

No. Fin (Pen)A(3)-1/96-loose.
Government of Himachal Pradesh
Finance (Pension) Department

From

The Additional Chief Secretary (Finance) to the
Government of Himachal Pradesh, Shimla-2.

To

1. All Administrative Secretaries to the
Government of Himachal Pradesh, Shimla-2.
2. All Heads of Departments in Himachal Pradesh.

Dated: Shimla-2 the 28th December, 2015.

**Subject:- Contributory Pension Scheme (New Pension System)
clarifications thereto.**

Sir,

On the above cited subject, I am directed to state that the Government of Himachal Pradesh vide Notification No. Fin(Pen)A(3)-1/96 dated 15-05-2003(*copy enclose as Annexure-I*) has modified the CCS(Pension)Rules, 1972 and said Rules were made inapplicable to all appointments made in the State of Himachal Pradesh on or after 15-5-2003. Employees appointed on regular basis on or after 15-5-2003 are covered under the Contributory Pension Scheme (New Pension System) and they are governed by the Himachal Pradesh Civil Services Contributory Pension Rules, 2006 notified vide Notification No.Fin. (Pen)A(3)-1/96 dated 17-08-2006 and Government instructions thereunder from time to time.

2. A number of references are being received from various departments seeking clarification about the status of Government employees who were appointed in Government service between the period 15-05-2003 to 17-08-2006 and continued to subscribe under the General Provident Fund Rules, 1960.

3. In this regard, it is clarified that the CCS(Pension)Rules, 1972 and General Provident Fund (Central Services) Rules, 1960 are two Separate set of Rules. The General Provident Fund (Central Services) Rules, 1960 provide for a saving scheme to the the employees, whereby, they can contribute varying amounts to the Fund, depending on their own choice and volition subject to certain minimum amount and the State Government acts as a banker/ trustee for savings of the employees, on which a fixed rate of interest is paid from time to time. On the

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other hand, CCS(Pension)Rules, 1972, provide for payment of defined pensionary benefits under these Rules. Therefore, subscribing towards General Provident Fund, by an employee for whatsoever reasons, does not make him eligible for pensionary benefits under the CCS (Pension) Rules, 1972.

4. Moreover, employees appointed on or after 15.5.2003 are governed by the Himachal Pradesh Civil Services Contributory Pension Rules, 2006 and they are not eligible to subscribe to the General Provident Fund as per Rule 4(4) of the Rules *ibid*. Further, Rule 4(26) of the H.P. Civil Services Pension Rules, 2006 deals with the cases where the employees appointed on or after 15.5.2003 were contributing towards GPF. This Rule provides that, employees appointed on or after 15.5.2003 and who were already contributing towards the GPF shall cease to subscribe towards the 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 CPS Accounts alongwith interest.

5. In addition State Government has also amended the General Provident Fund (Central Services) Rules, 1960 vide Notification No.Fin(C)A(3)6/96-II dated 15-09-2006 (copy enclosed as **Annexure-II**) read with corrigendum of even number dated 17-02-2007 by substituting following proviso in place of existing first proviso to Rule 4 of the General Provident Fund (Central Services) Rules, 1960:-

“Provided further that no such Government servant appointed on or after the 15th May,2003 and who is covered under the provisions of the Contributory Pension Scheme notified by the State Government will be eligible to subscribe to the Fund. However, the amount deposited in their General Provident Fund Account shall be transferred to their respective Contributory Pension Fund Accounts alongwith interest. In case the balance in General Provident Fund Accounts alongwith interest is found excess to the amount required to be adjusted towards arrears of the employee's contribution towards Contributory Pension Scheme, the same shall be refunded to the individual and in case the balance in GPF accounts falls short of the prescribed limit the same shall be recovered from his salary as an additional instalment as provided in Rule-4(26) of the Himachal Pradesh Civil Service Contributory Pension Rules, 2006 notified vide notification No.Fin(Pen)A(3)-1/96 dated 17th August, 2006.”

