

Punjab Panchayat Samitis and Zila Parishads Employees Pension and Provident Fund Rules, 2000

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Rule

PUNJAB-PANCHAYAT-SAMITIS-AND-ZILA-PARISHADS-EMPLOYEES- of 2000

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Punjab Panchayat Samitis and Zila Parishads Employees Pension and Provident Fund Rules, 2000Published vide Punjab Notification No. G.S.R. 68/P.A. 9/94/Sections 28, 155, 196 and 227/2000, dated 14th July, 2000Last Updated 24th January, 2020Government of PunjabNo. G.S.R. 68/P.A.9/94/Sections 28, 155, 196 and 227/2000. - With reference to the Government of Punjab, Department of Rural Development and Panchayats, Notification No. G.S.R. 83/P.A. 9/94/Sections 28, 155, 196 and 228/99, dated the 18th November, 1999, and in exercised of the powers conferred by section 227 read with Section 28, 155 and 196 of the Punjab Panchayati Raj Act, 1994 (Punjab Act No. 9 of 1994), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, namely :-

1. Short title, commencement and application.

(1)These rules may be called the Punjab Panchayat Samitis and Zila Parishads Employees Pension and Provident Fund Rules, 2000.(2)They shall be deemed to have come into force on and with effect from the 1st day of July, 1999, in the case of employees of the Panchayat Samitis and Zila Parishads, who were working immediately before that date on whole time regular basis and who opt for these rules, and in the case of employees of the Panchayat Samitis and Zila Parishads, who are appointed on or after the 1st day of July, 1999 on whole time regular basis.(3)They shall apply to the employees of the Panchayat Samitis and Zila Parishads:-(i)Who were working immediately before the 1st of July, 1999 on whole time regular basis and opt for these rules; and(ii)[Who are appointed on or after the 1st day of July, 1999 but before 1st day of January 2004, on a whole time regular basis.] [Substituted by Notification No. G.S.R. 46/P.A.9/1994/Ss.155, 196 and 227/Amd.(1)/2012, dated

24.8.2012.](4)They shall not apply to the employees of the Panchayat Samitis and Zila Parishads, who were working immediately before the 1st day of July, 1999 and who do not opt for these rules, such employees shall, however, be governed by the Punjab Panchayat Samitis and Zila Parishads Provident Fund Rules, 1965.

2.

In these rules, unless the context otherwise requires, -(a)"Act" means the Punjab Panchayati Raj Act, 1994;(b)"Appendix" means Appendix appended to these rules;(c)"Competent authority" means the authority specified as such in Appendix 'A' and 'B' and includes any other officer to whom the competent authority may delegates its powers under the rules;(d)"Controller" means the Controller Panchayati Raj Finances in the Department of Rural Development and Panchayats;(e)"Family" means the family as defined in rule 2.17 of the Punjab Civil Services Rules, Volume I, Part I;(f)"Form" means the form appended to these rules;(g)"Fund" means the pension fund established under rule 4 of these rules;(h)"Government" means the Government of State of Punjab in the Department of Rural Development and Panchayats;(i)"Pay" means the pay as defined in rule 2.44 of the Punjab Civil Services Rules, Volume I, Part I;(j)"Pension" includes family pension;(k)"qualifying service" means, the service of an employee of a Panchayat Samiti or Zila Parishad, as the case may be, for which he has made contribution towards the Contributory Provident Fund before and after the commencement of these rules; and(l)"section" means the section of the Act.

3. Exercise of Option.

(1)The option under clause (i) of sub-rule (3) of rule 1 to elect to be governed by these rules, shall be exercised in form I appended to these rules so as to reach Competent Authority within a period of 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 he joins 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 the 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 employees 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 the Contributory Provident Fund.

4. Establishment of the Fund.

- 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) by the Director.

5. Transfer of the amount of the Fund.

(1)The share of money contributed by a Panchayat Samiti or a Zila Parishad as the case may be,

alongwith interest accrued thereon, standing in the Contributory Provident Account to the credit of an employee of a Panchayat Samiti or a Zila Parishad, who opts for these rules, or who is governed by these rules, shall stand transferred to the Fund during the period of service of the said employee.(2)The Panchayat Samiti or Zila Parishad, as the case may be, shall make monthly contribution towards the fund at the rate of twelve percent of the basic pay 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 a Nationalised Bank or a Scheduled Bank, as the case may be or as may be specified by the Director.

