MINISTRY OF PETROLEUM AND CHEMICALS

(Department of Petroleum & Natural Gas)

NOTIFICATION

New Delhi, the 16th November, 1990

G.S.R. 917(E).____ In exercise of the powers conferred by section 31 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby makes the following rules, namely :

CHAPTER 1

PRELIMINARY

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1. Short title and commencement .____(1) These rules may be called the Oil Industry Development Board Employees' (Pension) Rules, 1990.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application .____These rules shall apply to all employees of the Board, other than :-

(I) those in casual and daily rated employment;

(ii) those employed on contract for a specified period on a consolidated salary, except when the contract provides otherwise;

(iii) the employees entitled to the benefit of a contributory provident fund;

(iv) persons on deputation in the Board on foreign service terms;

(v) those who are appointed on special terms and conditions of service or whose terms and conditions of service, even on appointment in the Board, provide otherwise or age regulated by or under the provisions of any other law, rules or regulations.

3. Definitions. _____ In these rules, unless the context otherwise requires :-

(a) 'Accounts Officer' means the Financial Adviser and Chief Accounts Officer of the Board.

(b) 'Board' means the Oil Industry Development Board;

(c) 'Chairman' means the Chairman of the Board;

(d) 'Child' means a child of an employee who is under twenty five years of age;

(e) 'competent authority' means the Board and includes any authority specified as such in the Oil Industry Development Board Employees (General Conditions of Service) Rules, 1984, as amended from time to time;

(f) 'employee' means and employee of the Board;

(g) 'foreign service' means service in which an employee of the Board receives his pay with the sanction of the Board from any source other than the Oil industry Development Fund;

(h) 'form' means a form appended to these rules;

(i) 'minor' means a person who has not completed the age of eighteen years;

(j) 'pension disbursing authority' means the Accounts Officer;

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(k) 'pension sanctioning authority' means the appointing authority as defined in clause (b) of rule 2 of the Oil industry Development Board Employees' (General Conditions of Service) Rules, 1984, as amended from time to time;

(l) 'Secretary' means the Secretary of the Board;

(m) 'qualifying service' means service rendered while on duty or otherwise which shall be taken into account for the purpose of pensions and gratuities admissible under these rules.

CHAPTER II

GENERAL CONDITIONS

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4. Regulation of claims to pension or family pension.-----(1) Any claim to pension or family pension shall be regulated by the provisions of these rules in force at the time when an employee retires or is retired or is discharged or is allowed to resign from service or dies, as the case may be.

(2) The day on which an employee retires or is retired or is discharged or is allowed to resign from service, as the case may be, shall be treated as a working day. The date of death shall also be treated as working day.

(3) In the case of an employee who is retired prematurely or who retires voluntarily the date of retirement shall be treated as a non working day.

5. Limitation on number of pension.-----(1) An employee shall not earn two pensions in the same service or post at the same time or by the same continuous service.

(2) Except in the case of Military pensioner reemployed in the Board, a Government servant or an employee of the Board who, having retired on a

Superannuation or retiring pension, is subsequently reemployed shall not be entitled to a separate pension or gratuity for the period of his re-employment.

6. Pension subject to future good conduct.--------(1) Future Good conduct shall be an implied condition of every grant of pension and its continuance under these rules. The pension sanctioning authority, may by order in writing, withhold or withdraw a pension or part thereof, whether permanently or for a specified period, if the pensioner is convicted of a serious crime or is found guilty of grave misconduct, subject to the condition that the balance of the pension that can be drawn by such pensioner shall be the same as may be prescribed by the Central Government from time to time for its employees.

(2) A reasonable opportunity by issue of notice shall be given to the pensioner before ordering any such withholding or withdrawing of the pension.

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7. Right of Board to withhold or withdraw pension.-------(1). The Board shall have the right of withholding or withdrawing a pension or part thereof, whether permanently or for a specified period and of ordering recovery from a pension of the whole or part of any pensionery loss caused to the Board if in any department or official proceedings, the pensioner is found guilty of grave misconduct negligence during the period of the service, including service rendered upon re-employment after retirement.

