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THE PUNJAB GOVERNMENT SERVANTS BENEVOLENT FUND ORDINANCE, 1960

(XIV of 1960)

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TEXT

**¹THE ²[PUNJAB] GOVERNMENT SERVANTS BENEVOLENT FUND
ORDINANCE, 1960**

(XIV of 1960)

[23rd April, 1960]

**An
Ordinance**

to constitute a Benevolent Fund for relief of Government servants and their families.

Preamble.— WHEREAS it is expedient to constitute a Benevolent Fund for relief of Government servants and their families in the manner hereinafter appearing;

NOW, THEREFORE, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance:—

1. Short title, extent and commencement.— (1) This Ordinance may be called the ³[Punjab] Government Servants Benevolent Fund Ordinance, 1960.

(2) It shall apply to all Government servants, as hereinafter defined; provided that Government may, by notification, except⁴ any class of Government servants from the operation of this Ordinance.

(3) It shall come into force on such date⁵ as Government may, by notification, appoint.

2. Definitions.— In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

- (a) **“family”** in relation to a Government servant means his or her—
- (i) wife or wives or husband, as the case may be;
 - (ii) legitimate children and step children less than twelve years old;

¹This Ordinance was promulgated by the Governor of West Pakistan on 19th April, 1960; published in the West Pakistan Gazette (Extraordinary), dated 23rd April, 1960; pages 1773-1776; saved and given permanent effect by Article 225 of the Constitution of the Islamic Republic of Pakistan (1962).

²Substituted for the words “West Pakistan” by the Punjab Laws (Adaptation) Order, 1974 (Order I of 1974); and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP, see Article 2 and Schedule, Part III, at entry No.37 (w.e.f. 14.8.1973).

³Substituted *ibid.*

⁴Government Servants in Police Department and such Government Servants of Anti-Corruption Department as are contributing towards the Police Welfare Fund, all officers and men of West Pakistan Rangers, Advocate General and Additional Advocate General Punjab, Public Prosecutors, Additional and Assistant Public Prosecutors exempted from the provision of the Ordinance.

⁵The Ordinance came in force from 27th December, 1960, -vide Finance Department notification No.F.D-S.O.I(SR)-1109/60, dated 27th December, 1960, see Gazette of West Pakistan 1960, (Extraordinary), p.4839.

- (iii) legitimate children and step children not less than twelve years old, if residing with and wholly dependent upon him or her;
 - (iv) parents, sisters and minor brothers, if residing with and wholly dependent upon him or her;
- (b) **“Fund”** means the fund constituted under this Ordinance;
 - (c) **“gazetted Government servant”** means a Government servant holding a post declared to be a gazetted post by Government or any authority empowered by Government in this behalf;
 - (d) **“Government”** means the ⁶[Provincial Government of the Punjab];
 - (e) ⁷**“Government servant”** means:—
 - (i) a person who is a member of a civil service of the Province; or
 - (ii) a person who holds any civil post in connection with the affairs of the Province, including a member of the Civil Service of Pakistan who has opted for the Fund, but excluding any other servant of Pakistan];
 - (f) **“non-gazetted Government servant”** means a Government servant other than a gazetted Government servant;
 - (g) **“prescribed”** means prescribed by rules made under this Ordinance.

3. Fund.— (1) As soon as may be, Government shall constitute a fund to be known as the ⁸[Punjab] Government Servants Benevolent Fund.

(2) The Fund shall be divided into two parts; part I for gazetted Government servants and part II for non-gazetted Government servants.

- (3) Each part of the Fund shall consist of—
 - (a) ⁹[compulsory contributions recovered from] the Government servants at such rates as Government may, from time to time, prescribe ¹⁰;
 - (b) such grants as may, from time to time, be made by Government;
 - (c) other contributions and donations;
 - (d) income from investments made under this Ordinance.

⁶Substituted for the words “Government of West Pakistan” by the Punjab Laws (Adaptation) Order, 1974 (Order I of 1974); and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP, see Article 2 and Schedule, Part III, at entry No.37 (w.e.f. 14.8.1973).

⁷Substituted by the West Pakistan Government servant’s Benevolent Fund (Amendment) Ordinance 1962 (XIII of 1962); and published in the Gazette of West Pakistan (Extraordinary), dated 26.4.1962, pages 1741-1742, s.2.

⁸Substituted for the words “West Pakistan” by the Punjab Laws (Adaptation) Order, 1974 (Order I of 1974); and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP, see Article 2 and Schedule, Part III, at entry No.37 (w.e.f. 14.8.1973).

⁹Substituted for the words “contributions made by” by the West Pakistan Government servant’s Benevolent Fund (Amendment) Ordinance 1962 (XIII of 1962); and published in the Gazette of West Pakistan (Extraordinary), dated 26.4.1962, pages 1741-1742, s.3.

