

Haryana Municipal Employees Pension and General Provident Fund Rules, 1993

HARYANA

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Rule

HARYANA-MUNICIPAL-EMPLOYEES-PENSION-AND-GENERAL-PROV of 1993

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Haryana Municipal Employees Pension and General Provident Fund Rules, 1993Published vide Haryana Gazette, (Extraordinary), Legislative Supplement Part 3 dated 5.3.1993

1. Short title and commencement.

(1)These rules may be called the Haryana Municipal 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.

(1)These rules shall apply to the employees of the municipalities 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 member of All India Services or the members of Haryana Civil Services or the members of Haryana Government serving in the municipalities;(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;(g)are specifically excluded wholly or partly from the operation of these rules.

3. Definition.

- In these rules unless there is anything repugnant in the subject or context,-(a)"Act" means the Haryana Municipal Act, 1973;(b)"Appendix" means an appendix appended to these rules;(c)"Director" means the Director Local Bodies, Haryana;(d)"Government" means the Government of Haryana in the Department of Local Government;(e)"municipal fund" means the fund constituted under section 56 of the Haryana Municipal Act, 1973;(f)"pension" means pension and includes family pension and its commuted value;(g)"pension fund" means the fund established under rule 5;(h)"qualifying service" means the service rendered under a Municipality for which an employee is paid from the Municipal fund and shall include any service rendered under the Haryana Government and Improvement Trust, or a Corporation immediately before joining the Service;(i)"Service" means the service rendered under the control of a municipality;(j)The matter which are not specifically covered under these rules shall be governed by the provisions of the Pb. 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 case to avail the benefit of Contributory Provident Fund(3)Employees who do not opt for these rules would continue to be governed by the provision 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 Director.

6. Transfer of amount to Pension fund.

(1)The share of money alongwith interest standing in the Contributory Provident Fund Account to the credit of an employee of municipality who opts or who is governed by these rules, shall stand transferred to the pension fund to the extent it was contributed by the concerned municipality during the period of Service of an employee alongwith any loss caused to the contribution of the concerned municipality through withdrawal during the Service which shall be made good by the employee paying the amount alongwith interest due for that period to the pension fund.

2. A municipality shall make monthly contribution towards the fund at the rate of 10% of the basic pay of all municipal employees who opt for pension under these rules.

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 securities so as to earn the maximum interest.

7. Operation of pension fund.

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

8. Maintenance of accounts.

- The accounts of the pension fund shall be maintained by the authorities specified in the Appendix "A". The Bank/Post Office through which pension is disbursed may also be required to keep accounts 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 apply mutatis mutandis 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 municipal employees in the form and manner is specified in the Punjab Civil Services Rules, Volume II, as amended from time to time, the Executive Officer/Secretary of the concerned municipality 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 Director shall issue pension payment order in the form and manner as specified as in Punjab Civil Services 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 Director shall be guided by the Punjab Treasury Rules which shall apply mutatis mutandis to the pensioner of the municipality.

11. Conversion of amount to the General Provident Fund.

(1)From the date of the commencement of these rules, the subscription made by the employees to the contributory provident fund alongwith interest accrues thereon shall stand converted into the General Provident Fund which will be maintained by the competent authorities mentioned in Appendix "B" in respect of each employee.(2)Subject to the provisions of the Act and the rules framed thereunder, the rules contained in Chapter XIII of the Punjab Civil Service Rules, Volume II, shall apply mutatis mutandis to the employees of the municipality governed by these rules.(3)The General Provident Fund account shall be maintained at the level of each municipality by such competent authorities as mentioned in Appendix B. In case of transfer of an employee from one municipality to another, the amount alongwith interest accrued thereon up to the date of transfer shall be sent to the municipality to which the employee is transferred. The advances and final payments from the fund shall be sanctioned by the competent authority as prescribed in Appendix B of these rules.

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 interpretation of these rules, the decision of the Government shall be final.Appendix A[See rules 8 and 9 (2)]Authorities Competent to Sanction Pension and Maintain Pension Fund Accounts

SI. No.	Categories of employees	Authorities competent to sanction pension	Authorities competent to maintain pension fund
1.			

Municipal employees where the appointing authority is the Government	Commissioner and Secretary to Government, Haryana, Local Government Department	Director, Local Bodies, Haryana
2. Other Municipal employees	Director, Local Bodies, Haryana	Director, Local Bodies, Haryana

Appendix B[See rule 11(3)]Authorities Competent to Sanction and Maintain General Provident Fund Accounts

Categories of employees	Nature of advance	Authorities competent to sanction	Authorities competent for maintenance of General Provident Fund
All employees of Municipal Committees	Non-refundable Advance and final payments	Director, Local Bodies, Haryana	Executive Officer/Secretary of the concerned Municipal Committee
	Refundable Advance	President/Administrator of the concerned Municipal Committee	Executive Officer/Secretary of the concerned Municipal Committee

Form(See rule 4)I, _____ and employed as _____ in Municipal Committee _____ District _____ have carefully gone through and understood the meaning and implications of the Haryana Municipal Employees Pension and General Provident Fund Rules, 1993. Accordingly, I hereby opt for these rules/I do not opt for these rules.(Signature with date)

Date _____ Designation _____

Place _____ Municipal Committee _____

Attesting OfficerExecuting Officer/Secretary, Municipal Committee _____