

# **Faridabad Complex Employees Pension and General Provident Fund Rules, 1993**

HARYANA

India

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### **Rule**

### **FARIDABAD-COMPLEX-EMPLOYEES-PENSION-AND-GENERAL-PROVIDENT FUND RULES, 1993**

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Faridabad Complex Employees Pension and General Provident Fund Rules, 1993Published vide Haryana Government Notification No. G.S.R. 16/H.A. 42/71/S. 57/93 dated 5.3.1993Haryana GovernmentLocal Government DepartmentNo. G.S.R. 16/H.A. 42/71/S. 57/93. - In exercise of the powers conferred by clause (c) of sub-section (2) of section 57 read with section 8 of the Faridabad Complex (Regulation and Development) Act, 1971, and all other powers enabling him in this behalf and with reference to Haryana Government, Local Government Department, notification No. S.O. 109/HA-42/71/Sec. 57/92, dated the 3rd September, 1992, the Governor of Haryana hereby makes the following rules regulating the payment of pension and General Provident Fund to the employees of Faridabad Complex Administration, Faridabad, namely :-

#### **1. Short title and commencement.**

(1)These rules may be called the Faridabad Complex Employees Pension and General Provident Fund Rules, 1993.(2)They shall be deemed to have come into force on and with effect from the 16th day of April, 1992.

#### **2. Application.**

- These rules shall apply to the employees of the Administration who, -(i)were/are appointed on or after the 16th day of April, 1992 on whole-time regular basis; and(ii)were working immediately before the 16th day of April, 1992, and opt for these rules.(2)These rules shall not apply to employees who -(a)opt out of these rules;(b)are members of All India Services of the members of

Haryana Civil Services or the members of Haryana Government serving with the Administration;(c)are paid out of contingencies;(d)are work-charged employees;(e)are employed on contract basis, except when the contract provides otherwise;(f)are re-employed after superannuation; and these rules.(g)are specifically excluded wholly or partly from the operation of these rules.

### **3. Definitions.**

- In these rules unless there is anything repugnant in the subject or context-(a)"Act" means the Faridabad Complex (Regulation and Development) Act, 1971;(b)"Administration Fund" means the fund constituted under section 14 of the Faridabad Complex (Regulation and Development) Act, 1971;(c)"Appendix" means an appendix appended to these rules;(d)"Government" means the Government of Haryana in the Department of Local Government;(e)"pension" means pension and includes family pension and its commuted value;(f)"pension fund" means the fund established under rule 5;(g)"qualifying service" means the service rendered under the Administration for which an employee is paid from the Administration Fund;(h)"service" means the service under the control of the Administration;(i)The matters which are not specifically covered under these rules shall be governed by the provisions of the Punjab Civil Services Rules as applicable to the State of Haryana.

### **4. Exercise of option.**

(1)The option under clause (ii) of sub-rule (1) of rule 2 to opt for these rules shall be exercised in the form appended to these rules so as to reach the competent authority within a period of four months of the date of publication of these rules in the Official Gazette :Provided that -(a)where an employee is under suspension on that day, the option shall be exercised within a period of four months from the date of his return to duty;(b)in case of an employee, who dies without exercising his option 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.(3)Employees who do not opt for these rules, would continue to be governed by the provisions regarding Contributory Provident Fund as laid down in the Municipal Account Code, 1930.

### **5. Establishment of pension fund.**

- For the purpose of payment of pension, there shall be established a Pension fund by the Chief Administration, Faridabad Complex Administration, Faridabad.

### **6. Transfer of amount to the pension fund.**

(1)The share of money along with interest standing in the Contributory Provident Fund Account to the credit of an employee of the Administration who opts or who is governed by these rules, shall stand transferred to the pension fund to the extent it was contributed by the Administration during the period of service of an employee alongwith any loss caused to the contribution of the Administration through withdrawal during the service which shall be made good by the employee by

paying the amount along with interest due for that period to the pension fund.(2)The Administration shall make monthly contributions towards the pension fund at the rate of 10 per cent of the basic pay of all Administration employees who opt for pension under this scheme.(3)The money of pension fund shall be kept in a Nationalised Bank or Haryana Co-operative Bank or Post Office and would be suitably invested in Government security so as to earn the maximum interest.