(2) If the departmental proceedings are not instituted while the employee was in service, Whether before his retirement or during his re-employment, the same shall not be instituted without the sanction of the Board. No such proceedings shall be instituted in respect of any event which took place more than four years before such institution.

(3) If the Board orders recovery of pecuniary loss caused to the Board from pension, the recovery shall not ordinarily be made at a rate

exceeding one-third of the pension admissible on the date of retirement of an employee.

8. Option to the existing staff.___(1) The employees who are in service on the date of commencement of these rules shall have the option to elect to pensionery benefits under these rules or continue to be governed under the Oil Industry Development Board Employees (Contributory Provident Fund) Rules, 1978, within a period of six months from such date. The employees who do not exercise the option within that period shall be deemed to have opted to pensionery benefits under these rules.

(2) In case an employee opts for pensionery benefits, the amount standing to the credit of his account, on the date of his exercising such option, as Board's contribution to the contributory provident fund, together with interest thereon, shall be transferred back from that account to the Oil Industry Development Fund.

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9. Employees transferred from services and posts to which these rules do not apply :

(1) An employee who is transferred permanently from a service or post to which these rules do not apply shall become subject to these rules;

Provided that it shall be open to him, within six months of the date of issue the order of his permanent transfer, or if he is leave on that day, then within six months of his return from leave, whichever is later to elect to be governed by the Oil Industry Development Board Employees (Contributory Provident Fund) Rules, 1978 in respect of service rendered in the Board and by the retirement benefits to which he was subject immediately before the date of his transfer in respect of service rendered by him in the previous employment.

(2) The pensionery retirement benefits for the past service shall be regulated in accordance with the relevant orders/ instructions issued by the Central Government/ Board from time to time.

3. The option, once exercised, shall be final.

CHAPTER III

QUALIFYING SERVICE

10. Commencement of qualifying service.----(1) The qualifying service of an employee shall commence from the date he takes charge of the post on the regular establishment of the Board to which he is appointed on a regular basis.

(2) In the case of an employee belonging to Central State Government or any other public sector organisation appointed on deputation to a post under the Board is permanently transferred to a service or post to which these rules apply, the continuous service rendered under that Government/Organisation, if any, shall count as qualifying service.

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(3) All leave during service for which leave salary is payable, all extraordinary leave granted on medical certificate and all extraordinary leave granted due to inability of the employee to join or rejoin duty on account of civil commotion or for prosecuting higher technical and scientific studies, shall count as qualifying service.

11. Counting of service on contract.----(1) A person who is initially engaged by the Board on a contract for a specified period and is subsequently appointed to the same or another post on regular basis on a pensionable post without interruption of duty , may opt either__.

(a) to retain the Board's contribution to Contributory Provident Fund with interest thereon including any other benefit for that service;

OR

(b) to agree to refund to the Board or to forego the monetary benefits aforesaid and count in lieu thereof the service for which the monetary benefits may have been payable.

(2) The option shall be exercised by the concerned employee within a period of three months from the date of issue of order of appointment to a pensionable post.

(3) If no option is received within the prescribed period, the employee shall be deemed to have opted for the retention of the Contributory Provident Fund benefits payable or paid on account of service rendered on contract.

12. Counting of periods of suspension:- Time passed by an employee under suspension pending inquiry into his conduct shall count as qualifying service where, on conclusion of such inquiry, he has been fully exonerated or awarded a minor penalty or the suspension is held to be wholly unjustified. In other cases, the period of suspension shall not count unless the authority competent to pass orders under the Oil Industry Development Board Employees (Conduct, Discipline and Appeal) Rules,1988 expressly declares at that time that it shall count.

13. Counting of past service on reinstatement:-

(1) An employee who is dismissed, removed or compulsorily retired from service, but is reinstated on appeal or review, is entitled to count his past service as qualifying service.