6. It is, further clarified that the State Govt. has given retrospective effect to the H.P. Civil Services Pension Rules, 2006, w.e.f 15.5.2003, in order

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to grant the Govt. employees the benefits of social security in the form of Contributory Pension Scheme retrospectively because the State Government employees appointed on or after 15.5.2003 had been excluded from the purview of CCS(Pension)Rules,1972 vide Notification No.Fin(Pen)A(3)-1/96 dated 15.05.2003. If, retrospective effect to the said Notification had not been given, the persons appointed in Government service on or after 15.05.2003 and upto 17.08.2006 i.e. the date of notification of H.P. Civil Services Contributory Pension Rules, 2006 would not have been covered under the social security scheme envisaged under H.P. Civil Services Contributory Pension Rules, 2006.

7. In view of the provisions of Pension Rules/GPF Rules/CPS Rules, as explained above, it is clarified that Government employees who were appointed in Government service between the period 15-05-2003 to 17-08-2006 and whose contribution to the General Provident Fund (Central Services) Rule, 1960, was made for on whatsoever reasons, are covered under the H.P. Civil Services Contributory Pension Rules, 2006

(Akshay Sood)

**Special Secretary (Finance) to the
Government of Himachal Pradesh, Shimla-2.**
Ph. No. 0177-2621798

Endst.No.Fin (Pen)A(3)-1/96 Dated:Shimla-2 the 28th Dec.,2015.
Visit Finance Department- www.himachal.gov.in/finance

Copy forwarded to:-

1. The Accountant General (Audit) Himachal Pradesh, Shimla-3.
2. The Principal Resident Commissioner, Himachal Pradesh, Himachal Bhawan, 27- Sikandra Road, New Delhi-110001.
3. Sr. Deputy Accountant General (A&E), Himachal Pradesh, Shimla-3.
4. All Divisional Commissioner in Himachal Pradesh.
5. All Deputy Commissioner in Himachal Pradesh.
6. Registrar General, Himachal Pradesh High Court, Shimla-171001.
7. All Deputy Commissioners in Himachal Pradesh.
8. All District and Session Judges in Himachal Pradesh.
9. All District Treasury Officers/Treasury Officers of Sub-Treasuries in Himachal Pradesh.
10. All Sections of Finance Department, H.P. Secretariat, Shimla-2.

(Akshay Sood)

**Special Secretary (Finance) to the
Government of Himachal Pradesh, Shimla-2.**

(Authoritative English text of this Department Notification No. Fin (Pen) A (3)-1/96 dated 15th May, 2003 as required under clause (3) of Article 348 of the constitution of India)

Government of Himachal Pradesh
Finance (Pension) Department

No. Fin (Pen) A (3)-1/96 Dated Shimla-171002, the 15th May, 2003.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the constitution of India, the Governor, Himachal Pradesh is pleased to make the following rules, further to amend the Central Civil Services (Pension) Rules, 1972 in their application To the State of Himachal Pradesh, namely:-

- | | | |
|-----------------------------------|-----|--|
| 1. Short title and Commencement:- | 1 | (1) This Rules may be called the Central Civil Services (Pension) (Himachal Pradesh First Amendment) Rules, 2003. |
| | (2) | They shall come into force from the date of publication in the Rajpatra Himachal Pradesh. |
| 2. Amendment of rule-2:- | 2 | After clause (h) of rule-2 of the Central Civil Services (Pension) Rules 1972 the following new clause (i) shall be inserted, namely:- |
| | (i) | All appointments made in the State Government of Himachal Pradesh on or after the date of publication of the notification in Rajpatra, Himachal Pradesh. |

By Order

(S.K. Sood)
Principal Secretary (Finance) to the,
Government of Himachal Pradesh.

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Endst. No. Fin(Pen)A(3)-1/96

Dated Shimla—2, the 15th May, 2003.

Copy to:—

1. The Controller Printing and Stationary Himachal Pradesh, Shimla for Publication in the Gazette of Himachal Pradesh.
2. The Accountant General Himachal Pradesh, Shimla-3 with 20 spare copies.
3. The Senior Deputy Accountant General (A&E), Himachal Pradesh Shimla—3 with 20 spare copies.
4. All Administrative Secretaries to the Government of Himachal Pradesh.
5. All Heads of Departments in Himachal Pradesh.
6. All Deputy Commissioners in Himachal Pradesh.
7. The District and Session Judges in Himachal Pradesh.
8. All District Treasury Officers/Treasury Officers in Himachal Pradesh.
9. All Public Sector Undertakings/ Boards/ Universities, in Himachal Pradesh.
10. The Controller, Department of Personnel, H. P. Secretariat, Shimla—171002.
11. The Department of Personnel, Appointment - III, with 5 spare copies.
12. Section Officers, Finance Commission, H. P. Secretariat, Shimla—171002.
13. All Section of Finance Department of H.P. Secretariat, Shimla—171002.
14. Sh. S. K. Duggla, 3246 Mohindra Park Shakur Basti, Delhi—110034.
15. Sh. B. D. Sharma, General Secretary PWA H.P. Jasmine Lodge, Shivnagar (Along Parimahal Police Colony Road) Kasumpti, Shimla—9.



