

The Punjab State Legislature Members (Pension and Medical Facilities Regulation) Rules, 1984

PUNJAB

India

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Rule

THE-PUNJAB-STATE-LEGISLATURE-MEMBERS-PENSION-AND-MEDICAL-FACILITIES-REGULATION-RULES-1984

- Published on 25 January 1967
- Commenced on 25 January 1967
- [This is the version of this document from 25 January 1967.]
- [Note: The original publication document is not available and this content could not be verified.]

The Punjab State Legislature Members (Pension and Medical Facilities Regulation) Rules, 1984

1. Short title and commencement.

(1)These rules may be called the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Rules, 1984.(2)They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a)"Act" means the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977 (Punjab Act No. 5 of 1977);(b)"Form" means a form appended to these rules;(c)"Government" means the Government of the State of Punjab in the Department of General Administration (Research Cell, Parliamentary Affairs);(d)"Pensioner" means a person to whom pension has been sanctioned under these rules;(e)"Secretary" means the Secretary of the Punjab Vidhan Sabha;(f)"Speaker" means the Speaker of the Punjab Vidhan Sabha.

3. Application for pension.

(1)A person entitled to pension under the Act shall make an application in part A of Form I in duplicate, to the Secretary.[Provided that where a person entitled to pension under the Act had died before applying for pension or after applying but before receiving the amount of pension, the legal

heir(s) of the deceased shall make an application to the Secretary in Part AA of Form 1 enclosing herewith his (their) photograph(s) accompanied by a death certificate and a succession certificate] [Added by Punjab government Notification No. G.S.R. 39/P.A.- 5/77/S. 5/Amd.(2)/86, dated 29th May, 1986.](2)The application referred to in sub-rule (1), shall be accompanied by three passport size contemporary photographs of the applicant duly attested by a Gazetted Officer.(3)On receipt of the application for pension, the Secretary or any Officer not below the rank of Deputy Secretary authorised by him, shall verify the facts stated therein, with reference to the records available with him and with a view to determining as to whether the applicant is entitled to any pension under the provisions of the Act and he may hold such enquiry and may call for such further information from the applicant, as he may deem fit :[Provided that where an application is made by the legal heir(s) under the proviso to sub-rule (1), the Secretary or any officer not below the rank of Deputy Secretary authorised by him shall verify and satisfy himself as to the entitlement of pension of the deceased person under the Act and also to the claim of the heir(s) with reference to record available with him] [Added by Punjab Government Notification No. G.S.R. 39/P.A.-5/77/S. 5/Amd. (2)/86, dated 29th May, 1986.]

4. Sanction of Pension.

- The Secretary shall, if the facts stated in the application for pension made under rule 3 are found correct and the application is not otherwise defective, record a certificate as given in part B of Form I and submit the application to the Speaker, who shall pass an order in Part C or Part D of Form I, sanctioning the pension of the applicant or life time arrears as the case may be, of pension of the deceased person to the legal heir(s).

5. Authorisation for payment of pension.

(1)After an order sanctioning the pension is passed under rule 4, a copy of the application submitted under rule 3 alongwith such order and two photographs of the applicant shall be sent to the Accountant General, Punjab.(2)The Accountant General, Punjab, shall after satisfying himself that the papers submitted to him under sub-rule (1) are in every respect in order and the amount of pension has been correctly sanctioned, issue a Pension Payment Order as is issued in the case of a Class I Officer of the State Government.

6. Drawal of Pension.

(1)The pension under the Act shall be drawn by the Pensioner from the treasury in the manner in which a retired Class I Officer of the State Government draws his pension.(2)The pensioner drawing pension under these rules shall also furnish a certificate to the concerned Treasury Officer in Form II, whenever he claims payment of his pension and no payment shall be made if he fails to do so.

7. Due date for payment to pension.

- The pension sanctioned under these rules becomes due for payment only on the expiry of the

month to which it relates.

