

PUNJAB MUNICIPAL EMPLOYEES, PENSION AND GENERAL PROVIDENT FUND RULES 2007

5 PUNJAB GOVT. GAZ. (EXTRA.), j(1LY 29, 1994 (SRVN. 7, 1916, SAKA) GOVERNMENT OF PUNJAB DEPARTMENT OF LOCAL GOVERNMENT, HOUSING. AND URBAN DEVELOPMENT . Notification The 28th July, 1994 ment of Punjab, Department of Local Government, •Housing and, Urban. Development, Notification. No. GSR. 14/PA3/11/S.240 and ss. 38 & 39[Amd194, dated Che 16th March, 1994, and in exercise . of the powers conferred by section 240 read with sections 38 and 39 of the Punjab Municipal Act, 1911 (Punjab Act No. 3 of 1911), and ail other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules to regulate the payment of pe;lsion and general • provident fund to the employees Of the Committees, namely RULES I. Short title, commencement and These rules may be called the Punjab Muhiéi>al Employees Pension •and •General pro- videni *und Rules, 1994. (2) They shall be deemed to have come into force on and with effect from the first 'day of April, 1990 in the case of employees who are members of the provipcialised service of a committee, and in the case of employees Who. are members of a non-provincialised service of a co— mmittee, they shall come into force from such date, as the committee may determine, by a reslution• passed in this behalf. (3) They shall apply to the employees of the Committees,— (i) who are appointed on or after the first day of April, 1990 ou whole time regular basis; and (ii) .who were working immediately before the first day of Al-til.. • 1990 on whole time regular basis and out for these rules. Provided that the employees who were .working immediately Eefcre the first day of April, 1990 and who retired during the period between the first day of April, 1990 and the date of publicationaf these rules. in the Official Gazette, shall have the option to opt forthese rules within a priod of.fôur months from the date of publication •of these rules, subpet to the condition that they shall have to refund. the Ccmmittée's gpbtributiön made towards their Contributory Pråvident Fund includ- ing'ihterest thereon received by them, together with simple interest. on . the whole amount at the rate often' per cent per amum from the date of. Withdrawal to the date of repayment. PUNJAB GOVT. GAZ., (EXTRA.), JULY 29, 1994 (SRVN. 1916 SAKA) (4) They shall not apply to the employees, who,— opt out of these rules; (b) (c) (d) (e) (f) (g) ace, members of All India Service or the Punjab Civil Service; are paid Out of contingencies; are work-charged employees; are employed after superanuation; ate employeea on contract basis, except when the contract provides otherwise ; and are specifically excluded wholly or •partly. from the opera- tion of these rules; 2, these rules, unless the;e is •anything repugnant in the subject or context,— (c) (f) (g) 'Act' means the Punjab Municipal Aqt, 1911; 'Appendix' means an Appendix appended to these rules ; 'Competent Authority' means the autb0lity specified • aj such in Appendix 'A' and includes •any other officer to whom the Competent Authority may delegate its powere. under these rules 'Director' means the Director Local Government, Puijab; 'Examiner' means Examiner Local Fund Accounts, Punjat\., and includes any other officer authorised by him for con- ducting audit of accounts of a committee ; 'Fund' means the fund established under rule .4 of these rules ; 'Gbvernment' means the Government• of Punjab in the Departipent of Local Governihent, Housing and Urban -Develbpment ; (h) 'Municipal• Fund' means the fund constituted under section 51 of the Punjab Municipal Act; 1911 ; (i) 'Pension' includes family pension and its Value ; (j) 'Qualifying . service' means the service rendered urider committee for which an employee is paid the muni- cipal fund and shall include any servicerendered under the Government Of Punjab, an Iliprovment Trust, • poration or any other Public Sector Unaertakhig - ately before joining the service ; PUNJAB GOVT. GAZ. (EXTRA.), JULY 29, 1994 (SRVN.7, 1916 SARA) 6 289 (k) 'Regional Deputy Director' means the Regional Deputy Director Local Governm•ent having jurisdiction in the area. of the concerned committee • (l) . 'Service' means the service rendered under the control of a committee ; (m) 'Secretary' means the Secretary Local Government, Punjab

