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PAKISTAN BROADCASTING CORPORATION EMPLOYEES

**(CONTRIBUTORY
PROVIDENT FUND)
REGULATIONS
1980**

**GOVERNMENT OF PAKISTAN
MINISTRY OF INFORMATION AND BROADCASTING**

No. 1(14)/75-G

Islamabad, the 18th September, 1980

The Director General,
Pakistan Broadcasting Corporation,
Islamabad.

Subject: PBC Employees (CPF) Regulations — Approval by
Federal Government.

Dear Sir,

I am directed to convey the approval of the Federal Government to the Pakistan Broadcasting Corporation Employees (Contributory Provident Fund) Regulations, 1980 made by the Board of Directors of the PBC in exercise of the powers conferred by section 22 of the PBC Act, 1973 (XXXII of 1973). An authenticated copy of the Regulations is enclosed.

2. Receipt of this communication and the authenticated copy of the Regulation may please be acknowledged.

Yours faithfully,

Sd/- (S.M.A. Zaidi)
Deputy Secretary (E)
Tel: 24627

**PAKISTAN BROADCASTING CORPORATION
(HEADQUARTERS) ISLAMABAD**

No. ROM-3/77(XIV)

Dated 17.11.1980

Copy together with copy of the enclosures forwarded to:—

1. All Directors
2. All Controllers at Headquarters
3. Dy. Controllers (Finance and Accounts) (5 copies).
4. All Heads of Unit.

Sd/- (ZAHUR AHMAD KHAN)
Assistant Controller (Personnel-II)

NOTIFICATION

1. Short title, application and commencement.— (1) These regulations may be called the Pakistan Broadcasting Corporation (Employees Contributory Provident Fund) Regulations, 1980.

(2) They shall apply to all employees of the Corporation except persons:—

- (a) transferred to the Corporation under section 12 of the Act; and
- (b) who are serving in the Corporation on deputation from any department of a Government or organization in Pakistan or abroad.
- (3) They shall come into force at once.

2. Definitions.— In these regulations, unless there is anything repugnant in the subject or context:—

- (a) “Act” means the Pakistan Broadcasting Corporation Act, 1973 (XXXII of 1973);
- (b) “Chairman” means the Chairman of the Trustees;
- (c) “Child” means a legitimate child, and, where adoption is legally recognized, includes an adopted child;
- (d) “contributions” means any money contributed by the Corporation to the Fund to be credited to the account of a member under regulation 13;
- (e) “family”, in relation to a member, means the wife, wives or husband and children of a member and the widow or widower and children of a deceased son or daughter of the member;
- (f) “form” means a form appended to these regulations;
- (g) “Fund” means the Pakistan Broadcasting Corporation Employees’ Contributory Provident Fund established under regulation 3;
- (h) “member” means an employee of the Corporation who has become a member of the Fund under sub-regulation (2) of regulation 11;
- (i) “nominee” means a person nominated by a member under regulation 18 to receive the fund money on his death;

- (j) "pay" means the substantive pay, and includes special pay and any other emoluments classed as pay but does not include allowances;
- (k) "Secretary" means the Secretary to the Fund;
- (l) "subscriptions" means subscriptions made by a member to the fund under regulation 12; and
- (m) "trustee" means a Trustee of the Fund.

3. Establishment of the Fund.— There shall be established a fund to be called the Pakistan Broadcasting Corporation Employees' Contributory Provident Fund which shall consist of:—

- (a) all moneys standing to the credit of the employees of the Corporation to whom these regulations apply in their provident fund account immediately before coming into force of these regulations;
- (b) subscriptions made by the members and contributions made by the Corporation in accordance with these regulations;
- (c) interest on investments made out of the Fund;
- (d) all moneys arising out of the sale, exchange or transfer of any property of the Fund; and
- (e) any donations made to the Fund.

4. Object of the Fund.— The object of the Fund shall be to pay, in the case of a member having ceased to be in the service of the Corporation by retirement or otherwise, to the member, or, in the case of his death, to his nominee or legal heirs, such sum of money as may become payable under these regulations.

