



Pension & PF Rules

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HARYANA GOVERNMENT

TECHNICAL EDUCATION DEPARTMENT

Notification

The 21st April, 2008

No. 38/22/08-4TE.—The Governor of Haryana hereby makes the following rules regulating the pension and contributory provident fund of the employees appointed to the YMCA Institute of Engg., Faridabad, Chhotu Ram Polytechnic, Rohtak, Vaish Technical Institute, Rohtak and Seth Jai Parkash Polytechnic, Damla (Yamuna Nagar) namely, Affiliated Aided Technical Institutions.

CHAPTER-I

1. (1) These rules may be called the Haryana Affiliated Aided Technical Institutions (Pension and Contributory Provident Fund) Rules, 2005. Short title and commencement.

(2) They shall be deemed to have come into force with effect from 31st December, 2005.

(3) They shall be applicable only in the case of employees working on 31st December, 2005.

(4) The employees who are appointed on 1st January, 2006 or thereafter shall be governed by 'New Defined Contributory Pension Scheme' approved in Principle by the Finance Department vide their U.O. No. 2/8/07-Pension, dated 10th April, 2007.

2. In these rules, unless the context otherwise requires, Definitions

(a) "aided sanctioned post" means post for which grant-in-aid is allowed by the Directorate of Technical Education, Haryana ;

(b) "department" means Technical Education Department, Haryana ;

- (c) "Director" means the Director, Technical Education Department, Haryana.
- (d) "governing body" means the Board of Governors/Board of Directors/Managing Committee etc., as the case may be;
- (e) "emoluments" for the purpose of pension means basic pay plus dearness pay;
- (f) "Form" means form appended to these rules;
- (g) "pay" means the amount drawn monthly by an Institution 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 the cadre;
 (ii) overseas pay, special pay and personal pay; and
 (iii) any other emoluments which may specially be classified as pay by the authority;
- (h) "pension" means an amount which an employee shall draw as pension on attaining the age of superannuation. It also includes gratuity.
- (i) "qualifying service" means the service that qualifies for pension under these rules. It shall be reckoned in terms of completed half year; provided that the fraction equal to three months and above shall be treated as completed half year.
- However, the qualifying service will be taken into account with effect from the date an employee starts contribution towards Contributory Provident Fund;
- (j) "Service" means the service rendered under the provisions of rules/ bye-laws of concerned Affiliated Aided Technical Institution; and
- (k) "Pension Sanctioning Authority" means the Director, Technical Education Department, Haryana.

CHAPTER-II

Application.

3. (1) Except as otherwise provided in any rule, and subject to the conditions that the Managing Committee/Board of Management of Aided Technical Institutions execute an agreement in Form I, duly supported by a resolution of the Governing body to abide by the provisions of these rules and the undertaking of the employees in Form II and Form III, these rules shall apply to all the employees, who were working on aided sanctioned posts on or before the 31st December, 2005, and who have attained or shall attain the age of superannuation on or after the 31st December, 2005, and who have exercised option to be governed by these rules within a period of three months from the date of publication of these rules in the Official Gazette.

(2) These rules shall not apply to.

- (i) the employees appointed on part time basis against aided sanctioned posts;
- (ii) the employees appointed against the posts not sanctioned by the Government;
- (iii) the employees who have retired from the sanctioned posts before the 31st December, 2005 and the employees who attained the age of superannuation before the said date except those who have been given extension by the Department after the age of superannuation on sanctioned posts;
- (iv) the employees employed on a leave-gap arrangement, or on adhoc basis or on contractual basis; and
- (v) the employee appointed on or after 1st January, 2006 on aided sanctioned post.

4. Such of those employees retiring on or after the 31st December, 2005, to the date of publication of these rules in the Official Gazette and who exercise option to be governed by these rules, shall be required to deposit full amount of employer share along with interest accrued thereon at the rate as applicable on General Provident Fund for the respective period with the Management. All the concerned aided institutions are required to deposit the employer share along with up to date interest in the head "0071-Contributions and Recoveries towards Pension and Other Retirement Benefits-01-Civil-101 subscription and contributions-privately managed recognized aided Technical Institutions/Polytechnic through Director, Technical Education Department. Thereafter the employees of the institutions shall be entitled for pension. Liability to refund amount of employer's share.

