

**THE MEGHALAYA CIVIL SERVICES
(PENSION) FIRST AMENDMENT
RULES, 1989.**

**THE MEGHALAYA CIVIL SERVICES
(PENSION) SECOND AMENDMENT
RULES, 1989.**

**THE MEGHALAYA CIVIL SERVICES
(PENSION) THIRD AMENDMENT
RULES, 1998.**

**THE MEGHALAYA CIVIL SERVICES
(PENSION) FOURTH AMENDMENT
RULES, 1998.**

**THE MEGHALAYA CIVIL SERVICES
(PENSION) FIFTH AMENDMENT
RULES, 2010.**

GOVERNMENT OF MEGHALAYA
FINANCE (PENSION CELL) DEPARTMENT

ORDERS BY THE GOVERNMENT

Dated Shillong, the 25th May, 1989.

NO.FEM(PC)33.88/20- In exercise of the powers conferred by the proviso to Art.309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules to amend, the Meghalaya Civil Services (Pension) Rules 1983 (herein-after referred to as the Principal Rules).

THE MEGHALAYA CIVIL SERVICES (PENSION) FIRST AMENDMENT
RULES 1989.

1. **Short title and commencement-** (1) These Rules may be called the Meghalaya Civil Services (Pension) (First Amendment) Rules, 1989.
(2).They shall be deemed to have come into force with effect from the 1st April, 1983.
2. **Amendment of Rule 40** – In Rule 40 of the Principal Rules, for the existing sub-rule (5) , the following shall be substituted namely:-

“(5) For the purpose of this rule and rules 41 & 43, family members of a Government servant means:-

- (i) wife or wives, including judicially separated wife or wives, in the case of a male Government servant:
- (ii) husband , including judicially separated husband in the case of a female Government servant:
- (iii) sons and daughters including step-sons step-daughters adopted sons and adopted daughters whether married or not;
- (iv) father and mother including adoptive parents:
- (v) brothers including step-brothers, below the age of eighteen years:
- (vi) sisters and step-sisters, whether married or not;
- (vii) Children of pre-deceased sons and daughters; and
- (viii) Nieces and nephew”

3. **Amendment of Rule 41.** - In Rule 41 of the principal rules, in sub-rule (1),for the existing clause (b), the following shall be substituted, namely:-

“(b) If there is no nomination or if the nomination made does not subsist the gratuity shall be paid to the nearest heir of the Government servant according to his personal law to whom a succession Certificate has been granted by the Court”

Sd/-

Under Secretary to the Government of Meghalaya,
Finance (Pension Cell) Department.

Memo NO.FEM (PC) 33/88/20-A,

Dated Shillong, the 25th May, 1989.

Copy forwarded for information; and necessary action to:-

1. The Special Secretary to the Governor of Meghalaya, Shillong.
2. The Principal Private Secretary to the Chief Minister.
3. All Private Secretaries to Ministers.
4. All Special Secretaries and Secretaries to the Government of Meghalaya.
5. The Cabinet Affairs Departments with reference to their U/O NO.CA.41/89,dt.16.5.89.
6. All Administrative Departments/Heads of Departments.
7. All Treasury Officers.
8. The Financial Advisers and Financial Accounts Officers.
9. All Accountant General (A&E) Meghalaya, Shillong.
10. The Director Printing and Stationery, Shillong for favour of publication in the Meghalaya Gazette and supply 200 printed copies to this Department.
11. The Printing and Stationery Department for information and necessary action with reference to their endorsement dt. 19th February, 1987. In their File No.S.G.22/85.
12. Law (B) Department with reference to their U/O endorsement Law (B) 53/89, dt. 4th March, 1989, in their File No.LJ.131/78,for information.

By Order etc.,

Sd/-

Under Secretary to the Government of Meghalaya,
Finance (Pension Cell) Department.

The 9th June, 1989.

