

F. No. 15-2/2022-TC
Government of India
Ministry of Education
Department of Higher Education
Technical Coordination Section

Room No.535, C- Wing, Shastri Bhawan
New Delhi, dated the 16th December, 2022

OFFICE MEMORANDUM

Subject: Applicability of Payment of Gratuity Act 1972 to educational institutions under the Ministry of Education-reg.

The undersigned is directed to inform that the issue of payment of gratuity to the employees covered under New Pension Scheme (NPS) in the Autonomous Bodies/ Organizations under the Ministry of Education (MoE) has been examined in consultation with the Ministry of Finance (Department of Expenditure) and the Ministry of Labour & Employment (MoL&E).

2. The Department of Expenditure (DoE), vide OM No.1(16)/EV/2017 dated 02.12.2021 (copy enclosed), has advised this Ministry to instruct Autonomous Bodies/ Organizations to **adopt Payment of Gratuity Act, 1972 in consultation with MoL&E** since CCS (Pension) Rules, 1972 are strictly meant for Central Government employees only. Further, vide O.M. No.R-13011/02/2022-SS.II dated 23.11.2022 (copy enclosed), the MoL&E has clarified that the **Payment of Gratuity Act, 1972 is applicable to all employees of educational institutions**, as the said Act does not have provisions for different set/category/class of employees and further that no separate notification is required to be issued by the Ministry of Education for applicability of the said Act (in case of NPS employees).

3. In view of the above, all Bureaus in both Departments of the Ministry of Education may like to direct the Autonomous Bodies / Organizations under their administrative control to take appropriate action accordingly.

Encl: As above.

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(Kirti)
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To

1. All BHs, D/o HE
2. All BHs, D/o SE&L - in respect of the educational institutions under the administrative control of D/o SE&L