



INDIAN INSTITUTE OF TECHNOLOGY

FREQUENTLY ASKED QUESTIONS (FAQs) RELATED TO ESTABLISHMENT AND ADMINISTRATION

(I) LTC/HTC

Question 1. What are the LTC entitlements of a Fresh Recruit?

Answer: Fresh recruits to the Central Government are allowed to travel to their home town along with their families on three occasions in a block of four years and to any place in India on the fourth occasion. This facility shall be available to the fresh recruits only for the first two blocks of four years applicable after joining the Government for the first time.

Question 2. How are the two blocks of four years applied to the Fresh Recruit?

Answer: The first two blocks of four years shall apply with reference to the initial date of joining the Government service even though the Govt. servant may change the job within the Government subsequently. However, as per Rule 7 of CCS (LTC) Rules, 1988, the LTC entitlement of a fresh recruit will be calculated calendar year wise with effect from the date of completion of one year of regular service.

Question 3. If a fresh recruit does not avail LTC facility in a particular year, can he/ she avail it in the next year?

Answer: No carryover of LTC to the next year is not allowed in case of a fresh recruit as he is already entitled to every year LTC. Hence, if a fresh recruit does not avail of the LTC facility in any year, his LTC will deem to have lapsed with the end of that year.

Question 4. How will the LTC entitlements of a Fresh Recruit be exercised after the completion of eight years of service?

Answer: (a) After the completion of eight years of service, when the next LTC cycle of fresh recruit coincides with the beginning of the second two year block (eg. 2016-17) of the running four year block (2014-17), he will be eligible only for 'Home Town' LTC if he/she has availed 'Any Place in India' LTC in the eighth year. Cases, where the new LTC cycle of fresh recruit coincides with the second year of the running two year block (ex. 2017 of 2016-2017), he will not be eligible for LTC in that year.

(b) At the end of the eighth year of LTC, when the new LTC cycle of a fresh recruit coincides with the beginning of a regular four year block, his

entitlement in the regular block will be exercised as per the usual LTC Rules.

Question 5. How will the LTC entitlement computed in case of a fresh recruit joining the service on 31st December of any year?

Answer: A fresh recruit who joins the Government service on 31st December of any year, will be eligible for LTC w.e.f. 31st December of next year. Since, 31st December is the last date of a calendar year, his first occasion of LTC ends with that year. Hence, he may avail his first Home Town LTC on the last day of that year. From next year onwards he would be eligible for the remaining seven LTCs.

Question 6. Can a fresh recruit whose Home Town and Headquarters are same, avail LTC to Home Town?

Answer: No. A fresh recruit whose Home Town and Headquarters are same, cannot avail LTC to Home Town. He may avail LTC to any place in India on the fourth and eighth occasion only. As per Rule 8 of CCS (LTC) Rules, 1988, LTC to Home Town shall be admissible irrespective of the distance between the Headquarters of the Govt. servant and his Home Town which implies that Headquarters and Home Town should be at different places.

Question 7. Whether encashment of leave is allowed after LTC is availed.

Answer: Sanction of leave encashment should, as a rule, be done in advance, at the time of sanctioning the LTC. However, ex-post facto sanction of leave encashment on LTC may be considered by the sanctioning authority as an exception in deserving cases within the time limit prescribed for submission of claims for LTC.

Question 8. Whether encashment of Leave with LTC can be availed at the time when the LTC is availed by the Government servant only or can leave be encashed at the time when LTC is availed by family members?

Answer: A Govt. servant can be permitted to encash earned leave upto 10 days either at the time of availing LTC himself or when his family avails it, provided other conditions are satisfied.

Question 9. Whether leave encashment should be revised on retrospective revision of pay/D.A?

Answer: In terms of 38-A of CCS(Leave) Rules, encashment of EL alongwith LTC is to be calculated on pay admissible on the date of availing LTC+DA admissible on that date. If pay or DA admissible has been revised with retrospective effect, the Govt. servant would be entitled to encashment of Leave on the revised rates.

Question 10. Whether Dependent parents of fresh recruits can avail LTC for the journey from Hometown to Headquarters and back?

Answer: Yes.

Question 11. Whether claims for reimbursement can be allowed for road journeys by bus / taxi or other vehicle operated by private operators?

Answer: LTC Rules do not permit reimbursement for journey by a private car (owned/borrowed/hired) or a bus/van or other vehicle owned by private operators. LTC facility shall be admissible only in respect of journeys performed in vehicles operated by Govt. or any Corporation in the public sector run by the Central or State Govt. or a local body. Rule 12(2) of CCS(LTC) Rules, 1988 read with DOPT's O.M.No. 31011/4/2008-Estt.A dated 23.09.2008. However, in case, there is no public transport available in a particular stretch of journey, the Government servant may be reimbursed as per his entitlement for journey on transfer for a maximum limit of 100 kms each side covered by the private/ personal transport based on a self certification from the government servant. Beyond this, the expenditure shall be borne by the Government servant.

Question 12. Whether air fare of children whose full fare is charged by airlines is reimbursed?

Answer: If full fare has been charged by the airlines and paid by the Government servant, the same will be reimbursed.

Question 13. Can a Government servant use the service of travel agents for LTC purpose?

Answer: Yes. but it should be limited to M/s Balmer Lawrie & Company, M/s Ashok Travels and tours & IRCTC.

Question 14. What is the definition of family for LTC?

Answer: For LTC purpose family consists of

(i) Spouse of the Government Servant and two surviving unmarried children or Step children.

