



केन्द्रीय विद्यालय संगठन/ Kendriya Vidyalaya Sangathan  
18, संस्थानिक क्षेत्र/ 18, Institutional Area  
शहीद जीत सिंह मार्ग / Shaheed Jeet Singh Marg  
नई दिल्ली-16/ New Delhi - 16  
011-26858570

फ.स.110239/51/2018/बजट /केवीएस(मुख्या.)

दिनांक:08.10.18

भारत सरकार द्वारा जारी निम्न वर्णित कार्यालय ज्ञापन / आदेश, सूचना एवं आवश्यक कार्यवाई हेतु केन्द्रीय विद्यालय संगठन की वेबसाइट पर अपलोड किये जा रहे हैं।

1. G.I., Dept. of Per. & Trg., Notfn.No.F.No.11012/10/2016-Estt.A-III, dated 9-8-2018 regarding classification of posts - CCS(CCA)Rules,1965.
2. G.I.,M.F., O.M.No.F.No.G-25014/50/15/MF.CGA/IAD/300-339 dated 12.7.2018 regarding Verification/reconciliation of GPF withdrawals/advances and maintenance of manual GPF ledgers and broadsheets.
3. G.I.,M.F., Resoln.No.F.No.5(1)-B(PD)/2018, dated 17-7-2018 regarding interest for the year 2018-2019- GPF and other similar funds.
4. G.I.,MHUA., O.M.No.1-17011/6(3)/13/2018-H.III, dated 1-8-2018, clarifications regarding House Building Advance.
5. G.I.,M.H. & F.W., O.m.No.S.14021/07/2018-EHS, dated 3-7-2018 regarding Recognition of Nayati Multi Super Specialty Hospital, Mathura for treatment of Central Government employees under CS(MA)Rules, 1944.
6. G.I., M.H. & F.W., O.M.No.Misc. 12014/2005/CGHS(R&H), dated 9-7-2018 regarding Permission/Approval for reimbursement of cost of Neuro-Implants, viz., Deep Brain stimulation implants, Intra-theal Baclofen Pump, Intra-theal Morphine pump and spinal Cord stimulators for CGHS/CS(MA) beneficiaries.
7. G.I.,M.H.&F.W., O.M.No.Z15025/64/2018/DIR/CGHS, dated 18-7-2018 regarding Clarification of the guidelines issued regarding simplification of referral system under CGHS.(Sl.No.148 page-27)
8. G.I., CGHS, Meerut O.M.No.29-11/2018-CGHS/MRT/Estt./Hospital Cell, dated 30-7-2018 regarding notification of fresh empanelment of Private Hospitals and Diagnostic Centres under continuous Empanelment Scheme,2017 of CGHS, Meerut.
9. G.I., M.H. & f.W.,O.M.No.Z15025/64/2018/DIR/CGHS dated 31.7.2018 Clarification/modifications of the guidelines issued regarding simplification of referral system under CGHS vide O.M.No.Z 15025/117/2017/DIR/CGHS, dated 15-1-2018.

- 10.G.I.,M.H.& F.W.,O.M.No.S-11011/29/2018 CGHS(HEC)/DIR/CGHS, dated 6-8-2018 regarding Revision of ceiling rates for reimbursement of the cost of Cardiac pacemaker, AICD, Combo-device, Rotablator and Aortic Stent Graft for beneficiaries of CGHS/CS(MA)Rules.
- 11.G.I.M.F.,O.M.No.28/1/2017-E.II(B), dated 14-8-2018 regarding Grant of additional HRA to the civilian employees of the Central Government serving in the states of North-eastern region, Andaman and Nicobar Islands, Lakshadweep Islands and Ladakh.
- 12.G.I.M.F.O.M.No.F.No.4-21/2017-IC/E.III(A), dated 31-7-2018 regarding Date of next increment – Rule 10 of CCS(revised Pay) rules, 2016.
- 13.G.I. Dept. of Pen. & P.W., O.M.No.F.No.42/06/2018-P&PW(G) dated 19-4-2018 regarding Grant of Dearness Relief in the Fifth CPC series effective from 1-1-2018 to CPF beneficiaries in receipt of ex gratia payment.
- 14.G.I.,Ministry of Law and Justice, Act No.16 of 2018 dated 26.7.2018 regarding Amendment to the Prevention of Corruption Act,1988.
- 15.G.I.,Dept. of Per. & Trg., Notfn.No.428/03/2016-AVD-IV(B) dated 26-7-2018 regarding amendment to the Prevention of Corruption Act,1988.



(संजय कुमार)

सहायक आयुक्त(वित्त)

प्रतिलिपि :

1. उपायुक्त, के. वी. एस. , सभी क्षेत्रीय कार्यालय।
2. वित्त अधिकारी , के. वी. एस. , सभी क्षेत्रीय कार्यालय।
3. सभी अधिकारी / अनुभाग , के. वी. एस. (मु. )।
4. प्राचार्य , के. वी. काठमांडू , मास्को एवं तेहरान ।
5. महासचिव , सभी मान्य संघ ।
6. निदेशक , जीट ग्वालियर , मुंबई , मैसूर , चंडीगढ़ एवं भूबनेश्वर।
7. उपायुक्त, ई डी पी , के वी एस (मु.) को इस निवेदन के साथ की पत्र को के वी एस (मु.) की वैबसाइट के शीर्ष "सूचना पट(Announcements) " के अंतर्गत अपलोड करें ।
8. आर टी आई , के वी एस (मु.)।
9. गार्ड फ़ाइल

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

ORDER

New Delhi, the 9th August, 2018

S.O. 3964(E).—In exercise of the powers conferred by the proviso to article 309 of the Constitution read with rule 6 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 and in supersession of the notification of the Government of India in the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) number S.O. 3578(E), dated the 9<sup>th</sup> November, 2017, and after consultation with the Comptroller and Auditor General of India in relation to person serving in the Indian Audit and Accounts Department, except as respects things done or omitted to be done before such supersession, the President hereby directs that with effect from the date of publication of this Order in the Official Gazette, all civil posts under the Union, shall be classified as follows:-

S.No.	Description of Posts	Classification of posts
(1)	(2)	(3)
1.	A Central Civil Post carrying the pay in the Pay Matrix at the Level from 10 to 18.	Group A
2.	A Central Civil Post carrying the pay in the Pay Matrix at the Level from 6 to 9.	Group B
3.	A Central Civil Post carrying the pay in the Pay Matrix at the Level from 1 to 5.	Group C

Explanation.—For the purpose of this Order, 'Level' in relation to a post means, the Level specified in third row of Part A of the Schedule to the Central Civil Services (Revised Pay) Rules, 2016.

[F. No. 11012/10/2016-Estt.A-III]  
GYANENDRA DEV TRIPATHI, Jt. Secy.

**File No.G.25014/50/15/MF.CGA/IAD/300- 339**

**GOVERNMENT OF INDIA  
MINISTRY OF FINANCE,  
DEPARTMENT OF EXPENDITURE,  
CONTROLLER GENERAL OF ACCOUNTS  
MAHALEKHA NIYANTRAK BHAWAN,  
E-BLOCK, GPO COMPLEX, NEW DELHI**

Dated 12.07.2018

**OFFICE MEMORANDUM**

**Subject: Verification/reconciliation of GPF  
withdrawals/advances and maintenance of manual GPF  
ledgers and broadsheets – Regarding**

Recently, a few instances have come to the notice of this office wherein GPF withdrawals/advances were paid to government employees without making necessary entries by the DDOs in GPF Ledger/PBR/LPC etc. and 'NIL' withdrawal certificates were issued to PAOs for final payments/transfer of GPF balances. This is a serious breach of laid down procedures to be followed for processing of GPF payments and maintenance of related accounts. In this context, the following existing guidelines are reiterated for compliance by the PAOs/DDOs and Merged DDOs:-

**(a) For Cheque Drawing DDOs/PAOs: –**

(i) The CDDOs of the Ministries/Departments are authorized to make payment of advances out of GPF after sanction of the competent authority. A copy of the sanction is to be endorsed by the CDDO to PAO. On receipt of the sanction, the full particulars of the sanction shall be noted by the PAO in the GPF ledger folio of the employee. The CDDO is also required to forward the receipt of the amounts paid along with the particulars

of the subscribers, account numbers and particulars of sanction etc. to the PAO every month. The PAO shall keep a watch on this to enable him, and ensure that the debit vouchers are received and posted in the accounts of the subscribers. The debits which are to be adjusted by AOs of the other Departments/Governments are passed on to them immediately.

(ii) Final withdrawal of the entire balance in the account at the time of quitting the service shall be authorized and paid only after pre-check by the PAO. The settlement of final payment cases will be watched through a Register of Final Payment Cases in Form CAM-51. Also in the case of final withdrawal of part of the GPF balance for specific purpose, the payments shall be made only after pre-check by the PAO.

