

THE COCHIN PORT EMPLOYEES (GENERAL PROVIDENT FUND) REGULATIONS, 1964

G.S.R. 318- In exercise of the powers conferred by Section 126 read with clause (b) of Section 28, of the Major Port Trust 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 Cochin Port Employees (General Provident Fund) Regulations, 1964.
- (2) They shall come into force on the 29th February 1964.

2. Interpretation

In these regulations unless the context otherwise requires:-

- (1) "Accounts Officer" means the Financial Adviser and Chief Accounts Officer of the Board
- (2) "Board", "Chairman", "Deputy Chairman" shall have the meanings assigned to them in the Major Port Trusts Act, 1963.
- (3) "Emoluments", means pay, leave salary or subsistence grant as defined in the Fundamental Rules of the Central Government or in the regulations, if any, framed by the Board, whichever may be applicable to the subscriber and any remuneration of the nature of pay received in respect of foreign service but does not include conveyance allowance, house rent allowance, overtime fees, cement testing allowance, fee for supervision of floating craft, diving allowance and ration allowance:

Provided that "emoluments" in respect of the lighterman and Crane (Electric) Drivers shall mean the amounts as may be fixed by the Board from time to time.

- (4) "employee" means an employee of the Board;
- (5) ¹ ["Family" means-
 - (i) In the case of male subscriber, the wife or wives, parents, children, minor brothers, un-married sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grant 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 regulations relate unless the subscriber subsequently intimates in writing to the Accounts Officer that she shall continue to be so regarded.

- (ii) In the case of a female subscriber, the husband, parents, children, minor brothers, un-married sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grant parent;

Provided that if a subscriber by notice in writing to the Accounts Officer 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

¹ Substituted vide Ministry's Notification No. PR-12016/30/94-PE-I and published in the Gazette of India under G.S.R.No.160 (E) dated 29-3-96

matters to which these regulations relate, unless the sub-subscriber subsequently cancels such notice in writing.]

Explanation:- Child means a legitimate child and include an adopted child, where adoption is recognised by the personal law governing the subscriber; ¹[or a word under the Guardians and wards Act, 1890 (8 of 1890), who lives with the employees and is treated as a member of the family and to whom the employee has, through a special will, given the same status as that of a natural born child]

- (6) "Fund" means the Cochin Port employees General Provident Fund.
- (7) "Leave" means any kind of leave recognised by the Fundamental Rules or other rules or orders of the Central Government or by the Leave Regulations, if any, framed under section 28 of the Major Port Trusts Act, 1963, whichever may be applicable to the subscriber.
- (8) "Year" means the financial year;
- (9) Any other expression used in these regulations which is defined in the Provident Funds, Act 1925 (11 of 1925) or in the Fundamental Rules of the Central Government or the leave Regulations mentioned in sub-regulation (7) (whichever may be applicable to the subscriber) shall have the meanings assigned to them in such Act, Rules or Regulations.

3. Constitution and Management of the Fund

On and from the date of commencement of these regulations, the Board shall establish and maintain a Provident Fund for the Welfare of the employees.

The fund shall be administered by the Board and shall be maintained in India in rupees.

²[3A Amendment of accumulation in the Fund

The accumulation of the Provident Fund money not immediately required, shall be invested in Nationalised Banks, Post Office Deposits and other schemes, and Bonds of public Sector Undertakings, Unit Trust of India and other Bonds and Deposits, Securities guaranteed by the State or Central Government and also in the Housing Development Finance Corporation Limited, Bombay.]

4. Application

- (1) All permanent employees, other than re-employed persons, and all temporary employees who have rendered continuous service of one year or more on the date of commencement of these Regulations shall be required to subscribe to the Fund. Temporary employees whose period of service on the date of commencement of these Regulations is less than one year shall be required to subscribe to the Fund from the month following that in which they complete one year's service.
- (2) The Board may, at its discretion, require any other category of employees to subscribe to the Fund
- (3) Employees who are subscribers to any contributory Provident Fund shall not be required to subscribe to the Fund.

¹ Inserted vide Ministry's Notification No. PR-12016/30/94-PE-I and published in the Gazette of India under G.S.R.No.160 (E) dated 29-3-96

² Inserted with effect from 30-8-88 vide Notification No. PR-12016/4/86- PE-I dated 30-8-88 published in the Government of India Gazette dated 30-8-88 under G.S.R. 886 (E)

5. On the commencement of these regulations, the balance if any, standing to the credit of an employee in the General Provident Fund constituted under the General Provident Fund (Central Services) Rules, 1960, shall be credited to the account of the employee under the Fund constituted under these Regulations.

6. Nominations

- (1) A Subscriber shall at the time of joining the Fund, send to the Accounts Office; 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 death, before that amount has become payable or having become payable has not been paid;

Provided that if , at the time of making the nomination, the subscriber has a family the nomination shall not be in favour of any person or persons other than the 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 manner as to cover the whole of amount that may stand to his credit in the Fund at any time.
- (3) ¹[Every nomination shall be made in the form set forth in first Schedule.]
- (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 this regulation.
- (5) A subscriber may provide in a nomination:-
- (a) in respect of any 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 clauses, he shall specify the amount or share payable to each of such persons 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;

²(Omitted)

Provided [²] 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 alternate nominee under clauses (a) shall become invalid in the event of his subsequently acquiring other member or members in his family;

¹ Substituted vide Ministry's Notification No. PR-12016/30/94-PE-I and published in the Gazette of India under G.S.R.No.160 (E) dated 29-3-96

² Omitted vide Ministry's Notification No. PR-12016/30/94-PE-I and published in the Gazette of India under G.S.R.No.160 (E) dated 29-3-96

- (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 cancelling the nomination, together with a fresh nomination made in accordance with the provisions of this regulation,
- (7) Every nomination made, and every notice of cancellation made, given 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.