3. Exercise of The option under clause (ii) of sub. rule (3) of rule 1 to elect to be governed by these rules, shall be exer- cised•iAthe Form appended to these rules so as to reach the competent agthority within a period of four months from thodate of publication of . these rules jn the Official Gazette • Provided that.—
(a) in the case of ail employee who on the date of publication of these rules was on leave, the option. shall be exeröised within a period of four months from the date of joining his duw after returning from leave ;
(b) where an employee is. under suspension on thåc date, the option shall be exercised within a period .of

four months from the date of his returning to duty; and, (c) in case of an employee who dies without exercising his option within the stipulated period, he shall be deemed to have opted for these rules. (2) The employees, who opt for these rules, shall cease to avail the benefit of Contributory Provident Fund and the employees who opt out of these rules, shall continue to avail the benefit of Contributory Provident Fund.

4. Establishment of fund.— (1) For the purpose of payment of pension, there shall be established a Fund to be known as Pension Fund (hereinafter referred to as the Fund). (2) In the case of employees who are members of provincialised service, the Fund shall be established by the Director, and in the case of employees who are members of a non-provincialised service, the Fund shall be established by the concerned Regional Deputy Director. 5. Transfer of amount to the Fund' — (1) The share of money contributed by the committee along with interest accrued thereon standing in the Contributory Provident Fund account to the credit of an employee of a committee, who opts for these rules who is governed by these rules, shall stand transferred to the Fund to the extent it was contributed by the committee during the period of service of the employee along with any loss caused to the contribution either by the committee or by the employee through withdrawal during the tenure of service of /ZDD\$ 290 PUNJAB GOVT. GAZ, (EXTRA.), JULY 29, 1994 (SRVN. 7, 1916 SAKA) the employee or due to any other reason which shall be made good by the committee or the employee, as the case may be by paying the amount along with interest due for that period to the Fund. (2) The committee shall make monthly contribution towards the Fund at the rate of ten per cent of the basic pay of the employee. The rate of monthly contribution shall be subject to any change which may be made by the Government from time to time. (3) The amount of the Fund shall be kept in any branch of the State Bank of India, or the State Bank of Patiala or the Punjab State Co-operative Bank and where there is no branch of either of these banks, it may be kept with any other Scheduled Bank. 6. Operation of The Fund shall be kept and administered by the Director in the case of employees, who are members of a provincialised service and by the Regional Deputy Director of the concerned region in the case of employees, who are members of a non-provincialised service. The monthly contribution as specified in sub-rule (2) of rule 5 shall be drawn out of the Municipal Fund and credited into the Fund through a bank draft by the Drawing and Disbursing Officer of the committee not later than the seventh day of the month following the month to which these contributions relate and in the event of any default in making contribution within the stipulated period, the defaulting committee shall pay interest at the rate of eighteen per cent per annum for the period of default on the amount so defaulted to be made to the employees under these rules, (3) All payments shall be paid through a bank, as specified in sub-rule (3) of Rule 5.

