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(SRAVANA 11, 1934 SAKA)

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(SRVN 11, 1934 SAKA)

GOVERNMENT OF PUNJAB**DEPARTMENT OF EDUCATION****Notification****The 1st August, 2012**

No.S.O.45/P.P.M.R.S.E.(S.O.S.)R.1981/R.22-A/2012.—In exercise of the powers conferred by rule 22-A of the Punjab Privately Managed Recognized Schools Employees (Security of Service) Rules, 1981, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following Scheme for the grant of retirement benefits to the employees of the Privately Managed Recognized Aided Schools, namely:-

SCHEME**CHAPTER-1**

1. Short title and commencement.—(1) This Scheme may be called the Punjab Privately Managed Recognized Aided Schools Retirement Benefits Scheme, 2012.

(2) It shall be deemed to have come into force on and with effect from the 1st day of June, 2003.

2. Definitions.—In this Scheme unless the context otherwise requires, -

- (a) 'Department' means the Department of Education;
- (b) 'District Education Officer (Schools)' means an officer appointed as such by the Government and includes the District Education Officer (Primary);
- (c) 'Form' means a Form appended to this Scheme;
- (d) 'Government' means the Government of the State of Punjab in the Department of Education;
- (e) 'Pay' means the amount drawn monthly by an employee as,-
 - (i) pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre;
 - (ii) special pay and personal pay; and

- (iii) any other emoluments which may specifically be classified as pay by the Punjab Government in the case of Government employees; and
- (f) The words and expressions used in this Scheme, but not defined shall have the same meaning as assigned to them in the Punjab Privately Managed Recognized Schools (Security of Service) Act, 1979, rules made thereunder and the Punjab Civil Services Rules.

CHAPTER-II

3. Application.—This Scheme shall apply to all the employees, of the Punjab Privately Managed Recognised Aided Schools who,-

- (i) were in service in such schools;
- (ii) had opted for the Punjab Privately Managed Recognised Aided Schools Retirement Benefits Scheme, 1992; and
- (iii) have attained or will attain the age of superannuation on or after the 1st day of June, 2003.

4. Benefits under the Scheme.—The following retirement benefits shall be granted under the Scheme, namely:-

- (a) Superannuation pension;
- (b) Death-cum-retirement gratuity;
- (c) Family pension;
- (d) Invalid pension;
- (e) Compensation pension;
- (f) Compassionate allowance; and
- (g) Retiring pension.

CHAPTER-III

5. Qualifying Service.—(1) The Service of an employee shall not qualify for retirement benefits under this Scheme unless,-

- (i) he takes charge of the aided post to which he is first appointed except for which it is otherwise provided by special rules or contract; and
- (ii) the service is on an aided post on regular basis.

(2) The leave admissible under the Punjab Privately Managed Recognized Schools Employees (Security of Service), Rules, 1981, and under the instructions issued by the Department from time to time, shall qualify for pension but leave without pay and period of suspension, overstay of leave not subsequently regularized under the above said rules and the period of break in service shall not be reckoned as qualifying service.

(3) The service rendered in one or more privately managed recognized aided schools under the same management shall count for retirement benefits; provided the transfer was made in terms of the Punjab Privately Managed Recognized Schools Employees (Security of Service), Rules, 1981.

(4) In a case where the total service is less than ten years, it would not be a qualifying service.

(5) The service rendered on an aided post in another privately managed recognized schools in the State of Punjab, shall count for retirement benefits:

Provided that the Contributory Provident Fund Account of the employee in the previous school continued as such in the subsequent school to which he is transferred or appointed and there is no break in service.

(6) The qualifying service shall be taken into account with effect from date of entry in service of an employee.

6. Condonation of interruption.—(1) In the absence of specific indication to the contrary in the service record of the employee, an interruption between spells of service rendered by all employees under the same Managing Committee, shall be treated as automatically condoned and shall be treated as qualifying service for retirement benefits:

Provided that the interruption caused by resignation, dismissal or removal from service, or due to participation in strike shall not be condoned.

(2) The period of interruption not condoned by the Managing Committee shall under no circumstances be reckoned as qualifying service for retirement benefits.

7. Entitlement for pension.—An employee shall be entitled for pension under the Scheme only after he completes ten years (twenty half years) qualifying service.

8. Superannuation Pension.—(1) An employee other than Class IV employee shall be entitled to the superannuation pension from the date he

retires after attaining the age of fifty eight years:

Provided that in the case of a Class IV employee, the date of retirement shall be the date he retires after attaining the age of sixty years.

(2) Pension shall be commuted at the rate of fifty percent of the average pay of the last ten months. The admissibility of full pension shall be on completing thirty three years qualifying service. In case the qualifying service for pension is less than thirty three years, the pension shall first be calculated at the rate of fifty percent of average pay of last ten months and then it shall be proportionately reduced. If the pension so commuted falls short of rupees 375, (the same shall be raised to rupees 375 in all cases.

9. Service Gratuity.—Where the qualifying service is less than ten years (twenty half year), the service gratuity shall be calculated at the uniform rate of half month's pay for every completed six monthly period of service.

