

THE COCHIN PORT TRUST CONTRIBUTORY PROVIDENT FUND RULES, (INDIA) 1962 AMENDMENT REGULATIONS, 1967

In pursuance of Sub-section (2) of Section 124 of the Major Port Trusts Act, 1963(38 of 1963), the Board of Trustees of Cochin Port hereby publishes with the approval of the Central Government the following regulations made by it in exercise of the powers conferred under Section 28 of the said Act.

1. Short title and Commencement

These Regulations may be called 'Contributory Provident Fund Rules (India), 1962 Amendment Regulations', 1967.

II. In so far as their application to the Class III and Class IV employees of the Cochin Port Trust is concerned the following rules of the Contributory Provident Fund (India), 1962 shall stand amended with effect from 1-8-1967 as indicated below.

Rules 2. Definitions : (1) (ii) The existing definition of "emoluments" as given in this rule shall be substituted by the following:

¹(a) "Emoluments" means, pay, leave-salary, subsistence grant as defined in the Fundamental Rules or in the Regulation, if any, framed by the Board and includes dearness allowance, city compensatory allowance, interim relief and incentive earnings / premium payments and any, other payments under the payment by Results Scheme, wherever applicable.

(b) The term 'emoluments' will exclude all types of remuneration other than those mentioned above i. e., house rent allowance, overtime allowance and any other payment which is in the nature of compensation for overtime work, night weightage, allowance granted for intermittent type of work, extra remuneration in addition to normal wages for work done on Sundays, holidays and off days, fees for supervision of floating craft, honorarium, conveyance allowance, cement testing allowance, diving allowance, ration allowance' and any payments which is in the nature of incentive bonus not connected with the output of work, family allowance, children's education allowance, Voyage allowance etc.

²(c) The term 'emoluments' in respect of employees engaged on piece rate basis will include their actual earnings including piece rate earnings, incentive earnings / premium payments and other payments, if any, under the payment by Results Schemes, idle time wages and attendance money as may be fixed by the Board from time to time, but will exclude the entire element of House Rent Allowance included in the piece rate earnings, and other allowance referred to in (b) above

Rule 8. Rates of Subscriptions

Add the following as clause (c) below the Proviso under sub-rule (2)

In the case of workers who are paid on a piece rate basis their emoluments on the 31st March or on the relevant date shall be deemed to be the monthly average emoluments of the 12 months ending with the 31st March or the relevant date indicated in sub-rule (2) above, in the event of a worker not having completed 12 months service on the 31st March or on the relevant date, the monthly average of the emoluments during the actual period of service ending with 31st March or the relevant date will be taken in to account

¹ Substituted w. e. f. 1-1-79 vide Ministry of Shipping & Transport Notification No. PW / PEX- 13-80 dated 26-10-81 published in the Gazette of India date 14-11-81 under GSR 1020

² Substituted w. e. f. 1-1-79 vide MOST Notification No. PW / PEX 13-80 dated 26-10-81 published in the Gazette of India date 14-11-81 under GSR 1020

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Provided that in the event of a worker being admitted to the Contributory Provident Fund from the date of entry in to service, the emoluments for reckoning his subscription during the period of his service up to the following 31st March shall be deemed to be 30 times the daily rate fixed for determining the piece rate excluding the elements of house rent allowance and other admissible mentioned in rule II (1) (ii) (b) above.

III. These amendments will also apply to employees who are governed by Workmen's Contributory Provident Fund Scheme.

(Bd / 10357 / 67 dt: 8-11-67)