

CHAPTER - I

PRELIMINARY

1. Short title and commencement :

- (1) This Scheme may be called the Life Insurance Corporation of India (Regular Part-Time Employees) Pension Scheme, 1999.
- (2) This Scheme shall be deemed to have come into force on the 1st day of November, 1993, save as otherwise expressly provided in the Scheme.

2. Definitions._

In this Scheme, unless the context otherwise requires -

- (a) "actuary" means actuary appointed by the Trustees of the Fund and shall have the meaning assigned to it in Clause (1) of Section 2 of the Insurance Act, 1938 (4 of 1938).
- (b) "average emoluments" means the average of the pay drawn by an employee during the last 18 months of his service.
- (c) "Appendix" means an Appendix annexed to this scheme.
- (d) "child" means a child of the employee who if a son, is under 25 years of age and if a daughter, is unmarried and is under 25 years of age including minor son or daughter adopted legally and the expression children shall be construed accordingly.
- (e) "Competent Authority" means the Appointing Authority as prescribed in Appendix I to this scheme.
- (f) "contribution" means any sum credited by the Corporation on behalf of an employee to the Fund, but shall not include any sum credited as interest.
- (g) "corporation" means the Life Insurance Corporation of India established under Section 3 of the Life Insurance Act, 1956 (31 of 1956).
- (h) "date of retirement" means the last day of the month in which employee attains the age of superannuation or the date on which he is retired by the Corporation, or the date on which the employee voluntarily retires.
- (i) "employee" means any person employed in the service of the Corporation for regular part-time work on permanent basis and who has been contributing to the Provident Fund and who opts and is governed by this scheme.
- (j) "family" in relation to an employee means:
 - (i) wife in the case of a male employee or husband in the case of a female employee.
 - (ii) a judicially separated, wife or husband, such separation not being granted on the ground of adultery and the person surviving was not held guilty of committing adultery;

- (iii) son who has not attained the age of twenty five years and unmarried daughter who has not attained the age of twenty five years, including such son or daughter adopted legally.
- (k) "financial year" means a year commencing on the 1st day of April.
- (l) "fund" means the Life Insurance Corporation of India, (Regular Part-Time Employees') Pension Fund, constituted as per Chapter III.
- (m) "Scheme date" means the date on which this scheme is circulated.
- (n) "pay" includes,-
- i) the basic pay including the stagnation increments, if any, and
 - ii) all allowances counted for the purpose of making contribution to the Provident Fund and for the payment of dearness allowance; and
 - iii) fixed personal allowance not exceeding the last increment in the scale of pay, if any and

Provided that for the purpose of calculating average emoluments, as defined under sub-para (b) of para 2, in respect of employees whose ten months period before retirement falls partly under pre-revised pay scales and partly under the revised pay scales, the pay for the period in which they have drawn pay as per pre-revised scales may be updated by including the dearness allowance actually drawn by them or the dearness allowance upto the AICPI to which the revised basic pay is pegged, whichever is less.

- (o) "pension" means only the basic pension.
- (p) "pensioner" means a regular part-time employee eligible for pension under this Scheme;
- (q) "qualifying service" means the service rendered w.e.f. 1.1.82 as determined in accordance with Appendix II of this scheme.
- (r) "retirement" means
- i) retirement in accordance with the instruction issued by the Corporation from time to time with regard to regular part time employees.
 - ii) voluntary retirement in accordance with the provisions contained in this scheme.
- (s) "service" means the number of years spent on duty and leave including extra ordinary leave by the regular part time employee.
- (t) "trust" means the Trust of LIC of India, (Regular Part Time Employees') Pension Fund, constituted as per Chapter III of this Scheme.

- (u) "trustees" means the Trustees of Life Insurance Corporation of India, (Regular Part Time Employees') Pension Fund, constituted as per Chapter III of this scheme.
- (v) "trustees of the Provident Fund" means the Trustees of the Provident Fund of the Corporation.
- (w) all other words and expressions used in these Instructions but not defined, shall carry the ordinary grammatical/dictionary meaning, unless repugnant to the context and in case of any dispute, the matter shall be put up to the Chairman, and his decision shall be final.

APPLICATION AND ELIGIBILITY

3. Application...

This scheme shall apply to regular part-time employees who,-

- (1) (a) were in the part-time service of the Corporation on or after the 31st day of December, 1991 but had retired before the 1st day of November, 1993; and
- (b) exercise an option in writing within ninety days from the scheme date to become members of the Fund; and
- (c) refund within one hundred and twenty days after the expiry of the said period of ninety days specified in clause (b), the entire amount of the Corporation's contribution to the Provident Fund including interest accrued thereon together with a further simple interest at the rate of six per cent. per annum on the said amount from the date of settlement of the Provident Fund account till the date of refund of the aforesaid amount to the Corporation; or
- (2) (a) have retired on or after the 1st day of November, 1993 but before the scheme date and;
- (b) exercise an option in writing within ninety days from the scheme date to become member of the Fund; and
- (c) refund within one hundred and twenty days after the expiry of the said period of ninety days specified in clause (b), the entire amount of the Corporation's contribution to the Provident Fund and interest accrued thereon together with a further simple interest at the rate of twelve per cent. per annum on the said amount from the date of settlement of the Provident Fund account till the date of refund of the aforesaid amount to the Corporation; or
- (3) (a) were in the regular part-time service of the Corporation before Scheme date and continue to be in the regular part-time service of the Corporation on or after the scheme date;
- (b) exercise an option in writing within ninety days from the scheme date to become member of the Fund; and
- (c) authorise the trust of the Provident Fund to transfer the entire contribution of the Corporation to their Provident Fund alongwith the interest accrued thereon to the credit of the Fund constituted under para 5 or

