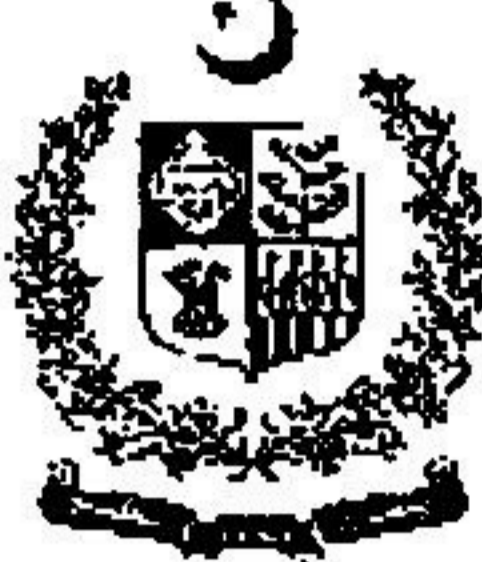


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PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN

MINISTRY OF SCIENCE AND TECHNOLOGY

NOTIFICATION

Islamabad, the 16th May, 2012

S.R.O 571(I)/2012.—In exercise of the powers conferred by section 29 of the National Institute of Oceanography Act, 2007 (III of 2007), the Federal Government is pleased to make the following rules, namely: -

CHAPTER-I

PRELIMINARY

1. **Short title, commencement and application.**—(1) These rules may be called the National Institute of Oceanography's Employees (Pension) Rules, 2012.

(2) They shall come into force at once.

(2143)

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- (3) They shall apply to the employees of the Institute, except.—
- (a) persons on deputation to the Institute or persons transferred for service to the Institute or persons whose services have been borrowed by the Institute from Government or an agency or a statutory body;
 - (b) the employees appointed on contract or working of part time basis;
 - (c) the employees who are paid from the contingencies or borne on work charged establishment;
 - (d) such employees who hold posts which have been declared by competent authority to be non-pensionable; or
 - (e) such employees who have, in pursuance of sub-section (5) of section 16 of the Act, exercised the option to be deemed to be civil servants under the Civil Servants Act, 1973 (LXXI of 1973) and shall be entitled to all the privileges and facilities of the Federal Government such as pension, gratuity, housing and health.

2. Definitions.—In these rules, unless there is anything repugnant in the subject or context.—

- (a) “Act” means the National Institute of Oceanography Act, 2007 (III of 2007);
- (b) “competent authority”, in relation to the appointment in various posts, means the authority declared by rules competent to make appointments to the posts of the Institute and in relation to the grant of pension or gratuity to employees means Secretary of administrative Ministry of the Institute for the employees in Basic Pay Scale 20 and above and Director General for employees in Basic Pay Scale 19 and below;
- (c) “contributory provident fund” means contributory provident fund subscribed by employees of the Institute maintained and regulated by the Institute under these rules.

- (d) "employees" means officers and other members of the staff of all categories of the Institute; and
- (e) "schedule" means the schedule to these rules;

3. **Creation of pension fund.**—A pension fund shall be created and maintained which shall consist of —

- (a) all accumulated balances of subscriptions towards contributory provident fund in respect of employees governed under these rules including the employees who have opted to be deemed civil servants;
- (b) any profit or interest etc. obtained or accrued from investment of the funds;
- (c) all funds provided in contributory provident fund account available in annual budget; and
- (d) pension contribution of every employee of the Institute according to Government prescribed rates provided by Government in the annual budget in each financial year.

CHAPTER-II

ORDINARY PENSION

PART-1

GENERAL PROVISIONS

4. **Pension or gratuity on retirement.**—(1) Except as otherwise provided, an employee shall on retirement from service be entitled to receive such pension or gratuity as provided under these rules.

(2) In the event of death of an employee, whether before or after retirement, his or her family shall be entitled to receive such pension or gratuity or both, as provided under these rules.

(3) No pension or gratuity shall be admissible to an employee who is dismissed or removed from service for reasons of indiscipline but the Institute may sanction compassionate allowance to such an employee when he is deserving of special consideration, provided that the allowance granted to any employee shall not exceed one-third of the pension or gratuity which would have been admissible to him or her had he or she been retired from service on the date of such dismissal or removal.

(4) If the determination of the amount of pension or gratuity admissible to an employee is delayed beyond one month of the date of his or her retirement or death, he or she or his or her family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity according to the length of service of the employee which qualifies for pension or gratuity and any overpayment consequent upon such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such employee or his or her family.

Explanation.—In these rules unless the term “pension” is used in distinction to the term “gratuity” or there be something repugnant in the subject or context, pension includes gratuity.

(5) Where no provision exists under these rules to cover any matter of pension, gratuity or similar other matter of any employee, the provisions of Civil Servants Act, 1973 (LXXI of 1973) and the rules made or deemed to have been made thereunder, so far as not inconsistent with these rules, shall apply *mutatis mutandis*, provided that in case of the inconsistency, if any, provisions of these rules shall prevail or, as the case may be, the matter shall be referred to the Federal Government for final decision.

5. Withholding of pension.—(1) Future good conduct is an implied condition for every grant of pension. The competent authority may withhold a pension or a part thereof if the pensioner is finally convicted of an offence of moral turpitude or guilty of misconduct under this rule.

(2) Except with the previous sanction of the Institute, no pensioner shall, within a period of two years from the date of his or her retirement, engage in any political activity of any kind.

(3) The contravention of sub-rule (2) shall be deemed to be a misconduct within the meaning of this rule.

(4) The power to withhold or withhold a pension or any part thereof shall not be exercised until an opportunity has been given to the pensioner to explain his or her conduct in writing.

6. Recovery of losses from pension.—The Institute shall have a right to order the recovery from the pension of an employee of any amount on account of losses found in final judicial or departmental proceedings to have been caused to the Institute or the Government by the negligence or fraud of such employee during his or her service:

Provided that—

- (i) such departmental proceedings, if not instituted while the employee was on duty,—
 - (a) shall not be instituted save with the sanction of the Institute;
 - (b) may be instituted before the employee's retirement from service or within a year from the date on which he or she was last on duty, whichever is later;
 - (c) shall be in respect of an event which took place not more than one year before the date on which the employee was last on duty; and
 - (d) shall be conducted by such authority and in such manner, whether in Pakistan or elsewhere, as the Institute may direct.
- (ii) all such departmental proceedings shall be conducted if the employee concerned so requests, in accordance with the procedure applicable to departmental proceedings on which an order of dismissal from service may be made; and

- (iii) such judicial proceedings, if not instituted while the employee was on duty, may be instituted in accordance with sub-clauses (b) and (c) of clause (i).

7. **Case in which claims are inadmissible.**—(1) No pension shall be granted when an employee -

- (a) is appointed for a limited time only or for a specified duty, on the completion of which he or she is to be discharged;
- (b) serves under a covenant or contract;
- (c) is paid from contingencies;
- (d) holds a post which has been declared by competent authority as non-pensionable; or
- (e) is employed on part-time basis or his or her whole-time is not retained for service in the Institute but he or she is merely paid for work done for the Institute.

(2) Not more than one pension in the same post, at the same time or for the same continuous service shall be paid to any employee.

(3) Service of two employees shall not simultaneously be counted in respect of the same office.

PART-II

CONDITIONS OF QUALIFYING SERVICE

8. **Beginning of service.**—Unless it be otherwise provided, the service of an employee to qualify for pension shall begin on the date he or she takes charge of the post to which he or she is first appointed.

9. **Conditions of qualifying service.**—(1) Except as otherwise provided in these rules, the service of an employee does not qualify for pension unless it conforms to the following conditions, namely:—

- (a) the service of the employee must be under the Institute;

- (b) the appointment of the employee must be substantive and permanent; and
- (c) the service of the employee must be paid by the Institute.

(2) The service of an employee does not qualify for pension unless he or she is appointed and his or her duties and pay regulated by the Institute or under conditions determined by the Institute.

(3) Service of a temporary employee subsequently appointed to a permanent post shall be deemed to be a service on substantive and permanent basis for the purpose of pension.

(4) An employee without a substantive appointment officiating in a post which is vacant or the permanent incumbent of which does not draw any part of pay or count service for pension may, if he or she is confirmed without interruption in his or her service, count for pension his or her officiating service.

(5) Notwithstanding anything contained in sub-rules (1), (3) and (4) or sub-rule (3) of rule 7 temporary and officiating service of employees who joined service on or after the 6th June, 1981 and borne on temporary establishment having rendered more than five years continuous temporary service shall count such service for the purpose of pension or gratuity excluding broken periods of temporary service, if any, rendered previously.

(6) The service of a probationer, who holds a substantive post and draws substantive pay, shall be a service qualifying for pension.

PART-III

RECKONING OF SERVICE

10. **Leave.**—Service during all periods of leave, other than extraordinary leave, shall be a service qualifying for pension.

11. **Suspension.**—(1) Period under suspension followed by reinstatement shall count for pension irrespective of whether the employee was or was not allowed pay and allowances for that period.

(2) Where an employee dies or retires on attaining the age of superannuation while under suspension during any disciplinary proceedings the

proceedings against such employee shall abate and the period of suspension shall be treated as duty.

12. Deputation.—(1) Where the Institute acquires on deputation or otherwise service of an employee of Government or other organization service in which is a service qualifying for pension and who is subsequently absorbed by the Institute, his or her service in Government or such organization, as the case may, shall be counted as qualifying for purposes of pension with the approval of competent authority, provided that—

- (i) the application for appointment to the relevant post in the Institute was made by the employee with the approval of the Ministry, Division, department or office of the Government or such organization, as the case may be;
- (ii) the Institute on its own accord, have absorbed the employee with consent of the employee and the lending Government or, as the case may be, such organization;
- (iii) the service rendered by the employee in Government or such organization was pensionable and he or she has not been paid any pensionary or other retiring benefits by Government or such organization; or
- (iv) Government or such organization, as the case may be, pays pension contribution at prescribed rates for the period and service rendered by the employee in Government or such organization;

(2) Provisions of sub-rule (1) shall apply *mutatis mutandis* where an employee of the Institute joins in or out of Pakistan service of Government or such organization.

13. Training.—Period spent on approved training except the period spent on training before actual appointment in the Institute shall be service qualifying for pension:

Provide that the competent authority may, in the case of a person on training before actual appointment in the Institute who is selected to undergo a course of training, decide whether the period spent on such training shall count as service qualifying for pension.

14. Resignation, removal or dismissal from service.—Resignation from service or removal or dismissal from service entails forfeiture of past service:

Provided that resignation from service to take up another appointment service in which counts for pension shall not be a resignation from service of the Institute for the purpose of pension only:

Provided further that where on appeal or revision, the appellate or competent authority sets aside the order of removal or dismissal from service of an employees, such past service shall qualify for pension.

