

New Mangalore Port Trust Employees'
(General Provident Fund)
Regulations, 1980

(Corrected upto 30.11.2007)

NEW MANGALORE PORT TRUST EMPLOYEES (GENERAL PROVIDENT FUND) REGULATIONS, 1980

In exercise of the powers conferred by Section 126, read with Section 28 of the Major Port Trusts, Act, 1963 (38 of 1963), the Central Government hereby makes the following regulations, namely:

1. Short title and commencement:

- (1) These regulations may be called the New Mangalore Port Trust Employees (General Provident Fund) Regulations, 1980.
- (2) They shall come into force with effect from the 1st day of April, 1980.

2. Definitions:

(i) In these regulations, unless the context otherwise requires –

- (a) "Accounts Officer" means the Financial Adviser and Chief Accounts Officer of the Board;
- (b) "Board", "Chairman", "Deputy Chairman", shall have the meaning respectively assigned to them in the Major Port Trusts Act, 1963 (38 of 1963);
- (c) Save as otherwise expressly provided "emoluments" means pay as defined in Rule 9(21) of Fundamental Rules of Government of India, or in the regulations, if any, framed by the Board whichever may be applicable to the subscriber, leave salary and any remuneration in the nature of pay in respect of foreign service, but shall not include any allowance, like conveyance allowance, house rent allowance, overtime allowance, fees for supervision of floating craft, diving allowances;

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- (d) "Employee" means a person, who is a member of service under the Board and includes any such person whose services are temporarily placed at disposal of Central/State Governments or local or other authority;
- (e) "Family" means –
- (i) in the case of a male subscriber, the wife or wives and children of a subscriber and the widow or widows and children of a deceased son of a subscriber, minor brothers, unmarried sisters and parents and where no parents of the subscriber is alive, a paternal grand parent.

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these regulation relate unless the subscriber subsequently intimates in writing to the Accounts Officers that she shall continue to be so regarded;

- (ii) in the case of female subscriber, the husband and children of the subscriber and the widow and children of a deceased son of a subscriber; "Minor brothers unmarried sisters and parents and where no parents of the subscriber is alive, a paternal grand parent".

Provided that if a subscriber by notice in writing to the Accounts Office expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matter which the regulations relate unless the subscriber subsequently cancels such notice in writing.

Note: "Child" means a legitimate child and includes an adopted child where adoption is recognized by the personal law governing the subscriber.

- (f) "Form" means the form appended to these regulations;
- (g) "fund" means the New Mangalore Port Employees General Provident Fund;
- (h) "Head of the Department" for the purpose of exercising the powers under these regulations, means the authority so declared by the Board;
- (i) "Head of the Office" means the authority declared to be the Head of the office under the financial rules by the Board or the Head of a Department;
- (j) "leave" means any kind of leave recognized by the leave regulations framed under Section 28 of the Major Port Trusts Act 1963 (38 of 1963), which may be applicable to the subscriber.
- (k) "year" means the financial year;
- (ii) any other expression used in these regulations which is defined either in the Provident Funds Act 1925 (19 of 1925) or in the Fundamental Rules of the Central Government or any other regulations applicable to the subscribers shall have the meanings respectively assigned to them in such Act, rules or regulations.

3. Constitution and management of the fund:

- (1) On and from the date of commencement of these regulations the Board shall establish a fund for the welfare of the Board's employees.

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- (2) The fund shall be administered by the Board and shall be maintained by it in Indian rupees.

4. Conditions of eligibility:

- (1) All temporary employees after a continuous service of one year all re-employed pensioners other than those eligible for admission to the Contributory Provident Fund and all permanent employees shall subscribe to the fund.

- (2) All temporary employees who complete one year of continuous service during the middle of the month shall subscribe to the fund from the subsequent month.

- (3) Temporary employees who have been appointed against regular vacancies and are likely to continue for more than a year must subscribe to the fund at any time before completion of one year's service.

- (4) Employees who are subscribers to any Contributory Provident Fund shall not be required to subscribe to the fund.

- (5) The procedure for admission of an employee to the Fund shall involve the following namely:

- (a) Submission of an application Form 1:
- (b) Allotment of Account number. The Head of office shall obtain the application from employees 3 months ahead of the office completing one year of service in Form 1.

- (6) Apprentice and probationers shall be treated as temporary employees for the purpose of the Rule.

5. Transfer of balances:

On the commencement of these regulations, the balance standing to the credit of an employee in the General Provident Fund constituted under the General Provident Fund Rules, 1960, or any other General

Provident Fund rules in force for such employee shall be credited to the account of the employee under the fund constituted under these regulations.

6. Nomination:

- (1) A subscriber shall at the time of joining the fund send to the Accounts Officer a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the fund in the event of his/her death, before the amount has become payable, or having become payable, has not been paid;

Provided that when a subscriber is a minor, he shall be required to make the nomination only on his attaining the age of majority.

Provided that a subscriber, who has a family at the time of making the nomination, shall make such nomination only in favour of a member or members of his family;

Provided further that the nomination made by the subscriber in respect of any other Provident Fund to which he was subscribing before joining the fund shall, if the amount to his credit in such other fund has been transferred to his credit in the fund be deemed to be a nomination duly made under this regulation until he makes a nomination in accordance with this regulation.

- (2) If a subscriber nominates more than one person under sub regulation (1) he shall specify in the nomination the amount of share payable to each of the nominees in such a manner as to cover the whole of amount that may stand to his credit in the fund at any time.
- (3) Every nomination shall be in such one of the Forms II, III, IV and V as is appropriate in the circumstances.

- (4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Accounts Officer. The subscriber shall along with such notice or separately send a fresh nomination made in accordance with the provisions of these regulations.
- (5) A Subscriber may provide in a nomination:
- (a) in respect of a specified nominee that in the event of his predeceasing the subscriber the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination provided that such other person or persons shall if the subscriber has other members of his family be such other member or members. Where the subscriber confers such a right on more than one person under this clause he shall specify the amount or share payable to each of such person in such a manner as to cover the whole of the amount payable to the nominee.
 - (b) that the nomination shall become invalid in the event of the happening of a contingency specified therein;

Provided that if at the time of making the nomination the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family;

Provided further that if at the time of making the nomination the subscriber has only one member of the family he shall provide in the nomination that the right conferred upon the alternative nominee under clause (a) shall become invalid in the event of his subsequently acquiring a member or members of his family.

- (6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-regulation (5) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of sub-regulation (5) or the proviso thereto, the subscriber shall send to the Accounts Officer a notice in writing canceling the nomination together with a fresh nomination made in accordance with the provisions of the regulations.
- (7) Every nomination made and every notice of cancellation by a subscriber shall to the extent that it is valid take effect on the date on which it is received by the Accounts Officer.
- (8) In case where no nomination exists in favour of the widow of the subscriber, the title of the widow to the claim in respect of the fund deposit of her former husband is not affected by her subsequent marriage.

Note: In this rule, unless the context otherwise requires "person" or "persons" shall include a company or association or body of individuals, whether incorporated or not. It shall also include a fund such as the Prime Minister's Relief Fund or any charitable or other trust or fund, to which nomination may be made through the Secretary or other executives authorised to receive payment.

