

No.2/14/86-4T(1)/7663

GOVERNMENT OF PUNJAB

DEPARTMENT OF TRANSPORT

(Transport-I Branch)

IMMEDIATE

OUT TODAY Dated, Chandigarh, the 14 June, 1992

OFFICE MEMO

SuB: Grant of pensionary benefits to the employees of PEPSU ROAD TRANSPORT CORPORATION.

Please refer to your memo. No. PRTC/HO/CPF/12 dated 12.6.1992 on subject noted above.

2. Draft regulations framed by the Pepsu Road Transport Corporation, Patiala, under section 45 of Pepsu Road Transport Corporation Act, 1950, in consonance with the Government sanction issued vide no.2/14/86-4T(1)/4146 dated 2.4.1992 are approved. A copy of these regulations is enclosed.

Compliance report be sent to Government immediately.

sa/-

(K.K Bhatnagar)

Secretary to Govt. Punjab

To

The Managing Director

P.R.T.C. Patiala.

:: PEPSU ROAD TRANSPORT CORPORATION PATIALA::

No. 5668/PRTC/Funds. Dated.15.06.1992

To

The General Manager

Pepsu Road Transport Corporation,

Patiala-I, Patiala-II, Bathinda-I, Bathinda-II,

Faridkot, Budhlada, Barnala, Sangrur, Kapurthala,

Ludhiana and Chandigarh.

In exercise of the powers conferred by section 45 of the Road Transport Corporations Act,1950, the PEPSU ROAD TRANSPORT CORPORATION, PATIALA, with the previous sanctions of the State Government makes the following Regulations for the grant of retirement benefits to the employees of the PEPSU ROAD TRANSPORT CORPORATION, namely-

REGULATIONS

Chapter-1

1. Short title and commencement: These Regulations shall be called the PEPSU ROAD TRANSPORT CORPORATION Employees Pension/Gratuity and General Provident Fund Regulation ,1992, hereafter called as 'Regulations'.

(i) These shall come into force with immediate effect i.e. 15.06.1992, the date of issue.

2) Definitions: In these Regulations unless there is anything repugnant in the subject or context:-

a) Average emoluments: The term emolument means the average calculated upon the emoluments of the last ten months of qualifying service, as amended from time to time.

b) Board: Means the Board of Directors of the Pepsu Road Transport Corporation.

c) Competent authority: Means the authority grant to sanctions Pension/Gratuity and General Provident of the employees of the Corporation. Competent gratuity for the purpose of these regulations shall be Managing Director of the corporation.

Funds: Means

i) Pension and Gratuity fund and

ii) General Provident Fund.

e) Family: Means the family as defined in Punjab C.S.R. Vol-I

f) Government: Means the Government of Punjab in the department of Transport.

g) Managing Director: Means the Managing Director of the Corporation.

h) i) Pensions: Except when the term 'Pension' is used in contradiction to Gratuity, Pension included Gratuity. The term pensions includes Compensation Pension, Super-annotation pension, Retiring Pension, Invalid Pension and Family Pension.

ii) Pension, Gratuity and other retirement benefits will be admissible to the employees of the P.R.T.C. on Government pattern. However Ex-granite, Leave encashment, L.T.C. and medical allowance will not be admissible as these are not the retirement benefits.

i) Payment authority: The payment of Pension, Gratuity and General Provident fund will be made by the Chief Accounts Officer-cum-Financial Advisor, the Deputy Controller (Finance and accounts) and the assistant controller (F&A) as authorized by the Managing Director of the corporation from time to time.

J) Pre mature retirement rules 1975, of Punjab Government as amended from time to time shall be apply mutatis martinis.

k) 'Department' means the Department of Transport.

l)'General Manager' means an officer appointed as such by the Corporation.

m) 'Form' means a form appended to these Regulations.

n) 'Pay' means the amount drawn monthly by an employees.

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 reasons 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

o) The words and expressions not defined in these regulations shall have the same meaning as assigned to them in the Punjab Civil Service rules.

Chapter-II

3. Application: (1) These regulations shall apply to the employees of the PEPSU ROAD TRANSPORT CORPORATION, who;

(i) were/are appointed on or after the date of issue of Regulations on whole-time and regular basis, and ii) were working immediately before the date of issue of regulations and opt for these regulations.