15. Interruption.—Interruption in service of an employee entails forfeiture of his or her past service, except in the case of —

- (a) discontinuance of service owing to abolition of post or reduction in establishment;
- (b) transfer to non-qualifying service in an establishment or post under the Institute, if the transfer is made by the competent authority:

Provided that voluntary resignation from qualifying service of this exception, except to take up another appointment service in which counts towards pension, shall not be exception under this rule;

- (c) period spent in transit from one appointment to another; or
- (d) due to any other reason provided the interruption is not due to any fault or willful act of the employee.

16. Power of competent authority to commute absence.—The competent authority may commute any period of absence without leave into extraordinary leave.

17. Condonation of interruption.—The competent authority may upon an application made to him in this behalf by the employee, or any member of family of the deceased employee, and upon such conditions and reasons to be recorded in writing as it may think fit in each case, condone any or all interruptions in service of such employee.

18. Condonation of deficiencies.—(1) A deficiency of a period not exceeding six months in the qualifying service of an employee shall be deemed to have been condoned.

(2) The competent authority may condone a deficiency in service of more than six months but less than a year subject to the condition that the employee has died while in service or has retired under circumstances beyond his or her control, such as invalidation or the abolition of his or her post and

would have completed another year of service if he or she had not died or retired and that the service rendered by him or her had been meritorious.

PART-IV

KINDS OF PENSION

19. **Compensation pension.**—(1) Owing to abolition of a permanent post, if an employee is selected for discharge and unless appointed to another post the conditions of which are deemed by the authority competent to discharge him or her to be least equal to those of his or her own, such employee shall have the option—

- (a) of taking any compensation pension or gratuity to which he or she may be entitled for the service he or she has already rendered; or
- (b) of accepting another appointment or transfer to another establishment even on a lower pay, if offered, and continuing to count his or her previous service for pension.

(2) An employee not employed in a substantive permanent capacity shall be granted compensation gratuity, owing to the abolition of his or her post for service of less than twenty-five years but not less than ten years and compensation pension if he or she is discharged after completing qualifying service of twenty - five years or more.

20. **Invalid pension.**—(1) An employee permanently incapacitated for further service of the Institute owing to bodily or mental infirmity shall be granted invalid pension.

(2) An employee shall be entitled to invalid pension if he or she dies before attaining the age of superannuation, and his or her family shall be granted such invalid pension calculated on the day next following the day of decease of the employee.

21. **Application to retire for invalid pension.**—(1) An application to retire for invalid pension shall be made to the competent authority and shall be supported by a medical certificate as set out in Schedule-I and issued by a medical board or a medical committee as may be specified by the competent authority.

(2) No medical certificate of incapacity for service may be issued unless the employee produces a letter to show that the competent authority is aware of the employee's intention to appear before the medical board or medical

committee as the case may be. The medical board or the medical committee may also be supplied by the Institute a statement showing name of the employee, name of his or her father or husband, as the case may be, designation, basic pay scale, total qualifying service and the date of birth as per service record and if possible a succinct statement of medical case and of the treatment adopted should also be appended.

(3) If the incapacity is directly due to irregular or intemperate habits, no pension can be granted. If it has not been directly caused by such habits, but has been accelerated or aggravated by them, the competent authority may decide reduction, if any, to be made on this account.

(4) An employee who has submitted under sub-rule (1) a medical certificate of incapacity for further service may not, except for special reasons to be recorded in writing by the competent authority, be retained in active service pending a decision on his or her application for pension, nor can be granted leave of absence. The competent authority may allow up-to the maximum of one month the service intervening between the date of such medical certificate and the date on which the discharge is actually effected to count for pension.

22. Superannuation pension.—A superannuation pension shall be granted to an employee entitled to retire on attaining the age of superannuation or required by these rules to retire at a particular age.

23. Pre-mature retirement pension.—(1) An employee who on exercise of his or her option is retired from service any time after completing twenty-five years qualifying service shall be granted pre-mature retirement pension.

(2) Subject to the provisions of the Pakistan Essential Services (Maintenance) Act, 1952 (L III of 1952), an employee, other than an employee against whom disciplinary proceedings are pending, shall have the right to retire on pre-mature retirement pension after twenty-five years qualifying service. Such an employee shall, at least three months before the date on which he or she intends to retire, make an application to the competent authority specifying the date on which he or she intends to retire, and such application once made shall be final and shall not be allowed to be modified or withdrawn after acceptance and duly notified by the competent authority.

PART-V

AMOUNT OF PENSION

24. Amount of pension determined by length of service.—(1) The amount of pension that may be granted shall be determined subject to the length

of service and fractions of a year shall not be taken into account in the calculation of any pension under these rules.

(2) An employee entitled to pension shall not be paid a gratuity instead of pension.

25. Full pension subject to satisfactory service.—(1) The full pension admissible under these rules shall not be granted unless the service rendered by the employee has been satisfactory and if the service has not been satisfactory, the competent authority may make from the pension such reduction of the amount as he thinks proper:

Provided that such deduction from the pension shall not be made without affording to the person entitled to it, an opportunity in writing, to show cause against the proposed reduction:

Provided further that an employee compulsorily retired from service of the Institute shall be entitled to pension or gratuity, as may be admissible under the normal rules and the certificate of satisfactory service shall not be required in such a case.

26. Calculation of gratuity or pension. —(1) After a service of five years or more but less than ten years, an employee shall be entitled to a gratuity not exceeding one month's emoluments for each completed year of service and an employee if dies during service, family of such employee shall be entitled to a gratuity not exceeding one and a half month's emoluments for each completed year of service and if the emoluments of the employee have been reduced during the last twelve months or thirty-six months of his or her service, as the case may be, otherwise than as a penalty, average emoluments may be substituted for emoluments:

Provided that if the employee retires on account of invalidation due to illness, accident, earthquake or terrorism, he or she shall be granted complete pension benefits, and the condition of ten years service shall not apply in such cases.

(2) After a service of ten years or more, the pension of an employee shall be calculated at the rate of seventy per cent of last pay or emoluments on completion of thirty years qualifying service in accordance with the scale as set out in Schedule-II which shall apply to all cases of compensation pension, invalid pension, superannuation pension and pre-mature retirement pension. If qualifying service is less than thirty years but not less than ten years, proportionate reduction in percentage shall be made. Employees who joined service before the 1st July, 1986 and who retire from service after

commencement of these rules, shall have the option to get their pension calculated on the basis of average emoluments or, as the case may be, last pay or emoluments drawn.

(3) A pensioner shall be allowed to commute upto thirty-five per cent of the gross pension. Commutation shall not be subject to medical certification if it is opted for within one year of the date of retirement. In the case of pre-mature retirement on medical grounds, the requirement of medical examination shall not be waived.

(4) An employee seeking retirement on attaining the age of superannuation and making an application for commutation while in service shall be allowed commuted values of pension as applicable at the age of superannuation instead of at the age of sixty-one years. In all other cases, the commuted value of pension shall be admissible under the formula of age-next-birth-day.

(5) Monthly gross pension of a retired employee under these rules shall not be less than rupees three thousand. For the purpose of this sub-rule gross pension means gross pension before commutation plus any dearness or adhoc increases and indexation, if any.

(6) Monthly family pension allowed to the family under these rules of a deceased employee, shall not be less than rupees two thousand two hundred and fifty. The family pension for the purpose of this sub-rule means pension plus dearness or adhoc increases and indexation, if any.

(7) Commutation of any part of the increase in pension allowed under sub-rules (5) and (6) shall not be admissible.

27. Pension while not employed in substantive and permanent capacity.—Provision of rule 25 shall not apply to an employee who is not employed in a substantive and permanent capacity and who is discharged from service owing to the abolition of his or her post. Such employee shall be entitled to—

- (a) after a service of ten years or more but less than twenty-five years, gratuity not exceeding one month's emoluments for each completed year of service subject to the maximum of rupees one hundred seventy-five thousand; or
- (b) after a service of five years or more, a pension at the rates and subject to the conditions laid down under rule 26.

28. **Gratuity to the family of deceased employee.**—For the purpose of payment of death-cum-retirement's gratuity, the family of a deceased employee shall include—

- (a) widow or widows in case of a male employee or widower in case of female employee;
- (b) children of the employee where there is no widow or widow or widower, as the case may be; and
- (c) children of a deceased son of the employee where there is no widow, widower or children of the employee.

Explanation I.—A child means legitimate child. An adopted child will be considered to be child when the competent authority is satisfied that under the personal law of the employee concerned adoption is legally recognized as confirming the status of a natural child but in this case only.

Explanation II.—Where it is proved that the wife has been judicially separated from the employee or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall no longer be deemed to be a member of the family unless the employee has himself intimated in writing to the accounts office that she shall continue to be so regarded.

Explanation III.—In the case of female employee, where she intimates in writing to the accounts office that her husband shall not be included as a member of her family, then he shall no longer be considered a member of her family unless she subsequently cancels in writing her intimation excluding him.

29. **Payment of gratuity to family.**—When the amount of gratuity becomes payable to the family of a deceased employee the accounts office shall make payment to the family according to the following procedure, namely:—

- (I) when the employee leaves a family, the amount of gratuity shall become payable to the members of family of the employee in equal shares:—

Provided that no share shall be payable to—

- (i) sons who have attained the age of twenty-one years;

- (ii) sons of a deceased son who have attained the age of twenty one years;
- (iii) married daughters whose husbands are alive; and
- (iv) married daughters of a deceased son whose husbands are alive:

Provided further that the widow or widows and the child or children of a deceased son shall receive in equal share only the share which that son would have received if he had survived that employee and had been exempted from the operation of the first proviso.

Explanation 1.—When the beneficiary is a minor and has no regularly appointed guardian, the competent authority may allow the payment of pension or shares of gratuity of minor children of a deceased employee to their mother. In case the mother is not alive or was judicially separated from the employee in his life, the competent authority may nominate any suitable person to be the guardian of such minor children for the purpose of receiving payment of pension and or share of gratuity on their behalf.

Explanation 2.—When the deceased employee was a female, the competent authority may, under the circumstances stated above, allow the payment of pension or shares of gratuity of minor children of the deceased, to their father; or

- (II) when the employee leaves no family under these rules, the amount of gratuity shall be payable to the following surviving relatives, if any, of the employee in equal share, namely: -
 - (a) mother, excluding judicially separated or divorced mother who has re-married;
 - (b) father;
 - (c) un-married sister below the age of twenty-one years and widowed sisters; and
 - (d) brothers below the age of twenty-one years:

30. No gratuity shall be payable after the death of an employee if he does not leave a family under clause (I) of rule 29 or an eligible dependent relative or relatives under clause (II) thereof.

31. Family pension.—(1) Where an employee deceases while in service, gratuity in lieu of one fourth of the gross pension shall be allowed to the family at commutation rate applicable on age-next-birthday of the deceased and also family pension shall be admissible at seventy-five per cent of the gross pension, as the case may be, to the widow for life or until re-marriage and in case the deceased was a female employee, to the widower for life or till re-marriage.

