

U.P. Zila Panchayat Employees' Retirement Benefit Rules, 1972

UTTAR PRADESH

India

U.P. Zila Panchayat Employees' Retirement Benefit Rules, 1972

Rule

U-P-ZILA-PANCHAYAT-EMPLOYEES-RETIREMENT-BENEFIT-RULES- of 1972

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U.P. Zila Panchayat Employees' Retirement Benefit Rules, 1972Published vide Notification No. 1941-B/33-190-72, dated 31st May, 1972In exercise of the powers under Section 237 of the Uttar Pradesh [Kshettra Panchayats] [Substituted by U. P. Act No. 9 of 1994.] and [Zila Panchayats] [Substituted by U. P. Act No. 9 of 1994.] Adhiniyam, 1961 (U. P. Act No. 33 of 1961), read with sub-section (2) of Section 40, the Governor is pleased to make the following rules after their previous publication with Notification No. U.O. 504-D/33-102-66, dated September 9, 1971, as required under subsection (2) of Section 237 of the said Adhiniyam :

Part I

Preliminary

1. [Short title and commencement. [Amended by U. P. Zila Panchayat Empolyees' Retirement Benefit (4th Amendment) Rules. 1980 (vide Notification No. 1867-B/33-2-2-74-U.P.A.-33-61-Rule-72-AM (4)-1980. dated 31st July, 1980.]

(1)These Rule may be called the Uttar Pradesh [Zila Panchayat] Employees' Retirement Benefit Rules, 1972.(2)They shall come into force with effect from the date of their publication in the Gazette provided that the benefits of these rules shall also be available to those [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] employees who have retired during the period commencing from January 1, 1971, to the date of publication of these rules in the Gazette if the employees concerned elect to opt for these rules in writing within three months of their being published and

satisfy other conditions of eligibility within six months from the date of the said publication.]

2. [Definitions. [Amended by U. P. Zila Panchayat Employees' Retirement Benefit (5th Amendment) Rules, 1981 (vide Notification No. 6242-B/33-2-2-74-U.P.A.-33-61-Rule-72-AM (5)-1981. dated 28th November, 1981.]

- In these rules unless there is anything repugnant in the subject or context:(1)"qualifying service" means service which qualifies for pension in accordance with the provisions of Article 368 of the Civil Service Regulations :Provided that continuous temporary or officiating service under the [Zila Panchayat] followed without interruption by confirmation in the same or any other post except:-(i) period of temporary or officiating service under [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] in a non-pensionable establishment;(ii)periods of service in a work charged establishment; and(iii)periods of service in a post paid from contingencies, shall also count as qualifying service."Note.-If service rendered in a non-pensionable establishment or in a post paid from contingencies falls between two periods of temporary service in a pensionable establishment or between a period of temporary service and permanent service in a pensionable establishment it will not constitute an interruption of service.(2)"Officer" means a [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] servant (whether belonging superior or inferior service) who holds a lien on a permanent pensionable post under the [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] or would have held a lien on such a post had his lien not been suspended.(3)"Adhiniyam" or "Act" means the Uttar Pradesh [Kshettra Panchayats] [Substituted by U. P. Act No. 9 of 1994.] and [Zila Panchayats] [Substituted by U. P. Act No. 9 of 1994.] Adhiniyam, 1961 (U. P. Act No. 33 of 1961).(4)"average emoluments" means the average emoluments drawn during the last 12 months immediately preceding the month in which the officer concerned has to retire.(5)"emoluments" means :(a)pay as defined in Fundamental Rule 9 (21) of the U. P. Financial Handbook, Volume II, Parts II to IV as amended from time to time; and(b)dearness pay, if any, which may be admissible to the officer at the time of retirement or death :Provided that if an officer who was on leave at the time of retirement or death, as the case may be, his emoluments shall be deemed to be what they would have been, had he not been on leave at that time :(6)"family" includes the following relatives of an officer-(a)wife in the case of male officer,(b)husband in the case of female officer,

(c) sons including step children and] including step children and adopted children

(d) unmarried and widowed adopted children daughters,

(e)brothers below the age of 18 years and unmarried and widowed sisters, (including step-brothers and step-sisters),(f)father,(g)mother,(h)married daughters, (including step-daughters),

and(i)children of a predeceased son.(7)"pensionable post" means post in respect of which the following conditions are fulfilled-(a)the service must be under the [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.];(b)the employment be substantive and permanent; and(c)the service must be paid by [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.].(8)"form" means a form appended to these rules;(9)"retirement" means discharge of a servant of [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] from [Zila Panchayat] [Substituted by U. P. Act No. 9 of

