

# **Punjab Improvement Trust Employees Pension and General Provident Fund Rules, 1994**

PUNJAB

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### **Rule**

### **PUNJAB-IMPROVEMENT-TRUST-EMPLOYEES-PENSION-AND-GENERAL-PROVIDENT-FUND-RULES-1994**

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Punjab Improvement Trust Employees Pension and General Provident Fund Rules, 1994Published vide Notification No. G.S.R. 41/P.A./4/22/Sections 17, 18 and 73/94, dated 28th July, 1994No. G.S.R. 41/P.A./4/22/Section 17, 18 and 73/94. - In exercise of the powers conferred by Section 73 read with Sections 17 and 18 of the Punjab Town Improvement Act, 1922 (Punjab Act No. 4 of 1922) and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules to regulate the payment of pension and general provident fund to the employees of the Improvement Trust, namely :-

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

(1)These rules may be called the Punjab Improvement Trust Employees Pension and General Provident Fund Rules, 1994.(2)They shall deemed to have come into force on and with effect from the first day of April, 1990 in the case of employees who are members of the provincialised Service of a trust and in the case of employees who are members of a non-provincialised Service of a trust, they shall come into force from such date as the trust may, determine, by a resolution passed in this behalf.(3)They shall apply to the employees of the Trusts, -(i)who are appointed on or after the first day of April, 1990 on whole time regular basis; and(ii)who were working immediately before the first day of April, 1990 on whole time regular basis; and opt for these rules :Provided that the employees who were working immediately before the first day of April, 1990 and who retired during the period between the first day of April, 1990, and the date of publication of these rules in the Official Gazette, shall have the option to opt for these rules within a period of four months from the date of publication of these rules, subject to the condition that they shall have to refund Trust's

contribution made towards their Contributory Provident Fund including interest thereon received by them together with simple interest on the whole amount at the rate of ten per cent per annum from the date of withdrawal to the date of repayment.(4)They shall not apply to the employees, who, - (a)opt out of these rules; (b)are members of All India Service or Punjab Civil Service; (c)are paid out of contingencies; (d)are work-charged employees; (e)are employed after superannuation; (f)are employed on contract basis, except when the contract provides otherwise; and (g)are specifically excluded wholly or partly from the operation of these rules.

## **2. Definitions.**

- In these rules, unless there is anything repugnant in the subject or context, - (a)'Act' means the Punjab Town Improvement Act, 1922; (b)'Appendix' means an appendix appended to these rules; (c)'Competent Authority' means the authority specified as such in Appendix 'A' and includes any other officer to whom the competent authority may delegate its powers under these rules; (d)'Director' means the Director, Local Government, Punjab; (e)'Examiner' means Examiner Local Fund Accounts, Punjab and includes any other officer authorised by him for conducting audit of accounts of a trust; (f)'Fund' means the fund established under rule 4 of these rules; (g)'Government' means the Government of Punjab in the Department of Local Government, Housing and Urban Development; (h)'Pension' includes family pension and its commuted value; (i)'Qualifying Service' means the service rendered under a trust for which an employee is paid from the trust fund and shall include any service rendered under the Government of Punjab, a Committee, a Corporation or any other Public Sector Undertaking immediately before joining the service; (j)'Regional Deputy Director' means the Regional Deputy Director, Local Government having jurisdiction in the area of the concerned trust; (k)'Service' means the service rendered under the control of trust; (l)'Secretary' means the Secretary Local Government, Punjab; (m)'Trust' means an Improvement Trust created under the Act; (n)'Trust Fund' means the fund referred to in Section 69 of the Act.

## **3. Exercise of Option.**

(1)The option under clause (ii) of sub-rule (3) of rule 1 to elect to be governed by these rules, shall be exercised in the Form appended to these rules so as to reach the Competent Authority within a period four months from the date of publication of these rules in the Official Gazette :Provided that, - (a)in the case of an employee who on the date of publication of these rules was on leave, the option shall be exercised within a period of four months from the date of joining his duty after returning from leave; (b)where an employee is under suspension on that date the option shall be exercised within a period of four months from the date he joins his duty; and (c)in case of an employee who dies without exercising his option within the stipulated period, he shall be deemed to have opted for these rules.(2)The employee, who opt for these rules, shall cease to avail the benefit of Contributory Provident Fund and the employees who opt out of these rules, shall continue to avail the benefit of Contributory Provident Fund.

#### **4. Establishment of Fund.**

(1) For the purpose of payment of pension, there shall be established a Fund to be known as Pension Fund (hereinafter referred to as the Fund). (2) [The fund for the employees, who are members of the provincialised and non-provincialised services, shall be established by the Regional Deputy Director.] [Substituted by Punjab Notification No. G.S.R.23/P.A.4/1922/Sections 17, 18 and 73/Amendment(3)/2007, Dated 24.7.2007.]

#### **5. Transfer of amount to the Fund.**

(1) The share of money contributed by the trust alongwith interest accrued thereon standing in the Contributory Provident Fund account to the credit of an employee of a trust who opts for these rules or who is governed by these rules, shall stand transferred to the Fund to the extent it was contributed by trust during the period of service of the employee alongwith any loss caused to the contribution either by the trust or by the employee through withdrawal during the tenure of service of the employee or due to any other reason which shall be made good by the trust or employee, as the case may be, by paying the amount alongwith interest due for that period to the Fund. (2) The trust shall make monthly contribution towards the Fund at the rate of [twenty per cent of the basic pay plus dearness pay] [Substituted for the words 'ten per cent of the basic pay' by Punjab Notification No. G.S.R. 45/P.A./4/1922/Sections 17 and 73/Amendment(1)/2006 dated 17.10.2006.] of the employee. The rate of monthly contribution shall be subject to any change which may be made by the Government from time to time. (3) The amount of the Fund shall be kept in any branch of the State Bank of India, or the State Bank of Patiala or Punjab State Co-operative Bank and where there is no branch of either of these banks, it may be kept with any other Scheduled Bank.

