

**COAL MINES
PROVIDENT FUND SCHEME, 1948**



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**COAL MINES PROVIDENT FUND SCHEME
GOVERNMENT OF INDIA
MINISTRY OF LABOUR**

NOTIFICATION

New Delhi, the 11th December, 1948

No. P.F.15(5)/48 — In exercise of the powers conferred by Section 3 of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (XLVI of 1948), the Central Government is pleased to frame the following Coal Mines Provident Fund Scheme, namely :--

1. Short Title and Application—(i) This Scheme may be called the Coal Mines Provident Fund Scheme.

¹[(ii) It shall apply to all coal mines in West Bengal, Bihar, [Maharashtra], the Central Provinces and Berar, ⁶[Nagaland and Orissa including those in partially excluded areas in the Provinces of ³[West Bengal], Bihar, Central Provinces and Berar and Orissa to which the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948, has been applied under Sub-section (1) of Section 92 of the Government of India Act, 1935].

⁷[(iii) It shall apply to all the members of the Central Coalfields Limited Staff provident Fund, Darbhanga House, Ranchi, a non-statutory organization and the Coal Mines Authority Limited Staff Provident Fund constituted under the Coal Mines Nationalization Provident Fund Rules, 1976.]

⁴[(iii) The provisions of this Scheme shall be deemed to have come into force—

- (a) On the 12th May 1947, in respect of coal mines in West Bengal and Bihar including those situated in the partially excluded areas of the province of Bihar;
- (b) On the 10th October, 1947 in respect of the coal mines in the Central Provinces and Berar and Orissa including those situated in the partially excluded areas in those provinces;
- (c) On the 1st January, 1957 in respect of all coal mines (except Sasti Coal Mine) situated in the ⁵(territories which as from 1st May, 1960 are comprised in the State of the Maharashtra];

1. This sub-paragraph with the exception of the words 'West Bengal' in sub-para (ii) was substituted for the original one under Government of India, Ministry of Labour Notification No. PF 15(9) 50 dated the 9th January, 1950.

2. The word 'Bombay' which had been inserted vide S.R.O. 3566 dated 31.10.57 was substituted by the word 'Maharashtra' by S.O. 2276 dated 3.9.60 published on 27.9.60.

3. The words 'West Bengal' were inserted by the Government of India, Ministry of Labour Notification No. PF 15(9) 50, dated the 23rd February 1950.

4. Reconstituted by S.R.O. 3566 dated 31.10.57.

5. The words 'New State of Bombay' substituted vide S.O. 2276 dated 13.9.60 published on 27.9.60.

6. The words 'Nagaland' added vide G.S.R. 690 dated 25.4.1964.

7. The new para 1(iii) inserted vide G.S.R.687(E) dated 8.10.2002.

⁵[(d) On the 1st December, 1963 in respect of all coal mines situated in the State of Nagaland.]

¹[(iv) The provisions of this Scheme shall come into force on the 1st December 1957 in respect of the Sasti Coal Mine]

[For extension to Assam see para 1 of Appendix I,

For extension to Talcher see para 1 of Appendix II,

For extension to the States of Rewa and Korea see para 1 of Appendix III,

For extension to J&K see para 1 of Appendix IV]

2. Definitions--

In this Scheme, unless there is anything repugnant in the subject or context—

(a) “**Act**” means the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (XLVI of 1948);

(b) “**Basic Wages**” means the total cash emoluments, whether earned while on duty or while on leave with pay, but excluding all payments for food concession, dearness, house rent and other similar allowances, overtime, bonus, commission, presents, or donations;

(c) “**Board**” means the Board of Trustees constituted under ^x[Section 3-A of the Act].

²[(cc) “Chief Inspector of Mines” has the meaning assigned to it in sub-section (1) of Section 5 of the Mines Act, 1952 (35 of 1952);

(d) “**Children**” means legitimate children and includes adopted children if the ³(Commissioner) is satisfied that under the personal law of the member adoption of a child is legally recognised;

(e) “**Commissioner**” means the Coal Mines Provident Fund Commissioner appointed under ^{*}[sub section (1) of section 3-C of the Act];

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⁴(g) “**Excluded Employee**” means an employee—

⁶(i) who, having been a member of the Fund once, withdraw the amount of his accumulation in the Fund either in whole or in part on permanent retirement after attainment of the age of 50 years or on retirement on account of total incapacity due to bodily or mental infirmity acquired after attaining the age of 50 years, or,

1. Clause (iv) inserted vide S.R.O. 3566 dated 31.10.57.

2. Inserted vide S.O. 2620 dated 26.11.61.

3. Inserted by S.R.O. 1360 dated 1.6.56.

** Omitted by S.R.O. 1360 dated 1.6.56.

4. Clause (g) reconstituted vide S.O. 2620 dated 26.11.61.

5. Sub-clause (d) added vide GSR 690 dated 25.4.1964.

x The words and figures “paragraph 3 of this Scheme” substituted vide G.S.R. 492 dated 1.4.66.

* The words and figures “paragraph 23 of this scheme” substituted vide G.S.R. 492 dated 1.4.66.

6. Sub-clause (i) substituted vide G.S.R. 509 dated 5.4.72.

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(iii) who is employed as labourer of a contractor for building, brick making or tile making;

(h) “**Family**” means--

*[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 spouse belongs to be entitled to maintenance she shall no longer be deemed to be a part of the member’s family in matters which this scheme relates, unless the member subsequently intimates by express notice in writing to the commissioner that she shall continue to be so regarded; and

@[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 shall no longer be deemed to be a part of the member’s family in matters to which this scheme relates unless the member subsequently cancels in writing any such notice.

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

* The words “in the case of a male member, the wife, children and dependent parents of the member, and the widow and children of a deceased son of the member substituted vide G.S.R.863 dated 27.5.67.

@ The words in the case of female member, the husband and children of the member, the dependent parents of the husband, and the widow and children of a deceased son of the member substituted vide G.S.R. 863 dated 27.5.67.

+* Inserted vide G.S.R. 863 dated 27.5.67.

§ [The paragraph 2\(g\)\(ii\) omitted vide G.S.R.687\(E\) dated 8.10.2002.](#)

- (i) “**Inspector**” means a person appointed as such under section 10 of the Act;
- (j) “**Member**” shall have the meaning assigned in the Act and shall include initial member;
- ³(k) “**Period of Membership**” means in respect of a member the period beginning with the day on which he was employed in the coal mine wherefrom he qualifies for the membership of the Fund and ¹(ending with the date on which the amount standing to his credit in the Fund and refundable under paragraph 63 is tendered for payment).

@[Provided that in the case of a member whose accumulations in the past provident fund are transferred to the Fund under sub-section (1) or sub-section (3) of section 3D of the Act, his period of membership of the Fund shall be deemed to have commenced from the date of his employment in the coal mine or establishment, as the case may be, wherein he became a subscriber of the provident fund from which his accumulations are transferred to the Fund.

Provided *[further] that in any case where the date on which a member was employed cannot be ascertained, the first day of the period or quarter in which he qualified for membership of the Fund shall be deemed to be the date on which he was employed in the Coal Mine.

- (I) “**Quarter**” means a period of three calendar months commencing on the first of January, the first of April, the first of July and the first of October of each year :

²[(II) “**Temporary Disablement**” means a condition resulting from a personal injury to an employee caused by accident or an occupational disease arising out of and in the course of his employment in a coal mine, which requires medical treatment and renders the employee temporarily incapable of work and which entitles such employee to compensation under the Workmen’s Compensation Act, 1923 (8 of 1923);]

1 The words “ending with the date of application on which he is permitted to withdraw the amount standing to his credit in the Fund under paragraph 63” substituted by S.R.O. 424 dated 22.1.58.

@ The proviso inserted vide G.S.R. 492 dated 1.4.66.

* The word “further” inserted vide G.S.R. 492 dated 1.4.66.

2 Clause (II) inserted vide S.O. 2620 dated 26.11.61.

3 Clause (k) reconstituted vide S.R.O. 2564, dated 31.7.57.

³[(m) “**Total Emoluments**” means the total cash emoluments inclusive of all allowances, overtime, compensation for guaranteed wage, additional payments for difficult and arduous work, remuneration for paid holidays, whether earned while on duty or on any kind of leave with pay, but does not include—

- (i) bonus under the Coal Mines Bonus Scheme;
- (ii) any traveling allowance or the value of any traveling concession;
- (iii) any sum paid to the person employed to defray special expenses entailed on him by the nature of his employment;
- (iv) any gratuity payable on discharge;
- (v) any retrenchment compensation;
- (vi) any commission; and
- (vii) any ex-gratia payment]

⁴[(n) “**Wages**” has the meaning assigned to it in clause (vi) of section 2 of the Payment of Wages Act, 1936 (IV of 1936);

[For Assam, see para 2 Appendix-I,
For Talcher, see para 2 of Appendix-II,
For Rewa and Korea, see para 2 of Appendix-III,
For J&K see para 2 of Appendix-IV].

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⁵[4. **Terms of Office** — (1) Save as otherwise expressly provided in this Scheme the term of office of the trustees other than those referred to in clauses (a), (b), (c) & (d) of sub-section (1) of section 3A of the Act shall be two years or such other period not exceeding five years as the Central Government may specify by notification in the Official Gazette, commencing on the date on which their appointment is notified in the Official Gazette.

Provided that a trustee shall notwithstanding the expiry of the period specified in sub-paragraph (1), continue to hold office until the appointment of his successor is notified in the Official Gazette.]

(2) The trustee referred to in ²[clause (a), (c) and (d) of sub-section (1) of section 3A of the Act] shall hold office during the pleasure of the Central Government.

3 Clause [m] inserted vide Notification No.PF1/2(114) 56-1 dated 10.1.58.

4 Re-lettered vide Notification No. PF 1 /2(114)56-1 dated 10.1.58.

1 Paragraph 3 omitted vide G.S.R. 492 dated 1.4.66.

2 The words, brackets, figures and letters “clauses (a) and (b) of sub-paragraph (1) of paragraph 3” substituted vide G.S.R. 492, dated 1.4.66.

5 Sub-paragraph (1) of para 4 substituted vide G.S.R. 1013 dated 20.7.79.

⁵(2A) Where the Central Government directs that a trustee appointed under clause (d) of sub-section (1) of section 3-A of the Act to represent any state Government shall cease to be a trustee, the State Government concerned shall be consulted;

³(3) An outgoing trustee *** shall be eligible for ⁴(reappointment.)***

5. ⁶[Resignation]—A trustee ⁷(other than that referred to in clause (b) of sub-section (1) of section 3-A of the Act) may resign his office by notice in writing to the Central Government and his office shall fall vacant from the date on which his resignation is accepted or on the expiry of 30 days from the date of receipt of the letter of resignation whichever is earlier]

6. ⁸(Cessation and restoration of Trusteeship)—⁹(A trustee † shall cease to be such) trustee, † if he fails to attend three consecutive meetings of the Board † without obtaining leave of absence from the Chairman of the Board;

Provided that the Central Government may restore him to trusteeship + if it is satisfied that there were reasonable grounds for the absence.

¹⁰**[6A. Disqualification for trusteeship]**—

(1) A person shall be disqualified for being appointed as and for being a Trustee--

- (i) If he is declared to be of unsound mind by a competent court; or
- (ii) If he is an undischarged insolvent; or
- (iii) If before or after commencement of the Act, he has been convicted of an offence involving moral turpitude; or
- (iv) If he, as an employer in relation to a coal mine 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.]

7. Removal from ¹¹[Trusteeship]—The Central Government may remove from office any trustee if it is satisfied that the trustee has ceased to represent the interest on whose behalf he was nominated £²(or that his continuance is otherwise undesirable).

3 Original sub-paragraphs (3) and (4) omitted and sub-para (5) renumbered as (3) by S.R.O. 1360 dated 1.6.56.

*** The words “or member of the Committee” “or re-election as the case may be” “or member” or the Committee” “or membership as the case may be” were omitted by S.R.O. 1360 dated 1.6.56.

4 The word “renomination” substituted vide G.S.R. 492 dated 1.4.66.

5 The new sub-paragraph (2A) added by G.S.R. 492 dated 1.4.66.

6 Paragraph 5 reconstituted vide Notification No.PF2(120)/56, dated 12.2.57.

7 Inserted vide G.S.R. 492 dated 1.4.66.

† The words “or member of the Committee” “or re-election as the case may be” “or member” “or the Committee” “or membership, as the case may be” were omitted by S.R.O. 1360, dated 1.6.56.

8 The word “cessation of membership” substituted vide Notification No.1,11015(21)/70 PF 1 dated 1.12.71.

9 The words “A trustee shall cease to be such” substituted vide Notification No.1,11015(21)/70 P.F. 1 dated 1.12.71.

10 Para ‘6A’ added vide Notification No.1,11015(21)/70, PF 1, dated 1.12.71.

11. The word “membership” substituted vide Notification No.1,11015(21)/70, PF 1, dated 1.12.71.

£ Please see on next page.

2. Please see on next page.

¹²(7A. **Removal from Trusteeship for default in payment of any dues of the Fund.**—The Central Government may remove from office any trustee if in its opinion the trustee, as an employer in relation to a coal mine 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 shall be removed from office unless a reasonable opportunity is given to such trustee of making any representation against the proposed action.)

- 8. Absence from India.**—(1) Before a non-official trustee leaves India--
- (a) he shall intimate to Chairman of the Board** of the date of his departure from and expected return to India, or
 - (b) if he intends to absent himself for a longer period than six months, he shall tender his resignation.
- @(2) if any trustee leaves India for a period of six months or more without intimation to the Chairman of the Board he shall cease to be a trustee;

Provided that the Central Government may restore him to trusteeship, if it is satisfied that there were reasonable grounds for his leaving India without intimation to the Chairman.

***[8A—Nomination of a substitute during absence of a Trustee—**

- (1) If a Trustee is unable to attend any meeting of the Board, he may by a written instrument, signed by him, addressed to the Chairman of the Board and explaining the reasons for his inability to attend the meeting, appoint any representative of the organisation which he represents on the Board as his substitute for attending that meeting of the Board in his place and stead;

Provided that no such appointment shall be valid unless—

- (i) such appointment has been approved by the Chairman of the Board, and
 - (ii) the instrument making such appointment has been received by the Chairman of the Board at least ¹(seven days) 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 in relation to the meeting of the Board in respect of which he is appointed and shall receive fees and allowances enjoy immunities and be under obligations as if he were a Trustee appointed ¹³[under section 3-A of the Act.

12. Para '7A' added vide Notification No.1,11015(21)/70 PF 1 dated 1.12.71.

** The words "and if he is also a member of the Committee the Chairman of the Committee" omitted by S.R.O. 1360 dated 1.6.56.

£ The words "The trustee so removed shall cease to be a member of the committee if he is on Committee" were omitted by S.R.O. 1360 dated 1.6.56.

2. Added vide Notification No.PF 54(45)/56, dated 12.2.57.

@ Sub-para (2) substituted vide Notification No.1,11013(13)/71 PF 1 dated 18.11.72.

* Paragraph 8A added vide G.S.R. 1245 dated 17.7.63.

1. The word "fifteen days" substituted vide G.S.R. 845 dated 29.5.64.

13. The words and figure "under paragraph 3" substituted vide G.S.R. 492 dated 1.4.66.

(3) A Trustee appointing a substitute for attending any meeting of the Board shall notwithstanding anything contained in this paragraph, continue to be liable for the misappropriation or misapplication of the Fund 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].

²**9. Filling of Vacancies** (1) A casual vacancy in the office of a trustee shall be filled up by the Central Government by notification in the Official Gazette, as soon after the occurrence of the vacancy as possible, after consultation with the State Government or the organisations of employers or employees, as the case may be, which was being represented by the trustee whose office is to be filled up.

(2) A Trustee appointed to fill a casual vacancy shall hold office for the unexpired portion of the term of his predecessor].

10. Vacation of office—A person shall be disqualified for being a trustee—

- (a) if he is declared to be of unsound mind by a competent court; or
- (b) if he is an undischarged insolvent; or
- (c) if he has been convicted of any offence which in the opinion of the Central Government involved moral turpitude.

¹**10A. Constitution of Committees**—(1) The Board may constitute committees consisting of such number of trustees as the Board may consider necessary in each case, to assist it in the discharge of its functions and shall lay down the terms of reference of such committees, the quorum thereof and the venue where such committees should meet.

(2) The provisions of paragraph 21 shall mutatis mutandis apply for the payment of fees and allowances to the members of the committees constituted under sub-paragraph-(1) for attending meeting thereof.]

11. Authentication of orders, Decisions etc.—(1) All orders and decisions of the Board* shall be authenticated by the signature of its Chairman or by some other officer or member of the Board @ authorised by it in this behalf.

³[All orders and decisions of any committee set up by the Board under paragraph 10A shall be authenticated by the Commissioner.]

² Paragraph 9 substituted vide G.S.R. 492 dated 1.4.66.

¹ The new paragraph 10A inserted vide G.S.R. 492 dated 1.4.66.

* The word “or the Committees” omitted by S.R.O. 1360 dated 1.6.56.

@ The words “or Committee as the case may be” omitted by S.R.O. 1360 dated 1.6.56.

³ The existing Paragraph 11 renumbered as the sub-paragraph (1) there and the new sub-paragraph (2) added vide G.S.R. 492 dated 1.4.66.

³[**12. Delegation of Powers** – The Commissioner may delegate, from time to time, the powers vested in him under this Scheme to any officer under his control to the extent considered suitable by him for the administration of the Scheme.]

13. Disposal of Business – (1) Every question which is to be considered by the Board shall be considered either at its meeting or, if the chairman so directs, by sending the necessary papers to all the trustees for their opinion;

Provided that the paper need not be sent to a trustee who is absent from India at that time.