(2) The intervening period of interruption in service including the period of suspension, if any shall not count as qualifying service unless regularised as duty or leave by a specific order of the authority which passed the order of reinstatement.

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CHAPTER IV

EMOLUMENTS AND AVERAGE EMOLUMENTS

14. Emoluments.----The term 'emoluments' means pay as defined in Oil Industry Development Board Employees (Death-cum-Retirement) Gratuity Rules, 1983, as amended from time to time, which an employee was receiving immediately before his retirement or on date of death or which he would have drawn on the date of retirement/death had he not been absent from duty on leave or under suspension followed by reinstatement without forfeiture of service on that date.

15. Average Emoluments.---(1) Average emoluments shall be determined with reference to the emoluments drawn by an employee during the last ten months of his service.

(2) If during the last ten months of his service an employee had been absent from duty on leave for which leave salary is payable or having been suspended had been reinstated without forfeiture of service, the emoluments which he could have drawn had he not been absent from duty or suspended shall be taken into account for determining the average emoluments.

CHAPTER V

CLASSES OF PENSIONS AND CONDITIONS GOVERNING OTHER GRANT

16. Superannuation pension:- A superannuation pension shall be granted to an employee who is retired on his attaining the age of superannuation.

17. Retiring pension.___A retiring pension shall be granted to an employee:-.

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(a) who retires voluntarily or is retired in advance of the age of retirement by giving the prescribed notice;

OR

(b) who, on being declared surplus, opts for voluntary retirement.

18. Invalid pension:- An invalid pension shall be granted to an employee who is declared by the Medical Officer in charge of a Government Hospital to be permanently incapacitated for further service. The amount of invalid pension shall not be less than the amount of family pension admissible under the family pension scheme.

19. Compensation pension:- Compensation pension is granted to an employee who is discharged from service on the abolition of his post when a suitable appointment of equal rank can not be found for him.

20. Compulsory Retirement Pension:- An employee compulsorily retired from service as penalty may be granted by the competent authority pension or gratuity or both at a rate not less than two-thirds and not more than full compensation pension or gratuity or both admissible to him` on the date of his compulsory retirement. The amount of pension sanctioned shall, however, not be less than one thousand two hundred seventy five only per month.

21. Compassionate Allowances:- An employee who is dismissed or removed from service shall forfeit his pension and gratuity;

Provided that the competent authority, may, if the case is deserving of special consideration, sanction a compassionate allowance not exceeding two-thirds of pension or gratuity or both, which would have been admissible to him had he retired on compensation pension :

Provided further that this allowance shall not be less than the minimum pension of one thousand two hundred seventy five only.

22. Regulation of amounts of pensions:- An employee who retires from service before completing qualifying service of ten years shall not be eligible for the payment of pension. He shall be entitled to a lump sum amount termed as 'service gratuity' calculated at a uniform rate of half month's emoluments for every completed six monthly (half year) period of service.

23. Amount of Pension:- The amount of pension and the dearness relief allowed to a retired employee and the amount of family pension or the dearness relief allowed to the family of a deceased employee or of a deceased pensioner shall be the same as may be prescribed by the Central Government for its employees from time to time.

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24. calculation of Pension:- (1) Pension shall be calculated at fifty per cent of 'average emoluments' for all cases and shall be subject to minimum and maximum amount of monthly pension before commutation, as may be prescribed by the Central Government for its employees.

(2) The amount of pension arrived at vide sub-rule (1) above shall be related to the maximum qualifying service of 33 years. For employees who have,at the time of retirement, rendered qualifying service of ten years or more but less than 33 years, the amount of their pension will be such proportion of the maximum admissible pension as the qualifying service rendered by them bears to the maximum qualifying service of 33 years.

(3) The amount of pension finally determined under these rules shall be expressed in whole rupees and where the pension contains a fraction of a rupees it shall be rounded off to the next higher rupee.