NO.FEM (PC) 56/88/74 – In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules to amend the Meghalaya Civil Services (Pension) Rules, 1983 (here-after referred to as the principal rules).

The Meghalaya Civil Services (Pension) (Second Amendment) Rules, 1989.

1. **Short Title and Commencement** – These rules may be called the Meghalaya Civil Services (Pension) Second Amendment Rules, 1989 and shall come into force with effect from the date of issue of this notification.
2. **Amendment of Rule 54** – In Rule 54 of the principal rules, for existing clause (ii) the following shall be substituted viz :-

“(2) In the event of death in harness of temporary Government servants their families shall be eligible to Death-Cum-Retirement Gratuity on the same scale as admissible to families of permanent Government servants under the relevant rules”.

The existing sub-rules (ii) and (iii) to be renumbered as (3) and (4) respectively.

Sd/-
N.N.Mookerjee
Special Secretary to the Govt. of Meghalaya,
Finance (Pension Cell) Department.

**GOVERNMENT OF MEGHALAYA
FINANCE (PENSION CELL) DEPARTMENT**

ORDERS BY THE GOVERNOR OF MEGHALAYA

NOTIFICATION

NO.FEM (PC) 33/88/44 – In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules amend the Meghalaya Civil Services (Pension) Rules, 1983 (hereinafter referred to as the principal rules).

**THE MEGHALAYA CIVIL SERVICES (PENSION)(THIRD AMENDMENT)
RULES,1998**

1. **Short title and commencement** :- These rules may be called the Meghalaya Civil Services (Pension) (Third Amendment) Rules, 1998.

(2) They shall be deemed to have come into force on the 1st day of January, 1998.

2. **Amendment of Rule 28** :- In Rule 28 of the Principal Rule, the existing figure “9 (21) by “be substituted by” “7 (17)”

3. **Amendment of Rule 29** :- In Rule 29 and **Note 2** and **Note 3** below thereof, the existing figure “10” shall; be substituted by the figure “6”. The existing word “ten” appearing in Note 1 and Note 2 below aforesaid principal rule, shall be substituted by the word “six”.

4. **Amendment of Rule 30 (1)** In sub-rule (2) of Rule 39 of the principal rule as inserted by Correction Slip No.1, the existing words “rule 7 (17) of the Meghalaya Fundamental Rules and Subsidiary Rules, 1984” shall be substituted by “rule 29”.

(2) In sub-rule (5) of Rule 39 of the principal rule, the existing figures “Rs.375” and “Rs.3, 000” be substituted by “Rs.1, 220” and “Rs.8,500”,

5. **Amendment of Rule 40** :- (1) In sub-rule (1) of rule 40 of the principal rules, the existing figures ‘Rs.72,000’ shall be substituted by ‘Rs.2,50,000’.

(2) Insert the following immediately below clause (b) of sub-rule (1) of Rule 40.

“**NOTE** - For the purpose of calculating the qualifying service for Death- Cum-Retirement Gratuity/Retiring Gratuity, a fraction of three months and above shall be treated as one-half year and the period less than three months shall be ignored.

2. In sub-rule (4) of Rule 40 the principal rules, the words “six thousand and four hundred “shall be substituted by “seventeen thousand”.

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6. **Amendment to Rule 46** :- Delete the words “The rate of family pension under rule 45 will be as follows” – and also table there under and insert the following:-

“The Scale of family pension admissible shall be thirty percent of basic pay subject to the minimum of rupees one thousand two hundred and twenty per mensem and a maximum of rupees five thousand and one hundred”.

(2) The existing figure of “Rs.1, 250” in NOTE 2 below rule 46 of the principal rules, shall be substituted by “Rs.5, 100”.

Sd/-
Secretary to the Govt. of Meghalaya,
Finance Department.