- (4) join the regular part-time service of the Corporation on or after the scheme date; and
- (5) were in the regular part-time service of the Corporation during any time on or after the 1st day of November, 1993 and had died after retirement but before the scheme date, their family shall be entitled for the amount of pension payable to them from the date on which they would have been entitled to pension under this scheme had they been alive till the date on which they died, if the family of the deceased-

(a) exercise an option in writing within ninety days from the scheme date to become member of the Fund; and

(b) refund within one hundred and twenty days after the expiry of the said period of ninety days specified in clause (a) above, the entire amount of the Corporation's contribution to the Provident Fund and interest accrued thereon together with a further simple interest at the rate of twelve per cent per annum from the date of settlement of the Provident Fund account till the date of refund of the aforesaid amount to the Corporation; or

- (6) joined the regular part-time service of the Corporation on or after the 1st day of November, 1993 but who have died while in the part-time service of the Corporation before the scheme date, their family shall be entitled to the family pension under this scheme:

Provided that the family of such a deceased employee refunds within one hundred and eighty days from the scheme date the entire amount of the Corporation's contribution to the Provident Fund, if any, and interest accrued thereon together with further simple interest at the rate of twelve per cent. per annum from the date of settlement of the Provident Fund account till the date of refund of the aforesaid amount to the Corporation :

Provided further that the family of such a deceased employee shall apply in writing for grant of family pension; or

- (7) were in the regular part-time service of the Corporation

i) during any time on or after the 1st day of January, 1986 and had died while in service on or before the 31st day of October, 1993 or

ii) had retired on or after 31.12.91 but on or before the 31st day of October, 1993 but died before the scheme date in which case their family shall be entitled to the family pension under this scheme, if the family of the deceased, -

(a) exercises an option in writing within ninety days from the scheme date to become member of the Fund; and

(b) refund within one hundred and twenty days after the expiry of the said period of ninety days specified in clause (a) above, the entire amount

of the Corporation's contribution to the Provident Fund and interest accrued thereon together with a further simple interest at the rate of six per cent per annum from the date of settlement of the Provident Fund account till the date of refund of the aforesaid amount to the Corporation for

- (8) joined the regular part-time service of the Corporation on or before the 31st day of October, 1993 and who died while in the regular part-time service on or after the 1st day of November, 1993, but before the scheme date in which case their families shall be entitled to family pension under this scheme if the family of the deceased employee, -
- (a) exercises an option in writing within ninety days from the scheme date in writing to become a member of the Fund; and
 - (b) refund within one hundred and twenty days from the date of expiry of the said period of ninety days specified in clause (a) above, the entire amount of the Corporation's contribution to the Provident Fund, including interest accrued thereon, together with a further simple interest at the rate of twelve per cent per annum from the date of settlement of the Provident Fund account of the employee till the date of refund of the aforesaid amount to the Corporation.

4. Option to subscribe to the Provident Fund.-

- (1) Notwithstanding anything contained in sub-para (4) of Para 3, an employee who joins the service of the Corporation on or after the scheme date at the age of thirty-five years or more, may, within a period of ninety days from the date of his appointment, elect to forego his right to pension, whereupon this scheme shall not apply to him.
- (2) The option referred to in sub-para (1) and in Para 3, once exercised, shall be final

CHAPTER III

THE FUND

5. Constitution of the Fund:

- 1) The Corporation shall constitute a fund to be called the Life Insurance Corporation of India (Regular Part Time Employees) Pension Fund under an irrevocable trust within a period of one hundred and twenty days from the date of this scheme.
- 2) The fund shall have for its sole purpose the provision of payment of pension or family pension in accordance with this scheme to the employee or his family.
- 3) The Corporation shall be a contributor to the fund and shall ensure that sufficient sums are placed in it to enable the trustees to make due payments to beneficiaries under this scheme.

6. Liability of the Provident Fund trust :

The Trustees of the Provident Fund shall immediately after the constitution of the fund, transfer to the Life Insurance Corporation of India (Regular Part Time Employees) Pension Fund the accumulated balance of the contribution of the Corporation to the Provident Fund and interest accrued thereon upto the date of such transfer in respect of every regular part-time employee.

7. Composition of the Fund:

The Fund shall consist of the following viz.:

- (a) the contribution by the Corporation at the rate of ten per cent per month of the pay of the regular part-time employee;

Explanation: For the purpose of this para "pay" includes -

- (i) the basic pay,
- (ii) allowances other than dearness allowance which count for the purpose of making contribution to the provident fund and payment of dearness allowance.
- (iii) allowances to the extent they count for provident fund, house rent allowance, gratuity.
Provided that the Corporation shall not make any contribution to the account of the Provident Fund of the employee ;

- (b) the accumulated contributions of the Corporation to the Provident Fund and interest accrued thereon upto the date of such transfer in respect of the regular part-time employees;
- (c) the amount consisting of contributions of the Corporation along with interest refunded by the regular part-time employees who had retired before the scheme date but who opt. for pension in accordance with the provisions contained in this scheme;

- (d) The investment in annuities or securities purchased out of the monies of the fund and interest thereon.
- (e) amount of any capital gains arising from the capital assets of the fund.
- (f) the additional annual contribution made by the Corporation in accordance with the provisions contained in Para 11.
- (g) any income from investments of the amounts credited to the fund.
- (h) the amount consisting of contribution of the Corporation along with interest refunded by the family of the deceased regular part-time employee.

8. Board of Trustees :

- 1) The Board of Trustees shall consist of such number of persons not less than three and not more than nine as may be determined by the Chairman and to be appointed by him.
- 2) The power to appoint the trustees shall be vested with the Chairman and all such appointments shall be made in writing.
- 3) The Chairman shall nominate one of the trustees to be the Chairman of the Board of Trustees. The Chairman shall also nominate a Trustee to be an alternate Chairman who shall act as Chairman in the absence of the Chairman.