(2) When a question is referred under sub-paragraph-(1) for opinion, any trustee may request that the question be considered at a meeting of the Board and thereupon the Chairman, may, and if the request is made by not less than three trustees, shall direct that it be so considered. †

14. Meetings of Board of Trustees. †† - The Board †† shall meet at such place and time as may be appointed by the Chairman of the Board. ††

15. Notice of Meeting and List of Business— (1) Notice of not less than fifteen days from the date of posting shall be given of the time and place fixed for each ordinary meeting of the Board †† to every trustee†† present in India and to such notice shall be attached a list of business to be discussed at the meeting;

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) No business which is not on the list shall be considered at the meeting except with the permission of the Chairman.

16. Presiding at Meeting -- The Chairman of the Board, †† shall, ¹() preside at every meeting of the Board †† at which he is present. If the Chairman is absent at any time, the trustees* present shall elect one of their members to preside over the meeting and the trustee* so elected shall at that meeting exercise all the powers of the Chairman.

3 Original paragraph omitted and the paragraph inserted by S.R.O. 1363 dated 1.6.56 and later substituted by G.S.R. 492 dated 1.4.66

† Sub-paragraph (3) omitted by s.R.O. 1360 dated 1.6.56.

†† The Word “and Executive Committee” “and the Committee” “or the committee as the case may be” “or of the committee as the case may be to every member of the committee” “or of the committee as the case may be” deleted by S.R.O. 1360 dated 1.6.56.

1 The words, brackets and figures save as provided in sub-paragraph (2) and (3) of paragraph 3 omitted vide G.S.R. 492 dated 1.4.66.

* The words, “or the members of the committees” omitted by S.R.O. 1360 dated 1.6.56.

17. ³[(1) No business shall be transacted at a meeting of the Board, whether ordinary or emergent, unless at least four Trustees are present of whom at least one each shall be a trustee appointed under clause (e) and under clause (f) respectively of sub-section (1) of section 3A of the Act.]

** (2) If at any meeting the number of trustees + is less than the required quorum, the Chairman shall adjourn the meeting to a date not less than seven days later informing the trustees @ present and also the other trustees @ 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 whether the quorum is secured or not.

18. Recommendation by Majority – (1) Every question at a meeting of the Board @ shall be decided by a majority of votes of the Trustee @ present and voting, but the minority may require their dissent to be noted.

(2) Every question referred to the trustees for opinion shall, unless the Chairman in pursuance of sub-paragraph (2) of paragraph 13 reserves it for consideration at a meeting, be decided in accordance with the opinions received within the time limit allowed.

(3) In the case of equality of votes or opinions, the Chairman shall exercise an additional vote or opinion.

19. Minutes of Meetings — (1) The proceedings of a meeting of the Board @ shall be circulated to all trustees present in India and thereafter they shall be recorded in a minute book to be kept as a permanent record.

(2) The record of the proceedings of each meeting shall be signed by the Chairman after confirmation at the next meeting.

20. Acts of the Board etc. not invalid by reason of defect in constitution— No act of the Board @ shall be deemed to be invalid by reason of any defect in the constitution of the Board @ or on the ground that any trustee @ thereof was not entitled to hold or continue in office by reason of any disqualification or of any irregularity in

** Sub-paragraph (2) omitted and sub-paragraph (3) renumbered as sub-paragraph (2) by S.R.O. 1360 dated 1.6.56.

+ The words “or members of the committee as the case may be” “or members” omitted by S.R.O. 1360 dated 1.6.56.

@ The words “or the committee” “or members of the committee” “or of the committee,” “or members as the case may be” “or the committee” “or member” “or election” “and/or the committee” omitted by S.R.O. 1360 dated 1.6.56.

2 The words, brackets and figures “nominated under clause (c) and at least two nominated under clause [d] of sub-paragraph (1) of paragraph 3” substituted vide G.S.R. 492 dated 1.4.66.

* The words, “or member” omitted by S.R.O. 1360 dated 1.6.56.

3 Sub-paragraph [i] of paragraph 17 substituted vide notification No. R-110/1/1/76-PFI, dated 10.9.76.

the *[appointment] @ or by reason of such act having been done during the period of any vacancy in the Board @.

21. Fees and allowances – (1) The traveling allowance of an official trustee shall be governed by the rules applicable to him for journey performed on official duty and shall be paid by the authority paying his salary.

¹[(2) Subject to the provisions of sub-paragraphs (3), (4) and (5), every non-official trustee shall be paid traveling allowance for attending the meetings of the Board at such rates as are admissible to grade-I officers of the Central Government and daily allowance calculated at the maximum rates admissible to Grade-I Officers of the Central Government in the respective localities:

Provided that, where such trustee-

(i) arrives at the place of the meeting at 12 noon or in the afternoon of the day immediately preceding the day of the meeting or leaves the place of the meeting in the forenoon of the day immediately succeeding the day of the meeting, he shall be entitled to one half of the daily allowance for such days of arrival and departure:

(ii) arrives at the place of the meeting in the forenoon of the day immediately preceding the day of the meeting or leaves the place of the meeting at 12 noon or in the afternoon of the day immediately succeeding the day of meeting, he shall be entitled to full daily allowance for such days of arrival and departure.]

²[(iii) arrives at and departs from the place of the meeting on the same day, he shall be entitled to full daily allowance for the day of meeting].

(3) Where such trustee, being a member of a State Legislature attends a meeting of the Board, he shall be entitled -

(i) When the State Legislature is not in session, to such traveling and daily allowance 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 allowance as are admissible to the members of Legislature for attending meeting of the Legislature.

(4) Where such trustee, being a member of either House of Parliament, attends meeting of the Board, he shall be entitled to such travelling allowance and daily allowance

* The word 'nomination' substituted vide G.S.R. No. 492 dated 1.4.66.

1 Sub-paragraph (2) reconstituted and new sub-paragraph 3, 4 & 5 added vide S.O. No. 2778 dated 17th November 1961.

2 Clause (iii) sub-para(2) added vide G.S.R. 1772 dated 6.11.63.

@ The words "or the committee" "or members of the committee" "or of the committee", "or members as the case may be", "or the committee", "or member" "or election" "and/or the committee" omitted by S.R.O. 1360 dated 1.6.56.

as may be admissible to him under the rules laid down by the Central Government on the subject from time to time.

(5) Where such trustee is neither a member of the State Legislature nor of either House of Parliament and he resides at the place where the meeting of the Board is held and he attends such meeting, he shall be entitled only to the actual amount of conveyance hired subject to a maximum of Rs. 10/- per day.

[(6) In matters regarding grant of traveling and daily allowance to the non-official members of the Board not covered in this paragraph orders issued by the Central Government from time to time shall apply]¹

Note:- (1) No daily or travelling allowance in respect of any day or journey, as the case may be, shall be claimed from the Fund by a trustee if he has drawn or will draw allowance for the same from his employer or as a member of Legislature or of any Committee or Conference of Government and no travelling allowance shall be claimed if he uses a means of locomotion provided at the expense of Government or his employer.

Note:- (2) Where the journey is performed by road between places connected by railway road mileage shall be paid only if the trustee concerned certifies that the journey was undertaken by road to avoid loss of time which the journey by railway would have entailed and the distance travelled does not exceed 75 miles in a single journey.

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23. **Coal Mines Provident Fund Commissioner – @ []**

(2) The Commissioner shall be a whole time officer of the Fund and shall not undertake any work not connected with his office without the sanction of the Central Government.

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(5) A person shall be disqualified from being the Commissioner if he is subject to any of the disqualifications specified in Paragraph 10.

(6) [Coal Mines Provident Fund Commissioner appointed under ⁴[sub-section (1) of section 3-C of the Act] may at any time, for reasons to be recorded in writing and after he is given reasonable opportunity of showing cause against the action proposed to be taken in the manner prescribed for Central Government officers of similar status, be removed by the Central Government.]³

1 Sub-para (6) added vide G.S.R. 1772 dated 6.11.63.

* Paragraph 22 omitted by G.S.R. 492 dated 1.4.66.

@ Sub-paragraph (1) and (4) omitted by G.S.R. 492 dated 1.4.66.

2 Sub-paragraph (3) omitted by G.S.R. 1121 dated 13.8.62.

4 The words “this paragraph” substituted by G.S.R. 492 dated 1.4.66.

3 Sub-paragraph (6) substituted vide G.S.R., 1121 dated 12.8.62.

⁴[24. **Opening of Regional and Other Offices** – The Board may, with the approval of the Central Government, open such regional and local offices as it may consider necessary for the proper implementation of the Scheme framed under section 3 of the Act. It may also define and vary from time to time the functions, duties and jurisdiction of the regional and local offices.]

25. Class of Employees Required to Join the Fund ⁵[In respect of any quarter prior to the 1st January 1962] – (1) Every employee in a coal mine to which this scheme applies, other than an excluded employee shall be required to join the Fund and become a member immediately after the end of the quarter following any quarter after the thirtieth of September, 1948] ⁶[but before the first of January 1962] in which he qualified for a bonus under sub-paragraph (b) of paragraph 4 or sub-paragraph (c) of paragraph 5 of the Coal Mines Bonus Scheme.

(2) Every employee in a coal mine to which this scheme applies, other than an excluded employee, shall be required to become a member of the Fund (hereinafter called the “initial member”) from the beginning of the first period or quarter before the first of October 1948, in respect of which he qualifies for a bonus under paragraph 4 or paragraph 5 of the Coal Mines Bonus Scheme:

Provided that an initial member, who has received before the first October 1948 from his employer the full amount of his as well as the employer’s contribution on his leaving employment in the coal mining industry, shall cease to be an initial member.

⁷(3) Every employee in a coal mine to which this scheme applies, except an excluded employee, and an employee employed in a managerial or supervisory capacity in a coal mine belonging to or under the control of the National Coal Development Corporation (Private) Ltd., who, by virtue of exception (a) under paragraph 3 of the coal Mines Bonus Scheme cannot entitle himself for the membership of the Fund in accordance with sub-paragraph (1) and (2) above, by qualifying for Bonus, shall be required to become a member and join the Fund immediately after the end of the quarter following any quarter after the 13th June 1956 in which he puts in seventy five days’ attendance in any coal mine to which this Scheme applies].

¹[**Explanation** – An employee whose basic wages exceed three hundred rupees per month subsequent to his qualifying for the membership of the Fund under sub-paragraph (1) and (2) shall be required to continue his membership and contribution shall be payable as under :-

4 Paragraph 24 substituted vide G.S.R. 492 dated 1.4.66.
5 Heading substituted vide S.O. 2620 dated 26.11.61.
6 Added vide S.O. 2620 dated 26.11.61.
7 Sub paragraph (3) of paragraph 25 added vide S.R.O. 128 dated 2.1.1957.
1 Explanation substituted vide G.S.R. 1173 dated 1.9.62.

(a) at the rates prescribed in Table I of paragraph 27 till the 31st December 1957;

(b) at the rates prescribed in Table IV of Paragraph 27 during the period from the 1st January 1958 to the 30th September 1962.

(c) at the rates prescribed in Table V of paragraph 27 from the 1st October 1962¹(to the 31st March, 1991.)

*[(d) at the rates prescribed in Table Vi of para-graph 27 from the 1st April, 1991 onwards.]

[For Assam, see paragraph 3 and 4 of Appendix-I.

For Talcher, see paragraph 3 of Appendix-II.

For Rewa and Korea, see paragraph 3 of Appendix-III.

²[25A- Class of employees required to join the Fund after the 31st December 1961.

⁴(1) Every employee in a coal mine to which this Scheme applies other than an excluded employee shall be required to join the Fund and become a member immediately after the end of the month following any month ⁵(or quarter as the case may be) in which he completes the days of attendance -

(i) in the period beginning with (December 1961)³ and ending with December 1967 for not less than 105 days, if he is an underground employee and 130 days, if he is a surface employee, and

(ii) after December 1967 ⁶(but before January 1970) for not less than 95 days, if he is an underground employee and 120 days, if he is a surface employee in a coal mine during a period of six months;

⁷(iii) after December 1969, for not less than 48 days, if he is an underground employee and 60 days, if he is a surface employee in a quarter;

⁸(iv) after December 1978, for not less than 48 days, if he is an underground employee and 60 days, if he is a surface employee from the date he is employed in a coal mine];

⁹(v) after March 1989 for not less than 30 days from the date he is employed in a coal mine.

1. The word “on-wards” substituted vide G.S.R. 506 dated 07.09.1991.

* Paragraph 25(3)(d) inserted vide G.S.R. 506 dated 07.09.1991.

2 Paragraph 25 & 25 B added vide S.O. 2620 dated 28.10.61.

3 “December 1962” for Assam, Talcher and Rewa & Korea vide G.S.R. 161,162 & 163 and 49 respectively dated 19.1.68.

4 Sub-paragraph (1) substituted vide G.S.R. 157.

5 () Added vide S.O. 54 dated 2.1.70.

6 () Added vide S.O. 54 dated 2.1.70.

7 Clause (iii) added vide S.O. 54 dated 2.1.70.

8 Clause (iv) of paragraph 25 A inserted vide G.S.R. 463 dated 24.3.79.

9 Clause (v) of paragraph 25 A inserted vide G.S.R. 258 dated 8.4.89.

(2) Any dispute as to whether an employee is an underground or a surface employee shall be referred to the Coal Mines Provident Fund Commissioner, whose decision thereon shall be final.

(3) The period of six months in which the qualifying attendance is required to be put in under sub-paragraph (I) shall be reckoned from the beginning of ⁴[August 1961] or from the beginning of the month in which an employee is appointed in the Coal Mine concerned, whichever is later. Where an employee fails to qualify for membership of the Fund in the first spell of six months, subsequent spells shall be worked out by eliminating the first month of the previous spell and adding up there to another month at the end;

Provided that in the case of an employee other than a monthly paid employee, the attendance put in a week which spreads over two calendar months shall be deemed to relate to the calendar month in which the week ends.

25B. Allowance for leave etc.

(1) For the purpose of paragraph 25A, any kind of leave, other than maternity leave, granted by the employer to an aggregate of 21 days in a calendar year or, where an employee has availed himself of earned leave (including accumulations), the actual number of days of such leave plus five days, days of lay off as defined in clause (kkk) of Section 2 of the Industrial Disputes Act, 1947 days of idleness caused by any lock out which is illegal under Section 24 of the Industrial Disputes Act, 1947 and days of absence from work on account of compulsory attendance in a court of law shall count as days of attendance. (For J & K see paragraph 3 of Appendix-IV).

(2) If on any working day in any qualifying period of six months an employee is on maternity leave or is unable to attend work owing to temporary disablement, the number of days for which such employee must put in attendance to qualify for the membership of the Fund under paragraph 25A shall be reduced by seventy percent of such working days if such employee is an underground employee and by eighty five percent of such working days if such employee is a surface employee.

Explanation - In calculating the said percentage of such working days a fraction less than half shall be disregarded and not less than half shall be counted as one.

¹[(3) If in any qualifying period of six months, any day, other than the weekly holiday is observed as a paid holiday in any coal mine, the number of days for which the employees must put in attendance in such period to qualify for the membership of the Fund under paragraph 25A shall be reduced by the number of such paid holidays falling in such period. In the event of a dispute as to whether a day is a paid holiday or not, the decision of the Chief Inspector of Mines shall be final.]

4 "August 1962" for Assam, Talcher and Rewa & Korea vide G.S.R. 48, 50 and 49 respectively dated 28.12.62.

1 sub-paragraph (3) of para 25B substituted by G.S.R. 45 dated 28.12.62.

(4) If any question arises whether an employee is required to become or continue as a member of the Fund or as regards the date from which he is required to become a member, the decision thereon of the Coal Mines Provident Fund Commissioner shall be final.

[25C. Continuance of membership of the Fund in case of Employees of the National Coal Development Corporation.

In the event of a member becoming an excluded employee under sub-clause (ii) of clause (g) of paragraph 2, he shall be required to continue his membership of the Fund till the date on which the order of his permanent absorption by the National coal Development Corporation Limited in a cadre to which this scheme does not apply, is issued.

Provided that where any member on becoming an excluded employee as mentioned above, before the commencement of the Coal Mines Provident Fund (Amendment) Scheme 1970, has been made a member of any Provident Fund other than the Coal Mines Provident Fund, such member shall be required to contribute to the later Fund from such date as the Commissioner may specify in each case.]

#[25D. Membership of the Scheme to employees of Central Coalfields Limited Staff provident Fund and Coal Mines Authority Limited Staff Provident Fund.

(1) Every person who is in the employment of a coal mine and is a member of the Central Coalfields Limited Staff Provident Fund and the Coal Mines Authority Limited Staff Provident Fund shall become a member of the Fund.

(2) An employee shall pay his contribution at the rate specified in Table V of paragraph 27 of the Scheme.]

26. Election for Continuance of Membership of Certain Other Provident Funds—

(1) Notwithstanding anything to the contrary contained in paragraph 25 a subscriber to a Provident Fund recognised under the Indian Income Tax Act 1922 (XI of 1922), or to which the Provident Funds Act 1925 (XIX of 1925), applies, may elect to continue as a subscriber thereto and if he does so, he shall not be required to or be entitled to become a member of the Fund.

(2) The election referred to sub-paragraph (1) shall be made in Form C annexed hereto as soon as possible after he qualifies for membership of the Fund and shall be sent by the employer by registered post to the commissioner so as to reach him within six months of the date on which the Scheme is notified or within six weeks of the end of the period or quarter in which he qualifies for membership of the Fund under paragraph 25, whichever is later.

[For Assam, see paragraph 5 of Appendix-I.

For Talcher, see paragraph 4 of Appendix-II.

For Rewa and Korea, see paragraph 4 of Appendix-III.

For J & K, see paragraph 4 of Appendix-IV].

*[(3) Where a subscriber to a recognised Provident Fund having elected to continue to subscribe to that Fund under sub-paragraph (1) and (2) makes an application to the Commissioner @ for becoming a member of the Provident Fund established under this Scheme, the Commissioner may, if he is so satisfied, permit the subscriber to make a fresh election and where the subscriber is so permitted, the employer shall require the subscriber

2 Paragraph 25C inserted vide G.S.R. 531 dated 21.3.70.

* Inserted vide S.R.O. 1472 dated 2nd July 1955.

