

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH  
MINISTRY OF FINANCE  
Finance Division  
(Rules Unification Cell)

**NOTIFICATION**

Dacca, the 8th August, 1979.

No.MF(RU)-1(5)/79/29.—In exercise of the powers conferred by Article 133 of the Constitution of the People's Republic of Bangladesh, and in supersession of all other rules made in this behalf, the Vice-President in exercising the power of the President as delegated to him under President Secretariat, President Division (Public) Notification No. PSI Admn./ 8 (24) 178-1569, dated 20th November 1978, is pleased to make the following rules, namely:-

**THE CONTRIBUTORY PROVIDENT FUND RULES, 1979.**

**Short title and commencement:**

1. 1) These rules may be called the Contributory Provident Fund Rules, 1979.
- 2) They come into force with effect from the 1st July, 1979.

**Definitions:**

2. 1) In these rules, unless there is anything repugnant in the subject or context,-
  - a) 'Pay' means pay, leave salary or subsistence grant as defined in the Service Rules and includes-
    - i) any wages paid by the Government to employees not remunerated by fixed monthly pay; and
    - ii) any remuneration of the nature of pay received in respect of foreign service.
  - b) 'Fund' means the Contributory Provident Fund.
- 2) Any other expression used in these rules but not defined shall have the same meaning as assigned to it in the Provident Funds Act, 1925 (XIX of 1925), in the General Provident Fund Rules, 1979, and in the Service Rules for the time being in force.

**Constitution and Management of the Fund:**

3. The Fund shall be administered by the Government and shall be maintained in Bangladesh in Takn.

**Application:**

4. 1) These rules shall apply to every non-pensionable Government servant who-
  - a) has been admitted before these rules came into force to the benefits of Contributory Provident Fund maintained by the Government; or
  - b) may be admitted by the Government to the Fund after these rules come into force:

Provided that these rules shall not apply to any such servant between whom and the Government an agreement subsists in respect of a Provident Fund, other than an agreement providing for the application to him of these rules, and in the case of an agreement so providing, these rules shall apply subject to the terms of such agreement.
- 2) Every Government servant to whom these rules apply shall be a subscriber to the Fund.
- 3) The balance at the credit of any Government servant in the Fund referred to in clause (a) of sub-rule (1) shall, with effect from the date on which these rules become applicable to him be transferred to his credit in the Fund.

**Nomination:**

5. A subscriber shall, as soon as may be after Joining the Fund, send to the Account Officer a nomination in the manner laid down in rule 6 of the General Provident Fund Rules, 1979, and the provisions of rule 6 of the said Rules shall apply mutatis mutandis in respect of a nomination under these rules.

**Subscriber's account:**

6. An account shall be opened in the name of each subscriber, in which shall be credited-
  - a) the subscriber's subscription:
  - b) contributions made under rule 11 by the Government to the account of the subscriber, and
  - c) interest on subscription and contribution.

**Subscriber's subscription:**

7. 1) Every subscriber shall subscribe monthly to the Fund when on duty or foreign service.
  - 2) A subscriber may, at his option, not subscribe during leave and, if he exercises such option, he shall intimate such option in the manner laid down in rule 8(2) of the General Provident Fund Rules, 1979.
  - 3) A subscriber who, at the end of service, has withdrawn the amount of subscription and interest thereon, shall not subscribe to the Fund after such withdrawal unless and until he returns to duty.

**Rate of Subscription:**

8. 1) The amount of subscription shall be fixed by the subscriber himself subject to the following conditions, namely:-
  - a) it shall be expressed in whole Taka,
  - b) it may be any sum so expressed being not less than  $8\frac{1}{3}\%$  of his pay.
- 2) For the purposes of sub-rule (1), the pay of a subscriber shall be determined in accordance with the provisions laid down in rule 9 (2) of the General Provident Fund Rules, 1979:

Provided that if the pay of the subscriber is of a fluctuating nature, it shall be calculated in such manner as the Government may direct.
- 3) The subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the manner laid down in rule 9 (3) of the General Provident Fund Rules, 1979:

Provided that if the pay of the subscriber is of a fluctuating nature, the rate of subscription shall be fixed in such manner as the Government may direct.
- 4) The amount of subscription, shall remain unchanged throughout the year subject to the provision of rule 9(4) of the General Provident Fund Rules, 1979.

**Subscribers on deputations, etc., shall be subject to the rules of the Fund:**

9. When a subscriber is transferred to foreign service or sent on deputation outside Bangladesh, he shall remain subject to the rules of the Fund in the same manner as if he were not so transferred or sent on deputation.