8. Cancellation or modification of pension.

(1) If after the communication of the order sanctioning the pension any fact, which has a bearing on the sanction or the amount of pension already sanctioned, comes to the notice of the Speaker, he shall after due verification, issue an order cancelling or modifying the order made under rule 4 and communicate the same to the Accountant General, Punjab: Provided that no order cancelling or modifying the pension shall be issued except after giving the pensioner an opportunity of being heard. (2) The Accountant General, Punjab shall, on receipt of an order under sub-rule (1), recall the pension payment order and cancel or modify the same accordingly. (3) Consequent upon the cancellation or modification of pension under sub-rule (1), the excess amount, if any, received by the pensioner shall in case of cancellation, be recoverable in lump-sum and, in case of reduction, be liable to be adjusted against future payment of pension.

9.

Any amount recoverable under section 3-A of the Act from any person may be recovered from his pension admissible under the Act by the Speaker.

9A. [Family Pension. [Section 3-B read with section 5] [Added by Punjab Government Notification No. G.S.R. 85/PA5/77/55/Amd/94 dated 19.12.1994] -

(1) The spouse of the deceased member who is entitled to pension under the Act shall submit an application for claiming family pension to the secretary in Part 'A' of Form VIII.

(2) On receipt of an application for family pension under sub-rule (1), the Secretary or any other officer not below the rank of a Deputy Secretary authorised by him, shall verify the facts stated therein, with reference to the records available with him, with a view to determining as to whether the applicant is entitled to the family pension or not under the provisions of the Act and for this purpose he may hold such enquiry and may call for such further information from the applicant as he may deem fit. (3) The Secretary or the Deputy Secretary, as the case may be, if the facts stated in the application for family pension submitted under sub-rule (1) are found correct and the application is not otherwise defective, submit the application to the Speaker who shall pass an order in Part B of Form VIII, sanctioning the family pension to the applicant. (4) (a) After an order sanctioning the family pension is passed by the Speaker under sub-rule (3), a copy of the application along with the sanction order and two photographs of the applicant shall be sent to the Accountant General, Punjab by the Secretary for issuing family pension Payment Order. (b) The Accountant General, Punjab shall after satisfying himself that the papers submitted to him are in very respect in order and the amount of family pension has been correctly sanctioned, issue a family pension Payment Order. (5) (a) The family pension shall be drawn by the spouse of the deceased member from the concerned Treasury. (b) The spouse of the deceased member drawing family pension under these rules shall also furnish a certificate to the concerned Treasury Officer in Part C of Form VIII

whenever he or she claims payment of his or her family pension and no payment shall be made if the spouse fails to do so.(6)the family pension sanctioned under these rules shall become due for payment only on the expiry of the month to which, it relates.][10. Medical reimbursement. - (1) A member shall be entitled, for himself and for the members of his family, to the same medical facilities as are available to Class I Officers of the Punjab Government.] [Substituted by Punjab Government Notification No. G.S.R. 64/P.A.- 5/77/S. 5 Amd. (3) 86, dated 7th October, 1986.](2)A member for claiming medical reimbursement for himself and for the members of his family shall submit the bill to the Secretary in Form III along with the essentiality certificate in Form IV:Provided that where a member entitled to medical reimbursement under the Act dies before claiming the amount of medical reimbursement, the legal heirs of the deceased member shall make an application to the Secretary in Form V accompanied by a death certificate and also a succession certificate for claiming payment of such an amount of medical reimbursement:Provided further that where a member entitled to medical reimbursement under the Act dies after claiming but before actually receiving the amount of medical reimbursement, the legal heirs of the deceased member shall submit the death certificate of the deceased member as also a succession certificate to the Secretary.(3)If the Secretary is satisfied that the documents and the bill submitted to him under sub-rule (2) are complete in all respects he shall sanction the amount of reimbursement and any officer not below the rank of Deputy Secretary authorised by him in this behalf shall counter-sign Form III.(4)Where an application is made by the legal heirs under the prosio to sub- rule (2), the Secretary shall verify and satisfy himself as to the entitlement of claim of the deceased member under the Act and also to the claim of the heirs with reference to the record available with him and then sanction the amount of reimbursement and any officer not below the rank of Deputy Secretary authorised by him in this behalf shall convey the sanction in Form VI.Explanation - For the purposes of this rule, the expression "members of the family" in relation to a member shall mean, -(a)husband or wife, as the case may be;(b)sons and daughters;(c)father and mother; and(d)brothers and sisters :Provided that they are residing with the member and are wholly dependent upon him and are un-employed and have no source of income of their own.