1994.] service on superannuation retiring invalid, compensation, voluntary pension or gratuity-(a)"superannuation pension" means pension granted to an officer who is entitled or compelled by rules to retire at a particular age (58 years) :Provided that "the superannuation age" in respect of fourth class [Zila Panchayats] [Substituted by U. P. Act No. 9 of 1994.] servants shall be 60 years.(b)"retiring pension" means pension which may be granted to an officer attaining the age of 58 years but it will be sixty years in respect of the fourth class servants of the [Zila Panchayats] [Substituted by U. P. Act No. 9 of 1994.] and includes pension that may be granted to an officer who is required to retire at or after the age of 55 years and also includes pension granted after completion of an age of 50 years or on completion of 20 years qualifying service voluntarily sought, for;(c)"invalid pension" means pension awarded on retirement from the [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] service to an officer who by bodily or mental infirmity is permanently incapacitated for the [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] service or for the particular branch of it to which he belongs;(d)"compensation pension" means if an officer is selected for discharge owing to the abolition of a permanent post, he shall, unless he is appointed to another post, the conditions of which are deemed by authority competent to discharge him to be at least equal to those of his own, have the option-(a)of taking any compensation pension or gratuity to which he may be entitled for the service he has already rendered, or(b)of accepting another appointment of transfer to another establishment even on a lower pay, if offered, and continuing services for pension.]

3. [[Amended by U. P. Zila Panchayat Employees' Retirement Benefit (3rd Amendment) Rules, 1978 (vide Notification No. 781-B/33-156-72-U.P.A.-33-61-Rule-72-AiM (3)-1978, dated 15th February, 1978.]

(1)These rules shall apply to-(a)all the officers appointed substantively to pensionable post created by the [Zila Panchayat] under Section 39 of the Adhiniyam after these rules come into force;(b)all the officers who on the date of coming into force of these rules are holding their substantive appointments on pensionable posts created under Section 39 of the Adhiniyam; and(c)also to all the officers who shall have been officer and servants employed by the [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] in a temporary capacity under Section 46 or 39 of the Adhiniyam from the appointed date till the coming into force of these rules and who shall be holding pensionable posts and who shall be contributing to Provident Fund on the day preceding the day on which these rules come into force, and if they may opt of their own accord for these rules within three months from the date of their publication in the Gazette on the condition that the contribution to their Provident Fund by the [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] or District Board which will include part of bonus and interest accrued thereon will be withdrawn from their provident fund and credited pension fund opened by the [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.].(d)Also to all the officers and employees of the border [Zila Panchayats] [Substituted by U. P. Act No. 9 of 1994.], [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.], Lalitpur and also the [Zila Panchayats] [Substituted by U. P. Act No. 9 of 1994.] to be created in future, who shall be holding pensionable posts, contributing to Provident Fund and have opted for these rules;(e)the option in Clauses (c) and (d) once exercised shall be final.(2)These rules shall not apply to the

teaching and inspecting staff of the Education Department of the [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.].]

4. [Pensions. [Amended by U. P. Zila Panchayat Employees' Retirement Benefit (5th Amendment) Rules. 1981 (vide Notification No. 6242-B/33-2-2-74-U.P.A.-33-61-Rule-72-AM (5) 1981, dated 28th November, 1981.]

(1)The amount of superannuation retiring, invalid compensation and voluntary pension or gratuity shall be the appropriate amount set out in the Annexure.(2)No special additional pension shall be granted.]

5. [Death-cum-Retirement Gratuity. [Amended by U. P. Zila Panchayat Employees' Retirement Benefit (5th Amendment) Rules. 1981 (vide Notification No. 6242-B/33-2-2-74-U.P.A.-33-61-Rule-72-AM (5) 1981, dated 28th November, 1981.]

(1)An Officer may, on retirement, be paid an additional gratuity, the amount of which shall, subject to a maximum of 16½ times the emoluments, be an amount equal to one-fourth of the emoluments multiplied by the total number of completed six monthly periods of qualifying services.(2)If an officer dies while in service, gratuity, the amount of which shall, subject to a minimum of 12 times and a maximum of 16½ times the emoluments be an amount equal to one-fourth of the emoluments of the officer multiplied by the total number of six monthly periods of qualifying service, shall be paid to person or person on whom the right to receive the gratuity is conferred under sub-rules (1) to (8) of Rule 6 and if there is no such person, it shall be paid in the manner indicated in sub-rule (9) of Rule 6.(3)If an officer who has become eligible for or has actually received a pension or gratuity under Part 1 of these rules dies within a period of 5 years from the date of retirement and the aggregate of any sums admissible to him or actually received by him till the time of death on account of such gratuity or pension together with the gratuity granted under Rule 5(1) above and the value of any portion of pension commuted by him is less than the amount equal to 12 times his "emoluments" a gratuity equal to the deficiency shall be granted to the person or persons referred to in sub-rule (2) of Rule 5 above.(4)The amount of gratuity admissible in accordance with sub-rule (1) or sub-rule (2) above shall in no case exceed Rs. 30,000 and for its calculation the maximum limit shall be Rs. 2,500 per month.]