7. Maintenance of accounts of Fund.— (1) The accounts of the Fund shall be maintained by the authorities specified in Appendix A and the Bank through which pension is disbursed, may also be required to keep the accounts as per guide lines and instructions issued from time to time in this behalf by the Government. (2) The Government may issue directions from time to time for maintaining the Fund and for investing the amount of Fund in Government Securities so as to earn maximum interest. 8. General. Provisions relating to grant of Pension For the purpose of grant of Pension to the employees, the rules relating to pension as contained in the Punjab Civil Services Rules, Volume 11 apply mutatis mutandis to the employees or the committees also and for that purpose the terms and expressions not in these rules, shall have the same meaning as assigned to them in the Punjab Civil Services Rules, I, 1. (2) After completion of the pension papers of the retiring employees, the form and manner, specified in the Punjab Civil Services Rules, PUNJAB GAZ. 1994 (SRVN. 7, 1916 SAKA) 2911 Volume 11 as amended from time to time, the Executive Officer of the concerned committee shall send the same to the Examiner, for verification of qualifying service and emoluments for the purpose of grant of pension. (3) The Examiner, after necessary verification, shall send the pension papers to the concerned sanctioning authority as shown in Appendix 'A' for sanction of pension. While sanctioning pension, the sanctioning authority shall ensure that the contribution of the employee for the period reckoned for pension has duly credited to the fund. 9. Payment of The Competent Authority : shall issue pension payment order to the pensioner in the form and manner specified in the Punjab Civil Services Rules, Volume 11, with a copy thereof to the Bank as specified in sub-rule (3) of rule 5 for payment of pension to the pensioners every month regularly. (2) While making payment of pension, the competent authority shall be guided by the Punjab Treasury Rules which shall mutatis mutandis to the pensioners. 10. Conversion of amount to the General Fund From the date of the commencement of these rules, the subscription made by the employees to the Contributory Provident

Fund alongwith interest accrued thereon, shall stand converted into the General Provident Fund. (2) Subject to the provisions of the Act and the rules framed thereunder, the rules contained in Chapter XIII of the Punjab Civil Services Rules, Volume 11, shall apply mutatis mutandis to the employees of the committees. The General Provident Fund Account in respect of each employee, shall be maintained at the level of each committee by such competent authority as is specified in Appendix 'b' and in case of transfer of an employee from one committee to another, the amount alongwith interest accrued thereon upto the date of transfer, shall be sent to to which the employee is transferred. The advance and final payment from the fund shall be sanctioned by the competent authority

11. Audit—The audit of the Fund shall be conducted annually from time to time

12. Over-riding effect—The provisions of these rules shall have over-riding effect notwithstanding anything inconsistent therewith contained in any other governing the payment of pension and General Provident Fund: For the time being in force in Punjab Civil to apply —Any matter relating to pension and General Provident Fund which is not specifically covered under these rules, shall be governed and regulated by the provisions of the Punjab Civil Service Rules or any other corresponding rules on the 14. Interpretation.—Where a question arises as to the interpretation of these rules, the decision of the same and the decision so taken, shall be final. 292 Smrial No. 2 3 PUNJAB GAZ. (EXTRA), JULY 29, 1994 (SRVN. 7, 1916 SAKA) [See rule 2(c)] Authorities' competent to sanction and authorise payment of Pension and to maintain fund Categories of employees Employees who are members of Provincialised Service of the committees where appointing authority is the Government Employees who are members of Provincialised Service of the committees where appointing authority is the Director Employees who are members of Non-Provincialised Service of the committees APPENDIX B (See rule 10(3)) Authority competent to sanction pension Secretary Director Regional Deputy Director Authority competent to maintain fund Director Director Regional Deputy Director Authorities, competent to Sanction and maintain General Provident Fund Categories Nature of employees advance Authorities competent to sanction President or Authorities competent to maintain General Provident Fund Executive employees Non-refundable Advance and final payment Refundable Advance Administrator of of the concerned the concerned committee Executive Officer of the concerned committee Executive of the concerned committee PUNJAB GOVT. GAZ. (EXTRA), JULY 29, 1994 293 (SRVN)

7. SAKA) FORM (See rule 3) employed have carefully gone through understood the meaning and implications of the Punjab Municipal Employees Pension and General Provident Fund Rules, 1994 and I hereby these rules/do not opt for these rules Date (Signature with designation) Name Designation Name of Committee in which employed K.R. LAKHANPAL Secretary to Government of Punjab, Department of Local Government, Housing and Urban Development.