5. The following retirement benefits shall be admissible under these rules, namely:— Retirement Benefit.

1. Retiring Pension—
 - (a) Superannuation pension;
 - (b) Invalid pension;
 - (c) Compensation pension;
 - (d) Compulsory retirement pension; and
 - (e) Voluntary retirement pension.
2. Death-cum-retirement gratuity;
3. Service gratuity;
4. Family pension

CHAPTER-III

6. The service of an employee shall qualify for retirement benefits under these rules as Qualifying Service.
under :—

- (i) the service rendered on attaining the age of 18 years on posts approved by Government admitted for grant-in-aid ;
- (ii) in the case of all employees, the service rendered till the attainment of the age of sixty years ;
- (iii) the leave admissible under the rules/bye-laws of the affiliated Technical Institutions and under instructions issued by the Management from time to time, excluding the leave without pay other than on medical certificate, and period of suspension not treated as duty, over stayal of leave not subsequently regularized and period of break in service ; and
- (iv) service rendered in one or more private affiliated aided Technical Institution, receiving grant-in-aid under the same management. However, service rendered in other technical institution shall not count for pension.

7. In the absence of specific indication to the contrary in the service record of the employee, an interruption between two spells of services rendered by an employee under the same management may be condoned with the approval of Director and be treated as qualifying service for retirement benefits. Condonation of interruptions.

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

8. An employee shall be entitled for pension under these rules only after completion of Entitlement for pension
ten years of qualifying service.

9. (1) An employee under these rules shall be entitled to the superannuation pension Superannuation Pension.
from the date he attains the age of sixty years.
(2) The pension shall be calculated on the pay last drawn by the employee on the date of retirement.

(3) If on date of retirement of his service an employee has been absent from duty on leave with leave salary and also on extraordinary leave which counts for pension or having been suspended, has been reinstated without forfeiture of service, his emoluments should be taken at what they would have been had he not been absent from duty or suspended; provided always that, except as provided in note below, his pension must not be increased on account of increase in pay not actually drawn.

Note :— In the case of employee who has been on earned leave till last date of his retirement and during this period he earns an increment though not actually drawn, shall be included in the last pay drawn.

(4) If an employee retires while he is absent from duty or on leave without leave salary not counting for pension or was under suspension which does not count for pension, the pay drawn by him prior to the period of such absence, leave or suspension shall be taken as last pay drawn for calculation of pension.

(5) Except as provided in sub rules (2) and (3) above, only emoluments actually received can be included in the calculation. For example, when an employee is allowed to count time retrospectively towards increase of pay, but does not receive retrospectively the intermediate periodical increments, these intermediate increments are not reckoned in the calculations.

Note:— The retiree shall also be entitled for Dearness Allowance as sanctioned by the Government from time to time.

Invalid pension.

10. (1) The employees who are declared physically invalid for service because of bodily or mental infirmity shall be granted invalid pension.

(2) An employee applying for an invalid pension shall submit a medical certificate of incapacity from a Medical Board in which a lady doctor shall also be included as a member whenever any women employee is to be examined.

(3) In the case of partial incapacity an employee should, if possible, be employed even on lower pay, so that the expenses of pensioning him may be avoided. If there be no means of employing him even on lower pay, then he may be admitted to pension, but it shall be considered whether, in view of his capacity for partially earning a living, it is necessary to grant to him the full pension admissible under the rules.

(4) If the incapacity is directly due to irregular or intemperate habits, no pension can be granted. If it has not been directly caused by such habits, but has been accelerated or aggravated by them, it shall be for the authority by which the pension is grantable to decide what reduction shall be made on this account.

(5) No medical certificate of incapacity for Service shall be granted unless the applicant produces a letter from Director directing him to appear before the Medical Board. The Medical Board shall also be supplied a statement by the Director regarding the age of the applicant as recorded in his service book.

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

(7) A simple certificate that inefficiency is due to old age or natural decay from advancing age, shall not be sufficient whose recorded age is less than fifty five years.

(8) The employee who has been declared invalid shall be relieved from duty from the date of such declaration by the Medical Board.

Compensation Pension

11. If an employee is discharged by the Governing Body, owing to the abolition of a whole time sanctioned post, he shall unless he is appointed to other post, the condition 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 even on lower pay for which he fulfils the prescribed qualification, if offered and to continue to count his previous service for pension.

12. (1) A retiring pension shall also be granted to an employee retired compulsorily according to the length of qualifying service as provided in the succeeding sub-rule. Compulsory Retirement.