25. Retirement:- (1) The retirement of an employee from the service of the Board shall be regulated in accordance with the provisions contained in rule 16 of the Oil Industry Development Employees' (General Conditions of Service) Rules, 1984.

(2) In case any employee opts for voluntary retirement under sub-rule (4) of rule 16 of the Oil Industry Development Board Employees' (General Conditions of Service) Rules, 1984, his pension shall be based on the emoluments as defined in these rules and the increase not exceeding five years in qualifying service shall not entitle him to any notional fixation of pay for purposes of calculating pension and gratuity.

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26. Death-cum-retirement Gratuity:- In addition to pension as may be available under these rules, the employees shall be entitled to Death-cum-Retirement Gratuity in accordance with the provisions contained in the Oil Industry Development Board Employees' (Death-cum-Retirement) Gratuity Rules, 1983, as amended from time to time.

27 Family Pension:- Where an employee dies___

(a) after completion of one year of continuous service; or

(b) before completion of one year of continuous service provided the deceased employee concerned immediately prior to his appointment to the service or the post was examined by the Medical Officer in charge of a Government Hospital and declared fit by that officer for service in the Board; or

(c) after retirement from service he expired and was on the date of death in receipt of a pension ,the family of the deceased employee shall be entitled to family pension at the rates, as may be prescribed by the Central Government for its employees from time to time.

28. Family Pension._ to whom payable:- (1) The family pension shall be payable to the family of the deceased employee. 'Family' in relation to an employee means.___

(a) wife in the case of male employee;

(b) husband in the case of female employee;

(c) sons who have not attained the age of 25 years;

(d) unmarried daughters who have not attained the age of 25 years.

(2) Sons and unmarried daughters below the age of 25 years shall also include such sons and daughters who have been adopted legally before retirement.

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(3) Wife or husband shall include respectively judicially separated wife or husband.

(4) If the deceased employee/pensioner leaves behind more than one widow, the second wife will not be entitled to family pension as a legal wedded wife.

29. (1) The family pension shall be payable to only one member of the family at a time.

(2) It shall first be payable to the widow/widower till the date of her/his death or remarriage, whichever is earlier.

(3) Thereafter it shall be payable to the eligible children in the order of priority. The eligibility of unmarried daughter shall start only if the eligibility of sons is exhausted.

30. Higher scale of family pension:- (1) When an employee dies while in service after having rendered not less than seven years continuous service, the family pension payable to the family of the deceased employee shall be equal to 50 per cent of the pay last drawn by the employee or twice the family pension admissible at the normal rates, whichever is less.

(2) This higher rate of family pension shall be payable from the date following the date of death of the employee for a period of seven years or for the period upto the date on which the deceased employee would have attained the age of 65 years, had he survived whichever is less.

(3) In the even to death of an employee after retirement, the higher rate of pension as determined above shall further be restricted to the amount of pension authorised to such employee on retirement from service and shall be payable from the date following the date of death for a period of seven years or for the period upto the date on which the retired employee would have attained the age of 65 years ,if he had survive, whichever is less.

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(4) An unmarried daughter shall become ineligible for family pension from the date she gets married.

(5). The family pension payable to a son or a daughter shall be stopped if he or she starts earning his or her livelihood or attains 25 years of age whichever is earlier.

31. Admisibility of family pension to handicapped son(s)/daughter(s) even beyond the prescribed age limit:- if the son or the unmarried daughter of an employee is suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after attaining the age of 25 years, the family pension shall be payable to such son or daughter for life subject to the following conditions namely,

(i) If such son or daughter is among two or more children of the employee ,the family pension shall initially be payable to the minor children in the order set out in rule 30 until the last minor child attains the age of 25 and thereafter the family pension shall be resumed in favour of the son or daughter suffering from disorder or disability of and or who is physically crippled or disabled and or who is physically crippled or disabled and shall be payable to him/her for life;

(ii) If there are more than one such son or daughter suffering from disorder or disability of mind or who are physically crippled or disabled, the Family Pension shall be paid in the following order namely__