2) These regulations shall not apply to the employees, who;

a) Opt out of these regulations.

b) Are on deputation with the corporation.

c) Are paid out of contingencies.

d) Are work charged employees.

e) Are employed on contract basis, except when the contract provides otherwise.

f) The re-employed after superannuation.

g) The specifically excluded wholly or partly from the operation of these regulations, and

h) Opt for the PRTC employees pension/gratuity and General Provident Fund Regulations,1992, but failed to refund the amount of advance taken out of the

employer's share of the contributory provident fund along with interest there on within the stipulated period.

4. Exercise of option: The option under clause (ii) of the sub-rule (1) of regulation 3 shall be exercised in duplicate in writing in Form-I so as to reach the Managing Director as forwarded by General Manager in case of depots and administrative officer in the case of headquarter with his counter-signatures within a period of six months from the date of issue of the regulations.

Provided that;

i) In the case of the employees, who on the date of issue of these Regulations was aboard or on leave, the option shall be exercised with in a period of six months from the date of taking the charge of his post.

ii) Where an employee is under suspension, on the date of issue of these regulations the option shall be exercised with in a period of six months from the date of his joining the duty.

iii) an option once exercised shall be final provided the concerned employee deposit the corporation's share of C.P. Fund received by him/taken in advance, if any, within a period of six months from the date of issue of regulations and if a person fails to exercise his option under the said regulations within the specified period referred to above. It shall be deemed that he has opted to continue for the existing contributory Provident Fund benefits.

iv) an employees who dies on or after the date of issue of the regulations and who could not exercise his option, the legal heir of such employees, who is entitled to receive the amount benefits under the said regulations, shall exercised option, subject to the condition that the legal heir shall have to deposit the amount of corporation's share of C.P. Fund received by the deceased employee or by him, as the case may be, within a period of six months.

v) The employees recruited after the introduction of said Pension Regulation will be covered under these regulations.

5. Benefits under these Regulations: The following retirement benefits shall be granted under these regulations, namely:-

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

Chapter-III

6. Qualifying Service:

- 1) The qualifying service will be taken into account with effect from the date of an existing employee started contributing towards the contributory provident fund.
- 2) The service of an employee shall not qualify for retirement benefits under the said regulations unless:
 - i) He attains the age of eighteen years,
 - ii) he takes charge of the post to which he is first appointed except for which it is otherwise, provided by special rules of contract; and
 - iii) The service is on regular basis.
3. The leave admissible under the corporation regulation under the instructions issued by the Corporation 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 regulation and the period of break in service shall not be reckoned as qualifying service.

In case where the total qualifying service is less than 10 years no pension benefits shall be admissible.

7. Condo nation of interruption:-

The rules regarding condonation of interruption and deficiencies as contained in rule 4.23 of C.S.R. Vol II. Shall apply.

Qualification Of pension:-An employee shall be entitled for pension under the regulations only after he completes ten years (twenty half years) qualifying service.

Superannuation pension:-

1. An employee other than class iv employee who opts for the said Regulations will be entitled to the superannuation pension from the date he retires after attaining the age of fifty eight years.

2. In case of class iv employees, the date of retirement shall be the date on which he completes sixty years of his age.

3. Pension shall be commuted at the rates of fifty percent of the average pay of the last 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 commuted at the rate of fifty percent of average pay of last ten months and then it will be proportionately reduced. If the pension so commuted falls short of rupees 375/-the same shall be raised to Rupees 375/- in all cases.

Service gratuity:-

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

Retirement gratuity:-

An employee who has become eligible for retirement benefits under the scheme on his retirement from service, shall be granted an additional retirement gratuity as given below:

In the case of class iv employee $\frac{1}{4}$ th of his pay for each completed six monthly period of qualifying service subject to a maximum of $17\frac{1}{2}$ times of pay; and

In the case of employees other than class iv employee for each completed six monthly period of qualifying service, subject to a maximum of $16\frac{1}{2}$ times of the pay;

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

Invalid pension:-

The employee of the corporation who are declared physically invalid shall be granted a weight age of five years in their qualifying service for pension and if the qualifying service after the grant of the weight age remains below ten years, the same will be raised to ten years and the employees concerned shall be granted proportionate pension subject to a minimum of Rupees 375/- per month.