7. Subscriber's Account:

An account shall be opened in the name of each subscriber in which shall be shown:

- (i) his subscriptions.
- (ii) Interest, as provided by Rule 12 on subscription.
- (iii) Advance and withdrawal from the fund.

8. Conditions and rates of subscriptions:

- (1) A subscriber shall subscribe monthly to the fund except during the period when he is under suspension;

Provided that a subscriber may at his option, not subscribe during leave which either does not carry any leave salary or carries leave salary equal to or less than half pay;

Provided further that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one sum or in instalments any sum not exceeding the maximum amount of arrears of subscription payable for the period of suspension.

Note: A subscriber need not subscribe during a period treated as "dies non".

- (2) A subscriber shall intimate in writing his election not to subscribe during leave (referred to in the first proviso to sub-regulation (1) of regulation 8 to the Accounts Officer. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe. The option of a subscriber intimated under this sub-regulation shall be final.
- (3) A subscriber who has under Rule 21 withdrawn the amount standing to his credit in the fund shall not subscribe to the fund after such withdrawal unless he returns to duty.
- (4) Notwithstanding anything, contained in sub-rule (1) a subscriber shall not subscribe to the fund for the month in which he quits service unless, before the commencement of the said month, communicates to the Head of office in writing his option to subscribe for the said month.
- (5) An employee due to retire on superannuation shall be exempted from making any subscription to the fund during the last

months of his service. The discontinuance of subscription would be compulsory and not 'optional'.

- (6) Such of the subscribers as are entitled to PLB or performance reward, may, if they so desire, deposit the whole or part of the amount admissible under the scheme in their respective Provident Fund Account.

9. Rate of subscription:

- (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 rupees;
- (b) it may be any sum so expressed not less than six percent of his emoluments and not more than his total emoluments.

Provided that in the case of a subscriber who has previously been subscribing to any Contributory Provident Fund at the higher rate of 8 1/3 per cent, it may be any sum, so expressed, not less than 8 1/3 per cent of his emoluments and not more than his total emoluments:

- (c) When an employee elects to subscribe at the minimum rate of 6 per cent or 8 1/3 per cent, as the case may be, the fraction of a rupee shall be rounded to the nearest whole rupee, 50 paise counting as the next higher rupee.

- (2) For the purpose of Sub-regulation (1) the emoluments of a subscriber shall be:

- (a) in the case of a subscriber who was in Board's service on the 31st March of the preceding year, the emoluments to which he was entitled on that date:

Provided that –

(i) If the subscriber was on leave on the said date and elected not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty.

(ii) If the subscriber was on deputation out of India, on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India.

(b) In the case of a subscriber who was not in Board's service on the 31st March of the preceding year, the emoluments to which he was entitled on the day he joins the fund.

(3) A subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner namely –

(a) if he was on duty on the 31st March, of the preceding year, by the deduction which he propose in this behalf from his pay bill for that month;

(b) if he was on leave on the 31st March of the preceding year and elected not to subscribe during such leave, or was under suspension on that date, by the deduction which he proposes in this behalf from his first pay bill after his return to duty;

(c) if he has entered Board's service for the first time during the year, by the deduction which he

proposes in this behalf from his pay bill for the month during which he joins the fund;

- (d) if he was on leave on the 31st March of the preceding year, and continues to be on leave and has elected to subscribe during such leave, by the deduction which he proposes to be made in the behalf from his salary bill for that month;
 - (e) if he was on foreign service on the 31st March of the preceding year by the amount credited by him to the Board's account on account of subscription for the month of April, in the current year.
- (4) The amount of subscription so fixed may be reduced once at any time during the course of a year or may be enhanced twice during the course of the year, or reduced and enhanced as aforesaid:

Provided that when the amount of subscription is so reduced it shall not be less than the minimum prescribed in sub-regulation (1):

Provided further that if a subscriber is on leave without pay or leave on half pay for a part of a calendar month and he has elected not to subscribe during such leave, the amount of subscription payable shall be proportionate to the number of days spent on duty including leave, if any, other than those referred to above:

Provided also that if a subscriber is on duty for a part of a month and on leave for the remainder of that month and he has elected not to subscribe during leave, the amount of subscription

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payable shall be proportionate to the number of days spent on duty in the month.

10. Transfer to foreign service or deputation out of India:

When a subscriber is transferred to foreign service or sent on deputation out of India, 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.

11. Realisation of subscriptions:

- (1) When emoluments are drawn in India, recovery of subscriptions in respect of these emoluments and of the principal and interest and advances shall be made from the emoluments themselves.
- (2) When emoluments are drawn from any other source, the subscriber shall forward his dues monthly to the Accounts Officer:

Provided that in the case of a subscriber on deputation to a body corporate owned or controlled by Government, the subscriptions shall be recovered and forwarded to the Accounts Officer by such body.

- (3) If a subscriber fails to subscribe with effect from the date on which he is required to join the fund or is in default in any month or months during the course of a year otherwise than as provided for in regulation 8, the total amount due to the fund on account of arrears of subscriptions shall, with interest thereon at the rate provided in regulation 12, forthwith be paid by the subscriber to the fund or in default be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise as may be directed by the authority competent to sanction an advance for the grant of

which special reasons are required under sub-regulation (2) of regulation 13:

Provided that the subscribers whose deposits in the fund carry no interest shall not be required to pay any interest:

Provided further that in case of an amount forwarded in accordance with the proviso to sub-regulation (2) of regulation 11, the date of deposit shall be deemed to be the 1st day of that month if received by the Accounts Officer before the fifteenth day of that month.

12. Interest:

- (1) Subject to the provisions of sub-regulation (5) the Board shall pay to the credit of the account of a subscriber interest at such rate as may be determined for each year by the Board;

Provided that, if the rate of interest determined for a year is less than 8% all subscribers to the fund in the year preceding that for which the rate has for the first time been fixed at less than 8% shall be allowed interest at 8%.

Provided further that a subscriber who was previously subscribing to any other Provident Fund of the Central Government and whose subscriptions, together with the interest thereon, have been transferred to his credit in this fund, shall also be allowed interest at 4%, if he had been receiving that rate of interest under the rules of such other fund under a provision similar to that of the first proviso to this regulation.

- (2) Interest shall be credited with effect from the last day in each year in the following manner; namely –

- (i) On the amount to the credit of a subscriber on the last day of the preceding year, less any sums withdrawn during the current year interest for twelve months;

- (ii) On sums withdrawn during the current year interest from the beginning of the current year upto the last day of the month preceding the month of withdrawal;
- (iii) On the sums credited to the subscriber's account after the last day of the preceding year interest from the date of deposit upto the end of the current year;
- (iv) The total amount of interest shall be rounded to the nearest whole rupee (fifty paise counting on the next higher rupee):

Provided that when the amount standing to the credit of a subscriber has become payable, interest shall thereupon be credited under this regulation in respect of only the period from the beginning of the current year or from the date of deposit, as the case may be, upto the date on which the amount standing to the credit of the subscriber became payable.

