

The Coal Mines Pension Scheme, 1998

UNION OF INDIA

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Rule THE-COAL-MINES-PENSION-SCHEME-1998 of 1998

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The Coal Mines Pension Scheme, 1998Publication vide G.S.R. 123(E), dated 5.3.1998, published in the Gazette of India, Ext. Pt., I, Section 3(i), dated 5.3.1998Last Updated 9th June, 2018In exercise of the powers conferred by section 3-E of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948) and in supersession of the Coal Mines Family Pension Scheme, 1971, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following Scheme, namely:-{|-| Brought into force on 31-3.1998 vide S.O. 233(E), dated 20.3.1998.{|}

1. Short title, commencement and application . - (1) This Scheme may be called The Coal Mines Pension Scheme, 1998.

(2)It shall come into force from such date as the Central Government may, by notification in the Official Gazette, appoint.(3)It shall apply to the employees of the coal mines to which the Coal Mines Provident Fund Scheme, 1948, the Andhra Pradesh Coal Mines Provident Fund Scheme, 1956 and the Rajasthan Coal Mines Provident Fund Scheme, 1958, framed under section 3 of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948, apply.

2. Definitions . - In this Scheme, unless the context otherwise requires,--

(a)"Act" means the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948);(b)[appointed day or date of joining, as the case may be] means the date appointed under sub-paragraph (2) of paragraph 1 of the Scheme;(c)"authorised officer" means the Regional Commissioner or the Assistant Commissioner or any other officer appointed under sub--section (2) of section 3-C;(d)"average emoluments" means the average of the notional salary payable to an employee for the last ten months before retirement from the service;(e)"Board" means the Board of Trustees constituted under section 3-A;(f)"Commissioner" means the Coal Mines Provident Fund Commissioner appointed under sub-section (1) of section 3-C;(fa)["date of his retirement" means the date of retirement beginning on or after the first day of April, 1994;] [Inserted by G.S.R. 108(E),

dated 13.2.2003 (w.r.e.f. 31.3.1998).](g)"employee" means an employee of the coal mines in respect of which the Coal Mines Provident Fund Scheme have been made applicable;(h)"family" in relation to an employee, means--(i)wife in the case of a male employee or husband in the case of a female employee,(ii)a judicially separated wife or husband, such separation not being granted on the ground of adultery and the person surviving was not held guilty of committing adultery, and(iii)son who has not attained the age of twenty-five years and unmarried daughter who has not attained the age of twenty-five years including such [son or daughter] [Substituted by G.S.R. 269(E), dated 25.5.1998 (w.e.f. 25.5.1998).] adopted legally before superannuation;(i)"form" means the form annexed to the Scheme;(j)"Fund" means the provident fund established under the Coal Mines Provident Fund Scheme;(k)"notional salary" means the monthly emoluments comprising basic pay and dearness allowance payable to an employee notwithstanding the actual salary drawn for that month;(l)"pension" means superannuation pension, retiring pension, disablement pension, widow or widower pension, children pension and orphan pension;(m)"pensionable age" means the age of superannuation;(n)"Pension Fund" means the fund established under sub-section (2) of section 3-E;(o)"pensionable service" means--(i)the two-third of the period of actual service rendered by an employee from the date of opting for the Coal Mines Family Pension Scheme, 1971, and up to the 31st day of March, 1989, except the period for which no contribution has been made to the Family Pension Fund, and(ii)the actual service rendered by an employee from the first day of April, 1989 or the date of joining the service, whichever is later, to the date of retirement or the death in service except the period for which no contribution has been made to the Family Pension Fund or the Pension Fund, as the case may be;(p)"Provident Fund Scheme" means the Coal Mines Provident Fund Scheme, 1948, the Andhra Pradesh Coal Mines Provident Fund Scheme, 1956 and the Rajasthan Coal Mines Provident Fund Scheme, 1958;(q)["retirement", in relation to an employee who is a member of the Pension Scheme means exit of an employee on completion of ten years of pensionable service;] [Substituted by G.S.R. 689(E), dated 29.8.2000 (w.r.e.f. 31.3.1998).](r)"salary" means the monthly emoluments based on which the contribution to the fund is deducted every month;(s)"Schedule" means the Schedule annexed to the Scheme;(t)"section" means section of the Act;(u)"superannuation" in relation to an employee who is a member of the Pension Scheme, means the attainment by the said employee of such age as is fixed in the contract or conditions of service as the age on the attainment of which such employee shall vacate the employment;(v)"year" means the period of twelve months from the first day of April of the year to the thirty-first day of March of the following year; and(w)all other words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. Establishment of the pension fund . - From the appointed day the pension fund shall stand established which shall have the sole purpose of the provision of the payment of pension in accordance with the Scheme to the employee or his family or the payment of any amount which may have accrued under the provisions of the Coal Mines Family Pension Scheme, 1971, immediately before the appointed day. The pension fund shall consist of the following:--

(a)net assets of the Coal Mines Family Pension Scheme, 1971 as on the appointed day;(b)[***](c)[***] [Omitted by Notification No. G.S.R. 540(E), dated 8.6.2018 (w.e.f. 5.3.1998).](d)[***] [Omitted by Notification No. G.S.R. 540(E), dated 8.6.2018 (w.e.f. 5.3.1998).](e)an amount equivalent to one and two-third per cent. of the salary of the employee to be contributed by the Central Government from the appointed day:Provided that in the case of an employee whose salary exceeds rupees one thousand six hundred per month, the contribution payable by the Central Government shall be equal to the maximum of the amount payable on the salary of rupees one thousand six hundred per month only;(f)amounts to be deposited in terms of [* * *] [Certain words omitted by G.S.R. 107(E), dated 13.2.2003 (w.e.f. 13.2.2003).] paragraph 4.(g)[an amount equivalent to seven per cent. of the salary of the employee calculated on payable basic and Variable Dearness Allowance (VDA) and equal contribution from the employer, from the first day of October, 2017 or the date of joining, whichever is later.] [Inserted by Notification No. G.S.R. 540(E), dated 8.6.2018 (w.e.f. 5.3.1998).]

