PART II
Statutory Notifications (S.R.O.)
GOVERNMENT OF PAKISTAN
PAKISTAN ELECTRONIC MEDIA REGULATORY AUTHORITY
(PEMRA)
NOTIFICATION
Islamabad, the 29th June, 2020

PEMRA EMPLOYEES’ PENSION REGULATIONS, 2020

S. R. O. 676(I)/2020.—In exercise of powers conferred under sub-section (3) of Section 4 read with Section 11 and all other enabling provisions of the PEMRA Ordinance, 2002 as amended by the PEMRA (Amendment) Act, 2007, the Pakistan Electronic Media Regulatory Authority (PEMRA) hereby notifies the PEMRA Employees’ Pension Regulations, 2020.

1. Short title, commencement and jurisdiction.—(1) These Regulations shall be called “Pakistan Electronic Media Regulatory Authority Employees’ Pension” Regulations, 2020.

(1557)
Price: Rs. 20.00

[5751(2020)/Ex. Gaz.]
These Regulations shall come into force with effect from 8th August, 2019.

These Regulations shall be applicable to regular employees’ only.

SECTION - I

DEFINITIONS, ELIGIBLE SERVICE AND LEAVE OF ABSENCE

2. DEFINITIONS

2.1. Terms and Expressions used herein shall have, unless it appears repugnant to the context provided otherwise, the following meanings:

(a) “Beneficiary” shall mean and include legal heir(s) of a deceased member or a nominee appointed under regulation 10.1 of these Regulations;

(b) “Commutation Age Factor” means age factor used in commutation formula as provided in commutation table available in the Federal Government Pension Manual and as amended by the Government from time to time. “Month” shall mean a Gregorian calendar month;

(c) “Date of Superannuation” means the date on which a member reaches the age of Sixty (60) years or the age of superannuation as may be prescribed by the Federal Government from time to time provided that in certain special cases this date may be altered subject to the approval of the Authority;

(d) “Early Retirement Pension” means pension paid to a member, on optional retirement, before attaining the age superannuation;

(e) “Eligible Employee” means any regular full time employee of the Authority appointed under section 11 of PEMRA Ordinance, 2002, as amended by the PEMRA (Amendment) Act 2007;

(f) “Eligible Salary” means the last drawn salary of a member at the time of cessation of employment and shall include qualification pay, medical allowance and any other allowance/pay as determined by the Authority and/or Federal Government, from time to time;
(g) “Eligible Service” means full-time regular service of the eligible employee with the Authority from the date of entry into employment;

(h) “Government Scheme” means any Government (whether Federal, Provincial, Municipal or Local) Scheme, Fund or Legislation which provides for benefits (whether payable during service, on retirement, on death or at any time) to which the Authority is obliged (whether by force or law or for any other reason) to contribute (whether by allocation of profits or otherwise and whether by lumpsum or otherwise) which is from time to time designated by the Authority as such for the purpose of these Regulations;

(i) “Gross Pension” means gross pension calculated in accordance with the formula given in sub-regulation (1) of regulation 8, of these Regulations.

(j) “Invalidity Pension” means pension paid to a disabled or incapacitated member as defined in these Regulations;

(k) “Lumpsum Package” means the sum payable under these Regulations for eligible service over five (5) years but less than nine (9) years five (5) months and fifteen (15) days, or before the early retirement period whichever is applicable and shall not include any periodic / regular payment or any pension benefits. In such cases the sum payable shall be equal to: two (2) times last drawn basic pay for each year of eligible service;

(l) “Member” for the purpose of these Regulations, shall have the same meaning as assigned to eligible employee;

(m) “Ordinary Pension” means pension calculated as sixty five percent (65%) of gross pension under these Regulations;

(n) “Pension” means the sum payable by way of pension under these Regulations;
(o) “Pension Contribution” means a sum contributed by the Authority towards pensionary benefits of a member.

(p) “Pension Fund” means a fund established for pension purpose and managed by Trustees of the fund.

