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Government of the People's Republic of Bangladesh
Ministry of L.G.R.D. and Co-operatives
(Local Govt. Division)

Memo No. S-II/IE-3/82/126

Dated : 2/6/1985.

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- 1) The Chairman, Dhaka WASA.
 - 2) The Chairman, Chittagong WASA.

Subject :- Dhaka/Chittagong Water Supply and Sewerage Authority
Employees (Contributory Provident Fund) Rules, 1966.

The undersigned is directed to sent herewith 5 copies of
printed Gazette Notification of Dhaka/Chittagong Water Supply and Sewerage
Authority Employees (Contributory Provident Fund) Rules, 1966.

sd/-

(Obaidul Mannan)
Section Officer,
Phone No : 3324.

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The
Bangladesh Gazette
Extraordinary
Published by Authority

SATURDAY, MAY 18, 1985

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LOCAL GOVERNMENT, RURAL DEVELOPMENT
AND CO-OPERATIVES

Local Government Division

Section - II

NOTIFICATION

Dhaka, the 16th May, 1985.

No. S.R.O. 227-L/85/S-II/IL-3/82/118 - In exercise of the powers conferred under section 52 of the Water Supply and Sewerage Authority Ordinance, 1963 (L.P.Ord No. XIX of 1963), the Government is pleased to make the following amendment in the Dhaka/Chittagong Water Supply and Sewerage Authority Employees (Contributory Provident Fund) Rules, 1966, namely :-

In the aforesaid Rules in rule 5, in sub-rule (1), in clause (a), for the figures, brackets and words "6¼% (six and one-fourth)" the figure, brackets and word "10% (ten)" shall be substituted and shall be deemed to have been so substituted with effect from the 1st July, 1977.

By order of the President

S.A.ROB
Deputy Secretary.

Printed by Khanlker Obaidul Muqtaeer, Deputy Controller, Bangladesh Government Press Dhaka.

Published by Md. Abdul Matin Sirker, Deputy Controller, Bangladesh Forms and Publication

Office. Teigaon, Dhaka.
(3335)

Price : 25 Paisa.

THURSDAY, APRIL 28, 1966

PART I—Orders and Notifications by the Governor of East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

BASIC DEMOCRACIES AND LOCAL GOVERNMENT DEPARTMENT

Section IX
NOTIFICATION

No. S-IX/1A-7/66/441-26th April 1966— In exercise of the powers conferred by section 52 of the East Pakistan Water Supply and Sewerage Authority Ordinance, 1963 (East Pakistan Ordinance No. XIX of 1963), read with sub-section(1) of section 26 of the said Ordinance, the Governor is pleased to make the following rules namely —

Dacca/Chittagong Water Supply and Sewerage Authority Employees (Contributory Provident Fund) Rules, 1966.

1. Short title and commencement—(1) These Rules may be called the Dacca/Chittagong Water Supply and Sewerage Authority Employees (Contributory Provident Fund) Rules, 1966.

(2) They shall come into force at once.

2. Definitions— In these Rules, unless there is anything repugnant in the subject or context, —

a) " Advance" means a loan granted to the subscriber by the Chairman out of the amount at his credit in the Fund under these Rules.

(b) " Authority" means the Dacca/Chittagong Water Supply and Sewerage Authority.

(c) " Chairman" means the Chairman of the Authority.

(d) " Contribution " means the sum of money deposited by the Authority from the Authority's fund towards account of the subscriber in the Fund including the amount credited in the form of profit as admissible under these Rules.

