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GOVERNMENT OF MEGHALAYA
FINANCE (PENSION CELL) DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Shillong, the 18th May, 1998.

NO.FEM(PC)33/88/45 - 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).

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

1. Short title and commencement - (1) These rules may be 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 rule :

38A. Retirement on completion of twenty years continuous qualifying service - (1) At any time a Government employee has completed twenty years 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 employees 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 employee 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 therefore.

(b) On receipt of a request under clause (a) above, the appointing authority, subject to the provisions 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 employee 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 withdrawn 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.

(6) The Pension and 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 service and shall not entitle him to any notional fixation of pay for the purpose of calculating his pension and Death-cum-Retirement/Retiring Gratuity.

(7) This rule shall not apply to a Government employee who retires from Government service for being absorbed permanently in an Autonomous Body or a Public Sector undertaking to which is on deputation at the time of seeking Voluntary Retirement.

Explanation - For the purpose of this rule, the expression “appointing authority” shall means the authority which is competent to make appointments to the service or post from which the Government employees seeks voluntary retirement.

By Order etc.,

Sd/-

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

Contd.....3/-

Memo NO.FEM(PC)33/88/45-A

Dated Shillong, the 18th May, 1998.

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. Private Secretary to Chief Minister, Meghalaya.
4. Private Secretary to All Cabinet Ministers/Ministers of State.
5. Private Secretary to Chief Secretary, Government of Meghalaya.
6. Private Secretaries to All Principal Secretaries to the Govt. of Meghalaya.
7. All Commissioners and Secretaries/Secretaries to the Govt. of Meghalaya.
8. All Secretaries/Addl. Secretaries to the Govt. of Meghalaya.
9. All Administrative Departments.
10. All Heads of Departments.
11. All Deputy Commissioners/Sub-Divisional Officers (Civil).
12. All Financial Advisers/Finance and Accounts Officers/Treasury Officers.
13. The Secretary, Meghalaya Legislative Assembly, Shillong.
14. The Secretary, Meghalaya Public Services Commission, Shillong.
15. 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.
