

**VISAKHAPATNAM PORT EMPLOYEES' (G.P.F.)
REGULATIONS, 1993:**

G.S.R. 704(E) dt.12.11.93.

In exercise of the powers conferred by Section 28 of the M.P.T. Act, 1963 (38 of 1963) the Visakhapatnam Port Trust hereby makes the following Regulations, in supersession of the V.P.E.(GPF) Regulations, 1964 published as G.S.R.No.328 dt.29.2.1964 in Gazette of India, subject to approval of Central Government as required under Section 124 of the aforesaid Act.

1. Short title & Commencement: a) These Regulations may be called the Visakhapatnam Port Employees' (General Provident Fund) Regulations, 1993.

(b) They shall come into force from the date of publication of these regulations in the Central Government Gazette.
2. Interpretation: In these regulations unless the context otherwise requires:
 - 1) "Accounts Officer" means the "Financial Adviser & Chief Accounts Officer of the Board;
 - 2) "Board " "Chairman", "Deputy Chairman" shall have the same meaning as 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 allowance, cement testing allowance, fee for supervision of floating crafts, 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) "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 grand parent.

Provided that if a subscriber proves that his wife had 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 sons widow and children and where no parents of the subscriber is alive, a paternal grand parent.

Provided that if a subscriber by notice in writing to the Head of Department 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 matters to which these 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 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 a natural born child.

- 6) "Fund" means the Visakhapatnam Port Employees' General Provident Fund.
- 7) "Leave" means any kind of leave recognized 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 either in the Provident Fund Act, 1925 (19 of 1925), or in the

Fundamental Rules of Central Government or the leave Regulations mentioned in sub-regulation (7) (whichever may be applicable to the subscriber) shall have the meaning as assigned to them in such Act, Rules or regulations.

10) Nothing in those regulations shall be deemed to have the effect of terminating the existence of the GPF, as therefore existing or of constituting any new Fund.

11) The G.P.F. constituted heretofore shall be deemed to be in force and shall be treated as if constituted and continued under these regulations.

3. Constitution and Management of the fund:

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

4. Conditions of eligibility:

(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 to 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.

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 V.P.E. (GPF) Regulations, 1964 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, submit to the concerned Head of Department 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 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 or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the fund at any time.
- 3) Every nomination shall be made in the forms set forth in the first schedule appended.
- 4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Head of Department. 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 clause, 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.

Provided 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 other member or members in 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 Head of Department, a notice in writing canceling 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 given by a subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Head of Department.

(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 regulation-11, on subscriptions; and
- iii) Advances and withdrawals from the fund.

8. Conditions 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 or half average pay;

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

NOTE: A subscriber need not subscribe during the period treated as dies-non.

- (ii) The 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.

- (iii) A subscriber who has under Regulation 22 withdrawn the amount standing to his credit in the fund shall not subscribe to the fund after such withdrawal unless he returns to duty.
- (iv) Notwithstanding anything contained in sub-regulation (i) a subscriber shall not subscribe to the fund for the month in which he quits service unless, before the commencement of the said month, he communicates to the Head of Department in writing his option to subscribe for the said month.

9. Rates of subscription:

- (i) 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 a contributory provident fund at the higher rate of 0 – 1/3 percent, 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% or 8 1/3% as the case may be, the fraction of a rupee will be rounded to the nearest whole rupee, 50 ps. Counting as the next higher rupee.

- (ii) For the purpose of sub-regulation (i), 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 proceeding 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.
- iii) 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 was 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.
- iv) The amount of subscription so fixed maybe —
 - a) reduced once at any time during the course of the year;
 - b) enhanced twice during the course of the year; or
 - 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 (1).

Provided further that if a subscriber is on leave without pay or leave on half pay or half average 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.

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 regulations of the fund in the same manner as if he were not so transferred or sent on deputation.

11. Realisation of subscriptions:

i) When emoluments are drawn in India or from an authorized office of disbursement outside India, recovery of subscriptions on account of these emoluments and of the principal and interest of advances shall be made from the emoluments themselves.

ii) When emoluments are drawn from any other sources, 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.

iii) 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 is 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-14.

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

12. Interest: (i) 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 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 under regulation 24 shall be allowed interest at 4 percent, if he had been receiving that rate of interest under the rules of such other fund.

- ii) Interest shall be credited with effect from last day in each year in the following manner:
- a) 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;
 - b) 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;
 - c) On all sums credited to the subscriber's account after the last day of the preceding year – interest from the date of deposit up to the end of the current year.
 - d) 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 there up on 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, upto the date on which the amount standing to the credit of the subscriber became payable.

- iii) 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 next succeeding month:

Provided that where there has been delay in the drawal of pay or leave salary and allowances of a subscriber and consequently in 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 Regulations, 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-regulating (ii) of regulation 11, 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 the month.

Provided further that where the emoluments for a month after 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 the first day of the succeeding month.

- iv) In addition to any amount to be paid under regulation 20,21, or 22 interest thereon upto the end of the month preceding that in which the payment is made, or up to the end of the sixth month after the month in which such amount, became payable which ever 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.

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 (Act 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 on the fund 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 become 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.

NOTE: Payment of interest on the Fund balance beyond a period of six months may be authorized by;

- a) The Head of Accounts Office upto a period of one year; and
- b) The Chairman/Dy.Chairman upto any period.

After he has personally satisfied himself that the delay in payment was occasioned by circumstances beyond the control of the subscriber or the person to whom such payment was to be made, and in every such case, the administrative delay involved in the matter shall be fully investigated and action, if any, required, taken.

