

## **PAYMENT OF ARREARS OF PENSION (NOMINATION) RULES, 1983**

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## **PAYMENT OF ARREARS OF PENSION (NOMINATION) RULES, 1983**

In exercise of the powers conferred by Sec. 15 of the Pensions Act, 1871 (23 of 1871), the Central Government hereby makes the following rules, namely:

### **1. Short title and commencement :-**

- (1) These rules may be called the Payment of Arrears of Pension (Nomination) Rules, 1983.
- (2) They shall come into force on the date of their publication in the Official Gazette.

### **2. Application :-**

These rules shall apply to the Central Government Pensioners who are in receipt of any pension under the rules which govern such [ pensioners and which is payable by the Government out of the Consolidated Fund of India.

### **3. Definitions :-**

In these rules, unless there is anything repugnant in the subject or context,-

- (a) "Act" means the Pensions Act, 1871 (23 of 1871);
- (b) "Form" means a Form appended to the rules;
- (c) "nomination" means nomination made under these rules;

(d) "pension disbursing authority" means the authority through whom pension is drawn and includes-

(i) branch of a nominated public sector bank, or

(ii) treasury including sub-treasury, or

(iii) Accounts Officer.

**4. Nominee of pensioner to receive arrears of pension :-**

Any pensioner to whom any pension is payable by the Government out of the Consolidated Fund of India may nominate any other person (hereinafter referred to as the nominee) in accordance with the provisions of rule 5 who shall receive, after the death of the pensioner all moneys payable to the pensioner on account of such pension on, or before or after the date of such nomination and which remain unpaid immediately before the death of the pensioner.

**5. Nominations :-**

(1) Every pensioner who has retired on or before the date of commencement of these rules shall within nominate any person for the purpose of rule 4 in Form "A" and submit it, in triplicate by personal service after taking receipt or by sending through registered post acknowledgment due to the respective Pension Disbursing Authority through whom pension is drawn.

(2) Within thirty days of the receipt of nomination in Form "A" as referred to in sub-rule (1), the Pension Disbursing Authority shall get the particulars of the pensioner, as mentioned in Form "A", verify with reference to the available records and return to the pensioner, after obtaining a receipt thereof, the duplicate copy of the nomination in Form "A" duly attested by him or an officer authorised by him in this behalf. The triplicate copy shall be sent to the Accounts Officer of the Department from where the pensioner had retired while the original copy of the nomination shall be recorded.

(3) Every employee who is due to retire after the date of commencement of these rules shall, submit the nomination, in triplicate, in Form "A" to the Head of Office or the Department from where he is retiring within three months before or after the date of retirement.

(4) Within thirty days of the receipt of the nomination in Form "A"

under sub-rule (3), the Head of Office shall get the particulars of the pensioner, as mentioned in Form "A", verify with reference to the records of the establishment and return to the pensioner, after obtaining the receipt thereof, a duplicate copy of the nomination in Form "A" duly attested by him or by an officer authorised by him in this behalf. The triplicate copy duly accepted shall be sent to the Accounts Officer, who shall pass it on to the Pension Disbursing Authority alongwith the Pension Payment Order. If the pension payment order has already been issued in particular case, the nomination shall be sent separately quoting P.P.O, number and other particulars of the pensioner to enable the Pension Disbursing Authority to link it up with the P.P.O.

(5) A notice of modification of nomination including cases where a nominee pre-deceases the pensioner shall be submitted in triplicate in Form "B" to the Pension Disbursing Authority in the manner specified in sub-rule (1) and thereafter the provisions of sub-rule (2) shall apply mutatis mutandis with modifications as if it was made under oiib-rule (1).

(6) A nomination or a fresh nomination or a notice of modification of nomination shall be signed by the pensioner or, if he is illiterate, shall bear his thumb-impressions given in the presence of two witnesses who shall also sign a declaration to that effect in the nomination, fresh nomination or notice of modification of nomination, as the case may be.

(7) Nomination, fresh nomination or notice of modification of nomination shall take effect from the date of receipt thereof by the Pension Disbursing Authority or the Head of Office, as the case may be.

**6. Accepted nomination to be conclusive proof :-**

A nomination made under rule 5 and accepted by the Pension Disbursing Authority or the Head of Office, shall be a conclusive proof with regard to the person nominated to receive arrears of pension of the pensioner under these rules.

**7. Mode of payment of arrears :-**

The arrears of pension payable under these rules shall be paid in accordance with the provisions of the existing rules governing the mode of payment of pension.

**8. Interpretation :-**

Where any doubt arises as to the interpretation of these rules the

matter shall be referred to the Government of India in the Ministry of Home Affairs (Department of Personnel and Administrative Reforms) for decision.