
*
* DENTAL COUNCIL OF INDIA *
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* DENTAL COUNCIL OF INDIA *
* (PENSION/FAMILY PENSION-CUM-GENERAL PROVIDENT *
* FUND-CUM-RETIREMENT GRATUITY) REGULATIONS, *
* 1984. *
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* (OPERATIVE - 1st February 1985) *
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The Dental Council of India (Pension/Family Pension-cum-General Provident Fund-cum-Retirement Gratuity) Regulations, 1984.

In exercise of the powers conferred by Section 20 of the Dentists Act, 1948 (XVI of 1948) and with the previous sanction of the Central Government, the Dental Council of India hereby makes the following Regulations namely :-

1. SHORT TITLE AND COMMENCEMENT.

- (1) (a) These Regulations shall be called the "Dental Council of India (Pension/Family Pension-cum-General Provident Fund-cum-Retirement Gratuity) Regulations, 1984."
- (b) For the purpose of the "Dental Council of India (Pension/Family Pension-cum-General Provident Fund-cum-Retirement Gratuity) Regulations, 1984;" the Central Government Pension Rules i.e. the Central Civil Services (Pension) Rules, 1972, as amended from time to time shall, mutatis mutandis, be applicable for the operation of all the pensionary benefits to the employees of the Dental Council of India.
- (c) In cases not specifically provided for in these Regulations, the pensionary benefits under Pension Rules of the Government of India as applicable to their own employees and their families, shall be made available to the employees of the Council and their families.

(2) DEFINITIONS

In these Regulations, unless the context otherwise requires.

- (1) "Council" means the Dental Council of India constituted under the Dentists Act, 1948 (XVI of 1948).
- (2) "Employees" means Officers, ministerial staff (group 'C') and group 'D' staff appointed under section 8 of the Dentists Act, 1948 (XVI of 1948).

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3. APPLICABILITY

These Regulations shall apply to :-

- (1) all regular employees of the Council other than contract officers, re-employed officers, officers employed on adhoc basis for a fixed period, and purely temporary and daily wages staff, who enter the service of the Council on or after the 1st April, 1984; and
- (2) all regular employees of the Council who were in the service of the Council on 31-3-1984 and who opt for these pensionary benefits in preference to the existing requirements benefits i.e. Contributory Provident Fund with Death-cum-Retirement Gratuity (hereinafter called the existing retirement benefits).

4. QUALIFYING SERVICE:

The pensionary benefits will be admissible only in respect of the period of service rendered/lien/retained, in the Dental Council of India.

5. OPTION:

The employees of the Council as referred to in Regulation No. 2(2) above shall exercise an unconditional, unambiguous, and irrevocable option on the prescribed form (Annexure I) within 30 days from the receipt of intimation regarding the applicability of pensionary benefits, from the Council's Office, electing these pensionary benefits or retaining the existing retirement benefits.

Explanations:

- (1) Any such employee, from whom the above option is not received within the prescribed period of 30 days or whose option is incomplete or conditional or ambiguous, shall be deemed to have opted for these pensionary benefits;
- (2) Where any employee, who has died or dies before exercising his option for these pensionary benefits he shall be deemed to have continued on the existing retirement benefits; and

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- (3) Where any employee has retired from the service of the council on or after 1-4-1984 (the date of enforcement of these pensionary benefits), will also be called upon to exercise his option, and if he so elects he shall be entitled to these pensionary benefits.
- (4) The services of employees opting for these pensionary benefits shall be deemed to have been rendered in a pensionable establishment from the commencement of their service with the council irrespective of the period for which they might have subscribed towards the "DCI-Staff-Contributory Provident Fund" and shall count for these pensionary benefits in the manner and to the extent provided in the Pension Rules of the Govt. of India.
- (5) The existing Death-cum-Retirement Gratuity benefits as are already in vogue along with the benefits of Contributory Provident Fund, will continue to be admissible to those employees of the Council who do not opt for these pensionary benefits subject to the rate of employer's contribution being reduced to 8% of pay of the employees. The Gratuity Rules already framed by the Council with the prior approval of the Central Government, shall also continue to be operative.

6. FUNDS:

- (1) The Council shall cause to establish a fund known as "DCI-Staff-Pension Fund" (hereinafter referred to as 'Pension Fund') and the total amount standing to credit of those employees who opt for the pensionary benefits on account of "Employer's Contribution" together with interest thereon (which reverts back to the Council consequent upon the introduction of pensionary benefits) shall be credited to Pension Fund and for this purpose the Council shall open an account with a nationalised Bank.

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All future monthly contributions on account of pensionary benefits in respect of those employees who will be eligible for these pensionary benefits at the prescribed rules shall also be credited to the Pension Fund.

