

Gilgit, the 12th April, 2018

THE GILGIT-BALTISTAN GOVERNMENT SERVANTS BENEVOLENT
FUND & GROUP INSURANCE ACT, 2018: |

(Act No. HI of 2018).

An Act to constitute a Benevolent Fund & Group Insurance for relief of
Government servants and their families.

PREAMBLE

'WHEREAS it is expedient to constitute a Benevolent Fund & Group

Insurance for relief of Government: servants and their families in the manner
hereinafter appearing; . iS

"1, Short Title, Application and Commencement—(1). This Act _
may be called the Gilgit-Baltistan Government Servants: Benevolent Fund & —
Group Insurance Act, 2018. igi

(2) 'It shall apply to. all Government Servants, as hereinafter defined;

provided that the Government may, by notification, except any class of
Government servants from the operation of this Act.

(3) It shall come into force tv.e.f, 01-07-2017

2." Definitions.—In this Act, unless the context otherwise requires, the

following expressions shall have the meanings hereby respectively assigned to
them, that is to say:- Gel,

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(a) "Family" in relation to a government servant means his or her:

i) Wife or wives or husband, as the case may be;

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» ii) Legitimate children and step children less than twelve: years old; ren

(iii) Legitimate children and» step children not less than twelve years old, if residing with and wholly dependent upon him or her; is eee

(iv). Parents, sisters and minor brothers, | if residing 'with and wholly dependent upon him or her;

(b) "Fund" means the fund constituted under this Act;

(c). "Insurance Fund". means. the. Gilgit-Baltistan Government Servants Insurance Fund established under section 5 of this Act.

(d) "Gazetted Government Servant" means a. Government Servant holding a post declared to be a. Gazetted'pos by Government or any - authority empowered by Government in'this behalf:

(e) "Government" means the Government of the Gilgit-Baltistan;

(f) "Government Servant" means: ,

(i) A person. who is a member of a civil service of Gilgit-Baltistan; or

(ii) .A person who holds any civil post in connection with the

affairs of the Gilgit-Baltistan, including a member of the

- Civil Service of Pakistan who has opted for the fund, but

excluding any other servant of Pakistan. gree

(g) "Non-Gazetted Government Servants" means a government servant other than a Gazetted Government Servant;

(h) "Prescribed" means prescribed by rules imade under the Act.

3. Fund.—(1) As soon, as may be, Government shall constitute a fund

to be known as the Gilgit-Baltistan Government Ser

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Insurance Fund. eee . ep

(2) The Fund shall be divided .into two parts, parts- ae
parts, parts-I fi
Government Servants and Part-II for Non-Gazetted Gevernaiont ene nee

(3) Each part of the Fund shall consist of:-

: (a) Compulsory contributions recovered from the Government

«, Servants at such rates as £ 5
Je ea a such rates as the Government may, from time to
time, prescribed; a rit PRN m0

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(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 Act,

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

4. Utilization of 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 the Government invalidated out of service;

(iif Giving financial assistance to serving Sexes Servants in deserving cases;

(iv) Making special grants to Government Servants in exceptional defraying expenditure incurred' in respect of management of the Fund.

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

Notwithstanding the provisions contained by the Government may make such schemes as it considers necessary for the welfare of Government servants or their families and utilize the fund to implement such schemes in such manner and subject to such condition as may prescribed.

5. Gilgit-Baltistan Government Servants Group. Insurance Fund.—(1)- There shall be established Fund to: be called GB Government Servants Insurance Fund which shall vest in, be held and administered by the ~ 'Board:

(a) All sums received from the employees as premia for the group insurance of the employees and any interest or profit accruing thereon shall be credited to the Insurance Fund.

