

Rules of the U.P. School and College Teachers Gratuity Fund

UTTAR PRADESH

India

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Rule

RULES-OF-THE-U-P-SCHOOL-AND-COLLEGE-TEACHERS-GRATUITY of 1976

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Rules of the U.P. School and College Teachers Gratuity Fund

Part VIII – Provident Fund, Insurance, Pension and Gratuity

Rules for Grant of Gratuity to the Teachers of Aided Educational Institutions

1.

These rules shall be called the 'Rules of the U.P. School and College Teachers Gratuity Fund'.

2.

They shall be deemed to have come into force with effect from April 1, 1964.

3.

These rules shall apply to all members of the teaching staff of the State aided educational institution of the following categories run either by local body or by private management and recognised and aided by the State education department:(i)Primary Schools;(ii)Junior High Schools;(iii)Higher Secondary Schools;(iv)Degree Colleges.

4.

In these rules unless there is anything repugnant in the subject or context.-(a)'Children' means 'legitimate children';(b)'Family' includes the following relatives wholly dependent upon a teacher;(i)Wife in the case of a male teacher;(ii)Husband in the case of a female teacher;(iii)Sons;(iv)Unmarried and widowed daughters including step and adopted children;(v)Brothers below the age of 18 years and unmarried and widowed sisters (such step brothers and step sisters);(vi)Father;,(vii)Mother;(viii)Married daughters (including step daughters); and(ix)Children of a pre-deceased son.(c)'Government' means the Government of U.P.;(d)'Local body' means a duly constituted authority and recognised by Government as such and includes the Nagar Mahapalika, Nagar Palika, Zila Parishad, Cantonment Board, Notified Area Committee and Town Area Committee;(e)'Management' means a Committee of Management of a privately managed institution or a local body or any other body vested with the powers to manage the affairs of an institution and recognised by Government as such;(f)'Pay' means the monthly pay, including special pay admissible under these rules for purposes of assessing maintenance grant-in-aid;Note - In case a teacher was on leave with or without pay immediately before death the 'pay' for the purpose will be the pay which he would have drawn had he not been on leave but no presumptive increments or promotions will be taken into account.(g)'Sanctioning authority' in respect of different categories of educational institutions mean :(i)The Director of Education' in case of Degree College;(ii)The Regional Deputy Director of Education' in case of all Higher Secondary Schools of the Region concerned;(iii)The District Inspector of Schools' in case of all primary and Junior High Schools of the District concerned.(h)'Teacher' means a member of the teaching staff of an institution employed on whole-time basis.

5.

A gratuity equal to six times of pay any last drawn by a teacher at the time of his death while in service provided he has put in not less than three years continuous service before his death.Notes - (1) No gratuity will, however, be admissible to the family of a teacher whose death takes place after retirement or of a re-employed pensioner.(2)'Continuous Service' means all whole-time service whether temporary, officiating or permanent, rendered either in one or more of the State aided educational institutions of any of the categories mentioned in Rule 3 and includes all periods spent on leave on average pay, or on medical certificate, but it does not include leave without pay.

6.

A teacher covered by these rules, shall on completion of three years' continuous service make a nomination conferring on one or more members of his family, the right to receive any gratuity that may be admissible under these rules. The nomination shall be made in one of the attached forms as may be appropriated in the circumstances of the case.Note - If the teacher has not left any family, no gratuity will be payable under these rules.

7.

If a teacher nominates more than one person under Rule 6 above, he shall specify in the nomination the amount of share payable to each of the amount of share payable to each of the nominees in such manner as to cover the whole amount of gratuity.

8.

The teacher may provide in a nomination-(a)that in the event of any specified nominee pre-deceasing him, the right conferred upon that nominee shall pass to such other person as may be specified in the nomination; Provided that such person shall not be a person other than a member of his family; (b)that the nomination shall become invalid in the event of a contingency specified therein.

9.