(2) Notwithstanding anything contained in sub-rule (1), if the deceased employee had more than one wife and the number of his surviving widows and children does not exceed four, the pension shall be divided equally. If the number of surviving widows and children together is more than four, the pension shall be divided -

- (a) so that each surviving widow shall get one-fourth of the pension and the balance, if any, shall be divided equally among the surviving children. For the purpose of this clause, the term "children" excludes sons above the age of twenty-one years and married daughters above the age of twenty-one years; or
- (b) if the deceased had no widow or widower, as the case may be,—
 - (i) it shall be paid to the surviving son till he attains the age of twenty-one years; or
 - (ii) eldest surviving un-married daughter till she attains the age of twenty-one years or till her marriage whichever is earlier; if the eldest daughter marries or dies, then the next eldest daughter till she attains the age of twenty-one years or until her marriage whichever is earlier; or
 - (iii) eldest widowed daughter for ten years or un-expired portion of ten years; or
 - (iv) eldest widow of a deceased son of the employee for ten years or un-expired portion of ten years; or
 - (v) eldest surviving son below twenty-one years of age of a deceased son of the employee for ten years or un-expired portion of ten years; or

- (vi) eldest un-married daughter below twenty-one years of age of a deceased son of the employee for ten years or un-expired portion of ten years; or
- (vii) eldest widowed daughter of a deceased son of the employee for ten years or un-expired portion of ten years.

(3) In the event of death of an employee having no family under these rules, the family pension may be granted for life in order of preference —

- (i) to the father; or
- (ii) if there is no father, then to the mother; or
- (iii) if there is no father and the mother, then to the eldest surviving brother below the age of twenty-one years; or
- (iv) if there is no father, mother and eldest surviving brother, then to the eldest surviving un-married sister below the age of twenty-one years and if she marries or dies, then the next below sister under the age of twenty-one years; or
- (v) if there is no father, mother, eldest brother and un-married sister, then to the eldest surviving widowed sister till her re-marriage.

(4) No pension shall be payable under this rule —

- (a) to a person under sub-rule (3) without production of a reasonable proof that such person was dependent on the deceased employee for support;
- (b) to an un-married female of an employee's family in the event of her marriage;
- (c) to a widowed female of an employee's family in the event of her re-marriage;
- (d) to the brother of an employee on his attaining the age of twenty-one years ; and
- (e) to a person who is not a member of an employee's family.

(5) A pension awarded under this rule shall not be payable to more than one member of employee's family at the same time except as provided for in clause (a) of sub-rule (2).

32. **Family gratuity.**—Provisions of rules 27, 28, 29, 30 and 31 which apply to grant of ordinary pension shall apply mutatis mutandis in respect of gratuity.

33. **Reckonable emoluments for pension.** —The following shall be emoluments reckonable for the purpose of pension which the employee was receiving immediately before his retirement, namely:—

- (a) pay as defined in the Civil Servants Act, 1973 (LXXI of 1973);
- (b) senior post allowance;
- (c) indexation on pay;
- (d) increments accrued during leave; and
- (e) any other addition to pay which may be specially classed as emoluments reckoning for pension.

34. **Calculation of pension on last pay or emoluments drawn.**—

(1) The pension of an employee shall be calculated at the existing rate on last pay or emoluments drawn, provided the post has been held by him or her on a regular basis.

(2) Where during the last twelve months or thirty-six months of his service an employee has been absent from duty on leave with allowances, or having been suspended and has been reinstated without forfeiture of service, his emoluments, for the purpose of calculating the average, shall be taken into account such as he would have been entitled to it if he had not been absent from duty or suspended provided always that his pension shall not be increased on account of increase in pay not actually drawn.

(3) Where during the last twelve months or thirty-six months of his service the pay of an employee has been re-fixed as a result of revision or up-gradation of the post held by him with retrospective effect but arrears have not been allowed and recoveries have not been made in respect of the past period, his emoluments, for the purpose of calculating the averages, shall be taken into account such as he would have been entitled to it if the arrears had not been disallowed or the recoveries had been made.

(4) Where during the last twelve months or thirty-six months of his service an employee has been absent from duty on leave with allowances the periods so passed should be disregarded in the calculation of the average, an equal period before the twelve months or, as the case may be, thirty-six months being included.

(5) Except as provided under sub-rules (2), (3) and (4), the emoluments actually received shall be accounted for pension and when an employee is allowed to count time retrospectively towards increase of pay but is not allowed to receive retrospectively the intermediate periodical increments, such intermediate increments shall not reckon in the calculations.

PART-VI

APPLICATION FOR GRANT OF PENSION

35. Application for Pension.—(1) For the purpose of grant of pension to each of the two categories of the employees the officer, declared as competent authority under these rules, shall be responsible for initiating and completing pension papers of such employees without waiting for the formal application from the employee concerned and one year before the employee is due to retire.

(2) Each employee, six months in advance of the date of his or her actual or anticipated retirement or, in the case of death of an employee while in service, entitled member of the family, shall, on the format set out in Schedule-III, make to the Director General an application for pension:

Provided that—

- (a) where the date of retirement cannot be foreseen six months in advance, the application shall be submitted immediately after the date of retirement is settled; or
- (b) an employee proceeding on leave preparatory to retirement, shall submit the application at the time of proceeding on leave; or

- (c) if the application is for invalid pension, the requisite medical certificate shall be attached to the application and the condition of making application six months in advance to the retirement shall not apply and also if the medical examination of the applicant was not conducted on the date on which he ceased to perform duty, the competent authority may accept a medical certificate bearing a later date.

(3) The instructions as set out in schedule-III shall be followed for timely processing of pension and gratuity cases.

36. Processing of application for pension.—(1) The authority receiving the formal application shall immediately arrange to draw up the application in the prescribed form and through the relevant officer declared responsible in this behalf certify the form. It shall also record its own opinion whether the service claimed has been established and should be admitted or not.

(2) All periods of extraordinary leave, and other periods which are not reckoned as service qualifying for pension shall be recorded in the relevant section of the form.

(3) The Director General receiving the application shall arrange to calculate the employee's qualifying service in the relevant section of the form and arrange for its verification according to the following procedure, namely:—

- (a) in the case of employee for whom a service book is maintained, unless a certificate of verification is already recorded thereon, all the information procurable like the service book, pay bills and acquittance rolls, shall be consolidated from official records, and service verified with reference to these records;
- (b) if the service cannot be wholly verified from the records of any one office, reference shall be made to the offices in which the employee has served;
- (c) if, in any particular case, neither service book nor service roll is maintained, and it is not possible to verify the service of an employee from official records under clauses (a) and (b), a statement of the employee in writing as to the particulars of his service, statements in writing of other employee who served contemporaneously with him or her and documents and letters

not forming part of official records may be received in evidence and the employee's service verified on these basis:

Provided that the power to admit such service shall be exercisable by the competent authority.

(4) After completing process on the application in all respect and after consideration of facts of the case, relevant record and having regard to the provisions of these rules, the competent authority shall accord its sanction to the grant of full or reduced pension or gratuity or both and the case shall then be forwarded alongwith necessary documents to the accounts office.

37. Sanction of pension and issue of pension payment order.—On receipt of the pension papers and sanction of the competent authority under sub-rule (4) of rule 37, the accounts office shall apply the requisite checks and if it finds that all the necessary information and documents are available in the pension papers, it shall prepare the pension payment order for the amount of pension sanctioned by the competent authority but shall not issue it earlier than a fortnight prior to the date on which the employee is due to retire;

38. Refund of excess amount and payment of arrears of pension.—
(1) Where the amount of pension, gratuity or commutation granted to an employee is found afterwards to be in excess of the amount to which he or she is entitled under these rules, the employee shall be called upon to refund, and he or she shall refund such excess amount.

(2) Where the pension sanctioned to an employee falls in arrears it shall be allowed to be paid to him or her by the disbursing officer or bank without any reference to the audit or the competent authority:

Provided that the pension remaining undrawn for three years or more shall be paid with the authority of the audit office:

Provided further that a gratuity payment order shall remain in force for one year only and no such order shall be retained if payment has not been made on it within a year of its issue.

(3) The payment of arrears of pension due in respect of a deceased pensioner shall be due and made till and for the day of pensioner's death and the hour at which death takes place shall have no effect on the claim.

39. Payment of pension.—(1) A pension shall become due on and from the date on which the pensioner ceased to be regular employee and shall be payable, in rupees, in Pakistan, monthly on and after the first day of the following month.

(2) A gratuity shall be paid in a single sum and not in installments.

(3) On receipt of the pension payment order in duplicate, the disbursing officer shall deliver one copy thereof to the pensioner, and keep the other copy carefully in such manner that the pensioner shall not have access to it. Each payment made is to be entered on the reverse of both the copies and attested at the time of payment by the signature of the disbursing officer.

(4) A pensioner shall take payment in person after identification by comparison with his pension payment order.

(5) A female pensioner not accustomed to appear in public or a male pensioner who is unable to appear in consequence of bodily illness or infirmity, may receive her or his pension through any person duly nominated in this behalf by the pensioner upon production of a life certificate signed by a responsible officer of the Government or the Institute or by some well known and trustworthy person.

(6) A pensioner of any description is also exempted from personal appearance, who produces a life certificate signed by any officer of the Government or the Institute or a pensioned officer, who before retirement held a gazetted appointment, in pay scale 17 and above or by a munsif or by any person holding a title.

(7) For receipt of pension, a pensioner shall append to his or her bill a certificate as set out in Schedule -IV.

(8) Any person claiming as the heir of a deceased pensioner may be required to produce the pensioner's portion of the pension payment order or if no

pension payment order has been issued, the copy of the order in which the sanction to the pension was communicated to the pensioner or the heir.

PART-VII

ANTICIPATORY PENSION

40. **Provisional payment of pension pending final assessment.—(1)** Where an employee is likely to retire before his pension is finally assessed and settled under these rules, the accounts office of the Institute shall sanction the disbursement of such pension to which, after the most careful summary investigation it can make without delay, it believes that the employee is entitled to, provided that such disbursement shall be made only after a declaration is signed by the retiring employee on the format as set out in Schedule-V.

(2) Where it appears to the accounts office that the employee would be entitled to gratuity only, one-sixth of the amount of such probable gratuity shall, upon a similar declaration under sub-rule (1), be disbursed to him monthly until the amount is finally settled.

(3) The payment of anticipatory pension shall be so arranged that it is not delayed beyond the first day of the month following the month in which the employee is due to retire.

(4) Where the pension summarily assigned differs from the pension finally settled, the difference shall be adjusted in the first subsequent payment:

Provided that where a gratuity assigned under sub-rule (2) is greater than the amount found actually due upon completion of inquiries, the employee shall not be required to refund any excess actually paid to him except as provided in these rules relating to pension on retirement.

