GUWAHATI MUNICIPAL CORPORATION EMPLOYEES (PENSION) REGULATION, 2015

Eb•/sq Registered No. THE ASSAM GAZETTE EXTRAORDINARY PUBLISHED BY THE AUTHORITY -768/97 290 fr"t«, 15 2015, 23 1937 No. 290 Dispur, Thursday, 15th October, 2015, 23rd Asvina, 1937 (S.E.) GOVERNMENT OF ASSAM ORDERS THE GOVERNOR GUWAHATI MUNICIPAL CORPORATION GUWAHATI NOTIFICATION The 18th September, 2015 THE GUWAHATI MUNICIPAL CORPORATION EMPLOYEES (PENSIO REGULATION, 2015 No. GMC/FA/4/2011/1. - In exercise of the powers conferred by Section 74 (l) (c) of the Guwahati Municipal Corporation Act, 1971 the Guwahati Municipal Corporation is pleased to frame the following regulationS relating to payment of pension to the employees of the Guwahati Municipal Corporation, namely 1384 SSAM GAZETTE EXTRAORDNARY OCTOBER 15 2015 TH GUWAHATI MUNICIPAL CORPORATION EMPLOYEES (PENSION) REGULATION, 2015 CHAPTER 1 SVORT rrrrLE COMMENCEMENT l. Thy regulations may be called the Guwahati Municipal Corporation Employees (Pensi n) Regulations, 2015

2. The shall be deemed to have Come into force on $he ISt day of January, i996.APPLICATIONS 3. These regulations shall be applicable to all regular employees of Guwahati Municipal Corporation who were in service on or after 1.1.1996 and members of the Contributory Provident Fund. But those appointed after 01,02.2005 shall not be covered by these regulations

4. These regulations will not apply to employees joining service on or after 1.2.2005 to whom the New Defined ContribUtion Pension Scheme, 2009 will apply. The Existing employees shall' have to exercise their option whether to continue 5. under the present Contributory Provident Fund Scheme or like to join the Pension Scheme. The existing employees shall exercise their option in writing in

6. In order to be eligible for pension scheme, the employee will have to refund the Contribution part (50% of credit in CPF A/C) with interest.DEFINITION 7. (1) Local Fund - The expression "Local Fund" denotes — (1) Revenue administered by bodies which by law or rule having force of law come under the control of Government whether in regard to the proceedings generally oråo speciåc matters such as the sanctioning of their budgets, sanction to the creation or filling up of particular appointments, the enactment of leave, pension or similar rules: and THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 ( ) The revenues of anybody which may be specially notified as such. (2) Act Act means Guwahati Municipal Corpcration Act, 1971.

Form means a form appended to these regulations. (3) Form — (4) Pension — Pension includes Gratuity and Death cum Retirement Gratuity. (5) Service— Servtce means regular Service under Guwahati Municipal Corporation. (6) Qualifying Service — Qualifying service means service rendered while on duty or otherwise which shall be taken into account for the purpose of pension and gratuities. (7) Employee Employee means regular employee of Guwahati Municipal Corporation. (8) Eligible Employee — Eligible Employee means an employee who returned contribution part (50% of CPF). (9) Existing Employee — Existing Employee means employees who are at present on roll of Guwahati Municipal Corporation. (10)CPF — CPF means Contributory Provident Fund admissible under Model Contribut0JY Provident Fund (Municipal Service Rules) 1962. (l l)Corporation Corporation means Guwahati Municipal Corporation (G.M.C.), Guwahati. (12)Commissioner — Commissioner means Commissioner of Guwahati Municipal Corporation. (13)Pension Fund Pension Fund means Fund constituted under Regulation No 8 to be used for the sole purpose of payment of pension. to eligible Guwahati Municipal Corporation employees. (14)General Council General Council means General Council of elected Councillors of Guwahati Municipal Corporation. (15)Family will include following relatives of Employees :- (d) Wife in the case of male employee. (b) Husband in the case of female employee. (c) Minor sons, and (d) Unmarried minor daughter. (16)Gratuity means gratuity granted in lieu o! Pension to eligible Employees who have rendered service less than IO(ten) years of qualifying service. 1385 (17)Family Pension means Pension Granted under Regulation No 55. (18)Service Book means recording of Service of an employee including Service Roll. (19)Pension Disbursing authority means:- (a) Branch of State Bank of india or (b) Commissioner, Guwahati Municipal Corporation. (20)Pensionable service means regular continuous service under Guwahati Municipai Corporation and paid icorn Municipal Fund. (21)Employer means Guwahati Municipal Corporation. Word and expression used and not defined in these Regulations but defined under the Act shall have the same meaning respectively assigned to them in the Act. (22) GMC means Guwahati Municipal Corporation. (23)ASFC means Assam State Finance Commission. (24)Sgrvice means service under Guwahati Municipal Corporation. 1386 THE ASSAM GAZETTE EXTRAORDINAR CHAPTER 11 OCTOBER 15 2015 8. Con titution of Pension Fund e Corporation shall constitute a Fund to be called Guwahati Municipal Corporation Emplo ees Pension Fund to be I'dged in the State Ban of India, Guwahati (Panbazar) Branch'in a Saving Bank A/C. e contribution part of CPF when refunded as well as(the 'onetime grant of Rs. 75.00 crore t be provided by State Government over a period of five years in '5 annual installments of Rs. 5.00 crore each starting from financial year 2015-16 will be deposited in the Fund which will be used for the sole purpose of payment Of pension to eligible employees of Guwahati Municipal Corporation

9. Finance Department will not bear any other jliability in future for contribution to pensio fund as per Gö..•fC regulation. This will be one time rant only as it will, be provided from state own non-plan resources. Thefgrants/period oof 4t ASPC has already expired on 31/03/ 015. All moneys payable 'to the credit of Pension Fund shall be forthwith paid 'into State Bank f India. The money from time to time credited to the Pension Fund shall be applied towards payment of all sums, charges and costs necessary for carrying out the purpose of pension of the Guwahati Municipal Corporation. No payment shall be made by the State Bank of India out of the Pension Fund except upon a cheque signed by the Commissionery and the Chief Accounts and Audit Officer, Guwahati Municipal CÖrporation. The Chief Accounts and Audit Officer, Guwahati Municipal Corporation will maintain the records of accounts, sanctioning and disbursement of pension to •retired/expired • employees. GNERA!-, RULES 9. Future good conduct is an implied condition of every grant of a pension : The Commissioner reserves ,to himself the right of withholding or withdrawing a pension or any part of it, if the pensioner be convicted of serious crime or be gpiltypf grave misconduct. NOTE 1 - NOTE 2 Active support or advocacy of any political movement, the professed object of which is the subversion of the. Government established by law, constitutes grave misconduct within the meaning this regulation, The failure or refusal of a pensioner to pay any amount owed by him to COrporation is not •miScOnduct" within the meaning of this regulation

10. Recovery of loss to the Corporation: A claim may become known and the question of making recovery may arise —(a) (b) When the capulation of pension is being made and before the pension is actually sanction, or After the pension has been sanctioned. The claim and the recovery may be one or other of the following (1) Recovery as a punitive measure in order to makeg)0d •loss causecfto the Corporation as a result of negligence or fraud on the part of the person concerned whilehe was in service.

(2) . Recovery .of other Corporation dues such as over drawal of pay, allowances or leave salary, or. admitted or obvious dues 'such as house-rent, outstanding motor-car, house building, travelling allowance or other advances. Recovery of non-Corporation dues. 1387 T ASSAM GAZETTE EXTRAORDINARY OCTOBER 152 2015 .cases falling under (a) above, none of the recoveries mentioned in (1) to (3) 4bove may be effected by •a reduction of' the pension about to be sanctioned except— (i) in the circumstances contemplated in • regulation 12 and regulation 46 when an officer's service can be held to have been. not thoroughly satisfactory, a reduction in the amount of pension may be made under regulation 46 by Commissioner.' (ii) when the pensioner by a request made or consent éven has agreed that the recovery may be made. In case falling under (b) above also none of the • recoveries described in clauses . (1) to (3) may be effected by deduction from a pension already sanctioned except at the request or with the express consent of the pensioner, or in the circumstances mentioned in regulation 12. NOTE 3. — Recovery of all Corporation dues from the death-cum-retirement gratuity or any other types of gratuity due in respect of an employee may be made without obtaining his consent or the consent of the members of his family: €Provided that, in case of death of a employee while in. genrice, the death- cum-retirement gratuity due to the family shall not be ac$uøted against Government dues if. the sum total payable to the family on account of death-cum-reärement gratuity, provident fund and group Insurance is Rs. 1.00 lakh or less. In the event, the gum total exceeds Rs, 1.00 lakh, the amount in excess of Rs. 1.00 lakh will be adjusted with Corporation dues to the extent of the death-cum-retiremcnt gratuity, payable to the family.) 11. Right of Employer to withhold or withdzav,r Pension The Pommissioner reserves to himself the right pf withholding or withdrawing a pension or any part of.it; whether permanently or for a specified period and the right of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to Corporation, if, in a departmental or judicial proceeding, the pensioner is found guilty of grave misconduct •or negligence during the period of his service, including service rendered upon re-employment after retirement provided that— (a) such departmental proceeding, •if' instituted while the employee was in service, whether before his retirement or •during his re-employment, shall, after the final retirement of the employee, be deemed to be a proceeding under this regulation and Shail be continued and concluded by the authority by which it was commenced in the .same manner as if the had continued in service; [Explanation— The continuation of the proceeding after the final retirement of the employee shall be automatic under sub- regulation (a) 12 and no fresh decision of the Commissioner nor any show-cause notice to the person concerned shall be necessary. The powers under regulation 11 shall be exerciseable not only in case of causing pecuniary loss to Corporation but also in all other cases); (b) such departmental proceeding, if not instituted while the. employee was in service, whether before his retirement or during his re-employment— (i) • shall not be instituted save with the sanction of the Commissioner. (ii) shall not be in respect of any event. which.took place more than 4 years before such institution; and 1388 ASSAM GAZETTE EXTRAORDINARY OCTOBER 15 2015 iii) hale be conducted .by such authority and; in • such place as the Ssibnerrynay$direcf and in accordance with procedure applicable to ental proceedings in which an order of dismissal •front sei&iCe could dep be ade in relaüon to Che employee during his service; Explanation— For the purpose of this regulation — (a) a gepartmental proceeding shall be deemeg td be instituted on the date on which the statement of charges is issued to the employee or pensioner, or if ghe employee has been placed under suspension from an earlier dat , on stich date; and (b) a •udicial proceeding shall be deemed to be instituted— (i) in the case of a proceeding, on the date on which the complaint or report of police officer, on which the Magistrate takes cogrizance,' is made, and (ii) in the case of a; civil proceeding, 'on the date of presentation of the plaint in the Court. NOTE: •1— This. applies Also to recoveries -from death-cum-retirementl gratuity and family pension sanctioned NOTP 2 eIn a cgse in which a pension as such is not withheld or withdrawn but the amount of any pecuniary loss caused to Corporation is Ordered to be recovered from the pension, the recovery should not ordinarily be made at rate exceeding one-third of the gross pension originally sanctioned. 12. (1) Where any departmental or judicial proceeding is instituted under regulation 11 or where a departmental proceeding is continued under clause (a) of the proviso theretp against an employee who has retired on compulsory retirement or otherwise, he, phall be paid during the +eriod commencing from the date following the date •of retirement to the date on Which upon conclusion of such proceeding; final oi•ders are passed, a provisional pension -not exceeding the maximum pension which would have been admissible on the basis of his qualifying service upto the :date of retirement, or if he was under suspension on the date of