A teacher may at any time cancel a nomination by sending a notice in writing to the appropriate authority mentioned in Rule 1 below provided that he shall along with such notice, send a fresh nomination in accordance with these rules.

10.

Immediately on the death of the nominee in respect of whom no provision about the passing of his right has been made in the nomination under Rule 6 or on occurrence of any event by reason of which the nomination becomes invalid in pursuance of Rule 8 (b), the teacher shall send to the appropriate authority a notice in writing formally canceling the nomination together with a fresh nomination made in accordance with these rules.

11.

Every nomination made and every notice given by a teacher under these rules shall be submitted by the teacher to the management of the institution who shall, countersign it indicating the date of receipt and keep it in the personal file of the teacher concerned.

12.

Every nomination made, and every notice of cancellation given by a teacher shall, to the extent it is valid; taken effect on the date on which it is received by the authority mentioned in Rule 11.

13.

In the event of no nomination having been made for this purpose before the death of a teacher or in the event of any dispute, the Director of Education, U.P., shall be the final authority and whatever

award shall be made by him shall be binding on all parties and no appeal or representation shall lie against his decision.

14.

The gratuity will be paid on an application in form 'HH' which shall be submitted by the claimant to the management of the institution concerned along with death certificate of a registered medical practitioner, or a Gazetted officer, or a Pradhan of the Panchayat soon after the death of the teacher. The management of the institution shall within a .week of receipt of the application forward it to the sanctioning authority along with his death certificate, service book and nomination papers and also its recommendation. The sanctioning authority after fully satisfying himself as to the validity of claim pass orders on it sanctioning the gratuity admissible under these rules. A copy of this sanctioning order accompanied by all relevant papers as aforesaid shall be forwarded by the sanctioning authority to the management who will prepare the bill, and after counter signature by the District Inspector of Schools, draw the amount from the Treasury mid pay the same to the claimant.

15.

All titles to be fit under these rules shall cease as soon as a teacher resigns or is removed or dismissed from service or his Service is terminated.

16.

A utilisation certificate in respect of all payments made in a year shall be submitted by the management to the District Inspector of Schools, each year before the close of July. Form 'HH' Application form for the grant of gratuity to the family of Sri.....
(Here mention the name of the institution)

1. Name of applicant.....

2. Relationship to deceased teacher

3. Date of birth of the teacher.....

4. Date of death of the teacher.....

5. Full address of the applicant.....

6. Signature or thumb-impression of the applicant.....

7. [Attested by:-] [Attestation should be done by two or more person of respectability in the village or pargana in which the applicant resides. Their designation.]

(i).....(ii).....

8. Witnesses: - Name Full Address Signature

1.

2.

Form A-A Nomination of Gratuity (When the teacher has a family and wishes to nominate one member thereof) Thereby nominate the person mentioned below, who is a member of my family and confer on him the right, to receive any gratuity that may be sanctioned by Government: in the event of my death while in service :

Name and address of nominee	Relationship with teacher	Age	Contingencies on the happening of which thenomination shall become invalid-	Name, address, relationship of the persons, if any to whom the right conferred on nominee shall pass in the event of the nominee pre-deceasing the teacher to the nominee dying after death of the teacher but before receiving but before receiving payment of the gratuity	Amount on share of gratuity payable to each
1	2	3	4	5	6

* This column should be filled in so as to cover the whole amount of gratuity. This nomination supersedes the nomination made by me earlier onwhich stands cancelled. Dated this day of 19.....at Witnesses to signature: (1) (2) Signature of Teacher. (Certified that this declaration has been signed before me) (Signature of Head of the institution) Dated..... Form B-B Nomination for Gratuity (When the teacher has a family and wishes to nominate more than one member thereof) I, hereby nominate the persons mentioned below, who are members of my family and confer on them the right to the extent specified below, any gratuity that may be sanctioned by Government in the event of my death while in service;