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 member therefore whichever women employee is to be examined.

2) No medical certificate of incapacity for service shall be granted unless the applicant produces a letter from the competent authority concerned to appear before the Medical Board and for that purpose the medical Board shall be supplied a statement by the competent authority 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.

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

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

17. 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-regulations.

2) The Corporation 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 which he completes twenty-five years of qualifying service or on any other dates thereafter to specified in the notice or on the date on which he attains 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 before the date of retirement for a period 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 corporation 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 competent authority.

18) Compensation pensions:- If an employee is discharged by the corporation owing to the abolition of a whole-time regular 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 have be entitled for the service he has already rendered or
- b. Of accepting another post under the corporation for which he fulfills the prescribed qualifications if offered on to continue to count his previous service for pension.

19. For the Purpose of death-cum-retirement gratuity "Family" shall include the following relatives of the employees:-

- I. Wife or wives including judicially separated wife in case of a male employee;
- II. Husband including judicially separated husband in the case of female employee;
- III. Sons (including step children and adopted children ;)
- IV. Unmarried and widow daughters;
- V. Brother below the age of eighteen years and unmarried and widow sisters, including step brothers and sisters;
- VI. Father (including adopted parents in case of
- VII. Mother (Individuals whose personal law permits adoption).
- VIII. Married daughters; and
- IX. Children of a predeceased son.

20. Subscription and maintenance of General Provident Fund

Account:

1. The employees, who were appointed on or after the commencement of these regulations and also to the other existing employees, who opt for those regulations shall contribute towards the General Provident Fund at the rate Prescribed by the Punjab Government for their employees. An employee may, however, subscribe voluntary at higher rate than that prescribed by the Punjab government. The procedure to be prescribed by the Punjab Government from time to time.

2. The date of switchover for the existing employees to General Provident Fund shall be date of issue of these regulations. The corporation shall maintain the General provident Fund Account of Head office level.

3. An employee may be sanctioned an advance out of his own share (General provident Fund) for transfer to pension and Gratuity Fund to meet with his liability of advance taken by him out of, the Employee's share of Contributory Provident Fund.

21. Establishment of Funds: For the payment of pension, Gratuity and General provident Fund, There shall be established two separate funds, namely:-

- I. Pension & Gratuity Fund and
- II. General Provident Fund.

22. Transfer of amount to the fund:

1. **Pension & Gratuity Fund:** The Employer's share of the contribution in the employees Provident Fund along with interest accrued thereon shall be

transferred to the pension & Gratuity Fund. The amount of advances taken by the employees out the employer's share along with interest accrued thereon shall be refunded within a period of six months from the date of introduction of pension Regulation and credited to pension & Gratuity Fund.

2. The Corporation shall contribute to the Pension & Gratuity Fund an amount equal to **8/3 %** as is being done at present which may be suitably increased at the appropriate time if the necessity arises. The Corporation shall transfer the amount of gratuity payable under the existing rules to the Gratuity & Pension Fund. The gratuity will be paid out of the pension & gratuity Fund according to the Regulations contained in Para 11 of these regulations.
3. The employees share along with interest accrued thereon shall be converted into General Provident fund and transferred to the General Provident Fund Account.
4. The amount of the funds shall be Kept in the State Bank of Patiala/State Bank of India or any other nationalized bank. Surplus funds, if any, will be invested in the high-interest yielding securities as per instructions issued by the Government/Board of Directors from time to time. For the present, the present system of investment of surplus funds may be continued.

Operation of Funds:

- I. The fund shall be held and administered by the Managing Director. The Government/Board of Directions of the P.R.T.C. may constitute a Board/Trust for the operation of fund;
- II. The monthly contribution as specified in the foregoing regulations shall be credited to Fund.
- III. All payments to be made to the employees under these regulations shall be paid through concerned General Manager/Head office as the case may be .

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 these regulation subject to the condition that the uncommitted residue of the pension shall not be less than Rupees 240/- per month .

Chapter VI

24. **Adjustment and Recovery of Dues:**

1. The competent authority shall take steps to assess the dues outstanding against the employee two Years before the date n which he is due to retire on superannuation.
2. The assessment of the outstanding dues against the employees shall be completed by the competent authority eight months period 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 competent authority.
25. Power to withhold pension: Future good conduct is an implied condition for every grant of a pension and as such corporation reserves to itself the right of withholding or withdrawing a pension or any part of it if the pensioner is convicted of a serious or is guilty of a grave misconduct.