(q) “Pension Fraction” means fraction adopted from pension table based on length of service as provided in the Federal Government Pension Manual and as amended by the Government from time to time;

(r) “Superannuation Pension” means pension paid to a member on attaining sixty (60) years of age or the age of superannuation as may be prescribed by the Federal Government from time to time; and

(s) “Trust Deed” means the Trust Deed executed by the Authority for the purpose of establishing the Fund to be administered and governed under these Regulations and shall include any subsequent amendments made thereto (hereinafter referred as Trust Deed, 2019 shall be integral part of the PEMRA Employees’ Pension Regulations, 2020);

2.2 In these Regulations, the words “Actuary”, “Authority”, “Eligible Employee”, “Fund”, “Member”, “Salary”, “Scheme”, “Scheme Year” and “Trustee” bear the same meaning as assigned to them in the Trust Deed.

3. ELIGIBLE SERVICE

(1) Eligible service shall include:

(a) All periods of leave of absence with pay other than extraordinary leaves and unauthorized leaves which are not condoned by the competent authority and adjusted against leave due in the account of member;

(b) Any period of service with the competent authority on probation or training provided that at the end of the period of such probation or training, the employee was confirmed in the Authority’s service;

(c) All periods of leave of absence due to war or national emergency as may be declared by the Federal Government;
(d) Any period of suspension not leading to compulsory retirement or removal from service; and

(e) Any period served in other government organizations on regular basis prior to regular appointment in PEMRA provided that service rendered in that organization is pensionable and pension contribution in respect of employee is transferred to PEMRA for the period claimed.

(2) When a member who has left the Authority’s service, later re-enters the Authority service, he shall not be entitled to claim his previous service with the Authority towards eligible service.

(3) Eligible services shall be calculated and expressed in completed years, six or more months of service in excess of such completed periods of years shall be counted as one complete year, and less than six months of service in excess of such completed period of years shall be ignored. Any reference to the number of years of eligible service shall mean the period of eligible service so expressed.

4. LEAVE OF ABSENCE

A member who is accorded leave of absence in terms of sub-regulations (1)(a) to (1)(c) of regulation 3, shall throughout such leave of absence be deemed to be in receipt of salary at the same rate as immediately before such leave of absence unless the Authority either generally or in any particular case and having regard to any arrangement with the member, determines that account shall be taken of any increase in salary which the member would have received but for such absence.

SECTION - II

PENSIONARY BENEFITS

5. LUMPSUM PACKAGE IN CASE OF IN SERVICE DEATH

(1) In case, a member dies in service having five (5) years or less of eligible service, his legal heir(s) shall be entitled to the in-service death package as approved by the Authority.

(2) In case, a member dies in service after five (5) years but before nine (9) years, five (5) months and fifteen (15) days of eligible service, his legal
heir(s) shall be entitled to Lumpsum Package, in addition to the in-service death package as approved by the Authority.

6. **LUMPSUM PACKAGE IN ALL OTHER CASES**

   (1) Lumpsum Package shall be payable to a member when his length of eligible service is more than five (5) years but less than nine (9) years, five (5) months and fifteen (15) days, in the following events:

   (a) On the member becoming medically unfit for work to be determined by medical board of the Federal Government; or

   (b) Compulsory retirement by the competent authority; or

   (c) Retrenchment by the Authority;

   (2) Lumpsum Package shall also be payable in the following cases:

   (a) When a member attains the age of superannuation and his eligible service is more than five (5) years but less than nine (9) years, five (5) months and fifteen (15) days; or

   (b) When a member resigns from service and his eligible service is more than five (5) years but less than the early retirement period; or

   (c) When a member who is compulsorily retired from service by the competent authority as a major penalty on account of misconduct and his eligible service is more than five (5) years but less than the early retirement period:

      Provided that in case of compulsory retirement under this sub-regulation, the Lumpsum Package shall be reduced to one-half of the member entitlement.

   (3) If a member is, however, compulsory retired after eligible service of the early retirement period, he shall be entitled to the Pension Benefits and Commutation:

      Provided that in case of compulsory retirement under this sub-regulation, the Pension and Commutation benefits shall be reduced to one half of his entitlement:
Provided further that the reason for cessation of service as determined and certified by the competent authority shall be final and binding under these Regulations.

