

भारत सरकार/Government of India
खान मंत्रालय/Ministry of Mines
भारतीय खान ब्यूरो/Indian Bureau of Mines
स्थापना अनुभाग (पेंशन कक्ष)/Establishment Section (Pension Cell)

सं: जी-19015(9)/एस वय/2021-प्रशासन

नागपुर, दिनांक : 25.10.2021

परिपत्र

In accordance with the instructions contained vide Office Memorandum No. 20/16/1998-P&PW(F) dated 11th July, 2013 of the Department of Pension and Pensioners' Welfare read with Rules 71 to 73 of the C.C.S. (Pension) Rules, 1972, the following guidelines are issued in the matter of Government dues and withholding of 10% gratuity from the retiring employees of the Bureau :

01. The Accounts Section shall start assessing the Government dues other than Government accommodation such as outstanding long/short term advance(s) including interest thereon, recoverable excess drawn pay & allowances, etc one year before the impending retirement of the respective Government servant and complete the same by eight months prior to his/her retirement. Thereafter, the Pension Cell of the Establishment Section may be informed/appraised about such unrecoverable dues prior to the retirement of the respective Government servant to enable the Pension Cell to make arrangements for effecting recovery of the said dues from the Retirement Gratuity admissible to such retiring Government servant in consultation with the Pay & Accounts Office, Indian Bureau of Mines, Nagpur.
02. The General Section, before one year of the anticipated date of retirement of the Government servant, shall enter into corresponsce with the Office of the Directorate of Estate for obtaining information about amount of arrears of licence fee to be recoverable for the permissible period of retention of the Government accommodation beyond the impending date of retirement of the respective Government servant or 'No Demand Certificate'. Such obtained information has to be shared by the General Section with the Pension Cell of the Establishment Section well before four months of the impending retirement of the respective Government servant who holds Government accommodation in his/her name so that necessary arrangements may be made for either recovery of dues on Government accommodation or to withheld 10 % of the Retirement Gratuity in consultation with the Pay & Accounts Office, Indian Bureau of Mines, Nagpur.
03. The Pension Cell of the Establishment Section shall forward the Pension Cases to the Pay & Accounts Office, Indian Bureau of Mines, Nagpur henceforth in revised Form 8 enclosed to the said Office Memorandum dated 11th July, 2013 of the Department of Pension and Pensioners' Welfare. Also, the Pension Cases of the retiring employees should include the necessary certificates about dues on Government accommodation and other than Government accommodation as prescribed by the Pay & Accounts Officer, Indian Bureau of Mines vide his letter No. PAO/IBM/NGP/1468 dated 01st March, 2021.

AME/pt
16/11/2021

भारतीय खान ब्यूरो
Indian Bureau of Mines
एम. पी. एस. 2 कक्ष
M P S Cell
दैनिक संख्या/Diary No. 95/
दिनांक/Date... 17/11/2021

The Heads of the Offices of the Regional Offices or other Divisions of the Bureau are hereby advised to adopt similar arrangements for arranging retirement dues properly to the retiring employees. A copy of the letter No. PAO/IBM/NGP/1468 dated 01st March, 2021 of the Pay & Accounts Officer, Indian Bureau of Mines, Nagpur is enclosed herewith for necessary compliance at their end.

This issues with the approval of the Competent Authority.

cc/ale
(डॉ. वाय.जी. काले) 25/10/2021
क्षेत्रीय खान नियंत्रक एवं
कार्यालय अध्यक्ष

प्रतिलिपि प्रेषित / Copy to :

01. भारतीय खान ब्यूरो के सभी आंचलिक / विभागीय / क्षेत्रीय / अयस्क प्रसाधन प्रयोगशाला के शीर्ष पदाधिकारियों तथा कार्यालय अध्यक्षों को आवश्यक सूचनार्थ।
All the Zonal/Divisional/Regional/Ore Dressing Lab Heads and Heads Offices of Indian Bureau of Mines - for necessary informantion.
02. प्रशासनिक अधिकारी (सामान्य / लेखा / स्थापना), भारतीय खान ब्यूरो, नागपुर।
Administrative Officer (General/Accounts/Establishment), Indian Bureau of Mines, Nagpur.
03. वेतन एवं लेखा अधिकारी, भारतीय खान ब्यूरो, नागपुर।
Pay & Accounts Officer, Indian Bureau of Mines, Nagpur.
04. प्रभारी अधिकारी, टी.एम.आय.एस., भारतीय खान ब्यूरो, नागपुर को इस अनुरोध के साथ कि वे इस आदेश को भारतय खान ब्यूरो की वेबसाईट पर अपलोड करें।
The Officer In-charge, TMIS, Indian Bureau of Mines, Nagpur - with a request to kindly upload the above Office Order on the IBM website.

