

**HIMACHAL PRADESH STATE AGRICULTURAL MARKETING BOARD
VIPNAN BHAWAN, KHALINI, SHIMLA-171002.**

No.HMB (A) 3-1/98-Vol-II-

Dated: Shimla-2, 1. 9.2007

NOTIFICATION

In exercise of the powers conferred by Section 85 of the Himachal Pradesh State Agricultural and Horticultural Marketing Produce (Development and Regulation) Act, 2005 (Act No. 20 of 2005), the H.P. State Agricultural Marketing Board, with the prior approval of the Government of Himachal Pradesh Agriculture Department conveyed vide letter No. Agr. F(7)-8/2006, dated 11.10.2006 and 1.3.2007 and vide its resolution No.5 of the meeting of the Board held on 24.8.2007, is pleased to frame and notify the **“Himachal Pradesh State Agricultural Marketing Board and Committees (Employees Contributory Provident Fund) Regulation, 2006** to regulate the salaries, allowances and other conditions of service of Officers and other employees of the Board and Agricultural Produce Market Committees, as follow:-

1.Short title and commencement. - (1) These Regulations may be called the Himachal Pradesh State Agricultural Marketing Board and Committees (Employees Contributory Provident Fund) Regulation, 2006.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions. - In these Regulations unless the context otherwise requires,-

- (a) “Act” means Himachal Pradesh Agricultural and Horticulture Produce Marketing (Development And Regulation) Act, 2005(Act No.20 of 2005);
- (b) “Board” means Himachal Pradesh State Agriculture Marketing Board;
- (c) “Managing Director” means the Managing Director of the Board appointed under section 9 of the Act;

(d) “emoluments” means pay, leave salary or subsistence grant as defined in the Fundamental Regulations and includes-

- (i) dearness Pay, dearness allowance, leave salary or subsistence grant, if admissible;
- (ii) any wages paid by the Board to the employees not remunerated by fixed monthly pay; and
- (iii) any remuneration of the nature of pay received in respect of foreign service;

(e) “Family” means-

- (i) in the case of a male subscriber, the wife or wives, 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 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 and she shall be henceforth be deemed to be no longer a member of the subscriber’s family in matters to which these Regulations relates unless the subscriber subsequently intimates, in writing to the Managing Director that he shall continue to be so regarded; and

- (ii) in the case of female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased sons widow and children and where no parents of the subscriber is alive, a paternal grand parent’s:

Provided that if a subscriber by notice in writing to the Managing Director express 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/ illegitimate child and includes adopted child' where adoption is recognized by personal law governing the subscriber, or a ward under the Guardians and Wards Act, 1890(8 of 1890), who lives with the servant of the Board and is treated as a member of the family and to whom the servant has, through a special will, given the same status as that of a natural born child.

(f) "Government" means the Government of Himachal Pradesh.;

(g) "interest" means interest accrued on the balance at credit of a subscriber to the Provident Fund calculated if such balance were deposited in the saving bank account;

(h) "leave "means any kind of leave recognized by the fundamental Rules or Revised Leave Rules, 1972 applicable to the subscriber;

(i) "Provident Fund" means the Contributory Provident Fund established by the Board under section 85(C) of the Himachal Pradesh Agricultural Horticulture Produce Marketing(Development And Regulation) Act,2005

(j) "servant" means every employee including daily waged employees who has completed one year's continuous service in the Board/Market Committees and every such servant shall be eligible to subscribe to the Provident Fund:

Provided that no such servant who is required or permitted to contribute or who is actually contributor to any other scheme of Provident Fund shall not be eligible to join or continue as a subscriber

to the provident Fund, while he retains the right to subscribe to such a provident Fund;

(k) “service” means service of the subscriber from the date of his joining the service of the Board/Market Committees;

(l) “subscriber” means a servant who is required or permitted to subscribe to the Provident Fund; and

(m) “Year” means the financial year.

3. Establishment of Provident Fund.- (1) The Board shall establish a Provident Fund to which each employee shall be required to pay a monthly contribution of 10% of the basic pay, DP and DA to the Contributory Provident Fund, after completion of one year of service.

Provided that a subscriber if he so desires may contribute to the provident Fund at a higher rate not exceeding his basic pay.