- (3) In this regulation the date of deposit shall in the case of a recovery from emoluments be deemed to be the first day of the month in which it is recovered, and in the case of an amount forwarded by the subscriber shall be deemed to be the first day of the month of receipt if it is received by the Accounts Officer before the fifth day of that month, but if it is received on or after the fifth day of that month, the first day of the succeeding month.

Provided that where there has been a delay in the drawal of pay or leave salary and allowances of a subscriber and consequently the recovery of his subscription towards the fund, the interest on such subscription shall be payable from the month in which the pay or leave salary of the subscriber was due under the regulation irrespective of the month in which it was actually drawn:

Provided further that in the case of an amount forwarded in accordance with the proviso to sub-regulation (2) of regulation 11, the date of deposit shall be deemed to be the first day of the month it is received by the Accounts Officer before the fifteenth day of that month;

Provided also that where the emoluments for a month are drawn and disbursed on the last working day of the same month, the date of deposit shall, in the case of recovery of subscriptions, be deemed to be the first day of the succeeding month.

- (4) In addition to any amount to be paid under regulations 21, 22 and 23 interest thereon upon the end of the month preceding that in which the payment is made or upto the end of the sixth month after the month in which such amount became payable, whichever of these periods be less, shall be payable to the person to whom such amount is to be paid:

Provided that where the Accounts Officer has intimated to that person (or his agent) a date on which he is prepared to make in cash, or has posted a cheque in payment to that person interest shall be payable only upto the end of the month preceding the date so intimated or the date of posting the cheque, as the case may be.

Provided further that where a subscriber on deputation to a body corporate, owned or controlled by the Government or an autonomous organization registered under the Societies Registration Act, 1860 (21 of 1860) is subsequently absorbed in such body corporate or organisation with effect from a retrospective date for the purpose of calculating the interest due

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on the fund accumulation of the subscriber the date of issue of the orders regarding absorption shall be deemed to be the date on which the amount to the credit of the subscriber becomes payable subject, however, to the condition that the amount recovered as subscription during the period commencing from the date of absorption and ending with the date of issue of order of absorption shall be deemed to be subscription to the fund only for the purpose of awarding interest under this sub-regulation.

Note: Payment of interest on the fund balances beyond a period of six months upto a period of one year may be authorised by the Accounts Officer after he has personally satisfied himself that delay in payment was occasioned by circumstances beyond the control of the subscriber and in every such case the administrative delay involved in the matter shall be fully investigated and action, if any required shall be taken.

- (5) Interest shall not be credited to the accounts of a subscriber if he informs the Accounts Officer that he does not wish to receive it but if he subsequently asks for interest, it shall be credited with effect from the first day of the year in which he asks for it.
- (6) The interest on amounts which under sub-regulation (3) of regulation 11, regulation 21 or regulation 22 are repaid to the subscriber in fund, shall be calculated at such rates as may be successively prescribed under sub-rule (1) of this regulation and so far as may be in the manner described in this regulation.
- (7) In case a subscriber is found to have drawn from the fund an amount in excess of the amount standing in his credit on the date of the drawal, the overdrawn amount, irrespective of whether the overdrawal occurred in the course of an advance

a withdrawal or the final payment from the fund, shall be repaid by him with interest thereon in one lump sum, or in default be ordered to be recovered by deduction in one lump sum from the emoluments of the subscriber. If the total amount to be recovered is more than half of the subscribers emoluments, recoveries may be made in monthly instalments of moieties of his emoluments till the entire amount together with interest is recovered.

13. Deleted.

14. Advance from the fund:

(1) The appropriate sanctioning authority may sanction the payment to any subscriber of an advance not exceeding an amount three months pay or half the amount standing to his credit in the fund, whichever is less, for one or more of the following purposes namely:

- (a) To pay expenses in connection with the illness, confinement or disability including where necessary the travelling expenses of the subscriber and members of his family or any person actually dependent on him.
- (b) To meet the cost of higher education, including where necessary, the travelling expenses of the subscriber and member of his family or any person actually dependent on him in the following cases, namely:
 - (i) for education outside India for an academic technical professional or vocational course beyond the High School stage; and

- 261 (ii) for any medical, engineering or other technical or specialized course of study which is for not less than three years;
- (c) to pay obligatory expenses on a scale appropriate to the subscribers status, which by customary usage the subscriber has to incur in connection with betrothal or marriage, funerals or other ceremonies, including the birthday celebration of the subscribers son or daughter;
- (d) to meet the cost of legal proceedings instituted by or against the subscriber or any member of his family or any person actually dependent on him, the advance in this case being available in addition to any advance admissible for the same purpose from any other source (Port).

Provided that the advance under this sub-regulation shall not be admissible to a subscriber who institutes legal proceeding in any court of law either in respect of any matter unconnected with his official duty or against the board in respect of condition of service, or penalty imposed on him/her.

- (e) To meet the cost of his defence where the subscriber is prosecuted in any court of law or where the subscriber engages a legal practitioner to defend himself in an enquiry in respect of any alleged misconduct on his part;
- (f) in other cases of acute distress at the discretion of the Chairman;

Note: An advance under this regulation may be sanctioned for the first annual "Shradh" ceremony of a person who prior

to his/her death was a member of the subscriber's family or was dependent upon him/her.

- (2) The appropriate sanctioning authority may in special circumstances, sanction the payment to any subscriber of an advance, if it is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-regulation (1).
- (3) An advance shall not except for special reasons to be recorded in writing be granted to any subscriber in excess of the limit laid down in sub-regulation (1) or until repayment of the last instalment of any previous advance.
- (4) When an advance is sanctioned under sub-rule (2) before repayment of last instalment of any previous advance is completed the balance of any previous advance not recovered shall be added to the advance so sanctioned and the instalments for recovery shall be re-fixed with reference to the consolidated amount.
- (5) No temporary advance shall be sanctioned during the last 3 months of service in order to enable the Accounts Officer to complete the task of issuing authority for payment one month before the retirement. The proforma for "application for advance from Provident Fund" Form No.VI shall be substituted by the form attached.

Explanation 1: For the purpose of this regulation, pay includes dearness pay where admissible.

Explanation 2: For the purpose of this regulation, the appropriate sanctioning authority shall be the authority that may be authorised by the Board of sanction advances from time to time.

Explanation 3: A subscriber may be permitted to take an advance once in every six months under clause (b) of sub-regulation (1).

Note: 1 The term special reason in sub-regulation (3) does not mean that the sanctioning authority can sanction an advance for objects other than those specified in sub-regulation (1) of regulation 14, the objects for which and confined to those in that sub-regulation. Special reasons are to be given for sanctioning an advance exceeding the normal limit of 3 months pay or half the amount standing to the credit of the subscriber for sanctioning an advance before repayment of the last instalment of the previous advance.

Note: 2 – The authority competent to sanction an advance under sub-regulation (3) is the authority competent to sanction for part final withdrawal under regulation 17.

15. Recovery of advance:

(1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the Chairman or any other officer authorised to sanction the advance may direct, but such number shall not be less than 12 unless the subscriber so elects and more than 24. In special cases where the amount of advance exceeds three month's pay of the subscriber under sub-regulation (3) of regulation 14, the authority sanctioning the advance, may, fix such number of instalments exceeding 24, but not exceeding 36. A subscriber may, at his option repay more than one instalment in a month. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced if necessary to admit of the fixation of such instalments.