(5) Where the competent authority has reason to believe that the pension cannot possibly be sanctioned by the date on which the employee is due to retire, it shall furnish to the accounts office without delay the fullest information regarding the employee's service, the probable amount of pension etc. unless the pension papers containing such information are already in the possession of accounts office.

PART-VIII**SPECIAL ADDITIONAL PENSION**

41. **Special additional pension.**—A retiring employee in basic pay scale 20, 21 and 22 shall be allowed a special additional pension equal to his or her pre-retirement orderly allowance.

CHAPTER - III**COMMUTATION**

42. **Admissibility of commuted portion of pension.**—(1) Commutation shall be admissible upto a maximum of thirty-five per cent of gross pension, at the option of the pensioner and admissibility of monthly pension shall be sixty-five per cent of the gross pension.

(2) Commutation shall not be subject to medical certificate or to administrative sanction if an application is made for within one year of the date of retirement. The date of application by the retired employee in such a case will be the date of commutation becoming absolute. Where commutation is applied for before retirement, the commutation shall become absolute on the date of retirement.

(3) In case of invalid pension, the requirement of medical examination shall not be waived. On receipt of an application on prescribed form for commutation the competent authority shall transmit to the applicant a copy of the certificate of the accounts section of the Institute of the lump sum amount payable on commutation in the event of his being reported by such medical authority as the competent authority may specify and shall at the same time require the applicant to appear for such medical examination. The certificate shall lapse if the medical examination does not take place within the period prescribed therein and when the applicant does not appear for examination before the said medical authority within the prescribed period, the competent authority may, at its discretion, renew its sanction for a further period of three months without obtaining fresh application for commutation by written notice dispatched at any time before medical examination is due to take place, but this option shall expire on his or her appearance before a medical authority:

Provided that if the medical authority directs that age of the applicant for the purpose of commutation shall be assumed to be greater than his or her actual age, the applicant may withdraw his or her application by written notice dispatched within two weeks from the date on which he or she receives intimation of the finding of the medical authority. If the applicant does not withdraw in writing his or her application within the period of two weeks he or she shall be assumed to have accepted the sum offered.

(4) Where the pensioner dies on or after the day following that on which commutation becomes absolute but before receiving the commutation value, this value shall be paid to his or her heirs.

(5) Subject to sub-rule (4) and to the withdrawal of application under the proviso to sub-rule (3), the commutation shall become absolute that the title to receive the commuted portion of the pension shall cease and the title to receive the commuted value shall accrue on the date on which the medical authority signs the medical certificate. The payment of the commuted value shall be made as expeditiously as possible, but in the case of an impaired life no payment shall be made until either a written acceptance of the commutation has been received or the period within which the application for the commutation may be withdrawn has expired. Whatever the date of actual payment, the amount paid and the effect upon the pension shall be the same as if the commuted value was paid on the date on which commutation became absolute. If the commuted portion of the pension has been drawn after the date on which the commutation became absolute, the amount drawn shall be deducted from the amount payable on commutation.

(6) If the applicant makes any statement found to be false or willfully suppresses any material fact in answer to any question, written or oral, put to him in connection with his medical examination, the competent authority may cancel the sanction at any time before payment is made actually or such a statement or suppression may be treated as grave misconduct for the purpose of rule 5.

43. Calculation of lump sum payment on commutation of pension.—(1) Subject to sub-rule (3) of rule 26 the lump sum payment on commutation shall be calculated in accordance with the present values in Schedule-VI.

(2) The age in the case of impaired lives shall be assumed to be such age, not being less than the actual age, as the certifying medical authority may certify. In the event of the present values applicable to an applicant having been modified between the date of sanction to commutation and the date on which the commutation is due to become absolute, payment shall be made in accordance with the modified value however to the applicant may if the modified value is less favorable to him or her than previously in force, withdraw his or her application by notice in writing dispatched within fourteen days of the date on which he or she receives notice of the modification.

44. **Provisional commutation.**—In the case of provisional pension, the commutation may be provisionally sanctioned on that basis. When the pension is finally sanctioned, the final payment order should be substituted for the provisional payment order for the purpose of commutations as also for all other purposes.

45. **Restoration of commuted pension.**—The benefit of restoration of surrendered portion of pension in lieu of commutation or gratuity shall not be admissible.

46. **Procedure for commutation of pension.** —(1) An application for commutation of pension shall be made on the format of Form-A as set out under Schedule-III and sent to the competent authority through the head of office in which the applicant was employed.

(2) The application received under sub-rule (1), shall be transmitted forthwith to the accounts office of the Institute to report on the title to pension.

(3) The accounts office shall complete relevant portion of the said Form-A without delay as per provision under sub-rule (2) and transmit it to the competent authority to sanction the commutation, and in other cases accounts office shall submit the relevant portion of the Form-A together with copies of the medical reports under clause (b) of sub-rule (5), if they are on record in its office, transmit it, to the competent authority to sanction the commutation, and the competent authority shall thereupon accord his or her administrative sanction for commutation, whereafter the sanctioning authority shall -

- (a) transmit to the applicant on the format of Form-B set out under Schedule-III a certified copy of the accounts office certificate contained in Section II of Form-A under Schedule-III and one copy of Form-C, Section I of which shall be filled in by the applicant before his medical examination and handed over to the medical authority; and
- (b) forward to the medical authority in original the completed Form-A, together with a copy of Form-C and an extra copy of Section III of that Form and copies of the previous medical reports or statement of his or her case if the applicant has been granted an invalid pension or has provisionally commuted any portion of his pension or declined to accept commutation on the basis of an addition of years to his actual age or has been refused commutation on medical grounds.

(4) The medical authority should arrange for the medical examination of the applicant by a medical authority prescribed in sub-rule (5) at the nearest available station to that named by the applicant in Section I of Form-A and as early as possible within the period prescribed and inform the applicant direct. The forms and other documents should be transmitted by the prescribed medical authority to the examining medical authority.

(5) Before any commutation administratively sanctioned becomes absolute, the applicant must be examined—

- (a) in the case of any applicant who has been or is about to be granted an invalid pension, by a medical board as may be specified by the sanctioning authority under rule 21 before which the applicant must appear in person; or
- (b) in the case of any other applicant, by a medical board as may be specified by the sanctioning authority before which the applicant must appear in person if such a board is appointed to meet at a station reasonably near to the applicant's residence within the period prescribed by the sanctioning authority.

(6) The examining medical authority after obtaining from the applicant a statement as set out in Section I of Form-C in Schedule-III which must be signed in its presence shall subject him to a strict examination and enter the results in Section II of the said Form-C and record its opinion as to the accuracy with which the pensioner has answered the questions prescribed in Section I regarding his medical history and habits. Lastly it shall complete the certificate contained in Section III of the said Form-C.

(7) In the case of an applicant who has been or is about to be granted invalid pension, the grounds of invaliding or the statement of the medical case shall be duly considered by the certifying medical authority before the certificate in Section III of Form-C in Schedule-III is signed.

(8) The ultimate medical authority under sub-rule (5) shall without delay forward the completed Forms-A and C set out in Schedule - III in original to the accounts office of the Institute which shall give the certificate contained in Section II of Form-A, a certified copy of completed Form-C to the sanctioning authority and a certified copy of Section III of Form-C to the applicant.

*Note.-1.—*A pensioner after he or she has once been refused commutation on medical ground or after he or she has once declared to accept commutation on the basis of an addition of years to his or her actual age may apply for a second medical examination at his or her own expense if at least a year has elapsed, since his or her first medical examination. Such a re-examination shall invariably be made by a medical board.

Note .-2.— If in the opinion of the medical authority, specified in sub-rule (5), some examination is necessary while it is not in a position to carry out itself, it may require the applicant to undergo such examination at his or her own expense. The refund of such expenditure to the applicant shall be made by the Institute irrespective of the result of the examination.

(9) The accounts office on receipt of the completed Forms-A and C set out in Schedule - III shall arrange forthwith for the payment of the appropriate commuted value and corresponding reduction of pension. Where the medical certificate certifies that more than five years should be added to the applicant's actual age, the accounts office shall forthwith inform the applicant of the revised sum payable on commutation.

47. Contributory provident fund.—For the purpose of regulating contributory provident fund of the employee of the Institute, provisions of General Provident Fund (Central Services) Rules applicable to the civil servants shall *mutatis mutandis* apply:

Provided that the said Rules shall be applicable if therein,—

- (a) for the words “Government Servant” wherever occurring, the word “employee” were substituted;
- (b) for the words “General Provident Fund”, wherever occurring, the words “contributory provident fund” were substituted;
- (c) in rule 2 in sub-rule (1), for clause (a) the following were substituted, namely:—

“(a) accounts officer means accounts officer, or any other officer, of the Institute responsible to deal with matters of pay, pension and contributory provident fund, etc of employees of the Institute”;
- (d) in rule 4, the first proviso were omitted;
- (e) for the word “President”, used in relation to an authority to sanction any pay, pension, leave, allowance, rate or other condition of service, the words “appropriate authority of the Institute” were substituted; and
- (f) rule 8 and other provisions relating thereto were omitted.

CHAPTER - IV

EXTRAORDINARY PENSION

48. **Admissibility of extraordinary pension.**—The rules under this chapter shall apply to all employees other than those to whom the Workmen’s Compensation Act, 1923 (VIII of 1923) applies, whether their appointment is permanent or temporary. It shall include all those employees already covered in the preceding chapters.

