

Public Debt (Annuity Certificates) Rules, 1954

UNION OF INDIA

India

Public Debt (Annuity Certificates) Rules, 1954

Rule PUBLIC-DEBT-ANNUITY-CERTIFICATES-RULES-1954 of 1954

- Published on 25 August 1954
- Commenced on 25 August 1954
- [This is the version of this document from 25 August 1954.]
- [Note: The original publication document is not available and this content could not be verified.]

Public Debt (Annuity Certificates) Rules, 1954 Published vide Notification Gazette of India, 1954, Part 2, Section 3

1597.

S.R.O. 2840 dated the 25th August, 1954.- In exercise of the powers conferred by section 28 of the Public Debt Act, 1944 (18 of 1944), the Central Government hereby makes the following rules, the same having been previously published as required by sub-section (1) of the said section, namely:-

1. Short title and application.-

(1) These rules may be called the Public Debt (Annuity Certificates) Rules, 1954. (2) They shall [* * * * *] [Omitted by S.R.O. 2287, dated 3.10.1956] [* * * * *] [Omitted by S.R.O. 2287, dated 3.10.1956] apply to a Government security in the form of an annuity certificate issued under clause (2) (a) (iv) of section 2 of the Act read with rule 4 of the Public Debt Rules, 1946.

2. Definitions.-

In these rules, unless the context otherwise refers- (1) "the Act" means the Public Debt Act, 1944 (18 of 1944); (2) "annuity" means any periodical payment of a part of the principal and interest in pursuance of the issue of an annuity certificate as may be determined by the Government; (3) "annuity certificate" means a Government security which provides for payment of an annuity; (4) "the Bank" means the Reserve Bank of India; (4a) ["commutation value" means such amount payable in one sum in respect of an annuity certificate on its surrender (and in lieu of the outstanding annuities payable thereon after the date of surrender) as the Government may specify;] [Inserted by G.S.R. 1257, dated 29.9.1962] (5) "Form" means a Form as set out in the Schedule to these rules; (6) "the Government" means the Central Government; (7) "Public Debt Office" means the

office of the Reserve Bank of India on the books of which an annuity certificate is or may be registered.(8)"mutilated annuity certificate" means an annuity certificate which has been destroyed, torn or damaged in material parts thereof and the material parts of an annuity certificate are those where:(i)the number, description and the face value of the annuity certificate or payments of annuity are recorded, or(ii)the name of the payee is written:(9)"defaced annuity certificate" means an annuity certificate which has been made illegible or rendered undecipherable in material parts:(10)"lost annuity certificate" means an annuity certificate which has actually been lost and shall not mean an annuity certificate which is in the adverse possession of any person other than the claimant: and(11)"section" means a section of the Act.

3. Non-transferability of Annuity Certificates.-

An annuity certificate shall not be transferable.

4.

[(1)] [Renumbered by G.S.R. 1257, dated 29.9.1962] Payment of Annuity.-The amounts due on an annuity certificate may be made payable at any treasury for sub-treasury in India or at the Public Debt Office, subject to compliance by the holder of such formalities as the Public Debt Office may require and the payment shall accordingly be made at such treasury or sub-treasury or at the Public Debt Office on presentation of the annuity certificate. The payee shall give a receipt in Form A. Where, however, the payment is due at a place where a Public Debt Office is located, the annuity certificate shall be presented at the Public Debt Office which shall issue an annuity warrant in favour of the holder payable at the local office of the Bank. Notwithstanding anything contained herein, any payment due at a treasury or sub-treasury may be made by the Public Debt Office by a warrant payable at such treasury or sub-treasury.(2)[Payment of Commutation value of Annuity Certificates.- [Inserted by G.S.R. 1257, dated 29.9.1962] At the option of the holder, payment of commutation value may be made to him on his applying the writing to the Public Debt Office and surrendering the annuity certificates duly discharged in Form AIII. The Public Debt Office may authorise payment at any treasury or sub-treasury in India or at a branch of the State Bank of India or any of its subsidiary Banks conducting Government treasury business, as may be specified by the holder.]