(2) The amount of subscription so fixed may be reduced once at any time and enhanced twice during the course of the year but amount so reduced should not be less than limit specified in sub Regulation(1) of this regulation.

4. **Condition of eligibility.** - These Regulations shall apply to all servants of the Himachal Pradesh State Agricultural Marketing Board and Agriculture Produce Market Committees except those who are governed or covered under any other Provident Fund Rules.

5. Realization of subscription.- (1) Every servant to whom these Regulations apply shall subscribe to the Provident Fund. Subscription to the Provident Fund shall be recovered by means of deduction of the amount from salary bill of each month and the amount shall be in whole rupees.

(2) Notwithstanding anything contained in regulation 3, a subscriber shall subscribe monthly to the provident fund except during the period when he is under suspension:

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

Provided further that a subscriber on re-instatement, after a period passed under suspension, shall be allowed the option of payment in lump-sum or in installments any sum not exceeding the maximum amount of arrear subscription payable for that period.

(3) If a servant admitted to the benefit of the Provident Fund was previously a subscriber to any other contributory or non contributory Provident Fund of Central Government, the amount of his subscriptions and Government contribution in other Contributory Provident Fund or amount of his subscription in non Contributory Fund, as the case may be, together with interest thereon, shall be transferred to his credit in the Provident Fund.

(4) If a servant admitted to the benefit of the Provident Fund was previously a subscriber to any other Government Contributory Provident Fund or non-Contributory Provident Fund, the amount of his subscription and the Government Contribution in the Contributory Provident Fund or the amount of his subscription in the non-Contributory Provident Fund, as the case may be, together with interest thereon, shall be transferred to his credit in the Provident Fund with the consent of the other Government.

NOTE 1.-The provisions of sub-Regulations (3) and (4) shall not apply to a person who has retired and is subsequently re-employed, with or without a break in service, or to a person 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 benefit of these Regulations after resignation or retrenchment from service under another Government department of Central Government or under the State Government.

Note 3. - The provisions of sub-Regulation (4) shall also apply mutatis mutandis to persons who are transferred, without any break, from service under a body corporate owned or controlled by Government or an autonomous organisation registered under Societies Registration Act. 1860.

6. 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 Regulations of the Provident Fund in the same manner as if he was not so transferred or sent on deputation.

7. Nominations.-(1). A subscriber shall, at the time of joining the provident fund, send to the Managing Director through Head of Office a nomination, conferring one or more persons the right to receive the amount that may stand to his credit in the Provident Fund in the event of his death, before the amount has become payable or having become payable has not been paid:

Provided that , if, at the time of making the nomination the subscriber has a family, the nomination shall not be in favour of any person or persons other than the member 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 Provident Fund shall, if the amount to his credit in such other Fund has been transferred to his credit in this Provident 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 Provident Fund at any time.

(3) Every nomination shall be made in the Form set forth in the Schedule appended to these Regulations.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Managing Director. The subscriber shall, alongwith 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 the such person in such a manner as to cover the whole of the amount payable to the nominee; and

(b) that the nomination shall become invalid in the event of happening of a contingency specified therein:

Provided that if at the time of making the nomination the subscriber has only one member of his family, he shall provide in the nomination that the right conferred upon the alternate 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 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 therefore, the subscriber shall send to the Managing Director a notice in writing cancelling the nomination, together with a fresh nomination made in accordance with the provisions of this regulation.

(7) Every nomination made, and every notice of cancellation given by a subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Managing Director.

8.Subscriber's Accounts.-(1) An account shall be opened in the name of each subscriber and Provident Fund Account number allotted to the subscriber shall be entered in his service book. The amount of subscription, interest thereon, employer contribution and interest thereon, advances and withdrawals from the Provident Fund shall be shown in the account of subscriber.

(2). A statement showing the balances appearing in the account of each subscriber at the close of financial year shall be supplied to each subscriber every year in the form set forth in the schedule appended to these regulation.

9. Contribution by Board.- The Board/Market Committees shall make contribution at the end of every month to the Provident Fund account of each subscriber of an

amount equal to ten percent of his emoluments expressed in whole rupees or as the State Government by general or special order may specify:

Provided that no contribution shall be payable in respect of any period for which the subscriber is permitted under the Regulations not to, or does not, subscribe to the Provident Fund.

