

Punjab School Education Board (Employees' Pension, Provident Fund and Gratuity) Regulations, 1991

PUNJAB

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Rule

PUNJAB-SCHOOL-EDUCATION-BOARD-EMPLOYEES-PENSION-PROV of 1991

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Punjab School Education Board (Employees' Pension, Provident Fund and Gratuity) Regulations, 1991 Approved by the Board vide item No. 6 (1) dated 2.9.1992

1. Short Title.

- These regulations may be called the Punjab School Education Board (Employees' Pension, Provident Fund and Gratuity) Regulations, 1991.

2. Commencement.

- These regulations shall be deemed to have come into force on and with effect from the first day of April, 1991.

3. Condition of qualification for pension.

- Only such Board employees shall qualify for pension who were holding substantively permanent posts on the date of their retirement.

4. Extent of application.

- These regulations shall apply to :-(i)all the employees of the Punjab School Education Board who join service on or after coming into force of these regulations.(ii)the employees recruited by the Board after its inception, erstwhile employees of the Punjab University whose services were allocated to the Board and the employees of the Printing and Stationery Department, Punjab taken on deputation but later absorbed in the Board Service.(iii)the employees taken on deputation, from other departments but later on absorbed in the service of the Board.Note :- These regulations shall apply to the employees mentioned in clauses (ii) and (iii) if they opt for these regulations otherwise they shall be governed by the Punjab School Education Board (Provident Fund) Regulations, 1978.

5. Definitions.

- Unless there is anything repugnant in the subject or context the terms used in these regulations shall be used in the sense hereinafter explained : (a)"Act" means the Punjab School Education Board Act, 1969, as amended from time to time.(b)'Active Service' for the purpose of these regulations includes, besides time spent on duty all kinds of leave as given in chapters of the Punjab Civil Services Rules, Volume-I, Part-I, except extraordinary leave taken otherwise than on medical certificate.(c)The expression 'Pension' includes Gratuity.(d)The 'date of superannuation' of an employee of the Board, other than class IV employee is the date on which he attains the age of 58 years or as may be decided by the Board from time to time.(e)In the case of a class IV employee of the Board, the 'date of retirement' is the date on which he attains the age of 60 years.Note :- An employee whose date of birth falls on any day of a month other than the first of that month shall, on attaining the age of superannuation, retire on the last working day of that month. In case the date of birth of an employee is the first of a month he shall retire on the afternoon of the last working day of the preceding month.(f)The term 'Average emolument' means that average calculated upon the emoluments of the last 10 months of qualifying service.(g)'Board' means the Punjab School Education Board.(h)'Emoluments' means the emoluments which an employee was receiving immediately before his retirement or the date of his death and includes the basic pay, special pay (including non-practising allowance granted to Medical officers), personal pay, dearness pay (as and when declared by the Board) and such other items as may be declared as pay by the Board.(i)'Qualifying Service' generally includes all periods spent on duty without interruption and all periods of leave in which leave salary is paid.

6. [Addition to service qualifying for pension. [Amended vide Board item No. 5(3) dated 26-3-1994 w.e.f. 1.4.1991.]

- An employee shall be eligible to add to his service qualifying for superannuation pension (but not for any other pension) the actual period not exceeding one-fourth of the length of his service or the actual period by which his age at the time of recruitment exceeded twenty five years or a period of five years, whichever is less, if the post to which he is appointed is one:-(a)for which post-graduate research or specialised qualifications, or experience in scientific, technological or professional field is essential.(b)to which candidates of more than twenty five years of age are normally

recruited;(c)for which special qualification and experience is required at the time of recruitment. The experience so prescribed shall be counted in full towards qualifying service.Provided that this concession shall not be admissible to an employee whose actual qualifying service at the time of retirement is less than 10 years in the Board.]

7. Reduction in pension.

- An employee of the Board compulsorily retired from service as a penalty may be granted by the authority competent to impose such penalty, pension or gratuity or both, at a rate not less than 2/3rd and not more than full compensation pension or gratuity or both, admissible to him on the date of his compulsory retirement.

8. Pensionary benefits.

(1)The following benefits shall be admissible to an employee of the Board under the pension scheme :-
(i)Service gratuity or Pension(ii)Death Gratuity(iii)Retirement Gratuity(iv)Family pension/Extraordinary Pension(v)Ex-Gratia Grant(vi)Old age special allowance(vii)Travel concession(viii)Commutation of pension.(2)pensionary benefits shall be determined with reference to the qualifying service rendered and the emoluments/average emoluments last drawn by him.

9. Compensation Pension.

- Compensation pension shall be admissible to an employee who is discharged from service due to abolition of the post held by him and it is not possible to provide him job in an equivalent post.