- Issue
S. 12/1/15
- (c) "Dependent" means wife or wives and children of a subscriber and shall include parents provided they are solely dependent on him.
 - (f) "Employee" means a whole-time paid officer or servant of the Authority.
 - (g) "Fund" means the Contributory Provident Fund of the Authority.
 - (h) "Nominee" means a person or persons nominated, in writing and registered in the Authority's office, by the subscriber to receive payment of the amount standing at his credit in the Fund in the event of his death or becoming insane or otherwise incapacitated to manage his own affairs at the time of making the payment by the Authority to the subscriber.
 - (i) "Pay" or "Salary" means that portion of emolument which constitutes pay in the scale on which the subscriber has been appointed and shall include any special and personal pay granted, from time to time, but shall exclude allowances like dearness allowance ~~Compensatory~~ allowance, house or car allowance, etc.
 - (f) "Presumptive Pay" when used with reference to any particular employee, means the pay to which he would be entitled if he had held the post substantively and were performing its duties; but it does not include special pay unless the employee performs or discharges the work or responsibility, or is exposed to the unhealthy conditions, in consideration of which the special pay was sanctioned.
 - (k) "Profit" means the income arising out of the investment in Government securities as provided in rule 6.
 - (l) "Subscriber" means the employee of the Authority who subscribes to the Fund.
 - (m) "Subscription" means the sum of money deposited monthly by the employee from his salary/pay towards the Fund.
 - (n) "Substantive Pay" means the pay other than special pay, personal pay or technical pay, to which a subscriber is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.
3. Eligibility— (a) All employees of the Authority who have been confirmed in permanent appointments and who receive pay of Rs. 35 and above per month, shall subscribe to the fund :

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Provided that these Rules shall not apply to Government servants whose services may be placed by Government at the disposal of the Authority, from time to time. Such persons shall continue to be governed by Government Provident Fund Rules.

(b) If any employee is confirmed in a post officiated in the service of the Authority, the Chairman may allow him to subscribe to the Fund with retrospective effect from such date and on such terms as it may deem fit to specify.

(c) Employees of the Authority in temporary posts who have held these posts continuously for over one year and are likely to continue in service may be allowed to subscribe to the Fund with retrospective effect from such date and on such terms as the Chairman may deem fit to specify.

(d) Employees appointed on contract by the Authority may be allowed to subscribe to the Fund if their contracts so provide.

(e) Officers and servants of a Municipal Committee transferred to the Authority shall be entitled to subscribe to the Fund with effect from the date of their transfer to the Authority.

4. Constitution and management of the Fund— The Fund shall be administered by the Authority and shall be maintained in Pakistani Rupee.

5. Rate of subscription and conditions— (1) (a) The Employee shall subscribe to the Fund during the period of his service at the rate of $6\frac{1}{4}$ (six and one-fourth) per cent of his pay.

(b) Such percentage shall be deducted from the pay of each subscriber every month.

(2) A subscriber who is placed under suspension will not be eligible to subscribe to the Fund from the subsistence allowance in respect of the period of suspension; but if he is subsequently reinstated, subscription will be recovered in respect of the entire period of his suspension at the prescribed rate in a lump sum.

Note— In calculating the amount of subscription or the amount of contribution or profit, any portion of rupee less than fifty paise shall be neglected and fifty paise or more shall be treated as one rupee.

(3) In case of resignation, discharge, dismissal or retrenchment from the service of the Authority no deduction shall be made for the broken month.

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(4) The subscription of any subscriber absent on leave shall, during the period of such absence, be assessed on the leave salary during such period of absence, but any such subscriber shall be at liberty to subscribe on the full amount of his salary, if he desires, provided, notice, in writing of such desire, shall have been given by him to the Chairman period to the due date for first payment of leave salary next after such subscriber shall have taken leave.

(5) An employee, who has been granted leave without pay may be permitted by the Chairman to subscribe to the fund on the basis of his substantive pay during the whole or any period of such leave.

6. Investment of accumulation in the Fund— Accumulation in the Fund shall be invested in Government securities, and the income arising out of the investment shall be distributed to the subscribers as profit or added to their respective Funds.

7. Profit on Subscription— Income arising out of the investment up to 30th June and 31st December as profit, shall be credited half-yearly on 1st July and 1st January respectively by the Authority to each subscriber's account. When an account is to be finally closed, profit shall be calculated up to the previous month.