7. Subscribers Accounts

An account shall be prepared in the name of each subscriber and shall show the amount of his subscriptions with interest thereon calculated as prescribed in regulation 11 as well as advances and withdrawals from the Fund.

8. Conditions and rates of subscription

(1) Conditions of subscription:

- (a) A subscriber shall subscribe monthly to the Fund except during the period when he is under suspension:

¹[Note: A subscriber need not subscribe during a period treated as dies-non,]

²Provided that a subscriber may at his option not subscribe during leave with either does not carry any leave salary or carries leave salary equal to or less than half Pay or half average pay.

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

- (b) A subscriber shall intimate in writing his election not to subscribe during leave

³ (referred to in the first proviso to sub-regulation (1) 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 clause shall be final.

- (c) ⁴ [Notwithstanding anything contained in sub-regulation (1), a subscriber due to retire on superannuation shall be exempted from making any subscription to the fund during the last three months of his / her service. The discontinuance of subscription shall be compulsory and not optional.]

(2) Rates of subscription:

The amount of subscription shall be fixed by the subscriber himself subject to the following conditions, namely;-

¹ Inserted vide Ministry's Notification No. PR-12016/30/94-PE-I and published in the Gazette of India under G.S.R.No.160 (E) dated 29-3-96

² Substituted w.e.f. 2-9-1969 by Notification No.P/OM/127/68 dated 14-8-1969 approved Ministry's letter No. 6-PE 22 69 dated 5-8-1969

³ Inserted w.e.f. 2-9-1969 by Notification No.P/OM/127/68 dated 14-8-1969 approved Ministry's letter No. 6-PE 22 69 dated 5-8-1969

⁴ Inserted w.e.f. 5-5-89 by Notification No. PR-12016 / 1 / 89 - PE I dated 5-5-89 published in the Govt. of India Gazette under G.S.R. 508 (E) dated 5-5-89

- (a) It shall be expressed in whole rupees,
- (b) It may be any sum so expressed not less than six per cent of his emoluments and not more than his total emoluments

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

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

(3) For the purpose of sub-regulation (2), the emoluments of a subscriber shall be-

- (a) In the case of 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 any subscriber was on leave 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 emolument to which he was entitled on the day he joins the fund.

(4) A subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner:-

- (a) if he was on duty on the 31st March of the preceding year, by the deduction which he makes 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 makes 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 makes 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 causes to be made in this 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.

(5) ¹The amount of subscription so fixed may be:-

- (a) reduced once at any time during the course of the year;
- (b) enhanced twice during the course of the year; or

¹ Substituted with effect from 4-2-1978 vide Ministry of Shipping & Transport Notification No.PEX-82 / 77 dated 17-1-1978 published in the Gazette of India under GSR – 105 dated 4-2-1978

- (c) 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 (2);

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

9. 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.

10. Realisation of subscriptions

(1) When emoluments are drawn in India, recovery of subscriptions on account of these emoluments and of the principal and interest, an advance 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 on 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 11, 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 installments 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.

11. Interest

(1) Subject to the provisions of sub-regulation (3), 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 4 per cent, all subscribers to the Fund in the year preceding that for which the rate has for the first time been fixed at less than 4 percent; shall be allowed interest at 4 percent.

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 his Fund, shall also be allowed interest at 4 percent, 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 last day in each year in the following manner.

- (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 up to the last day of the month preceeding the month of withdrawal;
- (iii) on all sums credited to the subscriber's accounts after the last day of the preceding year-Interest from the date of deposit up to the end of the current year;
- (iv) the total amount of interest shall be rounded to the nearest whole rupee (fifty paise counting as 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 only of the period from the beginning of the current year or from the date of deposit, as the case may be, up to 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 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 fifth day of that month, but if it is received on or after the fifth day of that month, the first day of the next 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 rules, 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 10, the date of deposit shall be deemed to be the first day of the month if it is received by the Accounts Officer before the fifteenth day of that month.

¹Provided further 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 his subscriptions, be deemed to be in the first day of the succeeding month.

- (4) In addition to any amount to be paid under regulations ² (20, 21, and 22). interest thereon upto the end of the month preceding that in which the payment is made, or up to 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 payment 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.

¹ Inserted w.e.f. 18-10-66 by Notification No. P / OM / 215 / 65 dated 14-10-1966 approved vide Ministry's letter No. 6-PE (29) 66 dated 24-9-66

² Substituted w. e. f. 6-6-67, by Notification No. P / OM / 141 / 66 dated 22-5-67 approved Ministry's letter No. 6- PE (14)/ 67 dated 12-5-69

¹Provided further that where a subscriber on deputation to a body corporate, owned or controlled by the Government, is subsequently absorbed in such body corporate with effect from a retrospective date, for the purpose of calculating the interest due on the accumulations 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 became 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 orders of absorption shall be deemed to be subscription to the Fund only for the purpose of awarding interest under this sub-regulation.