Part II – Nominations

6. Nomination.

(1)An officer shall, as soon as he acquires or if he already holds a lien on a permanent pensionable post, make a nomination conferring on one or more persons the right to receive any gratuity that may be sanctioned under sub-rule (2) or sub-rule (3) of Rule 5 and gratuity which after becoming

admissible to him under sub-rule (1) of that rule is not paid to him before death :Provided that if at the time of making the nomination of the officer has a family, the nomination shall in favour of any person other than one or more of the members of his family. Note.-A nomination or any change therein will be made by the officer during his service or even after retirement if he so desires, with the approval of the appointing authority. (2) If an officer nominate one person under sub-rule (1) above, he shall specify in the nomination the amount or share payable to each nominee in such manner as to cover the whole amount of the gratuity. (3) An officer may provide in a nomination-(a) that in event of any specified nominee predeceasing the officer the right conferred upon that nominee shall pass to such other persons as may be specified in the nomination provided that if at the time of nomination officer has a family consisting of more than one member the person so specified shall not be a person other than a member of his family. (b) that the nomination shall become invalid in event of the happening of a contingency specified therein. (4) The nomination made by an officer who has no family at the time of making the nomination or a provision made in a nomination under Clause (a) of sub-rule (3) by an officer whose family consists at the date of making the nomination, of only one member, shall become invalid in the event of the officer subsequently, acquiring a family or an additional member in the family as the case may be. (5) (a) Every nomination shall be in such one of the Forms 'A' to 'D' as may be appropriate in the circumstances of the case. (b) An officer may at any time cancel a nomination by sending a notice in writing to the appropriate authority mentioned in sub-rule (7) below, provided that the officer shall, along with such notice, send a fresh nomination made in accordance with these rules. (6) Immediately on the death of a nominee in respect of whom no provisions about the passing of his right to another person has been made in the nomination under Clause (a) of sub-rule (3) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of Clause (b) of sub-rule (3) or sub-rule (4), the officer shall send to the appropriate authority a notice in writing formally cancelling the nomination together with a fresh nomination made in accordance with these rules. (7) Every nomination or any change therein shall be sent by the officer to the appointing authority who will countersign it indicating the date of receipt and kept it under his custody. (8) Every nomination made, and every notice of cancellation, given by an officer shall, to the extent it is valid, take effect on the date on which, it is received by the authority mentioned in sub-rule (7). (9) If an officer having a family dies without making a nomination conferring on one or more of the members of his family, the right to receive the amount of death-cum-retirement gratuity, it shall be paid in equal shares to those surviving members of his family who belong to categories (a) to (d) mentioned in sub-rule (iv) of Rule 2 except widowed daughters. Where there are no such surviving members, but there are surviving widowed daughter(s) and/or one or more members of the family of the officer who belong to categories (e) to (i) mentioned in the said sub-rule, the gratuity shall be paid to such person or to all such persons in equal share.

Part III – Family Pension

7.

(1) A family pension not exceeding the amount specified in sub-rule (2) below, may be granted for a period of ten years to the family of an officer who dies whether after retirement or while still in service after completion of not less than twenty years qualifying service ;Provided that the periods of

payment of family pension shall in no case extend beyond a period of five years from the date on which the deceased officer would have attained the age of 60 years. Notes.-(i) [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] may in exceptional circumstances, consider at their discretion the award of family pension to the family of an employee who may die before completing twenty years qualifying service but after completing not less than ten years qualifying service. (ii) In cases where the qualifying service is less than the prescribed minimum the deficiency should not be condoned. (2) The amount of family pension will be-(a) in the event of death while in service, one-half of the superannuation pensions which would have been admissible to the officer had he retired on the date following the date of his death; and (b) in the event of death after retirement, one-half of the pension sanctioned to him at the time of retirement: Provided that the amount of family pension will be subject to a maximum of Rs. 150 per mensem and a minimum of Rs. 30 per mensem: Provided further that the minimum pension will not in any case exceed the full amount of the pension sanctioned to the deceased officer at the time of his retirement or, in case he dies while in service the pension that would have been admissible to him if he had retired on a superannuation pension on the date following the date of his death. Note.-The amount of family pension will be reduced by the amount of pension committed if any by the pensioner before his death. For example if the ordinary pension was Rs. 90 per mensem and an amount of Rs. 30 out of this had been commuted the amount of family pension will be Rs. $90/2-30=15$ per mensem. (3) No pension shall be payable under this part-(a) to a person mentioned in Clause (b) of sub-rule (4) below unless the pension sanctioning authority is satisfied that such person was dependent on the deceased officer for support; (b) to an unmarried female member of the family in the event of her marriage; (c) to a widowed female member of the family in the event of her re-marriage; (d) a brother of the deceased officer on his attaining the age of 18 years; and (e) to a person who is not a member of the deceased officer's family. (4) Except as may be provided by a nomination under sub-rule (5) below-(a) a pension sanctioned under this part shall be granted-(i) to the eldest surviving widow, if the deceased was a male officer, or to the husband, if the deceased was a female officer; (ii) failing (i) above to the eldest surviving son; (iii) failing (i) and (ii) above to the eldest surviving unmarried daughter; (iv) failing (i) to (iii) above to the eldest widowed daughter; and (b) in the event of the pension not becoming payable under Clause (a) the pension may be granted-(i) to the father; (ii) failing (i) above to the mother; (iii) failing (i) and (ii) above to the eldest surviving brother below the age of 18; (iv) failing (i) to (iii) above to the eldest surviving unmarried sister; (v) failing (i) to (iv) above, to the eldest surviving widowed sister; and (vi) failing (i) to (v) above; to the children of a predeceased son in the order it is payable to the children of the deceased officer under (a) (ii), (iii) and (iv) above. Note.-The expression "eldest surviving widow" occurring in Clause (a) above, should be construed with reference to the seniority according to the date of marriage with the officer and not with reference to the age of surviving widows. (5) An officer shall immediately after his confirmation make a nomination in Form "E" indicating the order in which a pension sanctioned under this part should be payable to the members of his family; and the extent it is valid, the pension will be payable in accordance with such nomination provided the nominee concerned is not ineligible on the date on which the pension may become payable to him or her to receive the pension under the provisions of sub-rule (3). In case the nominee concerned is or as become ineligible to receive the pension under the said sub-rule the pension shall be granted to the person next lower in the order in such nominations. The provisions of sub-rules (5) (b), (7) and (8) of Rule 6 shall apply in respect of nominations under this sub-rule. (6) (a) A pension awarded under this part shall not be

