

No. Fin (C) A (3)-13/ 2016
Government of Himachal Pradesh,
Finance (Regulation) Department.

From

The Addl. Chief Secretary (Finance) to the
Government of Himachal Pradesh.

To

- i) All Administrative secretaries to the
Government of Himachal Pradesh.
- ii) All Heads of the Departments in H.P.

Dated Shimla-2, the 5th June, 2017.

Subject :-

**Regarding grant of benefits to employees/ retirees
under Contributory Pension Scheme/ New Pension
System.**

Sir/ Madam,

I am directed to say that it has been brought to the notice of this Department by the Accountant General (A &E) H.P. Shimla that various DDO's of different Govt. Departments have not enrolled their employees appointed on or after 15.5.2003 under the Contributory Pension Scheme/ New Pension System in violation of rule 4(1) and rule 4(26) of the H.P. Civil Services Contributory Pension Rules, 2006. As per rule 4(1) of the H.P. Civil Services Contributory Pension Rules, 2006, it is mandatory for all new employees recruited on or after 15.5.2003 to become the member of the Scheme. Each employee is required to contribute 10% of Basic Pay, D.A. and NPA as the case may be, under the CPS/NPS. The State Government also makes equal matching contribution in respect of such employees. Further, rule 4(26) of the rules ibid, provides that employees appointed on or after 15.5.2003 and who were already contributing towards General Provident Fund shall cease to continue to subscribe towards GPF from the date of notification of the Contributory Pension Scheme and the amount deposited in their GPF accounts shall be transferred to their respective CPF account alongwith interest.

2. Apart from the above, the General Provident Fund (Central Services) Rules, 1960, were inapplicable for all appointments made on or after 15.5.2003 vide Notification No. Fin (C) A(3)-6/96-II dated 15.9.2006. It was further clarified vide Corrigendum No. Fin © A(3)-6/96-II dated

17th February, 2007 that the amount deposited in the GPF accounts of the employees shall be transferred to respective Contributory Pension Scheme Account alongwith interest. In spite of clear provisions of rules and instructions as referred to above, the DDOs as detailed given in Annexure-I to Annexure-III received from the A.G. office, have failed to enroll their employees under the CPS/NPS which shows sheer negligence on their part. As a result, employees mentioned at Annexure-I are neither eligible to get pensionary benefits under CCS(Pension) Rules, 1972 nor entitled to receive the benefits under the CPS/NPS on superannuation or death. However, in case of those employees who have already superannuated from service or died in harness or other similarly situated persons (not enrolled under the CPS/ NPS), they may be allowed to pay employer share (Govt. share) @ 10% of Basic Pay and DA with interest at GPF rates, from the date of entry into Govt. service to till date of retirement or death as the case may be to enable them to purchase annuity at their own level.

3. It is, therefore, requested that departmental action may be initiated against the DDO's/ dealing officials, who have failed to comply with the Government rules/ instructions and action taken report be sent to the Finance Department for follow up.

Yours faithfully,

Encl : Annexure-I to III.



(Ramesh Kumar Gupta)
Joint Secretary (Finance) to the
Government of Himachal Pradesh.

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Copy alongwith Annexure-I to III as received from the AG Office are forwarded for information and necessary action to :-

1. The Secretary to Governor, H.P. Shimla.
2. The Secretary, H.P. Vidhan Sabha, Shimla-171004.
3. The Secretary, Lokayukta, Pine Grove Building, Shimla-171002.
4. The Principal Accountant General, H.P. Shimla-171003.
5. The Accountant General (A&E), Himachal Pradesh, Shimla-171003.

6. All the Divisional Commissioners in H.P.
7. The Registrar General, H.P. High Court, Shimla, H.P.
8. All District & Session Judges in H.P.
9. The Secretary, H.P.P.S.C., Nigam Vihar, Shimla-171002.
10. The Secretary, H.P. Electricity Regulatory Commission, Shimla.
11. The Secretary, HP Subordinate Service Selection Board, Hamirpur.
12. The Director (T&A) H.P. Shimla-171009.
13. All Deputy Commissioners in H.P.
14. The Resident Commissioner, H.P. Himachal Bhawan, Sikandra Road, New Delhi.
15. The Resident Commissioner, Pangti, Distt. Chamba, H.P.
16. The Deputy Commissioner, Relief and Rehabilitation, Bias Project, Raja Ka Talab, Kangra, H.P.



(Ramesh Kumar Gupta)

Joint Secretary (Finance) to the
Government of Himachal Pradesh.