

#### **XIV. SPECIAL CONDITIONS FOR GRANT OF ADVANCES TO THE FAMILIES OF GOVERNMENT SERVANTS WHO DIE WHILE IN SERVICE**

##### **PART I. LUMP SUM ADVANCE TO PROVIDE FOR IMMEDIATE FINANCIAL RELIEF**

**Rule 79. Powers of Sanction.**-A Head of Department or a Head of Office may sanction an advance to the family of a Government servant in permanent or temporary employ (excluding casual and daily-rated staff) who dies while in service (whether on duty or on leave with or without pay) in order to enable the family to meet its immediate requirements, if in the opinion of the Head of Department or the Head of Office, as the case may be, the family concerned has been left in indigent circumstances upon the death of the Government servant on whom it was dependent and is in immediate need of financial assistance.

##### **GOVERNMENT OF INDIA'S DECISION**

(a) In the case of a Government servant who was eligible for the benefits of liberalized pension rules, payment should be made only to the person or persons nominated by him or otherwise eligible (that is, where there is no nomination) to receive the Death-Cum-Retirement Gratuity, in the same proportion as they are entitled to. In the case of a Government servant who was not eligible for the benefits of the liberalized pension rules, but was eligible for the benefits of the Contributory Provident Fund or the General Provident Fund, payment should be made to the person or persons, nominated by him in the same proportion as they are entitled to the Provident Fund amount as specified in the nomination. In cases where there are no nominations and there is a family, the amount of advance may be paid to the person or persons entitled to receive payment of cash equivalent of leave salary in the case of death of a Government servant under Rule 39-C of the CCS (Leave Rules), 1972.

(b) In cases of temporary/quasi-permanent Government servants and permanent Government servants with less than 5 years' qualifying service, the advance should be made to the person or persons eligible to receive Death-Cum-Retirement Gratuity under Finance Ministry, Office Memorandum No. F. 1 (I)-E.V (A)/60, dated the 11th July, 1960, as amended from time to time.

(c) In all cases, an undertaking should be taken from the person or persons concerned, before the payment is made, that he/she or they agree to the amount being deducted from the Death-Cum-Retirement Gratuity, or the Contributory

Provident Fund amount or the General Provident Fund amount or the Death-Cum-Retirement Gratuity under orders of 11th July, 1960, referred to in sub-para. (b) above, as the case may be, ultimately payable to him/her or to them.

(d) The sanction to the advance, copies of which should be sent to the Audit Officer and/or the Accounts Officer, as the case may be, should contain the following particulars:

1. Name of the official.
2. Designation and office in which the person was last working.
3. Last pay drawn (Permanent and officiating).
4. Amount of advance sanctioned.
5. Name of the payee.

(e) In order to provide timely relief, Heads of Offices may use permanent advance or other resources available with them. If the permanent advance or other resources available are not sufficient to meet the payment of the amount of advance, Heads of Offices should draw the amount from Treasury on a simple receipt in a Form similar to TR-42 as provided in Rule 669 of the Central Treasury Rules, Vol. I. The fact of payment in this behalf should be noted in the Last Pay Certificate sent with the papers relating to Death-Cum-Retirement Gratuity and similar other payments, sent to the Audit Officer and/or the Accounts Officer, as the case may be. In cases where submission of the Last Pay Certificate has been dispensed with, the fact of payment of the advance should be indicated in the No Demand Certificate or on Page 3 of the Pension Application or in the letter forwarding the pension papers to the Audit Officer and/or the Accounts Officer, as the case may be.

[ G.I., M.F., O.M. No. 10 (18)-E.V(A)/60, dated the 16th December, 1960 and F. 10 (3)-E.V(A), dated the 1st November, 1965.]

**Rule 80. Amount of Advance.**-The amount of an advance which may be granted under Rule 79 shall be equal to two months' basic pay and dearness pay taken together of the deceased Govt. servant, subject to a maximum of Rs. 8,000 (Rupees Eight thousand only).