- (2) The Council henceforth shall contribute to the pension Fund such monthly contributions at such rates as are prescribed in Central Government rules and no additional grant for augmenting the pension Fund shall be demanded from the central Government. However, the Council shall be free to contribute additional money out of its own internal resources to augment the pension Fund to make it a self-generating unit for the purpose for which it is being created.
- (3) The Council shall invest the amount in the Pension Fund in such a manner (Government Securities/Fixed Deposits etc.) that adequate proceeds accrue to the Fund by way of interest thereon so as to make the Pension Fund viable to meet the expenses towards pension of the retired employees of the Council.
- (4) For those employees of the Council who opt (hereinafter called 'G.P. Fund') for these pensionary benefits, the Council shall cause to maintain the "DCI-Staff General Provident Fund" to which all sums standing to the credit of the employees on account of their subscription together with interest thereon shall be credited. The future monthly subscription at the usual rate of 8-1/3% of pay shall also be credited to this Fund. The G.P. Fund shall be maintained on the same lines as the C.P. Fund is being maintained at present.
- (5) The total amount (balance in S.B. 1/C plus amount invested in fixed deposit P.O. National Saving Certificates at present available in the "DCI-Staff-Contributory Provident Fund" shall be divided between the Pension Fund and G.P. Fund according to the book balances standing to the credit of (i) employers contribution and (ii) employees subscription.

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7. RETIREMENT ON COMPLETION OF 20 YEARS'
QUALIFYING SERVICE.

At any time after the council employee has completed twenty years' qualifying service, he may, by giving notice of not less than three months in writing to the appointing authority, retire from Council's service and the said notice of voluntary retirement shall require the acceptance by the appointing authority and the council employee shall be entitled to such pensionary benefits as per central Govt. Pension Rules as referred to in sub-clause (b) of clause (1) of Regulation No.1 above.

Provided that where the appointing authority does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice, the retirement shall become effective from the date of expiry of the said period.

8. POWERS TO RELAX:

Where the under mentioned authority is satisfied that the operation of any of these regulations causes undue hardship in any particular case that authority may, by order for reasons to be recorded in writing, dispense with or relax the requirements of that regulation to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner :-

(1) President, Dental Council of India -
in the case of Secretary, Dental
Council of India;

(2) Secretary, Dental Council of India -
with the concurrence of the President,
Dental Council of India in the case
of all other employees of the Council.

9. MODE OF PAYMENT:

The Council shall enter into an agreement with the nationalised bank with which the 'pension Fund' is opened to make payment of pension to each pensioner in accordance with standing instructions issued by the Council in each case on monthly, quarterly, half-yearly or yearly basis as may be opted by each of the pensioners, and the payment may be made by any of the modes as under :-

- i) By cash on production of a pass-book which may be issued to a pensioner by the Council;
- ii) by transfer of the pension amount to the private S.B. Account which a pensioner may have with any Nationalised Bank/Post-Office;
- iii) through a bank draft (free of any charge) on any branch in India of any of the nationalised Bank;
- iv) by money order subject to the deduction of M.O. Commission.

10. COMPETENT AUTHORITY TO SANCTION PAYMENT:

The competent authority for sanctioning the payment of pensionary benefits under these regulations shall be as follows:-

- (1) President, Dental Council of India - in the case of Secretary, Dental Council of India;
- (2) Secretary, Dental Council of India - with the concurrence of the President, Dental Council of India in the case of all other employees of the Council.

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DENTAL COUNCIL OF INDIA
NEW DELHI

OPTION FORM FOR PENSION REGULATIONS

Having fully understood the comparative advantages and disadvantages of pensionery and Provident Fund benefits as applicable in my case :-

- (1) I opt for the pension Regulations on the terms and conditions laid down in DCI Office Memorandum No. _____ dated _____.
- (2) I opt to continue under the Dental Council of India Contributory Provident Fund/Death-cum-Retirement Gratuity Regulations.

WITNESS:

Signature: _____ Signature _____

Name in full _____ Date _____
(in Block Letters)

Designation _____ Name in Full _____
(in Block Letters)

Designation _____

C E R T I F I C A T E

(applicable only in the case of illiterate employees and to be signed by the concerned Section Head)

The rules were explained to Shri _____ in my presence.

Signature _____

Name _____
(in Block Letters)

Designation _____

A C K N O W L E D G E M E N T

Received from Shri _____ Designation _____

of DENTAL COUNCIL OF INDIA an option dated _____

- *(1) for the pensionery benefits
- *(2) for the Provident Fund/Gratuity benefits

Signature _____

Designation _____

*strike out (1) or (2) as inapplicable according to option in the option form.