- v) 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 the first day of the year in which he asks for it.
- vi) The interest on amounts which under sub-regulation (iii) of regulation 11, Regulation 20 or 21 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 (i) of this regulation and so far as may be in the manner described in this regulation.
- vii) In case a subscriber is fund to have drawn from the fund an amount on excess of the amount standing to his credit on the date of the drawal, the over drawn amount, irrespective of whether the over drawal occurred in the course of an advance or a withdrawal 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 the subscriber's emoluments, recoveries shall be made in monthly instalments 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 realized on the overdrawn amount shall be credited to Board's fund.

13. Transfer from other services: (1) Subject to the sanction of the Chairman / Dy. Chairman in each case, a person who has joined the Board's service from the service of any Government or other employer, may, if he comes 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 being permanently transferred to a service under a government of any other employer, the balance in the provident fund account of the subscriber may, instead of being paid in cash, be transferred to this account with the new employer and there upon these regulations shall cases to apply to him.
 - 3) The Provident Fund money held in Visakhapatnam Port Trust should continue to earn interest at the normal rate till the date of transfer of the amount.
14. 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 confinement or a 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 members of his family or any person actually dependent on him 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 3 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 marriages, funerals or other ceremonies
- d) to meet the cost of legal proceedings instituted by or against the subscriber for indicating 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, any member of his family or any person actually dependent upon him, the advance admissible for the same purpose from any other source.
- e) to purchase consumer durables such as TV/VCR/VCP/ Washing machine, Cooking range, geysers, computer etc.

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 conditions of service or penalty imposed on him.

- f) To meet the cost of the subscriber's defence where he engages a legal practitioner to defend himself in an enquiry in respect of any alleged official misconduct on this part.
 - g) In other cases of acute distress at the discretion of the Chairman.
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 together with interest thereon.

4. When an advance is sanctioned under sub-regulation (3) before repayment of last installment 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 fixed with references to the consolidated amount.
5. After sanctioning the advance, the amount shall be drawn on an authorization from the accounts officer in case when the application for final payment had been forwarded to the Accounts Officer under clause (ii) of sub-regulation (3) of Regulation (23).

NOTE: (1) For the purpose of this regulation, pay includes dearness pay where admissible.

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

NOTE: (3) A subscriber shall be permitted to take an advance once in every six months under item (b) of sub-regulation (1) of regulation-14. However, the Chairman may on an application by the employee duly explaining the circumstances relax the said proviso.

15. RECOVERY OF ADVANCE: An advance shall be recovered from the subscriber in such number of equal monthly instalments as the Chairman or any other Officer authorized to sanction the advance 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 under sub-regulation (3) of Regulation 14, the authority sanctioning the advance may fix such number of instalments exceeding to be more than 24, but in no case more than 36. A subscriber may, at his option, repay more than one installment in a month. Each installment 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 installments.

- 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 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 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 or half average pay, as the case may be. The recovery maybe postponed, on the subscriber's written 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 is subsequently disallowed before repayment is completed, the whole or balance of the amount withdrawn shall with interest at the rate provided in Regulation 12 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 amounts of the subscriber in a lumpsum or in monthly instalments not exceeding 12 as may be directed by the Chairman or the authority competent to sanction an advance for the grant of which, special reasons are required under sub-Reg.(3) or 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 repayments shall not be enforced and if an explanation is submitted by the subscriber within the said period of fifteen days, it shall be referred to the sanctioning authority for decision, and if no explanation within the said period is submitted by him, the repayment of the advance shall be enforced in the manner prescribed in this sub-regulation.

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

16. Wrongful use of advance: Notwithstanding any thing contained in these regulations, if the sanctioning authority has reason to doubt that money drawn as an advance from the fund under Regulation 14 has been utilized for a purpose other than that for which sanction was given to the drawal of the money, he shall communicate the subscriber the reasons 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 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 subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount is repaid by him.

Note: In this regulation the term emoluments, does not include subsistence grant.

17. WITHDRAWALS FROM THE FUND:

- 1) subject to the conditions specified therein, withdrawals may be sanctioned by the authorities competent to sanction an advance for special reasons under sub-regulation (3) or regulation 14 at any time.
- (A) After the completion of 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 course beyond the High school stage and;
 - ii) for any medical, engineering or other technical or specialized courses in India beyond the High School stage, as indicated in second schedule.
 - b) meeting the expenditure in connection with the betrothal / marriage of the subscriber or his sons or daughters, and any other female relation actually dependant on him.
 - c) meeting the expenditure in connection with illness, including where necessary, the travelling expenses, if the subscriber and members of his family or any person actually dependent on him;

- d) meeting the cost of consumer durables such as TV/VCR/ VCP/washing machines, cooking range, geysers, computers etc.
- (B) 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 VUDA, State Housing Board or a house building society.
 - b) repaying an outstanding amount on account of loan expressly taken for building or requiring 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 outstanding amount on account of loan expressly taken for this purpose;
 - d) reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber;
 - e) renovating, additions or alterations or upkeep of ancestral house or a house built with the assistance of loan from Board.
 - f) Constructing a house on a site purchased under clause (c).
- (C) 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.

NOTE: A subscriber who has availed himself of an advance under the scheme of the Ministry of Works & Housing for the grant of advance for house building purpose or has been allowed any assistance in this regard from any other source, shall be eligible for the grant of final withdrawal under sub clause (a), (c), (d) and (f) of clause (B) 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-regulation (1) of Regulation 18.

