

The Rajasthan Legislative Assembly Members (Pension) Rules, 1977

RAJASTHAN

India

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Rule

THE-RAJASTHAN-LEGISLATIVE-ASSEMBLY-MEMBERS-PENSION-RULES of 1977

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The Rajasthan Legislative Assembly Members (Pension) Rules, 1977 Published vide Notification No. F.7(1) Sansad/ 77, Published in Rajasthan Gazette Part 4-C(1), Page No. 57(1 to 8) dated 28-6-1982 In exercise of the powers conferred by clause (ff) of Sub-section (2) of section 11 read with section 4A of the Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) Act, 1956 (Rajasthan Act 6 of 1957), the State Government hereby makes the following rules namely:-

1. Short title & Commencement.

(1) These rules may be called the Rajasthan Legislative Assembly Members Pension Rules, 1977. (2) They shall be deemed to have come into force on 14th December, 1976.

2. Application of pension.

- Any application for the grant of pension under these rules shall be made by the person entitled to pension under the Act to the Secretary, Rajasthan Legislative Assembly in form No. 1: Provided that-(i) in the case of lunacy of the person entitled to receive pension the application may be made by the person appointed to manage the estate of the lunatic under the Indian Lunacy Act, 1912. (ii) in the case death of the person entitled to pension under the Act, the application may be made by the person who has obtained succession certificate in respect of the arrears of pension under the Indian Succession Act, 1925 or a certificate under the Administrators General Act, 1963.

3. Scrutiny of application and issue of pension payment order.

(1) On receipt of an application for the grant of pension under these rules, the Secretary, Rajasthan Legislative Assembly shall determine, after such verification as he deems necessary, the eligibility or otherwise for the grant of pension to the person claiming pension under the Act. (2) In case a person in respect of whom the pension is claimed is found eligible to the grant of the same, a pension payment order shall be issued in favour of the applicant by the Secretary, Rajasthan Legislative Assembly in Form No. II.

3A. [No dues Certificate. [Added by Notification No.F.7(1) vide GLR 34, Published in Rajasthan Gazette Part IV-C (1), page 307-308 dated 7-9-1979.]

(1) There shall be enclosed with an application for the grant of pension under rule 2, a No Dues Certificate to be obtained from the Secretary, Rajasthan Legislative Assembly. (2) Pending issue of a No Dues Certificate required under sub-rule (1) above, the Secretary, Rajasthan Legislative Assembly may provisionally grant an amount not exceeding 75% of the pension: Provided that the Government dues outstanding against a member shall be recoverable from his pension but the amount of such recovery shall not exceed 1/3 of the pension.]

4. Mode of payment of pension.

(1) The first payment of pension and subsequent payments of pension for the months of May and November every year shall be subject to the production (in respect of the person entitled to pension under the Act) of a declaration in Form No. III. (2) The pension payment order shall be prepared in Triplicate and the first copy shall be delivered to the applicant and the second shall be sent to the Public Sector Bank Branch approved by the State Government or the Treasury Officer from which the applicant has desired to draw his pension. A copy thereof shall be retained for record. (3) (i) The payment of pension under these rules shall be made to the person in whose favour pension payment order is issued either at a Treasury in the State or through the Public Sector Bank at his option, the payment of pension under these rules through the Public Sector Bank shall be, made in accordance with scheme for payment of pension through Public Sector Banks applicable to State pensioners as and when it is introduced. (ii) When payment of pension is desired at a Treasury in the State the Treasury half of the pension payment order shall be sent to the Treasury Officer concerned by the Secretary, Rajasthan Legislative Assembly and the payment of pension shall along with a pension bill in the form given in Form IV. The record of payment of pensioner made shall be kept on the reverse portion of the pension payment order and entries shall be made in both the halves of the pension payment order in token of payment having been made under the attestation of the Treasury Officer. (4) If the person entitled to pension (under the Act and the rules) is elected or appointed to any office or post becomes entitled to any salary, remuneration or pension, he shall inform the Secretary, Rajasthan Legislative Assembly and the pension disbursing Bank within one month of such election, appointment or entitlement, as the case may be. (5) A Register of all the pension payment orders shall be maintained by the Secretary, Rajasthan Legislative Assembly recording the particulars of pension payment order issued, cancelled or revised.