**(b) For Merged DDOs/PAOs: –**

Under the Merged DDO scheme, the responsibility for the maintenance of GPF accounts of the staff is now with the Merged DDOs. The records maintained by the Merged DDO have become full-fledged accounts records, eliminating the need for maintenance of duplicate accounts records in the Pay & Accounts Office. The Pay Bill Register maintained by the Merged DDO itself takes the place of detailed ledger for the account of GPF, advances etc. Merged DDO shall ensure proper maintenance of the PBR and correct recording of entries of GPF subscription and advances. Detailed instructions relating to payment of temporary advances, part- final withdrawals, final withdrawals and transfer of GPF balances in respect of staff under the jurisdiction of Merged DDOs and reconciliation of GPF balances maintained by the Merged DDOs are contained in Para 6.11 of the Civil Accounts Manual for compliance by the Merged DDOs and their PAOs.

**c. Maintenance of Manual GPF Ledger/Broadsheet for GPF and Reconciliation of Balances:-**

The maintenance of manual GPF Ledger and Broadsheet is ensured by the PAOs as per codal provisions even after switching over to COMPACT/any other software utilities. The GPF ledger and broadsheets figures are also to be reconciled with accounts figures on monthly basis and mismatch, if any, is to be settled in subsequent month.

2. All the Pay & Accounts Officers shall carry out a complete review of GPF payments made during **at least the last three years** in all the Civil Ministries/Departments and submit necessary report with status report on maintenance of GPF ledger accounts, GPF Broadsheet and requisite related records by the PAOs/DDOs. This exercise should be completed by 30<sup>th</sup> September, 2018.

3. The Internal Audit Wings of the Ministries/Departments shall include the check points relating to maintenance and reconciliations of GPF accounts in their checklist while conducting the Internal Audit of the PAOs/CDDOs/CDDOs/Merged DDOs etc.

This issues with the approval of Joint Controller General of Accounts (IAD).

New Delhi, the 17<sup>th</sup> July, 2018

**RESOLUTION**

It is announced for general information that during the year 2018-2019, accumulations at the credit of subscribers to the General Provident Fund and other similar funds shall carry interest at the rate of 7.6% (Seven point six percent) w.e.f. 1st July, 2018 to 30th September, 2018. This rate will be in force w.e.f. 1st July, 2018. The funds concerned are:

1. The General Provident Fund (Central Services).
2. The Contributory Provident Fund (India).
3. The All India Services Provident Fund.
4. The State Railway Provident Fund.
5. The General Provident Fund (Defence Services).
6. The Indian Ordnance Department Provident Fund.
7. The Indian Ordnance Factories Workmen's Provident Fund.
8. The Indian Naval Dockyard Workmen's Provident Fund.
9. The Defence Services Officers Provident Fund.
10. The Armed Forces Personnel Provident Fund.

2. Ordered that the Resolution be published in Gazette of India.

  
(Anjana Vastishtha)  
Deputy Secretary (Budget)

To,

The Manager, (Technical Branch)  
Government of India Press, Mayapuri, Delhi.

F.No.5(1)-B(PD)/2018

Copy forwarded to all Ministries/Departments of Government of India, President's Secretariat, Vice-President's Secretariat, Prime Minister's Office, Lok Sabha Secretariat, Rajya Sabha Secretariat, Cabinet Secretariat, Union Public Service Commission, Supreme Court, Election Commission and NITI Aayog.

Copy also forwarded to :—

1. Comptroller & Auditor General of India and all offices under his control.
2. Chairman, Pension Fund Regulatory and Development Authority.
3. Controller General of Accounts (10 copies).
4. Ministry of Personnel Public Grievances and Pension (Pension Unit/All India Services Division).
5. Financial Adviser of Ministries/Departments (6 copies).
6. Chief Controller of Accounts/Controller of Accounts of Ministries/Departments.
7. Controller General of Defence Accounts.
8. Finance Secretary of all State Governments and Union Territories.
9. Secretary to Governors/Lt. Governors of all States/Union Territories.
10. Secretary Staff Side, National Council of JCM.
11. All Members, Staff Side, National Council of JCM.
12. NIC - For uploading on webhost.

  
(A.S. Chowdhury)  
Under Secretary (Budget)

I-17011/6(3)/13/2018-H.III  
Government of India  
Ministry of Housing & Urban Affairs  
Housing-III Section  
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Nirman Bhawan, New Delhi,  
Dated 1 .08.2018.

**OFFICE MEMORANDUM**

**Subject: Clarifications regarding House Building Advance – reg.**

The undersigned is directed to say that in partial modification to the Ministry of Housing & Urban Affairs OM No. I.17011/11(4)/2016-H.III dated 09.11.2017 regarding House Building Advance Rules – 2017, the competent authority has approved to modify the provision of para 2(i) in place of the existing provision.

2. Para 2(i) may be read as under:

*"Constructing a new house on the plot owned by the employee or the employee and the employee's wife/husband jointly with the clear title of the plot".*

3. All the other existing provisions in the said OM of even no. dated 09.11.2017 shall remain same.

  
(Shailendra Vikram Singh)  
Director (IFD)  
Tel:011-23062798

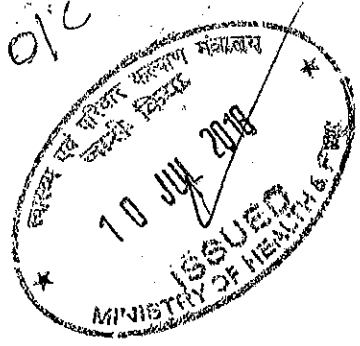
To

1. All the Central Government Offices/ Departments.
2. Copy to NIC to upload in the Ministry website.



साधारण डाक द्वारा  
BY ORDINARY POST

7



No. S.14021/07/2018-EHS  
Government of India  
Ministry of Health & Family Welfare  
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Nirman Bhavan, New Delhi-110011  
Dated: 3 July, 2018

OFFICE MEMORANDUM

Sub: Recognition of Nayati Multi Super Specialty Hospital, Mathura for treatment of Central Government employees under CS (MA) Rules, 1944.

The undersigned is directed to say that the proposal received for recognition of Nayati Multi Super Specialty Hospital, Mathura for treatment of Central Government Employees and their family members under Central Services (Medical Attendance) Rules, 1944 has been examined in this Ministry and found to be in order. It has been decided to grant recognition to the Nayati Multi Super Specialty Hospital, Mathura under CS (MA) Rules, 1944.

2. The Schedule of charges for the treatment of Central Government Employees and the members of their family under the CS (MA) Rules, 1944, will be the rates fixed for CGHS Non-NABH, Delhi rates. The approved rates are available on the website of CGHS (<http://msotransparent.nic.in/cghsnew/index.asp>) and may be downloaded/printed.

3. The undersigned is further directed to clarify as under:-

- (a) "Package Rate" shall mean and include lump sum cost of in-patient treatment/day care/diagnostic procedure for which a CS(MA) beneficiary has been permitted by the competent authority or for treatment under emergency from the time of admission to the time of discharge, including (but not limited to)-(i) Registration charges, (ii) Admission charges, (iii) Accommodation charges including patient's diet, (iv) Operation charges, (v) Injection charges, (vi) Dressing charges, (vii) Doctor/consultant visit charges, (viii) ICU/CCU charges, (ix) Monitoring charges, (x) Transfusion charges, (xi) Anesthesia charges, (xii) Operation theatre charges, (xiii) Procedural charges / Surgeon's fee, (xiv) Cost of surgical disposables and all sundries used during hospitalization, (xv) Cost of medicines, (xvi) Related routine and essential investigations, (xvii) Physiotherapy charges etc, (xviii) Nursing care and charges for its services.
- (b) Cost of Implants is reimbursable in addition to package rates as per CGHS ceiling rates for implants.
- (c) Treatment charges for new born baby are separately reimbursable in addition to delivery charges for mother.
- (d) Nayati Multi Super Specialty Hospital, Mathura shall not charge more than the package rates fixed for CGHS Non-NABH, Delhi rates.
- (e) Expenses on toiletries, cosmetics, telephone bills etc. are not reimbursable and are not included in package rates.

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4. Package rates envisage duration of indoor treatment as follows:

- Up to 12 days: for Specialized (Super Specialities) treatment
- Up to 7 days: for other Major Surgeries
- Up to 3 days: for Laparoscopic surgeries/normal Deliveries
- 1 day: for day care/Minor (OPD) surgeries.

No additional charge on account of extended period of stay shall be allowed if that extension is due to infection on the consequences of surgical procedure or due to any improper procedure and is not justified.

In case, there are no CGHS prescribed rates for any test/procedure, then AIIMS rates are applicable. If there are no AIIMS rates, then reimbursement is to be arrived at by calculating admissible amount item-wise (e.g. room rent, investigations, cost of medicines, procedure charges etc) as per approved rates/actually, in case of investigations.

5. (a) CS (MA) beneficiaries are entitled to facilities of private, semi-private or general ward depending on their basic pay. The entitlement is as follows:-

S.No.	Corresponding Basic Pay drawn by the officer in 7 <sup>th</sup> CPC per month	Ward Entitlement
1.	Upto Rs. 47,600/-	General Ward
2.	Rs. 47,601/- to 63,100/-	Semi-Private Ward
3.	Rs. 63,101/- and above	Private Ward

(b) The package rates given in rate list of CGHS are for semi-private ward.

(c) The package rates prescribed are for semi-private ward. If the beneficiary is entitled for general ward there will be a decrease of 10% in the rates; for private ward entitlement there will be an increase of 15%. However, the rates shall be same for investigation irrespective of entitlement, whether the patient is admitted or not and the test, per-se, does not require admission.