payable to more than one member of the deceased officer's family at the same time.(b)If a pension awarded under this part ceases to be payable before the expiry of the period mentioned in the Proviso to sub-rule (1) on account of death or marriage of the recipient or any other cause it will be regranted to the person next lower in the order mentioned in sub-rule (4) or to the person next lower in the order showing the nomination under sub-rule (5) as the case may be, who satisfies the other provisions of this part.(7)A pension sanctioned under this part will be tenable in addition to any extraordinary pension, gratuity or compensation that may be granted to the members of an officer's family under the existing rules or Act.(8)Future good conduct of the recipient is an implied condition of every grant of pension under this part, [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] reserve to themselves the right of withholding or withdrawing such pension or any part thereof if the recipient convicted of serious crime or be guilty of grave misconduct. Decision of the [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] in such matters shall be final.

Part IV – Commutation

8.

Facilities for commuting pension will be in accordance with the Uttar Pradesh Civil Pension (Commutation) Rules but the maximum amount of pension which may be commuted will be restricted to one-third of the pension admissible under Part 1 of these Rules:Provided that where option had been exercised under Rule 3 (b) the maximum amount of the pension which may be commuted will be restricted to one-third of the pension admissible after deduction of the pension equivalent of death-cum-retirement gratuity subject to the condition that, the pension actually payable after commutation is not in any case less than one-half of the pension admissible :Provided further that the pension actually payable after commutation is not less than Rs. 20.

Part V – Miscellaneous

9. Miscellaneous deduction.

- Any amount found legally due to the [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] and recoverable from an officer can be recovered from his gratuity or pension with the sanction of the Karya Samiti formed under Section 66 of the Adhiniyam.

10. Compassionate gratuity.

- If an officer is dismissed (or removed from the service of the [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] on account of criminal misconduct punished by imprisonment, insolvency or embezzlement, no gratuity or pension shall ordinarily be payable, to him or to his family, but Karya Samiti as defined in sub-rule (9) above, if it so decides can sanction gratuity to the extent of half of the amount admissible under Rule 4 on compassionate grounds.

11. [Amended by U.P. Zila Panchayat Employees' Retirement Benefit (1st Amendment) Rules, 1975 (vide Notification No. 127-B/33-2-74, dated 24th February, 1975.)]

For every officer who is entitled to pension and gratuity under these rules the Mukhya Adhikari, shall every month draw contributions from the fund from which the pay of the officer concerned is payable equal to an amount calculated on the basis given in Governor's order No. 1, under Rule 116 to the Financial Handbook, Volume II, Part II to IV and will credit the same to the [Zila Panchayat] Pension Fund. For this purpose the employees appointed by Government or [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.], Adhyaksh and Mukhya Adhikari or Heads of Department, will be considered as servants in Class I, . Class II and Class III services respectively. The amount of the contribution will be deposited in the post office before the fourth day of every month into an account styled as [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] Pension Fund. For facility of payment the amount may also be opened in the State Bank of India. If at any time, sufficient funds are not available in the above accounts for payment of pension or gratuity, the Mukhya Adhikari shall advance the required amount from [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] Fund and shall in due course reimburse the same from the Pension Fund. The Mukhya Adhikari may with the sanction of Executive Committee, invest any amount or amounts deposited in the post office or the State Bank of India in Government securities but he shall always keep in the post office Savings Bank or in the State Bank a balance sufficient to meet the payments for a month :Provided that in the case of officers appointed under the U. P. [Zila Panchayats] [Substituted by U.P. Act No. 9 of 1994.] (Central Transferable Cadre) Rule, 1966, the Mukhya Adhikari shall open a separate account for each officer in post office or the State Bank in addition to his account for provident fund and shall deposit every month a sum equal to an amount calculated on the basis of Governor's Order No. 1 under Rule 116 of the F.H.B. Vol. II, Part II to IV. This amount shall be transferred to the [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] as and when the officer concerned is transferred to such [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.], which shall pay the pension and gratuity from this amount to the officer concerned.]