(ii) Married daughters, who have been divorced, abandoned or separated from their husbands and widowed daughters residing with wholly dependent on the Govt. Servant.

(iii) Parents and / or step parents residing with and wholly dependent on the Govt. Servant.

(iv) Unmarried minor brothers as well as unmarried, divorced, abandoned separated from their husbands and widowed sisters residing with and wholly dependent on the Government Servant provided their parents are either not alive and are themselves wholly dependent on the Government Servant.

Rule 4 of CCS(LTC) Rules, 1988 read with O.M.No: 31011/4/2008 – Estt.(A) dated 23.09.2008

Question 15. What are the dependency criteria?

Answer: A member of family whose income from all sources, including pension, temporary increase in pension does not exceed Rs.9000 from 01.01.2016 and Dearness relief thereon is deemed to be wholly dependent on the Government Servant. Note: - Husband and wife is one unit for purpose of LTC and hence, the condition of dependency is not applicable.

Question 16. Can parents / children residing at other places avail LTC to visit the Government Servant at Headquarters and go back?

Answer: Yes under All India LTC facility.

(II) TA/DA LTC

Question 17. What is the quantum of encashment of leave on LTC?

Answer: While availing LTC, Government servants can encash 10 days EL at a time subject to maximum of 60 days during entire service.

Question 18. Whether encashment can be availed during Casual Leave?

Answer: Yes.

Question 19. Whether Air Tickets can be booked through private agents on TA/DA<C

Answer: No, wherever the employees who are entitlement to travel through flight seeks to utilize the service of travel agents, it should be limited to M/s Balmer Lawrie & Com. and M/s Ashoka Tours & Travels and IRCTC. However, the employees who are not entitled to travel through flight can book their flight tickets through any private agency for LTC purpose.

Question 20. Whether the services of other Air lines can be availed during TA/DA<C, where the stations are not connected by Air India.

Answer: Employees can travel through any air lines. The restriction to travel through Air India has been removed, however, tickets should be booked from M/s Balmer Lawrie & Com. and M/s Ashoka Tours & Travels and IRCTC only.

Question 21. What is the minimum service for availing LTC?

Answer: Government servant who have completed one year of continuous service on the date of journey can avail this concession.

Question 22. Whether LTC can be availed during week-end or holidays alone?

Answer: No, the concession can be availed during regular/casual/special casual leave or vacation.

Question 23. When both husband and wife are government servants, can they declare separate home town independently?

Answer: Yes.

Question 24. Whether a Government employee can travel by longer route?

Answer: Yes, however reimbursement for his/her journey will be restricted to shortest direct route.

Question 25. Whether LTC can be availed during study leave?

Answer: Yes, however reimbursement of fare should be restricted to the fare admissible for travel between his headquarters station to any place in India/home town or actual expenditure, whichever is less.

Question 26. Whether LTC can be availed under suspension?

Answer: No, Government servant under suspension cannot avail of LTC as he/she cannot get any leave including casual leave during the period of suspension; however his family is entitled to LTC.

Question 27. What is the entitlement of fresh recruits?

Answer: Fresh recruits of Central government may be allowed to travel to their home town with their families on three occasions in a block of four years and to any place in India on the fourth occasion. This facility shall be available to the Government officers only for the first two blocks of four years applicable after joining the Government for the first time. The blocks of 4 years shall apply with reference to the initial date of joining the Government even though the employee changes the job within Government subsequently. The existing blocks will remain the same but the entitlements of the new recruit will be different in the first eight years of service

Question 28. Whether a Government servant appointed before 23-09-2008 but not completed first eight years of service is eligible for four LTC as mentioned in VI CPC?

Answer: The Government servant who have not completed 8 years of service as on 01-09-2008 are entitled for this concession as per their entitlement. There is no change in block years.

Question 29. Home town of an employee is connected by train but is not directly connected by Rajdhani/Shatabdi Express trains. In such a case, can

the employee be entitled to travel partly by Rajdhani/Shatabdi Express trains and partly by other trains?

Answer: Yes, If the journey is actually performed by Rajdhani/Shatabdi trains up to an en route railway station by direct shortest route and thereafter the journey is completed in a train other than Rajdhani/Shatabdi trains, fare for both the types of trains by the entitled class would be admissible for the respective portion of journey.

Question 30. If the originating and terminating points fall on the routes of Rajdhani/shatabdi express trains but these trains do not halt at these stations, can an employee travel by Rajdhani/Shatabdi Express?

Answer: The employee can travel by Rajdhani/Shatabdi Express up to the nearest en route station which should not be beyond the destination i.e., Home town or the declare place of visit.

Question 31. If a Government employee/his family member is entitled to concessional train fare such as senior citizen, student concession, children, etc., whether in case of air travel, the reimbursement would be restricted to such concessional fare by train in entitled class?

Answer: If full air fare has been charged by the airlines and paid by the Government servant, the reimbursement would be restricted to the full train fare in entitled class including Rajdhani/shatabdi.

Question 32. If a Government servant drawing grade pay Rs. 10,000 and above can claim for reimbursement of Air travel by executive class on LTC?

Answer: No, reimbursement of the expenses on air travel while availing of LTC will be restricted to the cost of travel by the economy class, irrespective of entitlement.

Question 33. Whether DA is admissible on Sunday, holiday, casual leave and RH to Government Servant on temporary duty at out station?