10A. Ex-gratia Grant.

- [(1) If a member of the Punjab Legislative Assembly, dies while serving as an elected Member, an ex-gratia Grant of rupees five lakh, shall be given to the members of his family.] [Substituted by Notification No. G.S.R. 68/P.A.5/1977/S.5/Amd.(7)/2018, 29.8.2018.](2)The member of the family of the deceased member shall submit an application for claiming ex-gratia Grant to the Secretary in Part 'A' of Form VII :[Provided that where the member dies as a result of terrorist act, the members of his/her family shall submit alongwith the application a certificate issued by the Deputy Commissioner of the concerned district to the effect that the death of the member had occurred as a result of terrorist act.] [Added by Panjab Grovernment notification dated 19.12.1994](3)On receipt of application for ex-gratia grant, the Secretary or any officer not below the rank of Deputy Secretary authorised by him, shall verify the facts stated therein, with reference to records available with him with a view to determining as to whether the applicants) is/are entitled to any ex- gratia grant under the provisions of the Act and for this purpose he may hold such enquiry and may call for such further information from the applicants(s) as he may deem fit.(4)Sanction of ex-gratia Grant. - The Secretary shall, if the facts stated in the application for ex-gratia grant submitted under sub-rule (2)

are found correct and the application is not otherwise defective, forward the application to the Speaker who shall pass an order in Part B of Form VIII, sanctioning the ex-gratia grant to the applicant(s). (5) Authorisation for payment of ex-gratia Grant. - After the amount of ex-gratia grant is sanctioned by the Speaker, a copy of the application along with the sanction order shall be sent to the concerned Deputy Commissioner for drawing and disbursing the amount to the applicant(s) and the expenditure so incurred shall be debitable to the major head "288-Social Security and Welfare- E. Other social Security and Welfare Programme, C-Other Programme 8 ex-gratia payments to families of Minister, Government Servant etc. dying in harness other charges (Non-Plan)". Explanation. - For the purposes of this rule, the expression "members of his family" in relation to a deceased member shall mean the husband or the wife, as the case may be, of such deceased member who was residing with him and was wholly dependent upon him, his sons and daughters, who are unemployed and having no source of income of their own and were wholly dependent on the deceased member, as certified by the Deputy Commissioner.

11. Interpretation.

- If any question arises as to the interpretation of these rules, the government shall decide the same.

12. Repeal and saving.

- The Punjab State Legislature Members (Pension and Medical Facilities Regulation) Rules, 1977 are hereby repealed: Provided that any order issued or any action taken under the rules so repealed shall be deemed to have been issued or taken under the corresponding provisions of these rules. Form I

Part A – [See Sub-rule (1) of rule 3]

Application for grant of pension under the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977.