9. Trustees to carry out the directions of the Chairman:-

The trustees shall comply with all such directions, as may be given by the Chairman, from time to time for the proper functioning of the Fund.

10. Books of accounts of the Fund :

- 1) The accounts of the Fund shall contain the particulars of all financial transactions relating to the Fund in such form as may be specified by the Chairman.
- 2) Within one hundred and eighty days from the closing of each financial year, the trust shall prepare a financial statement of the trust indicating therein the general account of assets and liabilities of the trust and forward a copy of the same to the Chairman.
- 3) The accounts of the Fund shall be audited in accordance with the instruction specified by Chairman.

11. Actuarial Investigation of the Fund :

The Chairman shall cause an investigation to be made by an Actuary into the financial condition of the Fund every financial year, on the 31st day of March, and make such additional annual contributions to the Fund as may be required to secure payment of the benefits under this scheme:

Provided that an Actuarial investigation of the Fund shall also be made by an Actuary for the year ended 31st March, immediately following the constitution of the Fund.

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12. Investment of the Fund :

All moneys contributed to the Fund or received or accruing by way of interest or otherwise to the Fund, shall, within a reasonable time from the date of the contribution, receipt or accrual, as the case may be, be dealt in accordance with rule 85 and clause (ii) of rule 89 of the Income-tax Rules 1962, made under the Income-tax Act, 1961, (43 of 1961) and payable both in respect of capital and interest in India as applicable in the Fund.

13. Payments out of the Fund :

The payment of benefits by the trust shall be administered as follows, namely:

- a) the trust shall purchase immediate annuities from the Corporation in respect of each employee or his family, as the case may be, at the time he or his family becomes eligible for the benefits under this scheme;
- b) the trust shall, subject to the availability of additional sums in the Fund to be provided by the Corporation as required under Para 5 (3) purchase additional annuities as and when it becomes necessary to revise upwards the benefits payable in accordance with this scheme;
- c) the trust shall, in the event of the benefits payable under this scheme being revised downwards for any reason whatsoever, credit the benefits received from the Corporation under the annuities purchased as exceed the benefits payable under this scheme, to the Fund.

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CHAPTER - IV

QUALIFYING SERVICE

14. Qualifying Service :

- (1) Subject to the other conditions contained in this scheme, a regular part-time employee who has rendered a minimum ten years of service in the Corporation on the date of his retirement shall qualify for pension.
- (2) The length of qualifying service of the employee referred to in sub-para(1) for the purpose of calculating the amount of pension shall be determined in accordance with Appendix-II.

15. Commencement of qualifying service :

Subject to the provisions contained in this Scheme, qualifying service of a regular part-time employee shall commence from the date he takes charge of the post to which he is first appointed on a regular part-time basis or 1.1.82, whichever is later, or the date of joining service immediately followed by confirmation.

16. Counting of period spent on leave :

All leave during service in the Corporation for which leave salary is payable shall count as service;

Provided that extraordinary leave granted on medical grounds or on account of the employees' inability to join or rejoin duty due to civil commotion, not exceeding twelve months during the entire service, shall also count as qualifying service.

17. Counting Service on reappointment where:

A regular part time workman is re-employed and who is re-appointed in the service of the Corporation, the service of such a person or an employee prior to his re-employment or re-appointment, as the case may be shall be counted for the purpose of qualifying service if he has paid to the Corporation at the time of such re-employment or re-appointment the aggregate of the Corporation's contribution due to him in the Provident Fund and the interest thereon which were paid to him on the determination of the previous service.

Provided that:

- i) period of extraordinary leave on loss of pay except as otherwise provided herein;
- ii) period of unauthorised absence except as provided in Para 22 of this scheme.
- iii) the service prior to his re-employment or re-appointment in the case of a person re-employed or re-appointed after he has resigned from the service of the Corporation.

shall not be counted as service.

18. Broken period of service of less than one year:

If the period of service of an employee includes broken period of service of less than one year, then if such broken period is more than six months it shall be treated as one year and if such broken period is six months or less it shall be ignored.

19. Period of suspension :

Period of suspension of an employee, pending enquiry, shall count as service where, on conclusion of such enquiry, he has been fully exonerated or the suspension is held to be wholly unjustified and, in other cases, the period of suspension shall not count as service unless the competent authority passing the order expressly declares at the time that it shall count to such extent as such authority may declare.

20. Forfeiture of service :

Resignation or dismissal or removal or termination or compulsory retirement of an employee from the service of the Corporation shall entail forfeiture of his entire past service and consequently shall not qualify for pensionary benefits.

21. Military Service:

An employee who has rendered military service before appointment or re-employment or re-appointment in the Corporation shall continue to draw the military pension, if any, and the military service rendered by the employee shall not count as qualifying service for pension.

22. Condonation of interruption in service :

- (1) In the absence of a specific indication to the contrary in the service records, an interruption between two spells of service in the Corporation rendered by a regular part-time employee including service counted in terms of the various provisions contained in this scheme shall be treated as automatically condoned and the pre-interruption service treated as qualifying service.
 - (2) Nothing in sub-para(1) shall apply to an interruption caused by resignation or dismissal or removal or compulsory retirement or termination from service.
 - (3) The period of interruption referred to in sub-para(2) shall not count as service.
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CHAPTER V

CLASSES OF PENSION

23. Superannuation Pension :

Superannuation pension shall be granted to a regular part-time employee who has retired on his attaining the age of superannuation.

24. Pension on voluntary retirement :

- (1) At any time after a regular part-time employee has completed twenty years of service he may, by giving notice of not less than ninety days, in writing, to the appointing authority, retire from service:
- (2) The notice of voluntary retirement given under sub-para (1) shall require acceptance by the appointing authority:

Provided that where the appointing authority does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice, the retirement shall become effective from the date of expiry of the said period.