6. Operation of the Fund.

(1)The Fund, shall be kept and administered by the Director.(2)The monthly contribution as specified in sub-rule (2) of rule 5, shall be drawn out of the Panchayat Samiti Fund or Zila Parishad Fund, as the case may be, and shall be credited into the Fund through a bank draft by the Drawing and Disbursing Officer of the Panchayat Samiti or Zila Parishad, as the case may be, 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 Panchayat Samiti or Zila Parishad, as the case may be, shall pay interest at the rate of eighteen percent per annum for the period of the default on the amount so defaulted.(3)All payments to be made to the employees under these rules, shall be paid through the bank, as specified in sub-rule (3) of rule 5.

7. Maintenance of the Accounts of Funds.

(1)The Accounts, Fund shall be maintained by the Director. The Bank through which pension is disbursed, shall also maintain the accounts as per guidelines given in this behalf by the Director from time to time.

8. General Provisions relating to grant of Pension.

(1)Subject to the provisions of the Act and these rules and sub-rule (2), for the purpose of grant of pension, the rules relating to pension as contained in the Punjab Civil Services Rules, Volume-II, shall apply mutatis mutandis to the employees of Panchayat Samitis or Zila Parishads and for that purpose, the terms and expressions not expressly or otherwise defined in these rules, shall have the same meanings as assigned to them in the Punjab Civil Services Rules, Volume I, Part I, as amended from time to time.(2)The pension to be given under these rules shall not be commuted.(3)[The provisional pension shall be sanctioned in accordance with the provisions of the rules applicable to the Government employees of the State of Punjab.] [Inserted by Notification No. G.S.R. 46/P.A.9/1994/Ss.155, 196 and 227/Amd.(1)/2012, dated 24.8.2012.]

9. Nominations.

(1)An employee subscribing to the Fund (hereinafter called the subscriber) shall, at the time of joining the Fund, send to the Director a nomination in Form-II or Form II-A conferring on one or

more persons, the right to receive the amount, that may stand to his credit in the Fund, in the event of his death, before that amount has become payable or having become payable has not been paid :Provided that if, at the time of making the nomination, the subscriber has a family, the nomination shall not be in favour of any person or persons other than the member or members of his family;(2)If a subscriber, nominates more than one person under sub-rule (1), he shall specify in the nomination the amount or share payable of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.(3)Every nomination shall be made in Form-II or Form II-A.(4)A subscriber may at any time, cancel a nomination by sending a notice in writing to the Director.Provided that the subscriber shall alongwith such notice, send a fresh nomination made in accordance with the provisions of sub-rule (1) to (3).

10. Pension Payment Order.

(1)After completion of the pension papers of the employees in the manner as specified in Punjab Civil Services Rules, Volume-II, as amended from time to time, the same shall be sent by the Executive Officer of the Panchayat Samiti or the Deputy Chief Executive Officer of the Zila Parishad, as the case may be, to the Controller for verification of qualifying service and emoluments for the purpose of grant of pension.(2)The Controller after necessary verification, shall sent the pension papers to the Competent Authority as specified in Appendix 'A', for sanction and issue of pension payment order for release of pension.(3)While sanctioning pension, the Competent Authority specified in Appendix 'A', shall ensure that the contributions of the employee for the period reckoned for pension, has been duly credited to the Fund.

11. Payment of pension.

(1)The Competent authority shall issue pension payment order to the pensioner in manner as 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 the payment of pension to the pensioner every month.(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 under these rules.

12. Conversion of the amount to the Contributory Provident Fund.

(1)From the date of commencement of these rules, the subscriptions made by the employees to the Contributory Provident Fund established by a Panchayat Samiti or a Zila Parishad, as the case may be, alongwith interest accrued thereon, shall stand converted in the provident Fund under these rules in the case of the employees, who opt for these rules.(2)The subscriptions made by the employees referred to in sub-rule (1), to Panchayat Samiti Fund or a Zila Parishad Fund, as the case may be, shall be credited to the Fund within a period of one month from the date of commencement of these rules, failing which, the said Panchayat Samitis or Zila Parishads, as the case may be, shall have to pay an interest at such rate, as may be specified by the Director till the date of credit of the entire amount into the fund.(3)The employee, who has opted for these rules, but had invested his balance in accordance with the provisions of the Punjab Panchayat Samitis and Zila Parishads Provident Fund Rules, 1965, would be required to deposit the amount so invested along with the