## **7. Operation of pension fund.**

(1)The Pension fund shall be held and administered by the Chief Administrator, Faridabad Complex Administration, Faridabad.(2)The monthly contributions as specified in sub-rule (2) of rule 6 shall be drawn out of the Administration Fund and credited into the Pension Fund through Bank draft by the Drawing and Disbursing Officer of the Administration but not later than the 7th day of the month following the month to which these contributions relate. In case of default in making contribution within the stipulated period, the defaulting Administration shall pay interest at the rate prescribed by the Government from time to time for the period of default on the defaulted amount.(3)Pension fund shall be utilised only for the payment of pension.(4)All payments to be made to the employees under these rules shall be paid through a Bank/Post Offices as specified in sub-rule (3) of rule 6.

## **8. Maintenance of account.**

- The accounts of the pension fund shall be maintained by the authorities specified in Appendix A. The Bank/Post Office through which pension is disbursed may also be required to keep account as per instructions issued from time to time in this behalf by the Government.

## **9. Grant of pension.**

(1)For the purpose of grant of pension to the employees, the rules relating to pension as contained in the Punjab Civil Services Rules, Volume II as applicable to the State of Haryana shall mutatis mutandis apply to the employees and for that purpose the terms and expressions not otherwise defined in these rules shall have the same meaning as assigned to them in the Punjab Civil Services Rules, Volume I, Part I.(2)After completion of the pension papers of the retiring Administration employees in the form and manner specified in the Punjab Civil Services Rules, Volume II, as amended from time to time, the Senior Establishment Officer of Faridabad Complex Administration, Faridabad shall send the pension papers to the Examiner, Local Fund Accounts, Haryana for verification of qualifying service and emoluments of the employees. The Examiner, Local Fund Accounts, Haryana after necessary verification shall send the pension papers to the sanctioning authorities concerned as shown in Appendix 'A' for sanction of pension.

## **10. Payment of Pension.**

(1)The Chief Administrator, Faridabad Complex Administration, Faridabad shall issue pension payment order in the form and manner as specified in Punjab Civil Service Rules, Volume II to the

pensioner with a copy thereof to the Bank/Post Office as specified in sub-rule (3) of rule 6 for payment of pension to the pensioner every month regularly.(2)While making payment of pension, the Chief Administrator, Faridabad Complex Administration, Faridabad shall be guided by the Punjab Treasury Rules which shall apply mutatis mutandis to the pensioner of the Administration.

## 11. Conversion of amount to the General Provident Fund.

(1)From the date of the commencement of these rules, subscriptions, made by the employees to the provident fund along with interest accrued thereon shall stand converted into the General Provident Fund which will be maintained in respect of each employee by the Administration.(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 II, shall apply mutatis mutandis to the employees of the Administration governed by these rules.(3)The General Provident Fund accounts shall be maintained at the level of the Administration. The advances and final payment from the fund shall be sanctioned by the competent authority as prescribed in Appendix B.

## 12. Audit of Pension Fund.

- The Audit of the fund shall be conducted by the Examiner Local Fund Accounts, Haryana from time to time.

## 13. Over-riding effect.

- The provisions of these rules shall have effect notwithstanding anything inconsistent therewith contained in any other rules governing the payment of pension for the time being in force.

## 14. Interpretation.

- If any question arises as to the interpretation of these rules, the decision of the Government shall be final.Appendix A[See rule 8 and 9(2)]Authorities Competent to Sanction and Maintain General Provident Fund Accounts

S.No.	Categories of employees	Authorities competent to sanction pension	Authorities competent to maintain pension fund
1.	Employees where the appointing authority is the Government	Commissioner and Secretary to Government, Haryana, LocalGovernment Department	Chief Accounts Officer-cum-Financial Advisor
2.	All other employees	Chief Administrator, Faridabad Complex Administration, Faridabad	Chief Accounts Officer-cum-Financial Adviser

Appendix B[See rules 11(3)]Authorities Competent to Sanction Pension and Maintain Pension Fund Accounts

Nature of Advance	Competent Authority
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Categories of employees			Authorities competent to maintain General Provident Fund
All employees of Administration	Refundable	Chief Administrator, Faridabad	Chief Accounts
	Non-refundable and final payments	Complex Administration, Faridabad	Officer-cum-Financial Adviser

Form(See rule 4)I,\_\_\_\_\_and employed as \_\_\_\_\_in the Faridabad ComplexAdministration, Faridabad have carefully gone through and understood the meaning and implications of the Faridabad Complex Employees Pension and General Provident Fund Rules, 1992. Accordingly, I hereby opt for these rules/I do not opt for these rules.

Date..... (Signature with date)

Place..... Designation\_\_\_\_\_

Faridabad Complex Administration, Faridabad,Attesting OfficerZonal and Taxation Officer/Administrator, CountersignedChief Administrator,Faridabad Complex Administration, Faridabad.