6. The hospital shall charge from the beneficiary as per the CGHS/Nor-NABH Delhi prescribed rates or its own rate list whichever is lower.

7. (a) The maximum room rent admissible for different categories would be:

General ward	Rs. 1000/- per day
Semi-private ward	Rs. 2000/- per day
Private ward	Rs. 3000/- per day
Day care (6 to 8 Hrs.)	Rs. 500/- (same for all categories)

(b) Room rent mentioned above at (a) above is applicable only for treatment procedures for which there is no CGHS prescribed package rate.

Room rent will include charges for occupation of bed, diet for the patient, charges for water and electricity supply, linen charges, nursing charges and routine up keeping.

(c) During the treatment in ICCU/ICU, no separate room rent will be admissible.

(d) Private ward is defined as a hospital room where single patient is accommodated and which has an attached toilet (lavatory and bath). The room should have furnishings like wardrobe, dressing table, bedside table, sofa set, etc. as well as a bed for attendant. The room has to be air-conditioned.

(e) Semi Private ward is defined as a hospital room where two to three patients are accommodated and which has attached toilet facilities and necessary furnishings.

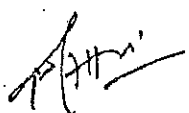
(f) General ward is defined as hall that accommodates four to ten patients.

(g) Normally the treatment in higher category of accommodation than the entitled category is not permissible. However, in case of an emergency when the entitled category accommodation is not available, admission in the immediate higher category may be allowed till the entitled category accommodation becomes available. However, if a particular hospital does not have the ward as per entitlement of beneficiary, then the hospital can only bill as per entitlement of the beneficiary even though the treatment was given in higher type of ward.

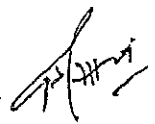
If, on the request of the beneficiary, treatment is provided in a higher category of ward, then the expenditure over and above entitlement will have to be borne by the beneficiary.

8. In case of non-emergencies, the beneficiary shall have the option of availing specific treatment/investigation from any of the empanelled hospitals of his/her choice (provided the hospital is recognized for that treatment procedure/test), after the specific treatment/investigation has been advised by Authorized Medical Attendant and on production of valid ID card and permission letter from his/her concerned Ministry/Department.
9. The hospital shall honour permission letter issued by competent authority and provide treatment/investigation facilities as specified in the permission letter.
10. The hospital shall also provide treatment/investigation facilities to the CGHS beneficiaries and their eligible dependent family members at its own rates or rates approved under CS (MA) Rules, whichever is lower. The hospital shall provide treatment to pensioner CGHS beneficiaries after authentication through verification of valid CGHS Cards.
11. However, pensioner CGHS beneficiaries would make payment for the medical treatment at approved rates as mentioned above and submit the medical reimbursement claim to the Addl. Director, CGHS through the CMO i/c of the CGHS Wellness Centre, where the CGHS Card of the beneficiary is registered.
12. In case of emergencies, the beneficiary shall have the option of availing specific treatment/investigation from any of the empanelled hospitals of his/her choice (provided the hospital is recognized for that treatment procedure/test), on production of valid ID card, issued by competent authority.
13. During the in-patient treatment of the CS (MA) beneficiary, the Hospital will not ask the beneficiary or his attendant to purchase separately the medicines/sundries/equipment or accessories from outside and will provide the treatment within the package rate, fixed by the CGHS which includes the cost of all the items.

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- 14. In case of treatment taken in emergency in any non-recognized private hospitals, reimbursement shall be considered by competent authority at CGHS prescribed Package/rates only.
- 15. If one or more minor procedures form part of a major treatment procedure, then package charges would be permissible for major procedure and only 50% of charges for minor procedure.
- 16. The Hospital shall agree for conducting all investigation/diagnostic tests/consultations etc. of the Central Civil Services Group "A" Officers of age of 40 years and above and other categories of CGHS/CS (MA) beneficiaries as specified by government from time to time as per prescribed protocol as per Annexure, subject to the condition that the hospital shall not charge more than Rs. 2000/- for conducting the prescribed medical examination of the male officers and Rs. 2200 for female officers of Central Government who come to the hospital/institution with the requisite permission letter from their Ministry/Department/Competent authority. The above rates for medical examination are valid until such time when the above rates are revised by the Central Government."
- 17. Any legal liability arising out of such services shall be the sole responsibility and shall be dealt with by the concerned empanelled hospital. Services will be provided by the Hospital as per the terms given above.
- 18. Ministry of Health & Family Welfare reserves the right to withdraw/cancel the above recognition without assigning any reason.
- 19. The order takes effect from the date of issue of the O.M. The hospital stands recognized under CS (MA) Rules, 1944 for a period of 4 (four) years from the date of issue of this O.M.
- 20. The authorities of Nayati Multi Super Specialty Hospital, Mathura will have to enter into an agreement with the Government of India to the effect that the Hospital will charge from the Central Government employees at the rates fixed by the Government and they will have to sign a Memorandum of Understanding (MoU) within a period of 3 months from the date of issue of the above mentioned OM failing which the Hospital will be derecognized (Two original copies of MoU printed on the stamp paper and duly signed by the Hospital to be sent for acceptance). Subject to above, the Hospital can start treating Central Government employees covered under CS (MA) Rules, 1944.
- 21. A communication in acceptance of the Para 20 above may be sent to the undersigned within a week from the receipt of this Office Memorandum.




(Rajeev Attri)  
 Under Secretary to the Government of India  
 Tele: 23061883



Government of India  
 Ministry of Health and Family Welfare  
 Department of Health & Family Welfare  
 Directorate General of CGHS

No: Misc.12014/2005/CGHS(R&H)


Nirman Bhawan, New Delhi  
Dated the 9<sup>th</sup> July, 2018

OFFICE MEMORANDUM

**Subject :-** Permission /Approval for reimbursement of cost of Neuro-implants, viz., Deep Brain Stimulation implants, Intra-theal Baclofen Pump, Intra-theal Morphine Pump and Spinal Cord stimulators for CGHS/CS(MA) beneficiaries

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With reference to the above subject the undersigned is directed to draw attention to the Office Memoranda of even Number dated 23/06/2006 and 4/12/2008 and OM No.S.3849/09/CGHS(R&H)-CGHS(P) dated 8/12/2014 vide which the rates and guidelines for Permission /Approval for reimbursement of cost of Neuro-implants, viz., Deep Brain Stimulation implants, Intra-theal Baclofen Pump, Intra-theal Morphine Pump and Spinal Cord stimulators for CGHS/CS(MA) beneficiaries were notified and to convey the approval of competent authority to allow reimbursement of cost of the above mentioned neuro-implants under CGHS/CS(MA) Rules at the same ceiling rates and guidelines and conditions till the rates for the above mentioned implants are notified by National Pharmaceutical Pricing Authority (NPPA).

  
 (Bindu Tewari)  
 Director (EHS)

1. All Ministries / Departments, Government of India
2. Director, CGHS, Nirman Bhawan, New Delhi
3. Estt.I/ Estt.III/ Estt.III/ Estt.IV Sections, Ministry of Health & Family Welfare
4. Admn.I / Admn.II Sections of Dte.GHS
5. Rajya Sabha / Lok Sabha Secretariat



Z 15025/64/2018/DIR/CGHS  
Government of India  
Ministry of Health & Family Welfare  
Department of Health & Family Welfare

545-A Nirman Bhawan, New Delhi  
Dated the 18 July, 2018.

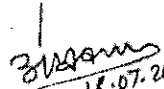
OFFICE MEMORANDUM

Sub: Clarification of the guidelines issued regarding simplification of referral system under CGHS

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With reference to the above mentioned subject the undersigned is directed to draw attention to the guidelines issued vide Office Memoranda Z 15025/105/2017/DIR/CGHS dt. 09/11/2017 and Z 15025/117/2017/DIR/CGHS dt. 15/01/2018 and to state that complaints have been received that some of the Hospitals and diagnostic centres empanelled under CGHS are insisting on a permission letter. It is therefore, once again reiterated that once a specific listed treatment procedure / investigation has been advised by Govt. Specialist /CGHS Medical Officer, no other permission letter is required and the hospitals and diagnostic centres shall not insist on permission letter.

Such treatments / investigations shall be provided on cashless basis in respect of pensioners, ex-MPs, Freedom Fighters, Hon'ble Members of Parliament (Rajya Sabha) and Hon'ble Members of Parliament (Lok Sabha) and other categories of CGHS beneficiaries, who are presently eligible for credit facility and the empanelled Hospitals and diagnostic centres shall not ask for any permission letter separately.