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), (b), (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 $\frac{3}{4}$ th 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 or 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) clause (B) for completion of the same house shall be allowed upto the limit laid down under Note (3).

NOTE (6): A withdrawal under this Regulation shall not be sanctioned if an advance under Regulation 14 is being sanctioned for the same purpose and at the same time.

(2) When ever a subscriber is in a position to satisfy the competent authority about the amount standing to his credit in the Central Provident Fund Account with reference to the latest available statement of General Provident Fund account together with the evidence of subsequent contribution, the

competent authority may itself sanction withdrawal within the prescribed limits, as in the case of a refundable advance. In doing so the competent authority shall taken 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 defer mine the admissibility of the amount of withdrawal. The sanction for the withdrawal should prominently indicate the General Provident Fund number and the Accounts officer maintaining the accounts and a copy of the sanction should invariably be endorsed to that Accounts Officer. The sanctioning authority shall be responsible to ensure that an acknowledgement is obtained from the accounts Officer that the sanction for withdrawal has been noted in the ledger account of the subscriber. In case the Accounts Officer reports that the withdrawal as sanctioned is in excess of the amount to the credit of the subscriber or other wise inadmissible, the sum withdrawn by the subscriber shall forthwith be repaid in one lumpsum 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 lumpsum or in such number of monthly instalments as may be determined by the sanctioning authority.

- 3) After sanctioning the withdrawal the amount shall be drawn on an authorization from the Accounts Officer in case where the application for final payment had been forwarded to the Accounts Officer under clause (ii) of Sub-regulation (3) of Regulation 23.

18. CONDITIONS FOR WITHDRAWAL: (1) Any sum withdrawn by a subscriber at any one item for one or more of the 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 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 in case of withdrawal under Clause (A) and upto 90% of balance at credit in case of withdrawals under clause (8) of Sub-regulation (1) Regulation 17.

Provided that in no case the maximum amount of withdrawal for purposes specified in clause (b) of Sub-regulation (1) of Regulation 17 shall exceed the maximum limit prescribed from time to time under the house building advance rules for the grant of advances for house building purposes.

Provided further that the withdrawal admissible under Regulation 17(1), (c) shall not exceed 90% of the amount standing to the credit of the subscriber in the fund.

Provided further that in the case of a subscriber who has availed himself of an advance under the rules 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 maximum limit prescribed from time to time under the said rules.

NOTE: (1) A withdrawal sanctioned to a subscriber under sub-clause (a) of clause (A) of sub-regulation (1) of Regulation 17, may be drawn in installments, the number of which shall not exceed four in a period of 12 calendar months counter from the date of sanction.

NOTE: (2) A Subscriber shall be permitted to make a withdrawal once in every six months under sub-clause (a) of Clause (A) of sub-regulation (1) of Regulation 17. Every such withdrawal shall be treated as a withdrawal for a separate purpose for the purposes of sub-regulation (1) of Regulation 18.

NOTE: (3) In case where a subscriber has to pay in instalments for a site or a house or flat purchased, or a house or flat constructed, though the VUDA 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

instalment. Every such payment shall be treated as a payment for a separate purpose for the purposes of sub-regulation (1) of regulation 18.

- 2) A subscriber who has been permitted to withdraw money from the fund 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 the purpose, for which it was withdrawn shall forthwith be repaid in one lumpsum 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 in such number of monthly instalments, as may be determined by the sanctioning authority.

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 communication 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) A subscriber who has been permitted under sub-clause(a) sub-clause (b) or sub-clause (c) of clause (B) of sub-regulation (1) 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 built or acquired or house site purchased with the money so withdrawn whether by way of sale, mortgage (other than mortgage to the sanctioning authority), gift, exchange or otherwise, 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.
- (b) The subscriber shall submit a declaration not later than the 31st day of December of every year as to whether the house or the house site as the case may be continues to be in his possession or has been mortgaged, 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 sale mortgage or lease deed and also the documents on which his title to the property is based.

- (c) If at any time before his retirement, the subscriber parts with the possession of the house or house site without obtaining the previous permission of the sanctioning authority he shall forthwith repay the sum so withdrawn by him in lumpsum to the fund, and in default of such repayment, the sanctioning authority shall, after giving the subscriber a reasonable opportunity of making a representation in the matter, cause the said sum to be recovered from the emoluments of the subscriber either in a lumpsum or in such number of monthly instalments, as maybe determined by it.

NOTE: A subscriber who has taken loan from Board in lieu thereof mortgaged the house or house site to the Board shall be required to furnish the declaration to the following effect, viz.

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 Board.

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 purposes specified in sub-regulation (1) 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 it into a final withdrawal in his satisfying the conditions laid down in regulations 17 and 18.

NOTE.1 The Head of Department in the case of Class-III & IV employees and the Accounts Officer concerned in the case of Class-I & II subscribers may be asked by the administrative authority to stop recoveries from the pay bills when the application for such conversion is forwarded to the Accounts Officer by that authority. In the case of Class-I & II subscribers, the administrative authority shall endorse a copy of the letter forwarding the subscriber's intimation to the Accounts Officer from where he draws his pay in order to permit stoppage of further recoveries.

NOTE.2: For the purpose of sub-regulation (1) of Regulation 18, 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. 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 sanctioning authority repay any amount aid 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 21. The amount so repaid shall be credited to his account in the Fund.