10. Invalid Pension.

- It is admissible to an employee on his retirement, who is permanently incapacitated for the service due to bodily or mental infirmity.

11. Superannuation Pension.

- It is admissible to an employee who is required by regulations to retire at a particular age.

12. Retiring Pension.

- It is admissible to an employee of the Board who seeks voluntary retirement.

13. Calculation of Pension.

- If the qualifying service rendered by an employee at the time of superannuation/retirement and invalidity is 10 years (20 half years) or more he shall be entitled to a monthly pension payable for life. It is calculated at the rate of fifty percent of average emoluments if the qualifying service is 33

years (66 half years) or more and if the qualifying service is less than 33 years the pension shall be proportionately reduced. In no case it shall be less than Rs. 375/- per month. Illustration -

1. Qualifying service 30 years (Sixty half years)

2. Average emoluments Rs. 5000/- p.m.

3. Pension will be

Rs. $5000 \times \frac{30}{60} = 2500$ say Rs. 2273 p.m.

Note :- 1. The pension shall be calculated on the basis of No. of half years of service put in by an employee. A period less than six months shall be ignored and the period equal to six months of service or above but less than a year shall be treated as one half year. Note :- 2. (i) Pension calculated as above in the illustration shall be rounded to the next higher rupee. If the pension is say at Rs. 2270.05 it will be rounded to Rs. 2271/- per month. (ii) Dearness relief sanctioned from time to time to compensate for the increase in consumer price index, shall be payable in addition to the pension.

14. Service Gratuity.

- Where the qualifying service of an employee is less than 10 years (20 half years), he shall be entitled to service gratuity payable under the Gratuity Regulations.

15. Death-cum-Retirement Gratuity.

- Gratuity shall be payable to an employee as approved by the Board in its meeting dated 28.12.89 vide item No. 8.

16. Family Pension.

(1) The following family pension benefits shall be admissible to the family of a deceased regular employee :- (A) For a period of seven years from the date following the date of death or till the date on which the Board employee would have attained the age of 65 years had he survived, whichever period is shorter, the liberalised family pension at the following rates shall be admissible to the family of a deceased employee :-

Pay of the Employee Rates of family pension per month

i) Upto Rs. 1500 60% of pay subject to a minimum of Rs. 750/-

ii) Rs. 1501 to 3000/- 40% of pay subject to minimum of Rs. 900/-

iii) Above Rs. 3000/- 30% of pay subject to a minimum of Rs. 1200/- and maximum of Rs. 2500/-

Note :- 1. In case both husband and wife are employed the eligible children shall be entitled to two family pensions one in respect of each parent in the event of death of both of them, subject to a maximum of Rs. 3000/-. It may change as per the State Government instructions issued from time to time. Note :- 2. The above rates shall be applicable only if the employee had rendered not less than seven years continuous service before death while in service. Note :- 3. The rates of family pension payable under this sub-regulation shall revert to the normal rates, as laid down in sub-regulation

16(1)(A), after the expiry of seven years.(B)After the expiry of 7 years or completion of 65 years of age had the employee survived :-

Pay of the employee Rate of family pension per month

i) Upto Rs. 1500/- 40% of pay subject to a minimum of Rs. 375/-

ii) Rs. 1501 to 3000 30% of pay subject to minimum of Rs. 600/-

iii) Above Rs. 3000/- 20% of pay subject to minimum of Rs. 900/- and maximum of Rs.1500/-

Note :- 1. In case both husband and wife are employees, the maximum of two family pensions admissible to the eligible children in the event of death of both of them shall be Rs. 2250/-. Any change made by the Government in these rates shall be followed with the approval of the Board. Note :- 2. The family pension as mentioned above, shall be admissible in case of death while in service or after retirement if at the time of death the retired employee was in receipt of a compensation, invalid, retiring or superannuation pension. In case of death while in service, the Board employee should have completed a minimum period of one year of continuous service, without break. The family pension will not be admissible in cases of death after retirement, if the retired employee at the time of death was in receipt of gratuity only. Provided that the condition of completing a minimum period of one year of continuous service will not be applicable in the case of an employee who has been medically examined and declared fit for entry into Board service. (2) Family pension calculated as above is rounded off to the next higher rupee, subject to the maximum laid down. Dearness relief shall be payable on family pension.

17. Definition of Family.

- Family for the purpose of family pension shall include the following relatives of the employee :- (a) Wife or husband as the case may be. (b) Sons upto the age of 21 years. (c) Un-married daughters upto the age of 30 years. Note :- (b) and (c) shall include children adopted legally before retirement. Marriage after retirement is not recognised for this purpose.

