

CHAPTER I
PRELIMINARY

1. [Short title and application](#)
2. [Definitions](#)

CHAPTER II

BOARD OF TRUSTEES, EXECUTIVES COMMITTEE AND REGIONAL COMMITTEE

3. [Election of certain members of the Executive Committee](#)
4. [Regional Committee](#)
5. [Terms of office](#)
6. [Resignation](#)
7. [Cessation and restoration of trustees](#)
8. [Disqualifications for trusteeship or membership of Regional Committee](#)

9. [Removal from trusteeship or membership of Regional committee](#)
10. [Absence from India](#)
11. [**Meeting**](#)
12. [Notice of meeting and list of business](#)
13. [Chairman to preside at meetings](#)
14. [Quorum](#)
- 14-A. [Nomination of a substitute during the absence of a trustee/ member of a Central Board/Regional](#)
15. [Disposal of business](#)
16. [Minutes of meetings](#)
17. [**Acts of the Regional Committee not invalid by reason merely of any vacancy in or defect in the Constitution, etc**](#)
18. [Fees and allowances](#)

CHAPTER III

APPOINTMENT AND POWERS OF COMMISSIONER AND OTHER STAFF OF BOARD OF TRUSTEES.

19. [Central provident Fund Commissioner and Financial Advisor and Chief Account Officer](#)
20. [\[Omitted\]](#)
21. [Opening of regional and other offices](#)
22. [Secretary of the Central Board or a Regional Committee](#)
- 22-A. [**Appointment of officers and employees of the Central Board**](#)
23. [Information of appointments to the Central Board](#)
24. [Administrative and financial powers of a Commissioner](#)
- 24-A. [**Delegation of power by the Central Board**](#)
25. [**Powers of the Central Government until the Central Board is constituted**](#)

CHAPTER IV

MEMBERSHIP OF THE FUND

26. [Classes of employees entitled and required to join the Fund](#)
- 26-A. [**Retention of membership**](#)

26-B. [Resolution of doubts](#)

27. [Exemption of an employee](#)

27-A. [Exemption of a class of employees](#)

28. [Transfer of accumulations from existing provident Funds](#)

**CHAPTER V
CONTRIBUTIONS**

29. [Contributions](#)

30. [Payment of contribution](#)

31. [Employer's share not to be deducted from the members](#)

32. [Recovery of member's share of contribution](#)

32-A. [Recovery of damages for default in payment of any contribution](#)

32-B. [Terms and conditions for reduction or waiver of damages](#)

CHAPTER VI

DECLARATION, CONTRIBUTION CARDS AND RETURNS

- 33. [Declaration by persons already employed at the time of institution of the Fund](#)
- 34. [Declaration by persons taking up employment after the Fund has been established](#)
- 35. [Preparation of contribution cards](#)
- 36. [Duties of employers](#)**
 - 36-A. [Employer to furnish particulars of ownership](#)**
 - 36-B. [Duties of contractors](#)**
- 37. [Allotment of account numbers](#)
- 38. [Mode of payment of contributions](#)**
- 39. [Fixation of administrative charges](#)
- 40. [Contributions to be entered in the contribution cards](#)
- 40-A. [Supply of Pass Books to the members](#)**
- 41. [Currency of contribution cards](#)
- 42. [Renewal of contributinal cards](#)
- 43. [Submission of contribution cards to the Commissioner](#)

- 44. [Custody of contribution cards](#)
- 45. [Inspection of cards by members](#)
- 46. [**Production of cards and records for inspection by the Commissioner of Inspector**](#)
- 47. [Supply of cards and forms to employers](#)
- 48. [**Current account**](#)

CHAPTER-VII

ADMINISTRATION OF THE FUND ACCOUNTS AND AUDIT

- 49. [Administrative of Accounts](#)
- 50. [**Provident Fund Account**](#)
- 51. [Interest Suspense Account](#)
- 52. [Investment of money belonging to Employees' Provident Fund](#)
- 53. [Disposal of the Fund](#)
- 54. [Expenses of administration](#)

55. [Forms of and manner of maintenance of accounts](#)

56. [**Audit**](#)

57. [Inter-State transfer of members](#)

58. [**Budget**](#)

59. [Member's accounts](#)

60. [Interest](#)

CHAPTER VIII

NOMINATION, PAYMENT AND WITHDRAWALS FROM THE FUND

61. [Nomination](#)

62. [**Financing of member's life insurance policies**](#)

63. [Conversion of policy into a paid-up one and payment of late fee, etc](#)

64. [**Assignment of policies to the fund**](#)

65. [Bonus on policy to be adjusted against payments made from the fund](#)

66. [Re-assignment of policies](#)

67. [Recovery of amounts paid towards insurance policies](#)

68. [\[Omitted\]](#)

68-A. [\[Omitted\]](#)

68-B. [Withdrawal from the fund for the purchase of a dwelling house flat or for the construction of a dwelling house including the acquisition of a suitable site for the purpose](#)

68-BB. [Withdrawal from the fund for repayment of loans in special cases](#)

68-C. [\[Omitted\]](#)

68-D. [\[Omitted\]](#)

68-E. [Computation of period of membership](#)

68-F. [\[Omitted\]](#)

68-G. [\[Omitted\]](#)

68-GG. [\[Omitted\]](#)

68-H. [Grant of advances in special cases](#)

68-I. [\[Omitted\]](#)

68-J. [Advance from the fund for illness in certain cases](#)

68-K. [Advance from the fund for marriages or post-matriculation education of children](#)

68-L. [Grant of advances of abnormal conditions](#)

68-M. [Grant of advance to members affected by suit in the supply of electricity](#)

68-N. [Grant of advance to members who are physically handicapped](#)

68-NN. [Withdrawal within one year before the retirement](#)

68-O. [Payment of withdrawal or advance](#)

69. [Circumstances in which accumulations in the fund are payable to a member](#)

70. [Accumulations of a deceased member, to whom payable](#)

70-A. [Payment of provident fund accumulations in the case of a person charged with the offence of murder](#)

71. [\[Omitted\]](#)

72. [Payment of Provident Fund](#)

73. [Annual Statement of member's account](#)

73-A. [\[Omitted\]](#)

CHAPTER IX

MISCELLANEOUS

74. [Annual report on the work and activities of the Board and its audited Accounts](#)

75. [Issue of copies of member's account, annual reports, etc](#)

76. [Punishment for failure to pay contributions, etc](#)

77. [Conduct of business of the central Board](#)

78. [Power to issue directions](#)

79. [Special provisions relating to factories or other establishment in respect of which application for exemptions are received](#)

79-A. [Filling application for review](#)

79-B. [Time Limit for communicating the views of the Central Board to the appropriate Government on a proposal for grant of exemption to an establishment](#)

79-C. Composition of the Board of Trustees of the exempted establishment and the terms and conditions of service of the trustees

CHAPTER X

80. Special provision in the case of a newspaper establishments and newspaper employees

81. Special provisions in the case of cine-workers Forms

THE EMPLOYEES PROVIDENT FUNDS SCHEME, 1952¹

1. **Published with the Ministry of Labour notification No. S.R.O. 1509, dated 2nd September, 1952.**

CHAPTER I

PRELIMINARY

1. SHORT TITLE AND APPLICATION. –

(1) This scheme may be called the Employees Provident Funds Scheme, 1952.

(2) ¹[Save as otherwise provided in the Scheme, this chapter] and Chapters II and III shall come Into force at once and the remaining provisions shall come into force on such date or dates as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions.

(3) ²[(a) Subject to the provisions of Secs 16 and 17 of the Act, this Scheme shall apply to all ⁴[factories and other Establishments] to which the Act applies or is applied under sub-section (3) ⁵[(or sub-section (4)] of Sec. 1 or Sec. 3 thereof]:

⁵[PROVIDED that the provisions of this Scheme shall not apply to-

6[* * * * *]

(iii) Tea factories in the State of Assam.

(b) Provisions of this Scheme shall-

8[(i) As respects every establishment which is a factory engaged in any industry mentioned herein, namely cement, cigarettes, electrical, mechanical or general engineering products, iron and steel, paper and textiles (made wholly or in part of cotton or wool or jute or silk, whether natural or artificial) have deemed to have come into force, with effect from the 2nd day of September, 1952;]

8[(i-a)] As respect factories relating to the industries added to Sch. I of the Act, by notification of the Government of India in the Ministry of Labour No. S.R.O. 1566, dated 4th July 1956, come into force on 31st day of July 1956;

9[(ii) As respects factories relating to the industries added to Sch. I of the Act by notification of the Government of India in the Ministry of Labour No. S.R.O. 2026, dated 3rd September, 1956, comes into force on 30th day of September, 1956,]

10[(iii) As respects factories relating to be mineral oil refining industry added to Sch. I of the Act by notification of the Government of India in the Ministry of Labour No. S.R. O. 218, dated 19th January, 1957, come into force on the 31 st day of January, 1957:]

11[(iv) as respects plantation of tea (other than tea plantation in State of Assam), coffee, rubber, cardamom and pepper, covered by the notification of the Government of India in the Ministry of Labour No. S.R.O. 529, dated 16th February, 1957, come into force on the 30th day of April, 1957-,]

12[(v) as respects factories relating to the oxygen, acetylene and carbon dioxide gases industry added to Sch. I of the Act as item (X) under the head “Heavy and Fine Chemicals” by notification of the Government of India in the Ministry of Labour and Employment No S.R.O. 1976, dated 15th June, 1957, come into force on the 31st day of July 1957;]

13[(vi) As respects iron ore, lime-stone, manganese and gold mines, covered by notification of the Government of India in the Ministry of Labour and Employment No. S.R.O. 2705, dated 24th August, 1957, come into force on the 30th day of November, 1957;]

14[(vii) As respects factories relating to the Industrial and Power Alcohol and Asbestos Cement Sheets Industries added to Sch. I of the Act by the notification of

the Government of India in the Ministry of Labour and Employment No. S.R.O. 3067, dated 28th September, 1957, come into force on the 30th day of November, 1957;1

¹⁵[(viii) As respects coffee curing establishments covered by the notification of the Government of India, in the Ministry of Labour and Employment No. S.R.O. 3411, dated 26th October, 1957, comes into force on the 30th day of November, 1957;]

¹⁶[(ix) As respects factories relating to the biscuit-making industry including composite units making biscuits and products, such as, bread, confectionery and milk and milk powder, added to Sch. I of the Act, vide Government of India, Ministry of Labour and Employment Notification No. G.S.R. 170, dated 12th March, 1958, comes into force on the 30th day of April, 1958;]

¹⁷[(x) As respects road motor transport establishments covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 399, dated 24th March, 1959 come into force on the 30th day of April, 1959;]

¹⁸[(xi) As respects mica mines and mica industry covered by the notifications of the Government of India in the Ministry of Labour and Employment Nos. G.S.R. 312 and 313, dated 5th March, 1960, respectively come into force on the 31 st May, 1960;

¹⁹[(xii) As respects factories relating to the plywood industry covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 632, dated 30th May, 1960, come into force on the 30th day of June, 1960;]

²⁰[(xiii) As respects factories relating to the automobile repairing and servicing industry covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 683, dated 9th June, 1960, come into force on the 30th day of June, 1960;]

²¹ [(xiv) As respects any cane farm owned by sugar factory covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 1274, dated 21st October, 1960, come into force on the 30th day of November, 1960;]

²²[(xv) As respects factories relating to the rice, flour and dal-milling industries covered by notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 1443, dated 24th November, 1960, come into force on 31st day of December, 1960:]

²³[(xvi) As respects factories relating to the starch industry covered by notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 535, dated 10th April, 1961, come into force on the 31st day of May, 1961;]

²⁴[(xvii) as respects hotels and restaurants covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 704, dated 19th May, 1961, come into force on the 30th day of June, 1961;]

(xviii) As respects factories relating to the petroleum or natural gas exploration, prospecting, drilling or production, petroleum or natural gas refining and establishments engaged in the storage or transport or distribution of petroleum or natural gas or products of either petroleum or natural gas covered by the notifications of the Government of India in the Ministry of Labour and Employment Nos. G.S.R. 705 and 706, dated 16th May, 1961, respectively, come into force on the 30th day of June, 1961;]

²⁵[(xix) As respects the establishments covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. No. 827, dated 19th June, 1961, come into force on the 31st day of July, 1961;]

²⁶[(xx) As respects the establishment covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 1013, dated 29th July, 1961, come into force on the 31st day of July, 1961;]

(xxi) As respects the factories relating to the leather and leather products industry covered by notification of the Government of India in the Ministry of Labour and Employment No. 993, dated 29th July, 1961, come into force on the 31st day of August, 1961;

²⁷[(xxii) As respects the factories relating to the stoneware jars and crockery industries covered by notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 1382, dated 4th November, 1961, come into force on the 30th day of November, 1961;]

²⁸[(xxiii)As respects the establishments covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 1458, dated 2nd December, 1961, but not including the establishments referred to in sub-clause (xiv), come into force on the 31st day of December, 1961;]

²⁹[(xxiv)As respects every trading and commercial establishment engaged in the purchase, sale or storage of any goods, including establishments of exporters, importers, advertisers, commission agents and brokers, and commodity and stock exchanges but not including banks or warehouses established under any Central or state Act, covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 346, dated 7th March, 1962, come into force on the 30th day of April, 1962;]

³⁰[(xxv)As respects the factories relating to fruit and vegetable preservation industry covered by notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 786, dated 6th June, 1962, ³¹[as amended by Notification No. G.S.R. 1461, dated 29th August, 1963,] come into force on the 30th day of June, 1962;]

³²[(xxvi)As respects the factories relating to cashew nut industry covered by the notification of the Government of India in the Ministry of Labour and Employment No. G. S. R. 1 12 5, dated 18th August, 1962, come into force on the 30th September, 1962;]

³³[(xxvii)As respects the establishment specified in the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 1232, dated 7th September, 1962, come into force on the 31st day of October, 1962;]

³⁴[(xxviii)As respects bauxite mines covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 1625, dated 23rd November, 1962, come into force on the 31st day of December, 1962;

³⁵[(xxix)As respects the confectionery industry come into force on the 31st day of March, 1963;]

³⁶[(xxx)As respects establishments engaged in laundry and laundry service referred to in the notification of the Government of India the Ministry of Labour and Employment No. G. S. R. 561, dated 23rd March, 1963, come into force on the 30th day of April 1963;]

³⁷[(xxxi)As respects the industries engaged in the manufacture of buttons, brushes, plastic and plastic products and stationery products, come into force on the 30th day of April, 1963,]

³⁸[(xxxii)As respects the establishments covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 728, dated 20th April, 1963, come into force on the 31st day of May, 1963;]

³⁹[(xxxiii)As respects canteens covered by the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 1215, dated 29th July, 1963, come into force on the 31st day of August, 1963;]

⁴⁰[(xxxiv)As respects aerated water industry, that is to say, any industry engaged in the manufacture of aerated water, soft drinks, carbonated water, ⁴¹[* * *] come into force on the 31st day of August, 1963;]

⁴²[(xxxv)As respects distilling and rectifying of spirits (not falling under industrial and power alcohol) and blending of spirit, industry, come into force on the 31st day of October, 1963;]

⁴³[(xxxvi)As respects the establishments in the Pondicherry territory covered under the Employees Provident Fund Act, 1952 (19 of 1952). by virtue of the

Pondicherry (Laws) Regulation, 1963 (7 of 1963), come into force on the 31st day of October, 1963;]

⁴⁴[(xxxvii)As respects the paint and varnish industry come into force on the 31st day of January, 1964;]

⁴⁵[(xxxviii)As respects bone-crushing industry come into force on the 31st day of January, 1964;]

⁴⁶[(xxxix) As respects china clay mines come into force on the 30th day of June, 1964;]

⁴⁷[(xl)As respects pickers industry come into force on the 30th day of June, 1964;]

⁴⁸[(xli) As respects the establishments in the Union Territory of Goa, Daman and Diu in which territory the Employees' Provident, Funds Act 1952 (19 of 1952), has been enforced from the 1st July, 1964, by the notification of the Government of Goa, Daman and Diu Industries and Labour Department No. L.C./6/64, dated 24th June, 1964, come into force on the 31st day of July, 1964;]

⁴⁹[(xlii) As respects the establishments specified in the notification of the Government of India in the Department of Social Security No. G.S.R. 1398, dated 17th September, 1964, come into force on the 31st day of October, 1964;

⁵⁰[(xliii) As respects milk and milk products industry specified in the notification of the Government of India in the Department of Social Security No. G.S.R. 1723, dated 27th November, 1964, come into force on the 31st day of December, 1964;]

⁵¹[(xliv) As respects (1) travel agencies engaged in the (i) booking of International Air and Sea passages and other travel arrangements, (ii) booking of internal air and mail passages and other travel arrangements, and (iii) forwarding and clearing of cargo from and to overseas and within India; and (2) forwarding agencies engaged in the collection, packing, forwarding or delivery of any goods including car loading, break bulk service and foreign freight service specified in the notification of the Government of India in the Department of Social Security No. G.S.R. 1796, dated 9th December, 1964, come into force on the 31st day of January, 1965;]

⁵²[(xlv) As respects non-ferrous metals and alloys in the form of ingots industry specified in the notification of the Government of India in the Department of Social Security No. G.S.R. 1795, dated 9th December, 1964, come into force on the 31st day of January, 1965;]

⁵³[(xlvi) As respects the bread industry specified in the notification of the Government of India in the Department of Social Security No. G.S. R. 402, dated 2nd March, 1965, come into force on the 31st March, 1965;]

54[(xlvii) As respects the stemming, retrying of tobacco leaf industry, that is to say, any industry engaged in the stemming, retrying, handling, sorting, grading or packing of tobacco leaf specified in the notification of the Government of India in the Department of Social Security No. G. S. R. 768, dated 18th May, 1965, come into force on the 30th day of June, 1965;]

55[xlvi] As respects agarbattee (including dhoop and dhoopbattee industry specified in the notification of the Government of India in the Department of Social Security No. G.S.R. 9 10, dated 23rd June, 1965, come into force on the 31st day of July, 1965;]

56[(xlix) As respects coir (excluding the spinning sector) industry specified in the notification of the Government of India in the Department of Social Security No. G.S.R. 952, dated 3rd July, 1965, come into force on the 30th day of September, 1965;]

57[a) As respects magnesite mines covered by the notification of the Government of India in the Department of Social Security No. G.S.R 1166, dated 9th August, 1965, come into force on the 31st day of August, 1965;]

58[li) As respects stone quarries producing roof and floor slabs, dimension stones, monumental stones and mosaic chips covered by the notification of the Government of India in the Department of Social Security No. G.S.R. 1779, dated 27th November, 1965, come into force on the 31st day of December, 1965; 1

59[lii) As respects banks doing business in one State or Union Territory and having no departments or branches outside that State or Union Territory covered by the notification of the Government of India in the Department of Social Security No. G.S.R. 2, dated 18th December, 1965, come into force on the 31st day of January, 1966;]

60[liii) as respects the tobacco industry, that is to say, any industry engaged in the manufacture of cigars, zarda, snuff, quivam and guraku from tobacco covered by the notification of the Government of India in the Ministry of Labour and Employment and Rehabilitation (Department of Labour and Employment) No. G.S.R. 895, dated 1st June, 1966, come into force on the 30th day of June, 1966;]

61[liv) as respects paper products industry covered by notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. G.S.R. 1199, dated 11th July, 1966, come into force on the 31st day of July, 1966;]

62[lv) As respects licensed salt industry covered by the notification of the Government of India in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. G.S.R. 1362, dated 30th August, 1966, come into force on the 30th day of September, 1966;]

⁶³[(lvi) As respects linoleum and indoleum industries specified in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. G.S.R. 437, dated 27th March, 1967, come into force on the 30th day of April, 1967;]

⁶⁴ [(lvii) As respects explosive industry, come into force on the 31st day of July, 1967;

⁶⁵[(lviii) As respects jute baling or pressing industry specified in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. G.S.R. 1226, dated 5th August, 1967, come into force on 31st day August, 1967;]

⁶⁶[(lix) As respects fireworks and percussion cap works industry specified in the notification of the Government of India in the Ministry of Labour, Employment, and Rehabilitation (Department of Labour and Employment) No. G.S.R. 1530, dated 5th October, 1967, come into force on the 31st day of October, 1967;]

⁶⁷[Lx) As respects tent-making industry specified in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. G.S.R. 1716, dated 3rd November, 1967, come into force on the 30th day of November, 1967;]

⁶⁸[(Lxi) As respects barytes, dolomite, fireclay, gypsum, kyanite, silliminite and steatite mines, come into force on the 31st day of August, 1968;]

⁶⁹[Lxii) As respects cinchona plantations, come into force on the 31st day of December, 1968;]

⁷⁰[(Lxiii) As respects ferro-manganese industry, come into force on the 30th day of April, 1969;]

⁷¹[(lxiv) As respects ice or ice-cream industry, come into force on the 30th June, 1969;]

⁷²[(lxv) As respects diamond mines, come into force on the 30th day of June, 1969;]

⁷³[(lxvi) As respects the establishments which are exclusively or principally engaged in general insurance business, come into force on the 31st day of January, 1970;]

⁷⁴[(lxvii) As respects establishment rendering expert services, come into force on the 31st day of May, 1971]

⁷⁵[(lxviii) As respects factories engaged in the winding of thread and yarn reeling covered by notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. G.S.R. 1988, dated 22nd November, 1971, come into force on the 30th day of November 1971;]

⁷⁶[(lix) as respects railway booking agencies run by the contractors or by other private establishments on commission basis specified in the notification of the Government of India in (Department of Labour and Employment) No. 4/3/65-PF II (i), dated 17th March, 1972, come into force on the 31st day of March, 1972;]

⁷⁷[(lxx) as respects cotton ginning, baling and pressing industry specified in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. G.S.R. 1251, dated 23rd September, 1972, come into force on the 30th day of September, 1972;]

⁷⁸[(lxxi) As respects messes other than military messes covered by the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. G.S.R. 299, dated 24th March, 1973, come into force on the 31st day of March, 1973;]

⁷⁹[(lxxii)* * * * *]

⁸⁰[(lxiii)As respects factories relating to kattha-making industry covered by the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. G.S.R. 503, dated 2nd May, 1973, come into force on 31st day of May, 1973,]

⁸¹[(lxxiv)As respect the establishments known as hospitals specified in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. G.S.R. 1082, dated 29th September, 1973, come into force on the 31st day of August, 1973;]

⁸²[Lxxv) As respects the employee of the beer-manufacturing industry, that is to say, any industry engaged in the manufacture of the product of alcoholic

fermentation of a mash in potable water of malted barley and hops, or of hops concentrated with or without the addition of other malted or unmalted cereals or other carbohydrate preparations, specified in the notification of the Government of India in the Ministry of Labour No. G.S. R. 428, dated 27th April, 1974, come into force on the 30th day of April, 1974:]

83[(lxxvii) As respects societies, clubs or associations which render service to their members without charging an fee over and above the subscription fee or membership fee specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 1294, dated 16th November, 1974, come into force on the 30th day of November, 1974;]

84[(lxxviii) As respects every garments-making factory specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 1295 , dated 23rd November, 1974, come into force on the 30th day of November, 1974;]

86[(lxxix) As respects the Agricultural Farms, Fruit, Orchards, Botanical Gardens, and Zoological Gardens, specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 1315, dated 27th November, 1974, come into force on 31st day of December, 1974;]

87[(lxxx) As respects soap-stone, mines and establishments engaged in the grinding of soap-stone covered by the notification of the Government of India in the Ministry of Labour S.O. 1955, dated 21st June, 1975, come into force on the 30th day of June, 1975;]

88[(Lxxxix) As respects the apatite, asbestos, calcite ballclay, corundum, emerald, feldspar, silica (sand), quartz, ochre, chromite, graphite and fluorite mines covered by the notification of the Government of India in the Ministry of Labour No. G.S.R. 1102, dated 24th July, 1976, come into force on the 30th day of September, 1976;]

89[(lxxxii) As respects,-

- (1) Establishments, which are factories, engaged in the manufacture of glue and gelatine;
- (2) Stone quarries producing-stone chips, stone sets, stone boulders and ballasts, and
- (3) Establishments engaged in fish processing and non-vegetable food preservation industry including bacon factories and pork preservation plants,

Covered by the notification of the Government of India in the Ministry of Labour No. G.S.R. 204, dated 31 st January, 1977, come into force on the 28th February, 1977;]

⁹⁰[(lxxxiii) As respects beedi industry, that is to say, any industry engaged in the manufacture of beedis, specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 660, dated 17th May, 1977, come into force on the 3 1st day of May, 1977;]

⁹¹[(lxxxiv) As respects the financing establishments (other than banks) engaged in the activities of borrowing, lending, advancing of money and dealing with other monetary transactions with a view to earn interest not being the Unit Trust of India established under the Unit Trust of India Act, 1963 (52 of 1963), the Agricultural Refinance Corporation established under the Agricultural Refinance Corporation Act, 1963 (10 of 1963), the Industrial Development Bank of India established under the Industrial Development Bank of India Act, 1964 (18 of 1964), the Industrial Finance Corporation of India established under the Industrial Finance Corporation Act, 1948 (15 of 1948), and State Finance Corporations established under the State Finance Corporation Acts specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 1458, dated 18th November, 1978, Come into force on the 31st day of December, 1978;]

⁹²[(lxxxv) As respects lignite mines specified in the notification of the Government of India in the Ministry' of Labour G.S.R. 31, dated 16th December, 1978, come into force on the 16th day of January, 1979;]

⁹³[(lxxxvi) As respects the Ferro Chrome Industry, that is to say, in industry engaged in the manufacture of Ferro Chrome, specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 938, dated 5th June, 1978, come into force on the 31st day of July, 1979,]

⁹⁴[(lxxxvii)As respects the Diamond Cutting Industry, that is to say any industry engaged in the cutting of diamond, specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 564, dated 17th May, 1980, come into force on the 31st day of May, 1980;]

⁹⁵[(lxxxviii)As respects the quartz mines covered by the notification of the Government of India in the Ministry of Labour No. G.S.R. 563, dated 17th May, 1980, come into force on the 31st day of May, 1980;]

⁹⁵[(lxxxix)As respects the inland water transport establishments that is to say any establishment engaged in the activities and inland water transport specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 565, dated 17th May, 1980 come into force on the 31st day of May, 1980,]

⁹⁶[(xc)As respects the establishments engaged in building and construction industry specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 1969, dated 11th October, 1980, come into force on the 31st day of October, 1980;]

97[(xci)As respects factories relating to the Myrobalan Extract powder Myrobalan Extract Solid, and Vegetable Tannin Blended Extract Industries, specified in the notification of the Government of India in the Ministry of Labour No. G. S.R. 613 (E), dated 30th October, 1980, come into force on the 31st day of October, 1980;]

98[(xcii)As respects the Brick Industry, that is to say, any industry engaged in the manufacture of bricks specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 662 (E), dated 27th November, 1980, come into force on the 30th day of November, 1980;]

99[[xciii)As respects the establishments engaged in stevedoring, loading and unloading of ships specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 611 (E) dated the 23rd November, 1981, published in Pt. II, Sec. 3(i) of the Gazette of India, Extraordinary dated 23rd November, 1981;]

99[(xciv) As respects establishments Pin the Ministry specified in the notification of the Government of India of Labour No. G.S.R. 643 (E), dated 7th December, 1981, published at page 1834 in Pt. II, Sec. 3, sub-section (1) of the Gazette of India, Extraordinary, dated 7th December, 1981;]

(xcv)As respects, the establishments engaged in Cattle Food Industry specified in the notification of the Government of India in the Ministry of Labour No. G.S.R. 644 (E), dated 7th December, 1981, published at page 1834 in Pt. II, Sec. 3, sub-section (i) of the Gazette of India, Extraordinary, dated 7th December, 1981;]

100[(xcvi)As respects the educational, scientific, research and training institutions specified in the notification of the Government of India in the Ministry of Labour No. S.O. 986, dated the 19th February, 1981, published in Part 11, Sec. 3, sub-section (ii) of the Gazette of India, dated the 6th March, 1982;]

102[(xcvii) As respects the industries based on asbestos as principal raw material, -specified in the notification of the Government of India in the Ministry of Labour and Rehabilitation No. S.O. 2459, dated the 21st May, 1983, published in Part II, Sec. 3 (ii) of the Gazette of India, dated the 4th June, 1983;]

103[(xcviii) As respects the cinema theatres employing 5 or more workers as specified in Sec. 24 of the Cine-workers and Cinema Theatres Workers (Regulations of Employment) Act, 1981 (50 of 1981), be deemed to have come into force with effect from the 1st day of October, 1984.]

¹⁰⁴[(xcix) As respects the iron ore pellets industry as specified in the notification of the Government of India, in the Ministry of Labour No. S.O. 2276, dated 30th August, 1989, published in Part II, Sec. 3, sub-section (ii) of the Gazette of India, dated 16th September, 1989;

(xcx) As respects the establishments engaged in the Guar Gum Factories, Marble Mines, and Diamond Saw Mills specified in the notification of the Government of India, in the Ministry of Labour, No. G.S.R. 170, dated the 25th March, 1992, published in Part II, Sec. 3, sub-section (ii) of the Gazette of India, dated 11th April, 1992.]

1. Subs. by S.R.O. 2035, dated 3 1st October, 1953.
2. Added by Ibid.
3. Subs. by S.R.O. 1363. dated 26th April, 1957, for “factories”.
4. Ins. by S.R.O. 488 dated 4th February, 1958 (w.e.f 12th December, 1958).
5. Added by S.R.O. 1567, dated 4th July, 1956.
6. Sub-clauses (i) and (ii) omitted by G.S.R. 417. dated 19th March, 1962 (w.e.f 31st March, 1962).
7. Ins. by G.S.R. 571, dated 12th April, 1977.
8. Renumbered by ibid
9. Ins. by S.R.O. 2027, dated 3rd September. 1956.
10. Ins. by S.R.O. 815, dated 9th March, 1957.
11. Ins. by G.S.R. 1363, dated 26th April, 1957.
12. Ins. by S.R.O. 2146, dated 21st June, 1957.
13. Ins. by S.R.O. 3376, dated 10th October, 1957.
14. Ins. by S.R.O. 3365, dated 3 1 st October, 1957.
15. Ins. by S.R.O. 3972. dated 4th December, 1957.
16. Ins. by G.S.R. 261, dated 10th April, 1958.
17. Ins. by G.S.R. 583, dated 8th May, 1959.
18. Ins. by G.S.R. 362, dated 16th March, 1960.
19. Ins. by G.S.R. 718, dated 17th June, 1960.
20. Ins. by G.S.R. 748, dated 27th June, 1960.
21. Ins. by G.S.R. 1444, dated 24th November. 1960.

