

# THE COASTAL DEVELOPMENT AUTHORITY (EMPLOYEE PENSION) RULES, 1999.

## CONTENTS.

### RULES.

1. Short title, commencement and application.
2. Definitions.
3. Fund.
4. Superannuation pension n.
5. Retiring pension.
6. Invalid pension.
7. Compassionate pension.
8. Family pension and commutation.
9. Compassionate allowance.
10. Reckoning of service for pension.
11. Calculation of pension.
12. Entitlement to pension.
13. Disability or death pension on gratuity.
14. Authority to sanction the pension.
15. Condition of pension.
16. Relaxation.
17. Application of Government Pension Rules.

ANNEXURE (See rule -13) Part-I, CLASS "A" Classification of Disability.  
CLASS "B" & CLASS "C", GENERAL NOTE.

ANNEXURE Part-II Principles and procedure for determining attributability to service or disability.

**GOVERNMENT OF SINDH  
PLANNING & DEVELOPMENT DEPARTMENT**

Karachi dated 30<sup>th</sup> January, 2001.

**NOTIFICATION**

No. SO(ADMN-I)(P&D)15(1)/98: In exercise of the powers conferred by section 24 of the Sindh Coastal Development Authority Act, 1994, the Government of Sindh are pleased to make the following rules:-

1. (1) These rules may be called the Coastal Development Authority (Employee Pension) Rules, 1999. **Short title commencement and application.**
  - (2) They shall come into force at once.
  - (3) They shall apply to all employees of the Authority wherever they may be but shall not apply to casual work-charged staff and persons employed on contract or on deputation who will be governed by the terms and conditions of their appointment or deputation as the case may.
  
2. In these rules, unless the context requires otherwise: **Definitions.**
  - (a) “children” means the legitimate children of the employee below twenty-one years of age including the children of a deceased son of the employee and Muslim employee also the children adopted by him under any law for the time being in force;
  - (b) “employee” means the employee of the Authority to whom these rules apply;
  - (c) “Fund” means the fund established under rule-3;
  - (d) “medical authority” means the Medical Officer or Medical Board appointed by the Authority for the purpose of these rules;
  - (e) “pension” means any kind of pension admissible under these rules.
  
3. (1) There shall be a fund known as the Employees Pension Fund, which shall consists of: **Fund.**
  - (a) The contributions made by the Authority from time to time and credited to the fund;
  - (b) All profits earned or occurred on the moneys of the Fund.(2) The Fund shall be utilized for grant of pension and

commutation under these rules.

- (3) Any moneys of the fund not required for immediate use may be invested by the Authority on in such securities or schemes as may be approved by Government.
4. A superannuation pension shall be granted to an employee who attains sixty years of age. **Superannuation pension.**
5. A retiring pension shall be granted to an employee who not being eligible for superannuation pension opts to retire, or in compulsorily retired after twenty-five years qualifying service by the Authority competent to remove him from service on the ground of in-efficiency, misconduct or corruption. **Retiring pension.**
6.
  - (1) An invalid pension shall be granted to an employee who has served the Authority at least for ten years and is certified by the medical authority to be permanently incapacitated for further service by any bodily or mental infirmity. **Invalid pension.**
  - (2) A reference to the medical authority for examination of the employee and issuance of the certificate shall be made by the Authority of its own or on the application of the employee.
  - (3) The medical authority after examining the employee shall issue a medical certificate in the form given below: -  
  
“Certified that I (we) have thoroughly examined Mr. \_\_\_\_\_ son of \_\_\_\_\_ whose signature is appended below. His age is by his own statement \_\_\_\_\_years. I (we) consider/do not consider the said Mr. \_\_\_\_\_ to be permanently incapacitated for further service in consequence of \_\_\_\_\_(here state disease or cause)”.
  - (4) Where an employee is certified to be permanently incapacitated for further service, he may be invalidated from service on the receipt of the medical certificate, or on the expiry of leave, if already on leave, or on expiry of leave preparatory to retirement granted to him as a special case after receipt of the medical certificate.

7.

If a permanent employee is selected for discharge owing to the abolition of his permanent post or owing to a change in the nature of the duties of the post, he shall, unless is appointed to another post the conditions of which are deemed to be at least equivalent to the permanent post have the option:

**Compassionate pension**

(a) of taking any compassionate pension and commutation to which he may be entitled for the service he has already rendered ; or

(b) of accepting another post even on a lower pay scale, if offered, and in that case, his previous service shall count for pension.