Memo .NO.FEM.(PC)33/88/44-A,

Dated Shillong, the 18th May, 1989

Copy to:-

1. The Principal Accountant General (Audit), Meghalaya etc., Shillong with ten spare copies.
2. The Accountant General (A&E), Meghalaya, etc., Shillong with ten spare copies.
3. The Private Secretary to Chief Minister, Meghalaya.
4. The Private Secretary to All Cabinet Ministers/Ministers of State.
5. The Private Secretary to Chief Secretary, Government of Meghalaya.
6. The Private Secretaries to All Principal Secretaries to the Government of Meghalaya.
7. All Commissioners and Secretaries/Secretaries to the Government of Meghalaya.
8. All Administrative Departments.
9. All Heads of Departments.
10. All Deputy Commissioner/Sub-Divisional Officers (Civil).
11. All Financial Advisers/Finance and Accounts Officer/Treasury Officers.
12. The Secretary, Meghalaya Legislative Assembly, Shillong.
13. The Secretary, Meghalaya Public Service Commission, Shillong.
14. The Director of Printing & Stationery, Meghalaya. he is requested to publish the notification in the next issue of the Gazette of Meghalaya and to supply 500 copies thereof to this Department.

By Order...etc.,

Sd/-
Under Secretary to the Govt. of Meghalaya,
Finance (Pension Cell) Department.

GOVERNMENT OF MEGHALAYA
FINANCE (PENSION CELL) DEPARTMENT

ORDERS BY THE GOVERNOR OF MEGHALAYA

NOTIFICATION

Dated Shillong, the 1st May, 1998.

NO.FEM (PC) 33/88/45 – In exercise of the powers conferred by the proviso to Articles 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules to amend the Meghalaya Civil Services (Pension) Rules, 1983 (herein after referred to as the Principal Rules).

THE MEGHALAYA CIVIL SERVICES (PENSION)(FOURTH AMENDMENT)
RULES,1998

1. Short title and commencement :- These rules may called the Meghalaya Civil Services (Pension) (Fourth Amendment) Rules, 1998.

(2) They shall be deemed to have come into force on the 12th day of January, 1998.

2. The following shall be inserted after State Government's decision below sub-rule (3) of rule 38 of the Principal Rules.

“38A. Retirement on completion of twenty years continuous qualifying service. –

(1) At any time after a Government employee has completed twenty year's continuous qualifying service or after he has attained the age of fifty years, whichever is earlier, he may , by giving notice of not less than three months in writing to the appointing authority, retired from service.

(2) The notice of voluntary retirement given under sub-rule (1) shall require acceptance by the appointing authority.

Provided that where the appointing authority does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice, the retirement shall become effective from the date of expiry of the said period.

3. The continuous qualifying service as on the date of intended retirement of the Government employee retiring under this rule shall be increased by a period not exceeding five years, so however that the total qualifying service rendered by the Government employees does not in any case exceed thirty three years, and the period does not go beyond the date of superannuation specified under F.R.57.

Contd...2/-

4. (a) A Government employee referred to in sub-rule (1) may, make a request in writing to the appointing authority to accept notice of voluntary retirement of less than three months giving reasons thereof.

(b) On receipt of a request under clause (a) above, the appointing authority, subject to the provision of sub-rule (2) may consider such request for curtailment of the period of notice of three months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months on the condition that the Government employees shall not apply for commutation of a portion of his pension before the expiry of the period of notice of three months.

5. A Government employee who has elected to retire under this rule and has given the necessary notice to that effect to the appointing authority, shall have no right to withdraw his notice except with the specific approval of such authority.

Provided that the request for withdrawal of the notice of voluntary retirement shall be made before the intended date of retirement.

6. The pension and the death-cum retirement gratuity of the Government employee retiring under this rule shall be based on the emoluments as defined under Rules 28 and 29 and the increase/weightage not exceeding five years in his qualifying services shall not entitle him to any notional fixation of pay for the purpose of calculating his pension and death-cum-retirement gratuity.

