

The M.P. Vidhan Sabha Sadasya Pension Rules, 1977

MADHYA PRADESH

India

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Rule

THE-M-P-VIDHAN-SABHA-SADASYA-PENSION-RULES-1977 of 1977

- Published on 31 March 1977
- Commenced on 31 March 1977
- [This is the version of this document from 31 March 1977.]
- [Note: The original publication document is not available and this content could not be verified.]

The M.P. Vidhan Sabha Sadasya Pension Rules, 1977Published vide Notification No. 14770(2) 4-26-77-(P.A.)-77 (2) 21-A, M.P. Rajpatra (Asadharan), dated 31-3-1977In exercise of the powers conferred by sub-section (1) and clause (aa) of sub-section (2) of Section 9 read with Section 6-A of the Madhya Pradesh Vidhan Sabha Sadasya Vetan Bhatta, Tatha Pension Adhiniyam. 1972 (No. 7 of 1973), the State Government hereby makes the following rules, namely :-

1.

These rules may be called the Madhya Pradesh Vidhan Sabha Sadasya Pension Rules, 1977.

2.

In these rules, unless the context otherwise requires,-(a)"Act" means the Madhya Pradesh Vidhan Sabha Sadasya Vetan, Bhatta Tatha Pension Adhiniyam, 1972 (No. 7 of 1973);(b)"Form" means a form appended to these rules;(c)["Secretary" means the Secretary of the Madhya Pradesh Legislative Assembly and includes any other officer of the Vidhan Sabha as may be authorised by the Speaker for the purposes of these rules] [Substituted by Notification No. 3832-F-4-80 (P.A.)-XXI-A, dated 4-2-1980.].

3.

Every person who is entitled to pension under sub-section (1) of Section 6-A of the Act shall make an application to the Secretary in Form A. The application shall be accompanied by three copies of the latest photograph and three specimen signatures attested by a Gazetted Officer.

4.

(1)The Secretary shall verify or cause to be verified the contents of the application and on his being satisfied that the applicant is entitled to pension under Section 6-A of the Act issue an order sanctioning the pension specifying therein,-(a)the name of the person entitled to pension under Section 6-A of the Act;(b)the amount of pension;(c)the date with effect from which such person shall be entitled to pension;(d)the treasury through which the payment shall be made.(2)A copy of the order sanctioning pension shall be forwarded to the Accountant General, Madhya Pradesh.

5.

The Accountant General I, Madhya Pradesh, shall, on receipt of the sanction order, issue Pension Payment Order in Form 'B' to the Treasury Officer of the Treasury through which the pension is to be disbursed under intimation to the applicant.

6.

The pensioner shall present a bill in Form 'C' either in person or through an agent or messenger to the Treasury Officer for drawing his pension. Except in the case of pension received in person, payment of pension by Treasury will be subject to the production of Life Certificate issued by a competent authority in Form 'D';.Explanation. - For the purpose of the rule, "the competent authority" shall be a first class Magistrate or a Class I Officer of the Central or State Government or a sitting member of Parliament or Madhya Pradesh Legislative Assembly or any other officer referred to in Rule 363 of Madhya Pradesh Treasury Code Volume 1.

7.

The first pension bill and thereafter every pension bill for the months of May, and November, shall be accompanied by a declaration in Form 'E'.

8.

Immediately on the occurrence of any event disqualifying the pensioner to receive pension under sub-section (2) of Section 6-A of the Act, the pensioner shall intimate the event to the Secretary, the Accountant General who issued the Pension Payment Order and the Treasury Officer concerned.Form 'A'[See Rule 3]Application For Pension[See Section 6-A of the Madhya Pradesh Vidhan Sabha Sadasya Vetan Bhatta Tatha Pension Adhiniyam, 1972].(To be submitted in duplicate by a person entitled to pension under Section 6-A of the Act).From,Shri/Smt/Ku.....To,The Secretary,The Madhya Pradesh Legislative Assembly, BhopalSub.- Sanction of pension under the Madhya Pradesh Vidhan Sabha Sadasya Vetan Bhatta Tatha Pension Adhiniyam, 1972 (No. 7 of 1973).Sir,In terms of Section 6-A of the above mentioned Act, I am entitled to pension in respect of the following periods served by me as a member of Madhya Pradesh Legislative Assembly.

Name and No. of Constituency From To

(i)

(ii)

(iii)

(iv)

.....

2. It is requested that steps may kindly be taken to sanction pension to me, I desire to draw my pension from Government Treasury at.....

3. I enclose herewith the following documents duly attested by a 1st Class Magistrate/Class I Officer of the Central Government or a State Government a sitting member of Parliament or Madhya Pradesh Legislative Assembly.