@ The words “such period as the Commissioner may specify in this behalf” first inserted vide Govt. of India, Min. of Labour Notification No. PF 2(99) 56 dated 20th April 1956 and then omitted alongwith the word ‘within’ vide notification No. 1, 111015/47/71-PF I(1) dated

15.6.71.

Paragraph 25D inserted vide G.S.R.687(E) dated 8.10.2002.

to make a fresh election in Form C and if he elects to join the Fund, he shall be deemed to have become a member of the Fund and shall be entitled to contribute to it from the date of such re-election. The election certificate together with a return, in duplicate, in form 'H' and the declaration of the subscriber in Form 'A' shall be forwarded to the commissioner by the employer within a fortnight of the date of the said certificate. The said return in Form 'H' shall be marked 'Special' and shall be deemed to relate to the quarter in which the certificate in Form C is signed irrespective of whether the subscriber qualifies or does not qualify for bonus in that quarter.]

27. Rates of Contributions - (1) Contributions shall be payable under this Scheme in respect of every member, whether an initial member or not, employed directly or indirectly in any coal mine to which this scheme applies in respect of each month or week, as the case may be, for the whole or part of which he is so employed after the 31st December 1948 and shall comprise contribution by the member and contribution by the employer at the rates specified in the following table:

¹[Provided that in respect of every member who may qualify for membership of the Fund under sub-paragraph (3) of paragraph 25, contribution shall be payable under this scheme in respect of every month for whole or part of which he is so employed after the 31st December 1956 and shall comprise contribution by the member and the employer at the rates specified in –

²[(a) Table-I below till the 31st December 1957.

(b) Table- IV below during period from the 1st January 1958 to the 30th September 1962;

(c) Table-V below from the 1st October 1962 *(to the 31st March, 1991.)]

**[(d)Table VI below from the 1st April, 1991 ^Sto 30th April, 2000;.]

#[(e) Table VII below from 1st May, 2000 onwards.]

³[Provided further that nothing contained in this paragraph shall be deemed to require contribution in respect of any member for any period before the commencement of the Coal Mines Provident Fund (Amendment) Scheme,1961 during which he was a non-contributory member and contributions in respect of a member who, immediately before the commencement of the said Scheme, was non-contributory member, shall be payable in respect of each month or week, as the case may be, for the whole or part of which he is employed after such commencement.]

[For Assam, see paragraph 6 of Appendix-I.

For Talcher, see paragraph 5 of Appendix-II.

For Rewa and Korea, see paragraph 5 of Appendix-III.

* The word "onwards" substituted vide G.S.R. 506 dated 07.09.1991.

** Paragraph 27(d) inserted vide G.S.R. 506 dated 07.09.1991.

1 New proviso added vide S.R.O. 128 of 2nd January 1957.

2 Substituted vide G.S.R. 1173 dated 1.9.62.

3 Second proviso to para 27(1) re-constituted vide S.O. 2620 dated 26.11.61.

\$ The words "onwards." substituted vide G.S.R. 940(E) dated 27.12.2000.

Paragraph 27(e) inserted vide G.S.R. 940(E) dated 27.12.2000.

TABLE I

¹[Rate of contribution for the period from 18th July 1955 to 31st December 1957 in respect of monthly rated employees whose rates of basic wages exceed rupees thirty per month].

** Total of monthly basic wages, dearness allowance and cash equivalent to concessional rations at the rate of fifteen rupees per month	Member's contribution		Employer's contribution		Total monthly contribution	
	Rs.	As.	Rs.	As.	Rs.	As.
Upto Rs. 10	0	10	0	10	1	4
Over Rs. 10 and upto Rs. 16	1	0	1	0	2	0
Over Rs. 16 and upto Rs. 24	1	8	1	8	3	0
Over Rs. 24 and upto Rs. 36	2	0	2	0	4	0
Over Rs. 36 and upto Rs. 54	3	0	3	0	6	0
Over Rs. 54 and upto Rs. 72	4	0	4	0	8	0
Over Rs. 72 and upto Rs. 88	5	0	5	0	10	0
Over Rs. 88 and upto Rs. 104	6	0	6	0	12	0
Over Rs.104 and upto Rs. 120	7	0	7	0	14	0
Over Rs.120 and upto Rs. 136	8	0	8	0	16	0
Over Rs.136 and upto Rs. 150	9	0	9	0	18	0
Over Rs.150 and upto Rs. 175	10	0	10	0	20	0
Over Rs.175 and upto Rs. 200	12	0	12	0	24	0
Over Rs.200 ² and upto Rs. 240	15	0	15	0	30	0
² Over Rs. 240	@1/16 th of the total of monthly basic wages, dearness allowances and cash equivalent of concessional ration at the rate of fifteen rupees per month		@1/16 th of the total of monthly basic wages, dearness allowances and cash equivalent of concessional ration at the rate of fifteen rupees per month		@2/16 th of the total of monthly basic wages, dearness allowances and cash equivalent of concessional rations at the rate of fifteen rupees per month rounded off to the nearest rupee.	

2 These words and figures were inserted under the Ministry of Labour Notification No. P.F. 2(2) dated 23rd April 1951.

** The words "basic wages for the month" substituted by S.R.O. 1472 dated 2.7.55.

@ The words and figures "1/16th of basic wages" and "2/16th of basic wages rounded off to the nearest rupee" which were inserted vide notification No. PF 2(2)/51 dated 23.4.1951 were later substituted by S.R.O. 1472 dated 2.7.55.

1 The heading modified by Notification No. P.F. 2(10)/52 dated 2nd July 1955 was reconstituted under Notification No. PF 1/ 2 (114)/56-1 dated 10th January 1958.

TABLE-II
***Employees Other than Monthly Rated**

Basic wages for **any week ending on or before the 17 th July 1955	Member's contribution	Employer's contribution	Total weekly contribution
	Annas	Annas	Annas
Upto re. 1	Nil	Nil	Nil
Over Rs. 1 and upto Rs. 2	2	2	4
Over Rs. 2 and upto Rs. 3	3	3	6
Over Rs. 3 and upto Rs. 5	4	4	8
Over Rs. 5 and upto Rs. 7	6	6	12
Over Rs. 7 and upto Rs. 9	8	8	16
Over Rs. 9 and upto Rs. 11	10	10	20
Over Rs. 11	12	12	24

@TABLE III
Rates of Contribution for any Wage Period Ending on or ¹[between the 18th July 1955 and the 26th January 1958]

Category of Employees	Rate of Provident Fund Contribution	
	Member's contribution per rupee of basic wage for the week	Employer's contribution per rupee of basic wage for the week
	Annas	Annas
(a) Weekly paid employees-		
(i) In the states of Bihar & West Bengal	3	3
(ii) In all other States	2 ½	2½
(b) Monthly paid employees whose basic rate of pay does not exceed Rs. 30 per mensem:	Member's contribution per rupee of basic wage for the month	Employer's contribution per rupee of basic wage for the month
	Annas	Annas
(i) In the states of Bihar & West Bengal	3	3
(ii) In all other States	2½	2½

* The words "other employees" substituted by S.R.O. 1472 dated 2nd July 1955

** The words "the week" substituted by S.R.O. 1472 dated 2nd July 1955

@ Table III inserted by S.R.O. 1472 dated 2nd July 1955.

1 These have been substituted for the words "after the 18th July 1955" vide Notification No. P.F. 1/ 2(114)/56-1 dated 10.1.1958.

¹[TABLE IV

Rates of contribution for all members for any wage period ending on or ²(between the 27th January 1958 & the 30th September 1962)

RATE OF PROVIDENT FUND CONTRIBUTION

MEMBER'S CONTRIBUTION	EMPLOYER'S CONTRIBUTION
6½ % of total emoluments rounded off to the nearest naya paisa.	6¼ % of total emoluments rounded off to the nearest naya paisa.]

³[TABLE V

(Rate of contribution for all members for any wage period ending on or after 1st October 1962 *and the 31st March, 1991)

RATE OF PROVIDENT FUND CONTRIBUTION

MEMBER'S CONTRIBUTION	EMPLOYER'S CONTRIBUTION
8% of total emoluments	8% of total emoluments]

(2) If any dispute arises as to whether a particular item of emoluments is a part of basic wages or not, the dispute shall be referred to the Chief Labour Commissioner (Central), whose decision shall be final.

⁴[(2A) If any doubt arises to whether a particular payment is a part of total emoluments or not, the matter shall be decided by the commissioner whose decision shall be final].

⁵[(3) For the purpose of ascertaining the amounts of a member's contribution or an employer's contribution payable in terms of Table-III, any fraction of a rupee in the member's basic wages for the wage period for which contribution is so payable shall, in the first instance, be rounded off to a rupee, even though the fraction is less than eight annas. Fraction of an anna both in the member's and the employer's contributions shall be ignored.

[§][TABLE VI

(Rate of contribution for all members for any wage period ending on or after the 1st April, 1991 to **30th April, 2000).

RATE OF PROVIDENT FUND CONTRIBUTION

Member's Contribution	Employer's Contribution
10% of total emoluments.	10% of total emoluments.

[#][TABLE VII

(Rate of contribution for all members for any wage period ending on or after the 1st May, 2000)

RATE OF PROVIDENT FUND CONTRIBUTION

Member's Contribution	Employer's Contribution
12% of total emoluments.	12% of total emoluments.

* Inserted vide G.S.R. 506 dated 07.09.1991.
 1 Table IV inserted vide Notification No. P.F.1/ 2 (114)/56-1 dated 10.1.1958.
 2 Substituted vide G.S.R. 1173 dated 1.9.1962.
 3 Table V inserted vide G.S.R. 1173 dated 1.9.1962.
 4 Sub-para (2A) inserted vide Notification No. P.F. 1/ 2 (114)/56-1 dated 10.1.1958.
 5 Sub-para (3) and (4) inserted vide S.R.O. 1472 dated 2.7.1955.
[§] Table VI inserted vide G.S.R.506 dated 7.9.1991.

COAL MINES PROVIDENT FUND SCHEME

** The words and figures “30th April, 2000” substituted vide G.S.R. 940(E) dated 27.12.2000.
Table VII inserted vide G.S.R.940(E) dated 27.12.2000.

(4) In calculating the total emoluments for the purpose of ascertaining the amount of a member's contribution or an employer's contribution in terms of Table-I the cash equivalent of concessional rations for the entire month shall be reduced by eight annas for each day of absence without pay irrespective of whether rations at concessional rates are drawn by the member or his dependents during such absence or not. Where a member leaves service in a coal mine before the end of a month or is appointed in a coal mine after the first day of month, reduction at the rate of eight annas per day shall be made from the cash equivalent of concessional rations at the rate of fifteen rupees per month in respect of the days of that month following or preceding such termination or joining service.]

¹[(5) For the purpose of ascertaining the amount of a member's contribution or an employer's contribution payable in terms of Table IV, ²[or Table V], total emoluments shall, in the first instance, be rounded off, to the nearest rupee by treating 50 naye paise or more as a rupee and ignoring sums less than 50 naye paise.]

³[27A. Voluntary contribution by members:

(1) A member may, if he so desires, contribute in excess of the compulsory contribution prescribed in Table –V under sub-paragraph (1) of paragraph 27, ^{*}[at a rate not exceeding 12% of total emoluments] rounded off to the nearest rupee. [#][Provided that the provisions of this sub-paragraph shall not apply to the members of the Central Coalfields Limited Staff Provident Fund who are contributing in excess of the above limit on the date they become members of the Coal Mines Provident Fund.]

(2) A member desirous of making voluntary contribution under sub-paragraph (1) shall apply to the commissioner ⁴[or to any other officer subordinate to him and authorised by him in this behalf] in such form and manner as may be prescribed by ⁵[the Commissioner].

(3) The rate of voluntary contribution may be varied by a member at his own discretion within the maximum prescribed in sub-paragraph (1) not more than once in a currency year.

Provided that an intimation of the variation in the rate of voluntary contribution shall be sent by the member to the commissioner ⁵[or to any other officer subordinate to him and authorised by him in this behalf] in such form and manner as may be prescribed by ⁵[the Commissioner].

⁶[(3A) The Commissioner or any other Officer so authorised by him may, on receipt of an application in such form as he may prescribe, permit a member to discontinue his voluntary contribution at any time.

(3B) Where cessation of voluntary contribution is permitted under sub-paragraph (3A) within six months from the date of commencement of the Coal Mines Provident Fund(Amendment)Scheme, 1964, the Commissioner or any other Officer subordinate to him and duly authorised by him may, if the member so desires, allow the member to withdraw his voluntary contribution to the Fund made till the date from which cessation of voluntary contribution is permitted, together with such interest as may be admissible under paragraph 61.]

⁷[(4) The voluntary contribution applied for under sub-paragraph (2) or the variation thereof under sub-paragraph (3) or cessation thereof under sub-paragraph (3A), as the case may be shall take effect from the beginning of a prospective wage periods, as may be directed in each case by the Commissioner or when so authorised by the Commissioner, by any officer subordinate to him.]

1 Sub-para (5) of para 27 added vide Notification No. PF-1/2(114)/56-1 dated 10.1.1958.

2 Inserted vide G.S.R. 1173 dated 1.9.1962.

3 Para 27a added vide G.S.R. 1063 dated 6.6.1963.

4 Added vide G.S.R. 1063 dated 20.1.1964.

5 The word "him" substituted vide G.S.R. 121 dated 20.1.1964.

6 Sub-para (3A) and (3B) added vide G.S.R. 128 dated 20.1.1964.

* Substituted vide G.S.R. 513 dated 16.7.1983.

7 Sub-para (4) re-constituted vide G.S.R. 128 dated 20.1.1964.

Added vide G.S.R.687(E) dated 8.10.2002.

(5) The employer shall not be required to add any matching contribution on the voluntary contribution prescribed in sub-paragraph (1) by members in excess of their compulsory contribution prescribed in Table-V under sub-paragraph (1) of paragraph 27].

¹[27B. Rounding off to the nearest rupee:

Each contribution under paragraphs 27 and 27A shall be rounded off to the nearest rupee treating fifty paise or more as the next higher rupee and ignoring fractions of a rupee less than fifty paise.

²[28. Payment of contribution- The employer shall, in the first instance, pay both the contributions payable by himself (in this Scheme referred to as the employer's contribution) and also on behalf of the members employed by him directly or by through a contractor the contribution payable by such members (in this scheme referred to as the member's contribution) irrespective of whether he or the contractor has recovered the member's contribution from their wages or whether the contractor has made the payment to the employer under paragraph 30 or not.

29. Recovery of Member's Contribution – (1) The employer, while paying any wages to a member employed by him directly and a contractor while paying any wages to a member employed by or through him, shall recover therefrom, the member's contribution for the period to which the wages relate.

(2) Any sum deducted under sub-paragraph (1) by an employer or by a contractor from the wages of a member shall be deemed to have been entrusted to him for the purpose of paying the contribution in respect of which it was deducted.

(3) Where an employer or a contractor proves to the satisfaction of the Commissioner that he, for reasons beyond his control or because of any bonafide error on the part of employees in charge of making recovery from the members, could not recover the member's contribution from the concerned member's wages for the period to which the contribution relates, the Commissioner may, at his discretion, permit recovery of arrears of such contributions from subsequent wages of the members concerned, in such number of instalments as he may deem proper.

30 Duties of Contractors- (1) Any sum recovered or due to be recovered by a contractor under sub-paragraph (1) of paragraph 29 alongwith the employer's contribution thereon and the charges payable under sub-paragraph (2) of paragraph 33A for meeting the cost of administration of the Fund shall be paid by him to the employer within three days from the date on which the wages to which such contributions and charges relate, become due for disbursement to the members under Section 5 of the Payment of Wages Act, 1936.

2 Paragraph 28,29 and 30 substituted vide G.S.R. 492 dated 1.4.1966.

1 Paragraph 27B inserted vide G.S.R. 1312 dated 29.12.1984

(2) The contractor required to make any recovery under sub-paragraph (1) of paragraph 29 shall record all recoveries to be made under that sub-paragraph and also the employer's contribution payable thereon, in the appropriate columns of the register of wages in form III appended to the Payment of Wages (Mines) Rules, 1956 framed under Payment of wages Act, 1936 relating to the wage period to which such recoveries and contributions relate and shall furnish a copy of the said form III to the employer within three days from the date on which disbursement of wages for that wage period becomes due under Section 5 of Payment of Wages Act, 1936. He shall also furnish to the employer such other documents and information as the employer may require of him for the purpose of submitting returns under this scheme or generally for the purpose of implementing this Scheme.]

31. Payment of contribution in respect of Initial members- (I) In respect of all initial members of the Fund employed by an employer in West Bengal and Bihar during the period from the 12th May 1947 to the 13th September 1948 and by an employer in Central Provinces and Berar and Orissa during the period from the 10th January 1948 to 13th September 1948 the employer shall be required to pay for the credit as member's contribution to the Fund the amounts deducted by him under sub-paragraph (3) of paragraph 7 of the Coal Mines Bonus Scheme from the bonus payable, together with an equal amount on account of the employer's contribution and also an administrative charge equal to 5 per cent of the total amount of the employer's and member's contributions.

(2) The payment referred to in sub-paragraph (1) shall be made by deposit in such Government treasury or branch of the Imperial Bank of India and under such head of account and at such time as the Central Government may direct. The original treasury or bank challan shall be sent to the Commissioner with a statement in Form 'B' annexed hereto within one week of the date of the deposit.

Note:1.- The employer's as well as member's contribution shall be payable in respect of all initial members irrespective of whether or not the initial member is in the services of the employer at the time when the payment falls due.

Note:2.- If the total amount of the member's as well as his employer's contribution has been refunded by the employer to any member at the time of his leaving the coal mining industry before the 1st October 1948 no contribution shall be payable to the Fund by the employer in respect of such member. In all other cases employer's as well as the member's contribution shall be payable to Fund.

Note:3.- For the sake of removal of doubt, it is hereby stated that no contribution under paragraph 27 or under this paragraph, shall be payable in respect of the period from the first of October 1948 to the thirty first of December 1948.