5. Issue of revised pension payment order.

- The Secretary Rajasthan Legislative Assembly on being satisfied that the revision of the Pension Payment Order issued under rule 3 is necessary, may suo moto or otherwise, issue Revised Pension Payment Order from time to time as to confirm to the provisions of the Act and rules and upon the issue of a Revised Pension Payment Order the previous Pension Payment order in force shall cease to be effective: Provided that the amount of pension shall not be reduced or cancelled without issuing a show cause notice and affording an opportunity to the person concerned for making his representation within a time to be fixed by the Secretary, Rajasthan Legislative Assembly.

6. Cessation of pension on death.

- On the death of the person entitled to pension under the Act, the payment of pension shall cease forthwith and the Pension Payment Order in force for the time being, shall be returned by the person in possession thereof to the Secretary, Rajasthan Legislative Assembly with a declaration of death of the person who was entitled to pension under the Act. [Form I] [All the Form 1 to 4 Added Notification No. F.7(1) vide GSR 23, Published in Rajasthan Gazette Part IV-C (I), page 57 (1 to 6) dated 28-6-1982.] Application for Pension (See section 4A of the Rajasthan Legislative Assembly (Officers & Members Emoluments and Pension Act, 1956) From Shri/ Shrimati/ Kumari under the proviso to rule, Ex-member of the Rajasthan Legislative Assembly (Member of Lok-Sabha/ Raj Sabha/ Provisional parliament (here mention House in which last served) To, The Secretary, Rajasthan Legislative Assembly, Jaipur. Subject. - Section of Pension under the Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) Act, 1956. Sir, In terms of section 4-A of the above mentioned Act, I am entitled to get pension in respect of the following periods served by me as a Member of

(1) Member of Rajasthan Legislative Assembly

From to

(2) Former State of Ajmer Legislative Assembly

From to

(3) Member of Rajya Sabha

From to

(4) Member of Lok Sabha

From to

2. It is requested that steps may kindly be taken to sanction Pension to me, Shri/ Shrimati/ Kumari I desire to draw my Pension from Public Sector Bank, Branch at

3. I enclose herewith the following documents duly attested by a 1st Class Magistrate/ Class I Officer belonging to the Central Government or a State Government or a Sitting member of Parliament/ Rajasthan Legislative

Assembly:

(i)Three specimen signatures.(ii)Three latest copies of photograph of Passport size.

4. My present address

My permanent address

5. I hereby declare that:-

(i)I am not holding the elected office of the President or the Vice-President or the Office of the Governor of any State or the Administrator of any Union Territory;(ii)I am not a member of the council of State (Rajya Sabha) or House of the People (Lok-Sabha) or any Legislative Assembly of State or Union territory or any Legislative council of a State or the Metropolitan Council of Delhi Constituted under section 3 of Delhi Administration Act, 1966.(iii)I am not employed on a salary under the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government or any Local Authority or I am not otherwise entitled to get any remuneration from such Government or Local Authority.(iv)I am not in receipt of Pension from any Political/ Military Civil Services;(v)I am holding the office of the or Member of or employed as..... or in..... and the total remuneration received by me is Rs. P.M. (A certificate from competent authority to be attached);(vi)I am in receipt of Rs. as Political/ Military/ Civil Pension being drawn from (A certificate from the Competent Authority to be attached).Yours faithfully,()Name In Block LettersPlace:Date :Rajasthan Legislative Assembly Secretariat

Certified that Shri/ Shrimati/ Kumari.....

(In Block Letters)

served as a member of Rajasthan Legislative Assembly during the following period:-

From to

From to

From to

Secretary,

Rajasthan Legislative Assembly

Secretariat.

Certified that Shri/ Shrimati/ Kumari.....