**Realisation of subscription:**

10. Subscription shall be realised in the same manner as laid down in rule 11 of the General Provident Fund Rules, 1979.

**Contribution by Government:**

11. 1) The Government shall, with effect from the 30th June of each year, make a contribution to the account of each subscriber:

Provided that if a subscriber quits the service or dies during a year, contribution shall be credited to his account for the period between the close of the preceding year and the date of the casualty.

- 2) Subject to the provisions of this rule, the contribution shall be equal to  $8\frac{1}{3}\%$  of the pay of the subscriber.
- 3) If a subscriber is on deputation outside Bangladesh, the pay he would have drawn had he been on duty in Bangladesh shall, for the purposes of this rule, be deemed to be the pay drawn on duty.
- 4) If a subscriber elects to subscribe during leave, his leave salary shall, for the purposes of this rule, be deemed to be the pay drawn on duty.
- 5) The amount of any contribution payable in respect of a period of foreign service shall, unless it is recovered from the foreign employer, be recovered by the Government from the subscriber.
- 6) The amount of contribution payable shall be rounded to the nearest whole Taka (fifty paise counting as the next higher Taka).

**Interest:**

12. The Government shall pay to the credit of the account of a subscriber interest at such rate as it may, from time to time, determine for the payment of interest on subscriptions to the General Provident Fund on the amount at the credit of a subscriber in the said Fund and the provisions of rule 12 of the General Provident Fund Rules, 1979 shall apply mutatis mutandis in respect of interest payable under these rules.

**Advances from the Fund:**

13. 1) An advance may be granted to a subscriber from the amount of subscription and interest thereon standing to his credit in the Fund at the discretion of the appropriate authority.
- 2) The granting of advance and its recovery shall be subject to the conditions laid down in rule 13 and 14 of the General Provident Fund Rules, 1979 which shall apply mutatis mutandis.

Note.-In the case of grant of an advance from the Fund, the amount standing to the credit of a subscriber means the amount which represents the subscriptions paid by the subscriber to the Fund and interest thereon. It shall never include the amount of contributions made by the Government and interest thereon.

**Payment towards Insurance Policies:**

14. The amount of subscription with interest thereon standing to the credit of a subscriber in the Fund or a portion thereof may be withdrawn to meet the payment towards a policy of Life Insurance, and such withdrawal shall be subject to the provisions of rules 15, 16, 17, 18 and 19 of the General Provident Fund Rules, 1979.

**Circumstances in which accumulations are payable:**

15. When a subscriber quits the service, or on the death of a subscriber the amount standing to the credit of the subscriber in the Fund shall, subject to any deductions under rule 16, become payable and in respect of such payment, rules 20 and 21 of the General Provident Fund Rules, 1979, shall apply mutatis mutandis,

**Deductions:**

16. Subject to the condition that no deduction may be made which reduces the credit by more than the amount of any contribution made by the Government with interest thereon credited under rules 11 and 12, before the amount standing to the credit of a subscriber in the Fund is paid out of the Fund, the Government may direct deduction therefrom and payment to the Government of-
  - a) any amount, if a subscriber has been dismissed from the service for grave misconduct:

Provided that, if the order of dismissal is subsequently cancelled, the amount so deducted

shall, on his reinstatement in the service, be replaced at his credit in the Fund;

- b) any amount, if a subscriber resigns from his employment under Government within five years of the commencement thereof, otherwise than by reason of superannuation or a declaration by competent 'medical authority that he is unfit for further service;
- c) any amount due under a liability incurred by the subscriber to the Government.

**Payment:**

17. When the amount standing to the credit of a subscriber in the Fund, or the balance thereof, subject to the deduction under rule 16, if any, becomes payable, it shall be the duty of the Account Officer to make payment in the manner provided in section 4 of the Provident Funds Act, 1925 and sub-rules (2) and (3) of rule 24 of the General Provident Fund Rules, 1979.

**Procedure Rules:**

18. 1) All sums paid into the Fund under these rules shall be credited in the Books of Government to an account named 'The Contributory Provident Fund Account'.
- 2) Sums of which payment has not been taken within 6 months after they become payable and intimated by the Account Officer shall be transferred to 'Deposits' after the 30th June of the year and treated under ordinary rules relating to deposits.
- 3) In respect of other procedural matters, rules 26 and 27 of the General Provident Fund Rules, 1979, shall apply mutatis mutandis.

By order of the Vice-President

S.A. KHAIR  
Secretary,  
Ministry of Finance.