4A. [Nomination in respect of an Annuity Certificate.- [Inserted by G.S.R. 847, dated 30.7.1960]

(1)A sole holder or a sole surviving holder of a Government security issued in the form of annuity certificate whether before or after the commencement of the Public Debt (Annuity Certificates) Amendment Rules, 1960 who is not a minor, may nominate a person or persons who shall be entitled to the certificate and to payment thereon in the event of the death of the holder:Provided that-(a)the person or each of the persons nominated is himself competent to hold an annuity certificate; and(b)some part at least of the amount payable under the certificate has not become payable.(2)Every nomination under sub-rule (1), whether in substitution of a nomination already

made or not, shall be made in Form Al.(3)A nomination made under this rule may, on a subsequent date, be cancelled in writing in form All.(4)As soon as possible after a nomination is made or a nomination already made is cancelled, and person making or cancelling the nomination shall send to the Public Debt Office the form of nomination or cancellation, as the case maybe, together with the certificate to which it relates and the fee prescribed in sub-rule(5); and thereupon the Public Debt Office shall register the nomination or, as the case may be, the cancellation in its books and return the certificate with an endorsement thereon that a nomination has been made in respect of the certificate or that the nomination already made has been cancelled.(5)The fee for the registration of a nomination or any cancellation thereof shall be Re.1 per certificate, provided that no fee shall be charged for the registration of the first nomination in respect of any certificate.(6)No nomination or cancellation of a nomination shall take effect unless and until it has been registered in the Public Debt Office in accordance with this rule.

4B. Effect of nomination on renewal etc.-

The rights which a nominee, or nominees have acquired in relation to any annuity certificate under a nomination duly made and registered under rule 4A shall not be affected by reason only of the renewal or sub-division of the certificate or of the issue of a duplicate certificate on the ground that the original has been lost, stolen, destroyed, mutilated or defaced; and the nominee or nominees shall have the same rights in relation to the renewed certificate or each of the certificates issued on sub-division or the duplicate certificate as he or they had in relation to the original certificate.]

5. Procedure when an Annuity Certificate is lost, etc.-

(1)Every application for the issue of a duplicate annuity certificate in the place of an annuity certificate which is alleged to have been lost, stolen, destroyed, mutilated or defaced, either wholly or in part, shall be addressed to the Public Debt Office and shall be accompanied by : (a) a statement containing the following particulars: (i) the period for which payments have been made; (ii) the place at which the annuity certificate was for the time being enfaced for payment; (iii) the circumstances attending the loss, theft, destruction, mutilation or defacement; and (iv) whether the loss or theft was reported to the police; (b) the Post Office registration receipt for the cover containing the annuity certificate if the same was lost in transmission by registered post; (c) a copy of the police report, if the loss or theft was reported to the police; (d) an affidavit sworn before a Magistrate testifying that the applicant was the legal holder of the annuity certificate and that the annuity certificate is not in his possession nor has it been dealt with by him; (e) any portions or fragments which may remain of the lost, stolen, destroyed, mutilated or defaced annuity certificate. (2) A duplicate of letter sent to the Public Debt Office but not of its enclosures, shall also be sent to the treasury where the certificate was enfaced for payment. (3) The Bank shall, if it is satisfied of the loss, theft, destruction, mutilation or defacement of the annuity certificate, order the Public Debt Office to issue a duplicate annuity certificate.

6. Determination of Mutilated Annuity Certificate Requiring Renewal.-

It shall be at the option of the Bank to treat an annuity certificate which has been mutilated or dfaced, as an annuity certificate requiring issue of a duplicate under rule 5 or a renewal under rule 7.

7. When an Annuity Certificate is Required to be Renewed.-

(1)A holder of an annuity certificate may be required by the Public Debt Office to receipt the same for renewal in any of the following cases, namely:(a)if the annuity certificate is torn or in any way damaged;(b)if the annuity certificate having been enfaced three times for payment of annuity is presented for re-renfacement; and(c)if, in the opinion of the Public Debt Office, the title of the person presenting the annuity certificate is irregular or not fully proved.(2)When a requisition for renewal of a certificate has been made under sub-rule(1), further payments on the certificate may be refused until it is receipted for renewal and actually renewed.