1. Name of applicant (in block letters) _____
2. Father's name (and also husband's name in the case of a married woman) _____
3. Permanent residential address showing village or town and district. _____
4. Particulars of period for which the applicant remained member of the Punjab Legislative Assembly/Punjab Legislative Council/Pepsu Legislative Assembly:-

Name of	Constituency	Period of Membership From ___ to ___ Years ___ months ___ days From ___ to ___ Years ___ months ___ days From ___ to ___ Years ___ months ___ days From ___ to ___ Years ___ months ___ days
House of	represented	
Legislature		

5. Identification marks _____

6. Whether the copies of the photographs duly attested are enclosed. _____

7. Whether specimen signatures, duly attested, are enclosed. _____

8. Whether the applicant is also entitled to any pension from 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, under any law or otherwise if so, the details thereof. _____

9. I hereby certify that since _____ (Date from which entitled to pension under the Act) :-

(i) I have not been elected to the office of the President or Vice-President of India or appointed to 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 the People or any Legislative Assembly of a State or Union Territory or any Legislative Council of a State or Metropolitan Council of Delhi constituted under section 3 of the 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, nor I have become otherwise entitled to any remuneration from such Government, Corporation or Local Authority. (Note - Score out the certificate which is not applicable).

10. I hereby further certify that from _____ (date) I am holding the office of _____ / am a member of _____ am employed as _____ under _____ and the salary/remuneration payable to me for holding such office being such member/being such employee is Rs. _____ per mensem.

A certificate to this effect from the competent authority is attached. (Note - Score out the certificates if not applicable).

11. I certify that I have never incurred a disqualification under the Representation of the People Act, 1951, or any other law for the time being in force.

12. I hereby declare that the particulars stated above are true and correct to the best of my knowledge.

(Signature of applicant) Place: Date:

Part AA – [See sub-rule (1) of rule 3] [Added by Punjab Government Notification No. G.S.R. 39/P.A.-5/77 S.5/Amd. (2)/86, dated 29th May, 1986.]

Application for grant of life time arrears of pension under the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977.

1. Name of deceased Ex-Member
(in block letters) _____
2. Father's name (and also
husband's name in the case
of married woman). _____
3. Permanent residential address
of the deceased
(Ex-Member) showing village or _____
town and district;
4. Particulars of period for which
the deceased
ex-Member remained Member of
the Punjab Legislative
Assembly/Punjab Legislative
Council/Pepsu Legislative

Assembly:-

Name of _____ Constituency _____
House of _____ represented _____
Legislature _____

Period of Membership

From ____ to ____ Years ____ months ____
days

From ____ to ____ Years ____ months ____
days

From ____ to ____ Years ____ months ____
days

From ____ to ____ Years ____ months ____
days

5. Whether the copies the
photographs, of the
applicant(s)[Legal heir(s)] duly _____
attested are enclosed.

6. Whether the deceased
ex-member was also entitled to
any pension from the Central
Government or any State
Government of any Corporation
owned or controlled by the _____
Central Government or any State
Government or any local
authority under any law or
otherwise if so, the details thereof

7. Name(s) of legal heir(s) with
age and relationship to _____
the deceased ex- member.

8. Whether copy of death
certificate attached _____

9. Whether succession certificate
attached _____

10. Period for which life time
arrears of the _____
deceased ex-member are
pending/being claimed.

**11. I/We hereby declare that the particulars stated above are true and correct
to the best of my/our knowledge.**

Signature of Legal heir(s)"Place Dated

Part B – (See rule 4)

Certified that Shri/Shrimati _____ remained a member of the Punjab Vidhan Sabha from _____ to _____, from _____ to _____ and from _____ to _____ and from _____ to _____ of the Punjab Legislative Council from _____ to _____ and from _____ to _____ and from _____ to _____ and of the Pepsu Legislative Assembly from _____ to _____ from _____ to _____ and from _____ to _____ Secretary, Punjab Vidhan Sabha. Place: Date:

Part C – (See rules 4 and 9)

OrderSanction is hereby accorded to the payment of Rs. _____ (Rupees _____ only) per mensem under the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977, to Shri/Shrimati _____ son/daughter/wife of _____, residing at _____ with effect from _____ till death subject to the provisions of the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Rules, 1984, as amended from time to time.

2. A sum of Rs. _____ (Rupees _____ only) is due from the above named person on account of advance granted to him for the purpose of _____ An amount of Rs. _____ (Rupees _____) on account of interest thereon is also recoverable from the said person. The whole of this amount may without prejudice to any other right or remedies available to the Government be recovered from the pension hereby sanctioned.

