

Gujarat Panchayat Service (Pension) Rules, 1999

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Gujarat Panchayat Service (Pension) Rules, 1999

In exercise of the powers conferred by sub-sec. (5) of Sec. 227 read with Sec. 274 of the Gujarat Panchayats Act, 1993 (Guj. 18 of 1993), the Government of Gujarat hereby makes the following rules, namely:

1. Short title and commencement :-

These rules may be called the Gujarat Panchayat Service (Pension) Rules, 1999.

2. Definitions :-

In these rules, unless the context, otherwise requires,

- (a) "the Act" means the Gujarat Panchayats Act, 1993;
- (b) "District cadre", "Taluka Cadre" and "Local Cadre" means respectively the District Cadre, Taluka Cadre and Local Cadre as constituted under the Gujarat Panchayat Service Classification and Recruitment (General) Rules, 1998;
- (c) "Inferior Panchayat Service" means the inferior Panchayat Service as constituted under sub-rule (3) of Rule 3 of the Gujarat Panchayat Service (Classification and Recruitment) (General) Rules, 1998;
- (d) "Panchayat servant" means any person who belongs to the Superior Panchayat Service, or, the Inferior Panchayat Service, as the case may be.
- (e) "Superior Panchayat Service" means the Superior Panchayat Service as constituted by sub-rule (2) of Rule 3 of the Gujarat Panchayat Service Classification and Recruitment (General) Rules,

1998;

3. Applicability and option :-

(1) Save as otherwise provided in these rules, they shall apply to all the Panchayats Servants, who are in service on the date of coming into force of these rules and those who enter the service after coming into force of these rules but shall not apply to:

(a) a panchayat servant not in the whole time employment of the panchayat;

(b) a panchayat servant paid out of contingencies;

(c) a panchayat servant paid otherwise than, on monthly basis, including those paid only on piece rate basis.

(d) a panchayat servant appointed on workcharged establishment or on daily rate basis or employed casually;

(e) a panchayat servant entitled to the benefit of a Contributory Provident Fund; other than that who opts to take the benefits of these rules in accordance with the provisions of sub-rule (4) of this rule;

(f) a panchayat servant employed on contract basis except when the contract provides otherwise:

Provided that any such panchayat servant who is in service on the date of coming into force of these rules and to whom these rules shall apply, have the right to opt to continue to be governed by any pension rules applicable to him immediately before the coming into force of these rules. Such option shall be exercised in writing in the Form appended to these rules within a period of four months from the date of publication of these rules. The option once exercised, shall be final.

(2) The option exercised under sub-rule (1), shall be communicated by the panchayat servant to the Head of his office. This option when received from a panchayat servant shall be countersigned by the Head of Office and pasted in the Service Book or, as the case may be Service .Roll of the panchayat servant concerned.

(3) It shall be the responsibility of the Head of Office to acknowledge the option and the panchayat servant concerned shall ensure that the receipt of the option is acknowledged by the Head of Office and that he receives an intimation that it has been duly

recorded by the Head of Office.

(4) The pension, gratuity and other retirement benefits to the panchayat servant shall be regulated in accordance with the Revised Pension Rules, 1950 contained in Appendix XIV-C of the Bombay Civil Services Rules, 1959, Volume-I, for the time being in force. Besides the application of the aforesaid Revised Pension Rules, 1950, the provisions contained in the Bombay Civil Services Rules, 1959, Volume-I as amended from time to time, in so far as they relate to pension gratuity and other retirement benefits, shall apply to the members of the Superior Panchayat Service and the Inferior Superior Panchayat Service, as they apply to Government Servants governed by the Revised Pension Rules, 1950.

4. Rule :-

The employees of former District Local Boards and the employees of Village Panchayats converted from nagar panchayats which came into existence on account of dissolution of erstwhile municipalities under Sec. 307 of the Gujarat Panchayats Act, 1961 (Guj.VI of 1962) and the employees of former Gram Panchayats converted from erstwhile municipalities under the said Sec. 307, who are in service on the date of coming into force of these rules and who have opted to be governed by the Contributory Provident Fund Scheme under the Gujarat Panchayat Service (Pension) Rules, 1976, shall not be allowed to exercise any option to get the pensionary benefit and they shall be continued to be governed by the Contributory Provident Fund Scheme as may be applicable to them before coming into force of these rules.

5. Repeal and Savings :-

The Gujarat Panchayat Service (Pension) Rules, 1976 are hereby repealed. Such repeal shall not effect anything done or any action taken under the rules so repealed.