Name and address of nominee	Relationship with teacher	Age	[Amount of share of gratuity payable to each] [This column should be filled in so as to cover	Name, address, relationship of the person or persons, if any to whom the right conferred on nominee shall pass in the event of the nominee	[Amount on share of gratuity payable to each] [This amount/share of gratuity shown in this column should cover
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		the whole amount of gratuity.]		predeceasing the teacher or the whole thenominee dying after death of the teacher but before receivingpayment of the gratuity	amount/share payable to the original nominees.]
1	2	3	4	5	6

This nomination supersedes the nomination made by me earlier on.....which stands cancelled.A.B. - The teacher shall draw lines across the blank space below the last entry to prevent insertion of any name after he has signed.Dated this day of 19....atWitnesses to signature:(1)(2)Signature of Teacher.(Certified that this declaration has been signed before me)(Signature of Teacher)Copy of letter No. F-100/4/X-19(5)-65-66, dated October 12, 1965 from the Director of Education, U.P. Allahabad to this Office and others.Subject. - Payment of gratuity to the dependents of the teachers of aided educational Institutions.I have to say that under the scheme sponsored by the State Government with effect from April 1, 1964 for payment of gratuity to the dependents of teachers of non-Government aided Junior Basic, Senior Basic, Higher Secondary Schools including those managed by Local Bodies and Degree Colleges, the dependents of the teachers of those institutions are to be paid a gratuity equal to six months' pay as admissible in the relevant approved scale in case of teachers both before retirement provided he has put in not less than three years of continuous service before death. No such pay would, however, be made to the dependents of the teachers after their retirement. In this connection the following procedure is laid down for obtaining and following the case to the Directorate for the sanction of gratuity.

1. Within a fortnight of the death of a teacher in the circumstances which give title to the nominee/nominees of the deceased to the payment of gratuity under the rules, the manager of the institution will submit his recommendation in the matter to the District Inspector of Schools in the case of boy's School including degree Colleges (both Men and Women) and the Regional Inspectress of Girls' Schools in case of girls Schools along with the service book complete in all respects with all the periods of service duly verified from the School records and the date of death entered in it along with the following papers duly attested by him:

(i)Additional information on the enclosed proforma.(ii)History of service.(iii)Attested copy of the certificate having the date of birth.(iv)Attested copy of the death certificate.(v)Attested copies of rill such letters (appointment/confirmation etc. as are referred to or should have been referred to in the service book).(a)In the event of no declaration having been made for this purpose nominating his/her dependents to receive payment on this account before the death of a teacher or in the event of any dispute, the case should be referred to the Directorate for a decision in the matter which shall be binding on all parties and shall be final without any appeal.(b)You will after necessary examination forward the case with all papers complete and duly countersigned by you to the Directorate in a registered cover (except District Inspector of Schools, Regional Inspectors of Girls'

Schools, Allahabad, who should submit these papers through some responsible person) within a week positively. Before countersigning these papers you should satisfy yourself that the various entries made in the service book and other information submitted to you in this regard, are correct.(c)You will adopt your own ways for having the information about the death cases of your District/Region immediately and to keep a watchful eye on them so that the required papers are submitted by the management of these schools within the stipulated time and no complaint without the delay in such cases is made to the Directorate. You should personally see that those cases are submitted to the Directorate within three weeks from the death of the teacher. If you find that the required papers would not be submitted by the managements to you within the stipulated time, special measures should please be taken to obtain them without delay. In this connection I am inclined to make it clear to you that it is the declared intention and policy of the department to arrange for the immediate payment of the gratuity to the dependents of the deceased and accordingly, I am to request you to deal with these cases on top priority basis and submit the required papers complete in all respects within the time schedules. It is expected that the managements of these schools would also realise their responsibility and would extend their support by way of submitting the required papers to you within a fortnight from the date of death of the teacher. If, however, you find that the required papers are not being made available to you in spite of special measures taken by you in the matter, within the stipulated time, you should immediately consider the case for suspending the payment of Government grant to the institution and submit your recommendation in this regard for the consideration of the Directorate along with a short note explaining the difficulties, if any, before the management of the institution for not submitting the required papers to you. This should reach the Directorate within three weeks from the date of death of the teacher without fail. Separate correspondence in respect of each case should please be made with the Directorate.(d)In case of schools run by local bodies, the Deputy Inspector of Schools should please be made responsible for submitting the required papers complete in all respects and duly countersigned by him to you within a fortnight from the date of death of the teacher of these schools. The cases of delay at any stage would be seriously dealt with the Department.(e)Cases have been reported to this office where no service book of the deceased was maintained by the authorities of the institution. In all such cases, the management of the institution should please be required to submit information on the enclosed proforma which should be collected by them from the acquaintance Roll of the staff. With the help of this statement the History of service of the deceased should be prepared by the management and submitted to you within stipulated time along with other relevant papers referred to above.