(a) firstly to the son, and if there are more than one son, the younger of them will get the family pension only after the life time of the elder;

(b) secondly, to the daughter, and if there are more than one daughter, the younger of them will get the family pension only after the life time of the elder;

(iii) the family pension shall be paid to such son or daughter through the guardian as if he or she were a minor;

(iv) the grant of family pension to disabled children beyond the prescribed age limit is subject to the following conditions___

(a) the disability should have manifested itself before retirement or death of the employee while in service;

(b) a daughter shall become ineligible from the date she gets married;

(c) the family pension to such disabled on or daughter shall be stopped if he or she starts earning his/her livelihood.

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CHAPTER VII

32. Procedure for authorisation of Pension.___(1) With a view to eliminating delays in the payment of superannuation pension and Retirement/Death Gratuity, a time-bound schedule for processing pension cases shall be followed to ensure that payment of superannuation pension, in all cases,commences on the first of the month in which they are due.

(2) One year in advance of the date on which the employee is due to attain the age of superannuation or the date of his anticipated retirement, if earlier the Competent Authority shall ensure the preparation of pension papers including verification of service and completion of the particulars required in Form 3. Details of Family shall be obtained in Form 1.

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(3) The period of preparatory work of one year shall be divided into the following three stages :

(i) First Stage : The service book of the retiring employee shall be gone through to ensure that the certificate of verification of service is recorded for the entire period of service and that the unverified portions of service are got verified with reference to pay rolls, acquittance rolls and other relevant record or on the basis evidence by the employee.

(ii) Second Stage: While scrutinising the certificate of verification of service in the service book of the retiring employee, and other omissions, imperfections or deficiencies which have a direct bearing on the determination of emoluments and the service qualifying for pension shall also be identified and made good. For average emoluments the correctness of the emolument drawn on to be drawn by the employee during the last ten months of service shall be taken into account but the actual verification will be done for the emoluments for the period of 24 months preceding the date of retirement of the employee.

(iii) Third Stage : Form 2 duly completed shall be obtained from the retiring employee three months before the date of retirement.

33. (1) The process of determining the qualifying service and the average emoluments and the admissible pension and gratuity shall be completed in the Board's Secretariat three months before the date of retirement of the employee.

(2) A copy of the pension calculation sheet shall be given to the retiring employee.

34. (1) After satisfactory scrutiny of the pension papers, the Competent Authority shall accord the necessary sanction for the payment of Pension.

(2) Save for good and sufficient reasons, the Accounts Officer shall issue the necessary Pension Payment Order not later than one month prior to the date of retirement.

35. Revision of pension after sanction.___(1) Subject to provisions of rule 7 of these rules a pension once sanctioned after final assessment shall not be revised to the disadvantage of the employee unless such a revision becomes necessary on account of detection of a clerical error subsequently :

Provided that no revision of pension to the disadvantage of the pensioner shall be ordered without the concurrence of the Board if the clerical error is detected after a period of two years from the date of authorisation of the pension.

(2) For the purpose of sub-rule (1), the retired employee shall be served with a notice requiring him to refund the excess payment of pension with a period of two months from the date of receipt of notice by him.

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(3) On his failure to comply with the notice, the excess payment shall be adjusted by short payments of pension in future, in one or more installments, as may be decided.

36. Determination and authorisation of Family Pension when an employee dies while in service.___(1) On receipt of intimation regarding death of an employee while in service, immediate action shall be initiated for obtaining claim of family pension from the widow or widower in Form 5.

(2) If the deceased employee is survived by only minor child/children, the guardian of the child/children can prefer the claim.

(3) In case the employee was on extraordinary a claim in the said Form on behalf of the child if the child has attained age of eighteen years and such child may himself or herself submit a claim in the said Form.

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37. Completion of Form 6.____(1). The work relating to verification of service and completion of Form 6 shall be undertaken at once in accordance with the prescribed procedure.