7. This rule does not apply to a Government employee who retires from Government Services for being absorbed permanently in an autonomous body a public sector undertaking to which he is on deputation at the time of seeking voluntary retirement.

Explanation -

For purpose of this rule, the expression “appointing authority” which is competent to make appointments to the Service or post from which the Government employee seeks voluntary retirement.

Sd/-
Secretary to the Govt. of Meghalaya,
Finance Department.

GOVERNMENT OF MEGHALAYA
FINANCE (PENSION CELL) DEPARTMENT

ORDERS BY THE GOVERNOR
NOTIFICATION



Dated Shillong, the 4th November, 2010.

No.FEM(PC)-47/2010/22 - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules to amend the Meghalaya Civil Services (Pension) Rules, 1983 (hereinafter referred to as the Principal Rules), namely,-

THE MEGHALAYA CIVIL SERVICES (PENSION) (FIFTH AMENDMENT) RULES,
2010.

1. Short title and commencement:- (1) These rules may be called the Meghalaya Civil Services (Pension) (Fifth Amendment) Rules, 2010.

(2) They shall be deemed to have come into force on the 1st day of January, 2007.

2. Amendment of Rule 39:- (1) Sub-rule (2) of Rule 39 of the Principal Rules as inserted by Correction Slip No.1 shall be substituted by the following:-

"(2) (a) - In the case of a Government servant retiring in accordance with the provisions of these rules after completing qualifying service of not less than 30(thirty) years against a sanctioned post/service irrespective of substantive and/or officiating/temporary appointment, the amount of pension shall be calculated at fifty percent at average emoluments, subject to the maximum of Rs.24,490.00 (Rupees Twenty Four Thousand Four Hundred and Ninety) per mensem.

"(b) - In the case of a Government servant retiring in accordance with the provisions of these rules before completing qualifying service of 30(thirty) years, but after completing qualifying service of 10(ten) years, the amount of pension shall be proportionate to the amount of pension admissible under Clause (a) and in no case the amount of pension shall be less than Rs.3,250.00 (Rupees Three Thousand Two Hundred and Fifty) per mensem.

"Note:- Government servants who have retired on or after 1st January, 2007 but before 23rd February, 2010, shall be governed by rules/orders in force immediately before the said date of 23rd February, 2010".

Contd.....2/-

(2) Sub-rule (4) of the Principal Rules shall be substituted by the following:-

"(4) The amount of pension finally determined under Clause (a) or Clause (b) of Sub-rule (2) shall be expressed in whole rupee and where the pension contains a fraction of a rupee it shall be rounded off to the next higher rupee".

(3) Sub-rule (5) of the Principal Rule shall, in view of sub-rule (1) above, shall be deleted.

3. The following shall be inserted after sub-rule (4) of Rule 39 of the Principal Rules:-

"39A. Additional quantum of pension :- (1) Additional quantum of pension shall be payable as and when the pensioner attains the age of 80(eighty) years and above as detailed below:-

Age of Pensioner	Additional quantum of Pension
(a) From 80 years to less than 85 years	: 20% of basic pension.
(b) From 85 years to less than 90 years	: 30% of basic pension.
(c) From 90 years to less than 95 years	: 40% of basic pension.
(d) From 95 years to less than 100 years	: 50% of basic pension.
(e) 100 years or more	: 100% of basic pension.

"(2) The Pension Sanctioning Authorities shall ensure that the date of birth and age of a pensioner is invariably recorded in the Pension Payment Order to facilitate payment of additional pension by the Pension Disbursing Authorities as soon as it becomes due. For example, in a case where the pensioner is more than 80 years of age but less than 85 years and his pension is Rs.10,000.00 per month, the Pension will be shown as (i) Basic Pension Rs.10,000.00 and (ii) Additional Pension Rs.2,000.00. Similarly, the pension on his attaining the age of 85 years, will be shown as (i) Basic Pension Rs.10,000.00 and (ii) Additional Pension Rs.3,000.00 per month".

