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IMMEDIATE

No. FE. 25/77/13 the 16th May, 1977.

To

All Heads of Departments.
Government of Mizoram.

Subject : Additional Emoluments (Compulsory Deposit)
Act, 1974 - Amendment thereof.

Sir,

I am directed to forward herewith a copy of D.O.No.F.1(3)-CD/77 dated 9.5.77 from Director, Ministry of Finance Department of Economic Affairs, Govt. of India and Press note on the above subject for your information and necessary action.

Yours faithfully,

R. Rozika,

Secretary to the Govt. of Mizoram
Finance Department.

D.O. No. F.1 (3)--CD/77
Dated New Delhi, 9th May, 77
Room No. 169--B, North Block

Dear Shri Rozika,

The President of India has issued an Ordinance today amending the Additional Emoluments (Compulsory Deposit) Act, 1974. A copy of the Press Note issued by the Govt. today, on the matter is enclosed herewith.

2. As will be clear from the enclosed Press Note, compulsory deposit of additional dearness allowance will cease from 6th May, 77. Therefore, no compulsory deposit of additional dearness allowance under the Act will be necessary from employees, with immediate effect. It has also been decided by the Govt. that arrears, for past periods, towards compulsory deposit (additional wages or additional dearness allowance) if any, yet to be recovered from employees should be waived. Therefore, if there are any cases where recovery (for past periods) towards additional wages or additional wages or additional dearness allowance is required to be made from the future emoluments disbursed to the employees, no such recovery will now be necessary, as all arrears due from the employees stand waived.

3. Since there will no recovery hereafter, even of arrears from employees, salary/Wages for May, 1977 normally payable on 31st May, 1977/1st June, 1977 can be disbursed in full, without making any deductions towards compulsory deposit of additional dearness allowance even for the period from 1st May, 1977 till 6th May, 1977. Likewise, even in cases where wages/salary are disbursed to employees on a weekly basis, no deductions towards compulsory deposit of additional dearness allowance will be necessary, if salaries/wages are disbursed on or after 6th May, 77.

4. Please advise all specified authorities in your jurisdiction as also representatives of employees/trade unions accordingly, immediately.

5. It will also be clear from the Press Note that repayment of the second instalment of additional dearness allowance (in respect of additional dearness allowance deposits made till 30th June, 1976), which is due from 6th July, 1977, will not be cash but will only be by credit to the provident fund account of the employee, in case an employee subscribes to any provident fund account. Therefore, in all such cases where an employee is a subscriber to a provident fund account, please ensure that repayment of the second instalment of additional dearness allowance deposits due on 6th July, 1977 is not made in cash but is credited to the provident fund account of the employee. The precise manner in which such repayments should be credited to the provident fund account will be intimated to you in due course. You may accordingly advise all specified au-

thorities in your jurisdiction not to submit applications claiming repayments in cash in respect of the second instalment of additional dearness allowance deposits due on 6th July, 1977.

You may inform them that these repayments will not be made in cash but will only be by credit to the provident fund account of the employee. However where an employee is not a subscriber to any provident fund account, these repayments will continue to be made in cash, as in the previous year. For this purpose, applications, in the manner prescribed in the Scheme should be submitted by specified authorities, as in the previous year. This aspect of the matter should also be clearly intimated to all specified authorities.

6 You may also please note that in respect of credit to the provident fund account of the second instalment of additional dearness allowance deposits in July, 1977, there will be no matching contribution from the employer.

7. Please note that the above stipulation in regard to credit to provident fund accounts applies only to the second instalment of additional dearness allowance deposits due in July, 1977. Repayment of the third instalment of additional wages deposits due from 6th July, 1977 will continue to be made in cash, as in previous years.

8. Since there will be no compulsory deposit from employees hereafter, it is requested that you should instruct your enforcement machinery to thoroughly and completely inspect the accounts of all specified authorities in your jurisdiction (though they already made deductions towards compulsory deposit from the emoluments disbursed to their employees). After working out the balance amount yet to be remitted to your office by such employer, you should take most immediate steps to recover the amount due from each employer in the manner provided in the Act, by recovering the amount due as arrears of land revenue/ and prosecuting the employer where necessary. A final report indicating the total amount yet to be remitted under the Act to your office by employers in your jurisdiction, giving names of defaulting employers and amount due from them, (along with action taken to recover the defaulted amount by you) should be submitted by you to this Deptt by 15th July, 1977 positively, with a copy to Central Provident Fund Commissioner, New Delhi/your State Govt./Union Territory Administration, as the case may be. If there are no defaulting employers and no amount remains to be remitted to your office, a nil report should also be sent to this Deptt. by the due date, after thoroughly checking the position.

9. Please acknowledge receipt of this letter.

Enclo: As above.

Yours Sincerely,
N. R. Ranganathan

No. 14026/9/76-MZ
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralya

To

The Chief Secretary,
Govt. of Mizoram,
Aizawl.