5. Administration of the Fund.— (1) The Fund shall vest in the Trustees consisting of:—

- (a) the Director-General of the Corporation who shall also be the Chairman of the Trustees;
- (b) the Director of Administration of the Corporation;
- (c) the Director of Finance of the Corporation;
- (d) the Director of Programmes of the Corporation; and
- (e) two persons nominated by the Board from amongst the members.

(2) Subject to any Direction of the Board, the Trustees shall have full control over the management of the Fund.

(3) The headquarters of the Trustees shall be at Islamabad.

6. Term of office of nominated Trustees.— A person nominated as Trustee under clause (e) of sub-regulation (1) of regulation 5 shall hold office for a term of two years unless earlier removed by the Board.

7. Appointment of Secretary to the Fund etc.— (1) On a request made by the Trustees, the Board may appoint a person from amongst the officers of the Finance Wing of the Corporation to be the Secretary to the Fund, and such other officers and staff as are deemed necessary, who shall be the employees of the Corporation.

(2) The Secretary shall be responsible for the custody of all records and books of the Fund, including the records of the decisions of the meetings of the Trustees, and shall maintain the accounts of the Fund and perform such other functions as may be assigned to him by the Trustees.

8. Expenses of management to be borne by the corporation.— All administrative expenses of the Fund shall be borne by the Corporation.

9. Meetings of the Trustees.—(1) The Trustees shall meet as and when required, and at least two clear days' notice of a meeting shall be given by the Secretary;

Provided that in matters of urgency a meeting may be held at a shorter notice.

(2) At every meeting, the Chairman, or, in his absence, a Trustee nominated by him shall preside.

(3) Three Trustees shall constitute the quorum of a meeting.

(4) A resolution may be passed by circulation signed by not less than four Trustees, of whom one shall be the Chairman, and a resolution so passed shall have the same effect as if it was passed at a meeting of the Trustees.

(5) A resolution passed by circulation shall be placed before the Trustees for information at their next meeting.

10. Appointment of Committees.— The Trustees may refer any matter to a Committee appointed by them for that purpose with such directions as they may deem fit.

11. Membership.— (1) Every employee of the Corporation to whom these regulations apply shall make an application for membership of the Fund in form A.

(2) If the Trustees grant the application for membership, the applicant shall, subject to these regulations, become a member of the Fund from the month following that in which the application is accepted.

(3) A member shall not resign his membership of the Fund while he continues to be in the service of the Corporation.

(4) A member who, for any reason whatsoever, ceases to be in the service of the Corporation shall forthwith cease to be a member of the Fund, but a member shall not be deemed to have ceased to be in the service of the Corporation merely by reason of his services having been lent to any other organisation.

(5) In the event of any doubt as to whether or not a person is eligible to become a member of the Fund, the Trustees shall refer the matter to the Board whose decision shall be final.

12. Members's Subscriptions.— (1) Every member shall subscribe monthly to the Fund a sum of money at the rate of $8\frac{1}{3}$ per cent of his pay, which shall be deducted by the Corporation from his salary paid to him from the date of admission to the Fund.

Explanation. For the purpose of subscription during leave, the leave salary shall be deemed to be his pay.

(2) Any subscription deducted from the pay of a member shall be credited to the account of such member in the Fund.

13. Corporation's Contributions.— (1) The Corporation shall, on the 30th day of June each year or as soon as possible thereafter, pay to the Trustees for crediting as on that date a sum which shall be equal to the aggregate subscriptions of the members during the year or any part of that year, and the sum so contributed by the Corporation shall be apportioned amongst the members by crediting to each members account a sum proportionate to the amount subscribed by such member during that year.

Provided that the Corporation may pay to the Trustees at the end of every month or soon thereafter the amount of the Corporation's monthly contributions which amount shall be adjusted against the total contributions of the Corporation for the year payable on the 30th June.

