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Simplification of procedures to
eliminate delays in the payment
of Superannuation pension and
death cum retirement gratuity
Adjustment of Government dues.

GOVERNMENT OF MAHARASHTRA
Public Works and Housing Department
Circular No. RLF-1080/7669/170/Desk-26,
Mantralaya, Bombay-400 032, dated 6th September 1980.

CIRCULAR OF GOVERNMENT

With a view to ensuring that the payments of pensions in all cases commence on the 1st of the month in which they are due. Government has comprehensively revised the existing procedure for the authorisation and payment of pensions and gratuities. The revised procedure is contained in Government Resolution, Finance Department, No. PEN-1079/CR-1727/A/SER-4, dated the 28th March 1980. Attention of the Executive Engineers of Public Works Divisions is particularly invited to paragraph 10 of the said Government Resolution regarding adjustments of Government dues and the revised procedure for issue of No Demand Certificate by the Executive Engineer concerned in respect of occupation of Government Accommodation which is reproduced below for ready information.

"10. Adjustment of Government dues (a) Dues pertaining to Government accommodation. The revised procedure for issue of No Demand Certificate by the Executive Engineers concerned and the adjustment of dues pertaining to continued occupation of Govt. accommodation after retirement shall be as under :-

(i) The Head of Office will write to the Executive Engineer concerned at least two years before the anticipated date of retirement of a Government Servant who is in occupation of a Govt. accommodation for issue of "No Demand Certificate".

(ii) The Executive Engineer concerned will scrutinize his records and inform the Head of Office eight months before the date of retirement of the Govt. Servant if any outstanding dues were recoverable from the Govt. Servant on that date for the occupation of Govt. accommodation in respect of any period prior to that date. If no intimation regarding outstanding dues is received by the Head of Office, the presumption would be that nothing was recoverable from the Govt. servant in respect of any past period and issue of final pension payment order and order for payment of gratuity shall not be delayed on this account.

(iii) The Head of Office shall ensure that licence fee for the next eight months i.e., upto the date of retirement is recovered every month from the pay and allowances of the Govt. Servant.

(iv) Where the Executive Engineer concerned intimates the amount of Govt. dues recoverable in respect of any period mentioned at (ii) above, the Head of Office shall ensure that the dues are recovered out of the gratuity before its payment is authorized.

(v) A Govt. servant is eligible to retain Govt. accommodation for the permissible period of the one month beyond the date of his retirement on the payment of usual licence fee as he was paying before retirement. The Executive Engineer concerned will also intimate to the Head of Office of the amount of licence fee in respect of the said permissible period of the month which shall be recovered from the amount of death-cum retirement gratuity together with the dues intimated under (iv) above.

The above procedure has been prescribed so that finalization of a pension case is not delayed on account of non-receipt of "No Demand Certificate" from the Executive Engineer concerned. The Head of Office shall in no case overlook the requirement of writing to the Executive Engineer concerned for the issue of "No Demand Certificate" at least two years of the anticipated date of retirement of the Govt. servant who is in occupation of Govt. accommodation.

(b) Dues other than those pertaining to Govt. accommodation

In respect of other Govt. dues steps should be taken to ascertain or assess the outstanding dues when the processing of pension papers is taken up two years prior to the retirement date. As the next stage of the actual preparation of pension papers is reached only after a year and four months there is ample time for ascertaining all kinds of Govt. dues. Once that stage is reached i.e. eight months before the retirement of the Govt. servant, any further probing of records for recoveries due shall cover only a limited period i.e. not more than two years before the date of retirement. It should thus be quite possible for the Head of Office, or the Audit Office which is to issue the Pension Payment Order, as the case may be, to ascertain or assess all the dues, particularly those pertaining to long term advances such as house building or conveyance advances, over-payments of pay and allowances and such other dues, prior to the prescribed deadline for the issue of the Pension Payment/Gratuity payment Orders or the Provisional Pension/Gratuity Order. The pension papers should clearly indicate the total amount of outstanding dues which should be recovered out of the death-cum retirement gratuity before authority for the payment of gratuity (whether final or provisional) is issued; and if, after the pension papers have been transmitted to the Audit Office responsible for issuing the Pension Payment Order, additional recoveries to be made from the gratuity come to notice, the fact shall be promptly reported to that office. In a case where no major recoveries are due, but 10 per cent of the gratuity or Rs. 1,000 has been withheld because there might be unassessed Govt. dues, or because the gratuity has been provisionally paid as per paragraph 8(a) above or because Last Pay Certificate has not been received (see paragraph 9 above), the withheld amount shall automatically become payable on the expiry of the six months after retirement. The Head of office (or the Audit Office issuing the pension and gratuity payment orders) shall indicate in the orders granting a provisional gratuity (or the final Gratuity) Payment Order itself the amount of gratuity withheld and add further that the withheld amount shall be released by the Office disbursing the pension without further instructions on the expiry of the period of six months from the date of retirement, unless instructions for the recovery of a specified sum or sums from the withheld amount are issued within the aforesaid period."

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It is quite essential to adhere to the time limit prescribed in the said instructions in order to avoid any complications/difficulties in regard to recovery of Govt. dues in future. The Executive Engineer should therefore, see that the instructions are followed scrupulously.

Receipt of this Circular should be acknowledged.

By order and in the name of the Governor of Maharashtra,

S.S. CHITNIS,
Assistant Secretary to Government.

No. RLF-1080/7669/170/Desk-28

Public Works and Housing
Department, Mantralaya,
Bombay-400 032.
10th September, 1980.

No. AC-336/CR-1765/A-3/80
Pune, date 29-11-80.

Copy f.w. as to the Dy. Director of Land Records, Pune/
Bombay/Aurangabad/Nagpur for information and necessary action.

Summary
Desk Officer A-3,
to Settlement Commissioner &
Director of Land Records, Pune.

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Copy to Desk Officer A-1/2/3, E-1 to 5/R.K./Hand file A-3

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K.W.P.C

AS/for
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