22. Ins. by G.S.R. 1548, dated 24th December, 1960.
23. Ins. by G.S.R. 680, dated 5th May. 1951.
24. Ins. by G.S.R. 733, dated 5th June, 1961.
25. Ins. by G.S.R. 992, dated 24th July, 1961.
26. Ins. by G.S.R. 1033, dated 8th August, 1961.
27. Ins. by G.S.R. 1456. dated 29th November, 1961.
28. Ins. by S.O. 3087, dated 20th December, 1961.
29. Ins. by G.S.R. 460, dated 3rd April. 1962.
30. Ins. by G.S.R. 887, dated 23rd June, 1962.
31. Ins. by G.S.R. 1982, dated 18th December, 1963.
32. Ins. by G.S.R. 1299, dated 19th September, 1962.
33. Ins. by G.S. R. 132 1, dated 27th September, 1962.
34. Ins. by G.S.R. 1757, dated 12th December, 1962.
35. Ins. by G.S.R. 504, dated 18th March, 1963.
36. Ins. by G.S.R. 663, dated 10th April, 1963.
37. Ins. by G.S.R. 666, dated 15th April, 1963.
38. Ins. by G.S.R. 853, dated 10th May, 1963.
39. Ins. by G.S.R- 140 1, dated 9th August, 1963.
40. Ins. by G.S.R- 1433, dated 22nd August, 1963, and corrigendum by G.S.R. 1606, dated 27th September, 1963.
41. Omitted by G.S.R. 164, dated 22nd January, 1964.
42. Ins. by G.S.R. 1688, dated 10th October, 1963.
43. Ins. by G.S.R. 1873, dated 23rd November, 1963.
44. Ins. by G.S.R. 93, dated 8th January, 1964.
45. Ins. by G.S.R. 127, dated 20th January, 1964.
46. Ins. by G.S.R. 864, dated 6th June, 1964.
47. Ins. by G.S.R. 863, dated 6th June, 1964.
48. Ins. by G.S.R. 1288. dated 1st September, 1964.

49. Ins. by G.S.R. 1500, dated 8th October, 1964.
50. Ins. by G.S.R. 1845, dated 21 st December, 1964.
51. Ins. by G.S.R. 71, dated 1 st January, 1965.
52. Ins. by G.S.R. 106, dated 2nd January, 1965.
53. Ins. by G.S.R. 475, dated 19th March, 1965.
54. Ins. by G.S.R. 823, dated 1st June, 1965.
55. Ins. by G.S.R. 969, dated 6th July, 1965.
56. Ins. G.S.R. 997, dated 15th July, 1965.
57. Ins. by G.S.R. 1241, dated 18th August, 1965.
58. Ins. by G.S.R. 1837, dated 9th December, 1965.
59. Ins. by G.S.R. 170, dated 20th January, 1966.
60. Ins. by G.S.R. 997, dated 7th June, 1966.
61. Ins. by G.S.R. 1187, dated 2 1st July, 1966.
62. Ins. by G.S.R. 1412, dated 12th September, 1966.
63. Ins. by G.S.R. 553, dated 11th April, 1967.
64. Ins. by G.S. R. 1103, dated 17th July, 1967.
65. Ins. by G.S.R. 1268, dated 21 st August, 1967.
66. Ins. by G.S.R. 1645, dated 23rd October, 1967.
67. Ins. by G.S.R. 1795, dated 20th November, 1967.
68. Ins. by G.S.R. 1592, dated 24th August, 1968.
69. Ins. by G.S.R. 2083, dated 22nd November, 1968.
70. Ins. by G.S.R. 1017, dated 22nd April, 1969.
71. Ins. by G.S.R. 1510, dated 11th June, 1969.
72. Ins. by G.S.R. 1512, dated 11th June, 1969.
73. Ins. by G.S.R. 14, dated 23rd December, 1969.
74. Ins. by G.S.R. 731, dated 17th May, 1971.
75. Ins. by G.S.R. 263, dated 7th February, 1972.

76. Ins. by G.S.R. 506, dated 18th March, 1972.
77. Ins. by G.S.R. 1490, dated 15th November, 1972.
78. Ins. by G.S.R. 1039, dated 17th April, 1973.
79. Omitted by G.S.R. 571, dated 12th April, 1977. 843, dated 19th July, 1973.
80. Ins. by G.S.R. 843, dated 19th July, 1973.
81. Subs, by G.S.R. 1249, dated 2nd November, 1973.
82. Ins. by G.S.R. 521, dated 15th May, 1974.
83. Ins. by G.S.R. 1255, dated 12th November, 1974.
84. Ins. by G.S. R. 1401, dated 21st December, 1974.
85. Ins. by G.S.R. 1400, dated 21st December. 1974.
86. Ins. by G.S.R. 2 8, dated 7th February, 1975.
87. Ins. by G.S.R. 984, dated 26th July, 1975.
88. Ins. by G.S.R. 1355, dated 3rd September, 1976.
89. Ins. by G.S.R. 305, dated 19th February, 1977.
90. Ins. by G.S.R. 677, dated 23rd May, 1977.
91. Added by G.S.R. 1523, dated 12th December, 1978.
92. Ins. by G.S.R. 462, dated 9th March, 1979.
93. Ins. by G.S.R. 982, dated 13th July, 1979.
94. Ins. by G.S.R. 605, dated 24th May, 1980.
95. Ins. by G.S.R. 592, dated 22nd October 1980.
96. Ins. by G.S.R. 614 (E) dated 31st October 1980.
97. Ins. by G.S.R. 665, (E) dated 29th November, 1980.
98. Ins. by G.S.R. 642 (E) dated 5th December 1981, published in the Gazette of India, Extraordinary Pt, II sec. 3 (i), No. 395, dated 7th December, 1981;]
99. Ins. by G.S.R., 37, dated 23rd April, 1982, published in the Gazette of India Pt. II, Sec. 3 (0, p. 1086.
100. Added by G.S.R. 591, dated 21st June, 1982, published In the Gazette of India, Pt. II, Sec. 3 (i), dated 3rd July, 1982.
102. Added by G.S.R. 13, dated 17th December, 1983, published in the Gazette of India. Pt. II, Sec. 3 (i), dated 17th December, 1983 (w.e.f. 1st

January, 1984).

103. Added by G.S.R. 347, dated 30th April, 1986, published in the Gazette of India, Pt. II. sec. 3 (i), dated 10th May, 1986.

104. Ins. by G.S.R. 112, dated 2nd February, 1993.

2. DEFINITIONS. -In this scheme, unless the context otherwise requires, -

(a) “Act” means the Employees’ Provident ¹[Funds and Family Pension Fund Act] 1952 (19 of 1952);

²[* * * * *]

(c) “Children” means legitimate children and includes adopted children, if the Commissioner is satisfied that under the personal law of the member, adoption of a child is legally recognized;

³[(d) “Commissioner” means a Commissioner for Employees’ Provident Fund appointed under Sec. 5-D of the Act and includes a Deputy-Provident Fund Commissioner and a Regional Provident Fund Commissioner;]

(e) “Continuous service” means uninterrupted service and includes service which is interrupted by sickness, accident, authorised leave, strike which is not illegal, or cessation of work not due to the employee’s fault;

(f) “Excluded employee” means-

⁴[(i) an employee who, having been a member of the fund, withdrew the full amount of his accumulations in the fund under ⁵[Cl. (a) or Cl. (c) of sub-paragraph (1) of Para. 69;]

⁶[(ii) an employee whose pay at the time he is otherwise entitled to become a member of the fund, exceeds ⁷[five thousand rupees] per month.

Explanation-”Pay” includes basic wages with ⁸[dearness allowance, retaining allowance (if any)] and cash value of food concessions admissible thereon,]

⁹[(iii) * * * * *]

¹⁰[(iv) an apprentice.

Explanation-”An apprentice” means a person who according to the certified standing orders applicable to the factory or establishments, is an apprentice, or who is declared to be an apprentice by the authority specified in this behalf by the appropriate Government;]

(g) “Family” means-

¹¹[in the case of a male member, his wife, his children whether married or unmarried, his dependent parents and his deceased son’s widow and children]:

PROVIDED that if a member proves that his wife has ceased, under the personal law governing him or the customary law of the community to which the spouses belong, to be entitled to maintenance, she shall no longer be deemed to be a part of the member’s family for the purpose of this scheme, unless the member subsequently intimates by express notice in writing to the Commissioner that she shall continue to be so regarded; and (ii) ⁹[in the case of a female member, her husband, her children, whether married or unmarried, her dependent parents, her husband’s dependent parents and her deceased son’s widow and children]:

PROVIDED that if a member by notice in writing to the Commissioner expresses her desire to exclude her husband from the family the husband and his dependent parents shall no longer be deemed to be a part of the member’s family for the purpose of this scheme, unless the member subsequently cancels in writing any such notice.

Explanation-In either of the above two cases, if the child of a member ¹²[or as the case may be, the child of a deceased son of the member] has been adopted by another person if, under the personal law of the adopter, adoption is legally recognized such a child shall be considered as excluded from the family of the member,

(h) “Financial year” means the year commencing on the first day of April;

- (i) “Government Security” shall have the meaning assigned to it in the Public Debt Act, 1944 (18 of 1944);
- (j) “Inspector” means a person appointed as such under Sec. 13 of the Act;
- (k) “Quarter” means a period of three months commencing on the 1st day of January, the first day of April, the 1st day of July, and the 1st day of October of each year;
- ¹³[(kk) “Seasonal factory” means a factory which is exclusively engaged in the manufacture of ¹⁴[tea, sugar, rubber, turpentine, rosin, indigo, lac, fruit and vegetable preservation industry, rice milling industry, dal-milling industry], ¹⁵[cashewnut industry or stemming or redrying of tobacco leaf industry], ¹⁶[tiles industry], hosiery industry, oil milling industry, ¹⁷[licensed salt industry], ¹⁸[jute baling or pressing industry], ¹⁹[fireworks and percussion cap work industry], ²⁰[ice or ice-cream industry] or cotton ginning baling and pressing industry];
- ²¹[(kkk) “seasonal establishment” means a plantation of tea, coffee, rubber, cardamom, pepper ²²[a coffee-curing establishment, a fireclay mine or gypsum mine;]
- (l) “Trustee” means a member of Board of Trustees; and
- (m) All other words and expressions shall have the meaning respectively assigned to them in the Act.

1. Subs. by G.S.R. 320, dated 10th February, 1972.
2. Clause (b) omitted by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964.
3. Subs. by G.S.R. 1845, dated 28th November, 1963.
4. Ins. by G.S.R. 1422, dated 19th September, 1960 (w.e.f. 24th September, 1960).
5. Subs. by S.R.O. 337, dated 16th April, 1957 (w.e.f. 3rd May, 1957).
6. Subs. by G.S.R. 718 (E), dated 23rd September, 1994 (w.e.f. 1st October, 1994).
7. Added by G.S.R. 201, dated 8th February, 1961 (w.e.f. 31st December, 1960).
8. Sub-clause (iii) omitted by G.S.R. 1467, dated 2nd December, 1960 (w.e.f. 10th December, 1960).
9. Subs. by S.R.O. 331, dated 15th January, 1958 (w.e.f. 25th January, 1958).
10. Subs. by G.S.R. 351, dated 3rd March, 1966.

11. Ins. by ibid dated 3rd March, 1966.
12. Ins. by G.S.R. 351, dated 3rd March, 1966.
13. Ins. by S.R.O. 1660, dated 21st July, 1956 (w.e.f. 31st July, 1956).
14. The word “tea sugar or rubber” have been successively amended by S.R.O. 2027, dated 3rd September, 1956; G.S.R. 1756, dated 12th December, 1962; G.S.R. 879, dated 15th May, 1963; and G.S.R. 262, dated 14th February, 1964, to read as above.
15. Subs. by G.S.R. 824, dated 1st June, 1965 (w.e.f. 30th June, 1965).
16. Added by G.S. R. 1118, dated 6th July, 1966.
17. Subs. by G.S.R. 1269, dated 26th August, 1969.
18. Subs. by G.S.R. 1645, dated 23rd October, 1967.
19. Subs. by G.S. R. 1510, dated 11th June, 1969.
20. Subs. by G.S.R. 1490, dated 15th November, 1972.
21. Ins. by S.R.O. 1363, dated 26th April, 1957.
22. Subs. by G.S.R. 12, dated 22nd December, 1969.

CHAPTER II

¹[BOARD OF TRUSTEES, EXECUTIVE COMMITTEE AND REGIONAL COMMITTEES)

1. Subs. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989) for the words “Central Government”

¹[3. ELECTION OF CERTAIN MEMBERS, OF THE EXECUTIVE COMMITTEE. -

(1) Chairman of the Central Board shall call a meeting of the Board for the purpose of election to the Executive Committee of the members representing the employer or, as the case may be the employees referred to in Cls. (d) and (e) of sub-section (2) of Sec. 5-AA of the Act.

(2) In the meeting referred to in sub-paragraph (1), the Chairman of the Central Board may invite the members to propose the names of those members who represent the employers or, as the case may be, the employees and every such proposal shall be duly seconded by another member of the Board.

(3) If the number of persons proposed and seconded for election under sub-paragraph (2) does not exceed the number of vacancies to be filled up from amongst the persons representing the employer, or, as the case may be, the employees, the persons whose names have been so proposed and seconded in relation to the category of employers or employees, shall be declared elected to the Executive Committee.

(4) If the number of persons proposed and seconded for election under sub-paragraph (2) exceeds the number of vacancies to be filled up from amongst the persons representing the employers or, as the case may be, the employees, each member of the Board present at the meeting shall be given ballot paper containing the names of all the candidates so proposed and seconded and he may record his votes thereon for as many candidates belonging to the categories of employers or employees as there are vacancies to be filled up in relation to each such category, but not more than one vote shall be given in favour of any one candidate. If any member votes for more candidate than the number of vacancies in relation to the categories of employers or employees or gives more than one vote in favour of any one candidate, all his votes shall be deemed to be invalid.

(5) The persons getting the highest number of votes shall be declared by the Chairman as duly elected to the Executive Committee at the same meeting or as soon thereafter as possible

PROVIDED that where there is an equality of votes between any candidate, and the addition of one vote will entitle any of the candidates to be declared elected, such candidates shall be selected by lot to be drawn in the presence of the Chairman in such manner as he may determine.

(6) If any question arises as to the validity of any election, it shall be referred to the Central Government, who shall decide the same.]

2. Ins. by ibid.

4. REGIONAL COMMITTEE. -

(1) Until such time as a State Board is constituted for a State, the ¹[Chairman of the Central Board] may ²[by notification in the official Gazette] set up a regional committee for the State, which will function under the control of the Central Board. The Regional Committee shall consist of the following persons, namely:

(a) A Chairman ³[appointed] by the ⁴[Chairman of the Central Board]:

(b) Two persons ³[appointed] by the ⁴[Chairman of the Central Board] on the recommendation of the State Government:

(C) ⁵[two] persons representing employers in the ⁶[industries or establishments) to which this scheme applies in the State ⁷

(d) ⁵[two] persons representing employees in the ⁶[industries or establishments] to which this scheme applies in the State ⁸[appointed by the Chairman, Central Board] in consultation with such organisations of employees in the State as may be recognized for the purpose by the Central Government; ⁹[and

(e) The nonofficial member of the Central Board ordinarily resident in the State.]

¹⁰[PROVIDED that where the Chairman of the Central Board considers it expedient so to do, he may appoint up to three additional representatives of the employers or, as the case may be, the employees.]

¹¹[(2) A regional committee shall advise the Central Board, -

(i) On such matters as the Central Board may refer to it from time to time;

(ii) Generally, on all matters, connected with the administration of the scheme in the State and in particular, on-

(a) Progress of recovery of provident fund contributions and other charges,

(b) Expeditious disposal of prosecutions,

(c) Speedy settlement of claims,

(d) Annual rendering of accounts to members of the fund, and

(e) Speedy sanction of advances.]

(3) As soon as a State Board is constituted for any State, the Regional Committee constituted for that State under this paragraph shall stand dissolved.

1. Subs. by **ibid.**
2. **Ibid., for the words “appointed by the Central Government”.**
3. **In s. by G.S. R. 401. dated 1st March, 1965.**
4. **Subs. by G.S.R. 690 (El, dated 30th Jun-e. 1989 (w.e.f. 1st July. 1989), for the words “Central Government”.**
5. **Subs. by *ibid.* (w.e.f. 1 st July, 1989), for the words “three persons”.**
6. **Subs. by S.R.O. 1363. dated 26th April, 1957, for “industries”.**
7. **[appointed by the Chairman, Central Board] in consultation with such organisations of employers in the State as may be recognized for the purpose by the Central Government;**
8. **Subs. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989) for the words appointed by the Central Government”.**
9. **Ins. by S.R.O. 502. dated 14th March. 1953.**
10. **Ins. by G.S.R. 690 (E], dated 30th June, 1989 (w.e.f. 1st July, 1989).**
11. **Subs. by G.S.R. 297, dated 11th February, 1963.**

5. TERMS OF OFFICE. -

1[(I) The term of office of the Chairman, Vice-Chairman and every Trustee of the Central Board referred to in Cls. (b), (c), (d) and (e) of sub-section (1) of Sec. 5-A of the Act shall be five years commencing on and from the date on which their appointment is notified in the official Gazette.

(2) The term of office of the Chairman and every member of the Executive Committee referred to in Cls. (b), (c), (d) and (e) of sub-section (2) of Sec. 5-AA shall be two years and six months commencing on and from the date on which their appointment is notified in the official Gazette.

(2-A) The term of office of the Chairman and every Member of a Regional Committee referred to in Cls. (b), (c) and (d) of sub-paragraph (1) of paragraph 4 shall be three years commencing on and from the date on which their appointment is notified in the official Gazette.

(2-B) Notwithstanding anything contained in sub-paragraphs (1), (2) and (2-A) every Trustee or Member shall continue to hold office until the appointment of his successor is notified in the official Gazette:

PROVIDED that a member of the Executive Committee shall cease to hold office when he ceases to be a member of the Central Board.]

(3) A trustee or a member referred to in ²[sub-paragraphs (1), (2) and (2-A)] appointed to fill a casual vacancy shall hold office for the remaining period of the term of office of the trustee or member in whose place he is appointed and shall continue to hold office on the expiry of the term of office until the appointment of his successor is notified in the official Gazette.

³[(4) A person representing employers or employees shall be eligible for appointment as a member of the Central Board for a maximum of not more than two terms:

PROVIDED that a member who has already completed two or more terms on the Central Board may continue his present terms subject to the provisions of the scheme.]

1. Subs. by G.S.R. 690 (E), dated 30th June, 191989, for sub-paras. 1 and 2 as amended by G.S.R. 1289, dated 26th September, 1972 and G.S.R. 871, dated 20th June, 1978.

2. Subs. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989) for words, brackets and figure “sub-paragraph (2)”.

3. Subs. by G.S.R. 406, dated 27th October, 1997 (w.e.f. 22nd September, 1997).

6. **RESIGNATION.** -¹[* * *] A trustee of a Central Board and a member of the ²[the Executive Committee] may resign his office by letter in writing addressed to the Central Government and his office shall fall vacant from the date on which his resignation is accepted by the Central Government.

³[* * * * *]

⁴[A member of a Regional Committee may resign his office by a letter’ in writing addressed to the Chairman, Central Board and his office shall fall vacant from the date on which his resignation is accepted by the Chairman, Central Board.]

1. The brackets and figure “(1)” omitted by G.S.R. 1845, dated 28th November, 1963. vide G.S.R. 68, dated 4th January, 1964.

2. Subs. by G.S.R. 690 (E). dated 30th June, 1989 (w.e.f. 1st July, 1989), for the words “a Regional Committee”.

3. Sub-paragraph (2) omitted by ibid.

4. Ins. by ibid (w.e.f 1st July, 1989).

7. CESSATION AND RESTORATION OF TRUSTEES.-If trustee or a member of ¹[the Executive Committee or a Regional Committee] fails to attend three consecutive meetings of the board or committee, as the case may be without obtaining leave of absence from the Chairman of the board or committee, he shall cease to be a trustee or member of the committee:

²[PROVIDED that the Central Government in the case of the Central Board ³[or the Executive Committee and the Chairman, Central Board in the case of any Regional Committee may restore him to trusteeship or membership of the Executive Committee or of] the Regional Committee, as the case may be, if it is satisfied that there were reasonable grounds for the absence.]

1. Subs. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989) for the words “a Regional Committee”.
2. Subs. by *ibid*.
3. Subs. by *ibid*, for the words “and any Regional Committee may restore him to trusteeship or membership of”.

8. DISQUALIFICATIONS FOR TRUSTEESHIP OR MEMBERSHIP OF REGIONAL COMMITTEE. –

(1) A person shall be disqualified for being ¹[appointed] as, or of being a trustee or member of a regional committee-

(i) If he is declared to be of unsound mind by a competent court; or

(ii) If he is undercharged insolvent; or

(iii) If before or after the commencement of the Act he has been convicted of an offence involving moral turpitude ²[or]

²[(iv) If he as an employer in relation to an exempted establishment or an establishment to which the scheme applies has defaulted in the payment of any dues to the Central Board or the fund recoverable from him under the Act or the scheme, as the case may be.]

³[(2) If any question arises whether any person is disqualified under sub- paragraph (1), it shall be referred to the Central Government and the decision of the Central Government on any such question shall be final.]

1. Subs. by G.S. R. 410, dated 1st March, 1965.

2. **Ins. by G.S.R. 1488, dated 1st September, 1971.**

3. **Subs. by G.S.R. 1845, dated 28th November, 1963.**

1[9. REMOVAL FROM TRUSTEESHIP OR MEMBERSHIP OF A REGIONAL, COMMITTEE. -²[The Central Government may remove from office any trustee of the Central Board or the Chairman, Central Board may remove from office any member of a Regional Committee-

(i) If in the opinion of the Central Government or the Chairman, Central Board, such trustee or member has ceased to represent the interest which he purports to represent on the Board or Committee, as the case may be; or]

(ii) If he, as an employer in relation to an exempted establishment or an establishment to which the scheme applies has defaulted in the payment of any dues to the Board or the fund recoverable from him under the Act or the Scheme, as the case may be:

PROVIDED that no such trustee or member shall be removed from office unless a reasonable opportunity is given to such trustee or member and the body whom he represents, of making any representation against the proposed action.]

1. **Subs. by G.S.R. 1488, dated 1st September, 1971.**

2. **Subs. by G.S. R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989).**

10. ABSENCE FROM INDIA. -

(1) Before non-official trustee or a member of a regional committee leaves India-

(a) He shall intimate to the Chairman of the ¹[Central Board] or the committee, as the case may be, of the dates of his departure from and expected return to India, or

(b) If he intends to absent himself for a period longer than six months, he shall tender his resignation.

(2) If any trustee or a member of a Regional Committee leaves India for a period of six months or more without intimation to the Chairman of the ²[Central Board] or of the Regional Committee, as the case may be, he shall be deemed to have resigned from the ²[Central Board] or the Committee.

1. Subs. by G.S.R. 1845, dated 28th November, 1963.
2. Subs. by *ibid.* (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January. 1964, for “Board”.

11. MEETING. –

(1) ¹[Central Board] of the Trustees ²[or the Executive Committee] or a Regional Committee shall, subject to the provisions of para. 12, meet at such place and time as may be appointed by the Chairman:

³[PROVIDED that the Central Board or the Regional Committee shall meet at least twice in each financial year and the Executive Committee shall meet at least four times in each financial year.]

(2) The Chairman may, whatever he thinks fit and shall, within fifteen days of the receipt of a requisition in writing from not less than one-third of the members in the case of the ¹[Central Board] ²[or the Executive Committee] and not less than three members excluding the Chairman in the case of ⁴[a Regional Committee], call-meeting thereof.

1. Subs. by *ibid.* (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January. 1964, for “Board”.
2. Ins. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989).
3. Subs. by *ibid.*, for the proviso added by G.S. R. 1990, dated 3rd December, 1971.
4. Subs. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989), for the words “a committee”.

12. NOTICE OF MEETING AND LIST OF BUSINESS.-Notice of not less than 15 days from the date of posting, containing the date, time and place of every ordinary meeting together with a list of business to be concluded at the meeting, shall be despatched by registered post or by special messenger to each Trustee or a Member of the ³[the Executive Committee or] the Regional Committee, as the case may be, present in India:

PROVIDED that when the Chairman calls a meeting for considering any matter which in his opinion is urgent, a notice giving such reasonable time as he may consider necessary, shall be deemed sufficient.

2. Ins. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989).

¹[**13. CHAIRMAN TO PRESIDE AT MEETINGS.** -The Chairman of the Central Board or the Executive Committee or a Regional Committee shall preside at every meeting of the Central Board or the Executive Committee or the Regional Committee, as the case may be, at which he is present. If the Chairman of the Central Board is absent at any time, the Vice- Chairman thereof shall preside over the meeting of the Central Board and exercise all the powers of the Chairman at the meeting. If the Vice-Chairman of the Central Board or the Chairman of the Executive Committee or of a Regional Committee is absent at any time, the Trustees or Members present shall elect one of the trustees or, as the case may be, the members to preside over the meeting and Trustee or Member so elected, shall exercise all the powers of the Chairman at the meeting.]

1. Subs. by ibid.

¹[**14. QUORUM.** –

(l) No business shall be transacted at a meeting of the Central Board ²[or the Executive Committee or a Regional Committee unless at least eleven trustees or four members of the Executive Committee or a Regional -Committee, as the case may be, are present, of whom-

(a) In the case of the Central Board, at least one each shall be from among those appointed under Cls. (d) and (e), respectively of sub-section (1) of Sec. 5-A of the Act;

³[(aa) in the case of the Executive Committee at least one each shall be from among those elected under Cls. (d) and (e) of sub-section (2) of Sec. 5-AA of the Act;]

(b) In the case of a Regional Committee, at least one shall be from among those ⁴[appointed] under Cl. (c) and at least one from among those ⁴[appointed] under Cl. (d) of sub-paragraph (1) of para 4.

(2) If at any meeting the number of trustees or members of ³[the Executive Committee or] a Regional Committee is less than the required quorum, the Chairman shall adjourn the meeting to a date not later than seven days from the date of the original meeting informing the trustees or members of ³ [the Executive Committee or] the Regional Committee, as the case may be, of the date, time and place of the adjourned meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the number of Trustees or Members of ³ [the Executive Committee or] the Regional Committee present-]

1. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f 30th November, 1963).

2. Subs. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f 1st July, 1989), for the words “or a Regional Committee unless at least four trustees or members of the Regional Committee”.

3. **Ins. by ibid. (w.e.f. 1st July, 1989).**
4. **Subs. by G.S.R. 401, dated 1st March, 1965.**

¹[14-A. NOMINATION OF A SUBSTITUTE DURING THE ABSENCE OF A TRUSTEE/MEMBER OF THE CENTRAL BOARD/REGIONAL COMMITTEE. –

(1) If a Trustee or a Member is unable to attend any meeting of ²[Central Board] or the Regional Committee, as the case may be, he may, by a written instrument, signed by him, addressed to the Chairman of the ²[Central Board] or the Regional Committee, as the case may be, and explaining the reasons for his inability to attend the meeting, appoint any representative of the organization, which he represents on the ²[Central Board] or the Regional Committee, as his substitute for attending that meeting of the ²[Central Board] or the Regional Committee in his place:

PROVIDED that no such appointment shall be valid unless-

- (i) Such appointment has been approved by the Chairman of the ²[Central Board] or the Regional Committee, as the case may be; and
 - (ii) The instrument making such appointment has been received by the Chairman of the ²[Central Board] or the Regional Committee, as the case may be, ³[* * *] before the date fixed for the meeting.
- (2) A substitute validly appointed under sub-paragraph (1) shall have all the rights and powers of a Trustee or a Member, in relation to the meeting of the ²[Central Board] or the Regional Committee, in respect of which he is appointed and shall receive allowances, and be under obligations as if he were a Trustee or a Member appointed under the Act and the scheme, respectively.
- (3) A Trustee or a Member appointing a substitute for attending any meeting of the ⁴ [Central Board] or the Regional Committee, as the case, may be, shall, notwithstanding anything contained in this paragraph, continue to be liable for the misappropriation or misapplication of the Fund by the substitute and shall also be liable for any act of misfeasance or non-feasance committed in relation to the Fund by the substitute appointed by him.

1. **Ins. by G.S.R. 1666, dated 10th October, 1963 (w.e.f 19th October, 1963).**
2. **Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964. for “Board”.**
3. **The words “at least seven days” omitted by G.S.R. 363, dated 25th March, 1985, published in the Gazette of India, Pt. II, Sec. 3 (i), dated 6th April, 1985 (w.e.f. 6th April, 1985).**

4. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964. for “Board”.

15. DISPOSAL OP BUSINESS. -Every question considered at a meeting of the ¹[Central Board] ²[or the Executive Committee] or a Regional Committee shall be decided by a majority of the votes of the Trustees or ³[Members of the Executive Committee or a Regional Committee] present and voting. In the event of an equality of votes the Chairman shall exercise a casting vote:

PROVIDED that the Chairman may, if he thinks fit, direct that any question shall be decided by the circulation of necessary papers, to trustees of ³[members of the Executive Committee or a Regional Committee] present in India and by securing their opinions in writing. Any such question shall be decided in accordance with the opinion of the majority of Trustees or Members received within the time limit allowed and if the opinions are equally divided, the opinion of the Chairman shall prevail:

PROVIDED further that any Trustee or Member of ² [the Executive Committee or, ³ [member of the Executive Committee or a Regional Committee] may request that the question referred to Trustee or ³[members of the Executive Committee or a Regional Committee], as the case may be, for written opinion be considered at a meeting of the ¹[Central Board] ² [or the Executive Committee] or a Regional Committee and thereupon the Chairman may, and if the request is made by not less than three Trustees or ³[Members of the Executive Committee or a Regional Committee] shall, direct that it be so considered.

1. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964, for “Board”.
2. Ins. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989)..
3. Subs. by ibid., (w.e.f. 1st July, 1989), for the words “members of a Regional Committee”.

16. MINUTES OF MEETINGS. –

(1) The minutes of a meeting of ¹[central Board] ²[or the Executive Committee] or Regional Committee showing inter alia the names of the Trustees or Members of the ³[Executive Committee or a Regional Committee] present there at shall be circulated to all trustees or members of the ³[Executive Committee or a Regional Committee] present in India not later than one month from the date of the meeting. The minutes shall thereafter be recorded in a minute book as a permanent record:

PROVIDED that if another meeting is held within a period of one month and ten days, the minutes shall be circulated so as to reach the Trustees or Members at the least ten days before such meeting.

(2) The records of the minutes of each meeting shall be signed by the Chairman after confirmation with such modifications, if any, as may be considered necessary at the next meeting.

1. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964, for “Board”.
2. Ins. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989)..
3. Subs. by *ibid.*, (w.e.f. 1st July, 1989), for the words “members of a Regional Committee”.

¹[17. ACTS OF THE ²[* * *] REGIONAL COMMITTEE NOT INVALID BY REASON MERELY OF ANY VACATION IN OR DEFECT IN THE CONSTITUTION, ETC.- No act or proceeding of ²[* * *] a Regional Committee shall be deemed to be invalid by reason merely of any vacancy in or any defect in the constitution of the ²[* * *]the Regional Committee, ³[* * *].]

1. Subs. by G.S.R. 363, dated 25th March, 1985 (w.e.f. 6th April, 1985).
2. The words “the Central Board or” omitted by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f 1st July, 1989).
3. The words “as the case may be” omitted by *ibid* (w.e.f. 1st July, 1989).

18. FEES AND ALLOWANCES.-

(1) The ¹[travelling allowance and daily allowance of an official trustee or official member of the Executive Committee or a Regional Committee] shall be governed by the rules applicable to him for journeys performed on Official duties and shall be paid by the authority paying his salary.

²[(2) Subject to the provisions of sub-paragraphs (3) and (4), every non-official Trustee or non-official Member of the Executive Committee or a Regional Committee shall be allowed travelling and daily allowances for attending the meeting of the Central Board or the Executive Committee or the Regional Committee, as the case may be, at the following rates, namely:

1. Subs. by *ibid.*, for the words “travelling allowance of an official trustee or member of a Regional Committee”.
2. Subs. by *ibid.*, (w.e.f. 1st July, 1989), for the sub-paragraph as substituted and amended by G.S.R. 989, dated 13th June, 1961, G.S.R. 1402, dated 19th August, 1963, G.S.R. 1845, dated 28th November, 1963 and G.S.R. 103, dated 8th January, 1981.