8. (1)

In the case of death of an employee while in service commutation in lieu of fifty percent of the gross pension shall be allowed at the rates specified in rule-12 and in addition to such commutation, family pension shall be allowed:

**Family pension and commutation**

(a) To the widows of the deceased, if the deceased is a male, or to the husband, if the deceased in a Female, and children, and if the number of the person eligible for the pension does not exceed four, the pension shall be divided equally among them, and if the number of such persons is more than four, the husband one fourth of the pension and the balance (if any) shall be divided equally among the surviving children;

Provided that in the case of a female leaving behind children from a former marriage in addition to her husband and children by her surviving husband the amount of pension shall be divided equally among the husband and the children, and if the total number of beneficiaries exceeds four, the husband shall be allowed one fourth of the pension and the remaining amount shall be distributed equally among the children;

(b) failing a widow or husband; as the case may be, the pension shall be divided equally among the children;

(c) failing (a) and (b) to the eldest widow of a deceased son;

(d) failing (a) to (c), to the eldest widow of deceased son;

(e) failing (a) to (d), to the eldest surviving son of

- deceased son;
  - (f) failing (a) to (f) to the eldest widowed daughter of a deceased son.
- (2) If the family pension is not payable under sub-rule(1) it may be allowed:
- (a) To the father;
  - (b) Failing the father and mother, to the eldest surviving brother below the age of twenty-one years;
  - (c) Failing the father and mother, to the eldest surviving brother below the age of twenty-one years;
  - (d) Failing (a) to (b), to the eldest surviving unmarried sister, if the eldest sister marries or dies then the next eldest;
  - (e) Failing (a) to (d), to the eldest surviving widowed sister.
- (3) No family pension shall be payable:
- (a) To an un-married female member in the event of her marriage;
  - (b) To a widowed female member in the event of her re-marriage;
  - (c) To a brother of the employee on his attaining the age of twenty-one years.
- (4) A family pension shall not be payable to more than one member of the employee's family at the same time except as provided for in clause(a) and (b) of sub-rule(1)
- (5) If the family pension granted to persons falling under clause(a) or (b) is discontinued on death or marriage of the recipient or due to any other reasons, it shall be granted to other persons mentioned in sub-rule(1) in equal share.
- (6) If the family pension granted to family members other than those mentioned in clauses (a) and (b) of sub-rule(1) is discontinued on the death or marriage of the recipient or due to any other reason, it shall be granted to the person next lower in the order mentioned in sub-rule(1) and sub-rule(2).
- (7) The Authority may, with the approval of Government, make such modification in the mode of allotment or conditions of tenure set forth in the proceeding sub-rules as they may consider desirable to suit special circumstances of the beneficiaries.
- (8) A family pension shall be payable in addition any pension or commutation that may be granted to the family members under any other laws for the time being in force.

- |     |  |   |
|-----|--|---|
| 9.  | <p>(9) Future good conduct of the receipt is an implied condition of grant of a family pension.</p> <p>No pension may be granted to an employee dismissed or removed for miss-conduct, corruption subversive activities or in-efficiency but, if he deserves special consideration he may be granted a compassionate allowance not exceeding two third of the pension which would have been admissible to him had he retired as invalided person.</p>  | <b>Compassionate allowance.</b>         |
| 10. | <p>(1) All spells of continuous service of five years or more rendered by an employee shall be counted for the purpose of pension, and absence without leave shall, unless condoned and pension converted into extraordinary leave by the Authority be treated to be a break in the continuity of the spell.</p> <p>(2) The time spent by an employee on deputation to Government or any statutory body shall count for pension as if it were spent in the Authority 'service</p> <p>(3) The total service shall be rounded off to the nearest full years; a period of less than one hundred and eighty days to be ignored and a of one hundred and eighty days or more to be counted as one year.</p> <p>(4) The Authority may for the purpose of grant of pension condone all gaps between period of continuous service of an employee.</p> <p>(5) The Authority may condone deficiency in qualifying service upto one year, provided that the service rendered by the employee is meritorious and the condonation, if allowed, will bring the service upto twenty five years of qualifying service.</p> | <b>Reckoning a service for pension.</b> |
| 11. | <p>(1) Pension shall be calculated in accordance with the pension table given below on emoluments drawn on the last working day including the increment, if any, accruing during the leave preparatory to retirement and not drawn due to leave; provided that the post has been held by him on regular basis. Otherwise pension shall be calculated on average emoluments drawn by the employee during the last twelve months of service including the period of leave other than the extraordinary leave without pay.</p>  | <b>Calculation of pension.</b>          |

Explanation: for the purpose of this rule:- for the purpose of this rule;-

- (a) "emoluments" means pay, special pay of all types and nature, personal pay, technical pay

and senior post allowance:

- (b) “Special pay” means the special pay sanctioned to an employee for holding charge of the higher post or equivalent post, which will be divided by twelve months for ascertaining the average which will be included in the last pay drawn for calculation of pension.