12. Method of sanction of pension and gratuity.

- [(1) After retirement of every officer and in every case within one month from that date, the Head of Department concerned will send his complete service book to the Mukhya Adhikari along with the connected details in Form F. After checking the amount of pension and other details the Accountant shall send the connected papers to the Assistant Accounts Officer of the [Zila Panchayat] [Amended by U. P. Zila Panchayat Employees' Retirement Benefit (5th Amendment) Rules, 1981 (vide Notification No. 6242-B-33-2-2-74-U.P.A.-33-61-Rule-72-AM (5) 1981, dated 28th November, 1981.)] for his scrutiny. The [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] shall thereafter get the pension verified and confirmed from the Examiner, Local Fund Accounts, Uttar Pradesh, Allahabad or the Assistant Examiner, Local Fund Accounts of the Division. In anticipation of sanction from the competent authority, permission for provisional payment of the gratuity to the extent of $\frac{3}{4}$ (i.e. up to 75 per cent) and the pension at the rate as prepared by the Assistant Accounts Officer, [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] shall be sanctioned by the Mukhya

Adhikari or any other officer authorized at the time in this behalf, which shall be payable for a period of 12 months only. Whereafter, the amount of gratuity or pension as verified and confirmed by the Examiner Local Fund Accounts, Uttar Pradesh, Allahabad or the Assistant Examiner, Local Fund Accounts of the division. In anticipation of sanction from the competent authority, permission for provisional payment of the gratuity to the extent of $\frac{3}{4}$ (i.e. up to 75%) and the pension at the rate as prepared by the Assistant Accounts Officer, [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] shall be sanctioned by the Mukhya Adhikari or Officer authorized in this behalf and Adhyaksha and the pension payment order book in Form G shall be sent by the Accountant to the Officer concerned. The pension paper shall be received (on behalf of the Mukhya Adhikari) by the Accountant and thoroughly examined by him in the same manner as claims against the Zila Nidhi are examined by him, vide Rule 66 of U. P. [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] and [Kshetra Panchayat] [Substituted by U.P. Act No. 9 of 1994.] (Budget and General Account) Rules, 1965.] (2) Method of payment of pension and gratuity-Pension shall be paid by Mukhya Adhikari, payment up to Rs. 300 per month shall be made in cash or by money order on request of the pensioner, after deducting the charges on that account, while those exceeding Rs. 300 shall be paid by cheque by Mukhya Adhikari. (3) [In respect of all such cases for retirement benefits to [Zila Panchayat] [Amended by U. P. Zila Panchayat Employees' Retirement Benefit (6th Amendment) Rules, 1982 [vide Notification No. 1811-B/33-2-2/73-G-81-U.P.A.-33-61-Rule-1972-AM (6)-1982, dated 22nd September, 1982.] Servants, so far as they are not inconsistent with the provisions of these rules, shall be governed by the Government orders issued from time to time.] Explanation.-The Government orders referred to in this sub-rule shall be the Government's orders issued by Panchayati Raj Anubhag.]

13. [Amended by U. P. Zila Panchayat Employees' Retirement Benefit (Seventh Amendment) Rules. 1989 (vide Notification No. 360-B/33-2-24-B(9)/85-U.P.A.-33/1961-Rule-1972-AM (7)-1989, dated 15th July, 1989.]

Where the State Government is satisfied that the operation of any rule regulating the conditions of pension of persons caused undue hardship in any particular case, it may, notwithstanding anything contained in the rule applicable to the case, by order, dispense with or relax the requirements of that rules to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.] Annexure A [Appendix] [Amended by U. P. Zila Panchayat Employees' Retirement Benefit (4th Amendment) Rules, 1980 [vide Notification No. 1867-B/XXXIII-2-2-74-U.P.A.-33-61-Rule-72-AM (4)-1980, dated 31st July, 1980.]] [Referred to in Rule 4 (1)]

Completed six monthly periods of qualifying service	Scale of gratuity or pension	Maximum pension (in rupees per annum)
1	2	3
(a) Gratuity		
1.	$\frac{1}{2}$	months emoluments