(i) TRAVELLING ALLOWANCE

(A) Non-official Trustee or Member residing at the place where a meeting is held shall be allowed the actual expenditure incurred by him on conveyance, subject to the maximum of rupees fifty for each day on which he attends one or more meetings,

(B) A non-official Trustee or Member not residing at the place where a meeting is held, shall be allowed,-

(a) Actual expenditure incurred by him on air journey by economy (tourist) class;

(b) Actual expenditure incurred by him on single return journey fare by rail ¹[first Air Conditioned Class or] by IInd A.C. two-tier sleeper or First Class, as the case may be;

(c) Actual fare or expenditure incurred by him on road journey by taxi or own car or auto-rickshaw or bus (other than an air-conditioned bus) but not exceeding the rates notified by the concerned Director of Transport for journey by taxi or auto-rickshaw. When the journey is performed between, places connected by rail, the fare will be limited to what would have been admissible to the Trustee or Member under Cl. (b) of this item.

6. Ins. by G.S. R. 81. dated 20th January, 1993.

(ii) DAILY ALLOWANCE

(A) a non-official Trustee or Member residing at a place where a meeting is held shall not be entitled to any daily allowance.

(B) A non-official Trustee or Member not residing at the place where a meeting is held shall be paid daily allowance at the rate of Rs. 150/- per day if the member stays in a hotel and Rs. 100/- per day if the member does not stay in a hotel:

PROVIDED that the daily allowance shall be calculated for attending the meeting for the entire absence from the normal place of residence of the non-official Trustee or Member on calendar day basis, i.e. midnight to midnight as under:

For absence not exceeding 6 hours... Nil

For absence exceeding 6 hours but

not exceeding 12 hours ... 70%

For absence exceeding 12 hours..... 100%

(3) Where such Trustee or Member being a member of a State Legislature attends a meeting of the ¹[Central Board] or ²[Executive Committee or Regional Committee], as the case may be, shall be entitled-

(i) When the State Legislature is not in session, to such travelling and daily allowances as are admissible to Grade I Officers of the State Government; and

(ii) When the State Legislature is in session; to such travelling and daily allowances as are admissible to the members of that Legislature for attending meeting of the Legislature.

(4) Where such Trustee or Member being a Member of either House of Parliament attends a meeting of the ¹[Central Board] or ²[the Executive Committee or] the Regional Committee, as the case may be, he shall be entitled to such travelling and daily allowance as may be admissible to him under the rules laid down by the Central Government on the subject from time to time:

³[PROVIDED that when a Minister is appointed as Chairman or Member of the Board or of ⁴[the Executive Committee or of the Regional Committee], and attends a meeting of such Central Board or ²[The Executive Committee or] Regional Committee, as the case may be, his travelling and daily allowance shall be governed by the rules applicable to him for journeys performed on official duties and shall be paid by the authority paying his salary.]

⁵[* * * * *]

Explanation I.-No daily or travelling allowance in respect of any day or journey, as the case ⁶may be, shall be claimed under this paragraph by a Trustee or Member of [the Executive Committee or]a Regional Committee if he has drawn or will draw allowance for the same from his employer or as a member of any Legislature or of any Committee or Conference constituted or convened by Government and no travelling allowance shall be claimed if he uses a means of transport provided at the expense of Government or his employer.

Explanation II.- ⁷[* * * * *]

1. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963, vide G.S.R. 68, dated 4th January, 1964).
2. Ins. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989).
3. Added by G.S.R. 1427, dated 16th September, 1976 (w.e.f. 2nd October, 1976).
4. Subs. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989), for the words “the Regional Committee”.
5. Sub-paragraph (5) omitted by *ibid*.
6. Ins. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989).
7. Omitted by *ibid*.

CHAPTER III

APPOINTMENT AND POWERS OF COMMISSIONER AND OTHER

STAFF OF BOARD OF TRUSTEES

¹[19. CENTRAL PROVIDENT FUND COMMISSIONER AND FINANCIAL ADVISER CHIEF ACCOUNTS OFFICER.-

(1) The Central Provident Fund Commissioner and the Financial Adviser and Chief Accounts Officer shall not undertake any work unconnected with their office without the previous sanction of the Central Government.]

1. Subs. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989).

20. ¹[* * * * *]

2. Paragraph 20 omitted by G.S.R. 1845, dated 28th November, 1963.

¹[21. OPENING OF REGIONAL AND OTHER OFFICES.-The Central Board may, ²[* * *] open such regional and local offices as it may consider desirable for the proper implementation of the Scheme. It may also define the functions and duties of the regional and local offices.]

1. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964.
2. The words “with the approval of the Central Government” omitted by G.S. R. 690 (E), dated 30th June, 1989 (w.e.f. 1 st July, 1989),

22. SECRETARY OF THE CENTRAL BOARD OR A REGIONAL COMMITTEE.-

¹[(1) The Central Provident Fund Commissioner shall be the Secretary of the Central Board and of the Executive Committee. The Regional Provident Fund Commissioner-in-charge of the Region shall be the Secretary of the Regional Committee of the State/Union Territory within his jurisdiction.

(2) The Secretary to the Central Board or ²[the Executive Committee or] a Regional Committee shall, in consultation with the Chairman, convene meetings of the Central Board or ²[the Executive Committee or] the Regional Committee, as the case may be, keep a record of its minutes and shall take the necessary steps for carrying out the decision of the Central Board or ² [the Executive Committee or] the Regional Committee, as the case may be.]

1. Subs. by G.S.R. 521, dated 16th August, 1991 (w.e.f 1st September, 1991).
2. Subs. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989).

¹[**22-A. APPOINTMENT OF OFFICERS AND EMPLOYEES OF THE CENTRAL BOARD.**-The power of appointment vested in Central Board under sub-section (3) of Sec. 5-D of the Act shall be exercised by the Board in relation to posts carrying the maximum scale of pay of Rs. 4500-5700.]

1. Subs. by G.S.R. 521, dated 16th August, 1991 (w.e.f 1st September, 1991).

¹[**23. INFORMATION OF APPOINTMENTS TO THE CENTRAL BOARD.**-References relating to all appointments of officers of the ²[level of the Regional Provident Fund Commissioners and above made by the Chairman, Central Board] shall be placed before the next meeting of the Central Board for information.]

1. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68 dated 4th January, 1964.
2. Subs. by G.S.R. 690 (E) dated 30th June, 1989 (w.e.f. 1st July, 1989) for the words “fund made by the Central Government”.

¹[**24. ADMINISTRATIVE AND FINANCIAL POWERS OF A COMMISSIONER.-**

(1) A Commissioner may, without reference to the ²[Central Board], sanction expenditure on contingencies, supplies and services and purchase of articles required for administering the Fund subject to financial provision in the budget and subject to the limits up to which a Commissioner may be authorized to sanction expenditure on any single item from time to time by the Central Board ³ [* * *].

(2) A Commissioner may also exercise such administrative and financial powers other than those specified in sub-paragraph (1) above, as may be delegated to him from time to time by the Central Board ³ [* * *].

(3) A Commissioner may delegate from time to time the administrative and financial powers delegated to him by the Central Board to any officer under his control or superintendence to the extent considered suitable by him for the administration of the Scheme. A statement of such delegation shall be placed before the next meeting of the Central Board for information.]

1. Subs. by G.S.R. 147, dated 29th January, 1960, for para. 24 (w.e.f 6th February, 1960)
2. Paragraph 20 omitted by G.S.R. 1845, dated 28th November, 1963.
3. The words “with the approval of the Central Government” omitted by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f 1st July, 1989).

¹[24-A. DELEGATION OF POWER BY THE CENTRAL BOARD. –

²[(1) The Central Board ³ [* * *] may, by a resolution, empower its Chairman to sanction expenditure, on any item, whether in the nature of capital expenditure or revenue expenditure, as it may deem necessary for the efficient administration of the Fund, subject to financial provisions in the Budget, where such expenditure is beyond the limits up to which the Commissioner is authorized to sanction expenditure on any single item.]

(2) The Central Board may also, by a resolution, empower its Chairman to appoint such officers and employees other than those mentioned in sub-sections (1) and (2) of Sec. 5-D of the Act, as he may consider necessary, for the efficient administration of the Scheme.

(3) All sanctions of expenditure made by the Chairman in pursuance of sub-paragraph (1) shall be reported to the Central Board as soon as possible after the sanction of the expenditure.]

1. 1957 S.C.R. 51.

2. Subs. by G.S.R. 421, dated 12th May, 1988 (w.e.f. 21st may, 1988).

3. State of Punjab v. Kailash Nath, (1989) 1 C.L.R. 60 at p. 64 (S.C.); Toguru Sudhakar Reddy v. Government of A.P., A.I.R. 1992 A.P. 19.

25. POWERS OF THE CENTRAL GOVERNMENT UNTIL THE CENTRAL BOARD IS CONSTITUTED.-Until the Central Board is constituted, the Central Government shall administer the Fund and may exercise any of the powers and discharge any of the functions of the Board :

PROVIDED that on the Constitution of the Central Board the Central Government shall transfer amounts standing to the credit of the Fund to the Central Board.

CHAPTER IV

MEMBERSHIP OF THE FUND

1[26. CLASSES OF EMPLOYEES ENTITLED AND REQUIRED TO JOIN THE FUND.-

(1) (a) Every employee employed in or in connection with the work of a factory or other establishment to which this scheme applies, other than an excluded employee, shall be entitled and required to become a member of the Fund from the day this paragraph comes into force in such factory or other establishment.

(b) Every employee employed in or in connection with the work of a factory or other establishment to which this scheme applies, other than an excluded employee, shall also be entitled and required to become a member of the Fund from the day this paragraph comes into force in such factory or other establishment if on the date of such coming into force, such employee is a subscriber to a provident fund maintained in respect of the factory or other establishment or in respect of any other factory or establishment (to which the Act applies) under the same employer:

PROVIDED that where the scheme applies to a factory or other establishment on the expiry or cancellation of an order of exemption under Sec. 17 of the Act, every employee who but for the exemption would have become and continued as a member of the Fund, shall become member of the fund forthwith.

(2) After this paragraph comes into force in a factory or other establishment, every employee employed in or in connection with the work of that factory or establishment, other than an excluded employee, who has not become a member already shall also be entitled and required to become a member of the fund from the date of joining the factory or establishment.

(3) An excluded employee employed in or in connection with the work of a factory or other establishment to which this scheme applies shall, on ceasing to

be such an employee, be entitled and required to become a member of the fund from the date he ceased to be such employee.

(4) On re-election of an employee or a class of employees exempted under para. 27 or para. 27-A to join the fund or on the expiry or cancellation of an order under that paragraph, every employee, shall forthwith become a member thereof.

(5) Every employee who is a member of a private provident fund maintained in respect of an exempted factory or other establishment and who but for exemption would have become and continued as a member of the fund shall on joining a factory or other establishment to which this scheme applies, become a member of the fund forthwith.

(6) Notwithstanding anything contained in this paragraph an officer not below the rank of an Assistant Provident Fund Commissioner may, on the joint request in writing of any employee or a factory or other establishment to which this scheme applies and his employer, enroll such employee as a member or allow him to contribute on more than rupees ²[five thousand] of his pay per month if he is already a member of the fund and thereupon such employee shall be entitled to the benefits and shall be subject to the conditions of the Fund, provided that the employer gives an undertaking in writing that he shall pay the administrative charges payable and shall comply with all statutory provisions in respect of such employee.

1. Subs. by G.S.R. 689, dated 19th October, 1990 (w.e.f. 1st November, 1990).

2. Subs. by G.S.R. 718 (E), dated 23rd September, 1994 (w.e.f. 1st October, 1994).

26-A. RETENTION OF MEMBERSHIP.-

(1) A member of the Fund shall continue to be a member until he withdraws under para. 69 the amount standing to his credit in the Fund or is covered by notification of exemption under Sec. 17 of the Act or an order of exemption under para. 27 or para. 27-A.

Explanation-(1) In the case of the claim for refund by a member under sub-paragraph (2) of para. 69, the membership of the Fund shall be deemed to have been terminated from the date the payment is authorized to him by the authority specified in this behalf by the Commissioner irrespective of the date of claim.

(2) Every member employed as an employee other than an excluded employee, in a factory or other establishment to which this Scheme applies shall contribute to the Fund., and the contribution shall also be payable to the Fund in respect of him by the employer. Such contribution shall be in accordance with the rate specified in para. 29:

PROVIDED that subject to the provisions contained in sub- paragraph (6) of para. 26 and ¹[in para. 27], or sub-paragraph (1) of para. 27-A where the monthly

pay of such a member exceeds ²[five thousand rupees] the . contribution payable by him, and in respect of him by the employer, shall be limited to the amounts payable on a monthly pay of ²[five thousand rupees] including ³[dearness allowance, retaining allowance (if any)], and cash value of food concession.

1. Subs. by G.S.R. 1522, dated 16th December, 1960, for certain words.
2. Subs. by G.S.R. 718 (E), dated 23rd September, 1994 (w.e.f 1st October, 1994), for the words “three thousand five hundred rupees”.
3. Ins. by G.S.R. 201, dated 8th February, 1961 (w.e.f 31st December, 1960).

26-B. RESOLUTION OF DOUBTS.-

(1) If any question arises whether an employee is entitled or required to become or continue as a member, or as regards the date from which he is so entitled or required to become a member, the decision thereon of the Regional Commissioner ¹[* * *] shall be final:

PROVIDED that no decision shall be given unless both the employer and the employee have been heard.

1. Omitted by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November. 1963), vide G.S.R. 68, dated 14th January, 1964.

¹[27. EXEMPTION OF AN EMPLOYEE.-

(1) A Commissioner may by order and subject to such conditions as may be specified in the order exempt from the operation of all or any of the provisions of this Scheme an employee to whom the Scheme applies on receipt of application in Form I from such an employee :

PROVIDED that such an employee is entitled to benefits in the nature of provident fund, gratuity or old-age pension according to the rules of the factory or other establishment and such benefits separately or jointly are on the whole not less favourable than the benefits provided under the Act and the Scheme.

(2) When an employee is exempted as aforesaid, the employer shall, in respect of such employee maintain such account, submit such returns, provide such facilities for inspection, pay such inspection charges and invest provident fund collections in such manner as the Central Government may direct.

(3) An employee exempted under sub-paragraph (1), may, by an application to the Commissioner, make a declaration that he shall become a member of the Fund.

4. No employee shall be granted exemption or permitted to apply out of exemption more than once on each account.]

1. Subs. by G.S.R. 852, dated 6th May, 1963 (w.e.f. 18th May, 1960).

¹[27A. EXEMPTION OF A CLASS OF EMPLOYEES.-

(1) ²[The appropriate Government] may by order and subject to such conditions as may be specified in the order exempt from the operation of all or any of the provisions of this Scheme any class of employees to whom the Scheme applies :

PROVIDED that such class of employees is entitled to benefits in the nature of provident fund, gratuity or old-age pension according to the rules of the ³[factory or other establishment] and such benefits separately or jointly are on the whole not less favourable than the benefits provided under the Act and this Scheme.

(2) Where any class of employees is exempted as aforesaid, the employer shall, in respect of such class of employees, maintain such account, submit such returns, provide such facilities for inspection, pay such inspection charges and invest provident fund collections in such manner as the Central Government may direct.

(3) A class of employees exempted under sub-paragraph (1) of the majority of employees constituting such class may by an application to the Commissioner make a declaration that the class of employees shall become members of the Fund.

(4) No class of employees shall be granted exemption or permitted to apply out of exemption more than once on each account.

(5) The provisions of this paragraph shall be deemed to have come into force with effect from the 14th October, 1953.]

1. Added by S.R.O. 2035, dated 31 st October, 1953.

2. Subs. by G.S.R. 1286, dated 13th October, 1961.

3. Subs. by S.R.O. 1363, dated 20th March, 1957, for the word “factory”.

28. TRANSFER OF ACCUMULATIONS FROM EXISTING PROVIDENT FUNDS.- Every authority in charge of, or entrusted with the management

of, any Provident Fund in existence ¹[* * *], the accumulations wherein are to be transferred to the Fund under subsection (2) of Sec. 15 of the Act, ²[or Sub-section (5) of Sec. 17 thereof, as the case may be] shall, ³[* * *]

(i) Send to the ⁴[* * *] Commissioner a statement showing the amount standing to the credit of each subscriber on the date of the transfer, the total accumulations to the credit of subscribers generally on that date and the advances, if any, taken by the subscriber ⁵[within twenty-five days of the application of the Scheme, or cancellation of exemption, as the case may be];

(ii) Transfer to the Fund in the manner specified in sub-paragraph (2), the total accumulations standing to the credit of the subscribers in relation to each factory ⁵[within ten days of the application of the Scheme, or cancellation of exemption, as the case may be, in case of liquid cash in bank and within thirty days in case of securities]; and

(iii) Transfer to the ⁶[Central Board] all pass-books, books of account and other documents relating to the said accumulations.

(2) All accumulations standing to the credit of the subscribers, howsoever invested, shall be transferred to the Fund by the authority aforesaid in cash:

⁷[PROVIDED that where the whole or any part of such accumulations consists of investments in Government securities, ⁸[or in securities guaranteed by appropriate Government as regards re-payment of principal and payment of interest or in both] the authority making the transfer to the Fund shall transfer the securities at the price for which they were actually purchased or transfer a sum equivalent to such price. In case however, the whole or any part of such accumulations. is invested in National Savings Certificates or National Plan Savings Certificates, the appreciated value of such certificates at the time of the transfer will be taken into account in determining the amount of the accumulations to be transferred, provided that the difference between the face value of such certificates and the appreciated value at the time of the transfer has already been credited to the accounts of the subscribers:

⁹[PROVIDED further that where the whole or any part of such accumulations consists of investments in ⁹[securities bearing no guarantee of an appropriate Government as regards re-payment of principal and payment of interest], the Central Government may, in exceptional cases, allow acceptance of the transfer of such securities from the authority making the transfer to the Fund at the price for which they were actually purchased.]

Explanation-The total amount of provident fund accumulations includes interest thereon and the authority in charge of the Fund shall transfer in cash any balance of interest on investments which happens to be undistributed on the date of the transfer, or realized or realizable for the period prior to the registration of the securities in the name of the Central Board of Trustees, Employees' Provident Fund.

(3) Any cash transferred under sub-paragraph (2) shall be deposited in any office or branch of the Reserve Bank of India or the ¹⁰ [State] Bank of India to the credit of the ¹¹ [Central Board], and the receipt obtained in respect thereof shall be forwarded to ¹²[* * *] the Commissioner:

PROVIDED that where there is no office or branch of either of the two banks at the place where the ¹³ [factory or other establishment] is situated the amount shall be credited to the ¹³[Central Board] by means of a Reserve Bank of India ¹⁴ [Governmental draft at par.]

(4) The accumulations transferred to the Fund in accordance with this paragraph shall be credited to the account of each of the members of the Fund, to the extent to which he may be entitled thereto having regard to the statement furnished by the authority aforesaid.

(5) When the accumulations in any such Provident Fund as referred to in sub-paragraph (1) have been so transferred to the Fund, the ¹⁴[* * *] Commissioner may, by notification in the Gazette of India, declare that the subscribers of such Provident Fund have now become members of the fund and that the accumulations aforesaid have now become vested in the ¹⁵[Central Board] .

1. The words and figures “on the 15th day of November, 1951 “ omitted by G.S.R. 897, dated 6th September, 1985, published in the Gazette of India, Pt. II, Sec. 3 (i), dated 21 st September, 1985 (w.e.f. 21 st September, 1985).

2. Ins. by G.S.R. 897, dated 6th September

1985, published in the Gazette of India, Pt. II, Sec. 3 (i), dated 21st September, 1985 (w.e.f. 21st September, 1985).

3. The words “before the I st day of January, 1953, or such later date as the Central Board may fix in this behalf” omitted by ibid.

4. The word “appropriate” omitted by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963).

5. Ins. by G.S.R. 897, dated 6th September, 1985, published in the Gazette of India, Pt. II, Sec. 3 (i), dated 21 st September, 1985 (w.e.f. 21 st September, 1985).

6. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963, vide G.S.R. 68, dated 4th January, 1964), for “Board”.

7. Subs. by G.S.R. 970, dated 11th October, 1958, for the proviso (w.e.f. 18th October, 1958).

8. Ins. by G.S.R. 579, dated 12th April, 1971.

9. Ins. by G.S.R. 86, dated 3rd January, 1963 (w.e.f. 12th January, 1963).

10. Subs. by G.S.R. 974, dated 10th August, 1960, “Imperial”.

11. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1962, vide G.S.R. 68, dated 4th January. 1964), for “Board”.

12. The word “appropriate” omitted by ibid.

13. Subs. by S.R.O. 1363, dated 26th April, 1957, for the word “factory”.

14. Subs. by S.R.O. 270, dated 28th January, 1953.

15. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1962, vide G.S.R. dated 4th January, 1964), for “Board”.

CHAPTER V

CONTRIBUTIONS

¹[29. CONTRIBUTIONS.-

(1) The contribution payable by the employer under the scheme shall be at the rate of ²[ten percent.] of the ³[basic wages, dearness allowance (including the cash value of any food concessions) and retaining allowance (if any)] payable to each employee to whom the scheme applies

⁴[PROVIDED that the above rate of contribution shall be ⁵[Twelve percent.] in respect of any establishment or class of establishments which the Central Government may specify in the Official Gazette from time to time under the first proviso to sub-section (1) of Sec. 6 of the Act.]

(2) The contribution payable by the employee under the Scheme shall be equal to the contribution payable by the employer in respect of such employee

⁶[PROVIDED that in respect of any employee to whom the Scheme applies, the contribution payable by him may, if he so desires be an amount exceeding ten per cent. or twelve per cent., as the case may be, of his basic wages, dearness allowance and retaining allowance (if any) subject to the condition that employer shall not be under an obligation to pay any contribution over and above his contribution payable under the Act.]

(3) The contribution shall be calculated on the basis of the ⁶[basic wages, dearness allowance (including the cash value of any food concession) and retaining allowance (if any)] actually drawn during the whole month whether paid on daily, weekly, fortnightly or monthly basis.]

⁷[(4) Each contribution shall be calculated to ⁸[the nearest rupee, 50 paise or more to be counted as the next higher rupee and fraction of a rupee less than 50 paise to be ignored.

1. Subs. by S.R.O. 2387, dated 13th July, 1957 (w.e.f. 1st April, 1957).
2. Subs. for “8 1/3 percent.” by G.S.R. 406, dated 27th October, 1967 (w.e.f. 22nd September, 1997).
3. Subs. by S.R.O. 201, dated 8th February, 1961, for certain words (w.e.f. 31st December, 1960).
4. Ins. by G.S.R. 1758, dated 15th December, 1962 (w.e.f. 1st January, 1963), vide S.O. 3792, dated 13th December, 1962.
5. Subs. for” 10 percent ‘by G.S.R. 406, dated 27th October, 1997 (w.e.f. 22nd September, 1997).

6. Subs. by G.S.R. 690 (E). dated 30th June, 1989, for the proviso ins. by G.S.R. 164, dated 30th January, 1959 (w.e.f. 1st November, 1959), and amended by G.S.R. 421. dated 12th May, 1988 (w.e.f. 21 st May, 1988).
7. Ins. by S.R.O. 3375, dated 10th October, 1957 (w.e.f 1 st April, 1957).
8. Subs. by G.S.R. 548, dated 19th July, 1983 published in the Gazette of India, Pt. II, Sec. 3 (i), dated 23rd July, 1983 (w.e.f. I st April, 1983).

¹[30. PAYMENT OF CONTRIBUTION.-

(1) The employer shall, in the first instance, pay both the contribution payable by himself (in this Scheme referred to as the employer's contribution) and also, on behalf of the member employed by him directly or by or through a contractor, the contribution payable by such member (in this Scheme referred to as the member's contribution).

(2) In respect of employees employed by or through a contractor, the contractor shall recover the contribution payable by such employee (in this Scheme referred to as the member's contribution) and shall pay to the principal employer the amount of member's contribution so deducted together with an equal amount of contribution (in this Scheme referred to as the employer's contribution) and also administrative charges ²[* * *].

(3) It shall be the responsibility of the principal employer to pay both the contribution payable by himself in respect of the employees directly employed by him and also in respect of the employees employed by or through a contractor and also administrative charges ²[* * *]

³[**Explanation**-For the purposes of this paragraph the expression administrative charges" means such percentage of the pay (basic wages, dearness allowance, retaining allowance, if any, and cash value of food concession admissible thereon) for the time being payable to the employees other than an excluded employee, and in respect of which provident fund contributions are payable, as the Central Government may, in consultation with the Central Board and having regard to the resources, of the fund for meeting its normal administrative expenses, fix.]

1. Subs. by G.S.R- 1845, dated 28th November, 1963 (w.e.f 30th November, 1963, vide G.S.R. 68, dated 4th January, 1964).
2. Omitted by G.S.R- 1399, dated 18th September, 1964 (w.e.f 1st October, 1964).
3. Ins. by G.S.R. 1758, dated 15th December, 1962 (w.e.f 1 st January. 1963),

31. EMPLOYER'S SHARE NOT TO BE DEDUCTED FROM THE MEMBERS.-Notwithstanding any contract to the contrary the employer shall not be entitled to deduct the employer's contribution from the wage of a member or otherwise to recover it from him.

32. RECOVERY OF A MEMBER'S SHARE OR CONTRIBUTION-

(1) The amount of a member's contribution paid by the employer ¹[or a contractor] shall notwithstanding the provisions in this Scheme or any law for the time being in force or any contract to the contrary be recoverable by means of deduction from the wages of the member and otherwise:

PROVIDED that no such deduction may be made from any wage other than that which is paid in respect of the period or part of the period in respect of which the contribution is payable:

PROVIDED further that the employer ¹[or a contractor] shall be entitled to recover the employee's share from a wage other than that which is paid in respect of the period for which the contribution has been paid or is payable where the employee has in writing given a false declaration at the time of joining service with the said employer ¹[or a contractor] that he was not already a member of the Fund:

PROVIDED further that where no such deduction has been made on account of an accidental mistake or a clerical error, such deduction may, with the consent in writing of the Inspector, be made from the ²[subsequent] wages.

(2) Deduction made from the wages of a member paid on daily, weekly or fortnightly basis should be totalled up to indicate the monthly deductions.

(3) Any sum deducted by an employer ¹[or a contractor] from the wages of an employee under this Scheme shall be deemed to have been entrusted to him for the purpose of paying the contribution in respect of which it was deducted.

1. Ins. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963, vide G.S.R. 68, dated 4th January, 1964).

2. Subs. by S.R.O. 500, dated 2nd March, 1953, for the word "previous".

¹[32-A. RECOVERY OF DAMAGES FOR DEFAULT IN PAYMENT OF ANY CONTRIBUTION-

(1) Where an employer makes default in the payment of any contribution to the Fund, or in the transfer of accumulations required to be transferred by him under sub-section (2) of Sec. 15 or sub-section (5) of Sec. 17 of the Act or in the payment of any charges payable under any other provisions of the Act or Scheme or under any of the conditions specified under Sec. 17 of the Act, the Central Provident Fund Commissioner or such officer as may be authorised by the Central Government, by notification in the Official Gazette, in this behalf, may recover from the employer by way of penalty, damages at the rates given below:

Period of default	Rate of damages (Percentage of arrears per annum)
(a) Less than two months	Seventeen
(b) Two months and above but less than four months	Twenty-two
(C) Four months and above but less than six months	Twenty-seven
(d) Six months and above.	Thirty-seven

(2) The damages shall be calculated to the nearest rupee, 50 paise or more to be counted as the nearest higher rupee and fraction of a rupee less than 50 paise to be ignored.

1. Ins. by G.S.R. 521, dated 16th August, 1991 (w.e.f. 1st September, 1991).

32-B. TERMS AND CONDITIONS FOR REDUCTION OR WAIVER OF DAMAGES.-The Central Board may reduce or waive the damages levied under Sec. 14-B of the Act in relation to an establishment specified in the second proviso to Sec. 14-B, subject to the following terms and conditions, namely:

- (a) In case of a change of management including transfer of the undertaking to workers co-operative and in case of merger or amalgamation of the sick industrial company with any other industrial company, complete waiver of damages may be allowed-,
- (b) In cases, where the Board for Industrial and Financial Reconstruction for reasons to be recorded in its scheme, in this behalf recommends, waiver of damages unto 100 per cent. may be allowed;
- (c) In other cases, depending on merits, reduction of damages unto 50 per cent. may be allowed.]

CHAPTER VI

DECLARATIONS, CONTRIBUTION CARDS AND RETURNS

33. DECLARATION BY PERSONS ALREADY EMPLOYED AT THE TIME OF INSTITUTION OF THE FUND.- Every person who is required or entitled to become a member of the Fund shall be asked forthwith by his employer to furnish and shall, on such demand, furnish to him, for communication to the Commissioner, particulars concerning himself and his nominee required for the declaration in Form 2. Such employer shall enter the particulars in the declaration form and obtain the signature or thumb-impression of the person concerned.

34. DECLARATION BY PERSONS TAKING UP EMPLOYMENT AFTER THE FUND HAS BEEN ESTABLISHED. -The employer in relation to a¹[factory or other establishment] shall, before taking any person into employment, ask him to state in writing whether or not he is a member of the Fund and if he is, ask for the Account Number and/or the name and particulars of the last employer. If he is unable to furnish the account number, he shall require such person to furnish and such person shall, on demand, furnish to him for communication to the Commissioner, particulars regarding himself and his nominee required for the Declaration Form. Such employer shall enter the particulars in the Declaration Form and obtain the signature or thumb-impression of the person concerned:

²[PROVIDED that in the case of any such employee who has become a member of the Family Pension Fund under the Employees Family Pension Scheme, 1971, the aforesaid Declaration Form shall also contain such particulars as are necessary to comply with the requirements of that Scheme.]

1. Subs. by S.R.O. 1363, dated 26th April. 1957, for the word “factory”.

2. Ins. by G.S.R. 320, dated 16th February, 1972.

35. PREPARATION OF CONTRIBUTION CARDS. -The employer shall prepare a contribution card ¹[in Form 3] or ²[Form 3-A] as may be appropriate in respect of every employee at the commencement of the Scheme or who is taken into employment after that date and who is required or entitled to become or is a member of the Fund including those who produce an Account Number and in respect of whom no fresh Declaration Form is prepared:

³[PROVIDED in the case of any such employee who has become a member of the Family Pension Fund under the Employees’ Family Pension Scheme, 1971, the aforesaid form shall also contain such particulars as are necessary to comply with the requirements of the Scheme.]

1. Subs. by G.S.R. 1300, dated 19th September, 1962, for the words and figures “in Form 3 or 4”.

2. Form 3-A added by G.S. R. 1809, dated 28th September, 1968.

3. Ins. by G.S.R. 320, dated 16th February, 1972.

36. DUTIES OF EMPLOYERS. –

(1) Every employer shall send to the Commissioner, within fifteen days of the commencement of this Scheme, a consolidated return in such form as the Commissioner may specify, ¹[* * *] of the employees required or entitled to become members of the Fund showing the ²[basic wage, retaining allowance (if any) and dearness allowance including the cash value of any food concession] paid to each of such employees:

³[PROVIDED that if there is no employee who is required or entitled to become a member of the Fund, the employer shall send a “Nil” return.]

(2) Every employer shall send to the Commissioner within fifteen days of the close of each month a return-

(a) ⁴[* * *] in Form 5, of the employees qualifying to become members of the Fund for the first time during the preceding month together with declarations in Form 2 furnished by such qualifying employees ⁵[* * *], and

(b) ⁴[* * *] ⁵[in such form as the Commissioner may specify] of the employees leaving service of the employer during the preceding month:

PROVIDED that if there is no employee qualifying to become a member of the Fund for the first time or there is no employee leaving service of the employer during the preceding month, the employer shall send a “Nil” return.