- (5) Interest shall not be credited to the account 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 first day of the year in which he asks for it.
- (6) The interest on amount which under sub-regulation (3) of regulation 10, (²) regulation 24, regulation 25 are replaced to the credit of the subscriber in the Fund, shall be calculated at such rates as may be successively Prescribed under sub-regulation (1) of this regulation.
- (7) ³[In case a subscriber is found to have drawn from the Fund an amount in excess of the amount standing to his credit on the date of drawal, the over-draw an amount irrespective of whether the overdrawal or the final payment from the Fund, shall be repaid by him with interest thereon in one lumpsum, or in default, be ordered to be recovered by deduction in one lumpsum, from the emoluments of the subscriber. If the total amount to be recovered is more than half of subscriber's emoluments, recoveries shall be made in monthly installments of moieties of his emoluments till the entire amount together with interest, is recovered. For this Sub - regulation, the rate of interest to be charged on overdrawn amount would be 2 ½ % over and above the normal rate on provident fund balance under sub - regulation (1). The interest realised on the over drawn amount shall be credited to the Cochin Port Fund Account under a distinct sub-head "Interest on overdrawals from Provident Fund".]

12. Transfer from other service

- (1) Subject to the sanction of the Board in each case, a person who has joined the Board's service from the service of any Government, or other employer, may, if he becomes a subscriber to the Fund, have any amount standing to his credit in a Provident Fund maintained by the Government, or other employer on the date of his joining the Board's service transferred to his credit in the Fund. The amount so transferred shall carry interest only; it shall not entitle the subscriber to any contribution by the Board in respect thereof.
- (2) In the event of a subscriber to the Fund ² [other than one who is appointed on contract or one who has retired from service and is subsequently re-employed] being permanently transferred to a service under a Government or any other employer, the balance in the Provident Fund account of the subscriber, may instead of being paid in cash, be transferred to his account with the new employer and thereupon these Regulations shall cease to apply him.

¹ Inserted w.e.f 23-7-74 by Notification No. P / OM / 130 / 73 dated 10-7-1974 approved vide Ministry's letter No. PEX (29) / 74 dated 25-6-74.

² Inserted w.e.f 30-5-67 by Notification No. P / OM / 95 / 66 dated 11-5-67 approved vide Ministry's letter No.6- PE (14) / 67 dated 28-4-67

³ Inserted vide Ministry's Notification No. PR-12016/30/94-PE-I and published in the Gazette of India under G.S.R.No.160 (E) dated 29-3-96

13. Advance from the Fund

- (1) The appropriate sanctioning authority may sanction the payment to any subscriber of an advance consisting of a sum of whole rupees and not exceeding in 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.
- (a) to pay expenses in connection with the illness or disability, including where necessary the travelling expenses of the subscriber or any person actually depended on him.
- (b) to meet the cost of higher education, including where necessary, the travelling expenses of the subscriber or any Person actually depended 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.
- (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;
- (c) to pay obligatory expenses on a scale appropriate to the status which by customary usage the subscriber has to incur in connection with marriages or other ceremonies of himself or of his children or of any other person actually dependent on him.

Provided that the condition of actual dependence shall not apply in the case of a son or daughter of the subscriber:

Provided further that the condition of actual dependance shall not apply in the case of an advance required to meet the funeral expenses of the parent of a subscriber;

- (d) to meet the cost of legal proceedings instituted by the subscriber for vindicating his position in regard to any allegations made against him in respect of any act done or purporting to be done by him in the discharge of his duty, the advance in this case being available in addition to any advance admissible for the same purpose from any other source.

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

- (e) to meet the cost of his defence where the subscriber engages a legal practitioner to defend himself in an enquiry in respect of any alleged misconduct on his part.
- (f) ¹[to purchase consumer durables such as TV, VCR / VCP, Washing machines, Cooking Range, Geysers, Computers etc.]
- (g) In other cases of acute distress at the discretion of the Chairman.
- (2) 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 installment of any previous advance ().

Explanation (1) For the purposes of this regulation, pay includes dearness pay where admissible-

¹ Inserted vide Ministry's Notification No.PR-12016 / 5 / 97-PE-I and published in the Gazette of India under GSR 311 (E) dated 5-6-97

Explanation (2) For the purposes of this regulation, the appropriate sanctioning authority shall be the authority that may be authorised by the Board to sanction advance from time to time.

¹Explanation (3): A Subscriber shall be permitted to take an advance once in every six months under item (b) of sub-regulation (1) of Regulation 13.

- (3) ²When an advance is sanctioned under sub-regulation (2) before repayment of last installment of any previous advance is completed, the balance of any previous advances not recovered shall be added to the advance so sanctioned and the installments for recovery shall be fixed with reference to the consolidated amount.
- (4) ³[Notwithstanding anything contained in sub-regulation (1) no temporary advance shall be granted to an employee during the last three months of service in order to enable the Accounts Officer to complete the task of issuing authority for payment one month before retirement.]

14. Recovery of advance

- (1) An advance shall be recovered from the sub-scriber in such number of equal monthly installments 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 months' pay of the subscriber, the authority sanctioning the advance may fix such number of installments exceeding 24, but not exceeding 36. A subscriber may, at his option, repay more than one installment in a month. Each installment shall be a number of whole rupee, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such installments.
- (2) ⁴[Recovery shall be made in the manner prescribed in regulation 10 for the realisation of subscriptions and shall commence, with the issue of pay for the month following the one in 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 which either does not carry any leave salary or carries leave salary equal to or less than half pay as the case may be. 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.