18. Duration of family Pension.

- (i) Family pension shall be payable as under :- (a) In the case of widow or widower for life or till re-marriage. (b) In the case of sons, till they attain the age of 21 years. (c) In the case of a daughter, till she is married or attains the age of 30 years, whichever is earlier. (ii) In case a son or a daughter is suffering from any disorder or disability of mind or is physically disabled so as to render him or her incapable of earning of living, family pension shall be payable for life subject to production of medical certificates. (iii) Commutation of pension shall have no effect on the quantum of family pension.

19. Extraordinary pension and awards.

- Extra-ordinary pension and awards shall be payable in the following cases at the rates/quantum announced by the State Government and approved by the Board from time to time. (1) When an employee is killed or disabled in the course of discharge of his duty. (2) When an employee, while performing his duties dies as a result of attack by or during action against extremists, dacoits,

smugglers and anti-socials elements etc.(3)When a pensioner is killed by extremists or anti-social elements etc. as a retaliation for some action taken by him against such extremists or anti-social elements etc. in the performance of his duty while in service.(4)When a close relation of an employee or pensioner is killed/ disabled by extremists or anti-social elements as retaliation for any action taken by him in performance of his duty while in service.

20. Ex-gratia Grant.

- Ex-gratia Grant shall be admissible to the family of a deceased employee, as approved by the Board in its meeting dated 12.12.1973 vide Item No. 4(2).

21. Old age special Allowance.

- Pensioners and Family pensioners who complete 70 years and 80 years of age shall be granted special allowance at the following rates:-

(i) On completion of 70 years age. 5% of basic pension.

(ii) On completion of 80 years age. 10% of basic pension inclusive of (i) above.

Note :- Dearness relief shall not be payable on the allowance.

22. Travel Concession.

- (i) Pensioners (not family pensioners) shall be granted Travel concession equal to one month's basic pension after every block of two years. For this purpose block shall be calculated from Ist January of the year succeeding full two years after retirement.Illustration. - An employee retiring on 30th Sept. 1991 shall be eligible to draw the amount of first travel concession in January, 1994 and thereafter in January 1996 and so on.(ii)The travel concession shall be payable in January alongwith the pension for the month of December. No receipt for expenditure having been actually incurred on travel or any certificate shall be required.

23. Commutation of Pension.

- (i) An employee shall be entitled to commute, for a lumpsum payment, any portion (consisting of whole rupee) not exceeding one third of his pension which has been or may be granted to him.(ii)For calculating the lumpsum payment for commutation, the instructions of the State Government/Provisions of C.S.R. Rules in force at present shall be applicable. Any further revision shall be adopted with the prior approval of the Board. A few entries of the table, currently in force, are given below as illustration :-

Age next birthday	Commutation value expressed as number of years' purchase
59 years	10.46
60 years	10.13

61 years 9.81

(iii) An example of calculation of commuted value payable is given below :- Example :- An employee belonging to class I to III retires on attaining the age of superannuation (58) on 31.12.91. If pension admissible to him is say Rs. 2500/- per month, he can commute any amount not exceeding Rs. 833/-. In case he applies for commutation of Rs. 833/- per month within one year of retirement, before attaining the age of 59 years, he will be entitled to receive Rs. 1,04,158.16 as commuted value of pension. = $833 \times 12 \times 10.46 = 1,04,158.16$ Thereafter his monthly pension will be rounded to Rs. 1667/- but Dearness relief will continue to be paid as admissible on the total pension of Rs. 2500/- per month. (iv) Commutation of pension is permissible without medical examination if applied for within one year of the date of retirement. In the case of invalid pension, commutation is permitted only after medical examination. In case of employees retiring between 1.4.91 and the date of notification of these regulations the period of one year shall be counted from the date of notification. (v) Commuted portion of pension shall be restored when the pensioner attains the age of 70 years, if the commutation was applied for and sanctioned within one year of retirement, and the employee had retired on attaining the age of super-annuation. For other types of cases restoration shall be done after varying periods as specified in the C.S.R. or instructions of the State Government

24.

. (i) The employees who were in the service of the Board on 1.4.91 shall exercise their option within three months of the notification of these regulations if they desire to be governed by these regulations. Option once given shall be final. (ii) The employees who fail to exercise their option within the prescribed period shall be deemed to have opted for continuing under Contributory Provident Fund Regulations.

25.

(i) The employees of the Board who opt for pension scheme under these regulations, the contribution of the Board towards their Contributory Provident Fund Account, as on 1.4.91 and thereafter along with interest thereon, shall be transferred from their Contributory Provident Fund Account to the Board for being credited to the Punjab School Education Board Pension Fund/Corpus. (ii) The employee who opt for this scheme their share of Contributory Provident Fund (i.e. subscription) as on 1.4.91 alongwith interest thereon shall be transferred to their General Provident Fund (GPF) Account which they shall be required to open. Such employee shall also be required to make regular contribution to the (GPF) as provided in the Punjab School Education Board (General Provident Fund) Regulations.

