

U.P. Contributory Provident Fund Insurance Pension Rules

UTTAR PRADESH

India

U.P. Contributory Provident Fund Insurance Pension Rules

Rule

U-P-CONTRIBUTORY-PROVIDENT-FUND-INSURANCE-PENSION-RULES of 1800

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U.P. Contributory Provident Fund Insurance Pension Rules

Chapter 1

General

1.

These rules shall be called the 'Uttar Pradesh State Aided-educational Institution Employee's Contributory Provident Fund-Insurance-Pension Rules.

2.

They shall be deemed to have come into force on October 1, 1964.

3.

These rules shall apply to permanent employees serving in State aided educational institutions of the following categories run either by a Local Body or by a Private management and recognised by a competent authority as such for purposes of payment of grant- in-id;(1)Primary Schools;(2)Junior High Schools;(3)Higher Secondary Schools;(4)Degree Colleges;(5)Training Colleges.

4.

(a) These rules are intended to the employees of the State aided educational institutions, three types of service benefits, viz., Contributory Provident Fund, Insurance and Pension (Triple Benefit Scheme). The quantum of the benefits and the conditions by which they are governed are described in the succeeding Chapters: (b) An employee already in permanent service on the date of enforcement of these rules shall be given an option to elect these new rules or to continue to be governed by the existing rules applicable to him. (c) No employees shall be allowed option to choose only a part of the Scheme except as otherwise specifically provided for in these rules. (d) Option once exercise shall be final.

Chapter II

Definitions

5.

In these rules unless there is anything repugnant in the subject or context- (a) 'Children' means legitimate children. (b) 'Contribution' means the contribution of the management of an institution of the Government or both, as the case may be, to the contributory provident fund account of an employee. (c) 'Controlling Authority' in respect of different categories of Educational Institutions shall mean- (i) 'The Director of Education, U.P.' in case of Degree and Training Colleges. (ii) 'The Deputy Director of Education of the Region' in case of all Higher Secondary Schools. (iii) 'The District Inspector of Schools' in case of all Junior High Schools and Primary Schools. (d) 'Department' means the Department of Education, U.P. (e) 'Director' means the Director of Education, U.P., or any other officer authorised to exercise the powers of the Director of Education in regard to these rules. (f) 'Emolument' means the substantive pay and any special pay admissible under these rules for purposes of assessment of maintenance grant. (g) 'Employee' means a permanently employed person borne on the whole-time teaching or non-teaching establishment of an aided institution, excluding (a) the inferior staff, and (b) the ministerial staff of the institutions maintained by a Local Body. (h) 'Fund' means the Contributory Provident Fund. (i) 'Family' includes the following relatives wholly dependent on the employee; (i) Wife in the case of male employee; (ii) Husband, in the case of a female employee; (iii) Sons; (iv) Unmarried and widowed daughters; {including such step children and adopted children}. (v) Brothers below the age of 13 years and unmarried and widowed sisters (including such step brothers and step sisters); (vi) Father; (vii) Mother; (viii) Married daughters (including step daughters); and (ix) Children of pre-deceased son. (j) 'Government' means the Government of Uttar Pradesh. (k) 'Inferior Staff' means the last grade servants of the category of Class IV employees in Government offices, employed in aided institutions. (l) 'Institution' means an aided school or college referred to in Rule 3 above. (m) 'Leave' means any kind of leave, admissible to an employee under the relevant Service Rules applicable to him. (n) 'Local Body' means a duly constituted Local Authority and recognised by Government as such and includes the Nagar Mahapalika, Nagar Palika, Zila Parishad, Cantonment. Board, Notified Area Committee and Town Area Committee. (o) 'Management' means a Committee of Management of privately managed institution, or a Local Body or any other body vested with the power to manage the affairs of an

institution and recognised by Government as such.(p)'Pension' means the pension payable to an employee under the rules Chapter V of these Rules.(q)'Policy' means an Insurance Policy taken by an employee on his/her life with the Life Insurance Corporation of India or Postal Life Insurance under these Rules.(r)'Subscriber' means an employee who is required or permitted to subscribe the Contributory Provident Fund and has been subscribing thereto.(s)'Whole-time employee' means an employee who is appointed in an institution on whole-time basis.(t)'Year' means financial year.

Chapter III

Contributory Provident Fund

6.