Answer:

1. Government servant availing CL or RH while on tour is not entitled to draw DA.
2. DA is not admissible for any day whether sunday or holiday unless the officer is actually and not merely constructively in camp.

Question 34. How mileage allowance is admissible when journey on tour is performed by longer route by rail partly by lower class and partly by the entitled class?

Answer: In such case claim shall be regulated on proportionate basis, by calculating mileage allowance for different modes/ classes by the shortest route in the ratio of distance covered by such modes/ classes by the longer actually used route.

Question 35. Is TATKAL SEVA charges reimbursable?

Answer: Yes

Question 36. Whether DA to Government servant on tour returning to Headquarters daily is admissible?

Answer: Yes, a Government servant who returns to his Hqrs while on tour at outstation due to non availability of proper accommodation etc to suite his convenience, may draw DA at the rate applicable at temporary duty station, but on intervening Sundays and holidays no DA will be admissible.

Question 37. Whether hotel/guest house should be registered/ recognized?

Answer: For any hotel the Government servant must have stayed in registered/ licensed as a hotel by proper authority.

Question 38. Whether cash receipt/ cash memo will be mandatory in support of the claims?

Answer: Yes actual expenditure incurred within the prescribed limit will be reimbursed as per normal procedure.

(III) Leave

Question 39. What are the leave entitlement of Govt. servants serving in a vacation Department w.e.f. 1.9.2008?

Answer: *Earned leave for persons serving in Vacation Departments:-*

(a) A Government servant (other than a military officer) serving in a Vacation Department shall not be entitled to any earned leave in respect of duty performed in any year in which he avails himself of the full vacation.

(b) In respect of any year in which a Government servant avails himself of a portion of the vacation, he shall be entitled to earned leave in such proportion of 30 days, as the number of days of vacation not taken bears to the full vacation:

Provided that no such leave shall be admissible to a Government servant not in permanent employ or quasi-permanent employ in respect of the first year of his service.

(c) If, in any year, the Government servant does not avail himself of any vacation, earned leave shall be admissible to him in respect of that year under rule 26.

For the purpose of this rule, the term 'year' shall be construed not as meaning a calendar year in which duty is performed but as meaning twelve months of actual duty in a Vacation Department.

A Government servant entitled to vacation shall be

considered to have availed himself of a vacation or a portion of a vacation unless he has been required by general or special order of a higher authority to forgo such vacation or portion of a vacation:

Provided that if he has been prevented by such order from enjoying more than fifteen days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

When a Government servant serving in a Vacation Department proceeds on leave before completing a full year of duty, the earned leave admissible to him shall be calculated not with reference to the vacations which fall during the period of actual duty rendered before proceeding on leave but with reference to the vacation that falls during the year commencing from the date on which he completed the previous year of duty.

As per Rule 29(1) the half pay leave account of every Government servant (other than a military officer) shall be credited with half pay leave in advance, in two installments of ten days each on the first day of January and July of every calendar year.

Question 40. *Whether Govt. servant can be permitted to leave station/go abroad while on CCL?*

Answer: Child care leave is granted to a woman employee to take care of the needs of the minor children. If the child is studying abroad or the Govt. servant has to go abroad for taking care of the child, she may do so subject to other conditions laid down for this purpose.

Question 41. *What is the maximum limit of CCL? Can it be availed in parts?*

Answer: Maximum 730 days of CCL can be availed during entire service. Yes, CCL can be availed in parts. Minimum spell should be 5 days and not more than 3 spells in a year

Question 42: *Can I work till the day of my delivery so that I can have more time with my baby?*

Answer: Yes, You can work up to the day of your delivery and then also you will be entitled for the maternity benefit

Question 43: *What will happen if I join office before completing my maternity leave?*

Answer: If you join the office before the completion of your maternity leave period, your maternity benefits automatically gets cancelled. So if you need to do some office job during maternity leave period, do it as obligatory rather than formally joining the office. Remember, office cannot compel you to join during maternity leave.

Question 44: *Can I extend leaves for the care of the child, after the maternity leaves are over?*

Answer: As per CCS rules for government employees, maternity leaves can be combined with any kind of leaves (including commuted leave up to 60 days and leave not due) and extendable up to one year in continuation without medical certificate. Remember the leaves to be taken up in continuation; if you join office, then this rule does not apply. For private sector companies, the policy differs from company to company and one needs to check their company's HR policy for details.

Question 45: Can Casual Leaves be combined with Maternity leaves?

Answer: No, Casual Leaves cannot be combined with maternity leave

Question 46: I've adopted a new born baby, am I eligible for maternity leave?

Answer: Yes.

Question 47: Who Are Entitled For Child Care Leave?

Answer: Child Care Leave Can Be Granted To Women Employees Having Minor Children Below The Age Of 18 Years, For A Maximum Period Of 2 Years (I.E. 730 Days) During Their Entire Service, For Taking Care Of Up To Two Children Whether For Rearing Or To Look After Any Of Their Needs Like Examination, Sickness Etc. Child Care Leave Shall Not Be Admissible If The Child Is Eighteen Years Of Age Or Older.

Question 48: Am I Eligible To Draw Salary For The Period For Which Child Care Leave Is Availed?

Answer: During The Period Of Such Leave, The Women Employees Shall Be Paid Leave Salary Equal To The Pay Drawn Immediately Before Proceeding On Leave.

Question 49: Whether CCL Can Be Availed Without Prior Sanction?

Answer: Under No Circumstances Can Any Employee Proceed On CCL Without Prior Approval Of The Leave Sanctioning Authority.