EXPLANATION (1): A. Subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently reemployed, with or without a break in service, shall not be deemed to 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 there on shall be transferred to his account in other fund in accordance with the rules of that fund. The same shall hold good in case of retrenchment by immediate employment whether under the Board or under any other Major Port Authority.

NOTE: Transfers shall include cases of resignations from service in order to take up appointment in another Department of the Central Government or under the State Government without any break and with proper permission of the competent authority. In cases where there has been a break in service it shall be limited to the joining time allowed on transfer to a different station.

The same shall hold good in cases of retrenchments followed by immediate employment whether under the board or under any other Major Port Authority.

EXPLANATION (2): When a subscriber other than one who is appointed on contract or one who has retired from service and is 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 it shall be transferred with the consent of that body to his new provident fund account under that body.

Transfers shall include cases of resignation from service in order to take up appointment under a body corporate owned or controlled by Government without any break and with proper permission of the competent authority. The time taken to join the new post shall not be treated as a 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 amount of subscription together with interest thereon, of a subscriber opting for service under a Public Enterprise may, if he so desires, be transferred to his new Provident Fund Account under the Enterprises if the concerned Enterprise also agrees to such a transfer. If, however, the subscriber does not desire the transfer or the concerned Enterprise does not operate a Provident Fund the amount aforesaid shall be refunded to the subscriber.

21. RETIREMENT OF SUBSCRIBER: When a subscriber 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 become payable to him.

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 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 other wise, by recovery from his emoluments 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 (3) of Regulation 14.

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;

i) When the subscriber leaves a family -

- a) If a nomination made by the subscriber in accordance with the provisions of regulation 6 in favour of a member or members of his family subsists, the amount standing to his credit in the fund or the part thereof to which the nomination relates shall become payable to his nomination or nominees in the proportion specified in the nomination;
- b) If no such nomination in favour of a member or members of the family, of the subscriber / subsists, or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the 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 husband are alive;

if there is any member of the family other than those specified in clauses (1), (2), (3), (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 clauses (1) of the first proviso.

- ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of regulation 6 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 OF 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 as provided in Sub-regulation (3)

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

Provided that where no Manager has been appointed and the person to whom the sum of 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 persons 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) Payments 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 payment in India. The following procedure shall be adopted for claiming payment by a subscriber, namely:-
- (a) for the amount standing to his credit in the Fund as indicated in the Accounts statement for the year ending one year prior to the date of his superannuation, or his anticipated date of retirement, or
- (b) for the amount indicated in his ledger account in case the accounts statement has not been received by the Subscriber.
- (i) The Head of Department shall forward the application to the Accounts Officer indicating the recoveries effected against the advance which are still current and the number of instalments yet to be recovered and also indicate the withdrawals, if any, taken by the subscriber after the period covered by the last statement of the subscriber's account sent by the Accounts Officer.

- (ii) The Accounts Officer shall, after verification with the ledger account, issue an authority for the amount payable to the subscriber at least a month before the date of superannuation but payable on the date of superannuation.
- (iii) The authority mentioned in clause (iii) will constitute the first instalment of payment. A second authority for payment will be issued as soon as possible after superannuation. This will relate to the contribution made by the subscriber subsequent to the amount mentioned in the details forwarded by the Heads of Department under clause (ii) plus the refund of instalments against advances which were current at the time of the submission of details by the Heads of Department.
- (iv) After forwarding the details referred of clause (ii) for final payment to the Accounts Officer, advance/withdrawal may be sanctioned but the amount of advance / withdrawal shall be drawn on an authorization from the Accounts Officer concerned who shall arrange this as soon as the formal sanction of sanctioning authority is received by him.

NOTE: When the amount standing to the credit of a subscriber has become payable under Regulation 20, 21 or 22 the Accounts Officer shall authorize 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:

- a) If an employee who is a subscriber to the Fund is permanently transferred to pensionable service in any other Major Port in which he is 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.

- b) If an employee who is a subscriber to the State Railways Provident Fund or any other contributory Provident Fund of the Central Government or a State Contributory Provident Fund is permanently transferred to pensionable service in a Department of Major Port in which he is governed by these regulations and unless such a subscriber elects to continue

to be governed by the rules of such fund, when such an option as given —

- i) the amount of subscriptions with interest thereon, standing to his credit in such contributory Provident Fund on the date of transfer shall with the consent of the concerned authority, if any, be transferred to his credit in the fund;
- ii) The amount of contributions, with interest thereon, standing to his credit in such Contributory Provident Fund shall, with the consent of the concerned authority, if any, be credited to the credit of that fund.
- iii) He shall thereupon be entitled to count towards pension, service rendered prior to the date of permanent transfer to the extent permissible under the relevant pension Regulations.

NOTE:1. The Provisions of this regulation do not supply to a subscriber who has retired from service and is subsequently re-employed with or without a break in service, or to a subscriber who was holding the former appointment on contract.

NOTE: 2. The provisions of this* regulation shall, however, apply to persons who are appointed without break, whether temporarily or permanently to a post carrying the benefits of these regulations after resignation or retrenchment from service under another Major Port.

25. PROCEDURE ON TRANSFER TO BOARD SERVICE OF A PERSON FROM THE SERVICE UNDER A BODY CORPORATE OWNED OR CONTROLLED BY GOVERNMENT.

If an employee admitted to the benefit of the fund was previously a subscriber to any Provident Fund of a body corporate owned or controlled by Government, the amount of his subscriptions and the employer's contribution, if any, together with the interest thereon shall be transferred to the credit in the Fund with the consent of that body.

