

The Orissa Legislative Assembly ex-Members Pension Rules, 1979

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Rule

THE-ORISSA-LEGISLATIVE-ASSEMBLY-EX-MEMBERS-PENSION-RULES of 1979

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The Orissa Legislative Assembly ex-Members Pension Rules, 1979Published vide Notification No. 9528, dated 21st March 1979Political & Services DepartmentNo. 9528, dated 21st March 1979. - In exercise of the powers conferred by Section 7 of the Orissa Legislative Assembly Members Salary, Allowances and Pension Act, 1954, the State Government do hereby make the following rules for the payment of pension to the ex-Members of the Orissa Legislative Assembly, namely-

1. Short title and Commencement.

(a)These rules may be called the Orissa Legislative Assembly ex-Members Pension Rules, 1979.(b)These rules shall come into force on the date of their publication in the official Gazette.

2. Definitions.

- In these rules unless the context otherwise requires-(a)'Act' means the Orissa Legislative Assembly Members Salary, Allowances and Pension Act, 1954;(b)'Assembly' means the Orissa Legislative Assembly;(c)'Ex-member' means the person referred to in Section 4-8 of the Act.(d)'Forms' means a form appended to these rules;(e)'Sanctioning Authority' means the Secretary of the Orissa Legislative Assembly Secretariat;(f)'Secretariat' means the Secretariat of the Orissa Legislative Assembly;(g)'Treasury' includes Sub-Treasury and Special Treasury;

3. Application for pension.

- Every person who is entitled to pension under Section 4-B 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 signature duly attested by a Gazetted Officer.

4. Scrutiny of application.

- On receipt of application for pension from ex-Members the sanctioning authority, after verification from the record of his office regarding the period of membership as mentioned in the application, shall decide the amount of pension the ex-member is entitled to under the Act, and thereafter issue a sanction order in Form 'B' specifying the monthly pension.

5. Pension Payment Order.

- The Accountant-General, Orissa, shall on receipt of the sanction order, issue the Pension Payment Order in Form 'C' to the Treasury Officer where payment is desired by the ex-member in his application, under intimation to the ex-member concerned (hereinafter called the pensioner). The Pension Payment Order should be in two separate books one meant for the pensioner and the other for the disbursing officer upon which the words "Pensioner's Portion" and the "Disbursing Officer's Portion" respectively should be clearly mentioned. Entries regarding every payment shall be made in both the books at appropriate places. On receipt of the intimation from the Accountant-General, the pensioner may obtain his portion, i.e., the Pensioner's Portion of the Pension Payment Order from the Treasury Officer concerned.

6. Manner of payment of pension.

(1) Payment of pension under the Pension Payment Order at the Treasury shall be made upon presentation of a bill in Form 'D'. (2) The procedure for payment of pension at the Treasury in other respects shall be the same as in the case of civil pensioners. (3) Such pensions are also payable through authorised public sector Banks as per Finance Department Office Memorandum No.45539, dated the 2nd September, 1977.

7.

(1) Where a pensioner becomes ineligible to receive pension under Sub-section (2) of Section 4-B of the Act, he shall intimate the fact to the sanctioning authority, the Accountant-General and the concerned Treasury Officer and surrender the "Pensioner's Portion" of the Pension order in Form "C" issued to him to the concerned Treasury Officer. (2) The sanctioning authority shall intimate the concerned Treasury Officer in the event of a re-election of a pensioner as a Member of the Assembly. Form 'A' (See Rule 3) Application For Pension (See Section 4-B of the Orissa Legislative Assembly Members' Salary, Allowances and Pension Act, 1954) (To be submitted in duplicate by ex-Member of the Orissa Legislative Assembly) From Shri/Shrimati/Kumari..... (Ex-Member of

the Orissa Legislative Assembly)ToThe Secretary,Orissa Legislative Assembly,
Bhubaneswar.Subject- Sanction of Pension under the Orissa Legislative Assembly Members' Salary,
Allowances and Pension Act, 1954.Sir,In terms of Section 4-B of the above-mentioned Act, I am
entitled to pension in respect of the following period served by me as a Member of the Orissa
Legislative Assembly-Name of
Constituency.....From.....to.....From.....

