## HARYANA WAREHOUSING CORPORATION PENSION REGULATIONS, 1996

## HARYANA WAREHOUSING CORPORATION NOTIFICATION

The 27th June, 1996

No. HWC/E-96/A-5/96/31471: In exercise of the powers conferred by section 42 of the Warehousing Corporations Act, 1962 (Central Act 58 of 1962), and all the powers enabling him in this behalf, the Managing Director of the Haryana Warehousing Corporation with the previous sanction of the State Government here by makes the following regulations for the grant of pension to its employees, namely:

 These regulations may be called the Haryana Warehousing Corporation Employees Pension Regulations, 1996.

Short title

These shall come into force with immediate effect.

Date of application

 (i) These regulations shall apply to all the employees of the Corporation except those who opt to continue as a member of Haryana Warehousing Corporation Employees provident Fund Regulations, 1971.

Extent of application

- These regulations shall apply to the employees appointed after coming into force of these regulations.
- 4. In these regulations, unless the context otherwise requires :-

Definitions

- "Act" means the Warehousing Corporations Act, 1962 (Central Act 58 of 1962);
  - (B) "Board of Directors" means the Board of Directors of the Corporation constituted under section 20 of the Act;
- (c) "Competent authority" means the authority competent to sanction pension and General Provident fund to the employees of the Corporation and shall include the managing director of the Corporation:
- "Corporation" means the Haryana Warehousing Corporation established under section 18 of the Act;
- (e) \*District Manager" means the District Manager of the Corporation;
  - (f) "employee" means a person in the whole time employment of the Corporation but does not include -
  - (i) daily labour, work charged or casual employee :
  - (ii) persons engaged on contract or retention-cum-fee; and
  - (iii) part time, deputationist, advisor or counsel for legal, professional

or any other purpose.

- (g) "Executive Committee" means the Executive Committee of corporation;
- (h) "Manager (Accounts)" means the Manager (Accounts) of the corporation.
- "Managing Director" means the Managing Director of the Corporation;
- (j) "Manager (Personnel)" means the Manager (Personnel) of Corporation.
- (k) "Pension" means pension and includes family pension and commuted value of pension;
- (I) "Pension fund" means the fund established under these regulations:
- (m) "qualifying service" means the service rendered under the Haryana Warehousing Corporation and for which an employee is paid from the Corporation's Fund;
- (n) "service" means the service render under the control of the Corporation;
- (o) "State Government" means the Haryana Government;
- (p) The matters which are not specifically covered under these regulations shall be governed by the provisions of the Punjab civil services Rules as applicable to the Haryana Government employees from time to time.

## Exercise of option

- (1) All the persons who are employees on the date of notification of these regulations will have option either to continue to be governed by the Haryana Warehousing Corporation Employees Provident Fund Regulations, 1971, or by these regulations.
- (2) The option under sub-regulation (i) shall be exercised in writing in Form No. 1 or 2, as the case may be, so as to reach the managing director within three months from the date of publication of these regulations if an employee is on leave, on date of issue of these regulations, he may excercise option within three months from the date of his return from leave.
- (3) If the option is not received within the time limit mentioned in subregulation (2), the employee shall be deemed to have opted for these regulations. The option once exercised shall be final. It is not sufficient for an employee to exercise option within the specified period but also to ensure reaches the authority mentioned in sub-regulation (2) within stipulated the time and that he obtains acknowledgement thereof. The option given by the employee duly countersigned by the managing director or by an officer authorised by him, shall be pasted in the

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service book and a photocopy of it placed in his personal file.

(1) for the payment of pension, a pension fund namely, Haryana Establishment Warehousing Corporation Pension Fund, shall be established. This fund shall comprise of the total upto date accumulated amount of Contributory Provident Fund already deposited by the Corporation (Corporation's share with interest) for all its employees who will opt for the pension scheme and such further contribution as would be payable by the Corporation at the rate of 8.33% of the pay of such employees who opt for pension Scheme under these regulations.

of fund.

- (2) Further, the Corporation shall transfer its share to the pension fund latest by the 10th of the succeeding month.
- (3) The pension fund shall be invested as per directions of the State Government or as decided by the Board of Directors. The interest earned on total accumulation in the pension fund shall also form its integral part.
- (1) The pension fund shall be administered by the competent authority.
  - (2) A separate pension fund account shall be maintained by the Corporation to be used exclusively for payment of pensionary benefits.
  - (3) All payments to be made to the employees of the Corporation to whom these regulations are applicable, on account of pension, shall be withdrawn from the pension fund account.

Operation and maintenance of pension fund.

(1) On coming into force of these regulations, the Contributory Provident Fund (employees' subscription along with interest accrued thereon) shall be credited into separate consolidated General Provident Fund of the employee and shall be governed by the General Provident Fund Regulations as contained in the Punjab Civil Services Rules, Volume II, and instructions issued from time to time by the State Government in this regard. For this purpose, for the words "Government" and "Government employees" wherever occurring in said rules, the words "corporation" and "employees of the Corporation" shall be deemed to have been substituted, respectively, and for the words "Accountant General, Haryana", wherever occurring in the aforesaid rules, the words "Managing Director of Haryana Warehousing Corporation" shall be deemed to have been substituted. The instructions issued by the Haryana Government , in this regard from time to time shall also apply for this purpose.

General Provident Fund

- (2) The General Provident Fund shall be kept separately and deposited with a Nationalised or Scheduled Bank or post office.
- (1) Future good conduct shall be an implied condition for grant of pension. The appointing authority may, by an order in writing, withhold/ withdraw a pension or part thereof whether permanently or for a

Good conduct as a condition for the grant of pension.

specified period, if the pensioner is convicted of a serious crime or is found guilty or grave misconduct.

Provided that no such order shall be passed by an authority subordinate to the authority competent to make an appointment to the post held by the pensioner immediately before his retirement from his Service.

