

TRANSMISSION CORPORATION OF ANDHRA PRADESH LIMITED

A B S T R A C T

APTRANSCO—Recovery of non-Government dues from Pensionary benefits of retired employee—Instructions to Pension Sanctioning Authorities/ Pension Disbursing Authorities—Issued.

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T.O.O.(Addl.Secy-Per)Ms.No.347

Dated:25-11-2010.

Read the following:

1. Circular Memo.No.1469/62/A1/PEN.I/2010, Finance (Pension-I) Department, dt.3-08-2010.

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ORDER:

In the reference cited, Government of A.P have issued instructions on recovery of non-Government dues from pensionary benefits of retired employees.

2) After careful consideration, the Transmission Corporation of A.P Limited hereby adopts the orders issued in the reference cited (Copy enclosed) and instructs that no orders shall be issued either by Pension Sanctioning Authorities or Pension Disbursing Authorities to effect recoveries of Non-Government loans/ attachment in execution of decrees issued by the courts etc., from the Pensionary benefits viz. Pension, DCRG, Commuted Value of Pension and FBF, GIS and GPF.

3) These orders are issued with the concurrence of Director (Fin. & Rev.)/ APTRANSCO vide Regd.No.4246, dt.23-11-2010.

4) These orders are also available on APTRANSCO Website and can be accessed at the address <http://www.aptransco.gov.in>

BY ORDER AND IN THE NAME OF TRANSMISSION CORPORATION OF A.P.LIMITED)

AJAY JAIN  
CHAIRMAN & MANAGING DIRECTOR

To

All Chief Engineers. ]  
All FA & CCAs/Dy.CCAs ] APTRANSCO  
All Superintending Engineers. ]  
All Divisional Engineers/Executive Engineers ]

Copy to:

The CE/Opn., RE& IT/APTRANSCO --- **With a request to place the above orders in APTRANSCO Website.**

PS to Chairman & Managing Director, APEPDCL, VISAKHAPATNAM.

PS to Chairman & Managing Director, APSPDCL, TIRUPATHI.

PS to Chairman & Managing Director, APCPDCL, HYDERABAD.

PS to Chairman & Managing Director, APNPDCL, WARANGAL.

PS to Managing Director & Vice-Chairman/APGENCO/V.S./Hyd.

PS to Chairman & Managing Director/APTransco/V.S/Hyderabad.

PS to Jt.Managing Director(HRD, Comml., IPC & IT)/VS/Hyd.

PA to Jt.Managing Director (V&S)/APTransco/VS/Hyderabad.

PS to Addl. Jt.Managing Director(Distribution & HRD)/VS/Hyd.

PA to Director (Fin. & Rev.)/APTransco/VS/Hyderabad.

PA to Director (Grid Operations)/APTransco/VS/Hyderabad.

DE/Tech. to Director (Transmission)/ APTransco/VS/Hyderabad.

DE/Tech. to Director (Projects) / APTransco/VS/Hyderabad.

The Chief General Manager (HRD & TRG)/ APTransco/VS/Hyderabad.

The Executive Director (G)/CC/ APTransco/VS/Hyderabad.

The Additional Secretary/ APTransco/VS/Hyderabad.

The Joint Secretary/A.P.Transco/Hyderabad

The Liaison Officer/SC&ST employees Grievances Cell/AP.Transco/VS/Hyd.

The Chief General Manager (Adm.)/APGENCO/Vidyut Soudha/Hyderabad.

All Chief General Managers (HRD)/APEPDCL,APSPDCL,APCPDCL & APNPDCL.