The employee of the State aided privately managed institutions as well as the employees of the institution maintained by a Local Body shall continue to be governed by the existing Contributory Provident Fund Rules applicable to them.-

Chapter IV

Life Insurance

7.

Every employee referred to in sub-rule (b) of Rule 4 who elects these rules or a temporary employee on his confirmation, within a period of one year of his/her election of these rules or confirmation, as the case may be, shall be insured his/her life with the Life Insurance Corporation of India or the Postal Life Insurance for a Policy maturing at the age of compulsory retirement for an amount not less than that specified against his/her category in 'Appendix A' and keep the policy alive and unencumbered :Provided that an employee who has already taken out such a policy need not take out a fresh one under this rule if the Policy is alive and un-encumbered :Provided also that an employee who has already completed 40 years of age on October 1, 1964, or who may be recruited after that age shall be exempted from this rule.

8.

When an employee who has insured himself under Rule 7, gets into a higher category either due to promotion or fresh appointment, he shall within six months of such promotion/fresh appointment, effect additional insurance to cover the difference :Provided that no such additional insurance need be insisted upon in cases where in the opinion of the Controlling Authority the employee's chances continuing in the higher category' are uncertain.Note. - The terms and conditions raider which a policy will be issued by the Life Insurance Corporation of India/The Postal Life Insurance shall be binding upon the employees.

9.

An employee who delays without valid reasons, to comply with the provisions of Rules 7 and 8 shall forfeit all claims to his service prior, to the date of Insurance, being counted for pension. Rules 7 and 8 will not apply to an employee who is declared ineligible for Insurance as bad life by the Life Insurance Corporation of India or the Postal Life Insurance or to persons belonging to religious orders which prohibit its followers from taking insurance policies.

10.

It shall be the sole responsibility of the employee himself to make regular payments towards premium and keep his policy alive. The employee shall furnish to the management at the end of each financial year necessary proof to the effect that he has paid all premium due on his policy for that year. The management shall submit a consolidated statement in his respect to the Controlling Authority every year indicating that the policies taken by the staff under its control have been kept alive and their premium paid regularly. In case the Controlling Authority finds that an employee has failed to pay the premium due, he shall direct the management to make deductions from his salary and pay the premium.

11.

Subject to the general conditions contained in the relevant Provident Fund Schemes the amount of subscriptions with interest thereon standing at the credit of an employee in his provident fund, however, be withdrawn to meet payment towards premium of an Insurance Policy. The amount so withdrawn shall have to be refunded to the fund in accordance with the rules of the Provident Fund Scheme applicable to the employee concerned : Provided that no amount shall be withdrawn for the purposes (1) before the details of the proposed policy have been submitted to the Controlling Authority and accepted by him as suitable or (2) in excess of the amount required to meet a premium actually due for payment within six months of the date of withdrawal : Provided further that amounts withdrawn shall be rounded to the nearest whole rupee. Note - The premium for a policy in respect of which withdrawal of subscriptions from the Fund may be permitted under Rule 11 shall not be payable otherwise than annually.

12.

In case an employee desires to pay the premium out of his share in the Fund he shall arrange the withdrawal of necessary amounts at the proper time through the employer.

13.

The application for withdrawal will be made in a Form prescribed by the Director.

14.

The employee withdrawing from the Provident Fund under Rule 11 shall be responsible to send to the Controlling Authority within a month of receipts or certified copies of receipts in order to satisfy that officer that the amount was duly applied in making payment of the Insurance premium.

15.

The Controlling authority shall order the recovery of any amount or portion of it withdrawn under Rule 11 in respect of which he has not been satisfied in the manner required by Rule 14, with interest thereon at the prescribed rate, from the employments of the employee and place it to the credit of Fund of the employee in his Provident.

16.

A policy taken out under Rules 7 and 8 may be assigned to any member of the employee's family, but not to any one else and gift or for value received.

Chapter V

Pension

17.

An employee shall be eligible for pension on-(i)retirement on attaining the age of superannuation or on the expiry of extension granted beyond the superannuation age.(ii)voluntary retirement after completing 25 years of qualifying services;(iii)retirement before the age of superannuation under a medical certificate of permanent incapacity for further service; and(iv)discharge due to abolition of post or closure of an institution due to withdrawal of recognition or other valid causes.Note - (1) The age of compulsory retirement of an employee shall be such as prescribed in the relevant rules applicable to him.The date of superannuation shall be reckoned from the date of birth of an employee as entered in his Service Book or other records. In case the year of birth only is known, but not the month, the first July of the year shall be taken as the date of birth, similarly when both the year and the month of birth are known, but not the date, the 16th of the month shall be taken as the date of birth.(2)An employee may retire from service voluntarily any time after completing 25 years of qualifying service, provided that he shall give in this behalf a notice in writing to the management at least 3 months before the date on which he wishes to retire.