8. [Execution of Bonds by persons entitled to Annuity Certificates.- [Inserted by G.S.R. 980, dated 11.7.1964]

In cases to which Sections 9, 10, 11 or 12 of the Act applies, the Bank may require any person considered by it as being entitled to an annuity certificate to execute a bond in Form B with one or more sureties approved by the Public Debt Office, or to furnish security in the form of Government securities, not exceeeding twice the value of the subject matter of the order, to be held at the disposal of the Bank, to pay to the Bank or to any person to whom the Bank may assign such bond or security, in furtherance of sub-section (2) of section 16 of the Act, the amount thereof.]

8A. [Provision for recognition of title to Annuity Certificates held by managing member of Hindu Joint Family subject to Mitakshara Law.-

The certificate required under the proviso to section 7 of the Act shall be a certificate signed by the District Magistrate after such enquiry (if any) as he considers necessary to determine the matters referred to therein.]

9. [Receipt for renewal, etc.- [Substituted by G.S.R. 847, dated 30.7.1960]

Subject to any general or special instructions from the Bank, the Public Debt Office may, on application by the holder, renew or sub-divide an annuity certificate provided that the annuity certificate has been receipted in form C or, as the case may be, in form C-1]

10. Application for Grant of Information.-

(1)Any person requiring information regarding an annuity certificate in the custody of the Public Debt Office may apply to that office in writing.(2)Every such application shall state with precision the particulars (namely the number, description and the face value of the annuity certificate and

shall contain a statement of the purpose for which the information is required and the interest of the applicant in the annuity certificate. If any of the above particulars are not known to the applicant, the Bank may on application in writing being made to it, direct the Public Debt Office, at its discretion, to supply the required particular or particulars, if available, to the applicant subject to such conditions and on payment of such fees, if any, as it may direct.

11. Disposal of Application for Grant of Information or Inspection.-

The Bank may reject any application for grant of information about any annuity certificate without stating any reason therefor.

12. Indemnity Bond and Fees, in connection with Grant of Information or Inspection.

(1) Before any information is supplied, every applicant shall, if so required by the Bank, execute a bond of indemnity as nearly as may be in Form D for such amount as may be specified by the Bank not exceeding twice the value of the annuity certificate. (2) Before any information is supplied to him every applicant shall, if so required by the Bank, pay a fee of one rupee for each annuity certificate in respect of which any information is supplied.

13. Fees.-

Every applicant shall pay a fee of one rupee for each renewed, or duplicate annuity certificate before a renewed or duplicate annuity certificate is issued to him. [13-A. Disposal of Certificates which have been repaid, renewed, etc.- [Inserted by G.S.R. 1097, dated 13.8.1962] An Annuity Certificate in respect of which a duplicate certificate or a new certificate has been issued or all the instalments due have been paid may be perforated, punched, cut or otherwise disposed of by the Bank such manner as the Bank may consider necessary to ensure that the original certificate is not misused].

14. Public Debt Rules with certain exceptions not to apply to Government Securities governed by these Rules.-

The public Debt Rules, 1964 except rule 4 thereof shall not apply to such Government securities in the form of annuity certificates to which these rules apply. FORM A (See rule 4) Receipt For Payment On Annuity Certificates Received From The Government Treasury At Payment Due On Annuity Certificates As Follows :-

No. of Annuity	Amount of certificate	Amount of Payment	Period for which payment are due	Total amount due	Date upto to which payment is due	Name of holder of Annuity certificate
	[Rs. nP]	[Rs. nP]		[Rs. nP]		
	[Substituted by	[Substituted by		[Substituted by		

G.S.R. 758, G.S.R. 758, G.S.R. 758,
dated 5.6.1962] dated 5.6.1962] dated 5.6.1962]

Total

Total received (in words)[FORM AI] [Inserted by G.S.R. 847, dated 30.7.1960][See Rule 4A(2)]Nomination Made Under Section 9b (1) Of The Act And Rule 4a

1. I(Name and address) nominate the following person Is who shall, on my death have the right to receive payment of the amount for the time being due on the certificate specified below.

Certificate Nominee

Nature Distinguishing Number Denomination Date of purchase Name Address of birth Date

2. *Asthe sole nominee aboveis a monor on this, date, I appoint Shri/Smit./Kumarito receive the amount for the time (name and address) being due on the above certificate in the event of my death during the minority of the said nominee**

3. This nomination is in substitution of the nomination dated made by me and registered in your books on thewhich shall stand cancelled on registration of this nomination.