P. M. Sundreshwar
25/10/2021
(पी.एम. सुन्दरेश्वर)
प्रशासनिक अधिकारी



Pay & Accounts Office
Government of India
Ministry of Mines, Indian Bureau of Mines
7th Floor, Indira Bhavan, 'C' Wing, Civil Lines,
NAGPUR [MS]-440001

FAX:0712-2561704
 Ph: 0712-2549146

e-mail Id : pao.ngp@ibm.gov.in

No PAO/IBM/NGP/ 1465

Date: 24 February 2021

01.03.2021

To,
 The Head of Office
 IBM, RO/HQ/OD/NR/TE
NAGPUR

Sub: Assessment of government dues and with-holding of 10% gratuity from the retiring Government servants--clarifications regarding.

Sir/Madam,

Please find enclosed herewith a copy of DoPT OM No. 20/16/1998-P&PW(F) dated 11th July, 2013 (copy enclosed for reference), which reiterates the necessity to follow rules governing assessment of govt. dues from a retiring Govt. servant as laid down in Rule 71 to 73 of CCS (Pension) Rules, 1972.

As per provisions of above cited rules, Govt. dues have been classified in to two categories, viz.,

- (i) Dues pertaining to government accommodation: and
- (ii) Dues other than (i) above which includes HBA or any other long term advance dues, overpayment of pay and allowance, arrears of income tax etc.

Provisions for assessing above dues as laid down in Rule 57 and Rule 71 to 73 of CCS (Pension) Rules are as under:

- The Head of Office shall write to the Directorate of Estate or concerned Departmental Authority (in respect of departmental pool accommodation) 01 (one) year before the anticipated date of retirement of a Govt. servant, who is in occupation of Govt. accommodation, for issuance of 'No Demand Certificate'.
- The Directorate of Estates/concerned Departmental Authority shall intimate the Head of Office the amount of arrears of license fee recoverable and license fee recoverable for the permissible period of retention of Govt. accommodation beyond date of retirement.

CAO / AAO (Pension)
 PI examine

(Rev)
 01/03/2021
 कार्यालय अध्यास
 राष्ट्रीय खान ब्यूरो
 त्त सरकार
 प.र.

MINISTRY OF MINES
 INDIAN BUREAU OF MINES
 NAGPUR
 DT: 02
 DATE: 3/3/21
 260/HQ/OD/21
 02-03-2021

Page 1 of 2

Shri Bajirao
 Padmanis P.
 03.03.21

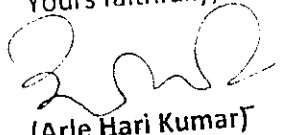
- The Head of Office shall adjust the amounts thus intimated by the Estate Office from the monthly salary bills and/or from gratuity payable on retirement.
- Directorate of Estate, if in any particular case, finds it not possible to determine the outstanding license fee then it shall inform the Head of Office for withholding 10% of Gratuity further instructions.
- In case, no Government accommodation is allotted to a Govt. servant, the Administrative Ministry/Department shall issue the 'No Dues Certificate' in accordance with Dte. Of Estate's OM No.18011/5/1990-Pol-III dated 12/10/2010, which may be submitted alongwith the pension papers.
- As regards recovery of Govt. dues other than Govt. accommodation like house building advance/interest, motor conveyance advance/interest, excess pay and allowance etc., the Head of Office is required to start assessment of such dues one year before his retirement and complete the same eight months prior to date of retirement. The actual amount of such dues and dues which come to notice subsequently and remain outstanding till retirement are to be adjusted against the amount of retirement gratuity becoming payable to the Govt. servant on retirement.

DoPT vide OM dated 11.07.2013 has clarified that there is no provision for withholding any part of Gratuity at the time of retirement for the purpose of recovery of outstanding Government dues other than those pertaining to Government accommodation. Gratuity cannot be withheld either for dues towards Government accommodation if Directorate of Estate has not specifically informed Administrative Department to do so.

It is, therefore, requested that steps for assessment of dues on account of Govt. accommodation and other dues shall be taken up as per the provisions of Pension Rules explained above and dues shall be adjusted from regular salary bills of the official or from the gratuity payable at the time of retirement.

Any amount of gratuity proposed for withholding by Head of Office in Form 8 submitted with pension papers need to be supported by the instructions received from the Directorate of Estate to do so. A 'NO DUE CERTIFICATE' towards government accommodation may please be provided along with all pension cases in future in the proforma enclosed.

