



తెలంగాణ రాజపత్రము

THE TELANGANA GAZETTE PART IV-B EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 2] HYDERABAD, TUESDAY, JUNE 16, 2020

TELANGANA ACTS, ORDINANCES AND REGULATIONS Etc.

The following is the authoritative text in English Language of the Ordinance promulgated by the Governor on the 16th June, 2020 being published under article 348 (3) of the Constitution of India for general information:-

TELANGANA ORDINANCE No. 2 OF 2020

Promulgated by the Governor in the Seventy-first Year of the Republic of India.

An Ordinance to make special provision for the deferment of any payment in part, due and payable to any person, institution and any pay, pension and remuneration in part, to any employee, any pensioner and any other person, in the event of disaster and public health emergency in the State and for the matters connected therewith or incidental thereto.

WHEREAS, it is expedient to make special provision for the deferment of any payment in part due and payable to any person, institution and any pay, pension and remuneration in part, to any employee, any pensioner and any other person, in the event of disaster and public health emergency in the State and for the matters connected therewith or incidental thereto;

AND WHEREAS, the Legislature of the State is not now in session and the Governor of Telangana is satisfied that circumstances exist which render it necessary for her to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor hereby promulgates the following Ordinance:-

Short title, extent and commencement.

1. (1) This Ordinance may be called the Telangana Disaster and Public Health Emergency (Special Provisions) Ordinance, 2020.

(2) It extends to the whole of the State of Telangana.

(3) It shall be deemed to have come into force with effect from 24th of March, 2020.

Definitions.

2. In this Ordinance, unless the context otherwise requires,—

(a) “**Disaster**” means a catastrophe, mishap, calamity or grave occurrence in any area, arising from natural or manmade causes, or by accident or negligence which results in substantial loss of life or human suffering or damage to, and destruction of, property, or damage to, or degradation of, environment, and is of such a nature or magnitude as to be beyond the coping capacity of the

community of the affected area and includes National or State notified Disasters under the Disaster Management Act, 2005;

Central
Act
No. 53
of 2005.

(b) **"Employee"** means and includes any person or teacher employed by the Government or other employees or teachers of institutions covered under section 5 of this Ordinance and includes for the purpose of this Ordinance Contract and Outsourcing personnel;

(c) **"Government"** means the Government of Telangana;

(d) **"Notification"** means any notification issued under this Ordinance, published in the official Gazette;

(e) **"Pay"** means as defined under the Fundamental Rules, 1922, and includes all salaries, allowances, remunerations, benefits and other emoluments payable or due to any person mentioned in sections 4 and 5;

(f) **"Pension"** means pension as defined under Telangana Revised Pension Rules, 1980 and any other rules governing payment of pensions to Government Servants and includes family pension and pension received by those who are included under section 5 of this Ordinance;

(g) **"Pensioner"** means a Government Servant who is receiving pension under the Telangana Revised Pension Rules, 1980 and any other rules governing payment of pensions to Government Servants and includes family pensioner and those who are covered by section 5 of this Ordinance;

(h) **"Public Health Emergency"** means any health situation or emergency in the State of Telangana arising out of threat or outbreak of any contagious disease or epidemic or pandemic which has hit the whole or any part of the State, as declared by the Government.

Power of the Government to defer the payment, in part, due and payable to any person or institution.

3. Notwithstanding anything contained in any other law, rule or order or code, in the event of any disaster or public health emergency, it shall be competent and lawful for the Government to defer any payment due and payable to any person or institution in part, to the extent not exceeding half of the amount due or payable, for such period for the management of the situation arising out of such disaster or public health emergency or otherwise.

Power of the Government to defer the pay in part due to an employee employed by the Government and also pensioners and to any other person.

4. Notwithstanding anything contained in any other law, rule or order or code or judgement or order of any Court or Tribunal, in the event of any disaster or public health emergency, it shall be competent and lawful for the Government to defer the pay, pension or remuneration, in part, to the extent not exceeding half of the total monthly pay, pension or remuneration due to an employee, pensioner or any other persons for such period, for the management of the situation arising out of such disaster or public health emergency or otherwise.

Power of the Government to defer the pay, in part, due to an employee and pensioner of certain institutions including local self government institutions, statutory bodies, etc.

5. Notwithstanding anything contained in any other law, rule or order or code or judgement or order of any Court or Tribunal, in the event of any disaster or public health emergency, it shall be competent and lawful for the Government to defer the pay, pension or remuneration, in part, to the extent not exceeding one half of the total monthly pay, pension or remuneration due to an employee, pensioner or any other person, in any institution, owned or controlled or aided by the Government, including aided school and college teachers, local self government institutions as well as statutory bodies, universities, corporations, aided educational institutions and such other institutions, for such period for the management of the

situation arising out of such disaster or public health emergency or otherwise.

6. The deferred payment, under sections 3, 4 and 5 above has to be given back to such person or institution or employee, as the case may be, in such manner as may be mentioned in the notification issued by the Government to that effect, which shall be issued within six months from the date of the deferment.

Payment of deferred amount.

7. (1) The Government may, by notification without prejudice to the generality of the foregoing power, make rules for carrying out any or all of the purposes of this Ordinance.

Power to make rules.

(2) Every rule made under the Ordinance shall immediately after it is made, be laid before the Legislature of the State if it is in session, and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiration of the session in which it is so laid or the session immediately following, the Legislature agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity or anything previously done under the rule.

8. (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the Government may, by order, do anything which appear to them necessary for the purpose of removing such difficulty:

Power to remove difficulties.

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Ordinance.

(2) Every order made under sub-section (1) shall be laid before the Legislature of the State.

DR. TAMILISAI SOUNDARARAJAN,
Governor of Telangana.

A. SANTHOSH REDDY,
Secretary to Government,
Legal Affairs, Legislative Affairs & Justice,
Law Department.