

HARYANA AFFILIATED TITLE COLLEGES (PENSION AND CONTRIBUTORY PROVIDENT FUND) COMMENCE RULES, 1999

71 HARYANA GOVT GAZ. , (EXTRA.) , MAY 31, (JYST 10, 1921 SAKA) - 1979/81.4.5 16/99-8Rq1UIT 1979 15) 4 5 16 (2) i ärq, 2. "3fifiqq"7 (iÄI) 197909>9 1999 1885(1) aqT i HARYANA GOVT GAZ. (EXTRA.) i MAY .31, 1999 (JYST 10, 1921 SAKA) (111) 1979 0979 1979, Ire, 1885(3) HARYANA GOVT GAZ. (EXTRA.) , MAY 31, 1921 SAKA) (JYST 10, (2) äil: (11) (111) 1998. av) -4: 1998. qi-«-ä 1 1999 1885 (5) 3ivr 16 HARYANA GOVT GAZ. (EXTRA.) , MAY 31, 1999 1885(7) (JYST 10, 1921 SAKA) PfQ. 16 16 ä71 2. HARYANA GOVT GAZ. (EXTRA.) , MAY 31, (JYST 10, 1921 sÄKA) 11. 1999 16 1885 (9) HARYANA GOVT (EXTRA.) , MAY 31, 1999 (JYST W, 1921 SAKA) tmTl tar it Bi--ä 1885(11) HARYANA GOVT GAZ. (EXTRA.) , MAY 31, (JYST 10, 1921 SAKA) "qRÄT(" (l) QIT it qfrui (11) VTI@« (Ill) (IV) (VI) arq (VIII) 15. geg 1275/- (Äqü) 30 3b 1999 1885 (13) 16 HARYANA GOVT. GAZ. (EXTRA.) , MAY 31, 1999 (JYST 10, 1921 SAKA) IV 16.(1) fim 17.' ft) t, 3iVBt 1885(15) dQT 16 üTXT 4 16 HARYANA Govr GAZ. (EXTRA.) , MAY 31, (JYST 10, 1921 SAKA) V -101- 1999 .1885(17) •üt(T 4 16 HARYANA GOVT GAZ. (EXTRA.) , MAY 31, (JYSi 10, 1921 SAKA) (fr "Rui) 09) 20. it "it Nzar. *q-fiü 1999 1885(19) 16 4 16 HARYANA GOVT GAZ. (EXTRA.) , NAY 31, (JYST 10, 1921 SÄKA) 24. 25. 26. 27. '15 mar I 1999 1885(21) 16 16 üt(T 4 16 QIIT 4 16 HARYANA GOVT GAZ. (EXTRA.) , MAY 31, (JYST 10, 1921 SAKA) 30. (1 (11) (Ill) (IVA) PTqr 31. 32. vi 33. 1999 1885(23) 16 16 aqr- QT(T 4 16 HARYANA GOVT GAZ. (EXTRA.) , MAY 31, (JYST 10, 1921 SAKA) 13) 1999 1885(25) qut 2. 1 2 3 4 7 aft 09 JQtfærui HARYANA GOYT GAZ. (EXTRA.) , MAY 31, (JYST 10, 1921 SAKA) 1999 1885(27) .3ieT<7QQ fae erd 1999, 3iä. 3ietq-reü 3ra. 1999. täf&z 1999, 3ie1G74i —&fü HARYANA GOVT GAZ. (EXTRA.) , MAY 31, 1999 1885(29) (JYST 10, 1921 SAKA) a@fa 8.— 1