(In Block Letters)

served as a member of the Rajya Sabha/Lok Sabha during the following period:

From to

From to

From to

From to

Senior Table Officer, Rajya Sabha/Lok Sabha Secretariat. Rajasthan Legislative Assembly Secretariat No. Jaipur, dated the Till further notice, and on the expiry of every month, be pleased to pay to Shri/ Shrimati/ Kumari the sum of Rs. being the amount of pension under proviso to Section (2) of the Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) Act, 1956 as amended, as per details given below:-

Pension due under Section 4(a)	Rs.
Less remuneration/ pension	Rs.
Net pension payable	Rs.

The payment should commence from.....

and payment be made upto.....

Signature Designation Form-2 Pension payment order Disburser's Portion

Debitable to

State

Government

Head of account

Major head:-

Minor head:-

Voted

Photograph of the
Ex-MLA duly
attested by
Competent Officer.

1. Name of the Pensioner

(under proviso of rule(2)

2. Residential address

3. Village and Tehsil & Distt.

4. Distinguishing mark (Mark of
Identification) of the Pensioner.....

5. Class of pension-Pension under the
Rajasthan Legislative Assembly (Officers &
Members Emoluments and Pension) Act,
1956 as amended.

6. Amount of monthly pension Rs (Rupees in
words)

Signature of the
Pensioner

7. Date of commencement from to
..... payment may be made.

8. Office and place of payment

Secretary,

Rajasthan Legislative
Assembly,

Jaipur.

Date:

Place:

Amount of pension Rs.
(Rupees in words)(every separate
payment is to be recorded below by the
Disbursing Officer.)

Month for which pension is due	19	19	19	19
Date of payment	Disbursing Officer	Date of payment	Disbursing Officer	
1	2	3	4	5
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				
January				
February				

Signature

.....

Address

.....

Date:

Form - 3 Declaration [To be furnished by ex-member of Legislative Assembly with his first pension bill and thereafter twice a year i.e. in the month of May and November] I declare that:-

1. Since 14-12-1976 or (here in case of second and subsequent declaration mention the date of the declaration), I has been elected/ nominated/appointed as from to on a remuneration/ salary of Rs. P.M.

2. I is/ was not elected in that office of the President/Vice President or appointed to the office of the Governor of any State or Administrator or any Union Territory, or

3. I is/ was not a member of council of States (Rajya Sabha) or House of the People (Lok Sabha) any Legislative Assembly of Legislative council of a State or Metropolitan Council of Delhi constituted under section 3 of Delhi Administration Act, 1966: or

4. I is/ was not employed on salary under the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government or any Local Authority or, I is/ was not other, wise entitled to any remuneration from such Government or Corporation of Local Authority: or

5. I is was not in receipt of any pension from Central Government/ State Government any Local Authority/Corporation owned or controlled by the Central Government or any State Government.

Or(i)I is/ was holding the office of . or member of or employed as in and the total remuneration received by me is Rs.(ii)I is/ was in receipt of Rs. as pension drawing from [.....] [Here mention the name of the Central Government/ State Government/ Local Authority/ Corporation owned or controlled by the Central Government or State Government.] StationForm - 4Government of RajasthanPension Bill

Not exceeding Rs. P.M.

Family

Pension Payment Order No.

Memo:- It is requested that the from may be used for submission of next bill.

District

Head of Account

Voucher No.
..... of list of
payment.....19
.....

Received the amount of pension due to me for the month of..... 19
.....

Less income tax

Net Rs. (Rupees in words.....)

Place

Date

Pensioner's residential address
.....

.....
Received Payment

Stamp
Pensioner

Identified by me

Signature

Designation of address.

Certificate to be given in case of non-attendance in person (except in case in which such certificates are not required under any rule or order)

Certified that I have seen the Pensioner that he/she is alive on this date and that the bill has been signed by him/her.

Date

Name

Designation
.....

Endorsement to be signed by the pensioner

Please pay to

Rs.

Pensioner.

For use in Treasury

..... Bank/ Treasury Pay Rupees
..... (In..... words)

Incorporated in Account

Accountant

Dated

Treasury of
Sub-Treasury Office.
Payee's Receipts

Received Payment

Signature of

Messenger or
Agent.

Identified by me

Signature
.....
Designation/
Address
.....
.....

For Bank/ Treasury

Paid Rupees (In
words).....

Admitted Rs.

Objected to Rupees

Auditor

Superintendent

Secretary