

KHYBER MEDICAL UNIVERSITY EMPLOYEES PENSION STATUTES, 2008

1. Short title, commencement and application: (1) These Statutes may be called "Khyber Medical University Employees Pension Statutes, 2008".
 - (2) These shall be deemed to have come into force on and from the first day of 13th January 2007.
 - (3) These statutes shall be applicable to regular and permanent employees of the Khyber Medical University.
 - (4) These Statutes shall not apply to;
 - (i) University employees paid from contingencies or borne on work charged Establishment;
 - (ii) University employees engaged on contract which contains no stipulation for pension under these Statutes;
 - (iii) any person for whose appointment and condition of service special provision is made by or under any law, rule or regulation for the time being in force;
 - (iv) any person who is not a whole time employee of the University service but is merely paid for work done, such as part-time lecturers, scrutineers etc;
 - (v) any person who is not paid from the University Fund, but is paid from a Fund held by the University as a Trust, or from any other Local Fund or is remunerated by fees from the income of the tenure of land or of any other source of income.
2. Definitions: In these Statutes, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say:
 - (a) "Head of Department" means the Head of the University Teaching or Administrative Department and includes the Principal / Director of a Constituent College / Institution and the Chairman of a University Post-Graduate Department;
 - (b) "Medical Authority" means an authority appointed to conduct medical examination of University employees for the purpose of granting invalid pension and extraordinary pension. This authority shall be:
 - (i) In the case of employees from BPS 1 to 15, a Doctor nominated by the Vice-Chancellor;
 - (ii) In the case of employees from BPS 16 to 17, the standing Medical Board consisting of not less than two doctors to be constituted by the Syndicate; and
 - (iii) In the case of employee from BPS 18 to 22, the standing Medical Board consisting of not less than three doctors to be constituted by the Syndicate.
 - (c) "Pension Fund" means the fund maintained under Section 10 of these Statutes;
 - (d) "Syndicate" means the Syndicate of the University;
 - (e) "Treasurer" means the Treasurer of the University;
 - (f) "University" means the Khyber Medical University;
 - (g) "University Employee" and "University Service" respectively mean the employee to whom and the service to which these Statutes apply and;

- (h) "University Fund" means the University Fund maintained under Section 41 of the Khyber Medical University Act 2006 (N-W.F.P. Act No I 2007).
6. Application of Government Servants' Pension Rules to University Employees: (1) Save as otherwise provided in these Statutes, the West Pakistan Civil Services Pension Rules, 1963 (hereinafter referred to as the said Rules), as remain applicable to Government servants of the North-West Frontier Province, shall mutatis mutandis be applied to University employees, and;
- (a) any reference to Government shall be a reference to University;
- (b) any reference to Government servant shall be a reference to University employee;
- (c) any reference to the Provincial Consolidated Fund shall be a reference to the University Fund;
- (d) any reference to service in a Basic Pay Scale shall be a reference to service in the corresponding Basic Pay Scale of the University.
- (2) If any difficulty or dispute arises regarding the application of the said Rules, the matter may be resolved by the Syndicate.
- (3) If any question arises regarding the interpretation of these Statutes, the matter shall be referred to the Chancellor whose decision thereon shall be final.
- (4) The orders of the Provincial Government allowing or disallowing any monetary benefits to the Government Pensioners shall also be applicable to the University Pensioners.
7. Qualifying service for Pension:
- (1) Subject to these Statutes, the net qualifying length of service shall be 25 years.
- (2) Service rendered by a University employee in Government / University / Autonomous Bodies before joining service of the Khyber Medical University shall be counted towards pension as qualifying service in the Khyber Medical University.
- Provided that the former employing Departments / Organizations undertake the liability to pay the proportionate pensionary charges i.e. pension contribution or transfer these contributions to the University Fund.
8. Relaxation:
- Any of these Statutes may for the reasons to be recorded in writing be relaxed in individual cases by the Senate or the Syndicate, as the case may be, if the strict application of these Statutes will cause hardship to the individual concerned.
9. Condo-nation of interruptions and deficiencies:
- (1) the Senate or the Syndicate, as the case may be, may for purpose of pension condone interruption(s) in the qualifying service of a University employee.
- (2) the Senate or the Syndicate, as the case may be, may condone deficiency in qualifying service for pension, up to six months;
- Provided that the service is meritorious, and the condo-nation, if allowed, will bring the service up to twenty-five completed years of qualifying service.
10. Pension Fund: There shall be a Pension Fund to be maintained by the University, to the credit whereof shall be placed.

- (a) The amount contributed by the University to the Provident Fund accounts of the University employees; and
- (b) Such contribution per month for every University employee as would have been payable by the University under the Provident Fund Scheme.

11. Authority Competent to Grant Pension:

The Authority Competent to grant pension shall be the authority competent to make appointment to the post last held by the University employee at the time of retirement.

12. Maintenance of Pension Fund: If the amount of pension fund is surplus to the requirements for the purpose of pension, the surplus funds may, with previous sanction of the Syndicate, be invested in such a manner as may be necessary, and if the pension fund is running short of the requirements for purposes of pension, the Syndicate may require the University to raise its contribution to the pension fund under Clause (b) of Section 10 to such extent as may be specified.

13. Payment: All Pensions shall be paid out of Pension Fund.

14. Anticipatory pension in default of expeditious payment: All formalities for the grant of pension shall be completed as expeditiously as possible, so that the University employee retiring on pension starts getting his pension regularly within one month of his/her retirement;

Provided that if due to unavoidable circumstances such period is to be exceeded the authority competent to grant the pension shall sanction anticipatory pension for the interim period.