**PENSION TABLE**

<u>COMPLETED YEARS OF QUALIFYING SERVICE.</u>		<u>SCALE OF PENSION EXPRESSED AS FRACTION OF AVERAGE EMOLUMENTS.</u>
10		70/300
11		77/300
12		84/300
13		91/300
14		98/300
15		105/300
16		112/300
17		119/300
18		126/300
19		133/300
20		140/300
21		147/300
22		154/300
23		161/300
24		168/300
25		175/300
26		182/300
27		189/300
28		196/300
29		203/300
30 and above.		210/300

- (2) Where pension or commutations not admissible under these rules, the Authority may grant a pension which will not save in most exceptional circumstances, exceed one hundred rupees a month or a commutation not exceeding the equivalent value calculated under rule-12 on that amount.

NOTE:- For the service put in by an employee beyond thirty years qualifying service he shall be entitled to the benefit to the extent of two percent of his gross pension for each extra completed years of such service subject to a maximum of ten percent of his gross pension.

12. (1) An employee entitled to pension under these rules shall be allowed commutation in lieu of fifty percent of the gross pension according to commutation table given below: -  
Provided that the amount of commutation so calculated shall on the death of

an employee be payable to his family notwithstanding whether family members pension be admissible under these rules or not.

AGE NEXT BIRTH	NUMBER OF YEARS PURCHASE	AGE NEXT BIRTH	NUMBER OF YEARS PURCHASE
20	50.6304	50	22.8911
21	49.6676	51	22.0658
22	48.7066	52	21.2563
23	47.7464	53	20.4683
24	46.7884	54	19.6896
25	45.8314	55	18.9348
26	44.8758	56	18.2002
27	43.9215	57	17.4860
28	42.9688	58	16.7925
29	42.0179	59	16.1191
30	41.0089	60	15.4649
31	40.1218	61	14.8290
32	39.1767	62	14.2105
33	38.2336	63	13.6090
34	37.2929	64	13.0239
35	36.3551	65	12.4549
36	35.4203	66	11.9017
37	34.4885	67	11.3643
38	33.5603	68	10.8428
39	32.6361	69	10.3371
40	31.7160	70	9.8472
41	30.8007	71	9.3729
42	29.8907	72	8.9142
43	28.9800	73	8.4708
44	28.0891	74	8.0427
45	27.1990	75	7.6299
46	26.3172	76	7.2322
47	25.444	77	6.8496
48	24.5816	78	6.4818
49	23.7301	79	6,1287
50.		80	5,7901

- (2) The lump-sum amount payable on commutation shall be calculated by multiplying the years of purchase as determined by the table by twelve and then multiplied by the amount of the pension to be commuted.
  - (3) For the purpose of calculating the amount of commutation under this rule, the age on next birth day of an employee retiring on superannuation shall, notwithstanding: the formula given in the table, be deemed to be sixty year.
13. (1) In addition to any pension admissible under the foregoing provisions, disability Pension and gratuity and Death or death Special Family Pension and Gratuity shall be granted in accordance with the table below:

**Disability or death pension and gratuity.**

- (2) The disabilities mentioned in Part-I of the Annexure to these rules shall be the criteria for determining the rates of pension and gratuity under this rule.
- (3) The principle and procedure laid down in Part-II of the Annexure to these rules shall be observed for determining the admissibility of the pension and gratuity under this rule.

**TABLE OF DISABILITY PENSION AND GRATUITY**

	Pension	Gratuity	Children Pension	
			Child without own Mother	Child own Mother living
1	2	3	4	5
1****	20% of the pay subject to a maximum of Rs. 600/- and a minimum of Rs. 100/- per month and in the case of death it shall devolve on the widow or husband, the pension shall be admissible until widow re-marries.	6 months pay	5% of the subject to maximum of Rs. 100/- per child per month.	2 ½ % of the pay subject to a maximum of Rs. 50/- and a minimum of Rs. 25/- per month
2	15% of pay subject to a maximum of Rs. 450/- and a minimum of Rs. 75/- per month.	Nil	4% of the pay subject to a maximum of Rs. 80 per child and minimum of Rs. 40/- per child per month.	2% of the pay subject to a maximum of Rs. 50/- and minimum of Rs. 25/- per child per month.
		Nil	Nil	Nil
*****	20% of pay subject to a maximum of Rs. 600/- per month and minimum of Rs. 100/- per month.	6 months pay.	5% of the pay subject to a maximum Rs. 100/- and a minimum of Rs. 50/- per child per month.	2 ½ of the pay subject to a maximum of Rs. 50/- and a minimum of Rs. 25/- per child per month.