(3) ⁴[* * *]

⁶[(4) Every employer shall maintain an inspection note-book in such form as the Commissioner may specify, for an Inspector to record his observations on his visit to the establishment.]

(5) Every employer shall maintain, such account in relation to the amounts contributed to the Fund by him and by his employees as the ⁷[Central Board] may, from time to time, direct, and it shall be the duty of every employer to assist the ⁷[Central Board] in making such payments from the fund to his employees as are sanctioned by or under the authority of the ⁷[Central Board].

(6) Notwithstanding anything hereinbefore contained in this paragraph, the ⁸ [Central Board] may issue such directions to employers generally as it may consider necessary or proper for the purpose of implementing the scheme, and it shall be the duty of every employer to carry out such directions.

1. **Certain words omitted by G.S.R. 1300, dated 19th September, 1962.**
2. **Subs. by G.S.R. 201, dated 8th February, 1961, for certain words (w.e.f. 31 st December, 1960).**
3. **Ins. by G.S.R. 413, dated 11th March, 1966.**
4. **Certain words omitted by G.S.R. 1300, dated 19th September, 1962.**
5. **Subs. by G.S.R. 25, Dated 3 Ist December, 1996 (w.e.f.. 11th January, 1997), for the words “in copy of the wages payment register”.**
6. **Ins. by G.S.R. 1176, dated 17th August, 1964.**
7. **Subs. by G.S.R. 1845, dated 28th November, 1983 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964, for the word “Board”.**
8. **Subs. by G.S.R. 1845, dated 28th November, 1983 (w.e.f 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964, for the word “Board”.**

¹[**36A. EMPLOYER To FURNISH PARTICULARS OF OWNERSHIP.** -Every employer in relation to a factory or other establishment to which the Act applies on the date of coming into force of the Employees’ Provident Funds (Tenth Amendment) Scheme, 1961, or is applied after the date, shall furnish ²[in duplicate] to the ³[Regional] Commissioner in Form No. 5-A annexed hereto, ⁴[particulars of all the branches and departments,] owners, occupiers, directors, partners, manager, or any other person or persons who have the ultimate control over the affairs of such factory or establishment and also send intimation of any change in such particulars, within fifteen days of such change, to the ³[Regional] Commissioner by registered post and in such other manner as may be specified by the ³[Regional] Commissioner.]:

⁵[PROVIDED that in the case of any employer of a factory or other establishment to which the Act and the Family Pension Scheme, 1971, shall apply the aforesaid form may be deemed to satisfy the requirements of the Employees Family Pension Scheme, 1971, for the purpose specified above.]

1. **Ins. by G.S.R. 1457, dated 2nd December, 1961 (w.e.f 9th December, 1961).**
2. **Ins. by G.S.R. 1714, dated 1s November, 1966.**
3. **Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963, vide G.S.R. 68, dated 8th January, 1964), for the words “Regional State”.**
4. **Ins. by G.S.R. 1836, dated 7th December, 1965.**
5. **Ins. by G.S.R. 320, dated 16th February, 1972.**

¹[**36-B. DUTIES OF CONTRACTORS.** -Every contractor shall, within seven days of the close of every month, submit to the principal employer a statement

showing the recoveries of contributions in respect of employees employed by or through him and shall also furnish to him such information as the principal employer is required to furnish under the provisions of the Scheme to the Commissioner.]

1. Ins. by G.S.R. 1845, dated 28th November, 1963 (w.e.f 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964.

37. ALLOTMENT OF ACCOUNT NUMBERS. -On receipt of the information referred to in paras. 33, 34 and 36, the Commissioner shall promptly allot an Account Number to each employee quailing to become a member and shall communicate the Account Number to the member through the employer.

38. MODE OF PAYMENT OF CONTRIBUTIONS. –

(1) The employer shall before paying the member his wages in respect of any period or part of period for which contributions are payable, deduct the employees contribution from his wages which together with his own contribution as well as an administrative charge of such percentage ¹[of the pay (basic wages, dearness allowance retaining allowance, if any, and cash value of food concessions admissible thereon) for the time being payable to the employees other than an excluded employee, and in respect of which provident fund contributions are payable, as the Central Government may fix. He shall within fifteen days of the close of every month pay the same to the Fund by separate bank drafts or cheques on account of contributions and administrative charges]:

²[PROVIDED that if the payment is made by a cheque, it should be drawn only on the local bank of the place in which deposits are made):

PROVIDED further that where there is no branch of the Reserve Bank or the ³[State] Bank of India at the station where the ⁴[factory or other establishment] is situated, the employer shall pay to the Fund the amount mentioned above by means of Reserve Bank of India ⁵[Government drafts at par] separately on account of contribution and administrative charge.

⁶[(2) The employer shall forward to the Commissioner within twenty five days of close of the month, a monthly abstract in such form as the Commissioner may specify showing the aggregate amount of recoveries made from the wages of all the members and the aggregate amount contributed by the employer in respect of all such members for the month:

PROVIDED that an employer shall send a nil return, if no such recoveries have been made from the employees:

PROVIDED further that in the case of any such employee who has become a member of the Pension Fund under the Employees' Pension Scheme, 1995, the aforesaid Form shall also contain such particulars as are necessary to comply with the requirements of that scheme.)

⁷[(3) The employer shall send to the Commissioner within one month of the close of the period of currency, a consolidated Annual Contribution Statement in Form 6- A showing the total amount of recoveries made during the period of currency from the wages of each member and the total amount contributed by the employer in respect of each such member, for the said period. The employer shall maintain on his record duplicate copies of the aforesaid monthly abstract and consolidated annual contribution statement for production at the time of inspection by the Inspector.]

1. Subs. by G.S.R. 1399, dated 18th September, 1964 (w.e.f. 1st November, 1964
2. Subs. by G.S.R. 706, dated 9th September, 1983, published in the Gazette of India, Pt. II, Sec. 3 (i), dated 24th September, 1983 (w.e.f. 24th September, 1983).
3. Subs. by G.S.R. 974, dated 10th August, 1960, for the word “Imperial”.
4. Subs. by S.R.O. 1363, dated 26th April, 1957, for the word “factory”.
5. Subs. by S.R.O. 270, dated 28th January, 1953.
6. Subs. by G.S.R. 25, Dated 3 1st December, 1996, (w.e.f. 11th January, 1997).
7. Subs. by *ibid.*).

39. FIXATION OF ADMINISTRATIVE CHARGES. -The Central Government may, in

consultation with the Central Board and having regard to the resource of the Fund available for meeting its normal administrative expenses fix the percentage of administrative charges payable under subparagraph (1) of para. 38 above.

40. CONTRIBUTIONS TO BE ENTERED IN THE CONTRIBUTION CARDS. -The amount recovered every month from the wages of an employee as well as the contribution made by the employer in respect of each such employee shall be entered by the employer in every month in the contribution card opened in the name of each member under this scheme.

¹[**40-A. SUPPLY OF PASS BOOKS TO THE MEMBERS.** -With effect from such date as the Commissioner may specify in this behalf, every employer shall, or an employee becoming a member of the Fund, provide a Pass Book to every such member and maintain the same in such form and manner as the Commissioner may direct from time to time:

PROVIDED that different dates may be specified for different industries or classes of establishments or for different areas.]

1. Ins. by G.S.R. 341, dated 9th July, 1992.

41. CURRENCY OF CONTRIBUTION CARDS. -The contribution cards issued under this Scheme shall be current for one year:

PROVIDED that the said period of one year may commence and terminate at such different times in different ¹[factories or any other establishments] as may be decided by the Commissioner from time to time:

²[PROVIDED further that the cards issued, -

(i) In respect of the first contribution period, or

(ii) In respect of the contribution period immediately preceding the date from which the establishment is notified as an annually posted establishment, may be for a period which may be less or more than a year.

1. Subs. by S.R.O. 1363, dated 26th April, 1957, for the word “factory”.

2. Subs. by G.S.R. 1809, dated 28th September, 1968.

42. RENEWAL OF CONTRIBUTION CARDS. -An employer shall, on or before the expiration of the period of currency of the contribution card, prepare in respect of each member employed by him a card ¹[in Form 3 or Form 3-A] as may be appropriate, for the next period of currency:

²[PROVIDED that in the case of any such employee who has become a member of the Family Pension Fund under the Employees Family Pension Scheme, 1971, the aforesaid form shall contain such particulars as are necessary to comply with the requirements of that Scheme.]

1. Subs. by G.S.R. 1300, dated 19th September, 1962, for “in Form 3 or 4” and Form 3-A added by G.S.R. 1809, dated 28th September, 1968.

2. Ins. by G.S.R. 320, dated 16th February, 1972.

43. SUBMISSION OF CONTRIBUTIONS To THE COMMISSIONER. -Every employer shall within one month from the date of expiration of the period of currency of the contribution cards in respects of members employed by him, send the contribution cards to the Commissioner together with a statement in Form 6:

¹[PROVIDED that where a member leaves service, the employer shall send the contribution card in respect of such member before the twentieth day of the month following that in which the member left the service:]

²[PROVIDED further that in the case of any such employee who has become a member of the Family Pension Fund under the Employees' Provident Funds Scheme, 1971, the aforesaid Form shall also contain such particulars as are necessary to comply with the requirements of the Scheme.)

1. Ins. by G.S.R. 348, dated 26th February, 1966.

2. Ins. by G.S.R. 320, dated 16th February, 1972.

44. CUSTODY OF CONTRIBUTION CARDS. -The employer shall retain in his custody the contribution cards in respect of each member employed by him and shall take every precaution against loss or damage of the contribution cards.

45. INSPECTION OF CARDS BY MEMBERS. -Any member making a request in this behalf to the employer shall be permitted to inspect his cards himself or to have the same inspected by any person duly authorised by him in writing to do so, within 72 hours of making such request provided that no such request shall be entertained more than once in every two calendar months.

46. PRODUCTION OF CARDS AND RECORDS FOR INSPECTION BY THE COMMISSIONER OR INSPECTOR. -Every employer shall, whenever the Commissioner or any other officer authorized by him in this behalf or an inspector so requests, either in person or by notice in writing, produce before the Commissioner, officer or inspector, as the case may be, the records of any member employed by him and any card then in his possession, and if so required by the said Commissioner, officer or inspector, shall deliver such record to the said Commissioner, officer or inspector, who may, if he thinks fit, retain the records provided that he shall grant a receipt for every record retained by him.

47. SUPPLY OF CARDS, ¹[PASS-BOOKS] AND FORMS TO EMPLOYERS. -Commissioner shall supply to employers free of charge on demand contribution, ¹ [Pass-Books], declaration forms and other forms referred to in this Scheme:

PROVIDED that if any employer desires to obtain any cards, ¹[Pass Books] or forms in excess of the number which the Commissioner considers to be the requirements of the employer, the Commissioner may, if he thinks fit, supply such extra cards, ²[Pass-Books] or forms and make such charge therefor as he considers reasonable.

1. Ins. by G.S.R. 341, dated 9th July, 1992.

2. The brackets and figures I omitted by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964.

48. CURRENT ACCOUNT. -The Commissioner shall deposit the bank drafts or cheques received from the employers in the Reserve Bank or the ¹[State] Bank of India in the Current Account of the Fund.

1. Subs. by G.S.R. 974, dated 10th August, 1960 for, the word “Imperial”.

CHAPTER VII

ADMINISTRATION OF THE FUND ACCOUNTS AND AUDIT

49. ADMINISTRATION OF ACCOUNTS. ¹[* * *] A separate account shall be kept called the “Central Administration Account” for recording all administrative expenses of the fund including such administrative charges as the fund may be authorized to levy.

²[* * * * *]

1. The brackets and figures I omitted by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964.

2. Sub-paragraph (2) omitted by ibid

50. PROVIDENT FUND ACCOUNT.-The aggregate amount received as the employers, and the employees, contribution to the fund shall be credited to an account to be called the “Provident Fund Account”.

51. INTEREST SUSPENSE ACCOUNT. -All interest, rent and other income realized, and riot profits or losses, if any, from the sale of investments not including therein the transactions of the Administration Account, shall be credited or debited, as the case may be, to an account called the “Interest Suspense Account” Brokerage and commission on the purchase and sale of securities and other investments shall be included in the purchase or sale price, as the case may be, and not separately charged to the “Interest Suspense Account.”

52. INVESTMENT OF MONEYS BELONGING TO EMPLOYEE’S PROVIDENT FUND. -

(1) All moneys belonging to the fund shall be deposited in the Reserve Bank or the ¹ [State] Bank of India or in such other scheduled bank as may be approved by the Central Government from time to time or shall be invested subject to such directions as the Central Government may from time to time give, in the securities mentioned or referred to in Cls. (a) to (b) of Sec. 20 of the Indian Trusts Act, 1882 (2 of 1882):

Provided that such securities are payable both in respect of capital and in respect of interest of India.

(2) All expenses incurred in respect of, and loss, if any arising from any investments shall be charged to the fund.

²[* * * * *]

1. Subs. by G.S.R. 974, dated 10th August, 1960.
2. Subs-paragraph (3) omitted by G.S.R. 499, dated 5th March, 1968.

¹[53. DISPOSAL OF THE FUND. -

(1) Subject to the provisions of the Act and of the Scheme, the Fund, not including therein the Administration Account shall not, except with the previous sanction of the Central Government, be expended for any purpose other than the payment of sums standing to the credit of individual members of the fund or to their nominees or heirs or legal representatives in accordance with the provisions of this Scheme.]

(2) The fund shall be operated upon by such officers as may be authorized in this behalf by the ²[Central Board].

1. Subs. by G.S.R. 1314, dated 16th August, 1966.
2. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964, for the words “Board concerned”.

¹[54. EXPENSES OF ADMINISTRATION. -All expenses relating to the administration of the fund including those incurred on Regional Committees shall be met from the fund.

(2) All expenses of administration of the fund, including the fees and allowances of the trustees of the Central Board and salaries, leave and joining time

allowances, travelling and compensatory allowances, gratuities and compassionate allowances, pensions, contributions to provident fund and other benefit fund instituted for the officers and employees of the Central Board, the cost of audit of the accounts, legal expenses and cost of stationery and forms incurred in respect of the Central Board, cost of and all expenses incurred in connection with the construction of office buildings and staff quarters shall be met from the Administration Account of the Fund.

(3) The expenses incurred by the Central Government in connection with the establishment of the Fund shall be treated as a loan and such loan shall be repaid from the Administration Account.]

2. Subs. by *ibid.*

¹[55. FORM AND MANNER OF MAINTENANCE OF ACCOUNTS, -The Central Board shall maintain proper accounts of its income and expenditure, including its administrative accounts, in Form 10, and the balance sheet in Form 11. The accounts shall be prepared for financial year and the books shall be balanced on the thirty-first March each year.]

1. Subs. by G.S.R. 11, dated 21 st December, 1992.

56. AUDIT. -The accounts of the fund, including the Administration Accounts shall be audited in accordance with the instructions issued by the Central Government in consultation with the Comptroller and Auditor General of India.

(2) The charges on account of Audit shall be paid out of the Administration. Account.

57. INTER-STATE TRANSFER OF MEMBERS. -

¹[(1) Where a member of the fund ceases to be employed in one region and secures employment in another region in an establishment to which this scheme applies or which is an exempted establishment or which is not covered under the Act but has a provident fund scheme of its own, he may apply to the Commissioner within whose jurisdiction he was previously employed, in such form as the Commissioner may specify, for transfer of balance of the provident fund in the existing account to his account in the other region.

(2) Where a member of the fund ceases to be employed in one establishment and secures employment in another establishment in the same region, he may apply to the Commissioner of the region in such form as the Commissioner may specify for the transfer of balance of the provident fund in his previous account to his account in the new establishment where he takes up the employment.]

1. Subs. by G. S. R. 1772, dated 21 st November, 1966.

¹[58. BUDGET. –

(1) The Commissioner shall place before the Central Board each year before the first fortnight of February, a budget showing separately the probable receipts from the contributions and from the levy of administrative charges and the expenditure which it proposes to incur during the following financial year. The budget as approved by the Central Board shall be submitted for sanction to the Central Government within a month of its being placed before the Central Board.

(2) The Central Government may make such modifications in the budgets, as it considers desirable before sanctioning it.]

²[(3) The Commissioner may, at any time during the year, make budgetary re-appropriation of funds sanctioned in the budget by the Central Government, provided that-

(i) The total amount sanctioned in the budget by the Central Government, is not exceeded;

(ii) It is made only for meeting such expenses of administration as are to be met from the Administration Account in accordance with para. 54; and

(iii) Every re-appropriation so made shall be reported by him to the Central Board at the next meeting of such Board.

²[(4) The Commissioner shall place before the Central Board in supplementary budget for a financial year giving detailed estimates and reasons of inescapable expenditure which are likely to be incurred during the year for which no provision has been made in the sanctioned budget and which cannot be covered under the provisions of sub- paragraph (3) of para. 58. The supplementary budget as approved by the Central Board shall be submitted for sanction to the Central Government within a month of its being placed before the Central Board.

(5) Any expenditure incurred by the Commissioner over and above the sanctioned budget of a financial year and not covered under the provisions of sub-paragraphs (3) and (4) of para. 58 shall be reported to the Central Board at the earliest possible moment after the excess is established for its consideration and for obtaining sanction of the Central Government.

1. Ins. by G.S.R- 261, dated 14th February, 1964 (w.e.f. 22nd February, 1964).

2. Ins. by G.S.R. 593, dated 2nd May, 1975.

59. MEMBER'S ACCOUNTS. –

(1) An account shall be opened in the office of the fund in the name of each member in which shall be credited-

(a) His contributions,

(b) The contributions made by the employer in respect of him, and

(c) Interest as provided in para. 60.

¹[(2) All items of account shall be calculated to ²[the nearest rupee, 50 paise or more to be counted as the next higher rupee and fraction of a rupee less than 50 paise to be ignored.)

(3) On receipt of the contribution card or cards of a member from his employer or employers at the end of the period of currency of the contribution card the Commissioner shall compare the entries made in the contribution card or cards with those made in the member's individual account in the office of the fund and shall rectify any discrepancy found in these entries.

1. Subs. by S.R.O. 2387, dated 13th July, 1957.

2. Subs. by G.S.R. 548 dated 19th July, 1983, published in the Gazette of India, Pt. II, Sec. 3 (i), dated 23rd July, 1983 (w.e.f 1 st April, 1983).

60. INTEREST. –

(1) The Commissioner shall credit to the account of each member interest at such rate as may be determined by the Central Government in consultation with the Central Board.

¹[(2)(a) Interest shall be credited to the member's account on monthly running balances basis with effect from the last day in each year in the following manner:

- (i) On the account at the credit of a member on the last day of the preceding year, less any sums withdrawn during the current year's interest for twelve months;
 - (ii) On sums withdrawn during the current year's interest from the beginning of the current year up to the last day of the month preceding the month of withdrawal;
 - (iii) On all the sums credited to the member's account after the last day of the preceding year's interest from the first day of the month succeeding the month credit to the end of the current year;
 - (iv) The total amount of interest shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee).
- (b) In the case of a claim for the refund under para. 69 or 70, interest shall be payable up to the end of the month preceding the date on which the final payment is authorized irrespective of the date of receipt of the claim from the claimant concerned.

²[PROVIDED that interest up to and for the current month shall be payable on the claims which are authorized on or after the 25th day of a particular month along with actual payment after the end of the current month:

PROVIDED further that the rate of interest to be allowed on claims for refund for the broken currency period shall be the rate fixed for the financial year in which the refund is authorised.

³[**Explanation**-If an establishment is covered for the first time under the Act/Scheme during the course of the currency period the interest shall be allowed on all the sums credited to the member's account on and from the first day of the month succeeding the month of credit to the end of the current year.]

- (3) The aggregate amount of interest credited to the accounts of the members shall be debited to "Interest Suspense Account".
- (4) In determining the rate of interest, the Central Government shall satisfy itself that there is no over drawl on the Interest Suspense Account as a result of the debit thereto of the interest credited to the accounts of members.

⁴[(5) Interest shall not be credited to the account of a member if he informs the Commissioner in writing that he does not wish to receive it. If however, the

member subsequently asks for interest, if it shall be credited to his account with effect from the first day of the period of currency in which he makes a request therefor.

1. Subs. by G.S.R. 222, dated 31st March, 1993.
2. Subs. by G.S.R. 393, dated 31 st March. 1982, published in the Gazette of India, Pt. II Sec. 3 (i), dated 17th April, 1982 (w.e.f 17th April, 1982).
3. Subs. by G.S. R. 222, dated 31st March, 1993.
4. Ins. by G.S.R. 412, dated 10th March, 1966.

CHAPTER VIII

NOMINATIONS, PAYMENTS AND WITHDRAWALS FROM THE FUND

61. NOMINATION. –

(1) Each member shall make in his declaration in Form 2, a nomination conferring the right to receive the amount that may stand to his credit in the Fund in the event of his death before the amount standing to his credit has become payable, or where the amount has become payable before payment has been made.

(2) A member may in his nomination distribute the amount that may stand to his credit in the fund amongst his nominees at his own discretion.

(3) If a member has a family at the time of making a nomination the nomination shall be in favour of one or more persons belonging to his family, any nomination made by such member in favour of a person not belonging to his family shall be invalid.

¹[PROVIDED that a fresh nomination shall be made by the member on his marriage and any nomination made before such marriage shall be deemed to be invalid.]

(4) If at the time of making a nomination the member has no family, the nomination may be in favour of any person or persons but if the member subsequently acquires a family such nomination shall forthwith be deemed to be invalid and the member shall make a fresh nomination in favour of one or more persons belonging to his family.

²[(4-A) Where the nomination is wholly or partly in favour of a minor, the member may, for the purposes of this scheme appoint a major person of his family as defined in Cl. (g) of para. 2, to be the guardian of the minor nominee in the event of the member predeceasing the nominee and the guardian so appointed:

PROVIDED that where there is no major person in the family, the member may, at his discretion', appoint any other person to be guardian of the minor nominee.]

(5) A nomination made under sub-paragraph (1) may at any time be modified by a member after giving a written notice of his intention of doing so in ³ [Form 2] annexed hereto. If the nominee predeceases the member, the interest of the nominee shall revert to the member who may make a fresh nomination in respect of such interest.

(6) A nomination or its modification shall take effect to the extent that it is valid on the date on which it is received by the Commissioner.

1. **Ins. by Notifn. No. S-35012/1194-SS.II dated 25th August, 1995.**
2. **Ins. by G.S.R. 1707, dated 17th November, 1965.**
3. **Subs. by G.S. R. 521 dated 16th August, 1991 (w.e.f. 1st September, 1991).**

¹[62. **FINANCING OF MEMBER'S LIFE INSURANCE POLICIES. –**

(1) Where a member desires that premium due on a policy of life insurance taken by him on his own life should be financed from his Provident Fund Account, he may apply in such form and in such manner as may be prescribed by the Commissioner.

(2) On receipt of such application, the Commissioner, or, where so authorized by the Commissioner, any other officer subordinate to him may make payment on behalf to the member of the Life Insurance Corporation of India towards premium due on his policy:

PROVIDED that no such payment shall be made unless the premium is payable ²[* * *] yearly.

(3) Any payment made under sub-paragraph (2) shall be made out of and debited to the member's own contribution with interest thereon standing to his credit in the fund.

(4) No payment shall be made under sub-paragraph (2) unless the member's own contribution in his Provident Fund Account with interest thereon is

sufficient to pay the premium; and where the payment is to be made on the first premium, sufficient to pay the premium for two years.

(5) No payment shall be made towards a policy unless it is legally assignable by the member to the Central Board.

(6) The Commissioner shall, before making payment in respect of existing policies, satisfy himself by reference to the Life Insurance Corporation that no prior assignment of the policy exists and the policy is free from all encumbrances.

(7) No educational endowment policy or marriage endowment policy shall be financed from the fund, if such policy is due for payment in whole or in part before the member attains the age of 55 years.

1. Subs. by G.S.R. 1083, dated 30th June, 1966, for Paragraphs 62 to 67.

2. Omitted by G. S. R. 1185, dated 26th August, 1972.

63. CONVERSION OF POLICY INTO A PAID-UP ONE AND PAYMENT OF LATE FEE, ETC.-Where a policy of life insurance of a member is financed from his Provident Fund Account, the Commissioner may-

(a) Convert the insurance policy into paid-up one when the credit in his provident fund on account of his share becomes inadequate for the payment of any premium;

(b) Pay late fee and interest out of the member's own contribution in his provident fund account, if any premium cannot be remitted to the Life Insurance Corporation in time because of delay in sending to the Commissioner the policy duly assigned to the Central Board or any other reasons for which the member or his employer may be responsible.

64. ASSIGNMENT OF POLICIES TO THE FUND. –

(1) The policy shall, within six months of the first payment under para. 62, be assigned by endorsement thereon, to the Central Board and shall be delivered to the Commissioner.

(2) Notice of the assignment of the policy shall be given by the member to the Life Insurance Corporation and the acknowledgment of the said notice by the Corporation shall be sent to the Commissioner within three months of the date of assignment.

(3) The terms of the policy shall not be altered nor shall the policy be exchanged for another policy without the prior consent of the Commissioner to whom the details of the alteration or of the new policy shall be furnished in such form as he may specify.

(4) If the policy is not assigned and delivered as required under sub-paragraph (1), or is assigned otherwise than to the Central Board, or is charged or encumbered or lapses, any amount paid from the fund in respect of such policy shall, with interest thereon at the rate provided under para. 60, be repaid by the member forthwith to the fund. In the event of default, the employer shall, on receipt of such directions as may be issued by the Commissioner in this behalf, deduct the amount in lump-sum or in such instalments as the Commissioner may determine from the emoluments of the member and pay it to the fund within such time and in such manner as may be specified by the Commissioner. The amount so repaid or recovered shall be credited to the member's account in the fund.

65. BONUS ON POLICY TO BE ADJUSTED AGAINST PAYMENTS MADE FROM THE FUND. -So long as the policy remains assigned to the Central Board, any bonus accruing on it may be drawn by the Central Board or where authorized by the Central Board by the Commissioner and adjusted against the payments made on behalf of the member under para. 62.

66. RE-ASSIGNMENT OF POLICIES. –

(1) Where the accumulations standing to the credit of the member are withdrawn under para. 69 or when the member repays to the fund the amounts of premium paid by the Board with interest thereon at the rates provided in para. 60, the Central Board, or where authorized by the Central Board, the Commissioner shall re-assign by endorsement thereon, the policy to the member together with a signed notice of re-assignment addressed to the Life Insurance Corporation.

(2) If the member dies before the policy has been re-assigned under sub-paragraph (1), the Central Board or where authorized by the Central Board the Commissioner shall re-assign by the endorsement thereon, the policy to the nominee of the member if a valid nomination subsists and if there be no such nominee, to such person as may be legally entitled to receive it together with a signed notice of re-assignment addressed to the Life Insurance Corporation.

67. RECOVERY OF AMOUNT PAID TOWARDS INSURANCE POLICIES. -If a policy matures or otherwise falls due for payment during the currency of its assignment, the Central Board or where so authorized by the Central Board, the Commissioner shall realize the amount assured together with bonus, if any accrued thereon, place to the credit of the member the amount so realized or the whole of the amount paid from the fund in respect of the policy with interest thereon, whichever is less and refund the balance, if any, to the member.]

68. 1[* * *]

1. Paragraph 68 omitted by G.S.R. 1093, dated 30th July, 1966.

68-A. 1[* * *]

1. Paragraph 68-A omitted by G.S. R. 98, dated 15th January, 1962.

¹[68-B.²[WITHDRAWAL] FROM THE FUND FOR THE PURCHASE OF A DWELLING HOUSE/ FLAT OR FOR THE CONSTRUCTION OF A DWELLING HOUSE INCLUDING THE ACQUISITION OF A SUITABLE SITE FOR THE PURPOSE. –

(1) The Commissioner, or where so authorized by the Commissioner, any officer subordinate to him, may on an application from a member in such form as may be prescribed and subject to the conditions prescribed in this paragraph sanction from the amount standing to the credit of the member in the fund, a ³[withdrawal]-

(a) For purchasing a dwelling-house/flat, including a flat in a building owned jointly with others (outright or on hire-purchase basis), or for constructing a dwelling-house including the acquisition of a suitable site for the purpose from the Central Government, the State Government, a Co-operative Society, an institution, a trust, a local body or a Housing Finance Corporation (hereinafter referred to as the agency/agencies);

OR

(b) For purchasing a dwelling-site for the purpose of construction of dwelling-house or a ready-built dwelling-house/flat from any individual ⁴[* * *]

⁵[(bb) For purchasing a dwelling-house/flat on ownership basis from a promoter governed by the provisions of any Flats or Apartments Ownership Act or by any other analogous or similar law of the Central Government or the State Government as may be in force in any State or area for the time-being and who intends to construct or constructs a dwelling-house or block of flats and the member is required to pay to the said promoter in advance for financing the said construction of the house/flat:

PROVIDED that the member has entered into an agreement with the promoter as may be required under the Flats or Apartments Ownership Act or any other analogous or similar law of the Central Government or State Government which may be in force in any State or any area and the said agreement is registered under the Indian Registration Act, 1908].

OR

(c) For the construction of a dwelling-house on a site owned by the member or the spouse of the member or jointly by the member and the spouse, or for completing, continuing the construction of a dwelling-house already commenced by the member or the spouse, on such site ⁶[or for purchase of a house/flat in the

joint name of the member and the spouse under Cls. (a) and (b) above.]

Explanation I-In this paragraph, the expression, “co-operative society” means a society registered or deemed to be registered under the Co-operative Societies Act, 1912 (2 of 1912), or under any other law for the time being in force in any State relating to co-operative societies.

7[* * * * *]

8[(2) (a) For the purpose of purchase of a site for construction of house thereon, the amount of withdrawal shall not exceed the member’s basic wages and dearness allowance for twenty-four months or the member’s own share of contributions, together with the employer’s share of contribution with interest thereon or the actual cost towards the acquisition of the dwelling site whichever is the least.

(b) For the purpose of acquisition of a ready-built house/flat or construction of a house/flat, the withdrawal shall not exceed the member’s basic wages and dearness allowance for thirty-six months or the member’s own share of contributions, together with the employer’s share of contributions, with interest thereon, or the total cost of constructions, whichever is the least];

(3) (a) No ⁹[withdrawal] under this paragraph shall be granted unless-

(i) The member has completed five years membership of the fund;

(ii) The member’s own share of contributions with interest thereon in the amount standing to his credit in the fund is not less than one thousand rupees;

(iii) the dwelling-site or the dwelling-house/flat or the house under construction is free from encumbrances:

PROVIDED that where a dwelling-site, or a dwelling-house/flat is mortgaged to any of the agencies, referred to in Cl. (a) of sub-paragraph (1), solely for having obtained funds for the purchase of a dwelling-house/flat or for the construction of a dwelling-house including the requisition of a suitable site for the purpose, such a dwelling site or a dwelling-house/flat as the case may be shall not be deemed to be an encumbered property:

PROVIDED further that a land acquired on a perpetual lease or on lease for a period of not less than thirty years for constructing a dwelling-house/flat, or a house/flat built on such a leased land, shall also not be deemed to be an encumbered property:

PROVIDED also that where the site of the dwelling- house/flat is held in the name of any agency, referred to in Cl. (a) of sub-paragraph (1) and the allottee is precluded from transferring or otherwise disposing of the house/flat, without the prior approval of such agency, the mere fact that the allottee does not have absolute right of ownership of the house/flat and the site is held in the name of the agency, shall not be a bar to the giving of a ¹⁰ [withdrawal] under Cl. (a) of sub-paragraph (1), if the other conditions mentioned in this paragraph are satisfied.