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2.	1	“	“
3.	1 1/2	“	“
4.	2	“	“
5.	2 1/2	“	“
6.	3	“	“
7.	3 1/2	“	“
8.	4	“	“
9.	4-□	“	“
10.	4 3/4	“	“
11.	5-□	“	“
12.	5 1/2	“	“
13.	5-□	“	“
14.	6 1/4	“	“
15.	6-5/8	“	“
16.	7	“	“
17.	7-□	“	“
18.	7 3/4	“	“
19.	8-□	“	“
(b) Pension				
20.	10/80th of	average	emoluments 2,400.00
21.	10 1/2 /80th	“	“ 2,520.00
22.	11/80th	“	“ 2,640.00
23.	11 1/2 /80th	“	“ 2,760.00
24.	12/80th	“	“ 2,880.00
25.	12 1/2 /80th	“	“ 3,000.00
26.	13/80th	“	“ 3,120.00
27.	13 1/2/80th	“	“ 3,240.00
28.	14/80th	“	“ 3,360.00
29.	14 1/2/80th	“	“ 3,480.00
30.	15/80th	“	“ 3,600.00
31.	15 1/2 /80th	“	“ 3,720.00
32.	16/80th	“	“ 3,840.00
33.	16 1/2/80th	“	“ 3,960.00
34.	17/80th	“	“ 4,080.00
35.	17 1/2/80th	“	“ 4,200.00
36.	18/80th	“	“ 4,320.00
37.	18 1/2/80th	“	“ 4,440.00

38.	19/80th	“	“ 4,560.00
39.	19 1/2/80th	“	“ 4,680.00
40.	20/80th	“	“ 4,800.00
41.	20 1/2/80th	“	“ 4,920.00
42.	21/80th	“	“ 5,040.00
43.	21 1/2/80th	“	“ 5,160.00
44.	22/80th	“	“ 5,280.00
45.	22 1/2/80th	“	“ 5,400.00
46.	23/80th	“	“ 5,520.00
47.	23 1/2/80th	“	“ 5,640.00
48.	24/80th	“	“ 5,760.00
49.	24 1/2/80th	“	“ 5,880.00
50.	25/80th	“	“ 6,000.00
51.	25 1/2/80th	“	“ 6,120.00
52.	26/80th	“	“ 6,240.00
53.	26 1/2/80th	“	“ 6,360.00
54.	27/80th	“	“ 6,480.00
55.	27 1/2/80th	“	“ 6,600.00
56.	28/80th	“	“ 6,720.00
57.	28 1/2/80th	“	“ 6,840.00
58.	29/80th	“	“ 6,960.00
59.	29 1/2/80th	“	“ 7,080.00
60.	30/80th and above	“	“ 7,200.00

Form A[See Rule 6(5) (a)]Nomination for Death-cum-Retirement Gratuity(When the officer has a family and wishes to nominate one member thereof)I Hereby, nominate the person mentioned below, who is a member of my family, and confer on him the right to receive any gratuity that may be sanctioned by [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] in the event of my death while in service and the right to receive on my death any gratuity which having become admissible to me on retirement may remain unpaid at my death :

Name and address of nominee	Relationship with Officer	Age	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person, if any, to whom the right conferred on the nominee predeceasing the officer or the nominee dying after the death of the officer, but before receiving the payment of gratuity	Amount of share of gratuity payable to each
1	2	3	4	5	6

This nomination supersedes the nomination made by me earlier onwhich stands cancelled.N.B.-The Officer should draw lines across the blank space below the last entry to prevent insertion of any name after he has signed.Dated this.....day.....of.....20.....at.....Witnesses to signature :

1.

.....

2.

.....Signature of Officer.This column should be filled in so as to cover the whole amount of gratuity.The amount/share of gratuity shown in this column should cover the whole amount/share payable to the original nominees.(To be filled in by the appointing authority).

Nomination by..... (Signature of Appointing Authority)

Designation..... Dated.....

Office..... Designation.....

Form B[See Rule 6(5) (a)]Nomination for Death-cum-Retirement Gratuity(When the officer has a family and wishes to nominate more than one members thereof)I, HEREBY, nominate the persons mentioned below, who are members of my family, and confer on them the right to receive, to the extent specified below any gratuity that may be sanctioned by [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] in the event of my death while in service and the right to receive on my death to the extent specified below any gratuity which having become admissible to me on retirement may remain unpaid at my death :

Name and address of nominee	Relationship with Officer	Age	Contingencies on the happening of which thenomination shall become invalid	Name, address and relationship of the person, ifany, to whom the right conferred on the nominee predeceasing theofficer or the nominee dying after the death of the officer, butbefore receiving the payment of gratuity	Amount of share of gratuity payable to each
1	2	3	4	5	6

This nomination supersedes the nomination made by the earlier onwhich stands cancelled.N.B.-The Officer should draw lines across the blank space below the last entry to prevent insertion of any name after he has signed.Dated this.....day of.....20.....at.....Witnesses to signature :

1.

.....

2.