Question 50: Can We Avail CCL For The Children Who Are Not Dependents?

Answer: The Child Care Leave Would Be Permitted Only If The Child Is Dependent On The Government Servant.

Question 51: Whether LTC Can Be Availed During Child Care Leave?

Answer: LTC Cannot Be Availed During Child Care Leave As Child Care Leave Is Granted For The Specific Purpose Of Taking Care Of A Minor Child For Rearing Or For Looking After Any Other Needs Of The Child During Examination, Sickness Etc

Question 52: Whether Govt. Servant Can Be Permitted To Leave Station/ Go Abroad While On CCL?

Answer: Childcare Leave Is Granted To A Woman Employee To Take Care Of The Needs Of The Minor Children. If The Child Is Studying Abroad Or The Government

Servant Has To Go Abroad For Taking Care Of The Child She May Do So Subject To Other Conditions Laid Down For This Purpose.

Question 53: When Paternity Leave is admissible?

Answer: Paternity leave is admissible to male Government servant with less than two surviving children. It is also admissible on valid adoption of a child below age of one year. Duration of leave is 15 days during wife's confinement i.e. upto 15 days before, or up to six months from the date of delivery of the child and for 15 days from the date of valid adoption of a child.

(IV) Recruitment

Question 54: How can I apply to IIT Kharagpur for a job opening

Answer: IIT Kharagpur advertises its opening for Faculty and Non Faculty in its official website (www.iitkgp.ac.in) and also in leading Newspapers. The candidate may follow the official website and apply accordingly matching their qualification, experience and choice.

Question 55: I have applied for a particular post, how can I get an update on my application

Answer: All the updates about a particular advertisement are published in the website. Also, the shortlisted candidates are informed via email and post.

Question 56: When will the selection process start

Answer: It is a matter of policy decision. However, all the dates are published in the official website of the Institute

Question 57: I am facing filling up the online application form. Whom should I contact

Answer: The candidate may contact the ERP Cell whose phone number and email id is provided at the end of each advertisement published.

Question 58: How my pay shall be fixed on joining

Answer: If a candidate joins the Institute from the Government/Semi-Government/PSU/Autonomous through proper channel, pay shall be fixed as per MHRD/GOI norms subject to verification of documents

Question 59: I have X qualification and Y experience, can I apply for a particular post

Answer: All the posts advertised contains required qualification and experience in detail. The candidate may refer to the advertisement and satisfy themselves before applying

Question 60: I have been called for Selection process and the Institute has offered me to travel by Air, may I travel by any Airline.

Answer: Candidates and experts who are invited to attend Selection process and allowed to travel by any Airlines at the Institute, however, the tickets should be booked through authorized agents i.e. M/s Balmer Lawrie & Company, M/s Ashok Travels and tours & IRCTC.

Question 61: I have communicated with the Recruitment Section via email but did not receive any reply

Answer: No interim query is entertained by the Institute

(V) Pension and Gratuity

Question 62: What is the employee's duty for getting timely payment of pension and other retirement benefits ?

Answer:

It is in the interest of the employee to ensure that his Service Book and leave accounts are maintained properly and to ensure that :-

- An entry exists in the Service Book that the employee has been medically examined and found fit on initial appointment;
- The date of birth and the date of confirmation in a service or post is properly recorded in the Service Book;
- The annual certificates of verification of service with reference to pay bills are regularly recorded in the Service Book and are continuous;
- Entry has been made in the Service Book regarding counting the period of extraordinary leave as qualifying for pension;
- Entry is made in the Service Book regarding recovery of leave and pension contributions for foreign service, if any, specifying the period;
- Nomination for retirement/death gratuity is recorded in the Service Book properly;
- Nomination for GPF is recorded in the Service Book;
- List of family members is kept and recorded in the Service Book and subsequent changes if any are also recorded properly;
- If you have already made nominations, you should check if they become invalid or would require to be cancelled and fresh nominations made because of changes in the family, e.g., birth, death, divorce etc.;
- You inspect your Service Book every year and affix your signature in token of having inspected the same as provided for in **SR 202** to ensure the accuracy in entries made.

Question 63: Who is eligible for pension ?

Answer: An employee appointed on or before 31.12.2003 and retires from service with a qualifying service of ten (10) years or more is eligible for pension.

Question 64: What is Qualifying Service ?

Answer: Qualifying service commences from the date of taking charge of the post to which first appointed in a permanent capacity. Temporary service followed by confirmation without interruption will also qualify.

Question 65: Which are the periods which count as qualifying service ?

Answer: The following periods of service count as qualifying service:

- (i) Duty and periods treated as 'duty'
- (ii) All kinds of leave with leave salary
- (iii) Deputation and Foreign service
- (iv) Service on probation followed by confirmation
- (v) Suspension followed by minor penalty
- (vi) Suspension followed by major penalty; absence from duty including suspension if any, if the reinstating authority orders that it shall count.
- (vii) Extraordinary leave on medical certificate and Extraordinary leave without medical certificate granted due to inability of the incumbent to join/rejoin duty on account of civil commotion or for prosecuting higher technical and scientific studies. This period automatically counts as qualifying service without an express sanction for this purpose.

Question 66: Which are the periods which do not count as qualifying service ?

Answer: The following periods not counting as qualifying service :

- (i) Unauthorized absence treated as 'dies non'
- (ii) Over stayal of leave/joining time not regularized as leave with leave salary
- (iii) Suspension followed by major penalty, if the reinstating authority does not order that it shall count as qualifying service.
- (iv) EOL without MC other than the circumstances specified at (vii) above.

