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Non-Government Secondary Schools Pension Scheme for the teaching and non-teaching staff in the.....

Government of Gujarat,  
Education and Labour Department,  
Resolution No. SSN-3470-41845-G,  
Sachivalaya, Gandhinagar,  
Dated the 21st December, 1971.

RESOLUTION

The question of application of pension, gratuity and other retirement benefits to the members of teaching and non-teaching staff in recognised and aided non-Government Secondary Schools in Gujarat was under consideration of the Government for some time past. After careful consideration, Government is now pleased to direct that the pension, gratuity and other retirement benefits admissible to the Gujarat State Government servants under the Revised Pension Rules, 1950 contained in Appendix-XIV-C to B.C.S. Rules, Volume II, as amended from time to time, the family pension scheme sanctioned in Government Resolution, Finance Department No. PEN-1069-U.O. 1885-J, dated 24th December 1969, and Government Resolution, Finance Department No. PEN-1070-TH-92-J, dated 5th May 1970 as amended from time to time should be made applicable to the full time teaching and non-teaching staff in recognised and aided non-Government Secondary Schools in this State ( including teachers working in Secondary Schools on 29th March 1965 whose pay and pay-scales have been protected in accordance with para 4 of Government Resolution, Education and Labour Department No. INS-1065-G, dated 4th June 1965 as amended by Government Corrigendum, Education and Labour Department No. SSN-1165/8681-G, dated the 14th April, 1970) who retire on or after 1st April 1969.

- 17. (i) For the purposes of this scheme:
  - (a) A non-Government Secondary School includes a Secondary School, a Multipurpose High School, a Vocational High School, Post Basic School or a Lokshala from standard VIII to XI as defined in Grant-in-aid Code and also Post Basic Ashram School from Standard VIII to XI managed by a private body and recognised by the competent authority as such, for the purposes of Grant-in-aid from Government.
  - (b) For the purposes of pensionable pay: Pay means and includes:
    - (1) Pay in the prescribed scale of pay.
    - (2) Personal pay granted to save from loss in pay due to revision of pay scales.
    - (3) Additional pay for additional academic and professional qualifications admissible under the orders issued by Government from time to time.
    - (4) Alternative allowance drawn in the post of Head Master in lieu of the Head Masters' scale.
    - (5) Supervisors' allowance drawn by supervisors appointed under rule 61(1) and 61(2) of Grant-in-aid code.

(6) Additional increments in rural areas. This will be in substitution of the definition of pay in rule 46 of Appendix XIV-C of B.C.S. Rules, Volume-I as amended from time to time.

(7) Spl. Pay drawn as alternative allowance vide Government Resolution dated 16-5-1974.

Spl. pay also vide Government Resolution, No. SSN-5075/113721-G, dated 11-2-1976.

Note I-. If a member of the staff during the last three years of his service has been absent from duty on leave with allowances, his pay for that period should be taken at what it would have been had he been on duty at any time during the first six months of the period of leave.

Provided that the benefit of higher officiating or temporary pay should be given only if it is certified that the member of the staff concerned would have continued to hold the higher officiating or temporary appointment but for his proceeding on leave.

(c) " Teaching staff" means a full time teacher, a Head Master /Head Mistress and full time special teacher working in a non-Government secondary School.

(d) " Non-Teaching staff" means clerical staff and Class-IV servants working in non-Government Secondary Schools.

(e) " Post training service" means service rendered by a teacher after having obtained any professional qualification (B Ed, Diploma in Education etc. or other equivalent qualification) recognised by the Department as a training qualification and in the case of deemed trained teacher, the service rendered with effect from the date on which he is treated as deemed trained.

2. The District Education Officers shall be the competent authority to sanction pension, gratuity, family pension and other retirement benefits admissible under the scheme.

3. (1) The members of the staff who were in service in non-Government Secondary Schools on 31st March 1969 and who were due to superannuate before 1st April 1969, but who were granted extension in service with the previous approval of the District Education Officer, concerned beyond 1st April 1969, and were eligible for Contributory Provident Fund benefit should be given an option to elect within one year from the date of issue of this Resolution either to continue under the C.P.F. Scheme or to come under this scheme. The members of the staff who have retired on or after 1st April, 1969, and prior to the date of issue of this Resolution should exercise their option within a period of one year from the date of issue of this Resolution. The members of the staff who were in service on 31st March 1969 but who have not retired on the date of issue of this Resolution should exercise their option within one year from the date of issue of this Resolution. The option once exercised shall be final. The option should be exercised within one year from the date of issue of this Resolution.

form, prescribed ( Appendix-A) and communicated to the District Education Officers concerned. The members of the staff who do not exercise the option within the stipulated period shall be deemed to have opted for the retention of the benefit admissible to them before 1st April 1969. Where a member of staff died on any date from 1st April, 1969 within the option period of one year from the date of issue of this Resolution dated 21st December 1971 ( both days inclusive) without exercising any option or where a member of a staff who was entitled to exercise an option in accordance with this rule died without exercising it before the expiry of the date on or before which he had to exercise the option, his family may be given to benefit of these rules or may be allowed the benefit of C.P.F. Scheme, whichever is more favourable to them. The pension sanctioning authorities should work out the benefits admissible under the both alternatives ( i.e. the C.P.F. and the Revised Pension Rules, 1950) after taking into account the quantum of C.P.F. as well as family pension and prepare pension papers accordingly with necessary sanctions.

