HARYANA AIDED SCHOOLS
(SPECIAL PENSION & CONTRIBUTORY PROVIDENT FUND
RULES, 2001

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HARYANA GOVERNMENT
EDUCATION DEPARTMENT
Notification
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No.S.O.38/H.A.12/1999/Ss. 8 & 24/2001.- Whereas the Haryana Affiliated College (Security of Service) Act, 1971 (Act 10 of 1971) and Rules , 1974 framed under the Act envisage a contributory provident fund to which both the employer and the employees of the privately managed Government aided educational institutions are required to contribute in the prescribed ratio. The employees appointed against aided sanctioned posts of the aided schools on their superannuation are eligible under rules 35 and 42 of the said rules, for payment of amount so deposited in the contributory provident fund along with the interest earned thereon basides the gratuity at the rate as fixed by the Government, from time to time;

And whereas the employees appointed against aided sanctioned posts of privately managed, Government aided educational institutions have been representing to the Government for introductions of a pension scheme for them so that they could get improved retiral benefits;

And whereas the Government has been sympathetic to the aspirations of the employees appointed against aided sanctioned posts of the aided institutions while being conscious of the fact that there cannot be parity between employees of Government educational Institutions and the employees appointed against aided sanctioned posts of the aided institutions of the State. Employees appointed against aided sactioned posts of the aided private institutions are governed by a set of service conditions which are distinct from those governing the Government employees. Their posts are non-transferable whereas the Government employees on the other hand are subject to transfer throughout the State;

And whereas the employer in the case of aided educational institutions is distinctly different from the employer in the case of Government Educational Institutions. In case of the former, the managements are separate, independent legal entities, taking independent decisions in respect of their respective institutions. The Government plays only limited and yet facilitating role by releasing them grant-in-aid to the extent of 75% of the deficit against sanctioned posts only. The sole objective behind the grant-in-aid by the Government for a limited numbers of posts is to promote expansion of education in the state of Haryana without interfering with the day-to-day management and running of these private institutions;

And whereas the Government is not obvious to the fact that there is no obligation placed on the Government to necessarily introduce a pension scheme for employees appointed against aided sanctioned posts of private institutions, receiving grant-in-aid. However, driven by a desire to improve the existing service conditions of the employees appointed against aided sanctioned posts working in the privately managed Government aided educational institutions, the Government has decided to provide additional grant-in-aid for the purpose of a special pension scheme for them which is different from the one applicable to Government employees but which at the same time results in improved retiral benefits to them. The Government is clearly not in a position to take on and sustain unlimited financial liability on account of introduction of a pension scheme for the employees appointed against aided sanctioned posts of the private institutions receiving grant-in-aid. It is, therefore, desirous of assisting and supporting a scheme specific to the employees appointed against aided sanctioned posts of these from all institutions, which would enable such employees to enjoy substantially improved benefits after retirement without causing a staggering financial liability on the part of the State Government. In fact at the time when the demand for a pension scheme was made to the Government was given to understand by the representative bodies of the employees etc. that a pension scheme specific to the employee appointed against aided sanctioned posts of the private institutions receiving grant-in-aid could be framed on a self-sustainable/self-financing basis without any additional liability on the part of the State Government. The associations had contended that the employers share available in the Contributory Provident Fund is quite sufficient to meet all future demands created through the introduction of such a pension scheme. The Government has examined this aspect and is aware that the contention of the association may not be fully tenable. The introduction of a special scheme of pension for the employees appointed against aided sanctioned posts of the privately managed Government aided educational institutions of Haryana in lieu of the contributory provident fund (employer's share) might actually entail additional financial liability on the part of the Government. However, the Government is keen to keep the financial liabilities, if any, be this account to the minimum. The Government is also keen to evolve, in due course of time, a scheme whereby the returns funds on account of employer's share of Contributory Provident Fund are maximum in such a way as to wholly and completely pay for the retiral benefits to the eligible employees;