18.

The amount of pension that may be granted shall be determined by the length of qualifying service, vide Rule 31 below. Fractions of a year shall not be taken into account in the calculation of pension under these rules. Pension shall be calculated to the nearest multiple to 5 paise :(a)The full pension

admissible under these rules will not be sanctioned unless the service rendered has been considered satisfactory and is approved by the Controlling Authority.(b)If the service has been thoroughly satisfactory the authority sanctioning the pension may order such reduction in the amount as it thinks proper.

19.

(a)Service will not count for pension unless the employee holds a substantive post on a permanent establishment.(b)Continuous temporary or officiating service followed without interruption by confirmation in the same or another post shall also count as qualifying service. (See also C.S.R. Para 422).(c)Leave without allowance, suspension allowed to stand as a specific penalty, overstayed of joining time or leave not subsequently regularised, and period of breaks in service shall not be reckoned as qualifying service.(d)Period of breaks between 2 periods of service due to termination of service, for no fault of the employee shall not be treated as interruption involving forfeiture of post qualifying service. In other cases breaks due to other causes shall result in forfeiture of past service unless condoned by Government.(e)Time passed on earned leave shall fully count as qualifying service, but time passed on other kinds leave with allowances shall count as qualifying service as follows :(i)If the total service is not less than 13 years, but less than 30 years, one year of such leave shall count as qualifying service;(ii)If the total service is not less than 30 years, two years of such leave shall counts as qualifying service.Notes - (1) The term 'Earned Leave' means leave on full average pay.(2)In case of a married woman employee time passed on maternity leave may be allowed to count as qualifying service, provided that the period covered by such leave and also earned leave shall not exceed what: would have been admissible had she availed of the whole of the earned leave to which she was entitled under the rules.(3)'Total Service' means total service reckoning from the date of commencement of service qualifying for pension and includes periods of leave referred to above.(4)The service put in by an employee before he has completed 18 years of age or after attaining the age of superannuation unless extended by competent authority or on re-employment after retirement shall not qualify for pension.(5)The entry relating to confirmation of an employee in the service book shall be countersigned.(6)In cases not covered by these rules qualifying service shall be determined by Government and its decision shall be final.

20.

The Controlling Authority may, at his discretion, condone a deficiency up to 6 months in the qualifying service of an employee, if the qualifying service exceeds nine years, but falls short of 10 years for grant of pension.

21.

An employee shall be eligible for superannuation/retireing/ invalid pension only after completing 10 years of qualifying service at 1/20 of his average emoluments of past three years for every completed years of service subject to the maximum of 30/120 of such emoluments or the maximum fixed for the purpose, whichever is less. The appropriate amounts are noted below :

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SI. No.	Completed qualifying	years of service	Scale of pension	Maximum limit of pension	
1	10 years	10/ 120th	of average emoluments of last three years	I-	For employees of Primary and junior HighSchools - Rs. 60 per month
2	11 years	11/120th	ditto	II-(i)	Heads of Higher Secondary Schools-Rs. 75 permonth.
3	12 years	12/120th	ditto	(ii)	for other employees of Higher Secondary SchoolsRs. 60 per month.
4	13 years	13/120th	ditto		
5	14 years	14/120th	ditto	III-	Principals of Degree Colleges Rs. 150 permonth.
6	15 years	15/120th	ditto	(ii)	For Heads of Departments of Degree Colleges-Rs. 100 per month.
7	16 years	16/120th	ditto	(iii)	For Lecturers of Degree Colleges-Rs. 75 permonth.
8	17 years	17/120th	ditto	(iv)	Other employees of Degree Colleges-Rs. 60 permonth.
9	18 years	18/120th	ditto		
10	19 years	19/120th	ditto		
11	20 years	20/120th	ditto	IV-(i)	For Principals of Training Colleges-Rs. 75 permonth.
12	21 years	21/120th	ditto	(ii)	For further employees of Training

Colleges-Rs.50
per month.