(2) Recovery shall be made in the manner prescribed in regulation 11 for the realization of subscriptions and shall commence with the issue of pay for the month following the date at which the advance was drawn. Recovery shall not be made except with the subscriber's consent while he is in receipt of subsistence grant or is on leave for 10 days or more in a calendar month (which either

does not carry any leave salary or carries leave salary equal to or less than half pay). The recovery may be postponed, on the subscriber's request, by the Chairman during the recovery of an advance of pay granted to the subscriber.

- (3) If an advance has been granted to a subscriber and drawn by him and the advance subsequently disallowed before repayment is completed, the whole or balance of the amount withdrawn shall, forthwith be repaid by the subscriber to the fund or in default be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber in a lump sum or in monthly instalments not exceeding 12 as may be directed by the Chairman or the authority competent to sanction an advance under Explanation 2 to sub-regulation (3) of regulation 14.

Provided that before such advance is disallowed, the subscriber shall be given an opportunity to explain to the sanctioning authority in writing and within fifteen days of the receipt of the communication why the repayment should not be enforced and if any explanation is submitted by the subscriber within the said period of fifteen days it shall be referred to the Chairman for decision and if no explanation within the said period is submitted by him, the repayment shall be enforced in the manner prescribed in this sub-rule.

- (4) Recoveries made under this regulation shall be credited as they are made to the subscriber's account in the fund.

16. Wrongful use of advance:

Notwithstanding anything contained in this regulation, if the sanctioning authority has reason to doubt that money drawn as advance from the fund under Rule 14 has been utilized for a purpose other than

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that for which sanction was given to the drawal of the money, he shall communicate to the subscriber the reason for his doubt and require him to explain in writing and within fifteen days of the receipt of such communication whether the advance has been utilized for the purpose for which sanction was given to the drawal of the money. If the sanctioning authority is not satisfied with the explanation furnished by the subscriber, within the said period of fifteen days, the sanctioning authority shall direct the subscriber to repay the amount in question to the fund forthwith or, in default order the amount to be recovered by deduction in one lump sum from the emoluments of the subscriber even if he be on leave. If however, the total amount to be repaid be more than half the subscribers' emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount is repaid by him.

Note: The terms "emoluments" in the rule does not include subsistence grant.

17. Withdrawals from the fund:

Subject to the conditions specified here-under withdrawals may be sanctioned by the authorities, competent under Explanation 2 of sub-regulation (3) of regulation 14 to sanction an advance for special reasons, at any time.

(1) After the completion of twenty years of service (including broken period of service, if any) of a subscriber or within ten years before the date of his retirement or superannuation, whichever is earlier, from the amount standing to his credit in the fund for one or more of the following purposes, namely:

- (a) meeting the cost of higher education including where necessary the travelling expenses of the subscriber or any child in the following cases, namely –

- (i) for education outside India for academic, technical professional or vocational course beyond the high school stage: and
- (ii) for any medical, engineering or other technical or specialized course in India beyond the High School stage provided that the course of study is for not less than three years;
- (iii) for any medical, engineering or other technical or specialized course in India.

Note: The following courses shall also be treated as technical or specialized for the above purpose, namely:

- (1) Degree and post-graduate courses in Home Science
- (2) Pre-professional course in Medicine if part of regular 5 years course in Medicine.
- (3) Ph.D. in Biochemistry.
- (4) Bachelor and Masters Degree courses in Physical Education.
- (5) Degree and non-graduate courses in Law.
- (6) "Honours" course in "Micro-Biology".
- (7) Associateship of the Institute of Chartered Accountant.
- (8) Associateship of the Institute of Costs and Works Accountants.
- (9) Degree and Masters Course in Business Administration or Management.
- (10) Diploma course in Hotel Management, and
- (11) M.Sc. course in Statistics.

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(b) meeting the expenditure in connection with the betrothal or marriage of the subscriber or his sons or daughters and any other female relations actually dependent on him;

(c) Meeting the expenses in connection with illness including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him.

(2) During the service of a subscriber from the amount standing to his credit in the fund for one or more of the following purposes, namely;

(a) building or acquiring a suitable house or ready built flat for his residence including the cost of the site or any payment towards allotment of a plot or flat by the State Housing Board or a House Building Society or repaying any outstanding amount on account of loan expressly taken for this purpose, or reconstructing or making additions or alterations to a house already owned or acquired by a subscriber;

(b) purchasing a house site or repaying any outstanding amount on account of loan expressly taken for this purpose;

(c) Renovating additions or alteration or up keep of an ancestral house at a place other than the place of duty or to a house built with the assistance of loan from the NMPT at a place other than the place of duty.

(d) For constructing a house on a site purchased, utilizing the sum withdrawn under Clause(a).

(3) Within six months before the date of subscriber's retirement, from the amount standing to his credit in the fund for the purpose of acquiring a farm land or business premises or both.

(4) Once during the course of a financial year, an amount equivalent to one year's subscription paid by the subscriber towards the Group Insurance Scheme for the employees organized by LIC of India for NMPT on self financing and contributing basis.

Note: 1: A subscriber who has availed himself of an advance under the NMPT for the grant of advance for house building purpose or has been allowed any assistance in this regard from any other recognized housing scheme shall be eligible for the grant of withdrawal under sub-clause (a), (c), (d) of sub-regulation (2) of this regulation for the purposes specified therein and also for the purpose of repayment of any loan taken under the aforesaid scheme subject to the limit specified in the proviso to sub rule(1) of rule 18.

If the subscriber has an ancestral house or built a house at a place other than the place of his duty with the assistance of loan taken from the Government, he shall be eligible for the grant of a final withdrawal under the regulation for purchase of a house site or for construction of another house or for acquiring a ready built flat at the place of his duty.

Note: 2: Withdrawal under sub-clause (a), (c) and (d) of sub-regulation 2 of this regulation shall be sanctioned only after the subscriber has submitted a plan of the house to be constructed or of the addition or alteration to be made duly approved by the local municipal body of the area where the site or house is situated and only in case where the plan is actually got approved.

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Note: 3: The amount of withdrawal sanctioned under for sub-clause (b) of sub-regulation 2 shall not exceed three-fourth of the balance of date of application together with the amount of previous withdrawal under sub-clause (a) reduced by the amount of previous withdrawal, the formula to be followed is three-fourth of the balance as on date plus amount of previous withdrawal(s) for the house in question minus the amount of previous withdrawal.

Note: 4: Withdrawal under sub-clause (a) of sub-regulation 2 shall also be allowed where the house site or home is in the name of wife or husband provided she or he is the first nominee to receive provident fund money in the nomination made by the subscriber.

Note: 5: Only one withdrawal shall be allowed for the same purpose under the rule. But marriage or education of different children or illness on different occasions or a further addition or alteration to the house or flat covered by fresh plan duly approved by the local municipal body of the area where the house or flat is situated shall not be treated as the same purpose. Second or subsequent withdrawal under sub-clause (a) or sub-clause (c) of sub-regulation 2 shall be allowed upto the limit laid down under Note 3.