- (2) Where a pensioner is convicted of a serious crime by a Court of Law action under sub-regulation (1) shall be taken in the light of judgment of the Court relating to such conviction.
- (3) In a case not falling under sub-regulation (2), if the appointing authority under sub-regulation (1) considers that the pensioner is primafacie guilty of grave mis-Conduct, it shall before passing an order under sub-regulation (1):-
  - (a) serve upon the pensioner a notice specifying the action proposed to be taken against him and the ground on which it is proposed to be taken and calling upon him to submit within fifteen days of the receipt, or such further time not exceeding fifteen days as may be allowed by the appointing authority, such representation as he may wish to make against the proposed action: and
  - (b) take the representation, if any, submitted by the pensioner under clause (a) into consideration.

Recoveries of losses from the pension.

(1) The competent authority reserves to himself the right of withholding or withdrawing a pension or any part of it, whether permanently or for a specified period, and the right of ordering the recoveries from pension of the whole or part of any pecuniary loss caused to the Corporation, if in a departmental or judicial proceedings, the pensioner is found guilty for grave mis-conduct or negligence during the period of his Service.

Provided that such departmental proceedings, if instituted while the employee was in Service, whether before his retirement, shall after the final retirement of the employee, be deemed to be proceeding under this regulation and shall be continued and concluded by the authority by which it' was commenced, in the same manner, as if the employee had continued in Service. Final order under this regulation shall be passed by the competent authority.

- (2) Such departmental proceedings, if not instituted, while the employee was in Service, before his retirement.
- shall not be instituted save with the sanction of the Executive Committee:
- shall not be instituted in respect of any event which took place more than four years before such institution; and
- (iii) shall be conducted by such authority and in such place as the

executive committee may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from Service could be made in relation to the employee during the Service.

- (3) No such judicial proceedings, if not instituted while the employee was in Service, whether before his retirement, or during his reemployment, shall be instituted in respect of a cause of action which arose or an event which took place more than four years before such institution; and
- (4) The Executive Committee shall be consulted before final orders are passed, -
- (5) (i) Where any departmental or judicial proceedings is instituted under these regulations or where a departmental proceeding is continued under these regulations against an employee who has retired on attaining the age of compulsory retirement or otherwise, he shall be paid during the period commencing from the date of his retirement to the date of conclusion of such proceedings, when final orders are passed, a provisional pension not exceeding the maximum pension which would have been admissible on the basis of his qualifying service upto the date of retirement; or if he was under suspension on the date of retirement; upto the date or immediately preceding the date, on which he was placed under suspension.
- (ii) Payment of provisional pension made under clause (i) shall be adjusted against the final retirement benefits sanctioned to such employee upon conclusion of the aforesaid proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.
- No pension may be granted to an employee dismissed or removed for Mis-conduct 11. misconduct, insolvency or inefficiency but to employee so dismissed or or removed, compassionate allowance may be granted when they are inefficiency. deserving of special consideration: Provided that the allowance granted to any employee shall not exceed

2/3rd of the pension which would have been admissible to him if he had

retired on medical certificate. (a) An employee compulsorily retired from Service as penalty may be granted by the authority competent to impose such penalty, pension at a rate not less than two-third and not more than full invalid pension admissible to him on the date of compulsory retirement.

Compulsory retirement as a penality.

(b) Whenever in the case of an employee, the managing director passes an order (whether original, appellate or in exercise of power of review) awarding pension less than the full pension admissible under these regulations, the Manager (Accounts) of the Corporation shall be consulted before such order is passed.

Limitation

- (a) An employee cannot earn two pensions in the same post at the same time or by the same continuous service,
  - (b) Two employees of the Corporation cannot simultaneously count Service in respect of the same post.

Age at which qualifying service begins

- (a) An employee's service does not qualify unless he has completed 18 years of age.
  - (b) In other cases, unless it be otherwise provided by special rules, regulations or contract, the Service of every employee begins when he joins service on his regular appointment.

Condition of qualification

15. The Service of an employee does not qualify for pension unless it confirms to the following three conditions:-

First - The Service must be under the Corporation.

Second - The employment must be substantive and permanent.

Third - The Service must be paid by Corporation.

Reckoning of Service for pension.

16.

- (1) The limitations and conditions under which Service in a post qualifies for Pension are laid down in regulations 13 and 15, ibid.
- (2) Time spent under suspension adjudged as penalty does not count.
  (3) (a) Resignation from the service or dismissal or removal for misconduct, insolvency, inefficiency not due to age, entails forfeiture of past Service.
- (b) An employee who is dismissed, removed or compulsorily retired from public service, but is reinstated on appeal or revision, is entitled to get his Service regularised by the competent authority.
- (c) The period of break in Service between the date of dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement and the period of suspension, if any, shall not count, unless regularised as on duty or leave by specific orders of the authority which passed the order of reinstatement.
- (4) An interruption in the Service of an employee entails forfeiture of his past Service, except in the following cases:
  - (a) Authorised leave of absence;
  - (b) Un-authorised absence in continuation of authorised leave of absence, so long as the post of the absentee is not substantively filled, if it is filled, the past Service of the absentee is forfeited;
  - (c) suspension where it is immediately followed by reinstatement

- whether to the same or different post or where the employee dies or is permitted to retire or is retired while under suspension;
- (d) abolition of post or loss of appointment owing to reduction of establishment;
- (e) time occupied in transit from one post to another provided that the employee is transferred under the order of competent authority;
- (f) the competent authority who sanctions the pension may commute retrospectively periods of absence without leave into leave without allowance or extra ordinary leave;
- (5) The Corporation may condone the interruption or deficiencies in Service of employees either between two spells of permanent or temporary service or between a spell or temporary service and permanent service or vice versa in the following conditions, namely:-
  - the interruption should have been caused by reasons beyond the control of employee concerned;
  - (ii) service preceding the interruption should not be less than five years' duration. In cases, where there are two or more interruptions, the total service, pensionary benefits in respect of which shall be lost, if the interruptions are not condoned, should not be less than five years;
  - (iii) the interruption should not be of more than one year's duration. In cases where there are two or more interruptions, the total period of all interruptions to be condoned should not exceed one year.
- Pension are divided into four classes, the regulations for which are prescribed below
  - (A) Compensation pension;
  - (B) Invalid pension;
  - (C) Superannuation pension;
  - (D) Retiring pension.
  - (A) COMPENSATION PENSION:
  - (1) If an employee is selected for discharge owing to abolition of the post, he shall, unless he is appointed to another post, the conditions of which are deemed by the authority competent to discharge him to be at least equal to those of his own, have the option:-
  - (a) of taking compensation pension to which he may be entitled for the Service he has already rendered; or