New Delhi—110001, 18th Feb., 1977.
29th Magha, 1898.

Subject : Non-practising Allowance to doctors in Mizoram.

Sir

I am directed to refer to your wireless message No. FIN/34/74-75, dated 30.9.76 and to say that grant of non-practising allowance for medical posts, other than posts included in Central Health Service is regulated by the Ministry of Finance Office Memorandum No. 7 (34). E. III (A)/71 dated 24.7.71 and No. No. 7 (A)-E. III (A)/75, dated 24.3.75 (Copies enclosed). As scales of pay of doctors in Mizoram have been revised on Central pattern and as the medical post in Mizoram have not yet been included in Central Health Service, non-practising allowance to doctors in Mizoram may be given at the same rates and subject to the same conditions as mentioned in the Ministry of Finance orders referred to above.

It may be noted that the non-practising allowance will be admissible prospectively and only if private practice is expressly prohibited.

Yours faithfully,

M. Mohan Kumar
Dy. Secretary to the Govt. of India.

AUTHORISED FOR ISSUE

Sd/-

SECTION OFFICER

No. A.11016/10/71-CHS. III
 Bharat Sarkar
 Swasthya Aur Parivar Niyojan Mantralaya
 (Swasthya Vibhag)

New Delhi, the 2nd August, 1971.

a copy of the undermentioned paper is forwarded to all Administrative Sections for information and guidance.

(P.V.H. SANKARAN)
 Under Secretary to the Govt. of India

LIST OF PAPERS FORWARDED

Office Memorandum No. 1(34)-E. III (A)/71 dated the 24th July, 1971 from the Ministry of Finance (Department of Expenditure).

Copy of the Office Memorandum No. 7.(34) E. III (A)/71 dated the 24th July, 1971 from the Ministry of Finance (Department of Expenditure) to all Ministries/Organisations etc. etc.,

Subject : Grant of non-practising allowance to the Medical and Public Health posts created by the various Ministries and Administrations.

It is observed that the Ministries/Administrations/Organisations participating in the Central Health Services creat medical and public health posts under the powers delegated to them or in consultation with their Associate Finance on the scales of pay and non-practicing allowance sanctioned for the Central Health Service. While there is no objection to these Ministries and Administrations/Organisations sanctioning medical posts on a scale prevalent in that Organisation and with the same designations posts should not be created in the Central Health Service Categories with Non-practising allowance at the Central Health Service rates. If necessary, N.P.A. may be attached to such posts at the rate of 25% of pay subject to a minimum of Rs. 150/- p.m. and a maximum of Rs. 400/- p.m. only provided the following conditions are satisfied.

- (1) The post is a clinical one.
- (2) The post is a whole time post.
- (3) There is ample scope for private practice
- (4) It is necessary to prohibit private practice in public interest.

2. If, however, it is decided to include such posts in the Central Health Service later the C.H.S. officers appointed to them will get N.P.A. in accordance with the Central Heald Service (Amendment) Rules 1966. Such case is required to be examined on merits and in accordance with rule 5 and 6 of Central Health Service (Amendment) Rules, 1966.

PRESS NOTE

The Additional Emoluments (Compulsory Deposit) Act, 1974 which applies to employees of the Central and State Governments, local authorities, as well as of concerns in both private and public sectors, stipulates that they should compulsorily deposit 50% of their additional dearness allowance, for the period ending on the 6th July, 1977. The President of India has issued an Ordinance today dispensing with this requirement as from 6th May, 1977. Thus, salaries/wages for May, 1977 which are normally disbursed to employees on 31st May, 1977 or 1st June, 1977 can be disbursed in full, without making any deductions towards compulsory deposit under the 1974 Act. Even in cases where employees are paid weekly, and disbursements are made on or after 6th May, 1977, deductions towards compulsory deposit under that Act need not be made from such disbursements.

Since compulsory deposit of 50% of additional dearness allowance will cease, it has also been decided by Government that arrears, if any, towards compulsory deposit under the Act for past periods, yet to be recovered from salaries/wages of employees, should be waived.

The above decision will lead to a substantial increase in the take-home pay of employees, estimated in the aggregate to be about Rs. 500 crores per annum. In the present delicate state of the economy, any large addition to the stream of spending may accentuate inflationary pressures, causing all round hardship particularly to low income groups. The Ordinance issued today, therefore, provides also that the repayment of the second instalment of additional dearness allowance deposits together with accrued interest, due in July, 1977, will not be made in cash but will be paid by credit to the provident fund account of the employee. However, where an employee does not subscribe to any provident fund account, the above repayment will be made in cash. Government is taking this measure with a view to restraining any further inflationary pressures that might arise out of an addition to the spending stream in the economy. It is also Government's intention to evolve as early as possible an integrated national policy on wages, prices and incomes.