

**THE TAMIL NADU MUNICIPAL SERVICES
PENSION RULES, 1970**

(GO. Ms. No. 1425, Health & Family Welfare, Dated 17-6-1977)

1. Short title and commencement.— (a) These rules may be called the Tamil Nadu Municipal Service Pension Rules, 1970.

(b) They shall be deemed to have come into force on the 14th January 1970.

2. Application.— (i) These rules shall apply to officer and servants under all Municipal Councils and the Township Committees constituted under the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) or the committee to which the provisions of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), have been extended the minimum of whose scale of pay is Rs. 90 per mensem and above and included in the services mentioned below:—

- (a) Tamil Nadu Municipal General Service.
- (b) Tamil Nadu Municipal Engineering and Waterworks Service.
- (c) Tamil Nadu Municipal Town Planning Service.
- (d) Tamil Nadu Municipal Public Health and Medical Service.

(ii) These rules shall, at their option, apply to the members of the Tamil Nadu Municipal Educational Service who retired between 14-1-1970 and 31-5-1970.

(iii) These rules shall not affect the pension already admissible under Article 802 of the Tamil Nadu Pension Code, i.e. Pension of Local Fund Employees subject to the pension scheme and who do not come within the scope of these rules.

(iv) The Government may, from time to time, extend the application of these rules for other categories of employees from such date as may be specified in this behalf.

3. Definition.— In these rules unless there is anything repugnant in the subject or context,

(a) "Council" means the Municipal Council or the Township-Committee under which an employee being a member of any one of the services mentioned in Rule 2 is serving;

(b) "Employee" means an officer or servant of the Municipal Council or the Township Committee eligible for pension under these rules;

(c) "**Examiner**" means the Examiner of Local Fund Accounts;

(d) "Fund" means the Municipal Employees Pension Fund constituted under these rules ;

(e) "Government" means the Government of Tamil Nadu

4. Municipal Employees Pension Fund.— The Municipal Employees Pension Fund shall be constituted out of the contribution paid by the Municipal Employees, Township Committees and local authorities at 10 per cent on the maximum of the scale of pay in which the employee was drawing pay on 13th January 1970 or on the maximum of the time-scale of pay which the employees will be drawing from time to time thereafter. The contribution shall be payable from the date of admission of the employee to the Local Provident Fund (Municipal) and Local Authorities Provident Fund contribution shall also be recovered at the above rate on all emoluments reckoned for; pension under Article 486-C of the Civil Service Regulations.

Personal Deposit Account.— The Government direct the Personal Deposit Account in the name of Examiner for Local Fund Accounts be opened under "Municipal Employees Pension Fund P.D. Account of Examiner or Local Fund Accounts, Chennai 2" in the Reserve Bank of India, Chennai. The contributions paid by the respective Municipal councils at 61/4 per cent upto 13th January, 1970 towards the P.F. Scheme with interest thereon and the difference between 8-1/3 per cent 61/4 per cent from the date of admission to the P.F. Scheme of the individual till 13th January, 1970 shall be credited to the above head of account. The contribution of 8-1/3 per cent of the maximum of the scale of pay in which the incumbent was drawing to be recovered as contained in these rules from the Municipal councils concerned from 14th January, 1970 onwards shall also be credited to the above head of account regularly. The expenditure on the payment of pension and Death-cum-retirement gratuity as per these rules shall 'be debited to the above sub-head.

This Fund shall be administered by the Examiner of Local Fund Accounts, and the payment of pension will be by means of cheques or drafts only drawn on the fund by the Examiner of Local Fund Accounts as laid down in instruction 22 under Treasury Rule 16.

The preparation of pension papers should be in the prescribed forms applicable to Government servants as specified in Rules 7 (a) and (b). Detailed procedure to be followed for the presentation of claims for pension, manner of payment, maintenance of records and certificates, etc., will be issued by the Examiner of Local Fund Accounts in accordance with Rules 7 and 10.

5. Reckoning of service for pension.— In computing the length of service for calculation of pension and gratuity, the service of the employees rendered from the date of admission to Local Provident Fund (Municipal) shall be reckoned.

6. Rules applicable to Government servants to apply.— (a) Claim to pension including gratuity and family pension of an employee under these rules will be regulated by the rules in force applicable to Government servants at the time when the employee retires or is discharged from the service of the Council. The provisions of the Tamil Nadu Pension Code, as amended from time to time, shall apply *mutatis mutandis* insofar as they are not inconsistent with these rules.

(b) The rules relating to the preparation of pension papers and other connected matters and forms in vogue applicable to Government servants shall generally be adopted in the case of employees.

(c) On the coming into force of these rules, the rules relating to the grant of pensions to the employees of the council's issued under the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) shall cease to apply to employees governed by these rules.

8. Authority to certify the pension.— The Examiner will certify the amount of pension due to an employee under these rules.

9. Sanctioning authority.— The Director of Municipal Administration shall be the authority competent to sanction the pension so certified.

10. Place and mode of payment.—The place and mode of payment of pension shall be regulated in accordance with the instructions to be issued by the Examiner, from time to time:

Provided that the pension to which an employee becomes eligible under these rules shall be disbursed to him through the Executive Authority of the Council of the Pensioner's choice.

11. Interpretation of rules.— In case of any doubt or dispute in interpreting these rules, the decision of the Government shall be final. _____

Government Clarifications

(1) Rule 2 (iv).— Employees paid from contingencies or employed under work-charged establishment on nominal muster roll who have completed 10 years of service and more without break are eligible for pensionary benefits. *Vide* G.O. Ms. No. 1644, RD & LA, dated 12-10-1979.

(2) Rule 6.— The service rendered from the date of appointment will count for pension, subject to the condition that the Provident Fund Contribution between the date of appointment and the date of admission

to Provident Fund is paid by the employee. *Vide* G.O. Ms. No. 863, RD & LA, dated 16-6-1983.

The sanitary workers can count their qualifying service from 1-10-1973 only for pension. *Vide* Government Memo No. 115705/M/ Special/73-4, RD & LA, dated 15-12-1973.

(4) Rule 10.— Pension disbursed for the Examiner's Pension Fund will be paid by Mail Transfer to the accounts of the pensioners maintained in any of the following banks :-

State Bank of India, Indian Overseas Bank, Canara Bank, *vide*, GO. Ms. No. 622, RD & LA, Indian Bank, dated 6-4-1979.