Classification of pension

- (b) of accepting another post or transfer to another establishment even on a lower pay. if offered, and continuing to count his previous service for pension.
- NOTE-1 The discharge of one employee to make room for another better qualified is not the abolition of a post within the meaning of this regulation, the abolition must produce a real saving of Corporation
- NOTE-2 See also note (2) below rule 4 of the Punishment and Appeal Rules vide Appendix 24 of Punjab Civil Services Rules Volume I, Part II, as applicable to Haryana State.
- NOTE-3

  An employee in foreign service should be held to have lost his lien from the date on which his post in Corporation was abolished or no contribution could be received after that date. He should be regraded as having retired from Corporation's Service from the date and he should be permitted to draw the pension to which he is entitled in addition to the pay which he received at the time from his foreign employer.
  - (ii) When an employee is transferred from Corporation Service to a non pensionable establishment, he cannot be granted any pension ad-missible to him for the qualifying portion of his Service until he actually retires from the non-pensionable establishment to which he is transferred.
  - (iii) Compensation pension is not admissible in the following cases.
  - (a) for the abolition of a post on discharge after the completion of specified term of Service;
  - (b) for the abolition of a special pay or compensatory allowance
  - (iv) The selection of employees to be discharged upon the reduction of an establishment should primafacie be so made that the least charge for compensation pension will be incurred.
  - (v) Particulars of the saving effected should be fully set-forth in every application for compensation pension. The saving should always exceed the cost of the pension, otherwise it may perhaps be better to postpone the reduction of the establishment or abolition of post.
- NOTE The saving referred to in this regulation should be calculated with reference to the emolument actually drawn at the time of abolition of the post.
  - (vi) (a) three months notice shall be given to the employee before his Services are dispensed with on the abolition of his post.
  - (b) When it is proposed to discharge an employee before the expiry" of his term of appointment or a person employed temporarily on monthly wages without specified limit of time or

- duty, a month's' notice of discharges shall be given to such employee and his pay or wages must be paid for any period by which such notice falls short of a month.
- (c) For discharge of a workman, the procedure in the Industrial Dispute Act shall be followed.

#### (B) INVALID PENSION

- (1) When an employee who by bodily or mental infirmity is permanently incapacitated for the Service, an invalid pension is awarded on his retirement.
- (2) In the case of partial incapacity, an employee should, if possible, be employed even on lower pay so that the expense 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 should 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 these regulations.
- (3) An employee discharged on grounds other than those stated above, has no claim to pension even though he can produce medical evidence of incapacity for service.
- (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 will be for the competent authority by which the pension is grantable to decide what reduction should be made on this account.
- NOTE-1 The mere fact that an employee has suffered from syphilis taken by itself is not sufficient to bring him under the operation of this regulation.
- NOTE-2 Unsoundness of mind caused by drug habits is a sufficient cause for invaliding an employee.
- NOTE-3

  The expression irregular or intemperate habit occurring in this regulation refers to incapacity on account of drug habit or on account of disease resulting from immoral habit or on account of disease resulting from immoral habits. Cases where incapacity occurs due to other causes, i.e. working at irregular hours, during War and after, due to exigencies of service and not due to own volition do not come under the purview of this regulation.
- (5) An employee who has submitted a medical certificate of incapacity for further service shall, if he is on duty, be invalidated from Service, from the date of discharge of his duties which should be arranged without delay on receipt of medical certificate, or

If he is granted leave under rule 8.18 (c) of the Punjab Civil Services Rule Volume, I, Part I on the expiry of such leave; or

If he is on leave at the time of submission of medical certificate, he shall be invalidated from Service on the expiry of that leave or extension of leave, if any, granted to him under rule 8.18 of the Punjab Civil Services Rule Volume. I, Part I.

- (6) when an employee is retained in Service, after he has submitted a medical certificate of invalidment, and is, therefore, granted leave under rule 8.18 (c) of the Punjab Civil Services Rules Volume. I, Part I, as mentioned in sub-regulation 5, the maximum period upto which, he can be allowed to count for pension is the period of service after the date of submission of medical certificate, and it shall not exceed six months.
- (7) an employee applying for invalid pension shall submit a medical certificate of incapacity in the manner specified below:-
  - (a) If the officer submitting the application is on leave elsewhere than in India then the examination shall be arranged through the Indian Missions abroad by a Medical Board consisting of a physician, a Surgeon and an Ophthalmologist, each of them having the status of a consultant. The services of doctors approved for the officers and staff of the Mission concerned, shall be utilised for this purpose, provided they fulfil the above conditions. A lady doctor shall of be included as a member of the Medical Board whenever a woman candidate is to be examined.
  - (b) If the employee submitting the application is in India, then the examining medical authority shall be a Chief Medical Officer or. Principal Medical Officer of equivalent status.
  - (c) Except in the case of the employee on leave elsewhere than in India, no medical certificate of incapacity for Service may be granted unless the applicant produces a letter to show that the managing director is aware of his intention to appear before the Medical Officer. The Medical Officer shall also be supplied by the managing director of the Corporation with a statement of what appears from official records to be the applicant's age. Where the applicant has a Service book, the age therein recorded should be reported.
- (8) (a) A succinct statement of the medical case and of the treatment adopted should, if possible, be appended.
  - (b) If the examining Medical Officer, although unable to discover any specific disease in the employee, considers him incapacitated for further service by general debility while still under the age of fifty-five years, he should give detailed reasons for his opinion, and, if possible,

a second medical opinion should always in such a case be obtained.

(c) In a case of this kind, special explanation will be expected from the managing director of the grounds on which it is proposed to invalid the employee.

NOTE: The requirement of this regulation need not to be insisted upon in the case of Group D employees invalided for general debility while his age is less than 55 years and the Medical Officer certifies him to be of over that age.

(9) A simple certificate that inefficiency is due to old age or natural decay from advancing years, is not sufficient in the case of an employee whose recorded age is less than 55 years, but a medical Officer is at liberty when certifying that the employee is incapacitated for further service by general debility, to state his reasons for believing the age to be understated.