8. Maintenance of Ledger— (i) When an employee is admitted to the Fund, a distinct number shall be given to his account and this number shall be quoted in all future transactions relating to the account. The numbers given to the subscriber's accounts shall be consecutive and the number of any account shall not be altered, nor the number of any closed account shall be given a new subscriber. The account of each subscriber shall be posted in a ledger showing therein his number.

(ii) Every ledger shall consist of two separate columns— one for "Subscription" and another for "Contribution". Amounts paid by the subscriber as well as profit thereon shall be shown under the column "subscription" and the amounts contributed by the Authority, as well as the profit thereon shall be shown under the column "contribution". The ledger shall be maintained in form "A" appended to these Rules.

9. Contribution— The authority shall, on the 1st July and on the 1st January of each year, credit to the account of each subscriber an amount equal to that subscribed by him during the half-year ending on 30th June and on 31st December respectively :

Provided that when an account is finally closed prior to 30th June or 31st December in a year, the amount to be credited under these Rules shall be credited to the account on the date of the closing of the account.

10. Additional Contribution— "The Authority shall also credit, simultaneously with the amount credited under rule 9, an amount equal to the profit that has been credited under rule 7 which shall be shown as profit on contribution.

11. Statement of account made up each year — As soon as possible after the accounts for the year have been finally closed, each subscriber's account shall be made up with profit to the 30th June and statement thereof shall be sent to him through the Head of his Department. Subscribers must satisfy themselves as to the correctness of these statements and unless any error in them is brought to notice within one month from the date of their receipt, no claim based on such error shall be recognised :

Provided that when a subscriber is on leave on the date the statements are sent, the period of one month shall count from the date he resumes his duty after leave.

12. Payment— Except as expressly provided in these Rules, no subscriber nor any person or persons on his behalf shall be entitled to claim any payment of money in respect of money subscribed or credited to the Fund under these Rules.

13. Accumulation to be the absolute property of the subscriber— All sums which shall accumulate to the credit of a subscriber shall be his absolute property subject to the provisions of rules 14 and 18. Except as provided in rules 14 and 18, any sum standing to the credit of a subscriber shall be handed over to him on the termination of his service of the Authority but, if he is at the time insane or otherwise incapable of managing his affairs, or, in the event of his death while in the service of the Authority the provisions of rules 16 or 17, as the case may be, shall be followed.

Explanation— If an employee is appointed for a term of years and on the expiry of the term renews his engagement with the Authority, he shall not be entitled to withdraw the sum at his credit on the expiry of the first term. This can only be done when his service under the Authority finally ceases.

14. Payment of contribution— All sums credited to a subscriber's account under rules 9 and 10 shall be appropriated and credited to the Fund of the Authority if he resigns when he has been a subscriber for less than five years or is dismissed from the service of the Authority :

Provided that, if any subscriber is discharged owing to injury, illness, old age or for purpose of retrenchment of staff, the Authority may order that the amounts credited to the subscriber's account be dealt with in the manner as provided in rules 16 and 17,

15. Additional contribution for good service-- (1) A subscriber who has rendered service to the Authority for not less than 15 years, may, in addition to any other benefit accruing to him under rule 9 or any other of these Rules, be paid a contribution at the rate of half a month's pay for each completed year of this service) subject to a maximum limit of 15 months pay, provided the Authority is satisfied about his continuous good service during the period. Such contribution shall be credited to a subscriber's account on the voluntary resignation or retirement or death of a subscriber :

Provided that the Authority may, in its discretion and in special cases, condone any shortage in the period of 15 years' qualifying service :

Provided further that the additional contribution payable under these Rules may, in special cases, under the orders of the Authority, be calculated up to the last completed month of service and he shall be paid accordingly.

(2) Officers and servants of a Municipal Committee transferred to the Authority, shall be entitled to such gratuity as were available to them under the relevant rule of the Municipal Committee but they shall not be entitled to any additional contribution under sub-rule(1) of this rule. In counting the length of their service, for the purpose of gratuity, their past service rendered under the Municipal Committees shall be taken into account.

