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## **ANDHRA PRADESH MUNICIPALITIES (PENSION-CUM-GRATUITY FUND) RULES, 1969**

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## **ANDHRA PRADESH MUNICIPALITIES (PENSION-CUM-GRATUITY FUND) RULES, 1969**

In exercise of the powers conferred by Section 326 read with clause (d) of sub-section (1) of Section 76 of the Andhra Pradesh Municipal Act, 1965 (Act 6 of 1965), the Governor of Andhra Pradesh, hereby makes the following rules relating to the extension of pensionary benefits to the non-teaching municipal employees of Andhra Area, the same having been previously published at pages 365-404 of rules supplement Part 1 of the Andhra Pradesh Gazette, dated 12th December, 1968, as required under Clauses (a) and (b) of sub-section (1) and Section 327 of the said Act.

### **1. . :-**

These rules may be called the Andhra Pradesh Municipalities (Pension-cum-Gratuity Fund) Rules, 1969.

## **2 \.**

The disburser's half of each pension payment order shall contain the impressions of the thumb and each finger of the pensioner's left hand. These impressions shall be taken in the presence of the Secretary when the pension application is prepared and he shall sign the following Certificate below them:- "Certified that the above finger prints have been taken in my presence and under my personal superintendence from the left hand of the person whose name is entered in the pension payment order".

### **3. In these rules unless the context otherwise requires :-**

- (i) "Act" means the Andhra Pradesh Municipalities Act 1965;
- (ii) "Andhra area" means the area as defined in the Andhra Pradesh Municipalities Act, 1965.
- (iii) "Audit Officer" means the Examiner of Local Fund and Panchayat Raj Accounts;
- (iv) "Fund" means the Andhra Pradesh Municipalities Pension-cum-Gratuity Fund;
- (v) "Secretary" means the Secretary to the Municipality concerned.
- (vi) "Liberalised Pension Scheme" means the Andhra Pradesh Liberalised Pension Scheme sanctioned in G.O.No. 231, Finance, dated 11th June, 1962, as amended from time to time.
- (vii) "Employee" means a non-teaching employee of the Municipal Council including the employees borne or municipal service of the State eligible for the Liberalised Pension Scheme.
- (viii) "Treasury" means Government Treasury with which the Municipal Council is transacting its financial business; and
- (ix) "Government" means the Government of Andhra Pradesh.

## **4 \.**

When a portion of a pension is commuted, the Secretary shall take back the pensioner's half of the pension payment order on paying him the amount due in communication as well as the amount of the unreduced pension due upto the date on which commutation became absolute and shall make suitable alterations in the pension payment order or issue a fresh one authorising payment of the reduced pension in future.

### **5. . :-**

The Municipal Councils concerned shall contribute pensionary contribution in respect of the employees eligible for these benefits to the Andhra Pradesh Municipalities Pension-cum- Gratuity Fund

with effect from the 1st April 1961.

## **6 \.**

Whenever a pensioner appears to take payment of his pension, the Secretary shall check his personal marks with those recorded in the disburser's half of the pension payment order and compare his signature on the receipt with that pasted on the disburser's half of the pension payment order. If a pensioner cannot sign his name, the Secretary shall compare his thumb impression on the receipt with the original thumb impression previously taken on the disburser's half of the pension payment order.

## **7. . :-**

The contributions paid to the provident fund already by the municipalities at 6 1/4 per cent of the emoluments drawn by the subscribers who opt to these rules shall be transferred to this fund. Like wise the contributions adjusted by the municipalities to the provident fund accounts of the last grade employees under the local authorities inferior and menial servants provident fund rules who opt to these rules shall be credited to this fund;

Provided that in cases where the contributions and/or gratuity have already been paid to the employees who retired on or after the 1st April, 1961 a sum equal to such contributions and/or Gratuity shall be recovered from the Death-cum-Retirement Gratuity and pension payable to the employees. If the Death-cum- Retirement Gratuity and pension payable is found insufficient to cover the contributions and/or Gratuity already paid, the balance thereof shall be recovered from the employee in lumpsum or the monthly pension payable shall be adjusted towards the balance.

## **8 \.**

Amounts required for payment of pensions shall be drawn as an imprest from the pension fund; The total amount of pension paid out of such imprest should then be debited to the pension fund by contra-credit to such fund at the end of the month:

## **9. . :-**

All municipalities in Andhra Pradesh area shall pay arrears of pensionary contributions in respect of superior and last grade employees for the period for which they did not contribute to provident funds referred to in Rule 7 established for their benefit at the rates payable to their provident fund accounts upto the 31st March 1961 and thereafter at the rates prescribed in Rule 6. The arrear contribution shall be paid to the fund in 12 equal monthly instalments from the date of coming into force of these rules;

Provided that the gratuity, if any, paid to employees who retire on

or after the 1st April, 1961 shall be surrendered to this fund in lieu of the said arrears of contributions;

Provided further that the finalisation of Pension and Gratuity of an employee who retired on or after 1st April, 1961 shall not be held up due to non-recovery of the arrear of pension contribution from any other Municipal Council or councils where he worked. In such cases the Secretary shall be responsible for the recovery of the arrear contributions due to the Municipal Council from the Municipal Council or councils in which the pensioner worked.

## **10 \.**

The vouchers relating to pensions paid out of imprest should be stamped, 'paid in cash'.