And whereas the two major distinctions envisaged under this special pension scheme pertain to the benefit of commutation of pension and leave encashments. It has been agreed by the different representative bodies of the employees concerned that the benefit of commutation of pension and leave encashment may not be made available to them as these two benefits, if granted could result in a staggering financial liability on the part of the State Government which it can ill afford. The Government, therefore, hereby as a special gesture, frames this special pension scheme for the employees appointed against aided sanctioned posts of private colleges receiving grant in aid from the Government of Haryana subject to the condition that the benefits of commutation of pension and leave encashment shall not be available under this scheme. This scheme is distinct from any other scheme which may be in existence in any other Government/semi-Government organisation within or outside the State of Haryana. The Government also reserve the right to review or modify the scheme depending on the State of Finance of the Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) read with with clause (v) of sub-section (2) of section 24 and cluase (a) of sub-section (1) of section 8 of the Haryana School Education Act, 1995 (Act 12 of 1999) and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules regulating the special pension and contributory provident fund of the employees appointed to the aided school, namely:—

CHAPTER-I

Short title.

1. These rules may be called the Haryana Aided Schools (Special Pension and Contributory Provident Fund) Rules, 2001.

Definitions.

2. In these rules, unless the context otherwise requires:-

(a) “Act” means the Haryana Schools Education Act, 1995 (Act 12 of 1999)

(b) "aided sanctioned post" means the post for which grant-in-aid is allowed by the Education Department Haryana.

(c) "Department" means the Department of Secondary Education or Primary Education, Haryana, as the case may be;

(d) "emoluments" for the purpose of pension mean basic pay+special pay and personal pay, if any;

(e) "Form" means form appended to these rules;

(f) "Management" means the managing committee constituted by the members of the aided school and approved by the Director;

(g) "pay" means the amount drawn monthly by an employee as :-

(i) pay other than special pay or pay granted in lieu of his personal qualification, which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled.

(ii) special pay and personal pay, if any;

(iii) any other emoluments which may specially be classfied as pay by the Government from time to time;

(h) "Service" means the service rendered in an aided school against sanctioned post;

(i) the words and expressions used in these rules but not defined, shall have the same meaning as assigned to them in the Haryana School Education Act, 1995 (Act 12 of 1999).

CHAPTER-II

Application.

3. (1) Except as otherwise provided in any rule, and subject to the condition that the Management of an aided school executes an agreement in Form I, duly supported by a resolution of the Management to abide by the provisions of these rules and undertaking of the employee in triplicate in Form II and instructions issued by the Government from time to time, these rules shall apply to all the employees who:-

(a) are appointed to te aided sacntioned post on or after the 11th day of May, 1998;

(b) were working on the aided sanctioned posts immediately before 11th day of May, 1998 and continue to work as such thereafter:

Provided that the employees who were appointed to the aided sanctioned posts and have attained the age of superannuation on or after the 11th day of May, 1998 to the date of publication of these rules shall have the right to exercise option in triplicate in Form III as to whether to be governed by these rules or not within a period of three months from the date of publication of these rules in 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 retired from the sanctioned posts before the 11th day of May, 1998 and the employee who attained the age of superannuation before the said date except those who have been re-employed by the Department after the age of superannuation on sanctioned posts; and

(iv) the employees employed on a leave-gap arrangement or on adhoc basis or on contractual basis.

Retirement benefits.

4. The following retirement benefits shall be admissible under these rules, namely :–

(1) Pension :–

(a) Superannuation Pension;

(b) Invalid Pension;

(c) Compensation Pension;

(d) Voluntary Retirement Pension/ Compulsory Retirement Pension;

(2) Death-Cum-Retirement-Gratuity;

(3) Service-Gratuity;

(4) Family-Pension.

CHAPTER-III

Qualifying service.

5. (1) The Service of an employee shall qualify for retirement benefits under these rules, as under :-

(i) The service rendered on attaining the age of 18 years on aided sanctioned post;

(ii) The service rendered till the attainment of the age of sixty years in the case of Group-D employee, and in case of others, service rendered till the attainment of the age of fifty-eight years. However, the qualifying service will be taken into account with effect from the date an employee subscribes contribution towards contributory provident fund;

(2) The leave admissible under the rules to be framed under the Act and under the instructions

issued by the Government from time to time, excluding leave without pay and period of suspension overstayal of leave not subsequently regularised under the Act and period of break in service.

(3) Service rendered in one or more aided schools under the same Management provided the transfer is made in terms of the Act.

(4) The service rendered on aided sanctioned post in another aided school in the State of Haryana;

Provided that the official has been appointed through proper channel on aided sanctioned post and the approval of continuity of service has been obtained from the Director ;

Provided further that the contributory provident fund account of the employee in the previous school continued as such in the subsequent school to which he is transferred or appointed and there is no break in service.