NOTE: Senile Contract, arterial changes consequent on senile decay, general nervous breakdown, and commencing cataract may be treated as specific diseases, as it may come before a man reaching in the 55th year of age.

(10) The form of medical certificate given by the Medical Board arranged by the Indian Mission abroad respecting an officer applying for invalid pension while on leave elsewhere than in India, shall be as in form No.3

(11) If any doubt arises regarding the validity of a certificate by the Medical Board arranged by the Indian Mission abroad, the managing director must not of his own motion reject the certificate as invalid but must submit the matter for the decision of the Board of Directors.

The form of the certificate to be given respecting an employee applying for pension in India will be in Form No. 4.

#### (C) SUPERANNUATION PENSION

(1) A superannuation pension is granted to an employee who is required to retire at the age of 58 years in case of class I, II and III and 60 years in case of class IV employee.

No claim to compensation from an employee who is required to retire at a particular age under these regulations will be entertained.

(2) Each employees case should be taken up when he is approaching the age of superannuation and before the expiry of each extension of service.

#### (D) RETIRING PENSION:

(1) An employee is entitled, on his resignation being accepted, to a retiring pension after completing qualifying service of not less than 30 years, but a competent authority may permit the pension to be granted in special cases where the qualifying service is not less than 25 years. (2) A retiring pension is also granted to an employee who is required by Corporation to retire after completing 25 years qualifying service or more and who has not attained the age of 55 years.

NOTE 1: The Corporation retains an absolute right to retire any employee after he has completed 25 years of service qualifying for pension if he is holding a pensionable post or has completed service for a similar period if he is holding a non pensionable post, but is entitled to the benefits of Contributory Provident Fund, without giving any reason and no claim to special compensation on this account will be entertained. This right will not be exercised except when it is in the public interest to dispense with the further services of an employee such as on account of inefficiency, dishonesty, corruption or infamous conduct. Sub clause (2) of clause D of this regulation is intended for use:

i) against an employee whose efficiency is impaired but against who it is not desirable to make formal charges of inefficiency or who has ceased to be fully efficient (i.e. when an employee's value is clearly incommensurate with the pay which he draws) but not to such a degree as to warrant his retirement on a compassionate ground. It is not the intention to use the provisions of this note as a financial weapon, that is to say, the provision should be used only in the case of employees who are considered unfit for retention on personal as opposed to financial grounds: and

(ii) in cases where reputation for corruption, dishonesty or infamous conduct is clearly established even though no specific instance is likely to be proved under the Punishment and Appeal Rules.

NOTE II

The employee should be given a reasonable opportunity to show cause against the proposed action under clause (2) of this regulation. No class I and II employees shall, however, be retired without the approval of the Executive Committee.

An employee who has elected to retire under this regulation and has given necessary intimation to that effect to the competent authority, shall be precluded from withdrawing his election subsequently except with the specific approval of the authority competent to fill the appointment; provided his request for withdrawal is made within the intended date of his retirement.

(3) A retiring pension is also granted to an employee other than a class IV employee; a) who is retired by the competent authority by giving him a notice of not less than three months in writing;

 if he is in class I or class II service or post and had entered Corporation service before attaining the age of thirty-five years, after he has attained the age of fifty years; and

(ii) (a) he is in class III Service or post; or

- (b) he is in class I or class II Service or post and entered Corporation service after attaining the age of thirty-five years; after he has attained the age of fifty-five years.
- (b) who if from category 3(a) (i) above, retires on or after attaining the age of fifty years, or if from category 3 (a) (ii) above, retires on/or after attaining the age of fifty-five years, by giving a notice of not less than three months, in writing, of his intention to retire, to the appointing authority;

Provided that where the notice is given before attaining the age of fifty years or fifty-five years, as the case may, it shall be given effect to from a date not earlier than the date on which the age of fifty years, or fifty-five years, as the case may be, is attained.

- NOTE:- Appointing authority retains an absolute right to retire any employee referred to above on or after he has attained the age of fifty years, or fifty-five years, as the case may be, without assigning any reason. A corresponding right is also available to such an employee to retire on or after he has attained the age of fifty years or fifty-five years as the case may be.
- 18. (1) At any time an employee who has completed 20 years qualifying service, he may, by giving notice of not less than three months in writing to the appointing authority, retire from service. However, an employee may make a request in writing to the appointing authority to accept notice of less than three months giving reasons therefor. On receipt of a request, the appointing authority may consider such request for the curtailment of the period of notice of 3 months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months on the condition that the employee shall not apply for commutation of a part of his pension before the expiry of period of notice of three months.

(2) The notice of voluntary retirement given under sub-regulation (1) shall require acceptance by the appointing authority subject to regulation 9.

Provided that where the appointing authority does not refuse to grant the permission for retirement before the expiry of the period specified under sub-regulation (1) Supra, the retirement shall become effective from the date of expiry of the said period;

Provided further that before an employee gives notice of voluntary retirement with reference to sub-regulation (1), he should satisfy himself by means of a reference to the appointing authority that he has, in fact, completed 20 years service qualifying for pension.

(3) The qualifying service as on the date of intended retirement of the employee seeking retirement under this regulation or under clause (e) of rule 3.26 of the Punjab Civil Services Rules Volume I, Part I, with or without permission shall be increased by the period not exceeding five years subject to the condition that the total qualifying service rendered

Voluntary retirement.

by the employee does not in any case exceed 33 years and it does not take him beyond the date of superannuation. The weightage of five years shall not be admissible in cases of those employees who are prematurely retired by the Corporation in public interest under the relevant regulations.

An employee, who has elected to retire under this regulation and has given the necessary notice to that effect to the appointing authority, shall be precluded from withdrawing his notice except with the specific approval of such authority;

Provided that the request for withdrawal shall be made before the intended date of his retirement.

(5) The pension of the employee retiring under this regulation shall be based on average emoluments calculated upon the last ten months of qualifying service and the increase not exceeding five years in qualifying service shall not entitle him to any notional fixation of pay for the purpose of calculating pension.

(6) This regulation shall not apply to an employee who retires from Corporation's service for being absorbed permanently in a State Government or a Public Sector Undertaking to which he is on deputation at the time of seeking voluntary retirement.