1. Qil&ft-2 ---ÆTQ 1 geartz—— aea HARYANA GOVT GAZ. (EXTRA.) , MAY 31, 1921 SAKA) (JYST 10, 1999 1885(31) [Authorised English Translation] HARYANA GOVERNMENT EDUCATION DEPARTMENT NOTIFICATION The 31st May, 1999 No. G.S.R.53/H.A.1ä/1979/S.4,5 and 16/99. -In exercise of the powers conferred by sub—section (10 read Kith sub—section (2) . of section 16 and sections 4 and 5 .of the Haryana Affiliated Colleges (Security" of Service) Act, 1979 (Act 15 of the Governor •of Haryana hereby makes the following rules ' regulati ng the pension and Contributors-provident fund of the employees appointed to the affiliated aided colleges CHAPiER-1 (1) These rules may be , namely : called Affiliated and 1. 2. the Colleges Haryana (Pensi on Co.n t v_-Ji bu to ry Prov ident Fund) Rules, 1999 . Shal I be have Some into force from the 11th' day of deemed •to with effect May, Short title and commence— ment Definitions unless In these rules , the context otherwise requires; — (a) 'taidéd sanctioned for. "high -the post grant—in—aid is allowed by Higher Education Directorate, Haryana; means Lhe Haryana Affiliated CGI leges (Secupi ty of Service) Act 1979K Act .15 of 1979b; HARYANA GOVT GAZ. (EXTRA.) , MAY 31, (JYST 10, 1921 SAKA) qualifying service means the service that qualifies these for pension under rules. It shall be reckon-ed _ ,ærms of, completed half the years, , provided that three equal to fraction months.. and above shall be treated as completed half 1999 1885(33) Sear . . However, the qualifying servicf Kill be into äccount Kith taken effect from the ' date an employee starts cdntribution t øwards Contributory Provident Fund; 'Service" means the rendered under prov its idns of the service the Haryana 3. (1) (1) Affiliated Co-lleges(Secüurity of Service) Act, 1979 (Aét 15 of 1979) and rules made thereunder ; The words and expressions used in these rules -but not defined, shall have the same meaning as assigned to them in the Haryana Affiliated Colleges (Security of Service) Act, 1 979 (Act 15 CHAPTER - 11 Except otherwise as provided in rule, and any Subject to the condition that the- Managing Committee of Aided c02 lege, executes an agreement Appl i cation section 4 & 16 HARYANA GOVT GAZ. (EXTRA.) , MAY 31, (JYST 10, 1921 SAKA) 1999 1885(35) a period Within three months f rom date of publication rules in these official Gazette. of the of the (2) These- (iii) rules shall not apply employees appointed on -part— time basis against to - aided posts; the sanctioned appointed against the posts Sanct ion ed by Government; t he empl o yees retired from sanc t i oned not the Kho the posts before the '11th day of May, 1998 and the employees who attained the age of supe rannua t ion before the said date except have those Kho diven extension the Department after the of superannuation on sanctioned post S; and t h8 employees —mpl•oyed on a leave— gap arrangement, on adhoc basis, on