10 Interest.- (1)The Board shall pay to the credit of account of a subscriber interest, at such rate as the Government may from time to time prescribe for the payment of interest on subscription to the General Provident Fund, on the amount to his credit in the Provident Fund.

(2) Interest shall be credited on the 31st March of each year in the following manner:-

- (i) on the amount to the credit of a subscriber on the 31st March of the preceding year, reduced by the amount if any, advance/withdrawn during the current year;
- (ii) on sums withdrawn during the current year interest from 1st April of the current year upto the last day of the month proceeding the month of withdrawal ;
- (iii) on all the sums credited to the subscriber's account after 31st March of the preceding year interest from the date of deposit upto 31st March of the current year;
- (iv) the total amount of interest shall be rounded off to the nearest rupee (fifty paise counting as next higher rupee):

Provided that when the amount standing to the credit of a subscriber has become payable, interest shall there upon be credited under this regulation in respect of 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 become payable.

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

Provided that, where the Managing Director has intimated to the person or his agent the 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.

11. Advances from the Provident Fund.- (1) The Managing Director may sanction the payment to any subscriber of an advance not exceeding six month's pay or half the amount of subscription and interest thereon standing to the credit of the subscriber in the Provident Fund, whichever is less, for one or more of the following purposes :-

(a) to pay expenses in connection with illness, confinement or a disability, including where necessary, the traveling expenses of the subscriber and members of his/her family or any person actually dependent on him/her.

(b) to meet the cost of higher education, including where necessary, the traveling 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 High School stage; provided that the course of study is for not less than three years;
- (c) to pay obligatory expenses on a scale appropriate to the subscriber's 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, any member of his family or any person actually dependent upon him, the advance in this case being available in addition to any advance admissible for the same purpose from any other Government source;
- (e) to meet the cost of subscriber's defence where he/she engages a legal practitioner to defend himself/herself in an enquiry in respect of any alleged official misconduct on his/her part; and
- (f) to purchase consumer durables such as TV, VCR/VCP, washing machines, cooking range, Geysers- and computers.

(2) The Authority may, in special circumstances, sanction the payment to any subscriber of any advance if it is satisfied that the subscriber concerned require 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:

Provided that an advance shall in no case exceed the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Provident Fund.

(4) When an advance is sanctioned under sub-regulation(3) before repayment of last instalment of any previous advance is completed, the balance of any previous advance not recovered shall be added to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.

12. Recovery of advances.-(1) An advance shall be recovered from the subscriber in such number of equal monthly installments as the Managing Director may direct, but such number shall not be less than twelve unless the subscriber so elects and more than twenty four. In special cases, where the amount of advance exceeds six month's pay of the subscriber under sub-regulation(3) of regulation 11, the Managing Director may fix such number of instalments to be more than twenty four but in no case more than thirty six . A subscriber may, at his option, make repayment in smaller number of installments than prescribed.

(2) The recovery 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 ten 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 may be postponed on the subscriber's written request, by Managing Director during the recovery of an advance of pay granted to the subscriber.

13 Wrongful use of advance.- Notwithstanding anything contained in these Regulations, if the Managing Director has reasons to doubt that money drawn as an advance from the Provident Fund under regulation 11 has been utilized for a purpose

other than that for which sanction was given to the drawl of money, he shall communicate to the subscriber the reasons for his doubt and require him to explain in writing, within 15 days of the receipt of such communication, whether the advance has been utilized for the purpose for which sanction was given to the drawl of the money. If the Managing Director is not satisfied with the explanation furnished by the subscriber within the said period of fifteen days, the Managing Director shall direct the subscriber to repay the amount in question to the Provident Fund forthwith or, in default, order the amount to be recovered by deduction in lump sum from the emoluments of the subscriber even if he/she be on leave. If, however, the total amount to be repaid is more than half the subscribing emoluments, recoveries shall be made in monthly installments of moieties of his/her emoluments till the entire amount is repaid by him/her.

Note. - The term “emoluments” in this regulation does not include subsistence grant.

14. Withdrawal from the Provident Fund. - (1). Subject to the conditions specified therein, withdrawals may be sanctioned by the Managing Director for special reasons under sub-regulation (3) of regulation 11, 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 of subscriptions and interest thereon standing to the credit of the subscriber in the Provident Fund, for one or more the following purposes, namely:-

(a) meeting the cost of higher education, including where necessary, the traveling 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 course in India beyond the High School stage; and

(b) meeting the expenditure in connection with betrothal/marriage of the subscriber or his /her sons or daughters, and any other female relation actually dependent on him/her.