- (3) (a) A regular part-time employee referred to in sub-para (1) may make a request in writing to the appointing authority to accept notice of voluntary retirement of less than ninety days giving reasons therefor;
- (b) on receipt of a request under clause (a), the appointing authority may, subject to the provisions of sub-para (2), consider such request for the curtailment of the period of notice of ninety days on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of ninety days on the condition that the regular part-time employee shall not apply for commutation of a part of his pension before the expiry of the notice of ninety days.
- (4) A regular part-time employee, who has elected to retire under this Para and has given necessary notice to that effect to the appointing authority, shall be precluded from withdrawing his notice except with the specific approval of such authority:

Provided that the request for such withdrawal shall be made before the intended date of his retirement.

- (5) The service of a regular part-time employee retiring voluntarily under this Para shall be increased by a period not exceeding five years, subject to the condition that

the total service rendered by such employee shall not in any case exceed thirty-three years and it does not take him beyond the date of retirement.

- (6) The pension of a regular part-time employee retiring under this Para shall be based on the average emoluments as defined under sub-para(b) of Para 2 of this scheme and the increase, not exceeding five years in his service, shall not entitle him to any notional fixation of pay for the purpose of calculating his pension.

25. Invalid Pension :

- (1) Invalid pension may be granted to a regular part-time employee who,-
- (a) has rendered minimum ten years of qualifying service; and
 - (b) retires from the service on account of any bodily or mental infirmity which permanently incapacitates him for the service.
- (2) A regular part-time employee applying for invalid pension shall submit a medical certificate of incapacity from a medical Examiner approved by the Corporation.

26. Compassionate Allowance :

- (1) A regular part-time employee, who is dismissed or removed or compulsorily retired or terminated from service, shall forfeit his pension :

Provided that the authority competent to dismiss or remove or compulsorily retire or terminate him from service may, if-

- (i) such dismissal, removal, compulsory retirement or termination is on or after the 1st day of November, 1993; and
- (ii) the case is deserving of special consideration,

sanction a compassionate allowance not exceeding two-thirds of the pension which would have been admissible to him on the basis of the qualifying service rendered upto the date of his dismissal, removal, compulsory retirement or termination.

- (2) The compassionate allowance sanctioned under the proviso to sub-para (1) shall not be less than the amount of the minimum pension payable under Para 29 of this scheme.

27. Payment of pension or family pension in respect of regular part-time employees who died between 1.1.1986 and 31.10.1993 and those who retired between 31.12.1991 and 31.10.1993 :

- (1) Regular part-time employees who have retired from the service of the Corporation between the 31st day of December, 1991 and the 31st day of October, 1993 shall

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be eligible for pension with effect from the 1st day of November, 1993, provided the regular part-time employee has rendered ten years of service with the Corporation.

- (2) The family of a deceased regular part-time employee governed by the provisions contained in sub-para (7) of Para 3 shall be eligible for family pension with effect from the 1st day of November, 1993.

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RATE OF PENSION

28. Amount of Pension :

- (1) In the case of a regular part-time employee retiring after completing a qualifying service of not less than thirty three years the amount of basic pension shall be calculated at fifty per cent of the average emoluments actually drawn.
- (2) Pension as computed as per sub-para (1) above shall be subject to the minimum pension as specified in this scheme.
- (3) A regular part-time employee who has commuted the admissible portion of his pension as per the provisions of Para 34 of this scheme shall receive only the balance of pension, monthly.
- (4) (a) In the case of a regular part-time employee retiring before completing a qualifying service of thirty-three years, but after completing a qualifying service of ten years, the amount of pension shall be proportionate to the amount of pension admissible as per sub-para (1) and in no case the amount of pension shall be less than the amount of minimum pension specified in this scheme.

(b) Notwithstanding anything contained in this scheme, the amount of invalid pension shall not be less than the ordinary rate of family pension which would have been payable to his family in the event of his death while in service.
- (5) The amount of pension finally determined under this para shall be expressed in whole rupee and where the pension contains a fraction of a rupee, it shall be rounded off to the next higher rupee.

29. Minimum pension :

The amount of minimum pension shall be determined in accordance with Appendix V.

30. Dearness Relief :

- (1) Dearness relief shall be granted on basic pension or family pension or invalid pension or on compassionate allowance in accordance with the rates specified in Appendix III.

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(2) Dearness relief shall be allowed on full basic pension even after commutation.

31. Determination of the period of ten months for average emoluments :

- (1) The period of the preceding ten months for the purpose of average emoluments shall be reckoned from the date of retirement.
- (2) In the case of voluntary retirement the period of the preceding ten months for the purpose of average emoluments shall be reckoned from the date on which the employee voluntarily retires.
- (3) In the case of dismissal or removal or compulsory retirement or termination of service the period of the preceding ten months for the purpose of average emoluments shall be reckoned from the date on which the employee is dismissed or removed or compulsorily retired or terminated by the Corporation and it is decided by the Competent Authority to allow him Compassionate Allowance, in terms of Para 26 of this Scheme.
- (4) If during the last ten months of the service a regular part-time employee had been absent from duty on extraordinary leave on loss of pay or had been under suspension and the period whereof does not count as service, the aforesaid period of extraordinary leave or suspension shall not be taken into account in the calculation of the average emoluments and an equal period before the ten months shall be included.

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CHAPTER VII

FAMILY PENSION

32. Family Pension

- (1) Without prejudice to the provisions contained in this scheme where an employee dies -
- (a) after completion of one year of continuous service; or
 - (b) before completion of one year of continuous service, provided the deceased employee concerned immediately prior to his appointment to the service or post was examined by a medical officer approved by the Corporation and declared fit for employment in the Corporation; or
 - (c) after retirement from service and was on the date of death in receipt of a pension, or compassionate allowance;

the family of the deceased shall be entitled to family pension, the amount of which shall be determined in accordance with Appendix IV.

