Date of service	Date of ending or service.	Period reckoning as service.	Period not reckoning as service.	Total Period of service.	Remarks by the Audit Officer.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
			Y.M.D.		Y.M.D.			

SECTION II.

(To be filled if non-contributory family pension is admissible.)

***Emolument drawn during the last ten months.**

Name	From	To	Pay	Personal Pay	Special Pay
Average Emoluments					

* In a case when the last ten months include some period not to be reckoned for calculating average emoluments an equal period backwards has to be for calculating the average emoluments.