**(P.T.O)**

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The Joint Secretary (IR)/APCPDCL/Hyderabad.  
The Senior Accounts Officer/SLDC//(F&P)/APTRANSCO/VS/Hyd.  
The Pay Officer//AO(CPR)//Company Secretary/ APTransco/VS/Hyderabad.  
The Resident Audit Officer/EBCA/ APTransco/VS/Hyderabad.  
All Deputy Secretaries.//All Asst. Secretaries/ APTransco/VS/Hyderabad.  
All Sections in P&G Services/ APTransco/VS/Hyderabad.  
The General Secretary, APEE Union (Regd.No.1104), Mint Compound, Hyd.  
The Secretary General, APSE Employees Union (Regd.No.327), M.C, Hyd.  
The General Secretary, Telugunadu Vidyut Karmika Sangham (Regd.No.1245), M.C, Hyd.  
The General Secretary, APSEB Assistant Engineers Association, (Regd.No.1185),  
H.Q. KTPS, New Paloncha, Khammam Dist. – 507 115  
The Secretary General, APSEB Engineers Association, (Regd.No.874/75),  
H.No.6-3-663, Somajiguda, Hyd.  
The General Secretary, AP Power Diploma Engineers Association,  
(Regd.No.B-473), H.No.5-9-22/55, Adarshanagar, Hyd.  
The General Secretary, Andhra Rashtra Power Employees Union,  
(Regd.No.G-445), H.No.1-8-565/5, RTC 'X' Road, Hyd-20.  
The General Secretary, APSEB Accounts Officers Association, (R.No.C-5)/VS/Hyd.  
The General Secretary, Junior Accounts Officers Association, (R.No.880), V.S/Hyd.  
The General Secretary, APSEB Secretariat Employees Association, (Regd.No.54/69), VS, Hyd.  
The General Secretary, United Electricity Employees Union, (Regd.No.B-1829),  
1-1-60/4, Musheerabad, Hyderabad-20.  
The General Secretary, APSEB Technical Employees Union, (Regd.No.B-2275)  
C/o Sri K.Sampath Reddy, H.No.6-1-40/5, Mint Compound, Hyderabad.  
The Secretary General, APSEB SC & ST Employees Welfare Association  
(Regd.No.1589), H.No.8-3-228/1280/56, Jawaharnagar, Yousufguda, Hyd.  
The General Secretary, State Scheduled Tribe Employees Welfare Association,  
(Regd.No.956/78), HQ: Mint Compound, Besides APCPDCL Head Quarters (New  
Building), Hyderabad – 500 063.  
The General Secretary, A.P.E.E.P&G & Officers Association, GSR Bhavan,  
H.No.6-1-48/4, (Regd.No.327), Mint Compound, Hyderabad – 500 063  
The General Secretary, Telangana Elec., Employees' Association  
(Regd.No.H.61/2005) H.No.14-3-237, Goshamahal, Begumbazar, Hyd-12.  
The Secretary General, Electricity Backward Classes Employees Welfare Association  
(Regd.No.1681/2006), Plot No.7, Road No.5G, Krishnanagar Colony, Moulali, Hyd-40  
The Secretary General, Electricity, OC Employees Welfare Association,  
(Regd.No.1088/2008), H.No.1-1-287/33/A, Chikkadapally, Hyderabad  
The General Secretary, Telangana Raastra Vidyut Karmika Sangam,  
H.O: Q.No.3-7-443, 444, Beside 132/33 KVSS, Jagital Road, Karimnagar.  
The General Secretary, AP Elec. Board Employees Association,  
(Regd.No.176), 1-24, Venkatapuram, Secunderabad-500 015.  
The Secretary, APSEB Retired officials welfare Association, (Regd.No.671 of 1991), Hyderabad  
The Secretary, APSEB Retired Welfare Officers Association, 12-2-23/A/77,  
Santoshnagar, Mehdipatnam, Hyd  
The Nellore Zone Electricity Board Pensioners Association, Regd.No.346/1992,  
D.No.20/753, Bhuvanewari Agraharam, Mulapet, Nellore – 524 003.  
The APSEB Retired Officers Welfare Association, H.No.12-2-416/39,  
Ushodaya Colony, Mehdipatnam, Hyd.  
The President, APSEB Retired Employees Welfare Association, 7/26-E,  
Bhagyanagar, Guntakal-515 801.  
The President, Pensioners Welfare Association, 8-2-223,  
Palawari Street, Gandhinagar, Kakinada.  
The President, The Electricity Pensioners Welfare Association, Regd.No.177/90,  
1-12-7, Vellankivari Street, Nazarpet, Tenali-522201.  
The Secretary, APSEB Retired Employees Union, Vallurivari Thota,  
Behind Coal Office, Guntur.  
The APSEB Retired Officer Welfare Association, 6-3-601/A, Sangeethanagar,  
Somajiguda, Hyd-500 082.  
The Secretary, APSEB Retired Officers Welfare Association, 8-3-1056, Srinagar Colony, Hyd-  
The Central Record Section. & The Stock  
**File.C.No.Addl.Secy./DS(L,IR&Reg.)/AS(L,IR&Reg.)/PO(Reg.&HRMS)/JPO/514/2010**

//FORWARDED BY ORDER//

PERSONNEL OFFICER

GOVERNMENT OF ANDHRA PRADESH  
FINANCE (PENSION-I) DEPARTMENT

**CIRCULAR MEMO.NO.1469/62/A1/PEN.I/2010, DATED 03-08-2010.**

Sub: Recovery of non-Government dues from Pensionary benefits of retired employee – Instructions to Pension sanction Authorities/ Pension Disbursing Authorities – Issued.