4. Eligibility for pension . - (1) An employee who was a member of the Coal Mines Family Pension Scheme, 1971 immediately before the appointed day and has not attained the age of superannuation shall be deemed to be eligible for pension under the provisions of this Scheme from the appointed day.

(2)An employee who had not opted for the Coal Mines Family Pension Scheme, 1971, but is covered by the Provident Fund Scheme, may opt for pension under the provisions of this Scheme within a period of [three hundred and sixty-six days] from the appointed day and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-1:[Provided that an employee exercising the option under the provisions of this sub-paragraph shall have to deposit in the Pension Fund either in cash or by way of deduction in instalments from his monthly salary or by transfer from his provident fund account to the pension fund, the arrears equivalent to the amounts specified in clauses (b) , (c) , (d) and (e) of paragraph 3, alongwith interest from the first day of March, 1971, till the date of exercising the option in respect of arrears,--(i)specified in clause (b) , at the rate admissible from time to time to the monies in Coal Mines Provident Fund;(ii)specified in clauses (c) and (d) , at the rate of twelve per cent. per annum; and(iii)specified in clause (e) , at such rate as the Central Government, from time to time, credited interest in respect of its contributions to the Coal Mines Family Pension Scheme, 1971.][(2-A) An employee who has not opted for the Coal Mines Family Pension Scheme, 1971 but is covered by the Provident Fund Scheme, may opt for Pension under the provisions of this Scheme within a period of nine months from the date of this notification and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-1.] [Inserted by G.S.R. 16(E), dated 9.1.2002 (w.e.f. 9.1.2002).][(2-AA) An employee who has not opted for the Coal Mines Family Pension Scheme, 1971 but is covered by the Provident Fund Scheme, may be (sic) opt for pension under the provisions of this Scheme within a period of three hundred and sixty days from the date of this notification and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-1.] [Inserted by G.S.R. 154(E), dated 5.3.2009 (w.e.f. 5.3.2009).][(2-B) An ex-employee who had not opted for the Coal Mines Family Pension Scheme, 1971 but was covered by the Coal Mines Provident Fund Scheme and had [superannuated

or died including a member died while in service] [Inserted by G.S.R. 482(E), dated 8.7.2002 (w.r.e.f. 31.3.1998).] within 1-4-1994 to 31-3-1998 may opt for pension under the provisions of this Scheme within a period of nine months from the date of this notification in the Official Gazette and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-1: Provided that an ex-employee exercising the option under the provisions of this sub-paragraph shall have to deposit in the pension fund either in cash or by transfer from his Provident Fund account to the pension fund the arrears equivalent to the amounts specified in clauses (b) (c), (d) and (e) of paragraph 3, along with interest from the 1st day of March, 1971 till the date of exercising the option in respect of arrears:--(i) Specified in clause (b) at the rate admissible from time to time to the monies in Coal Mines Provident Fund; (ii) Specified in clauses (c) and (d) , at the rate of twelve per cent. per annum; and (iii) Specified in clause (e) at such rate as the Central Government from time to time, credited interest in respect of its contribution to the Coal Mines Family Pension Scheme, 1971.] (2C) [Where a member had exercised his option in Form PS-1 in place of Form PS-2 or vice versa and/or where the member has filled up Form PS-3 and/or PS-4, it shall be presumed that the member had the intention to join the Coal Mines Pension Scheme, 1998 and his membership to the Pension Scheme shall be considered confirmed in such cases.] [Inserted by Notification No. G.S.R. 774(E) dated 22.10.2009 (w.e.f. 31.3.1998)] (3) An employee joining the service on or after the appointed day shall be governed by the provisions of this Scheme from the date of his joining. (4) An employee who was a member of the Coal Mines Family Pension Scheme, 1971 on the date of his [superannuation or date of his retirement,] [Substituted by G.S.R. 108(E), dated 13.2.2003, for " superannuation or retirement" (w.r.e.f. 31.3.1998).] on or after the first day of April, 1994, may also opt for the pension under the provisions of this Scheme from the date of his [superannuation or date of his retirement,] [Substituted by G.S.R. 108(E), dated 13.2.2003, for " superannuation or retirement" (w.r.e.f. 31.3.1998).] within a period of [three hundred and sixty-six days] [Substituted by G.S.R. 218(E), dated 22.3.1999, for " sixty days" .] from the appointed day and he shall be deemed to have become the member of the Scheme from the date of his exercising the option or the deemed optee in Form PS-2 [and a member who [died including a member died while in service] [Inserted by G.S.R. 689(E), dated 29.8.2000 (w.r.e.f. 31.3.1998).] on or after the first day of April, 1994 to the appointed date shall be deemed to have exercised the option of joining the Scheme on the date of his death] [Substituted by G.S.R. 256(E), dated 12.4.2001.]: Provided that an employee exercising his option [or the deemed optee] [Inserted by G.S.R. 108(E), dated 13.2.2003 (w.r.e.f. 31.3.1998).] under the provisions of this sub-paragraph, shall have to deposit in the Pension Fund in cash the amounts received by him on or after the date of his [superannuation or date of his retirement,] [Substituted by G.S.R. 108(E), dated 13.2.2003, for " superannuation or retirement" (w.r.e.f. 31.3.1998).] by way of--(a) retirement-cum-withdrawal benefits accrued under the provisions of the Coal Mines Family Pension Scheme, 1971; (b) an amount equivalent to two per cent. of the salary of the employee from the first day of April, 1989 till the date of his [superannuation or date of his retirement] [Substituted by G.S.R. 108(E), dated 13.2.2003, for " superannuation or retirement" (w.r.e.f. 31.3.1998).]; (c) an amount equivalent to one increment to be calculated on the basis of the salary of the employee as on the first day of July, 1995 from the first day of July, 1995 till the date of his [superannuation or date of his retirement] [Substituted by G.S.R. 108(E), dated 13.2.2003, for " superannuation or retirement" (w.r.e.f. 31.3.1998).]; [alongwith] [Substituted by G.S.R. 269(E), dated 25.5.1998 (w.e.f. 25.5.1998).] interest at the rate of 8.5 per cent. per annum for the period from the date of receipt of such sums to the date of