(2) In the case of death of a member or a member ceasing to be in the service of the Corporation, the Corporation shall immediately pay to the Trustees for crediting in such member's account in anticipation of the share of the Corporation's contributions for the current year a sum equal to the total subscriptions, if any, made by such member during the current year.

(3) The Corporation may deduct from any sum payable by the Corporation to a member, whether by way of salary or otherwise, such sum as may under these regulations be required to be subscribed by or otherwise be due from him to the Fund, and shall pay the same to the Trustees.

14. Interest payable to members.— (1) The Fund shall pay interest annually on the amount standing to the credit of each member at such rate as may be determined by the Trustees on the basis of income from investments, interest on investments and other sources, if any.

(2) Interest shall cease to accrue to a member on the day on which he ceases to be in the service of the Corporation.

(3) Interest shall not be credited to the account of a Muslim member if he gives notice in writing to the Secretary that he does not wish to take such interest, but if he subsequently asks for it, it shall be credited to his account with effect from the first day of the year in which he asks for it, and a member who does not take interest shall not be required to pay interest on any advance drawn by him from the Fund, either for payment of insurance premium or otherwise.

15. Bank Account.— (1) All moneys received from time to time by the Trustees on behalf of the Fund may, until invested under regulation 17, be kept in such scheduled bank as the Trustees may direct in an account to be opened in the name of the Fund.

(2) The accounts of the Fund in the bank shall be operated by not less than two person authorised by the Trustees.

16. Members' accounts.— A separate account shall be maintained in the name of each member in form B, to which shall be credited:—

- (i) subscriptions made by the member;
- (ii) contributions made by the Corporation;
- (iii) interest, if any; and
- (iv) any money repaid by the member to the Fund.

17. Power of the Trustees to make investments and borrow money.— (1) All moneys of the Fund shall, as soon as possible after receipt of the same by the Trustees, be invested in the name of the Fund in such securities for the time being authorised under the provisions of the Companies Act, 1913 (VII of 1913), and the Trusts Act, 1882 (II of 1882), as are payable both in respect of capital and interest in Pakistan;

Provided that not more than twenty-five per cent of the total amount of the Fund may, with the approval of the Board, be invested in such undertakings or on purchase of such property as the Trustees may deem fit.

(2) The Trustees may, from time to time, vary or transpose the existing investments into other authorised investments or undertakings, or may be sale of securities or other property or withdrawal of money from undertakings or borrowings on the securities or property thereof, raise such sums of money as may be required for the purposes of the Fund.

(3) After the close of every financial year, the Trustees shall ascertain the market value of all investments made by them, and the loss, if any, due to fall in market value of any such investment shall be made good by appropriation from the lapses and forfeiture account, or in such manner as the Trustees may direct.

18. Nomination.— (1) A member shall, as soon as may be after joining the Fund, make a nomination in the appropriate form conferring upon one or more persons the right to receive the money that may stand to his credit in the Fund in the event of his death before that amount becomes payable or, having become payable, has not been paid.

(2) If at the time of making the nomination under sub-regulation (1) a member:—

- (a) has a family, the nomination shall be from amongst the members of his family in form C; and
- (b) does not have a family, the nomination shall be in favour of any person or persons in form D.

(3) If a member, after making a nomination in favour of a person other than a member of his family, at any time acquires a family, he shall make a fresh nomination from amongst the members of his family in form C and shall formally cancel his previous nomination.

(4) If any person nominated by a member dies during his life time, the member shall forthwith make a fresh nomination.

(5) If a member nominates more than one person, he shall specify in the nomination the amount of the share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(6) If a member nominates a person who, at the time of nomination, is a minor or is under any disability to give legal discharge in respect of any payment, he shall indicate in the nomination the name and address of a person who shall receive the amount due to the minor or the person suffering from disability in the event of its becoming payable during the period of his minority or disability.

(7) Every nomination shall be signed by the member in the presence of two witnesses who shall also sign in the presence of each other and shall be communicated to the Secretary.