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

(d) meeting the cost of consumer durables such as T.V., VCR/VCP, washing machines, cooking range, Geysers and computers;

(B) during the service of a subscriber from the amount of subscription and interest thereon standing to his /her credit in the Provident Fund for one or more of the following purposes, namely:-

(a) constructing or acquiring a suitable house or ready built flat for his/her residence including the cost of the site or any payment towards allotment of a plot or flat by the Authority or a house of a Co-operative Society.

(b) repaying an outstanding amount on account of loan expressly taken to construct or acquire a suitable house or ready built flat for his/her residence;

(c) reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber;

(d) renovating , additions or alterations or up keep of an ancestral house at a place other than the place of duty or to a house built with the assistance of loan from the Authority at a place other than the place of duty;

(e) purchasing a house site to construct a house thereon for his/her residence; and

(f) constructing a house on a site purchased under clause (e);

NOTE 1.- The amount of withdrawal sanctioned under sub-clause (b) of clause (B) shall not exceed 3/4th or the balance on date of application together with the amount of previous withdrawal under sub-clause (a) of clause (B) reduced by the amount of previous withdrawals.

NOTE 2.- Only one withdrawal shall be allowed for the same purpose under this regulation. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flat shall not be treated as the same purpose. Second or subsequent withdrawal under sub-clause (a) or (f) of clause (B) for completion of the same house shall be allowed upto the limit laid down under Note-I.

NOTE 3.- A withdrawal under this regulation shall not be sanctioned if an advance under regulation- 11 is being sanctioned for the same purpose and at the same time.

15. Conditions for withdrawal. - (1) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in regulation 14 from the amount standing to his credit in the Provident Fund shall not ordinarily exceed one half of the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Provident Fund or six month's pay, whichever is less. The Managing Director may, however, sanction the withdrawal of an amount in excess of this limit upto 3/4th in the case of withdrawals under clause (A) and 90% in the case of withdrawals under

clause (B) of sub-regulation (1) of regulation 14 of the amount of subscription and interest thereon standing to the credit of the subscriber in the Provident Fund having due regard to,-

- (i) the object for which the withdrawal is being made;
- (ii) status of the subscriber; and
- (iii) amount of subscriptions and interest thereon standing to the credit of the subscriber .

(16) Conversion of an advance into a withdrawal. - A subscriber who has already drawn or may draw in future an advance under regulation 11 for any of the purposes specified in sub-regulation (1) of regulation 14 may convert, at his discretion by written request addressed to the Managing Director the balance outstanding against it into a final withdrawal, on his satisfying the conditions laid down in Regulations 14 and 15.

NOTE I. - For the purpose of sub-regulation (1) of regulation 15, the amount on 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.

(17) Final withdrawal of accumulations in the Provident Fund.- When a subscriber quits the service, the amount standing to his credit in the Provident Fund shall, subject to any deduction under regulation 20 become payable to him:

Provident, that a subscriber, who has been dismissed from the service and is subsequently reinstated in the service shall, if required to do so by the Board, repay any amount paid to him from the Provident Fund in pursuance of this regulation, with interest thereon at the rate provided in regulation 10 and in the manner provided in the proviso to regulation 18. The amount so repaid shall be

credited to his account in the Provident Fund, the part which represents his subscriptions and interest thereon, and part of which represents Board's contribution with interest thereon, being accounted for in the manner provided in regulation-8.

(18) **Explanation.-** A subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently re-employed, with or without break in service, shall not be deemed to quit the service, when he is transferred without any break in service to a new post under a State Government or in another department of the Central Government (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 subscription and Board's contribution, together with interest thereon shall be transferred,-

(a) to his account in the other Provident Fund in accordance with the Regulations of the Provident Fund, if the new post is in another department of Government, or

(b) to a new account under the State Government concerned if the new post is under a State Government and State Government consents by general or special order, to such transfer of his subscriptions, the Board's contribution and interest.