Provided that not recovery towards refund of advance shall be made from a subscriber due to retire on superannuation during the last three months of his / her service]

- (3) ⁵(Deleted)
- (4) ⁵(Deleted)
- (5) If an advance has been granted to a subscriber and drawn by him and the advance

¹ Inserted w.e.f- 25-6-74 by Notification No. P / OM / 185 / 72 dated 11-6-74, approved vide Ministry's letter No. PEX-20 / 74 dated 29-5-74.

² Inserted w. e. f. 23-7-68 by Notification No P / OM / 109 / 67 dated 10-7-68 approved vide Ministry's letter No. 6-PE (38) / 68 dated 26-6-68.

³ Inserted with effect from 5-5-89 by Notification No. PR-12016 / 1 / 89 PE I dated 5-5-89 published in the Government of India Gazette under G.S.R. 508 (E).dated 5-5-89

⁴ Substituted w. e. f. 1-4-80 vide Ministry's Notification No. PW-PEX-34 / 80 dated 25-3-81 published in the Gazette of India under GSR 387 (E) dated 11-4-81

⁵ Deleted w.e.f- 25-6-74 by Notification No. P / OM / 185 / 72 dated 11-6-74, approved vide Ministry's letter No. PEX-20 / 74 dated 29-5-74.

is subsequently disallowed before repayment is completed, the whole or balance of the amount withdrawn shall (¹) forthwith be repaid by the subscriber to the Fund or in default be ordered by the Ac-counts Officer to be recovered by deduction from the emoluments of the subscriber in a lumpsum or in monthly installments not exceeding 12 as may be directed by the Chairman or the authority competent to sanction an advance under Explanation 2 to sub-regulation 2 of regulation 13.

- (6) (¹) Recoveries made under this regulation shall be credited as they are made to the subscriber's account in the fund.

15. Wrongful use of advance

Notwithstanding anything contained in this regulations, if the Chairman is satisfied that money drawn as an advance from the Fund under regulation 13 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, the amount in question shall (¹) forthwith be repaid by the subscriber to the Fund, or in default, be ordered by the Chairman to be recovered by deduction in one lumpsum from the emoluments of the subscriber even if he be on leave. If the total amount to be repaid be more than half the subscriber's emoluments, recovery shall be made in monthly installments or moieties of his emoluments till the entire amount is repaid by him.

Explanation: In this Regulation 'emoluments' do not include subsistence grant.

16. ² Withdrawals from the Fund

Subject to the conditions specified herein, withdrawals may be sanctioned by the authorities competent to sanction an advance for special reasons under sub-regulation (2) of regulation 13, at any time-

- (A) after the completion of ³[fifteen] years of service (including broken periods of service if any) of a subscriber or within ten years before the date of his retirement on 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 of the subscriber in the following cases, namely;-
 - (i) for education outside India for academic, technical, professional or Vocational courses be-yond the High School stage, and
 - (ii) for any medical, engineering or other technical or specialized course in India beyond the High School stage;
 - (b) Meeting the expenditure in connection with the betrothal / marriage of the subscriber or his sons or daughters, and any other female relation actually dependent on him;
 - (c) Meeting the expense in connection with the illness, including were necessary the travelling expenses, of the subscriber or any person actually dependent on him;

¹ Deleted w.e.f- 25-6-74 by Notification No. P / OM / 185 / 72 dated 11-6-74, approved vide Ministry's letter No. PEX-20 / 74 dated 29-5-74.

² Substituted w. e. f. 4-11-78 vide Ministry's Notification No. PEX-46 / 78 dated 17-10-78 published in the Gazette of India under GSR 1309 dated 4-11-78

³ Substituted vide Ministry's Notification No.PR-12016 / 5 / 96 PE-I and published in the Gazette of India under GSR 311 (E) dated 5-6-97

- (d) ¹[Meeting the cost of consumer durables such as TV, VCR / VCP, Washing Machines, Cooking Range Geysers, Computers etc.]
- (B) 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; ³ [or any payment towards allotment of a plot or flat by the G.C.D.A. or a state Housing Board or a house building society.]
- (b) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence;
- (c) purchasing a house-site for building a house thereon for his residence or repaying any out-standing amount on account of loan expressly taken for this purposes;
- (d) reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber; within 12 months before the date of subscriber's retirement on superannuation from the amount standing to the credit in the Fund, without linking to any purpose.
- (e) ⁴[renovating additions or alterations or upkeep of the ancestral house or a house built with the assistance of loan from the Board.]
- (f) constructing a house on a site purchased under clause (c);
- (C) after the completion of twenty-eight years of service of a subscriber or within three years before the date of his retirement on superannuation, from the amount standing to his credit in the Fund, for purchasing a motor car or for repaying a loan already taken from the Board for the purpose, subject to the following conditions;
- (i) the subscriber's pay is Rs. 1,000 or more;
- (ii) the amount of withdrawal is limited to Rs. 12,000 or one-fourth of the amount standing to the credit of the subscriber in the Fund or the actual price of the car, whichever is the least
- (iii) such withdrawal shall be allowed only on one occasion. In the case of withdrawal for purchase of another motor car, the motor car advance under the provisions of chapter 14 of the General Financial Rules, 1963 as supplemented by executive instructions issued from time to time by Central Government will not be admissible.
- (D) ² [Within twelve months before the date of the subscriber's retirement on superannuation from the amount standing to the credit in the Fund, without linking to any purpose.]

