

GOVERNMENT OF RAJASTHAN
Finance (Gr.2) Department

MEMORANDUM

No. F.1(35)FD(Gr.2)/87

Jaipur, dated : 2.7.1991

***Sub : Grant of Ex-gratia payment to alive widows of deceased
C.P.F.retirees.***

The undersigned is directed to say that during arguments before the Hon'ble Supreme Court in the Civil Appeal No. 234/90 filled by the State against order dated 9.7.89 of the Rajasthan High Court passed in D.B.Civil writ Petition No.760/88, it was submitted on behalf of the State that the State Government is agreeable to grant ex-gratia payment @ Rs. 150/- per month with effect from 1.11.1989 to the alive widows of Jodhpur Contributory Provident Fund retirees who are not entitled to family pension in terms of this department Memorandum No.F.1(35) FD(Gr.2)/87 dated 17.10.1987. The hon'ble Supreme Court while allowing the appeal and setting aside the impugned order of the Rajasthan High Court, Jodhpur has directed the State Government to pay the admitted ex-gratia payment @ Rs. 150/- per month with effect from 1.11.1989 in addition to the admissible dearness relief.

2. Accordingly, the Governor is pleased to grant ex-gratia payment @ Rs. 150/- (Rupees one hundred fifty) only per month plus Dearness Relief as admissible thereon from time to time with effect from 1.11.1989 to the alive widows of Jodhpur Contributory Provident Fund Retirees who are not entitled to family pension in terms of this Department Memorandum No. F.1(35) FD (Gr. 2) 87 dated 17.10.1987.

3. The Dearness Relief on the ex-gratia payment would be admissible at the rates as are applicable to the State pensioners. The rates of dearness relief with effect from 1.11.1989 are as under :-

Period	Rate per month	Amount
01.11.89 to 31.12.89	34 %	Rs. 51/-
01.01.90 to 30.06.90	38 %	Rs. 57/-
01.07.90 to 31.12.90	43 %	Rs. 65/-
01.01.91 until further orders	51 %	Rs. 77/-

4. The sanction of ex-gratia payment will be subject to the following conditions:-

(1) The widow would be entitled to ex-gratia payment provided she was married to the Government servant before his retirement. The ex-gratia

payment shall be tenable for life or until her re-marriage, whichever is earlier.

- (2) Employment/ re-employment of the widow will be no bar to her entitlement to the ex-gratia payment under this order. However, dearness relief on the ex-gratia payment shall not be payable during the period of employment/reemployment under the Central/State Government or any Corporation Board, Society, etc. mentioned in the Rules / Orders in this regard.
- (3) The other provisions of eligibility prescribed for family pension in the Rajasthan Service Rules though not specifically mentioned above, shall also apply for the purpose of regulating grant of ex-gratia payment under this order.
- (4) The periodical certificates such as life certificate non-employment certificate, non marriage certificate etc. prescribed for drawal of family pension will also be required to be produced by the recipient of ex-gratia payment to the appropriate pension disbursing authority.

5. The following procedure shall be followed for giving effect to these orders:-

- (a) The widow of C.P.F. Retiree eligible to receive ex-gratia payment in terms of this order shall make an application in the prescribed form (enclosed) in triplicate accompanied by all the relevant documents mentioned therein to the head of office in which the deceased Jodhpur Contributory Provident Fund beneficiary last served. In case the office has been abolished or merged with another department , the application for grant of ex-gratia payment would be processed by the Department in which the parent office of the retired employee was merged or by the office to which the records of the abolished offices were handed over, as the case may be .
- (b) It will be the responsibility of the applicant to satisfy the head of office that she is the widow of the Government servant concerned entitled to receive ex-gratia payment under this order and establish identity by production of documents such as C.P.F. Account Number or the letter regarding settlement of C.P.F.A/C. or retirement order or such other relevant records which may be in her possession.
- (c) The head of office shall accord certificate and verify facts, on the basis of records available in his office, as per requirement of the application form. After the head of office has satisfied himself about bonafide of the claim, he shall forward the same/duly verified to the Director, Pension Department, Rajasthan, Jaipur. He will also ensure

that duplicate claims for grant of ex-gratia payment under this order are not submitted to the Director, Pension.

- (d) On receipt of the application form from the head of office, the Director, Pension Department , Rajasthan, Jaipur shall examine the same in terms of this order and shall issue the payment authority. The payment authority should also indicate the amount of Dearness Relief payable in terms of this order.
- (e) The Pension/Family Pension disbursing authorities are authorised to disburse ex-gratia payment on receipt of authority from the Director, pension Department Rajasthan, Jaipur.

6. The expenditure on account of ex-gratia payment shall be debitable to the head to which benefits of pension are debited.

By. Order of the Governor
(Shiv Nath Singh)
Deputy Secretary to Government.