(b) The moneys credited to the Insurance Fund shall be kept in such 'bank as may be prescribed by the Board.:

6. Accounts and Audit—(1) All contributions: 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 Comptroller BF&GI, Gilgit-Baltistan, shall be responsible for keeping the accounts of the Fund. Audit of the assets of and expenditure from the fund shall be conducted by such authority as may be prescribe Z

7. Constitution and Powers of the Board of. Management._(\) As soon as may be, the Government shall, in such manner as may be prescribed,

constitute the Gilgit-Baltistan Board of Management (Gazetted and Non- — Gazetted) :

(2) The Board of Management shall be consisted as under:-

- (i) . Chief Secretary GB _ Chairman
- (ii) Secretary, Finance GB Member
- (iii) 'Secretary S&GAD GB Member and ;Secretary

to the Board

- (iv) Secretary Law & Prosecution GB Member

(3) ' Subject to such directions as may be issued by the Government and such rules as may be made in this behalf:-

(a). The Gilgit-Baltistan Board of Management (Gazetted and Non-Gazetted) shall be responsible for management of Part-I & II of the Fund and shall have the powers to invest moneys credited to that part of the Fund and to incur expenditures therefrom:

(b). The Board shall do or cause to be done all acts and things necessary for the proper administration and management of the moneys or properties in the Benevolent Fund and Insurance Fund.

_ 8. Power to Recover Rents and Lease Moneys as Arrears of and Revenue.—Any sum due as rent or lease-money in respect of property acquired or constructed by a Board of Management constituted under section 7 and: the management whereof vests in any such Board, if not paid within thirty days of its giving due, may, notwithstanding anything contained in any law, decree order-of any Court, agreement, deed of instrument, be recorded as arrears of land revenue,

9. . Protection of action taken under this Act.—No suit, prosecution or other legal proceedings shall be instituted against a Board of Management constituted under section 7 or against any officer or servant of such Board for

anything which is done in good faith or intended to be done under this Act or the rules made there under. 2

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10.. Power to make Rules.—The Government may make Rules for bringing into effect the provisions of this Act.

11. Repeal and Savings.

(1) The West Pakistan Government Servants. Benevolent Fund

Ordinance 1960 (W.P. Ord: XIV of 1960), hereinafter referred to

as the said Ordinance; in its application to 'the Gilgit-Baltistan Government, is hereby repealed. ee

(II) Notwithstanding the repeal of the said Ordinance, every-thing done, action taken, liability incurred, jurisdiction of powers conferred, contract entered into and proceeding instituted, right and assets acquired, officer appointed or person' authorized, notification or order, issued, Fund created and utilized or Board of Management constituted under any of the provisions of the said Ordinance and rules. made thereunder, shall, if not inconsistent with the provision of this Ordinance and the rules made thereunder, continue and force and, so far as may be, be deemed to have been respectively done, taken, incurred, conferred, entered into and instituted, acquired, appointed or authorized, issued, created and utilized-or constituted under this Act and the rules made there under. ; |

(III) Subject to sub-section I & II, any amount collected in respect.of the . funds before the commencement of this Act shall be deemed to have been collected under the provision of this Act.

STATEMENT OF OBJECT |

4 The scheme of the Federal Employees Benevolent and Group Insurance - Fund provides financial benefits to the Federal Government employees as | defined under Section 2(4) of FEBI&GI Act, 1969. Under this Section employees of Gilgit-Baltistan were covered. However, with the promulgation of the Empowerment and Self Governance Order, 2009 dated 09-09-2009, status of Gilgit-Baltistan Government employees has been declared -as Gilgit-Baltistan Civil Servant as provided in article 81 (2) of the order. In the meantime; Ministry of KA&GB Islamabad has clarified that the employees of Gilgit-Baltistan are not Federal Govt. Employees after promulgation of the said order. :

The matter was placed before the Board of Trustees, FEB&GI Fund in its 91st meeting held on 16-07-2013 to determine whether the employees of Gilgit-

Baltistan Govt. continue to run under the purview of the Empowerment & Self Governance Order, 2009 or otherwise. During. the meeting it was decided that the contribution of Gilgit-Baltistan employees may be accepted upto 03-06-2014 and

_ thereafter they shall not be treated as Federal Government Employees as defined under section 2(4) of the F EBF&GI Act, 1969.

PART 1]

Keeping in view of above circumstances the GB Government has to frame this act namely "Gilgit-Baltistan Government Servants Benevolent Fund Act, 2018 to facilitate the employees of Gilgit-Baltistan Government.