exercising the option. [(4-A) An employee, who was a member of the Coal Mines Family Pension Scheme, 1971, on the date of his superannuation or retirement on or after the first day of April, 1994, may also opt for the pension under the provisions of this Scheme from the date of his superannuation or retirement within a period of nine months from the date of this notification and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-2.] [Inserted by G.S.R. 16(E), dated 9.1.2002 (w.e.f. 9.1.2002).] [(4-AA) An employee who was a member of the Coal Mines Family Pension Scheme, 1971 on the date of his superannuation or retirement on or after the first day of April, 1994 may also opt for the pension under the provisions of this Scheme from the date of his superannuation or retirement within a period of three hundred and sixty days from the date of this notification. He shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-2. Explanation . - The Gazette Notification for extension of time in respect of submission of Form PS-1 and PS-2 was published on 9th January, 2002 and the submission date expired on 8th October, 2002 and some eligible members could not exercise their options for pension in the stipulated time. Therefore, the present amendment shall make them eligible under the Pension Scheme.] [Inserted by G.S.R. 154(E), dated 5.3.2009 (w.e.f. 5.3.2009).] (5) [An employee, who was a member of the Central Coalfields Limited Staff Provident Fund, Darbhanga House, Ranchi, hereinafter referred to as CCLSPF, or the Coal Mines Authority Limited Staff Provident Fund constituted under the Coal Mines Nationalisation Provident Fund Rule, 1976, hereinafter referred as CMALSPF retired or superannuated on or after first day of April, 1994 or has become the member of Coal Mines Provident Fund, shall be deemed to have become the member of this Scheme and eligible to draw pension from the date, following the date of superannuation or retirement in respect of members superannuated or retired on or before 7th October, 2002, and other members as per the provisions of this Scheme from 8th October, 2002: Provided the employee or the ex-employee or the family (in the event of death of an ex-employee) deposits into the pension fund the arrears, equivalent to the amounts specified in clauses (b), (c), (d), (e) and (f) of paragraph 3, along with interest till the date of deposit from the first day of March, 1971, or the date of joining service, whichever is later, till 7th October, 2002 or the date of superannuation or retirement, as the case may be, by way of authorising transfer of such amounts from his/her provident fund accumulations, in respect of members who have not withdrawn their Provident Fund accumulations, and for other member's cases, by way of Demand Draft. Note . - For the purpose of this paragraph,--(i) A deemed member under this paragraph shall have the option not to join this scheme. For this, he shall inform the Commissioner in writing within one year from the date of publication of this notification. The option once exercised shall be final. (ii) The amounts specified in clause (b) of paragraph 3 shall carry an interest at the rates admissible to Coal Mines Provident Fund members, for clauses (c) and (d) of paragraph 3, at the rate of 12% per annum and the amounts under clause (e) of paragraph 3, at such rate, fixed by the Central Government from time to time credited interest in its contributions to the Coal Mines Family Pension Scheme, 1971 till 31-3-1998, and at the rate of 8.5% with effect from 1-4-1998. (iii) The pensionable service shall be counted in terms of paragraph 2(o) deeming that they were the members of ceased Coal Mines Family Pension Scheme, 1971 or Coal Mines Pension Scheme, 1998, as the case may be, from 1-3-1971 or from the date of joining into CMALSPF or CCLSPF, whichever is later till 7th October, 2002 or date of superannuation or retirement, as the case may be. (iv) In case of any dispute regarding pensionable service the decision of the Commissioner shall be final.]

5. Particulars to be furnished by an employee . - (1) An employee eligible for pension under the provisions of sub-paragraphs (1) and (3) of paragraph 4, shall within a period of [three hundred and sixty-six days] [Inserted by G.S.R. 107(E), dated 13.2.2003 (w.e.f. 13.2.2003).] from the [appointed day or date of joining, as the case may be] [Substituted by Notification No. G.S.R. 268(E), dated 25.5.1998 (w.e.f. 5.3.1998)] submit to his employer the particulars of his family members in triplicate in Form PS-3 and nomination in triplicate in Form PS-4 which after proper verification and due attestation shall be forwarded by the employer to the authorised officer concerned.

(2) An employee who opts for pension under the provisions of sub-paragraphs (2) and (4) of paragraph 4, shall submit to his employer the particulars of his family members in triplicate in Form PS-3 and nomination in triplicate in Form PS-4 while exercising the option which after proper verification and due attestation shall be forwarded by the employer to the authorised officer concerned. (3) Where an employee eligible for pension under the provisions of the Scheme does not have a wife/husband at the time of making the nomination he may indicate the [name] [Substituted by G.S.R. 269(E), dated 25.5.1998 (w.e.f. 25.5.1998).] and particulars of the guardian of his minor son or daughter for the purpose of receiving the benefits under the provisions of the Scheme. (4) Whenever there is any change in the particulars submitted by an employee under the provisions of sub-paragraphs (1), (2) and (3), he shall intimate the same to his employer who within a period of seven days from its receipt shall forward the same after verification and attestation to the authorised officer concerned. (5) At the time of making the nomination, if an employee is having a family, the nomination shall be made only in favour of one or more members belonging to his family. A nomination made by an employee in favour of any person other than his family member shall become invalid on his acquiring a family.

6. Maintenance of accounts and records by the authorised officer . - (1) The authorised officer shall be responsible for maintenance of proper accounts, records and registers of the Pension Fund in such form as may be specified by the Commissioner from time to time.

(2) The authorised officer shall be the sanctioning authority for the purpose of pension and other benefits under the provisions of the Scheme and shall also be responsible for disbursement of the same.

7. Calculation of contributions . - (1) The rate of increment referred to in clause (d) of paragraph 3 in respect of time-rated or piece-rated category of employee shall be twenty-six times of his daily rate of increment.