26 Payment order:

(i). After completion of pension papers of the employee in the forms and manner as prescribed in the Corporation Regulation amended from time to time and after verifying the qualifying service, the same shall be send to the competent authority for the sensation of pension, Gratuity and General Provident Fund.

(ii) The competent authority shall issue sanction to the rant of pension, Gratuity and General Provident Fund and the payment orders shall be issued by the officers so authorized for the same in the form and manner as prescribed by the corporation from time to time .

27. Payment of pensions:

The competent authority shall issue pension payment order to the pensioner with a copy to the concerned General Manager, Deputy Controller (F&A) H.O. for payment of pension to the pensioner every month regularly.

28. Audit of Accounts: The audit of pension, Gratuity & General Provident fund shall be conducted by the Accountant General Punjab from time to time.

29. **Over-riding effect:** The provisions of these regulations shall has effect not withstanding anything inconsistent there with contained in any other rules governing the payment of pension, gratuity and General Provident fund for the time being in force.

30. Inter pretention: If any question as to the interpretation of these regulations, the Government shall Decide the same

SD/-

Managing Director

Endust. No. 5669/PRTC/Fund.

Dated 15.6.92

A copy is forwarded to the following for information and necessary action:-

1. The Accountant General (Audit A&G) Punjab Chandigarh.
2. The Secretary to Govt. Punjab Deptt. Of Transport with referenced to Govt. Punjab Deptt. Of Transport With referenced to his memo-no, 2/14/86/4T(1)7663 dated 14.6.92
3. The Secy. To Govt. Punjab Deptt. Of Labour and employment Punjab Chandigarh.
4. The secy. To govt. pb. , Deptt. Of Finance-I in BPE Cell Sector 17 Chandigarh.
5. The Secy. To Govt. pb., Deptt. Of Finance –I in BPE Cell sector 17 Chandigarh.
6. Regional Provident Fund Commissar Punjab with reference to his letter dated 9.6.1992.
7. PA to Chairman, for the kind information of Chairman.
8. AD/officer, Notice Board in the H.O. & in Depots.
9. CAO-FA/CAE-TA/DY.C(F&A) and all other officers of H.O.

SD/-

Managing Director

Pepsu road Transport Corporation
Patiala.

No.1/7/98-1fb3/8709
GOVERNMENT OF PUNJAB
DEPARTMENT OF FINANCE
(FINANCE PERSONNEL-ITI-BRANCH)

Dated, Chandigarh, the 16.07.1998.

To,

All Head of Departments,
Registrar Punjab and Haryana High court,
District & sessions judges and
The deputy Commissioners in the state.

Subject:- Implementation of recommendations of the Fourth Punjab pay Commission regarding pension and other retirement benefits.

Sir,

I am directed to address you on the subject cited above and to say that after careful consideration of the recommendations of the Fourth Punjab Pay/modify/grant various benefits to the pensioners of the state as indicated in the succeeding paragraphs:-

Date of Effect:-

1. The revised provisions as per these orders shall take effect from 1.1.1996.

EMOLUMENTS AND AVERAGE EMOLUMENTS:

1. The term 'Emoluments' for the purpose of calculating various retirement and death-cum-retirement benefits shall mean basic pay, personal pay, if any and non-practicing allowance in the revised scales promulgated under the Punjab Civil services (revised pay) Rules, 1998 as amended from time to time.
2. The average emoluments shall be determined on the basis of the emoluments (as defined in para 2.1 above) drawn during the last ten months of service.
3. The average emoluments of those employees who retire within ten months from the date of coming over to the revised scales of pay shall be calculated as following:-
 - i. For the period during which basic pay is drawn in pre-revised scales.
Basic pay personal pay if any NPA, DA actually admissible upto 1510 in the unrevised scales, 1st and 2nd installment of interim relief.
 - ii. For the period during which basic pay is drawn in pre-revised scales
Basic pay personal pay if any and NPA in revised scales according to the Punjab Civil Services rules (Revised pay) Rules.