Note: 6: A withdrawal under regulation 17 shall not be sanctioned if an advance under regulation 14 is being sanctioned for the same purpose at the same time.

Note: 7: No partial final withdrawal may be permitted during the last 3 months of service. However, in exceptional cases this may be permitted under the sanction of the Head of the Department impressing on the employee concerned the possibility of delay in the

issue of authority for final withdrawal one month before the retirement.

(5) In the following cases also part final/final withdrawals from the General Provident Fund are allowed:

(a) Employees who have completed 15 years of service (including broken period of service if any) or who have less than 5 years to attain the age of superannuation may be permitted to make part final withdrawals from their Provident Fund for purchasing motor car/motor cycle or scooter, etc. or for repaying loan taken from the Port for this purpose subject to the following condition:

- (i) The employees' Basic pay should be equivalent of Rs. 3,500/- per month in case of motor cycle/scooter.
- (ii) The amount of withdrawals limited to Rs. 25,000/- for purchase of Motor car and Rs. 4,000/- for the purchase of Motor Cycle/Scooter etc. Where the withdrawal has already been made for deposit for booking these vehicles, the employees will be eligible for drawal of only the balance amount and also subject to the overall ceiling limit prescribed here. The total amount of withdrawal for this purpose (deposit for booking plus the amount required for purchase) should not exceed 50% of the amount standing to the credit of subscriber in the GPF account (including

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interest) on the date of withdrawal or the actual price of the vehicle whichever is less.

- (iii) In special cases an advance refundable in not more than 36 instalments in the case of employees who may fall short of the minimum service of 15 years by a period not more than 6 months may be allowed by the Chairman.
- (iv) The employees who have been allowed advance according to (iii) above may be permitted to convert the outstanding balance of the advance into final withdrawal after completion of 15 years of service.
- (v) Such withdrawal shall be allowed only on one occasion.

(b) Employees who have completed 28 years of service or who have less than 3 years to attain the age of superannuation may be permitted to make final withdrawals from Provident Fund for extensive repair or overhauling of their Motor cars subject to the following condition:

- (i) Employees whose pay is equivalent to Rs. 1,400/-
- (ii) Amount of withdrawal is limited to Rs. 5,000/- or one-third of the amount standing to the credit of the subscriber in the G.P. Fund or the actual amount of repairing or overhauling whichever is the least.
- (iii) Not less than 5 years should have elapsed since the car was purchased. In case of second hand

car, the initial date of purchase by the first purchaser will be taken into account.

(iv) Such withdrawal shall be allowed only once in the service career of the subscriber.

(c) Employees who have completed 15 years of service (including broken period if any) may be permitted to make a part final withdrawal from the General Provident Fund for booking a Motor Car/Motor Cycle/Scooter/Moped, etc. subject to the following conditions:

(i) The employees basic should be equivalent to Rs. 3,500/- in pay scales of Central Government for Motor Car and Rs. 1,500/- in case of Motor cycle/scooter, etc.

(ii) The amount of withdrawal is limited to Rs. 10,000/- in the case of car and Rs. 500/- in the case of Motor cycle/scooter etc., or 50% of the amount standing to the credit of the subscriber in the G.P. Fund or the actual amount of registration in the case of motor cycle/scooter, etc. whichever is less:

(iii) The amount of withdrawal shall not exceed the amount required for booking a car or motor cycle or scooter, etc.

(iv) The deposit receipt must be produced for verification by the concerned administrative authority within a period of one month from the date of drawal. Failure to do so would involve refund of the total amount of withdrawal.

(v) If the employee does not purchase a car/motor cycle/scooter etc. or gets out of the scheme he

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should immediately deposit the amount of final withdrawal together with interest received thereon from the manufacturer/dealer into the Provident Fund account.

- (vi) In special cases when the minimum service of 15 years falls short by six months, advance recoverable in 36 instalments may be sanctioned and is eligible for conversion into part final withdrawal after completion of 15 years service.
- (vii) Such withdrawal shall be allowed only on one occasion and subject to overall ceiling at present prescribed for withdrawal in G.P. Fund.

Whenever a subscriber is in a position to satisfy the competent authority about the amount standing to his credit in the General Provident Fund Account with reference to the latest available statement together with the evidence of subsequent contribution, the competent authority may itself sanction withdrawal within the prescribed limits, as in the case of refundable advance. In doing so, the competent authority shall take into account any withdrawal or refundable advance already sanctioned by it in favour of the subscriber. Where, however, the subscriber is not in a position to satisfy the competent authority about the amount standing to his credit or where there is any doubt about the admissibility of the withdrawal applied for, a reference may be made to the Accounts Officer by the competent authority for ascertaining the amount standing to the credit of the subscriber with a view to enable the competent authority to determine the admissibility of the amount of withdrawal. The sanction for the withdrawal should prominently indicate the General Provident Fund Account Number and a copy of the sanction should invariably be endorsed to the Accounts Officer. In case the Accounts Officer reports that withdrawal as sanctioned is in excess of the amount to the credit of the subscriber or otherwise inadmissible, the sums withdrawn by the subscriber shall forthwith be repaid in one lump sum by the

subscriber to the fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in lump sum or in such number of monthly instalments as may be determined by the Chairman.

18. Conditions of withdrawal:

- (1) Any sum withdrawn by a subscriber at any time for one or more purposes specified in regulation 17 from the amount standing to his credit in the fund shall not ordinarily exceed one half of such amount or six months' pay whichever is less. The sanctioning authority, may, however, sanction the withdrawal of an amount in excess of this limit upto three-fourth of the balance at his credit in the fund, having due regard to : (a) the object for which the withdrawal is being made; (b) the status of the subscriber and (c) the amount to his credit in the fund (in case of withdrawal under Sub Rule (1) and upto 90% of balance at credit in cases of withdrawals under sub-regulation (1) of Regulation 17) .

Provided that in no case the maximum amount of withdrawal for purposes specified in sub-regulation 2 under regulation 17 shall exceed the maximum limit prescribed from time to time under regulation 4, 5 and 6 of the New Mangalore Port Trust Employees' (Grant of Advance for Building of Houses): Regulations 1980, for grant for house building purpose.

Provided that in the case of subscriber who has availed himself of an advance under the NMPT Employees (Grant of Advance for building of Houses) Regulations 1980 or has been allowed assistance from any other approved scheme the sum withdrawn under this sub-regulation, together with the amount of advance taken under the above sources shall not exceed the maximum limit prescribed from time to time under the NMPT Employees' (Grant of Advance for Building of Houses) Regulation 1980.

Note:1 A withdrawal sanctioned to a subscriber under sub-clause (a) of sub-regulation I of regulation 17 may be drawn in instalments, the number of which shall not exceed four in a period of twelve calendar months counted from the date of sanction.

Note: 2 In case when a subscriber has to pay in instalments for a site or a house or flat purchased, or a house or a flat constructed, through the various schemes approved by the Government of India or a House Building Co-operative Society he shall be permitted to make a withdrawal as and when he is called upon to make a payment in any instalment. Every such payment shall be treated as payment for a separate purpose for the purpose of sub-rule (2) of rule 17.

