To be added as note below 32(1)(i) in place of earlier note.

When an employee disappears leaving his family, the family can be paid in the first instance (i) amount of salary due, leave encashment due and the amount of Provident Fund having regard to the nomination made by the employee; and (ii) after the lapse of a period of one year, other benefits like Death-cum-Retirement Gratuity/Family Pension may be granted to the family subject to the fulfilment of the following conditions:

(i) the family must lodge a complaint with the concerned police station and obtain a report that the employee has not been traced after all efforts had been made by the police;

(ii) an indemnity bond should be taken from the nominee/ dependents of the employee that all payments will be adjusted against the payments due to the employee in case he appears on the scene and makes any claim;

(ii) all outstanding dues against the employee will be assessed and their recovery effected in accordance with the Pension Regulations and any other instructions in force for effecting recovery of dues;

(iii) the family can apply to the Head of Office of the employee for grant of Family Pension and Death-cum-Retirement Gratuity after one year from the date of disappearance of the employee in accordance with the prescribed procedure for sanction of Family Pension and Death-cum-Retirement Gratuity. In case the disbursement of Death-cum-Retirement Gratuity is not effected within three months of the date of application, interest shall be paid at the rates applicable and responsibility for the delay be fixed. It is with effect from 23-10-1967. (TG 351 of 10-11-1967).

Regulation 32(2)(a)

not include periods of extraordinary leave, suspension and boy service (service put in before/attaining 10 years of age) which do not qualify for death-cum-pension. In the case of Dock Shore Workers of the Docks Department in categories 'A' and 'B', the term 'death-cum-pension' service means one year of service in 'B' and/or 'A' categories only which would have normally reckoned as qualifying service.
The amount of pension will be as specified in the following table:

<table>
<thead>
<tr>
<th>Pay (as applicable)</th>
<th>Monthly Pension of Survivor (Relatives)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rs. 6,000 and above</td>
<td>15% of pay subject to a maximum of Rs. 1800</td>
</tr>
<tr>
<td>Rs. 3,000 and above</td>
<td>8% of pay subject to a maximum of Rs. 900</td>
</tr>
<tr>
<td>Below Rs. 3,000</td>
<td>5% of pay subject to a minimum of Rs. 900</td>
</tr>
</tbody>
</table>

Notes:
1. (a) and (b) will include children adopted by the employee.
2. (c) will include children of the employee.
3. (d) will include the following relations of the employee:
   - (1) father and mother
   - (2) unmarried aircraft
   - (3) husband, in the case of a female employee

If the employee is disabled, the pension will be paid as follows:

- 1/5th of the monthly pension of the employee in the following order:
  - (1) wife
  - (2) children
  - (3) parents
  - (4) adopted children
  - (5) siblings
of his death while in service or immediately before his retirement. If on the date of his death while in service or immediately before his retirement, an employee has been absent from duty on leave with allowances, his "pay" should be taken at what it would have been had he not been absent from duty.

Provided that the amount of family pension 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 the employee would have continued to hold the higher officiating or temporary appointment but for his proceeding on leave. However, in case the employee, during the currency of earned leave or leave on average or full pay not exceeding 180 days or 4 months, as the case may be, or the earned leave or leave on full or average pay exceeding 180 days or 4 months, as the case may be, earns an increment, which is not withheld, he is entitled to count the pay which he would have drawn had he remained on duty. If on the date of death while in service or immediately before retirement, the employee has been absent from duty being on extraordinary leave or suspension, "pay" will mean the pay which he drew immediately before proceeding on leave or suspension.

Provided further that in the case of the death of an employee while in service after putting in not less than 7 years' continuous service the amount of pension payable during the first seven years from 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, shall be increased to 50 per cent of the pay last drawn, subject to a maximum of twice the pension specified in the above table.
Notes:

1. In the case of Crane Drivers, Hydraulic, 5 and 6 tons, and 35 cwt. and Crane Drivers, Electric, 3 and 6 tons "pay" means the pay as defined in this sub-regulation in the monthly scales of pay attached to their respective posts of Crane Driver plus Rs. 10.70.