49. **Definitions under this chapter.**—For the purpose of rules under this chapter, unless there is anything repugnant in the subject or context, -

- (a) “accident” means—
 - (i) a sudden and unavoidable mishap; or
 - (ii) a mishap due to an act of devotion to duty in an emergency arising otherwise than by violence out of and in the course of service;

- (b) “date of injury” means—
- (i) in the case of accident or violence, the actual date on which the injury is suffered or such date not being later than the date of the report of the medical board, as the Institute may fix; and
 - (ii) in the case of disease, the date on which the medical board reports or such earlier date as may be fixed by the Institute with due regard to the opinion of the medical board;
- (c) “disease” means—
- (i) venereal disease or septicaemia where such disease or septicaemia is contracted by a medical officer while on his official duty on an infected patient or of conducting a post-mortem in the course of the duty; or
 - (ii) disease solely or directly attributable to an accident; or
 - (iii) an epidemic disease contracted by an employee in consequence of his being ordered on duty to an area in which such disease is prevalent, or in consequence of his or her standing voluntarily, out of humanitarian motives, upon any patient suffering from any such disease in any area where he or she happens to be in the performance of his or her duties;
- (d) “injury” means bodily injury resulting from violence, accident or disease assessed by a medical board as being not less than one of the following grievous injuries, namely:—
- (i) equal to loss of limb including—
 - (a) hemiplegia without aphasia; or
 - (b) permanent use of a tracheotomy tube; or

- (c) artificial anus; or
 - (d) total deafness;
- (ii) very severe including—
 - (a) complete unilateral facial paralysis likely to be permanent; or
 - (b) lesion of kidney, ureter or bladder; or
 - (c) compound fracture, except phalanges; or
 - (d) such gross destruction of soft parts as to lead to permanent disability or loss of function; and
- (iii) severe and likely to be permanent including -
 - (a) ankylosis of or considerable restriction in the movement of one of the joints, knee, elbow, shoulder, hip, ankle, temporomaxillary or rigidity of the dorsilumber or surgical sections of the spine; or
 - (b) partial loss of vision of one eye; or
 - (c) destruction or loss of one testicle; or
 - (d) retention of foreign bodies not causing permanent or serious symptoms;
- (e) “pay” means the pay as defined in the Civil Servants Act, 1973 (LXXI of 1973) which a person was drawing on the date of his death or injury:

Provided that in the case of person remunerated by piece work rates, pay means the average earnings of the six months, ending with the date of his death or injury;
- (f) “risk of office” means any risk not being a special risk of accident or disease to which an employee is exposed in the course and as a consequence of his official duties, but nothing shall be deemed to be risk of office which is a risk common to

human existence in modern conditions in Pakistan unless such risk is definitely enhanced in kind or degree by the nature, conditions or incidents of service.

Explanation.—If an employee who is suffering from a disease which is certified by the competent medical authority as requiring complete rest, is not granted leave because of the exigencies of service and thereby suffered damage to his health which eventually contributes to or causes his death, it shall, if the medical authority certifies that the damage was suffered in the course and as a consequence of his or her duties, be regarded as having been established that the risk of office in the case of the deceased employee was definitely enhanced by the nature, conditions, obligation or incidents of service;

- (g) “special risk” means—
- (i) a risk of suffering injury by violence;
 - (ii) a risk of injury by accident to which an employee is exposed in the course and as a consequence of the performance of any particular duty which has the effect of materially increasing his or her liability to such injury beyond the normal risks of his or her office; or
 - (iii) a risk of contracting disease to which a medical officer is exposed as a result of attending in the course of his or her official duties to a venereal or septicaemic patient or conducting a post-mortem in pursuance of that duty;
- (h) “violence” means the act of a person who inflicts an injury on an employee—
- (i) by assaulting or resisting him or her in the discharge of his or her duties, or in order to deter or prevent him or her from performing his or her duties; or

- (ii) because of anything done or attempted to be done by such employee or by any other public servant in the lawful discharge of his or her duties as such; or
- (iii) because of his or her official position.

50. **Award of extraordinary pension by the Institute.**—(1) No award of pension shall be made under the rules in this chapter except with the sanction of the competent authority who may take into consideration the degree of default or contributory negligence on the part of the employee who sustains an injury or dies or is killed as a result of an injury.

(2) Except as otherwise provided in these rules, an award of pension made under the rules in this chapter shall not affect any other pension or gratuity for which the employee concerned or his or her family may be eligible under these rules or any other rules for the time being in force and the pension granted under the provisions of these rules under this chapter shall not be taken into account in fixing the pay of the pensioner on his or her continued employment or re-employment in service of the Institute.

(3) No award of pension under this chapter shall be made in respect of—

- (a) an injury sustained more than five years before the date of application; or
- (b) death which occurred more than seven years—
 - (i) after the injury due to violence; or
 - (ii) after the employee was medically reported as unfit for duty on account of the disease of which he or she died.

(4) All awards of pension under the rules in this chapter shall be made in Pakistan in rupees.

51. **Classification of disability.**—For the purpose of the rules in this chapter, the disability shall be classified as follows, namely:—

- (a) Class A includes—

- (i) loss of a hand and foot or loss of use of two or more limbs;
- (ii) total loss of eye sight;
- (iii) total loss of speech;
- (iv) total deafness of both ears;
- (v) paraplegia or hemiplegia;
- (vi) lunacy;
- (vii) very severe facial disfigurement;
- (viii) advanced cases of incurable diseases;
- (ix) wounds, injuries or diseases resulting in disability due to which a person becomes incapacitated; or
- (x) emasculation.

Explanation.—Wounds, injuries or diseases of limb resulting in damage of nerves, joints or muscles making the whole of limb useless, would mean loss of that limb. Cases in which a partial function is retained shall not be included in this class. However, if the partial retention of function does not help in walking in case of leg or does not help in holding an object in case of hand even with partial efficiency, it shall be considered as total loss of function. Those cases shall also be included in this class where the earning of the employee has been totally impaired due to the invaliding disability;

(b) Class B includes—

- (i) loss of thumb or at least three fingers of hand;
- (ii) partial loss of one or both feet at or beyond tarsometatarsal joint;
- (iii) loss of vision of one eye; or
- (iv) loss of all toes of one or both feet;

(c) Class C includes –

- (i) limited restriction of movement of joint due to injuries;
or
- (ii) disease of a limb restricting performance of duties;

Explanation—When the disability is not one or more of the above classifications, the disability shall be assessed by the medical board at the classification most closely corresponding to those given in this rule.

52. Award of pension for classified disability.—(1) Where an employee sustains an injury or suffers from a disease which falls in the disability classified under rule 51, he or she or the entitled members of his or her family, as the case may be, shall also be awarded disability or death pension, gratuity or children allowance according to the class of injury set out in Schedule-VII and at the rates as set out in Schedule-VIII respectively.

53. Principles and procedures for award.—(1) Any award under these rules shall be decided taking into consideration the principles and procedures set out in Schedule – IX.

(2) An award of pension, as set out in the Schedule-VIII shall be made to the widow and children of an employee in the event of death of the employee in the course or as a consequence of duty.

(3) Where the deceased employee has left neither a widow nor a child, an award may be made to his or her father and his or her mother individually or jointly and in the absence of the father and mother, to minor brothers and sisters individually or collectively, if they were largely dependent on the employee for support and are in pecuniary need:

Provided that the total amount of the awards shall not exceed one-half of pension that would have been admissible to the widow or widower under sub-rule (2):

Provided further that total amount of the awards of each minor brother and sister shall not exceed the amount of pension specified in Schedule-VIII for a child who is not motherless.

(4) Any award made under sub-rule (3) shall in the event of an improvement in the pecuniary circumstances of the pensioner, be subject to review in such manner as the Institute may determine.

(5) A family pension shall take effect from the day following the death of the employee or from such other date as the Institute may direct.

(6) A family pension shall ordinarily be tenable—

- (a) in the case of a widow or mother, until death or re-marriage whichever is earlier;
- (b) in the case of a minor son or minor brother, until he attains the age of eighteen years;
- (c) in the case of an unmarried daughter or minor sister, until marriage or until she attains the age of twenty-one years; or
- (d) in the case of a father, for life.

54. Any award made under these rules shall be decided taking into consideration the principles and procedures specified in Schedule-IX.

55. **Principles for award of pension.**—Any award made under the rules in this chapter shall be decided taking into consideration the following principles and procedures, namely:—

- (A) casualties due to wound or injury—
 - (i) shall be established where cause of the casualty was the result of duty in service; or
 - (ii) shall be established where the injury resulted from the risk inherent in service, attributability shall be conceded;

Explanation 1.—an individual shall be deemed to be in the performance of duty when—

- (a) he or she is physically present in his or her headquarters, sub-station and on duty in the field;
- (b) he or she is travelling on leave at the Institute's expense;

- (c) when travelling to or from duty (*e.g.* from residence to place of duty and back but not whilst he or she is in his or her residence); or
- (d) whilst travelling on duty *i.e.* where it is established that but for the duty he or she would not have been traveling at all;

Explanation 2.—Disability resulting from—

- (a) purely personal acts such as shaving or similar private pursuits, would not normally be treated as attributable to service; or
- (b) violence provoked by performance of duty shall be viewed as attributable to service unless the circumstances of the case warrant of different conclusion.

Explanation 3.—if circumstances are such that service played no part in the causation of disability, attributability shall not be conceded.

Illustration.—if a person driving motor cycle, on duty, collides with a truck, the injury received may be attributed to service but if he is out for a walk and sustains injury from a passing truck, his case shall not qualify.

(B) in case of casualties due to disease —

- (i) the cause of disability resulting from a disease shall be regarded as attributable to service only when it is directly due to risk which may be regarded as peculiar due to the circumstances of duty in service. In determining attributability in such cases, due regard shall be paid to the question whether service in a particular region, or of a particular type, involved exposure to exceptional risk of contraction of, or infection by, a disease, as well as to the actual circumstances of the case;
- (ii) attributability shall not be conceded if, though contracted during the period of actual performance of duty, the disease is, in the opinion of the medial authority concerned, due to risk which cannot be regarded as peculiar to duty in service;

- (iii) where a disease or its aggravation resulted from the risk of duty, attributability or aggravation shall be conceded;
 - (iv) all cases of tuberculosis and bronchial asthma shall be accepted as attributable to or aggravated by service where the medical opinion is in favour of acceptance;
 - (v) attributability or aggravation in all cases of cardiac diseases shall be determined in accordance with the guidelines in clause (C) of this rule; and
 - (vi) where medical or other supporting documents are incomplete, cases shall be dealt with on merit with due regard to medical opinion and other evidence.
- (C) the following guidelines for determining attributability or aggravation in the case of cardiac diseases shall be followed, namely:—
- (i) there are many pre-disposing factors which may precipitate in attack of coronary occlusion. No single factor can be pin-pointed as being responsible for such an attack. It is, therefore, not easy to lay any hard and fast rule for awarding attributability or aggravation in such cases. For the guidance of medical and administrative authorities, some of the factors which may precipitate the attack of heart disease, are enumerated below, namely:—
 - (a) physical exertion.—coronary occlusion is known to have precipitated during or immediately following physical exertion. Physical exertion may not necessarily be of an unusual character *i.e.* lifting of a heavy truck or bundle, pushing a stalled vehicle or an up-till climbing have in many instances been followed by an attack of coronary occlusion. The effects of exertion are worse if the individual is

unusually fatigued, has lack of sleep or is under emotional stress. Attributability might be conceded if a person undergoing stress and strain, pressure and counter pressure by virtue of the nature of his duties, develops psychiatric problem; and

- (b) emotional strain.—The occurrence of coronary disease in person who had been under an unusually severe and protracted emotional strain points to a probable relationship between the two. Separation from families, uncongenial atmosphere, frequent moves, all add to the mental strain and psychological trauma;
- (ii) the question of attributability or aggravation of heart disease on occurrence in otherwise a normal individual who is subjected to the above mentioned factors, shall, therefore have to be considered and decided in the light of known history and merits of each case; and
- (iii) while dealing with such cases, the precaution shall be exercised by all concerned to carefully bring out detailed merits of the case as award of attributability or aggravation depends on their candid opinion.