(b) No ¹⁰[withdrawal] shall be granted for purchasing a share in a joint property or for constructing a house on a site owned jointly except on a site owned jointly with the spouse.

(4) Subject to the limitation prescribed in the sub-paragraph (2), -

(a) Where the ¹⁰ [withdrawal] is for the purchase of dwelling/house/flat or a dwelling-site from an agency referred to in Cl. (a) of sub-paragraph (1), the payment of ¹⁰ [withdrawal] shall not be made to the member but shall be made direct to the agency in one or more instalments, as may be authorized by the member:

(b) Where the ¹⁰ [withdrawal] is for the construction of a dwelling/house, it may be sanctioned in such number of instalments as the Commissioner or where so authorized by the Commissioner, any officer, subordinate to him, thinks fit:

(c) ¹¹[* * * * *]

¹²[(d) Where the withdrawal is for purchasing a dwelling-house/flat on ownership basis from a promoter as referred to in Cl. (bb) of sub-paragraph (1), the payment of withdrawal shall be made to the member in one or more instalments as may be required to be paid by the said promoter and as authorized by the member.

Explanation-”Promoter” includes a person who constructs or causes to be constructed a block or building of flats or apartments for the purpose of selling some or all or them to other persons or to a Company, Co-operative Society, or other association of persons and his assignees and where the persons who build and the person who sells are different persons, the term “Promoter” includes both.]

(5) Where an ¹⁰[withdrawal] is sanctioned for the construction of a dwelling-house the construction shall commence within six months of the withdrawal of the first instalment and shall be completed, within twelve months of the withdrawal of the final instalments. Where the ¹⁰[withdrawal] is sanctioned for the purchase of a dwelling-house /flat or for the acquisition of dwelling-site, the purchase or acquisition, as the case may be, shall be completed within six months of the withdrawal of the amount:

PROVIDED that this provision shall not be applicable in case of purchase of the dwelling-house/flat on hire-purchase basis in cases where a dwelling-site is to be acquired or houses are to be constructed by a Co-operative Society on behalf of its members with a view of their allotment to the members.

(6) Except in the case specified ¹³[in sub-paragraphs (7) and 7-A] no further ¹³[withdrawal] shall be admissible to a member under this paragraph.

(7) An additional ¹³[withdrawal] Up to ¹⁴[twelve months] basic wages and dearness allowance or the member's own share of contributions with interest thereon, in the amount standing to his credit in the fund whichever is less, may be granted ¹⁵[* * *] in one instalment only for additions, substantial alterations or improvements necessary to the dwelling-house owned by the member or by the spouse or jointly by the member and the spouse:

PROVIDED that the ¹³[withdrawal] shall be admissible only after a period of five years from the date of completion of the dwelling house.

¹⁶[(7-A) A further ¹³[withdrawal] equivalent to the amount of difference between the amount of ¹³[withdrawal] admissible to a member under subparagraph (2) above as on the date of fresh application and the amount of ¹³[withdrawal] that was drawn by a member under the paragraph any time during 6 years preceding 3rd October, 1981, (i) may be granted to such a member who had availed the earlier ¹³[withdrawal] for purchase of a dwelling-site and has now proposed to construct a dwelling-house on the land so purchased or (ii) who has availed the earlier ¹³[withdrawal] for making initial payment towards the allotment purchase of a house/flat from any agency as referred to in Cl. (a) of sub-paragraph (1) above and has now proposed to avail a ¹³[withdrawal] for completing the transaction to get the sole ownership of the house/flat so purchased or (no who had availed the earlier ¹³[withdrawal] for construction of a house but could not complete the construction in the time due to lack of funds.)

¹⁷[(7-B) A further withdrawal up to twelve months, basic wages and dearness allowance or member's own share of contribution with interest thereon in his account, whichever is the least, may be granted for addition, alteration, improvement or repair of the dwelling-house owned by the member or by the spouse or jointly by the member and the spouse, after ten years of withdrawal, under sub-paragraph (7).]

(8) The member shall produce the title deed and such other documents as may be required for inspection, which shall be returned to the member after the grant of ¹³[withdrawal].

(9) (a) If the ¹⁸ [withdrawal] granted under this paragraph exceeds the amount actually spent for the purpose for which it was sanctioned, the excess amount shall be refunded by the member to the fund in one lump-sum within thirty days of the finalisation of the purchase, or the completion of the construction of, or necessary additions, alterations or improvements to a dwelling-house, as the case may be. The amounts so refunded shall be credited to the employer's share of contributions in the member's account in the fund to the extent of '[withdrawal] granted out of the said share and the balance, if any, shall be credited to the

member's share of contributions in his account.

(b) In the event of the member not having been allotted a dwelling-site/dwelling-house/flat, or in the event of the cancellation of an allotment made to the member and of the refund of the amount by the agency, referred to in Cl. (a) of sub-paragraph (1) or in the event of the member not being able to acquire the dwelling-site or to purchase the dwelling-house/flat from any individual or to construct the dwelling-house, the member shall be liable to refund to the fund in one lump-sum and in such manner as may be specified by the Commissioner, or where so authorized by the Commissioner, any officer subordinate to him, the amount of ¹⁸[withdrawal] remitted under this paragraph to him, or as the case may be, to the agency referred to in Cl. (a) of sub-paragraph (1).

The amount so refunded shall be credited to the employer's share of contributions in the member's account in the fund, to the extent of ¹⁸[withdrawal] granted out of the said share, and the balance if any shall be credited to the member's own share of contributions in his account.

(10) If the Commissioner, or where so authorized by the Commissioner, any officer subordinate to him is satisfied that the ¹⁸[withdrawal] granted under this paragraph has been utilized for a purpose other than that for which it was granted or that the member refused to accept an allotment or to acquire a dwelling-site or that the conditions of ¹⁸ [withdrawal] have not been fulfilled or that there is reasonable apprehension that they will not be fulfilled wholly or partly: or that the excess amount will not be refunded in terms of Cl. (a) of sub-paragraph (9) or that the amount remitted back to the member by any agency referred to in Cl. (a) of sub-paragraph (1), will not be refunded in terms of Cl. (b) of sub-paragraph (9), the Commissioner, or where so authorized by the Commissioner, any officer subordinate to him, shall forthwith take steps to recover the amount due with penal interest thereon at the rate of two per cent. per annum from the wages of the member in such number of instalments as the Commissioner, or where so authorized by the Commissioner, any officer subordinate to him, may determine. For the purpose of such recovery the Commissioner or where so authorized by the Commissioner, any officer subordinate to him may direct the employer to deduct such instalment from the wages of the member and on receipt of such direction, the employer shall deduct accordingly. The amount so deducted shall be remitted by the employer to the Commissioner, or where so authorized by the Commissioner, any officer subordinate to him within such time and in such manner as may be specified in the direction. The amount so refunded, excluding the penal interest, shall be credited to the employer's share of contributions in the member's account in the fund to the extent of ¹⁸[withdrawal] granted out of the said share and the balance if any shall be credited to the member's own share of contributions in his account. The amount of penal interest shall, however, be credited to the Interest Suspense Account:

¹⁹ PROVIDED that the recovery of withdrawal under sub-paragraph (10) shall be restricted to cases where the recovery has been ordered by the sanctioning authority while the member is in service.]

(11) Where any ²⁰[withdrawal] granted under this paragraph has been misused by the member, no further withdrawal shall be granted to him under this paragraph within a-period of three years from the date of grant of the said ²⁰ [withdrawal] or till the full recovery of the amount of the said [withdrawal] with penal interest thereon, whichever is latter.

1. Subs. by G.S.R. 549 (E), dated 3rd October, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 3rd October, 1981.

2. Subs. by G.S.R. 954, dated 22nd August, 1984, published in the Gazette of India, Pt. II Sec. 3 (i), dated 8th September, 1984).

3. Paragraph 68-A omitted by G.S. R. 98, dated 15th January, 1962.
4. The words “provided the said house/flat to be purchased is new and unlive d one” deleted by ibid.
5. Ins. by G.S.R. 421, dated 12th May, 1988 (w.e.f 21st May, 1988).
6. Added by G.S.R. 954, dated 22nd August, 1984, published in the Gazette of India. Pt. II, Sec. 3 (0, dated 8th September, 1984.
7. Explanation 2 deleted by ibid.
8. Subs. by G.S. R. 81, dated 20th January, 1993.
9. Subs. by G.S.R. 954, supra.
10. Subs. by G.S.R. 954, dated 22nd August, 1984, published in the Gazette of India, Pt. II, Sec. 3 (Q. dated 8th September, 1984.
11. Omitted by G.S.R. 81, dated 20th January, 1993.
12. Ins. by G.S. R. 421, dated 12th May, 1988 (w.e.f 2 1 st May, 1988).
13. Subs. by G.S.R. 954, dated 22nd August, published in the Gazette of India, Pt.II, Sec. 3 (i), dated 8th September, 1984 (w.e.f. 8th September, 1984).
14. Ins. by G.S.R. 421, dated 12th May, 1988 (w.e.f. 21st May, 1988).
15. Omitted by G.S. R. 341, dated 9th July, 1992.
16. Ins. by G.S.R. 954, dated 22nd August, 1984 as amended by G.S. R. 287, dated 6th March, 1988 (w.e.f 21 st May, 1988).
17. Ins. by G. S. R. 341, dated 9th July, 1992.
18. Subs. by G.S.R, 954, dated 22nd August, published in the Gazette of India, Pt. II, Sec. 3 (i), dated 8th September, 1984 (w.e.f. 8th September, 1984).
19. Ins. by G.S.R. 832, dated 23rd October, 1987 (w.e.f 17th November, 1987).
20. Subs. by G.S. R. 954, dated 22nd August, 1984, published in the Gazette of India, Ft. II, Sec. 3 (i) dated 8th September, 1984 (w.e.f 8th September, 1984).

¹[68 BB. WITHDRAWAL FROM THE FUND FOR REPAYMENT OF LOANS IN SPECIAL CASES. –

(1) (a) The Commissioner, or where so authorized by the Commissioner, any officer subordinate to him, may, on an application from the member, sanction from the amount standing to the credit of the member in the fund , ²[withdrawal] for the repayment, wholly or partly, of any outstanding principal and interest of a loan obtained from a State Government, Co-operative Society. Housing Board, Municipal Corporation or a body similar to the Delhi Development Authority solely for the purposes specified in sub-paragraph (i) of the para. 68-B.

(b) The amount of ³[withdrawal] shall not exceed the member’s basic wages and dearness allowance for ⁴[thirty-six months) or his own share of contributions together with the employer’s share of contributions, with interest thereon in the member’s account in the fund or the amount of outstanding

principal and interest of the said loan, whichever is least.

(2) No ³[withdrawal] shall be sanctioned under this paragraph unless-

(a) The member has completed ⁵[ten] years' membership of the fund, and

(b) the member's own share of contributions, with interest thereon, in the amount standing to his credit in the fund is one thousand rupees or- more, and

(c) The member produces a certificate or such other documents, as may be prescribed by the Commissioner or where so authorized by the Commissioner, any officer subordinate to him from such agency, indicating the particulars of the member, the loan granted, the outstanding principal and interest of the loan and such other particulars as may be required.

(3) The payment of the withdrawal under this paragraph shall be made direct to such agency on receipt of an authorization from the member in such manner as may be specified by the Commissioner, or where so authorized by the Commissioner, any officer subordinate to him, and in no event the payment shall be made to the member.]

1. **Ins. by G.S.R. 507 (E), dated 5th September, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated the 15th September, 1981.**

2. **Subs. by G.S.R. 832, dated 23rd October, 1987 (w.e.f. 17th November, 1987), for the words "an advance".**

3. **Subs. by G.S. R. 954, dated 22nd August, 1984, published in the Gazette of India, Ft. II, Sec. 3 (i) dated 8th September, 1984 (w.e.f 8th September, 1984).**

4. **Subs. by G.S.R. 667, dated 27th June, 1985, published in the Gazette of India, Pt. II. Sec. 3 (i), dated 13th July, 1985 (w.e.f. 13th July, 1985), for the words "twenty-four months".**

5. **Subs. by G.S.R. 221, dated 15th March, 1990 (w.e.f I st January, 1990).**

¹[68-C. [* * * *]]

1. **Deleted by G.S.R. 549 (E), dated 3rd October, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 3rd October, 1981.**

¹[68-D. ²[* * * *]]

1. **Subs. by ibid.**
2. **Paragraph 68-D. deleted by G.S.R. 832, dated 23rd October, 1987 (w.e.f. 17th November, 1987).**

¹[68-E. **COMPUTATION OF PERIOD OF MEMBERSHIP.** -In computing the period of membership of the fund of a member under paras. 68-B, 68-BB, 68-K, his total service exclusive of period of breaks under the same employer or factory/establishment before this scheme applied to him, as well as the period of his membership, whether of the fund or of private provident fund of exempted factories/establishments or as an employee exempted under para. 27 or para 27-A, as the case may be, immediately preceding the current membership of the fund, shall be included:

PROVIDED that the member has not served his membership by withdrawal of his provident fund during such period.]

1. **Subs. by G.S.R. 549 (E), dated 3rd October, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 3rd October, 1981.**

¹[68-F. * * * * *]]

1. **Deleted by G. S. R. 549 (E) dated 3rd October, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 3rd October, 1981.**

¹[68-G. * * * * *]]

1. **Deleted by G. S. R. 549 (E) dated 3rd October, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 3rd October, 1981.**

¹[68-GG. * * * * *]]

1. **Ins. by G.S.R. 1501, dated 6th November, 1962 (w.e.f. 10th November, 1962).**

¹[68-H. **GRANT OF ADVANCES IN SPECIAL CASES. –**

²[(1) In case a factory or other establishment has been locked up or closed down for more than fifteen days and its employees are rendered unemployed without any compensation or in case an employee does not receive his wages for a continuous period of two months or more, these being for reasons other than a strike, the Commissioner or where so authorized by the Commissioner, any officer subordinate to him may on an application from an employee, who is a member of the Fund, in such form as may be prescribed, authorise payment to him, of one or more non-recoverable advance, from his Provident Fund Account not exceeding his own total, contributions including interest thereon unto the date the payment has been authorised.]

³[(1-A) In case a provident fund member is discharged or dismissed or retrenched by the employer and such discharge or dismissal or retrenchment is challenged by the member and the cases are pending in a Court of law, an officer not below the rank of Assistant Provident Fund Commissioner may on an application from the member in such form as may be prescribed authorize payment to him of one or more non-recoverable advances from his Provident Fund Account not exceeding fifty per cent. of his own share of contribution with interest thereon standing to his credit in the Fund on the date of such authorization.]

⁴[(2) ⁵[(a) In case the factory or other establishment, continues to remain locked up, or closed down for more than six months, the Commissioner, or where so authorized by the Commissioner any officer subordinate to him, on being satisfied that a member who has already, been granted one or more non-recoverable advances from his Provident Fund Account under sub-paragraph (1) still continues to be unemployed, and no compensation is likely to be paid to him at an early date, may, on receipt of an application therefor, in such form as may be prescribed, in this behalf, authorise payment to the member of one or more recoverable advances, from his provident fund account up to the extent of 100% of the employer's total contribution including interest thereon up to the date on which the payment has been authorised.]]

⁶[PROVIDED that if the factory or establishment in which the member is employed remains closed for more than five years for reasons other than strike recoverable advances may be converted into non-recoverable advance on receipt of a request in writing from the member concerned.]

(b) The advance granted under sub-clause (a) shall be interest-free.

(c) The advance granted under Cl. (a) shall be recovered by deductions from the wages of the member in such instalments ⁷[subject to a maxim of thirty-six instalments] as may be determined by the Commissioner ⁸[or where so authorised by the Commissioner, any officer subordinate to him]. The recovery shall commence from the first wages paid to the member immediately after the re-start of the factory or establishment.

(d) The employer shall remit the amount so deducted to the fund within such time and in such manner as may be specified by the Commissioner ⁴[or where so authorised by the Commissioner, any officer subordinate to him]. The amount on receipt, shall be credited to the member's account in the fund.]

⁹[**Explanation**-For the purpose of grant of advance under this paragraph the establishment, may be closed legally, illegally with permission or without permission, so long as the establishment is closed.]

1. **Ins. by G.S.R. 1501, dated 6th November, 1962 (w.e.f. 110th November 1962).**
2. **Subs. by G.S. R. 32 1, dated 4th April, 1983, published in the Gazette of India Pt. II, Sec. 3 (i). dated 16th April, 1983 (w.e.f. 16th April, 1983).**
3. **Ins. by G.S.R. 421, dated 12th May, 1988 (w.e.f. 21st May, 1988).**
4. **Ins. by G.S.R. 1900, dated 16th October, 1968.**
5. **Subs. by G.S.R. 221, dated 15th March, 1990 (w.e.f. 1st January, 1990).**
6. **Ins. by G.S. R. 341, dated 9th July, 1992.**
7. **Ins. by G. S. R. 341, dated 9th July, 1992.**
8. **Subs. by G.S.R. 321, dated 4th April, 1983, published in the Gazette of India, Pt. II, Sec. 3 (i), dated 16th April, 1983 (w.e.f. 16th April, 1983).**
9. **Ins. by G.S.R. 221, dated 15th March, 1990, (w.e.f. 1st January, 1990).**

¹[68-I. * * * * *]

1. **Paragraph 68-1 omitted by G. S. R. 1103, dated 6th July, 1976.**

¹[68-J. ADVANCE FROM THE FUND FOR ILLNESS IN CERTAIN CASES. –

(1) A member may be allowed non-refundable advance from his account in the fund in cases of (a) hospitalization lasting for one month or more, or (b) major surgical operation in a hospital, or (c) suffering from T.B., Leprosy, ⁹[paralysis, cancer, mental derangement or heart ailment] and having been granted leave by his employer for treatment of the said illness.

(2) ³[The advance shall be granted if-

(a) The employer certifies that the Employees' State Insurance Scheme facility and benefits thereunder are not actually available to the member or the member produces a certificate from the Employees' State Insurance Corporation to the effect that he has ceased to be eligible for cash benefits, under the Employees' State Insurance Scheme; and

(b) A doctor of the hospital certifies that surgical operation or as the case may be, hospitalization for one month or more had or has become necessary ⁴[or a registered medical practitioner, or in the case of mental derangement or heart ailment a specialist, certifies that the member is suffering from T.B., leprosy,

paralysis, cancer, mental derangement or heart-ailment.]

5[* * * * *]

6[(3) A member may be allowed non-refundable advance from his account in the fund for the treatment, of a member of his family who has been hospitalized, or requires hospitalization, for one month or more, -

(a) For a major surgical operation, or

(b) For the treatment of T.B., leprosy, 7[paralysis, cancer, mental derangement or heart-ailment];

PROVIDED that no such advance shall be granted to a member unless he had produced-

(i) A certificate from a doctor of the hospital that the patient has been hospitalised, or requires hospitalisation for one month or more, or that a major surgical operation had or has become necessary, and

(ii) A certificate from his employer that the Employees' State Insurance Scheme facility and benefits are not available to him for the treatment of the patient.]

(4) The amount advanced under this paragraph shall not exceed the member's basic wages 8[and dearness allowance] for 9[six] months or his own share of contribution with interest in the fund, whichever is less.

10(5) * * * * *

(6) Where the Commissioner 8[or, where so authorized by the Commissioner any officer subordinate to him] is not satisfied with medical certificate furnished by the member under this paragraph, he may, before granting an advance under this paragraph demand from the member another medical certificate to his satisfaction.]

1. Ins. by G.S. R. 126, dated 16th January, 1964 (w.e.f, 15th January, 1964).

2. Subs. by G.S.R. 496 (E), dated 27th August, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (0, dated 27th August, 1981, for the words “paralysis or cancer” (w.e.f 27th August, 1981).
3. Subs. by G.S.R. 11, dated 24th December, 1964.
4. Ins. by G.S.R. 496 (E), dated 27th August, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 27th August, 1981 (w.e.f. 27th August, 1981).
5. Proviso deleted by C.S.R, 1858, dated 30th November, 1966.
6. Subs. by G.S.R. 48. dated 23rd December, .1966.
7. Subs. by G.S.R. 321, dated 4th April, 1983, published in the Gazette of India, Pt. II, Sec. 3 (0, dated 16th April, 1983 (w.e.f. 16th April, 1983).
8. Ins. by G.S.R. 496 (E), dated 27th August, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (0, dated 27th August, 1981 (w.e.f. 27th August, 1981).
9. Subs. by G.S. R. 81. dated 20th January, 1993.
10. Omitted by G.S. R. 496 (E), dated 27th August, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 27th August, 1981 (w.e.f 27th August, 1981).

¹[68-K.ADVANCE FROM THE FUND FOR MARRIAGES OR POST-MATRICULATION EDUCATION OF CHILDREN. –

²[(1) The Commissioner or where so authorized by the Commissioner, an officer subordinate to him, may, on an application from a member, authorize payment to him or her of a non-refundable advance from his or her Provident Fund Account not exceeding fifty per cent. of his or her own share of contribution with interest thereon, standing to his or her credit in the fund, on the date of such authorization, for his or her own marriage, the marriage of his or her daughter, son, sister or brother or for the post-matriculation education of his or her son or daughter.]

³[(2) No advance under this paragraph shall be sanctioned to a member unless-

(a) He has completed seven years’ membership of the fund; and

(b) The amount of ²[his own share of contributions] with interest thereon standing to his credit in the fund is rupees one thousand or more.]

(3) [Not more than ⁴[three advances shall be admissible to a member under this paragraph.]

⁵[* * * * *]

1. Subs. by G.S.P, 1457, dated 16th November, 1978 (w.e.f 2nd December, 1978).
2. Ins. by G.S.R. 496 (E), dated 27th August,, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 27th August, 1981 (w.e.f 27th August, 1981).
3. Subs. by G.S.R. 1103, dated 6th July, 1976.
4. Subs. by G.S.R. 449, dated 31st May, 1983, published in the Gazette of India Pt. II. Sec. 3 (i), dated 18th June, 1983.
5. Sub-paragraph (4) deleted by G.S. R. 832, dated 23rd October, 1987 (w.e.f 17th November, 1987)

¹[68-L. GRANT OF ADVANCE IN ABNORMAL CONDITIONS. –

(1) The Commissioner ²[or where so authorized by the Commissioner, any officer subordinate to him] may, on an application from a member whose property, moveable or immoveable, has been damaged by a calamity of exceptional nature, such as, floods, earthquakes or riots, authorize payment to him from the Provident Fund Account, of a non-refundable advance, ³[of] ⁴[rupees five thousand] or fifty per cent. of his own total contributions including interest thereon standing to his credit on the date of such authorization, whichever is less, to meet any unforeseen expenditure.

³[(2) No advance under sub-paragraph (1) shall be paid unless, -

(i) The State Government has declared that the calamity has affected the general public in the area; ⁵[* * *]

(ii) The member produces a certificate from an appropriate authority to the effect that his property (moveable or immoveable) has been damaged as the result of the calamity;] and

⁶[(iii) The application for advance is made within a period of 4 months from the date of declaration referred to in sub-paragraph (i).]

1. Ins. by G.S.R. 2686, dated 20th November, 1969.
2. Ins. by G.S.R. 496 (E), dated 27th August,, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 27th August, 1981 (w.e.f 27th August, 1981).
3. Subs by G.S.R. 1103, dated 6th July, 1976.

4. Subs. by 343, dated 8th May, 1991, for “rupees five hundred” (w.e.f. 1st April, 1991).
5. The word “and” omitted by G.S.R. 1118, dated 21st August, 1976 (w.e.f. 1st September, 1976).
6. Ins. by G.S.R. 1118, dated 21st August, 1976 (w.e.f. 1st September, 1976).

¹[68-M.GRANT OF ADVANCE TO MEMBERS AFFECTED BY CUT IN THE SUPPLY OF ELECTRICITY. -A member may be allowed a non-refundable advance from his account in the fund, if there is a cut in the supply of electricity to a factory or establishment in which he is employed on the following conditions, namely:

²[(a) The advance may be granted only to a member whose total wages for any one month commencing from the Month of January, 1973, were three-fourths or less than three-fourths of wages for a month.]

(b) The advance shall be restricted to the amount of wages for a month or ³[Rs. 300] or the amount standing to the credit of the member in the fund as his own share of contributions with interest thereon, whichever is less.

(c) No advance shall be paid unless State Government certifies that the cut in the supply of electricity was enforced in the area in which the factory or establishment is located and the employer certifies that the fall in the member's pay was due to cut in the supply of electricity.

(d) Only one advance shall be admissible under this paragraph.

Explanation-“Wages” means, for the purpose of this paragraph, basic wages and dearness allowance excluding lay-off compensation, if any.]

1. Ins. by G.S.R. 552, dated 10th May, 1973.
2. Subs. by G.S.R. 1117, dated 21st September, 1973.
3. Subs. by G.S.R. 871, dated 7th July, 1975.

¹[68 N. GRANT OF ADVANCE TO MEMBERS WHO ARE PHYSICALLY HANDICAPPED. –

(1) A member, who is physically handicapped, may be allowed a non-refundable advance from his account in the fund, for purchasing an equipment required to minimise the, hardship on account of handicap.

(2) No advance under sub-paragraph (1) shall be paid unless the member produces a medical certificate from a competent medical practitioner to the satisfaction of the Commissioner or such other officer as may be authorised by him in this behalf to the effect that he is physically handicapped.

(3) The amount of advance under this paragraph shall not exceed the member's basic wages and dearness allowance for six months or his own share of contributions with interest thereon or the cost of the equipment, whichever is the least.

(4) No second advance under this paragraph shall be allowed within a period of three years from the date of payment of an advance allowed under this paragraph.]

1. Ins. by G.S.R. 625 (El, dated 30th November, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (V. dated the 1 st December, 1981.

¹[68-NN. WITHDRAWAL WITHIN ONE YEAR BEFORE THE RETIREMENTS. -The Commissioner, or whoever so authorised by the Commissioner, any officer subordinate to him, may, on an application from a member in such form as may be prescribed, permit withdrawal of up to 90 per cent. of the amount standing at his credit, at any time after attainment of the age of 54 years by the member or within one year before his actual retirement on superannuation whichever is later.]

1. Ins. by G.S.R. 283, dated 2nd February, 1996 (w.e.f 6th July, 1996).

¹[68-O. PAYMENT OF WITHDRAWAL OR ADVANCE. -The payment of withdrawal or advance under paras. 68-B, ²[* * *], 68- H, 68-J, 68-K, 68-L, 68-M ³[68-N and 68-NN] of the scheme may be made, at the option of the member-

(i) By postal money order, or

(ii) By deposit in the payee's bank account in any scheduled bank or in Co-operative bank (including the Urban Co-operative Bank) or any post office, or

(iii) Through the employer).

1. Ins. by G.S.R. 832, dated 23rd October, 1987 (w.e.f 17th November, 1987).

2. The figures and letters “68-BB” omitted by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989).

3. Subs. by G.S.R. 283, dated 2nd February, 1996 (w.e.f. 6th July, 1996).

1[69. CIRCUMSTANCES IN WHICH ACCUMULATIONS IN THE FUND ARE PAYABLE TO A MEMBER. -

(1) A member may withdraw the full amount standing to his credit in the fund-

(a) On retirement from service after attaining the age of 55 years:

²[PROVIDED that a member who has not attained the age of 55 years at the time of termination of his service, shall also be entitled to withdraw the full amount standing to his credit in the fund if he attains the age of 55 years before the payment is authorized;]

³[(b) On retirement on account of permanent and total incapacity for work due to the bodily or mental infirmity duly certified by the medical officer of the establishment or where an establishment has no regular medical officer, by a registered medical practitioner designated by the establishment;]

(c) Immediately before migration from India for permanent settlement abroad ⁴[or for taking employment abroad];

⁵[(d) on termination of service in case of mass or individual retrenchment;]

⁶[* * * * *]

⁷[(dd) On termination of service under a voluntary scheme of retirement framed by the employer and the employees under a mutual agreement specifying, inter alia, that notwithstanding the provisions contained in sub-clause (a) of Cl. (oo) of Sec. 2 of the Industrial Disputes Act, 1947, excluding voluntary retirements from the scope of definition of “retrenchment” such voluntary retirements shall for the purpose be treated as retrenchment by mutual consent of the parties.]

(e) In any of the following contingencies, provided the actual payment shall be made only after completing a continuous period of not less than ⁸[two months] immediately preceding the date on which a member makes the application for withdrawal-

- (i) Where a factory or other establishment is closed but certain employees who are not retrenched, are transferred by the employer to other factory or establishment not covered under the Act;
 - (ii) Where a member is transferred from a covered factory or other establishment to another factory or other establishment not covered under this Act, but is under the same employer; and
 - (iii) where a member is discharged and is given retrenchment compensation under the Industrial Disputes Act, 1947 (14 of 1947);]
- (f) 9 [* * * * *]

¹⁰[(I-A) For the purpose of Cl. (b) of sub-paragraph (1), -

- (i) where an establishment has been closed, the certificate of any registered medical practitioner may be accepted;
- (ii) where there is no medical officer in the establishment, the employer shall designate a registered medical practitioner stationed in the vicinity of the establishment: or
- (iii) Where the establishment is covered by the Employees' State Insurance Scheme, medical certificate from a medical officer of the Employees' State Insurance Dispensary with which, or from the Insurance Medical Practitioner with whom, the employee is registered under that scheme, shall be produced:

PROVIDED that where by mutual agreement of employers and employees a Medical Board exists for any establishment or a group of establishments, a certificate issued by such Medical Board may also be accepted for the purpose of this paragraph:

PROVIDED further that it shall be open to the Regional Commissioner to demand from the member a fresh certificate from a Civil Surgeon or any doctor acting on his behalf where the original certificate produced by him gives rise to suspicion regarding its genuineness:

PROVIDED further that the entire fee of the Civil Surgeon or any doctor acting in his behalf shall be paid from the fund in case the findings of the Civil Surgeon or any doctor acting on his behalf agree with the original certificate and that where such findings do not agree with the original certificate, only half of the fee shall be paid from the fund and the remaining half shall be debited to the member's account; (iv) a member suffering from tuberculosis or leprosy ¹¹[or cancer] even if contracted after leaving the service of an establishment on grounds of illness but before payment has been authorized, shall be deemed to have been

¹²[(2) In cases other than those specified in sub-paragraph (1), the Central Board, or where so authorised by the Central Board, the Commissioner, or where so authorised by the Commissioner, any officer subordinate to him, may permit a member to withdraw the full amount, standing to his credit in the fund on ceasing to be an employee in any establishment, to which the Act applies, provided that he has not been employed in any factory or other establishment, to which the Act applies for a continuous period of not less than two months, immediately preceding the date on which he makes an application for withdrawal. The requirement of two months waiting period shall not, however, apply in cases of female members, resigning from the services of the establishment for the purpose of getting married.]

(3) ¹³[* * * * *]

(4) ¹⁴[* * * * *]

(5) Any member who withdraws the amount due to him under sub-paragraph (2) shall, on obtaining re-employment in a ¹⁵[factory or other establishment) to which the scheme applies, be required to qualify again for the membership of the fund and on qualifying for membership shall be treated as fresh member thereof.

