

Payment of Arrears of Pension (Nomination) Rules, 1983

UNION OF INDIA

India

Payment of Arrears of Pension (Nomination) Rules, 1983

Rule

PAYMENT-OF-ARREARS-OF-PENSION-NOMINATION-RULES-1983 of 1983

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1978.

Government of India, Deptt. of Personnel & A.R.,Notification No. 26 (3)-Pension Unit/82,dated the 26th August, 1983(Published in the Gazette of India, dated the 10th September, 1983, as S.O. No. 3478.)In exercise of the powers conferred by Section 15 of the Pensions Act, 1871 (23 of 1871), the Central Government hereby makes the following rules, namely :-

1. Short title and commencement.

(1)These rules may be called the Payment of Arrears of Pension (Nomination) Rules, 1983.(2)They shall come into force on the date of their publication in the Official Gazette.

2. Application.

- These rules shall apply to the Central Government Pensioners who are in receipt of any pension under the rules which govern such pensioners and which is payable by the Government out of the Consolidated Fund of India.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context -(a)"Act" means the Pensions Act, 1871 (23 of 1871) ;(b)"Form" means a Form appended to the rules ;(c)"Nomination" means nomination made under these rules;(d)"Pension disbursing authority" means the authority through whom pension is drawn and includes -(i)branch of a nominated public sector bank ; or(ii)treasury including sub-treasury ; or(iii)Accounts Officer.

4. Nominee of pensioner to receive arrears of pension.

- Any pensioner to whom any pension is payable by the Government out of the Consolidated Fund of India may nominate any other person (hereinafter referred to as the nominee) in accordance with provisions of Rule 5 who shall receive, after the death of the pensioner all moneys payable to the pensioner on account of such pension on, before or after the date of such nomination and which remain unpaid immediately before the death of pensioner.

5. Nominations.

(1)Every pensioner who has retired on or before the date of commencement of these rules shall nominate any person for the purpose of Rule 4 in Form "A" and submit it, in triplicate, by personal service after taking receipt or by sending through registered post acknowledgement due to the respective Pension Disbursing Authority through whom pension is drawn.(2)Within thirty days of the receipt of nomination in Form "A" as referred to in sub-rule (1), the Pension Disbursing Authority shall get the particulars of the pensioner, as mentioned in Form "A" verified with reference to the available records and return to the pensioner, after obtaining a receipt thereof, the duplicate copy of the nomination in Form "A" duly attested by him or an officer authorized by him in this behalf. The triplicate copy shall be sent to the Accounts Officer of the Department from where the pensioner had retired while the original copy of the nomination shall be recorded.(3)Every employee who is due to retire after the date of commencement of these rules shall, submit the nomination, in triplicate, in Form "A" to the Head of Office or the Department from where he is retiring within three months before or after the date of retirement.(4)Within thirty days of the receipt of the nomination in Form "A" under sub-rule (3), the Head of Office shall get the particulars of the pensioner, as mentioned in Form "A" verified with reference to the records of the establishment and return to the pensioner, after obtaining the receipt thereof, a duplicate copy of the nomination in Form "A", duly attested by him or by an officer authorized by him in this behalf. The triplicate copy duly accepted shall be sent to the Accounts Officer, who shall pass it on to the Pension Disbursing Authority along with the Pension Payment Order. If the Pension Payment Order has already been issued in a particular case, the nomination shall be sent separately quoting PPO number and other particulars of the pension to enable the Pension Disbursing Authority to link up with the PPO.(5)A notice of modification of nomination including cases where a nominee pre-deceases the pensioner shall be submitted in triplicate in Form "B" to the Pension Disbursing Authority in the manner specified in sub-rule (1) and thereafter the provisions of sub-rule (2) shall apply mutatis mutandis with modifications as if it was made under sub-rule (1).(6)A nomination or a fresh nomination or a notice of modification of nomination shall be signed by the pensioner or, if

he is illiterate, shall bear his thumb-impression given in the presence of two witnesses who shall also sign a declaration to that effect in the nomination, fresh nomination or notice of modification of nomination, as the case may be.(7)Nomination, fresh nomination or notice of modification of nomination shall take effect from the date of receipt thereof by the Pension Disbursing Authority or the Head of Office, as the case may be.

6. Accepted nomination to be conclusive proof.

- A nomination made under Rule 5 and accepted by the Pension Disbursing Authority or the Head of Office, shall be a conclusive proof with regard to the person nominated to receive arrears of pension of the pensioner under these rules.