19.Retirement of subscriber.- When a subscriber -

(a) has proceeded on leave preparatory to retirement , or

(b) while on leave, has been permitted to retire or declared by a competent medical authority to be unfit for further service, the amount of subscription and interest thereon standing to his credit in the Provident Fund shall, upon application made by him in that behalf to the Managing Director , become payable to the subscriber:

Provided that the subscriber, if he returns to duty, shall, except where the Authority decided otherwise, repay to the Provident Fund for credit to his account, the amount paid to him from the Provident Fund in pursuance of this rule with interest thereon at the rate provided in regulation 10 in cash or securities, by installments or otherwise, by recovery from his emoluments or otherwise, as may be directed by the Managing Director an advance for the grant of which, special reasons are required under sub-regulation(3) of regulation 11.

20.Procedure on death of subscriber.- Subject to any deduction under regulation 20, 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 7 in favour of a member or members of his family subsists, the amount standing to his credit in the Provident Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;

(b) if no such nomination in favour of a member or members of the family, of the subscriber subsists, or if such nomination relates only to a part of amount standing to his credit in the Provident 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 husbands are alive;

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

Provided also 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 item (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 7 in favour of any person or persons subsists, the amount standing to his credit in the Provident 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.

21. Deduction.- Subject to condition that no deduction may be made which reduces the credit by more than the amount of any contribution by the Board with interest thereon credited under Regulations 9 and 10, before the amount standing to the credit of the subscriber in the Provident Fund is paid out of the Provident Fund,-

(I) the Government may direct the deduction there from and payment to the Board of –

(i) all amounts representing such contribution and interest, if the subscriber is dismissed from service due to misconduct, insolvency or in efficiency:

Provided that where the government is satisfied that such deduction would cause exceptional hardship to the subscriber, it may, by order, exempt from such deduction and amount not exceeding two

third of the amount of such contribution and interest which would have been payable to the subscriber, if he had retired on medical grounds:

Provided further that if any such order of dismissal is subsequently cancelled, the amount so deducted shall, on his reinstatement in the service be replaced to his credit in the Provident Fund.

(ii) all amounts representing such contribution and interest, if the subscriber within five years of commencement of his service as such, resigns from the service or ceases to be an employee of the Board otherwise than by reasons of death, superannuation, or a declaration by a competent medical authority that he is unfit for further service, or the abolition of the post or the reduction of establishment.

(II) the government may direct the deduction there from and payment to the Board of any amount due under a liability incurred by a subscriber to the Board.

NOTE-1 For the purpose of sub-clause (ii) of clause (A) of this regulation-

- (a) the period of five years shall be reckoned from the commencement of the subscriber's continuous service under the Board;
- (b) resignation from service in order to take appointment in another department of the Central Government or under the State Government or under a body corporate owned or controlled by Government or an autonomous organisation, registered under the Societies Registration Act, 1860 without any break and with proper permission of the Board, shall not be treated as resignation from service of the Board.

NOTE-2.- The powers of the Government under this regulation may, in respect of the amounts referred to therein, also be exercised by the authority competent to sanction an advance for the grant of which special reasons are required under sub-regulation (3) of regulation-11.

22. Manner of payment of amount in the Provident Fund. - (1).When the amount standing to the credit of a subscriber in the Provident Fund or the balance thereof after deduction under regulation 20 becomes payable, it shall be the duty of the Administrative Officer after satisfying himself when no such deduction has been directed under this regulation, that no deduction is to be made, to make payment on receipt of a written application in this behalf.

(2) To enable a subscriber to submit an application for withdrawal of the amount in the Provident Fund, the Managing Director shall send to every subscriber necessary forms. The subscriber shall submit the application to the Managing Director through Administrative Officer.

(3) The final payment to the subscriber shall be sanctioned by the Managing Director immediately after fulfilling the requisite formalities.

23. Application of Contributory Provident Fund Rules (India), 1962 for matters not specified in these Regulations.- The provisions of Contributory Provident Fund Rules (India), 1962, as amended from time to time, shall be applicable to the employees of the Board governed under these Regulations, in respect of the matters not specifically provided and which are not inconsistent with the provisions made under these Regulations.