  
18.07.2018  
[ Dr Atul Prakash ]  
Director, CGHS

To:

- 1 All Hospitals and diagnostic centres empanelled under CGHS through the Addl. Director, CGHS of concerned CGHS City
- 3 Addl. Director, CGHS(HQ) / Adl.DDG(HQ)/All Additional Directors of CGHS
- 4 Director, EHS, MoHFW
- 5 PS to AS&DG, CGHS, MoHFW

Copy for information to

Director, Rajya Sabha Secretariat, Parliament House Annexe, New Delhi-110001 w.r.t. letter No RS.21(ii)/2017-MA dt 09.07.2018

कार्यालय अपर निदेशक  
केंद्रीय सरकार स्वास्थ्य योजना  
स्वास्थ्य भवन, सूरज कुण्ड रोड, मेरठ  
फोन नं. 0121-2601426 फैक्स नं. 0121-2762890



OFFICE OF THE ADDITIONAL DIRECTOR  
CENTRAL GOVERNMENT HEALTH SCHEME  
SURAJ KUND ROAD, MEERUT  
E-mail: adm Meerut-cghs@nic.in, cghs\_mrt@yahoo.co.in  
Tel. NO. 0121-2601426, Fax. 0121-2762890

No. 29-11/2018-CGHS/MRT/ESTT/Hospital Cell

Dated: 30-07-2018

**OFFICE MEMORANDUM**

Sub: Notification of Fresh empanelment of Private Hospitals & Diagnostic Centers under continuous empanelment scheme 2017 of CGHS, Meerut

As per Empanelment of private hospitals, exclusive eye hospitals / centres, exclusive Dental clinic, cancer hospitals / units, diagnostic laboratories and imaging centres under CGHS-2017 and last date of application submission on 29-06-2018 for continuous fresh empanelment of Private Hospitals & Diagnostic Centers under CGHS Meerut, a committee was formed with two CMO (SAG) & Office Superintendent headed by then Additional Director (Dr. Atul Prakash). Inspection for authentication of documents submitted was carried out by Office Superintendent CGHS Meerut & three CMO (SAG), CGHS Meerut. The qualified list of Hospital is according to category and purpose attached as given below (on the recommendation of Hospital Evaluation Committee) up to 30-09-2018 or Fresh Empanelment whichever is earlier.

1. The Hospital who have qualified for empanelment under CGHS, Meerut have submitted the Draft MOA with CGHS along with performance Bank Guarantee and are approved for empanelment of Private Hospitals under CGHS, Meerut with effect from date of notification of the OM.
2. The empanelment shall be for a period up to 30-09-2018 from the date of notification or till new empanelment process whichever is earlier.

Encl: As above

To,

1. All Ministries / Departments, Government of India.
2. Additional Secretary, Cabinet Secretariat, Rashtrapati Bawan, New Delhi
3. The Director CGHS, Room No. 545, A-wing, Nirman Bhawan, New Delhi- 110108.
4. All Additional Director / Joint Directors of CGHS cities.
5. All Pay & Accounts officers under CGHS
6. The Addl. DDG (HQ), CGHS, Nirman Bhawan, New Delhi – 110108

*(Signature)*  
(Dr. Nirmal Baliga)  
ADDITIONAL DIRECTOR (Offg.)  
CGHS MEERUT  
(Dr. Nirmal Baliga)  
ADDITIONAL DIRECTOR (Offg.)  
CGHS Meerut

**LIST OF EMPANELLED HOSPITAL / DIAGNOSTIC CENTRE UNDER CONTINUOUS EMPANELMENT SCHEME  
2017, CGHS MEERUT**

**HOSPITALS:- MEERUT**

S.No.	Name of the Hospital	Address & Tel No.	NABH Accredited/ Non NABH	Facilities Empanelled for
1.	Kallashi Super Speciality Hospital	C-2, Shardhapuri, Phase-2, Near BSNL office, Kanker Khera, Meerut	Applied for	Anesthesiology, Dentistry, Emergency Medicine, General Medicine, General Surgery, Obstetrics and Gynecology (except MTP), Orthopedic Surgery (including joint replacement), Ophthalmology, Otorhinolaryngology, Pediatrics, Psychiatry, Respiratory Medicine, Sports medicine, Day Care Services, Cardiology, Critical Care, Neurology, Neurosurgery, Plastic and Reconstructive Surgery
2.	Meerut Cancer Hospital	Near St. Thomas English Medium School, Chippi tank, Meerut	Applied for	Anesthesiology, General Medicine, Day Care Services, Critical Care, Oncology (Medical, Surgical, Gynecological)
3.	Sirohi Hospital and Maternity Home	Near Check Post, Tiraha, Multan Nagar, Baghpat Road, Meerut	Applied for	Anesthesiology, Emergency Medicine, General Medicine, General Surgery, Obstetrics and Gynecology (except MTP), Orthopedic Surgery (excluding joint replacement), Pediatrics, Respiratory Medicine, Day Care Services, Critical Care.

**DIAGNOSTIC CENTRE:- MEERUT**

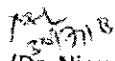
S.No.	Name of the Hospital	Address & Tel No.	NABH Accredited/ Non NABH	Facilities Empanelled for
1.	Primus Imaging and Diagnostic Lab.	C-12/5, Sewag Complex, Jagriti Vihar, Opp. Medical College, gate No. 01, Garh Road, Meerut	Applied for	Radiology Services (X-Ray, MRI, CT Scan, USG)

  
**(Dr. Nirmal Baliga)**  
**ADDITIONAL DIRECTOR (Offg.)**  
**CGHS Meerut**



**EXCLUSIVE DENTAL CLINIC:- MEERUT**

S.No.	Name of the Hospital	Address & Tel No.	NABH Accredited/ Non NABH	Facilities Empaneled for
1.	Jain Dental Clinic	61 Prem Prayag Colony, Near Medical College, Meerut	Applied for	Dental Care Centre (General Services, Specialised Services – Oral & Maxillofacial Surgery, Orthodontia, Periodontia, Endodontia, Paedodontics, Prosthodontics)
2.	Kansal Dental Clinic & Orthodontic Centre	142/6, Nai Sarak Tiraha, Shastri Nagar, Meerut	Applied for	Dental Care Centre (General Service, Specialised Services – Orthodontics)

  
 (Dr. Nirmal Baliga)  
 ADDITIONAL DIRECTOR (Offg.)  
 CGHS MEERUT  
**(Dr. Nirmal Baliga)**  
**ADDITIONAL DIRECTOR (Offg.)**  
**CGHS Meerut**

545-A Nirman Bhawan, New Delhi  
Dated the 31st July, 2018.

**OFFICE MEMORANDUM**

**Sub: Clarification / modification of the guidelines issued regarding simplification of referral system under CGHS vide OM Z-15025/117/2017/DIR/CGHS dated 15/01/2018.**

\*\*\*

With reference to the above mentioned subject the undersigned is directed to draw attention to the guidelines issued vide OM No. Z 15025/117/2017/DIR/CGHS dt. 15/01/2018 under para no (i) and to state that the matter has been reviewed by Competent Authority and it is now decided to modify para (i) in supercession of the earlier guidelines of the above referred to OM as under

(i) All CGHS beneficiaries (in all CGHS Cities) shall be permitted for seeking OPD consultation from Specialists at Private hospitals empanelled under CGHS after being referred by any Medical Officer of CGHS Wellness Centre. The referral may be mentioned on the computer generated Prescription slip. After consultation at empanelled hospital, beneficiary shall report back to concerned Wellness Centre, where MO/ CMO would endorse listed investigation / listed treatment procedure and issue medicines as per the guidelines mentioned in the OM dated 15.01.2018. For unlisted investigations/unlisted treatment procedures CMO Incharge shall submit the prescription to Competent Authority for consideration in case of pensioner beneficiaries. Serving employees shall seek permission for unlisted investigation/unlisted treatment procedure from their department as per prevailing guidelines.

The other terms and conditions of OM No. Z 15025/117/2017/DIR/CGHS Dated 15/01/2018 shall remain unchanged.

22

**Government of India**  
**Ministry of Health and Family Welfare**  
**Department of Health & Family Welfare**  
**Directorate General of CGHS**  
**Office of the Director, CGHS**

No: S-11011/29/2018-CGHS(HEC)/ DIR/CGHS

Nirman Bhawan, New Delhi

Dated the 6<sup>th</sup> August, 2018

**OFFICE MEMORANDUM**

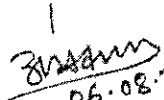
**Subject:- Revision of ceiling rates for reimbursement of the cost of Cardiac pacemaker , AICD, Combo-device, Rotablator and Aortic Stent Graft for beneficiaries of CGHS/CS(MA) Rules**

\*\*\*\*

With reference to the above subject attention is drawn to the OM No 12034/02/2014/Misc./- CGHS D.III dated 22<sup>nd</sup> July 2014 vide which ceiling rates for reimbursement of the cost of Cardiac pacemaker, AICD, Combo-device, Rotablator and Aortic Stent Graft for beneficiaries of CGHS/CS (MA) Rules were prescribed and to state that the matter has been reviewed by the Ministry and it is decided to revise the ceiling rates as per the details given under:

Sr. No.	Cardiac Device	Ceiling Rate
1	Single Chamber Cardiac Pacemaker without Rate Response	Rs. 34,840/- + GST
2	Single Chamber Cardiac Pacemaker with Rate Response	Rs. 44,928/-+ GST
3	Dual Chamber Cardiac Pacemaker	Rs.83,200/-+ GST
4	Bi-Ventricular Cardiac Pacemaker	Rs.1,95,000/-+ GST
5	Implantable Cardioverter Defibrillator (Single Chamber) (ICD/AICD-Single Chamber)	Rs.1,75,786/-+ GST
6	Implantable Cardioverter Defibrillator (Dual Chamber) (ICD/AICD-Single Chamber)	Rs. 3,75,000/-+ GST
7	Combo Device (CRT-D)	Rs. 4,90,000/-+ GST
8	Aortic Stent Graft (expandable, bifurcated and including delivery system)	Rs. 4,40,960/- + GST
9	Rotablator with Advancer	Rs.49,920/-+ GST
10	Rotablator Burr	Rs.23,920/-+ GST

2. Other terms and conditions prescribed under OM No 12034/02/2014/Misc.-CGHS D.III dated 22<sup>nd</sup> July 2014 shall remain unchanged.
3. These rates shall remain valid till the rates for the above devices are notified by National Pharmaceutical Pricing Authority (NPPA).
4. Issued with the concurrence of SS&FA, Ministry of Health & Family Welfare vide CD – No.1295 dated 25.07.2018.

