

No. 25011/28/75-AIS(II)
 Government of India/Bharat Sarkar
 Cabinet Secretariat/Mantrimandal Sachivalya
 Department of Personnel & Administrative Reforms
 (Karmik aur Parashasanik sudhar Vibhag)

New Delhi, Dated the 23 July, 1975

To

- (1) The Chief Secretary to the Government of each State.
- (2) All the Accountants General (including the Accountant General, Central Revenues, New Delhi and Accountant General, Commerce, Works and Misc. New Delhi.)

Subject : All India Services (Death-cum-Retirement Benefits) Rules, 1958 - Reckoning of emoluments drawn in the ex-cadre posts for purpose of pension and gratuity - clarification regarding -

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Sir,

I am directed to refer to this Department's Notification No. 33/12/73-AIS(II) dated the 24th January, 1975, amending the All India Services (Death-cum-Retirement Benefits) Rules, 1958 for implementing the decisions of the Central Government on the recommendations of the Third Central Pay Commission relating to the liberalised retirement benefits and to say that according to the definition of the term "emoluments" given in this Notification, "emoluments" means the emoluments which a member of the Service was receiving immediately before his retirement or death, as the case may be, and shall include -

- (i) pay, special pay and personal pay;
- (ii) any other emoluments which may, by general or special order of the President, be classed as pay.

A question has been raised whether the pay drawn by a member of an All India Service in ex-cadre posts for three years immediately preceding his retirement from the service can be counted for calculation of average emoluments for purpose of pension. This has been examined in consultation with the Ministry of Finance, Department of Expenditure and the office.

of the Comptroller and Auditor General of India and it is clarified that the emoluments drawn by a member of an All India Service for the three years immediately preceding his retirement from the service, will count for purposes of calculation of average emoluments if the pay is drawn:-

- (i) in the cadre post; and
- (ii) in the ex-cadre post where it is fully met out of the Consolidated Fund of either the State or the Union.

1.1. So far as the pay drawn in the foreign service is concerned the pay is to be reckoned with reference to the entitlement of the officer in the cadre. For this purpose the certificate given by the State Government regarding the pay/the member of the All India Service would have drawn in the Cadre, had he not gone on foreign service should be treated as sufficient.

2. This issues in consultation with the Ministry of Finance, Department of Expenditure and the Office of the Comptroller and Auditor General of India vide their U.O. ' ,

No. 3530-EV(A)/75 dated the 1st July, 1975.

and No. 764-Audit/119-75 dated the 14th July, 1975 respectively.

Yours faithfully,

(A.K. GUPTA)

UNDER SECRETARY TO THE GOVERNMENT OF INDIA

No. 25011/28/75-AIS(II) New Delhi, Dated the 23 July, 1975

A copy each is forwarded to :-

1. The Ministry of Home Affairs (UTS Section) New Delhi.
2. The Ministry of Home Affairs (Pers.II Section) New Delhi.
3. The Ministry of Agriculture (AIS Section) New Delhi.
4. The Ministry of Finance, Department of Expenditure, (EV) Branch, New Delhi.
5. Office of the Comptroller and Auditor General of India w.r.t. u.o. No. 764-Audit/119-75, dated 14.7.75.

(A.K. GUPTA)

UNDER SECRETARY TO THE GOVERNMENT OF INDIA

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