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

4. My present address is.....

5. I hereby declare that,-

(i)I do not hold the office of the President or the Vice-President of India 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 States or the House of People or any Legislative Assembly of a State or Union Territory or the Legislative Council of State or the Metropolitan Council of Delhi constituted under Section 3 of the Delhi Administration Act, 1966 (No. 19 of 1966);(iii)I am not employed on a salary under the Central Government or the State Government or any other State Government or any Corporation owned or controlled by the Central Government, or such State Government or any local authority or I am not otherwise entitled to any remuneration from such Government or Corporation or local authority.(iv)[Omitted.] [Omitted by Notification No. 1385-F-One (2) XLVIII-90-(P.A.), dated 3-7-1996.](v)I am holding the office of.....or I am member of.....or I am employed as.....and the total remuneration received by me as holder of such office or being such member or being in such employment is Rs.per month.(A certificate from the competent authority to be attached).(vi)[Omitted.] [Omitted by Notification No. 1385-F-One (2) XLVIII-90-(P.A.), dated 3-7-1996.]Your faithfully,.....Name in block letters.....Station.....Date.....Legislative Assembly Secretariat Madhya PradeshAccount SectionNo...../Accounts.Dated.....Forwarded to the Accountant-General, I, Madhya Pradesh, Gwalior for further necessary action.....Accounts OfficerOffice of Accountant General-I Madhya PradeshNo.....Dated.....Certified that Shri/Smt./Ku has served as a member of Madhya Pradesh Legislative Assembly for the period given below :-

(1) From..... To.....

(2) From..... To.....

(3) From..... To.....

and that a pension of Rs.per mensem is admissible to him/her.....Accounts OfficerLegislative Assembly Secretariat Madhya PradeshNo.....Dated.....A pension of Rs.....(Rupees.....only) per mensem is sanctioned to Shri/Smt./Ku.....with effect from.....The pension shall be payable at.....Treasury.Forwarded to the Accountant General I, Madhya Pradesh, Gwalior.Secretary,Madhya Pradesh Legislative AssemblyForm 'B'[See Rule 5]Pension Payment OrderPensioner's PortionDisburser's PortionDebitable to State Government:

Head of Account Major Head - 266 Pensions and other Retirement Benefits

Minor Head - Pensions to Legislators Members of State Legislatures

Voted

1. Name of Pensioner

.....

2. Residence showing Village and Pargana

.....Space for
Photograph of the
Pensioner

Class of Pension-Pension under the Madhya Pradesh Vidhan Sabha

3. Sadasya Vetan Bhatta Tatha Pension Adhiniyam, 1972 (No. 7 of 1973).

4. Amount of monthly Pension Rs....(Rs.....)

Space for signature of the
Pensioner.

5. Date of commencement.....

Office and place of

6. payment.....Office of.....The.....
19.....

No.....Until further notice, and on the expiration of every month be pleased to pay to the sum of rupees being the amount of pension under the Madhya Pradesh Vidhan Sabha Sadasya Vetan, Bhatta Tatha Pension Adhiniyam, 1972 (No. 7 of 1973). The payment should commence from.....(Signature).....(Designation).....[Note. [Substituted by Notification No. 1385-F-One-(2) XLVIII-90-(P.A.), dated 3-7-1996.] - The amount of remuneration/pension, if any, received by the pensioner (as per the declaration furnished by him) should be deducted from his pension as per sub-section (2) of Section 6-A of the Act], Counter Signature of Authorised Officer of the Office of the Accountant-General.....To.....Conditions governing payment of pension

1. Pension will not be payable under this order so long as the pensioner :-

(i) is elected to the office of the President or Vice-President of India or is appointed to the office of the Governor of any State or the Administrator of any Union Territory; OR (ii) becomes a member of Council of States or the House of People or any Legislative Assembly of a State or Union Territory or any Legislative Council of a State or the Metropolitan Council of Delhi constituted under Section 2 of the Delhi Administration Act, 1966 (No. 19 of 1966); OR (iii) is employed on a salary under the

Central Government or the State Government or any other State Government or any Corporation owned or controlled by the Central Government or such State Government or any local authority or becomes otherwise entitled to any remuneration from such Government, Corporation or Local Authority :Provided that where the salary received for holding such office, or for being such member or for being in such employment or where the remuneration referred to in condition (iii) is less than the pension payable under this Order, the pensioner shall be entitled to receive only the balance as pension under this order.

2. [Omitted.] [Omitted by Notification No. 1385-F-One-(2) XLVIII-90-(P.A.), dated 3-7-1996.]