(6) ¹⁶[* * * * *]

Explanation-¹³ [* * * * *

1. Subs. by S.R.O. 2706, dated 17th August, 1957 (w.e.f. 24th August, 1957).
2. Added by G.S.R. 1044, dated 23rd October, 1958 (w.e.f. 1st November, 1958).
3. Subs. by G.S.R. 350. dated 26th February, 1966.
4. Ins. by G.S.R. 832, dated 23rd October, 1987 (w.e.f. 17th November, 1987).
5. Ins. b G.S.R. 1501. dated 6th November, 1962 (w.e.f. 10th November, 1962).
6. Provisos to Cl. (d) omitted by G.S.R. 1184, dated 16th October, 1974 (w.e.f. 2nd November, 1974).
7. Added by G.S.R. 63, dated 9th January, 1973.
8. Subs. by G.S.R. 496 (E), dated 27th August, 1981, published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (Q, dated 27th August, 1981, for the words “six months” (w.e.f 27th August, 1981).
9. Clause (9 omitted by G.S. R. 341, dated 18th March, 1974.

10. Ins. by G.S.R. 350, dated 25th February, 1966.
11. Ins. by G.S.R. 1457, dated 16th November, 1978 (w.e.f. 2nd December. 1978).
12. Subs. by G.S.R. 22 1, dated 15th March, 1990 (w.e.f. 1 st January. 1990).
13. Omitted by ibid.
14. Sub-paragraph (4) omitted by G.S.R. 1501, dated 6th November, 1962. -
15. Subs. by S.R.O. 3374, dated 10th October, 1947, for the word “factory” (w.e.f. 24th August, 1957).
16. Omitted by G.S.R. 221, dated 15th March, 1990 (w.e.f. 1 st January, 1990).

70. ACCUMULATIONS OF A DECEASED MEMBER, TO WHOM PAYABLE. -On the death of a member before the amount standing to his credit has become payable or where the amount has become payable before payment has been made, -

(i) If a nomination made by the member in accordance with para. 61 subsists, the amount standing to his credit -in the fund or that part thereof to which the nomination relates, shall become payable to his nominee or nominees in accordance with such nomination; or

(ii) If no nomination subsists or if the nomination relates only to a part of the amount standing to his credit in the fund; the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall become payable to the members of his family in equal shares:

PROVIDED that no share shall be payable to-

- (a) Sons who have attained majority;
- (b) Sons of a deceased son who have attained majority;
- (c) Married daughters whose husbands are alive;
- (d) Married daughters of a deceased son whose husbands are alive;

If there is any member of the family other than those specified in Cls. (a), (b), (c) and (d):

PROVIDED further that the widow or widows, and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the member, and had not attained the age of majority at the time of the member's death;

(iii) In any case, to which the provisions of Cls. (i) and (ii) do not apply the whole amount shall be payable to the person legally entitled to it.

Explanation-For the purpose of this paragraph a member's posthumous child, if born alive, shall be treated in the same way as a surviving child born before the member's death.

1[70-A. PAYMENT OF PROVIDENT FUND ACCUMULATIONS IN THE CASE OF A PERSON CHARGED WITH THE OFFENCE OF MURDER.

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(1) If a person, who in the event of the death of a member of the fund is eligible to receive provident fund accumulations of the deceased member under para. 70, is charged with the offence of murdering the member or abetting in the commission of such an offence, his claim to receive the share of provident fund shall remain suspended till the conclusion of the criminal proceeding initiated against him for such offence.

(2) If on the conclusion of the criminal proceedings referred to in sub-paragraph (1) the person concerned is-

(a) Convicted for the murder or abetting the murder of the member, he shall be debarred from receiving the share of provident fund accumulations which shall be payable to other eligible members, if any, of the deceased member; or

(b) Acquitted of the murdering or abetting the murder of the member, his share of provident fund shall be payable to him.]

1. Ins. by G. S. R. 341, dated 9th July, 1992.

71. 1[* * * * *

1. Omitted by G.S.R. 707, dated 4th May, 1976.

72. PAYMENT OF PROVIDENT FUND. –

(1) When the amount standing to the credit of a member, ¹[* * *] becomes payable, it shall be the duty of the Commissioner to make prompt payment as provided in the scheme, ²[* * *]. In case there is no nominee in accordance with this scheme, ³[or there is no person entitled to receive such amount under sub-paragraph (ii) of para. 70], the Commissioner may, if the amount to the credit of the fund does not exceed ⁴[Rs. 10,000] and if satisfied after enquiry about the title of the claimant, pay such amount to the claimant.

(2) If any portion of the amount, which has become payable, is in dispute or doubt, the Commissioner shall make prompt payment of that portion of the amount in regard to which there is no dispute or doubt, the balance being adjusted as soon as may be possible.

⁵[(3) If the person to whom any amount is to be paid under this Scheme is a minor for whose estate a guardian under the Guardians and Wards Act, 1890 (8 of 1890), has been appointed, the payment shall be made to such guardian. Where no guardian under the Guardians and Wards Act, 1890 (8 of 1890), has been appointed, the payment shall be made to the guardian, if any, appointed under sub- paragraph (4-A) of para. 61. Where no guardian under the Guardians and Wards Act, 1890 (8 of 1890), or under sub-paragraph (4-A) of para. 61 has been appointed, the payment shall be made to the natural guardian and in the absence of natural guardian to such person as the Commissioner, ⁶[where the amount does not exceed ⁷[Rs. 20,000] or the Chairman of the Central Board, if the amount exceeds ⁸[Rs. 20,000] considers to be the proper person representing the minor and the receipt of such person for the amount paid shall be a sufficient discharge thereof ⁹[* * *]

(3-A) If the person to whom any amount is to be paid under this scheme is a lunatic for whose estate a manager under the Indian Lunacy Act, 1912 (4 of 1912), has been appointed, the payment shall be made to such manager. If no such manager has been appointed, the payment shall be made to the natural guardian of lunatic and in the absence of any such natural guardian, to such person as the Commissioner, ¹⁰[where the amount does not exceed ¹¹[RS. 20, 000] or the Chairman of the Central Board, if the amount exceeds ¹¹[Rs. 20,000] considers to be the proper person representing the lunatic and the receipt of such person for the amount paid shall be sufficient discharge thereof ⁹[* * *].

(4) If it is brought to the notice of the Commissioner that a posthumous child is to be born to the deceased member he shall retain the amount, which will be due to the child in the event of its being born alive, and distribute the balance. If subsequently no child is born or the child is still born the amount retained shall be distributed in accordance with the provisions of para. 70.

¹²[(5) (a) Every employer shall, at the time when a member of the fund leaves the service, be required to get the claim application for payment of provident fund in cases specified in Cls. (a) to (dd) of sub-paragraph (1), ¹³[* * *] of para. 69, duly filled in and attested and to forward the said application, ¹⁴[within five days of its receipt] to the Commissioner or any other officer authorized by him in this behalf.

(b) Every employer shall, at the time when a member of the Fund leaves this service, be required to get the claim application for payment of provident fund in cases specified in Cl. (e) of sub-paragraph (i) and in ¹³[* * *] sub-paragraph (2) of para. 69, duly filled in and attested, and to give the said application to the member, for submission and completion of the period specified in ¹³[* * *] sub-paragraph (2) of para. 69.

¹⁵[PROVIDED the member continues to remain unemployed in a factory or other establishment to which the Act applies] either through post or in person with proper identification, to the Commissioner or any other officer authorized by him in this behalf

(c) Every employer shall, on the death of the member and on receipt of an application for receiving the amount standing to the credit of such member forward forthwith ¹⁵[but not later than five days of its receipt] the said application to the Commissioner or any other officer authorised by him in this behalf.

(d) If the applicant is unable to send the claim application through the employer or duly attested by him, for any reason whatsoever, he may forward it to the Commissioner or any other officer authorised by him in this behalf, and wherever necessary, the Commissioner or any other officer authorised by him in this behalf, may forward such application to the employer and the employer shall be required to return it within five days of its receipt.

¹⁶[(e) The payment may be made, in the option of the person to whom payment is to be made, (i) by postal money-order, or (ii) by deposit in the payee's bank account in any Scheduled Bank or any Co-operative Bank (including the Urban Co-operative Banks) or any post office or (iii) by deposit in the payee's name (the whole or part of the amount) in the form of annuity term deposits scheme in any Nationalised Bank, or (iv) through the employer]:

¹⁷[PROVIDED that when the provident fund amount payable by postal money order exceeds Rs. 500/- it shall be remitted at the cost of the payee.]

¹⁵[(6) Any amount becoming due to a member as a result of (i) supplementary contribution from the employer in respect of leave wages/arrears of pay, instalment of arrear contribution received in respect of a member, whose claim has been settled on account but which could not be remitted for want for latest address, or (ii) accumulation in respect of any member who has either ceased to be employed or died, but no claim has been preferred within a period of three years from the date it becomes payable, or if any amount remitted to a person is received back undelivered, and it is not claimed again within a period of three years from the date it becomes payable, shall be transferred to an account to be called the "Unclaimed Deposit Account":

PROVIDED that in the case of a claim for the payment of the said balance the amount shall be paid by debiting the "Unclaimed Deposits Account".]

¹⁸[(7) The claims, complete in all respects submitted along with the requisite documents shall be settled and benefit amount paid to the beneficiaries within 30 days from the date of its receipt by the Commissioner. If there is any deficiency in the claim, the same shall be recorded in writing and communicated to the applicant within 30 days from the date of receipt of such application. In case the Commissioner fails without sufficient cause to settle a claim complete in all respects within 30 days, the Commissioner shall be liable for the delay beyond the said period and penal interest at the rate of 12% per annum may be charged on the benefit amount and the same may be deducted from the salary of the Commissioner.]

1. Omitted by G.S.R. 221, dated 15th March, 1990 (w.e.f. 1 st January, 1990).
2. Omitted by G.S.R. 1415, dated 14th September, 1964.
3. Ins. by G.S.R. 473, dated 14th March, 1977 (w.e.f. 2nd April, 1977).
4. Subs. by ibid., for the figures “5,000”.
5. Subs. by G.S.R. 1707, dated 17th November, 1965.
6. Subs. by G.S.R. 473, dated 14th March, 1977 (w.e.f. 2nd April, 1977).
7. Subs. by G.S.R. 832, dated 23rd October, 1987 (w.e.f. 17th November, 1987), for the letters and figures “Rs. 10, 000”.
8. Subs. by G.S.R. 832, dated 23rd October, 1987 (w.e.f. 17th November. 1987). for the letters and figures “Rs. 10,000”.
9. Omitted by G.S.R. 221, dated 15th March, 1990 (w.e.f 1st January, 1990).
10. Subs. by G.S.R. 1707, dated 17th, November, 1965.
11. Subs. by G.S.R. 141, dated 28th January, 1982, published in the Gazette of India. Pt. II Sec. 3 (i), dated 26th February, 1982.
12. Ins. by G.S. R. 521, dated 16th August, 1991 (w.e.f 1 st September, 199 1).
13. Omitted by G.S.R. 221, dated 15th March, 1977 (w.e.f 2nd April, 1977).
14. Subs. by G.S.R. 421, dated 12th May, 1988 (w.e.f 21st May. 1988).
15. Added by G.S.R. 1415, dated 24th September, 1964.
16. Subs. by G.S.R. 188, dated 2nd February, 1985, published in the Gazette of India, Pt. II, Sec. 3 (i). dated 16th February, 1985 (w.e.f 16th February, 1985), for sub-paragraph (5) (e) as amended in view of G.S.R. 653, dated 15th July, 1982.
17. Ins. by G.S.R. 449, dated 31st May, 1983, published in the Gazette of India Pt. II, Sec. 3 (ii), dated 18th June, 1983, (w.e.f. 18th June, 1983).
18. Ins. by Notification No. H- 11016/24/97, SS-11, (G.S.R. 405) dated 26th August, 1997 (w.e.f. 31 st December, 1997).

73. ANNUAL STATEMENT OF MEMBER’S ACCOUNT. –

(1) As soon as possible after the close of each period of currency of contribution card the Commissioner shall send to each member through the employer of the ¹[factory or other establishment] in which he was last employed a statement of his account in the fund showing the opening balance at the beginning of the period, amount contributed during the year, the total amount of interest credited at the end of the period or debited in the period and the closing balance at the end of period.

(2) Members should satisfy themselves as to correctness of the annual statement and any error should be brought to be notice to the Commissioner within six

months of the receipt of the statement.

1. Subs. by S.R.O. 1363, dated 26th April, 1957, for the word “factory”.

73-A 1[* * * * *]

1. Paragraph 73-A, ins. by G.S.R. 1467, dated 2nd December, 1960 (w.e.f. 10th December, 1960) and further, omitted by G.S.R. 725, dated 16th April, 1963.

CHAPTER IX

MISCELLANEOUS

1[74. ANNUAL REPORT ON THE WORK AND ACTIVITIES OF THE BOARD AND ITS AUDITED ACCOUNTS. -

(1) The annual report on the work and activities of the Central Board and its audited accounts together with the report of Comptroller and Auditor-General of India, shall be considered by the Executive Committee, and shall be placed for adoption at a meeting of the Board, to be held before the tenth of December following the close of the financial year concerned:

PROVIDED that if the report of the Comptroller and Auditor- General is not received by the first of December following the close of the financial year to which it pertains, the audited accounts together with report of the Comptroller and Auditor-General may be placed before the Executive Committee/Board separately from the annual report on the work and activities of the Board.

(2) The annual report on the work and activities of the Board and the audited accounts of the Board together with the report of the Comptroller and Auditor-General of India, as adopted by the Board, shall be authenticated by affixing the common seal of the Board, and the four copies thereof together with the comments of the Board on the report of the Comptroller and Auditor-General shall be submitted to the Central Government not later than twentieth of December following the close of the financial year concerned for being placed before Parliament:

PROVIDED that if the report of the Comptroller and Auditor-General is not received by the first of December following the close of the financial year to which it pertains, the audited accounts, together with the report of the Comptroller and Auditor-General, and the comments of the Board thereon shall be submitted to the Central Government separately from the annual report on the work and activities of the Board.]

1. Subs. by G.S.R. 54, dated 12th January, 1990 (w.e.f. 27th January, 1990).

75. **ISSUE OF COPIES OF MEMBER'S ACCOUNT, ANNUAL REPORTS, ETC.**-The Commissioner shall furnish copies of the member's account and of the annual reports of the fund to employer or member on written application and on payment of such fee subject to such conditions as may be specified by the ¹[Central Board] in this behalf

1. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964, for the word "Board".

76. **PUNISHMENT FOR FAILURE TO PAY CONTRIBUTIONS, ETC.**-If any person-

¹[* * * * *]

²[(a) Deducts or attempts to deduct from the wages or other remuneration of a member the whole or any part of the employer's contribution, or

²[(b) Fails or refuses to submit any return, statement or other document required by this scheme or submits a false return, statement or other document, or makes a false declaration, or

²[(C) Obstructs any inspector or other official appointed under the Act or this scheme in the discharge of his duties or fails to produce any record for inspection by such inspector or other official, or

²[(d)] Is guilty of contravention of or non-compliance with any other requirement of this scheme. -

He shall be punishable with imprisonment, which may extend to ⁴[one year, or with fine which may extend to four thousand rupees], or with both.

1. Clause (a) omitted by G.S.R. 305, dated 11th March, 1974.

2. Clauses (b) to (e) re-numbered as Cls. (a) to (d) by *ibid.*

3. Subs. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989), for the words "six months or with fine which may extend to one thousand rupees".

77. CONDUCT OF BUSINESS OF THE CENTRAL BOARD. -

(1) All orders and other instruments shall be made and executed in the name of the ¹[Central Board] and shall be authenticated by such person and in such manner as the ¹[Central Board] may specify.

(2) All contracts and assurances of property shall be expressed to be made by the ¹[Central Board] and shall be executed on behalf of the ¹[Central Board] by the Commissioner.

1. Subs. by G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964, for the word “Board”.

78. POWER OF ISSUE DIRECTIONS.-

(1) The Central Government may, from time to time, issue such directions to State Government, the ¹[Central Board] or any other authority, under this Act or schemes as it may consider necessary for the proper implementation of the schemes or for the purpose of removing any difficulty which may arise in the administration thereof including difficulties in the matter of payment of accumulation in the fund to members after they cease to be such members.

(2) ²[* * * * *]

(3) The authority to whom any directions are issued under this paragraph shall comply with such directions.

1. Sub-paragraph (2) omitted by ibid.

¹[79. SPECIAL PROVISIONS RELATING TO FACTORIES OR OTHER ESTABLISHMENTS IN RESPECT OF WHICH APPLICATIONS FOR EXEMPTION ARE RECEIVED. -Notwithstanding anything contained in this Scheme, the Commissioner may, in relation to a ²[factory or other establishment] in respect of which an application for exemption under Sec. 17 of the Act has been received, ³[***] relax pending the disposal of the application the provisions of this scheme in such manner as he may direct.]

1. Ins. by S.R.O. 1858, dated 4th November, 1952.

2. Subs. by S.R.O. 1363, dated 26th April, 1957, for “factory” (w.e.f. 12th April, 1957).
3. The words “on or before the 31st October, 1952” omitted by S.R.O. 2027, dated 3rd September, 1956.

1[79-A. FILLING APPLICATION FOR REVIEW. -Any person aggrieved by an order made under sub-section (1) of Sec. 7-A and who desires to obtain a review of such order may apply for a review of that order, as provided in sub-section (1) of Sec. 7-B of the Act in Form 9 to the officer who passed such order:

PROVIDED that no application for review of an order will be entertained by the concerned officer, unless the application for review is submitted within 45 days from the date of making such order.]

1. Ins. by G.S.R. 690 (E), dated 30th June, 1989 (w.e.f. 1st July, 1989).

1[79-B. TIME LIMIT FOR COMMUNICATING THE VIEWS OF THE CENTRAL BOARD TO THE APPROPRIATE GOVERNMENT ON A PROPOSAL FOR GRANT OF EXEMPTION TO AN ESTABLISHMENT. -When an appropriate Government consults the Central Board with regard to its proposal for grant of exemption to an establishment under Sec. 17 of the Act, the Board shall give its views on the proposal within a period of three months from the date on which such proposal is received by it.]

1. Ins. by G.S.R. 521, dated 16th August, 1991 (w.e.f. 1st September, 1991).

1[79-C. COMPOSITION OF THE BOARD OF TRUSTEES OF THE EXEMPTED ESTABLISHMENT AND THE TERMS AND CONDITIONS OF SERVICE OF THE TRUSTEES. -

(1) The Board of Trustees of the establishment granted exemption under Cl. (a) of sub-section (2) of Sec. 17 of the Act shall consist of not less than two and not more than six representatives each of the employers and employees. The number of Trustees shall be so fixed, as to afford, as far as possible, representation to employees of each branch of department of the establishment. In the case of common provident fund for a group of two or more establishments, there will be at least one representative each from the participating establishments:

PROVIDED that any factory or establishment seeking fresh exemption shall not be permitted to participate in any common provident fund having more than six participating factories or establishments.

(2) The employer shall nominate his representatives on the Board of Trustees from amongst the officers employed in managerial or administrative capacity in

the establishment.

(3) The representatives of the employees, on the Board of Trustees shall be nominated or elected in the following manner, namely:

(a) Wherever there is a union recognised by the employer under the Code of Discipline in industry or under any Act, such union shall nominate the representatives of the employees;

(b) Where there are more than one trade union recognised by the employer, the representatives of employees shall be elected by the members of the union in an election to be held for the purpose on any working day;

(c) Where there is no union recognised by the employer under the Code of Discipline in industry or under any Act but there are more than one registered union functioning in the establishment, the union having the largest number of members, subject to a minimum of 15% membership, shall have the right to nominate employees' representatives; and in case there is only one registered union, it shall have the right to nominate the employees' representative, provided it has a minimum of 15% membership.

(4) The employer shall nominate one of his representatives on the Board to be the Chairman thereof. In the event of equality of votes, the Chairman may exercise a casting vote.

²[(5) The term of office of a Trustee shall be five years from the date of election or nomination. A person representing employer or employees shall be eligible for appointment as a member of the Board of Trustees for a maximum of not more than two terms:

PROVIDED that a member who has already completed two or more terms, the Board may continue his present term subject to the provisions of the scheme.

PROVIDED further that a Trustee elected or nominated to fill the casual vacancy shall hold office for the remaining period of the term of the Trustees in whose place he is elected or nominated.]

(6) A person shall be disqualified for being a Trustee if he,-

(a) Is declared to be of unsound mind by a competent Court; or

- (b) Has been convicted of an offence involving moral turpitude; or
 - (c) Is an undischarged insolvent; or
 - (d) Is an employer of an exempted or un-exempted establishment which has defaulted in payment of any dues under the Act.
- (7) A person shall cease to be a Trustee of the Board if, -
- (a) He ceases to be an employee of the establishment; or
 - (b) He ceases to be a member of the provident fund of the establishment; or
 - (c) the union on whose behalf he was elected or nominated, ceases to be recognised by the employer; or
 - (d) He fails to attend three consecutive meetings of the Board without obtaining leave of absence from the Chairman of the Board of Trustees. The Chairman may, however, condone the absence of a Trustee if he is satisfied that there were reasonable grounds for such absence.
- (8) The procedure for election or nomination of Trustees, the quorum at the meeting of the Board, records to be kept of the transaction of business and all other matters not specifically provided for in the scheme shall be regulated as per the provisions of the approved provident fund rules of the establishment and the guidelines for the functioning of the Board of Trustees of the exempted establishments which the Commissioner may specify, from time to time.
- (9) In case of any dispute or doubt, the matter shall be referred to the Regional Provident Fund Commissioner in whose jurisdiction, the Head Office of the establishment is located. The decision of the Commissioner in the matter shall be final and binding.]

1. Ins. by G. S. R. 341, dated 9th July, 1991.

2. Subs. by G.S.R. 406, dated 27th October, 1997 (w.e.f. 22nd September, 1997).

¹[CHAPTER X**1. Ins. by S.R.0 2981. dated 4th December, 1956.**

80. SPECIAL PROVISIONS IN THE CASE OF A NEWSPAPER ESTABLISHMENTS AND NEWSPAPER EMPLOYEES. -The scheme shall, in its application to newspaper establishments and newspaper employees, as defined in Sec. 2 of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955, come into force on the 31st day of December 1956 and be subject to the modifications mentioned below:

1. In Chapters I to IX, references to “industry”, “factories” and “employees” shall be construed as references to “newspaper industry”, “newspaper establishments” and “newspaper employees” respectively.

2. For para. 2 (p, the following shall be substituted, namely:

“(f) “Excluded employee” means-

¹[(i) an employee who, having been a member of the fund has withdrawn the full amount of his accumulation in the fund under Cl. (a) or Cl. (c) of sub-paragraph (1) of para. 69;]

(ii) An apprentice ²[* * *]

Explanation-”Apprentice” ³[* * *] means “Person who according to the standing orders applicable to the newspaper establishment concerned, is an apprentice ³[* * *] or who is declared to be an apprentice ³[* * *] by the authority specified in this behalf by the appropriate Government.”

3. For para. 26, the following shall be substituted, namely:

“26. Class of employees entitled and required to join the fund. -(1) (a) Every newspaper employee employed to do any work in, or in relation to, any newspaper establishment to which this scheme applies, other than an excluded employee shall be entitled and required to become a member of the fund from the beginning of the month following that in which this paragraph comes into force in such establishment, if on the date of such coming into force he has completed ³[three months’ continuous service] or has actually worked for not less than ⁴[60 days during a period of three months or less] in that newspaper establishment or in

other such establishment, ⁴[to which the Act applies] under the same employer or partly in one and partly in the other ⁵[or has been declared permanent in any such newspaper establishment, whichever is the earliest].

(b) Every newspaper employee employed to do any work in, or in relation to, any newspaper establishment -to which this scheme applies other than an excluded employee, shall, be entitled and required to become a member of the fund from the beginning of the month following that in which this paragraph comes into force, in such newspaper establishment, if on the date of such coming into force such employee is a subscriber to a provident fund maintained in respect of the establishment or in respect of another establishment or ⁶[to which the Act applies] under the same employer.

(2) Where the scheme applies to a newspaper establishment on the expiry or cancellation of an order of exemption under Sec. 17 of the Act, every employee, who, but for the exemption would have become and continued as a member of the fund shall become a member forthwith.

(3) After this paragraph comes into force, in a newspaper establishment, every newspaper employee thereof, other than an excluded employee, who has not become a member already shall also be entitled and required to become a member from the beginning of the month following that in which he completes ⁷[three months' continuous service] or has actually worked not less than ⁸[60 days during a period of three months or less] in that establishment or in another such establishment, ⁷[to which the Act applies] under the same employer or partly in one and party in the other, ⁹[or has been declared permanent in any such newspaper establishment whichever is the earliest].

(4) An excluded employee referred to in Cl. (ii) of para. 2 (f) of a newspaper establishment to which this scheme applies shall, on ceasing to be such an employee, be entitled and required to become a member of the fund from the beginning of the month following that in which he ceases to be such employee, provided that on the date on which he ceases to be an excluded employee, he has completed ⁷[three months, continuous service] or has actually worked for not less than 2160 days during a period of three months or less] in the newspaper establishment or in another such establishment, ⁷[to which the Act applies] under the same employer or partly in one and partly in the other ⁷[or has been declared permanent in any such factory or other establishment, whichever is the earliest].

(5) On re-election of a class of a newspaper employees exempted under para. 27-A to join the fund or on the expiry or cancellation of an order under that paragraph, every newspaper employee, who, but for such exemption would have become and continued as a member of the fund, shall forthwith become a member thereof.

(6) Every newspaper employee who is member of a private provident fund maintained in respect of an exempted newspaper establishment and who, but for the exemption would have become and continued as a member of the fund shall, on joining a newspaper establishment to which this scheme applies, become a member of the fund forthwith.

(7) Notwithstanding the other provisions of this paragraph” a Commissioner, may, on a joint request in writing of any newspaper employee of a newspaper establishment to which this scheme applies and his employer, enroll such employee as a member who shall, thereafter, be entitled to the benefits and shall be subject to the conditions of the fund:

PROVIDED that the employer gives an undertaking in writing, that he shall pay the administrative charges payable and comply with all statutory provisions of the Act and this scheme in respect of such employee.

Explanation I. -For purposes of this paragraph the provision contained in Cl. (e) of para. 2 shall not apply and “continuous service” shall mean uninterrupted service and include service which is interrupted by sickness, accident, authorised leave, strike which is not illegal or involuntary unemployment.

Explanation II. -In computing the period of work for ¹⁰[60 days] under this paragraph-

- (a) periods of voluntary unemployment caused by a stoppage of work to shortage of raw materials or fuel, changes in the line of production, breakdown of machinery or any other similar cause;
- (b) Periods of authorised leave; ¹¹[* * *]
- (c) In the case of female employees, periods of maternity leave for any number of days not exceeding twelve weeks; ¹¹[* * *]
- ¹²[(d) Sundays and holidays intervening the days of actual work];

Shall also be deemed to be days on which the employee has worked in the ¹³[establishment].

26-A. Retention of membership.-A member of the fund shall continue to be a member until he withdraws under para. 69 the amount standing to his credit in the fund or is recovered by a notification of exemption under Sec. 17 of the Act or an order of exemption under para. 27 or para. 27-A.

Explanation-In the case of a claim for refund by a member under sub-paragraph (2) of para. 69 the membership of the fund shall be deemed to have been terminated from the date the payment is authorised to him by the authority specified in this behalf by the Commissioner irrespective of the date of claim.

26-B. Resolution of doubts. -If any question arises as to whether a newspaper employee is entitled or required to become or continue as members or as the date from which he is entitled or required to become a member, the decision thereon of the Regional Commissioner, ¹⁴[* * *] shall be final:

PROVIDED that no decision shall be given unless both the employer and the employee have been given an opportunity of being heard.]

1. Subs. by G.S.R. 1513, dated 15th December, 1961 (w.e.f. 24th September, 1960).
2. Omitted by G.S.R. 767, dated 18th May, 1965.
3. Subs. by G.S.R. 130, dated 16th January, 1981 (w.e.f. 31st January, 1981).
4. Ins. by G.S.R. 1176, dated 14th September, 1961 (w.e.f. 23rd September, 1961).
5. Ins. by G.S.R. 1990, dated 3rd December, 1971.
6. Ins. by G.S.R. 1176, dated 14th September, 1961 (w.e.f. 23rd September, 1961).
7. Ins. by G.S.R. 1990, dated 3rd December, 1971.
8. Subs. by G.S.R. 130, dated 16th January, 1981 (w.e.f. 31st January, 1981).
9. Ins. by G.S.R. 1176, Dated 14th September, 1961 (w.e.f. 23rd September, 1974).
10. Subs. by G.S.R. 130, dated 16th January, 1981 (w.e.f. 31st January, 1981).
11. The words “and”, omitted by G.S.R. 871, dated 31st July, 1974.
12. Ins. by *ibid*.
13. Subs. by G.S.R. 1307, dated 24th November, 1959, for the word “factory” (w.e.f. 31st December, 1959).
14. Certain words omitted G.S.R. 1845, dated 28th November, 1963 (w.e.f. 30th November, 1963), vide G.S.R. 68, dated 4th January, 1964.

¹[81.— **SPECIAL PROVISIONS IN THE CASE OF CINE WORKERS.** -The Scheme shall, in its application to cine-workers as defined in Cl. (c) of Sec. 2 of the Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981 (50 of 1981), be subject to the following modifications, namely:

1. In Chapters I to IX, references to “industry” and “employees” shall be construed as references to “film production” and “cine-workers” respectively;
2. For sub-paragraph (f) of para. 2, the following Subparagraph shall be substituted, namely:

“(f) ‘Excluded employees’ means:

(i) A cine-worker, who having been a member of the Fund, has withdrawn the full amount of his accumulations in the Fund under Cl. (a) or Cl. (c) of sub-paragraph (1) of para. 69;

(ii) A ‘cine-worker’, whose wages at the time he is otherwise entitled to become a member of the Fund exceeds one thousand and six hundred rupees per month and where such remuneration is by way of a lump sum exceeding fifteen thousand rupees.

Explanation-”Wages” means “wages” as defined in Cl. (k) of Sec. 2 of the Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981 (50 of 198 1)”;

3. For para. 26, the following paragraph shall be substituted, namely:

“26. Class of employees entitled and required to join the fund.-(1) (a) Every cine-workers to whom this Scheme applies, other than an excluded employee, shall be entitled and required to become a member of the Fund from the beginning of the month following that in which this paragraph comes into force, if on the date of such coming into force he had worked in not less than three feature films with one or more producers.

Explanation. - ‘Feature film’ means’ feature film’ as defined in Cl. (t) of Sec. 2 of the Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981 (50 of 198 1).

(b) Every cine-workers employed to do any work, in or in relation to any feature film in a film production unit to which this Scheme applies, other than an excluded employee, shall be entitled and required to become a member of the Fund from the beginning of the month following that in which this paragraph comes into force, in such film production unit, if on the date of such coming into force, such employee is a subscriber to a Provident Fund maintained in respect of the establishment or in respect of another establishment under the same employer.

(2) Where the Scheme applies to a film production unit on the expiry or cancellation of an Order of exemption under Sec. 17 of the Act, every cine-worker who but for the exemption would have become and continued as a member of the Fund shall become a member of the Fund forthwith.

(3) After this paragraph comes into force in a film production unit, every cine-worker thereof, other than an excluded employee, who has not become a member already shall also be entitled and required to become a member from the beginning of the month following that in which he completes work in three feature films in that production unit or in another such unit (to which the Act applies) under the same producer or partly in one and partly in the other.

(4) An excluded employee referred to in Cl. (ii) of para. 2 (p of a film production unit to which this Scheme applies shall, on ceasing to be such an employee be entitled and required to become a member of the Fund from the beginning of the month following that on which he ceases to be such employee, provided that

on the date on which he ceases to be an excluded employee, he had worked in not less than three feature films in that production unit to which the Act applies under the same producer or partly in one and partly in the other.