¹⁰See rule 2 of the rules under section 7.

(4) The money credited to the Fund shall be held in such custody as may be prescribed.

4. Utilization of the Fund.— The Fund shall be utilized for—

- (a) the relief of Government servants and their families by—
 - (i) giving financial assistance to the families of deceased Government servants;
 - (ii) giving financial assistance to Government servants invalided out of service;
 - (iii) making special grants to Government servants in exceptional cases;
- (b) defraying expenditure incurred in respect of management of the Fund.

Explanation— The benefits admissible under this section will be in addition to the pensions, family pension or gratuities awarded under the rules regulating the conditions of service of Government servants.

5. Accounts and Audit.— (1) All contributions ¹¹[recovered] under clause (a) of sub-section (3) of Section 3 shall be deducted at the source from the salaries of the Government servants concerned.

(2) The Accountant-General, ¹²[Punjab], ¹³[***] shall be responsible for keeping the accounts of the Fund. Audit of the assets of and expenditure from the Fund will be conducted by such authority as may be prescribed.

6. Constitution and powers of the Boards of Management.— (1) As soon as may be, Government shall, in such manner as may be prescribed, constitute the following Boards of Management, namely:—

- ¹⁴[(a) the Provincial Board of Management (Gazetted) ¹⁵[which shall include at least one female officer in BS-19 or above];
- ¹⁶[(b) the Provincial Board of Management (Non-Gazetted) ¹⁷[which shall include at least thirty three percent women]; ¹⁸ [* * * *]

¹¹Substituted for the word “made” by the West Pakistan Government servant’s Benevolent Fund (Amendment) Ordinance 1962(XIII of 1962); and published in the Gazette of West Pakistan (Extraordinary), dated 26.4.1962, pages 1741-1742, s.4.

¹²Substituted for the words “West Pakistan” by the Punjab Laws (Adaptation) Order, 1974(Order I of 1974); and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP, see Article 2 and Schedule, Part III, at entry No.37 (w.e.f. 14.8.1973).

¹³Deleted *ibid.*, the words “and the Comptroller, Northern and Southern Areas”

¹⁴See Gazette of West Pakistan, 1961 (Extraordinary), p.1475.

¹⁵Inserted by the Punjab Fair Representation of Women Act 2014 (IV of 2014); and published in the Punjab Gazette (Extraordinary), dated 12.3.2015, pages 2733-2744, s.2 and Schedule, at serial No.3.

¹⁶See Gazette of West Pakistan, 1961 (Extraordinary), p. 1429.

¹⁷Inserted by the Punjab Fair Representation of Women Act 2014 (IV of 2014); and published in the Punjab Gazette (Extraordinary), dated 12.3.2015, pages 2733-2744, s.2 and Schedule, at serial No.3.

¹⁸Added *vide* West Pakistan Government Servants Benevolent Fund (Amendment) Ordinance, 1969 (XXIII of 1969); and published in the Gazette of West Pakistan (Extraordinary), dated 23.9.1969, pages 1537-1538, s.2.

¹⁹[(c) a ²⁰[District] Board of Management for each ²¹[District] ²²[which shall include at least thirty three percent women] ²³[;] ²⁴[and]

²⁵ [(d) the Secretariat Board of Management ²⁶[which shall include at least one female officer in BS-19 or above].]

(2) Subject to such directions as may be issued by Government and such rules as may be made in this behalf—

(a) the Provincial Board of Management (Gazetted) shall be responsible for management of part I of the Fund and shall have the powers to invest moneys credited to that part of the Fund and to incur expenditure therefrom;

(b) the Provincial Board of Management (Non–Gazetted) shall be responsible for management of part II of the Fund and shall have the powers to invest moneys credited to that part of the Fund and to make allocations therefrom to ²⁷[District] Boards of Management; ²⁸[***]

(c) a ²⁹[District] Board of Management shall, subject to such directions as may be issued by the Provincial Board of Management (Non–Gazetted), deal with all matters connected with part II of the Fund ³⁰[except in so far as it concerns non–gazetted servants serving or employed in the ³¹[Punjab Secretariat],] and in particular] shall have the power to sanction expenditure from the allocations made to it by that Board ³²[;] ³³[and]

¹⁹See Gazette of West Pakistan 1961 (Extraordinary), p. 1839.

²⁰The word “Divisional” substituted with the word “District” by the Punjab Government Servants Benevolent Fund (Amendment) Ordinance, 2001 (XXI of 2001); and published in the Punjab Gazette (Extraordinary), dated 2.10.2001, pages 1703-1704, s.2.

²¹The word “Divisional” substituted with the word “District” by the Punjab Government Servants Benevolent Fund (Amendment) Ordinance, 2001 (XXI of 2001); and published in the Punjab Gazette (Extraordinary), dated 2.10.2001, pages 1703-1704, s.2.

