

GOVERNMENT OF N.W.F.P
FINANCE DEPARTMENT.

NOTICIATION.

Peshawar, dated the, 18th February, 2006

No. SOSR:III/FD/12-1/2005/Vol:III- In exercise of the powers conferred by section 26 of the North West Frontier Province Civil Servants Act, 1973 (N.W.F.P. Act No. XVIII of 1973, read with section 19 thereof, the Governor of the North West Frontier Province is pleased to make the following rules, namely:-

THE NORTH WEST FRONTIER PROVINCE CONTRIBUTORY PROVIDENT FUND RULES, 2006.

1. Short title, application and commencement. ----(1) These rules may be called the North West Frontier Province Contributory Provident Fund Rules, 2006.

(2) These rules shall apply to civil servants who entered into civil service of the Province or appointed to a civil post in connection with the affairs of the Province on or after the first day of July 2001.

(3) These rules shall come into force at once, and shall be deemed to have taken effect from the date of commencement of the North West Frontier Province Civil Servants (Amendment) Act, 2005 (N.W.F.P Act No. IX of 2005).

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

- (a) "Civil Servant" for the purposes of these rules, means a civil servant to whom these rules apply and who subscribes to the Fund.
- (b) "Competent authority" for the purposes of these rules means the competent authority as defined in the General Financial Rules:
- (c) "Fund" means the Contributory Provident Fund established under rule 3 of these rules:
- (d) "Board" means the Management Board of the Fund constituted under rule 8 of these rules:
- (e) "Member" means a member of the Board and includes its chairman:
- (f) "Secretary" means the Secretary of the Board:

3. Establishment of Fund. ---(1) These shall be established a Fund to be known as Contributory Provident Fund, with immediate effect.

(2) The Fund shall be comprised of the subscriptions made on monthly basis by -
(a) Civil Servant at the rate of 10% of their respective pay; and
(b) Contributions made by Government in relation to each civil servant at the same rate as subscribed by him.

(3) The subscriptions under sub-rule (2) shall be deducted at source from pay of each civil servant by the office of the Accountant General, North West Frontier Province, or an Accounts Officer, duly authorized in this behalf by the Account General.

4. Custody and investment of the Fund. ---(1) All moneys at the credit of the Fund shall be kept in financial institutions or Banks as may be approved by the Government.

(2) Nothing in Sub-rule (1) shall be deemed to preclude Government from investing any such moneys from the Fund as it deems appropriate, in any of the securities described in section 20 of the Trusts Act, 1882 (II of 1882), or placing them in fixed deposits with a Bank approved by Government or in such other manner as may, in the opinion of the Board, be beneficial to the subscribers.

(3) The profits earned through investment shall be credited to each subscriber's account in proportion to the amount standing at the credit of each subscriber, on the first day of July of the financial year following the year of profit.

(4) No amount from the Fund shall be withdrawn, unless it is approved by the Board. Withdrawal of amount shall be permissible only under the joint signatures of the Secretary Finance and Secretary Administration Department in their capacity as members of the Board.

5. Nominations.--- (1) Every subscriber shall nominate one or more members of his family to whom the amount standing at his credit in the Fund shall be payable in the event of his death.

(2) A subscriber who has no family shall nominate any person or persons from amongst his relatives; provided that such nomination shall be valid only for so long as the member has no family, and if that member subsequently, acquires a family, he shall formally cancel the previous nomination and nominate a member of the family.

(3) Where a subscriber nominates more than one person as his nominees, he shall indicate the proportion in which each such nominee will be entitled to receive his share from the Fund.

(4) A nomination may be cancelled by a subscriber and replaced by any other nomination, which is permitted to be made under these rules.

6. Disbursement of the Fund.--- (1) A subscriber shall be entitled to receive the sum at his credit, along with the profits accrued thereon...

- (a) on his retirement from service; or
- (b) on his becoming medically unfit for further service by an authorized medical board, the amount at his credit in the fund along with profit earned thereon shall be paid to him.