Condition of Interruptions.

6. In the absence of specific indication to the contrary in the service record of the employee, an interruption between spell 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:

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

Entitlement for pension.

7. An employee shall be entitled for pension under these rules only after he completes ten years qualifying service.

Superannuation pension.

8. (1) An employee other than Group 'D' employee under these rules, will be entitled to the superannuation pension from the date he attains the age of fifty eight years.

(2) A Group 'D' employee shall be entitled to the superannuation pension from the date he attains the age of sixty years.

(3) Pension shall be calculated at the rate of fifty per cent of the average pay of the last ten months. The admissibility of full-pension shall be on completion of thirty-three years qualifying service. The amount of pension is to be determined by length of service. The length of qualifying service for this purpose shall be calculated In terms of completed six monthly period and fraction of a year equal to three months or more shall he treated as a completed six monthly period.

The formula will be as under :–

$$\text{Pension} = \frac{\text{10 months average emoluments}}{2} \times \frac{\text{qualifying service (counted in terms of completed six monthly period)}}{66}$$

If the pension so calculated for the qualifying service of thirty three years falls short of Rs. 1,275 (one thousand two hundred seventy-five rupees only) the same shall be raised to Rs. 1.275 (one thousand two hundered seventy-five rupees only) in all cases.

Invalid pension.

9. (1) Employees who are declared physically invalid for service because of bodily and mental infirmity shall be granted invalid pension with the approval of Director.

(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 member thereof whenever any woman employee is to be examined.

(3) No medical certificate of incapacity for service shall be granted unless the applicant produces a letter from the District Education Officer/District Primary Education Officer concerned, directing him to appear before Medical Board. The Medical Board shall also be supplied a statement by the District Education Officer concerned regarding the age of the applicant as recorded in his service book.

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

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

(6) The employee who has been declared in-valid shall be relieved from duty from the date of such declaration by the Medical Board.

Compensation Pension.

10. If an employee is discharged by the Management owing to the abolition of a aided sanctioned 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 optio:–

(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 Management for which he fulfils the prescribed qualifications, if offered and to continue to count his previous service for pension.

Voluntary retirement.

11. (1) A retiring pension and retirement voluntary gratuity shall be granted to an employee, who retire of voluntarily or is retired compulsorily according to the length of qualifying service as provided in the of succeeding sub rule (2).

(2) If Management is of the opinion that it is in public interest to retire an employee for the 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 20 years of qualifying service or on any other date thereafter 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.

(3) If the retirement of the employee made under sub-rule (2) is set aside by a court of law, all pecuniary liabilities consequent thereto from the date of compulsory retirement up to the date of his rejoining the post, shall devolve on the Management.

(4) 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 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 specific approval of the Director.

(5) 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 :–

(a) The total qualifying service after allowing the weightage shall not in any event exceed thirty-three years qualifying service and does not go beyond the date of superannuation.

(b) The weightage given under these rules will be only an addition to the qualifying service for pension and gratuity. It will 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.

Service gratuity.

12. Where the qualifying service of the employee is less than ten years, the amount of gratuity shall be the appropriate amount as set out in Annexure and no pension shall be granted to him.

Death-cum-Retirement Gratuity.

13. (1) An employee who has become eligible for pension or gratuity under these rules on his retirement from service shall be granted additional death-cum-retirement gratuity as detailed below :-

(i) The amount of gratuity shall be the 1/4th of the emoluments of the employee for each completed six monthly period of qualifying service subject to a maximum of 16½ times of emoluments and 17½ times of emoluments In the case of group 'D' employee.

(ii) In the event of death of an employee while in service the gratuity shall be paid as detailed below

(a)	Not exceeding one year service	two times the last pay drawn
(b)	Exceeding one year but not exceeding five years service	six times of the basic pay drawn

(c)	Exceeding five years but not exceeding 24 years	twelve times of the basic pay drawn
(d)	exceeding 24 years service	shall be determined on the basis of actual service rendered by the deceased.

(iii) The maximum amount of retirement gratuity death-cum-retirement gratuity shall not exceed Rs.3.50 Lakhs In any case. Seventy-five per cent amount of gratuity is to be borne by Government and twenty-five per cent by the Management as per existing instructions:

Provided that an employee against whom judicial or departmental proceedings have been initiated shall not be granted gratuity during the pendency of such proceedings.