3. This order is liable to cancellation or modification under rule 8 of the aforesaid rules.

Speaker, Punjab Vidhan Sabha.

Part D – (See rule 4) [Added by Punjab Government Notification No. G.S.R. 2/P.A. 5/71/S.5/Amd.(1)/86, dated 27th January, 1986.]

OrderSanction is hereby accorded to the payment of Rs. _____ (Rupees _____ only) under the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977 to Shri/Shirmati _____, son/daughter/wife of the late Shri/Sardar _____

_____ Ex-M.L.A./Ex-M.L.C, resident of
 _____ as life time arrears of pension of the deceased from
 _____ to _____ subject to the provisions of the Punjab State
 Legislature Members (Pension and Medical Facilities Regulation) Rules, 1984, as amended from
 time to time. Speaker, Punjab Vidhan Sabha. Form II [See sub-rule (2) of rule 6] Certificate I hereby
 certify that there is no change in the facts stated or certified by me in the application on the basis of
 which I have been sanctioned the pension under the Punjab State Legislature Members (Pension
 and Medical Facilities Regulation) Act, 1977. Signature of Pensioner (with date) Note : In case there is
 any change in the facts stated or certified by the pensioner in his application for pension, he shall
 forthwith report the matter to the Secretary, Punjab Vidhan Sabha. Form III (See rule 10) For
 claiming medical reimbursement by members under the Punjab State Legislature Members
 (Pension and Medical Facilities Regulation) Act, 1977.

District of _____ Head of Service chargeable.....
 Major Head
 Sub-Major Head
 Minor Head
 Sub-Head.....

Medical charges Bill of
 199, Cost of medicines
 as per
 vouchers enclosed.

Object of Expenditure..... for the month of

Amount Rs. P.

Certified that:-

(i) I have actually spent the amount for the cost of medicines prescribed by
 the authorised medical attendant (whose essentiality certificate is attached)
 claimed in this Bill for my treatment/treatment of my _____
 who is member of my family within the meaning of rule 10 of the Punjab
 State Legislature Members (Pension and Medical Facilities
 Regulations) Rules, 1984, who is residing with me and is wholly and
 solely dependent upon me and he/she is not in Government service and
 has no source of income of his/her own. I was not supplied these medicines
 from the Government hospital/dispensary:

(ii) I have actually purchased the medicines duly prescribed by the
 authorised medical attendant for the purpose during the period of
 treatment;

(iii) I have not already claimed the reimbursement of cost of medicines as
 now claimed in this Bill;

(iv) I am drawing pension from the _____ Treasury against
 P.P.O. No. _____; and

(v) I am not re-employed and do not draw any reimbursement of medical
 charges from any other source.

Counter-signed Signature of Member Deputy Secretary.

Date

Passed for Rupees

Received payment of
Rs ____ as medical
charges for the month
of _____ 198 .

Total

Signature of Member Stamp.

Form IV(See Rule 10)Essentiality certificate for use of members under the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977.

Outdoor Ticket No. dated Rate of Pension

Rs.

I certify that Mr./Mrs./Miss _____ Wife/son/ daughter of Shri _____, member under the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977, has been under my treatment at the _____/Hospital/Dispensary/my consulting room and the undermentioned medicines prescribed by me in this connection were absolutely essential for the treatment and recovery and prevention of serious deterioration in the condition of the patient. The medicines were not stocked in the _____ (name of Hospital/Dispensary) for supply to the entitled patient and do not include proprietary preparations for which cheaper substitute of equal therapeutic value are available or preparations which are primarily food, toilets or disinfectants.