(5) On re-election of a class of cine-workers exempted under para. 27-A to join the Fund or on the expiry or cancellation of an order under that paragraph, every cine-worker, who but for such exemption would have become and continued as a member of the Fund shall forthwith become a member thereof.

(6) Every cine-worker who is a member of a Private Provident Fund maintained in respect of an exempted film production unit and who, but for the exemption, would have become and continued as a member of the Fund shall, on joining a film production unit to which this Scheme applies, become a member of the Fund forthwith.

(7) Notwithstanding the other provisions of this paragraph, a Commissioner may, on a joint request in writing of any cine-worker of a film production unit to which this Scheme applies and his producer, enroll such cine-worker as a member who shall, thereafter, be entitled to the benefits and shall be subject to the conditions of the Fund:

PROVIDED that the producer gives an undertaking, in writing, that he shall pay the administrative charges payable and comply with all statutory provisions of the Act and this Scheme in respect of such cine-worker.

26-A. Retention of membership.-A member of the Fund shall continue to be a member until he withdraws under para. 69 the amount standing to his credit in the Fund or is covered by a Notification of exemption under Sec. 17 of the Act or an order of exemption under para. 27 or 27-A.

Explanation-In the case of claim for refund by a member under sub-paragraph (2) of para. 69, the membership of the fund shall be deemed to have been terminated from the date the payment is authorised to him by the authority specified in this behalf by the Commissioner irrespective of the date of claim.

26-B. Resolution of doubts.-If any question arises as to whether a cine-worker is entitled or required to become or continue as member, or as to the date from which he is entitled or required to become a member, the decision thereon of the Regional Commissioner shall be final:

PROVIDED that no decision shall be given unless both the film producer and the cine-worker have been given an opportunity of being heard.]

1. **Ins. by G.S.R. 687, dated 24th August, 1987 (w.e.f. 5th September, 1987).**

THE EMPLOYEES PROVIDENT FUNDS SCHEME, 1952

(Exemption under para. 27 of the Scheme)

I hereby apply for exemption from the operation of all or the following provisions of the scheme:

(a).....

(b)

(C).....

(d).....

(e).....

1. Name.....

(in block letters)

2. Occupation.....

3. Sex.....

4. Religion.....

5. Father's Name.....

6. Husband's name (for married women only)

7. Permanent address.....

8. Details of the provident fund, gratuity or old-age pension..

I declare that all the particulars stated above are true to the best of my knowledge and belief

Dated 19

²[Signature or left hand thumb impression in case of both female and mate members of the fund]

Certified that the above declaration has been signed byemployed in**before me and that he/she is getting the benefits of provident fund, gratuity or old-age pension as above.

Dated.....19

Signature of the Manager or other authorised officer of the Factory/ Establishment. Registered No. of the Factory Establishment].

1. Subs. by G.S.R. 852, dated 6th May, 1963 (w.e.f. 18th May, 1963).
2. Subs. by G.S.R. 20, dated 26th December, 1984, published in the Gazette of India, Pt. II, Sec. 3 (i), dated 5th January, 1985 (w.e.f. 5th January, 1985).

**Here give the name and address of the factory or other establishment in which employed.

FORM 2 (REVISED)
NOMINATION AND DECLARATION FORM
FOR UNEXEMPTED/EXEMPTED ESTABLISHMENTS
DECLARATION AND NOMINATION FORM UNDER THE EMPLOYEES'
PROVIDENT FUNDS & EMPLOYEES' PENSION SCHEME

(Paragraphs 33 & 61 (1) of the Employees' Provident Funds Scheme, 1952 & Paragraph 18 of the Employees' Pension Scheme, 1995)

1. Name (in block letters)
2. Father's/Husband's name
3. Date of Birth
4. Sex
5. Marital Status
6. Account No.

7. Address

Permanent

Temporary

PART A (EPF)

I hereby nominate the person(s) /cancel the nomination made by me previously and nominate the person(s), mentioned below to receive the amount standing to my credit in the Employees' Provident Fund, in the event of my death.

Name of the nominee/nominees.	Address	Nominee's relationship with the member	Date of Birth	Total amount or share of accumulations in Provident Fund to be paid to each nominee	If the nominee is a minor, name & relationship & address of the guardian who may receive the amount during the minority of nominee.
1	2	3	4	5	6

1. *Certified that I have no family as defined in para. 2 (g) of the Employees' Provident Funds Scheme, 1952, and should I acquire a family hereafter the above nomination should be deemed as cancelled.

2. *Certified that my father/mother is/are dependent upon me.

*Strike out whichever is not applicable

Signature or thumb impression

PART-B (EPS)
(Para. 18)

I hereby furnish below particulars of the members of my family who would be eligible to receive widow/children pension in the event of my death.

Sl. No.	Name & Address of the family members	Address	Date of Birth	Relationship with member
1	2	3	4	5
1.				
2.				
3.				

**Certified that I have no family, as defined in para. 2 (vii) of Employees' Pension Scheme, 1995, and should I acquire a family hereafter I shall furnish particulars thereon in the above form.

I hereby nominate the following person for receiving the monthly widow pension (admissible under para. 16 (2) (a) (i) & (ii) in the event of my death without leaving any eligible family member for receiving pension.

Name and Address nominee	Date of Birth	Relationship with the member

--	--	--

Date

Signature or thumb impression
of the subscriber

****Strike out whichever is not applicable.**

CERTIFICATE BY EMPLOYER

Certified that the above declaration and nomination has been signed/thumb impressed before me by Shri/Smt//Km..... employed in my establishment after he/she has read the entry/entries have been read over to him/her by me and got confirmed by him/her.

Signature of the employer or other
authorised officers of the establishment

Place

Designation

Dated

Name & Address of the Factory/
Establishment of Rubber Stamp thereof.

FORM 3-A (REVISED)**(FOR UNEXEMPTED ESTABLISHMENTS ONLY)****THE EMPLOYEES' PROVIDENT FUNDS SCHEME, 1952 (PARAS, 35 & 42) AND THE EMPLOYEES' PENSION SCHEME, 1995 (PARA, 19)**CONTRIBUTION CARD FOR CURRENCY PERIOD FROM 1ST APRIL 19.....TO 31ST MARCH.....

1. Account No.
2. Name/Surname (in block capitals)
3. Fathers/Husbands Name
4. Name and Address of the Factory/Establishment.....
5. Statutory rate of the Contribution.....
6. Voluntary higher rate of employees Contribution if any.....

Month	Employees Share		Employers Share		Refund of Advance	No. of days/ period of Service non-contributing (if any)	Remarks
	Amount of wages	EPF	EPF difference between 12% & 10% (if any)	Pension Fund contribution 10%			
1	2	3	4a	4b	5	6	7
							(a) Date of leaving service, if any.
May							
June							
July							
Aug.							(b) Reasons for leaving service, if any
Sept.							
Oct.							
Nov.							
Dec.							

Jan.							
Feb.							
Feb. paid in March							
Total							

1. ENHANCED BY ACT NO. 10 OF 1998 (W.E.F. 22ND SEPTEMBER, 1998)

Certified that the total amount of contributions (both shares) indicated in this card i.e. Rs.....has already been remitted in full in EPF A/C. No. 1 and Pension Fund A/C No. 10....(vide note below).

Certified that the difference between the total of the contributions shown under cols. 3 & 4a & 4b of the above table and that arrived at on the total wages shown in column 2 at the prescribed rate is solely due to rounding off of contributions to the nearest rupee under the rules.

Signature of the employer with office seal

Dated:19.....

Notes: (1) In respect of the form 3A sent to the Regional Office during the course of the currency period for the purpose of final settlement of the accounts of the member who has left service, details of date & reasons for leaving service should be furnished under col. 7(a) & (b).

(2) In respect of those who are not members of the Pension Fund the employers share of contribution to the EPF will be *[10 or 12%] as the case may be & is to be shown under column 4 (a)

1. ENHANCED BY ACT NO. 10 OF 1998 (W.E.F. 22ND SEPTEMBER, 1998)

FORM 4

THE EMPLOYEES' PROVIDENT FUNDS SCHEME, 1952

(Paragraphs 35 and 42)

Contribution Card for employees other than monthly paid employees for the

THE EMPLOYEES PROVIDENT FUNDS SCHEME, 19521

Period from..... to.....

1. Account No.....
2. Name (in block capitals)Surname.....
3. Caste.....
4. Sex.....
5. Date of birth as given in Form 2.....
6. Occupation.....
7. Father's name.....
8. Husband's name.....
(for married women only)
9. Marital status
(whether bachelor, spinster, married, widow or widower)
10. Permanent address.....
VillageThana.....Taluk/Sub-division
District..... State
11. Signature or left hand thumb-impression of member.....
12. Signature of person preparing the card.....
13. Signature of the manager of the ¹[factory or other establishment]
14. Registered number of the ¹[factory or other establishment]
15. Name and address of the ¹[factory or other establishment]

PARTICULARS OF EMPLOYMENT

Registered number of ¹ [factory or other establishment]	DURATION FO EMPLOYMENT		Remarks	Initials of employer's authorised clerk
	Form	To		

The employer and member's contributions should be shown separately for each week.		Employer's/member's total amount refunded		Week 1	Week 2	Week 3	Week 4	Week 5
Week 6	Week 7	Week 8	Week 9	Week 10	Week 11	Week 12	Week 13	Week 14
Week 15	Week 16	Week 17	Week 18	Week 19	Week 20	Week 21	Week 22	Week 23
Week 24	Week 25	Week 26	Week 27	Week 28	Week 29	Week 30	Week 31	Week 32
Week 33	Week 34	Week 35	Week 36	Week 37	Week 38	Week 39	Week 40	Week 41
Week 42	Week 43	Week 44	Week 45	Week 46	Week 47	Week 48	Week 49	Week 50
Week 51	Week 52	Week 53	Week 54	Week 55	Week 56	Week 57	Week 58	Week 59

Total contribution
of the employer.

Re. ²[PI

Signature of the
employer's Head Clerk
Alternatively, any authorised Clerk

Total contribution
of the member

Checked and found correct.

Grand Total

Authorised official of the
office of the Commissioner.

Amount refunded.

1. Subs. by G.S.R. 1229, dated 2nd August, 1977.
2. Subs. by G.S.R. 874, dated 10th August, 1966, for the word “As.”.

¹[FORM 4-A* * *]

1. Form 4-A omitted by G.S.P- 521, dated 16th August, 1991 (w.e.f 1st September, 1991).

¹[FORM 5]

THE EMPLOYEES’ PROVIDENT FUNDS SCHEME, 1952
(Paragraph 36 (2) (a))

AND THE EMPLOYEES PENSION SCHEME 1995
[Para. 20 (4)]

Return of Employees qualifying for membership of the Employees’ Provident Funds, Employees Pension Funds & Employees’ Deposit Linked Insurance Fund for the first time during the month of.....

(To be sent to the Commissioner with Form 2 (EPF & EPS))

Name and Address of the Factory/Establishment.....

Code No. of Factory/Establishment.....

THE EMPLOYEES PROVIDENT FUNDS SCHEME, 1952¹

Sl.	Account No.	Name of the Employer (in block letters)	Father's name (or husband's name in case of married woman)	Date of Birth	Sex	Date of joining the Fund	Total period of previous service as on the date of joining the Fund (Enclose Scheme certificate if applicable)	Remarks
1	2	3	4	5	6	7	8	9

Signature of the Employer or other

authorised officer of the Factory/

Establishment Stamp of the Factory/Estt.]

Date:

1. Subs. by G.S.R. 294. dated 24th May, 1994.

¹[FORM 5-A

(For unexempted establishments only)

THE EMPLOYEES' PROVIDENT FUNDS SCHEME, 1952

(See para. 36-A)

THE EMPLOYEES' PENSION SCHEME 1995

(See para. 21)

AND

THE EMPLOYEES DEPOSIT-LINKED INSURANCE SCHEME, 1976

(See para. 1)

RETURNS OF OWNERSHIP TO BE SENT TO THE REGIONAL COMMISSIONER**1. Subs. by G.S.P. 1457, dated 16th November, 1978 (w.e.f. 2nd December, 1978).**

1. Name of the establishment.....
2. Code No. of the establishment under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.....
3. Postal address of the establishment and its branches/departments, if any
4. Industry or business in which engaged.....
5. Date of first commencement of production/business (trial/regular)
6. Date of closure by the previous management.....
7. Whether run by the owners or lessees (if by lessees, period of the lease should be indicated).....
8. Particulars of owners

Name	Age	Status*	Father's name	Residential address	Date from, which in possession
(a)	(b)	(c)	(d)	(e)	(f)
(i)					
(ii)					
(iii)					

*Whether Proprietor, Partner, Mg. partner, Mg. Director etc.

9. If on lease, particulars of lessees.

Name	Age	Father's name	Residential address	Date from, which in possession
(a)	(b)	(d)	(e)	(f)
(i)				
(ii)				
(iii)				

10. If registered under the Factories Act, particulars of the Manager/Occupier.

Name	Age	Father's name	Residential address	Date from, which in possession
(a)	(b)	(d)	(e)	(f)
(i)				
(ii)				
(iii)				

A. Occupier

B. Manager

11. Particulars of the persons mentioned above, who are in charge of, and responsible for, the conduct of, the business of the establishment.

Name	Age	Father's name	Residential address
(a)	(b)	(c)	(d)
(i)			
(ii)			
(iii)			

Signature of Employer

Designation.

Seal of establishment

Dated.....19.....

Note.-Any change in the information given above should be intimated, in writing, to the Regional Commissioner within fifteen days of such change by registered post in the prescribed manner.]

¹[FORM 6

(See para. 43)

AND

THE EMPLOYEES FAMILY PENSION SCHEME, 1971

(Para. 15)

**RETURN OF CONTRIBUTION CARDS SENT TO THE COMMISSIONER ON THE EXPIRY OF THE PERIOD OF CURRENCY FROM
THE.....19.....TO THE.....19.....**

Name and address of the Factory/Establishment.....

Code No. of the Factory/Establishment.....

1. Subs. by G.S.R 1300, dated 19th September. 1962.

Sl.	Account No.	Name of the member (in block letters)	Total Employer's contribution	Total Member's contribution	Amount refunded	Remarks
1	2	3	4	5	6	7
Rs.			Rs.	Rs.		
Total						

Total number of cards sent.....

 Signature of the Employer or other authorised officer of
 Factory/Establishment.

Stamp of the Factory/Establishment.]

Dated.....19.....

THE EMPLOYEES' PROVIDENT FUND SCHEME, 1952**(Paragraph 43)****AND****THE EMPLOYEES' PENSION SCHEME, 1995****[Paragraph 20 (4)]****CONSOLIDATED ANNUAL CONTRIBUTION STATEMENT**

Annual statement of contribution for the Currency Statutory rate of contribution.....

Period from 1st..... 19.....to19...

Name & Address of the Establishment..... No. of members voluntarily

Code No. of the Establishment..... contributing at a higher rate.....

Sl.	Account Number	Name of the Member (in block letters)	Wages retaining allowance (if any) & D.A. including cash value of food concession paid during the currency period	Amount of worker's contributions deducted from the wages	Employers contribution		Refund of advance	Rate of higher voluntary contribution (if any)	Remarks
					EPF difference between 12% & 10%	Pension Fund 10%			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

--	--	--	--	--	--	--	--	--	--

RECONCILIATION OF REMITTANCES

Sl.	Month	Amount remitted		Admn. Charge Rs. At o.65% of wages		EDLI Adm. Charges 0.01% A/C No. 22	(i) Total number of contribution cards enclosed (Form 3-A (Revised))
		EPF Contribution Including refund of advance A/C No. 1	Pension Fund Contribution A/C No. 10	DLI Contribution A/C No. 21	Admn. Charges A/C No. 2		
							(ii) Certified that form 3-A duly completed of all the members listed in this statement are enclosed, Except those already sent during the course of the currency period for the final settlement of the

THE EMPLOYEES PROVIDENT FUNDS SCHEME, 19521

1.	March Paid in	Rs.	Rs.	Rs.	Rs.	Rs.	concerned members account vide Remarks furnished against the names of the respective members above.
2.	April	Rs.	Rs.	Rs.	Rs.	Rs.	
3.	MAY	Rs.	Rs.	Rs.	Rs.	Rs.	
4.	JUNE	Rs.	Rs.	Rs.	Rs.	Rs.	
5.	JULY	Rs.	Rs.	Rs.	Rs.	Rs.	
6.	AUG.	Rs.	Rs.	Rs.	Rs.	Rs.	
7.	SEPT.	Rs.	Rs.	Rs.	Rs.	Rs.	
8.	OCT.	Rs.	Rs.	Rs.	Rs.	Rs.	
9.	NOV.	Rs.	Rs.	Rs.	Rs.	Rs.	
10.	DEC.	Rs.	Rs.	Rs.	Rs.	Rs.	
11.	JAN.	Rs.	Rs.	Rs.	Rs.	Rs.	
12.	FEB.	Rs.	Rs.	Rs.	Rs.	Rs.	
13.	FEB. paid in March Arrear, if any	Rs.	Rs.	Rs.	Rs.	Rs.	

(3) In respect of those members who have not opted for Pension Fund their entire employers contribution @ 10% or 12% as the case may be shown under column No. 6.

1[FORM 7* * *]

1. Omitted by G.S.R. 449. dated 4th March, 1968.

¹[FORM 8* * *]

1. Omitted by G.S.R. 521. dated 16th August, 1991 (w.e.f. 1st September, 1991).

FORM 9

**RETURN OF EMPLOYEES WHO ARE ENTITLED AND REQUIRED TO BECOME
MEMBERS OF THE EMPLOYEES' PROVIDENT FUND AND PENSION FUND
EMPLOYEES' PROVIDENT FUNDS SCHEME, 1952**

[Para 36 (1)]

EMPLOYEES' PENSION SCHEME, 1995

[Para 20(1)]

Name and address of the factory/establishment.....

Industry in which the factory/establishment is engaged.....

Code No.....Dated of coverage.....

Registration No.....Date from which Employees Pension Scheme is applicableIf factory/establishment is covered under ESI Act, indicate the Code No. allotted under ESI. If not, furnish the details of the designated Medical Officer of the factory/establishment.

ESI Code No.....Name of the designated Medical Officer.....

Specimen signature of the employer or authorised officer.....

SL No.	Name	Designation	Specimen Signature

Code No.....

S.No.	A/C, No.	Name of the employee (in block letters)	Father's name or husband's name (in case of married woman)	Age	Sex	Date of joining the Provident Fund
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Total period of previous service including the periods of break as on the date of joining Fund	Date of joining the pension scheme	Initials of HC	Date of leaving service	Remarks	EPF Pension DLI DC HC AO	
(8)	(9)	(10)	(11)	(12)		

Remarks, if any:

Signature of the employer or other authorised officer

Date and stamp of factory/establishment

No. of employees enrolled as members on the date of coverage

Note: (1) This form should be accompanied by declaration in Form 2 by every employee.

(2) Any change in the authorised official/designated Medical Officer should be intimated to the Commissioner.

THE EMPLOYEES' PROVIDENT FUNDS SCHEME, 1952**(PARAGRAPH 36 (2) (A) & (B)]****EMPLOYEES' PENSION SCHEME, 1995****(PARAGRAPH 20(2)]**

Return of the members leaving service during the month of.....19.....

Name and address of the Factory/Estt.....Code No.....

Sl. No.	Accounts No.	Name of Member (in block letters)	Father's Name (or husband's name in case of married woman)	Date of leaving Service	Reasons for leaving Service	Remarks
1	2	3	4	5	6	7

Date

Signature of the employer or other authorised officer

Stamp of the Factory/Estt.

*Please state whether the member is (a) retiring according to para. (69) (1) (a) or (b) of the scheme (b) leaving India for permanent settlement abroad (c) retrenchment (d) Pt. & total disablement due to employment Injury (e) discharged (f) resigning from or leaving service (g) taking up employment else where (The name & address of the employers should be stated) (W death, (o attained the age of 58 years.

NOTE: In the case of discharge from service, the following certificate should be filled.

Certified that the member mentioned at serial No.....Shri.....was

paid/not paid retrenchment compensation of Rs.....under the Industrial
Dispute Act, 1947”.

Signature of the Employer

EMPLOYEES’ PROVIDENT FUND ORGANISATION
INCOME AND EXPENDITURE ACCOUNT
FOR THE YEAR.....
The Employees’ Provident Funds Scheme, 1952

Previous year	Sl. No.	Expenditure	Amount	Previous year	Sl. No.	Income	Schedule. No.	Amount
1	2	3	4	5	6	7	8	9
		1. Salaries of Officer and Staff 2. Allowances and honorarium 3. T.A. and L.T.C. 4. Pension/Family Pension/Death-cum-Retirement Gratuity 5. S.P.F., D.L.I. Benefits 6. (a) Other charges (Recurring/ non-recurring) (b) Maintenance of office building/staff quarters. 7. (a) Grants (a) Refund of G.I.Saving Fund. Total Expenditure incurred on E.P.F.				1. Receipt by way of administrative charges. Inspection charges. And penal damages 1. Interest earned on Investment of surplus administration fund. 2. Receipt from Govt. and other accounts 3. Miscellaneous receipts. 4. Excess of expenditure over income.		

		Scheme					
		8. Expenditure incurred on administration of (c) A.E.C.D. Scheme					
		9. Excess of Income over Expenditure					
		TOTAL				TOTAL	

Previous year	Sl. No.	Expenditure	Amount	Previous year	Sl. No.	Income	Amount
		1. Excess of expenditure over income				1. Excess of income over expenditure.	
		2. Provision for building construction funds				2. Balance carried down to balance sheet	
		3. Provision for maintenance (repair, renewal and replacement) fund.					
		4. Balance carried down to balance sheet.					
		TOTAL				TOTAL	

Previous year	Footnote	

	(i) The account have been complied on actual basis	Rs.
	(ii) Interest earned on investment of surplus Administrative Fund of previous years included in the current year	Rs.
	(iii) Expenditure incurred for Administration of E.P.F. Scheme due from the Government	
	(iv) Expenditure incurred to administration of A.E.C.D.	
	(v) Estimated amount in arrear due from the employers but not received	Rs.
	(a) Administrative charges	
	(b) Inspection charges	Rs.
	(c) Penal damages on Adm. Account	
		Rs.
	Financial Advisor and Chief Accounts Officer.	
		Rs.
		Rs.

EMPLOYEES' PROVIDENT FUND ACCOUNT SCHEDULES

SCHEDULE NO. I

Details of Income:

- (1) Administration Charges
- (2) Inspection Charges
- (3) Penal Damages

Total: -

SCHEDULE NO. II

Receipt from Government and Other Accounts:

(1) From Government for Administration of Family Pension Scheme A. E. (C.D.) Scheme

(2) From other Accounts

Total: -

**DETAILS OF RECEIPT FROM OTHER
ACCOUNTS APPEARING IN SCH. NO. II**

(1) From Administration A/c. of E.D.L.I. Scheme

(2) From other Accounts

Total:-

Less

(1) Amount transferred to other accounts in adjustment.

(2) Transfer from A/c. No. 2 to Account No. 4 and vice-versa as per Regional Offices Accounts and Central Office Accounts

Total: -

Net Total: -

SCHEDULE NO. III

Employees' Provident Fund A/c. Balance as per
last Balance Sheet

Add:-

Contribution (including refund of withdrawal and
transferred securities) received during the year

Contribution received by way of transferred securities (H.Q. Office contribution)

Interest credited to members Account.

Other Receipts.

Total:-

Less:

Payment made during the year to out-going members on final settlement.

Premium paid during the year on members Life Insurance Policies

Loan paid during the year to the members Unclaimed Deposit Account

Miscellaneous Payment

Amount of securities transferred back to
exempted establishments

Total:-

Balance as on 31.3.199.....

SCHEDULE NO. IV

Unclaimed Deposit Account

Balance as per last

Balance Sheet

Add:

Amount transferred during the year

Total:-

Less:

Amount paid during the year Balance as on 31.3.199.....

SCHEDULE NO. V

Special Reserve Fund

Balance as per last

Balance Sheet

Add:

Amount recovered from employers Interest on S.R.F. Account

Less:

(1) Amount paid from Special Reserve Fund during the year.

(2) Amount transferred to Death Relief Fund.

Balance as on 31.3.199.....

SCHEDULE NO. VI

Death Relief Fund

Balance as per last

Balance Sheet

Amount received from S.R.F. Account

Amount recouped during the year

Less:

Payment made during the year Balance as on 31.3.199....

SCHEDULE NO. VII

Interest Suspense Account:

Balance as per last Balance Sheet

Less:

1. Interest credited to members Account during the year.
2. Interest paid on deposits refunded to exempted estts.
3. Interest paid to vendors.
4. Interest accrued on S.R.F. A/c adjusted.
5. Interest accrued on Fluctuation Account adjusted.

Balance in the accounts to be credited to the subscribers members A/c upto

31.3.199.....

Add.

1. Interest realised on investment of securities
2. Interest on S.B. Accounts (Central)
3. Interest on S.B. Accounts (Regional)
4. Interest on securities received from the establishments.
5. Interest realised from members on loans.
6. Penal damages on belated contributions received during the year
7. Amount of loss on sale of securities credited.

Balance as on 31.3.199.....

SCHEDULE NO VIII

A. Staff Provident Fund A/c

Balance as per last Balance sheet.

Add:

Contribution (including refund of withdrawal)

received during the year.

Interest credited to member's account

Other Receipts

Less:

Payment made during the year to outgoing member on final settlement.

Premia paid during the year on member's life insurance policies.

Loan paid during the year to the members

Other Payment (transfer to other regions)

Balance as on 31.3.199.....

B. Staff Provident Fund A/c transferred from other regions

Balance as on 31.3.199

Add:

Amount transferred out to the regions.

Less:

Amount received from other regions.

Balance as on 31.3.199

TOTAL (A+B):

SCHEDULE NO. IX

Staff Provident Fund

Interest account

Balance as per last Balance Sheet.

Add:

1. Interest realised on investment of securities.
2. Interest on S.B. Account

Less:

1. Interest credited to member's account during the year

2. Interest paid to vendors.

Balance as on 31.3.199.....

SCHEDULE NO. X

Pension-cum-Gratuity account

Balance as per last

Balance Sheet.

Add:

Amount transferred during the year from A/c. No. 4

Interest realised on S.B. Account

Interest realised on securities during the year

Less:

Payment made by the regions

Interest paid to vendors during the year

Balance as on 31.3.199.....

SCHEDULE NO. XI

Investment Fluctuation A/c

(a) Gain on redemption of securities accounted upto

(b) Gain on redemption of securities accounted for the year

(c) Interest on Fluctuation account

Total:-

Less:

Loss on sale of securities

Balance as on 31.3.199.....

SCHEDULE NO. XII

Building Construction Funds:

Balance as per last

Balance Sheet.

Add:

1. Provisions made during the year

2. Interest credited to the fund

Balance as on 31.3.199

Note:- The Cost of Land and Building acquired as

on 31.3.199..... is Rs.....

and the amount available for construction purposes as on 31.3.199..... is Rs.....

SCHEDULE NO. XIII

Building Maintenance (repair, renewal, replacement) Fund

Balance as per last Balance Sheet.

Add:

1. Amount appropriated from Revenue Surplus during the year.

2. Interest credited

Balance as on 31.3.199.....

SCHEDULE NO. XIV

Revenue Surplus

Balance as per last

Balance Sheet

Less:

1. Amount adjusted by the Regional office
2. Excess of Expenditure over Income during the
year as transferred from Income and
Expenditure Appropriation account.

Add:

(i) Amount adjusted by Regional offices.

(ii) Excess of Income over expenditure during the year as transferred from
Income and Expenditure Appropriation account.

Balance as on 31.3. 199....

SCHEDULE NO. XV

Sundry Credits:

(a) Suspense Account (Unclassified)

(b) Erroneous Receipt

(c) Irregular Payments

(c) Over Payments

(e) A.F.C.D. (D.A.) Account

(f) Amount repayable to E.D.L.I. Account

(g) (i) Pension Fund Investment A/c. and S.P.F. Investment A/c.

(ii) Amount invested in EPF A/c.

(h) Erroneous Credit to A/c. No. 5

(i) Amount not accounted for by the regions though received in A/c. No. 5 from A/c. No. 1

(ii) Extra credit given by Bank to A/c. No. 1/3 without any corresponding debit to A/c. No. 5

(iii) Amount credited to A/c. No. 5, 1/3 but not
debited to A/c. No. 5

(iv) Erroneous credit to A/c. No. 5

(i) Erroneous/Excess credit to A/c. No. 8

(j) Excess credit to A/c. No. 9

SCHEDULE NO. XVI

Investment Account of Employees' Provident Fund

(a) Securities purchased centrally (cost price)

Balance as per last Balance Sheet

Add:

(i) Amount invested centrally during the year (cost price)

(ii) Gain on the purchase of securities for the years.

Less:

(i) Loss on sale of securities during the year

(ii) Value of securities redeemed during the year. Balance (A) as on 31.3.199.....

(b) Securities transferred by regions balance as per last balance sheet (Accepted Value)

Add:

Securities received during the year (Accepted value) Other Adjustment

Less:

Securities returned back to establishments. (Accepted value)

Other Adjustment

Balance (b) as on 31.3.199.....

Total (a) and (b)

SCHEDULE NO. XVII

Investment Account of Staff Provident Fund

Balance as per last Balance Sheet

Add:

Amount invested centrally during the year (Purchase Price)

TOTAL

Less:

Value of securities redeemed during the year:

SCHEDULE NO. XVIII

Investment Account of Pension-cum-Gratuity Fund (Staff) Balance as per last Balance Sheet.

Add:

Value of securities redeemed during the year.

Balance as on 31.3.199....

SCHEDULE NO. XIX

Investment A/c. of Administration Fund

Balance as per last Balance Sheet.

Add:

Investments made

Less:

Securities redeemed during the year

Balance as on 31.3.199....

SCHEDULE NO. XX

Recoverable advance (staff) as on 31.3.199.....

- (a) Conveyance advance
- (b) House Building advance
- (c) Fan advance
- (d) Warm Clothing advance
- (e) Festival advance

- (f) Natural calamity advance
- (g) Advance of Pay/DA/TA
- (h) Food grain advance
- (i) Advance to Staff Co-operative Canteen/Stores.
- (j) Miscellaneous Payment

TOTAL:

SCHEDULE NO. XXI

Amount in transit:

- (a) E.P.F. Account No. 4
- (b) E.P.F. Account No. 5
- (c) S.P.F. Account No. 8
- (d) Pension-cum-Gratuity Account No. 9
- (e) S.P.F. Investment A/c.
- (f) Pension-cum-Gratuity Investment Account.

TOTAL:

SCHEDULE NO. XXII

Cash balance as on 31st March:

- (a) State Bank of India
- E.P.F. Account No. 1
- E.P.F. Account No. 2

E.P.F. Account No. 4

E.P.F. Account No. 5

E.P.F. Account No. 8

E.P.F. Account No. 9

(b) Reserve Bank of India

E.P.F. Investment A/c.

S.P.F. Investment A/c.

Pension-cum-Gratuity Investment Account

TOTAL (a) + (b):

SCHEDULE NO. XXIII

Sundry Debits:

(A) Suspense A/c. (Unclassified)

(B) Irregular Payments

(C) Over Payments

(D) Erroneous debit to A/c. No. 5.

(a) Excess accounted for by Regional Office as transfer to A/c No. 5 from Account No. 1.

(b) Extra debit made to A/c. No. 5 by Bank

TOTAL:

Previous Year Foot Note

(i) The accounts have been compiled on actual basis Rs.