14. (1) All pension other than those granted under rule-13 shall be sanctioned, on application by the employee or a member of his family by the Appointing Authority.

**Authority to sanction the pension**

- (2) In the case of pension under rule-13, an employee or a member of his family may submit an application for grant of such pension stating in the application the grounds for claiming the pension, and on receipt of the application the Appointing Authority shall after making such enquiry and taking such evidence as he may consider necessary, recommend to the Chairman for sanctioning of the pension in accordance with the provisions of rule-13.

- (3) A Pension Payment Book as may be prescribed by the Authority shall be issued to the pensioner.
15. (1) Good conduct is an implied condition of every pension and the Authority may withhold or withdraw a pension of Pension or any part of it if the pensioner is convicted of an offense involving moral turpitude or is found to have been guilty of misconduct either during or after the completion of this service, provided that before any order to this effect is issued, the procedure prescribed for imposition of the penalty of removal from service of an employee of the category of pensioner shall be followed and no such order shall be passed unless a reasonable opportunity of being heard has been given to the pensioner.
- (2) The Authority itself may make any recovery from the pension of the pensioner on account of losses found in judicial or departmental proceedings to have been caused to the Authority by the negligence, or fraud of such pensioner or during his service; Provided that such departmental proceedings shall not be instituted after a year from the date of retirement of the pensioner.
- (3) In case the amount of pension granted to any employee is found to be in excess of that to which he is entitled under the rules, he shall refund such excess.
- (4) Except with the previous sanction of Government to be obtained through the Authority, no pensioner shall within a period of two years from the date of his retirement, be a candidate to any election or engage in political activity of any kind.
16. Any of these rules may for reasons to be recorded in writing, be relaxed in individual cases by the Authority, if it is satisfied that a strict application of the rules will cause hardship to the individual.
17. If any question arises at any case not covered by these rules, the same shall be resolved with reference to the Pension Rules applicable to the civil servants and the same pension Rules, shall be considered mutatis mutandis to be the part of these rules.
- Condition of Pension**
- Relaxation.**
- Application of Government Pension Rules.**

ANNEXURE

(See Rule-13)  
PART-I

CLASS "A"

CLASSIFICATION OF DISABILITY

1. Lose of a hand and a foot or loss of use of two or more limbs.
2. Total loss of eye-sight.
3. Total loss of speech.
4. Total deafness, both ears.
5. Paraplegic or hemiplegic.
6. Lunacy.
7. Very severe facial disfigurement.
8. Advanced case of incurable disease.
9. Wounds, injuries or disease resulting in a disability due to which a person becomes incapacitated.
10. Emasculation.

NOTE: Wounds, injuries or disease of limb resulting in damage of nerves, joints, or muscles making the whole of limb useless would mean loss of that limb. Cases in which a partial function is retained will not be included in this class. However, if the partial retention of functions does not help in holding an object even with partial efficiency, it should be considered as total loss of function. Those cases will also be included in this class where the earning capacity of the civil servant has been totally impaired due to the invalidating disability.

Class "B"

1. Loss of thumb or at least three fingers of hand.
2. Partial loss of one or both feet at or beyond tarsometatarsal joint.
3. Loss of vision of one eye.
4. Loss of all toes of one or both feet.

Class "C"

1. Limited restriction of movement of joint due to injuries.
2. Loss of a limb restricting performance of duties.

General Note:

Where the wound injury or illness causing the disability is not given above, the disability shall be assessed by the medical authority at the classification most closely corresponding to those given above.

Annexure  
PART-II

Principles and procedure for determining attributability to service or disability.

A. Causalities due to wound or injury.

1. It should be established in such cases that the cause of causality was the result of duty in service.
2. Where the injury resulted from the risk inherent in service attributability will be conceded.
3. An individual on duty for 24 hours of the duty except when on leave other than casual leave.
4. An individual will be deemed to be in the performance of duty when: -
  - i) He is physically present in his headquarters;
  - ii) He is traveling on leave at Authority's expense;
  - iii) When traveling to or from duty (e.g from residence to place of duty and back but not whilst he is in his residence);
  - iv) Whilst traveling on duty i.e. where it is established that but for the duty he would not have been traveling at all.
5. Disability resulting from purely personal acts such as shaving or similar private pursuits would not normally be treated as attributable to service.
6. Disability resulting from violence provoked by performing of duty will be views as attributable to service unless the circumstances of the case warrant a different conclusion.
7. If circumstances are such that service played no part in the causation of disability, attributability will not be connected.