- (2) The amount of family pension shall be fixed at monthly rates and be expressed in whole rupees and where the family pension contains a fraction of a rupee, it shall be rounded off to the next higher rupee:

Provided that in no case a family pension in excess of the maximum prescribed under this scheme shall be allowed.

- (3) (a) (i) Where a regular part-time employee dies while in service after having rendered not less than seven years' continuous service, the rate of family pension payable to the family shall be equal to fifty per cent. of the pay last drawn or one and half times the family pension admissible under sub-para (1), whichever is less and the amount so admissible shall be payable from the date following the date of death of the regular part-time employee for a period of seven years or for a period upto the date on which the deceased regular part-time employee would have attained the age of sixty five years had he survived, whichever is less
- (ii) in the event of death of an employee after retirement, the family pension as determined under clause (a) of this sub-para shall be payable for a period of seven years or for a period up to the date on which the retired deceased employee would have attained the age of sixty five years had he survived, whichever is less;

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(b) after the expiry of the period referred to in clause (a), the family, in receipt of family pension under that clause (a) shall be entitled to family pension at the rate admissible under sub-para (1).

(4) Notwithstanding anything contained in this scheme where the family of a deceased employee opts for pension in accordance with sub-para (5) of Para 3 or is governed by the provisions contained in sub-paras (6) or (7) or (8) of Para 3, such family of the deceased shall be eligible for family pension under this scheme.

33. Period of payment of family pension :

(1) The period for which family pension is payable shall be,-

(a) in the case of a widow or a widower, upto the date of death or re-marriage, whichever is earlier;

(b) in the case of a son, until he attains the age of twenty-five years; and

(c) in the case of an unmarried daughter, until she attains the age of twenty-five years or until she gets married, whichever is earlier.

Provided that if the son or daughter of a regular part-time employee is suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after attaining the age of twenty-five years, the family pension shall be payable to such son or daughter for life subject to the following conditions, namely :-

(i) if such son or daughter is one among two or more children of the employee, the family pension shall be initially payable to the minor children in the order set out in clause (e) of sub-para(1) until the last minor child attains the age of twenty-five and thereafter the family pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him or her for life;

(ii) if there are more than one such children suffering from disorder or disability of mind or who are physically crippled or disabled, the family pension shall be paid in the order of their birth and the younger of them will get the family pension only after the elder next above him or her ceases to be eligible.

Provided that where the family pension is payable to such twin children it shall be paid in the manner set out in clause (f) of sub-para (1);

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- (iii) the family pension shall be paid to such son or daughter through the guardian as if he or she were a minor except in the case of a physically crippled son or daughter who has attained the age of majority;
- (iv) before allowing the family pension for life to any such son or daughter, the Competent Authority shall satisfy that the handicap is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer approved by the Corporation, setting out, as far as possible, the exact mental or physical condition of the child;
- (v) the person receiving the family pension as guardian of such son or daughter or such son or daughter not receiving the family pension through a guardian shall produce every three years a certificate from a medical officer approved by the Corporation to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled.

Explanation : The grant of family pension to disabled children beyond the age limit specified in this sub-para is subject to the following conditions, namely:-

- (i) a daughter shall become ineligible for family pension under this sub-para from the date she gets married;
- (ii) the family pension payable to such son or daughter shall be stopped if he or she starts earning his or her livelihood. In such cases it shall be the duty of the guardian or son or daughter to furnish a certificate to the Corporation every month that -
 - (A) he or she has not started earning his or her livelihood;
 - (B) in case of daughter that she has not yet married;
- (d) if a deceased employee or pensioner leaves behind a widow or widower, the family pension shall become payable to the widow or widower, failing which to the eligible child;
- (e) family pension to the children shall be payable in the order of their birth and the younger of them shall not be eligible for family pension unless the elder next above him or her has become ineligible for the grant of family pension;

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Provided that where the family pension is payable to twin children it shall be paid in the manner set out in clause (f) of the sub-para (1);

- (f) where the family pension is payable to twin children it shall be paid to such children in equal shares;

Provided that where one such child ceases to be eligible, his or her share shall revert to the other child and where both of these cease to be eligible, the family pension shall be payable to the next eligible single child or twin children, as the case may be.

- (2) Where a deceased employee or a pensioner leaves behind more children than one, the eldest eligible child shall be entitled to the family pension for the period mentioned in clauses (b) or (c) of sub-rule(1), as the case may be, and after the expiry of that period the next child shall become eligible for the grant of family pension.
- (3) Where family pension is granted under this rule to a minor, it shall be payable to the guardian on behalf of the minor.
- (4) In case both wife and husband are regular part-time employees of the Corporation and are governed by the provisions of this scheme and one of them dies while in service or after retirement, the family pension in respect of the deceased shall be payable to the surviving husband or wife and in the event of death of the husband or wife, the surviving child or children shall be granted the two family pensions in respect of the deceased parents subject to the limits specified below, namely :-
- (a) if the surviving child or children is or are eligible to draw two family pensions at the rates mentioned in sub-clause(i) of clause (a) of sub-para (3) of Para 32 the amount of both pensions shall be limited to rupees one thousand two hundred and fifty only per mensem in respect of regular part-time employees who retired or died while in service prior to the 1st day of August, 1992 and rupees two thousand four hundred only per mensem in respect of employees who retired or died on or after the 1st day of August, 1992;
- (b) if one of the family pensions ceases to be payable at the rates mentioned in sub-clause (i) of clause(a) of sub-para (3) of Para 32 and in lieu thereof the family pension at the rate mentioned in sub-para(1) of Para 32 becomes payable, the amount of both the pensions shall also be limited to rupees one thousand two hundred and fifty only per mensem in respect of employees who retired or died while in service prior to the 1st day of August, 1992 and rupees two thousand four hundred only per mensem in respect of employees who retired or died on or after the 1st day of August, 1992;
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(c) if both the family pensions are payable at the rate mentioned in sub-para (1) of Para 32 the amount of the two pensions shall be limited to rupees six hundred and twenty five only per mensem in the case of employees who retired or died while in service prior to the 1st day of August, 1992 and rupees one thousand two hundred only per mensem in respect of employees who retired or died on or after the 1st day of August, 1992.