[Paragraph 31 omitted for Assam, Talcher, Rewa and Korea and J& K see paras as 7,6,7 and 5 of Appendix I, II, III & IV respectively.]

[For Talcher also see paragraph 9 of Appendix –II.]

¹31A. Transfer of accumulation from other Provident Funds of coal mines-

(1) Where an employee who is a subscriber to any provident fund of the coal mine in which he is employed becomes a member of the Fund he shall, if he has not withdrawn his accumulations in that Provident Fund before 1st April 1966, apply in form and in such manner as the Commissioner may specify, for transfer of his accumulations in the Provident Fund of the coal mine standing to his credit, to the Fund.

(2) The Commissioner or, where so authorised by him, any officer subordinate to him shall, on receipt of an application under sub-paragraph (1), call upon the employer or the authority administering the Provident Fund of the coal mine, as the case may be, to transfer to the Fund the accumulations of the member under sub-section (1) of Section 3-D of the Act.

(3) The employer or the authority called upon to transfer a member's accumulations under sub-paragraph (2) shall, within 3 months from being called upon, transfer to the Fund all contributions of the member and of the employer on his behalf paid or payable till the date of the member's joining the Fund or, till the date of his leaving service of the coal mine to which that Provident Fund relates whichever is earlier, togetherwith all accretions and interest upto the end of the month preceding the month in which the accumulations are transferred to the Fund.

(4) Any amount required to be transferred to the Fund under sub-paragraph (3) shall be paid to the Fund by means of account-payee cheque or bank drafts drawn in favour of the Coal Mines Provident Fund Account No. 1 or, as the case may be, by transferring to the Board any Central Government securities in which accumulation of Provident Fund may have been invested.

(5) Where any payment under sub-paragraph (4) is made by an outstation cheque the Bank collection charges thereon shall be paid by the Fund out of its Reserve Account referred to in sub-paragraph(4) of paragraph 63.

(6) Where any payment under sub-paragraph (4) is made by transferring Central Government securities, such securities shall be acceptable by the Fund at their cost price, provided the cost price does not exceed the face value thereof and where the cost price exceeds the face value, the securities shall be accepted at their face value.

(7) The employer or the authority making any payment under sub-paragraph (3) shall, within 15 days of the payment, submit a statement in such form and in such manner as the Commissioner may specify showing the amount of member's contribution, employer's contribution and interest transferred to the Fund for each member alongwith written acceptance of the concerned members confirming that the amount transferred has been accepted by them as correct.

1 The new paragraph 31A, 31B and 31C inserted by G.S.R. 492 dated 1.4.66.

(8) A receipt granted by the Commissioner, or where so authorised by him, by any officer subordinate to him for the accumulations transferred to the Fund shall be a sufficient discharge of the liability of the employer or the authority making the transfer under sub-paragraph (3) to the extent of the amount transferred and the members whose accumulations are transferred shall not be required to give any letter of discharge or receipt for such amounts.

(9) Any amount transferred to the Fund under sub-paragraph (3) for a member shall be credited to his accounts in the Fund and shall thereafter be treated as his accumulations in the Fund for all purpose of this Scheme.

(10) Any accumulations transferred under sub-paragraph (3) for a member shall be deemed to be his contributions for the currency period in which the amount is received in the Fund and such contributions shall, notwithstanding the provisions contained in paragraph 61, earn interest in the Fund from the beginning of the month immediately following the month in which the amount is received in the Fund.

31B. Transfer of accumulations from Provident Funds of establishments other than coal mines.

(1) Where an employee who is subscriber to any Provident Fund of an establishment, not being a coal mine to which this Scheme applies, leaves his employment in that establishment and obtains re-employment in a coal mine and becomes a member of the Fund, he may, if he so desires, apply in such form and in such manner as the Commissioner may specify, for the transfer of his accumulations in the Provident Fund of the establishment to the Fund.

(2) On receipt of an application under sub-paragraph (1) the Commissioner or, where so authorised by him any other officer subordinate to him shall ascertain from the authority administering the Provident Fund to which the member was subscribing period to his joining the Fund whether the rules of that Provident Fund permit the desired transfer.

(3) Where rules of the Provident Fund to which the member was subscribing before joining the Fund permit the desired transfer, the Commissioner or where so authorised by him, any other officer subordinate to him shall call upon the authority administering that Provident Fund to transfer to the Fund the member's accumulations in that Provident Fund. Where an authority administering a Provident Fund has been called upon to transfer a member's accumulations under this sub-paragraph, the provisions contained in sub-paragraphs (3) to (10) of paragraph 31A shall apply in the same manner as if the Provident Fund from which accumulations are to be transferred, was that of a coal mine.

31C. Transfer of Accumulations from the Fund to Other Provident Funds.

(1) Where a member of the Fund leaves his employment in a coal mine and obtains re-employment in any other establishment not being a coal mine, to which this Scheme applies, and becomes a subscriber to any Provident Fund of that establishment he may, if he so desires, apply in such form and manner as the Commissioner may specify for the transfer of his accumulations in the Fund to the Provident Fund of the establishment in which he is re-employed (hereinafter referred to as the new establishment).

(2) On receipt of an application under sub-paragraph (1) the Commissioner or, where so authorised by him, any officer subordinate to him shall ascertain from the authority administering the Provident Fund of the new establishment whether the rules of the Provident Fund of the new establishment permit acceptance of accumulations transferred from other Provident Funds.

(3) Where the rules of the Provident Fund of the new establishment permit acceptance of the transferred accumulations, the Commissioner or where so authorised by him, any officer subordinate to him shall transfer the amount standing to the credit of the member in the Fund together with interest upto the end of the month preceding the month in which the transfer is effected and shall send to the authority administering the Provident Fund of the new establishment a statement in such form as the Commissioner may specify showing the amount of member's contribution, employer's contribution and interest transferred.

(4) The transfer of accumulation under sub-paragraph (3) shall be made by means of an account payee cheque in favour of the authority administering the Provident Fund to which the amount is transferred and in the event of any Bank collection charges being demanded by the authority administering the Provident Fund of the new establishment the same shall be paid out of the Reserve Account of the Fund referred to in sub-paragraph (4) of paragraph 63.

(5) The receipt granted by the authority administering the Provident Fund to which any amount is transferred under this paragraph shall be a sufficient discharge of the liability of the Fund to the member whose accumulations are transferred to the extent of the amount transferred.]

#[31D. (1) All moneys and assets standing to the credit of the Central Coalfields Limited Staff Provident Fund and the Coal Mines Authority Limited Staff Provident Fund shall be transferred to the Fund and shall be dealt with by the Commissioner in accordance with the provisions of the Scheme.

(2) Any outstanding amount payable or due to be paid at any time by any employer to the Central Coalfields Limited Staff Provident Fund and the Coal Mines Authority Limited Staff Provident Fund shall be paid and be payable, as the case may be, to the Fund within thirty days from the date on which the amount become due.

(3) Any default made by an employer under sub-paragraph (2) shall carry in interest at the rate of two percent. Over and above the rate of interest as applicable to the member of the Scheme on the accumulation of their Fund]

32. Lumpsum Contribution- (1) Every employer shall be required to pay for credit to the "Reserve Account" of the Fund a consolidated contribution in respect of the period from the twelvth of May 1947 in the case of coal mines in West Bengal and Bihar and from the Tenth of October 1947 in the case of coal mines in the Central Provinces and Berar and Orissa upto thirty first of December 1948 at such rate per ton of coal raised in the coal mine during the period concerned as the Central Government may specify in this behalf:

Para 31(D) inserted vide G.S.R.687(E) dated 8.10.2002.

Provided that any sum deposited under paragraph 31 as the employer's contribution and the administrative charge shall be allowed as a deduction from the amount which would otherwise be required to be paid under this paragraph.

(2) The payment referred to in sub-paragraph (1) shall be made by deposit in such Government treasury or branch of the Imperial Bank of India and under such head of account and at such time, as the Central Government may direct. The original treasury or bank challan shall be sent to the Commissioner, with a statement in such Form as he may specify, within one week of the date of the deposit.

[For Assam, see paragraph 8 of Appendix-I.

For Talcher, see paragraph 7 of Appendix-II.

For Rewa and Korea, see paragraph 7 and 7A of Appendix-III.

For J & K, see paragraph 5 of Appendix-IV].

33. Mode of Payment of Contribution (*in respect of any period of currency commencing prior to the 1st of April 1953) - Affixing of Stamps – (1) Every contribution payable under this Scheme (*in respect of any period of currency commencing prior to the 1st of April 1953) shall, except as otherwise provided herein, be paid by affixing stamp in the space provided therefore in the Contribution Card maintained for each member in Form 'D' or 'E' annexed hereto.

(2) An employer who is liable to pay contribution in respect of [**such period of currency for] any member employed by him, shall pay the contributions in the following manner:-

The employer shall before paying the member the wages in respect of any part of the period for which contributions are payable, affix to the card of the member a stamp or stamps in payment of the contributions due in respect of that period:

Provided that it shall be the duty of the employer in any case-

(a) before the termination of the employment, except where the employment is terminated by the member without any notice or intimation to the employer in which case the employer shall pay contributions within fourteen days of the termination of the employment,

(b) within six days after the expiration of the period of currency of the card,

(c) if the wages have become due but have not been paid, within forty eight hours after receiving a request in that behalf from the member to affix to the card of the member a stamp or stamps in respect of the period, ending at the date of such termination, expiration or request.

(3) In respect of [***any currency period commencing before the 1st April 1953 or part thereof] during which the contribution card of the member has not been received by an employer from the last employer or the Commissioner, the employer shall prepare an emergency card in Form F annexed hereto and shall pay any contribution payable in respect of the member by affixing a stamp or stamps to such a card

* Inserted vide S.R.O. 3306 dated 22.10.1954.

** Inserted vide S.R.O. 3306 dated 22.10.1954.

*** The words "the period" substituted by S.R.O. 3306 dated 22.10.1954.

@ Provided that the Commissioner may direct that any payment under this paragraph shall be made in one or the other modes specified in clauses (i) to (iv) of sub-paragraph (3) of paragraph 33A of this Scheme.

For J & K see Paragraph 5 of Appendix-IV.

*** 33A. Mode of Payment of contribution for any period of currency commencing on or after the 1st April 1953** – Payment in cash – (1) Every contribution payable under this Scheme during a period of currency commencing at any time on or after the 1st April 1953 shall be paid monthly in respect of each colliery separately on or before the date specified in sub-paragraph (2). The contributions shall be calculated - ****[as provided in this Scheme}** for all wage periods ending in a month.

(2) The employer shall pay to the Fund both the employer’s contribution as well as the member’s contribution togetherwith an amount [***calculated at the rates mentioned in paragraph 33B of this Scheme] to defray the cost of administration of the Fund on or before ³(the last day) of every month following the month to which the contributions relate.

⁴(3) Every payment under sub-paragraph (2) shall be made in one or the other of the methods specified below:-

(i) By means of crossed account-payee cheque drawn in favour of the Coal Mines Provident Fund Account No. 1.

Provided that where payment is made by means of a cheque of a Bank situated in a place, other than Dhanbad, bank collection charges shall be added to the amount of the cheque or remitted separately when so directed by the Commissioner;

(ii) By means of crossed account-payee bank drafts on the State Bank of India, Dhanbad, ⁸[or any other Nationalized/Scheduled Bank] drawn in favour of the Coal Mines Provident Fund Account No. 1.

(iii) By deposit of the amount in cash either in the State Bank of India, Dhanbad, or in the office of the Commissioner at Dhanbad for being credited to the Coal Mines Provident Fund Account No.1.

[#](iv) By “telegraphic transfer” or “electronic transfer”.

²(4) For all payments made by an employer under sub-paragraph (3) upto and for the month of May, 1963 a monthly abstract in Form ‘P’ annexed hereto and in Form ‘P’ (Revised) annexed hereto in respect of all payments made thereafter shall be sent by an employer in duplicate separately in respect of each colliery to the Commissioner by registered post or by a messenger on or before ⁷(the last day) of each month following the month to which such payments relate togetherwith the appropriate cheques, draft, receipted pay-in-slip or ⁵(cash receipts) in taken of the employer having made such payment.]

@ Proviso inserted vide S.R.O. 1398 dated 6.6.1956.

* Inserted vide S.R.O. No. 3306 dated the 22nd Oct. 1954.

** The words “on the basis of wages payable” substituted by S.R.O. 1472 dated 2nd July 1955.

*** Inserted vide S.R.O. 1852 dated 20th August 1955 in substitution of the words “equivalent to five per centum of the total amount of contribution”.

2 Sub-para (4) of para 33A reconstituted vide G.S.R. 1063 dated 6.6.1963.

3 The words and figure, “The 15th day” substituted vide G.S.R. 1726 dated 11.9.68.

4 Sub-para (3) substituted vide G.S.R. 1726 dated 11.9.1968.

5 The words “original receipted challans” substituted vide G.S.R. 1726 dated 11.9.68.

7 The figure and word “15th day” substituted vide G.S.R. 1726 dated 11.9.68.

The new clause 33A(3)(iv) added vide G.S.R.121 dated 14.02.2001.

8. Added vide G.S.R.402 dated 19.11.2004.

For J & K see Paragraph 6 of Appendix-IV.

¹¹“Provided that all payments made by employer under sub-paragraph (3) of this paragraph and ¹²[under sub-paragraph (1) of paragraph 8 of the Coal Mines Pension Scheme, 1998 shall be remitted Form PS-5 annexed to the said Pension Scheme] by the employer, in triplicate, separately in respect of each colliery to the Commissioner or such other officer as may be authorised by the Commissioner, by registered post, or by a messenger on or before the last day of each month to which such payments relate togetherwith the appropriate cheques, drafts, receipted pay-in-slip, or cash receipt in token of employer having made such payment, as the case may be”.

^{133B.} Rate of administrative charge – (1) The amount for defraying the cost of administration of the Fund payable under sub-paragraph (2) of paragraph 33A of this Scheme shall be calculated at the following rates:-

Contribution	Rate of administrative charge
(i) Provident Fund contribution payable for any period upto the 17 th July 1955	Five per centum of the total amount of member's and employer's contributions.
(ii) Provident Fund contribution payable for any period ² [between the 18 th July 1955 and the 30 th Sept. 1962	Three per centum of the total amount of member's and employer's contributions.
(iii) Provident Fund contribution payable for any period ³ [between the 1 st October 1962 and 31 st January 1963]	Two and half per centum of the total amount of member's and employer's contributions.
⁴ [(iv) Provident Fund contribution ⁵ [not including the voluntary contribution by members in excess of their compulsory contribution prescribed in Table-V under sub-paragraph (1) of paragraph 27] payable for any period after the 31 st January 1963 ⁹ [but before the 1 st June 1973].	Two and point four (2.4) per centum of the total amount of member's and employer's contributions]
⁹ [(v) Provident Fund contribution not including the voluntary contribution by members in excess of their compulsory contribution prescribed in Table-V under sub-paragraph (1) of paragraph 27 payable for any period after the 1 st June 1973, ¹⁰ [but before the 31 st March 1980].	Three and point five (3.5) per centum of the total amount of member's and employer's compulsory contributions.]
¹⁰ [(vi) Provident Fund contribution not including the voluntary contributions by members in excess of their compulsory contribution prescribed in Table-V under sub-paragraph (1) of paragraph 27 payable for any period after 31 st March, 1981].	Three (3) per centum of the total amount of member's and employer's compulsory contributions].

N.B.- For footnotes, see on the next page.

(2) The rate mentioned in clause ¹⁰[(vi) of sub-paragraph (1) may, from time to time, be reviewed by the Central Government in consultation with the Board.

34. Stamps to be affixed by employer only and stamps which have previously been affixed or are cancelled or defaced not be affixed - No persons other than an employer shall affix to the card any stamp relating to this Scheme and no person shall affix to a card any stamp which has been cancelled or defaced or which has been previously affixed to a card to which stamps are required or authorised to be affixed for the purpose of this Scheme.

35. Cancellation of Stamps - Save as otherwise expressly provided in this Scheme, an employer shall immediately after affixing any contribution stamp to a card cancel the stamp by stamping with a metallic die with black indelible ink across the face of the stamp the date upon which it is affixed and the employer's registered number.

For J & K, see Paragraph 7 of Appendix – IV.

36. Writing on Contribution Cards and Stamps – (1) An employer may, if he thinks fit, inscribe upon the card of any member employed by him, but only in such manner as may easily be erased or removed, the number of that member upon the pay list or in the books of the employer.

(2) Save as otherwise expressly provided in this Scheme or as specially authorised by the Central Government, no writing or other mark shall be made at any time upon the card or stamps until after the surrender of the card to the Commissioner.

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- 1 Inserted vide S.R.O. 858 dated 20.8.1955.
2 Substituted and inserted vide G.S.R. 1173 date 1.9.1962.
3 The words “after the 30t Sept. 1962” substituted vide G.S.R. 1428 dated 26.8.1963.
4 Clause (iv) inserted vide G.S.R. 147 dated 18.1.1963.
5 Added vide G.S.R. 1063 dated 6.6.1963.
6 The figure ‘(V)’ first substituted vide G.S.R. 1063 dated 6.6.1963 and again substituted vide Notification No. 1101312/73-PF I (j) dated 8.5.73.
9 Inserted vide Notification No. R-11013(2)/73-PF I(i) dated 8.5.73
10 Inserted vide G.S.R. 136 dated 7.2.1981.
11 Inserted vide G.S.R. 97 dated 13.2.88.
12 [The words, figures, brackets and letters substituted vide G.S.R. 264\(E\) dated 25.05.1998.](#)

*(3) Subject to the provisions of this paragraph, no overwriting of erasure mark shall be allowed to be made in any entry in the contribution cards of a member relating to the basic wages + or the total of monthly basic wages, dearness allowance and cash equivalent of concessional rations at the rate of fifteen rupees per month #[or total emoluments as the case may be] of such member and the contributions paid in respect of him:

Provided that where any alteration or amendment of such entry becomes necessary in the opinion of the Manager, accountant or the head clerk of a coal mine, such alteration or amendment shall be made in the contribution card by scoring through the incorrect entry and substituting therefor a correct entry, which will be duly initialed by the manager, accountant or the head clerk, as the case may be:

Provided further that where any adjustment on account of any excess or short payment becomes necessary a plus or minus entry, as the case may be, shall be recorded in the appropriate column of Contribution Card.