16. On resignation and retirement, etc.-- On the resignation or retirement or discharge of a subscriber, any sum standing to his credit in the Fund at the time including any additional sum credited under rules 9, 10 and 15 save as provided in rule 14, subject to any lawful deduction, shall be paid to the subscriber, of, if he is at the time insane or otherwise incapable of managing his own affairs --

- a) to such person as may appear to the Chairman to be authorised by law to receive payment on his behalf, if the sum payable does not exceed Rs. 5,000, or
- b) to such person as may produce an order of the competent authority entitling him to receive such payment, if the amount exceeds Rs.5,000.

17. Payment to nominees-- (a) Any sum standing to the credit of a subscriber at the time of his death together with additional sum or sums under these Rules, shall, subject to all lawful deductions, be paid to any person or persons nominated by the subscriber under these Rules to receive such sum.

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b) Such nomination must be in writing, signed by the subscriber and registered in the office of the Authority, otherwise it will not be valid. The nomination so made shall remain in force until it is revoked or substituted by another nomination made in like manner.

c) In making such nomination, the subscriber may also nominate the person to whom payment shall be made in the event of the nominee being a minor at the time of payment. If at the time of his making a nomination there is any dependent of the subscriber alive, the subscriber shall not nominate, under these Rules, any person other than a dependent.

d) The subscriber shall nominate three persons in order of priority, i.e., to say, if the first nominee is alive at the time of payment, the second and the third nominee shall not get the money, and, if the first is dead or insane or otherwise incapacitated to manage his own affairs, the second and not the third shall get the money and so on. In case of death of any nominee the vacancy shall be filled up by the subscriber within one month of such death.

e) Nomination under these rule is compulsory without which the intending subscriber shall not be allowed to subscribe to the Fund.

Note- Where no dependent is nominated by the subscriber or the dependent nominated is not alive on the date of death of a subscriber and the sum standing to the credit of the subscriber together with any additional sum as aforesaid shall devolve on the dependent and the sum so devolved shall be deemed to be payable to such dependent under these Rules.

18. Recovery from Provident Fund--- The Authority may direct the deduction from the provident fund and credit to the fund of the Authority any amount due from the subscriber to the Authority.

19. Advance-- (a) A subscriber to the fund may be granted a temporary advance from the amount standing to the credit of his account under column "Subscription" at the discretion of the Chairman under the following circumstances, namely --

(i) to pay expenses incurred in connection with the illness of the subscriber or any of his dependents,

(ii) to pay for overseas passages for reasons of health or education of the subscriber or for any of his dependents.

(iii) to pay expenses in connection with the marriages of self, sons, daughters and dependent sisters and funerals of any of the dependents;

(iv) to pay insurance premium on policies on the life of the subscriber provided such policies are assigned to the Chairman, and

(v) to meet the expenditure of house building.

(b) The advances shall not exceed the pay of the subscriber for three months preceding the application for such advance or 50 per cent of the amount standing at the subscribers credit in his account under the column "subscription" whichever is less.

(c) A second or a subsequent advance, except the advance drawn under sub-rule (iv) above, shall not be granted to a subscriber until full repayment of the previous advance together with profit; but the Chairman may, in a special case, grant a second or subsequent advance.

20. Recovery of advance--- (a) The advances granted under the preceding rule shall be recovered from the subscriber in such number of equal monthly instalments as the Chairman may direct but such number shall not be less than twelve and not more than forty-eight. A subscriber may, however, make payment in a smaller number of instalment than the number directed.

(b) Recovery of advance shall commence from the first payment of a full month's pay after drawal of the advance.

(c) After the principal of the advance has been fully recovered an additional sum shall be recovered for profit sufficient to make the balance at the subscribers credit, after repayment, equal to what it would have been, had no loan been granted. This additional sum shall be recovered in one or more monthly instalments.

(d) No recovery shall be made when the subscriber is on leave except at his option.

By order of the Governor,

A. M. S. AMED,

Secretary,
Basic Democracies and Local Government
Department..

(Handwritten signature)
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