**Rule 81. Adjustment of Advance.**-The Heads of Departments/Offices shall see that the advance (granted under Rule 79) is adjusted as early as possible, and in any case, within a period of six months from the date of its sanction, by deduction from the amount that may be payable on account of arrears of salary due, the Death-Cum-Retirement Gratuity or the Contributory Provident Fund or the General Provident Fund or any other payments due to the deceased.

## GOVERNMENT OF INDIA'S DECISION

**Head of Account.**-The advance granted under this Section should be debited to the Head "8550 – CIVIL ADVANCES – OTHER ADVANCES - LUMP SUM ADVANCE to provide immediate financial relief to the deceased Government servant's family". If the amount of Death-Cum-Retirement Gratuity or similar other payments is less than the advances initially sanctioned, and if the balance is eventually treated as irrecoverable, the same should be debited to the Head "2075 - MISCELLANEOUS GENERAL SERVICES - OTHER EXPENDITURE - WRITE OFF OF IRRECOVERABLE LOANS advanced to provide immediate financial relief to the deceased Government servant's family", under special sanction of Government.

[G.I., M.F., O.M. No. 10 (18)-E.V/(A)/60, dated the 16th December, 1960 and 10 (3)-E. V (A)/65, dated the 1st November 1965 and correction slip No. 81 of 2nd list of amendment and OM. No. 23 (1)-E. II (A)/90, dated the 19th October, 1990 and Budget Division's U.O. No. 442-B (AC)/90, dated the 29th May, 1990. ]

## PART II. ADVANCES TO MEET TRAVEL EXPENSES

**Rule 82. Powers of Sanction.**-All authority, who would have been competent to countersign the Travelling Allowance claim if the Government servant were alive, may sanction an advance of Travelling Allowance to the family of the Government servant, who dies while in service, to meet travel expenses, which may be admissible to the family under orders issued by Government from time to time.

## GOVERNMENT OF INDIA'S DECISIONS

**(1) Admissible only to one member.**- (a) The advance should be admissible to only one member of the family of the deceased Government servant on behalf of all. He/She should be the widower/widow or any other member of the family (within the definition of the term "family") who is a major and of sound mind. The decision of the sanctioning authority, as to whom the advance may be given should be final.

After the advance is sanctioned by the competent authority it may be drawn by the Head of Office and paid to the member of the family in this behalf.

(b) Only one advance should be admissible irrespective of the fact that the members of the deceased Government servant's family travel in separate batches from the same or different stations.

[G.I., M.F., O.M. No. F. 16-A(5)-E. II (A)/61 , dated the 31st August, 1961.]

**(2) Undertaking from the member and surety of a permanent Government servant necessary.**-The surety of a permanent Central Government servant of status comparable to or higher than that of the deceased Government servant should be obtained in Form VII of the Compendium before the advance is sanctioned. The person receiving the advance should also give an undertaking in Form VII in writing to the effect that he/she would abide by the provisions contained in Rule 84.

[ G.I., M.F., O.M. No. F. 16-A (5)-E. II(A)/61, dated the 31st August, 1961.]

**(3) Head of Department may sanction advance in the case of deceased Government servant having been his own Controlling Officer.** In case of the deceased Government servant himself being Controlling Officer of his T.A. claims, a Head of Department may sanction such an advance if otherwise admissible under this Rule.

[ G.I., M.F., File No. F. 23 (1)-E. II (A)/76. ]

**Rule 83. Amount of Advance.**- The amount of advance, which may be granted under Rule 82 shall be limited to 3/4ths of the probable amount of Travelling Allowance admissible under the orders issued by Government from time to time.

**Rule 84. Adjustment of Advance.**-The account of the advance drawn shall be rendered within one month of the completion of the journey if the family travels in one batch. In case the family travels in more than one batch, the account may be rendered within one month after the completion of the journey by the last batch. In any case, the journey must be completed before the stipulated period of six months and the account of the advance rendered within one month of the expiry of the stipulated period at the latest. The advance shall, however, be refunded forthwith if the journey is not completed within the stipulated period.

**AUTHORS' NOTE.** -The stipulated time-limit of six months has since been raised to one year, *vide* G.I., M.F., O.M. No. 19030/1/76-E. IV (B), dated the 30th January, 1978.