(7) in case of class IV employee retiring pension may be granted if such an employee is permitted or required to retire after 30 years qualifying service or more.

(8) Appointing authority shall carefully examine the record of every employee who has completed 25 years qualifying service with particular reference to his integrity or otherwise, and if it is desirable in the public interest that he should be retired, action should be taken accordingly. NOTE: In preparing periodical reports on their subordinates, all officers should deal fully with such evidence as is available of inefficiency or corruption or other, failing which impairs an employee's value.

(9) On an employee completing twenty-five years of service or on his being left with five years of service before the date of retirement, whichever is earlier, the Manager (Personnel) in consultation with the Manager (Accounts) shall, in accordance with these regulations for the time being in force, verify the service rendered by such an employee, determine the qualifying service and communicate to him, in Form No. 5, the period of qualifying service so determined.

10) The verification done under sub-regulation (9) shall be treated as final and shall not be reopened except when necessitated by a subsequent change in the regulations and orders governing the conditions under which the service qualifies for pension.

(1) The amount of pension that may be granted is determined by length of service. The length qualifying service for the purpose of pension shall be calculated in terms of completed six monthly period and fraction of a year equal to three months and more shall be treated as a completed

Amount of 19. pension.

six monthly period.

(2) Pensions fixed in rupees shall be rounded off to the next higher rupee. In other words fraction of a rupee shall be rounded off to next higher rupee.

NOTE I: The rounding off to the next higher rupee is to be done once and

at final stage but before commutation.

NOTE II: This regulation applies to all classes of pensions granted under these regulations including compassionate allowance which is also in the nature of pension. This regulation, however, shall not apply to the capitalised value of commuted portion of pension where the amount worked out shall be rounded off to the nearest five paise.

NOTE III: Where the competent authority orders deduction of pension under these regulations, the deduction shall be effected in whole rupees only so that the resultant pension may be paid in whole rupee after

effecting deduction.

(3) A pension is fixed in rupees and is payable in India.

(4) The amount of pension will be calculated at 50% of average emoluments for the last 10 months immediately preceding the date of retirement on completion of qualifying service for 33 years or more subject to minimum and-maximum of Rs. 375/- and Rs. 3800/- per month, respectively or as amended by the State Government from time to time for its employees. For the employee who at the time of retirement have rendered qualifying service of ten years or more but less than 33 years, the amount of their pension will be such proportion of admissible pension as the qualifying service rendered by them bears to the maximum qualifying service of 33 years.

The terms emoluments for the purpose of calculations of various 20. retirement benefits means pay as drawn during the last 10 months.

If during last ten months of his service, an employee has been absent from duty on leave with leave salary and also on extra-ordinary leave which counts for pension or having been suspended, has been reinstated without forfeiture of service, his emoluments, for the purpose of asertaining the average, 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 the note below, his pension must not be increased on account of increase in pay not actually drawn.

In the case of employee who during the currency of leave NOTE preparatory to retirement upto 180 days on full pay or on earned leave during the last ten months of service has earned increment which was not withheld during the currency of the earned leave not exceeding 120 days or during the first 120 days of any period of earned leave, exceeding 120 days, such increment though not actually drawn, shall be included in the average emoluments.

If, during the last ten months of his service, an employee has been absent from duty on leave without leave salary not counting for pension or has been suspended under such circumstances that the period of suspension

Average emoluments does not count as service, the period so passed should be disregarded in the calculation of the average emoluments and an equal period before the ten months should be included.

Periods of joining time other than those mentioned in subclauses (i) and (ii) of clause (b) of rule 9.15 of the Punjab Civil Service Rules, Volume I, Part I, which fall within the last ten months of an employee's service should form part of the ten months for the purpose of average emoluments.

In case of joining time falling under clause (a) of rules 9.15 of the Punjab Civil Services Rules Volume I, Part I, where the pay of a particular post is drawn, the actual emoluments drawn shall be taken for the purpose of average emoluments, in case of joining time falling under clause (b) of the said rule during which leave salary is drawn, the pay (i.e. emoluments) which would have been drawn (but for a rule or order not allowing it) if the employee had not been on joining time. should be taken into account in the calculation of average of emoluments. The period of joining time under provision (i) and (ii) of rule 9.15 of Punjab Civil Services Rules Volume I, Part I, during which an employee is not entitled to be paid, should be regulated for the calculation of average emolument on the lines of sub-rule (3) of rule 6.24 of the Punjab Civil Service Rules, Volume 11.

Except as provided in clauses (2) to (4) 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.

Family Pension

Procedure

submission

of formal

application

of pension.

for

22.

23.

A family pension to an employee would be admissible on the similar lines as is being allowed to the families of officers/employees of the state Government under the specific provisions of Government of Haryana Pension Rules as amended from time to time. Nomination for family pension should' be made in Form No. 6, acknowledgement of which should be made by the Manager (Personnel) in Form No. 7.

Every employee shall submit a formal application for pension in his own interest in the Form No. 8 to the Manager (Personnel) one year in advance of his actual anticipated retirement:

Provided that :-

in cases in which the date of retirement cannot be foreseen twelve months in advance, the application shall be submitted immediately after the date of retirement is settled; and

An employee proceeding on leave preparatory-to retirement in excess of twelve months shall submit the application at the time

of proceeding on such leave.

Preparation of Pension papers.

The Manager (Personnel) shall undertake the work of preparing pension papers in the Form No. 9 one year before the date on which employee is due to retire or on the date on which he proceeds on leave

preparatory to retirement, whichever is earlier.

24. On receipt of formal application, the Manager (Personnel) shall immediately prepare a statement of applicant's service in Form No. 10 and thereafter proceed as follows:-

Verification of services.

- (a) He shall go through the service book of the employee and satisfy himself as to whether the annual certificate of verification for the entire service are recorded therein, in case of unverified portions of service, he shall arrange the verification of service with "reference to bill register/pay "bills/acquaintance rolls in the " service book for the unverified portion of service,
- (b) If any service verification is required to be made by field offices, a reference shall be made to that office in which employee is shown to have served during that period for the purpose or verification.
- (c) If any portion of service of employee still remained unverified under clauses (a) and (b), the employees shall file a written collateral evidence of two officers of the Corporation.
- (1) It shall be the duty of every retiring employee to clear all Corporation dues before the date of retirement.