(2) A subscriber who has been permitted the withdrawal of money under regulation 17 shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilized for the purpose for which it was withdrawn and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for such purposes for which it was withdrawn, shall forthwith, be repaid in one lump sum together with interest thereon at the rate determined under regulation 12 by the subscriber to the fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or any such number of monthly instalments as may be determined by the Chairman.

Provided that before repayment of a withdrawal is enforced under this sub-regulation, the subscriber shall be given an opportunity to explain in writing and within fifteen days of the receipt of the communications why the repayment shall not be enforced, and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted by the subscriber within the said period of fifteen days, the sanctioning authority shall enforce the repayment in the manner prescribed in this sub regulation.

(3) A subscriber, who has been permitted under regulation (2) of regulation 17 to withdraw money from the amount standing to his credit in the fund, shall not part with the possession of the house so built or acquired for house site so purchased, by way of sale, mortgage (other than mortgage to the sanctioning authority) or gift, without the previous permission of the sanctioning authority. He shall also not part with the possession of such house or house site by way of exchange or lease for a term exceeding three years without the previous permission of the sanctioning authority. The subscriber shall submit a declaration not later than 31st day of December, of every year to the effect as to whether the house or house site, as the case may be, continues to be in his possession or has been mortgaged or otherwise transferred or let out as aforesaid and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original mortgage or lease deed and also the other documents on which his title to the property is based.

Provided such permission shall not be necessary for its being mortgaged in favour of a Housing Board, Nationalised Bank, the Life Insurance Corporation or any other Corporation owned or controlled by the Central Government which advance loans for the construction of a new house or for making addition or alteration to an existing house.

(4) If at any time before retirement the subscriber parts with the possession of the house or house-site without obtaining the previous permission of the sanctioning authority the sum withdrawn by him shall forthwith be repaid in one lump sum to the fund and in default of such repayment after giving the subscriber a reasonable opportunity of making a representation in the matter, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Board.

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Note: A subscriber who has taken a loan from New Mangalore Port Trust and in lieu thereof mortgaged the house or house site to the Port Trust Board, shall be required to furnish the declaration in the following effect, namely:-

"I do hereby certify that the house or house site for the construction of which or for the acquisition of which I have taken a final withdrawal from the Provident Fund continues to be in my possession but stands mortgaged to the Port Trust Board".

(5) A subscriber should not be granted a second withdrawal for house building purposes at any place if he has already been granted a final withdrawal for similar purposes at the same or another place. In other words, final withdrawal should not be allowed for more than one house.

19. Conversion of an advance into a withdrawal:

A subscriber who has already drawn or may draw in future an advance under regulation 14 for any of the purpose, specified in sub-regulation (1) to (4) of regulation 17, may convert, at his discretion, by a written request addressed to the Accounts Officer through the sanctioning authority, the balance outstanding against him into a final withdrawal on his satisfying the conditions laid down in regulations 17 and 18.

Note: For the purpose of sub-regulation 1 of rule 17, the amount of subscription with interest thereon standing to the credit of the subscriber in the account at the time of conversion plus the outstanding amount of advance shall be taken as the balance. Each withdrawal shall be treated as a separate one and the same principle shall apply in the event of more than one conversion.

20. Payment towards insurance policies and family pension funds:

Subscribers who, before 17th December, 1960 have been substituting in whole or in part, payments towards policies of life insurance for subscriptions or making withdrawals for such payments from the fund under the provisions of regulations 17 to 29 of the General Provident Fund (Central Service) Rules, 1960, shall continue to enjoy the benefit under the same terms and conditions mutatis mutandis:

Provided that such subscribers shall not be permitted to substitute such payments for subscriptions due to the fund or to withdraw from the fund for making such payments in respect of any new policy:

Provided further that any policy assigned to the President of India under the provisions of the said rules shall on the commencement of these regulations be deemed to be a policy assigned to the Board. The subscriber shall take immediate steps to get such policies assigned to the Board.

21. Final withdrawal of accumulation in the fund:

(1) When a subscriber quits the service, the amount standing to his credit in the fund shall become payable to him:

Provided that a subscriber, who has been dismissed from the service and is subsequently reinstated in the service again if required so to do by the Board, repay any amount paid to him from the fund in pursuance of this regulation, with interest thereon at the rate provided in regulation 12 in the manner provided in the proviso to regulation 22. The amount so repaid shall be credited to his account in the fund.

Explanation 1: A subscriber who is granted refused leave shall be deemed to have quit the service from the date of compulsory retirement or on the expiry of an extension of service.

Explanation 2: A subscriber other than one who is appointed on contract or one who has retired from service and is subsequently re-employed, with or without break in service, shall not be deemed to have quit the service when he is transferred without any break in service, shall not be deemed to have quit the service when he is transferred without any break in service to a new post under any other major port authority (in which he is governed by another set of Provident Fund Rules) and without retaining any connection with his former post. In such a case his subscriptions together with interest thereon shall be transferred to his account in the other fund in accordance with the rules of the fund. The same shall hold good in case of retrenchment for immediate employment whether under the Board or under any other major port authority.

Explanation 3: When a subscriber, other than one who is appointed on contract or one who has retired from service and subsequently re-employed, is transferred, without any break, to the service under a body corporate, owned or controlled by Government, the amount of subscriptions, together with interest thereon shall not be paid to him but shall be transferred with the consent of that body, to his new Provident Fund account under that body.

(2) Transfers shall include cases of resignation from service in order to take up appointment under a body corporate owned or controlled by Government or an autonomous organisation registered under the Societies Registration Act, 1860 (21 of 1860) without any break and with proper permission of the Board. The time taken to join a new post shall not be treated as break in service if it does not exceed the joining time admissible to an employee on transfer from one post to another:

Provided that the transfer of amount of subscription together with interest thereon, of a subscriber opting for service under a public enterprise may, if he so desire, be transferred to his new provident fund account under

the enterprise if the concerned enterprise also agrees to such a transfer. If however, the subscriber does not desire the transfer or the concerned enterprises does not operate a Provident Fund, the amount aforesaid shall be refunded to the subscriber.

22. Payment to the subscriber at the time of retirement:

When a subscriber has proceeded on leave preparatory retirement or while on leave has been permitted to retire or been declared by a competent medical authority to be unfit for further service, the amount standing to his credit in the fund shall upon application made by him in that behalf to the Accounts Officer, become payable to the subscriber:

Provided that the subscriber, if he returns to duty shall except where the Board decides otherwise, repay to the fund, for credit to his account the whole or part of any amount paid to him from the fund in pursuance of this regulation with interest thereon at the rate provided in regulation 12 in cash or securities or partly in cash and partly in securities, by instalments or otherwise, as may be directed by the Chairman.