contractual HARYANA GOVT GAZ. (EXTRA.), MAY 31, (JYST 10,- 1921 SAKA) (i i) In the case of Group D employees ; the servi ce rendered uptill the attainment of the age of sixty years and -in case of others the service renereed uptil the attainment of the age of fifty eight years. leave admissibile • under Haryana Affiliated Colleges (Security of Service). Rules, 1979 and- under instructions_, issued by the .Government from time to. time , excluding the leave' nit hout pay an<, •period of suspenSion, over— stayal of leave pot subsequently regularised and period of , break i h service.. (i v) servicepr•endered in' or -1999 1885(37) more pri vate affiliated colleges, receiving grant-in-aid •the management . same servi ce rendered However in other colleges will not count for pension. In the absense of specific indication to the contrar.v in the servi ce record of the employee , be t ween rendered an spells interruption of services Condonation of interr— uptions and 16 by an employee under the be same managemen t may condoned wi th the ' approval of , and be treated Director as qualifying service retirement benefits: Prov i ded that . caused interrurT ion resignation, dismissal, from service or for the the removal to HARYANA GOVT GAP. (EXTRA. MAY" 31, 1999 (JYST• 10, 1921 If the -pension so caltulated for the qualifying sekvice of -thart.v of years falls short three Rupees 1275/- (One thousand, two hundred seventy rupees only) the same shall be raised to Rs .-1275/- (One. thousand two hundred severhty only) in all cases. The employees rupees Kho invalid declared physically service because of bodily shall i nf i rmiNty mental granted invalid pensim. (2) An employee applying for are for or be an r885(392 Invalid pension seOtion 4 and '16 invalid pensioh- •shall submit. a Of •certi ficate medicall incapacity froin -a Medical Board in which a lady *ddctoc hall also be included as member. whenever thereof woman any employee is •to be examined. of (3) No •medical certificate incapacity for Service, shall •be granted unless •the applicant produces a letter from Director directing him' to appear. before tne, Yediqay• Board. Medi eal Board shall also be SüpplÄed a by statement r e a a rdi ng the aae Director of applicant as -recorded in serviexe book. (4) A brief statement of medical case and. that of t reatment undergone shall appended. to the application. the his the the be (5) A g imple certificate that inefficiency is due to old age HARYANA. GOVT GAZ. (EXTRA.), MAY 31, 1999 (JYST- 10, 1921 SAKA) (2) If the management is of the in public opinion that it is interest to retire an employee for reasons to be recorded in writing, it shall have the right 1885(41) divine by employee the in concerned , a prior notice writing' of not less than three to retire, him on the months , completes on which he date qualifying of twenty years service or on any other date to be specified in thereafter, the ' notice': ' Provided that where three months notice 'is not given or than notice for a .period less the months is gi ven, three employee shall be entitled t O claim a sum equivalent to. the amount of pay and allowances at the same rate at which he was draQing immediately before the date of retirment, for a period the three months or for of notice which such peri od by falls sho'rt of three months, as the case may be. the If the retirment of (3) employee may under sub rule (2) is sét aside by a Court of liabilities all pecuniary consequent thereto from the, date of compulsory reti rment upto the date of his •rejoining the post, shall devolve on the Management. An employee may , three months CT i v ing at writ ing to not. ice Management, retire from ser_vice he which date on the on

13. HARYANA GOVT GAZ.(EXTRA.) , MAY 31, (JYST 10, 1921 SAKA) Where the qualifying service is than ten years the amount of- service gratuity shall be the appropriate amount as set out in the table annexed at Annexure I and ne pension shall be granted to him. employee who has become eligible for pension under these rules on; his retirement f fom service shan be granted death- cum-reticement gratuity as 1999 1885(43) Service gratuity section 4 and 16 Death—cum- retirement gratuity section 4 and 16 below : — (i) In employee , enol umen t-s case of 1/4 th for each Group. of his completed six monthly period of qualifying service subject to a maximum of seventeen - and half tines of enol uments ; in the Case of employees other than Group D employees 1/4 th of the emoluments af an employee for each completed six monthly period of the qualifying service, subject to a maximum of sixteen and half times of enoluments; (iii) The retirement exceed Rs . case . maximum amount gratuity shall, 3.50 Lakh in (i v) -An employee against the of not any whom judicial or 2 departmental proceedings have •been instituted shall not be permit.ted gratuity during the pendency of proceedings . HARYANA GOVT GAZ. (EXTRA.) , MAY 31, (JYST 1921 SAKA) (v i) father } Including adopted parents in case indi v id u al of (v i i) mother. } whose personal law permits adoption; (viii) married daughters; and predeceased (i x) children of 1999 1885(45) -15. sons. (1) In case of death of the employee or pensioner at least one year with service, the family pension shall be granted to the Family pension section and 16 4 family employee deceased of the Aided affiliated college at the rate of 30% of pay in all cases subject to minimum of 1275/- (One -

thousand Rs. two hundred seventy rupees) and maximum of last pay. (2) In case of death of an employee while in service more than seven years after service or years retirement before attaining the age of 65 years, amount of family pension would be fixed at double the amount of normal family pension subject to the conditions that such family enhanced pension does not exceed 50% of pay drawn at the time of death or normal pension as the case may be. This benefit will be available for a period of seven years or till the deceased would HARYANA GOVT GAZ. (EXTRA.), MAY 31, (JYST 10, 1921 SAKA) (f) sons/ unmarried until daughters he/she attains the age of 25 years or 1999 1885(47) starts earning livelihood whichever is earlier; judicially separated wife --or husband; (2) Marriage retirement recognised pension. is for Note: The term after, "not family 'child'" includes posthumous child of the employee