4. Amendment of Rule 40 :- (1) Under Clause (a) and (b) of sub-rule (1) of Rule 40 of the Principal Rules, the existing figures of "Rs.3,50,000.00" shall be substituted by "Rs.7,00,000.00".

(2) In sub-Rule (4) of Rule 40 of the Principal Rules, the words "seventeen thousand" shall be substituted by "forty eight thousand nine hundred and eighty".

5. Amendment of Rule 46 :- (1) Rule 46 of the principal rule shall be renumbered as "46(1)" and shall be substituted by the following:-

"46 (1). The monthly family pension is based on the "pay" drawn on the date of death or on the date of retirement, as the case may be, of the Government servant and is admissible at a uniform rate of thirty percent of pay last drawn, subject to the minimum of Rs.3,250/- (Rupees Three Thousand Two Hundred Fifty) and a maximum of Rs.14,694/- (Rupees Fourteen Thousand Six Hundred and Ninety Four) per mensem.

"(2). The amount of family pension shall be fixed at monthly rates and be expressed in whole rupees and where the family pension contains a fraction of a rupee, it shall be rounded off to the next higher rupee:

Provided that in no case a family pension in excess of the maximum prescribed under this rule shall be allowed".

"Note 2 below Rule 46 :- In the Note 2 below Rule 46 of the Principal Rules, the figures "Rs.5,100.00" shall be substituted by "Rs.14,694.00".

6. The following shall be inserted as a "new rule" after Note 2 below Rule 46 of the principal rules:

"46A. Additional quantum of family pension: (1) Additional quantum of family pension shall be payable as and when the family pensioner attains the age of eighty years and above as detailed below:

Age of Family Pensioner	Additional quantum of Family Pension.
(a) From 80 years to less than 85 years	: 20% of basic pension.
(b) From 85 years to less than 90 years	: 30% of basic pension.
(c) From 90 years to less than 95 years	: 40% of basic pension.
(d) From 95 years to less than 100 years	: 50% of basic pension.
(e) 100 years or more	: 100% of basic pension.



"(2). The Pension Sanctioning Authorities shall ensure that the date of birth and age of family pensioner is invariably recorded in Form 17 (refer Rule 52 of Meghalaya Civil Services (Pension) Rules, 1983, as amended) and the Pension Payment Order to facilitate payment of additional family pension by the Pension Disbursing Authorities as soon as it becomes a due. The amount of additional family pension shall be shown distinctly. For examples, in a case where the family pensioner is more than 80 years of age but less than 85 years and his/her family pension is Rs.5,000.00 per month, the family pension will be shown as (i) Basic Family Pension Rs.5,000.00 and (ii) Additional Family Pension Rs.1,000.00. Similarly, the family pension on his/her attaining the age of 85 years, will be shown as (i) Basic Family Pension Rs.5,000.00 and (ii) Additional Family Pension Rs.1,500.00 per month.

7. Amendment of Rule 48:- (1) Rule 48 (i) of the Principal Rule shall be renumbered as "48 (1)" and substituted by the following:-

✓ "48 (1). For the purpose of this rule, family shall include the following relatives of the Government servants:-

"(a) First Category:-

- (i) Widow or widower, up to the date of death or re-marriage, whichever is earlier;
- (ii) Son/daughter including widowed daughter up to the date of his/her marriage/re-marriage or till the date he/she starts earning or till the age of twenty five years, whichever is earlier.

Note 1 : (ii) above will include legally adopted sons/daughters.

✓ Note 2 : Post-retiral spouses/children born after retirement:- The family pension is admissible to post-retiral spouses and children born/adopted legally after retirement.