#### **6. Operation of Fund.**

- [(1) The fund for the employees, who are members of the provincialised and non-provincialised services, shall be kept and administered by the Regional Deputy Director.] [Substituted by Punjab Notification No. G.S.R.23/P.A.4/1922/Sections 17, 18 and 73/Amendment(3)/2007, Dated 24.7.2007.] (2) The monthly contribution as specified in sub-rule (2) of rule 5, shall be drawn out of the Trust Fund and credited into the Fund through a bank draft by the Drawing and Disbursing Officer of the trust not later than the seventh day of the month following the month to which these contributions relate and in the event of any default in making contribution within the stipulated period, the defaulting trust shall pay interest at the rate of eighteen per cent per annum for the period of default on the amount so defaulted. (3) All payments to be made to the employees under these rules, shall be paid through a bank, as specified in sub-rule (3) of rule 5.

#### **7. Maintenance of accounts of Fund.**

(1) The accounts of the Fund shall be maintained by the authorities specified in Appendix 'A' and the Bank through which pension is disbursed, may also be required to keep the accounts as per guidelines and instructions issued from time to time in this behalf by the Government. (2) The

Government may issue directions from time to time for maintaining the Fund and for investing the amount of Fund in Government securities so as to earn maximum interest.

## **8. General Provision relating to grant of pension.**

(1) For the purpose of all grant of pension to the employees, the rules relating to pension as contained in the Punjab Civil Services Rules, Volume II shall apply mutatis mutandis to the employees of the trusts also 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 employees in the form and manner specified in the Punjab Civil Services Rules, Volume II as amended from time to time, the Executive Officer of the concerned trust shall send the same to the Examiner, for verification of qualifying service and emoluments for the purpose of grant of pension. (3) The Examiner, after necessary verification, shall send the pension papers to the concerned sanctioning authority as shown in Appendix 'A' for sanction of pension. (4) While sanctioning pension, the sanctioning authority shall ensure that the contribution of the employee for the period reckoned for pension, has been duly credited to the Fund.

## **9. Payment of Pension.**

(1) The Competent Authority shall issue pension payment order to the pensioner in the form and manner specified in the Punjab Civil Services Rules, Volume II, with a copy thereof to the bank as specified in sub-rule (3) of rule 5 for payment of pension to the petitioner every month regularly. (2) While making payment of pension, the competent authority shall be guided by the Punjab Treasury Rules, which shall apply mutatis mutandis to the pensioners.

## **10. 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 accrued thereon, shall stand converted into the General Provident Fund. (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 trusts. (3) The General Provident Fund Account in respect of each employee shall be maintained at the level of each trust by such competent authority as is specified in Appendix 'B' and in case of transfer of an employee from one trust to another, the amount alongwith interest accrued thereon upto the date of transfer, shall be sent to the trust to which the employee is transferred. The advance and final payment from the fund shall be sanctioned by the competent authority. [11. Audit. - The audit of the fund shall be conducted by the Chartered Accountant engaged by the Government for the purpose, from time to time.] [Substituted by Punjab Notification No. G.S.R. 56/P.A. 4/1922/Sections 17, 18 and 73/Amendment (2)/2006, dated 6.12.2006.].

## 12. Overriding effect.

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

## 13. Punjab Civil Services Rules also to apply.

- Any matter relating to pension and General Provident Fund which is not specifically covered under these rules, shall be governed and regulated by the provisions of the Punjab Civil Services Rules or any other corresponding rules on the subject.

## 14. Interpretation.

- If any question arises as to the interpretation of these rules, the Government shall decide the same and the decision so taken, shall be final.[Appendix 'A'] [Substituted by Punjab Notification No. G.S.R.23/P.A.4/1922/Sections 17, 18 and 73/Amendment(3)/2007, Dated 24.7.2007.][See Rule 2(c)]Authorities competent to sanction and authorize payment of pensions and to maintain the fund.

S.No.	Categories of Employees	Authority competent to sanction Pension	Authority competent to maintain fund
1	2	3	4
1	Employees who are members of provincialised service of theTrust where appointing authority is Government	Secretary	Director
2	Employees who are members of provincialised service of theTrust where appointing authority is Director	Director	Director
3	Employees who are members of provincialised service of theTrust	Regional Deputy Director	Regional Deputy Director

Appendix-B[See rule 10(3)]Authorities competent to sanction and maintain General Provident Fund.

Categories of employees	Nature of advance	Authorities competent to sanction	Authorities competent to maintain General Provident Fund
1	2	3	4
All employees	Non-refundable Advance and final payment	Chairman or Administrator of the concerned Trustas the case may be	Executive Officer of the concerned Trust.
	Refundable Advance	Executive Officer of the concerned Trust.	Executive Officer of the concerned Trust.

Form[See rule 3]I\_\_\_\_\_employed as\_\_\_\_\_in  
Trust\_\_\_\_\_District,\_\_\_\_\_have carefully gone through and understood the meaning and  
implications of the Punjab Improvement Trust Employees Pension and General Provident Fund  
Rules, 1994 and I hereby opt for these rules/do not opt for these rules.

Date : (Signature with designation)

Place : Name

DesignationName of Trust in which employed.