.....Signature of Officer. This column should be filled in so as to cover the whole amount of gratuity. The amount/share of gratuity shown in this column should cover the whole amount/share payable to the original nominees. (To be filled in by the appointing authority). Nomination by.....Designation.....Office.....(Signature of Appointing Authority) Dated.....Designation.....Form C [See Rule 6(5) (a)] Nomination for Death-cum-Retirement Gratuity (When the officer has no family and wishes to nominate one person) I, having no family hereby nominate the person mentioned below and confer on him the right to receive any gratuity that may be sanctioned by [Zila Panchayat] [Substituted by U.P. Act No. 9 of 1994.] in the event of my death while in service and the right to receive on my death any gratuity which having become admissible to me on retirement may remain unpaid at my death :

Name and address of nominee	Relationship with Officer	Contingencies on the happening of the nomination shall become invalid	Name, address and relationship of the person, if any, to whom the right conferred on the nominee predeceasing the officer or the nominee dying after the death of the officer, but before receiving the payment of gratuity	Amount of share of gratuity payable to each
1	2	3	4	5
				6

This nomination supersedes the nomination made by me earlier onwhich stands cancelled. Dated this.....day of.....20.....at.....Witnesses to signature :

1.

.....

2.

Signature of Officer. This column should be filled in so as to cover the whole amount of gratuity. (To be filled in by the appointing authority).

Nomination by..... (Signature of Appointing Authority)

Designation..... Dated.....

Office..... Designation.....

Form D [See Rule 6(5) (a)] Nomination for Death-cum-Retirement Gratuity (When the officer has no family and wishes to nominate more than one person) I, having no family, hereby nominate the persons mentioned below, and confer on them the right to receive to the extent specified below, any gratuity that may be sanctioned by [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] in the

event of my death while in service and the right to receive on my death, to the extent specified below any gratuity which having become admissible to me on retirement may remain unpaid at my death.

Name and address of nominee	Relationship with Officer	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person, if any, to whom the right conferred on the nominee predeceasing the officer or the nominee dying after the death of the officer, but before receiving the payment of gratuity	Amount of share of gratuity payable to each
1	2	3	4	5
				6

This nomination supersedes the nomination made by me earlier onwhich stands cancelled.N.B.-The Officer should draw lines across the blank space below the last, entry to prevent the insertion of any name after he has signed.Dated this.....day of.....20.....at.....Witnesses to signature :

1.

.....

2.

Signature of Officer.This column should be filled in so as to cover the whole amount of gratuity. This amount./share of gratuity shown in this column should cover the whole amount/share payable to the original nominees.(To be filled in by the appointing authority).

Nomination by..... (Signature of Appointing Authority)

Designation..... Dated.....

Form E[See Rule 7(5)]Nomination for Family PensionI, hereby nominate the persons mentioned below, who are members of my family, to receive in the order shown below the family pension which may be granted by [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] in the event of my death after completion of 10 year's qualifying service :

Name and address of nominee	Relationship with officer	Age	Whether married or unmarried
1	2	3	4

This nomination supersedes the nomination made by the earlier onwhich stands cancelled.N.B.-The Officer should draw lines across blank space below the last entry to prevent the insertion of any name after he has signed.Dated this.....day of.....20.....at.....Witnesses to signature :

1.

.....

2.

.....Signature of Officer.(To be filled in by the appointing authority)

Nomination by..... (Signature of Appointing Authority)

Designation..... Dated.....

Office..... Designation.....

Annexure BForm FApplication for pension/family pension/ Death-cum-Retirement Gratuity

1. Name of applicant.....

2. Father's name (and also husband's name.....in the case of women servant).....

3. Religion and nationality.....

4. Permanent residential address showing village/town, district and State.....

5. (a) Present or last appointment including name of establishment...

(b)Present or last substantive appointment.....

6. (a) Date of beginning of service.....

(b)Date of ending of service.....

7. Length of service

8. Class of pension or, gratuity applied for and cause of application.....

9. Average emoluments..... *

10. Proposed pension or gratuity.....

11. Proposed Death-cum-retirement gratuity.....

12. Date from which pension is to commence.....

13. Relationship to the Deceased Officer/pensioner.....

14. Date of death of the Officer/pensioner.....

15. The order in which the applicants name appears in the nomination Form 'E'

16. Names and ages of surviving kindered of the deceased :

Name Date of Birth(by Christian era)

- | | | | |
|-----|---|---|--|
| (a) | Widows/husbandssonsunmarried
daughterswidoweddaughters | } | Including stepchildren
and adopted children |
| (b) | FatherMotherBrothersUnmarried sistersWidowed sisters | } | Including stepbrothers
and step-sisters |

17. Name of [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.] at which payment is desired.....

18. [Descriptive roll of the applicant] [If not known exactly it must be stated on best information or estimate.]:.....

(i)Date of birth (by Christian era).....(ii)Height.....(iii)Personal marks if any, on the hand, face, etc.....(iv)Signature or left hand thumb and finger impressions.