retirement, uptb the date immediately preceding the date on which he was placed under suspension; but no gratuity or death-cum-retiremenC' gratuity shall be paid to him until the conclusion Of such proceeding and the issue of hnal orders thereon. (2) - of provisional pension made under clause (1) shall be adjusted against the final retirement benefits sanctioned to such employee upon conclusion of the aforesaid proceeding but no recovery shall be made where the pension finally sanctioned is less than the provisional i)ension or the pension is reduced or withheld either permanently or for a specified period. NOTE I— Thé grant of pension ixnder this regulation Shall not prejudice the Operation of regulation when final pension is sanctioned upon conclusion on the proceeding. CASES IN WHICH ARE INADMISSIBLE 13. No claim for pension 'shall be admitted—' (a) When an employge is appointed for I a limited time Only or for æ'specified duty, on the completion of which he is to be discharged. 1389 THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 (b) 'hen a person is employed temporarily on monthly wages without sßecified limit of time or duty; but a month's notice of discharge should be gi en to such person and his wages must be paid for any period by which s ch notice falls short of a month. Interpretation— The first notice given to an employee employed under the conditions of this regulation ceases to be effective when it is cancelled by a s9bsequent order, and the employee is entitled to a fresh notice before his renewed term Q! o employment for a further indefinite period could be cÅncelled. (c) When a person's whole time is not retained for the public service, but he is merely paid for work done for the Corporation. (d) Service where benefit under the Contributory Provident Fund Rules or similar benefits are admissible. NOTE I— Person enjoying such benefit, if absorbed in regular pensionable service, may count his past service during which benefit of Contributory Provident Fund were enjoyed. (e.) Service governed by specified contract unless there is stipulation contrary t it in the contract deed. MISCONDUCT OR INEFFICIENCY 14. NQ pension may be granted to an employee dismissed or removed for misconduct, insolvency or inefficiency; but to employee so dismissed or removed compassionate allowances or/ and land compassionate gratuity may be granted when they aren deserving of special consideration; provided that the allowance/ gratuity granted to any employee shall not exceed two-thirds of the pension/ gratuity which would have been admissible to him if he had retired on medical certificate. NOTE —Death-Cum-Retirernent gratuity or family pension under regulation 53 & 55 may not also similarly be granted if the employee is so dismissed or removed. Compassionate grants may however be made under these regulation in accordance with above principle and subject to same conditions, COMPULSORY RETIREMENT AS A PENALTY 15. An employee compulsorily retired from service, as a penalty, may be granted by the Commissioner pension at a rate not less than two-thirds and not more than full invalid pension, if any admissible to him on the date of his compulsory retirement. CLAIMS OF WIDOW 16. (a) It being the duty of every Corporation employee himself to provide for his family, the Corporation recogniåes no claim save as provided in the regulation, by a widow on account of the services of her husband. (b) The submission of such claims, is disapproved, as calculated only to give rise to hopes which cannot be fulfilled. NOTE l— Immediate relief in the family of Group D Employees : The Commissioner may sanction to the families of Group D employees whether permanent or temporary employee (excluding the mer.:oers Of thc casual establishment and daily rated staff) who had rendered not less than three years' continuous service and who died while in service (whether on duty or on leave with or without pay) an advance equal to two months' pay subject to a maximum of Rs. 10,000.00 (Rupees ten thousand) only if in the opinion of the 1390 17. THE ASSAM GAZETTE EXTRAORDINARY OCTOBER 15 2015 C mmissioner the family concemed has been' in indigent circumstances upon the d th of the employees' on whom it was dependant and is ip immediate need of Cial assistance. Paymeni of the advance should be made in the same manner and to the person or persons eligible or Would have been elidibfe 'to receive the death-cum-retirement grptuity. The advance will be adjusted against final death-cum-retirement• gratuity when sanctioned. LIMITATION a) An employee cannot earn two pensions in the same office at the same time, or by the same continuous service. b) Two employees may not simultaneously count service in respect of the same office. EXPLANATION 1. An employee who having retired on superannuation pension is subsequently re-employed shall not be entitled to a separate pension or gratuity for the period of his re-employment' 2. Under F.R. 12(a), two or more employee cannot be appointed substantively to the same permanent post at the same time. THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 CHAPTER 111 GENERAL coNDIT10Ns OF CLAIM OF PENSION BEGINNING OF SERVICE 1391 18. 19. 20. 21. 22. 23. 24. (a) An employee's service does not qualify till he has completed eighteen

years of age. (b) Ip other cases, the service of every employee begins when he takes charge of the office to which he is first appointed. CONDITIONS OF OUALIFYING SERVICE The service of an employee does not qualify for pension unless it conforms to the following three conditions — Firstly, the service must be under the Corporation. Secondiy, the employment must be substantive and permanent; Thirdly, the service must be paid by the Corporation. FIRST CONDITION SERVICE UNDER CORPORATION The service of an employee does not qualify unless he is appointed and his duties and pay are regulated by the Corporation. SECOND CONDITION Service does not qualify unless the employee holds a substantive office on a permanent establishment : Provided that continuous temporary or officiating service under the Corporation, followed without interruption by confirmation in the same or any other post, shall count in full as qualifying service except in respect of— (a) Periods of temporary or officiating service in non-pensionable establishment, and (b) Periods of service paid from contingencies. APPRENTICES AND PROBATIONER Service as an apprentice does not qualify for pension. The service of probationer qualifies; so does that. of an employee who is on probation for an office provided that the employee is appointed substantively on completion of the period of probation. PERMANENT EMPLOYEE DEPUTED An employee on a permanent establishment detached on duty in a temporary post, on the understanding that, when the temporary duty ceases he will return to the permanent establishment, counts his detached service in respect of his permanent appointment. 1392 NOTE - THE ASSAM GAZETTE EXTRAORDINARY OCTOBER 15 '2015 person who has rendered service partly in temporary establishment and partly in permanen! establist•yneny totaling in all 25 years or more will be eligibie for pension THIRD CONDITION REMUNERATION 25. Service paid from the Municipal Fund qualifies. NOTE: The following are not in pensionable service— (i) Employees who are paid for work done for Corporation bug whose whole time is not retained för the public service. (ii) Employees who are paid from a contract grant whether such grant is a. fixed amount or consists of fees. PERIODS QF LEAVE 26. All periods of leave with allowances shall count as service. NOTE: In the following circumstances, extraordinary leave should be allowed to count 27. 28. 29 30. for pension, namely— (i) if the extraordinary leave is taken on medical géound; (ii) if it is taken duc to inability Of the person to join or re-join d&ty due to Civil Commotion or natural calamity; provided he has no other type of leave to his credit; (iii) if it is taken for prosecution of higher Scientific and Technical Studies. An employee required to attend a departmental examination, optional or compulsory for promotion within the normal scope of the employee's tdepartment or office, shall be treated as on duty qualifying for pension during a reasonable time required for the journey to and from the place of examination and on the day or days of the examination. An employee who has been appointed to a post or; a cadre, shall be treated as on duty qualifying for pension during any course of instruction or trairiing which he may be required or permitted to undergo in accordance with the terms of any general or special orders and during the time reasonably required for the journeys to and from the place of instruction or training. Explanation— In estimating the 'time reasonably required for , the journey' Commissioner may; when necessary, allow time for preparation upto a limit of six days but should nov ordinarily,do so in case where the course of instruction lasts for less than six months. Study Leave when admissible shall count as service for pension. SUSPENSION, RESIGNATIONS. BREAKS IN SERVICE PERIOD OF SUSPENSION Period spe±xg on suspension pending enquiry into conduct counts in full where,, (On conclusion of the enquiry, the employee has been fully exonerated or the suspension •is held to have been wholly unjustified; in other cases, the period of suspension does not count unless the authority competent to pass orders, under Fundameptal Rule 54 expressly declares at the time that it shall count; and then it shall count only to such extent as the competent authority may declare. NOTE - Where the period of suspension is converted into one of leaye it shall count for pension to the ektent such leave would normally count. THE ASSAM GAZEVI'E EX"I'RAORDLNARY, OCTOBER 15, 2015 RESIGNATION AND DISMISSAL 1393 31. (a) Resignation from the public service, or dismissal or removal from it for misconduct, insolvency, inefficiency not due to age, or failure to pass a prescribed examination entails forfeiture of past service. (b) Resignation of an appointment with the prior written permission Of the appointing authority to take u another appointment, servtce in which cou nts, is not resignation of the public service. In cases where an interruption in service is inevitable due to the two appointments being at different stations, such interruptions, not exceeding the joining time permissible under the rales on transfer, shall be covered by grant of leave of any kind due on the date of relief or by formal condonation under rule to the extent to

which the period is not covered by leave. 32. (a) An employee who is dismissed, removed or compulsorily retired from public service, but is reinstated on appeal or revision is entitled to count his past service. (b) The period of break in service between thc date of dismissal, removal or compulsory retirement, as thc case may bc, and the date of re-instatement and the period of suspension (if any) shall not count unless regularised •as duty or leave by a specific order of the authority which passed the order of re-instatenaent; provided that the period of suspension converted into one of leave. shall count for pension to the extent such leave would count. INTERRUPTIONS 33. Interruption in the service of an employee entails forfeiture of his past service except in the following cases— (a) Authorized leave of absence. (b) Unau thorized absence in continuation of authorized leave of absence so long as the office of the absentee is not substantively filled; if his office is substantively filled, the past service of the absentee is forfeited. (c) Suspension immediately followed by reinstatement, which need not be to the sarne office or where the employee dies or is permitted to retire or is retired while under suspension. (d) Abolition of office or loss of appointment owing to reduction of establishmene. NOTE - The above clause (d) applies only in caseof abolition of perrnanent office or loss of permanent appointment. e) Transfer to non„qualifying service in an establishment under Corporation's control. The transfer must be made by competent authority; an officer who voluntarily resigns qualifying service cannot claim thc benefit of this exception. Transfer to a grant-in-aid school entails forfeitu re. /J) Time occupied in transit from one appointment to another, provided that the empioyec is transferred under thc orders of competent authority with the consent of the head of his old office