Encl.: As above.

Yours faithfully,

 (Arle Hari Kumar)
 Senior Accounts Officer

No Dues Certificate towards government dues

To be submitted with Gratuity Bill

This is to certify that-

No dues, including dues towards Long Term Advance and government accommodation, are outstanding for recovery from Shri/Smt. _____

OR

Dues of Rs. _____ towards _____ are pending and are proposed for recovery from the gratuity payable to Shri/Smt. _____.

Date: _____

(Head of Office)

IBM, _____

No Dues Certificate towards government accommodation

Strike out whichever is not applicable

[to be submitted with pension case]

This is to certify that:-

Dues towards Govt. accommodation have been assessed by the Estate Office and dues intimated by them have already been/are being recovered from Shri/Smt/Ku._____.

OR

The Estate Office has intimated that there are no dues outstanding from Shri/Smt/Ku._____ towards Govt. accommodation allotted to him/her.

OR

An amount of Rs._____ is proposed for withholding from Gratuity as directed by the Directorate of Estate

OR

Shri/Smt/Ku._____ has given declaration duly attested by a gazetted officer that he/she was never in occupation of Govt. accommodation.

Dated: _____

(Head of Office)

IBM, _____

No.20/16/1998-P&PW (F)
Government of India
Ministry of Personnel Public Grievances and Pensions
Department of Pension and Pensioners Welfare

3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi-110 003
Dated the 11th July, 2013.

OFFICE MEMORANDUM

Subject: Withholding of 10% gratuity from the retiring Government servants –
clarification regarding.

The undersigned is directed to refer to this Department's OM of even number dated the 19th February 2013 on the above cited subject and to say that this Department is still receiving representations from individuals and Pensioners Associations that Government Departments have been withholding 10% of the amount of gratuity from retirees even when they had not been provided any Government accommodation. This is in contravention of existing instructions.

2. The recovery and adjustment of Govt. dues from retirement gratuity is regulated under Rules 71 to 73 of the CCS (Pension) Rules, 1972. Rule (1) to (3) of Rule 72 *ibid* provide for recovery of actual amount of Govt. dues in respect of Govt. accommodation from pay & allowances before retirement and from Retirement Gratuity. Sub rule (5) of Rule 72 *ibid* stipulates that if, in any particular case, it is not possible for the Directorate of Estates to determine the outstanding licence fee, that Directorate shall inform the Head of Office that ten per cent of gratuity may be withheld pending receipt of further information. Further, if no Government accommodation is allotted to a Government servant, in accordance with Dte of Estate's OM No.18011/5/1990-Pol-III dated 12.10.2010, it is for the Administrative Ministry to issue an 'NDC'.

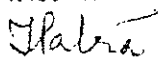
3. As regards recovery in respect of 'Govt. dues' other than those pertaining to Govt. accommodation, the Head of Office is required to complete assessment of such dues eight months prior to the date of retirement [Rule 73(2)]. The actual amount of such dues and the dues which come to notice subsequently and remain outstanding are to be adjusted against the amount of retirement gratuity becoming payable to the Govt. servant on retirement.

4. It is, therefore, clear that there is no provision for withholding any part of gratuity at the time of retirement for the purpose of recovery of outstanding government dues other than those pertaining to government accommodation and the onus of timely collection of license fee is on the Directorate of Estates. If the Directorate of Estate does not specifically inform the Administrative Department of the outstanding dues and requests for withholding of 10% gratuity for the outstanding license fee, Gratuity cannot be withheld on this account. The only other circumstance under which gratuity can be withheld is in case of ongoing disciplinary proceedings against the Government servant. Thus the Pay and Accounts Officer shall not withhold any gratuity unless the Head of Office

- (a) encloses instructions received from Directorate of Estate for withholding of 10% gratuity for outstanding license fee or
- (b) Informs of ongoing disciplinary proceedings.

These instructions are for strict compliance of all Administrative Ministries/ Departments.

5. A revised FORM 8 – form of letter to the Accounts Officer forwarding the pension papers of Government servant is also enclosed. Formal amendment in the CCS(Pension) Rules for revised Form 8 will be notified later.


(Tripti P. Ghosh)
Director (PP)
TEL: 24624802

To,

1. All Ministries/Departments of the Government of India as per standard distribution list.

2. Copy to President's Secretariat, Vice President's Secretariat, Prime Minister's Office, Cabinet Secretariat, Supreme Court of India, C&AG, UPSC, etc. as per standard endorsement list.