(4) No Lumpsom Package or pension benefits, whatsoever, shall not be allowed to a member under regulation 6, if his eligible service is five (5) years or less.

7. PAYMENT OF LUMPSUM PACKAGE

The Lumpsom Package payable in accordance with regulations 5 and 6, of these Regulations shall be due immediately after cessation of employment of the Authority.

8. LUMPSUM PACKAGE AND PENSION WHERE PAYABLE

The Lumpsom Package due and Pension payable under these Regulations shall be payable in Pakistan and in Pak Rupees.

9. PENSION AND COMMUTATION BENEFIT

9.1. Pension

(a) Monthly gross pension benefit shall be calculated in the following manner:

\[ \text{Gross Pension} = \text{Eligible Salary} \times \text{Pension Fraction for Eligible Service as provided in Pension table in Annex-A} \]

(b) Monthly ordinary pension shall be calculated as under:

\[ \text{Ordinary Pension} = \text{Gross Pension} \times 0.65 \]

Provided that annual increase(s) by the Federal Government in the Federal Government employees’ pension shall be applicable to PEMRA employees’.

9.2. Commutation

Commutation benefit due at the time of early retirement or attaining the age of superannuation, as the case may be, shall be calculated as per the formula given below, thereafter it shall be paid in accordance with the Federal Government Pension Rules:
Commutation = Gross Pension * 12 * 0.35 * Commutation Age Factor as provided in commutation table in Annex-B

Provided where a member does not opt for Commutation, he shall be entitled to full Gross Pension.

10. ELIGIBLE LENGTH OF SERVICE FOR PENSION

Required length of service for the following types of pensions is as under:

10.1. Family Pension in Case of Death of a Member

(a) In case a member dies before completion of more than five (5) years of service, his legal heir(s) shall be entitled to the in-service death package as approved by the Authority.

(b) In case a member dies before the completion of nine (9) years, five (5) months and fifteen (15) days of service but having more than five (5) years of eligible service, his legal heir(s) shall be entitled to the Lumpsum Package, in lieu of pension, as approved by the Authority from time to time.

(c) In case of death of a member after nine (9) years, five (5) months and fifteen (15) days of eligible service, his legal heir(s) shall be entitled to Ordinary Pension, Commutation and in-service death package, in accordance with these Regulations.

10.2. Early Retirement Pension

(a) A member may opt for early retirement after eighteen (18) years of eligible service. After completion of eighteen (18) years of eligible service but before completion of twenty-five (25) years of eligible service, a member shall be entitled to Ordinary Pension and Commutation, under these Regulations, provided that number of annual payments of Ordinary Pension shall not exceed number of years served.

(b) A member after completing twenty-five (25) years of eligible service shall be entitled to Ordinary Pension and Commutation, in accordance with these Regulations.

Provided that in case the Federal Board of Revenue does not recognize the pension fund for tax exemption purposes, the Authority shall pay the applicable tax on behalf of the members'.
10.3. Invalidity Pension

When a member becomes disabled or incapacitated in a manner rendering him incapable of discharging duties, he shall be entitled to receive Invalidity Pension, in accordance with the Federal Government Pension Rules. Invalidity Pension shall only be admissible to members’ who become incapacitated or disabled, in accordance with the Federal Government Pension Rules/Manual.

10.4. Superannuation Pension

Subject to regulation 6, on attaining the age of superannuation, a member shall be entitled to Ordinary Pension and Commutation, in accordance with these Regulations.

11. ANTICIPATORY PENSION

To avoid hardship, Anticipatory Pension shall be paid immediately to a member at the rate of sixty-five (65) percent of gross pension till the time regular pension case is finalized.

SECTION - III

MISCELLANEOUS PROVISIONS

12. INTERPRETATION OF REGULATION

On any question arising on any point of interpretation of these Regulations, the decision of the Trustees shall be final.