26. TRANSFER OF AMOUNT TO CONTRIBUTORY PROVIDENT FUND (INDIA).

If a subscriber to the fund is subsequently admitted to the benefit 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 (India).

NOTE: 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. 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.

28. 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.

29. 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 account 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 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;
 - 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 errors should be brought to the notice of the Accounts Officer within three months from the date of receipt of the statement.

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 standing in his credit in the Fund at the end of the last month for which his account has been written up.

30. CENTRAL GOVERNMENT RULES TO BE FOLLOWED IN THE APPLICATION OF THESE REGULATIONS.

In applying these regulations and in respect of matters not dealt with the Regulations, the provision contained in G.P.F.(Central Services) Rules, 1960 and the orders / instructions etc., of the Central Government issued there under from time to time, shall be followed in so far as they are not inconsistent with the provision of these Regulations, subject to such exceptions and modifications as the Board may from time to time determine.

31. REPEAL: The Visakhapatnam Port Employees' (GPF) regulations, 1964 are hereby repealed.

32. INTERPRETATION OF REGULATION: If any question arises to the interpretation of these Regulation, the same will be decided by the Board.

FORM - I
VISAKHAPATNAM PORT TRUST
FIRST SCHEDULE (REGULATION-6)

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(5) of Visakhapatnam Port Employees' (General Provident Fund) Regulations, 1993, 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)	Relation ship with the subscriber	Age of the nominee(s)	Share payable to each nominee	Contingencies on the happening of which the nomination will become invalid	Name, address and relation ship 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 (5) indicate the reasons.
1.	2.	3.	4.	5.	6.	7.

Dated this ____ day of 199__ at _____

SIGNATURE OF THE SUBSCRIBER _____

Two witness to signatures

NAME IN BLOCK LETTERS _____

Name and address

DESIGNATION _____

Space for use by the Head of Department / Accounts Office.
Nomination by Shri / Smt. / Kum. _____ Designation
_____ Date of receipt of Nomination _____

SIGNATURE OF HEAD OF

DEPT./ACCOUNTS OFFICER _____

DESIGNATION _____

DATE _____

Instructions for 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 Visakhapatnam Port Employees' (General

Provident Fund) Regulations, 1993 is reproduced below:

Family means –

- (i) In the case of 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 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 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 intimates in writing to the Accounts Officer that she shall continue to be so regarded;

- (ii) In the case of a family subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased sons widow and children and where no parent of the subscriber is alive, a paternal grand 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 matters to which these regulations relate, unless the subscriber subsequently cancels such notice in writing.

NOTE: "child" means legitimate child and includes and adopted child where adoption is recognized by the personal law governing the subscriber.

- 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.

SECOND SCHEDULE (REGULATIONS 14 & 17)

Particulars of the courses of study for which advances / withdrawals may be given.

- a) Diploma course in the various fields of Engineering and Technology, e.g. Civil Engineering, Mechanical Engineering, Electrical Engineering, Tele-communication/ Radio Engineering, Metallurgy, Automobile Engineering, Textile Technology, Leather Technology, Printing Technology, Chemical Technology, etc. etc. conducted by recognized Technical Institutions
- b) Degree course in the various fields of Engineering and Technology, e.g. Civil Engineering, Mechanical Engineering, Electrical Engineering, Tele-Electrical Communication Engineering and Electronics, Mining Engineering, Metallurgy, Aeronautical Engineering, Chemical Engineering, Chemical Technology, Textile Technology, Leather Technology, Pharmacy, Ceramics etc. etc. conducted by Universities and recognized Technical Institutions.
- c) Post-graduate courses in the various fields of Engineering and Technology conducted by the Universities and Recognised Institutions.
- d) Degree and Diploma courses in Architecture, Town Planning and Allied fields conducted by recognized Institutions.
- e) Diploma and certificate courses in commerce conducted by Recognized Institutions.
- f) Diploma courses in the Management conducted by Recognized Institutions.
- g) Degree courses in Agriculture, Veterinary Science and allied subjects conducted by Recognized Universities and Institutions.
- h) Courses conducted by Junior Technical Schools.
 - i) Courses conducted by Industrial training Institutes under the Ministry of Labour & Employment (DGE&T)
 - j) Degree and Diploma courses in Arts, Applied Art and allied subjects conducted by Recognized Institutions.
- k) Draftsmanship courses by Recognized Institutions.
- l) Medical courses (including Allopathic, Homeopathic, Ayurvedic and Unani systems) conducted by Recognized Institutions.

- m) B.Sc.(Home Science) courses
- n) Diploma course in Hotel Management conducted Recognized Institutions.
- o) Degree and post-graduate courses in Home science.
- p) Pre-professional course in Medicine if part of regular 5 years course in medicine.
- q) Ph.D. in Biochemistry.
- r) Bachelor and Masters degree courses in Physical education
- s) 5 years Degree, 3 years degree and post-graduate course in Law
- t) 'Honours' courses in 'Microbiology'.
- u) Associate-ship of the Institute of Chartered Accountants
- v) Associate-ship of the Institute of Costs and Works Accountants.
- w) Degree and Masters course in Business Administration or Management
- x) Diploma course in Hotel Management
- y) M.Sc. Course in Statistics.
- z) Any Computer course

NOTE: Payment of initial charges for admission to the National Academy, Khadakvasala will also qualify for advance or final withdrawals.