34. The authority who sanctions the pension may commute retrospectively 35.periods of absence without leave into leave without allowances. CONDONATION OF INTERRUPTION AND DEFICIENCIS (1) Upon such conditions as it may think fit in each case to impose, the General Council may condone all interruptions in the service of an employee. (2) Upon such conditions as they may thinf fit in each case to impose, the general council may condone a deficiency not exceeding twelve months in the qualifying service of an employee. 1394 36. THE ASSAM GAZETTE EXTRAORDINARY OCTOBER 15 2015 CHAPTER iV CLASSIFICATION OF PENSIONS ensions are divided into four classes (a) Compensation Pension (b) Invalid Pension (c) Superannuation Pension (d) Retiring Pension COMPENSATION PENSION 37. Ifan employee is selected for discharge owing to the abolition of a permanent post, he shall, unless he is appointed to another post the conditions of which 9re deemed by the authority competent to discharge him to be at least equal those of his own, have the option— (a of • taking any compensation pension or gratuity to Whiéh fie may be entitled for the service he has already rendered, or (b) of accepting another appointment or transfer to another' establishment 38. 39. even on a lower pay, if offered, and continuing to count his previous service for pension. INVALID PENSION An invalid pension is awarded, on his retirement from the public service, to an employee who by bodily or mental infirmity is permanently incapacitated for the public service or for the particular branch of it to which he belongs on production of medical certificate from Medical Board. SUPERAJt!YATION PENSION Superannuation pension is granted to an employee entitled or compelled, by rule, •to retire at a particular age. 40. a) Except where a separate date is laid down for particular class of employee, the date of compulsory retirement of Corporation employees in service shall be the date as laid down in Fundamental Rule 56. (b) No claim to compensation from an employee who is required to retire under the proVisions of this •regulation will be entertained. PROCEDURE 41. With a view to ensure completion of pension records and documents in time to avoid the possibility of any delay in the commencement of pension, the Commissioner shall have a superannuation statement prepared on the 1st of Jånuary in each year showing a list of all employees, who will attain the age of superannuation in course of the next calendar year, i.e. between 1st January to 31st December of next year. As soon as the list is prepared an intimation should be sent to every such employee due to retire during , the next year drawing his attention to his anticipated date of retirement and the provisions of regulation to enable him to make a formal application THE ASSAM GAZEITE EXTRAORDINARY, OCTOBER 15, 2015 1.395 for pension one year in advance of the date of his anticipated retirement. If no intimation is however issuéd to the employee this shall not in any way change his date of retirement and 'Shall not confer on the employee any right to remain in service beyond the date on which he is required to retire 42. Simplification procedure with a view to eliminating the delays in the payment of superannuation pension and death-cum-retirement gratuity

1. Time table for the work The payment o:• superannuation pensions should in all cases commence of the first day of the month in which they are due. For this purpose the head of office responsible for and connected with pension cases, Including those responsible for the issuing pension payment. orders, WNI be. required to observe the following time schedule for the various processes leading t.o the authorizat.ion and payment of pension and gratuity. The Corporation's intention is that while the preliminary and preparatory work should be commenced sufficiently in advance and adequate time allowed in various stages and processes of work, these should not be allowed to be unduly prolonged or to become interminable, to obviate this cut-off dates as prescribed for each stage so that when a cut- off date is reached the work will then necessarily proceed to the next stage: (G) (b) The Head or office or other authority responsible for preparing the pension papers will initiate the pension case two years before the date of retirement of the employee. At this stage. the work will be essentially that of assembling the intOrmation necessary for working out the qualifying service (or at a later date calculation of average emoluments). As most delay in pension cases arise from gaps, deficiencies and imperfection in the service book/ records, every effort should be made at this stage to remove these while at same time keeping in mind that what is intended is nol a total overhaul or audit of the entire service book or records but only a scrutiny Iitnited to t.he immediate purpose on hand namely, thc preparation of the pension papers. This process should be completed in good time at any rate not later than 8 tnonths in advance of thc date of retirement of the employee. On reaching the above stage i.e., 8 months before the retirement that the actual work of pj •eparation of pension papers viz. the reckoning of qualifying service and the calculation of average emoluments should be taken up. Any deficiency or imperfection or omission which still remains in the service records will be ignored at this stage and the determination of the qualifying service will bc proceeded with on the basis of entries in thc service records whatever the degree of perfection to which it might have been possible to bring them by that date. The average emolument will be determined with reference to emoluments drawn during the last IO complete months and not 36 months as was the practicc heretofore. While the period to be taken for average calculations has been reduced, the other provisions in rule i 15 Of the Assam Services (Pension) Rules, 1969 will continue to apply mutatis mutandis. This work involves not merely an arithmetical calculation of the average ernoluments but . also a check of the correctness of the emoluments on the first date of the ten months period would naturally depend on the correctness prior to this date. However, any such check of the correctness of the past. emoluments whether in the office preparing the pension paper or later in the office responsible for issuing the payment order should not become an occasion for an extensive examination going back in to the distant past, the check should be thc minimum which is absolutely necessary and it should not in any case go back to a period earlier than a maximum of '24 mon ths preceding the date of retirement. The process of determining of qualifymg service and the average emoluments and the admissible pension and gratuity should be positively cotnpleted within a period of two months and the pension papers should bc sent to t.he office responsible for issuing the pension payment order not later than 6 months befOre the date of retirement. That office will after the necessary scrutiny of the papers (limited to the immediate purpose on hand as mentioned in sub-Paragraph (a) 1396 (j) THE ASSAM GAZETTE EXTRAORDIN Y, OCTOBER 15, 2015 d ,(c) above) issue the pension paymenU orde including the order for the p y;nent of, the deqth-cum-retirempnt gratuiFy ot later than one ynonth in a4vance p$ the deVe of retirement., The time schedule and procedures, mentioned a ove will equally apply mutatis utandis to those cases in which the office which i •to issue the pension payment. o der h" also the responsibility for Che preparatio of pension papers. 19 those cases in Which the retirement of takes place earlier than the normal date of retirement either in pursuance of the provision of F. R. 56(b) or (c) o because of thc permanent absorption of the employee in a publiq undertaking i terms of Rule 98, (i) of the Assam Services (Pension) Rules, 1969 the nature of t e retirement would prccludee advanced action in regard to the pension cases. such cases too, the pension case would have to be processed very expeditiously and _instruction in this regard will be issued separately

3. Extr ordinary leave and suspension: (a) D traordinary Ietave is allowed for pension if it is taken— (i on medic•al certificate; or due to inability of the .person to join or re-join duty due to Cilvfii commotion or natural calamity; or (Oi) for prosecution or higher scientific and technical studies. Extraordinary leave taken on other grounds is treated as non-qualifying, and therefore, ae definite entry is to be made in the service records to that effect. Entries regarding service being qualifying or - otherwise are required Io be

made simultaneously with the even. Even where this is not done, it should still be possible -to rectify the omission during the period allowed for preparatory action i.e;, frorrr two years in advance of the retirement date up to •eight months before retirement. 'At theænd of 'the period, however (i.e., when the actual preparation of thé pa pers is taken in hand as laid down in Paragraph 2 (b) above) no further enquiry into past events or check of past records should be undertaken. Specific entries in the services record regarding non-qualifying periods willbe taken note of anci- such periods excluded from thc service. All Spells of ext.ra-ordinary 'leave not covered by such specific entries will be deemed to be qualifying service. Similarly, in. cases other than those in which suspension has been held to be wholly unjustified, the competent authority should at the appropriate time declare whether and to what extent the period of suspension will count towards the qualifying service, special entries in this regard in the service book/ records will be taken note of at the time of reckoning qualifying service. In the absence of any specific. entry, period of suspension shall be taken as counting towards the qualifying service. Breaks in service: ' In the absence of specific indication to the contrary in the service records, an interruption between two spells of service rendered under the Corporation will be treated as aütomatically condoned and the pre-interruption service treated as qualifying service for pension, except where it is otherwise known that the interruption caused by resignation, dismissal -or removal from service or participation in strike. The period of interruption itself will under no circumstances be reckoned as qualifying service för pension

4. Deputation/Foreign Service: (a) There are some cases in which fin accordance with the terms of deputation/ foreign-service, it is the responsibility and liability Of •the employee himself to maintain the continuity of pensionable service by the payment of pension contributions.such cases, it will be necessary to ascertain Whether the -recoveries have been made, before the period of foreign-service is reckoned as 1397 THE ASSAM GAZETTE EXTRAORDINARY, OCI'OBER 15, 2015 qualifying service. However, the employee i:; sometimes put to considerable dittir•ulty because of defective or incomplete record maintenance by the administrative/ accounts offices. such cases, while he could be reasonably asked to show that he had indeed made tnc contributions, the administrative authority should show a spirit of reasonableness and accommodation in evaluating and accepting such evidence as he is able to put forward, and not insist rigidly on formal proof with reference to service or account records for the maintenance of which the employee is not responsible. (b; Where, however the responsibility for making pension contributions is that of the borrowing organisation and where eithe.t• some of the contributions are incomplete, while the authorities concerned should pursue thc matter with t.he borrowing organisation separately for appropriate action, this should have no bearing on the processing and finalisation of pension papers

6. Right to withhold or withdraw pension: (a) Nothing contamed hereinabove is intended to effect the provisions of Rule 21 of the A.S. (Pension) Rules, 1969 which provide for withholding or withdrawing of pen Sion. (b) or judicial proceedings instituted during the service of the Employee. are not likely to the finalized by the date of retirement action to grant provisional pension in terms of rule 22 (1) and (2) should be taken. The provision of Paragraph 7 (b) bciovv will not apply to provisional pensions granted in terms of rule '22(1) and (2) of thc Assam Services (P:-nsion) Rules, 1969. (c) If after the pension papers have beep forwarded to the office responsible for issuing the Pension Payment Order in accordance with the provisions of Paragraph I (b) above any event occurs which has a bearing on the amount of pension admissible, the fact shall be prompt.ly reported to the office responsible for issuing the Pension and Gratuity Payment Order