  
 06.08.2018  
 (Dr. Atul Prakash)  
 Director, CGHS

To:

- 1 All Ministries / Departments, Government of India
- 2 Director, CGHS, Nirman Bhawan, New Delhi
- 3 Addl. DDG (HQ)/All Additional Directors /Joint Directors of CGHS cities outside Delhi
- 4 All Pay & Accounts Officers under CGHS
- 5 Additional Director (Hqrs) / Additional Director (SZ)/ (CZ)/(EZ)/(NZ), CGHS, New Delhi
- 6 JD (Gr.)/JD(R&H), CGHS Delhi
- 7 CGHS Desk-I/Desk-II/CGHS-I/CGHS-II, Dte.GHS, Nirman Bhawan, New Delhi
- 8 Estt.I/ Estt.II/ Estt.III/ Estt.IV Sections, Ministry of Health & Family Welfare
- 9 Admn.I / Admn.II Sections of Dte.GHS
- 10 Rajya Sabha / Lok Sabha Secretariat
- 11 Registrar, Supreme Court of India /Punjab & Haryana High Court, Chandigarh
- 12 U.P.S.C.
- 13 Finance Division
- 14 Deputy Secretary (Civil Service News), Department of Personnel & Training, 5th Floor, Sardar Patel Bhawan, New Delhi.
- 15 PPS to Secretary (H&FW)/ Secretary (AYUSH)/ Secretary (HR)/ Secretary(AIDS Control), Ministry of Health & Family Welfare
- 16 PPS to DGHS /SS&MD, NRHM / AS (H) /AS & DG (CGHS)
- 17 Shri Umraomal Purohit, Secretary, Staff Side, 13-C, Ferozshah Road, New Delhi
- 18 All Staff Side Members of National Council (JCM) (as per list attached)
- 19 Office of the Comptroller & Auditor General of India, 10 Bahadur Shah Zafar Marg, New Delhi
- 20 All Offices / Sections / Desks in the Ministry
21. UTI-ITSC , 153/1, First floor, Old Madras Road, Ulsoor, Bengaluru-560008.
- 22 Nodal Officer, MCTC, CGHS with a request to upload a copy of OM on CGHS Web-site
- 23 Office Order folder

New Delhi, dated the 14<sup>th</sup> August, 2018

**OFFICE MEMORANDUM**

Subject:- Grant of additional HRA to the civilian employees of the Central Government serving in the States of North Eastern Region, Andaman & Nicobar Islands, Lakshadweep Islands and Ladakh.

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Consequent upon revision of rates of House Rent Allowance (HRA)/additional HRA w.e.f.01.07.2017 vide this Department's O.M. No. 2/5/2017-E.II(B) dated 07/07/2017 and O.M. of even number dated 19.07.2017 respectively, it has been decided to grant **additional HRA at old duty station w.e.f. 01.07.2017** to all those Central Government civilian employees who have been transferred to North Eastern Region, Andaman & Nicobar Islands, Lakshadweep Islands and Ladakh, prior to 01.07.2017 or after 01.07.2017 and continue to remain posted there after 01.07.2017, as under:-

- (i) In case of civilian employees of Central Government transferred to and posted from a date prior to 01.07.2017 who leave their families behind at the old duty station, the HRA of the old duty station will be calculated on the **revised pay drawn on 01.07.2017** with the percentage rates of HRA effective on 01.07.2017 as per O.M. No. 2/5/2017-E.II(B) dated 07/07/2017.
  - (ii) In case of civilian employees of Central Government transferred to and posted from a date on or after 01.07.2017 who leave their families behind at the old duty station, the HRA of the old duty station will be calculated on the **revised pay drawn on the date of transfer** with the percentage rates of HRA effective on the date of transfer.
2. This is issued with the approval of Secretary (Expenditure).



(Nirmala Devi)

Deputy Secretary to the Government of India

To

All Ministries/Departments of the Government of India as per standard distribution list.

Copy to: C&AG, UPSC, etc. as per standard endorsement list

North Block, New Delhi  
Dated 31<sup>st</sup> July, 2018

OFFICE MEMORANDUM

Subject: Date of next increment- Rule 10 of CCS (RP) Rules, 2016- regarding.

The undersigned is directed to invite attention to Rule 10 of CCS (RP) Rules 2016 which provides, inter alia, that there shall be two dates for increment namely 1<sup>st</sup> January and 1<sup>st</sup> July of every year, instead of the provision of one date of increment on the 1<sup>st</sup> July during the 6<sup>th</sup> Pay Commission pay structure. The Rule further provides that an employee shall be entitled to only one annual increment either on 1<sup>st</sup> January or 1<sup>st</sup> July depending on the date of appointment, promotion or grant of financial upgradation. The Sub-Rule (2) thereof provides that increment in respect of an employee appointed or promoted or granted financial upgradation including upgradation under MACP during the period between the 2<sup>nd</sup> day of January and 1<sup>st</sup> day of July (both inclusive) shall be granted on 1<sup>st</sup> day of January and the increment in respect of an employee appointed or promoted or granted financial upgradation including upgradation under MACP during the period between 2<sup>nd</sup> day of July and 1<sup>st</sup> day of January (both inclusive) shall be granted on 1<sup>st</sup> day of July.

2. The proviso to Sub-Rule 2 of Rule 10 of CCS (PR) Rules, 2016 provides that the next increment after drawal of increment on 1<sup>st</sup> day of July 2016 shall accrue as on 1<sup>st</sup> day of July 2017.

3. A number of references has been received in the Ministry of Finance seeking clarification whether in case of an employee promoted on 1<sup>st</sup> July 2016, whose pay was fixed on 01/07/2016 in terms of the rules governing fixation of pay on promotion, the next increment may be allowed on 1<sup>st</sup> January 2017 or on 1<sup>st</sup> July 2017.

4. The matter has been considered. During the regime of pay structure obtaining immediately prior to 01/01/2016, when the annual increment was admissible uniformly on 1<sup>st</sup> July every year, the increment was admissible on 1<sup>st</sup> July, provided the condition of 6 months' service was fulfilled. Thereafter, the next increment used to be given after a period of 12 months.

1/2



5. Accordingly, keeping in view the principle followed during the period before 1.1.2016 immediately prior to coming into force of the CCS(RP) Rules, 2016, which has been modified in the revised pay structure in terms of Rule 10 thereof by way of 2 dates of increment on 1<sup>st</sup> January and 1<sup>st</sup> July, it is clarified that in case an employee is promoted or granted financial upgradation including upgradation under the MACP scheme on 1<sup>st</sup> January or 1<sup>st</sup> July, where the pay is fixed in the Level applicable to the post on which promotion is made in accordance with the Rule 13 of the CCS(RP) Rules, 2016, the first increment in the Level applicable to the post on which promotion is made shall accrue on the following 1<sup>st</sup> July or 1<sup>st</sup> January, as the case may be, provided a period of 6 months' qualifying service is strictly fulfilled. The next increment thereafter shall, however, accrue only after completion of one year.

6. This order is issued in consultation with office of C&AG in its application to employees working in Indian Audit and Accounts Department.

7. Hindi version of this order is also attached.



(Ram Gopal)

Under Secretary to the Government of India

To,

All Ministries/Departments (As per the list)

Copy to:- C&AG, UPSC etc. as per standard endorsement list.

Copy also to NIC: with a request to place this OM on the website of Ministry of Finance (DoE)

F. No. 42/06/2018-P&PW(G)  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan  
Khan Market, New Delhi  
Dated 19th April, 2018

**OFFICE MEMORANDUM**

**Sub:- Grant of Dearness Relief in the 5th CPC series effective from 01.01.2018 to CPF beneficiaries in receipt of ex-gratia payment-reg**

In continuation of this Department's OM No. 42/15/2016-P&PW(G) dated 13.10.2017, the President is pleased to decide that the Dearness Relief w.e.f 01.01.2018 to the CPF beneficiaries in receipt of ex-gratia payment shall be paid in the following manner :-

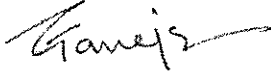
(i) The surviving CPF beneficiaries who have retired from service between the period 18.11.1960 and 31.12.1985, and were sanctioned ex-gratia @ Rs. 600/ p.m. w.e.f 1.11.1997 under this Department's OM No. 45/52/97-P&PW(E) dated 16.12.1997 and revised to Rs.3000, Rs.1000, Rs.750 & Rs.650 for Group A, B, C & D respectively w.e.f 4<sup>th</sup> June, 2013 vide OM No. 1/10/2012-P&PW(E) dtd. 27<sup>th</sup> June, 2013 shall be entitled to enhanced Dearness Relief from 268% to 274% w.e.f 01.01.2018.