(2) Where an employee exercises his option under the provisions of sub-paragraph (2) of paragraph 4 and is unable to deposit in full the amounts referred to in that sub-paragraph on or before the date

of his superannuation, the amount of his pension shall be reduced by an amount calculated on the basis specified in Schedule 1.(3)Where the amount of Pension Fund referred to in clauses (c) and (d) of paragraph 3 had not been deducted from the salary of the employee by an employer till the appointed day or had been deducted in part or in full but not remitted to the [Commissioner] on or before the appointed day, such amount shall be remitted to the [Commissioner] [Substituted by G.S.R. 218(E), dated 22.3.1999, for " authorised officer" .] within a period of one hundred and twenty days from the appointed day and an interest of twelve per cent. per annum accrued on such amount as on the appointed day shall have also to be remitted by the employer to the [Commissioner] [Substituted by G.S.R. 218(E), dated 22.3.1999, for " authorised officer" .].(4)Any amount to be paid into or out of the Pension Fund shall be calculated to the nearest rupee, fifty paise or more to be counted as the next higher rupee and fraction less than fifty paise to be ignored.(5)In case no contribution to the Pension Fund is payable in a week or fortnight or month, only because of rounding off under sub-paragraph (4), the week or fortnight or month, as the case may be, shall not be excluded from the period of pensionable service. In the case of weekly-paid employee, the number of weeks for which there is contribution to the Pension Fund shall be divided by four and in the case of fortnightly-paid employee, the number of fortnights shall be divided by two, to arrive at the number of months for which there is contribution to the Pension Fund. Fraction of a month so determined shall be rounded off by treating half or more as a complete month, ignoring fraction less than half.

8. Responsibilities of the employer . - (1) Every employer of the employee shall submit to the Commissioner on or before the 30th day of every month a return of contributions for the preceding month towards the Pension Fund along with the details of contribution towards provident fund in Form PS-5.

(2)Every employer shall be responsible for payment of the amount equivalent to one and one-sixth per cent. of the salary of the employee to be transferred from the fund as employer's share in terms of clause (b) of paragraph 3 and the same shall not be deducted from the salary or other benefits of the employee.

9. Investment, etc., of pension fund . - (1) The total amount vested in and transferred to the Pension Fund in accordance with the provisions of clause (a) of paragraph 3, except such amount as may be required from time to time for making the payment of pension and other benefits under the Scheme, shall be deposited on the appointed day by the Commissioner with the Central Government in the public account.

(2)The Commissioner shall make suitable banking arrangements in respect of the amount vested in the pension fund in accordance with the provisions of [clauses (b) , (c) , (d) , (e) and (f)] of paragraph 3 and such amount shall be invested in accordance with such pattern of investment as may be determined by the Central Government in the Ministry of Finance from time to time.

10. Monthly pension . - (1) An employee after completion of thirty years of pensionable service and on attaining the age of superannuation, shall be eligible to receive monthly pension at the rate of twenty-five per cent. of the average emoluments or not less than rupees three hundred and fifty from the date following the date of superannuation till the date of his death.

(2)Where an employee has not completed thirty years but has completed ten years' pensionable service on attaining the age of superannuation, the pension shall be determined on the following basis:--

| | | |
|-------------------------------|---|--------------------------------------|
| Length of pensionable service | x | 25 percent of the average emoluments |
|-------------------------------|---|--------------------------------------|

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(3)Where an employee having completed [ten years] of pensionable service and would be attaining the age of superannuation within a [period of twenty years] [Substituted by G.S.R. 861(E), dated 23.11.2001, for " period of ten year" (w.r.e.f. 31.3.1998).], opts to retire from the service before attaining the age of superannuation, the amount of monthly pension payable to such employee shall be determined on the basis specified in Schedule 2.(4)Where an employee has not completed ten years of pensionable service on attaining the age of superannuation, or opts to leave service, or his services are terminated, or becomes disabled before completion of ten years of pensionable service, the amounts payable by way of return of contribution to such employee shall be determined on the basis specified in Schedule 3.

11. Disablement pension . - Where an employee after rendering ten years of pensionable service becomes permanently handicapped or disabled on account of bodily or mental infirmity during his service time, and has been declared as such by a competent medical board, he shall be entitled to a disablement pension to be computed at the rate of twenty-five per cent. of the average emoluments or not less than rupees three hundred and fifty per month.

12. Monthly widow or widower pension . - (1) After the death of an employee from the date following the date of his/her death and till the date of her/his death or re-marriage, whichever is earlier, his/her legally wedded wife/husband shall be entitled for widow or widower pension, as the case may be.

(2)If an employee is having more than one legally wedded wife at the time of his death, all the surviving widows shall be entitled to receive in equal share the amount of widow pension till the date of their death or re-marriage, whichever is earlier.(3)The amount of monthly widow or widower

pension payable on the death of an employee after the date of [superannuation or date of his retirement,] shall be equal to sixty per cent. of the monthly pension of the employee as on the date of his/her death or not less than rupees two hundred and fifty.(4)In case an employee dies in service before attaining the age of superannuation, the amount of monthly widow or widower pension payable shall be equivalent to sixty-six and two upon three per cent. of monthly pension of the employee for which he/she would have become entitled on the date of his/her death or not less than [rupees three hundred and twenty] [Substituted by G.S.R. 689(E), dated 29.8.2000, for " rupees two hundred and fifty" (w.r.e.f. 31.3.1998).].

13. Children pension . - (1) After the death of an employee from the date following the date of his/her death, along with surviving wife/husband, two of the eldest sons or unmarried daughters, as the case may be, till they attain the age of twenty-five years or in the case of unmarried daughter till the date of her marriage, whichever is earlier, shall be entitled to children pension.

(2)The amount of monthly children pension payable after the death of an employee shall be equal to twenty-five per cent. of the amount of widow or widower pension for each son or daughter, as the case may be, [or not less than] rupees one hundred for each child.