NOTE:1 A subscriber who has availed himself of an advance under the scheme of the Central Government or a State Government for the grant of advance for house building purpose, or has been allowed any assistance in this regard from any other Government source, shall be eligible for the grant of final withdrawal under sub clause (a), (c), (d) and (f) of clause (B) for the purposes

¹ Inserted vide Ministry's Notification No.PR-12016 / 5 / 96 PE-I and published in the Gazette of India under GSR 311 (E) dated 5-6-97

² Substituted vide Ministry's Notification No. PR-12016 / 5 / 94 - PE - I and published in the Gazette of India under GSR 160 (E) dated 29-3-96.

³ Inserted vide Ministry's Notification No. PR-12016 / 5 / 94 - PE - I and published in the Gazette of India under GSR 160 (E) dated 29-3-96.

⁴ Substituted vide Ministry's Notification No.PR-12016 / 5 / 96 PE-I and published in the Gazette of India under GSR 311 (E) dated 5-6-97

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-regulation (I) of regulation 17.

If a 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 Board shall be eligible for the grant of final withdrawal under sub-clause (a), (c) and (f) of clause (B) 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), (d), (e) or (f) of clause (B) shall be sanctioned only after a subscriber has submitted a plan of the house to be constructed or of the additions or alterations to be made, duly approved by the local municipal body of the area where the site or house is situated and only in cases where the plan is actually got to be approved.

NOTE:3 The amount of withdrawal sanctioned under sub-clause (b) of clause (B) shall not exceed 3/4th of the balance on 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: $\frac{3}{4}$ th of (the balance as on date plus amount of previous withdrawal (s) for the house in question) minus the amount of the previous withdrawal (s),

NOTE:4 Withdrawal under sub-clause (a) or (d) of clause (B) shall also be allowed where the house site or house 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 this regulation. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flat covered by a 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 (f) of clause (B) for completion of the same house shall be allowed up to the limit laid down under Note 3.

NOTE:6 A withdrawal under this regulation shall not be sanctioned if an advance under regulation 13 is being sanctioned for the same purpose and at the same time.

¹[**NOTE:7** Part final withdrawal under this regulation shall not be permitted normally to an employee during the last three months of service. In exceptional circumstance, which should be rare, part final withdrawal may be sanctioned with the approval of the Chairman subject to the condition that the responsibility for any delay in the settlement of final payment shall rest with the subscriber.]

17. Conditions of withdrawal

(1) Any sum withdrawn by a subscriber at any one time for one or more purposes specified in regulation 16 from the amount standing to his credit in the fund ²[in case of withdrawal under clause (A) and up to 90% of balance at credit in case of withdrawal under clause (B) of Regulation 16] shall not ordinarily exceed one-half of

¹ Inserted with effect from 5-5-89 by Notification No. PR-12016 / 1 / 89 PE I dated 5-5-89 published in the Government of India Gazette under G.S.R. 508 (E).dated 5-5-89

² Inserted vide Ministry's Notification No. PR-12016 / 5 / 94 - PE - I and published in the Gazette of India under GSR 160 (E) dated 29-3-96.

such amount or six month's pay whichever is less. The sanctioning authority, may, however, sanction the withdrawal of amount in excess of this limit upto three fourths of the balance at his credit in the Fund, having due regard to (i) the object for which the withdrawal is being made; (ii) the status of the subscriber; and (iii) the amount to his credit in the Fund:

Provided that in the case of a subscriber who has availed himself of an advance under the scheme of the Central or a State Government for the grant of advances for house-building purpose, or has been allowed any assistance in this regard from any other Government source, the sum withdrawn under this clause, together with the amount of advance taken under the aforesaid schemes or the assistance, taken from any other Government source, shall not exceed the maxi-mum limit prescribed from time to time under Regulation 4 (a) of Cochin Port Employees (grant of advances for building etc of houses) Regulations, 1971.

¹[Provided further that the withdrawal admissible under Regulation 16 (D) shall not exceed 90% of the amount standing to the credit of the subscriber in the fund.]

²**NOTE:**1 A subscriber shall be permitted to make a withdrawal once in every six months under sub-clause (a) of clause (A) of Regulation 16. Every such withdrawal shall be treated as a withdrawal for a separate purpose for the purposes of sub-regulation (1) of regulation 17.

NOTE:2 In cases where a subscriber has to pay in installments for a site or a house or flat purchased or a house or flat constructed through the Greater Cochin Development Authority or a State Housing Board 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 installment. Every such payment shall be treated as a payment for a separate purposes of sub-regulation (1) of regulation 17.

(2) A subscriber who has been permitted the withdrawal of money under regulation 16 shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilised 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 lumpsum (³) 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 lumpsum or any such number of monthly instalments as may be determined by the chairman.

(3) ⁴A Subscriber who has been permitted under ⁵[sub-clause (a), sub-clause (b), or sub-clause (c), of clause (B) of regulation 16] 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 or house site so purchased, by way of sale, mortgage (other than mortgage to the Board), or gift, without the previous permission of the Board. He shall also not part with the possession of such house or house site by way of

¹ Inserted vide Ministry's Notification No. PR-12016 / 5 / 94 - PE - I and published in the Gazette of India under GSR 160 (E) dated 29-3-96.