13	22 years	22/120th	ditto
14	23 years	23/120th	ditto
15	24 years	24/120th	ditto
16	25 years	25/120th	ditto
17	26 years	26/120th	ditto
18	27 years	27/120th	ditto
19	28 years	28/120th	ditto
20	29 years	29/120th	ditto
21	30 years	30/120th	ditto

22.

The pensioner shall at least once in 6 months present himself before the sanctioning/controlling authority for physical verification and get his Pension Payment Order countersigned.

23.

The P.P.O. must be surrendered within seven days of the demise of the pensioner to the Controlling Authority through the management of the institution where he was getting the pension. Family Pension

24.

(1) A family pension not exceeding the amount specified in sub-rule (2) below may be granted for a period of 10 years to the family of an employee who dies either while still in service or after retirement, after completion of not less than twenty years of qualifying service: Provided that the period of payment of family pension shall in no case extend beyond a period of five years from the date on which the deceased employee would have attained the age of superannuation. Note - In case where the qualifying service is less than the prescribed minimum the deficiency should not be condoned. (2) The amount of family pension would be-(a) in the event of death while in service one-half of the superannuation pension which would have been admissible to the employee had he retired on the date following the date of his death; and (b) in the event of death after retirement one-half of the pension sanctioned to the employee at the time of his retirement. (3) No family pension shall be payable under this Chapter-(a) to a person mentioned under 5 (k), unless the Controlling Authority is satisfied that such person was dependent on the deceased employee for support; (b) to an unmarried female member of the family in the event of her marriage; (c) to a widowed female member of the family in the event of her re-marriage; (d) to a brother of deceased employee on his attaining the age of 11 years; and (e) to a person who is not a member of the deceased employee's family. (4) Except as may be provided by notification under Rule 3 below: (a) A pension sanctioned under this Chapter shall be granted-(i) to the eldest surviving widow, if the deceased was a male employee or the husband, if the deceased was female employee; (ii) failing the

widow or husband, as the case may be, to the eldest surviving son;(iii)failing (i) and (ii) above, to the eldest surviving unmarried daughter;(iv)these failing to the eldest widowed daughter.(b)In the event of the pension not becoming payable under Clause (a) the pension may be granted-(i)to the father.(ii)failing the father to the mother;(iii)failing the father and mother both, to the eldest surviving brother below the age of 18 years;(iv)failing to the eldest surviving, unmarried sister;(v)failings (i) to (iv) above, to the eldest surviving wad owed sister; and(vi)failing (i) to (v) above, to the children of a pre-deceased son in the order it is payable to the children of the deceased employees under Clause (a) (iii) and (iv) above.Note-The expression 'eldest surviving widow' occurring in Clause (a)(i) above should be construed with reference to the seniority according to the date of marriage with the employee and not with reference to the age of surviving widow.

25.

(a)An employee shall immediately after his confirmation of exercise of opinion for being governed by these rules, as the case may be, make nomination in the form to be prescribed by the Directors, indicating the order in which the pension sanctioned under this Chapter should be payable to the members of his family and to the extent it is valid, the pension will be payable in accordance with such nomination, provided the nominee concerned is not ineligible. On the date on which the pension may become payable to him or her to receive the pension under the provisions of sub-rule (5) of Rule 22. In case the nominee concerned is or has become ineligible to receive the pension under the said sub-rule, the pension shall be granted to the person next lower in the order in such nomination.(b)(i)An employee may at any time cancel a nomination by sending a notice in writing to the Controlling Authority, provided that the employee shall along with such notice, send a fresh nomination made in accordance with these rules.(ii)Every nomination made, and every notice of cancellation given by an employee under this Rule, shall be sent by the employee to the Controlling Authority who immediately on receipt of it shall countersign if indicating the date of receipt and keep it, under his custody.(iii)Every nomination made and every notice of cancellation given by an employee shall, to the extent it is valid, take effect on the date on which it is received by the authority mentioned in Clause (ii) above.(c)A pension awarded under this Chapter shall not be payable to more than one member of the deceased employee's family at the same.General Provisions

26.

The application for pension/family pension shall be made in Forms to be prescribed by the Director.

27.

The management shall take up preparation of pension papers of an employee one and half years before the due date of retirement, or in case of family pension, immediately on receipt of an application in this regard and submit them to the Controlling Authority for sanction.

28.