(ii) The members of the staff who have opted for the pension scheme shall join G.P.F. scheme concurrently as in the case of Government servants and their share in the C.P.F. Fund together with interest thereof shall be credited to their G.P. Fund account. The General Provident Fund shall be kept with Government and on retirement, the amount shall be paid to them in accordance with the rules.

(iii) The amount of contribution paid by the management of non-Government Secondary Schools together with interest thereon standing at the credit of the member of teaching and non-teaching staff opting for pension scheme within a period of one year from the date of issue of this Resolution should be credited to the State Government under the head of the account " XLVIII Contribution and Recoveries towards pension and other retirement benefit", after the correctness of the amount is verified and certified by the District Education Officer.

4. The members of the staff recruited on or after 1st April 1969 shall automatically be governed by this scheme. Such staff will not be allowed to opt for the Contributory Provident Fund Scheme.

5. The age of superannuation for the purposes of these order shall be the superannuation age for Government servant as contained in B.C.S. Rules 1959 and orders issued by Government, from time to time.

6. The members of the teaching staff who have completed two years of continuous post-training service and of the non-teaching staff who have completed two years continuous service will be treated as holding permanent post substantively for the purposes of this scheme.

7. In counting the length of qualifying service for pension under this scheme, all previous service whether temporary, officiating or permanent either in one or more than one non-Government secondary school, shall be taken into account.

Subject to the general conditions that the period of each break does not exceed 6 months and the total period of six breaks hereinafter referred to do not exceed two years, breaks in service on account of any of the reasons listed below not exceeding six in number, should not be treated as interruptions entailing forfeiture of past services:-

(i) Break in service on account of resignation from a non-Government Secondary School, provided it is followed by their taking up service in another recognised non-Government Secondary School and is not intervened by their taking employment in any other capacity. Out of the maximum number of six breaks, not more than three breaks should be condoned on account of such resignation.

(ii) Termination of services due to no fault of members of the staff or on account of the circumstances beyond the control of them. If the services of a member of staff have been terminated on disciplinary grounds, after following the prescribed procedure, such break in service cannot be condoned and the service rendered by them in the school from which their services are so terminated on disciplinary grounds will not count for pension.

8. The teachers who have been taken by the management on their own supervisory staff should be held eligible for the benefit of pension, provided such persons were originally appointed as teachers and have put in a minimum service of five years as teacher and are reverted back to their parent cadre of teacher within a period of six months from the date of issue of this Resolution. The service rendered by them as supervisor will count for pension as a special case. This concession will not be applicable to the teachers who will be appointed to the posts of supervisors on or after the date of issue of this Resolution. Supervisors appointed under rule 61.3 of grant-in-aid Code will be eligible for pension as in the case of other teachers.

9. The general provisions of Chapter XI of B.C.S. Rules Volume-I will be applicable in granting retirement benefits to the members of the staff under this scheme, except where otherwise provided.

10. The pension papers of the members of the staff entitled to pension, gratuity, etc. under the scheme should be prepared by the Dist. Education Officer on the basis of the service records maintained by the managements of the school concerned. The entries in the service books of the staff will be made and attested by the management of the schools concerned. Such entries should be verified annually by the Dist. Education Officer concerned and a certificate of verification recorded in the service books. The Dist. Education Officer should sanction the pension, gratuity etc. and forward the pension papers duly completed to the Accountant General. The pension gratuity etc., so sanctioned will be payable from the Government Treasuries. The Accountant General will pre-audit the claim and issue a pension payment order and/or a gratuity payment order on the Treasury from which the pensioner desires to draw

III. The expenditure on account of payment of pension under scheme will be debited to the head "65-Pensions and other Retirement Benefits."

IV. The grant of anticipatory pension and/or gratuity to such member of the staff as are governed by the scheme will be regulated as per Government Resolution, Finance Department No. PEN-1069-1874-J-Z, dated the 17th June, 1969 and B.C.S.R. 214 and the pension and/or gratuity will be authorised drawn and remitted or disbursed by the pension sanctioning authorities.

V. This issues with the concurrence of the Finance Department vide its U.O. No. JH-35-K dated 6th November, 1971 and shall take effect from 1st April 1969.

By order and in the name of the Governor of Gujarat,

P.M. CHHAYA,  
Under Secretary to Government.

To

- ① The Director of Education, Ahmedabad.
  - The Director of Technical Education, Ahmedabad.
  - All District Education Officers.
  - ② All District Treasury Officers.
  - The Director of Pay and Accounts, Ahmedabad.
  - ③ The Accountant General, Ahmedabad/Rajkot.
  - ④ The Pay and Accounts Officer, Ahmedabad.
  - The Resident Audit Officer, Ahmedabad.
  - ⑤ The Finance Department.
  - The Director of Information for publicity.
  - The Manager, Government Press, Gandhinagar  
(for publication in the Gujarat Government Gazette).
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