



जवाहरलाल स्नातकोत्तर आयुर्विज्ञान शिक्षा एवं अनुसंधान संस्थान
JAWAHARLAL INSTITUTE OF POST GRADUATE MEDICAL EDUCATION & RESEARCH
(स्वास्थ्य एवं परिवार कल्याण मंत्रालय, भारत सरकार के अधीन राष्ट्रीय महत्व का संस्थान)
(An Institution of National Importance under Ministry of Health & Family welfare)
Government of India

धन्वंतरि नगर, पुदुच्चेरी / Dhanwantari Nagar, Puducherry- 605 006
Website: www.jipmer.edu.in Phone: 0413-2296022 Fax: 0413-2272067-2272735



Admn.I.8(125)/2023

Dated : 16 DEC 2023

OFFICE MEMORANDUM

- Sub:** Payment of Gratuity to pro-rata pensioners and new entrants who joined in JIPMER on or after 01.01.2004 (under NPS) – Reg.
- Ref:** 1. MoH&FW (INI-II Section) letter No.Z.16013/71/2019-INI-II dated 01.12.2023 (Copy enclosed)
2. Ministry of Labour and Employment, Govt. of India letter No.Z-13025/1/2023-SS.II-Part (1) dated 01.11.2023 (Copy enclosed).
- *****

With reference to the above, the Ministry of Health and Family Welfare, Government of India, vide its communication in Z.16013/71/2019-INI-II dated 01.12.2023, has approved payment of gratuity to pro-rata pensioners and new entrants who joined in JIPMER on or after 01.01.2004 (under NPS) under the provisions of Payment of Gratuity Act 1972. The cases of payment of gratuity falling under the said categories shall, therefore be processed as per the provisions of the Payment of Gratuity Act, 1972. It may be noted that calculation of gratuity under this Act differs from the procedure that we usually follow for persons in old pension scheme.

Encls : As stated above.

To

Pension cell

JIPMER, Puducherry

Copy to:

1. PS to Director/M.S./Dean (Academic)/Dean (R)/DDA
2. PA to Sr. Accounts Officer/Sr. Admn. Officer
3. DDO/Asst. Accounts Officers/Admn. Officers
4. Accounts Section/Pay Bills Section (Gez & Non-Gez)/NPS Section/Pension Cell/ Admn-III (A) & (B) Sections.
5. IT Wing – To upload in JIPMER website.
6. OIC Hindi Cell – To translate in English version and upload in JIPMER website.


(Hawa Singh)
Senior Administrative Officer
वरिष्ठ प्रशासनिक अधिकारी / Senior Administrative Officer
जिपमेर, पुदुच्चेरी / JIPMER, Puducherry

Z.16013/71/2019-INI.II
Government of India
Ministry of Health & Family Welfare
(INI-II Section)

Nirman Bhawan, New Delhi,
Dated: the 01-12-2023

To,

The Director,
Jawaharlal Institute of Postgraduate Medical Education and Research,
Gorimedu, Puducherry- 605006

Sub: Payment of gratuity to pro-rata pensioners and new entrants who joined JIPMER on or after 01/01/2004 (under NPS) as per provisions of payment of Gratuity Act, 1972 - Reg.

Sir,

I am directed to refer to the Institute's letter No. JIP/Dir/33/Min/2023 dated 03.04.2023 on the subject mentioned above and to say that the proposal has been examined in this Ministry in consultation with Ministry of Labour & Employment.

2. Ministry of Labour & Employment vide their OM No. Z-13025/1/2023-SS.II-Part(1) dated 01.11.2023 (Copy enclosed) has cited the provisions and rule position, and it has been mentioned that as per Notification No. S.O. 1080 dated 03.04.1997, the applicability of the Payment of Gratuity Act has been extended to all educational institutions in which ten or more persons are employed.

3. Further, as the said Act does not have provisions for different set/ category/ class of employees, therefore no separate notification/ order is required by the Ministry for applicability of the said Act (in case of NPS employees). It is therefore requested to kindly take appropriate action in the matter.

Yours faithfully,

Signed by

Amit Kumar

(Amit Kumar)

Under Secretary to the Govt of India

Date: 01-12-2023 11:27:24
Tel:23061875

Encl: As above.

Copy to:

- 1)- Director, PGIMER, Chandigarh- for information and further necessary action.
- 2) Director, PMSSY

No. Z-13025/1/2023-SS.II-Part(1)

Government of India (भारत सरकार)

Ministry of Labour and Employment (श्रम एवं रोजगार मंत्रालय)

Shram Shakti Bhawan, Rafi Marg,
New Delhi, dated: 1st November, 2023

OFFICE MEMORANDUM

Subject: Applicability of the provisions of the Payment of Gratuity Act, 1972 to JIPMER, an Autonomous Body under the Ministry of Health and Family Welfare for the employees covered under NPS – regarding.

The undersigned is directed to refer to the Ministry of Health and Family Welfare's e-file No.15-2/2022-TC dated 15.09.2022 on the subject mentioned above and to say that the matter has been examined in the Ministry of Labour and Employment in consultation with the Office of Chief Labour Commissioner (Central). As may be observed from the provisions under Section 2 of the Payment of Gratuity Act, 1972 that it applies to;

- a. every factory, mine, oilfield, plantation, port and railway company;
- b. every shop or establishment within the meaning of any law for the time being in force in relation to shops and establishments in a State, in which ten or more persons are employed, or were employed, on any day of the preceding twelve months; and
- c. such other establishments or class of establishments, in which ten or more employees are employed, or were employed, or, any day of the preceding twelve months, as the Central Government may, by notification, specify in this behalf.

2. Further, as per Section 2(e) of the Payment of Gratuity Act "employee" means any person other than an apprentice employed on wages, in any establishment, factory, mine, oilfield, plantation, port, railway company or shop, to do any skilled, semi-skilled, or unskilled, manual, supervisory, technical or clerical work, whether the terms of such employment are express or implied, and whether or not such person is employed in a managerial or administrative capacity, but does not include any such person who holds a post under the Central Government or a State Government and is governed by any other Act or by any rules providing for payment of gratuity.

3. The attention may also be invited to the Notification No. S.O. 1080 dated 03.04.1997, vide which the applicability of the Act was also extended to the educational institutions in which ten or more persons are employed (Copy enclosed).

4. It may also be added that the section 4(5) of the PG 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."

5. The Ministry of Health and Family Welfare may accordingly take appropriate decision in the matter regarding applicability of the Act to its organisation under reference.

Encl: As above.



(D. M. Khare)

Under Secretary to the Govt. of India

Tel.:- 23769603

To,

Ministry of Health and Family Welfare,
[Kind Attn.: Ms. Priyadarshika Srivastava, Director]
Nirman Bhavan,
New Delhi-110011.