Small Finger Ring finger Middle finger Index finger Thumb

Signature of applicant. Signature of Head of Office/Department Notes-(1) The descriptive roll and signature/thumb and finger impressions accompanying the application for family pension should be, in duplicate and attested by two or more persons of respectability in the town, village or pargana in which the applicant resides.(2) If the applicant belongs to a category mentioned in item 13 he should furnish proof of his dependence on the deceased officer/pensioner for support.(3) If the applicant is a minor brother of the deceased officer/ pensioner, the statement against item 16 should be supported by a certificate of age (in original) with two attested copies showing the date of birth of the applicant. The original will be returned to the applicant after the necessary verification. History of Service(Showing interruption) of..... Dale of birth

Estabment	Appointment	Pay Acting	Date of	Date of	Period	Period	Remarks	How	Remar
		allowance	beginning	ending	reckoned	not		verified	by the
					as service	reckoned			officer

							service			
1	2	3	4	5	6	7	8	9	10	11
Y.M.D.										
Y.M.D.Total										
period of										
service										

Third Page(A)Remarks by Head of Office/Department

1. As to character and past conduct of the applicant.....

2. Explanation of any suspension or degradation.....

3. Regarding any gratuity or pension already received by the applicant.....

4. Any other remarks.....

5. Specified opinion of the Head of office/Department whether the service claimed is established and should be admitted or not.....

(B)Order of the Pension Sanctioning AuthorityThe undersigned having satisfied himself that the service rendered by Sri..... has been thoroughly satisfactory hereby orders the grant of full pension grauity which may be accepted by the Examiner, Local-Fund as admissible under the rules. The grant of the pension shall commence from.....OrThe undersigned having satisfied himself that the service rendered by Sri has not been thoroughly satisfactory hereby orders that the full pension/gratuity which may be accepted by the Examiner Local-Fund as admissible under rules shall be reduced by here give the specified amount or percentage. The grant of this pension shall commence from.....The following service of the retiring officer has been approved for the grant of special additional pension admissible under the rules :Post(s) held.....Period of service.....The pension/gratuity and death-cum-retirement gratuity, if any, are payable at [Zila Panchayat] [Substituted by U. P. Act No. 9 of 1994.].This Order is subject to the condition that should the amount of pension as authorized by Examiner, Local-Fund be afterwards found to be in excess of the amount to which the pensioner is entitled under the rules, he will be called upon to refund such excess. A declaration form the retiring officer accepting this condition has been obtained and is enclosed/A declaration will be obtained and submitted separately.Signature and Designation of the pension-sanctioning authority,(C)Audit Enfa Cement

1. Total period of qualifying service which has been accepted for the grant of superannuation/retiring/invalid/compensation pension with reasons for disallowance, if any, other than disallowance, if any, of service the reasons for which are recorded by the Examiner, Local Fund on the second page.....

Notes-Service for the period commencing from.....and up-to-date of retirement has not yet been verified. This should be done by the pension sanctioning authority whereafter the final pension payment order will be issued.

2. Amount of superannuation/retiring/invalid/compensation pension that has been admitted.

Rs.....

3. Amount of superannuation/retiring/invalid/compensation pension after reduction as follows-

Amount of reduction in pension made by the pension sanctioning authority. Rs.....

Amount of pension equivalent of Government contribution to the contributory provident-cum-pension Fund/death-cum-retirement gratuity. Rs.....

Total reductions Rs.....

Amount of net pension Rs.....

4. Total period of qualifying service which has been approved for the grant of special additional pension.

5. The amount of special additional pension, if any.

6. The date from which the superannuation/retiring/invalid/ compensation pension/death-cum-retirement gratuity is admissible.

7. Account to which the pension/gratuity and death-cum-retirement gratuity are chargeable.

Examiner, Local Fund. Fourth Page (Docket) Application For Pension or Gratuity Date of application.....Name of applicant.....Last appointment.....Class of pension or gratuity.....Sanctioning authorityAmount of pension

sanctioned.....Amount of gratuity
 sanctioned.....Date of
 commencement.....Date of
 sanction.....Signature and designation of the
 Sanctioning Authority. Form G[See Rule 12(1)] Amount of monthly family Pension Rs.....(in
 words).....Every separate payment is to be recorded below by the Disbursing Authority.

Months for which payment is due	19	19	19	19	19	19	19	19
Date of payment	Disbursing authorities' initials	Date of payment	Disbursing authorities' initials	Date of payment	Disbursing authorities' initials	Date of payment	Disbursing authorities' initials	Remarks
March								
April								
May								
June								
July								
August								
Note on pensioners identification	Date	Initial	Date	Initial	Date	Initial	Date	Initial
September								
October								
November								
December								

January								
February								
Note on pensioners identification	Date	Initial	Date	Initial	Date	Initial	Date	Initial

Form H[See Rule 12(2)]

1. Name of applicant.....
2. Date of birth.....
3. Date of retirement of the pensioner.....
4. Full address of applicant.....

5. Signature of thumb-impression of
the applicant.....

6. *Attested

(i)(ii)

7. Witnesses

Name full address

Signature

(i)(ii)

*Attestation should be done by two or more persons of respectability in the town, village or pargana in which the applicant resides. Their designation or profession should also be given within brackets below their names.