2. In the case of Dock Shore Workers in 'A' and 'B' Categories, "pay" means pay as defined in this sub-regulation in the appropriate monthly scale of pay attached to their respective posts or at the lowest stage of the increments' scale of pay of a 'A' Category Mazdoor, as the case may be, plus Rs. 16.32 in the case of Mazdoor or Rs. 17.94 in the case of a Morga plus Rs. 6.5 in the case of each of the "B" Category Mazdoors as were on the register on 1st January 1969.

3. The temporary increase in pension referred to in Note (1) below Regulation 29 will not be admissible in the case of family pension.

4. The normal date of superannuation referred to in the proviso to this sub-regulation shall, in the case of a person who dies while on extension of service, be deemed to be the date up to which the extension of service had been sanctioned to him before his death.

1. Re-numbered by T.R.No.1234 of 1966 (with effect from 5-10-1965)
3. Inserted by T.R.No.503 of 1966 (with effect from 10-5-1966)

In case of death of employee, his Claim pension is payable to his widow and his family pension is not admissible. Vide, Chief's opinion Ref. Ex.1 of 31/4/357, Ex. 22/11/90, Sup. 34/32.
In the case of retirement or death while in service on or after 1-1-1973, of a class I or class II employee, or in the case of retirement or death while in service on or after 1-1-1973, of a class III or class IV employee who opts for the definition of 'pay' for pension as applicable to the Central Government employees, the amount of Family Pension will be as specified in the following table:

<table>
<thead>
<tr>
<th>Pay of the employee</th>
<th>Monthly pension of widow/widower/children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below Rs.400</td>
<td>30 per cent of pay subject to a minimum of Rs.60 and a maximum of Rs.100.</td>
</tr>
<tr>
<td>Rs.400 and above but below Rs.1,200</td>
<td>15 per cent of pay subject to a minimum of Rs.100 and a maximum of Rs.150.</td>
</tr>
<tr>
<td>Rs.1,200 and above</td>
<td>12 per cent of pay subject to a minimum of Rs.150 and a maximum of Rs.250.</td>
</tr>
</tbody>
</table>

"Pay" for this purpose means the pay as defined in regulation 453 or 453A, as the case may be.

Provided that in the case of death of an employee while in service after putting in not less than 7 years of continuous service, the amount of Family Pension payable during the first seven years from the date following the date of death or till

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1 Inserted by TR No.268 of 23-9-1980 and MCoG's Notification No. FR3-52/79 of 30-9-1981 (Effective from 1-1-1973 in case of class I and class II employees and 1-1-1973 in case of class III and class IV employees).
the date on which the deceased employee would have attained the age of 65 years had he remained alive, whichever period is shorter, shall be increased to 50 per cent of "pay" last drawn subject to a maximum of twice the Family Pension specified in the above table. Where, however, an employee who is governed by the Workmen's Compensation Act, 1923 (8 of 1923) dies while in service after putting in not less than seven years' continuous service and the family of the deceased is eligible for any compensation under the aforesaid Act, the rate of Family Pension payable during the first seven years following the date of death of the employee or till the date on which the employee would have reached the age of 65 years had he remained alive, whichever period is shorter, shall be equal to 50 per cent of the pay last drawn by the employee or one and a half times the Family Pension specified in the above table whichever may be less.

Provided further that in the event of death of an employee after retirement, the Family Pension at the enhanced rate mentioned in proviso (i) above shall be payable up to the date on which the deceased employee would have attained the age of 65 years had he remained alive or for seven years, whichever period is shorter, but in no case the amount of Family Pension shall exceed the pension sanctioned to the employee at the time of his retirement. Where, however, the amount of Family Pension as specified in the above table exceeds the pension sanctioned at the time of retirement of the employee, the amount of Family Pension as admissible under this proviso shall not be less than the amount of Family Pension as specified in the said table.
(11) In the case of retirement or death while in service, on or after 1-1-1979, of a Class III or Class IV employee who opts to be continued to be governed by the liberalised definition of "pay" the rate of Family Pension will be as follows:

