

KARNATAKA LEGISLATORS PENSION RULES, 1979

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KARNATAKA LEGISLATORS PENSION RULES, 1979

In exercise of the powers conferred by Section 15 read with Section 11-A of the Karnataka Legislature Salaries, Pensions and Allowances Act, 1956 (Karnataka Act 2 of 1957) the Government of Karnataka hereby makes the following rules:

1. Short title and commencement :-

(1) These rules may be called the Karnataka Legislator's Pension Rules, 1979.

(2) They shall be deemed to have come into force on the 26th day of December, 1978.

2. Definitions :-

In these rules, unless the context otherwise requires,

(a) "Act" means the Karnataka Legislature Salaries, Pensions and Allowances Act, 1956 (Karnataka Act 2 of 1957);

(b) "Assembly" means the Karnataka Legislative Assembly;

(c) "Council" means the Karnataka Legislative Council;

(d) "Form" means a form appended to these rules;

(e) "House" means the Karnataka Legislative Assembly or the Karnataka Legislative Council, as the case may be;

(f) "Pensioner" means a person who is eligible to receive pension under the Act;

(g) "Rules" means the Karnataka Legislator's Pension Rules, 1979; and

(h) "Secretary" means the Secretary to the Karnataka Legislature and includes the Under Secretary (Accounts) of the Karnataka Legislature.

3. Sanctioning Authority :-

The Secretary shall be the authority competent to sanction pension to the persons entitled under the Act.

4. Application :-

Application for the grant of pension or family pension under these rules shall be made to the Secretary in Form I or II as the case may be. The application shall be accompanied by three copies of the passport size photograph of the applicant and four sets of his or her specimen signature duly attested by a Gazetted Officer of the State Government.

5. Sanction of pension :-

On receipt of the application and on being satisfied about the eligibility of the applicant for the pension in accordance with Section 11-A or Section 11-B of the Act, the Secretary shall make an order in Form III or Form IV sanctioning the amount of pension or family pension and communicate such order to the person concerned and to the Accountant-General, Karnataka.

6. Claim and payment of pension :-

Pension or family pension shall be claimed in Form V or Form VI and it shall be paid by the Secretary by cheque or credited to the Account of the Pensioner concerned in Bank, if he so desires.

7. Change of address :-

It shall be the duty of the pensioner to intimate to the Secretary the change, if any, of his residence, lasting for more than three months.

8. Date of payment of pension :-

The pension sanctioned under these rules shall be payable from the date specified in the order and it shall not be commuted for a

lumpsum. The pension shall become due for payment only on the expiry of the month to which it relates.

9. Death of pensioner :-

In the event of the death of the pensioner his legal heir shall be entitled to receive the amount of pension due till the date of his death including unpaid arrears.

10. Mistake in the calculation of the pension period :-

A pension sanctioned to any person under these rules is liable to be cancelled or modified if it is found that there has been any error in the evaluation of the period of his eligibility for the grant of pension.

11. Over-payment or irregular payment, etc :-

If any over-payments are made, the amounts so over-paid shall be adjusted in the subsequent payments or recovered as arrears of Land Revenue.

12. Recovery of dues if any :-

Dues, if any, towards arrears of Legislator's Home rent, Guest charges, Telephone charges, Car Hire Charges, loss of Library Books or any other dues to the Legislature Secretariat from the pensioner when he was a Member of the House shall without prejudice to any other mode of recovery permissible under any law may be recovered from the pension payable to him.

13. Decision of the Secretary is final :-

The decision of the Secretary on all matters covered by these rules shall be final.