10. Retirement Gratuity.—An employee who has become eligible for retirement benefits under this Scheme on his retirement from service, shall be granted an additional retirement gratuity as given below,-

- (i) in case of a Class IV employee, 1/4th of his pay for each completed six monthly period of qualifying service subject to a maximum of 17 ½ times of pay; and
- (ii) in the case of an employee other than a Class IV employee, 1/4th of his pay for each completed six monthly period of qualifying service, subject to a maximum of 16 ½ times of the pay:

Provided that the maximum amount of retirement gratuity shall not exceed rupees one lac in any case.

11. Death Gratuity.—In case of an employee who dies in harness, the death gratuity shall be admissible at the rates given below:-

Length of service	Rate of Gratuity
(i) Less than one year	Two times of pay;
(ii) One year or more but less than five years	Six times of pay;
(iii) Five years or more but less than twenty years	Twelve times of pay; and

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- (iv) Twenty years and above Half pay for every completed six monthly period of qualifying service, subject to a minimum of thirty-three years pay:

Provided, that the amount of the death gratuity shall in no case exceeds rupees one lac.

12. Family Pension.—In case of the death of an employee or pensioner, the family pension shall be granted as given below:-

- (i) the rates of family pension during the first seven years or till the employee would have attained the age of sixty-five years, had he survived, whichever is less, shall be as follows :-

Range of Pay	Rate of family pension per month
(i) Upto Rs. 1,500	Sixty percent of pay subject to a minimum of Rs. 750;
(ii) Exceeding Rs. 1,500 but not exceeding Rs. 3,000	Forty percent of pay subject to a minimum of Rs 900;and
(iii) Exceeding Rs 3,000;	Thirty percent of pay subject to a minimum of Rs. 1,200 and maximum of Rs. 2,500.

- (ii) After the expiry of seven years or the completion of sixty five years of his age, had the employee survived, whichever is less, the rate of family pension shall be as follows :-

Range of Pay	Rate of family pension per month
(i) UptoRs. 1,500	Forty percent of pay subject to a minimum of Rs. 375;
(ii) Exceeding Rs. 1,500 but not exceeding Rs. 3,000	Thirty percent of pay subject to a minimum of Rs. 600; and
(iii) Exceeding Rs 3,000;	Twenty percent of pay subject to a minimum of Rs. 1,200 and maximum of Rs. 1,500.

Note. - In case both the husband and wife are the employees of the privately managed recognized aided schools, the maximum family pension in the event of death of both shall not exceed Rs. 2, 250.

13. Invalid Pension.—An employee of the privately managed recognized aided schools, who is declared physically invalid shall be granted a weightage of five years in their qualifying service for pension and if the qualifying service after the grant of this weightage remains below ten years, the same shall be raised to ten years and the employee concerned shall be granted proportionate pension subject to a minimum of Rs. 375 per month.

14. Medical Certificate for invalid pension.—(1) An employee applying for an invalid pension shall submit a medical certificate of incapacity from a Medical Board constituted by the competent authority in which a lady doctor shall also be included as a member thereof whenever woman employee is to be examined.

(2) No medical certificate of incapacity for service shall be granted unless the applicant produces a letter from the District Education Officer concerned. to appear before the Medical Board and for that purpose, the Medical Board shall also be supplied a statement by the District Education Officer concerned regarding the age of the applicant and where the service book of the employee concerned has been maintained, the age recorded therein shall be reported.

(3) A brief statement of the medical case and that of the treatment undergone shall be appended to the application.

(4) A simple certificate that inefficiency is due to old age or natural decay from advancing age, shall not be sufficient in the case of an employee whose recorded age is less than fifty five years.

15. Compassionate Allowance.—No pension shall be admissible to an employee who has been dismissed or removed from service on account of misconduct or misbehavior but such an employee may be granted a compassionate allowance subject to the approval of the Government, only in special circumstances for reasons to be recorded in writing:

Provided that the allowance so granted to an employee, shall not exceed 2/3rd of the pension, which would have been admissible to him, had he been retired on medical ground.

16. Retiring Pension.—(1) A retiring pension and retirement gratuity shall be granted to an employee, who retires voluntarily or is retired compulsorily according to the length of qualifying service as provided in the succeeding sub-clauses.

(2) The concerned managing committee shall, if it is of the opinion that it is in public interest to do so, by recording the reasons, in writing, have the right by giving an employee prior notice, in writing, of not less than three months to retire that employee on the date on which he completes twenty five years of qualifying service or on any other dates thereafter to be specified in the notice or on the date on which he attain fifty years of age:

Provided that where three months' notice is not given or notice for a period less than three months is given, the employee shall be entitled to claim a sum equivalent to the amount of pay and allowances at the same rate at which he was drawing immediately before the date of retirement, for a period of three months or as the case may be, for the period by which such notice falls short of three months.

(3) An employee may, after giving at least three months notice, in writing, to the managing committee, retire from service on the date on which he completes twenty five years of qualifying service or attains fifty years of age or on any date thereafter to be specified in the notice:

Provided that no employee under suspension shall retire from service except with the specific approval of the managing committee.