- (a) If the management is of the opinion that it is in public interest to retire an employee for reasons to be recorded in writing, it shall have the right by giving the employee concerned, a prior notice, in writing of not less than three months, to retire, him on the date on which he completes twenty years of qualifying service or on any other date there after to be specified in the notice:

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 for the period by which such notice falls short of three months, as the case may be.

(2) If the retirement of the employee made under clause (a) is set aside by a Court of law, all pecuniary liabilities consequent thereto from the date of compulsory retirement upto the date of his rejoining the post, shall devolve on the Management.

13. (1) An employee may, after giving at least three months notice in writing to the Management, retire from service on the date on which he completes twenty years of qualifying service or attains fifty five years of age or on any date there after to be specified in the notice, provided that no employee under suspension shall retire from service except with the specific approval of the Director. Voluntary Retirement.

(2) While granting proportionate pension to an employee retiring voluntarily under these rules weightage up to five years would be given as an addition to the qualifying service actually rendered by him. The grant of weightage of up to five years will, however, be subject to the following conditions;

- (i) The total qualifying service after allowing the weightage shall not exceed thirty three years qualifying service and does not go beyond the date of superannuation.
- (ii) The weightage given under these rules will only be addition to the qualifying service for pension and gratuity. It shall not entitle the employee retiring voluntarily to any notional fixation of pay for the purpose of calculating the pension and gratuity which will be based on the actual emoluments calculated with reference to the date of retirement.

14. Where the qualifying service is less than ten years of service, gratuity shall be appropriate amount as set out in the table annexed at Annexure 1 and no pension shall be granted to him. Service Gratuity.

15. An employee who has become eligible for pension under these rules, on his retirement from service shall be granted death-cum-retirement gratuity as below :— Death-cum-Retirement Gratuity.

- (i) in case of Group D employee, 1/4th of his emoluments for each completed six monthly period of qualifying service subject to a maximum of seventeen and half times of emoluments;
- (ii) in case of employees other than group D employees, 1/4th of the emoluments of an employee for each completed six monthly period of the qualifying service, subject to maximum of sixteen and half times of the emoluments;
- (iii) the maximum amount of retirement gratuity shall not exceed Rs. 3.50 lakhs in any case;

- (iv) an employee against whom judicial or departmental proceedings have been instituted shall not be permitted gratuity during the pendency of proceedings.
- (v) if an employee who has completed five years service dies while in service, gratuity shall be subject to a minimum of 12 times of the emoluments.

The family of employee who dies before completing five years of service shall be eligible for gratuity equal to six months emoluments except in cases in which death occurs in the first year of service where the gratuity admissible shall be equal to two months emoluments.

For the purposes of death-cum-retirement gratuity family shall include following relatives of employee,

- (i) wife or wives including judicially separated wife/ wives in the case of male employees;
- (ii) husband including judicially separated husband in the case of female employee;
- (iii) sons including step children and legally adopted children;
- (iv) unmarried and widowed daughters;
- (v) brothers below the age of eighteen years and unmarried and widowed sisters including step brothers and sisters;
- (vi) father/mother including adopted parents in case of individuals whose Personal Law Permits adoption;
- (vii) Married daughters; and
- (viii) children of predeceased sons.

Every employee shall make a nomination conferring on one or more persons, the right to receive any gratuity that may be admissible to him:

Provided that if at the time of making nomination, the officer has a family, the nomination shall not be in favour of any persons other than members of his family which includes wife or husband as the case may be residing with the employee and legitimate children and step children residing with and wholly dependent upon him.

Where no nomination exists, the gratuity shall be payable in equal share to family members as mentioned to categories (i) to (iv) except widowed daughters.

Where there are no such surviving members but there is/are surviving widowed daughters and/or one or more members as in categories (v) to (ix) it shall be payable to all such persons in equal shares.

Family pension

16. (1) In case of death of the employee with at least one year regular service, the family of the deceased employee of the Aided affiliated technical institution will be entitled to family pension at the rate of 30% of pay in all cases subject to minimum of Rs. 1275/- (one thousand two hundred seventy five rupees) and maximum of 30% of last pay drawn.

(2) In case of death of an employee while in service having more than seven years service or after retirement before attaining the age of 65 years, the amount of family pension would be fixed at double the amount of normal family pension subject to the conditions that such enhanced family pension does not exceed 50% of pay drawn at the time of death or normal pension as the case may be. This benefit will be available for a period of seven years or till the deceased would have attained the age of 65 years whichever is earlier.