14. Orphan pension . - (1) In case there is no surviving widow or widower at the time of the death of an employee, from the date following the date of his/her death, or otherwise the date of the death of the widow/widower, two of the eldest sons or unmarried daughters, as the case may be, till they attain the age of twenty-five years and in the case of unmarried daughter till the date of her marriage, whichever is earlier, shall be entitled for orphan pension in lieu of children pension.

(2)The amount of monthly orphan pension payable after the death of the employee or the widow/widower shall be equivalent to fifty per cent. of the amount of widow/widower pension or not less than rupees one hundred and ten for each orphan.

15. Option to be exercised by employee . - (1) An employee entitled for pension under the provisions of the Scheme may opt at the time of making an application for pension in Form PS-6, either to draw,--

(a)the full admissible amount of pension; or(b)ninety per cent. of the total admissible amount of pension till the date of his death; and(c)eighty per cent. of his total admissible amount of pension as widow/widower pension in favour of his/her wife/husband during her/his [life time].(2)Where an employee exercises his option to receive ninety per cent. of the total admissible amount of the pension during his life time, than after his death, in addition to the widow/widower pension, and children pension or orphan pension, as the case may be, his/her nominee shall be entitled to receive

in lump sum an amount equivalent to hundred times of his/her full monthly pension.(3)Where an employee under sub-paragraph (1) exercises option to receive ninety per cent. of the total admissible amount of the pension during his/her life time and eighty per cent. of the total admissible amount of pension as widow/widower pension in favour of his/her wife/husband during her/his lifetime, then the nominee shall be entitled to receive an amount equivalent to ninety times of the full monthly pension after the remarriage or death of the widow/widower, whichever is earlier.(4)The option once [exercised] [Substituted by G.S.R. 268(E), dated 25.5.1998 (w.e.f. 25.5.1998).]under this paragraph shall be final.

16. Ex gratia payment . - Where an employee before attaining the age of superannuation dies in service, an amount of rupees five thousand shall be payable in lump sum to surviving widow/widower and in case there is no widow/widower, to surviving children in equal share, or where there is no widow/widower and children to the nominee.

17. Payment of outstanding benefits . - Where an employee dies in service or after [superannuation or date of his retirement] and certain amounts accrued under the provisions of this Scheme have not been paid, such amounts shall be paid in equal share to the surviving widow/widower or in case there is no widow/widower, to surviving children in equal share, or where there is no widow/widower and children, to the nominee.

18. Administration of the Scheme . - (1) An account called the "Pension Administration Account", for recording all the administrative expenses of the Scheme shall be maintained by the Commissioner in such manner, as may be specified by the Board, with the approval of the Central Government. The Pension Administration Account shall contain such details as may be necessary to determine the sums payable by the Central Government for the administration of the scheme in accordance with the provisions of section 3-F. The liability of the Central Government to pay the expenses on administration of the Scheme shall be as decided by the Central Government from time to time.

(2)All expenses for administering the Scheme, not including therein the cost of any benefit admissible under the Scheme, but including proportionate expenses of officers and in respect of employees, expenses for meetings of the Board and its Committees, fees and allowances of trustees, litigation expenses, hiring of service of experts, the cost of stationery, office equipment, furniture and rent for office accommodation, audit expenses and any other expenditure required for the purpose of giving effect to the Scheme shall be debited to the Pension Administration Account. Where any services, supplies and buildings are utilised for the common purposes of the Scheme and

the Provident Fund Schemes, the cost of such services and supplies and buildings shall be appropriated between the Pension Administration Account and the Administration Account of the Coal Mines Provident Fund by the Commissioner with the approval of the Board and the Central Government.(3)In case the sums made available by the Central Government under the provisions of section 3-F for administration of the Scheme are found to be inadequate, the expenditure over and above such sums shall be met out of the Administration Account of the Coal Mines Provident Fund, including one-time initial expenditure involved in implementation of the Scheme, with the approval of the Board of Trustees and the Central Government.

19. Budget . - (1) The Commissioner shall place before the Board in January each year a budget showing separately probable receipts and expenditure which is expected to be incurred therefrom during the year commencing on the first day of April of that year. The budget as approved by the Board shall be submitted for sanction to the Central Government before the fifteenth day of February each year.

(2)The Central Government may with or without any modifications sanction the budget.(3)The Commissioner may make budgetary re-appropriation of funds subject to the condition that the total budget sanctioned under sub-paragraph (2) is not exceeded. Such re-appropriation shall be placed by the Commissioner before the Board at its first meeting after such re-appropriation for its approval and the approval of the Central Government shall also be obtained for the same before the expiration of the financial year.

20. Audit . - The accounts of the pension fund shall be audited every year by the Comptroller and Auditor-General of India.

21. Annual audit report, balance-sheets, etc . - The Commissioner shall place a report on the working of the Scheme relating to the previous year along with audited annual accounts at a meeting of the Board to be held before the fifteenth day of November each year and the Board shall submit such report with the audited accounts to the Central Government for placing the same before Parliament by the end of December each year.

22. Valuation and review of the pension fund . - (1) The Commissioner shall be responsible for valuation of the pension fund every third year by an actuary to be appointed by the Board. The recommendations of the actuary shall be placed by the Commissioner before the Board.

(2)The Commissioner may initiate action for enhancement and revision of the amount of family pension admissible under the Coal Mines Family Pension Scheme, 1971 and after approval of the Board, may recommend to the Central Government for amendment in the provisions of this

scheme.(3)At any time, when the pension fund so permits, the Board on the recommendation of an actuary may recommend to the Central Government and with its approval may amend the rates of contribution payable under the Scheme or the scale of any benefits admissible or the period for which such benefit may be allowed.

23. Recovery of damages for default in payment of contributions . - (1) It shall be the responsibility of the employer to deduct from the salary of an employee the contributions towards the employee's share under the Scheme and remit the same to the Commissioner in Form PS-5.