56. Claim for injury, gratuity or family pension. - When a claim for any injury or gratuity or family pension arises, the head of office in which the deceased was employed, shall forward the claim to Director General of the Institute with the following documents, namely:—

- (a) a full statement of circumstances in which the injury was received, the disease was contracted or the death occurred;
- (b) the application for injury pension in Form-D as set out in Schedule-X, or as the case may be, the application for

family pension in Form-E of the forms set forth in Schedule-X;

- (c) in the case of an injured employee or one who has contracted a disease, a medical report in Form-F set forth in Schedule-X. In the case of a deceased employee, a medical report as to the death or reliable evidence as to the actual occurrence of death if the employee lost his or her life in such circumstances that a medical report cannot be secured; and
- (d) a report of the accounts office of the Institute as to whether an award is admissible under the rules and if so, of what amount.

Schedule – I
[see rule 21]

Form of medical certificate to be given respecting an employee applying for invalid pension.

- (a) Certified that I (we) carefully examined S/D/W/o in the His/Her age is by his/her own statement years and by appearance about years. I (we) consider him/her to be completely and permanently incapacitated for further service of any kind in consequence of (here state the disease or cause). His/Her incapacity does not appear to me (us) to have been caused by irregular or intemperate habits.

Note: If the incapacity is obviously the result of intemperance, substitute the following of the last sentence. "In my (our) opinion his/her incapacity is the result of irregular and intemperate habits".

- (b) If the incapacity does not appear to be competent and permanent, the certificate should be modified accordingly and the following addition should be made:-

I am (we are) of opinion that is fit for further service of a less laborious character than that which he/she has been doing, or

..... may after resting for months be fit for further service of a less laborious character than that which he/she has been doing.

The objective of the alternative certificate (of partial incapacity) is that an employee should, if possible, be employed on lower pay so that the expenses of pensioning him/her may be avoided. If there be no means of employing him/her even on lower pay, then he/she may be admitted to pension; but it should be considered whether in view of his/her incapacity for partially earning a living, it is necessary to grant to him/her the full pension admissible under the rules.

Schedule – II
[see rule 26(2)]

PENSION TABLE

Completed years of qualifying service	Scale of pension expressed as fraction of emoluments/average emoluments
10	70 / 300
11	77 / 300
12	84 / 300
13	91 / 300
14	98 / 300
15	105 / 300
16	112 / 300
17	119 / 300
18	126 / 300
19	133 / 300
20	140 / 300
21	147 / 300
22	154 / 300
23	161 / 300
24	168 / 300
25	175 / 300
26	182 / 300
27	189 / 300
28	196 / 300
29	203 / 300
30 And above.	210 / 300

Schedule – III**[see rules 35(2) and 46(1)]****Part-I****APPLICATION FOR PENSION OR GRATUITY****(To be filled in and signed by the applicant himself/herself)**

To,

The

Sir,

I have the honour to say that I have retired / I have been permitted to retire from service and am due to retire on (Date)_____

2. I, therefore, request that the pension/gratuity admissible under the rules may kindly be sanctioned to me.

3. I, declare that I have neither applied for nor received any pension or gratuity for any portion of this service, nor shall I submit any application hereafter without quoting a reference to this application and to the orders which may be passed thereon.

4. Should the amount of pension or gratuity granted to me afterwards found to be in excess of that to which I am entitled under the rules, I hereby under-take to refund any such excess.

5. I wish to commute my pension to the extent of Rs. _____.

6. I wish to draw my pension from (write branch and name of the bank)_____ at _____(Place)_____.

7. The following documents duly attested are enclosed, namely:-

(a) my three specimen signatures and two sets of my thumb and finger impressions on the prescribed form;

- (b) my three photographs; and
- (c) list of my family members.

Yours sincerely

Signature:

S/o

W/o

D/o

Post held on the
date of retirement

Dated: _____

APPLICATION FOR FAMILY PENSION
(to be filled in and signed by the applicant himself/herself)

To,
The
Dear Sir,

1. I have the honour to say that my spouse, namely _____ has expired on _____. I, therefore, request that the family pension admissible under the rules may kindly be sanctioned to me.

2. I declare that I have neither applied for nor received any family pension.

3. Should the amount of family pension granted to me be afterward found to be in excess of that to which I am entitled under the rules, I hereby under-take to refund any such excess.

4. I wish to draw my pension from the _____, (write branch and name, of the scheduled bank wherefrom pension is desired to be drawn).

5. The following documents, duly attested, are enclosed, namely:—

- (a) my three specimen signatures duly attested and two sets of my thumb and finger impressions on the prescribed form;
- (b) my three photographs;
- (c) list and particulars of my family members;
- (d) descriptive roll;

- (e) death certificate of the deceased;
- (f) non-remarriage and non-separation certificates.

Yours faithfully,

Signature
 Name /
 Relationship with the deceased
 Postal Address

Dated: _____

Part-II

(To be completed by the office/department receiving the application for pension)

Section 1

Entries
 Nos.
 1,2,3,4 and
 17 should
 be in
 capital
 letters

Particulars of applicant

1. NAME OF THE EMPLOYEE
2. FATHER'S NAME
3. NATIONALITY
4. POSTAL ADDRESS
5. Post held on the date of retirement/death.
6. BPS _____ date of birth _____
7. Date of commencement of service retirement / death/ application for pension
8. Length of service:—

Y M D

From _____	to	_____
From _____	to	_____
From _____	to	_____

TOTAL:

9. Date of commencement and ending of each spell of military service, if any:—

		Y	M	D
From _____	to _____	_____	_____	_____
From _____	to _____	_____	_____	_____

TOTAL:

10. Government under which service has been rendered, in chronological order;

Government of _____	from _____	to _____
Government of _____	from _____	to _____
Government of _____	from _____	to _____

TOTAL:

11. Class of pension or gratuity applied for _____
12. Average emoluments/last pay drawn of the post held on regular basis. _____
13. Proposed gross pension/gratuity _____
14. Proposed family pension _____
15. Proposed value of commutation _____
16. Proposed net pension _____
17. Name and branch of bank _____
18. Date from which pension is to commence. _____

Official seal
 Signature of Head of Office/Department
 Name
 Designation

Section 2

Calculation of qualifying service

1. Total length of service as per entry 10 of Section 1, non-qualifying service from _____ to _____.

	Y	<u>Period</u> M	D
(i) Extra ordinary leave	_____		
(ii) Un-authorized absence	_____		
(iii) Spell of service not	_____		
qualifying for pension under rules 10,11,12,13,14 and 15			
TOTAL : (i) + (ii) + (iii)			

2. Non-qualifying service:— _____
Add from to _____

	Y	<u>Period</u> M	D
(i) Periods, if any, of military service or war service allowed to count for pension	_____		
(ii) Benefit of condonation of deficiency in total qualifying service.	_____		

Total: (i) + (ii) _____

Total qualifying service _____

Section 3
Calculation of average emoluments
under rule 34

Statement of emoluments during the last 36/12 months

Period	Duration of emoluments in months and days	Monthly rate drawn	Amount
From _____ To _____	M - D	Rs. ---- Ps.	Rs. ---- Ps.

The total emoluments for 36/12 months are _____.
Therefore, average emoluments work out to Rs. _____ % 36/12
= Rs. _____ /p.m.

Section 4
Calculation of pension

Length of total qualifying service in years _____

Emoluments/average emoluments/ last pay drawn
of the post held on regular basis. Rs. _____

Amount of gratuity (in case where qualifying
service is 5 years or more but less than 10 years). Rs. _____

Amount of gratuity on discharge from temporary
service where qualifying service is 10 years or more
but less than 25 years. Rs. _____

Gross pension calculated upto 30 years qualifying
service Rs. _____

Total Rs. _____
Commutation Rs. _____

Net pension Rs. _____

Section 5
Commuted value of pension

Amount of pension to be commuted Rs. _____

- (i) Age next birthday of 60 in case of superannuation (if applicable) _____
years _____
- (ii) Rate of commuted value for every one rupee Rs. _____
- (iii) Commuted value of pension Rs. _____

Section 6
Orders of sanctioning authority

1. The competent authority is satisfied that the service of _____ has been satisfactory. The grant of full pension or gratuity which the administrative officer may find to be admissible under the rules is hereby sanctioned.

The competent authority is satisfied that the service of _____ has not been satisfactory and it has been decided that the full pension or gratuity found by the administrative officer to be admissible under the rules should be reduced by specific amounts or percentage given below:—

Amount or percentage of reduction in pension _____

Amount or percentage of reduction in gratuity _____

2. The payment of pension or gratuity may commence from _____. Before issuing the pension payment order the officer-in-charge administration may kindly ascertain whether the last pay and no demand certificates has/have been received by him. In case the last pay certificate and/or no demand certificate has/have not been received with the pension papers, the officer-in-charge administration should issue pension payment order subject to the production of the last pay certificate and/or an undertaking at the time of first payment of pension/ gratuity, by the pensioner, or his family (in case of his

death) to the effect that any demand coming to notice within a period of one year after issue of pension payment order would be recovered from him/her.

Signature _____

Designation _____

(Director General)
NIO

Section 7

Certified that—

- (a) Rs. _____ being the amount of gratuity or commutation pension have been paid to Mr./Mrs./Miss/ _____ through cheque No. _____ dated _____ through _____ bank.
- (b) Instructions have been issued for payment of pension of Rs. _____ per month to Mr./Mrs./Miss/ _____ as pension through _____ bank, under intimation to the pensioner.

(Signature)
Drawing and Disbursing Officer
(Accounts Office)

Dated: _____

Gratuity of the pensioner, or his family (in case of his death), to the effect that any demand coming to notice within a period of one year after the issue of pension payment order would be recovered from him/her.

Signature
Official Seal
Designation
(Director General, NIO)

Part - III

(For use of office to calculate pension or gratuity)

- (a) The calculations contained in the preceding pages have been checked.
- (b) Length of qualifying service accepted in years, _____
- (c) Reasons for difference, if any, between this and the length of qualifying service worked out by the office. _____
- (d) Amount of pension _____ Rs. _____
- (e) Reasons for discrepancy, if any, between this amount and that calculated by the office.
- (f) Amount of family pension Rs. _____
- (g) Reasons for discrepancy, if any, between this amount and that calculated by the office.
- (h) Amount of commutation for the pension commuted Rs. _____
- (i) Reasons for discrepancy, if any, between this amount and that calculated by the department.
- (j) Amount of net pension Rs. _____
- (k) The pension will commence on _____
- (l) Allocation of the pension and commutation pension or gratuity

PensionGratuity or commutation pension

Government of _____

Government of _____

Government of _____

Defence estimates _____

Total _____

- (m) Anticipatory pension of Rs. _____ (Rupees) per month, granted with effect from _____ *vide* pension payment order No. _____ under rules _____ to be adjusted in the final pension payment order.
- (n) Amount of original pension commuted Rs. _____
- (o) Checked with the last pay certificate and no demand certificate
- (p) Pension payment order issued *vide* No. _____ dated _____

(Signature)
Drawing and Disbursing Officer
Accounts Office.