Signature/Thumb Impression of the holder,PlaceDate.....Signature and addresses of witnesses :

1.

2.

*Not to be filled in, unless nominee is a minor.** Name of the nominee.This paragraph may be struck out when the nomination is not in substitution of one already made.FORM AII[See Rule 4A (3)]Notice Of Cancellation Of Nomination Under Section 9b (1) Of The Act And Rule 4aI(name and address) do hereby cancel the nomination datedmade by me in respect of the following certificate and registered by the Public Debt Office on the(date).Particulars of the Certificate.Place Signature/Thumb Impression of holderDateSignatures and address of witnesses:

1.

2.

[FORM AIII] [Inserted by G.S.R. 1257, dated 29.9.1962][See rule 4(2)]Receipt For Commutation Value Of Annuity Certificates Received Rs. (in words) being the commutation value of the outstanding amount on this certificate (which hereby stands fully discharged) in terms of paragraphof the Government of India, Ministry of Finance, Notification No.datedSignature of HolderFORM B(See rule 8)Security BondThis Agreement is made on theday of.....betweenson of.....of the one part and the Reserve Bank of India of the other part.Whereas I/we am/are represent the true and lawful owner/s of theAnnuity Certificates specified in Schedule "A" hereto annexed.And whereas I/we have applied to the Reserve Bank of India, Public Debt Officeforof the said Annuity Certificates and the said Bank have consented so to do upon my/our giving security of Rsto meet a claim by a rightful owner to the said Annuity Certificates in case there shall be such a claim.Now these presents witness that in pursuance of the aforesaid agreement I/we hereby oblige myself /ourselves to make good the claim of the rightful owner in respect of the said Annuity Certificates and I/we hereby further agree that this security bond may be held by the said Bank and the said Bank may assign the security bond to the rightful owner of the said Annuity Certificates.In witness whereof I/we have subscribed my/our name/namesday ofSigned by the within mentioned in the presence ofPrincipalI/Weson ofresident ofhereby undertake to make good any claim to the rightful owner of the Annuity Certificates mentioned in the Schedule hereto in case the principal/principals makes/make default in payment of the claim by virtue of the above agreement.Signed by the within mentioned in the presence ofSurety

"A" Referred to in the Bond

FORM C(See rule 9)Form Of Endorsement For Renewal Of An Annuity CertificateReceived in lieu hereof a renewed annuity certificate payable to (name of holder)with annuity payable atTreasury.Signature of the holder/duly authorised representative of (name of holder)FORM C-1(See rule 9)Form of Endorsement for sub-division of an Annuity CertificateReceived in lieu of this Annuity CertificateAnnuity Certificates for Rs.respectively with annuity payable at.....Treasury.Signature of the holder/duly authorised representative of(name of the holder)FORM D(See rule 12)Form Of Indemnity BondWhereas I/We..... son ofresidentat(and..... son of.....resident at.....claim to be entitled.....).(Here state in what capacity claim to the Annuity Certificates is made) to the Annuity Certificate(s) specified in the Schedule hereunder written and have represented to the Reserve Bank of India, Public Debt Office.....that the said Annuity Certificate(s) has/have beenand have applied to the Reserve Bank of India, Public Debt Office.....for an inspection of the said Annuity Certificate(s) and also for all other information and particulars respecting the said Annuity Certificate(s) and whereas the Reserve Bank of India, Public Debt Office has agreed to give inspection and to afford to me/us all information and particulars affecting the said Annuity Certificates I/we oblige myself/ourselves my/our heirs and assigns whatsoever. (To be omitted if bond taken from one person only) (jointly and severally) to guarantee and defend and relieve the Reserve Bank of India,

Public Debt Office.....and the Government to the extent of Rs.*from all and any claim, question and expenses which may be raised against or incurred by the Reserve Bank of India, Public Debt Office.....or the Government in reference to the said Annuity Certificate(s).In witness hereof I/we have subscribed my/our name(s) this day ofSigned by the within mentioned in the presence ofApplicant's signature.The Schedule referred to in the foregoing Bond.*Double the amount of the payment made thereon since the respective dates of issue.