² Substituted with effect from 4-11-78 vide Ministry of Shipping & Transport Notification No. PEX-46 / 78 dated 17-10-78 published in the Gazette of India under GSR-1309 dated 4-11-78.

³ Deleted w. e. f. 25-6-74 by Notification No P / OM / 185 / 72 dated 11-6-74 approved vide Ministry's letter No. PEX -20 / 74 dated 29-5-74

⁴ Substituted w. e. f. 6-6-67 by Notification No.P / OM / 141 / 66 dated 22-5-67 approved vide Ministry's letter No-PE (14) / 67 dated 12-5-67

⁵ Inserted w. e. f. 14-5-68 by Notification No. P / OM / 181 / 67 dated 1-5-68 approved vide Ministry's letter No. 6-PE (38) / 68 dated 22-4-68

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 the 31st day of December of every year to the effect that the house or, as the case may be, the house site continues to be in his possession and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale deed and other documents on which his title to the property is based.

¹Note: In the case of an employee who has availed himself of a loan from Central or State Government or the Board for building purpose, the declaration mentioned in the preceding para shall be as follows:-

“I do hereby certify, that the house / house site for the construction of which or for the acquisition of which I have taken a final withdrawal from the Fund continues to be in my possession but stands mortgaged to the Central Government / State Government Board”.

If at any time before retirement, he parts with the possession of the house or house site with-out obtaining the previous permission of the Board or sanctioning authority as the case may be, the sum withdrawn by him shall forthwith be repaid in one lumpsum (²) 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 a lumpsum or in such number of monthly installments as may be determined by the Chairman.

18. Conversion of an advance into a withdrawal

A subscriber who has already drawn or may draw in future an advance under regulation 13 for any of the purposes specified in (³) regulation 16, 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 16 and 17.

19. Payment towards Insurance Policies and family pension funds

Subscribers who, before the 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 rules 17 to 29 of the General Provident Fund (Central Services) Rules, 1960, will continue to enjoy the benefit under the same terms and conditions 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.

¹ Inserted w. e. f. 14-5-68 by Notification No. P / OM / 181 / 67 dated 1-5-68 approved vide Ministry's letter No. 6-PE (38) / 68 dated 22-4-68

² Deleted w. e. f. 25-6-74 by Notification No P / OM / 185 / 72 dated 11-6-74 approved vide Ministry's letter No. PEX -20 / 74 dated 29-5-74

³ Deleted w. e. f. 4-11-78 vide Ministry's Notification No. PEX-46/ 78 dated 17-10-78 published in the Gazette of India under GSR 1309 dated 4-11-78.

20. Final withdrawal of accumulation in the fund

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, shall if required to do so by the Board repay any amount paid to him from the Fund in pursuance of this regulation (¹) in the manner provided in the proviso to regulation 21 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 a 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 that Fund. The same shall hold good in cases of retrenchment followed immediate employment whether under the Board or under any other major Port authority.

21. Retirement of subscriber

when a subscriber

(a) has proceeded on leave preparatory to retirement,

OR

(b) while on leave , has been permitted to retire or has been declared by a competent medical authority to be unfit for further service.

The amount standing to his credit in the Fund shall upon an application made by him in that behalf to the Accounts Officer become payable to him.

²Provided 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 (³) in cash or securities or partly in cash and partly in securities, by installments or otherwise, by recovery from his emoluments or otherwise as may be directed by the Chairman.

22. 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;

(1) When the subscriber leaves a family-

(a) If a nomination made by the subscriber in accordance with the provisions of

¹ Deleted w. e. f. 25-6-74 by Notification No P / OM / 185 / 72 dated 11-6-74 approved vide Ministry's letter No. PEX -20 / 74 dated 29-5-74

² Substituted w. e. f. 12-10-71 by Ministry's Notification No. P / OM / 60 / 71 dated 24-9-71

³ Deleted w. e. f. 25-6-74 by Notification No P / OM / 185 / 72 dated 11-6-74 approved vide Ministry's letter No. PEX -20 / 74 dated 29-5-74

regulations 6 or of the corresponding rule in force earlier in favour of a member or members of his family subsist 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;

- (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 any 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 clause (1), (2), (3) and (4);

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

- (2) When the subscriber leaves no family, if a nomination made by him in accordance with the 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.

23. Manner of payment amounts 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, as-assigned, reassigned or delivered, is a lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act 1912, the payment or re-assignment of delivery shall be made to such manager and not to the lunatic.

¹Provided that where no manager has been appointed and the person to whom the sum is payable is certified by a Magistrate to be a lunatic, the payment shall, under the orders of the Collector, be made in terms of sub-section (1) of Section 95 of the Indian Lunacy Act, 1912 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 dependent on him for maintenance.