(3) In the event of death after retirement, the family pension at the enhanced rates shall be payable upto the date on which the deceased employee would have attained the age of sixty five years, had he survived or for a period of seven years whichever period is less, but in

Case the amount of family pension shall exceed the amount of pension sanctioned to the employee at the time of retirement.

"Family" for purpose of this scheme includes the following relatives of the officer,

- (a) wife, in the case of a male officer;
- (b) husband, in the case of a female officer;
- (c) minor sons;
- (d) unmarried minor daughters;
- (e) widowed/legally divorced daughters; and
- (f) the parents of an unmarried officer.

Note 1—Clauses (c) and (d) include children adopted legally before retirement.

Note 2—A judicially separated wife/husband does not lose her/his legal status of wife/husband of the Government employee and is thus eligible for the benefit of the Family Pension Scheme, 1964.

The pension is admissible,

- (a) in the case of widow/widower upto the date of death or remarriage, whichever is earlier;
- (b) in the case of son/unmarried daughter until he/she attains the age of twenty five years;
- (c) in the case of parents who were wholly dependent on the Government employee when he/she was alive, upto the date of death provided the deceased employee had left behind neither a widow nor a child;
- (d) in the case of children in the order of their birth and younger of them will not be eligible for family pension unless the elder next above him/her become ineligible for grant of family pension;
- (e) in the case of divorced/widowed daughter till they are alive:

Provided that an unmarried daughter including widowed/divorced daughter shall become ineligible for pension from the date of her marriage/remarriage:

Provided further that the son/unmarried daughter including widowed/divorced daughter shall become ineligible for pension if he or she starts earning livelihood.

The income criteria in respect of parents and widowed/divorced daughter shall be that their earning is not more than Rs. 2550/- per month. Provided also that parents and widowed/divorced daughter shall produce an annual certificate to the effect that their earning is not more than Rs. 2550/- per month. The upper ceiling of family pension shall be 30% of basic pay of the deceased employee, subject to a minimum of Rs. 1275/- per month.

- Note:—**
- (i) Where an officer is survived by more than one widow, the pension shall be paid to them in equal shares. On the death of a widow, her share of the pension shall become payable to her eligible minor child. If at the time of her death, a widow leaves no eligible minor child, the payment of her share of the pension shall cease.
 - (ii) Where an officer is survived by a widow but has left behind an eligible minor child from another wife, the eligible minor child will be paid the share of pension which the mother would have received, if she had been alive at the time of the death of the officer.
 - (iv) Where the family pension is payable to twin children, it shall be paid to such children in equal shares and when one such child ceases to be eligible his/her share shall revert to the other child and when both of them cease to be eligible the family pension shall be payable to the next eligible single child/twin children.

CHAPTER-IV

Subscription and maintenance of contributory provident fund account

17. (1) The employees shall contribute towards the Contributory Provident Fund at the rate of 10% of the basic pay or any rate prescribed by the Government from time to time. An employee may, however, subscribe voluntarily at higher rates than that prescribed by the Government. The fund shall be regulated in accordance with the procedure as may be specified by the Director from time to time.

(2) The employees share of contributory provident fund contribution shall be maintained by the concerned Head of the Institution as per existing policy and as per instructions issued by the Department from time to time.

(3) The Head of Institution (Principal/Director Principal) shall be competent to sanction, final payment, refundable and non-refundable loan/advances out of the contributory provident fund to the subscriber/applicant.

Transfer of employer's share of contributory provident fund

18. (1) The employer's share with interest earned thereon shall be transferred to the Director.

(2) The amount of employer's share of contribution to the contributory provident fund together with interest required to be refunded or actually refunded shall be recorded in the Service Book under proper attestation.

(3) Such of those employees retiring 31st day of December, 2005, to the date of publication of these rules will be required to deposit the full amount of employer's share along with interest earned thereon plus twelve percent calculated per annum on the amount actually drawn by the employees from the date of drawl of the said amount to the date of deposit with the Director.

The employees who shall retire on or before coming into force of these rules and have already drawn employer's share of contributory provident fund together with interest accrued thereon (or in case of death of such an employee, his legal heirs), are not in a position to refund the same in cash may be allowed to adjust the same against the amount of gratuity or arrears of pension that may be admissible to them. In such cases the employer's share of contributory provident fund together with interest accrued thereon shall be refunded with 12% per annum interest on the amount actually drawn, calculated from the date of drawl of the said amount to the date of refund or adjustment and if there still remains any amount due, it shall be adjusted by non payment of pension till recovery of the total amount is adjusted.