(i)The pension/family pension found admissible may be sanctioned by the Controlling Authority after necessary verification and exercising all checks and the Pension Payment Order issued in favour of the person concerned.(ii)Disbursement of anticipatory pension/family pension may be authorised by the Controlling Authority in case of delay in the issue of former Pension Payment Order.(iii)On receipt of the Pension Payment Order the disbursement of the pension shall be made in case of an employee of a Local Body by the body concerned and in case of a privately managed Junior High School, Higher Secondary School, Degree or Training College, by the management of the institution.(iv)The amount of pension shall be treated as a legitimate charge in the Manager's Return and be paid to the management along with the regular grant-in-aid of the institution.

29.

Cases requiring the grant of any concession not contemplated in these rules shall be submitted to Government for orders.

30.

Future good conduct of the recipient is an implied condition of grant of pension/family pension under these rules. Government reserve to themselves the right of withholding or withdrawing such pension or any part thereof if the recipient be convicted of serious crime or be guilty of grave misconduct. Decision of Government in such matters shall be final.

31.

There shall be commutation of pension sanctioned under these rules.

32.

Government will have the right to effect; recoveries from the pension/family pension sanctioned under this Chapter in receipt of any amount due from the employee to the management or the Government.

33.

No pension/family pension shall be granted if the employee was dismissed or removed from service for misconduct, insolvency or inefficiency.

34.

In matters concerning pension/family pension not provided to specifically in these rules, the corresponding procedure laid down in respect of State Government employees shall apply mutatis

mutandis. Appendix A'

Serial Number	Categories of employees	Pay scales	Those who have completed 11 years but not 30 years of age	Those who have completed 30 years but not 35 years of age	Those who have completed 35 years but not 40 years of age
1	2	3	4	5	6
		Rs.	1000	1000	1000
Primary and Junior High School Stage					
1	Head Teachers of Junior Basic Schools	55-70			
2	Trained Assistant Teachers of Junior Basic Schools	50-60			
3	Untrained Teachers of Junior Basic Schools	40 fixed			
4	Head Teachers of Senior Basic Schools	76-126	1000	1000	500
5	Assistant Teachers of Senior Basic Schools (Except J.T.C. and Specialist)	50-75			
6	Assistant J.T.C. Teachers of Senior Basic Schools	70-120			
7	Assistant (Specialist) Teachers of Senior Basic Schools	55-90			
8	Head Masters J.H.S.	120-330	2500	2000	1500
Higher Secondary Stage					
1	Principals (Inter Colleges)	250-775	—	3000	2500
2	Head Masters (High Schools)	225-435	—	2000	1000
3	Lecturers (Inter. Colleges)	175-250	2500	2000	1000
4	Assistant Teachers (LT.)	120-300	2500	2000	1000
5	Assistant Teachers (C.T.)	75-200	2000	1500	1000
6	Assistant Teachers (J.T.C.)	60-120	1000	1000	500

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7	Assistant Teachers (H.T.C.)	40-65	1000	1000	400
8	Head Clerks	75-120	1000	1000	500
9	Assistant Clerks	60-100	1000	1000	500
Degree Stage					
1	Principal(Post-Graduate Colleges)	800-1,200	7000	6500	6000
2	Principal (Degree Colleges)	650-800	6500	6000	5500
3	Head of Department (P.G. Colleges)	395-800	6000	5500	4500
4	Head of Department (Degree Colleges)	300-800	5500	5000	4500
5	Senior Lecturers (P.G. Colleges)	325-625	5000	4500	4000
6	Senior Lecturers (Degree Colleges)	275-550	4500	4000	3500
7	Lecturers (P.G. Colleges)	250-500	4000	3500	3000
8	Lecturers (Degree Colleges)	225-450	3500	3000	2500
9	Lecturers (Inter Colleges)	175-350	3000	2500	2000
Ministerial Staff					
10	Office Superintendent	250-500	4000	3500	3000
11	Office Superintendent	150-250	2000	1500	1000
12	Office Superintendent	100-200	2000	1500	1000
13	Steno-cum-Routine Clerks	100-150	1500	1000	500
14	Routine Clerks	80-125	1500	1000	500
15	Routine Clerks	75-100	1500	1000	500
Training Colleges					
1	Principals	300-600	5000	4500	4000
2	Lecturers	300-450	3500	3500	2500
3	Clerks	80-125	1500	1000	500