**Addl. Secretary (Fin - Pen) to the,
Government of Himachal Pradesh.**

GOVERNMENT OF HIMACHAL PRADESH
FINANCE (REGULATIONS) DEPARTMENT

NO. FIN(C)-A(3)-6/96-II DATED SHIMLA-2, THE 17th FEBRUARY, 2007.

CORRIGENDUM

The Governor, of Himachal Pradesh is please to order that following proviso to be substituted in place of existing First proviso to Rule-4 of the General Provident Fund (Central Services) Rules, 1960 as notified vide this Department's Notification of even number dated 15th September, 2006:

“Provided further that no such Government servant appointed on or after the 15th May, 2003 and who is covered under the provisions of the Contributory Pension Scheme notified by the State Government will be eligible to subscribe to the Fund. However, the amount deposited in their General Provident Fund Account shall be transferred to their respective Contributory Pension Fund Accounts alongwith interest. In case the balance in General Provident Fund Accounts alongwith interest is found excess to the amount required to be adjusted towards arrears of the employee's contribution towards Contributory Pension Scheme, the same shall be refunded to the individual and in case the balance in GPF accounts falls short of the prescribed limit the same shall be recovered from his salary as an additional instalment as provided in Rule-4 (26) of the Himachal Pradesh Civil Services Contributory Pension Rules, 2006 notified vide notification No.Fin(Pen)A(3)-1/96, dated 17th August, 2006.”

By order

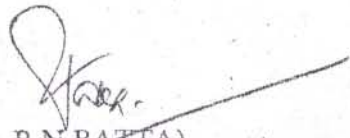
Dr. Sutanu Behuria
Principal Secretary (Finance) to the
Government of Himachal Pradesh,
Shimla-171002.

Endst. No.Fin(C)A(3)-6/96-II Dated Shimla-171002, the 17th February, 07.

Copy to:-

1. All Administrative Secretaries to the Government of H.P.
2. Accountant General (Audit) H.P. Shimla-171003 with 10 spare copies.
3. The Principal Resident Commissioner, to the Government of H.P., 27-Sikandra Road, Himachal Bhawan, New Delhi.
4. The Commissioner (Revenue) H.P.Shimla-2/ All Divisional Commissioners in H.P.
5. The Senior Deputy Accountant General (A&E), Himachal Pradesh, Shimla-3 with 10 spare copies.

6. All Heads of Departments in Himachal Pradesh.
7. All Deputy Commissioners in Himachal Pradesh.
8. The Registrar General, HP High Court, Shimla-171001.
9. All District and Session Judges in Himachal Pradesh.
10. The Deputy Commissioner, Relief and Rehabilitation, Beas Project Larth, Thesil Nurpur, District, Kangra.
11. The Controller, Printing and Stationery, Himachal Pradesh, Shimla-171005 for publication in the Gazette of Himachal Pradesh.
12. All Controller/Joint Controller (F& A)/ Deputy Controllers (F&A)/Assistant Controllers (F&A) Section Officers (F&A) under the Administrative Control of T&A Organization in HP.
13. All District Treasury Officers/ Treasury Officers of Sub-Treasuries in Himachal Pradesh.
14. The Registrars, HP University, Shimla-5, Agriculture University, Palampur and Horticulture University, Nauni, Solan.
15. All Managing Directors, Boards and Public Sector Undertakings in Himachal Pradesh.
16. Director Defence Estates, Ministry of Defence, 144/6, Panchkula Haryana.
17. Cantonment Executive Officers, Jatogh (Shimla)/Subathu(Solan), Kasauli (Solan) Yol (Kangra) Bakloh/Dalhousie(Chamba) Himachal Pradesh.
18. Commandant Training Centre, SSB, Sarahan (Rampur Bushehar) District Shimla, Himachal Pradesh.
19. Divisional Organizer, Punjab and Himachal Pradesh Division, Directorate of Security, Shimla-4.
20. Deputy Director, Defence Estates and Cantonments Northern Command, Udhampur, Jammu and Kashmir.
21. Deputy Controller, Finance (Pension) HP, Secretariat, Shimla-2.
22. The Under Secretary (Law/Senior Law Officers, Law Department, Himachal Pradesh Secretariat, Shimla-2.
23. Guard file with 100 Spare copies.



