

THE PENSIONS' (AMENDMENT) ACT, 1982

No. 20 of 1982

[18th May, 1982.]

An Act further to amend the Pensions' Act, 1871.

BE it enacted by Parliament in the Thirty-third Year of the Republic of India as follows:—

1. This Act may be called the Pensions' (Amendment) Act, 1982.

Short
title.

23 of 1871.

2. In section 1 of the Pensions' Act, 1871 (hereinafter referred to as the principal Act), for the words "It extends", the words "In so far as it relates to Union pensions, it extends to the whole of India and in so far as it relates to other pensions, it extends" shall be substituted.

Amend-
ment of
section 1.

3. After section 12 of the principal Act, the following section shall be inserted, namely:—

Insertion
of new
section
12A.

"12A. Notwithstanding anything contained in section 12 or in any other law for the time being in force,—

Nomina-
tion by
pensioner
to receive
moneys
outstand-
ing on
account of
pension

(a) any person to whom any pension mentioned in section 11 is payable by the Government of India or out of the Consolidated Fund of India (such person being hereinafter referred to as the pensioner) may nominate any other person (hereinafter referred to as the nominee), in such manner and in such form as may be prescribed by the Central Government by rules, to receive after the death of the pensioner, all moneys payable to the pensioner on account of such pension at, before or after the date of such nomination and which remain unpaid immediately before the death of the pensioner; and

(b) the nominee shall be entitled, on the death of the pensioner, to receive, to the exclusion of all other persons, all such moneys which have so remained unpaid:

Provided that if the nominee predeceases the pensioner, the nomination shall, so far as it relates to the right conferred upon the said nominee, become void and of no effect:

Provided further that where provision has been duly made in the nomination, in accordance with the rules made by the Central Government, conferring upon some other person the right to receive

all such moneys, which have so remained unpaid, in the event of the nominee predeceasing the pensioner, such right shall, upon the decease as aforesaid of the nominee, pass to such other person."

Insertion
of new
sections
15 and 16.

4. After section 14 of the principal Act, the following sections shall be inserted, namely:—

Power of
Central
Government to
make
rules.

"15. The Central Government may, by notification in the Official Gazette, make rules to provide for all or any of the following matters, namely:—

(a) the manner and form in which any nomination may be made under section 12A and the manner and form in which such nomination may be cancelled or varied by another nomination;

(b) the manner in which provision may be made, for the purposes of the second proviso to section 12A, in any such nomination for conferring on some person other than the nominee the right to receive moneys payable to the nominee if such nominee predeceases the pensioner.

Laying of
Rules

16. Every rule made by the Central Government under this Act and every rule made under section 14 by a Chief Controlling Revenue Authority with the consent of the Central Government, shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."