(4) The date of drawl and refund of the amount of employer's share together with interest thereon shall be recorded in the service book and the entry shall be attested after verification by the Director Principal/Principal of the concerned Institution. The concerned employee or their legal heir, as the case may be, shall give an undertaking in writing to the effect that he has no objection to such recovery or adjustment.

CHAPTER-V

Deposit of employer's share and head of account

19. (1) The employer's share shall be deposited under the head "0071 -Contributions and Recoveries towards Pension and Other Retirement Benefits -01-Civil-101-Subscriptions and contribution -Privately managed recognized aided Technical Institutions/Polytechnics () Contribution from Technical Institutions/Polytechnics towards Pension".

(2) The employer's share specified in sub-rule (1) shall comprise,

- (a) the amount of the employer's share including that of the Government share given in the shape of grant-in-aid lying in the contributory provident fund account prior to the date of enforcement of these rules;
- (b) five per cent amount of the employer's share towards contributory provident fund contributed on or after the date of enforcement of these rules.

- (c) Ninety-five per cent amount of Government share towards the contributory provident fund being paid as grant-in-aid to the aided Institutions on or before the date of enforcement of these rules;
- (d) the amount of interest accrued on the amounts specified above;
- (e) any other amount as may be specifically paid by the Government towards the employer's share.

(3) The State Government shall make suitable provision in the annual budget under the head "2203-Technical Education-104-Assistance to Non Government Technical Colleges and Institutes -Pension to Employees of Affiliated Aided Technical Institutions/Polytechnics" and for the payment of the retirement benefits admissible under these rules.

(4) Ninety-five per cent shares towards the contributory provident fund being paid by the Government shall not be paid in future.

(5) Five per cent of the employer share (except Young Men Christian Association Institute of Engineering, Faridabad) towards the contributory provident fund payable by the Management shall also be deducted from the grant-in-aid sanctioned to the aided Institutions for crediting the same in the relevant head so that no amount remains pending for recovery from the Management.

(6) (a) The Management shall attach a detail (in triplicate) showing the necessary particulars that is, name, designation, amount of the contribution in respect of each employee and the grand total while presenting the demand draft to the Director- Principal/Principal of the Institution every month.

(b) The concerned Director Principal/Principal of the Institution shall credit the demand draft so received to the relevant head of account by the 15th of every month.

(c) Director-Principal/Principal of the institution shall indicate the Treasury Voucher number and date of Challan and forward the photocopy to the Management for maintaining detailed account, and will submit the consolidated account to the Director.

(7) In case of default or non-implementation by the Management of any provision of these rules, the Director shall have right to deduct any amount that may be found due to the Management out of the amount of grant-in-aid and may suspend the grant-in-aid to the concerned aided Institute and may also remove the name of such Institute from the grant-in-aid list with the prior approval of the Government.

(8) (a) The Pension Branch (Aided Institute) created for this purpose in the office of the Director shall maintain a ledger showing Institution wise the amount of collection. The branch of the office of Director dealing with the work of grant-in-aid to the aided Technical Institutions/Polytechnics shall supply to the Government Institution wise quarterly statement showing details pertaining to the collection of the contributory provident fund by the Pension Branch (Aided Institute) of the Director in the following proforma :—

Sr.	Name of aided Institute	Name of the Employees	Amount of 5% management Share of Provident Fund	Total amount	Remarks
1	2	3	4	5	6

(b) From the statements specified in Clause (a) Institute-wise ledger accounts shall be posted and the entries of credit shall be reconciled in the office of the Accountant General (Accounts and Entitlement), Haryana, so that no discrepancy may arise in the ⁹ account.

(9) The amount of the contributory provident fund which was due from the Management on the date of publication of these rules in the Official Gazette and has not been deposited shall be deposited by the management along with interest at the rates of interest applicable to the contributory provident fund.

(10) The payment under these rules after the sanction by the Director shall be made by the Director-Principal/Principal of Management on the basis of pension payment order and the authority letter.

