

TO BE PUBLISHED IN PART II, SUB-SECTION (ii) OF SECTION
3 OF THE GAZETTE OF INDIA.

No.5(16)-F.III(B)/66
Government of India
Ministry of Finance
(Department of Expenditure)

...

New Delhi, the 15th October, 1969.

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and all other powers enabling him in this behalf and after consultation with the Comptroller and Auditor-General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following regulations further to amend the Civil Service Regulations, namely:-

1. These Regulations may be called the Civil Service (Twelfth Amendment) Regulations, 1969.
2. In the Civil Service Regulations:-
 - (i) for Article 514, the following Article shall be substituted, namely:-

"514.(a) The provisions contained in Article 521 shall apply in relation to the fixation of pay on re-employment of an officer in receipt of compensation pension as they apply in relation to the fixation of pay of an officer re-employed after superannuation or retirement.

NOTE: This rule shall apply to every person on his re-employment in any establishment paid from General Revenues other than a person re-employed in a casual capacity on daily rate basis.

(b) If his re-employment is in qualifying service, he may either retain his pension in which case his former service will not count for future pension, or cease to draw any part of his pension and count his previous service. Pension intermediately drawn need not be refunded.

NOTE: An officer counts his previous service under clause (b) if on re-employment his pension remains wholly in abeyance."

- (ii) for Article 521, the following Article shall be substituted, namely:-

"521. The authority competent to fix the pay and allowances of the post in which the pensioner is re-employed shall determine whether the pension shall be held wholly or partly in abeyance. If pension is drawn wholly or in part, such authority shall take the fact into account in fixing the pay to be allowed to him:

Provided that in the case of any such person who retires before attaining the age of fifty-five and is re-employed on or after 16.1.1964, the amount of pension drawn by him if it is less than fifty rupees, or the first fifty rupees of the pension if it exceeds fifty rupees, shall not be taken into account in fixing his pay on re-employment.

NOTE: Where the employment is in service paid from a local fund, the authority determining whether the pension shall be wholly or partly held in abeyance shall be either:

- (i) the authority administering the local fund, if so empowered by the Government by special or general orders in this behalf; or
- (ii) in any other case, the Government or such other authority as the Government may prescribe."

R. K. Mathur

(R.K. MATHUR)

DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA.

To

The Manager,
Government of India Press,
NEW DELHI.

No.5(16)-E.III(B)/66

Copy to all the Ministries of the Government of India,
etc. etc.

- Copy also forwarded to:
1. Deputy Secretary (AG), Ministry of Defence.
 2. Deputy Secretary (E), Ministry of Defence.
 3. Under Secretary D(Est. I), Ministry of Defence
(with 8 spare copies).

(B.S. NIM)

UNDER SECRETARY TO THE GOVERNMENT OF INDIA