Explanation:— (1) The term "Emoluments" for this purpose include "Pay+Dearness Allowance" at the time of retirement/Death.

(2) For the purpose of death-cum-retirement gratuity "Family" shall include the following members

(i) wife or wives including judicially separated wife or wives in the case of male employee;

(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) brother below the age of eighteen

years and unmarried. and widowed sisters, Including step-brother and sisters ;

(vi) father including adopted parents in case of individual whose personal law

(vii) mother including adopted parents in case of individual whose personal law permits adoption

(viii) married daughters; and

(ix) children of predeceased sons.

Family pension.

14. (1) In case of death of the employee or pensioner with at least one year service the family pension shall be granted to the family of the deceased employee of the aided school @ 30% of the pay in all cases, subject to minimum of Rs. 1,275 and maximum of 30% of last pay.

(a) In case of death of an employee while in service having more than seven years service or after retirement before attaining the age of sixty-five years, the amount of family pension would be fixed at double the amount of normal family pension subject to the condition that such enhanced family pension does not exceed fifty percent 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 could have attained the age of sixty-five years, whichever is earlier.

(b) In the event of death after retirement, the family pension at the enhanced rates shall be payable up to 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 no case the amount of family pension shall exceed the pension sanctioned to the employee at the time of retirement.

Explanation:—For the purpose of family pension "Family" shall include the following members

(1) (a) wife;

(b) husband;

(c) minor sons;

(d) unmarried minor daughter and legally adopted child before the date of retirement,,

(e) widow/widows up to the date of death or re-marriage whichever Is earlier;

(f) sons/unmarried daughters until he/she attains the age of 25 years or starts earning livelihood whichever earlier;

(g) a judicially separated wife or husband

(2) Marriage after retirement is recognised the purpose of family pension.

Note :– The term "child" includes posthumous child of the employee.

CHAPTER IV

Subscriptions and maintenance of contributory provident fund accounts.

15. (1) The employees shall contribute towards contributory provident fund @ 10% of basic pay or any other rate prescribed by the Government time to time. An employee may, however, subscribe voluntarily at higher rate 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 District Education officer/District Primary Education Officer will be competent to sanction, final payment, refundable and non-refundable loans/advances out of the contributory provident fund to the subscriber/applicant.

Transfer of employer's share of contributory provident fund.

16. (1) The employer's share with interest earned thereon would 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 11th day of May, 1998 to the date of publication of these rules who exercise option to be governed by these rules will be required to deposit the full amount of employer's share along with interest earned thereon plus twelve per cent calculated per annum on the amount actually drawn by the employees from the date of drawal of the said amount to the date of deposit with the Director.

The employees who will retire on or after coming into force of these rules and have already drawn employer's share of contributory provident fund togetherwith 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 drawal of the said amount to the date of refund or adjustment and if there still remains any amount due, it will be adjusted .by non payment of pension till recovery of the total amount is adjusted.

(4) The date of drawal 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 District Education Officer/District Primary Education Officer concerned. 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.

17. (1) The employer's share shall be deposited under the head "0071-Contributions and Recoveries towards Pension and other Retirements Benefits-01-Civil-101-subscriptions and contribution-privately managed recognised aided schools [93] Contribution from Private Schools 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) twenty - 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) seventy-five per cent amount of Government share towards the contributory provident fund being paid as grant-in-aid to the aided schools 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 "2202-General Education -02-Secondary Education-110-Assistance to Non-Government Secondary Schools-VIII-Pension to Employees of State Aided Educational Institutions (Schools)" and "2202-General Education-01-Elementary Education-102-Assistance to Non-Government Primary School-Pension to Employees of State Aided Educational Institutions (Schools)" for the payment of the retirement benefits admissible under these rules.

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

(5) Twenty-five per cent of the ten per cent of the pay of the employee towards the contributory provident fund payable by the Management shall also be deducted from the grant-in-aid sanctioned to the aided schools 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 District Education Officer/District Primary Education Officer every month.

(b) The concerned District Education Officer/ District Primary Education Officer shall credit the demand draft so received to the relevant head of account by the 15th of every month.

(c) The District Education Officer/District Primary Education Officer shall indicate the Treasury Voucher No. 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 school and may also remove the name of such school from the grant-in-aid list with the prior approval of the Government.