7. Payment of provisional Pension and Gratuity: If, for any special reasons it has not been fOund possible to complete and forward the pension papers for issuing the Pension Payment Order within the prescribed time schedule a particular case, or if the pension papers has been returned för eliciting further information or has not been able to issue the Pe.nsion Payment Order before one month prior to the date of retirement, steps shall be taken by the Commissioner to authorize payment of provisional pension and gratuity by the first of the month in which it is due. For this purpose, such information as is available in the official record may be used, and further the Commissioner should ask the retiring employee for a simple statement. giving his total length of service frorn the date of retirement indicating the period of breaks, if any and also the emoluments drawn during the last ten months of service. The retiring employee may also be asked to c.ertify that the facts stated by him are correct to the best or his knowledge ancl belief. If complete information in regard to the emoluments drawn during the

last ten months is not available either with the Commissioner or with the employee, the emoluments last drawn should be taken provisionally as average emoluments. The Commissioner shall sanction 100% of the pension calculated with reference of thc inforrnation so obtained, as a provisional pension. The death cum„retirement gratuity should similarly be determined. 'I'he provisional pension and gratuity will be drawn and disbursed by the Commissioner in respect of non-gazetted employee. Before•dislfirsing the provisional gratuity, all known dues such as long term advances still outstanding overpayment of pay and allowances, ctr. and other recoveries due, shall be adjusted. Where no such adjustments are a deduction of 100/0 of the gratuity or Rs. 1,000.00 whichever is less, shall be made partly to cover un-assessed dues, if any, and partly as a margin for adjustment in the light of the final determination of the gratuity. Lb) Provisional pension to become final after six months. The provisional pension is not intended to be continued on a provisional basis beyond a period of six months 1398 THE ASSAM GAZETTE EXTRAO INARY OCTOBER 15 2015 f •orn the date of ft-etirement. If 'the office responsible for issuing the pension ayment order hai not finalized the pension case by that time, the provisional ension shall be deemed to have become final and it will be obligatory for the Office concerned toc issue the final Pension Payment Order for the amount of ension and gratuity already calculated on a provisional basis, and the deduction ade from the gratuity as pen sub-Paragraph (d) above shall also be released ubject to the provisions of Paragraphs 9 and IO below

8. Last Pay Certificate: he issue of a Last Pay Certificate should not be insisted upon before the payment ctf provisional pension during the period of six months after the retirement which as been provided for various purpose above, it should be possible for the Head of ffice or other office concerned to issue the Last Pay Certificate to employee. The qratuity Payment Order will in any case include a provision for withholding 10% of t e gratuity or Rs. 1,000.00 whichever is less, pending the production of the Last av Certificate

9. Adju tment Of Corporation dues: (a) ues pertaining to Corporation accommodation—A "No Demand Certificate" duly issued by the Chief Audit' & Accounts Officer shall be submitted along with the pension papers and the adjustment of dues pertaining to the continued occupatiön of Corporation accommodation after retirement will for the present continue. (b) bues other than those pertaining to Corporation accommodation: In respect of other Corporation 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 thc 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 Corporation dues. One that stage is reached i.e., eight months before the retirement of the employee, any further probing of records for recoveries due shall cover only a limited period i.e., no more than two years before the date of retirement. It should thus be quite possible for the Head of Office, or the office Which is to issue the Pension Payment Order as the case may be, to ascertain or _ assess all theo dues, particularly those pertaining to long term advances such as house-building or conveyance advance, over-payment' of pay and allowances and such other dues, prior to the prescribed deadline for the issue of the pension payment/ gratuity payment orders or 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 office responsible for issuing the pension payment order, additional recoveries to be made from the gratuity comc to notice, the fact' shall promptly reported to that office. Pln a case where no major recoveries are due, but 10% of the .gratuity or Rs. 1,000.00 has been withheld because there might be unassessed Corporation dues, or because the gratuity has been provisionally paid as per Paragraph '7 (a) above, or because Last Pay Certificate has not been received (see Paragraph 8 above), the withheld amount shall automatically become payable on the expiry of six months after retirement. • The Head of office (or the office issuing the pension and gratuity or the final Gratuity payment order) release 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 for the recovery of a specified sum or sums from 'the withheld amount instructions ary issued within the aforesaid period. IO. Accountability of officers charged with the maintenance of records: In taking the above decision, Corporation have procecded on the basis that in spite. of every effort imperfection may remain in the records and procedures but THE ASSAM GAZETTE

EXTRAORDINARY, OCTOBER 15, 2015 1399 that ould be unfair t9 a retiring employee if he had to suffer because of the lapses of th se responsible for the proper maintenance of service record. The fact that unde the new procedures the presumption will be in favour of the employee if the records are incomplete or different in any manner underlines the importance of ensu • g the proper, regular and timely completion of all the service and accounts records by the offices concerned, so as to minimize occasion for making such presåmption. It has accordingly, been decided that if, in future, service records are foun4 to be incomplete or imperfect at the time of processing and finalizing penston cases, those cases will not be delayed but the officials responsible for thc maintenance of the records. will be held accountable for any deficiencies, failure or omissions therein, and action will be initiated against them. The Head Of Department will ensure that the directions are complied with

11. Monitoring and Reporting: To keep an effective watch the preparation and finalization of pension papers, a monitoring and reporting system will be introduced in the offices concerned. Separate general orders will follow ill thisxespect. RETIRING PENSION 43. A retiring pension is granted to an employee who is permitted to retire after completing qualifying service for thirty years or such less time as may for any special class of employees be prescribed. 1400 44. 45. 46. 47. '8. THE ASSAM GAZETTE EXTRAO I NARY, OCTOBER 15, 2015 CHAPTER V AMOUNT or PENSION GENERAL RULES The amount of pension that may be ganted is determined by length of service. Fractions of a half year is not taken into account in the calculation of any pension admissible to an employee. OF FRACTION The amount of pension shall be expressed in whole rupees and where the pension calculated according to the rules contains a fraetion of a rupee, it shall be roun4ed off to the next higher rupee. AWARD OF FULL PENSION (a) full' pension admissible under the Nles is not to be Öven as a matter of course unless the service rendered has been really approved. (b)lf the service of an employee has• not been thoroughly saüsfactory the authority the pension should make such in the amount as it thinks proper. An employee entitled to pension may not take a gratuity instead of pension, AMOUNT or PENSION The amount of pension shall be regulated as follows— (a) After a service of less. than ten years, a B'atuity not exceeding (except in special cases, • end under the orders of the. General Council upto a maximum .of 12 months' emoluments) one-half month's emoluments for each completed six monthly period of service. b) The amount of pension of the Guwahati Municipal Corporation employees who were retiring from service on or after 310t January, 1996 shall be determined 50% of last IO months average emo uments with a quali&ing serfice of 33 years or more, For employees who at the time of retirement have service of 10 ears or more but less be proportiöfiäEFIEs thah e amount of •pension admissible pension. The minimum be Rs, 1225 and. the maximum pensioh Rsæ2L-. 9) of pension of Guwahati Mumcipal Corporatiorf employees who were ietiring from service on or after 31.0102006 shall be determined @ 50% of last month's emolument drawn or 50% of last 10 months average emolument'_whiche€er is beneficial to the The arnoüht so computed on' the basis of the above principles shall be r».z/'j)- rounded off to next of Rs, 10.00 and will be the basic Pension for all purposes vrith effect from l/ 1/2006, THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 1401 (ii) (iii) (iv) he revised pension in no case shall be lower than 50% of the sum of minimum of the pay in Pay Band and the corresponding Grade Pay khereon from which the pensioner had retired. Qualifying service for receiving full superannuation pension shall be 25 ears. Proportionate pension shall be given to those employees ave completed minimum 20 six monthly period of qualifying service but less than 50 six monfiv periods of qualifying service •with effect inimum amount of full superannuation pension shall be Rs. 3,000.00 pm and maximum Rs. 25,500.00 pm w.e.f. 1.1.2006. EMOLUMENTS AND AVERAGE EMOLUMENTS 49

50. If immediately before his retirement or death an employee has been absent from duty on leave with allowances, his emoluments for the purpose of cåiculating service gratuity and/cr deaüi-cum-retirernent gratuity should be taken as what they would have been had he not been absent from duty: Provided that the amount of gratuity is not increased on account of increase in pay not actually drawn and that benefit of higher officiating or temporary pay is given only if it is certified that he would have continued to hold the higher officiating or temporary appointments but for his proceeding on 'leave. For persons retiring from service on or after 1.1.1996, the term 'Emoluments' means pay as defined in F.R. 9(21). "Average emoluments" means the average calculated upon past ten months of service. Note 1 : Note 2 : 52. If during tbe last ten months of his services an employee has been absent from duty on leave with allowances, or having been suspended has been reinstated without forfeiture of