(2) For the purpose of determination of emoluments for family pension, the verification of correctness of emoluments shall be confined for maximum periods of one year preceding the date of death of the employee.

(3) In case the employee was on extraordinary leave on the date of death, the verification of the correctness of emoluments shall be confined for one year preceding the date of commencement of extraordinary leave.

(4) The process of determination of qualifying service and qualifying emoluments shall be completed within one month of the receipt of the intimation regarding the date of the death of employee and the amount of family pension shall be calculated accordingly.

38. Sanction of family pension in respect of deceased pensioners.___(1) On receipt of intimation regarding death of pensioner it shall be ascertained whether any family pension is payable in respect of the deceased pensioner.

(2) If the deceased pensioner is survived by a widow/widower, the amount of family pension as indicated in the Pension Payment Order shall become payable to the widow/widower from the day following the date of death of the pensioner.

(3) The payment shall commence on receipt of application from the widow/widower concerned duly supported by the death certificate.

(4) If the deceased pensioner is survived by child or children, the guardian of the child or children may submit the claim in Form 5.

(5) Son/unmarried daughter if he/she has attained the age of eighteen years may himself/herself submit a claim in Form 5.

(6) On receipt of claim, the Family Pension shall be sanctioned in Form 7 and the Pension Payment order shall be issued.

(7) If a widow or widower in receipt of family pension remarries and has child or children from the former spouse at the time of remarriage, the married individual shall be eligible to draw the family pension on behalf of such child or children if such individual continues to be the guardian of such child or children.

(8) If the remarried individual has, for any reason, ceased to be the guardian of such child or children, the family pension shall become payable to the person entitled to act as guardian of such child or children under the law for the time being in force and such person may submit a claim in Form 5 for the payment of family pension.

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(9) The guardian shall not be required to submit a claim on behalf of the son or unmarried daughter if he or she has attained the age of eighteen years and such person may himself or herself submit a daim in the said Form.

(10) On receipt of the claim referred to in sub-clause 8 and sub-clause 9, the family pension shall be sanctioned in Form 8.

CHAPTER VIII

39. Payment of Pensions :(1) A pension other than family pension shall become payable from the date on which an employee ceases to be borne on the establishment.

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(2) Pension including family pension is payable for the day on which its recipient dies.

40. All pension shall be payable in rupees in India.

41. Pension shall be fixed at monthly rates and shall be payable monthly on or after the first day of the following month.

42. A pension remaining undrawn for more than one year shall not be paid without the prior approval of the competent Authority.

43. (1) A declaration in the prescribed Form shall be obtained half-yearly from all recipients of family pension whose pensions are terminable on their marriage or remarriage.

(2) In the case of a widow recipient of family pension, the declaration referred to in sub-rule (1) shall be obtained only on the first

occasion if she undertakes to report promptly to the office in the event of her marriage.

44. A pensioner shall be identified by a comparison of his personal markes of identification as entered in the pension payment order and the signature to the receipt with the specimen signature posted on the original payment order. If a pensioner can not sign his name, his thumb impression on the receipt shall be compared with the original impression already taken on the disbursing officer's half of the pension payment order. A pensioner may also be identified on the resemblance between him and his photograph affixed to the copy of the disbursing officer's behalf of the Pension Payment Order.

45. Payment of pension shall be made by Postal Money Order at the option and expense of pensioner.

46. The payment of the pension shall be made at the office of the Board.

47. Nominations : Nominations made by an employee under the Oil Industry Development Board Employee's (Death-Cum-Retirement) Gratuity Rules, 1983 as amended from time to time shall hold good for payment of arrears of pensions :

Provided that in case an employee who is due to retire has submitted a nomination in the prescribed form in triplicate within three months before or after the date of retirement conferring on any other person the right to receive, after his death, all moneys payable to him on account of pension, or before or after the date of nomination and which remain unpaid immediately before his death, the arrears of pension shall be paid to the person so nominated.

