

# **'Gratuity Rules' for the employees of the Bar Council of Orissa**

ODISHA

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## **'Gratuity Rules' for the employees of the Bar Council of Orissa**

### **Rule**

### **GRATUITY-RULES-FOR-THE-EMPLOYEES-OF-THE-BAR-COUNCIL-OF of 1800**

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'Gratuity Rules' for the employees of the Bar Council of OrissaBar Council Of Orissa Rules

#### **1.**

These rules shall be called the: 'Gratuity Rules' for the employees of the Bar Council of Orissa.

#### **2.**

In the rules in the absence of anything repugnant to the context.(i)"Gratuity Fund" shall means the fund created and maintained under these rules for the payment of gratuity to the employees of the Council.(ii)"Employer" shall mean the Bar Council of Orissa.(iii)"Employees" shall refer to the permanent employees of the Bar Council of Orissa.(iv)"Salary" includes pay and dearness allowance and not any other allowances.

#### **3.**

A member of the staff who has completed three years of permanent service in the Council shall be paid, at the end of his service, by retirement or otherwise gratuity equal to<sup>3</sup>/<sub>4</sub>th of Month's Salary last drawn by the Member for each completed year of his permanent service.Provided that in no case shall the gratuity exceed the amount so circulated for a period of 18 months.Provided also that no gratuity shall be payable in the case of a member of the staff who has been dismissed for misconduct.

**4.**

If a permanent member of the staff who has completed three years qualifying service dies while in service such member or members of his family as may have been nominated or his heirs and legal representatives as the case may be, shall be paid gratuity at the rate of 2/4th of the monthly salary for each completed years of service of the employee. Provided that the maximum amount payable shall not in case exceed of the monthly salary (last drawn) for a period of 18 months. Provided that the Executive Committee may, in any particular case in its discretion, pay a larger sum than is payable to the employee not exceeding, however, the maximum amount that may be paid as aforesaid under these rules. Provided further that all the employees of the Bar Council, within one month of the commencement of these rules, declare in writing their nomination of the person entitled to receive gratuity when payable under these rules.

**5.**

The Bar Council of Orissa shall have and maintain a special fund called the "Gratuity Fund".

**6.**

The Bar Council of Orissa shall-(a) pay to the fund referred to in Rule 5 within a month from the date on which these rules are approved, an amount equal to 7% of the salary of each of the employees of the Council for the period of his service till the date when these rules come into force, and (b) also pay to the said fund not later than the 1st of May of each subsequent year 7% of the salary of each employee as on the 31st March of each subsequent year.

**7.**

The amount referred to Rule 6 shall be deposited in a separate Post Office Savings Bank Account or in a Special account to be opened for the purpose in any Scheduled Bank approved by the Executive Committee.

**8.**

The fund referred to in these rules shall be vested in two Trustees one of whom shall be the Chairman of the Bar Council of Orissa and the other the Vice-Chairman thereof.

**9.**

Separate accounts shall be maintained for the fund showing the amount contributed by the Council, the investments made thereof the interest accrues and the amount in the fund at the end of each financial year, the payments made to the employees and such other particulars as are necessary.

**10.**

These rules shall come into force such date as the Council may resolve in that behalf.