service, his emoluments, for the purpose of ascertaining the average should be taken at what they would have been had he not been absent from duty or suspended; provided always that his pension must not be increased on account of increase in pay not actually drawn. If during the last ten months of his service, an employee has been absent from duty on leave without allowances (not counting for pension), or suspended under such circumstances that the period of suspension does not count as service, the periods so passed should be disregarded in the calculation of the average, an equal period before ten months being included. ALLOWANCES v.n-rrcH DO NOT COUNT An employee cannot count the following allowances- (1) Local enowances and deputation (local) allowances; (2) House rent allowance, or estimated value of free quarters; (3) Tour and other allowances; (4) Compensation for dearness of provisions. 1402 4. THE ASSAM GAZETTE EXTRAO t mARY, OCTOBER 15, 2015 CHAPTER VI DEATH-CV*R.ETXR.EMENT GRATUTTY (l) An employee who has completed five years' qualifying service may be granted an additional gatuity not exceeding the amount specified in sub-regulation (3), when he' reåres from service and is eligible for gratuity or pensiön under rules. (2) If an employee who has completed 5 years' qualifying service dies while (3) (1) in service, a gatuity not exceeding the amount specified in sub- regulation (3) may be paid to the person or persons on whom the right to. receive the gratuity is conferred under regulation or, if there is no such. person, it may be paid in the manner indicated below- (i) If there are one or more surviving members of the family as in items (i), (ii), (iii) and (iv) of sub-rule (1) of regulation 54, it may be paid to all such members, other than any such member who is a widowed daughter, in equal shares, (ii) If there are no such surviving members of the family as at (i) above, but there are one or more surviving widowed daughters and/or one or more surviving members of the family as in items (v), (vi) and (vii) of sub- regulation (1) of regulation 54, the gatuity may be paid to all such members, in equal shares. The axnount of gratuity will be one-fourth of the 'emoluments' of an employee for each completed six monthly period of quali&ing sewice subject to a maximum of 16.50 times the emoluments, In the event of death of an employee white in service, the gatuity will be subject to a minimum of 12 times the emoluments of the employee at the time of his death. In no • case, however, the amount of gatuity shall exceed Rs. 2 OO 000.00 w.e.f Rs. from 26/03/2001 and Rs. from 01104/4009* GÖ1umentöfor the purpose of calculafiöifÖfällkinds of gFatuif.ies (retirement death service, terminal) will include Dearness Allowance on the date of retirement/ death w.e.f 01/01/1996. NOMMATION (a) Family' for the purposes of DCRG will include the followeing relatives of the Employee- (i) Wife in the case of a male employee; (ii) Husband in the case of a female employee; (iii) Sons; (iv) Unmarried and widowed daughters; (v) Brothers below the age of 18 years and unmarried or sisters; (vi) Father; (vii) Mother. (iii) and (iv) will include step-children and adopted children. widowed Note 1 : (b) 'Person' for the purpose of this rule shall include any company or association or .body of individuals whether incorporated or not. (2) An employee' shall, ae soon as he is confirmed or completes five years' qualifying service, make a conferring on one or more persons 1403 THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 thf right to receive any gratuity that may be sanctioned under sub- regulation (2) of regulation 53 and any gratuity which having become admissible to him under sub- regulation (1) of that regulation has not been paid to him before death: Prbvided that if at the time of making the nomination the employee has a family, the nomination shall not be in favour of any person or persons other than the mem ers of his family. The Head of Office will ensure that as soon as an employee is confirmed in a Note: pensionable post, nominations in terms of clause (2) above are duly made by such officeF. (3) If an officer nominates more than one person under sub-rule (2) he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole amount of the gratuity. (4) An employee may provide in a nomination- (a) In respect of any specified nominee, that in the event of his predeceasing the employee the right conferred upon that nominee shall pass to such other person or perscas as may be specified in the nomination;' provided that if at the time of making the nomination the officer has a family consisting of more than one member, the person or persons so specified shall not be other than a member or members of his family. (b) That the nomination shall become invalid in the event of a contingency specified therein. (5) The nomination made by an employee who has no family at the time of making it, or a provision made in a nomination under clause (a) of sub- regulation (4) by an employee whose family consists, the date of making the nomination, of only one member, shall become invalid in the event of the employee subsequently acquiring a family or an additional member in the family, as the case may be. (6) (a) Every nornination shall be in a prescribed form. (b) An employee may at any time cancel a nomination

by sending a notice ili writing to the appropriate authority provided that the officer shall, along with such notice, send a fresh nomination made in accordance with this regulation. (7) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination or on the occurrence of any event by reason of which the nomination becomes invalid, the employee shall send to the appropriate authority a notice in writing formally cancelling nomination, together with a fresh nomination made in accordance with this regulation. Note I : While a nomination as also any change therein will normally be made by an employee during his service, he may be allowed to make a fresh nomination or change his earlier nomination after retirement if such a contingency arises. FAMILY PENSION SCHEME 55. A family pension will be admissible in case of death of an employee while in service or after retirement on or after 1st January, 1996, if at the time of death the retired employee was in receipt of compensation, invalid, retiring or superannuation pension. In case of death while in service, the employee should have completed a minimum period of one year of service. 1404 56 THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 Note 1 : The term "one year of service" mentioned in above rule does not include broken periods of service: The service for these purposes should be continuous. Note 2 : For the purpose of compudng the minimum period of completed one year of continuous service, Qboy service' and periods of extraordinary leave, if any, shall be excluded. (The rate of family pension is 30% of last basic pay subject to a minimum of Rs. 4,225.00 w.e.f. 01-1-1996. The revised amount of minimum family pe.nsion• shall be Re. i ,8ÖO.ÖÖpm w.e.f 01-01-2006). Note 1 : Note 2 : Pay for the purpose of this rule means the pay, as defined in Rule 9 (21) of the. Fundamental Rules, which the person was drawing on the date of his death while in service or immediately before his retirement. If on the date of his death while in sew-ice or immediately before his retirement a person had been absent from duty on leave (including extra-ordinary • leave) or suspension. 'Pay' means the pay which he drew immediately before proceeding on such leave br suspension, The Scheme does not debar an employee/ pensioner from drawing family pension in addition to •his/her pay or pension, In Che event of death of the father and the mother who were both employees of Guwahad Municipal Corporation, the minor children will be eligible to draw two family pensions, If an employee after • tendering minimum of 7 (seven) year's continuous sewice dies while in service, the family of such employee may be ganted a pension at the rates and conditions mentioned below- (i) For a period of 7 (seven) years from the date following the date of death or till the date on which the employee would have reached the normal age of superannuation had he remained alive, whichever period is shorter, the pension payable under this rule will be at SO(fifty) percent of the basic pay last drawn, subject to a maximum of twice the normal pension admissible. (ii) The pension payable thereafter will be at the normal rate. (iii)The provisions of this rule will not be applicable if the employee had put in less than 7 (setten) years' continuous service prior to his death. DEFINITION or FOR PENSION 7. (i) Family will include. the following relatives of the employer: (a) Wife, in the case of a male employee; (b) husband, in the case of a female employee; (c) minor sons; and (d) unmarried minor daughters, Note i (c) and (d) will include children adopted legally before retirement. Note 2 : (a) Marriage for the purpose of admissibility of pensionary benefits to the of a retired official shall mean marriage before or after retirement. (b) Child/ Children for the purpose of pensionary benefits of a retired official shall mean child/ children born before or after retirement,) (ii) The pension VÅI.I be admissible- Note (a) In the case of a widow/widower upto the date of her/ his death or re-marriage whichever is earlier. (b) In the case of a minorson, until he Ättains the age of 18 years, (c) • In the case of an unmarried daughter und.l she attains the age of 21 years or marriage, whichever is earlier. : In cases where there are two or more widows, pension will be payable to the eldest. suwiving widow. On her death it will be payable to the next surviving THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 1405 widow, if any. The term •eldgst' would mean seniority with reference to the date of'marriage. (iii) Pe Sion awarded uhder the rules in this section will not be payable to more than one member of an employee's family at the same time. It will first be admissible to the widow/ widower, and thereafter, to the minor children. (iv) In t e event of re-marriage or death of the widow [widower, the pension will 58. 59. 60. be granted to the minor children through their natural guardiam In disputed cases, however, payments will be made throUgh a legal gu ardian. Pamily Pension under theoregulations is not admissible in respect of- (a) persons paid from contingencies; (b) work-charged staff; (c) casual labour; d) contract employees; e) persons whö - die after removal • or dismissal from service, and were/ are granted Compassionate Allowance. (1) As in the case of the grant Of an ordinary pension, future gpod conduct of the. recipient is an implied condition of every grant of a

pension. General Council of the Conotation reserve to themselves ghe right of withholding or withdrawing such a pension or any part Of it if the re.cipient be convicted of serious crime or be guilty of grave misconduct and General Council decision in such matters will be final. PROCEDURE FURNISHING OF 'FAMILY' DETAILS (1)The following procedures are to be followed in respect of claims arising out of the Scheme , (i) All employees entitled to the benefit of this Scheme shall be required to furnish details of therr 'family' as defined in clause (i) of rule , i.e., the date of birth of each member, with his/her relationship With the employee. This statement shali be countersigned by the Head of Office and pasted in the Service Book of the employees will thereafter be required to keep this statement up-to-date. Additions and alterations in this statement will be made by the •Head of Office from time to time on receipt of information from the entployee concerned. Simplification of procedure for the authorization of family pension and Death-cum-Retirement gratuity in respect of employee who die while in service. i. Time table forfthe work As soon as the Commissioner receives intimatiokl regarding death of a employee while in service, he shall init.i3te immediate action for obtaining claims for family pension and death-curt-retirement gratuity from the beneficiary or beneficiaries ii. The Commissioner shall go through the service book/ service record of thc deceased employee and satisfy himself as to whether annual certificates of verification of service for the entire period of service are recorded therein. iii. If there are any . period/ periods unverified service, the Commissioner shall accept the unverified portion of service as verified on the basis of valid entries 1406 2. v. THE ASSAM GAZMTE EXTRAORDINARY OCTOBER 15 2015 in the service book/ service record. For this purpose, the Commissioner may rely on any other relevant material tc hich he may have ready acceß9, While aecepting the Unverified portion of ser 'i+e, the Commissioner sha» .eneure-that service was Continuoué and was not fcrfeited on account of di@missal, repwval or resignation from service. (g) For the purpose of determination •c f emoluments for family pension and death-cum-retirement gratuity, the, Commissioner shall normally confine the verification of the correctness o emoluments for a maximum period of one year preceding the date of death the employee. (b) •In case; the employee was on extraordinary leave on the date of death, correctness of the emoluments which. he drew preceding the date the commencement of the extraordinary leave shall be verified. The process determination of qualifying •Xervice and qualifying emoluments shall' be completed within one month of the receipt of the intirriation regarding the date of death of the employee and the amopnt.of family pension and death- cum-retirement gratuity shall be calculated accqrdingly. Determination of family pension æzd gratuity wyere service recoedq gre inc6mplete — if in any particular case, the service book/ service record hes not been maiotained properly, and it is not possible for the Commissioner accept the unverified portion of service as .verified on the basis of gitries in the serviqe book/ aervice record, the Commissioner shall not proceed with verificatiopvgf the entire apell Of Se.rvice. The verification of service in such a case shall be coiifpa•c! to the following spell of service- (A) For the purpose of family pension. If the deceased employee at the time of death had rcndered more than one year of service but less than seven years service, the service and the emoluments for the last year of servZe shall be (ii) iii) v) verified and accepted by the Commissioner and thé of family pension determined as per rates of family pension Äicated in Regulation 56, If the deceased employee at the time of his death had renderee wore than seven years of service, the service for the last seven yeæ-e emoluments for service rendered in the last year shall be vera end , accepted by the Commissioner and the amount of fanl -3 pension and the period of its tenability determined unde Regulation 56. If the deceased employee at the time of death. had rendered more than seven years of service and the service of last seven years is not capable Of being verified and accepted by the Commissioner but the service rendered during the last year is capable of being verified and accepted, the Commissioner pending verification of service for seven years, calculate the amounts of family pension. The service for, the clast seven years shall be verified and accepted within the next two months and the amount of family pension at the enhanced rates and the period for which it is payable shall be determined. The determination of the amount of family pension in terms of sub- clauses (i), (ii) & (iii) shall be done within one month of the receipt of intimation of the date of death of the employee. (B) For the purpose off death-cum-retirement gratuity. If the deceased employee had, at the time of death, rendered more than five years of qualifying service but less than twenty-four years of qualifying service, and the spell of last five years service has been verified and accepted by the Commissioner under clause (A), the THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 1407 (ii) amount of death-cum-retirement gratuity shall be equal to 12 times the emoluments of the deceased. If the deceased employee

had rendered more than twenty four years of service and the entire service is not capable of being verified and accepted, but the service for the last five years has been verified and accepted under sub-clause (i), the Commissioner pending verification of service for the entire period, shall calculate the amount of D.C.R.G. as indicated at sub-clause (i) above, final amount of gratuity shall be determined by the head of office on the basis of the entire spell of service which may be verified and accepted by the Commissioner not later than six months from the date of death of the employee