Such employees are given an option to have their pension computed on the basis of their pre-revised rescannable emoluments in the manner as if they retired on 31st December 1995 (ignoring the revised emoluments drawn by them after 1st January 1996) and have such pension consolidated and up-dated to 1st January 1996 level in accordance with the general formula notified in that behalf. They shall be allowed such up dated pension if it is more beneficial with effect from the date of their actual retirement. Such option shall be exercised within three months of the issue of these orders. Such an option may be given by the eligible legal heir, in the case of deceased employee.

Date of Pension:-

1. The minimum rate of pension/family pension shall be rs. 1310/- p.m.
 2. Pension shall be calculated at the rate of 50% of the average emoluments and would be available on a qualifying service of 33 years. In case the qualifying service for pension is less than 33 years the pension shall first be computed at the rate of 50% of the average emoluments and then it will be proportionately reduced.
- If the pension so computed falls short of rs. 1310/- the same will be raised to rs. 1310/- per month w.e.f. the 1st January 1996.

Rates Of Family Pension:-

The rate of family pension in respect of employees who die in harness during the first seven years or till the Government employee would have attained the age of superannuation had he survived which ever period is less shall be as follows:-

Pay in the revised pay scales	Rate of family pension per mensem
Pay upto Rs. 4500	60% of pay
Pay above Rs. 4500	50% of pay subject to a Minimum of Rs. 2700

2. The Rates of family pension admissible to the families of deceased pensioners shall be as under. The same rates will also be applicable in respect of pension payable to the families of employees, who die in harness after first seven years

of his death or the date of superannuation of the employee had the survived whichever period is less:

Pay in the revised pay scales	Rate of family pension per mensem
Pay up to Rs. 4500	40% of pay
Pay above Rs. 4500	30% of pay subject to a Minimum of Rs. 1800

Pay for this purpose would include the same elements as mentioned in Para 2.1 above.

3. For the purpose of Rule 6. 17(3) of Punjab Civil services Rules Volume ii the definition of family shall also include the following relatives of the deceased Govt. employee:-
- i. Son/daughter including widowed/divorced daughter till he/she attains the age of 25 years or upto the date of his/her marriage/remarriage or till he/she starts earning his/her livelihood, whichever is earlier. Son/daughter including widowed/divorced daughter shall be deemed to earning his/her livelihood if his/her income is Rs. 2620/- per mensem or more.
 - ii. Parents who were wholly dependent on the Government employee when he/she was alive provided the deceased employee had left behind neither a widow nor a child. The parents whose total income from all sources was Rs. 2620/- per mensem or more at the time of death of employee shall not be considered to be dependent.

Rates of Retirement-Cum-Death Gratuity:-

- 1) The maximum limit of Retirement-cum- death gratuity is raised from the present Rs. 2.50 lacs to Rs. 3.50 lacs.
- 2) In the case of death of an employee in harness the gratuity shall be admissible at the following rates:-

Qualifying service	Amount of death gratuity
i. Less than one year.	2 times the emoluments.
ii. One year or more but	6 times the emoluments.

- | | | |
|------|--------------------------------------|--|
| | Less than 5 years. | |
| iii. | 5 Years and more but up to 12 years. | 12 times the emoluments. |
| iv | Above 12 years. | Half of the emoluments for each Completed six monthly period of Qualifying service subject to Maximum of 33 times the Emoluments and a ceiling of Rs. 3.50 lacs. |

3 For the purpose of calculating the retirement –cum- Death Gratuity, Dearness Allowance admissible to a Government employee on the date of his retirement or on the date of his death shall also be treated as emoluments along with the emoluments as defined in paragraph 2.1. above.

4. Other existing provisions relating to payment of gratuity shall remain unchanged.

EX-GRATIA GRANT

___ Ex-gratia grant admissible vide rule 2.7 of Punjab Civil Services Rules Vol.ii to members of family of an employee who dies in harness shall be paid at the rate of Rs. 50,000/- on a uniform basis. It has also been decided that the employee who while in service are permanently disabled and rendered unfit for further service shall also be given ex- gratia grant at the rate of Rs. 50,000/- on a uniform basis.

Leave Travel concession and old age allowance:-

The existing provisions relating to leave travel concession and grant of old age allowance shall remain unchanged.