(2) The Manger (Personnel) shall write atleast three months before the date of retirement of employee for obtaining 'No Dues Certificate' from the Incharge Sections and Incharge of Field Offices /State Warehouses.

26. As soon as the pension is finally assessed and the pension is payable, the Manager (Personnel) shall prepare pension payment order after taking into account the orders of the competent authority but shall not issue the said order more than a fortnight in advance of the date on which the employee is due to retire. The fact of issue of pension payment order shall be promptly reported to the Competent authority/retiring employee.

Issue of pension payment order intimation

thereof

No dues

certificate.

(1) An employee should begin to draw pension from the date he retires from service irrespective of the fact whether the pension papers along with administrative sanction have been sent to the Manager (Accounts) for issue of pension or not. In case where pension papers have not been prepared and sent to the Manager (Accounts) duly sanctioned, the Manager (Personnel) shall, after the most careful summary investigation, authorise payment of provisional pension to the extent of 75% of the maximum amount of pension after obtaining orders from the competent authority. If pension papers have been prepared and sent to the Manager (Personnel) before the date of retirement of an employee, the payment of provisional pension not exceeding the maximum amount of pension shall be sanctioned as may be admissible in each case. The sanction for provisional pension shall invariably be issued under these Regulations immediately before or latest by the actual date of retirement of an employee which shall remain valid till the pension case is finalized by the Competent Authority.

Payment of provisional pension.

- (2) The Manager (Accounts) shall draw provisional pension as provided in pension payment order for each pensioner separately and arrange to dis-burse pension on the 1st of the month following the month in which the employee was retire. If the pensioner desires pension payment through Money order or Bank Draft at the place where he is residing, the same shall be remitted to him through Money Order or Bank Draft at his cost. The date on which payment of the provisional pension is made to the pensioner shall be intimated to the Manager (Personnel).
- (3) The payment of provisional pension shall be adjusted against the final payment of pension. If the amount of provisional pension granted and disbursed to an employee is found to be in excess of final pension assessed, he shall be called upon to refund such excess amount.

Procedure for payment of pension. 28.

30.

33.

34.

A pension is payable monthly on or after the 1st day of the following month in accordance with these regulations and instruction issued from time to time, pension is payable in rupees in India.

Personal appearance or identification.

 A pensioner must take payment in person after identification by comparison with pension payment order.

Exemption from personal appearance.

A pensioner, who is unable to appear in person on account of illness or infirmity, may receive his pension upon the production of a life certificate from a Gazetted Officer or an Officer of the Corporation.

Authority for signing a life certificate.

31. A pensioner shall produce on 1st January and 1st July each year, a life certificate signed by a person exercising the powers of a Magistrate under the code of criminal procedure 1973, or any Officer of the Corporation not below the rank of District Manager.

Certificate of nonemployment. (a) A pensioner drawing pension is required to append to his/her bill a certificate as under :-

\*I\_\_\_\_\_\_son of /daughter of/
wife of Shri\_\_\_\_\_\_declare that I
have not received any remuneration for serving in any capacity either
under Central/State Government or local Fund or Central/State Public
Undertaking during the period for which amount of pension claimed in
this bill is due.

Renewal of pension payment order.

- (b) In the case of pensioner permitted to draw pension after the reemployment, this certificate should be modified according to the facts.
- When a reverse of a pension payment order is filled up or where the pensioner's half is found to be worn out or torn out, both halves may be renewed by the Manager (Accounts).

When an employee dies before retirement or discharge If an employee dies before actually retiring or being discharged, his heir have no claim to anything in respect of his legal pension except to the extent and subject to the conditions specified in these regulations i.e. his heirs should be entitled to the benefits of family pension, if admissible under these regulations.

35. The retired employees, who may be entitled to or have been granted pension under these regulations, may commute a portion of their pension as per the Government of Haryana Pension Rules as contained in the Punjab Civil Service Rules Volume 11 and as amended from time to time.

Communication of pension.

36. The commuted pension shall be restored after the age of seventy years.

Restoration of commuted pension.

37. (1) Subject to the provisions of these regulations, pension once sanctioned after final assessment, shall not be revised to the disadvantage of the employee, unless such revision become necessary on account of detection of a clerical error subsequently. Revision of pension to the disadvantage of pensioner shall be ordered by the competent authority only after formal concurrence of the Manager (Accounts) within a period of two years from the date of sanction.

Revision of pension due to detection of error/omission.

- (2) For the purpose of sub-regulation (i), the employee concerned shall be served with a notice by the competent authority requiring him to refund the excess payments drawn within a period of two months from the date of receipt of the said notice. On his failure to comply with the notice, the authority sanctioning the pension shall order that the excess payment shall be adjusted by short payment in future, in one or more instalments as the said authority may order.
- 38. All matters, for which specific provision has not been made in these regulations, shall be governed by the Haryana Government Pension Rules, as contained in the Punjab Civil Service Rules Volume II and as amended from time to time.

Application of State Government Pension Rules and other Instructions

39. Decision and interpretation given by the State Government of Haryana in respect of pension rules, with amendments from time to time, shall apply mutatis-mutandis to the employees of the Corporation who have opted for pensionery benefits.

Haryana Government Decision Commutation Table based on the rate of interest of 4.75% per annum and the improvement in mortality ate as adopted by the Central Government in case of their pensioners (commutation value for a pension of rupee one per annum).