3. Sanction drawal and disbursement of provisional family pension and gratuity (1) The Commissioner shall grant provisional family pension not exceeding the maximum family pension as admissible and ninety per cent of the gratuity after adjustment of all outstanding dues. For this purpose, the Commissioner shall adopt the following procedure— (a) He shall an office order in favour of claimant are claimants indicating the amount!' of hundred per cent of provisional family pension and ninety per cent of gratuity as deterrnined after adjustment of all outstanding employee. (b) He shall indicate in the office order the amount regoverable out of the gratuity. (c) After issue of the office order, he shall draw himself fi) The amount of provisional family pension, and Gi) h'he amount of ninety per cent of the gratuity after deduction of the dues mentioned in clause (b) above. The drawal of the amount of family pension and gratuity provisionally may be donc by the Commissioner ill establishment pay bill (2) The Commissioner shall disburse- (a) The provisional family pension as would fall due to the claimant on or after the first day of each month following the month in which the employee died. (b) The araount of the death-curt-retirement gratuity to the claimants immediately after the same has been drawn under sub-Para (I) (C) (ii). (3) The payment of provisional family pension shall continue for a period of one year from the date of death of the employee. (4) If the claimant desires the payment of provisional family pension or a 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: 4. Adjustment of Corporation dues- On receiving an intimation regarding the death of the employee, the Commissioner shall take steps to ascertain all the dues pertaining to long term advance (viz. House Building Advance, Conveyance Advance etc.) short term advance (viz. Festival Advance, etc.) and over payment of pay and allowances in addition to the recovery, if any, as a punitive measure in order to make good the loss caused to Corporation as a result of negligence or fraud on the part of the person concerned while in service, excluding thc dues pertaining to occupation of Corporation accommodation. Such ascertainable dues shall be recovered from the amount of death-cum-retirement gratuity becoming payable to the family of the deceased Employee. 1408 THE ASSAM GAZETrE EXTRAO ARY OCTOBER 15 2015 PROCEDURE RELATING TO PENSIONS APPLICATIONS FOR AND GRANT OF PENSIONS GENERAL 61. All authorities dealing with applications for pension under these regulations should bear in mind that the delay in the Payment of pensions involves haydship. It is essential to ensure, therefore, that an employee begins to receive his pension on the day on which it becomes due. Note 1. nnual superannuation statement should be checked at least quarterly to see if 62. ny employee due t.o retire within one year has not yet submitte his pension pplication. Attention of such employee should be drawn to regula •on and they hould be reminded to submit their formal application. Every employee shall subprit a formal application for pension in

Form No. I. An officer should, in his own interest, submit his pension application for pension to the Commissioner, one year in advance of the date of his actual or anticipated retirement, 0 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

63. To the extent applicable, the following documents should also be forwarded along witli the pension application

Form No.2, namely:— (i) (ii) (iii) (iv) Last Pay Certificate if the applicant is no longer in service. Invalid certificate from the appropriate medical authority if the application is for invalid pension. Memorandum of average emoluments. Two specimen signatures, duly attested. However, in the ease of persons not literatc enough to sign their nameS, two slips bearing the left 'hand thumb and fingers impressions, duly attested. (v) (a) Three copies Of pÅssport size photograph duly attested, or (b) Three cG)ies of passport size joint photograph with wife/ and (c) Details of 'family; for the purpose of pension as defined hereinabove, (vi) (vii) (vjii) i.e., date of birth of each member with his/her relationship with the employee. Two slips each' showing particulars of height and identification marks duly attested. Formal application for pension in Form No

Form No.1 (Pension), the Commissioner shall immediately prepare statement of the applicant's service in Form No. 2, and arrange to verify them according to the following, procedure:— (a) He •shall go through the Service Book and the Service Roll, if any, and satisfy himself whether the annual certificates of verification for the entire service arc recorded therein. In respect of the unverified portion (s) of service, he shall arrange to verify it or them, as the case may be, with reference to pay bills, acquaintance rolls or other relevant records and record the necessary certificates in the Service Book or Service Roll, as the case may be. (b) If thc service for any period is not capable of being verified in the manner specified in clause (a),. that period of service having been rendered by the employee in another office or department, a reference shall be made to the head of that Branch .or, as the case may be, of that department in which the employee is shoq•n to have served during the period for the purpose of verification. (c) If any portion of service rendered by an employee is not capable of being verified in the manner specified in .clauses (a) and (b), the cmployec shall file an affidavit duly sworn before the competent Magistrate or Notary stating that hc had in fact rendered that period of service and shall also furnish all relevant details a-nd evidence in support of the same. The Commissioner shall admit that portion of service after taking int o consideration the statements in the affidavit and evidence produced by that officer in support of the same, if he is satisfied that the officer had really rendered that portion of service. PROCEDURE IN PAYING A gratuity is paid in a single sum on receipt of authority froyo Com.missioner. (l) No pension shall be paid until the paying officer has received the authorization from the Commissioner. Such authority will be a Pension Payment Order. A pension, for 'Shich Pension Payment Order has been Issued, is payable in India monthly in arrears on or after the first day of the following month under the following procedure. (i) (ii) (iii) Each Pension Payment Order will be accompanied by the prescribed form intended to be delivered by the Disbursing Officer to the pensioner concerned fcr use as a wallet for the pensioner's half of the Pension Payment Order. On receipt of the Pension Payment Order the disbursing officer will deliver one-half to the pensioner, and keep the other half carefully in such manner that the pensioner shall not have access thereto. Each payment made is to be entered on the reverse, both of the pensioner's half and of the disbursing officer's half of the Pension Payment Order, both entries being attested at the time of payment by the signature of the disbyrsing officer. 1410 67. 68. i) THE ASSAM GAZETTE EXTRAORDINARY OCTOBER 15 2015 A pension shall, under no circum tances, be paid for the first time in arrear for more than one ye without the approval of the Corporation. A pension is payable for the day on which the pensioners dies. IDENTIFICATION OF PENSIONER As a regulation, a pensioner •must take payment In person after ide tification by comparison with the Pension Payment Order. Three certified copies of the pensioner's photographs (three copies of joint photographs with wife/ husband in passport size shall be obtained and pa?ted on the Disbursing Officer's half of the Pension Payment Order and th? Disbursing Officer may make payment on 'the strength of the re emblance between the pensioner and his photograph pending the final re nciliation of any question which may arise about identificatibn marks. Note - T e identification of pensioner by means of photograph will be in addition 69. 70. 71. to the system of recording the signature/ thumb and finger impressions which will remain a permanent and reliable record of pensioner's identity. A pensioner specially exempted by the employer from personal appearance, a female pensioner not accustomed to appear in public, or a pensioner who is unable to appear in consequence of bodily illness or infirmity, may receive his or her pension upon the production of a life certificatc signed by å person exercising powers of a Magistrate under the code of Criminal Procedure, 1973 (Act 11 of 1974) or by a Gazetted Officer. A pensioner of any description, who produces a life certificate signed by some person exercising the powers of a Magistrate under the Criminal Procedure Code (Act V of 1898) or by any Registrar or Sub-Registrar appointed under the Indian Registration Act, 1908 (XVI of 1908) or by any pensioned officer who, before retirement, exercised the powers of a Magistrate or by any Gazetted officer or by a Munsiff, or by a Police officer not below the rank of Sub-Inspector-in-charge of a Police Station or by a Post Master, a Departmental Sub-Postmaster, or an Inspector of Post offices, or by the Reserve Bank of India or the State Bank of India or any other Bank approved by the Government for the purpose, is exempted from personal appearance. (a) In all cases referred to in Rules 68 and 69 the Disbursing Officer must take precautions to prevent impositions and must, at least once a year, require proof independent of that furnished by the life certificate of the continued Odstence of the pensioner. (b) For this purpose he should (save 'in cases of exemption from personal appearance granted under Rule 68 require the personal attendance and due identification of all

pensioners who are not incapacitated by bodily illness or infirmity so attending; and in all cases where such inability may be alleged, he should require proof thereof in addition to the proof submitted of the pensioner's existence. Note 1. The Disbursing Offcer • is personally responsible for any payment wrongly made. In case of doubt, he should consult the Corporation. h. THE ASSAM G ZETTE EXTRAORDINARY, OCTOBER 15, 2015 1411 72

73. Note 2.A pensioner of rank incapacitated by bodily illness or infirmity to attend may be privately identified by the Disbursing Officer and;need not be required to, appear ate public office. RENEWAL OF PENSION PAYMENT ORDER When the reverse of a Pension Payment Order is filled up, or when the pensioner's half is found to 'be worn or torn, both halves may be renewed by the Commissioner. If. a pensioner loses his half of the Pension Payment Order, a new order may be issued by the Commissioner, who should see that no payment is måde on the half alleged to have been lost by a strict observance of regulation 66(iii). j The necessary note should be made in Che remarks column of the register of Pension Payment Order. LAPSES AND FORFEITURES 74. If a pension rcmains undrawn for more than one year, the pension ceases to be payable; provided that if the pensioner afterwards appears, the Disbursing Officer •may renew his payments. 'But if the amount is to be paid for the first time or if the amount of arrears exceeds Rs. 10,000.00 the arrears cannot be paid without the previous sanction of the Corporation. 75