(ii) Estimated amount due from the employers

but not received

Rs.

(a) E.P.F. contribution

(b) Penal damages on contribution, Administration charges and inspection charges.

(iii) The investment of E.P.F., S.P.F. and Pension-Gratuity Fund are shown in the Balance Sheet at cost price
Rs.

(iv) Out of the Building construction Fund of Rs the cost of Land and Building acquired as on 31 st March, 19 including the Advances paid Rs and the balance of Rs is invested along with E.P.F. Administration Fund.

FINANCIAL ADVISOR AND CHIEF ACCOUNTS OFFICER**FORM 11**

(See paragraph 55)

EMPLOYEES' PROVIDENT FUND ORGANISATION BALANCE SHEET AS AT....**(EMPLOYEES' PROVIDENT FUND SCHEME, 1952)**

Previous year	Sl. No.	Liabilities	Schedule. No.	Amount	Previous Year	Sl. No.	Assets	Schedule. No.	Amount
1	2	3	4	5	6	7	8	9	10

THE EMPLOYEES PROVIDENT FUNDS SCHEME, 19521

		1. Employees Provident Fund A/C	III				1. Investment Account	XVI	
		2. Unclaimed Deposit A/C							
		3. Special Reserve Fund A/C	IV				(a) employees provident Fund	VII	
		4. Death Relief Fund A/C					(b) Staff Provident Fund		
		5. Interest Suspense A/C	V				(c) Pension-cum-gratuity Fund	X	
		(a) Balance in the A/c to be credited to member's upto 31.3.199....	VI				(d) Administrative Fund	XVIII	
		(b) Amount received during the year and to be credited to members Account next year	VII				3. Land & Building		
		6. (a) Staff Provident Fund Account					(a) Assets acquired	XIX	
		(b) Staff Provident Fund Interest Account					(b) Advances paid	XX	
		7. Pension-cum-gratuity A/c (Staff)	VIII				Total		
		8. Investment Fluctuation Account							
		9. Security Deposits							
		10. Building Construction Fund							
		11. Building Maintenance (repair, renewal & replacement) Fund							
		12. Revenue Surplus	IX				4. Recoverable Advances (Staff)		
		13. Group Insurance Scheme					5. Special Deposit (Advances to parties)		
		14. Sundry credits					6. Remittance in transit		
		Total					7. Cash in hand		
							8. Cash at Bank (Both SBI & RBI)		

XXI

XXI

XXII

XXII

X

XI

XII

XIII

XIV

Previous year	Footnote
	<p>(i) The account have been complied on actual basis Rs.</p> <p>(ii) Estimated amount due from the employers but not received Rs.</p> <p>(a) E.P.F. contribution Rs.</p> <p>(b) Penal damages on contribution, Adm. Charges and Inspection charges Rs.</p> <p>(iii) The investment of E.P.F., S.P.F. & Pension-cum-Gratuity Fund are shown in the Balance Sheet at cost price Rs.</p> <p>(iv) Out of the building construction, Fund of Rs. The cost of Land and Building acquired a on 31.3.19... including the advances paid is Rs..... and the balance of Rs.....is invested along with E.P.F. Administration Fund.</p>

FORM 12 (REVISED)**THE EMPLOYEES' PROVIDENT FUNDS SCHEME, 1952****[See para. 38 (2)]**

Statement of contribution for the month of.....19

Wage Period From.....To.....

Name and address of the establishment.....

Code No. of the establishment.....

THE EMPLOYEES PROVIDENT FUNDS SCHEME, 19521

Sl. No.	A/c. No.	Name of the member (in block letters)	Wages retaining allowance (if any) and D.A. including cash value of food concession paid to the members during the wages period	Amount of Members Contribution Deducted from The wages			Employer's contribution			Remarks
				E.P.F. E.P.F. Total			E.P.F. E.P.F. Total			
				11/6 %			1 1/6 %			
				(a)	(b)	(c)	(a)	(b)	(c)	
				1	2	3	4	5	6	

Total amount of contribution including refund of advances.....

Administration charges.....

Total amount deposited in (i)- Account No. 1 Rs.....

(ii) Account No. 10 Rs.....

Bank in which deposited.....

No. and date of Bank Draft/Cheque Reserve Bank of India.....

Signature of Employer or other

Authorised Officer

Stamp of the Establishment.

Dated.....19.....

N.B.-(1) The names of existing members should be shown in the list each month in the consecutive serial order of the account numbers. New members whose names are shown in this return for the first time should be shown at the end with a heading “**NEW MEMBERS**”. In the case of members transferred from another factory/establishment the name of the factory/establishment from which transferred should be given in the Remarks column.

- (2) Mention should be made in Col. No. 8 above, member’s rate of voluntary contribution.
- (3) Variation in wages/contribution with that of previous month should be explained suitably in the Remarks column.

Only for –Exempted Establishment **FORM 12-A** (To be filled in by the EPFO)

EMPLOYEES’ PROVIDENT FUNDS AND MISC. PROVISIONS

ACT, 1952

☐ **EMPLOYEES’ PENSION SCHEME PARAGRAPH 20 (4)**

Name and Address of the Estt. Currency Period from 1st Apr., 199.. to 31st Mar., 199.. Establishment Status

M/s..... Statement of contributions for the Month

of Group Code

Code No. Statutory rate of contribution

Particulars	Wages on which Contributions are payable	Amount of contribution		Amount of contribution remitted	Amount of Administrative charges due	Amount of Administrative charges remitted	Date if Remittance (enclose triplicate copies of challan
		Recovered from the employees employer	payable by the	4 Employees Employer’s Share share	5	6	
1	2						

E.P.F A/c No. 01						NIL	Nil						
Pension Fund A/c. No. 10		NIL		NIL									
D.L.I. A/C. No. 21		NIL		NIL									

Total No. of Employees

Name & address of the

Bank in which the amount

Is remitted.....

- (a) Contract
- (b) Rest
- (c) Total

Details of Subscribers	E.P.F.	Pension Fund	E.D.L.I.
No. of Subscribers as per last month			
No. of New Subscribers (vide Form 5)			
No. of Subscribers let service (vide Form 10)			
(Net.) Total Number of Subscribers			

Signature of the Employer

With official Seal

FORM 13
APPLICATION FOR TRANSFER OF E.P.F. ACCOUNT

The Employees' Provident Funds Scheme, 1952

[Para. 57]

Note. -(i) To be submitted by the member to the present employer for onwards transmission to the Commissioner, EPF by whom the transfer is to be effected.

(ii) In case the P.F. transfer is due from the P.F. Trust of an exempted establishment, the application should be sent directly by the employer to the P.F. Trust of the exempted establishment, with a copy of the RPFC concerned for details of the Family Pension membership.

To,
The Commissioner,
Employees' Provident Fund
.....

To,
M/s.....

(To be filled in, if Note (ii) above
is applicable)

Sir.

I request that my Provident Fund balance along with the membership details in Family Pension Fund may please be transferred to my present account under intimation to me.

Necessary particulars are furnished below:

1 . Name

2. Father's/husband's name (in case of married woman).....
3. Name and address of previous employer.....
4. EPF account number with previous employer.....
5. By whom the PF account of the Regional PF. Name of the
previous establishment is kept Commissioner at P.F. Trust
6. EPF account number with the previous employer (if allotted a separate one).....
7. Date of leaving service with previous employer.....
8. Date of joining the present employer:.....

Date..... Signature/left hand thumb
impression of the member

TO BE FILLED IN BY THE PRESENT EMPLOYER

9. Name and address of the establishment.....
10. EPF Code and Account No. allotted to the member.....
11. EPF Account No. allotted to the member separately, if any.....

12. By whom the EPF account of the member in the present establishment is kept:

- | | |
|-----------------------------------|-----------------------------------|
| Being an unexempted establishment | (i) By Regional Office at ... |
| (ii) Sub-Regional office at.... | |
| Being an exempted establishment | (iii) By exempted PF Trust, viz.. |

13. By whom the EPF account of the member in present establishment is kept:

(i) By Private PF-Not covered under the Act, viz.....

14. In whose favour transfer is to be effected, i.e., payee's details

(i) PF-Regional Office at

(ii) PF Sub-Regional Office at.....

Date:.....

Signature of Employer/Authorised

Official with Office Seal.

(FOR THE USE OF P.F. OFFICE ONLY)

A sum of Rs.....(Rupees.....)is authorised for transfer, vide

Annexure. 'K' (Revised). Transfer proceeds to be sent along with Annexure 'K' (Revised)

By D.D. to the Regional PF Commissioner/Officer-in-charge of Sub-Regional Office.....

By D.D. to the P.F. Trust of the establishment with reference to details in Serial No. 14 above.

Membership details under Family Pension Fund forwarded to P.F. Regional Office/Sub-Regional Office at.....

By transfer entries to the Member's Ledger Card bearing Number..... In the present establishment from the Ledger Card bearing Number.....of the previous establishment.

Transfer intimation/copy of Annexure-K (Revised) to the member placed

below:

P.I. No. CLERK HC AAO AO/APFC

SCROLL NO.

Paid by Cheque No.....Dated.....

Cashier/Clerk

Head/Clerk

A.P.F.C.

FORM 13-A (REVISED)

THE EMPLOYEES' PROVIDENT FUNDS SCHEME, 1952

(See Para. 57)

APPLICATION FOR INTER-REGIONAL TRANSFER OF ACCOUNTS

TO BE SUBMITTED THROUGH THE PRESENT EMPLOYER

TO

The Commissioner,

Employees' Provident Fund,

Sir,

I request that the Provident Fund and Family Pension Account may please be transferred to my present Account under intimation to me. Necessary particulars regarding Provident Fund and Family Pension Fund are furnished below:

1. Name.....
2. Father's Name (or husband's name in case of married women).....
3. Name and address of previous employer.....
Whether unexempted/exempted/uncovered.....
4. (a) Previous Provident Fund Account No.....
- (b) Previous Family Pension Fund Account No.....
5. Date of leaving service with previous employer.....
6. Name and address of the employer.....
7. Whether unexempted/exempted/uncovered.....
8. (a) Present Provident Fund Account No.....
- (b) Present Family Pension Fund Account No. (if any).....
9. Date of joining with present employer.....

*Signature of left /right hand thumb-impression of the member

ENDORSEMENT TO BE COMPLETED BY THE FORWARDING AUTHORITY

Forwarded with the particulars furnished above duly verified. **(The rules of our private provident fund permit such transfer and hence the transfer may be made. The cheque may be drawn in favour of.....including/excluding Bank Collection charges).

Signature of employer or other authorised officer of the Factory/Establishment with Official Seal.

*Left hand thumb-impression in the case of illiterate male member and right hand thumb-impression in the case of illiterate female member.

**Will apply in case of transfer to uncovered establishment.

NOTE. -In case of transfer of provident fund accumulation to uncovered establishment, the benefit under Family Pension Fund Scheme should be paid to the member.

FORM 14

THE EMPLOYEES' PROVIDENT FUNDS SCHEME, 1952

(See para. 62)

APPLICATION FOR FINANCING A LIFE INSURANCE POLICY OUT OF PROVIDENT FUND ACCOUNT

TO

The Commissioner,

Employees' Provident Fund,

.....

I.....s/d/w/of.....

(Name in block letters)

an employee of.....

(Name of the establishment)

authorise the Commissioner to:

(i) Withdraw a sum of Rs.....(Rupees.....) from my Provident Fund Account No.....and remit the same to the Life Insurance Corporation of India towards the initial premium in respect of my Life Insurance Policy/proposal for Life Insurance details of which are given herein;

(ii) Make periodical withdrawal of Rs..... (Rupees.....) from my provident Fund Account No.....each time the premium

falls due for payment and remit the same to the Life Insurance Corporation of India towards the premia in respect of my Life Insurance Policy, details of which are given herein, so as to reach the said Corporation within the time allowed for such payment;

(iii) To convert the said insurance policy into a paid-up one when the credit in my provident fund relating to my own contribution becomes inadequate for the payment of any premium, unless the payment of further premium is arranged by me with the Life Insurance Corporation of India and I shall inform the Regional Commissioner accordingly,

(iv) To pay late fee and/or interest of my own contribution in my provident fund account. If any premium cannot be remitted to the said Corporation in time because of delay in sending of the Commissioner the policy duly assigned to the Central Board of Trustee of the Employees' Provident Fund or any other reason for which I or my employer may be responsible.

2. I accept that:

(i) The authorisation of para. I (ii) above shall be effective only when my life insurance policy duly assigned to the Central Board of Trustees, Employees' Provident Fund has been received by the Commissioner after proper registration of the assignment in the books of the said Corporation.

(ii) The said authorisation shall thereafter remain operative till such time as I continue to be a member of the fund and have enough accumulations to my credit as my own share in the fund, or till the maturity of the policy, whichever is earlier.

(iii) The terms of the policy shall not be altered nor shall the policy be exchanged for another policy without the prior written consent of the Regional Commissioner.

3. The policy is enclosed for inspection/will be forwarded when received/has already been assigned to the Central Board of Trustees of the Employees' Provident Fund and accepted by the Commissioner vide his letter No dated the

4. I am aware that the policy is to be assigned to the Central Board of Trustees of the Employees' Provident Fund as security within six months of the date of the first remittance of the fund to the said Corporation and sent to the Commissioner after registration of the assignment in the books of the said Corporation.

5. I declare that:

(a) I have been a member of the fund for the period of not less than two years which is the minimum period for being eligible for financing the insurance

policy from the Fund.

(b) The amount standing to my credit in my Employees' Provident Fund Account (my own share), is Rs.....as on.....which is sufficient for making payment to Life Insurance Corporation for two years.

(c) My annual contribution to the fund is Rs.....which is sufficient

(d) I propose to nominate the same person as for the Provident Fund.

6. I also declare that the policy is free from any encumbrances and the details of the policy/proposal given herein are correct to the best of my knowledge.

7. Details of the policy/proposal:

(i) Address of the Branch office or unit of the Life Insurance Corporation where the policy account* is to be maintained.

(ii) *Policy/proposal No. and date.

(iii) Sum assured/proposal to be assured.

(iv) Probable date of purchase of the policy.

(v) Whether the proposal has been accepted and if so, by what date the first premium is to be paid.

(v) Cost of the policy (in the case of single payment policy).

(vii) Amount *yearly premia.

(viii) Due date(s) for payment of premium.

(ix) Date of payment of last premium.

(x) Whether age has been admitted. If not, state the nature of proof presented to, Life Insurance Corporation.

(xi) Name(s) of the nominee(s) under Sec. 39 of the Insurance Act, 1938.

(xii) Guardian appointed under Sec. 39 of the Insurance Act, 1938, in respect of minor nominees, if any.

(xiii) Details of any previous policy already assigned to the C.B.T

(xiv) Remarks

or

“Certified that I have not withdrawn any amount previously for financing out of my provident fund account.”

Date.....

**Signature or left/ right hand thumb-
impression of the member

Certified that this form has been *signed/thumb-impressed before me by.....

(Name of member)

Account No.....employed.....

(Name of establishment) Signature of the employer or his authorised Official.

Date

Designation.....

Code No. of the establishment

Name and address of the establishment

_____and its stamp

*Delete portion not applicable.

_____**Left hand thumb-impression in the case of illiterate male
member and right hand thumb-impression by illiterate female member.

For use in Regional Commissioner’s Office

(Accounts Section)

Please furnish the following information in respect of the subscriber:

Average of yearly contribution (employee's share only) on the basis of recent 12 months Form NO. 12	Total contributions (employees share only) as on	Whether any other L.I.P. Advance has been granted before, if so, mention the date of withdrawal	Whether the subscriber has contributed for two years

The above case has been examined vide paras. 62 to 64 of the Employees' Provident Funds Scheme, 1952. A sum of Rs.....(Rupees.....) may be paid.

Clerk Head Clerk Accounts Officer R.P.F.C.

INSURANCE SECTION

D.P. Sheet prepared and put up for signature

Clerk (Ins.) H.C. (Ins.) Accounts Officer R.P.F.C.

FORM 15 to FORM 18 (OMITTED)

FORM 19

Regn No.....

(For office use only)

**FORM TO BE USED BY A MAJOR MEMBER OF EMPLOYEES' PROVIDENT
FUNDS SCHEME, 1952 FOR CLAIMING THE EMPLOYEES'
PROVIDENT FUND DUES: [PARA 72 (5)]**

(Refer to Instructions)

1. Name of the member (in Block Letters)

2. Father's Name (or husband's name in the case of married women)

3. Name and address of the Factory/Establishment in which the member was last employed

4. Account No.

5. Date of leaving Service

6. Reason for leaving service

7. Full Postal address

(in Block Letters)

Shri/Smt./Kumari

.....

S/o, W/o, D/o

PIN.....

8. Mode of Remittance

Put a 'tick' in the box against the one

opted []

(a) by Postal money order at

to the address given against item No. 7

my cost []

S.B. Account No. in figure.....

(b) by account-payee cheque words n words.....

sent direct to credit to my Name of the Bank.....

S.B. A/c (Scheduled Bank/P.O.) Branch.....

under intimation to me.[] Full address of the Branch.....

(Advance Stamped Receipt furnished below)

Certified that the particulars are true to the best of my knowledge.

Date of Joining the Establishment.....

Date of Leaving Service.....

CONTRIBUTION FOR THE CURRENT FINANCIAL YEAR

[illegible]

(Information to be furnished by the employer if the claim form attested by the employer)

Certified that the above contributions have been included in the regular monthly remittance.

The applicant has signed/thumb impressed before me.

.....

.....

Signature of the employer or

authorised Official

Date.....

Designation & Seal

Encl:.....

Signature or left/right hand thumb-

impression of the member.

DECLARATION OF NON-EMPLOYMENT

I declare that I have not been employed in any factory/Establishment to which the Act applies for a continuous period of not less than 2 months immediately preceding the date of my application for final withdrawal of my Provident Fund money.

Date.....

.....

Signature of left/ right hand thumb-

impression of the member

ADVANCE STAMPED RECEIPT

Received a sum of Rs.*.....(Rupees) from
Regional Provident Fund Commissioner/Officer-in-charge of Sub-Regional Office..... deposit in my Saving Bank
Account towards the settlement of Provident Fund Account.

Affix
1 Rupee
Revenue
Stamps.

*The space should be left blank which shall be, filled in by Regional Provident Fund Commissioner/Officer-in-charge of S.R.O.

Signature of left/right hand thumb-
Impression of the member

(FOR THE USE OF COMMISSIONERS OFFICE)

A/c. settled in part/full. Entered in
F-21-A/24/2/9 withdrawal Register.

Clerk

Head Clerk.

P. I. No.....(M/O/Cheque.....Section

.....Account No.....

Under Rs.....

[passed for payment of Rs.....in words]

M.O. Commission (if any)

Net Amount to be paid by M.O.

Accounts Officer

Date.....

FOR USE IN CASH SECTION

Paid by inclusion in Cheque No.....dt.....vide Cash Book (Bank)

Account No. 10 Debit Item No.....

H.C.**AC/RC**

Remarks

FORM 20**THE EMPLOYEES' PROVIDENT FUNDS SCHEME, 1952**

Reg. No.....(For office use only)

Form to be used

(1) By the guardian of minor/lunatic member, or (2) by a nominee or legal heir of the deceased member, or (3) by the guardian of the minor/lunatic nominee or heir for claiming the Provident Funds accumulations of minor/deceased member.

PARTICULARS OF MEMBER

1. (a) Name of the member (in block letters).....

(b) Father's name (or husband's name in case of married woman).....

(c) Name and address of the factory/establishment in which the member was last employed.....

(d) Account No.....

(e) Date of leaving service.....

(f) Reason of leaving service (case of deceased member)

(g) Date of death of the member.....

(h) Marital status of the member on the day of death.

PARTICULARS OF THE CLAIMANT

2. (To be filled in by a major nominee/legal heir/member of the family of the deceased member)

(a) Name of the Claimant (in block letters)

(b) Father's/husband's name.....

(c) Sex.....

(d) Age (as on the date of death of the member).....

(d) Marital status (as on the date of death of the member)
(Whether unmarried, married, widow or widower.)

(f) Relationship with the deceased member.....

3. (To be filled in by the Guardian/Manager of minor/lunatic member or lunatic/minor *[Nominee(s)/legal heir(s)]/Family member(s) of the deceased member)

- (a) Name of the claimant (i.e. guardian).....
- (b) Father's/Husband's name.....
- (c) Relationship with the member/deceased member.....

3-A. Particulars of the minor/lunatic nominee(s) legal heir(s)/family member(s) on whose behalf the provided fund amount is claimed.

Sl. No.	Name	Sex	Age	Religion	Relationship	
					With the deceased member	With the guardian
1.						
2.						
3.						

* **Delete, if not applicable.**

4. Claimant's full postal address.....Sh./Smt..... (In block letters) S/o., w/o,
h/o.....Pin.....

5. Mode of remittance: (Put tick in the box against the one opted)

(a) ☐ By postal money order at my
cost to the address given in item No. 4

OR

(b) By account payee cheque sent direct for credit to my SB A/c. (Sch. Bank/Post Office) under intimation to me (Advance stamped receipt furnished below)

SB Account No.....

Bank.....

Branch.....

Full address of the bank.....

Certificate:

* To the best of my knowledge no posthumous child will be born to the deceased member.

* I certify that the particulars given above are true to the best of my knowledge.

* I certify that the minor(s)/lunatic Sri/Smt.....is living with me and is being supported and looked after by myself and the Provident Fund money claimed on behalf of minor/lunatic will be spent in his/her best interests and benefits.

. I certify that the minor member has not been employed in any factory/establishment to which the Act applies for a continuous period of not less than 6 months immediately preceding the date of this application.

Enclosures:

Date.....

Signatures or left/right hand thumb-impression of the claimant Delete, if not applicable.

ADVANCE STAMPED RECEIPT

[To be furnished only in case of 5 (b) above]

Received a sum of Rs.*..... (Rupees*.....) from Regional Provident Fund

Commissioner/Officer-in-charge of sub- regional office.....by deposit in my Savings

Bank account towards the settlement of Provident Fund account of Sri/Smt.....

Affix Re. 1

Revenue

Stamp

The space should be left blank which shall be filed in by RPFC/Officer-in-charge of SRO.

Signature or left/right hand thumb-impression of the claimant

Certificate by the attesting authority.

CONTRIBUTION FOR THE CURRENT PERIOD

Month		Contribution		Period of break, if any		Month		Contribution		Period of break, if any	
Employee		Employee		Total		Employee		Employee		Total	
EPF	FP	EPF	PF	EPF	FP	EPF	FP	EPF	FP	EPF	FP

Certified that the above contributions have been included in the regular monthly remittances.

Certified that the facts stated above are correct.

Certified that the claimant Sri/Smt./Kumari.....is known to me and signed/thumb-impressed before me.

Signature of the employer or any authorised official designation and seal.....

FORM THE USE OF COMMISSIONER’S OFFICE

Account settled in part/full. Entered in Form 21-A/24/29 (Revised)
and withdrawal register

Clerk		Head Clerk
P.I. No.....	M.O/Cheque	Account No.....
Section.....		
Passed for payment for Rs.....(in words).....		
M.O. Commission (if any).....		Accounts officer
Net amount to be paid by MO.....		Date.....

FOR USE IN CASH SECTION

Paid by inclusion in cheque No.....dt.....vide Cash book (Bank) Account No.....Debit Item No.....

Head Clerk	Assistant Commissioner/Regional Commissioner
------------	--

REMARKS

Registration No
(For office use only)



FOR THE USE OF COMMISSIONER’S OFFICE

FORMS 21 TO 30 NOT PRINTED

FORM 31

APPLICATION FOR ADVANCE FROM THE FUND

Refer: Instructions

For office use only

Date

Official seal and Registration No..... Purpose for which advance

Amount of advance required (in words)..... is required.....

1. Name in full (in block letters).....
2. Father's/Husband's name.....
3. Name of the factory/establishment in which employed and address.....
4. Provident Fund Account No.....
5. Monthly basic wages, DA: Basic + DA.....Total.....
6. Full postal address of the member to which payment/intimation to be sent.
7. Mode of remittance

(a) In case of advance for purchase of site/house/flat or construction through an 'agency' or repayment of housing loan, indicate (i) in whose favour the cheque is to be &awn and (ii) full address.....

In other cases put the tick against any of the following:

(b) By account payee cheque, through the employer (to the address given against SI. No. 3)

(c) By deposit in Bank A/c No..... located at.....(Full postal address)

(d) By money order at my cost to the address given against SI. No. 6.

*I declare that the advance is required to meet the expenses in connection with my marriage/marriage of my son/daughter/brother/sister, Shri/Kumari.....(name) aged..... to be celebrated on.....(Date) at.....(Address).

I declare that the above particulars are true to the best of my knowledge and I will abide by the conditions governing the grant of advance under the Scheme. Certificate(s)/document(s) in support of my application is/are furnished/enclosed.

Station

Signature/left or right hand thumb-

Date

impression of the member

*Delete if the advance applied for is not for marriage.

ADVANCE STAMPED RECEIPT

[To be furnished with reference to 7 (a) or (b) or (c) above only)

Received a sum of Rs.....(Rupees.....) from the Regional Provident Fund Commissioner/Officer-in-charge of Sub-regional Office, Employees' Provident Fund towards the grant of advance from my Employees' Provident Fund Account maintained by him.

Affix one Rupees
Revenue Stamp

Signature of member

*To be filled by the Employees' Provident Fund Office

TO BE FURNISHED BY THE EMPLOYER

(During the closure/lock-out of the factory/establishment by any Gazetted Officer or the Chief Executive/Head of a local authority or MP or MLA or a Member of CBT/Regional Committee, EPF.)

Certified that the application has been signed by the member in my presence after he/she had read the contents/the contents had been explained to him/her by me and that the information given in the application is correct. Required certificates) is/are closed.

Date.....

Designation of the signing official with stamp of the factory/establishment.

Encls:.....

Signature of employer or an authorised official of the factory/establishment.

FOR USE IN PROVIDENT FUND COMMISSIONER'S OFFICE

Section.....

Account No.....

AUTHORITY FOR PAYMENT OF ADVANCE UNDER PARA. 68

Passed for payment for Rs.....(Rupees.....only)

Mode of remittance: Refer SI. No. 70

M.O. Commission, if any.....

Net amount to be paid by M.O.....

Clerk'

Head Clerk

Accounts Officer

P.I. No.....

Vide payment scroll P.C. to A.0.

FOR USE IN CASH SECTION

Paid by inclusion in Cheque No.....dated.....Vide Cash Book (Bank) Account No. 3 debit item No.....

Clerk

Head Clerk

Assistant Commissioner

REMARKS

.....

Instructions

A member of the Fund may avail the following non-refundable advances:

The documents to be furnished in support of the application are given in brackets:

1. Purchase of a dwelling site-

(From an 'agency')-Original allotment order.

(From an individual)-Original title deed non-encumbrance certificate.

(for verification and return agreement with the seller).

2. Purchase of a dwelling-house/flat

(From an 'agency')-Original allotment order.

(From an individual) Original title deed (for verification and return agreement with the seller, non-encumbrance certificate from an appropriate authority that the house/flat is a new and unlied one furnishing the number and date of approval of plan, commencement and completion of the house/flat tax bills and receipts.

3. Construction of house:

(Original title deed) (for verification and return), non- encumbrance certificate, estimated cost for construction. Approved plan.

Note: While claiming the second and subsequent instalments the declaration/certificate as required by the Commissioner in his letter sanctioning the advance should be submitted along with the application.

('Agency' referred to in 1 to 3 above would mean Central/State Government, a Co-operative Society, an institution, a trust, a local body or a housing finance corporation. In case of transactions through an agency the payment will be made only by Account Payee Cheque, direct to the 'agency' concerned).

4. Additions, alteration or improvement to the house owned by member or by spouse:

(Approval of the appropriate authority, estimate of the work, original title deed of the house (for verification), non-encumbrance certificate, a certificate from the appropriate authority specifying the date of completion of the house.)

5. Repayment of (Housing) loan to the State Government Housing Board, Municipal Corporation or a body similar to Delhi Development Authority:

A certificate from the lending authority furnishing the details of loan and outstanding amount.

6. Closure/Lock-out of the factory/establishment, for reasons other than strike:

(Furnish the certificate 'A' given later.)

7. Non-receipt of wages for 2 months:

(Furnish the certificate 'B' given later.)

8. Illness of member/family member

(Furnish the certificate 'C' given later.)

9. Marriage of self/son/daughter/sister/brother

10. Post-matriculation education of son/daughter

(Certificate from the Institution regarding the course of study and anticipated expenditure)

11. Damage to the property due to natural calamity (Flood/riot/earthquake):

(Furnish the certificate 'D' given later.)

12. Affected by cut in electricity:

(Furnish the certificate 'E' given later.)

13. Purchase of equipment for physically handicapped members:

(Furnish the certificate 'F' given later.)

Note: (1) Such other document, certificate, etc. as may be required by the sanctioning authority are also required to be furnished through the establishment.

(2) In case no intimation is received within a month please write to RPFC/Officer-in-charge of sub-regional office, through the establishment.

CERTIFICATE-A (REFER INSTRUCTION SL. NO. 6)

Certified that no compensation was paid to the member Sri/Smt for the period of lock-out/closure.

Signature of employer/authorised official with date and seal.

CERTIFICATE-B (REFER INSTRUCTION SL. NO. 7)

Certified

(i) The member Sri/Smt..... has/bad been granted leave for a period of.....from..... to.....

(ii) The ESI facilities/cash benefits are not actually available to the member/the member has ceased to be eligible for cash benefits under ESI-Certificate from ESI enclosed.

Signature of the employer/authorised official with date and seal.

CERTIFICATE-C (REFER INSTRUCTION SL. NO. 8)

Medical certificate to be issued; (i) in case of major surgical operation or where the hospitalisation for one month or more had or has become necessary-By a doctor of the Government/ESI/private hospital. (ii) in case of treatment of TB, leprosy, paralysis or cancer-By a doctor of Government/private hospital/ESI or by a registered medical practitioner. (iii) in case of treatment of heart ailment or mental derangement-By a specialist doctor.

(ii) Certified that Sri/Smt. /Kum s/o/w/o/d/o....

*(i) Is suffering from TB/leprosy/paralysis/cancer/mental derangement/heart ailment.

*(ii) Is suffering from (disease) for which a major surgical operation/and hospitalisation for a period of days from to had or has become necessary.

*(iii) Is suffering from and hospitalisation for a period of days from to had or has become necessary.

*Delete whichever is not applicable.

Signature of the Doctor with date and seal.

CERTIFICATE-D (REFER INSTRUCTIONS SL. NO. 11)

Certified that the movable/immovable property of Sri/Smt.....viz.....situated at..... has been damaged due to.....on (date).....The estimated loss of

property due to.....calamity is valued at Rs.....The State Government has

declared that the calamity has affected the general public in the area in which the property of the member is /was located vide Notification/Press release No. and date.

Signature of employer/revenue official Gazetted officer/MLA/MP/Member of CBT/ Regional Committee with seal and date.

CERTIFICATE-E (REFER INSTRUCTIONS SL. NO. 12)

Certified that the fall in wages amounting to 25% or more than 25% of the wages in respect of Sri/Smt.....due to power cut.

Signature of the employer/authorised official with date and seal.

CERTIFICATE-F (REFER INSTRUCTIONS SL. NO. 13)

Medical certificate from a competent medical practitioner.

Certified that Sri/Smt/Kum.....s/o/w/o/d/o.....is physically handicapped, viz.....(Nature of handicap) and requires the equipment, viz.....costing about Rs.....to minimise the hardship on account of handicap.

Signature of the doctor with seal and date.