- 1. Certified that treatment as in-patient was not necessary.**
- 2. Certified that the medicines charged have no cheaper effective substitute.**
- 3. Certified that the medicines are borne/not borne on the list of Medical Store Depot.**
- 4. Certified that the medicines are not in the nature of tonic, etc, the cost of which is not reimbursable under government order issued on the subject from time to time.**
- 5. Certified that the price claimed is reasonable.**
- 6. Certified that the medicines prescribed are not in the list of non-imbursable medicines/articles/last revised - vide Punjab government letter No. 17-14-S/15831-CH-IHVI-56/7706, dated the 25th January, 1967.**

7. She/He was suffering from

8. Period of treatment from _____ to _____

Quantity of Medicines Name of the Medicines Name of the Chemist No. and date, Price Rs.

Signature and Designation of Authorised Medical Attendant.[Form V] [Substituted by Punjab Government Notification dated 7.10.1986.](See rule 10)For claiming reimbursement due to the deceased member under the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Rules, 1984, by the heir(s) of such member.

District of

Head of service chargeable.....

Major Head.....

Sub-Major Head.....

Sub-Head.....

Object of Expenditure.....

Quantity of Medicines Name of the Medicines Name of Chemist No. and date Price Rs.

Medical Charges bill of..... for the month of, 198 .

(i) Certified that Shri/Shrimati Ex-Member forthe cost of medicines prescribed by the authorised medicalattendant (whose essentiality certificate is attached) claimed inthis bill for his/her treatment of his who is a member of hisfamily within the member of rule 10 of the Punjab StateLegislature Members (Pension and Medical Facilities Regulation)Rules, 1984, who was residing with him/her and was whollydependent upon him/her and he/she is not in Government service andhas no source of income of his/her own. He/she was not suppliedthere medicines from the Government hospital/dispensary.

Cost of Medicines
Amount as per
vouchers Rs. P.
enclosed

(ii) He had actually purchased the medicines dulyprescribed by the authorised medical attendant for the purposeduring the period of treatment;

(iii) He had not already claimed thereimbursement of cost of medicines as now claimed in this bill :

(iv) He was drawing pension from the Treasuryagainst P.P.O. No.

Countersigned

Signature of legal heir(s).

Date :

Passed for Rupees

Deputy Secretary.

as medical charges for the

Received payment
of Rs.

month of , 198.

Total;

Signature of legal heir(s) Stamp.

[Form VI] [Added by Punjab Government Notification dated 07.10.1986][See sub-rule (4) of rule 10]Sanction is hereby accorded to the payment of Rs. _____ Rupees
_____ only under the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977, to Shri/Shrimati _____ son/daughter/wife of the late Shri/Shrimati _____ Ex-M.L.A., Ex- M.L.C., resident of _____ as life time arrears of medical reimbursement of the deceased from _____ to _____ subject to the provisions of the Punjab State Legislature Members (Pension and Medical Facilities Regulation), Rules, 1984, as amended from time to time. Deputy Secretary, Punjab Vidhan Sabha.[Form VII] [Added by Punjab Government Notification dated 7.10.1986.]

Part A – [See rule 10-A(2)]

Form of application of ex-gratia grantApplication from the members(s) of family of late Shri/Sardar/Shrimati _____ who was serving as Member of Legislative Assembly.

- 1 Name and Full Address of the applicant.
- 2 Relationship to the deceased member of the Punjab LegislativeAssembly.
- 3 Circumstances and date of death of the member of the PunjabLegislative Assembly.
- 4 Name and ages of surviving relations of the deceased.

Name

Age

(A) Widow/Husband

(B) Wholly dependentChildren : 123

- 5 The Treasury from which ex-gratia grant is to be drawn.
- 6 Any other relevant information

Place:

Dated :

Signatures of the applicant(s)

Part B – [See rule 10-A(4)]

OrderSanction is hereby accorded to the payment of ex-gratia grant of Rs. _____ (Rupees _____ only) under the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977, to Shri/Shrimati _____ son/ daughter/wife of _____, residing at _____ subject to the provisions of the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Rules, 1984, as amended from time to time. Speaker, Punjab Vidhan Sabha.