37. Declarations by Employees and Preparation of Contribution Card- Every person who is required to be a member or an initial member of the Fund shall be asked forthwith by employer to furnish and shall on such demand furnish to him, for communication to the Commissioner, particulars concerning himself and his nominees in Form 'A' annexed hereto. The Particulars shall be entered in his own hand writing or if he is unable to write, shall be ascertained from him by the employer and entered in Form A. The employer shall obtain the signature and/or the thumb impression of the person and sign the certificate on the form at the place provided for the purpose and shall immediately thereafter prepare in respect of the person a Contribution Card**.

**^(a) in respect of a period of currency commencing before the 1st April 1953, but before the 1st July 1964 in Form E [].

²^(b) in respect of a period of currency commencing on or after the 1st April 1953, but before the 1st July 1964 in Form D (revised) or in Form E(revised) annexed hereto as the case may be.

³[Provided that in the case of a member permitted to make voluntary contribution under paragraph 27A, during any such currency period, the contribution card shall be opened in Form D(V) or E(V) annexed hereto as the case may be, with effect from the date of commencement of voluntary contribution].

* Inserted vide S.R.O. 3306 dated 22.10.54
 + Inserted vide S.R.O. 1472 dated 2.7.55
 # Inserted vide notification No. PF 12(114)/56-1 dated 10.1.58.
 ** The words "in Form D or E as may be appropriate" substituted by S.R.O. 3306 dated 22.10.54
 1 The words "and" omitted vide G.S.R. 1203 dated 20.8.1964.
 2 Clause (b) of para 37 substituted and clause (c) added vide G.S.R. 1203 dated 20.8.1964.
 3 Proviso to clause (b) originally inserted vide G.S.R. 1063 dated 6.6.1963 and then substituted vide G.S.R. 1203 dated 20.8.64.

²[(c) in respect of any period of currency commencing on or after the 1st July 1964 ⁶(but before the 1st April 1968) in Form T or in Form U annexed hereto as the case may be.]

⁷[(d) in respect of period of currency commencing on or after the 1st April 1968 in Form T (revised) or in Form U(revised) annexed hereto as the case may be.]

[For Assam, see paragraph 9 of Appendix-I.

For Talcher, see paragraph 8 of Appendix-II.

For Rewa & Korea, see paragraph 8 of Appendix-III].

***[37A. Method of opening of Contribution Cards for periods of currency commencing on or after the 1st April 1953 [but before the 1st July, 1964]** - Every employer shall in respect of every member in a coal mine to which this Scheme applies other than an excluded employee shall on or before the commencement of any period of currency beginning on or after the 1st April 1953, open a new Contribution Card in Form D(Revised) or E (Revised) [or D(V) or E(V) annexed hereto, as the case may be ²[and record in the contribution card in the columns bearing “wages earned” and ‘contributions’ entries showing the amount of wages in respect of wage periods ending on or before the 26th January 1958 or total emoluments in respect of wage periods ending on or after the 27th January 1958, as the case may be, earned by such employees in every month or week] and the total amount of the member’s contribution and the employer’s contribution payable in respect of each month or week for such employee.**

³[Provided that in the case of monthly rated employees whose basic rate of pay exceeds Rs. 30/- per month, the total of monthly basic wages, dearness allowance and cash equivalent of concessional rations at the rate of fifteen rupees per month calculated according to sub-paragraph 4 of paragraph 27 shall be recorded in the contribution card in Form E (Revised) in the column bearing the heading “wages earned” ⁴[against contribution for any wage-period ending on or between the 18th July 1955 and the 26th January 1958. The words “Basic rate above rupees 30” shall be endorsed at the top of such contribution cards relating currency period beginning before the ⁵1st January 1958].

6 Added vide G.S.R. 2491 dated 21.10.1969.

7 Clause (d) inserted vide G.S.R. 2491 dated 21.10.1969

* Para 37A inserted vide S.R.O. 3306 dated 22.10.1954.

** Heading reconstituted vide G.S.R. 1203 dated 0.08.1964

1 Inserted vide G.S.R. 1063 dated 6.6.1963.

2 The words “and record in the appropriate columns of the contribution card entries showing the amount of wages earned by such employee in every month or week” substituted vide Notification No. PF 1/2 (114) 56 I dated 10.1.1958.

3 Inserted vide S.R.O. 1472 dated 2nd July 1955.

4 The words “and that the words Basic wages” above rupees thirty shall be endorsed at the top of such contribution card substituted vide Notification No. PF ½ (114) 56 dated 10.1.1958.

5 The figure “26th” corrected vide S.O. 511 dated 1.4.58.

⁶[Provided further that in the case of a member permitted to make voluntary contribution under paragraph 27A the member's contribution and his employer's contribution shall be recorded separately by the employer in the member's contribution card in Form D (V) or E (V) as the case may be.]

For J & K see Paragraph 7 of Appendix-IV.

⁷**[37B. Method of opening of Contribution Cards for periods of currency commencing on or after the 1st July 1964** – (1) Every employer shall, in respect of every member in coal mine to which this Scheme applies on or before the commencement of the quarter of period of currency, as the case may be, open:-

(i) Contribution cards in Form 'T' or Form 'U' annexed hereto as the case may be, in respect of any period of currency commencing on or after the 1st July 1964 but before the 31st March 1968 for the first quarter of such currency period.

⁴(ii) Contribution cards in Form 'T' (Revised) or Form 'U' (Revised) annexed hereto, as the case may be, in respect of any period of currency commencing on or after the 1st April 1968, where the member is not eligible to join the Coal Mines Family Pension Scheme under paragraph 3 of the Coal Mines Family Pension Scheme 1971 (hereafter referred to as the Pension Scheme):

(iii) Contribution cards in Form 'X' or Form 'Y' annexed hereto, as the case may be, in respect of any period of currency commencing on or after the 1st April 1972, where the member is eligible to join the Coal Mines Family Pension Scheme under paragraph 3 of the Pension Scheme]..

⁸“(iv) Ledger, in duplicate, in respect of each member for currency period commencing from the 1st April 1988 onwards in Form 'YY'.

⁹(2) Every employer shall record every week in the contribution card in Form 'YY':-

- (i) the total emoluments earned by the member;
- (ii) member's own contributions;
- (iii) employer's contribution payable to the member;
- (iv) refund of advances, if any;

in respect of the wage periods within the quarter or currency period,

6 2nd proviso to para 37A added vide G.S.R. 1063 dated 6.6.1963.

7 Para 37B first added vide G.S.R. 1203 dated 20.8.1964 and then substituted vide G.S.R. 2491 dated 21.10.69.

8 Inserted vide G.S.R. No. 97 dated 13.2.88.

9 Substituted vide G.S.R. No. dated 13.2.88.

Provided that for the purpose of posting member's own contribution and employer's contribution in the contribution cards in Form 'YY', each such contribution shall be split up into contribution towards the Pension Scheme at the rate of 1.1/6% of total emoluments and the balance of contribution towards the Coal Mines Provident Fund in case of persons who are members of the Coal Mines Family Pension Scheme and each such contribution shall be posted in the contribution cards in Form 'YY' in the space already provided for the purpose.]

38. Submission of return of qualified employees - ¹(1) Every employer shall send by registered post or through a messenger to Commissioner a return in ⁷(triplicate)-

(i) in Form 'H' annexed hereto within six weeks from the end of every quarter commencing on or before the ²(1st October, 1961) but not before the ³(1st October 1948) ^{**}(and also of every quarter commencing on or after the 1st January 1970) intimating the particulars of employees who qualified for the membership of the Fund during the quarter to which the return relates;

(ii) in Form 'H' (Revised) annexed hereto within fifteen days from the commencement of every month from ⁴(February, 1962) ⁹(to December, 1969) ¹⁰() intimating the particulars of employees who qualified for membership of the Fund under paragraph 25A during the preceding month;

¹²(iii) in Form 'HH' within fifteen days of the completion of calendar quarter following quarter ending March, 1988 showing the particulars of employees, who qualified for membership of the Fund under para 25A during the preceding month and also the details of person whose services ceased on account of superannuation, resignation, death, medical unfitness or for another reason."

(2) Declaration in Form 'A' furnished in duplicate by persons qualifying for the membership of the Fund shall accompany the returns in Form 'H' or Form 'H' (Revised) as the case may be. One copy of declaration in Form 'A' shall be retained in the Regional Office and the duplicate copy duly authenticated by the Regional Commissioner shall be returned to the employer who shall make over the same to the member or if he is a minor, to his guardian, as the case may be, for his record.

1 Para 38 reconstituted vide S.O. 2620 dated 26.11.1961
 2 "1st Oct. 1962" for Assam, Talcher and Rewa & Korea vide G.S.R. No. 48, 50 and 49 respectively dated 28.12.62.
 3 '1st July 1949 for Assam and Talcher vide G.S.R.. 48 and 50 respectively dated 28.12.62. 1st January 1950 for Rewa & Korea vide G.S.R. No. 49 dated 28.12.62.
 4 Clause (i) substituted vide Notification No. 11011(1)72-PF I (i) dated 8.8.72.
 9 The word "on words" omitted vide S.O. 54 dated 21.1.70.
 10 () added vide S.O. 54 dated 2.1.70
 11 Sub-paragraph 2 of para 38 substituted vide G.S.R. 463 dated 24.3.79.
 12 Inserted vide G.S.R. 97 dated 13.2.88.

5]38A. Maintenance of abstract attendance register for the purpose of deciding eligibility of employees to become members of the Fund –

Every employer shall ¹¹(till the 31st December 1969) maintain in respect of every person employed by him who is not a member of the Fund on the day the ⁶[Coal Mines Provident Fund (Amendment) Scheme, 1961] comes into force and also in respect of every person employed by him after such day who gives a negative declaration in Form ‘Q’ in terms of paragraph 45, an abstract attendance register in Form ‘S’ annexed hereto and shall make entries therein every month from ⁷(August, 1961) or the month in which the employee is appointed, whichever is later, until the employee qualifies for membership of the Fund or ceases to be employed in the Coal Mine as the case may be;

Provided that register in Form ‘S’ for an employee shall be preserved by the employer till the expiry of at least one year from the month in which his name is included in the return in Form ‘H’ (Revised) or he leaves service, as the case may be.]

[For J & K see paragraph 7 of Appendix – iv]

39. Allotment of Account Number- On receipt of the return required under paragraph 38 the Commissioner shall promptly allot an Account Number to each person who has qualified to become a member and shall communicate the Account Number to the employer² [].

40. Currency of Contribution Cards- The Contribution Cards issued under this Scheme shall have the period of currency of one year;

Provided that this period of one year may commence and terminate at such different times for coal mines in different areas as may be decided by the Board from time to time;

⁸Provided further that for the cards issued-

- (i) in respect of the first contribution period or
 - (ii) in respect of any other contribution period as the Board may direct.
- (the period of currency may be longer or shorter than the period of one year).

4 February 1963 for Assam, Talcher and Rewa & Korea vide G.S.R. No. 48, 50 and 49 respectively dated 28.12.62.

5 Para 38A inserted vide S.O. 2620 dated 26.11.61.

6 Coal Mines Provident Fund (Assam) Second Amendment Scheme, 1962 “for Assam vide G.S.R. 48 dated 28.12.62, Coal Mines Provident Fund (Talcher) Second Amendment Scheme, 1962” “for Talcher vide G.S.R. No. 50 dated 28.12.62, Coal Mines Provident Fund (Rewa & Korea) Second Amendment Scheme, 1962” “ for Rewa & Korea vide G.S.R. 48 dated 28.12.62”

7 “August 1961” for Assam, Talcher and Rewa & Korea vide G.S.R. 48, 50 & 49 respectively dated 28.12.62.

2 The words “He shall also arrange to have the person so qualified photographed as soon as possible and prepare Identity Cards for them in Form G annexed hereto two copies of the photographic prints shall be taken from the same negative and shall be affixed on the Identity Cards and Declaration Forms. The Identity Card shall hereafter be sent to the employer, who shall sign and the member shall sign or affix his thumb impression across the edge of the photograph so as to prevent its subsequent replacement omitted vide Govt. of India, Ministry of Labour, Notification No. PF 2(6)/52 dated the 24th November 1952.

8 Second proviso substituted vide G.S.R. 2491 dated 21.10.1969.

³(Provided also that each currency period commencing on or after the 1st July 1964
⁶(but before the 1st April 1968) shall be divided into four quarters of three consecutive months each and for every member there shall be a separate Contribution Card in Form T or U, as the case may be, for each quarter.)

⁴**41. Renewal of Contribution Cards** – Every employer shall on or before the expiration of the period of currency and in the case of currency periods commencing on or after the 1st July 1964 ^{*}(but before the 1st April 1968, on or before the expiration of each quarter in the currency period prepare in respect of each member employed by him a contribution card ⁸ or the ledger in Form ‘YY’ in Such form as may be appropriate under paragraph 37 ⁷(or paragraph 37B as the case may be) for the next currency period or quarter as the case may be.]

¹**42. Submission of Contribution Cards to the Commissioner** – (1) Every employer shall submit to the Commissioner or to such other Officer subordinate to him as may be authorised by him in this behalf, Contribution Cards-

- (i) in Form D or E, togetherwith emergency cards, if any, in respect of currency periods commencing before the 1st April 1953 within six weeks from the date of expiration of the currency period alongwith a statement in duplicate in Form I annexed hereto;
- (ii) in Form D (Revised) or E (Revised) in respect of currency periods commencing on or after the 1st April 1953 but before the 1st July 1964, within six weeks from the date of expiration of the currency period togetherwith a statement in duplicate in Form I(Revised) annexed hereto;
- (iii) in Form D (V) or E (V), for members making voluntary contribution under paragraph 27 A in respect of currency period commencing before the 1st July 1964, within six weeks from the date of expiration of the currency period togetherwith a statement in duplicate in Form I(V) annexed hereto;
- (iv) in Form T or U in respect of each quarter in currency periods commencing on or after the 1st July 1964 ²[but before the 1st April 1968] within a month from the date of expiration of the quarter to which the contribution cards relate togetherwith a statement in duplicate in Form V annexed hereto.

3 Third proviso to para 40 added vide G.S.R. 1203 dated 20.8.1964.

4 The proviso to first inserted vide S.R.O. 3306 dated 22.10.54 and then amended vide G.S.R. 1063 dated 6.6.63. Thereafter the whole para 41 inclusive of the proviso thereto substituted vide G.S.R. 1203 dt. 20.08.1964.

6 Inserted vide G.S.R. 2491 dated 21.10.69.

7 Added vide Notification No. 11011(i)/73-PF I(i) dated 8.8.79.

^{*}() inserted vide G.S.R. 2491 dated 21.10.69

8 Inserted vide G.S.R. 97 dated 13.2.88.

1 Para 42 first amended vide S.R.O. 3206 dated 22.10.54 and sub-para (2) added thereto vide G.S.R. 1063 dated 6.6.63. Thereafter whole para 42 reconstituted vide G.S.R. 1203 dated 20.8.64.

2 () Inserted vide G.S.R. 2491 dated 21.10.1969.

³[(v) in Form T (Revised) or in Form U (Revised) in respect of each currency period commencing on or after the 1st April 1968, within six weeks from the date of expiration of the currency period togetherwith a statement in duplicate in Form V annexed hereto.]

⁴[(vi) in Form X or in Form Y in respect of each currency period commencing on or after the 1st April 1972, in the case of members who have joined the pension scheme, within six weeks from the date of expiration of the currency period togetherwith a statement in triplicate in Form V (Revised) annexed hereto.]

(2) In the case of a member who starts making voluntary contribution at any time of a currency period commencing before the 1st July 1964, his contribution card in Form D(Revised) or E(Revised) as the case may be, relating to that part of the currency period in which the member had not made any voluntary contribution and his contribution card in Form D(V) or E(V) as the case may be, for that part of the currency, period in which the member had made the voluntary contribution, shall be linked together by carrying forward the contribution in the former to the latter. Such linked-up cards shall be regarded as contribution cards in Forms D(V) or E(V), as the case may be, for submission under sub-paragraph (1).

(3) All the contribution cards and the statements in Forms I, I(Revised), I(V) ⁷{V or V (Revised)] shall be sent to the Commissioner or to such other officer subordinate to him as may be authorised by him in this behalf, either by registered post or through a messenger.]

⁸[(4) Before submission of any contribution card in Form ‘T’ (Revised), Form U(Revised), Form X or Form ‘Y’ under sub-paragraph(1) for any currency period ending on or after the 31st March 1973 every employer shall fill in the counterfoil of the contribution card and make over the same to the concerned member who shall retain the same for his own reference.]

⁹“(5) Every employer shall submit statement of contribution in Form ‘VV’ for currency period commencing from the 1st April 1988 onwards calculated on the basis of ledger in Form ‘YY’ togetherwith reconciliation of the statement appended thereto.”

¹43

²44. **Contribution Cards of Absentee Members-Submission to the Commissioner-** (1) where an employee leaves service in a coal mine @ [at any time during any period of currency commencing before the 1st April 1956] without any notice to employer, the

³ Clause (V) inserted vide G.S.R. 2491 dated 21.10.69.

⁴ Sub-clause (vi) to para 42(1) inserted vide Notification No. 11011(1)/72 PF I(i) dated 8.8.72.

¹ Paragraph 43 omitted vide Government of India, Ministry of Labour Notification No. PF 2 (16) dated the 8th July 1952.

² Paragraph 44 reconstituted vide Government of India, Ministry of Labour Notification No. PF 2 (16) 52 dated the 8th July 1952.