13. RESTRAINT ON ANTICIPATION OR ENCUMBRANCE

The benefits provided under the Pension Fund are strictly personal and cannot be assigned, charged or alienated in any way other than as provided in these Regulations. If any restraining or prohibitory order is served on the Trustees in respect of any benefit payable to a member or his legal heir(s) or if the member or any person in receipt of or entitled to any benefit under this Pension Fund shall become bankrupt or attempt to assign, charge or in any way encumber any benefit hereunder, he shall forfeit all rights to claim thereto and the same shall lapse to the Trustees without prejudice to the powers of the Trustees who at their discretion can maintain or continue the same if they deem fit, either immediately or after an interval or otherwise, to make payments for the benefits of the member or his heir(s).
14. **TRUST DEED TO PREVAIL**

Anything contained in these Regulations or in any alteration or amendment thereof is inconsistent with the objects or provisions of the Trust Deed, the provisions of the Trust Deed shall prevail. On any such discrepancy coming to the notice of the Trustees, as soon as may reasonably be possible, the Trustees shall take steps to amend the said Regulation so as to bring it in conformity with the provisions of the Trust Deed.

15. **DEDUCTION OF SUMS DUE TO TAXATION AUTHORITIES**

The Trustees shall be responsible for deducting all taxes due on the Pension paid or payable to members under the Trust Deed and these Regulations.

16. **NOMINATION OF BENEFICIARY**

(1) If a member dies in service or before he has received the Pension payable under these Regulations, the Trustees shall hold the benefits arising under these Regulations upon trust for payment to the legal heir(s), in accordance with the Federal Government Pension Rules.

(2) A member shall on becoming a member of the Fund nominate or appoint a person as the object of such trust on the terms that such person shall become the object of such trust only in the event of him surviving the member. If the member nominates more than one person as his Beneficiary, then the member must clearly define the percentage of the benefits that each Beneficiary shall receive.

(3) If a person nominated by a member, is a minor or under disability to give a legal receipt or discharge to the Trustees, then the member must appoint a person of full age who is capable of giving a legal receipt and discharge to whom the amount standing to the credit of the member is to be paid for and on behalf of the nominated Beneficiary, as long as he is a minor. The receipt of the said person of full age shall be a good discharge to the Trustees, during the minority of the nominated Beneficiary.

(4) In the event of the death of beneficiary of a member, the member shall nominate another beneficiary.

(5) Every nomination or appointment made under the supra sub-regulation shall be in writing signed by the member making it, whose signatures must be attested by two witnesses and shall remain in full force and effect until the death of the nominee or appointee, or until the nomination is revoked, in writing, by the member and a fresh nomination or appointment is made in the manner aforesaid.
(6) In the event of any member failing to appoint a nominee (and if necessary the person to receive payment on behalf of the nominee), the Trustees shall, subject to these Regulations, pay to his executors or administrators or to the grantee of a succession certificate or other person entitled to receive the amount standing to his credit in the books of the Pension Fund.

17. ENTITLEMENT OF FAMILY PENSION

Entitlement of family pension shall be the same as provided in Federal Government Pension Rules.

18. DISCHARGE TO TRUSTEES

Any payment made by the Trustees to any person in good faith as being reasonably entitled to receive the benefits hereof shall be a good, sufficient and complete discharge to the Trustees for any sums so paid.

19. EXHAUSTIVENESS

Anything not contained in these Regulations which is essential for giving effect to these Regulations shall be deemed to be included and adopted from Federal Government Pension Manual.

20. AUTHORITY COMPETENT TO GIVE AFFECT TO THESE REGULATIONS

The Chairman of the Authority shall be the authority competent to give effect to these Regulations.

21. REGULATIONS TO OVERRIDE OTHER REGULATIONS

These Regulations shall over ride all the regulations of PEMRA (Employees Service) Regulations, 2011, as amended from time to time, with respect to PEMRA employees’ Pension and Gratuity and in case of conflict between any provisions, these Regulations shall prevail.

22. REMOVAL OF AMBIGUITIES

If any ambiguity arises in giving effect to the provisions of these Regulations, the Authority may make such order not inconsistent with provisions of these Regulations, as may appear to it to be necessary for the purpose of removing the ambiguities.
## ANNEX-A

### PENSION TABLE

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**ANNEX-B**

**COMMUTATION TABLE**

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[PEMRA-1(09)/Secy/Gazette/2020/139.]

DR. MUKHTAR AHMAD,

*DG/Secretary to the Authority.*