Age next birthday	Commutation value expressed as number of years purchases.	Age next birthday	Commutation value expressed as number of year purchases.
17	19.28	51	12.95
18	19.20	52	12.66
19	19.11	53	12.35
20	19.01	54	12.05
21	18.91	55	11.73
22	18.81	56	11.42
23	18.70	57	11.10
24	18.59	58	10.78
25	18.47	59	10.48
26	18.36	60	10.13
27	18.21	61	9.81
28	18.07	62	9.48
29	17.93	63	9.15
30	17.78	64	8.82
31	17.62	65	8.50
32	17.46	66	8.17
33	17.29	67	7.85 Alexandria
34	17.11	68	7.53
35	16.92	69	7.22
36	16.72	70	6.91
37	16.52	71	6.60
38	16.31	72	6.30
39	16.09	73	6.01
40	15.87	74	5.72
41	15.64	75	5.44
12	15.40	76	5.17
43	15.15	77	4.90
14	14.90	78	4.65
45	14.64	79	4.40
46	14.37	80	4.17
47	14.10	81	3.94
48	13.82	82	3.72
49	13.54	83	3 52
50	13.25	84	3.32
Wheeler teeds	10.20	85	3.13

## OPTION - FORM

	- (G)	50		3 3 3 3 5	sor	of/wife of/
Har opt	ighter of Shri, at present entitled to yana Warehousing Corporation Emp for the pension scheme. I also unde ularly, henceforth.	loyees Provider	nt Fund I	Regulation	oene	fit under the
1.	Contributory Provident Fund	2.1				
	Account No.				SI	
2.	Name (in block letters)					
3.	Father's/Husband's Name					
4.	Designation		1500			
5.	Present place of posting					16
6.	Permanent Address					
			41.11			
				38		ne de la companya de
PLA	CE:					
DAT	E:					
			Si	gnature	of th	e employee
					with	designation
Miss		claration hasworking as_			by	Shri/Smt./ at Head
Offic	ce/District Office/State Warehouse,	9 1				_before me.
*.	CE:		Sigi	nature of	f Bra	nch Officer/
DAT	Ε:		D	istrict Ma	anag	er/Manager
				(with	Rul	bber stamp)

FORM NO. 2

OPTION - FORM

(See Regulation 5(2) of the Haryana Warehousing Corporation Employees Pension Regulations, 1996)

	1 *		versas and a second	\$0	n	of	/wife	of/	dau	ughter	of
Shri_				nt a member o		ntribu	try Pro	vident F	und	with Acco	
No Provi	dent Fund Re			under the Hary	ana \	Ware	housin	g Corpo	oration	n Employ	ees
1.	Name (in b										
2.	Father's/Hu										
3.	Designation	i									
4.	Present pla	ce of po	osting						uq V		
5.	Permanent	Address	3				30 1		1	UNITED IN	14
						a k	100				
								19-3/0-	eltoc	elico.	
PLAC	CE:										
DATE	1 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4										
							Si	gnature	of th	e emplo	yee
									with	designa	tion
Miss	Certified	that th		declaration						Shri/Sr Head Of	
Distri	ct Office/State	e Wareh	iouse,						_befo	ore me.	
-			work	ing as					at	Head Of	
PLAC DATE				e 9			_	istrict M	lanag	anch Offi ger/Mana ober sta	age

#### FORM NO. 3

(See Regulation 17 (B) (10) of the Haryana Warehousing Corporation Employees Pension Regulations, 1996)

We have carefully examined Mr./Mrs./M	iss
taking into account all the fact we consider that he is incapable of discharge incapability is likely to be permanent. His incapable by irregular or intemperate habits.	cts of the case as well as his present condition ing the duties of his situation, and that such apacity does not appear to us to have beer
	Signature of Doctor
NOTE: If the incapacity is obviously the result o	of intemperate, substitute for the last sentence ult of irregular or intemperate habits."
If the incapacity does not appear to be co be modified accordingly and the following opinion that Mr./Mrs./Miss	emplete and permanent, the certificate should ng addition should be made :-We are of the
is fit for further service of a less laborious	character than that which he has been doing s, be fit for further service of a less laborious

#### FORM NO. 4

(See Regulation 17 (B) (12) of the Haryana Warehousing Corporation Employees Pension Regulations, 1996)

aa	in the
His age is by his own statement	years and by appearance about
	e Department to which he belongs) in consequence or cause). His incapacity does not appear to me (us)
	Signature of Doctor
Note: If the incorposity is obviously	the regult of interpresent out of the facility of
sentence "in my (our) opinion, h	the result of intemperance, substitute for the last is incapacity is the result of irregular or intemperate
	to be complete and permanent, the certificate should following addition should be made)
*I am (we are) of opinion that M	
	character than that which he has been doing (or may, months, be fit for further service of a less

(See Regulation 18(9) of the Haryana Warehousing Corporation Employees Pension Regulations, 1996)

date	of Birth	wante for your more to	at	no ain gran
Pay	Date of joining	Date of completing 25 years of service/or date of which 5 years service is left before retirement.	Period out reco service ( if any	
1)	(2)	(3)	(4)	
	reckoned a	Charles and the same of the sa	turiode funcientializa	Hallen Balan Jean eris II
eriod	reckoned a		auenda turresopyliser	Remarks
Period	reckoned a	s qualifying service	How verified F	Remarks
eriod	reckoned a	s qualifying service	How verified F	rod solbaj Rod solbaj Bres) sefte

(See Regulation 21 of Haryana Warehousing Corporation Employees Pension Regulations, 1996)

	Regulations	1996)	
	NOMINATION FOR FA	MILY PENSIO	N
I hereby nominate receive in the order show in the event of my death	n below the family pens	ion which may	e members of my family, to be granted by Corporation g service:-
Name and address of nominee	Relationship with Office	r Age	whether married or unmarried.
which stands	should draw lines acro-	ss the blank sp	me earlier on
Dated, this _	day of		20
Witness to signature :  1			Signature of Officer
Nominated by			
TVOITINGLEG Dy		Signature of H	ead
		Signature of Ho of Office	ead
Designation			ead

#### FORM NO. 7

ryana Warehousing Corporation, Employees Pension Regulations, 1996)
The transport of the state of t
eipt of your nomination dated
of the nomination made earlier, in respect of
. I am to state that they have
Tullianus vietnes see
Manager (Personnel)
(Stamp)

#### FORM NO. 8

(See Regulation	22 (	of the	Haryana	Warehousing	Corporation,	<b>Employees</b>	Pension
			Reg	gulations, 1996	6).		