(11) The Management shall pay the total amount of gratuity to the retiree on the basis of letter of authority issued by the Director and claim Ninety-five percent of the said amount. The other benefits admissible under these rules shall be paid by the Director-Principal/Principal of the Institution to the employee through management after the same is sanctioned by the Director and a copy of the sanction shall be conveyed to the Accountant General (Accounts and Entitlement), Haryana concerned employee/family of the deceased, and the Director-Principal/Principal of the Institution for making payment accordingly.

(12) All payments for the benefits under these rules shall be made under the expenditure head "2203-Technical Education-104-Assistance to Non Government Technical Colleges and Institutes-Pension to Employees of Affiliated Aided Technical Institutions". The Department will draw the required amount of pension/family pension in advance every month of the subsequent month, so that the payment of pension should reach the pensioner/family pensioner on due date. The Department will make the payment through Management. The detailed procedure regarding disbursement will be issued separately by the Government.

(13) The amount of payment made under head "2203-Technical Education-104-Assistance to Non Government Technical Colleges and Institutes-Pension to Employees of Affiliated Aided Technical Institutes" shall be reconciled in the office of the Accountant General (Accounts and Entitlement), Haryana.

(14) The Pension Branch (Aided Institution) of the office of the Director shall maintain Institute-wise Pension Payment Orders register showing therein complete particulars of the employees in whose favour Pension Payment Orders are issued and the accounts of payment of pension/family pension.

(15) There shall be a Committee, for the implementation of the scheme, consisting of the Secretary to Government of Haryana, Department of Technical Education, Secretary to Government of Haryana, Department of Finance, the Accountant General (Accounts and Entitlement), Haryana, the Director, Technical Education, Haryana, and a representative of the employees of the aided Institute representing such Institute. The Secretary to Government, Haryana, Department of Technical Education, shall be the Chairman of the Committee. The Committee so constituted shall meet at least once in a year to review the position of the scheme and implementation of these rules and also make recommendations to the Government for budget provision as required under these rules.

(16) The Director shall administer, control and operate the scheme.

(17) The Accountant General (Audit), Haryana, shall audit the individual accounts

of the Scheme.

CHAPTER-VI

20. (1) The Management or Director-Principal/Principal of the Institution, shall take steps to assess the dues outstanding against the employee one year before the date on which he is due to retire on superannuation. Adjustment of dues.

(2) 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.

(3) When employee retires from his service, an office order shall be issued to that effect by the Management and copies thereof shall be endorsed to the Director and Director-Principal/Principal of the Institution concerned, as the case may be.

(4) The employee shall not be entitled for the benefit available under these rules until the transfer of employer's share of his contributory provident fund along with interest earned thereon in the relevant head of account.

21. Benefit of commutation of pension shall not be available to them. Commutation of pension.

22. The Director shall have the right of withholding or withdrawing pension or any part of it, if the pensioner is convicted by the Court of law of a serious crime or is guilty of a grave misconduct or proved by an enquiry conducted by the Government on or after retirement. Power to withhold pension.

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

24. The charges on account of expenditure for benefits under these rules shall be debited to the head "2203- Technical Education-104-Assistance to Non-Government Technical Colleges and Institutes - Pension to employees of Affiliated Aided Technical Institutes". Head of account to debit expenditure.

25. If any question or doubt arises as to the Interpretation of these rules, Government shall decide the same. Interpretation.

26. The Government shall have the right to review/modify/ withdraw this scheme at any time without assigning any reasons. Review of Scheme.

AJT M. SHARAN,

Financial Commissioner and Principal Secretary
to Government Haryana, Technical Education Department,

FORM 1

[See rule 3(1)]

(An agreement to be executed by the Management for the implementation of the retirement benefits to the employees)

An agreement made on this _____ day of _____ between Management(hereinafter called the "Management", which expression shall, unless the contents otherwise requires, include its successors and assigns of the one part) and the Governor of Haryana acting through (hereinafter referred to as the "Government" which impression shall, unless the content otherwise requires, includes its successors and assigns of the other part).