- (3) ²[Payment of the amount withdrawn shall be made in India only. The persons to whom the amounts are payable shall make their own arrangements to receive

¹ Inserted w. e. f. 9-3-71 by Ministry's Notification No. P / OM / 244 / 70 dated 15-2-71

² Substituted w. e. f. 5-5-1989 by Ministry's Notification No. PR-12016 / 1 / 89 -PE-I dated 5-5-89 published in the Govt. of India Gazette under G.S.R. 508 (E) dated 5-5-89.

payment in India. The following procedure shall be adopted for authorising the payment of GPF accumulation of an employee retiring on superannuation, namely:-

- (i) A subscriber shall make an application in Part I of the Form appended one year in advance of the date of superannuation for the payment of the accumulation standing a credit of his / her account in the fund till that date.
- (ii) The subscriber shall make another application in Part II of the Form appended immediately after the last fund deduction is made and the exemption from subscriptions to the fund is operated for the payment of subscriptions and refund of installments against advances, if any, made during the period not covered by the first application referred to in sub-clause (1) above.
- (iii) The Accounts Officer on receipt of the application for final payment of GPF account made by the employee one year in advance of the date on which the employee attains the age of superannuation shall verify the ledger-account upto that period and after receiving the second application verify the ledger account for the remaining nine months and authorise the payment atleast a month before the date of his superannuation. The amount shall be payable on the date following the date of retirement of the employee.
- (iv) The format of application (Part I) to be submitted by the subscriber one year in advance of the date of superannuation and (Part II) to be submitted immediately, after the last fund deduction has been made and the exemption from subscribing to the fund has begun to operate, is appended.]

Explanation: When the amount standing to the credit of a subscriber has become payable under Regulation 20, 21 or 22 the Accounts Officer shall authorise prompt payment of the amount in the manner indicated in sub-regulation (3).

24. 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 pensionable service in any other Major Port in which he governed by similar 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.

25. 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 provision 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.

26. Relaxation of the provisions and regulations in individual cases

When the board is satisfied that the operation of any of these regulations causes, or is likely to cause, undue hardship to a subscriber, the Board may, notwithstanding anything contained in these regulations deal with the case of such subscriber in such manner as may appear to it to be just and equitable.

¹Provided that the payment of the entire amount before an employee actually proceeds on leave preparatory to retirement or actually retires, cannot be done by the Board.

27. Number of account to be quoted at the time of payment of subscriptions

When paying a subscription in India, either by deduction from emoluments or in cash a subscriber should 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 subscriber

- (1) As soon as possible after the close of each year, the Accounts Officer shall send to each subscriber a statement of his accounts in the Fund showing the opening balance as on the 1st April of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 31st March of the year and the closing balance on the 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 rule in force earlier.
 - (b) has acquired a family in cases 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 arrear in such statement.
- (3) The Accounts Officer shall, if required by a subscriber once but not more than once in year inform the subscriber of the total amount standing in his credit in the Fund at the end of the last month for which his account has been written up.

29. ²Interpretation

If any question arises relating to the interpretation of this regulations, it shall be referred to the Central Government who shall decide the same.

(Published in the Kerala Gazette dated 26-6-1977)

¹ Inserted w. e. f. 5-3-68 by Notification No. P / OM / 120 / 67 dated 22-2-68 approved vide Ministry's letter No. 6-PE (14) / 68 dated 14-2-68.

² Substituted with effect from 26-7-77 vide Notification No. P2 / 1771 (VIII) / 77 dated 5-7-77 approved vide Ministry's Notification dated 11-6-77 published in the Gazette of India dated under G.S.R.

¹ FIRST SCHEDULE [REGULATION 6 (3)]**FORM OF NOMINATION****Account No.....**

I..... hereby nominate the person (s) mentioned below who is / are member (s) / non-member (s) of my family as defined in Regulation 2 of the Cochin Port Employees (General Provident Fund) Regulations, 1964, to receive the amount that may stand to my credit in the Fund as indicated below, in the event of my death before that amount has become payable or having become payable has not been paid.

Name and full address of the nominee (s)	Relationship with the subscriber	Age of the nominee (s)	Share payable to each nominee	Contingencies on the happening of which the nomination will become invalid
1	2	3	4	5

Name and address and relationship of the person (s) if any to whom the right of nominee shall pass in the event of his / her predeceasing the subscriber	If the nominee is not a member of the family as provided in Regulation 2, indicate the reasons
6	7

¹ Substituted vide Ministry's Notification No. PR-12016 / 5 / 94 - PE - I and published in the Gazette of India under GSR 160 (E) dated 29-3-96.

¹ FORM OF NOMINATION

Dated this.....day of 20.....at.....

Two witness to Signature

Signature of subscriber

Name and Address

Name in block letters

1

Designation

2

Signature

(Reverse of the form)

Space for use by the Head of Office / Financial Adviser & Chief Accounts Officer

Nomination by Shri / Smt. / Kumari.....Designation.....

Date of Receipt of nomination.....

Signature of Head of Office / Financial
Adviser & Chief Accounts Officer,

Designation.....

Date.....

Instructions for the subscriber:-

- (a) Your name may be filled in.
- (b) Name of the fund may be completed suitably,
- (c) Definition of term "family" as given in the CPE (GPF) Regulations, 1964 is reproduced below.

Family means :

- (l) In case of a male subscriber the wife or wives, parents, children, minor brothers, unmarried sisters deceased son's widow and children and where no parent of the subscriber is alive, a paternal grandparent.

Provided that if a subscriber proves that his wife has been judicially seperated from him or has ceased under the customary low 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 regulations relate unless the subscriber subsequently intimates in writing to the Accounts Officer that she shall continue to be so regarded.

¹ Substituted vide Ministry's Notification No. PR-12016 / 5 / 94 - PE - I and published in the Gazette of India under GSR 160 (E) dated 29-3-96.

- (II) In case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters deceased son's widow and children and where no parent of the subscriber is alive, a paternal grandparent.