(2) In case a subscriber is dismissed or removed from service on account of misconduct, he may be entitled to receive, in addition to his own subscriptions to the Fund and the profits earned thereon, an amount, as compassionate allowance, out of Government's contributions to his account, which shall, in no case, exceed two-third of such contributions.

(3) In case a subscriber dies during service, the amount standing at his credit in the Fund, along with profits earned thereon, shall be paid to his nominee or nominees in accordance with the nomination made by him in that behalf, or if there is no nomination, to his legal heir or heirs.

7. Withdrawal from the Fund.--- (1) The competent authority may, on the request of a subscriber, sanction an advance, not exceeding 80 percent of his total accumulation in the Fund to meet any of the following expenses:

- (a) expenses in connection with his own prolonged illness or any of the members of his family;
- (b) expenses in connection with overseas passage on reasons of Health or education of his own or any of the members of his family;
- (c) expenses in connection with construction of house on land owned by the subscriber or his spouse or purchase of land for residential purposes.

(2) The advance so sanctioned shall be recoverable in equal monthly installments which shall not be less than twelve installments, unless the subscriber so chooses or more than thirty-six installments.

(3) Except as a special case, no second advance shall be admissible unless the first advance is fully repaid and a period of one year has elapsed after payment of the last installment.

8. Maintenance of the Fund.--- (1) The account of the Fund, pertaining to deductions and contributions made by subscribers and Government to the Fund respectively under rule 3, and profits accrued thereon from investment of the Fund, in respect of each subscriber shall be maintained by the office of the Accountant General.

(2) As soon as may be, after the close financial year, the office of the Accountant General shall supply to every subscriber a statement showing the opening balance at the beginning of the financial year that is closed year, the total amount credited, closing balance at the end of the concerned financial year.

9. Management Board.--- (1) There shall be a Board, for management of the Fund, which shall consist of the following:

- a) The Chief Secretary to Government,
North West Frontier Province;
- b) The Secretary to Government,
North West Frontier Province;
Finance Department.
- c) The Secretary to Government,
North West Frontier Province;
Administration Department;
- d) The Accountant General,
NWFP, Peshawar.
- e) The Chief Manager,
State Bank of Pakistan, Peshawar.
- f) A representative of the subscribers to the
Fund, nominated by Government.

(2) An Additional Secretary, designated as such by the Secretary Finance, shall act as Secretary of the Board.

(3) The Board shall meet at such place and at such time as the Chairman may direct.

10. Meeting of the Board.--- (1) The meetings of the Board shall be held at least once in each three months. In addition, the Chairman may, whenever he considers necessary, call an emergent meeting.

(2) The Chairman and four members shall form quorum of a meeting.

(3) All decisions in a meeting shall be taken by majority of votes. In case of equality of votes, the Chairman shall have second or a casting vote.

(4) The proceedings of a meeting shall be recorded in the form of minutes by the Secretary. The minutes so recorded shall be circulated amongst the members within a fortnight of the meeting concerned and the members shall forward their observations, if any, within seven days of the receipt of the minutes. The minutes of the last meeting shall be confirmed by the Board before the start of the next meeting.

11. Functions of Secretary of the Board.--- Subject to general supervision and control of the Chairman, the Secretary shall be responsible for- .

- (a) The conduct of correspondence on behalf of the Board;
- (b) The maintenance of the record of the Board;
- (c) The maintenance of the accounts of the Board;
- (d) Preparation of the agenda of a meeting of the Board and giving advance notice of such meetings to the members; and
- (e) Performance of such other functions as may be assigned to him by the Chairman.

12. Invest Committee:

- (1) There shall be an Investment Committee consisting of the following: -
 - i) Secretary to Government of NWFP, Finance Department.
 - ii) Secretary to Government of NWFP, Administration Department.
 - iii) Chief Manager, State Bank of Pakistan, Peshawar.
 - iv) A representative of the subscribers to the Contributory Provident Fund to be nominated by Government.
- (2) The main functions of the Investment Committee shall be to make recommendation to the Board for investment of money out of the Fund and shall attend to such other functions as may be assigned to it by the Board.