2. Prior to issue of these instructions individual letters requesting you to submit the required papers in respect of all cases of death reported to the Directorate (name of the deceased given at the end of this letter) were sent to you. No such individual letters would be sent now in such case in future from the Directorate. Immediate steps should please be taken by you to submit these cases to the Directorate within a week positively, fresh cases should, however, please be dealt with according to the instructions given above with particular case of the time schedule.

Additional information required in connection with the sanction of gratuity to the employees of educational institutions. Enclosure of D.E.U.P's letter No. F/10074, dated 12-10-1976.

1. Name of the employee.

2. Designation.

3. Qualifications.

4. Name of institution.

5. Date of birth.

6. Date of appointment in the institution.

7. Date of death before retirement.

8. Total length of service in the institution.

9. Scale of pay.

10. Rate of pay drawn at the time of death :

(a) Pay. (b) Dearness allowance. (c) Other allowances, if any.

11. Name of the dependents.

12. If the total length of service reported in Column 8 above is less than 3 years details of previous services; if any, in any other institution be reported.

Name	Date of appointment	Date of leaving the school	Total length of service	Scale of pay	Last pay drawn in the institution
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Signature of the Head of Institution.....with

seal.....Countersigned D.I.O.S./R.I.G.S. (Enclosure of the D.E.U.P.'s letter No.

F/10074, dated 12-10-1965. History of service of Sri./Km./Smt./.....(deceased)

Asstt./Head teacher. History of Service

Name of the teacher (deceased)	Designation	Name of the Institution where the teacher	Pay excluding allowances ad hoc increase, etc.	Allowance including ad hoc increase	Date of beginning	date of ending
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was serving at
the time of death

1	2	3	4	5	6	7
Period reckoned as service	Period not reckoned as service	Reasons for not counting the period on service	Date of birth	Date of death	How verified	Remarks
8	9	10	11	12	13	14

Countersigned Signature of the Manager Seal of the institution. D.I.O.S. R.I.G.S. Pro forma A (enclosure of the D.E.U.P.'s letter No. F/10074, dated 12.10.1965) (To be submitted in case where complete service book of the teacher is not available.)

1. Name of the teacher.

2. Designation.

3. Date of death.

Year amount paid as pay including arrears, increment etc. (including allowances/ ad hoc increase, etc. for the month of

March. April. May. June. July. Aug. Sept. Oct. Nov. Dec. Jan. Feb.

1 2 3 4 5 6 7 8 9 10 11 12

Details of the period for which no payment of salary was made	Pay	Details of leaves taken on full pay	Ground of leave
Period	Periods		Period
			From To
13	14	15	16 17 18

Other than casual on half pay	Ground of leave	On without pay	Ground of leave	Remarks
Period		Period		
From	To	From	To	
19	20	21	22	23 24 25

Signature of Manager Seal of the institution. N.B. - In column/above entries from the year of appointment to the year of death be made. Countersigned. D.I.O.S./R.I.G.S.