**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.....or 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/a sitting Member of the Orissa Legislative Assembly-**

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

4. My present address is My permanent address

5. I hereby declare that

(i)I am not holding 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 the House of the People
(Lok Sabha) or any Legislative Assembly of any State or Union Territory;(iii)I am not employed on a
salary under the Central Government or any State Government or any Corporation owned or
controlled by Local Authority or I am not otherwise entitled to any remuneration from such
Government or Corporation or Local Authority;(iv)I am not in receipt of any Old
Age/Political/Military/Civil Pension from Central Government/State Government any Local
Authority/ Corporation owned or controlled by the Central or any State Government.(v)I am
holding the office of.....or Member of..... or employed as.....in and the
total remuneration received by me is Rs.....p.m.....(A certificate from the competent authority
to be attached(vi)I am in receipt of Rs as Old Age/Political/Military/Civil Pension from Central
Government/State Government/a Local Authority/ Corporation owned or Controlled by the Central
Government or any State Government being drawn from.....here mention the source).(A
certificate from the Disbursing Officer may be attached)Yours faithfully SignatureName in block
letters.....Station.....Date....Specimen SignatureSignatureAttestedName and Seal of Attesting
AuthoritySignatureAttestedName and Seal of Attesting AuthoritySignatureAttestedName and Seal
of Attesting AuthorityForm 'B'(See Rule 4)The Secretariat of The Orissa Legislative
AssemblyCertified that after verification of the relevant records that
Shri/Shrimati/Kumari.....(In block letters) served as a Member of the OrissaLegislative
Assembly during the following
periodFrom.....to.....From.....to.....
pension of Rs (Rupees) only per mensem is sanctioned to Shri/Shrimati/Kumariwith effect

from.....Forwarded to Accountant-General for further action. Signature of the Sanctioning Authority.....Designation.....(Official Seal)(In Booklet Form)Form 'C'(See Rule 5)Pension Payment Order(Debitable to State Government)Head of Account- [266- Pensions and other Retirement Benefits-Other Pensions to Legislators].Voted

1. Name of petitioner

2. Residence showing Village/P.O./P.S. and district.....

Space for
Photographs of
the pensioner

3. Class of Pension.....

Family Pension under the Orissa Legislative Assembly
MembersSalary,Allowances and Pension Act, 1954 (Orissa Act 19 of1954).

4. Amount of monthly Family Pension Rs.....

(Rupees.....)(Space for signature of the Pensioner)

5. Date of commencement.....

6. Office and place of payment.....

Office of the.....

Bhubaneswar, the.....200

No.....

Until Further Notice and on the expiry of every month, be pleased to pay to.....the sum of rupees.....being the amount of pension under the Orissa Legislative Assembly Member's Salary, Allowances and Pension Act, 1954 as per details given below :-

Pension due under Section 4-B (1) of the Act Rs.....

Less remuneration/pension being received under Section 4-B (2) of the Act. Rs.....

Net pension payable Rs.....

Payment should commence from

Signature of Authorised Officers of the Accountant-GeneralAmount of pension Rs.....(In words).....every separate payment is to be recorded below by the Disbursing Officer :

Month for which pension is due

Date of
payment
Disb
Offic
initia

(1)

(2)

(3)

MarchAprilMayJuneJulyAugustSeptemberOctoberNovemberDecemberJanuaryFebruary

Form 'D'[See Rule 6(1)]Pension Bill of Ex-Member of The Orissa Legislative AssemblyPension Payment Order NoShri/Shrimati/Kumari Ex-M.L.A.

District Head of Account Voucher No.

Date

Amount of pension due to me as Ex-Memberof Orissa Legislative Assembly for the monthof 20 Rs.....

Total .. Rupees.....
Rs.....
Received payment(Revenue stamp, if amount exceeds Rs.500.00)Pay R.....(Rupees.....)
Treasury Officer..... Signature
.....
Pensioner's residence..... Signature of Pensioner.....
Station..... Date.....