13. Budget, Accounts & Audit:

- (1) The Secretary of the Board shall be responsible to prepare and submit budget on annual basis to the Board for approval.
- (2) The Board shall prepare annual statement of accounts of the Fund within 30 days of closing of the respective financial year and lay the same before the Government accompanied by brief report on the maintenance and management of the Fund.
- (3) Accounts in the Fund shall be audited by the Auditor General of Pakistan. In addition, with approval of the Board, the accounts shall also be audited by the Chartered Accountant.

**SECRETARY TO GOVERNMENT OF N.W.F.P,
FINANCE DEPARTMENT**

Endst: No. SOSR:III/FD/12-1/2005/Vol: III

Dated Peshawar the, 18/02/2006

Copy is forwarded for information to: -

1. All the Administrative Secretaries to Government of NWFP, Peshawar.
2. The Senior Member Board of Revenue, NWFP, Peshawar.
3. The Secretary to Governor, NWFP, Peshawar.
4. The Secretary Provincial Assembly Secretariat, NWFP, Peshawar.
5. All Heads of Attached Departments in NWFP, Peshawar.
6. All District Nazims/Districts Coordination Officers/Political Agents/District & Session judges in NWFP.
7. All Executive District Officers in NWFP, Peshawar.
8. The Registrar, Peshawar High Court, Peshawar.
9. The Secretary, Public Service Commission, NWFP, Peshawar.
10. The Registrar, Service Tribunal, NWFP, Peshawar.
11. The Secretary, Board of Revenue, NWFP, Peshawar.

**ADDITIONAL SECRETARY (REG),
FINANCE DEPARTMENT**

Endst: No. SOSR:III/FD/12-1/2005/Vol: III

Dated Peshawar the, 18/02/2006

Copy is forwarded for information to: -

1. All Autonomous and Semi Autonomous Bodies in NWFP.
2. the Secretary, Finance Department, Government of Punjab, Sindh and Balochistan.

**DEPUTY SECRETARY (REG-I)
FINANCE DEPARTMENT**

Endst: No. SOSR:III/FD/12-1/2005/Vol: III

Dated Peshawar the, 18/02/2006

Copy is forwarded for information to: -

1. Account General, NWFP, Peshawar.
2. All District/Agency Accounts Officers in NWFP.
3. The Treasury Officer, Peshawar.
4. The P.S to Finance Minister, NWFP, Peshawar.
5. The P.S to Secretary, P.As to Additional Secretaries, Deputy Secretaries in Finance Department.
6. All Section Officers/Budget Officers in Finance Department
7. The Director Local Fund Audit, NWFP, Peshawar.
8. The Manager, Government Printing Press Peshawar with the request that the Notification/Rules be published in the Government Gazette and 50 copies of the same should be supplied to this Department for further necessary action.

**SECTION OFFICER (SR-III)
FINANCE DEPARTMENT**

GOVERNMENT OF N.W.F.P
FINANCE DEPARTMENT.

NOTICIATION.

Peshawar, dated the, 12-04-2007

No. SOSR:III/FD/12-1/2005/Vol:III- In exercise of the powers conferred by section 26 of the North West Frontier Province Civil Servants Act, 1973 (N.W.F.P. Act No. XVIII of 1973, read with section 19 thereof, the Governor of the North West Frontier Province is pleased to direct that in the North-West Frontier Province Contributory Provident Fund Rules, 2006, the following amendments shall be made, namely:

AMENDMENTS.

- 1) In rule 3, in sub-rule (2), for clause (a), the following shall be substituted, namely;
“(a) civil servants at such rate as the Board may, from time to time, determine; and”.
- 2) In rule 9, in sub-rule (I), for clause (c), the following shall be substituted, namely;
“(b) the Secretary Administration, Establishment and Administration Department N-W.F.P”.

Sd/-

**SECRETARY TO GOVERNMENT OF N.W.F.P,
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11. The Registrar, Service Tribunal, NWFP, Peshawar.
12. The Secretary, Board of Revenue, NWFP, Peshawar.

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