**ILLUSTRATION:-**

If a person driving a motor cycle etc, on duty, collides with a truck the injury received may be attributed to service but if he is out for a walk and sustains injury from a passing truck, his case will not qualify for the concession.

8. CAUSALITY DUE TO DISEASE

- \*\*
- (a) The cause of disability resulting from disease will be regarded as attributable to service only when it is directly due to risks which may be regarded as peculiar to the circumstances of duty in service. In determining attributability in such cases due regard\*\*/ or of a particular type involved exposure to exceptional risk of contraction of infection by a diseases,. As well as to the actual circumstances of the case;
  - (b) Attributability will not be conceded if thought contracted during the period of actual performance of duty the diseases is in the opinion of the medical authorities concerned, due to risks which cannot be regarded as peculiar to such duty in service;
  - (c) Where a disease or its aggravation resulted from the risk of duty attributability /aggravation will be conceded;
  - (d) All cases of tuberculosis and bronchial asthma will be accepted as attributable to or aggravated by service where the medical opinion is in favour of the acceptance;
  - (e) Attributability/aggravation in all cases of Cardiac disease will be determined in accordance with the guide lines mentioned at the end of this part;
  - (f) Where medical or other supporting documents are incomplete, case will be death with on merits with due regard to medical opinion and other evidence.

Guidelines for determining attributability /aggravation in case of cardiac disease.

1. There are many pre-disposing factors which may precipitate an attack of coronary occlusion. No single factor can be pinpointed as being responsible for such an attack. It is, therefore, not easy to lay any hard and fast rules for awarding attributability/aggravation in such case. For the guidance of medical and of administrative authorities some of the factors which may precipitate the attach of heart disease are enumerated below: -
  - (a) Physical Exertion: - Coronary, occlusions

is known to have precipitated during or immediately following physical exertion. Physical exertion may not necessarily be of an unusual character i.e. lifting of a heavy truck/handle, pushing a stalled vehicle/ or an uphill climbing have, many instance, been followed by an attack of Coronary occlusion. The effects of exertion are worse if the individual is unduly fatigued, has lack of sleep or is under emotional stress. Attributability will be conceded if a person undergoing stress and strain, pressure and counter pressure by virtue of the nature of his duties develops psychiatric problem.

(b) Emotional Strain— The occurrence of Coronary disease in persons who had been under an unusually and protracted emotional strain points to a probable relationship between the two. Separation from families, uncongenial atmosphere, frequent moves, all add to mental strain and psychological traumas.

2. The question of attributability/aggravation of heart disease on normal individual who is subject to the above mentioned factors will therefore, have to be considered and decided in the light of known history and merits of each case.
3. While dealing with such cases due precaution will be exercised by all concerned to carefully bring on detailed merits of the case as award of attributability /aggravation depends on their candid opinion.

**ADDITIONAL CHIEF SECRETARY(DEV.)  
GOVERNMENT OF SINDH.**

No. SO (ADMN-I) (P&D)15(1)98: Karachi dated 30<sup>th</sup> January, 2001.

A copy is forwarded for information and necessary action to: -

1. All Administrative Secretaries to Government of Sindh.
2. The Senior Member Board of Revenue, Sindh.
3. The Superintendent, Sindh Government Printing Press Karachi, with a request to publish it in the Government Gazette and Supplies 50 copies thereof to this Department.
4. The Chairman, Coastal Development Authority, Government of Sindh, Karachi.
5. Office order file.

**(BAIG MUHAMMAD PIRZADO)**  
**SECTION OFFICER(ADMN-I)**

**PART-V**  
**ADHOC AND TEMPORARY APPOINTMENT**

15. (1) When the appointing authority considers it to be in the public interest to fill in a post falling within preview of the Selection Committee on urgent basis, it may proceed to fill in such, post on adhoc basis for a period not exceeding six months. Adhoc Appointment.
- (2) The post shall be advertised and the procedure laid down for initial appointment shall be followed.
- (3) Short term vacancies in the post falling within the purview of the promotion or selection committee and vacancies occurring as a result of creation of temporary post for a period not exceeding six months may be filled by the appointing authority otherwise than through the promotion or selection committee on a purely temporary basis after advertising the posts.