Sd/-
Managing Director
-Cum-
Member Secretary

Endst: No.HMB (A) 3-1/98-Vol-II-

Dated: Shimla-2, 1. 9.2007

Copy of the above notification is forwarded to the following for favour of information and necessary action:

1. The Principal Secretary (Agr.) to H.P. Government, Shimla-2, for kind information.
2. The Administrative Officer, H.P. State Agricultural Marketing Board Shimla, with the request to bring this to the notice of the employees working under him.
3. All the Secretary, A.P.M.Cs in H.P., with the request to bring this to the notice of the employees working under them.
4. The Controller, H.P. Printing and Stationery, Department Shimla-5 for immediate publication in official Gazette.
5. Librarian, H.P. State Agril. Marketing Board (two copies).
6. Guard File.

Sd/-
Managing Director
-Cum-
Member Secretary

SCHEDULE

{See regulation 7 (3)}

Account No. _____

I, _____ hereby nominate the person(s) mentioned below who is/are member (s)/non-member(s) of my family as defined in regulation 2 of the Himachal Pradesh Agricultural Horticulture Produce Marketing(Employees Contributory Provident Fund) Regulation 2006, to receive the amount that may stand to my credit in the Provident 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 or nominees (s)	Relationship with the subscriber	Age of the nominee (s)	Share payable to each nominee	Contingencies on the happening of which the nomination will become invalid	Name, address and relationship of the person(s) if any to whom the right of nominee shall pass in the event of his/her predeceasing the subscriber	If the nominee is not a member of the family as provided in regulation 2, indicate the reasons
1.	2	3	4	5	6	7.

Dated _____ this.....day _____ of 200.....at.....

Signature of the subscriber.....
Name in Block letters.....
Designation.....
Signature.....

Two witnesses to signature
Name and address

1. -----

2. -----

(Reverse of the form)

Space for use by the Head of Office/pay & Accounts Office

Nomination by Sh./Smt./ Kumari-----Designation-----

Date of receipt of nomination-----

Signature of Head of Office/Pay & Accounts Officer

Designation-----

Date-----

Instruction for the subscriber-

- (a) Your name may be filled in.
- (b) Name of the fund may be completed suitably.
- (c) Definition of term “family” as given in the Himachal Pradesh State Agricultural Marketing Board (Employees Contributory Provident Fund) Regulation 2006, is reproduced below.

“Family” means-

- (i) in the case of male subscriber, the wife or wives, parents, children, minor brothers, unmarried sister, deceased son’s widow and children and where no parent of the subscriber is alive, a paternal grandparent :

Provided that if a subscriber proves that his wife has been judicially 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 Managing Director that she shall continue to be so regarded.

- (ii) in the case of female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased son’s widow and children and where no parent of the subscriber is alive, a paternal grandparent:

Provided that if a subscriber by notice in writing to the Managing Director 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 an adopted child where adoption is recognized by the personal law governing the subscriber or a ward under the Guardians and Wards Act, 1980 (8 of 1890), who lives with the servant of the Authority and is treated as a member of the family and to whom the servant has, through a special will, given the same status as that of a natural born child.

(d) Col. 4. If only one person is nominated the words “in full” should be written against the nominee. If more than one person is nominated, the share payable to each nominee over the whole amount of the Provident Fund shall be specified.

(e) Col. 5 Death of nominee (s) should not be mentioned as contingency in this column.

(f) Col. 6. do not mention your name.

(g) Draw line across the blank space below last entry to prevent insertion of any name after you have signed.

Schedule

(See regulation 8(2))

Himachal Pradesh State Agricultural Marketing Board, Vipnan Bhawan, Shimla-171002

(CPF Statement for the year 200 -)

Rate of Interest % p.a

Name of the Employee

Designation

CPF Account Number

Months	Employees Contribution	
Apr		
May		
Jun		
Jul		
Aug		
Sep		
Oct		
Nov		
Dec		
Jan		
Feb		
Mar		
Total		

Employers' Contribution	
Total	

Previous years' balance	
Current years contribution	
Interest accrued	
Withdrawals during the year	
Total	

Total
Grand Total

We certify that the above credits/debits are based on the available record and these are subject to verification/retification for any over-credits/debits at the time of final payment

Place: Shimla-171002

Date: #####

Audit Officer

Managing Director

Verification Slip

I hereby certify that to the best of my knowledge and information, the balances shown above, are correct OR are incorrect for the reasons given overleaf.

Signatures of subscriber