Question 67: How to calculate Pension ?

Answer: From 1.1.2016 – Full pension is admissible to an employee retiring with minimum qualifying service of not less than 10 years. The amount of pension will be 50% of the average emoluments or 50% of emoluments drawn on the date of retirement, whichever is more beneficial.

Further, in case of retirement on or after 1.1.2016, the amount of pension shall be subject to a minimum of Rs.9,000/- and the maximum pension would be 50% of highest pay.

In no case, a pension (including compassionate allowances) granted shall be less than Rs.9,000/- per mensem.

For all classes of pension(including compassionate allowances), the method of determination of pension is the same.

Besides, additional quantum of pension shall be payable as and when the pensioner attains the age of 80 years and above as detailed below :

Age of Pensioner	Additional quantum of pension
80 years to less than 85 years	20% of basic pension
85 years to less than 90 years	30% of basic pension
90 years to less than 95 years	40% of basic pension
95 years to less than 100 years	50% of basic pension
100 years or more	100% of basic pension

The amount of pension should be rounded off to the next higher rupee. Payment of pension for part of a month, if worked out in fraction of a rupee should also be rounded off to the next higher rupee.

Question 68: What is Emoluments and Average Emoluments ?

Answer: Emoluments for pension include only Pay in Pay Level of Pay Matrix (substantive or officiating) and non-practicing allowance, but does not include special allowance, personal pay, deputation (duty) allowance, etc. For service gratuity / retirement / death gratuity, DA, on the date of retirement / death will also be taken as emoluments.

Average emoluments is the average of the emoluments drawn during the last ten months of service.

Question 69: What are the different types of Pension (Mainly) ?

Answer:

1. **Superannuation pension** on retirement after superannuation [**Rules 35**]
2. **Retiring Pension** on voluntary or premature retirement before superannuation [**Rule 36**]
3. **Compulsory retirement pension** on compulsory retirement as a measure of penalty. Such pension or gratuity or both will not be less than two-third nor

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more than full compensation pension or gratuity or both admissible on the date of compulsory retirement. [**Rule 40**]

Question 70: Can a pension be withheld/withdrawn on grounds of misconduct after retirement?

Answer: Future good conduct is the implied condition for grant/continuance of pension. The appointing authority may, by order in writing, withhold or withdraw a pension or a part thereof, whether permanently or for a specified period , if the pensioner is convicted of a serious crime or is found guilty of grave misconduct.

Question 71: Which pay is reckoned as emoluments for pension and gratuity?

Answer: The basic pay as defined in FR 9 (21) (a) (i) is reckoned as emoluments for pension. However, Non – Practicing Allowance granted to Medical Officers is also included in emoluments. For the purpose of Retirement/Death gratuity, Dearness Allowance admissible on the date of retirement/death is also treated as emoluments.

Question 72: How is Service/Retirement/Death Gratuity calculated?

Answer: It is calculated based on the emoluments drawn at the time of retirement/death while in service. However, retirement/death gratuity will be based on the average emoluments if the emoluments have been reduced during the last ten months of service otherwise than as penalty.

Question 73: What is Service Gratuity?

Answer: No pension is admissible to a permanent employee who retires before completion of 10 years qualifying service. Instead, a lumpsum payment known as Service Gratuity at the rate of half-month’s emoluments for every completed six-monthly period of qualifying service is admitted. Emoluments means basic pay, non-practicing allowance, if any and includes dearness allowance admissible on the date of retirement.

This gratuity is in addition to retirement gratuity admissible to those who have completed 5 years qualifying service. – Rule 49 (1)

Question 74: What is Retirement Gratuity?

Answer: Retirement Gratuity is admissible to all employees who retire after completion of 5 years of qualifying service at the rate of one-fourth of emoluments for each completed six-monthly period of qualifying service subject to a maximum of 16.5 time of the emoluments or Rs.20 lakh from 1.1.2016.

The ceiling on gratuity may increase by 25 per cent whenever DA rise by 50 per cent. Emoluments include DA on the date of cessation of service.

Question 75: What is Death Gratuity?

Answer: Death Gratuity is admissible in the case of death in service of an employee at the following rates :

	Length of Service	Rate of Death Gratuity
1.	Less than one year	2 times of monthly emoluments
2.	1 yr. or more but less than 5 yrs.	6 times of monthly emoluments
3.	5 yrs or more but less than 11 yrs	12 times of monthly emoluments
4.	11 yrs or more but less than 20 yrs	20 times of monthly emoluments
5.	20 yrs. or more	Half month of emoluments for every complete six monthly period of qualifying service subject to a maximum of 33 times of emoluments.

Emoluments include DA on the date of death.

Question 76: What is Residuary Gratuity?

Answer: When an employee dies within five years after retirement, and the total amount actually received by him on account of pension (or service gratuity), dearness relief on pension, retirement gratuity, commutation amount, is less than 12 times the emoluments drawn at the time of retirement, the deficiency is granted to his nominee/family. This is Residuary Gratuity.

Question 77: When is Death Gratuity payable?

Answer: It is payable to the nominee(s)/eligible member(s) of the family of the deceased employee.

Minor's whole share of gratuity is to be paid to the natural guardian of the minor, and in the absence of a natural guardian, to the person who furnishes a guardianship certificate.