CHAPTER IV The contribute employees towards Contributory Provident Fund the rate of pf the shall the Fund basic pay or any rate prescribed by the Government from time to time. An employee, may however time. subscribe voluntarily.- at higher rate than that prescribed by the Government. The fund shall be regulated in accordance with the procedure as may be specified by the Director from time to time. (2) The date of switching over for the existing employees to Subscription and maintenance of contributory provident fund account section 4 and 16 Contributory shall be Provident by Fund the Government. The Managing Committee shall also maintain the Contributory Provident Fund HARYANA GOVT GAZ. (EXTRA.), MAY 31. (JYST 10, 1921 SAKA) accrued thereon and they (or in such case of death of an employee, heirs) are employee not in a position to refund the same in cash, may be allowed to adjust the same against amount of gratuity or arrears of pension that may be admissible to them. In such cases employer's share of Contributory with Provident Fund together interest accrued thereon shall be refunded with the five percent interest on the amount actually drawn, calculated from the date of drawal of the said amount to the date of refund or adjustment and if there still remains any due amount it will be adjusted by non-payment of pension till recovery of the total amount is 1999 1885(49) adjusted. (4) the date of drawal refund of the amount employer's share together. interest thereon shall be recorded and of with be in the service book and the entry shall be attested verification by the Director The concerned employee or their legal heirs, as the case may be, shall give an undertaking in writing to the effect that he has no objection to such recovery or adjustment. HARYANA GOVT GAZ. (EXTRA.). MAY 31, 1999 (JYST 10, 1921 SAKA) (e) any other amount as may be specifically paid by the Government towards this Government fund; under the fund established on the rules that shall not form part of the Consolidated Fund of the State of Haryana yet the Government shall make suitable provision in the annual budget under the Head "2071 — Pension and other Retirement Benefits Fund- 1885(51) 01-civil-109-Pension of State Employees Educational to Aided Institutions (Colleges)". The Sub-Head be mentioned against each retirement benefits i.e. 101- Superannuation and Retirement Allowances, 103-Compassionate Allowance, 104 —Gratuities and 105 Family Pensions etc

4. The credit to the fund shall be made as under: —five percent of the ten percent of the pay of the employee share towards the Contributory provident fund payable by the shall also be management deducted from the grant in aid sanctioned affiliated private to colleges for fund crediting the same to the that no remains amount so pending for recovery from the management. 5. or the purpose of sub-rule (5) the share of contributory provident fund of the management towards the retirement benefits HARYANA GOVT GAZ. (EXTRA.), MAY 31, (JYST 10, 1921 SAKA) Account Number for employees, Contributory Provident Fund and 1999 1885(53) record of payment to beneficiaries etc. (2) The credit and debit to the fund shall be reconciled in the office of Accountant General, monthly Haryana discrepancies so that in accounts of this fund. (1) The amount of the Fund of Provident Contributory becomes due from which the date Managing Committee on of commencement of these rules shall deposited in the Fund failing which the immediately, Managing Committee shall be liable for payment of interest applicable to the Contributory Provident Fund. (2) The amount of interest accrued on the balance amount of the Fund and Contributory Provident Fund shall be worked out on yearly basis and shall be communicated to Government for making a suitable provision in the annual budget under this fund. The payment out of Fund under these rules after sanction by the Director shall be made by the concerned Treasury Officer on the basis of Pension Payment Order and the authority letter issued by the Director. Depositing of money. in pension section 4 and 16 Mode of payment of pension section 4 and 16 1999 25. HARYANA GOVT GAZ. (EXTRA.), MAY 31, (JYST 10, 1921 SAKA) The amount of payment made under other " 2071 -Pension and Head benefits n 1—Civil- retirement 109 -Pension to the