CHAPTER IX

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Commutation of Pension

48. An employee shall be entitled to commute for lump sum payment a fraction not exceeding one-third of his pension. If fraction of pension to be commuted results in fraction of rupee, such fraction of rupee will be ignored for the purpose of commutation. However, no employee against whom departmental or judicial proceeding have been instituted before the date of his retirement or the pensioner against whom such proceedings are instituted after the date of his retirement, shall be eligible to commute a fraction of his pension/provisional pension during the pendency of such proceedings.

49. The employee shall be eligible to commute pension without medical examination.

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50. The application for commutation shall be made to the office of the Board after the date of retirement. However, if the retirement is on superannuation, the application can be submitted before the date of superannuation.

51. The applicant shall make nomination in the prescribed form, along with his application for commutation, conferring on one or more persons the right to receive the commuted value of pension in case he dies without receiving the commuted value on or after the date on which the commutation becomes absolute.

52. The commutation of pension shall become absolute on the date on which the application in the prescribed form is received in the office of the Board; and the pensioner will have no option to withdraw his application :

Provided that in the case where an employee retiring on Superannuation submits application for commutation of pension before the date

of superannuation,the commutation shall become absolute on the date following the date of retirement :

Provided further that the Board shall have no liability for the payment of commuted value of pension if the employee dies before the date of superannuation or forfeits claim to pension before such retirement.

53. The amount of commuted value of pension as finally calculated in accordance with the Table of values prescribed by the Central Government for its staff from time to time and applicable to the applicant on the date on which the commutation becomes absolute shall be rounded off to the next higher rupee.

54. An applicant who has commuted a fraction of his pension and after communication his pension has been revised and enhanced retrospectively, the applicant shall be paid the difference between the commuted value determined with reference to the enhanced pension and the commuted value already authorised. No fresh application shall be required for the payment of difference amount.

55. (1) If a pensioner dies without receiving the commuted value on or after the date on which it became absolute, the commuted value shall be paid to his nominee(s).

(2) If there is no such nomination, or if the nomination made does not subsist, the commuted value shall be paid to the family in the manner indicated in the Oil Industry Development Board Employees' (Death-cum-Retirement) Gratuity Rules, 1983.

(3) If in any case the commuted value can not be paid in the manner in sub-rules (1) and (2), the same shall be paid to his heirs.

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56. The date on which the payment of the commuted value of pension was made to the applicant shall be entered into the both halves of the Pension Payment Order.

57. Reliefs admissible to pensioners will be calculated on the original amount of pension even after commutation of a portion of the pension,

58. Commuted portion of pension shall be restored after fifteen years from the date of retirement.

CHAPTER X

Miscellaneous

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59. Payment of advances to Families of Employees who Die while in Service :____(1) The families of all regular employees who die in service (whether on duty or on leave with or without pay) will be eligible for the relief in the shape of advance limited to 3 months pay of the deceased of Rs.3000 which ever is less.

(2) The advance may on application and requisite undertaking be sanctioned by the Accounts Officer of the Board or the Competent Authority.

(3) The advance when granted, shall be adjusted against the arrears of salary due, death gratuity, provident fund accumulation or any other payments due to the deceased within a period of six months from the date of sanction.

60. Interpretation.___Where any doubt as to the interpretation of these rules ,it shall be referred to the Central Government for clarification.

61. Power to relax.___Where the Board is satisfied that the operation of any of these rules causes undue hardship in any Particular case, the Board may at its discretion, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as it may consider necessary dealing with the case in a just and equitable manner.

62. Savings.___(1) On the commencement of these rules, rule 23 of the Oil Industry Development Board Emoployees' (General Conditions of Service) Rules 1984. Shall to the extent it provides for any matter contained in these rules,be deemed to have been modified.

(2) Any matter not covered by these rules shall be regulated to the extent applicable and appropriate, in accordance with the relevant provisions contained in the Central Services (Pension) Rules, 1972, as amended from time to time.

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