"(b) Second Category:-

- (iii) Unmarried/widowed/divorced daughter, not covered by First Category above, up to the date of marriage/re-marriage or till the date she starts earning or up to the date of death, whichever is earlier; and,
- (iv) Parents who were wholly dependent on the Government servant when he/she was alive. Family pension to dependent unmarried/widowed/divorced daughter/parents shall continue till the date of death.

Provided that the family pension to unmarried/widowed/divorced daughters in "Second Category" and dependent parents shall be payable only after the other eligible family members in "First Category" have ceased to be eligible to receive family pension. Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension in that category.

Note:- The income criteria for dependency in respect of eligible "Second Category" family pensioner(s) shall be the minimum family pension including dearness allowance thereon.

8. Rule 51 (3):- Immediately after Rule 51 (3) of the Principal Rule, add the following under caption "State Government Decision".

"State Government Decision"

"Family Pension in respect of missing Government Servant":

If a Government servant is missing and his/her whereabouts are not known, his/her family can be paid admissible claims/dues including retirement benefits. For the purpose, the family of the missing person should have lodged necessary complaint with the Police Station concerned and obtained a report that the concerned Government employee has not been traced after all efforts had been made. The claims of the family may be settled in the manner given below:-

- (1) Claims payable in the first instance : Pay and allowances as due and admissible, leave encashment, if any, and the amount of General Provident Fund.
- (2) After one year : Death-cum-Retirement Gratuity, Family Pension from the date of FIR/complaint and other dues as admissible to the missing Government employee. The nominees/dependants should furnish Indemnity Bond that all payments shall be adjusted against the payment due to the missing person in case he/she appears on the scene at a later date and makes claims.
- (3) After the death is established or seven years : Subject the production of proper and indisputable proof of death or Decree of the Court, final settlement of Death-cum-Retirement Gratuity including insurance, if any, and family pension if admissible may be sanctioned under the rules.

- (4) When missing after committing fraud, etc : The claim or benefits can be sanctioned only on the concerned Government employee has been acquitted by the Court or after the conclusion of disciplinary proceedings.



(B.K. Dev Varma)

Addl. Chief Secretary to the Govt. of Meghalaya,
Finance Department

Memo No.FEM(PC)47/2010/22-A

Dated Shillong, the 4th November, 2010.

Copy to :-

1. The Accountant General (A&E), Meghalaya, Shillong with 50(fifty) spare copies.
2. The Accountant General (Audit), Meghalaya, Shillong with 10(ten) spare copies.
3. The Private Secretary to the Chief Minister, Govt. of Meghalaya, Shillong.
4. The Private Secretaries to the Deputy Chief Ministers, Govt. of Meghalaya.
5. The Private Secretaries to the Cabinet Ministers, Govt. of Meghalaya,
6. The Private Secretary to the Chief Secretary to the Govt. of Meghalaya, Shillong.
7. The Private Secretary to the Additional Chief Secretary to the Govt. of Meghalaya, Shillong.
8. The Private Secretaries to the Principal Secretaries to the Govt. of Meghalaya, Shillong.
9. All Commissioners & Secretaries/Secretaries/Additional Secretaries to the Govt. of Meghalaya, Shillong.
10. All Administrative Departments.
11. All Heads of Departments.
12. The Secretary, Meghalaya Legislative Assembly Secretariat, Shillong.
13. The Secretary, Meghalaya Public Service Commission, Shillong.
14. The Principal Secretary to the Governor of Meghalaya, Shillong.
15. All Financial Advisers/Treasury Officers/Finance and Accounts Officers.
16. The General Secretary, Meghalaya Pensioners' Association, Laitumkhrah, Shillong.
17. The Secretary General, Meghalaya State Govt. Employees' Federation, Shillong.
18. The Director of Printing and Stationery, Meghalaya, Shillong. He is requested to publish this Notification in the next issue of the Gazette of Meghalaya and to supply this Department with 500 copies.



By Order etc.,

Deputy Secretary to the Govt. of Meghalaya,
Finance (Pension Cell) Department.