	Particulars to be furnished by ar	n employee before one year of the date of ret	tirement
1.	Name of the employee	Notice of the state of the stat	
2.	Date of Birth/Retirement	T Found found expende forcing and the T	
3.	* Two specimen signature duly		
	attested (to be furnished on		
	a separate sheet).	125 Land 100 April 100 Apr	
4.	** Three copies of passport size	to the Government and a state of	
	(joint photographs of the emp-		
	loyee with his/her wife/husband)		
5.	Two slips showing the particular	s	
	of height and personal identifica-		
	tion marks duly attested		
6.	Present address		
7.	#Address after retirement		
8.	Name of the Bank/Branch through	gh	
	which the employee wants to		
	draw his pension		
9.	\$ Details of the family as defined	d	
	in Appendix I of the Punjab Civil		
	Service Rules Volume II.		
Date	ed:	Signature	
		Designation	
		Place of Posting	

- \* Two slips each bearing the left hand thumb and finger impressions attested, may be furnished by a person who is not literate enough to sign his name. If such an employee on account of physical disability is unable to give left hand thumb and finger impression, he may give the thumb and finger impressions of the right hand, Where an employee has lost both the hands, he may give his toe impressions. Impressions should be duly attested.
- \*\* Only two copies of passport size photographs of self need be furnished if the employee is unmarried or a widower or widow.

Where it is not possible for an employee to submit a photograph with his wife/her husband he/she may submit separate photograph. The photographs shall be attested by the Head of Office.

- \*Any subsequent change of address should be noticed to the Manager (Personnel)/ Manager(Accounts.)
- \$ Applicable only where Appendix -1 of the Punjab Civil Service Rules Volume II is applied to the Government employee.

(See Regulation 23 of the Haryana Warehousing Corporation, Employees Pension Regulations, 1996).

1.	Name of the employee.	Burlon	r has successful y
2.	Father's name (and also husband's name in the case of female employee).	177.00	wave by his purity of
3.	Date of birth (by Christian era)	90:00	
4.	Religion and Nationality	AL TROOT	And the second second
5.	Permanent residential address showing Village, District and State.	1	
6.	Present and last appointment including name of establishment.	Values Values	
	(i) Substantive		
	(ii) Officiating, if any,	Layteo	m ye rehorest a stant e
7.	Date of joining the service of Corporation.		
8.	(i) Total period of military service for which pension or gratuity was sanctioned (if any).		
	(ii)Amount and nature of any pension/gratuity received for the military service	: "	
9.	Amount of nature of any pension/gratuity received for previous civil service (if any).	:	d washington to because of
10.	Government under which service has been rendered in order of employment.	IS DOUBS	
	Year Month		

11.	Class of pension applicable	4.79	MIS .	
12.	The date on which action initiated.	:		
1	(i) Obtain the 'no demand Certificate' from the quarters concerned.	1: 304		
	(ii) assess the service and emoluments qualifying for pensioner as provided in rule 9.5 of Punjab Civil Services Rules Vol. II; and			
	(iii) assess the dues other than the dues relating to the official accommodation	: "		n anno yayunia is a
13.	Details of omissions, imperfections or deficiencies in the service book which have been ignored under rule 9.5 (1) (b) (ii) of Punjab Civil Service Rules Vol. II	gelw		
14.	Total length of qualifying service (for the purpose of adding towards broken periods a month is reckoned as thirty days).			
15.	Periods of non qualifying service	:	From	То
	(i) Interruption in service condoned under Regulation 16.	, inches		Little on grand to a
	(ii) extraordinary leave not qualifying for pension.	igite, til Jimpum		And the second second
	(iii) Period of suspension not treated as qualifying for pension,	: Vices		
	(iv) Any other service not treated as qualifying for pension	. Note to		
		Total	Succession	ento in intere reberebe

Average Emoluments: Emoluments drawn during the last ten months of service.

takes place after retirement.

Before attaining the age of 65 years

Post h	neld	From	То	Pay	Personal pay	Sp	ecial y	Average Emoluments
	\	- new eine	Pelgialia	na Tairte		+ 111		maig to grand
(i)	some g	e where the la period not to be ge emolument be taken for o	oe reckon s an equa	ed for cal period ba	culating ackward	: s.		
(ii)	should	alculation of av I be based on ned in each m	actual nu	oluments imber of o	days			
17.	emplo	on which form yees (to be ol f retirement o	btained or	ne year be	from the efore the	:		
18.		posed pensio posed grade				:		
19.	Date	from which pe	ension is t	o comme	nce	:		
20.	depar	esed amount of tmental or judget the employe	licial proc	eedings is	sinstituted	er dev	w to h	
21.	payal	e amount of the	ily of the	employee	ecoming , if death			

(b) after attaining the age of 65 years

Rs.

(ii) Complete and up to date details of the family as given below:

Serial No.	Name of the member of the family	Date of birth	Relationship with	
1	2	3	the employee.	
1			The result for lesson when	
2.		Department of the same	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
3.				
4.		exhibiting.		
5.	and the first first figure			
6.				
7.				
22. Hei	aht		The located public levels	
	tification marks	:		
4. Plac	e of payment of pension :	EDDLESS OF THE RESIDENCE OF THE RESIDENC	Blotte Care (1979)	
5. Head is de	of Account of which pension:		mone to conserve days	
ealing Ass	Assistant Manage (Administration)	r M	anager (Personnel)	
tted by			THE BOTTOM PROPERTY OF THE STREET	
/ Assistar	Accountant *		Senior Assistant Manager (Accounts)	

Manager (Accounts)

son of/wife of/daughter of

## HARYANA WAREHOUSING CORPORATION, PANCHKULA

#### FORM NO. 10

(See Regulation 24 of the Haryana Warehousing Corporation, Employees Pension Regulations, 1996).

Chart indicating the service verification of

Miss

Sh.		working as	at						
	State Warehouse	Date of	Birth						
Serial No.	Period	Page No. of Service Book	No. of part of Service Book						
	urb.	- Marie Comment	17 days of the said						
Assistant		nt Manager istration)	Manager (Personnel)						
	17 N A 18 H	Countries to the new trees.	ZILE SINGH						
		1	MANAGING DIRECTOR						
	MILETAN DE LA	HARYANA WAREHOUSING CORPORATION							
			CHANDIGARH						
		***************************************							

Dharam Vir Commissioner and Secretary to Government Haryana, Agriculture Department.