(5) (a) Where family pension is payable to more widows than one, the family pension shall be paid to the widows in equal shares;

(b) on the death of a widow, her share of the family pension shall become payable to her eligible child;

Provided that if the widow is not survived by any child, her share of the family pension shall not lapse but shall be payable to the other widows in equal shares, or if there is only one such other widow, in full, to her;

(c) where the deceased regular part-time employee or pensioner is survived by a widow but has left behind eligible child or children from another wife who is not alive, the eligible child or children shall be entitled to the share of family pension which the mother would have received if she had been alive at the time of the death of the regular part-time employee or pensioner;

Provided that on the share or shares of family pension payable to such a child or children or to a widow or widows ceasing to be payable, such share or shares shall not lapse, but shall be payable to the other widow or widows or to other child or children otherwise eligible, in equal shares, or if there is only one widow or child, in full, to such widow or child;

(d) where the family pension is payable to twin children it shall be paid to such children in the manner specified in clause (f) of sub-para (1) above;

(e) except as provided in this sub-para the family pension shall not be payable to more than one member of the family at the same time.

(6) Where a female or male regular part-time employee dies leaving behind a judicially separated husband or widow and no child or children, the family pension in respect of the deceased shall be payable to the person surviving;

Provided that where in a case the judicial separation is granted on the ground of adultery and the death of the employee takes place during the period of such judicial separation, the family pension shall not be payable to the person surviving if such person surviving was held guilty of committing adultery.

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- (7) (a) Where a female or male regular part-time employee dies leaving behind a judicially separated husband or widow with a child or children, the family pension payable in respect of the deceased shall be payable to the surviving person provided he or she is the guardian of such child or children;
- (b) where the surviving person has ceased to be the guardian of such child or children, such family pension shall be payable to the person who is the actual guardian of such child or children.
- (8) If the son or unmarried daughter eligible for the grant of family pension has attained the age of eighteen years, the family pension may be paid to such son or unmarried daughter directly.
- (9) (a) If a person who, in the event of death of a regular part-time employee while in service, is eligible to receive family pension under this scheme is charged with the offence of murdering the employee or for abetting in the commission of such an offence, the claim of such a person, including other eligible member or members of the family to receive the family pension, shall remain suspended till the conclusion of the criminal proceedings instituted against him;
- (b) if on the conclusion of the criminal proceedings referred to in clause(a), the person concerned -
- (i) is convicted for the murder or abetting in the murder of the employee, such a person shall be debarred from receiving the family pension which shall be payable to the other eligible member of the family, from the date of death of a regular part-time employee;
- (ii) is acquitted of the charge of murder or abetting in the murder of the employee, the family pension shall be payable to such a person from the date of death of the employee;
- (c) the provisions of sub-clauses (a) and (b) shall also apply for the family pension becoming payable on the death of an employee after his retirement.
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CHAPTER-VIII

COMMUTATION

34. Commutation :

- (1) A regular part-time employee shall be entitled to commute for a lump sum payment of a fraction not exceeding one-third of his pension:

Provided that in respect of a regular part-time employee who is governed by sub-para (5) of Para 3 of this scheme, the family of such employee shall also be entitled to commute for a lump sum payment a fraction not exceeding one-third of the pension admissible to the employee.

- (2) A regular part-time employee shall indicate the fraction of pension which he desires to commute and may either indicate the maximum limit of one-third pension or such lower limit as he may desire to commute.
- (3) If fraction of pension to be commuted results in fraction of rupee, such fraction of a rupee shall be ignored for the purpose of commutation.
- (4) The lump sum payable to an applicant shall be calculated in accordance with the Table given below:-

TABLE

Commutation Values for a pension of Re. one per annum

Age next birthday	Commutation value expressed as number of year's purchase	Age next birthday	Commutation Value expressed as number of year's purchase
17	19.28	51	12.95
18	19.20	52	12.66
19	19.11	53	12.35
20	19.01	54	12.05
21	18.91	55	11.73
22	18.81	56	11.42
23	18.70	57	11.10
24	18.59	58	10.78
25	18.47	59	10.46
26	18.34	60	10.13
27	18.21	61	9.81
28	18.07	62	9.48
29	17.93	63	9.15
30	17.78	64	8.82
31	17.62	65	8.50
32	17.46	66	8.17
33	17.29	67	7.85
34	17.11	68	7.53
35	16.92	69	7.22

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36	16.72	70	6.91
37	16.52	71	6.60
38	16.31	72	6.30
39	16.09	73	6.01
40	15.87	74	5.72
41	15.64	75	5.44
42	15.40	76	5.17
43	15.15	77	4.90
44	14.90	78	4.65
45	14.64	79	4.40
46	14.37	80	4.17
47	14.10	81	3.94
48	13.82	82	3.72
49	13.54	83	3.52
50	13.25	84	3.32
		85	3.13

Notes :

- (1) The Table above indicates the commuted value of pension expressed as number of years' purchase with reference to the age of the pensioner as on his next birthday. The commuted value in the case of a regular part-time employee retiring at the age of sixty years is 9.81 years' purchase and, therefore, if he commutes rupees one hundred from his pension within one year of retirement, the lump sum amount payable to him works out to Rs.100 X 9.81 X 12 = Rs.11,772.
- (2) A regular part-time employee who had commuted the admissible portion of pension is entitled to have the commuted portion of the pension restored after the expiry of a period of fifteen years from the date of commutation.
- (3) An applicant who is authorised a superannuation pension, voluntary retirement pension, invalid pension or compassionate allowance shall be eligible to commute a fraction of his pension under this scheme.
- (4) In the case of a pensioner eligible for superannuation pension or pension on voluntary retirement, no medical examination shall be necessary, if the application for commutation is made within one year from the date of retirement. However, if such a pensioner applies for commutation of pension after one year from the date of his retirement, the same will be permitted subject to medical examination.