Ref: D.O.No.PAG (A&E)/DAG(P)/2010-11/246, dt.01-07-2010 received from the Prl. Accountant General, (A&E), A.P., Hyderabad.

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The Principal Accountant General (A&E), A.P., Hyderabad in the reference cited has informed that under the Pension Act, 1871, Section 60 of the Civil Procedure Code, and the Andhra Pradesh Revised Pension Rules, pensionary benefits cannot be attached by orders of Courts, or withheld against non-Governmental loans. Unfortunately, however, departmental officers appear to be unaware of legal position. Consequently, in many cases, they request the Accountant General to withhold non-government dues. Further, the Pension Sanctioning Authorities (HOD/Departments) are making requests to effect certain recoveries from pensionary benefits towards Court attachments and non-Government loans, even though, there are no rules allowing them to do so. Consequent upon such requests, the Pension Issuing Authorities (AG & State Audit Department) have been issuing authorizations to recover non-government loans from Pensionary benefits. Since all the Pensionary benefits, akin to FBF, GIS and GPF, are also exempted from Court attachments, sale and recoveries of Non-Government loans by the various statutory laws and court judgments as said above, no orders shall be issued either by Pension Sanctioning Authorities or Pension Issuing Authorities to effect recoveries of Non-Government loans from Pensionary benefits. Therefore, the Principal Accountant General (A&E), Hyderabad, has requested to take up the matter on utmost priority as large number of Court cases are pending, where these recoveries are being legally challenged.

2. According to section 11 of the Pension'Act, 1871:

**“11. Exemption of pension from attachments:- No pension granted or continued by Government on political considerations, or on account of past services or present infirmities or as a compassion allowance, and no money due or to become due on account of any such pension or allowance shall be liable to seizure, attachment or sequestration by process of any Court at the instance of a creditor, for any demand against the pensioner, or in satisfaction of a decree or order of any such Court”.**

3. According to section 60(1)(g) of Civil Procedural Code, the **“stipends and gratuities allowed to pensioner of the Government or of a local authority of any other employer or payable out of any service family pension fund notified in the Official Gazette by the Central Government or the State Government in this behalf and political pension” shall not be liable for attachment in execution of a decree.**

(P.T.O)

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4. In view of the above provisions under Pensions Act, 1871 and Civil Procedure Code 1908, all the Pension Sanctioning authorities and Pension Issuing authorities and all concerned with processing of pension proposals of Government servants are hereby informed that **as all the Pensionary benefits, akin to FBF, GIS and GPF, are exempted from Court attachments, sale and recoveries of Non-Government loans by the various statutory laws and court judgments. It is hereby once again reiterated that no orders shall be issued either by Pension Sanctioning Authorities or Pension Issuing Authorities or Pension Disbursing Authorities to effect recoveries of Non-Government loans/attachment in execution of decrees issued by the courts etc. from the Pensionary benefits viz. Pension, DCRG, Commuted Value of Pension and FBF, GIS and GPF.**

5. Therefore, all the Departments of Secretariat and Heads of Departments are requested to communicate these instructions to all the Pension Sanctioning Authorities duly instructing them not to entertain the requests of the individuals for recovery of Non-Governmental dues from the pensionary benefits, while forwarding the pension proposals to the Pension Issuing Authorities viz., the Accountant General, A.P., Hyderabad/ Director of State Audit. Similarly, the Pension Issuing Authorities are also requested not to incorporate such recoveries, while issuing the authorizations of pensionary benefits.

L.V.SUBRAHMANYAM  
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To

All the Departments of Secretariat, Hyderabad.  
The Principal Accountant General (A&E), A.P, Hyderabad  
All the Heads of Departments.  
The Director of Treasuries & Accounts, A.P., Hyderabad.  
The Director of State Audit, A.P., Hyderabad.  
The Pay & Accounts Officer, A.P., Hyderabad.  
The Joint Director, Pension Payment Office, A.P., Hyderabad.  
The Director of Insurance, A.P., Hyderabad.  
The Commissioner of Small Savings, A.P., Hyderabad.

//FORWARDED BY ORDER//

Sd/----  
SECTION OFFICER

//TRUE COPY//

PERSONNEL OFFICER