(2)Where any employer makes a default in the remittance of any contribution to the Commissioner, the Commissioner shall be competent to recover damages for such delayed remittance on the rates specified in Schedule 4.(3)Where an employer makes default in remittance of any contribution to the Commissioner, such default in remittance on the part of the employer shall not make any adverse effect on the benefits admissible to an employee under the Scheme.

Schedule 1

(See sub-paragraph (2) of paragraph 7)BASIS OF CALCULATION OF AMOUNT OF REDUCTIONThe amounts not deposited to be multiplied by the following factor for the period from the appointed day to the date of superannuation divided by 100.Example. - Rupees 4,000 not deposited, the employee superannuates in the year [2002]. The period from appointed day to the date of superannuation is 4 years. Factor for more than 4 years is 1.536, so reduction in pension will be-

$$4000 \times 1.536 = 61.40 \text{ say Rupees } 61$$

100

| Number of years from the appointed day to the date of superannuation (1) | Factor (2) |
|---|---------------|
| Less than 1 | 1.049 |
| Less than 2 | 1.154 |
| Less than 3 | 1.269 |
| Less than 4 | 1.396 |
| Less than 5 | 1.536 |
| Less than 6 | 1.689 |
| Less than 7 | 1.858 |
| Less than 8 | 2.044 |
| Less than 9 | 2.248 |
| Less than 10 | 2.473 |
| Less than 11 | 2.720 |

| | |
|--------------|-------|
| Less than 12 | 2.992 |
| Less than 13 | 3.992 |
| Less than 14 | 3.621 |
| Less than 15 | 3.983 |
| Less than 16 | 4.381 |
| Less than 17 | 4.819 |
| Less than 18 | 5.301 |
| Less than 19 | 5.801 |
| Less than 20 | 6.414 |
| Less than 21 | 7.056 |
| Less than 22 | 7.761 |
| Less than 23 | 8.537 |
| Less than 24 | 9.390 |

Schedule 2

(See sub-paragraph (3) of paragraph 10)BASIS FOR DETERMINING THE PENSION PAYABLE TO AN EMPLOYEE OPTING TO DRAW PENSION BEFORE ATTAINING THE AGE OF SUPERANNUATION

| [Period in year(s) for superannuation] | For every Rs.100 per month payable at age of superannuation, the amount payable to the employee from date of exit |
|--|---|
| 0 | 100 |
| 1 | 97 |
| 2 | 94 |
| 3 | 91 |
| 4 | 89 |
| 5 | 86 |
| 6 | 83 |
| 7 | 81 |
| 8 | 78 |
| 9 | 76 |
| 10 | 73 |
| 11 | 71 |
| 12 | 69 |
| 13 | 66 |
| 14 | 64 |
| 15 | 62 |
| 16 | 60 |

| | |
|----|-----|
| 17 | 58 |
| 18 | 56 |
| 19 | 54 |
| 20 | 52] |

Schedule 3

(See sub-paragraph (4) of paragraph 10)BASIS FOR DETERMINING THE AMOUNT PAYABLE TO AN EMPLOYEE WHO HAS NOT COMPLETED TEN YEARS OF PENSIONABLE SERVICE(A)Entire pensionable service rendered with effect from 1-4-1989:

| Number of years of pensionable service, rounded off to the nearest year | Number of times the monthly salary drawn on the date of superannuation |
|--|---|
| (1) | (2) |
| 1 | 0.60 |
| 2 | 1.23 |
| 3 | 1.86 |
| 4 | 2.51 |
| 5 | 3.17 |
| 6 | 3.84 |
| 7 | 4.52 |
| 8 | 5.22 |
| 9 | 5.45 |

(B)Entire pensionable service rendered up to 31-3-1989:

| Number of full year's contribution paid from the[date of appointment] [Substituted by G.S.R. 218(E), dated 22-03-1999.] | Amount payable onsuperannuation (Rs.) |
|--|--|
| (1) | (2) |
| 1 | 110 |
| 2 | 150 |
| 3 | 195 |
| 4 | 245 |
| 5 | 300 |
| 6 | 355 |
| 7 | 415 |
| 8 | 480 |
| 9 | 550 |

(C)Pensionable service rendered partly up to 31-3-1989, and partly after 1-4-1989:Number of times of monthly salary under 'A' + amount payable under Part B multiplied by deferred payment factor, as in Schedule 1 from the appointed day to the date of superannuation.

Schedule 4

(See sub-paragraph (2) of paragraph 23) RATES OF DAMAGES FOR DELAYED REMITTANCE

| Default during the year | One month or less | Over 1 month and upto 2 months | Over 2 months and upto 3 months | Over 3 months and upto 4 months | Over 4 months and upto 5 months | Over 5 months |
|---------------------------|-------------------|--------------------------------|---------------------------------|---------------------------------|---------------------------------|----------------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| 1st default | 2% of arrears | 5% of arrears | 10% of arrears | 15% of arrears | 20% of arrears | 25% of arrears |
| 2nd default | 5% of arrears | 10% of arrears | 15% of arrears | 20% of arrears | 25% of arrears | 25% of arrears |
| 3rd default | 10% of arrears | 15% of arrears | 20% of arrears | 25% of arrears | 25% of arrears | 25% of arrears |
| 4th default | 15% of arrears | 20% of arrears | 25% of arrears | 25% of arrears | 25% of arrears | 25% of arrears |
| 5th default | 20% of arrears | 25% of arrears | 25% of arrears | 25% of arrears | 25% of arrears | 25% of arrears |
| 6th or subsequent default | 25% of arrears | 25% of arrears | 25% of arrears | 25% of arrears | 25% of arrears | 25% of arrears |

FORM PS-1 (See sub-paragraph (2) of paragraph 4) OPTION FORM

1. Name (in block letters) :
2. Coal Mines Provident Fund Account No. :
3. Father's/Husband's Name :
4. Marital Status :
5. Permanent address :
Village :
Thana :
Taluk/Sub-Division :
Post Office :
District :
State :
6. Date of birth (in words) : Date..... Month Year.....