(8) (a) The Pension Branch (Aided School) created for this purpose in the office of the Director shall maintain a ledger showing district-wise the amount of collection. The branch of the office of Director dealing with the work of grant-in-aid to the aided schools shall supply to the Government district-wise quarterly statement showing details, pertaining to, the collection of the contributory provident fund to the Pension Branch (Aided School) of the Director in the following pro forma :-

Sr. No.	Name of aided School	Name of the employees	Amount of 25% management share of provident fund	Total amount	Remarks
1	2	3	4	5	6

(b) From the statements specified in clause (a), district-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 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 alongwith 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/ 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 seventy-five per cent of the said amount. The other benefits admissible under these rules shall be paid by the District Education Officer/District Primary Education Officer 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 District Education Officer/ District Primary Education Officer for making payment accordingly.

(12) All payments for the benefits under these rules shall be made under the expenditure head “2202-General Education-02-Secondary Education-110-Assistance of Non-Government Secondary Schools- VIII-Pension to Employees of State Aided

Educational Institutions (Schools)" and "2202-General Education-01-Elementary Eudcation-102-Assistance to Non-Government Primary School-Pension to Employees of State Aided Educational Institutions (Schools)". 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 "2202-General Education-02-Secondary Education-110-Assistance to Non-Government Secondary Schools-VIII-Pension to Employees of State Aided Educational Institutions (Schools)" and "2202-General Education-01-Elementary Education-102-Assistance to Non-Government Primary School-Pension to Employees of State Aided Educational Institutions (Schools) benefit actually debited and shall be reconciled in the office of the Accountant General (Accounts and Entitlement) Haryana.

(14) The Pension Branch (Aided Schools) of the office of the Director shall maintain district-wise Pension Payment Orders register showing therein a 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 Education, Secretary to Government of Haryana, Department of Finance, the Accountant General (Accounts and Entitlement), Haryana, the Director, Secondary Education, Haryana/Director Primary

Education, Haryana and a representative of the employees of the aided schools representing such schools. Secretary to Government, Haryana, Department of Education, shall be the Chairman of the Committee and Director Secondary Education. Haryana, shall be ex officio Secretary of the Committee. The committee so constituted shall meet atleast 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

Adjustment of dues.

18. (1) The Management or District Education Officer/District Primary Education Officer 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.

(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 District Education Officer/ District Primary Education Officer concerned, as the case may be.

(4) The employee shall not be entitled for the benefits available under these rules until the transfer of

employer's share of his contributory-Provident fund alongwith interest earned thereon in the relevant head of account.

Power to withhold pension.

19. 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.

Arbitration.

20. 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.

Head of account to debit expenditure.

21. The charges on account of expenditure for benefits under these rules shall be debited to the head "2202-General Education-02-Secondary Education -110-Assistance to Non-Government Secondary Schools-VIII-Pension to Employees of State Aided Educational Institutions (Schools)" and "2202-General Education-01-Elementary Education-102-Assistance to Non-Government Primary Schools-Pension to Employees of State Aided Educational Institutions (Schools).

Interpretation.

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

Review of Scheme.

23. The Government shall have the right to review/modify/withdraw this scheme any time without assigning any reasons.

Repeal and savings.

24. The Haryana Aided Schools (Pension and Contributory Provident Fund) Rules, 1999, are hereby repealed

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provision of these rules.

ANNEXURE

(See rule 12)

Completed six-monthly period of qualifying service		Scale of service. gratuity
1.	1/2	Month' s Emoluments
2.	1	Month's Emoluments
3.	1-1/2	Months' Emoluments
4.	2	Months' Emoluments
5.	2-1/2	Months' Emoluments
6.	3	Months' Emoluments
7.	3-1/2	Months' Emoluments
8.	4	Months' Emoluments
9.	4-3/8	Months' Emoluments
10.	4-3/4	Months' Emoluments
11.	5-1/8	Months' Emoluments
12.	5-1/2	Months' Emoluments
13.	5-7/8	Months' Emoluments
14.	6-1/4	Months' Emoluments
15.	6-5/8	Months' Emoluments
16.	7	Months' Emoluments
17.	7-3/8	Months' Emoluments
18.	7-3/4	Months' Emoluments
19.	8-1/8	Months' Emoluments