3. [The first payment of pension under this Order and subsequent payments of pension for the months of May and November each year will be subject to the production by the pensioner of a declaration, in prescribed form, regarding holding of an office/employment. Further the pensioner is required to inform the Secretary, Madhya Pradesh Legislative Assembly, the Accountant General, Madhya Pradesh, Gwalior (who issued the pension payment order) as well as the pension disbursing officer, about his election/employment as referred to in Condition I within one month of the event.] [Substituted by Notification No. 1385-F-One-(2) XLVIII-90-(P.A.), dated 3-7-1996.]

4. Payment under this order, at the Treasury/Sub-Treasury will be made to the pensioner in person upon the production of this Order and presentation of a bill in Form C.

Personal appearance at Treasury/Sub-Treasury may be waived in the case of a pensioner specially exempted by the State Government or who seeks payment through a messenger and sends a Life Certificate signed by a first Class Magistrate/Class I Officer of the Central or a State Government/a sitting member of Parliament/Madhya Pradesh Legislative Assembly or any other officer referred to in Rule 363 of the Madhya Pradesh Treasury Code Volume I. Except in the case of pensions received in person, payment of pension by Treasury/Sub-Treasury will be subject to production of Life Certificate. Notes. - (i) On the death of the pensioner, this order should be immediately returned by his/her family to the Pension Disbursing Officer, with a report of the date of death the pensioner. (ii) Formal claims for life time arrears, if any, duly supported by legal authority where necessary, should be submitted to the Pension Disbursing Officer. Amount of pension Rs. (In words) Every separate payment is to be recorded below by the Disbursing Officer :-

| Month for which pension is due | 19.... Date of Payment | 19... Disbursing Officer's initial | 19.... Date of Payment | 19... Disbursing Officer's initial | Remarks |
|--------------------------------|------------------------|------------------------------------|------------------------|------------------------------------|---------|
| (1) | (2) | (3) | (4) | (5) | (6) |

March

April

May

June

July

August

September

October

November

December

January

February

Form 'C'[See Rule 6]State Pension Kill of a person entitled to pension under Section 6-A of the Madhya Pradesh Vidhan Sabha Sadasya Vetan, Bhatta Tatha Pension Adhiniyam, 1972. Pension Payment Order No.....Shri/Smt./Ku.....District Head of Account-266-Pension and other Retirement Benefits V. No.Pensions to Legislators-Members of Date.....Legislatures Amount of pension due to me as a person entitled to pension under Section 6-A of the said Act for the month of 197, Rs.....[Less. - Remuneration being received by me under sub-section (2) of Section 6-A of the said Act as per the declaration in Form 'E' furnished with my pension bill for the month of 19.....] [Substituted by Notification No. 1385-F-One (2) XLVIII-90-(P.A.), dated 3-7-1996.] Net Amount

In words (Rupees..... Received payment

.....

Pay Rs..... Revenue Stamp of amount exceeds

(Rupees.....) Rs. 20/-

Treasury Officer Signature of pensioner Pensioner's residence..... Station..... Date..... Note. - A declaration in Form 'E' should be furnished with the first pension bill and the pension bills for the months of May and November each year. Form D[See Rule 6] Certificate to be Given in Case of Non-Attendance of Pensioner in Person (To be signed by a First Class Magistrate/Class I Officer of the Central or State Government/a sitting Member of Parliament/Madhya Pradesh Legislative Assembly or any other officer referred to in Rule 363 of the Madhya Pradesh Treasury Code Volume 1). Certified that I have been the pensioner Shri/Smt./Ku..... and that he/she is alive on this date and the bill has been signed by him/her in my presence. Signature Designation Seal Form 'E'[See Rule 7] Declaration (To be furnished by the person entitled to pension under Section 6-A of the Madhya Pradesh Vidhan Sabha Sadasya Vetan, Bhatta Tatha Pension Adhiniyam, 1972 with his first pension bill and thereafter twice a year i.e., in the month of May and November). I declare that, -(i) I am not elected to the office of the President, Vice-President or appointed to the Office of the Governor of any State or Administrator of any Union Territory, or (ii) I am not a member of Council of States or House of the People any Legislative Assembly or Legislative Council of a State or Metropolitan Council of Delhi constituted under Section 3 of the Delhi

Administration Act, 1966 (No. 19 of 1966); or(iii)I am not employed on salary under the Central Government or the State Government or any State Government or any Corporation owned or controlled by the Central Government or such State Government or any Local Authority or I am not otherwise entitled to any remuneration from such Government or Corporation or Local Authority; or(iv)[I am holding the office of..... or I am a member of or I am employed as in and the total remuneration received by me as holder of such office or being such member or being in such employment is Rs.....] [Substituted by Notification No. 1385-F-One (2) XLVIII-90-(P.A.), dated 3-7-1996.]

Station..... Pensioner.....

Date..... Address.....