F O R M - 2
(See Regulation 24)

Form of Application for Final Payment/Transfer to Corporate
bodies/Other Governments of balances in the
_____ Provident Fund Account.

To

The F.A. & C.A.O.

(Through the Head of Deptt.)

Sir,

I am to retire/have retired/have been discharged/dismissed/have been permanently transferred to _____ /have resigned finally from Board service/have resigned service under Board 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 my office/through the Accounts Department. Particulars of my personal marks of identification, left hand thumb and finger impressions (in the case of illiterate subscribers) an specimen signature (in the case of literate subscribers) in duplicate, duly attested by a Class-I Officer of the Board are enclosed.

P A R T T - I

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

4. I request that the amount of Rs. _____ standing in the credit in my Provident Fund Account as indicated in the Accounts Statement issued to me for the year _____ (Enclosed) / as appearing in my ledger account being maintained by Accounts Department may please be arranged to be paid to me as first instalment of final payment.

5. After payment of the first instalment of my Provident Fund balance, I will apply for the payment of subsequent instalments in Part-II of the Form immediately on retirement.

Yours faithfully,

Station:

Signature:

Name :

Date:

Address :

This applies only when payment is not desired through the Head of Department.

(FOR USE BY HEADS OF DEPARTMENTS)

Forwarded to the FA & CAO for necessary action.

2. The Provident Fund Account No. of Shri/Shrimathi/Kumari (as certified from the statements furnished to him/her from year to year) is_____.
3. He/She is due to retire from Boards Service on_____
4. Certified that he/she had taken the following advances in respect of which_____ instalment of Rs._____ are yet to be recovered and credited to the Fund Account. The details of the final withdrawals granted to him/her are also indicate below.

Temporary Advances

Final Withdrawals

1.
2.
3.
4.

Signature of the Head of Department

P A R T – II

(To be submitted by the Subscriber immediately after his retirement. This Part is also applicable in the case of subscribers who apply 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 the 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 HEAD OF DEPARTMENTS)

Forwarded to the FA & CAO, for necessary action/incontinuation of Endorsement No. _____ dt. _____.

2. He/She has finally retired/has been discharged/dismissed/has been permanently transferred to_____/has resigned finally from Boards Service/has resigned service under Board to take up appointment with_____ and his/her registration has been accepted with effect from_____
_____ forenoon/afternoon. He joined service with _____ on _____ forenoon/afternoon.
3. The last fund deduction was made from his/her pay in this office Bill No. _____ dt. _____ for Rs. _____ (Rupees _____) cash voucher No. _____ dt. _____ the amount of deduction being Rs. _____ and recovery on account of refund of advance Rs. _____ and V.P.F. Rs. _____.

4. Certified that he/she was neither sanctioned any temporary advance or any final withdrawal from his/her Provident Fund Account during the 12 Months immediately preceding the date of his/her quitting service under Board.

OR

Certified that the following temporary advances/final withdrawals were sanctioned to him/her and drawn from his/her Provident Fund Account during the 12 months immediate preceding.

The date of his / her quitting service under Board.

<u>AMOUNT OF ADVANCE / WITHDRAWAL</u>	<u>DATE</u>	<u>VOUCHER NO.</u>
---------------------------------------	-------------	--------------------

1.

2.

3.

4.

5. Certified that no amount was withdrawn the following amounts were withdrawn from his/her Provident Fund Account during the twelve months immediately proceeding the date of his/her quitting service under Board for payment of Insurance premium or for the purchase of a new policy.

<u>AMOUNT</u>	<u>DATE</u>	<u>VOUCHER NUMBER</u>
---------------	-------------	-----------------------

1.

2.

3.

6. It is certified that no demands/following demands of Board are due for recovery.

7. Certified that he/she has not resigned from Boards service with its prior permission to take up an appointment in another Major Port Department or department of the Central Government or under a State Government or under a body corporate owned or controlled by the State.

SIGNATURE OF HEAD OF DEPARTMENT

@ Certificate No.6 to be furnished in the case of contributory Provident Fund only.

@ @ Please score out if not necessary.

(See Regulation 22)

F O R M - 3

Form of application for final payment of balance in the Provident Fund Account of a SUBSCRIBER to be used by the nominee or any other claimants where no nomination subsists.

To

The F.A. & C.A.O.

(Through the Head of the Department)

Sir,

It is requested that arrangements may kindly be made for the payment of the accumulations in the _____
Provident Fund Account of Shri/Snt. _____.

The necessary particulars required in this connection are given below:

1. Name of the employee ...
2. Date of Birth ...
3. Post held by the employee ...
4. Date of Death ...
5. Proof of death in the form of a death certificate issued by the Municipal Authorities, etc. if available ...
6. Provident Fund Account No. allotted to the subscriber ...
7. Amount of Provident Fund standing to the credit of the subscriber at the time of his death, if known ...
8. Details of the nominee alive on the date of death of the subscriber if a nomination subsists ...

	Name of the nominee	Relationship with the subscriber	Shares of the nominee
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

9. In case the nomination is in favour of a person other than a member of the family, the details of the family if the subscriber subsequently acquired a family.

	Name of the nominee	Relationship with the subscriber	Age on the date of death
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

10. In case no nomination subsists, the details of the surviving members of the family on the date of death of the subscriber. In the case of a daughter or of a daughter of a deceased son of the subscriber, married before the death of the subscriber, it should be stated against her name whether her husband was alive on the date of death of the subscriber.