76. DECEASED PENSIONERS (a) On the death of a pensioner, payment of any arrears actually due may be made to his heirs, provided that they apply unthin one year of his death on production of legal heir certificate from the appropriate authority. It cannot be paid thereafter without the sanction of the authority by whom the pension was sanctioned. (b) After payment of the arrears of pension, the Pension Payment Order should be returned to the Commissioner with a report of the date of the death of the pensioner. The arrears of pension of a deceased pensioner may be paid to the heir of the deceased, without the production of the usual legal authority to the extent of Rs. 2,500.00 under the orders of the Commissioner or other officer responsible for the payment, after such enquiry into the rights and title of the claimant, as may be deemed sufficient. Any excess above Rs. 2,500.00 may similarly bc paid with approval of the Corporation on execution of an indemnity bond, wåth such sureties as may be required, if it is satisfied of the right and title of the claimant and considers that undue fielay and hardship would be ,caused by insisting on the production of and letters of administration. 1412 THE ASSAM GAZETTE EXTRAORDINARY OCTOBER 15 2015 In any case ofr doubt, payment should bennade only to the person p oducing legal authority. NOTE: ayment of' arrear pension Vis to be •settled by Arrear of Pension (nomina ion) rules, 1987 vide Fmp.21/82/ 101 dated 28/08/1987. REMOVAL OF DOUBT I any doubt arises as to the interpretation Of any of these regulations or 77. abou the applicability of any of these regulations, the matter shall be referred to th Corporation who reserve/ the right of changing the regulation and inte retating thei! meaning and whose decision thereon shall bg final. If any matte is not covered by these regulations, the provisions in Assam Services (Pens on) Rules, 1969 as amended from time to time will apply. SPECIAL PROVISION 78. Where the Corporation is, satisfied that the operation of any of these regulation causes undue hardship in any particular case, they may dispense with or re.laö the requirements of that rule to such extent a-nd •subject' to such conditions as they may consider necessary for dealing.with the ,case in a just and equitable manner provided that the case shall not be dealt with a manner less favourable than.that provided in these regulation THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 SETS OF APPLICATION FORMS PLACED BELOW

9. Particu ars to be obtained by the Commissioner from the retiring employee eight months before the date of his retirement.N ame, Date f birth: .....•/•••••• Date Of retirement' Two 'slips containing two specimen signatures each duly attested b} a Gazetted Officer. Three copies of passport size joint photograph with wife/ husband duly attested by Commissioner (Photograph, of self only, in case the employee is un-married or a widow or a widower). Two * *slips each showing particulars of height and personal identification marks duly attested by a Gazetted Government servant, Present Address: Address after retirement (Any subsequent change of address should be notified to the Cornmissioner): Details of the family members as in

Form No. IA. IO. Name of t-he treasuw/Bank/ Bank Branch/ IFSC Code through which pension is to be drawn: Signature Designation Department/ Office *Two slips each bearing the left hand thumb and fingers impressions duly attested may be furnished by a person who is not literate enough to sign his name, If such a employee on account of physical disability is unable to give left hand thumb and finger imprcssion he may give thumb and finger impressions of the right hand. Where a employee has lost both the hands, he may give his two impression. Impression should be duly attested by a Gazetted Government servant. * *Specify a few conspicuous marks, not less than two if possible, THE ASSAM GAZETTE EXTRAORDINARY OCTOBER 15 FORN NO. iA DETAILS or FAMILY Narne of the Employee: . Designation: .... , Date of Birth: ... , .. , Date of Appointment: . Details of the members of my family as on: . 2015 ; No. 4. 5. 7. 9. 16. i. Name of thc members of the familv (2) Date of Birth (3) • - Relationship with the employec (4) Remarks (5) Head of Office (6) -4 r, hereby undertake to keep the above particulars up-to-date by notifying to the Commissioner, Guwahati Municipal Corporation any addition or alteration. Place..... Dated, thc . Signature of the Employee, Note. : Family for this purpose means family as defined in Regulation. THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15? FORM NO. 2 Form for assessing Pension and Gratuity 2015 1415 PART-I I. 2. 3. 4. 5. 6. 7. 8. 9. IO. Nameeof the Employee:..... Father's name (and also husband's name in the case of female employee): Date Of birth (by Christian era): Religion: Permanent residential address, showing Village, Town, Street, Station, District & State: Lane Pin code, Police Present or last appointrnent including name nf establishment and Department. (i) Substantive. (ii) Officiating, if any. Date Of beginning of servtce Date of ending of servtce Class of pension applicable: . The date on which action initiated €0 — (i) Obtain the 'No demand certificate' : (ii) Assess the service and emoluments qualifying for pension: (iii) Assess the Corporation dues other than the dues relating to the allotment of Corporation accommoda tion: I I. Details of omission, imperfection or deficiencies in the. Service Book which have been ignored:

12. Total length of qualifying service month is reckoned as thirty days: 13. Periods of non-qualifying service (Any reference to be nien tioned) for the purpose of adding towards broken periods, a (i) In terruption in service condoned: (ii) Extra-ordinaty leave not qualify ir•.g for pension: (iv) Period of suspension not treated as qualifying service: (v) Any other service not treated as qualifying se:vice: 'total.... .

14. Emoluments reckoning for gratuity: 15. Average emoluments for calculation of pension: 1416 THE ASSAM GAZETTE EXTRAORDINARY. OCTOBER 152 2015 Emo urnents drawn during the last ten months of service: Post eld From To Personal Pay or special pay Average Emoluments (i) Jn a case where the last ten months include some period not to be reckoned for calculat•ng average e;nolurnents an equal period backward has to be taken' for calculating average moluments. (ii) The calculation of average emoluments should be based on actual nUrnber of days contained in each month. IO. Dat on which From-I has been obtained from the employee (to be •obtained eight mo ths before the date of retirement of employee): 17. 18. 19. 20. 21. 22. 23. 24. 25, (i) Proposed pension: (ii) Proposed relief, on pension: . Proposed gratuity/ death-cum-retirement gratuity: . In a case where the last ten months include some period not to be reckoned for calculating ayerage emoluments an equal period backward has, to be taken for calculating emoluments: average (ii) The calculation of average . emoluments should be based on actual number of days contained in each month of retirement of employee: (i) Proposed pension: (ii) Proposed relief: . Proposed gratuity/ death-cum-retirement gratuity: Date from which pension is to commence: . Proposed amount ofprovisional pension. (If Departmental or Judicial proceedings wcre instituted against the employee before retirement): Details of Corporation clues recoverable out of gratuity ; (i) License Fee/ Rent for the allotment of Corporation accommodation: (iii) Other dues, if any: Whether nomination made for— (i) Death- curt-retirement gratuity: Whether Family Pension Scheme are applicable to the employee, (i) Pay reckoning for the Family Pension; (ii) The amount of the Family Pension becoming payable employee, if death takes place after retirement: and if so : to the family of the E ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 1417 (iii) co No. 10. plete and up-to-date details

Form I-A. Name of members of family (2) of family as given in Date of birth (3) Relationship with the Employee (4) 26. Height: 27. [dentification marks: 28. Place of payment ofl pension Branch of Public Sector Bank: 29. Head of Account to which pension and gratuity are debitable: Signature Date Designation (Head of Office) 1418 1. 2. 3. 4

5. THE ASSAM GAZETTE EXTRAORDINARY.OCTOBER 15. 2015 PART-11 SECTION - 1 ACCOUNTS ENFACEMENT Tots) period of qualifying service, which has been accepted for the grant of superannuation or retiring or invalid or compensation or compulsory retirement pension and gratuity, with reasons for disallowances, if any (other than disallowances indicated Part-I of this Form). Amount of superannuation or retiring or invalid •or compensation or compulsory reti ent pension or gratuity that has been admitted. The date from which superannuation or retiring or invalid compensation - or co pulsory retirement pension or gratuity is admissible. Heqd of Account to which superannuation or retiring or invalid or compensation or retirement pension or gratuity is chargeable. The amount of the Family Pension becoming payable to the entitled members of the family in the event of death of the employee after retirement. SECTION 11 2. 3. 4. 5. 6. 7

9. Name: of the Employee: Class of pension or gratuity: Amount of pension authorized: Amount of gratuity authorized: Date of commencement of pension: Amount of family pension in the event of death after retirement: The amount of relief admissible on pension: The Corporation dues recoverable out of the gratuity before i authorising its payment: The amount of cash deposit or the amount of gratuity held over for adjustment of unassessed Corporation 1 10 Date on which the pension papers received by the Accounts Officer: TIIE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15,

FORM NO.3 2015 1419 I 2. 3. 4. 5. 6, 7. 8. 9. 1(). FORM OF APPLICATION FOR THE GRANT OF THE DEATH-CUM- RETIREMENT GRATUITY ON THE DEATH OF A EMPLOYEE (TO BE FILLED IN SEPARATELY BY EACH APPLICANT) Name of the Applicant: (i) Name of thc guardian in case the applicant is a minor. (if) Date of birth of guardian • Date of thc deceased Employee: Date of death of thc Employee• Branch/ Deptt. in which the deceased served last: . Relationship with the deceased Employee: Date of birth of the applicant: Name of the Bank at which payment is desired: Account No. & IFSC Code: Full address of the applicant: IO. Signatures or thumb-impression of the applicant: (To befurnishea in a separate sheet duty attested) j *Attested by: Sl.No. 1 2 12. N arne Witnesses: Name Full Address Full Address Signature Signature Attestation should be done by two Gazetted Govt. servants or two or more persons of respectability in the town, village or Paragana which the applicant resides. 1420 1. 2. (1) 3, 4. S. 6. 7

FORM NO.4 FORM or APPLICATION FOR FAMILY PENSION (Under the Family Pension Scheme) Name of the applicant: . (i) Widow/ Widower, (ii) Guardian if the deceased person is sunived by child of children, Name and age of surviving widow/widower and children • of the deceased employee/.Pensioner. Name (2) Relationship with Deceased person (3) Date of birth by Christian era (4) Date of death of the employee/pensioner: /. Branch in which the deceased Employee/pensioner serVed last: If the applicant is a guardian his date of birth and relationship with the deceased Employee/ pensioner: If the applicant is a widow/•widower the amount of service pension which she/ he may be in receipt on the date of death of the husband/ wife: Full address of the applicant: Name of the Bank & Branch at which payment is desired: 9. Account No. & IFSC Code: 9. Enclosures; (iii) (iv) 'ftvo specimen signature of the applicant, duly attested (To be furnished in two separate sheets) Three copies of passport size photogaph of the applicant duly attested. Two slips each bearing left hand thumb and finger impressions . of the applicant, duly attested. Descripdve 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) , THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 1421 (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 Local Municipal Authorities or from the Panchayat or from the head of recognised school if the child is studying in such school, (This information should be furnished in respect of such child or children the particulars of whose date of birth are not available with the Commi ssioner)