(Signature)
Administrative Officer
Administration Section.

Instructions to be followed for timely processing of pension / gratuity cases
[see rule 35(3)]

- (1) The administrative officer, responsible for initiating the case, should start filling in Section 2 of the working copy of the Form one year before the expected date of retirement.
- (2) Six months before the date of retirement, the employee concerned should be asked to fill in and sign Part I in a fresh copy of the Forms and submit it alongwith the required enclosures mentioned in the last paragraph of the application for pension.
- (3) Part I of the working copy will be filled in by copying from Part I of the signed copy received back from the applicant. Similarly, Sections 2 and 4 of Part II of the signed copy will be filled in by copying from Part III of the working copy. Section I of Part II and both the Forms should then be filled in.

- (4) The signed copy should be forwarded to the administrative officer after filling in and signing Section 5 while the working copy will be retained in the initiating office as an office copy. If any extra enclosures such as list of family members, death certificate, invalid certificate, etc are required by the special nature of the case these should be attached with the Form.
- (5) After administrative officer filled in Section 6 of Part II the Form will be sent to the Drawing and Disbursing Officer (accounts office) for filling Section 7 of Part II. The Form will then be returned to administrative officer for obtaining orders of the authority.
- (6) The authority will accord sanction and send it to the Drawing and Disbursing Officer for payment action.
- (7) The Drawing and Disbursing Officer will then fill in Part III of the Form. He will also inform the employee concerned of the final amount of gratuity or commutation or pension and pension per month payable to him or her in the form of an office order copies of which will be marked to administrative officer.
- (8) On the death of pensioner, the payment of any arrears due may be made by the Drawing and Disbursing Officer, or the bank to the heirs of the deceased, without any reference to pension sanctioning authority provided they apply for such payment within one year of the pensioner's death.

Form – A
[see rule 46]

COMMUTATION OF PENSIONES

Section I

Form of application

To,

The..... here enter the designation..... and address of the accounts office

I _____ desire to commute Rs. _____ of my pension of Rs. _____ Ps. _____ a month. I certify that I have correctly furnished the following particulars as required.

1. Date of birth.
2. Date of retirement.
3. Amount of pension to be commuted. _____
4. (a) Portion of pension already commuted.

(b) Particulars of any application for commutation of pension ever been rejected, or ever accepted/declined to accept commutation to pension on the basis of and addition of years to the actual age recommended by the medical authority.
5. Branch and name of scheduled bank from where commutation money is to be drawn _____
6. If drawing pension abroad which accounts office issued the authority for payment of pension _____
7. If already drawing pension, quote the number and date of the pension payment order and the name of manager and branch of the bank at which drawn. _____
8. Without prejudice to the direction of the sanctioning authority, from what date approximately this commutation should have effect ?
9. Station at which medical examination is preferred.

Place

Signature

Date

Designation

Address

- (a) To be filled only if commutation is applied for after one year of the date of retirement.

- (b) If the commutation is applied within one year of the date of retirement the accounts office will authorize the commutation admissible and the Form will not be forwarded to the authority competent to sanction pension.

Section - II

Forwarded to _____

(here enter the designation and address of the sanctioning authority).

1. Subject to the medical authority's recommending commutation, the lump-sum commutation payable will be as stated below:—

Sum payable if the commutation becomes absolute before the applicant's next birth day which falls on _____

On the basis of normal age,
i.e. _____ years, Rs. _____

1. Year i.e. _____ years, Rs. _____
Plus

2. year i.e. _____ years, Rs. _____
Plus

3. year i.e. _____ years, Rs. _____
Plus

4. year i.e. _____ years, Rs. _____
Plus

5. year i.e. _____ years, Rs. _____

2. Sum payable if the commutation becomes absolute after the

On the basis of normal age,
i.e. _____ years. Rs. _____

applicant's next birth day but before his next birth day but one.

1. year i.e. _____ years, Rs. _____
Plus

2. year *i.e* _____ years, Rs. _____
Plus

3. year *i.e* _____ years, Rs. _____
Plus

4. year *i.e* _____ years, Rs. _____
Plus

5. year *i.e* _____ years, Rs. _____

3. The sum payable will be charged on —

(a) Pension and gratuity fund of NIO's employees Rs. _____

(b) Government of Pakistan Rs. _____

Signature of Accounts Officer / DDO

Section - III

Administrative sanction of _____
is accorded to the above commutation. A certified copy of paragraph 2
of Section II of the Form has been forwarded to the applicant in Form-B.

Place _____

Signature _____

Date _____

Designation _____

Forwarded to (here enter the designation and address of the chief
medical officer)

_____ in original _____ with the request
that he will arrange the medial examination of the applicant by the
proper medical authority as early as possible within three months from
the _____ to (here enter the date of retirement)
and inform the applicant direct in sufficient time where and when he or
she should appear for examination with one copy of Form-C and an
extra copy of Section III of the Form.

(Signature and designation of the sanctioning authority)

Note:—This Form is to be used only if commuted value of the pension
has not been applied for in the pension application.

Form – B
[see rule 46(3)(a)]
Section - I

Forwarded to

(here enter the designation and address of the sanctioning authority).

1. Subject to the medical authority's recommending commutation and the condition prescribed in section II of this Form, the commutation will be as stated below: -

Sum payable if the commutation becomes absolute before the applicant's next birth day which falls on _____

On the basis of normal age,
i.e. _____ years, Rs. _____

6. year *i.e.* _____ years, Rs. _____
 Plus

7. year *i.e.* _____ years, Rs. _____
 Plus

8. year *i.e.* _____ years, Rs. _____
 Plus

9. year *i.e.* _____ years, Rs. _____
 Plus

10. year *i.e.* _____ years, Rs. _____

2. Sum payable if the commutation becomes absolute after the applicant's next birth day but before his next birth day but one.

On the basis of normal age,
i.e. _____ years. Rs. _____

1. year *i.e.* _____ years, Rs. _____
 Plus

2. year *i.e.* _____ years, Rs. _____
 Plus

3. year *i.e.* _____ years, Rs. _____
 Plus

4. year *i.e.* _____ years, Rs. _____
 Plus

5. year *i.e* ____ years, Rs. ____

Station _____

Dated: _____

Signature of Accounts Officer / DDO

Section – II

1. The commutation for a lump sum payment of the pension is administratively sanctioned on the basis of the report of the accounts officer specified in Section I above. The table of present values, on the basis of which the calculation in the accounts officer's report have been made, is subject to alteration at any time without notice and consequently they are liable to revision before payment is made. The sum payable will be the sum appropriate to the applicant's age on his birthday next after the date on which the commutation becomes absolute or, if the medical authority directs that years shall be added to that age, to the consequent assumed age.

2. The _____
(here enter the designation and address of the medical officer)
has been requested to arrange for the medical examination and inform Mr. _____ direct where and when he should appear for the examination. He should bring with him the enclosed Form-C with the particulars required in Section I completed except for the signature.

Station _____

Signature _____

Date: _____

Designation _____

To,

(the name and address of the applicant)

Form – C
[see rule 46]

Medical examination by the _____
(here enter the authorized medical officer)

Section – I

Statement by the applicant for commutation of a portion of his pension. The applicant must complete this statement prior to his examination by the _____ and must sign the declaration appended thereto in the presence of the authority.

Form to be filled in by applicant

1. State your name in full.
(in Block Letter)
2. State place of birth.....
3. State your age and date of birth.
4. Furnish the following particulars concerning your family.

Parent's age if living and state of health	Parent's age at death if dead and cause of death	Number of brothers and sisters living, their ages and health	Number of brothers and sisters dead, their ages and cause of death.

5. Have any of your relatives suffered from tuberculosis (Consumption, Scrofula) cancer, asthma, fits, epilepsy, insanity or any other nervous disease ?
6. Have you ever been abroad? If yes, where and for what period and how long?
7. Have you ever served in the Navy, Army, Air Force, or in any Government department ?
8. Have you ever been examined,—
 - (a) for life insurance; and

- (b) by any Government medical officer or medical board, civil or military ? If so, state the details and with what result ?
9. Have you ever—
- (a) had small pox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood asthma, inflammation of lungs, pleurisy, heart disease, fainting attack the munitism, appendicitis, epilepsy, insanity, or other nervous disease, discharge from, or other disease of, the ear, syphilis, gonorrhoea; or
- (b) had any other disease or injury which required confinement to bed or medical or surgical treatment; or
- (c) undergone any surgical operation;
10. Have you rupture ?
11. Have you varicocels, varicose, veinsorpites ?
12. Is your vision in each eye good ?
13. Is your hearing in each ear good ?
14. Have you any congenital or acquired malformation, defect or deformity ?
15. When were you last vaccinated ?
16. Is there any further matter concerning your health not covered by the above questions, which should be communicated to the medical authority.

DECLARATION BY APPLICANT

(To be signed in presence of the medical authority)

I declare that all the above answers, are true and correct to the best of my belief.

I will fully reveal to the medical authority all circumstances within my knowledge that concern my health and fitness.

I am fully aware that by willfully making a false statement or concealing a relevant fact, I shall incur the risk of losing the commutation I have applied for and of having my pension withheld or withdrawn.

Signed in the presence of (enter name, designation of medical authority)

Applicant's signature _____

Section – II

(To be filled in by the examining medical authority)

1. Apparent age.
2. Height.
3. Weight
4. Girth of abdomen at level of umbilicus.
5. Pulse rate.
 - (a) Sitting
 - (b) Standing
6. What is the condition of arteries ?
7. Blood pressure:—
 - (a) Systolic
 - (b) Diastolic
8. Is there any evidence of disease of the main organs: -
 - (a) Heart
 - (b) Lungs
 - (c) Liver
 - (d) Spleen
9. Does chemical examination of urine shows—
 - (i) Albumen
 - (ii) Sugar ?State specific gravity.

10. Has the applicant a rupture ? If so, state the kind and if reducible.
11. Describe any scars or identifying marks.
12. Any additional information.

Section - III

I/we have carefully examined _____ and am/are of opinion that:—

he/she is in good health and has the prospect of an average duration of life.

Is not a fit subject for commutation as he or she is suffering from _____

Age for the purpose of commutation *i.e* his/her age next birth day should be taken to be _____

Station _____

Date _____

Signature and designation of
examining medical authority

Schedule-IV [See rule 39 (7)]

Certificate to be appended on the bill for payment of pension

I declare that I have not received any remuneration as a regular employee under Government or any other autonomous body set up, controlled or managed by the Federal or Provincial Government, during the period for which the amount of pension claimed in this bill is due.

Note.— In the case of a pensioner permitted to draw pension after employment, the certificate should be modified accordingly.