	Name of the nominee	Relationship with the subscriber	Age on the date of death
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

11. In the case of amount due to a minor child whose mother (widow of subscriber) is not a Hindu, the claim should be supported by Indemnity Bond or Guardianship Certificate, as the case may be.
12. If the subscriber has left no family and no nomination subsists, the names of persons to whom the Provident Fund money is payable (to be supported by letter or probate or succession certificate, etc.)

...

Name of the nominee	Relationship with the subscriber	Address
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

13. Religion of the Claimants (s) ...

- *14. The payment is desired through the office of FA&CAO/through the department,. In this connection the following documents duly attested by Class-I Officer on service are attached:-

- i) Personal marks of identification ...
- ii) Left/Right hand thumb or finger impressions (in the case of illiterate claimants) ...
- iii) Specimen signatures in duplicate (in the case of literate claimants) ...

Yours faithfully,

Station: _____ (Signature of claimant)

Date: _____ (Full name and address)

* This applies only when payment is not desired through the Head of Department.

(FOR USE OF HEAD OF DEPARTMENT)

Forwarded to the F.A. & C.A.O. _____
for necessary action. The particulars furnished above have been duly
verified.

2. The Provident Fund Account No. _____
of Shri/Smt./Kum. _____ (as
verified from the annual statement furnished to him/her is
_____.

3. He/She died on _____. A death
certificate issued by the Municipal Authorities has been produced/is not
required in this case as there is no doubt about his/her death.

4. The last fund deduction was made from his/her pay for the
month of _____ drawn in this office bill No. _____
dated _____ for Rs. _____ (Rupees _____
_____)

Cash voucher No. _____ Dt. _____
the amount of deduction being Rs. _____ and
recovery, on account of Refund of advance of Rs. _____
and V.P.T. of Rs. _____.

5. Certified that he/she was neither sanctioned any temporary
advance for any final withdrawal from his/her Provident fund account
during the 12 months immediately proceeding the date of his/her death.

OR

Certified that the following temporary advances/final withdrawals
were sanctioned to him/her and drawn from his/her Provident Fund
Account during the 12 months immediately preceding the date of his/
her death.

	Amount of advances/ withdrawals	Date and place of encashment	Voucher number
1.	_____	_____	_____
2.	_____	_____	_____
7.	It is certified that <u>no demand</u> _____ of Board is / are due for recovery. following demands		

(Signature of the Head of Department)

NOTE: Certificate No.6 to be furnished in the case of C.P.F. only.

FORM-4

(See Regulation 14)

Proforma for application for advance from Provident Funds

Department of _____

Application for Advance from _____

(Here enter the name of Fund)

1. Name of the subscriber :
2. Account Number (with Departmental suffix) :
3. Designation :
4. Pay : Rs.
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 takenRs. _____ Balance outstanding as on date Rs. _____
7. Amount of advance required : Rs.
8.
 - a) Purpose for which the advance is required
 - b) Rules under which the request is covered
 - c) If advance is sought for House Building, 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 VUDA 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 whether 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 B (c) to B (e), no certificate or documentary evidence would be required.

- 9. Amount of the consolidated advance (items 6, 7) and number of monthly instalments in which the consolidated advance is proposed to be repaid. Rs. _____ Instalment.
- 10. Full particulars of the pecuniary circumstances of the subscriber, justifying the application for the advance

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

Signature of the Applicant:

Name:

Designation:

Department:

Date:

Proforma for sanction of advance from Provident Funds:

No.

Department/

Office.

ORDER

Sanction of the _____ is hereby accorded under Regulation _____ of _____ for the grant of an advance of Rs. _____ (Rupees _____ only) to Shri/Smt.Kum. _____ from his/her GPF Account No. _____ to enable his/her to defray express on _____.

2. The advance will be recovered in _____ monthly instalment of Rs. _____ each, commencing from the salary for the month of _____ payable in _____.

3. A sum of Rs. _____ (Rupees _____ only) out of advance of Rs. _____ sanctioned in _____ and paid to him/her in _____ will be outstanding till the commencement of the recovery of the consolidated amount as specifying below. This amount together with the advance now sanctioned aggregating to Rs. _____ will be recovered in _____ monthly instalments of Rs. _____ each commencing from the salary for the month of _____ in payable in _____.

4. The balance at the credit of Shri _____ as on _____ is detailed below.

- | | | |
|------|---|-----------|
| i) | Balance as per account slip for the year | Rs. _____ |
| ii) | Subsequent deposits and refunds of advance at the rate PM from _____ to _____ | Rs. _____ |
| iii) | Total of col. (i) and (ii) | Rs. _____ |
| iv) | Subsequent withdrawals, if any | Rs. _____ |
| v) | Balance as on date of sanction Col. (iii) & (iv) | Rs. _____ |

SANCTIONING AUTHORITY

To _____

Proforma for sanction of advance from Provident Funds:

No.

Department/

Office.

ORDER

Sanction of the _____ is hereby accorded under Regulation _____ of _____ for the grant of an advance of Rs. _____ (Rupees _____ only) to Shri/Smt.Kum. _____ from his/her GPF Account No. _____ to enable his/her to defray express on _____.

2. The advance will be recovered in _____ monthly instalment of Rs. _____ each, commencing from the salary for the month of _____ payable in _____.

3. A sum of Rs. _____ (Rupees _____ only) out of advance of Rs. _____ sanctioned in _____ and paid to him/her in _____ will be outstanding till the commencement of the recovery of the consolidated amount as specifying below. This amount together with the advance now sanctioned aggregating to Rs. _____ will be recovered in _____ monthly instalments of Rs. _____ each commencing from the salary for the month of _____ in payable in _____.