(8) A member may at any time cancel a nomination by sending a notice in writing to the Secretary to that effect and also sending a fresh nomination in accordance with the provisions of this regulation.

(9) Every nomination made, and every notice of cancellation given, by a member shall, to the extent it is valid, take effect on the date on which it is received by the Secretary.

19. Temporary advances.— A temporary advance may, at the discretion of the Trustees, be granted to a member from the amount subscribed by him to the Fund subject to the following conditions, namely:—

- (a) No advance shall be granted unless the Trustees are satisfied that the applicant's pecuniary circumstances justify it and that it will be expended on any of the following objects, and not otherwise, namely:—

- (i) to pay the expenses in connection with the marriage of the member, his son, daughter, dependent sister or brother;
- (ii) to pay the expenses in connection with the prolonged illness of the member, or a member of his family, or any of his parents, grand parents, minor brothers or un-married sisters depending on him,
- (iii) to pay the fare of the member or a member of his family going abroad for medical treatment or receiving education;
- (iv) to pay the expenses in connection with a pilgrimage out of Pakistan of the member or a member of his family; and
- (v) to pay the obligatory expenses on a scale appropriate to the member's status in connection with the funeral or other ceremonies which by his religion it is incumbent on him to perform.

(2) No advance shall be granted during the pendency of the recovery of more than two advances.

(3) An advance shall in no case exceed three month's pay of the member or sixty per cent of the amount subscribed by him to the Fund, whichever is less.

20. Advance for house building.— An advance for the repair, construction or purchase of a house or a site for a house may, at the discretion of the Trustees, be granted to a member from the amount subscribed by him to the Fund subject to the following conditions, namely:—

- (a) An advance shall in no case exceed twelve month's pay of the member or ninety per cent of the amount subscribed by him to the Fund, whichever is less.
- (b) The Trustees shall ensure that the house constructed or the site or house purchased for which the advance was drawn by the member is mortgaged to the Trustees within such period as the Trustees may specify.

21. Non-refundable advance.— A member who has attained the age of fifty-five years shall be entitled to draw a non-refundable advance not exceeding eighty per cent of the accumulations of his own subscriptions standing to his credit.

22. Payment of insurance premia out of the Fund.— (1) The Trustees, may, out of the amount standing to the credit of a member in the Fund, allow payment of premia to an insurance company in respect of such insurance policy covering the life of the member or his spouse as can be assigned to the Trustees.

(2) When money is first drawn by a member from his account in the Fund for the purpose of paying premium and the premium is paid, the member shall, within such period as may be specified by the Trustees, assign his insurance policy in form E, or, as the case may be, have the insurance policy in respect of his spouse assigned in form F, to the Trustees and deposit it with them.

(3) If the policy is not deposited with the Trustees within the specified time the second premium shall not be paid, and the amount of the first premium already paid in respect of that policy from the Fund shall be recovered from the salary of the member along with interest thereon.

(4) Any money drawn from the Fund for payment of premium under sub-regulation (1) shall not be deemed to be an advance for the purposes of recovery.

(5) Any bounus paid in cash by an insurance company to a member or his spouse in respect of an insurance policy which is assigned to the Trustees and any money paid to him or his spouse on maturity of such insurance policy shall, if the member is in the service of the Corporation, be paid to the account of the member in the Fund.

(6) If the member dies leaving his insurance policy assigned to the Trustees, the Trustees shall collect from the insurance company all moneys accruing in respect of that policy, and the money so collected shall form part of the Fund account of the deceased member payable to the person or persons entitled to receive that money under these regulations.

(7) If the services of a member whose insurance policy has been assigned to the Trustees are terminated, the insurance policy assigned to the Trustees shall be reassigned to the member in form G and returned to him.

(8) Any member who has drawn any money from his provident fund account for the payment of premia may at any time repay that money to the Fund and the money so repaid shall be credited to his account in the Fund and interest shall become payable thereon from the date of such payment.

(9) A member shall keep all receipts issued to him by the insurance company in respect of the premia paid to that company in the custody of the Secretary.