⁷ [] substituted vide Notification No. 11011(1)/72 PF I (i) dated 8.8.72.

⁸ Please see on next page.

⁹ Please see on next page.

@ Please see on next page.

employer shall keep with himself his contribution card until the end of the calendar month following that in which the employee left such service and if during such period the employee is not re-employed in the coal mine the employer after making the necessary entries therein shall send the card by registered post or through a messenger to the Commissioner accompanied by a statement in duplicate in Form J annexed hereto.

Provided that if during any such period the employee is employed in another coal mine and the employer receives a request from the employer in the other coal mine for the card of the member, the first mentioned employer shall, within 10 days of the receipt of the request, send to the other employer by registered post the said card duly completed together with a copy of a statement in Form 'J' in duplicate, a copy of such statement being sent simultaneously also to the commissioner.

@[(2) Where an employee leaves service in a coal mine or is transferred to any other coal mine or when his service is terminated by the employer at any time during any period of currency commencing on or after the 1st April 1953, the Contribution Card of such employee shall be retained by the employer for submission to the Commissioner on the expiry of the period of the currency to which the contribution card relates or at any time before the expiry of such period, if so directed by the Commissioner.]

⁴[44A. **Return of Member Ceasing to be Employed** – ⁵(1) Every employer shall, ⁶within fifteen days of the close of each month during the period commencing from July, 1964 and ending with December, 1969) send to the Commissioner or to such other Officer subordinate to him as may be authorised by him in this behalf a return, in duplicate, in Form 'W' annexed hereto, in respect of members ceasing to be employed during the preceding month.]

*[(2) Every employer shall within one month of the close of each quarter commencing on or after the 1st January 1970 send to the Commissioner or to such other officer subordinate to him as may be authorised by him in this behalf, a return, in duplicate, in Form 'W' (Revised) annexed hereto showing the particulars of members ceasing to be employed during the preceding quarter, either by death or otherwise.

¹⁰“(2A) From quarter ending June, 1988 onwards, a return of the members ceasing to be employed and persons going to retire in the next 6 months shall be sent to respective Regional Commissioner in Form 'HH' instead of Form 'W'.”

@ Inserted vide S.R.O. No. 3306 dated 22.10.1954.
 4 Para 44A added vide G.S.R. 1203 dated 20.8.64.
 5 Para 44A renumbered as sub-paragraph (1) vide G.S.R. 2483 dated 21.10.69.
 8 Sub-para (4) to para 42 added vide Notification No. 11011(1)72-PF I (i) 8.8.72.
 9 Inserted vide G.S.R 97 dated 13.2.88.
 6 The words and figures “with in 15 days of the close of each month commencing from July, 1964 substituted vide G.S.R. 2483 dated 21.10.1969.
 * Please see on next page.
 10 Please see on next page.

(3) On receipt of a return in Form “W” (Revised), the Commissioner or any other officer subordinate to him as may be authorised by him in this behalf, shall advise in writing every outgoing member or the nominee of every deceased member listed in such return either to claim refund of Provident Fund or to intimate the details of his re-employment in any other coal mine and such advice shall be accompanied by a blank form for applying for refund.]

45. Declaration Form Procedure to be followed by the Employer – When a person presents himself for work at a coal mine, the employer shall ask him to state whether or not he is a member of the Fund and if he is, ask for his ¹[] Account number and the name and the particulars of last employer and get his Cards from the Commissioner or from the last employer. When the new employer receives the Contribution Cards, Emergency Cards, if any ²[] in respect of the members of the Fund who have joined him, from the last employer or the Commissioner, he shall sign and return one copy of the statement in Form J or K annexed hereto in token of receipt to the last employer or the Commissioner, as the case may be.

³[Provided that in respect of any person who presents himself for work at a coal mine at any time during a period of currency commencing on or after the first of April 1953, the employer shall require the person to furnish a written declaration in Form ‘Q’ annexed hereto or if the person is unable to read and write in English, the employer shall obtain the necessary information from the person and complete the Form and obtain thereon the person’s signature or thumb impression. Such person on being so required to do shall complete the form or furnish the information as the case may be. The declaration in form ‘Q’ from any such person containing a negative statement shall be affixed to the declaration of such person in Form ‘A’ and forwarded to the Commissioner alongwith returns in Form ‘H’ as and when such person qualifies for membership of the Fund. Where the declaration in Form ‘Q’ is affirmative, it shall be preserved by the employer until such time as the contents thereof are verified from the previous employer:

Provided further that where any such person makes a declaration in Form ‘Q’ to the effect that he was a member of the Fund, the employer shall open for him a new contribution card in Form ‘D’ (Revised) or ‘E’ (Revised) [or ‘T’ or ‘U’]⁵ ⁷(or ‘T’(Revised)

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- 1 The words “Identity Card” appearing in the original scheme were omitted vide Govt. of India, Ministry of Labour Notification No. PF 2(16)52 dated 8th July 1952.
- 2 The words “and Identity Card if any” appearing in the original scheme were omitted vide Govt. of India, Ministry of Labour Notification No. PF 2(16)52 dated 8th July 1952.
- 3 1st, 2nd and 3rd provisos to para 45 added vide S.R.O. 3306 dated 22.10.1964.
- * Sub-Paragraph 2 and 3 added vide G.S.R. 2483 dated 21.10.69.
- 10 Inserted vide G.S.R. 97 dated 13.2.88.
- 7 () Inserted vide G.S.R. 2491 dated 21.10.1969.
- 5 Inserted vide G.S.R. 1203 dated 20.8.64.

or 'U' (Revised) ⁹[or 'X' or 'Y'] as the case may be, and ⁶in the case of a member who declares in Form 'Q' that he was making voluntary contribution at the colliery where previously employed, under paragraph 27A, in Form 'D(V)' or 'E(V)' as the case may be ⁴[for currency periods commencing before the 1st July 1964 and ⁸[in form T or U, as the case may be, for currency periods commencing on or after the said date, but before the 31st March 1968 and in Form 'T' (Revised) or in Form 'U' (Revised), as the case may be for currency periods commencing on or after the 1st April 1968] ⁹[and in Form 'X' or Form 'Y' as the case may be for currency period commencing on or after the 1st April, 1972 in the case of members who have joined the Pension Scheme.] The employer shall then enter therein the basic wages ¹or the total monthly basic wages, dearness allowance and the cash equivalent of concessional rations at the rate of fifteen rupees per month calculated according to sub-paragraph (4) of paragraph 27 [or total emoluments]², [as the case may be] and ³[the member's contribution and employer's contribution, either separately, or jointly, as the case may be] to be paid by the new employer during the remaining period of currency during which such person has worked under the new employer. The employer shall at the same time take steps to verify the truth or otherwise of the statement from his former employer, who shall be bound to furnish the required information.

Provided also that where such person makes a false declaration in Form 'Q' suppressing the fact of his previous membership of the Fund, [or his voluntary contribution]⁴ the arrears on account of the member's share of the contribution may, notwithstanding the proviso to sub-paragraph (1) of paragraph 29, be realised from his wages which he may earn subsequently in such number of instalments as may be considered to be suitable by the Commissioner who shall be furnished with a complete report of the case, supported by the declaration in Form 'Q' within a period of fifteen days from the date on which the falsity of the declaration of such person comes to the notice of the new employer.]

⁵ "Provided also that though no declaration in Form 'Q' shall be obtained from the 1st April 1988 onwards and instead information regarding persons being transferred to and from the unit shall be furnished in Form 'HH'."

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- 1 Inserted vide S.R.O. 1472 dated 2.7.1955.
2 Inserted vide Notification No. PF 1/2(114)/56-I dated 10.1.58.
3 The words "the total of the member's and employer's contributions" substituted vide G.S.R. 1063 dated 6.6.1963.
4 Added vide G.S.R. 1063 dated 6.6.1963.
6 Inserted vide G.S.R. 1063 dated 6.6.1963
9 Inserted vide Notification No. 11011(1)72-PF I (i) dated 8.8.72.
8 Substituted vide G.S.R. 2491 dated 21.10.1969.
5 Inserted vide G.S.R. 97 dated 13.2.88.

46. Supply of Cards and Forms to Employers- The Commissioner shall supply to employers free of charge on demand Declaration Forms, + Contribution Cards, Emergency Cards and other forms referred to in this Scheme:

Provided that if any employer desires to obtain any card or form in excess of what the Commissioner considers to be the requirement of the employer, the Commissioner may if he thinks fit, supply such excess cards or forms and make such change therefore as he considers necessary.

47. Custody of *Contribution Cards – The employer shall, @retain the *Contribution Cards in respect of each member in his custody and shall take every possible precaution to guard them against loss or damage.

48. Inspection ¹[of Cards and Pass Books] by Members – Any member who makes a request in this behalf to the employer shall be permitted ¹[to inspect his card and pass book] within a period of 72 hours of making such request provided that no member may make such a request more than once in any calendar month.

49. Production of Cards for Inspection by the Commissioner or Inspector –

(1) Every employer shall, whenever the Commissioner or any other officer authorised by him in this behalf or an Inspector so requests either in person or by notice, produce to the Commissioner, Officer or Inspector the Cards of any member employed by him and any card then in his possession and if so required by the Commissioner, Officer or Inspector shall deliver such card to the Commissioner, Officer or Inspector who may, if he thinks fit, retain the card.

(2) The Commissioner, Officer or Inspector shall grant a receipt for every card retained by him.

50. Procedure for the Purchase of Contribution Stamps by Employers Rate of Administrative Charge – The contribution stamps to be affixed to the contribution Cards of the members under this Scheme shall be obtained by the employer from one of the Govt. treasuries [and post offices²] specified in Schedule ‘A’ on indent in Form ‘N’ annexed hereto and the nominal value of the stamps indented for, togetherwith an administrative charge of 5 per cent of the nominal value of the stamps shall be

@ The words “subject to paragraph 43” omitted by Govt. of India, Ministry of Labour, Notification No. PF 2(16)/52 dated 24.11.1962.

1 [] Substituted vide Notification No. 1101(1)/72 PF I(i) dated 8.8.72.

2 Inserted vide Govt. of India, Ministry of Labour, Notification No. PF 21(23)/11 dated 23.06.1952.

+ The words “Identity Cards” omitted vide Govt. of India, Ministry of Labour, Notification No. PF 2(16)/52 dated 8.7.52

* The words “Identity and” omitted vide Govt. of India, Ministry of Labour, Notification No. PF 2(16)/52 dated 8.7.52

paid into the treasury [and post office*] under the Head of account to be specified by the Central Government in this behalf;

Provided that the rate of administrative charge shall be reviewed by the Central Government in consultation with the Board, before the expiry of three years from the date of publication of this Scheme.

[For J & K see paragraph 7 of Appendix iv]

****50A. Remittance of Coal Mines Provident Fund Money -** (1) All amount deposited into Government Treasuries under paragraph 31(2), 32(2), @ and 50 shall be remitted to the Current Account No. 1 of the Coal Mines Provident Fund with the Imperial Bank of India, Dhanbad, [*** by the third day of the week following the week of deposit], under advice to the Government of India in the ¹[Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment)] and the Coal Mines Provident Fund Commissioner. The remittance shall be made by the Treasury Officers by means of Reserve Bank Drafts at par marked "Intra-Provincial" favouring Imperial Bank of India, Dhanbad, for credit to the Current Account No. 1 of the Fund. The account shall be operated on by such officers as may be specified by the Board of trustees of the Coal Mines Provident Fund from time to time.

(2) The Coal Mines Provident Fund Commissioner shall submit demand statements to the Accountant General/Comptroller by the 15th of the month in respect of the deposits made into the Government Treasuries during the month proceeding the last month. Any difference between the amounts remitted by the Treasury Officers and that actually due to the Fund shall be adjusted by the Account General/Comptroller concerned in a subsequent month.

(3) The amount of administrative charges collected by Post Offices shall be remitted by the Post Masters concerned in the first week of the month following the month of sale of stamps in cash or by means of Reserve Bank Drafts at par marked 'Intra-Provincial' favouring ²(State Bank of India or any other Nationalized/Scheduled Bank), Dhanbad for credit to the current Account No. 1 of the Fund. The Coal Mines Provident Fund Commissioner shall forward to the Deputy Accountant General, Posts and Telegraphs concerned a monthly statement by the 15th of each month showing the amounts realised by Post Offices within their circle of audit, on account of administrative charges on the sale of Coal Mines Provident Fund contribution stamps during the month preceding the last month, any difference between the amount already remitted by the Post Masters into the Current Account No. 1 of the Fund with the ³(State Bank of India or any other Nationalized/Scheduled Bank), Dhanbad and that due to the Fund being adjusted by the Post Masters concerned in due course on advice from the Deputy Accountant General Posts & Telegraphs concerned.

@ The figures, letter and brackets, 33A(3) (iv) first inserted vide S.R.O. 3306 dated 22nd October 1954 and later omitted vide G.S.R. 1726 dated 11.9.68.

** Inserted vide Govt. of India, Ministry of Labour, Notification No. PF 21(23)/11 dated 23.6.1952

*** The words "in the first week of the month following the month of deposit" substituted vide S.R.O. 2226 dated 5.10.55

1 The words "Department of Social Security" substituted vide G.S.R. 1221 dated 28.7.1966.

2 The words "Imperial Bank of India" substituted vide G.S.R.402 dated 19.11.2004.

3 The words "Imperial Bank of India" substituted vide G.S.R.402 dated 19.11.2004.

For J & K See Paragraph 8 of Appendix iv

51. Stamps Suspense Account and Administration Account – (1) Out of the total amount realised under paragraph 50 an amount equal to the nominal value of the stamps sold shall be credited to an account to be named as the “Stamps Suspense Account” and the amount realised as the administrative charge shall be credited to an account to be called “Administration Account .

For J & K See Paragraph 9 of Appendix iv

*(2) Of the sum realised under paragraph 33A, an amount equal to the contributions to the Fund shall be credited to an account to be named “Suspense General Account” and the amount received for defraying the cost of administration to an account to be called “Administration Account .

52. Provident Fund Account – (1) When the Contribution Cards of members [*for any period of currency commencing before the 1st April 1953] are received after the expiration of their period of currency from the employers, the aggregate amount for which stamps have been affixed on the Contribution Cards shall be credited to an account to be called the “Provident Fund Account” by contra debit to the “Stamps Suspense Account”.

*(2) On receipt of the @ (Form ‘VV’) relating to any period of currency commencing on or after the 1st April 1953 and after verification of the deposits received from the coal mines concerned, the total amount of contributions² [to the Coal Mines Provident Fund entered in the *(Form-VV) shall be credited to an account to be called “The Provident Fund Account No.-II” by contra debit to the “Suspense General Account”.

1[53. Interest Suspense Account – All interests, rents and other such amounts realised and net profits or losses, if any, arising out of the sale or conversion of investments, or the encashment of matured investments, not including therein the transactions of the “Administration Account”, shall be credited, or as the case may be, debited to an account called the “Interest Suspense Account”. Brokerage and Commission on the purchase and sale of securities and other investments shall be adjusted against the purchase or sale price as the case may be and not separately charged to “Interest Suspense Account”.

Provided that, in the case of an investment the purchase price of which, inclusive of brokerage and commission, exceeds its face value, the loss involved in the purchase representing the difference between the book value and the nominal value of the investment shall be charged to the “Interest Suspense Account”.]

1 Para 53 reconstituted vide Notification No. PF 1/5(101)/57 dated 3.12.1957.

* Inserted vide S.R.O. 3306 dated 22nd October 1954.

@ Substituted vide G.S.R. 97 dated 13.2.88.

2 [] Inserted vide Notification No. PF 11011(1)/72, PF- I (i) dated 8.8.1972.

54. Investment of Monies belonging to Coal Mines Provident Fund – (1) All monies belonging to the Coal Mines Provident Fund shall be either deposited in the Imperial Bank of India or in such other scheduled banks as may be approved by the Central Government from time to time, or invested in securities mentioned or referred to in clauses (a) to (d) of section 20 of the Indian Trusts Act, 1882 (II of 1882) subject to the condition that the securities in which investments are made are payable both in respect of capital and of interest in Dominion of India.

(2) The Board shall prepare a classified summary of the Asset of the Fund as on the 31st March in each year or on such other dates as the Central Government may specify in Form ‘O’ annexed hereto, and shall append it to annual report required to be submitted to the Central Government under paragraph 68.

2]55. Disposal of the Coal Mines Provident Fund – (1) The Coal Mines Provident Fund not including therein Reserve Account and the Administration Account thereof shall not, except with the previous sanction of the Central Government, be expended for any purpose other than the payment of the sums standing to the credit of individual members of the Fund or to their nominees or heirs or legal representatives in accordance with the provision of this Scheme.

(2) Amount credited to the Reserve Account *[\[\]](#), may in accordance with such instructions as the Central Government may issue from time to time be expended for any or all of the following purpose :-

- (i) for providing financial assistance to the nominees or heirs or legal representatives of deceased members;
- (ii) for financing any Scheme for the benefit of the dependents of employees killed or disabled in accidents in coal mines;
- ⁴(iii) for making payments to outgoing members and to the nominees or heirs or legal representatives of deceased members where Provident Fund contributions or ⁵[\[Pension Fund\]](#) contributions, or both in respect of such members have, either in whole or in part, not been deposited into the Fund by their employers;”
- (iv) for stabilizing the rate of interest allowed to the members under paragraph 61 of this Scheme;
- ³(v) for paying late fees and such other charges as may be levied by the Life Insurance Corporation of India in cases where remittance of premia in respect of any policy financed from the Fund under paragraph 65C is delayed for no fault of the concerned member or where any such policy having been paid up or having lapsed for no fault of the concerned member is to be revived;

4 Clause (iii) reconstituted vide G.S.R. 991 date 5.9.80.

2 Para 55 substituted and deemed always to have been substituted vide G.S.R. 14 dated 22.12.1970.

3 Clause (v) to para 55 inserted vide Notification No. PF 11011(1)/72-PF (I) (i) dated 8.8.1972.

* The words and figures “under sub-paragraph (4) of paragraph 63” were omitted vide G.S.R. 102 dated 22.01.1997

5. The words “Family Pension Fund” substituted vide G.S.R. 264(E) dated 25.05.1998.

¹(vi) for making payment to the member or to the nominee or legal heir or representative of deceased member, as the case may be, where the amount payable to the member is either withdrawn by and paid to a person other than rightful claimant or where such amount, when remitted by money order or by an account payee cheque, is paid to a person other than a rightful claimant.