I hereby opt for the Coal Mines Pension Scheme, 1998. I authorise diversion of pension contribution at the prescribed rate from my provident fund account. I also undertake to deposit the arrears of the amounts specified in clauses (b), (c), (d) and (e) of paragraph 3 of the Scheme in terms of the provisions of sub-paragraph (2) of paragraph

4.....Signature/Thumb-impression.....Colliery in which employed I have understood the provisions of the Scheme and hereby do not opt for the

Scheme.Date.....Place.....Signature/Thumb-impression.....Collier
in which employerCertificate to be signed by manager or authorised officer of the coal mineThe
provisions of the Scheme and the benefits thereof have been explained to Shri/Smt./Kumari
.....in my
presence.Date.....Place.....Signature.....Name.....Designation.....
of Coal Mine.....Regd. No.....Region.....ACKNOWLEDGEMENTReceived from
Shri/Smt/Kumariemployed incolliery, option form under
sub-paragraph (2) of paragraph 4 of the Coal Mines Pension Scheme,
1998.Date.....Place.....Authorised OfficerFORM PS-2(See
[sub-paragraph (4)] [Substituted by G.S.R. 269(E), dated 25-5-1998 (w.e.f. 25-5-1998).] of
paragraph 4)OPTION FORM

1. Name (in block letters) :
2. Coal Mines Provident Fund Account No. :
3. Father's/Husband's Name :
4. Marital Status :
5. Permanent address :
- Village :
- Thana :
- Taluk/Sub-Division :
- Post Office :
- District :
- State :
6. Date of birth (in words) :Date.....MonthYear.....

I have superannuated from the service ofCoal Mines with effect fromI hereby
opt for the Coal Mines Pension Scheme, 1998, and undertake to deposit the amounts specified in
sub-paragraph (4) of paragraph

4.Date.....Place.....Signature/Thumb-impression.....Colliery
of last employmentRegd. No.....Certificate to be signed by manager or authorised officer of
the coal mineThe provisions of the Scheme and the benefits thereof have been explained to
Shri/Smt./Kumariin my
presence.Date.....Place.....Signature.....Name.....Designation.....
of Coal Mine.....Regd. No.....ACKNOWLEDGEMENTReceived from
Shri/Smt/Kumarilast employed in colliery, option form under
sub-paragraph (4) of paragraph 4 of the Coal Mines Pension Scheme,
1998.Date.....Place.....Authorised OfficerFORM PS-3(See
sub-paragraphs (1) and (2) of paragraph 5)PARTICULARS OF FAMILY

1. Name (in block letters) :
2. Coal Mines Provident Fund Account No. :
3. Father's/Husband's Name :
4. Marital Status :
5. Permanent address :

Village :
 Thana :
 Taluk/Sub-Division :
 Post Office :
 District :
 State :
 6. Date of birth (in words) : Date.....MonthYear.....

The particulars of my "family" are as follows:-

Sl. No. Name of family members Relationship with employee Date of birth

- 1.
- 2.
- 3.
- 4.
- 5.

*(Where exact particulars are not available approximate age may be indicated in consultation with the M.O. of the coal mines).I hereby certify that the particulars given above are correct to the best of my knowledge.Date.....Place.....Signature or

Thumb-impressionCertified that the above statement has been signed/subscribed by

Shri/Smt./Kumari.....employed in.....colliery in my presence. He/she has read the above particulars/above particulars have been read over to him/her by me.....(Signature of the Manager/Authorised

Officer)Designation.....Name and address of the Colliery.....Regd.

No.....Region.....Date.....FORM PS-4(See sub-paragraphs (1) and (2) of paragraph 5)NOMINATION FORM

1. Name (in block letters) :
 2. Coal Mines Provident Fund Account No. :
 3. Father's/Husband's Name :
 4. Marital Status :
 5. Permanent address :
 Village :
 Post Office :
 Police Station :
 District :
 6. Date of birth (in words) : Date..... Month.....Year.....

I hereby nominate the person/persons as follows to receive the outstanding benefits on my death in service.I hereby cancel the nomination made by me earlier and make fresh nomination as follows to receive the outstanding benefits on my death in service:-

| Name and address of the nominee or nominee(s) in block letters | Nominee's relation with the employee | Date of birth of the nominee | Amount of share |
|---|---|---------------------------------|--------------------|
|---|---|---------------------------------|--------------------|

.....Signature or Thumb-impressionI hereby declare that in the event of my death during the minority of my above named nominee(s) the person whose particulars are as follows shall be the guardian of the minor nominee(s).I hereby cancel the earlier declaration of the guardian made by me and further declare that in the event of my death during the minority of my above named nominee(s) the person whose particulars are as follows shall be the guardian of the minor nominee(s).

| | | |
|----------------------------------|---------------------|--|
| Name and address of the guardian | Age of the guardian | Relationship of the guardian with the employee |
|----------------------------------|---------------------|--|

Certified that the above declaration has been signed byemployed in thecolliery in my presence. He/She has read the above particulars/above particulars have been read over to him/her by me.Regd. No. of coal

mi.....Signature of the Manager or other

officerDate.....Signature.....Name and address of the coal

mines.....FORM PS-5(See sub-paragraph (1) of paragraph 8)MONTHLY

ABSTRACT OF CONTRIBUTIONS TOWARDS PENSION FUND AND PROVIDENT FUND FOR

THE MONTH OF20.....(To be submitted to the Commissioner in triplicate by 30th day

of every month by registered post or through a messenger along with the original bank receipt/cheque/draft towards the contributions)

1.

(a)Total amount of salary of the employees(b)Total notional salary of the employees

| | | | | | | |
|-------|--|---|--|--|--------------------------|-------------------|
| Month | Compulsory contributions towards CMPF excluding the amounts of contributions to be transferred to the Pension Fund | Voluntary contributions of the employees towards CMPF | Pension contribution to be transferred | Two per cent. Additional contribution on total *notional salary of the employees | Amounts of one increment | Under/over charge |
| | | | | | | |

*Up to 31-3-1996 on total salary paid and from 1-4-1996 on notional salary payable.