(10) The terms of a policy assigned to the Trustees shall in no case be altered without the prior approval of the Trustees.

23. Recovery of Advance.— (1) An advance granted under regulation 19 or 20 shall be recovered by regular deductions from the monthly salary bills of the member starting from the month following that in which the advance is drawn in such number of instalments as may be determined by the Trustees in each case.

Provided that the number of instalments shall not exceed:—

(a) in the case of an advance under regulation 19, thirty;
and

(b) in the case of an advance under regulation 20, sixty.

(2) If an advance money drawn by a member is utilized for a purpose other than that for which it was drawn it shall be recovered from the member in such manner as the Trustees may deem fit.

24. Interest on advances, etc.— (1) Interest on any money drawn by a member under regulation 19 or 20 shall be charged.

(a) If the whole amount of the advance is repaid in monthly instalments not exceeding twelve or the advance is granted under regulation 20, at the rate of four per cent, per annum; and

(b) If the whole amount is repaid in monthly instalments exceeding twelve, at the rate of eight per cent per annum.

(2) No interest shall be charged on any money drawn for the payment of premium on any policy of life insurance under regulation 22.

25. Payment out of the Fund.— (1) Subject to the other provisions of these regulations, the amount standing to the credit of a member shall become payable to him upon his ceasing to be in the service of the Corporation.

Provided that no amount of the contributions made by the Corporation to the account of a member shall be payable to him if he is dismissed from the service of the Corporation on the grounds of gross misconduct.

(2) The amount payable to any member under these regulations shall be paid to him or to the person or persons nominated by him as soon after the day on which such member ceases to be the service of the Corporation as the amount payable, as aforesaid, is reasonably ascertained in accordance with these regulations.

(3) In the event of any member dying while in the service of the Corporation, the Trustees shall pay the amount standing to his credit in the Fund to the nominee or nominees named by him under regulation 18 in the manner and in the proportion, if any, specified in the nomination, and the receipt or receipts from any such nominee or nominees to whom the said amount or amounts may be so paid shall operate and be considered as valid receipt, discharge and release to the Trustees.

(4) In the event of any member dying while in the service of the Corporation leaving no valid nomination subsisting at that time or his nominee having been incapacitated to give legal discharge to the Trustees, the Trustees shall pay the amount standing to his credit in the Fund to such legal heirs of the member as may be authorised by law to receive the amount.

26. Powers of the Trustees to deduct Corporation's dues.— (1) If a member voluntarily resigns or retires from the service of the Corporation otherwise than on account of ill health or any other unavoidable circumstances, the Trustees shall, on a request made by the Corporation, have power to recover from the amount standing to his credit in the Fund any sum of money which the Corporation might have lost, or the amount of damage which it might have suffered by reason of the misconduct or other act of such member, and the money so recovered shall be paid to the Corporation.

(2) If a member is removed or dismissed from the service of the Corporation under the Pakistan Broadcasting Corporation Employees (Efficiency and Discipline) Regulations, 1979, on any ground other than inefficiency, the Trustees shall, in addition to the sum of money deducted from the amount standing to his credit under such regulation (1), deduct the whole amount of the contributions made by the Corporation, and the money so deducted shall be credited to the lapses and for-feiture account.

(3) Save as provided in these regulations, no money belonging to the Fund in the hands of the Trustees shall be recoverable by the Corporation.

(4) The receipt of the Corporation for any money paid to the Corporation under this regulation shall be due discharge to the Trustees in respect of any such payment.

27. Insanity of a member.— If any member becomes insane or otherwise mentally incapacitated, the Trustees may authorise any amount to which such member may have become entitled under these regulations to be paid to any of his nominees, and where no valid nomination subsists, to any member of his family whom the Trustees think fit, to be spent in the best interest of such member, and the receipt of the nominee or the member of his family to whom such payment is made shall be a good discharge of the same to the Trustees.