Payment of gratuity in respect of a minor to the extent of 20% or Rs.1.50 lakh, whichever is less may be paid to his/her guardian, in the absence of natural guardian, without the production of a formal guardianship certificate but subject to the production of an identity bond with suitable sureties. The balance in excess of 20% or Rs.1.50 lakhs, as the case may be, would become payable on the production of a certificate of guardianship.

Question 78: What is the procedure for making nomination for Death/Retirement Gratuity?

Answer: Every employee should make a nomination in the prescribed form conferring on one or more persons the right to receive the Death/Retirement Gratuity amount in the event of his death in service/after retirement before receiving retirement gratuity. Nomination has to be made in the following manner :

- A) **If the official has a family** – only in favour of members of the family;
- B) **If the official has no family** – Can be in favour of any person(s) or a body of individuals, whether incorporated or not. Such a nomination will, however, become automatically invalid when the employee acquires a family, and then he has to make a fresh nomination in favour of any person(s) as in (A) above.

In both case, (A) and (B), if the nomination is in favour of more than one person, the share of gratuity payable to each has to be specified.

The employee may specify the person(s) to whom the right conferred on nominee(s) shall pass in the event of death of the nominee(s).

The employee may provide in the nomination the contingency on the happening of which the nomination will become invalid.

In such a case, the employee should furnish fresh nomination without delay after the occurrence of the specified contingency.

Question 79: What is the definition of family?

Answer: Family means –

- i) Wife or wives including judicially separated wife or wives, in the case of a male employee;
- ii) Husband including judicially separated husband, in the case of a female employee;
- iii) Sons including stepsons and adopted sons;
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- iv) Unmarried daughters including stepdaughters and adopted daughters
- v) Widowed daughters including stepdaughters and adopted daughters;
- vi) Father including adoptive father;
- vii) Mother including adoptive mother
- viii) Brothers below the age of eighteen years including stepbrothers;
- ix) Unmarried sisters and widowed sisters including stepsisters;
- x) Married daughters; and children of a pre-deceased son.

Question 80: When does Retirement/Death Gratuity lapses?

Answer: When an employee dies in service or dies after retirement before receiving the amount and leaves behind no family and had made no nomination or the nomination, if any, does not subsist, the Retirement/Death Gratuity shall be payable to the person in whose favour a Succession Certificate in respect of the gratuity in question has been granted by the Court of Law. Otherwise it lapses. (Rule – 52)

Question 81: Whether any Income Tax can be levied on the income from Retirement/ Death Gratuity?

Answer: No Income Tax is charged on the Retirement/Death Gratuity received by an employee. [IT Act 10 (10) (i)]

(VI) Commutation of Pension

Question 82: What is eligibility criteria for commutation of pension?

Answer: Every pensioner is eligible to commute a percentage of his monthly pension for a lumpsum payment which is the commuted value of that percentage of the pension. Commutation of a percentage of compassionate allowance is also admissible. An employee or pensioner against whom departmental or judicial proceedings are pending is not eligible to commute a percentage of his pension till completion of such proceeding.

Question 83: What is the admissible amount of commutation of pension?

Answer: The amount admissible shall not exceed 40% of monthly pension. Any fraction in the amount offered will be ignored.

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Illustration – Emoluments Rs.26,400. Retired after qualifying service of 12 years.

Pension $26,400 / 2 = \text{Rs.}13,200$.

The maximum amount of pension admissible for commutation will be :

Rs.13,200 x 40/100 = Rs.5,280.

Question 84: How to calculate the Commutation amount ?

Answer:

Lumpsum payable = Commutation factor offered for commutation x 12 x amount of pension.

The **commutation factor** is taken from the Commutation Table as relevant to the age next birthday. The age next birthday will be determined with respect to (i) the date of superannuation in cases where commutation is required along with PPO, (ii) the date of receipt of application in other cases where medical examination is not necessary, and (iii) the date of medical examination when it is necessary.

Question 85: What is Restoration of commuted portion of Pension?

Answer: Commuted portion of pension will be restored on the expiry of 15 years from the date of retirement.

(VII) Encashment of Leave

Question 86: What is Encashment of Earned Leave ?

Answer: It is grant of lumpsum cash equivalent of leave salary admissible for the number of days of earned leave and half pay leave at the credit of the employee on the last day of his service, subject to overall limit of 300 days.

Question 87: How to calculate the lumpsum cash equivalent of leave salary?

Answer: Method of calculation – The cash equivalent of leave salary shall be calculated as follows :

Retirement / Death while in service

(a) Pay + DA / 30 x No. of days of unutilized earned leave at credit (max. 300 days)

(b) For Half Pay Leave (HPL) –

HPL + DA /30 x No of days of HPL at credit subject to the total of EL and HPL -300 days.

The overall limit for encashment of leave including both earned leave and half pay leave shall not exceed 300 days. To make up for the shortfall in earned leave, commutation of half pay leave shall be admissible.

(VIII) Family Pension

Question 88: What is Family Pension?

Answer: Family pension is payable to the family of an employee/pensioner on his death in service/after retirement.

Question 89: What does family of the deceased person means ?

Answer:

First category -

- (a) Widow or widower, up to the date of death or remarriage' whichever is earlier;
- (b) Son/Daughter (including widowed daughter). Up to the date of his/her marriage/remarriage or till the date he/she starts earning or till the age of 25 years, whichever is the earliest.