(Dr. R.N. BATTI)

Additional Secretary (Fin-Reg) to the
Government of Himachal Pradesh,
Shimla-2.

Government of Himachal Pradesh
Finance (Regulations) Department

No. Fin(C)-A(3)-6/96-II Dated Shimla-2, the 15th September, 06.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India the Governor, Himachal Pradesh, is pleased to make the following amendment further to amend the General Provident Fund (Central Service) Rules, 1960, in their application to the State of Himachal Pradesh namely:-

- Short title and Commencement. (1) These rules may be called the General Provident Fund (Central Services) Rules, 2006.
(2) These Rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.
- Amendment in Rule-4

Below First proviso under Rule-4 of the General Provident Fund (Central Services) Rules, 1960, the following proviso shall be added:-

"Provided further that no such Government servant appointed on or after the 15th May, 2003 and who is covered under the provisions of the Contributory Pension Scheme notified by the State Government will be eligible to subscribe to the Fund. However, the amount already subscribed by such Government servants towards GPF, if any, till the date of issuance of this notification will be diverted to their respective Contributory Pension Scheme accounts and shall be treated as Employee's contribution towards the said scheme".

By order

DR. SUTANU BEHURIA
Principal Secretary (Finance) to the
Government of Himachal Pradesh.
Shimla-171002.

Endst. No.Fin(C)A(3)-6/96-II Dated Shimla-171002, the 15th September, 06.
Copy to:

1. All Administrative Secretaries to the Government of H.P.
2. Accountant General (Audit) H.P. Shimla-171003 with 10 spare copies.
3. Principal Resident Commissioner, Himachal Pradesh, Himachal Bhawan, 27 Sikandra Road, New Delhi.

4 The Commissioner (Revenue), HP, Shimla-2/ All Division
Commissioners in HP.

5 Senior Deputy Accountant General (A&E), Himachal Pradesh,
Shimla-3 with 10 spare copies.

6 All Heads of Departments in Himachal Pradesh

7 All Deputy Commissioners in Himachal Pradesh.

8 Registrar General, Himachal Pradesh High Court, Shimla-3

9 All District and Session Judges in Himachal Pradesh.

10 Deputy Commissioner, Relief *Rehabilitation, Beas Project
Larth, Tehsil Nurpur, Distt. Kangra, H.P.

11 The Controller, Printing and Stationery, Himachal Pradesh,
Shimla-171005 for publication in the Gazette of Himachal
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(F&A)/Assistant Controllers (F&A) Section Officers (F&A)
under the Administrative Control of T&A Organization in HP.

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Treasuries in Himachal Pradesh.

14 The Registrars, HP University, Shimla-5, Agriculture University,
Palampur and Horticulture University, Nauni, Solan.

15 All Managing Directors, Boards and Public Sector Undertakings
in Himachal Pradesh.

16 Director Defence Estates, Ministry of Defence, 144/6,
Panchkula, Haryana.

17 Cantonment Executive Officers, Jatogh (Shimla)
/Subathu(Solan) Kasauli(Solan) Yol Cantonment (Kangra)
Bakloh(Chamba/Dalhousie(Chamba) Himachal Pradesh.

18 Commandant Training Centre, SSB Sarahan (Rampur Bushier)
District, Himachal Pradesh.

19 Divisional Organiser, Punjab and Himachal Pradesh Division
Directorate of Security, Shimla-4.

20 Deputy Director, Defence Estates and Cantonments Northern
Command, Udhampur, Jammu and Kashmir.

21 Deputy Controller, Finance (Pension), HP. Sectt., Shimla-2.

22 Under Secretary (Law)/Senior Law Officers, Law Department,
Himachal Pradesh, Secretariat.

23 Guard file with 100 spare copies.



(DR. R.N. BATTI)

Additional Secretary (Fin-Reg) to the
Govt. of HP, Shimla-171002.