23. Procedure on death of a subscriber:

On the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made:-

- (i) When the subscriber leaves a family –
 - (a) If a nomination made by the subscriber in accordance with the provisions by regulation 6 or of the corresponding regulation in force earlier in favour of a member or members of his family subsists, the amount standing at his credit in the fund or the part thereof to which the nomination relates shall become payable to

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his nominee or nominees in the proportion specified in the nomination:

- (b) If no such nomination in favour of a member or member of the family of the subscriber subsists, or if such nomination relates only to a part of the amount to his credit in the fund, the whole amount or a part thereof to which the nomination does not relate as the case may be shall, notwithstanding any nomination purporting to be in favour of person or persons other than a member or members of his family become payable to the members of his family in equal shares;

Provided that no share shall be payable to:

- (1) sons who have attained majority;
- (2) sons of a deceased son who have attained majority;
- (3) married daughters whose husbands are alive;
- (4) married daughters of a deceased son whose husbands are alive;

If there is any member of the family other than those specified in clauses (1), (2), (3) and (4):

Provided further that the widow or widows, child or children of a deceased son, shall receive between them in equal parts only the share that son would have received if he had survived the subscriber and has not been exempted from the provisions of clause (1) of the first proviso;

- (ii) When the subscriber leaves no family, if a nomination made by him in accordance with provisions of regulation 6 or of the corresponding rule in force earlier in favour of any person or persons subsists, the amount standing to his credit in the fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;

Note: A Hindu widow/widower is the legal nominee and no order of court is necessary to entitle her/him to receive the deceased husband's/wife's provident fund money on their behalf.

24. Manner of payment of amount in the fund:

(1) When the amount standing to the credit of a subscriber in the fund becomes payable, it shall be the duty of the Accounts Officer to make payment on receipt of written application in this behalf as provided in sub-regulation(3).

(2) If the person to whom, under these regulations any amount or policy is to be paid, assigned, reassigned or delivered, is a lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act, 1912 (4 of 1912), the payment of re-assignment or delivery shall be made to such manager and not to the luntic;

Provided that where no manager has been appointed and the person to whom the sum is payable is certified by the Magistrate to be a lunatic, the payment shall, under the orders of the Collector, be made in terms of sub-section(1) of 95 of the Indian Lunacy Act, 1912 (4 of 1912) or any other law for the time being in force to the person having charge of such lunatic and the Accounts Officer shall pay only the amount which he thinks fit to the person having charge of the lunatic and the surplus, if any, or such part thereof, as he thinks fit, shall be paid for the maintenance of such members of the lunatic's family as are dependents on him for maintenance.

(3) Any person who desires to claim payment under this regulation shall send a written application in that behalf to Accounts Officer, payment of amounts withdrawn shall be made in India only. The persons to whom the amounts are payable shall make their own arrangements to receive payments in India.

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(4) (i) A subscriber may submit an application to the Accounts Officer through the Head of the Department for payment of the amount in the fund at least one year in advance of the date of superannuation or his anticipated date of retirement. The application may be made for the amount standing to his credit in the fund, as indicated in the Accounts Statement for the year ending one year prior to his superannuation or the anticipated date of retirement.

(ii) The Head of the Department shall forward the application to the Accounts Officer, indicating the advances taken and the recoveries effected against the above advances which are still current and the number of instalments yet to be recovered in respect of each advance and also indicate the withdrawals, if any, taken by the subscriber;

(iii) The Accounts Officer shall after verification with the ledger account, issue an authority for the amount indicated in the application at least a month before the date of superannuation or retirement but payable on the date of superannuation.

(iv) The authority mentioned in clause (iii) constitutes the first instalment of payment. A second authority for payment shall be issued as soon as possible after superannuation or retirement. This shall relate to the contribution made by the subscriber subsequent to the amount mentioned in the application submitted under clause (i) plus the refund of instalments against advances which were current at the time of the first application;

(v) The advance/withdrawals sanctioned after the forwarding of the applications for final payment to the Accounts Officer shall be intimated to the Accounts Officer immediately and acknowledgement obtained by the sanctioning authority.

25. Procedure on transfer of an employee from one major port to another:

If an employee who is a subscriber to the fund is permanently transferred to a pensionable service in any other Port in which he is governed by regulations

similar to these regulations, the amount of subscription, together with interest thereon standing to his credit in the fund on the date of transfer shall be transferred to his credit in the fund of such major port.

Provided that where the rules so require the consent of the major port authority concerned shall be obtained.

26. Transfer of amount to Contributory Provident Fund:

If a subscriber to the fund is subsequently admitted to the benefits of a Contributory Provident Fund under the Board, the amount of his subscriptions in the fund, together with interest thereon, shall be transferred to the credit of his account in the Contributory Provident Fund.

Explanation: - The provisions of this regulation shall not apply to a subscriber who is appointed on contract or who has retired from service and is subsequently re-employed with or without a break in service in another post carrying contributory provident fund benefits.

27. Number of account to be quoted at the time of payment of subscription when paying subscription in India, either by deduction from emoluments or in cash, a subscriber shall quote the number of his account in the fund which shall be communicated to him by the Accounts Officer. Any change in the number shall similarly be communicated to the subscriber by the Accounts Officer.

28. Annual statement of accounts to be supplied to the subscribers:

(1) The Accounts Officer shall send to each subscriber a statement of his account in the fund showing the opening balance as on the 1st April of the year, the total amount credited as on 31st March of the year and the closing balance on that date. The Accounts Officer shall attach to the statement of account an enquiry whether the subscriber -

- (a) desires to make any alteration in any nomination made under regulation 6 or under the corresponding regulation in force earlier;
- (b) has acquired a family in case where the subscriber has made no nomination in favour of a member of his family under regulation 6.

(2) Subscribers shall satisfy themselves as to the correctness of the annual statement, and they shall bring to the notice of the Accounts Officer within three months from the date of receipt of the statement by them any inaccuracy or error in such statement after close of each year, in the month of June.

(3) The Accounts Officer, shall, if required by a subscriber, once but not more than once, in a year inform the subscriber of the total amount of standing in his credit in the fund at the end of the last month for which his account has been written up.

29. Deposit Linked Insurance Scheme:

On the death of a subscriber, the person entitled to receive the amount standing to the credit of the subscriber shall be paid by the Accounts Officer an additional amount equal to the average balance in the account during the 3 years immediately preceding the death of such subscriber subject to the condition that, -

- (a) the balance at the credit of such subscriber shall not at any time during the 3 years preceding the month of death be below the limits of,
 - (i) Rs. 4,000/- in the case of a subscriber who held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 1,300/- or more;
 - (ii) Rs. 2,500/- in the case of a subscriber who has held for greater part of the aforesaid period of three years, a post the maximum of the pay scale of which Rs. 900/- or more but less than Rs. 1,300/-;

- (iii) Rs. 1,500/- in case of subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 290/- or more but less than Rs. 900/-.
- (iv) Rs. 1,000/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs. 290/-.

(b) the additional amount payable under this regulation shall not exceed Rs. 10,000/-.

(c) the subscriber has put in at least 5 years service at the time of his death, including the service in the Port of New Mangalore, before the formation of Port Trust.

Note 1: The average balance shall be worked out on the basis of the balance at the credit of the subscriber at the end of each of the 36 months preceding the month in which the death occurs. For this purpose, as also for checking the minimum balances prescribed above –

(a) the balance at the end of March shall include the annual interest credited in terms of regulation 12; and

(b) if the last of the aforesaid 36 months is not March, the balance at the end of the said last month shall include interest in respect of the period from the beginning of the financial year in which death occurs to the end of the said last month.