(3) Amount credited to Reserve Account under paragraph 32 and any interest earned by investing the amounts in the Reserve Account may in accordance with such instructions as the Central Government may issue from time to time, be expended for the following purposes:-

- (i) for meeting capital expenditure on land, building, machines and such other tangible assets as are used over a period exceeding 5 years;
- (ii) for meeting any deficit in the Administration Account of the Fund.]

56. Expenses of Administration – (1) Subject to the provisions of the Act and of the Scheme all expenses of administration of the Coal Mines Provident Fund, including the fees and allowances of the trustees+and salaries, leave and joining time allowances, traveling and compensatory allowances, gratuities and compassionate allowances pensions, contribution to Provident Fund or other benefit, Funds for the officers and servants of the Fund, the cost of audit of the accounts, legal expenses and the cost of all stationery and forms required for the purpose of ²[giving effect to this scheme and any amount over and above the grant made by the Central Government under section 3F of the Act, which is found inadequate to meet the expenditure for the administration of the Coal Mines Pension Scheme, 1998,] shall be met from the Administration Account.

(2) All expenses incurred by the Central Government for and in connection with the establishment of the Fund, whether before or after the date of its establishment, shall be treated as a loan advanced by the Central Government to the Fund and such loan shall be repaid to the Central Government from the Administration Account.

57. Budget – (1) The [Commissioner @] shall place before the Board at a meeting to be held in January each year a budget showing separately the probable receipts from the sale of stamps and the levy of the administrative charge and the expenditure which [he @] proposes to incur during the financial year commencing on the first of April next. The budget as approved by the Board shall be submitted for sanction to the Central Government before the 15th of February each year.

@ The words “Committee” and “it” substituted by S.R.O. 1360 dated 1.6.56.

1 Clause (vi) to para 55 inserted vide G.S.R. 308 dated 15.3.80.

+ The words “and of the members of the Committee” were omitted by S.R.O. 1360 dated 1.6.56.

2 The words and sign “giving effect to this Scheme” is substituted vide G.S.R.264(E) dated 25.05.1998.

(2) The Central Government may sanction the budget as submitted or with such alterations therein as it considers desirable.

*[(3) The Commissioner may make budgetary re-appropriation of funds subject to the conditions that the total budget sanctioned under sub-paragraph (2) shall not be exceeded by him and that the re-appropriation made by him is for meeting such expenses of administration as may be met from the Administration Account in pursuance of provisions of paragraph 56.

Provided that any re-appropriation made under sub-paragraph (3) shall be reported by the Commissioner to the Board at the first meeting held by it after such re-appropriation.]

58. Form of Accounts - The Board shall maintain the accounts of the Fund including the "Administration Account" in such form and manner as may be specified by it with the previous approval of the Central Government.

59. Audit - (1) The accounts of the Fund including the "Administration Account", shall be audited in such manner as the Central Government may direct.

(2) The cost of the audit as determined by the Central Government shall be paid out of the "Administration Account".

60. Member's Accounts - (1) An account shall be opened in the name of each member in which shall be credited –

- (i) his contribution ⁵[to the Coal Mines Provident Fund]
- (ii) the contribution made by his employer, ⁵[to the Coal Mines Provident Fund] and
- (iii) interest, as provided by paragraph 61.

(2) All items of account shall be calculated to the nearest ⁴[rupee treating fifty paise or more as the next higher rupee and ignoring fractions of a rupee less than fifty paise].

(3) On receipt of the Contribution and emergency cards if any, of a member ¹[in respect of any period of currency commencing before the 1st April 1953] from his employer at the end of the period of currency of the contribution cards, the Commissioner shall ascertain the nominal value of the contribution stamps affixed on the card or cards of the member and shall credit to the account of the member as at the last day of the period of currency, the employer's contribution and the member's contribution included in such nominal amount.

* Inserted vide Govt. of India, Ministry of Labour & Employment Notification No.2(328)/53 PF I dated 23.5.63.

1 Inserted vide S.R.O. 3306 dated 22.10.1954.

4 Substituted vide G.S.R. No. 1312 dated 29.12.84.

5 Please see on next page for footnote No. 5.

²[(4) ³(On receipt of Contribution Card of a member in respect of a currency period or quarter, as the case may be,) the Commissioner or such other Officer subordinate to him as may be authorised by him in this behalf shall ascertain therefrom the total amount of the member's and employer's contributions ⁵[to the Coal Mines Provident Fund] paid for the member and shall credit the amount to the account of the member as at the last day of the period of currency or quarter as the case may be.]

61. 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 Board in respect of the periods of currency of the cards expiring in each financial year.

(2) Interest for the period of currency of the card shall be credited with effect from the last day of the period on the opening balance at the credit of the member on the first day thereof;

¹[Provided that when the amount standing at the credit of the member has become payable, interest shall thereupon be credited under this sub-paragraph for the period upto the end of the month preceding the date of the tender of payment.

**[Provided further that the rate of interest to be allowed on claims for refund for the broken period of currency of cards shall be the rate fixed for the financial year in which [+ the claim becomes payable].

(3) The aggregate amount of interest credited to the accounts of the members shall be debited to "Interest Suspense Account".

^{*}(4) Interest shall not be credited to the account of a member if he informs in writing to the Commissioner, or, where so authorised by the Commissioner, to any officer subordinate to him, that he does not wish to receive it. If, however, the member subsequently asks for interest, it shall be credited to his account with effect from the first day of the period of currency, in which he makes a request therefore.

62. Nomination - (1) Each member, or if he is a minor his guardian shall make in his declaration in Form 'A' ⁴(to be submitted in duplicate) 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 Sub-para (4) of para 60 first inserted vide S.R.O. 3306 dated 22.10.54 and then reconstituted vide G.S.R. 1203 dt. 20.8.1964

3 Substituted vide G.S.R. 2491 dated 21.10.1969.

5 [] Inserted vide Notification No. 11011(1)/72-PFI (i) dated 8.8.1972.

1 Reconstituted under S.R.O. 424 dated 22.1.58 (published and effective from 1st February 1958.)

** Inserted by Govt. of India, Ministry of Labour, Notification No. PF 5(21)/51 dated 18.1.1952

+ These words were inserted under the Govt. of India, Ministry of Labour, Notification No. PF 5(21)/51 dated 12.2.1952

* Sub-para (4) added vide G.S.R. 1577 dated 5.10.66.

4 () Inserted vide G.S.R. 463 dated 24.3.79.

(2) A member, or if he is a minor his guardian, 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.

³“Provided that any nomination made by a member before his/her marriage in favour of his/her dependent parents shall be deemed to be invalid from the day on which the member marries; and the member shall make a fresh nomination.”

(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.

*[(4A) Where the nomination is wholly or partly in favour of a minor, the member shall for the purposes of the said Scheme appoint a major member of his family, as defined in clause (h) of paragraph 2, to be the guardian of the minor nominee(s) 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 a guardian of the minor nominee(s).]

(5) A nomination made under sub-paragraph (1) ¹[or the appointment of a guardian made under sub-paragraph (4A)] may at any time be modified by a member, or if he is a minor by his guardian, after giving a written notice of his intention of doing so ⁴(in Form ‘M’ Revised; ‘M’ ¹[or in Form ‘MM’] as the case may be) ²[to be submitted in duplicate] 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.

63. 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 permanent retirement from service in the Coal Mining Industry at any time after the attainment of the age of 50 years ¹[or]

3 Added vide G.S.R. No. 119 dated 8.2.86

* Sub-para (4A) added vide G.S.R. No. 1061 dated 15.6.63

1 Inserted vide G.S.R. No. 1061 dated 15.6.63.

4 Substituted vide G.S.R. 97 dated 13.2.88

2 [] Inserted vide G.S.R. 463 dated 24.3.1979

²[(b) On being rendered permanently and totally incapacitated for work in the coalfields due to bodily or mental infirmity, notwithstanding the date on which he ceases to be employed.]

³[(c) On being transferred to a cadre in a coal mine to which this Scheme does not apply.]

(2) The Board ⁴[or where so authorised by the Board, the Commissioner, or where so authorised by the Commissioner, any other officer subordinate to him] may permit a member, who has not attained the age of 50 years to withdraw the amount standing to his credit in the Fund []⁵

(a) ⁶[if] he has migrated from India for permanent settlement abroad or ⁸[being a national of a country other than India and having ceased to work in or in connection with a coal mine declares his intention of leaving India for at least a year or,

⁹[(b) after expiry of a period of ***(two months)** from the date of termination of his service if in the meanwhile he does not inform the commissioner in writing that he has been re-employed in any coal mine to which the said Scheme or the Scheme published with the notification of the Government of India in the late Ministry of Labour No. SRO 657 dated the 12th March 1956 or the Scheme published with the notification of the Government of India in the Ministry of Labour and Employment No. SO 32 dated the 11th February 1958, apply.]

2 Sub-clause (b) of para 63(I) reconstituted vide G.S.R. 1061 dated 15.6.1963.

3 Clause 'C' inserted vide G.S.R. 531 dated 21.3.70.

4 Inserted vide S.R.O. 366 dated 8.2.56.

5 The word 'if' omitted vide G.S.R. No. 1061 dated 15.6.63.

6 The word 'if' inserted vide G.S.R. No. 1061 dated 15.6.63.

8 Inserted vide S.R.O. 2041 dated 7.9.1955.

9 Clause (b) of para 63(2) reconstituted vide G.S.R. 1061 dated 15.6.1963.

* The words "six months" substituted vide G.S.R.102 dated 11.01.1997.

²[Provided that the Commissioner or where so authorised by the Commissioner, any [Regional Commissioner or]⁹ Assistant Commissioner may, in case of hardship, reduce the period of six months prescribed under this clause to such extent as he may consider necessary, subject to instructions laid down in this regard by the Commissioner with the approval of the Board] or

(c) ³[if] in the case of a member employed on fixed term contract he does not continue to work in the coalfields after the expiry of his contract:

[Provided, however, that the exercise or discharge of the power so delegated shall be subject to such restrictions, limitations and conditions, if any, as the Board may impose.]+

#[]

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- 2 Inserted vide G.S.R. 767 dated 14.5.1964.
3 The word 'if' inserted vide G.S.R. 1061 dated 15.6.1963.
+ Inserted vide S.R.O. 366 dated 8.2.1956.
9 Inserted vide G.S.R. 1504 dated 4.10.1965.
Paragraph 63 (2-A) omitted vide G.S.R.102 dated 22.01.1997

¹[(2B). The Commissioner may permit any member or class of members to withdraw at any time after the termination of his or their services the # [] amount standing to his or their credit as the case may be, and make payment to such member or class of members in accordance with such instructions as may be issued by the Central Government in this behalf from time to time.]

(3) A member who withdraws under sub-paragraph (2) *or a member withdrawing under sub-paragraph (2B) who has not attained the age of fifty years at the time of withdrawal shall be required to join as a new member of the Fund if he obtains employment again in a coal mine and qualifies again for the membership of the Fund.

§ []

****63A. Withdrawal before Retirement –**

Notwithstanding anything contained in clause (a) of sub-paragraph (1) of paragraph 63 above, the amount standing to the credit of a member upto the end of penultimate year of his service shall be paid to him at least three months in advance of his impending date of retirement.

64. 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 paragraph 62 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;

(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 members of the family other than those specified in clauses (a), (b),(c) and (d):

1 Sub-para 63(2B) [Originally inserted as para 63(2A) under S.R.O. 366 dated 8th Feb. 1956 and deemed to have been always inserted, this sub-para 63(2A) was renumbered vide Notification No. PF 2(102)/56 dated 30.7.56, as 63(2B)] reconstituted vide S.R.O. 129 dated 4 Jan. 1957.

* Inserted vide S.R.O. 366 dated 3.2.1956.

** Inserted vide G.S.R. No. 237 dated 2.4.1988.

The word “ful” omitted vide G.S.R.102 dated 22.01.1997

\$ The paragraph 63(4) omitted vide G.S.R.102 dated 22.01.1997.

to remit out of the amount standing to his credit in the Fund as his own contribution with interest thereon, to a Consumers' Co-operative Society or a Co-operative Credit Society, of which he intends to become a member for the purchase of shares in such societies, two sums:

- (i) not exceeding, in total, fifty per cent of his own contribution with interest thereon standing to his credit in the Fund as at the end of the last completed period of currency, or
- (ii) a sum of rupees one hundred for the purchase of shares in a Consumers' Co-operative Society and another sum of rupees one hundred for the purchase of shares in a Co-operative Credit Society, whichever of the amount specified in clause (i) or, as the case may be, in clause (ii) is less;

Provided that no such remittance shall be made unless, the Commissioner is satisfied that such Consumers' Co-operative Society or, as the case may be, the Co-operative Credit Society aims at a minimum membership of two hundred and fifty persons.

(2) The Commissioner, or where so authorised by the Commissioner any officer subordinate to him on being satisfied that the authorisation has been made in the prescribed manner and the sum authorised is within the limits specified in subparagraph (1) shall remit the said sum to the Consumers' Co-operative Society or the Co-operative Credit Society concerned and such remittance shall give a full discharge of the liability of Fund towards the member to the extent of the amount so remitted.

(3) The remittance of any amount under this paragraph to any Consumers' Co-operative Society or Co-operative Credit Society shall be made by crossed account payee cheque only.

(4) The amount remitted to a Consumers' Co-operative Society or as the case may be, to a Co-operative Credit Society under this paragraph shall be a non-recoverable advance.

(5) Not more than one advance in respect of a Consumers' Co-operative Society and another advance in respect of a Co-operative Credit Society shall be allowed to a member under this paragraph.

(6) Any Consumers' Co-operative Society or Co-operative Credit Society to which an amount is remitted under this paragraph shall intimate to the Commissioner -

- (i) such particulars of the shares allotted to the members on whose behalf advances are made from the Fund as may be called for by the Commissioner ;

- (ii) Such details of sale, transfer and other transactions pertaining to the shares allotted to the members out of advances from the Fund taking place subsequent to their initial allotment to the members of the Fund as may be called by the Commissioner.

(7) In this paragraph the expressions 'Consumers' Co-operative Society' and 'Co-operative Credit Society' mean respectively a Consumers Co-operative Society or a Co-operative Credit Society registered as such 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 and includes registered or deemed to be registered multipurpose Co-operative Societies running consumers' stores or providing credit facilities in addition to other function.

2[“65B. Advance 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 authorised by the Commissioner, any officer subordinate to him, may, on application from a member in such form as may be prescribed by the Commissioner and subject to the conditions prescribed in this paragraph, sanction from the amount standing to the credit of the member in the Fund, a non-refundable advance -

(a) For purchasing a dwelling house or a flat including a flat in a building owned jointly with others (out-right or on hire purchase basis) or for constructing 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 or agencies, as the case may be);

OR

(b) for purchasing a dwelling site for the purpose of construction of a dwelling house or a ready-built house or a flat from any individual provided the said house or flat to be purchased is new and un-lived one;

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 or continuing the construction of a dwelling house already commenced by the member or the spouse, on such site;

OR

(d) for making addition or alteration to an existing house owned by the member or the spouse of the member or jointly by the member and the spouse.

2 Para 65B substituted vide G.S.R. No. 567 dated 9.6.84.

Explanation :(1) In this paragraph, the explanation, ‘Co-operative Society’ means a society registered or deemed to be registered or 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.

Explanation :(2) In this paragraph, the fact of a new and un-lived house or flat shall be determined with reference to the certificates relating to the member and date of approval of the building plan, the date of commencement and completion of the house or the flat, and the tax bills and receipts issued by the appropriate authorities, and wherever necessary, by neighbourhood enquires.

(2) The amount of advance shall not exceed the member’s total emoluments for @[thirty six months] or the member’s own share of contribution togetherwith 75% employer’s share of contribution with interest thereon standing to his credit on the date of authorisation of payment or the actual cost towards the acquisition of the dwelling site togetherwith the cost of construction thereon or the purchase of the dwelling house or flat or the construction of the dwelling house, whichever is the least.

Explanation: The actual cost towards the acquisition of the dwelling site or the purchase of dwelling house or flat shall include charges payable towards registration of such site, house or flat.

(3) (a) No advance under this paragraph shall be granted unless -

- (i) the member has completed twelve years’ membership of the Fund;
- (ii) the member’s own share of contribution with interest thereon standing to his credit in the Fund is not less than two thousand rupees;
- (iii) the dwelling site or the dwelling house or flat or the house under construction or addition or alteration is free from encumbrances.

Provided that where a dwelling site or a dwelling house or flat is mortgaged to any of the agencies referred to in clause (a) of sub-paragraph (1) solely for having obtained funds for the purchase of a dwelling house or a flat or for the construction of a dwelling house including the acquisition of a suitable site for the purpose, such a dwelling site or a dwelling house or 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 30 years for constructing a dwelling house or a flat or a house or a flat built on such a leased land, shall also not be deemed to be an encumbered property;

@ The words “twenty four months” substituted vide GSR 390 dated 25.7.1994

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

* (aa) Notwithstanding anything contained in the second Proviso to clause (a), the Commissioner may, if satisfied that the dwelling site is to be leased out or lease-cum-sale is to be executed by the agency in favour of the member for a period of less than thirty years, relax the requirement of the said Proviso to such extent as may be considered necessary.