3. Add on account of under charges.

4. Deduct on account of over charges

5. Administrative charges of three per cent. on gross compulsory contribution towards Provident Fund in terms of the provisions of the Provident Fund Scheme.

6. Total amount of contribution and administrative charges Rs.....

7. Amount of bank collection charge Rs.....

8. Total amount of remittance Rs.....

(i)(Deposited Rsunder Provident Fund Cash Receipt

No.....dated.....)(ii)(Deposited Rsin the State Bank of India, Dhanbad

[or any other Nationalised/Scheduled Bank] [Added by G.S.R. 403(E), dated 19-11-2004 (w.e.f.

27-11-2004).] Account No. 1 (Receipted pay-in-slip attached).(iii)(Remitted Rs.....vide

crossed account payee cheque/crossed account payee draft Nodated.....on

the..... in favour of Coal Mines Provident Fund Account No.1) (cheque or draft

attached).Dated.....20.....Manager.....CollieryC.

Regd. No.....Zone.....FORM PS-6(See sub-paragraph (1) of paragraph

15)APPLICATION FOR DIFFERENT BENEFITS

1. Name (in block letters) :

2. Coal Mines Provident Fund Account No. :

3. Father's/Husband's Name :

4. Marital Status :

5.(a) Permanent address of the claimant :

Village :

Post Office :

Police Station :

District :

State :

5.(b) Present address of the claimant :

Village :

Post Office :

Police Station :

District :

State :

6. Date of birth (in words) : Date
.....Month.....year.....

7. Date of initial employment :

8. Date of cessation of employment :

9. Cause of cessation of employment :

10. Name of claimant :

11. Relationship of the claimant with the employee :

12. Whether the claim is for self or on behalf of
minor child of the deceased employee :
13. Kind of pension admissible :
14. Name of establishment/colliery where the
employee was employed from 1-3-1971 or from the :
date of joining whichever is later.

| Colliery | Period FromTo |
|----------|------------------|
| (i) | |
| (ii) | |
| (iii) | |
| (iv) | |
| (v) | |
| (vi) | |
| (vii) | |

15. Period of absence without wages during last 10
months

| Period | From To | No. of days |
|--------|---------|----------------|
| (i) | | |
| (ii) | | |
| (iii) | | |
| (iv) | | |
| (v) | | |

16. Whether period of absence without pay has been regularised by the competent authority.

17. Average emoluments during the last 10 months Rs
.....(detailed statement to be attached with number of
days for which wages paid).

18. Whether employee desires to receive pension before attaining the age of superannuation. If yes, option under the provisions of sub-paragraph (3) of paragraph 10 has been attached or not.

19. Whether employee desires to receive pension under the provisions of sub-paragraph (1) of paragraph [5] [Substituted by G.S.R. 269 (E), dated 25-5-1998 (w.e.f. 25-5-1998).] of the Scheme. If yes, his option has been attached or not.

20. In case of disablement pension whether the declaration of the competent Medical Board has been attached or not.

21. Details of family:

| Name | Date of birth | Name of guardian in r/o minor child/children with full address |
|------|---------------|--|
|------|---------------|--|

Wife

Sons below 25 years

(1)

(2)

(3)

Unmarried daughters below 25 years

(1)

(2)

(3)

(4)

Nominee with full address

22. Mode of payment:

(a) Name of the bank

SB A/c No. (in words)

(in figures)

OR

(b) Post Office-branch : Distt.

SB A/c No. (in words) :

(in figures) :

OR

(c) M.O. on the cost of payee-full address : Distt.

OR

(d) Office of the authorised officer.

OPTION TO BE EXERCISED BY THE EMPLOYEE AT THE TIME OF SUBMISSION OF CLAIM OF PENSION UNDER THE COAL MINES PENSION SCHEME,

1998I.....S/o.....holder of CMPF A/c Noemployed
in.....(colliery) hereby opt(1)to draw pension w.efat the age
of.....years, i.e., earlier than superannuation age under the provisions of
sub-paragraph (3) of paragraph 10 of the Scheme.OR(2)to draw full admissible amount of pension
under clause (a) of sub-paragraph (1) of paragraph 15 of the Scheme.OR(3)to draw reduced pension
during my life time under the provisions of clause (b) of sub-paragraph (1) of paragraph 15 of the
Scheme.OR(4)to draw reduced pension during my life time under the provisions of clause (c) of
sub-paragraph (1) of paragraph 15 of the Scheme.I declare that I have fully understood the
provisions of the Scheme and understand that the option once exercised will be final and I shall,
have no right to modify

it.Date.....Place.....Signature/Right
Thumb-impression/Left Thumb-impression of the

employeeCOUNTERSIGNEDDate.....Place.....

Colliery Manager Official sealDECLARATIONI hereby declare that the above particulars are true to
the best of my knowledge.I declare that I have not remarried after(insert the date
of death of employee).I declare that I have not attained the age of 25 years (in the case of son).I
declare that I have not married and have not attained the age of 25 years (in case of
daughter).Date.....Place.....Signature/Right

thumb-impression/Left thumb-impression of the claimant(TO BE COMPLETED BY THE
COLLIERY MANAGER)Certified that Shri/Smt./Kumariwife/son/daughter
of/.....is known to me/has been identified before me by..... whom I know since last
..... years.....months and that he/she signed/affixed LTI/RTI before me and that to the
best of my knowledge and belief the particulars furnished in the claim are correct.

Signature/Thumb-impression of the Claimant

Signature of the colliery manager

Designation.....

Address.....

Official seal

.....Signature of the identifier with full

detailsDate.....Place.....CERTIFICATE BY THE COLLIERY MANAGERCertified
that the particulars of the employee and that of his/her family are correct in accordance with the
service records maintained by the colliery management.Certified that full contributions as required
under the provisions of the scheme have been recovered and remitted to the C.M.P.F.

Commissioner,

Dhanbad.Date.....Place.....Sig

of the colliery manager Official seal