Note 2: Payment under this scheme shall be in whole rupees. If an amount due includes a fraction of a rupee, it should be rounded to the nearest rupee (50 paise counting as the next higher rupee).

Note 3: Any sum payable under this scheme is in the nature of insurance money and, therefore, the statutory protection given by Section

287 3 of the Provident Funds Act, 1925 (19 of 1925), does not apply to sums payable under this scheme.

Note 4: In case of persons appointed on tenure basis and in the case of reemployed pensioners, service rendered from the date of such appointment/reemployment, as the case may be, only shall count for purpose of this rule.

Note 5: The budget estimates of expenditure in respect of this scheme will be prepared by the Accounts Officer having regard to the trend of expenditure, in the same manner as estimates are prepared for other retirement benefits.

(c) This scheme does not apply to person appointed on contract basis.

30. Interpretation:

If any question arises relating to the interpretation of these regulations, it shall be decided by the Central Government.

FORM II
(see regulation 6 (3))

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Form of Nomination

1. When the subscriber has a family and wishes to nominate one member thereof.

I, hereby nominate the person mentioned below, who is a member of my family as defined in regulation 2(e) of the New Mangalore Port Trust Employees (General Provident Fund) Regulations, 1980 to receive the amount that may stand to my credit in the Fund in the event of my death before the amount has become payable, or having become payable has not been paid.

Name and address of Nominee	Relationship with subscriber	Age	Contingencies on happening of which become invalid	Name, address and relationship of the person/persons if any, to whom the right of the nominee shall pass in the event of his/her predeceasing the subscriber
1	2	3	4	5

Dated this day of 20.....

at

Two witnesses to signature:

1.....

2.....

Signature of subscriber

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FORM III
(see regulation 6 (3))

When the subscriber has a family and wishes to nominate more than one member thereof.

I, hereby nominate the persons mentioned below, who are members of my family as defined in regulation 2(e) of New Mangalore Port Trust Employees (General Provident Fund) Regulations, 1980, to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable, or having become payable has not been paid, and direct that the said amount shall be distributed amongst the said persons in the manner shown against their names.

Name and address of nominee	Relationship with the subscriber	Age	Amount of share accumulations to be paid to each	Contingencies on the happening of which the nomination shall become invalid	Name, address relationship of the person/persons if any to whom the right of the nominee shall pass in the event of his/her predeceasing the subscriber
1	2	3	4	5	6

Dated the Day of 200 at

Two witnesses to signature

1.

2.

Signature of subscriber

Note: This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the fund at any time.

FORM IV
(see regulation 6(3))

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When the subscriber has no family and wishes to nominate one person.

I, having no family as defined in regulations 2(e) of the New Mangalore Port Trust Employees (General Provident Fund) Regulations, 1980, hereby nominate the person mentioned below to receive the amount that may stand to my credit in the fund, in the event of my death before that amount has become payable, or having become payable has not been paid.

Name and address of nominee	Relationship with subscriber	Age	**Contingencies	Name, address and relationship of the person/persons, if any to whom the right of nominee shall pass in at the event of his/her predeceasing the subscriber
1	2	3	4	5

Dated this day of 20.... at

Two witnesses to signature

1.....

2.....

Signature of subscriber

****Note:** Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

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FORM V
(see regulation 6(3))

When the subscriber has no family and wishes to nominate more than one person.

I, having no family as defined in regulation 2(e) of the New Mangalore Port Trust Employees (General Provident Fund) Regulations, 1980, hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund in the event of my death before the said amount shall be distributed among the said person in the manner shown below against their names:

Name & address of nominee	Relationship with subscriber	Age	*Amount of share of accumulations to be paid to each	**Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person/persons if any, to whom the right of the nominee shall pass in the event of his/her predeceasing the subscriber
---------------------------	------------------------------	-----	--	---	--

1	2	3	4	5	6
---	---	---	---	---	---

Two witnesses to signature

1.....

2.....

Signature of subscriber

***Note** : This column should be filled in so to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

****Note**: Where a subscriber who has no family makes a nomination, he shall specify in the column that the nomination shall become invalid in the event of his subsequently acquiring a family.

**STATEMENT OF PARTICULARS FOR ALLOTMENT OF PROVIDENT FUND
ACCOUNT NUMBERS TO COMPULSORY SUBSCRIBERS IN PORT OF NEW
MANGALORE**

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Office of the

Head of account to which pay and allowance are debited

Name of Fund

Form I

(see regulation 4(6))

Sl. No.	Name of Subscriber	Name of subscriber's Father/Husband	Date of birth of subscriber	Date of joining service	Designation	Emoluments	Monthly rate of subscription (in Whole Rupee)	Monthly rate of subscription to commence	Remarks	To be filled in by the Accounts Dept. A/c number allotted
1	2	3	4	5	6	7	8	9	10	11

Head of office

Returned after allotting

Dated

Account No.

Financial Adviser & Chief

Accounts Officer

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FORM VI (Regulation 14)

Proforma for application for advance from Provident Fund

New Mangalore Port Trust

Department of/office

Application of advance from
 (here enter the name of Fund)

1. Name of the subscriber :
2. Account Number (with departmental suffix) :
3. Designation :
4. Pay :
5. Balance at credit of the subscriber on the
date of application as below :
- (i) Closing balance as per statement for
the year : Rs.
- (ii) Credit from to
on account of monthly subscription : Rs.
- (iii) Refunds : Rs.
- (iv) Withdrawals during the period from
..... to : Rs.
- (v) Net balance at credit : Rs.

6. Amount of advance/outstanding if any,
and the purpose for which advance was
taken by them.

Amount of advance taken

Balance outstanding as on date

7. Amount of advance required

8. (a) Purpose for which the advance
is required.

(b) Rules under which the request is covered :

(c) If advance is sought for House Bldg., etc. following information may be given:

(i) Location and measurement of the plot :

(ii) Whether plot is freehold or on lease :

(iii) Plan for construction :

(iv) If the flat or plot being purchased is from a H.B. Society, the name of the society, the location and measurements, etc. :

(v) Cost of construction :

(vi) if the purchase of flat is from DDA or any Housing Board, etc., the location, Dimension, etc. may be given. :

(d) If advance is required for education of children, following details may be given :

(i) Name of the son/daughter :

(ii) Class and institution/college where studying :

(iii) Whether a day scholar or a hostler :

(e) If advance is required for treatment of ailing family members, following details may be given:

(i) Name of the patient and relationship :

(ii) Name of the hospital/dispensary/doctor where the patient is undergoing treatment :

(iii) Whether outdoor/indoor patient :

(iv) Whether reimbursement available or not :

Note: In case of advance under 8(c) to 8(e), no certificate of documentary evidence would be required.

Amount of the consolidated advance (items
and 7 and number of monthly instalments
which the consolidated advance is
proposed to be repaid)

Rs.....in instalments

Particulars of the pecuniary circum-
stances of the subscriber, justifying the
application for the advance

I certify that particulars given above are correct and complete to the best
knowledge and belief and that nothing has been concealed by me.

Signature of applicant

Name

Designation

Section/Branch