(ii) The following categories of CPF beneficiaries who are in receipt of ex-gratia payment in terms of this Department's OM No. 45/52/97-P&PW(E) dated 16.12.1997 shall be entitled to enhanced Dearness Relief from 260% to 266% w.e.f 01.01.2018.

(a) The widows and eligible children of the deceased CPF beneficiary who had retired from service prior to 1.1.1986 or who had died while in service prior to 1.1.1986 and were sanctioned ex-gratia payment of Rs. 605/- p.m. and revised to Rs.645/-p.m w.e.f 04 June, 2013 vide OM No 1/10/2012-P&PW(E) dated 27<sup>th</sup> June, 2013.

(b) Central Government employees who had retired on CPF benefits before 18.11.1960 and are in receipt of Ex-gratia payment of Rs. 654/-, Rs.659/-, Rs.703/- and Rs.965/-

2. Payment of DR involving a fraction of a rupee shall be rounded off to the next higher rupee.
3. It will be the responsibility of the pension disbursing authorities, including the nationalized banks, etc. to calculate the quantum of DR payable in each individual case.
4. In their application to the Indian Audit and Accounts Department, these orders issue after the concurrence of O/o C&AG.
5. This issues in pursuance of Ministry of Finance, Department of Expenditure OM No. 1/3/2008-E.II(B) dated 28th March, 2018.
6. Hindi version will follow.

  
(Charanjit Taneja)

Under Secretary to the Government of India

1. All Ministries/Departments of the Government of India/Chief Secretaries and AGs of all States/Union Territories
2. Copy for information to Reserve Bank of India(RBI) and all authorized Pension Disbursing Banks.



**G.I., Dept. of Per. & Trg., Notfn. No.428/03/2016-  
AVD-IV(B), dated 26-7-2018  
Amndment to The Prevention of Corruption  
Act,1988**

**S.O.3664( E) – In exercise of the powers conferred by sub-section (2) of section 1 of the Prevention of Corruption(Amendment)Act,2018(16 of 2018), the Central Government hereby appoints the 26<sup>th</sup> day of July,2018, as the date on which the provisions of the said act shall come into force.**



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 28] नई दिल्ली, बृहस्पतिवार, जुलाई 26, 2018/श्रावण 4, 1940 (शक)  
No. 28] NEW DELHI, THURSDAY, JULY 26, 2018/SHRAVANA 4, 1940 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 26th July, 2018/Shravana 4, 1940 (Saka)

The following Act of Parliament received the assent of the President on the 26th July, 2018, and is hereby published for general information:—

### THE PREVENTION OF CORRUPTION (AMENDMENT) ACT, 2018

No. 16 OF 2018

[26th July, 2018.]

An Act further to amend the Prevention of Corruption Act, 1988.

BE it enacted by Parliament in the Sixty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Prevention of Corruption (Amendment) Act, 2018.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

49 of 1988.

2. In the Prevention of Corruption Act, 1988 (hereinafter referred to as the principal Act), in section 2,—

Amendment of section 2.

(i) after clause (a), the following clause shall be inserted, namely:—

“(aa) “prescribed” means prescribed by rules made under this Act and the expression “prescribe” shall be construed accordingly;”;

(ii) after clause (c), the following clause shall be inserted, namely:—

“(d) “undue advantage” means any gratification whatever, other than legal remuneration.

*Explanation.*—For the purposes of this clause,—

(a) the word “gratification” is not limited to pecuniary gratifications or to gratifications estimable in money;

(b) the expression "legal remuneration" is not restricted to remuneration paid to a public servant, but includes all remuneration which he is permitted by the Government or the organisation, which he serves, to receive.'

Amendment of section 4.

3. In section 4 of the principal Act, for sub-section (4), the following sub-section shall be substituted, namely:—

"(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the trial of an offence shall be held, as far as practicable, on day-to-day basis and an endeavour shall be made to ensure that the said trial is concluded within a period of two years:

2 of 1974.

Provided that where the trial is not concluded within the said period, the special Judge shall record the reasons for not having done so:

Provided further that the said period may be extended by such further period, for reasons to be recorded in writing but not exceeding six months at a time; so, however, that the said period together with such extended period shall not exceed ordinarily four years in aggregate."

Substitution of new sections for sections 7, 8, 9 and 10.

4. For sections 7, 8, 9 and 10 of the principal Act, the following sections shall be substituted, namely:—

Offence relating to public servant being bribed.

"7. Any public servant who,—

(a) obtains or accepts or attempts to obtain from any person, an undue advantage, with the intention to perform or cause performance of public duty improperly or dishonestly or to forbear or cause forbearance to perform such duty either by himself or by another public servant; or

(b) obtains or accepts or attempts to obtain, an undue advantage from any person as a reward for the improper or dishonest performance of a public duty or for forbearing to perform such duty either by himself or another public servant; or

(c) performs or induces another public servant to perform improperly or dishonestly a public duty or to forbear performance of such duty in anticipation of or in consequence of accepting an undue advantage from any person,

shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine.

*Explanation 1.*—For the purpose of this section, the obtaining, accepting, or the attempting to obtain an undue advantage shall itself constitute an offence even if the performance of a public duty by public servant, is not or has not been improper.

*Illustration.*—A public servant, 'S' asks a person, 'P' to give him an amount of five thousand rupees to process his routine ration card application on time. 'S' is guilty of an offence under this section.

*Explanation 2.*—For the purpose of this section,—

(i) the expressions "obtains" or "accepts" or "attempts to obtain" shall cover cases where a person being a public servant, obtains or "accepts" or attempts to obtain, any undue advantage for himself or for another person, by abusing his position as a public servant or by using his personal influence over another public servant; or by any other corrupt or illegal means;

(ii) it shall be immaterial whether such person being a public servant obtains or accepts, or attempts to obtain the undue advantage directly or through a third party.

“7A. Whoever accepts or obtains or attempts to obtain from another person for himself or for any other person any undue advantage as a motive or reward to induce a public servant, by corrupt or illegal means or by exercise of his personal influence to perform or to cause performance of a public duty improperly or dishonestly or to forbear or to cause to forbear such public duty by such public servant or by another public servant, shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine.

Taking undue advantage to influence public servant by corrupt or illegal means or by exercise of personal influence.

8. (1) Any person who gives or promises to give an undue advantage to another person or persons, with intention—

Offence relating to bribing of a public servant.

(i) to induce a public servant to perform improperly a public duty; or

(ii) to reward such public servant for the improper performance of public duty;

shall be punishable with imprisonment for a term which may extend to seven years or with fine or with both:

Provided that the provisions of this section shall not apply where a person is compelled to give such undue advantage:

Provided further that the person so compelled shall report the matter to the law enforcement authority or investigating agency within a period of seven days from the date of giving such undue advantage:

Provided also that when the offence under this section has been committed by commercial organisation, such commercial organisation shall be punishable with fine.

*Illustration.*—A person, ‘P’ gives a public servant, ‘S’ an amount of ten thousand rupees to ensure that he is granted a license, over all the other bidders. ‘P’ is guilty of an offence under this sub-section.

*Explanation.*—It shall be immaterial whether the person to whom an undue advantage is given or promised to be given is the same person as the person who is to perform, or has performed, the public duty concerned, and, it shall also be immaterial whether such undue advantage is given or promised to be given by the person directly or through a third party.

(2) Nothing in sub-section (1) shall apply to a person, if that person, after informing a law enforcement authority or investigating agency, gives or promises to give any undue advantage to another person in order to assist such law enforcement authority or investigating agency in its investigation of the offence alleged against the later.

9. (1) Where an offence under this Act has been committed by a commercial organisation, such organisation shall be punishable with fine, if any person associated with such commercial organisation gives or promises to give any undue advantage to a public servant intending—

Offence relating to bribing a public servant by a commercial organisation.

(a) to obtain or retain business for such commercial organisation; or

(b) to obtain or retain an advantage in the conduct of business for such commercial organisation:

Provided that it shall be a defence for the commercial organisation to prove that it had in place adequate procedures in compliance of such guidelines as may be prescribed to prevent persons associated with it from undertaking such conduct.

(2) For the purposes of this section, a person is said to give or promise to give any undue advantage to a public servant, if he is alleged to have committed the offence under section 8, whether or not such person has been prosecuted for such offence.

(3) For the purposes of section 8 and this section,—

(a) “commercial organisation” means—

(i) a body which is incorporated in India and which carries on a business, whether in India or outside India;

(ii) any other body which is incorporated outside India and which carries on a business, or part of a business, in any part of India;

(iii) a partnership firm or any association of persons formed in India and which carries on a business whether in India or outside India; or

(iv) any other partnership or association of persons which is formed outside India and which carries on a business, or part of a business, in any part of India;

(b) "business" includes a trade or profession or providing service;

(c) a person is said to be associated with the commercial organisation, if such person performs services for or on behalf of the commercial organisation irrespective of any promise to give or giving of any undue advantage which constitutes an offence under sub-section (1).