Second category -

- (c) Unmarried/Widowed/Divorced daughter, not covered by First Category above, up to the date of marriage/remarriage or till be date she starts earning or up to the date of death, whichever is earliest.
- (d) Parents who were wholly dependent on the employee when he/she was alive, provided the deceased employee had left behind neither a widow nor a child.

Important :

- Family pension to dependent parents, unmarried/divorced/widowed daughter will continue till the date of death.
- Family pension to unmarried/widowed/divorced daughters in second category and dependent parents shall be payable only after the other eligible family members in first category have ceased to be eligible to receive family pension and there is no disabled child to receive the family pension.
- Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension in that category.
- The income criteria for dependency will be the minimum family pension along with dearness relief thereon. [Rule 54, GID (23), Pension Rules]
- Family pension admissible to a beneficiary in respect of one deceased employee/pensioner is not be counted as income for the purpose of determination of eligibility for another family pension which is admissible in connection with another deceased employee/pensioner. Any other income/earning of the beneficiary will be counted for deciding eligibility for family pension. [Rule 54, GID (21-A)]
- Dependent disabled siblings (i.e., brothers/sisters) for life in the same manner as in the case of son/daughter suffering from any disorder/ disability [Rule 54, GID (22), Pension Rules].
- Family pension is admissible to a disabled child/sibling, though the employee/pensioner or his/her spouse did not furnish/intimate the details of the handicapped child during lifetime, subject to conditions. [Rule 54 –GID 40]

Question 90: To whom the family pension is payable ?

Answer: Except in cases, where the deceased is survived by (i) more than one widow; or (ii) one widow and children through another wife already expired; or (iii) twin children, the family pension is payable to only one member of the family at a time.

It is first payable to the surviving widow/widower till her/his death or remarriage, whichever is earlier, and thereafter to eligible children one by one in the order of their birth, irrespective of their sex. [Rule 54 (6) and (8)].

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In case of dependent parents, if both parents are alive, it will be paid first to mother and after her death to father. [Rule 54, sub rule 10A (b), GID (21-A)]

If a family pensioner dies, the right to receive any arrears of family pension shall automatically pass on to the next eligible member of the family. [Rule 54, GID (17)]

Question 91: What are the order of preference to be followed for payment of family pension ?

Answer: Family pension will be payable in the following order and the following manner:

- i) **To the spouse** – on the death of the pensioner – on production of death certificate of pensioner. The family pension will continue till death or remarriage of spouse. In the case of a childless widow, the family pension may continue even after her-remarriage as per rules.
- ii) **To the permanently disabled child/children** – on the death/remarriage of spouse – on production of such death certificate/remarriage intimation. Family pension to the spouse will be discontinued and family pension would be allowed for life for permanently disabled children in the order prescribed in Rule 54 of the CCS (Pension) Rules, 1972.
- iii) **To the dependent parents** – first mother, then father – when claimants in (i) and (ii) die or become ineligible – on production of death certificate/remarriage – intimation of spouse and/or death certificates all permanently disabled children, family pension would be allowed to dependent parents. This family pension would continue till death of the dependent parents.
- iv) **To the permanently disabled siblings** – when family pension to all above cases to be payable on account of death/re-marriage – on production of death certificates/remarriage intimation as applicable, the family pension will be allowed to the permanently disabled siblings. [Rule 54, GID (30)]

Question 92: How the family pension are paid to more than one widow?

Answer: When there are more than one widow, the family pension will be allowed in equal shares. On the death of a widow, her share becomes payable to her

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eligible child/children. If such widow leaves no eligible child, her share of pension will be payable to the other widow in full.

When the deceased is survived by a widow and also an eligible child from a deceased/divorced wife, the child will be paid the share of the family pension which its mother would have received had she been alive/not divorced. On the share ceasing to be payable to the child, it will be paid to the surviving widow. [Rule 54 (7)]

Question 93: How the family pension can be paid to twins ?

Answer: The family pension will be paid in equal shares. If one child ceases to be eligible, his/her share will be paid to the other child. When both of them cease to be eligible, it will be paid to the next eligible child. [Rule 54 (7)]

Question 94: What is the period for which family pension is payable to the dependents?

Answer:

a.	Widow or Widower	Till date of remarriage or death, which ever is earlier. Pension is payable for the day of death also.
b.	Unmarried son/daughter	Till date of marriage or date of attaining the age of 25 years or starts earning the minimum family pension with DR thereon, which is earlier.
c.	Dependent brothers/sisters suffering from disorder or disability of mind or physically crippled.	For life or till gets married or starts earning the minimum family pension along with DR thereon, whichever is earlier.
d.	Unmarried/widowed /divorced daughters	
e.	Dependent parents	Till death or starts earning the minimum family pension along with DR thereon. They are eligible only after the childless widow dies or when her independent income exceeds the prescribed limit.
f.	Disabled son/daughter even after marriage	For life or starts earning the minimum family pension with DR thereon, whichever is earlier.

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[Rule 54, Explanation 1 & 3 – 54 (6), GIDs (21), (22), and (23) there under.

Question 95: What is the normal rate of family pension?

Answer: The monthly family pension is based on the 'pay' drawn on the date of death or on the date of retirement, as the case may be, and is admissible at a uniform rate of 30% of pay last drawn, subject to a minimum of Rs.9000 per month.

In some cases, the family pension will be based on the average of emoluments' drawn during the last ten months.

'Pay' includes Pay drawn and NPA. [Rule 54, GID (23), Pension Rules.

Question 96: What is additional family pension and what are the quantum of additional family pension ?