interest accrued thereon, within such period after exercising the option, as may be specified by the Director with the concerned Panchayat Samiti or Zila Parishad, as the case may be. If the employee does not deposit the said amount within the stipulated period, then he would be liable to pay interest on that amount at a rate specified by the Director till the date of deposit of this amount with the Panchayat Samiti or Zila Parishad, as the case may be.(4)The Provident Fund account in respect of each employee shall be maintained at the level of each Panchayat Samiti or Zila Parishad, as the case may be, by such Competent Authority as is specified in Appendix 'B' and in case of transfer of an employee from one office to another, the amount alongwith interest accrued thereon up to the date of transfer, shall be sent to the Panchayat Samiti or Zila Parishad, to which such employee is transferred.(5)[The advances from the Provident Fund shall be sanctioned by the Competent Authority as specified in Appendix `B' for the purposes as mentioned in General Provident Fund Rules applicable to the Government Employees of the State of Punjab.] [Substituted by Notification No. G.S.R. 46/P.A.9/1994/Ss.155, 196 and 227/Amd.(1)/2012, dated 24.8.2012.]

13. Audit.

- The audit of the Fund shall be conducted by the Controller from time to time.

14. Over-riding effect.

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

15. Application of the Punjab Civil Services Rules.

- Any matter relating to pension and 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.

16. 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'[See rule 10(2)]Authority competent to sanction Pension and release of Pension

Category of employee	Authority competent to sanction pension
All employees of Panchayat Samitis and Zila Parishads	Director

Form-I(Form of Option)[See rule 3(1)]I,-----employed as-----in the office
of-----district-----have carefully gone through and understood the meaning and implications
of the Punjab Panchayat Samitis and Zila Parishads Employees Pension and Provident Fund Rules,
2000, and I hereby opt for these rules/do not opt for these rules.Date : (Signature with
designation)Place : Name----- Designation-----Name of office (Panchayat Samiti/Zila Parishad)

in which employed. Form-II (Form of Nomination) (See rule 9) When the subscriber has a family and who wishes to nominate one member thereof. I hereby nominate the persons mentioned below, who is a member of my family as defined in clause (e) of rule 2 to receive the amount that may stand to my family as Provident Fund, in the event of my death before that amount has become payable, or having become payable, has not been paid :-

Name and address of nominee	Relationship with subscriber	Age	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person or persons, if any, to whom the right of nominee shall pass in the event of his/her pre-deceasing the subscriber or on the happening of the contingencies specified in the previous columns
1	2	3	4	5

Date this----day of-----200. Signature of Subscriber-----Two witnesses to signature

:- (1)----- (2)----- Form-II (A) Form of Nomination [See rule (9)] When the subscriber has a family and wishes to nominate more than one member thereof, I hereby nominate the person mentioned below, who are members of my family as defined in clause (e) of rule 2 to receive the amount that may stand to my credit in the Provident Fund, in the event of my death before that amount has become payable, or having become payable, has not been paid.

Name and address of nominee	Relation ship with subscriber	Age	Amount of share of accumulations to be paid to each	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of person or persons if any, to whom the right of nominee shall pass in the event of his/her predeceasing the subscriber or on the happening of the contingency or contingencies specified in the previous columns
1	2	3	4	5	6

Date this-----day of-----200 Signature of subscriber. Two witnesses to signature

:(1)----- (2)----- Appendix "B" [See rule 12(4) and (5)] Authorities competent to sanction advances from the Provident Fund and to maintain it.

Category of employees	Nature of advance	Authority competent to sanction	Authority competent to maintain Provident Fund
All employees	Non-refundable advance and final payment Refundable	Chairman/Administrator of the concerned Panchayat Samiti/Zila Parishad, Executive Officer/Deputy Chief Executive Officer of the concerned Panchayat Samiti/Zila Parishad	Executive Officer/Deputy Chief Executive Officer of the concerned Panchayat Samiti/Zila Parishad, Executive Officer/Deputy Chief Executive officer of the concerned Panchayat Samiti/Zila Parishad.