*Explanation 1.*—The capacity in which the person performs services for or on behalf of the commercial organisation shall not matter irrespective of whether such person is employee or agent or subsidiary of such commercial organisation.

*Explanation 2.*—Whether or not the person is a person who performs services for or on behalf of the commercial organisation is to be determined by reference to all the relevant circumstances and not merely by reference to the nature of the relationship between such person and the commercial organisation.

*Explanation 3.*—If the person is an employee of the commercial organisation, it shall be presumed unless the contrary is proved that such person is a person who has performed services for or on behalf of the commercial organisation.

(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the offence under sections 7A, 8 and this section shall be cognizable.

2 of 1974.

(5) The Central Government shall, in consultation with the concerned stakeholders including departments and with a view to preventing persons associated with commercial organisations from bribing any person, being a public servant, prescribe such guidelines as may be considered necessary which can be put in place for compliance by such organisations.

Person in charge of commercial organisation to be guilty of offence.

10. Where an offence under section 9 is committed by a commercial organisation, and such offence is proved in the court to have been committed with the consent or connivance of any director, manager, secretary or other officer shall be of the commercial organisation, such director, manager, secretary or other officer shall be guilty of the offence and shall be liable to be proceeded against and shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine.

*Explanation.*—For the purposes of this section, "director", in relation to a firm means a partner in the firm."

Amendment of section 11.

5. In section 11 of the principal Act,—

(i) in the marginal heading, for the words "valuable thing", the words "undue advantage" shall be substituted;

(ii) the words "or agrees to accept" shall be omitted;

(iii) for the words "valuable thing", the words "undue advantage" shall be substituted;

(iv) for the words "official functions", the words "official functions or public duty" shall be substituted.

Substitution of new section for section 12.

6. For section 12 of the principal Act, the following section shall be substituted, namely:—

- "12. Whoever abets any offence punishable under this Act, whether or not that offence is committed in consequence of that abetment, shall be punishable with imprisonment for a term which shall be not less than three years, but which may extend to seven years and shall also be liable to fine."
- Punishment for abetment of offences.
7. In section 13 of the principal Act, for sub-section (1), the following shall be substituted, namely:—
- Amendment of section 13.
- "(1) A public servant is said to commit the offence of criminal misconduct,—
- (a) if he dishonestly or fraudulently misappropriates or otherwise converts for his own use any property entrusted to him or any property under his control as a public servant or allows any other person so to do; or
- (b) if he intentionally enriches himself illicitly during the period of his office.
- Explanation 1.*—A person shall be presumed to have intentionally enriched himself illicitly if he or any person on his behalf, is in possession of or has, at any time during the period of his office, been in possession of pecuniary resources or property disproportionate to his known sources of income which the public servant cannot satisfactorily account for.
- Explanation 2.*—The expression "known sources of income" means income received from any lawful sources."
8. For section 14 of the principal Act, the following section shall be substituted, namely:—
- Substitution of new section for section 14.
- "14. Whoever convicted of an offence under this Act subsequently commits an offence punishable under this Act, shall be punishable with imprisonment for a term which shall be not less than five years but which may extend to ten years and shall also be liable to fine."
- Punishment for habitual offender.
9. In section 15 of the principal Act, for the words, brackets and letters "clause (c) or clause (d)", the word, brackets, and letter "clause (a)" shall be substituted.
- Amendment of section 15.
10. In section 16 of the principal Act,—
- Amendment of section 16.
- (a) for the words, brackets and figures, "sub-section (2) of section 13 or section 14", the words, figures and brackets "section 7 or section 8 or section 9 or section 10 or section 11 or sub-section (2) of section 13 or section 14 or section 15" shall be substituted;
- (b) for the word, brackets and letter "clause (e)", the word, brackets and letter "clause (b)" shall be substituted.
11. In section 17 of the principal Act, in the second proviso, for the words, brackets, letter and figure "clause (e) of sub-section (1)", the words, brackets, letter and figure "clause (b) of sub-section (1)" shall be substituted.
- Amendment of section 17.
12. After section 17 of the principal Act, the following section shall be inserted, namely:—
- Insertion of new section 17A.
- "17A. (1) No police officer shall conduct any enquiry or inquiry or investigation into any offence alleged to have been committed by a public servant under this Act, where the alleged offence is relatable to any recommendation made or decision taken by such public servant in discharge of his official functions or duties, without the previous approval—
- (a) in the case of a person who is or was employed, at the time when the offence was alleged to have been committed, in connection with the affairs of the Union, of that Government;
- (b) in the case of a person who is or was employed, at the time when the offence was alleged to have been committed, in connection with the affairs of a State, of that Government;
- Enquiry or Inquiry or investigation of offences relatable to recommendations made or decision taken by public servant in discharge of official functions or duties.

(c) in the case of any other person, of the authority competent to remove him from his office, at the time when the offence was alleged to have been committed:

Provided that no such approval shall be necessary for cases involving arrest of a person on the spot on the charge of accepting or attempting to accept any undue advantage for himself or for any other person:

Provided further that the concerned authority shall convey its decision under this section within a period of three months, which may, for reasons to be recorded in writing by such authority, be extended by a further period of one month.”.

Insertion of new Chapter IVA.

13. After Chapter IV of the principal Act, the following Chapter shall be inserted, namely:—

CHAPTER IVA

ATTACHMENT AND FORFEITURE OF PROPERTY

Provisions of Criminal Law Amendment Ordinance, 1944 to apply to attachment under this Act.

18A. (1) Save as otherwise provided under the Prevention of Money Laundering Act, 2002, the provisions of the Criminal Law Amendment Ordinance, 1944 shall, as far as may be, apply to the attachment, administration of attached property and execution of order of attachment or confiscation of money or property procured by means of an offence under this Act.

15 of 2003. Ord. 38 of 1944.

(2) For the purposes of this Act, the provisions of the Criminal Law Amendment Ordinance, 1944 shall have effect, subject to the modification that the references to “District Judge” shall be construed as references to “Special Judge”.

Ord. 38 of 1944.

Amendment of section 19.

14. In section 19 of the principal Act, in sub-section (1),—

(i) for the words and figures “sections 7, 10, 11, 13 and 15”, the words and figures “sections 7, 11, 13 and 15” shall be substituted;

(ii) in clause (a), for the words “who is employed”, the words “who is employed, or as the case may be, was at the time of commission of the alleged offence employed” shall be substituted;

(iii) in clause (b), for the words “who is employed”, the words “who is employed, or as the case may be, was at the time of commission of the alleged offence employed” shall be substituted;

(iv) after clause (c), the following shall be inserted, namely:—

“Provided that no request can be made, by a person other than a police officer or an officer of an investigation agency or other law enforcement authority, to the appropriate Government or competent authority, as the case may be, for the previous sanction of such Government or authority for taking cognizance by the court of any of the offences specified in this sub-section, unless—

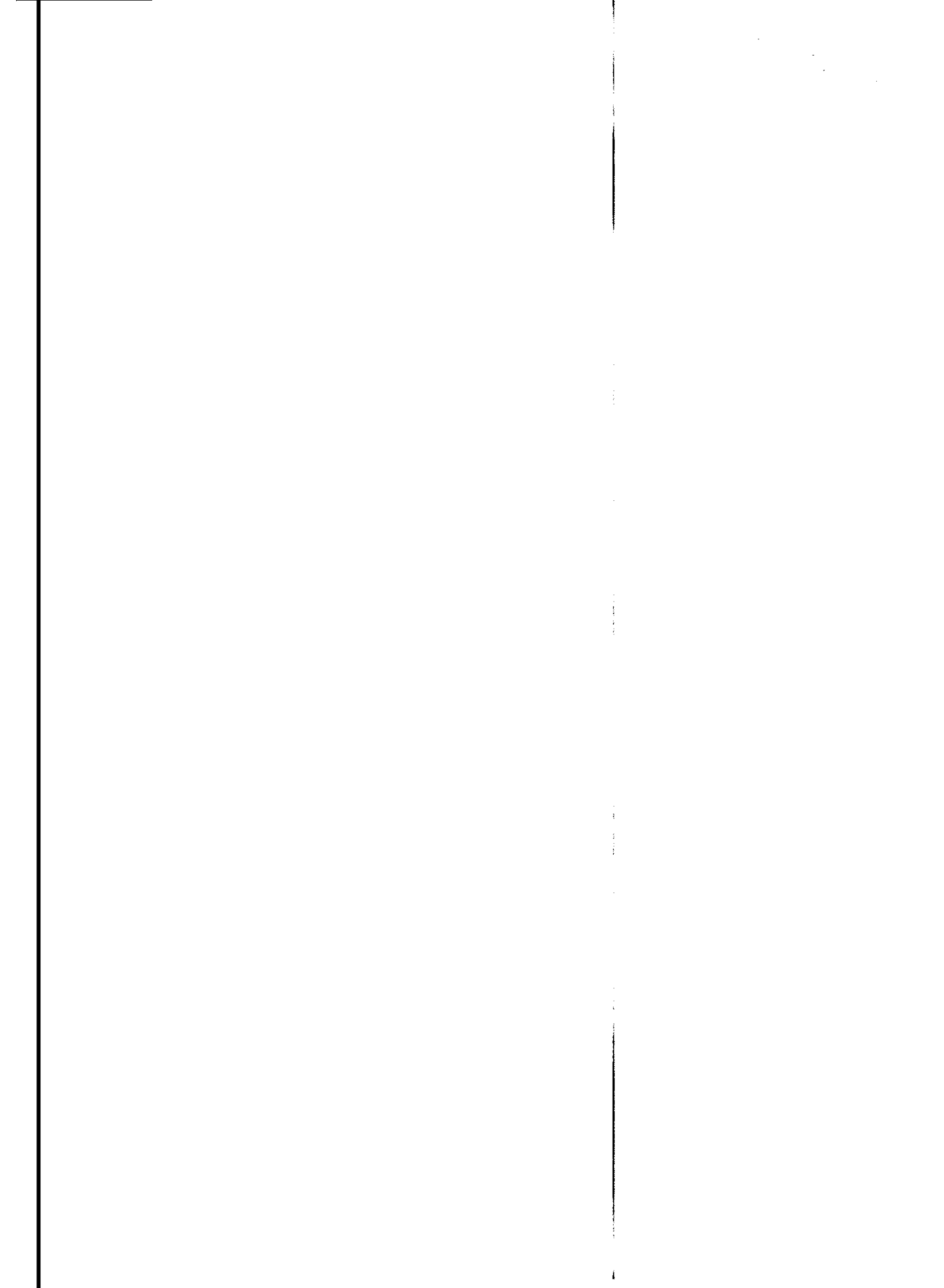
(i) such person has filed a complaint in a competent court about the alleged offences for which the public servant is sought to be prosecuted; and