Answer: Additional family pension is the additional pension as the family pensioner's age is from 80 years to 100 years as detailed below:

Age of family pensioner	Additional quantum of family pension
From 80 yrs to less than 85 yrs.	20% of basic family pension
From 85 yrs to less than 90 yrs	30% of basic family pension
From 90 yrs to less than 95 yrs	40% of basic family pension
From 95 yrs to less than 100 yrs	50% of basic family pension
100 yrs or more	100% of basic family pension

Question 97: What is higher rate of family pension and what are the conditions for grant of higher rate of family pension?

Answer: A higher rate of family pension is admissible, if the deceased had rendered not less than seven years continuous service. It is payable from the date following the date of death.

The higher rate of family pension is not admissible to dependent parents and they are eligible only for the normal rate.

Question 98: What are the rates of family pension at higher rate ?

Answer: The rates are –

(a) In the case of death in service:

Payable to the family of an employee for a period of ten years from the date following the date of death of the employee, without any upper age-limit at the rate of fifty per cent of the 'pay' last drawn.

(b) In the case of death after retirement:

Payable for a period of seven years or up to the date on which he would have attained 67 years had he survived, whichever is less

Fifty per cent of 'pay' drawn at the time of retirement; or the amount of pension authorized on retirement, whichever is less.

Question 99: How the family pension is regulated when both husband and wife are Government servants?

Answer: When both the husband and wife are government servants and one of them dies, family pension is payable to the surviving spouse. Thus a Government servant/pensioner can draw family pension in addition to salary/pension. On the death of both, the children of the deceased couple will be granted two family pensions, subject to the maximum of Rs.45000 if both or any one of the family pension is/are payable at enhanced rates Rs.27000 if they are payable at normal rates.

Question 100: How the family pension is regulated when the Government servant dies while under suspension?

Answer: If the Government servant dies while under suspension, the period of suspension will be treated as duty for all purposes including payment of pay and allowances. The family pension is payable to the eligible member of the family as in the case of death while in service. [Rule 54 B]

(IX) Conduct Rules

Question 101: Who are considered members of the family in relation to an employee?

Answer: Members of the family" in relation to an employee includes:

- (i) The wife, child or step-child of such employee residing with and dependent on him and in relation to an employee who is a woman, the husband residing with her and dependent on her, and
- (ii) Any other person related, whether by blood or by marriage to the employee or to such employee's wife or husband and wholly dependent on such Institute employees, but does not include a wife or husband legally separated from the employee or child or step-child who is no longer in any way dependent upon him or her, or whose custody the employee has been deprived of by law"

Question 102: What are the general guideline for the employees under conduct rules of the Institute?

Answer:

- (a) Every employee shall at all times maintain absolute integrity and devotion to duty, and also be strictly honest and impartial in his official dealings.
- (b) An employee should at all times be courteous in his dealings with other members of the staff, students, and members of the public.
- (c) Unless otherwise stated specifically in the terms of appointment, every employee is a whole time employee of the Institute, and may be called upon to perform such duties, as may be assigned to him by the Competent authority, beyond scheduled working hours and on closed holidays. These duties shall inter alia include attendance at meetings of committees to which he may be appointed by the Institute.
- (d) An employee shall be required to observe the scheduled hours of work during which he must be present at the place of his duty.
- (e) Except for valid reasons and/or unforeseen contingencies no employee shall be absent from duty without prior permission.
- (f) No employee shall leave station except with the previous permission of proper authority, even during leave or vacation.
- (g) Whenever leaving the station, an employee shall inform the Head of the Department to which he is attached, or Director if he is himself the Head of a Department, the address where he would be available during the period of his absence from station.

Question 103: Are the employees of the Institute eligible to take part in politics and election?

Answer:

- i) No employee shall take part in politics or be associated with any party or organization which takes part in political activity, nor shall subscribe in aid of or assist in any manner any political movements or activity.
- ii) No employee shall canvass or otherwise interfere or use his influence in connection with or take part an any election to legislative body or local body. Provided that an employee of the Institute, qualified to vote at such election, may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted.

Question 104: Can an employee have any connection with Press or Radio?

Answer:

- i) No employee shall, except with the previous sanction of the Competent authority, own wholly or in part, or conduct, or participate in the editing or managing of any newspaper or other periodical publications.
- ii) No employee shall, except with the previous sanction of the Competent authority or any other authority empowered by it in this behalf, or in the bonafide discharge of his duties, participate in a radio broadcast or contribute any article or write any letter either anonymously or in his own name or in the name of any other person to any newspaper or periodical.
Provided that no such sanction shall be required if such broadcast or such contribution is of a purely literary, artistic or scientific character.

Question 105: Can any employee take part in any form of criticism of the Institute?

Answer:

No employee shall, in any broadcast or in any document published anonymously or in his own name or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion.

- (a) Which has the effect of an adverse criticism of any current policy or action of the Institute; or
- (b) Which is capable of embarrassing the relations between the Institute and the Central Government or any State Government or any other Institute or organization or members of the public.

Provided that nothing in this paragraph shall apply to any statements made or views expressed by an employee in his official capacity or in due performance of the duties assigned to him.

Question 106: Can any employee give any Evidence before Committee or any other authority?

Answer:

- a) No employee shall except with the previous sanction of the Competent authority, give evidence in connection with any inquiry conducted by any person, committee or authority.
- b) Where any sanction has been accorded, no employee giving such evidence shall criticize the policy or any action of the Institute or the central Government or any State Government.