<table>
<thead>
<tr>
<th>Pay of the employee</th>
<th>Monthly pension of widow/widower/children</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Below Rs.400</td>
<td>Rs. 60</td>
</tr>
<tr>
<td>2. Rs.400 and above but below Rs.800</td>
<td>Rs.100</td>
</tr>
<tr>
<td>3. Rs.800 and above but below Rs.1,200</td>
<td>12 per cent of pay subject to a minimum of Rs.100</td>
</tr>
<tr>
<td>4. Rs.1,200 and above</td>
<td>Rs.160</td>
</tr>
</tbody>
</table>

Provided that in the case of the death of an employee while in service after putting in not less than 7 years' continuous service, the amount of Family Pension payable during the first seven years from the date following the date of death or till the date on which the deceased employee would have attained the age of 65 years had he remained alive, whichever period is shorter, shall be increased to 50 per cent of the pay last drawn by the employee subject to a maximum of one and half times the Family Pension in the above table whichever may be less. The "pay" for the purposes of this proviso will have the same meaning as in regulation 4(5).
Note (1) (a) In the case of Crane Drivers, Hydraulic, 5 and 6 tons, and 95 cwt. and Crane Drivers, Electric, 3 and 6 tons "pay" means the pay as defined in this sub-regulation in the monthly scales of pay attached to their respective posts of Crane Driver plus Rs. 10.98.

(b) In the case of Dock Shore Workers in 'A' and 'B' Categories, "pay" means pay as defined in this sub-regulation in the appropriate monthly scale of pay attached to their respective posts or at the lowest stage of the incremental scale of pay of a 'A' Category Harbour, as the case may be, plus Rs. 16.42 in the case of Harbour or Rs. 17.94 in the case of a Bor Cabin plus Rs. 6 in the case of each of the 'B' Category Harbours as were on the register on 1st January 1969.

(2) The temporary increase in pension referred to in Note (1) below regulation 29 will not be admissible in the case of family pension.

(3) The normal date of superannuation referred to in the proviso to this sub-regulation shall, in the case of a person who dies while on extension of service, be deemed to be the date up to which the extension of service had been sanctioned to him before his death.

(4) The pension will be admissible:

(a) in the case of a widow/widower, up to the date of death or re-marriage, whichever is earlier.
(b) in the case of a minor son, until he attains the age of 21 years.

(c) in the case of an unmarried daughter until she attains the age of 24 years or until marriage, whichever is earlier.

Note: In cases where there are two or more widows, pension will be payable to the eldest surviving widow. On her death it will be payable to the next surviving widow, if any. The term 'oldest' would mean seniority with reference to the date of marriage.

(4) A pension awarded under this regulation 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.

(5) In the event of the re-marriage or death of the widow/widower, the pension will be granted to the minor children through their natural guardian. In disputed cases, however, payments will be made through a legal guardian.

Note: (i) xxx
(ii) xxx

(7) Widows/Widowers/Minor children of such employees as are governed by this regulation will not be entitled to family pension under any other regulations unless a specific provision to the contrary exists in those regulations.

1 Substituted by TR No.139 of 8th May 1979 and M.O.I.'s Notification No.PEB-64/79 dated 29th October 1979 (with effect from 10th November 1979).

(6) (i) (a) All class III and class IV employees entitled to the benefit of this regulation and whose service sheets are maintained by the respective Heads of Departments are required to furnish details of their family as defined in sub-
regulation (1), i.e., date of birth of each member with his/her relationship with the employee. This statement shall be countersigned by the Head of the Department to which the employee belongs or such other authority as prescribed by the Head of the Department in this respect and pasted to the service sheet of the employee. Employees are, thereafter, required to keep this statement up to date. Additions and alterations in this statement will be made by the prescribed authority as above, from time to time, on receipt of information from the employees concerned.

(b) All other employees whose service sheets are maintained by the Chief Accountant are required to furnish to that officer through their Heads of Departments the details of their family and are further required to keep those particulars up to date. The Chief Accountant shall paste this statement to the service sheet of the employee and make additions and alterations in the statement on receipt of information from the employee.

(ii) The manner in which the details of the family and any additions and alterations thereto from time to time are to be communicated shall be as prescribed by the Chief Accountant.