(ii) the court has not dismissed the complaint under section 203 of the Code of Criminal Procedure, 1973 and directed the complainant to obtain the sanction for prosecution against the public servant for further proceeding;

2 of 1974.

Provided further that in the case of request from the person other than a police officer or an officer of an investigation agency or other law enforcement authority, the appropriate Government or competent authority shall not accord sanction to prosecute a public servant without providing an opportunity of being heard to the concerned public servant:

Provided also that the appropriate Government or any competent authority shall, after the receipt of the proposal requiring sanction for prosecution of a public servant under this sub-section, endeavour to convey the decision on such proposal within a period of three months from the date of its receipt:





Provided also that in case where, for the purpose of grant of sanction for prosecution, legal consultation is required, such period may, for the reasons to be recorded in writing, be extended by a further period of one month:

Provided also that the Central Government may, for the purpose of sanction for prosecution of a public servant, prescribe such guidelines as it considers necessary.

*Explanation.*—For the purposes of sub-section (1), the expression "public servant" includes such person—

(a) who has ceased to hold the office during which the offence is alleged to have been committed; or

(b) who has ceased to hold the office during which the offence is alleged to have been committed and is holding an office other than the office during which the offence is alleged to have been committed."

15. For section 20 of the principal Act, the following section shall be substituted, namely:—

Substitution of new section for section 20.

"20. Where, in any trial of an offence punishable under section 7 or under section 11, it is proved that a public servant accused of an offence has accepted or obtained or attempted to obtain for himself, or for any other person, any undue advantage from any person, it shall be presumed, unless the contrary is proved, that he accepted or obtained or attempted to obtain that undue advantage, as a motive or reward under section 7 for performing or to cause performance of a public duty improperly or dishonestly either by himself or by another public servant or, as the case may be, any undue advantage without consideration or for a consideration which he knows to be inadequate under section 11."

Presumption where public servant accepts any undue advantage.

16. In section 23 of the principal Act,—

Amendment of section 23.

(a) in the marginal heading, for the word, figures, brackets and letter "section 13 (1) (c)", the word, figures, brackets and letter "section 13 (1) (A)" shall be substituted;

(b) for the word, brackets and letter "clause (c)", the word, brackets and letter "clause (a)" shall be substituted.

17. Section 24 of the principal Act shall be omitted.

Omission of section 24.

18. After section 29 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 29A.

"29A. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

Power to make rules.

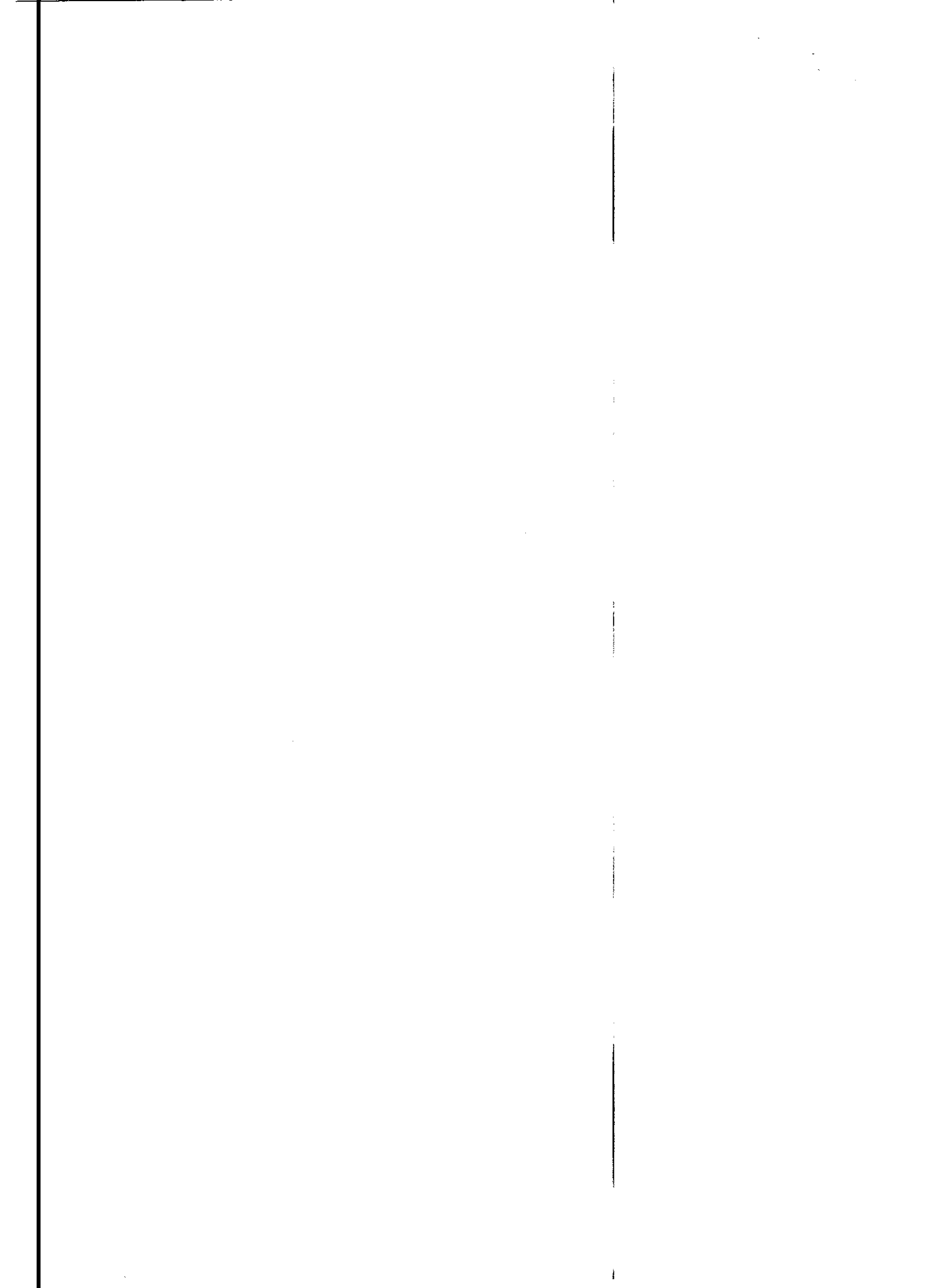
(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) guidelines which can be put in place by commercial organisation under section 9;".

(b) guidelines for sanction of prosecution under sub-section (1) of section 19;".

(c) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act, shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the



rule, or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

Amendment  
of Act 15 of  
2003.

19. In the Prevention of Money Laundering Act, 2002, in Part A of the Schedule, for Paragraph 8, the following Paragraph shall be substituted, namely:—

“PARAGRAPH 8

OFFENCES UNDER THE PREVENTION OF CORRUPTION ACT, 1988

(49 OF 1988)

Section Description of offence.

7. Offence relating to public servant being bribed.
- 7A. Taking undue advantage to influence public servant by corrupt or illegal means or by exercise of personal influence.
8. Offence relating to bribing a public servant.
9. Offence relating to bribing a public servant by a commercial organisation.
10. Person in charge of commercial organisation to be guilty of offence.
11. Public servant obtaining undue advantage, without consideration from person concerned in proceeding or business transacted by such public servant.
12. Punishment for abetment of offences.
13. Criminal misconduct by a public servant.
14. Punishment for habitual offender.”.

DR. G. NARAYANARAJU,  
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