Explanation.- An applicant who -

- (i) retires on invalid pension under Para 25 of this scheme, or
- (ii) is in receipt of compassionate allowance under Para 26 of this scheme,

shall be eligible to commute a fraction of his pension subject to the limit specified in sub-para (1) after he has been declared fit by a medical officer approved by the Corporation.

- (5) The commutation of pension shall become absolute in the case of a regular part-time employee -

- (a) retiring on superannuation or voluntary retirement who submits an application for commutation of pension before the date of retirement, on the date following the date of retirement :

Provided that the regular part-time employee governed by sub-para(3) of Para 24 shall not apply for commutation of a part of his pension before the expiry of the notice of three months and the commutation of pension shall become absolute only on the expiry of the period of notice referred to in sub-para (1) of Para 24;

- (b) retiring on superannuation or on voluntary retirement if he applies for commutation of pension after the date of retirement but before the completion of one year from the date of retirement, on the date the application for commutation is received by the Competent Authority;
- (c) retiring on superannuation or on voluntary retirement, if he applies for commutation of pension after one year from the date of retirement, on the date of the medical certificate given by a medical officer approved by the Corporation;
- (d) who has retired prior to the 1st day of November, 1993 and who opts to be governed by this scheme, on the 1st day of November, 1993, where the application for commutation is made within the period specified by clause (b) of the sub-para (1) of Para 3;
- (e) who was in the service of the Corporation on or after the 1st day of November, 1993 but who retired prior to the circulation of this scheme, on the day immediately following the date of his retirement, where the application is made within the period specified by clause (b) of sub-para (2) of Para 3;
- (f) who retired on or after the 1st day of November, 1993, but died prior to the scheme date, on the day immediately following the date of his retirement, where the application for commutation is made by the family of the deceased within the period specified by clause (a) of sub-para(3) of Para 3;
- (g) in respect of whom invalid pension under Para 25 or compassionate allowance under Para 26 is admissible, commutation shall become absolute on the date of the medical certificate given by a medical officer approved by the Corporation.
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GENERAL CONDITIONS

35. Pension subject to future good conduct :

Future good conduct shall be an implied condition of every grant of pension and its continuance under this scheme.

36. Withholding or withdrawal of Pension :

The Competent Authority may, by order in writing, withhold or withdraw a pension or a part thereof, whether permanently or for a specified period, if the pensioner is convicted of a serious crime or is found guilty of grave misconduct:

Provided that where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below the minimum pension per mensem payable under this scheme.

37. Conviction by Court :

Where a pensioner is convicted of a serious crime by a Court of Law, action shall be taken in the light of the judgment of the court relating to such conviction.

38. Pensioner guilty of grave misconduct :

In a case not falling under Para 37, if the Competent Authority considers that the pensioner is prima facie guilty of grave misconduct, it shall, before passing an order, under Para 36, give a reasonable opportunity to the employee and to show cause as to why the proposed action should not be taken.

39. Provisional pension :

(1) A regular part-time employee who has retired on attaining the age of superannuation or otherwise and against whom any disciplinary or judicial proceedings are instituted or where disciplinary proceedings are continued, a provisional pension, equal to the maximum pension which would have been admissible to him, would be allowed subject to adjustment against final retirement benefits sanctioned to him, upon conclusion of the 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 etc, either permanently or for a specified period.

(2) In such cases the gratuity shall not be paid to such an employee until the conclusion of the proceedings against him. Gratuity shall be paid to him on conclusion of the proceedings subject to the decision of the proceedings. Any recoveries to be made from the regular part-time employee shall be adjusted against the amount of gratuity payable.

Explanation.- In this chapter,-

(a) the expression 'serious crime' includes a crime

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involving an offence under the Official Secrets Act, 1923 (19 of 1923);

- (b) the expression "grave misconduct" includes the communication or disclosure of any secret official code or password or any sketch, plan, model, article, note, document or information, such as is mentioned in section 5 of the Official Secrets Act, 1923 (19 of 1923) (which was obtained while holding an office in the Corporation) so as to pre-judicially affect the interests of the general public or the security of the State.

40. Commutation of pension during departmental or judicial proceedings :

A regular part-time employee against whom disciplinary or judicial proceedings have been instituted before the date of his retirement or a person against whom such proceedings are instituted after the date of his retirement, shall not be eligible to commute a fraction of his provisional pension, or pension, as the case may be, authorised under this scheme, during the pendency of such proceedings.

41. Recovery of Pecuniary loss caused to the Corporation :

- (1) The Competent Authority may withhold or withdraw a pension or a part thereof, whether permanently or for a specified period, and order recovery from pension of the whole or part of any pecuniary loss caused to the Corporation if in any disciplinary or judicial proceedings the pensioner is found guilty of grave misconduct or negligence during the period of his service :

Provided that the Chairman shall be consulted before any final orders are passed:

Provided further that disciplinary proceedings, if instituted while the regular part-time employee was in service, shall, after the retirement of the employee, be deemed to be proceedings under this rule and shall be continued and concluded by the authority by which they were commenced in the same manner as if the employee had continued in service:

Provided also that no disciplinary or judicial proceedings, if not initiated while the employee was in service, shall be instituted in respect of a cause of action which arose or in respect of an event which took place more than four years before such institution.