## **11. . :-**

In the event of a permanent transfer of an employee admitted to this fund from one municipality to another, the latter municipality shall admit him to the pension fund and shall pay to the fund, contribution calculated at a flat rate of 9.5 per cent of the maximum pay for the post held by the employee. The former municipality shall remit all the contributions credited to its pension fund in respect of the employee to the latter municipality. If the employee is transferred only temporarily to the service of the other municipality or local authority or State Government, the municipality in which his pension fund account is maintained shall realise the pension contribution at 9.5 per cent of the maximum pay of the post held by him in the municipality, local authority or the State Government to which he is transferred.

## **12 \.**

In order to facilitate the identification of a pensioner, a duly authenticated copy of a passport size photograph of every pensioner shall be affixed to the disburser's half of the pension payment order and the photograph so affixed should be renewed whenever the Secretary considers it necessary. A pensioner shall be required to pay for the photographs required for this purpose. Photographs need not be affixed to pension payment orders relating to women who do not appear in public and pensioners whom the Government have specifically exempted from this requirement.

## **. . :-**

## **14. . :-**

The Secretary shall maintain a separate Cash Book and Demand Register to watch the realisation of the contribution, Register of Nomination, a register of investments and pension payment audit

register in the Forms shown in Appendix I. He shall also maintain such other Registers as may be prescribed by the Government from time to time.

## **15 \.**

(1) A pensioner of any description need not appear at the Municipal Office in person to claim payment of his pension if he produces a life certificate signed by some person exercising the powers of a Magistrate under the Criminal Procedure Code 1898 (Act V of 1898) or by any, Registrar, or Sub-Registrar appointed under the Indian Registration Act, 1908 (Act XVI of 1908) or by any Pensioned Officer who before retirement exercised the powers of a magistrate or by any Gazetted Officer or by a Munsiff or by a Police Officer not below the rank of Sub-Inspector in charge of police station or the President of a Panchayat Samithi or a Sarpanch of Gram Panchayat or Chairperson of a Municipal Council.

(2) The pension due to any pensioner may be disbursed to a messenger who presents the pensioner's half of the pension payment order along with (1) a proper bill signed and receipted by the pensioner and bearing an endorsement also duly signed and receipted by the pensioner and bearing an endorsement also duly signed by him authorising payment to such messenger and (2) a life certificate in respect of the pensioner signed by a person having one of the qualifications mentioned in Clause (1) above.

## **16. . :-**

The registers referred to in Rule 14 shall be maintained in accordance with such instructions as will be issued by the Audit Officer from time to time for carrying out the purposes of the fund.

## **17 \.**

A leper pensioner shall ordinarily appear before the Secretary to claim his pension without preparing a bill. The Secretary shall then direct one of the Municipal employees to fill up a pension bill form on behalf of the pensioner. Payment shall be made at once to the pensioner on this bill, and the Secretary shall mark the bill by means of stamp as having been paid in his presence and record the fact of payment in both halves of the pension payment order under his initials. Both halves of the pension payment order shall be retained in the office of the payment in these cases.

## **18. . :-**

The instructions contained in Appendix II shall be followed for the payment of the Pension Gratuity.

## 19 \.

(1) The Secretary shall take adequate precautions to prevent the payment of any fraudulent claims on account of the pension of a pensioner who does not appear in person to take payment. When a pensioner draws his pension in accordance with the provisions of instructions, 13,14,15 and 16 the Secretary shall require proof of his continued existence independent of that furnished by the life certificates, which have to be furnished at least once a year. For this purpose he shall require each such pensioner to attend personally at the office of the payment for due identification at least once a year, unless he is exempted from personal appearance under instruction 13, in which case the necessary independent proof of the pensioner's existence shall be obtained by some other suitable methods. When pensioner alleges that he is unable to appear personally at the office of the payment on account of bodily illness or infirmity, the Secretary shall require adequate proof of such inability to be furnished at least once a year in addition to the independent proof of the pensioner's existence.

(2) The Secretary shall take special care in regard to the payment of the pension of any woman not accustomed to appear in public since such payments involve special risk of fraud. No payment shall be made except on a life certificate as prescribed in instruction 15 which shall be attested on each occasion, as an additional precaution, by two or more respectable persons of the pensioner's town or village. The Secretary shall also arrange to have every such pensioner examined at least once a year by two non-purdah female pensioners who shall check her personal marks with those recorded on the disburser's half of the pension payment order, and shall compare her signature, or if she is illiterate her thumb impression on the receipt with that already taken on the disburser's half of the pension payment order, the examinations shall be conducted as far as possible without any extra expenditure. But extra expenditure may be incurred in special cases when it is unavoidable.

(3) Whenever any person is allowed to draw pension without appearing in person at the office, of payment, the fact shall be noted on the pension payment order and the Secretary shall initial the note. He shall then see that a further note is made on it every year as to the manner in which independent proof is obtained within that year of the pensioner's continuation existence (e.g.) pensioner visited the Officer of the Municipal Council etc. and initial

it after verifying that the proof has actually been obtained in that form and is sufficient.

**20. . :-**

Any doubts arising in administering the fund, shall be referred to Government through the Audit Officer for clarification and the decision of the Government thereon shall be final.

**20 \.**

(1) The pensioner's receipt for each payment shall be taken on a separate bill. The declaration referred to in instruction 22 (1) shall also be obtained whenever a claim is made. The certificate required in Instruction 22 (2) shall be attached to a schedule of payments of pensions of each kind, or, if pension payment are few in number, to the list of payments.

(2) Every payment of a pension shall be entered on the reverse of both halves of the pension payment order and attested by the initials of the Secretary.