Schedule - V [See rule 40(1)]

Declaration for anticipatory pension

Whereas the (here state the designation of the officer sanctioning the advance) has consented provisionally to advance to me a pension of Rs.....

per month and a lump sum commutation pension / gratuity in anticipation of the completion of the enquiries necessary to enable the Institute fix the amount of any pension or gratuity, I hereby acknowledge that in accepting this advance, I fully understand that my pension or gratuity is subject to revision on the completion of the necessary formal enquiries, and I undertake to raise no objection to such revision on the ground that the provisional pension or gratuity now being paid to me may exceed the pension to which I may be eventually found entitled. I further undertake to repay any amount advanced to me in excess of the pension or gratuity which I may be eventually found entitled.

Schedule-VI
[See rule 43(1)]

COMMUTATION TABLE

AGE NEXT BIRTH DAY	NUMBER OF YEARS PURCHASED	AGE NEXT BIRTH DAY	NUMBER OF YEARS PURCHASED
1	2	3	4
20	40.5043	51	17.6526
21	39.7341	52	17.0050
22	38.9653	53	16.3710
23	38.1974	54	15.7517
24	37.4307	55	15.1478
25	36.6651	56	14.5602
26	35.9006	57	13.9888
27	35.1372	58	13.4340
28	34.3750	59	12.8953
29	33.6143	60	12.3719
30	32.8071	61	11.8632

AGE NEXT BIRTH DAY	NUMBER OF YEARS PURCHASED	AGE NEXT BIRTH DAY	NUMBER OF YEARS PURCHASED
31	32.0974	62	11.3684
32	31.3412	63	10.8872
33	30.5869	64	10.4191
34	29.8343	65	9.9639
35	29.0841	66	9.5214
36	28.3362	67	9.0914
37	27.5908	68	8.6742
38	26.8482	69	8.2697
39	26.1009	70	7.8778
40	25.3728	71	7.4983
41	24.6406	72	7.1314
42	23.9126	73	6.7766
43	23.1840	74	6.4342
44	22.4713	75	6.1039
45	21.7592	76	5.7858
46	21.0538	77	5.4797
47	20.3555	78	5.1854
48	19.6653	79	4.9030
49	18.9841	80	4.6321
50	18.3129		

Schedule-VII**[See rule 52]****CLASSIFICATION OF INJURIES****Equal to loss of limb—**

Hemiplegia without aphasia.

Permanent use of a tracheotomy tube.

Artificial anus.

Total deafness of both ears.

Very Severe—

Complete unilateral facial paralysis, likely to be permanent.

Lesion of kidney, ureter or bladder.

Compound fractures (except phalanges).

Such gross destruction of soft parts as to lead to permanent disability or loss of function.

Severe and likely to be permanent—

Ankylosis of, or considerable restriction in, the movement of one of the following joints:—

Knee, elbow, shoulder, hip, ankle, temporo-maxillary or rigidity of the dorsilumber or cervical sections of the spine.

Partial loss of vision of one eye.

Destruction of loss of one testicle.

Retention of foreign bodies not causing permanent or serious symptoms.

Schedule – VIII**[See rule 52]****Disability pension or gratuity**

CLASS OF INJURY	PENSION	GRATUITY	CHILDREN'S ALLOWANCE	
			Child without own mother	Child with own mother living
1	2	3	4	5
A	Twenty per cent of pay (Note: After death it shall devolve on widow)	Six months pay	Five per cent of pay.	Two and half per cent of pay.
B	Fifteen percent of pay.	NIL	Four per cent of pay.	Two per cent of pay.
C	Fifteen percent of pay.	NIL	NIL	NIL

Death (Special Family) Pension or Gratuity

Twenty per cent of pay.	Six months pay	Five per cent of pay.	Two and half per cent of pay.
-------------------------	----------------	-----------------------	-------------------------------

Schedule-IX**[see rule 53 and 54]****PRINCIPLES AND PROCEDURE FOR DETERMINING ATTRIBUTABILITY TO SERVICE OF DISABILITY****(A) Casualties due to wound or injury**

1. It should be established in such cases that the cause of the casualty was the result of duty in service.
2. Where the injury resulted from the risk inherent in service, attributability will be conceded.
3. An individual is on duty for 24 hours of the day except when on leave other than casual leave.

4. An individual will be deemed to be in the performance of duty when—
 - (i) he or she is physically present in his or her headquarters;
 - (ii) he or she is travelling on leave at Government expense; and
 - (iii) travelling to or from duty (e.g. from residence to place of duty and back but not while he or she is at his or her residence).
5. Disability resulting from purely personal acts such as shaving or similar private pursuits would not normally be treated as attributable to service.
6. Disability resulting from violence provoked by performance of duty will be viewed as attributable to service unless the circumstances of the case warrant a different conclusion.
7. If circumstances are such that service played no part in the causation of disability, attributability will not be conceded.

Illustration.—If a person driving a motor cycle, etc., on duty, collides with a truck, the injury received may be attributed to service but if he is out for a walk and sustains injury from a passing truck, his case will not qualify for the concession.

(B) Casualties due to disease

1. The cause of disability resulting from a disease will be regarded as attributable to service only when it is directly due to risks which may be regarded as peculiar to the circumstances of duty in service. In determining attributability in such cases due regard should be paid to the question whether service in a particular region, or of a particular type, involved exposure to exceptional risk of contraction of, or infection by, a disease, as well as to the actual circumstances of the case.

2. **Attributability will not be conceded if, though contracted during the period of actual performance of duty, the disease is, in the opinion of the medical authorities concerned, due to risks which cannot be regarded as peculiar to such duty in service.**
3. **Where a disease or its aggravation resulted from the risk of duty, attributability or aggravation will be conceded.**
4. **All cases of tuberculosis and bronchial asthma will be accepted as attributable to or aggravated by service where the medical opinion is in favour of the acceptance.**
5. **Attributability or aggravation in all cases of cardiac diseases will be determined in accordance with the guidelines mentioned at the end of this part.**
6. **Where medical or other supporting documents are incomplete, cases will be dealt with on merit with due regard to medical opinion and other evidence.**

Schedule-X

[see rule 56]

FORM - D

Form of application for injury pension or gratuity

1. **Name of applicant.**
2. **Father's name.**
3. **Race, sect, and caste.**
4. **Residence, showing village and pergunnah.**
5. **Present or last employment, including name of establishment.**
6. **Date of beginning of service.**

7. Length of service, including interruptions of Years Months Days
- Above class IV service.....
- class IV service.....
- non-qualifying and interruptions.....
8. Classification of injury.
9. Pay at the time of injury.
10. Proposed pension or gratuity.
11. Date of injury.
12. Place of payment.
13. Special remarks if any.
14. Date of applicant's birth by Chirstian era
15. Height
16. Remarks.
- Thumb and finger impressions.
- | | | | |
|----------------|--------------|----------------|--------------|
| Thumb- | fore finger- | middle finger- | ring finger- |
| little finger. | | | |
17. Date on which the applicant applied for pension.

Signature of Head of Office.

FORM - E

Form of application for family pension.

[see rule 56(b)]

Application for an extraordinary pension (or gratuity) for the family of (here enter name of deceased employee) killed or died of injuries received, in the execution of duty.

Submitted by the (here enter name of applicant of this application).

- | | |
|-------------------------|---|
| Submitted by the | 1. Name and residence, showing village and pergunnah. |
| | 2. Age. |
| | 3. Height. |
| | 4. Race, caste or tribe. |
| Description of claimant | 5. Marks of identification. |
| | 6. Present occupation and pecuniary circumstances. |
| | 7. Degree of relationship to deceased. |
| | 8. Name. |
| | 9. Occupation and service. |
| | 10. Length of service. |
| Description of deceased | 11. Pay when killed. |
| | 12. Nature of injury causing death. |
| | 13. Amount of pension or gratuity proposed. |
| | 14. Place of payment. |
| | 15. Date from which pension is to commence. |
| | 16. Remarks. |
- Name, date of birth by Christian era.

Name and age of surviving	Widows.
kindred of deceased	Sons.
	Daughters.
	Father.
	Mother.

Note.- If the deceased has left no, son, widow, daughter, father or mother surviving him the word "none" or "dead" should be entered opposite to such relative).

(Place)

(Date)

Signature of Head of Office.

FORM - F

[See rule 56(c)]

Form to be used by medical boards when reporting on injuries.

Proceedings of medical board.

CONFIDENTIAL

Proceedings of a medical board assembled by order of for the purpose of examining and reporting on the present state of the injury sustained by or disease contracted by at (place of injury, etc.) on the (date of injury, etc.)

- (a) State briefly the circumstances under which the injury or disease was sustained or contracted
- (b) What is the Institute employee's present condition ?
- (c) Is the Institute employee's present condition wholly due to the injury or disease.

If not state to what other causes it is attributable.

- (d) In the case of disease from which date does it appear that the Institute employee has been incapacitated?

The opinion of the medical board upon the questions below is as follows:—

Part A - FIRST EXAMINATION

The severity of the injury should be assessed in accordance with the following classification and details given in the remarks column below.

- | 1. Is the injury— | Yes | No |
|---|-----|----|
| (i) (a) the loss of an eye or a limb. | | |
| (b) the loss of more than one eye or limb. | | |
| (ii) more severe than the loss of an eye or a limb. | | |
| (iii) equivalent to the loss of the eye or a limb. | | |
| (iv) very severe and likely to be permanent. | | |

- (v) severe and likely to be permanent.
 - (vi) very severe, but not likely to be permanent.
 - (vii) slight but likely to be permanent.
2. For what period from the date of injury—
- (a) has the Institute employee been unfit for duty.
 - (b) is the Institute employee likely to remain unfit for duty.

Remarks.—Here the classification above may be amplified if necessary, or details of additional injuries to the main injury may be given.

Part B. – SECOND OR SUBSEQUENT EXAMINATION

If the original degree of disability of the Institute employee has changes, in which of the above categories should it now be placed.

Remarks.— In this space additional details may be given if necessary.

Instructions to be observed by the medical board preparing the report.

1. The medical board before recording its opinion should invariably consult the proceedings of previous medical boards, if any, as also all previous medical documents connected with the Institute employee brought before it for examination.
2. If the injuries be more than one, they should be numbered separately; and should it be considered that, for instance, though only, severe or slight in themselves they represent together

equivalent of a single very severe injury such an opinion may be expressed in the columns provided.

3. In answering the questions in the prescribed form the medical board will confine itself exclusively to the medical aspect of the case and will carefully discriminate between the Institute employee unsupported statements and the medical documentary evidence available.
4. The medical board will not express any opinion, either to the Institute employee examined, or in its report, as to whether he is entitled to compensation, or as to the amount of it, nor will it inform the employee how the injury has been classified.

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ASIA GUL,
Deputy Secretary(org).