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

NOTE: Child means legitimate child and includes an adopted child where adoption is recognised by the personal law Governing the subscriber or a ward under the Guardians and wards Act, 1890 (8 of 1890) who lives with the employee and is treated as a member of the family and to whom the employee has, through a special will, given the same status as that of natural born child.

- (d) Col 4. If only one person is nominated the words "in full" should be written against the nominee. If more than one person is nominated, the share payable to each nominee over the whole amount of the Provident Fund shall be specified.
- (e) Col. 5 Death of nominee (s) should not be mentioned as contingency in this column.
- (f) Col. 6. Do not mention your name.
- (g) Draw line across the blank space below last entry to prevent insertion of any name after you have signed.

¹APPENDIX

FORM

Form of application for final payment / transfer to corporate Bodies / other Government, of balances in the General Provident Fund Account

To

The Financial Adviser & Chief Accounts
Officer, Cochin Port Trust.

(Through the Head of Office)

Sir,

I am to retire / have retired / have proceeded on leave / preparatory to retirement for..... months have discharged / dismissed / have permanently been transferred to / have resigned from Board service have resigned underGovernment to take up appointment with..... and my resignation has been accepted with effect from..... forenoon / afternoon. I joined service with..... on.....forenoon / afternoon.

2. My Provident Fund Account No is.....

3. I desire to receive payment through your Office. Particulars of my personal marks of identification, left and thumb and finger impressions (in the case of illiterate subscribers) and specimen (signature in the case of literate subscribers) in duplicate, duly attested by a Class I or Class II Officer of the Board are enclosed.

PART - I

(To be filled in when the application for final payment is submitted upto one year prior to retirement)

4. An amount of Rs..... stood to the credit in my General Provident Fund Account as indicated in the accounts statement issued to me for the year as appearing in my ledger account being maintained by you . I request that my G.P.F. Account may be reviewed and brought up-to-date.

5. The under mentioned Life Insurance Policies were being financed by me from my Provident Fund Account.

¹ Appended w. e. f. 5-5-89 by Notification No. PR-12016 / 1 / 89-PEX dated 5-5-89 published in the Government of India Gazette under G. S. R. 508 (E)dated 5-5-89 under G. S. R. 508 (E)

Policy Number	Name of the Company	Sum assured
1.
2.
3.

6. I will make another application immediately after last fund deduction has been made from my salary, in Part II of the Form.

Yours faithfully

Station.....

Signature.....

Date.....

Name.....

Address.....

(FOR USE BY HEADS OF OFFICES)

Forwarded to the Financial Adviser & Chief Accounts Officer.....for necessary action,

2. The Provident Fund Account No. of Shri / Smt / Kum, (as verified with the Statements issued to him / her from year to year) is.....

3. He / She is due to retire from Board's service on

4. Certified that he / she had taken the following advances in respect of which.....installment of Rs..... are yet to be recovered and credited to the Fund Account. The details of the final withdrawals granted to him / her after the period covered by the aforesaid Accounts Statement are indicated below:-

Temporary advances	Final withdrawals
1.
2.
3.

Signature of the Head of Office.

PART -II

(To be submitted by the subscriber immediately after the last fund deduction has been made from his salary. This part is also applicable in the case of subscriber who applies for final payment for the first time after the date of superannuation, discharge, resignation etc.)

In continuation of my earlier application dated..... for the final payment of Provident Fund balance, I request that entire balance at my credit with interest due under the rules may be paid to me.

OR

I request that the entire amount at my credit with interest due under the rules may be paid to me / transferred to

Signature

Name.....

Address.....

.....

(FOR USE BY HEADS OFFICES)

Forwarded to the Financial Adviser & Chief Accounts Officer.....for necessary action / in continuation of endorsement No..... dated.....

2. He / She is due to retire from service on...../ has proceeded on leave preparatory to retirement for.....months fromhas been discharged/ dismissed/ permanently transferred to..... /has resigned finally from Government service/has resigned service under..... Government to take up appointment with.....and his/her resignation has been accepted with effect from..... forenoon/afternoon. He / She joined service with on..... forenoon/ afternoon.

3. The last fund deduction was made from his/her pay in this office Bill No..... dated.....for Rs.....(Rupees.....) cash voucher No.....of.....Treasury, the amount of deduction being Rs.....and recovery on account of refund of advance Rs.....

4. Certified that he / she was neither sanctioned any temporary advance nor any final withdrawal from his / her Provident Fund Account during the 9 months immediately preceeding the date on which the last fund deduction has been made from his / her salary or thereafter.

or

Certified that the following temporary advances / final withdrawals were sanctioned to him / her and drawn from his / her Provident Fund Account during the 9 months immediately preceding the date on which the last fund deduction has been made from his / her salary or thereafter.

	Amount of advance / withdrawal	Date	Voucher number
1.
2.
3.

5. Certified that no amount was withdrawn / the following amounts were withdrawn from his / her Provident Fund account during the nine months immediately preceding the date on which the last fund deduction was made from his / her salary / proceeding on leave preparatory to retirement or thereafter for payment of insurance premia purchase.

	Amount	Date	Voucher number
1.
2.
3.

6. Certified that he / she has not resigned from Board's service with prior permission of the Competent Authority to take up an appointment in another Department of the Central Govt. or under a State Government or under a body corporate owned or controlled by the State.

.....
(Signature of Head of Office)