Employees of 1885(55) Educational Aided State Institutions C Colleges) under separate sub—head against each actually benefit retirement debited and reconciled in the office of the Accountant General (Accounts & Entitlement) Branch (Aided pension The College) of the office of the Director shall maintain college orders pensi on payment 26. 27. register c ompletew therein shöwing the particulars of favour whose in employees orders pension payment are issued. The: family under Rule the family shall be pension admi ssible 15 of these rule. to of the • employees spetified in the Head of account of debit expen— di ture section 4 and 16 Maintenance of account section 4 and •16 Payment of f amil y pension section 4 and 16 pension payment order and the family pension shall be paid by the concerned Treasury Officer on receipt of death certificate of deceased empl oyee the alonggith an application to be subni t ted in the prescribed proforma. The concerned Treäsurry Officer shall comply Kith the procedure in making payment • of family other pens ion and retirement benefits as envisaged in these rules. HARYANA GOVT GAZ. (EXTRA.) , MAY 31, 1999 1885(57) (JYST 10, 1921 SAKA) (1) A separate wing in the 29. 30. 31. 32. for Department implementation of these Kill be established in office of Director the rules the Maintenance of Accounts (2) regarding Contributory Provident Fund - accumulation Kill also be maintained at the There shall be a (i) consisting of: - of Government to Pepartment committee Secretary Haryana, Department of Educat ion of to Government Secretary Haryana, Department of Finance; (iii) The Accountant - General and Ehtitlement) , Accounts Haryana; and • (i v) Director. The committee \ shall meet at least once. in a year to review the position of the fund and its impl ementat ion recommendat ions and • a-I so make to the Government for Budget provision as required under these rules. The Secretary Education will be the Chai rman of . the committee and Director will be its Ex— officio Secretary The Director shall administer, control and operate -the- fund. The Accountant General (Audit) , Haryana , shall audit the individual account of the fund. Setting up wing for supervi- Sion. of implement— at ion section 4 and 16 Setting up of commit— tee to reviw the position of fund section 4 and 16 Authority who will have over— . all control section 4 and 16 Audit account account section 4 and 16 35

36. HARYANA GOVT GAZ.(EXTRA.) , MAY 31, (JYST 10, 1921 SAKA) If any dispute arises between the employee and the Managing Committee relating to the delay forwarding the pension papers of the employee the matter shall be referred to the Director for decision whose decision shall be final and binding upon the parties. If any question or doubt arises as to the interpretation of these rules, the Government shall decide the same. 1999 1885(59) Arbitration section 4 and 16 Interpretation of the males - section 4 and 16 HARYANA GOVT GAZ. (EXTRA.) , MAY 31, 1999 (JYST 10, 1921 SAKA)



FORM 1 (See Rule 3(1)) 1885(61) (AN AGREEMENT TO BE EXECUTED BY THE MANAGING
COMMITTEE FOR THE IMPLEMENTATION OF THE RETIREMENT BENEFITS TO THE
EMPLOYEES } On this day of betw.ween Managing Committee (hereinafter called the. "Management
which expresseth its intention its successor OF the ONE part and the Governor acting through the
represented as the "Government") of the other part) Whereas the Government has decided to grant Retirement
Benefit in lieu of Provident Fund to the employees of affiliated aided Colleges accordance with the
procedure specified by the Govt. subject to the condition that the Management of the concerned affiliated
aided Colleges shall execute an agreement to abide by the provisions of the Haryana Affiliated Colleges (
Pension and Contributory Provident Fund) Rules, 1999 and instructions issued from time to time in respect
of the Government. And, whereas the Management vide Resolution No. dated u.' the conditions for the
grant of retirement benefits in lieu in fulfilment of the Fund. has agreed to abide by the provisions of the
Haryana affiliated colleges (Pension and Contributory Provident Fund) Rules 1999 and instructions
issued from time to time by the Government in this regard :