²²Inserted by the Punjab Fair Representation of Women Act 2014 (IV of 2014); and published in the Punjab Gazette (Extraordinary), dated 12.3.2015, pages 2733-2744, s.2 and Schedule, at serial No.3.

²³Full stop replaced by the semi colon by the West Pakistan Government Servants Benevolent Fund (Amendment) Ordinance, 1969 (XXIII of 1969); and published in the Gazette of West Pakistan (Extraordinary), dated 23.9.1969, pages 1537-1538, s.2.

²⁴the word “and” added *ibid*.

²⁵Added *vide* West Pakistan Government Servants Benevolent Fund (Amendment) Ordinance, 1969 (XXIII of 1969); and published in the Gazette of West Pakistan (Extraordinary), dated 23.9.1969, pages 1537-1538, s.2.

²⁶Inserted by the Punjab Fair Representation of Women Act 2014 (IV of 2014); and published in the Punjab Gazette (Extraordinary), dated 12.3.2015, pages 2733-2744, s.2 and Schedule, at serial No.3.

²⁷The word “Divisional” substituted with the word “District” by the Punjab Government Servants Benevolent Fund (Amendment) Ordinance, 2001(XXI of 2001); and published in the Punjab Gazette (Extraordinary), dated 2.10.2001, pages 1703-1704, s.2.

²⁸The word “and” omitted by the West Pakistan Government Servants Benevolent Fund (Amendment) Ordinance, 1969 (XXIII of 1969); and published in the Gazette of West Pakistan (Extraordinary), dated 23.9.1969, pages 1537-1538, s.2.

²⁹The word “Divisional” substituted with the word “District” by the Punjab Government Servants Benevolent Fund (Amendment) Ordinance, 2001(XXI of 2001); and published in the Punjab Gazette (Extraordinary), dated 2.10.2001, pages 1703-1704, s.2.

³⁰Inserted by the West Pakistan Government Servants Benevolent Fund (Amendment) Ordinance, 1969 (XXIII of 1969); and published in the Gazette of West Pakistan (Extraordinary), dated 23.9.1969, pages 1537-1538, s.2.

³¹Substituted for the words “West Pakistan Secretariat” by the Punjab Laws (Adaptation) Order, 1974(Order I of 1974); and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP, see Article 2 and Schedule, Part III, at entry No.37 (w.e.f. 14.8.1973).

³²Substituted the full stop with semi colon by the West Pakistan Government Servants Benevolent Fund (Amendment) Ordinance, 1969 (XXIII of 1969); and published in the Gazette of West Pakistan (Extraordinary), dated 23.9.1969, pages 1537-1538, s.2.

³³The word “and” added *ibid*.

- (d) ³⁴[the Secretariat Board of Management shall, subject to such directions as may be issued by the Provincial Board of Management (non-gazetted), deal with Part II of the Fund in so far as it concerns the non-gazetted Government servants serving or employed in the ³⁵[Punjab Secretariat], and in particular shall have the power to sanction expenditure from the allocations made to it by that Board.]

³⁶**[6–A. Power to recover rents and lease–moneys as arrears of land revenue.–** Any sum due as rent or lease money in respect of property acquired or constructed by a Board of Management constituted under section 6 and the Management whereof vests in any such Board, if not paid within thirty days of its having become due, may, notwithstanding anything contained in any law, decree or order of any Court, agreement, deed or instrument, be recovered as arrears of land revenue.]

³⁷**[6–B. Protection of action taken under this ordinance.–** No suit, prosecution or other legal proceedings shall be instituted against a Board of Management constituted under section 6 or against any officer or servant of such Board for anything which is in good faith done or intended to be done under this Ordinance or the rules made thereunder.]

7. Power to make rules.– Government may make rules³⁸ for bringing into effect the provisions of this Ordinance.

³⁴Added by the West Pakistan Government Servants Benevolent Fund (Amendment) Ordinance, 1969 (XXIII of 1969); and published in the Gazette of West Pakistan (Extraordinary), dated 23.9.1969, pages 1537-1538, s.2.

³⁵Substituted for the words "West Pakistan Secretariat" by the Punjab Laws (Adaptation) Order, 1974(Order I of 1974); and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP, see Article 2 and Schedule, Part III, at entry No.37 (w.e.f. 14.8.1973).

³⁶Inserted by the West Pakistan Government Servants Benevolent Fund (Amendment) Ordinance, 1965 (XIV of 1965); and published in the Gazette of West Pakistan (Extraordinary), dated 5.6.1965, pages 2521-2522, s.2.

³⁷Added *ibid*.

³⁸ For the West Pakistan Government Servants Benevolent Fund Rules, 1960, see Gazette of West Pakistan, 1960, (Extraordinary), pp.4513-4516.