- (2) Where the Competent Authority orders recovery of the pecuniary loss from the pension, the recovery shall not ordinarily be made at a rate exceeding one-third of the pension admissible on the date of retirement of the regular part-time employees:

Provided that where a part of pension is withheld or withdrawn, the amount of pension drawn by a pensioner shall not be less than the minimum pension payable under this scheme.

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42. Recovery of Corporation's dues :

The Corporation shall be entitled to recover the dues to the Corporation on account of advances, other recoveries and recoveries due to staff co-operative credit society from the commutation value of the pension or the pension or the family pension.

43. Nomination :

- (1) The trust shall allow every regular part-time employee governed by this scheme to make a nomination conferring on one or more persons the right to receive the amount of pensionary benefits under this scheme in the event of his death before that amount becomes payable or, having become payable, has not been paid. Such nomination shall be made in such form as may be specified by the Corporation from time to time.
- (2) If any regular part-time employee nominates more than one person under sub-para (1), he shall, in his nomination, specify the amount or share payable to each of the nominees in such a manner as to cover the whole of the amount of the pensionary benefits that may be payable in the event of his death.
- (3) A nomination made by a regular part-time employee may, at any time, be modified or revoked by him after giving a written notice to the trust of his intention of doing so in such form as the Corporation may from time to time specify.
- (4) A nomination or its revocation or its modification shall take effect to the extent it is valid on the date on which it is received by the trust.

44. Date from which pension becomes payable :

- (1) Except in the case of an regular part-time employee to whom the provisions of Para 36 and Para 39 apply a pension other than family pension shall become payable from the date following the date on which an employee retires.
- (2) Family pension shall become payable from the date following the date of death of the regular part-time employee or the pensioner.
- (3) Pension including family pension shall be payable for the day on which its recipient dies.

45. Currency in which pension is payable :

All pensions admissible under these Instructions shall be payable in rupees in India only.

46. Manner of payment of pension :

A pension fixed at a monthly rate shall be payable monthly on or after the first day of the following month.

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47. Power to issue guidelines :

The Executive Director (P) of the Corporation may from time to time issue further guidelines as may be considered necessary or expedient for the implementation of this scheme.

48. Residuary provisions :

For matters relating to pension and other benefits provided for in the Scheme, in respect of which no express provision has been made the interpretation given by the Chairman of the Corporation shall be final.

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APPENDIX I

Competent Authority

For regular part-time
employees working in offices
under the control of:-

Sr. Divisional Manager/
Divisional Manager in-charge

Divisional Office

Secretary (P&IR)

Zonal Office

Secretary (OS)/Dy. Secy. (OS)

Central Office

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APPENDIX II

(See Para 2(q))

The length of qualifying service of regular part time employees who ha retired on regular part time basis having rendered service for :

	Actual service rendered on regular part-time basis	Length of corresponding qualifying service for each year of service rendered on regular part time basis for calculating the amount of pension
a) 4 hours a day at the time of retirement:	4 hours	1 year
	3 hours or more but less than 4 hours	3/4th year
	less than 3 hours	1/2 year
b) 3 hours but less than 4 hours a day at the time of retirement:	3 hours or more but less than 4 hours	1 year
	less than 3 hours	2/3rd year
c) Less than 3 hours a day at the time of retirement:	Less than 3 hours	1 year

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Appendix-III
(See Para 30)

Dearness relief on basic pension shall be as under :-

- (1) In the case of regular part-time employees who retired on or after the 31st day of December, 1991, but before the 1st day of August, 1992 dearness relief shall be payable for every rise or be recoverable for every fall, as the case may be, of every 4 points over 600 points in the quarterly average of the All India Average Consumer Price Index for Industrial Workers in the series 1960 = 100. Such increase or decrease in dearness relief for every said four points shall be calculated at the rate of 0.67 per cent of the basic pension.
- (2) In the case of regular part-time employees who retire on or after the 1st day of August, 1992; dearness relief shall be payable for every rise or be recoverable for every fall, as the case may be, of every 4 points over 1140 points in the quarterly average of the All India Average Consumer Price Index for Industrial Workers in the series 1960 = 100. Such increase or decrease in dearness relief for every said four points shall be calculated @ 0.35% of Basic Pension or such other rate as may be communicated by the Central Office from time to time.
- (3) Dearness relief shall be payable for the half year commencing from the 1st day of February and ending with 31st day of July on the quarterly average of the index figures published for the months of October, November and December of the previous year and for the half year commencing from the 1st day of August and ending with the 31st day of January on the quarterly average of the index figures published for the months of April, May and June of the same year.
- (4) In the case of family pension, invalid pension and compassionate allowance, dearness relief shall be payable in accordance with the rates mentioned above.
- (5) Dearness relief will be allowed on full basic pension even after commutation.

(See Para 32)

The ordinary rates of family pension shall be as under :

- (a) In respect of regular part-time employees retired before 1.8.1992

Scale of pay per month (1)	Amount of monthly Family Pension (2)
Upto Rs.1500	30 per cent. of the 'Pay' shall be the basic family pension which shall not be less than the minimum pension specified under Para 29.

- (b) In respect of regular part-time employees retired or retiring on or after 1.8.1992;

Scale of pay (1)	Amount of monthly Family Pension (2)
Upto Rs.2870	30 per cent. of the 'Pay' shall be the basic family pension which shall not be less than the minimum pension specified under Para 29.

NOTE:

- (1) "Scale of pay" for the purpose of calculation of family pension as above shall be "pay" as defined in sub-clause (n) of Para 2.

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