4. The balance at the credit of Shri _____ as on _____ is detailed below.

- | | | |
|------|---|-----------|
| i) | Balance as per account slip for the year | Rs. _____ |
| ii) | Subsequent deposits and refunds of advance at the rate PM from _____ to _____ | Rs. _____ |
| iii) | Total of col. (i) and (ii) | Rs. _____ |
| iv) | Subsequent withdrawals, if any | Rs. _____ |
| v) | Balance as on date of sanction Col. (iii) & (iv) | Rs. _____ |

SANCTIONING AUTHORITY

To _____

FORM - 5
(Regulation – 17)

Proforma for application for withdrawal from Provident Funds

Department of _____

Application for withdrawal from _____

(Here enter the name of Fund)

1. Name of the subscriber :
2. Account Number :
3. Designation (with departmental suffix) :
4. Pay :
5. Date of joining service and the date of superannuation :
6. Balance at credit of the subscriber on the date of application as below :
 - i) Closing balance as per statement for the year _____ :
 - ii) Credit from _____ to _____ on account of monthly subscriptions :
 - iii) Refunds made to the fund after the closing balance, vide (i) above :
 - iv) Withdrawal during the period from _____ To _____ :
 - v) Net balance at credit on date of application :
7. Amount of withdrawal required :
8. a) Purpose for which the withdrawal is required :
b) Rule under which the request is covered :
9. Whether any withdrawal was taken for the same purpose earlier, if so, indicate the amount and the year :
10. Name of the Accounts Officer maintaining the provident Fund account :

Signature of Applicant

Name:

Designation:

Department:

Date:

Proforma for sanctioning withdrawals from Provident Funds

No. _____

Department of _____

To

_____ (Name of Accounts Office
maintaining the provident fund account _____)

Subject: Withdrawal from the _____ (
here enter the name of the fund) by Shri _____.

Sir,

I am directed to convey sanction of the _____ under

Regulation of the _____ Regulations _____

to the withdrawal by Shri _____

(here enter the designation) of a sum of Rs. _____

(Rupees _____ - _____ only) from

his _____ Fund Account Rs. _____

(with departmental suffix) to enable him to meet expenditure.

2. The amount of withdrawal does not exceed six months pay of
Shri _____ or
half the amount at his credit/subscription in the _____ Fund
Account, which ever is less/three fourths of the amount at the credit/
subscription of Shri _____ (as defined in FRs).

3. It is certified that Shri _____ is
within 10 years of his retirement on superannuation/has completed
twenty/twenty five years of his Boards service on _____.

4. It is also certified that the total amount drawn, including the
withdrawal from the GPF from all Board sources by
Shri _____ for house building purposes does not exceed the
maximum limit prescribed from time to time under Rules 2 (a) and 3
(b) of the scheme of the Ministry of works and Housing for grant of
advances for house building purposes.

5. The balance at the credit of Shri _____
as on _____ is detailed below:

- i) Balance as per account slip for the year _____ Rs. _____
- ii) Subsequent deposits and refunds of advance at the rate _____ Rs. _____
Pm. from _____ to _____
- iii) Total of col. (i) and (ii) _____ Rs. _____
- iv) Subsequent withdrawals, if any _____ Rs. _____
- v) Balance as on date of sanction Col. (iii) & (iv) _____ Rs. _____

6. Shri _____ was last sanctioned a part-final withdrawal by this office for an amount of Rs. _____ vide _____ after the accounts statement for the year _____

*Shri _____ is understood (as stated by him) to have been last sanctioned a part-final withdrawal of Rs. _____ by _____.

Yours faithfully,

Sanctioning Authority

Copy forwarded to:

1.

2. Shri _____ His attention is drawn to the provisions of the Regulations of V.P.E. (G.P.F.), Regulations, 1993 according to which a subscriber who has been permitted to withdraw money from the fund should satisfy the sanctioning authority that the money has been utilized for the purpose for which it was withdrawn. A certificate to the effect that the withdrawal sanctioned above has been utilized for the purpose for which it has been sanctioned may therefore, please be furnished within _____ months of the drawal of the money.

3. Accounts Officer

* The alternative certificate is to be recorded in the sanctions of those subscribers in whose case the particulars of last sanction for part-final withdrawal, are not available with the office for reasons such as transfer of an employee from another office. etc.

FORM – 6

(See Regulation-19)

Form of Application for conversion of an advance into a final withdrawal:

1. Name of the Subscriber :
2. Designation and Office to which attached :
3. Pay :
4. Name of the Provident Fund and Account Number :
5. Balance at credit on the date of application (amount actually subscribed by him along with interest due thereon in the case of G.P.F. Subscriber) :
6. (a) Balance outstanding to be converted into a final withdrawal :
(b) Interest due on the amount of advance taken :
7. (a) Purpose for which advance taken :
(b) Date of payment of the advance :
(c) Amount of advance sanctioned :
8. Particulars of communication under which advance was sanctioned :
9. Whether any advance or final withdrawal has been drawn previously for the purpose mentioned above. If so, particulars thereof :
10. (a) Total service, including broken periods, if any, on date of this application :
(b) Period of service left on the date of application for attaining the age of superannuation :
(c) The date of Superannation :

Place:

SIGNATURE OF THE APPLICANT

Date:

Date:

No.

The above particulars have been verified to be correct.

Signature & Designation
of recommending authority :