28. Ex-Employee re-entering the service of the corporation.— Any ex-employee of the Corporation re-entering the service of the Corporation may, from the date of his re-employment, rejoin the Fund, and on his re-joining the Fund a new account shall be opened, but no amount shall be credited to the account of such member in respect of any period prior to the date of his rejoining as a member of the Fund.

29. Indemnity of the Trustees.— A Trustee shall be indemnified by the Fund against all proceedings, costs and expenses occasioned by any claim in connection with the Fund and not arising from his wilful neglect or default, and shall not be liable for any act, receipt, neglect or default of any other Trustee or for joining in any receipt or other act for conformity, or for any loss or expense to the Fund which may happen through the insufficiency or deficiency of title to any property acquired for, or on behalf of, the Fund, or for the insufficiency or deficiency of any security in which any of the money of the Fund may be invested, or for any loss or damage arising due to the bankruptcy, insolvency or tortuous act of any person with whom any money, security or asset of the Fund may be deposited or for any loss occasioned by any error of judgement on the part of such person, or for any other loss, damage or misfortune whatever, which may happen in consequence of the execution by a Trustee of his duties as Trustee or in relation thereto, unless the same happens through his own dishonesty or wilful neglect.

30. Statements of account to be supplied to member.— (1) As soon as possible after the 30th June each year, the Secretary shall

send to each member a statement of his account in the Fund showing the opening balance as on the 1st July of the year, the total amount credited or debited during the year, the total amount of interest, if any, credited as on the 30th June of the year and the closing balance on that date.

(2) A member shall satisfy himself as to the correctness of the statement, and any error in the statement may be brought to the notice of the Secretary within three months from the date of receipt of the statement.

31. Audit of Accounts.— The accounts of the Fund shall be prepared yearly as on the 30th June, and audited by a firm of chartered accountants appointed by the Corporation, and the audit report shall be submitted to the Trustees at a meeting to be held not later than the 31st March every year.

32. Lapses and forfeiture Account.— (1) Subject to the provisions of these regulations, all money in the Fund remaining unclaimed for three years, and all moneys not payable to a member from his account, shall be transferred to a separate account to be called lapses and forfeiture account.

(2) The money in the lapses and forfeiture account shall be a reserve, and may be used by the Trustees primarily against any loss to the Fund on sale or in consequence of any depreciation of investments and secondly for the benefit of a member or the dependents of a deceased member in such manner as the Trustees may think fit.

33. Closing of the Fund.— (1) The Trustees may, of their own motion or on a six months' notice in advance in writing by the Corporation to the effect that it does not intend to make any further contributions to the Fund, close the Fund after giving notice to the members and the Corporation, and the investments thereof shall be sold, and out of the amount so realised, together with all cash balances then available, shall pay to each member the accumulated balance due to him as if his service has been terminated by the Corporation on the date of the closure of the Fund.

(2) If, after the payment of all accumulated balances due to the members, any surplus, including any money in the lapses and forfeiture account, remains in the hands of the Trustees, all such money shall be distributed among the members proportionately to their accounts.

SCHEDULE FIRST

**APPLICATION FOR ENROLMENT AS MEMBER OF
PAKISTAN BROADCASTING CORPORATION EMPLOYEES
CONTRIBUTORY PROVIDENT FUND**

I son of
request that I may be permitted to become a member of the
Pakistan Broadcasting Corporation Employees Contributory
Provident Fund. I hereby declare that I have read and understood the
Regulations of the said Fund and agree and undertake to be bound
in all respects by then or others as may for the time being be in
force.

I hereby authorise and request the Pakistan Broadcasting
Corporation to deduct from my salary/wages or other dues such as
subscription as I may from time to time be liable to pay under and
in accordance with the Regulations, which I have seen and studied,
and to pay the same to the Trustees of the said Fund.

Full Name of the applicant

Private Address

Date of birth

Nature of employment

Department/Section

Date of entry into service of the Corporation

Present salary/wages

Dated this day of 19

Witness to the signature
of the applicant

.....
Signature of
Applicant

Forwarded to the Trustees.