

No. AI/1/8/SCTIMST/2021 (E-33242)

भारत सरकार / Government of India

विज्ञान और प्रौद्योगिकी विभाग / Department of Science & Technology

स्वायत्त संस्थान (एआई) प्रभाग / Autonomous Institutions (AI) Division

प्रौद्योगिकी भवन / Technology Bhawan,

न्यू महरौली मार्ग / New Mehrauli Road,

नई दिल्ली - 110016 / New Delhi - 110016

दिनांक: 18th April, 2024

कार्यालय ज्ञापन / OFFICE MEMORANDUM

Subject: Applicability of Payment of Gratuity Act 1972 to ABs under the Department of Science & Technology- Reg.

The undersigned is directed to refer to the above-mentioned subject and to convey that the issue of payment of gratuity to the employees covered under NPS in Autonomous Bodies under the Department of Science & Technology has been examined in consultation with Department of Expenditure (M/o Finance) and the Ministry of Labour & Employment (M/o L&E).

2. The Department of Expenditure (DoE) vide its ID Note No. 1(16)/E-V/2017 dated 13.12.2023 advised that the employees of ABs of DST, borne on NPS may be brought under Payment of Gratuity Act, 1972 in consultation with the Ministry of Labour & Employment.

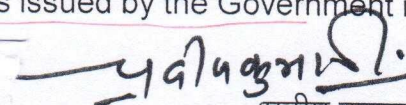
3. Further, vide OM No. Z-13025/1/2023- SS. II- Part (1) dated 15.03.2024, the M/o L&E has clarified that as per the provisions of the Payment of Gratuity Act, 1972, gratuity is mandatory to all the employees of an establishment employing ten or more persons and is not applicable to employees of Central and State Governments who are governed by any other Act or by any rules providing for payment of gratuity. Further, section 4(5) of the Payment of Gratuity Act provides that nothing in this section shall affect the right of an employee to receive better terms of gratuity under any award or agreement or contract with the employer.

4. Keeping in view the above, the benefit of the payment of gratuity under Payment of Gratuity Act, 1972 may be extended to the employees of the Autonomous Bodies under DST, who are covered under the NPS Scheme.

5. In view of the above, the Autonomous Bodies under DST are requested that the necessary action may be taken for extending the facility of the payment of gratuity under Payment of Gratuity Act, 1972 to their employees who are covered under the NPS Scheme, subject to the Limit/ Rules/ Guidelines issued by the Government in this regard.

To

All Directors/ Presidents/CEOs (As per list enclosed)
Autonomous Bodies under Department of Science & Technology


(प्रदीप कुमार सिंह)
निदेशक, भारत सरकार

Government of India
Ministry of Finance
Department of Expenditure
E-V Branch

Department of Science and Technology (DST) may please refer to their proposal recorded in their E-Office File No. AI/1/8/SCTIMST/2021 (Computer No. 300563627) seeking ex-post facto approval for extending the benefit of Death/retirement gratuity to the employees of ABs under NPS, pursuant to DoP&PW's OM dated 26.08.2016.

2. In this context it is informed that the employees of Autonomous Bodies of DST, borne on NPS may be brought under Payment of Gratuity Act, 1972 in consultation with the Ministry of Labour & Employment, including the 05 ABs who have already adopted for Gratuity scheme in terms of OM dated 26.08.2016 of DoP&PW.

3. This issues with the approval of Competent Authority.

Ranjeet
13/12/2023

(Ranjeet Kumar)

Under Secretary

Tele: 2309 5633

**DST (Kind Attn: Shri Vishvajit Sahay, AS & FA), Technology Bhawan,
New Mehrauli Road, New Delhi-110016**

D/o Expenditure's I.D. Note No. 1(16)/E-V/2017, dated 13.12.2023