10. Signature or Jeff-hand thumb impressions to be furnished in case the applicant is not literate enough to sign his name of the applicant.1 1 . *Attested by: Sl.No. 1 2 Sl.No. 2 Name 12. Witnesses. Name Full Address Full Address Signature Signature Note : Attestation should be done by two gazetted Government servants or two or more persons of responsibility in the town/ village or pargana in which the applicant resides. 1422 THE ASSAM GÅZE"ITE EXTRAORDINARY OCTOBER 15

FORM NO. 5 NOMINATION FOR DEATH.CUM.RETIREMENT GRATUITY 2015 When the -omcer has a and wishes to nominate one member thereof . ...hereby :1,.... •nominate the person mentioned below, who is a member; of my family, and confer on him the right to receive any-gratuity that may be sanctioned by the Corporation in the event of my death while in service and the right to receive on my death any gratuity which having become admissible to •me On retirement, may remain unpaid at my death. Name address of nomin 1 Relationship Age Contingency with Employee 2 Amount or Name, address and share of relationship of the gratuity person or persons if any, to whom the right payable in each 3 on the Happening the Nomination shall Become invalid on 4 conferred on the nominee shall pass in the event of the nominee predeceasing the officer or the nominee dying after the death of the officer but before receiving payment of the atui 5 6 on This nomination supersedes the nomination made by me earlier which stands cancelled. Dated this .. day of .

12. Witnesses. Name at..... Full Address . Witnesses to sign:- S' ture Sl.No. 1 2 Signature and Designation of the Employee Note : The last column should be filled into cover .the whole amount of gratuity. (Po, be filled in by the Head of Office in case of Non-Gazetted Officer). Nomination by.. Designation Office.... pate Designation.. Signature of the Head of Office THE ASSAM GALEITE EXTRAORDINARY, OCTOBER 15, 2015 1423 PROFORMA FOR ACK3rOWLEDGING THE RECEIPT OF TEE NOMINATION FORM BY THE 1--1EAD OF OFFICE To, Sir, In acknöi&ledgng_ thq .'ltecetpt pf •your . nomination dated Of'the nomination made.earlier, Gl.•repeq$ Of'the cancellation dated Death-cum-Rbtirement Gratuity in Form. No. 12 (Pension) I am to state have been duly placed on record. Dated..... The.... 20 Sig-lature of Head of Office De9ignation. THE ASSAM GAZEVFE EXTRAORDINARY, OCTOBER 15, 2015 1425 AND WHEREAS the Obligor and at his/her request the surety/sureties have agreed to execute the bond in the terms and manner hereinafter contained. NOW THE CONDITIONS OF THIS BOND is such that if after payment has been made to the Obligor, the Obligor and/or the surety/ sureties shall in the event of a claim being made by any other person against the Corporation with respect to the refund to the Corporation. The said aforesaid sum of the Rs.... . and shall otherwise indemnify and keep the Corporation sum of Rs.... harmless and indemnified against and from all liabilities in respect of the aforesaid sum and all costs incurred in consequence of the claim thereto; THEN the above written bond or obligation shall be void and of no effect but otherwise it shall remain in full force, effect and virtue. AND THESE PRESENTS ALSO WITNESS that the liability of the sureties hereunder shall not be impaired or discharged by reason of tirne being granted by or, any forbearance act or omission of the Corporation whether with or without the knowledge or consent of the surety/ sureties in respect of or in relation to the obligations or conditions to be performed or discharged by the Obligor or by any other method or thing whatsoever which under the law relating to sureties, shall but for this provision have the effect of so releasing the surety/ sureties from such liability nor shall it be necessary for the Corporation to sue the Obligor before suing the surety/ sureties or either of them for the amount due hereunder, and the Government agrees to bear the stamp duty, if any, chargeable on these present. IN WITNESS, WHEREOF the Obligor and the surety/ sureties hereto have set and subscribed their respective hands hereunto on the day and year above written. Signed by the above named Obligor

2. Signed by the above named *Surety/ Sureties*- Accepted for and on behalf of in the presence of- the Governor of the presence Assam of by (Name and designation of witnesses) NOTE 1.(a) full name of the claimant referred to as the 'obligor' (b) State relationship of the Obligor to the deceased. (c) Name of the deceased Employee. (d) Full name or names of the sureties with name or father(s) / husband(s) and place of residence. (c) Designation of the officer responsible for pay-rnent. NOTE 2. The Obligor as well as the Sureties should have attained mqiority -so that the bond may have legal effect or force. names of thc

1426 THE ASSAM GAZETTE EXTRAORDINARY OCTOBER 15 2015

FORM NO. 7 FOR ASSESSING AND AUTHORISING TEE OF FAMILY PENSION AND DEATH-CUM-RETXREMENT GRATUITY WHEN AN EMPLOYEE DIES WI-IILE IN SERVICE PART-I SECTION i I. 2. 3. 4. 5. 6. 7. 8

9. Name of the deceased Employee• Father'S, and also husband's name in Date of Birth (by Christian era): Date Of Death (by Christian erå): Reliöon•...... ..... Bran / Departrnent in which last employed: Appo• tnent held last (i) Substantive (ii) Officiating Date f beginning of service: ...../..:. Date of ending of service• . .. the •case of female employee: 10. Department under which service has been rendered: 11. The date. on which intimation regarding the death oC employee was received by the Head of Offce: 12. The date on which action initiated to : (i) Obtain claim or claims from the claimants in the appropriate form for death- cum-retirement gratuity and family pension: , .../ (ii). Obtain the 'No Demand Certificate" (iii) Apsess the Corporation dues other than the dues pertaining to occupation Of Corporation accommodatiOn• (iv) Assess the service .and emoluments qualifying for death-cum-retireméilt gratuity and family pension: 13, Whether nomination made Yes/ No 14. Length of .service qualifying Gratuity/ pension • 15. Periods of non-qualifying service. (i) Interruption in service condoned' for Death-cum-retirement (ii) Extraordinary leave not quali.#'ing for gratuity (iii) Period of suspension treated as non-quali&ing from.... (iv) Any other service not treated as qualifying service• Total Period of non-qualifring service' 16. (a) Emoluments reckoning for death cum-retirement gratuity (b) Amount of death-cum-retirement gratuity: 17 , Family pension (i) Proposed Fqmily Pension at• THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 1427 (a) Enhanced rates (if service rendered at the time of death is more than seven years): (b) or!dinary rates: (ii) Period of tenability of Family Pension: .... (a) Enhänced rate from.... ...J... .. to 18. Perso to whom family pension is payable. Name Relationship with the deceased employee• Full postal address: 19. Detail of Corporation dues recoverable out of gratuity, (i) License fee/rent for occupation of Corporation accommodation: (ii) Amount of death-cum-retirement gratuity to be held over pending receipt of iriformation : (iii) Dues other thaxa those pertaining to Corporation , accommodation: 20. Date on which claims received from the claimants: . .

21. Name Of guardian who will receive payment of death-cum-redrement gratuity and family pension in of minor: case 22. Place of payment (Public Sector Bank): 23. Head of account, to which death-cum-retirement gratuity debitable• Place. Date family pension are Signature of Head of Office 1428 THE ASSAM GAZETTE EXTRAORDINARY SECTION 11 OCTOBER 15 2015 DETAILS OF PROVISIONAL FAMILY PENSION AND GRATUITY Provisional family pension Gratuity (the amount mentioned in item 18(b) of Part —I) Less (a) (b) (c) (d) Total: Place: License fee/ rent recoverable from gratuity for occupation of Corporation accommodation (as in item 21 (i)' of Part—I) Amount of gratuity to be held over pending receipt of infor- mation Other Corporation dues as mentioned in item 21 (iii) of Part. I Total of m (b) and (c) Dated. the. ..... Rs. Rs. Signature of Head of Offce THE ASSAM GAZETTE EXTRAORDINARY, OCTOBER 15, 2015 PART-11 GECTZON - 1 Accounts/ Audit Enfacement Total period of qualiÜing service which has been accepted for Death-Cum-Retirement gratuity Family pension 1429 1. 2. 3. 4. 1. 2. 3. 4. 5. 6. 7. 8. 9. (i) (i) (iii) Net amount of gratuity after adjust- ment Corporation dues. Amount and the period of tenability Amount Period of tenability. Rs. From To .. ..of Family Pension; . If death took place (i) before seven years service (ii) after seven years service Date from which family pension is admissible. Head of Account to which death-cum- retirement gratuity and family pension are chargeable. SECTION - 11 Name of deceased employee Date of death of the employee Date on which pension papers rece- ived by the Accounts Officer Amount of family pension authorized Amount of gratuity authorized Date on commencement of family pension Date on which payment of fami)y pension and gratuity authorized Amount recoverable from gratuity Amount of gratuity held over pending receipt of 'No demand Certificate' Place.... ..... Dated the.... . Signature of Accounts Officer 1430 FORM ron opri0N TO coM*röVnn TO THE GMC EMPLOYbb PENSION REäUIÄ'5rIQNS, 2015 Date ... . TælASSAM' GAZETI'EI'HTRÄORDNARY OCTOBÉR 15 '2015

FORM NO. 8 . In the Pay Band . . holding&he post of . in the offce df Guwahati Municipal I Corporation, Guwahati do hereby elect to gqme under the GMC Empidyee Pension Regulations, 2015 with effect from '.... I a ee to refund the contribution part (50% of CPF) already • bj' •tile with interest. Thy declaration hereby given in final and will notbe modified at any st&sequent. date. Signature ' Name in full' Designation. Code • Received the above declaration this day of 1 {Date GUWAHATI - SWture of receiving Officer Designation Commissioner, Guwahati Municipal Corporation. Guwahati. Printed and published by the Dy. Director (P&S) Directorate of Ptg. and Sty., Assam, Guwahati-21 , (E. O. G.) No.579-300450-15-10-2015.