7. Mode of payment of arrears.

- The arrears of pension payable under these rules shall be paid in accordance with the provisions of the existing rules governing the mode of payment of pension.

8. Interpretation.

- Where any doubt arises as to the interpretation of these rules, the matter shall be referred to the Government of India in the Ministry of Home Affairs (Department of Personnel and Administrative Reforms) for decision.GOVERNMENT OF INDIA'S DECISIONPensioners drawing pension through Public Sector Banks may avail nomination facilities available in the Bank.- 1. Under the Scheme for payment of pension to Central Government pensioners through Public Sector Banks, the amount of monthly pension (including relief on pension sanctioned by the Government from time to time) is credited by the paying branch of a bank selected by the pensioner to the individual savings/current account of the pensioner. If the pensioner has already an account, savings or current, in his/her individual name with that branch of the bank, the pensioner is not required to open a separate account for this purpose. The only restriction under the scheme is that the account must be in the individual name of the pensioners and "joint" or an "either or survivor" is not allowed. When the account is in the individual name of the pensioner, the balance outstanding in the account cannot be transferred to anybody's account after demise of the pensioner. It will be paid to the legal heir of the pensioner as per the banking rules and practice.

2. However with effect from 29th March, 1985, the Reserve Bank of India have issued instructions allowing nomination facility to all depositors in respect of the deposits held by them in their individual capacity in the respective branches of the various Public Sector Banks to avoid any hardship to the nominee survivor in getting payment of the balance outstanding in the account of the deceased account holder. This may be brought to the notice of all pensioners so that they can avail of the nomination facility to avoid any hardship being faced by the nominee survivor of the deceased in getting the

payment of balance amount in the account of the deceased pensioner.

[G.I., Dept. of P. & P.W., O.M. No. 38/32/85-P. & P.W., dated the 7th January, 1986.]FORM A[See Rule 5]Pension Disbursing Authority/Head of Office(Name of Bank/Treasury/Post Office/Accounts Officer, etc.)Place.....I,.....(Name of the Pensioner in capital letters) hereby nominate the person named below under Rule 5 of the Payment of Arrears of Pension (Nomination) Rules, 1983.

If
nominee is
minor

Name and address of the nominee	Relationship with the pensioner	Date of birth	Name and address of person who may receive the said pension during the nominee's minority	Name and address of other nominee in case the nominee under column (1) predeceases the pensioner	Relationship with pensioner	Date of birth if the other nominee is minor	Name and address of person who may receive the pension during the other nominee's minority	Contingency on happening of which nomination shall become invalid
1	2	3	4	5	6	7	8	9

Place :Date :Witness : Signature : Name & address : Signature of Pension
Disbursing Authority/Head of Office. Acknowledgement to be sent by the Pension Disbursing
Authority/ Head of Office. Signature (or thumb-impression if illiterate) and name of
pensioner. Address : Certified that application/nomination has been received from
.....(name of pensioner) whose address isPlace : Date : Signature of
Pension Disbursing Authority Bank/ Treasury/ Post Office/ Accounts Officer/ Head of Office. Full
Address : FORM B[See Rule 5(5)]Pension Disbursing Authority/Head of Office(Name of
Bank/Treasury/Post Office/Accounts Officer,
etc.)Place.....I,.....(Name of Pensioner in Capital letters) hereby
make the following alternative nomination in cancellation of the previous nomination made on
..... under Rule 5 of the Payment of Arrears of Pension (Nomination)
Rules, 1983.

If
nominee is
minor

Name and address of the nominee	Relationship with the pensioner	Date of birth	Name and address of person who may receive	Name and address of other nominee in case the	Relationship with pensioner	Date of birth if the other nominee is minor	Name and address of person who may receive	Contingency on happening of which nomination
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			the said	nominee			the	shall
			pension	under			pension	become
			during the	column (1)			during the	invalid
			nominee's	predeceases			other	
			minority	the			nominee's	
				pensioner			minority	
1	2	3	4	5	6	7	8	9

Place :Date :Witness : Signature :Name & address :Signature
(or thumb-impression if illiterate) and name of pensioner.Address :Signature of Pension Disbursing
Authority.Date Stamp.Certified that application/nomination (From B) has been received from
.....(name of pensioner) whose address isForm A has been cancelled and returned to
him.Place :Date :Signature of Pension Disbursing Authority P.O./Bank/Treasury with full address
.....