Note:- In case the retirement of any employee under this para is set aside by a court of law, all pecuniary liabilities consequent thereto from the date of retirement up to the date of his rejoining the post, shall devolve on the managing committee.

17. Compensation Pension.—If an employee is discharged by the managing committee owing to the abolition of a whole time aided post, he will, unless he is appointed to another post the conditions of which are deemed to be at least equal to those of his own, have the option:-

- (a) of taking compensation pension or gratuity to which he may be entitled for the service he has already rendered; or
- (b) of accepting another post under the same managing committee for which he fulfills the prescribed qualifications, if offered and to continue to count his previous service for pension.

18. Death-cum-retirement gratuity.—The death-cum-retirement gratuity, payable to the family of a deceased employee shall be payable in order of preference given below:-

- (i) wife or wives including judicially separated wife or wives in the case of a male employee;
- (ii) husband including judicially separated husband in the case of a female employee;
- (iii) sons including step sons and adopted sons;
- (iv) unmarried and widow daughters including step daughters and adopted daughters;
- (v) brothers below the age of eighteen years and unmarried and widowed sisters, including step brothers and sisters;
- (vi) father and mother including adopted parents in case of an individual whose personal law permits adoption;
- (vii) married daughters; and
- (viii) children of a predeceased son.

CHAPTER-IV

19. Subscription and maintenance of General Provident Fund Account.—An employee being governed by the scheme shall continue to contribute towards the General Provident Fund at the rate prescribed by the Punjab Government for its employees from time to time. An employee may, however, subscribe voluntarily at higher rate than the prescribed rate by the Punjab Government. The Fund shall be regulated in accordance with the rules and procedure specified by the Punjab Government for its employees from time to time.

CHAPTER-V

20. Commutation of Pension.—An employee shall be entitled to commute for a lump sum payment any portion consisting in whole rupee not exceeding one-third of any kind of pension which has been or may be granted to him under this Scheme subject to the condition that the sum commuted residue of the pension shall not be less than rupees 240 per month:

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Provided that in calculating the amount of the uncommuted residue, there may be added to it, the uncommuted portion of any other permanent pension or pension payable to the applicant from the revenues of the Punjab Government, any other State Government or Government of India:

Provided further that an employee or pensioner, against whom any judicial or disciplinary proceedings have been instituted, shall not be permitted to commute any part of his pension during the pendency of such proceedings.

CHAPTER-VI

21. Adjustment and Recovery of Dues.—(1) The managing committee or District Education Officer shall take steps to assess the dues outstanding against the employee two years before the date on which he is due to retire on superannuation.

(2) The assessment of the outstanding dues against the employees shall be completed by the managing committee and the District Education Officer eight months prior to the date of his retirement.

(3) The dues as assessed including those dues which come to the notice subsequently and which remain outstanding till the date of retirement of the employee shall be adjusted against the amount of death-cum-retirement gratuity becoming payable to the employee on his retirement.

(4) When an employee retires from service, an Office Order shall be issued to that effect by the managing committee and copies thereof shall be endorsed to the Director of Public Instructions (Schools) (herein after referred to as the "Director") and District Education Officer concerned.

22. Power to withhold Pension.—Future good conduct is an implied condition for grant of a pension and the Director reserves to himself the right of withholding or withdrawing a pension or any part of it, if the pensioner is convicted of a serious crime or is guilty of a grave misconduct.

23. Arbitration.—If any dispute arises between employee and the managing committee relating to the delay in forwarding the pension papers of the employee, then the matter shall be referred to the Director for decision and his decision shall be final and binding upon the parties.

24. Head of Account to Debit Expenditure.—The charges on account of expenditure under this Scheme shall be debited to the Head "2071-Pensions

and other Retirement Benefits-109-Pensions to Employees of State Aided Educational Institutions-01-pension to Employees of State Aided Educational Institutions."

25. Interpretation of the Scheme.—If any question arises as to the interpretation of this Scheme, the Government shall decide the same.

HUSAN LAL,
Secretary to Government of Punjab,
Department of School Education.

੨੬੩੩ ਤਾਲਵੰਦਰਸ ਪਿਛਮਾ ਕੋਲਕੋਲ (ਮੀ.ਕੀ.ਪੀ.ਐਮ.)

ਪਿਛਮਾ ਕੋਲਕੋਲ ਨੰ. ੨੨/੧-੧੫੫੫੫੫ (੨੦੧੧) ਏਨੀ: ੨੨/੧੩

ਕੋਲਕੋਲ ਨੰ. ਮੀ.ਕੀ.ਪੀ.ਐਮ. (ਮੀ.ਕੀ.)

੨੧੦੨੧੫੩ ~~ਕੋਲਕੋਲ ਨੰ. ਮੀ.ਕੀ.ਪੀ.ਐਮ.~~

(ਕੋਲਕੋਲ) ਤਾਲਵੰਦਰਸ (ਮੀ.ਕੀ.ਪੀ.ਐਮ.)