26.

Those who have retired/will retire during the period between 1.4.91 and the date of notification of these Regulations may, if they so desire, opt for the pension scheme subject to the condition that they shall have to refund the Board's contribution to their Provident Fund including interest received by them, together with simple interest at the rate of 12% per annum from the date of

withdrawal to the date of repayment.

27.

The employees who join service of the Board on or after 1.4.91 will be governed by the provisions of Pension Scheme. Those who were in service on 1.4.91 shall have the option either to be governed by these regulations or to continue to be governed under G.P.F. scheme.

28. Pension Payment Authority.

- The pension payment authority shall be one who is delegated such powers by the Board or has had the power to disburse salary etc. in the case of pensioners.

29. Establishment of fund.

- (i) For the payment of pension, there shall be established a fund to be known as the Punjab School Education Board Pension Corpus/Fund and the Board shall calculate a sum equal to the 10% of the Basic Pay, Special Pay, Dearness Pay and A.D.A. (for the purpose of Board's contribution towards Pension corpus), of such employees who are covered under the pension scheme, in the month of January and July every year and the amount so calculated shall be deposited, with a single voucher, in the coming six months, as Board's contribution towards Pension Corpus."(ii)The contribution made by the Board alongwith interest thereon, from the date of its inception, till 1.4.91, to the Contributory Fund, Provident Fund Accounts of such employees who opt for pension, shall be treated as pension corpus fund.(iii)The Board shall continue to make monthly contribution towards the Contributory Provident Fund Account of such employees who do not opt for this scheme.

30. Operation of fund.

- (i) The fund shall be held and administered by the Secretary, Punjab School Education Board.(ii)All payments to be made to the employees of the Board on account of pension, shall be withdrawn from the fund/corpus established for the purpose and the gratuity shall be paid from the General Fund as usual.

31. (i) Maintenance of the fund

(a)The account of the Pension Corpus/Fund shall be maintained by the Finance and Development Officer, Punjab School Education Board;(b)All the transactions relating to Pension Corpus shall be passed through 'Pension Corpus Cash Book', which should be reconciled with the Saving Bank Account's Pass Book at the end of each month;(c)The Board shall maintain a 'Pension Corpus Investment Account Register'.(ii)Investment of FundThe Board may place, such money as is not required for immediate use, in fixed deposit as may be considered in the best interest of the employees".

32.

The Bank through which the pension is to be disbursed shall also be required to keep account as per Board's instructions issued from time to time.

33. General provisions relating to grant of pension.

- (i) Subject to the provision of these regulations the Rules contained in the Chapters II, IV, V, VI, VIII, IX, X, XI and Rules 3.8, 3.9, 3.17 to 3.29 of chapter III of the Punjab Civil Service Rules, Volume II, shall apply mutatis mutandis. (ii) For the words 'Accountant General, Punjab', wherever occurring in the rules, mentioned in sub-regulation (i) above, the words Dy. Controller (Local Audit), Local Fund Accounts, Punjab, Punjab School Education Board shall be read.

34. Pension.

- (i) After completion of the pension papers of an employee in the form and manner as laid down in the Punjab Civil Service Rules Volume-II these shall be put up to the Deputy Controller (Local Audit) for verification of qualifying service and emoluments. (ii) After the verification by the Deputy Controller (Local Audit), the competent authority shall issue sanction to the grant of pension and death-cum-retirement gratuity and shall simultaneously issue pension payment order in the form and manner as explained in the Punjab Civil Services Rules, Volume-II as amended from time to time.

35. Payment of pension.

- The competent authority to whom such power is delegated shall issue sanction for payment of pension to the State Bank of India, or Punjab National Bank or Punjab & Sind Bank or any other Nationalised bank authorised for the purpose, for making payment to the pensioners every month regularly till a revised order/instructions are issued by the competent authority.

36. General provident fund.

- (i) On coming into force of the pension scheme the Contributory Provident Fund, in case of the employees who opt for pension, shall be converted into General Provident Fund and their subscription portion of the Contributory Provident Fund along with interest thereon shall be credited to the General Provident Fund Account. The portion representing the Board's contribution towards the Contributory Provident Fund of these employees shall be credited to the Pension Fund. (ii) The employees who join the service on or after 1.4.91 shall be covered under the Pension Scheme and the General Provident Fund Regulation as approved by the Board shall be applicable in their case.

37. Interpretation of the regulations.

- If any question arises as to the interpretation of the regulations, the decision of the Board shall be final.

38. Savings.

- For anything not specifically provided in these regulations, the Punjab Civil Services Rules on Pensions and instructions of the State Government issued from time to time in this regard shall be applicable mutatis mutandis.