Whereas, the Government has decided to grant retirement benefits in lieu of contributory provident fund to the employees of aided technical institutions in accordance with the procedure specified by the Government and subject to the condition that Management of the concerned aided technical institution shall execute an agreement to abide by the provisions of the Haryana Affiliated Aided Technical Institutions (Special Pension and Contributory Provident Fund) Rules, 2005, and instructions issued from time to time in this respect by the Government;

And, whereas, the Management, vide resolution No. _____ dated the _____ in fulfillment of the condition for grant of retirement benefits in lieu of the Contributory Provident Fund, has agreed to abide by the provisions of the Haryana Affiliated Aided Technical Institutions (Special Pension and Contributory Provident Fund) Rules, 2005, and instructions issued from time to time by the Government in this regard ;

And, whereas, the existing employees governed by the contributory provident fund be governed by the Haryana Affiliated Aided Technical Institutions (Special Pension and Contributory Provident Fund) Rules, 2005, the Management's share and the Government's share of the contributory provident fund from the date of their admittance to the contributory provident fund along with the interest earned thereon up to the date of commencement of such rules are to be transferred to the Director;

And, whereas, the Management has also agreed to continue to contribute its share as such of the pay as may be fixed from time to time by the Director, as contributory provident fund of the employees to the relevant head of account under Haryana Affiliated Aided Technical Institutions (Special Pension and Contributory Provident Fund) Rules, 2005 and this contribution shall be transferred to the Director;

Now, therefore, in pursuance of the said agreement, the Management hereby agrees that it shall duly, faithfully and punctually perform all the conditions set out in the agreement. In the event of the failure of the Management to act on the said conditions, the Director, Technical Education Haryana shall take such action against the Management, as may be deemed proper, within the framework of the Haryana Affiliated Aided Technical Institutions (Special Pension and Contributory Provident Fund) Rules, 2005.

In Witness whereof the parties have signed, this deed on the date respectively mentioned against their signatures.

Signature _____

Name _____

Date _____

Signature _____

Name _____

Date _____

Designation _____
For and on behalf of the
Governor of Haryana.

Designation _____
For and on behalf of the Management.

Witnesses:

1. Signature _____

Name _____

Date _____

Designation _____

Address _____

2. Signature _____

Name _____

Date _____

Designation _____

Address _____

Witnesses:

1. Signature _____

Name _____

Date _____

Designation _____

Address _____

2. Signature _____

Name _____

Date _____

Designation _____

Address _____

ANNEXURE 1

(See rule 14)

Completed six monthly period of
qualifying service

Scale of service gratuity

1.	$\frac{1}{2}$	Month's Emoluments
2.	1	Month's Emoluments
3.	1-1/2	Month's Emoluments
4.	2	Month's Emoluments
5.	2-1/2	Month's Emoluments
6.	3	Month's Emoluments
7.	3-1/2	Month's Emoluments
8.	4	Month's Emoluments
9.	4-3/8	Month's Emoluments
10.	4-3/4	Month's Emoluments
11.	5-1/8	Month's Emoluments
12.	5-1/2	Month's Emoluments
13.	5-7/8	Month's Emoluments
14.	6-1/4	Month's Emoluments
15.	6-5/8	Month's Emoluments
16.	7	Month's Emoluments
17.	7-3/8	Month's Emoluments
18.	7-3/4	Month's Emoluments
19.	8-1/8	Month's Emoluments

FORM II

[(See rule 3(1)]

UNDERTAKING

(In Triplicate)

Having read the instructions issued, vide Haryana Government Memo No. _____, dated the _____ and fully understood the relevant rules as applicable in my case:—

- (a) I undertake to abide by all the instructions referred to above and as may be amended and issued from time to time in this regard.
- (b) I undertake to refund the amount on account of my employer's share as worked out by the director.

Witness:

Signature of the employee

1. Signature _____ Date _____
Date _____ Name in full _____
Name in full _____ (in Block letters)
(in Block letters)
Designation _____

2. Signature _____
Date _____
Designation _____
(Principal)

Office: _____

Director-Principal/
Principal of the institution concerned.

FORM III

[See rule 3(1)]

OPTION

(In Triplicate)

I have read the instructions issued, vide Haryana Government Memo No. _____, dated _____, the _____ and fully understood the relevant rules as applicable in my case :-

- (a) I undertake to abide by all the instructions referred to above and as may be amended and issued from time to time in this regard.
- (b) I opt the benefits available in the Haryana Aided Technical Institutions (Special Pension and Contingent Provident Fund) Rules, 2005.
- (c) I undertake to deposit the amount of employer's share along with interest earned thereon as worked out by the Director.

Witness:

Signature of the employee

Signature _____

Date _____

Date _____

Name in full _____

Name in full _____

(in Block letters)

(in Block letters)

Designation _____

2. Signature _____

Date _____

Designation _____

(Printed)

Place _____

Director-Principal/

Principal of the institution concerned.