(b) No advance 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 sub-paragraph (2) –

(a) Where the advance is for the purchase of a dwelling house or a flat or a dwelling site from an agency referred to in clause (a) of sub-paragraph (I), the payment of advance shall not be made to the member but shall be made direct to the agency in one or more instalments, as may be authorised by the member;

(b) Where the advance is for the construction of a dwelling house, it shall be sanctioned in two equal instalments, the first on application and the second when the construction reaches plinth level;

(c) Where the advance is for the acquisition of a dwelling site for the purpose of construction of a dwelling house thereon from any individual or any agency the amount shall be paid in not less than two equal instalments, the first instalment at the time of acquisition of the dwelling site and the remaining at his request at time of construction of a dwelling house on such dwelling site;

(d) When the advance is for making addition or alterations to an existing house, the advance shall be sanctioned in two equal instalments, first at the time of application and second after commencement of the additions or alterations.

(5) Where an advance 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 instalment. Where the advance is sanctioned for the purchase of a dwelling house or a flat or for the acquisition of a 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 a dwelling house or flat on hire purchase basis and in cases where a dwelling site is to be

* Paragraph 65(B)(3)(aa) inserted vide GSR 390 dated 25.07.1994

acquired or houses are to be constructed by a Co-operative Society on behalf of its members with a view to their allotment to the members.

(6) Except in cases specified in sub-paragraph (7), no further advance shall be admissible to a member under this paragraph.

(7) An additional advance upto six months' total emoluments 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 to members for whom advances had been granted under clause (a) or (b) or (c) of sub-paragraph (1), once and in one instalment only for additions, substantial alterations or improvements necessary to the dwelling house owned by the member or by the spouse.

Provided that the advance shall be admissible only after a period of five years from the date of completion of the dwelling house.

³[(7A) A further advance equivalent to the amount of difference between the amount of advance admissible to a member on 9th June, 1984 and prior to that date, may be granted to such member who had drawn advance under this paragraph, as it stood before 9.6.1984, at any time during six years immediately preceding the aforementioned date, if, -

- (i) he had availed of the earlier advance for the purchase of a dwelling site and proposes to construct a dwelling house on the land so purchased; or
- (ii) he had availed of the earlier advance for making initial payment towards allotment/purchase of a house/flat from any agency as referred to in clause (a) of sub-paragraph (I), and proposes to avail of an advance for completing the transaction to get the sole ownership of the house/flat so purchased or allotted; or
- (iii) he had availed of the earlier advance for construction of a house but could not complete the construction in time due to lack of Funds.]

(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 grant of advance.

(9) (a) If the advance 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 lumpsum within thirty days of the finalization 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 amount so refunded shall be credited to the employer's share of contributions in the

3 Paragraph 7A inserted vide G.S.R. No. 934 (E) dated 24.12.85.

member's account in the Fund to the extent of advance 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 or a dwelling house or a flat, or in the event of the cancellation of an allotment made to the member and in the event of refund of the amount by the agency referred to in clause (a) of sub-paragraph (1) or in the event of the member not being able to acquire the dwelling site or to purchase construct the dwelling house or a flat from any individual or to construct the dwelling house, the member shall be liable to refund to the Fund in one lumpsum and in such manner as may be specified by the Commissioner, for where so authorised by the Commissioner any officer subordinate to him the amount of advance remitted under this paragraph to him or, as the case may be, to the agency referred to in clause (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 advance 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 authorised by the Commissioner any officer subordinate to him is satisfied that the advance granted under this paragraph has been utilised 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 advances 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 clause (a) of sub-paragraph (9), or that the amount remitted back to the member by any agency referred to in clause (a) of sub-paragraph (1), will not be refunded in terms of clause (b) of sub-paragraph (9), the Commissioner, or where so authorised 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 percent per annum from the wages of the member in such number of instalments as the Commissioner, or where so authorised by the Commissioner, any officer subordinate to him may determine, for the purpose of such recovery, the Commissioner, or where so authorised 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 Fund 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 advance 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;

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

¹[65C. Financing of Members' Life Insurance Policies :-

(1) The Commissioner or where so authorised by the Commissioner, any other officer subordinate to him, may, on an application from a member in such form and in such manner as may be prescribed by the Commissioner, make payment on behalf of the member to the Life Insurance Corporation of India, towards premium due on a policy of Life Insurance has taken by the member on his own life or towards the first premium on the proposal of the member in respect of such a policy.

(2) Any payment under sub-paragraph (1) shall be made out of and debited to the member's own share of contribution including interest thereon standing to his credit in the Fund.

(3) No payment shall be made under sub-paragraph (1) unless the amount of member's own contribution togetherwith interest thereon standing to the credit of the member at the end of the last completed currency period or quarter, as the case may be, for which posting in the individual ledger account of the member has been completed, is -

- (i) at the time of authorising the first payment, adequate to meet the premium for at least two years or such period after which the proposed or existing policy for which premium is to be paid can be converted into paid-up policy under the terms of the proposed or existing policy, as the case may be, whichever is more; and
 - (ii) at the time of any subsequent payment, adequate to meet the amount of premium.
- (4) No payment towards the first premium on a proposal of the member for insuring his own life shall be made under sub-paragraph (1) unless-
- (i) the proposal has been examined and approved by the Commissioner, or such officer subordinate to him as may be authorised by him in this behalf;
 - (ii) the proposal is acceptable to the Life Insurance Corporation of India subject to medical fitness of the member;

1 Para 65C added vide G.S.R. 404 dated 6.3.1965.

- (iii) the member satisfies the Commissioner, or such officer subordinate to him as may be authorised by him in this behalf, that he has produced such evidence of his age to the Life Insurance Corporation of India as may be acceptable to the said corporation;
- (iv) a written notice of assignment, in such form, as the Commissioner may prescribe, in favour of the Board, in respect of the proposed policy has been signed by the member and made over to the Life Insurance Corporation of India alongwith the proposal for insurance.

(5) Payment under sub-paragraph (1) shall not commence unless -

- (i) the member's own share of contribution during the last completed period of currency for which contributions have been posted in his individual ledger account is equal to or more than the annual premium towards his existing or proposed policy, as the case may be,
- (ii) the terms of the existing or proposed policy, as the case may be, are such-
 - (a) as shall allow automatic conversion of the policy into a paid-up policy without having to obtain the member's consent, after it has run for a specified period;
 - (b) as shall require payment of premium not more than once a year;
 - (c) as shall allow the member himself to assign the policy in favour of the Board.

(6) No payment under sub-paragraph (1) towards the premium of an existing policy of a member shall be made unless -

- (i) the policy has been assigned by the member in favour of the Board by an endorsement on the policy and unless such assignment has been registered with the Life Insurance Corporation of India;
- (ii) the policy is free from all encumbrances and any prior assignment;
- (iii) the age of the member has been endorsed in the policy as having been admitted by the Life Insurance Corporation of India.

(7) No payment under sub-paragraph (1) shall be made towards the premium on an educational endowment policy or a marriage endowment policy if that policy is due for payment in whole or part before the member attains fifty years of age.

*(8) So long as the policy remains assigned to the Board, any bonus accruing on it shall be drawn on behalf of the Board by the Commissioner for being credited to member's own contribution account in the Fund.

* Sub-paragraph (8) substituted vide G.S.R. 859 dated 22.5.1967.

(9) The terms of the policy which is financed from the Fund shall not be altered nor shall the policy be exchanged for another policy without the prior sanction of the Commissioner or such other officer subordinate to him as may be authorised by him in this regard and a member desirous of altering the terms of his policy financed from the Fund or exchanging the same for a new policy, shall furnish to the Commissioner or such other officer, subordinate to him, as may be authorised by him in the behalf, the details of the intended alteration or of the new policy, as the case may be, in such form as the Commissioner may specify.

(10) Medical fees charged by the Life Insurance Corporation of India in respect of the proposal of a member for insurance of his life approved by the Commissioner or an officer subordinate to him under clause (i) of sub-paragraph(4) and found acceptable to the Life Insurance Corporation of India after medical examination, but which eventually does not materialise for any reason, what-so-ever, shall be debited to the member's own share of contribution with interest thereon standing to his credit in the Fund.

(11) Where a member fails to pay into the Fund any amount realised by him by way of bonus as required under sub-paragraph (8), such amount shall be recovered by his employer from the member's emoluments in such instalments as the Commissioner, or such other officer subordinate to him as may be authorised by him in this behalf may determine. The employer shall render such account of the recoveries so made by him as the Commissioner may prescribe and shall deposit the sums so recovered into the Fund in such manner as the Commissioner may specify.

(12) In the event of a member withdrawing his accumulations in the Fund under paragraph 63 before the maturity of his insurance policy finance partly or wholly out of his accumulations in the Fund, the policy so financed shall be assigned in favour of the member. When the assured sum of a policy finance partly or wholly out of the Fund falls due for payment before orders for payment of the accumulations in the Fund of the member concerned have been passed the policy money shall be realised by the Fund from the Life Insurance Corporation of India and credited in the member's own contribution account in the Fund. Such amount shall on receipt in the Fund be deemed as the member's own contribution to the Fund for currency period in which received and be paid to him or his nominee(s) or his heir(s), as the case may be, in accordance with the provisions contained in this Scheme.

¹[(12A) In the event of the accumulations in the Fund of a member being transferred to any other Provident Fund under paragraph 31C before the maturity of the policy of Insurance taken by such member and financed partly or wholly out of his accumulations in the Fund, the policy so financed shall-

¹ Paras (12A) & (12B) inserted vide G.S.R. No. 1387 dated 25.9.1976

- (a) where the member concerned so requests in writing to the Commissioner or where so authorised by the Commissioner, to any other officer subordinate to him and the authority administering the Provident Fund to which his accumulations in the Fund are transferred, agrees to accept such assignment, be re-assigned in favour of the said authority; and
- (b) where the member concerned does not so request or the authority administering the Provident Fund to which his accumulations in the Fund are transferred does not agree to accept such assignment, the policy shall be re-assigned to such member.

(12B) On a written request made to the Commissioner or where so authorised by the Commissioner to an officer subordinate to him by a member to the effect that the premium payable to the Life Insurance Corporation of India on the policy of Insurance taken by such member and financed partly or wholly out of the accumulations of the member in the Fund need not, thereafter, be paid from such accumulations and that the policy may be re-assigned to him, the policy shall be re-assigned in favour of the member.

Provided that in cases where a member makes a request for the re-assignment of his policy to him, the policy shall be re-assigned to him only if he pays back into his account in the Fund, the amounts paid from it, as premium on the policy to the Life Insurance Corporation of India or he gives an undertaking in writing that he shall by himself thereafter, regularly pay to the Life Insurance Corporation of India, the premium on such policy till its maturity.

Provided further that where the policy is re-assigned to the member under this sub-paragraph the policy shall remain under the custody of the board till the member ceases to be in employment in the Coal Industry or till the policy matures, whichever is earlier.

(13) Any portion of the first premium on a proposal for insurance paid under sub-paragraph (1), if refunded by the Life Insurance Corporation of India due to non-acceptance of the proposal by the said corporation and any bonus refunded by the member under sub-paragraph (11) shall be deemed as the member's own contribution for the currency period in which the amount is received in the Fund or is recovered from the member's wages, as the case may be, and shall be credited in the member's own contribution account on receipt in the Fund.

(14) In cases where stamp duty on an assignment under clause (iv) of sub-paragraph (4) or clause (i) of sub-paragraph (6) or on a re-assignment under sub-paragraph (12), ¹sub-paragraph (12A) or sub-paragraph (12B) has been paid out of the Fund, such duty shall be debited to the member's own contribution with interest thereon standing to his credit in the Fund.]

1 Inserted vide G.S.R. No. 1387 dated 25.9.76.

²(65D) []

³[65E. **Grant of advances in special cases** – Where a coal mine has been locked up or closed down for more than fifteen days and its employees are rendered unemployed without any compensation the Central Government on being satisfied that no compensation to the employees is likely to be paid by the employer within a reasonable time may authorise payment to a member who was employed in such coal mine one or more non-recoverable advances from his Provident Fund account not exceeding his own total contributions including interest thereon upto the end of the currency preceding the date of authorisation of such payment.]

⁴[Provided that in the case of partial closure of a coal mine, where the Central Government is satisfied that it has resulted in genuine hardship to a member who is unemployed or partially employed without receipt of sufficient compensation, it may also authorise payment to a member of a non-recoverable advance from his Fund-Account of an amount not exceeding 50 percent of his own total contributions including interest thereon standing at his credit in the Fund upto the end of the currency period preceding the date of authorisation of such payment.]

⁵[65F. **Advance from the Fund for meeting the expenses in connection with the marriage of the member, his or her son or daughter or dependent sister** –

(1) The Commissioner or where so authorised by the Commissioner, any other officer subordinate to him, on an application from a member in such form and supported by such documents as the Commissioner may prescribe, sanction from the amount standing to the credit of the member in the Fund, a non-recoverable advance ⁶[.....] for the purpose of meeting the expenses ⁷(in connection with the marriage of the member, his or her son or dependent sister.)

Provided that the amount of ⁸[each] advance shall not be more than 50 percent of the member's own total contribution including interest thereon standing to his credit on the date of authorisation of such advance.

⁹[.....]

(2) No advance under sub-paragraph (1) shall be sanctioned unless the amount of the member's own total contribution with interest thereon standing to his credit in the Fund is rupees five hundred or more on the date of authorisation of such advance.

2 Para (65D) omitted vide G.S.R. No. 567 dated 9.6.1984.
 3 Para 65E added and deemed always to have been added vide G.S.R. 14 dated 22.10.70.
 4 Proviso to para 65E added vide Notification No. R-10013/(9)/ 72-PF-I dated 9.9.72
 5 Paragraph 66F Inserted vide G.S.R. No. 687 dated 13.5.75 and thereafter the Heading of this paragraph was substituted vide G.S.R. 1159 dated 8.11.1980.
 6 Omitted vide G.S.R. No. 363 dated 24.5.86.
 7 Substituted by G.S.R. No. 1159 dated 8.11.80.
 8 Inserted vide G.S.R. No. 363 dated 24.5.86.
 9 Omitted vide G.S.R. No. 363 dated 24.5.86.

(3) Not more than ⁵[two] advances shall be sanctioned to a member under this paragraph.

(4) If the advance granted under this paragraph exceeds the amount actually spent for the purpose, the excess amount shall be refunded by the member to the Fund within thirty days from the date on which the marriage is performed.

@(5) The member shall, as soon as may be after the marriage of the member, his or her son or daughter or dependent sister is performed but in any case not later than sixty days from the date the advance is drawn, submit to the officer who sanctioned the advance a declaration in such form and in such manner as may be prescribed by the Commissioner to the effect that the marriage was actually performed and the whole amount of the advance drawn by him or her was spent for the purpose.

(6) In case of misuse of the advance granted under this paragraph, the whole amount of the advance shall be recovered from the member in terms of the Provisions contained in sub-paragraph (9) of paragraph 65B(10).

(7) Any advance under this paragraph may at the option of the member, be paid-

- (i) by postal money order at the cost of the member; or
- (ii) by account-payee cheque sent through post; or
- (iii) by account-payee cheque at any office of the Fund or the concerned colliery;

Provided that when payment is made by any mode other than postal money order or account payee cheque sent through post, the officer sanctioning the payment may obtain such evidence of the identity of the payee as he may consider proper].

****[65G. Advance from the Fund for meeting expenses in connection with post-matriculation education of children –**

(1) The Commissioner or where so authorised by the Commissioner any other officer subordinate to him, may on an application from a member in such form and supported by such documents as the Commissioner may prescribe, sanction from the amount standing to the credit of the member in the Fund, a non-recoverable advance of an amount not exceeding three months' pay in respect of a monthly paid employee and twelve weeks' wages in respect of a weekly-paid employee for the purpose of meeting the expenses in connection with the post-matriculation education of his children;

5 Substituted vide G.S.R. No. 363 dated 24.5.86.
@ Sub-paragraph (5) substituted by G.S.R. No. 1159 dated 8.11.1980
** Paragraph 65G inserted by G.S.R. No. 687 dated 31.5.75.

Provided that the amount of advance shall not be more than 50% of the member's own total contributions including interest thereon standing to his credit on the date of authorisation of such advance;

Provided further that for arriving at the quantum of advance the pay or wages drawn in the month or week preceding the month or week in which the application for advance is received from the monthly rated or weekly rated employee, as the case may be, shall be taken as the basis and the actual amount shall be calculated by multiplying the same by three or twelve in cases of monthly-paid or weekly-paid employees respectively.

(2) No advance under sub-para (1) shall be sanctioned unless the amount of the member's own total contribution with interest thereon standing to his credit in the Fund is Rupees five hundred or more on the date of authorisation of such advance.

(3) Not more than one advance shall be sanctioned to a member under this paragraph.

(4) The member shall submit to the officer who sanctioned the advance, a declaration within such time, in such form and in such manner as may be prescribed by the Commissioner to the effect that the advance has been utilised for the purpose for which it was drawn.

(5) In case of misuse of the advance granted under this paragraph the whole amount of the advance shall be recovered from the member in terms of the provisions contained in sub-paragraph (9) of paragraph 65B.

(6) Any advance under this paragraph may, at the option of the member be paid-

- (i) by postal money order at the cost of the member; or
- (ii) by account payee cheque sent through post; or
- (iii) by account payee cheque at any office of the Fund or the concerned colliery;

Provided that when payment is made by any mode other than postal money order or account payee cheque sent through post, the officer sanctioning the payment may obtain such evidence of the identity of the payee as he may consider proper.]

¹[65H. Grant of advance in abnormal conditions –

The Commissioner or where so authorised by the Commissioner, any other officer subordinate to him, may on an application from a member whose property, movable or immovable has been damaged by a calamity of exceptional nature, such

1 Paragraph 65H inserted vide G.S.R. No.993 dated 24.12.83.

as draught, flood, earthquakes or riots, authorise payment to him from the Provident Fund Account, a non-refundable advance of Rs. 1000/- (Rupees one thousand) or fifty percent of his own total contribution including interest thereon standing to his credit on the date of such authorisation, whichever is less, to meet the unforeseen expenditure.

Provided that no advance under this paragraph shall be paid unless –

- (i) The State Government has declared that the calamity has affected the general public in the area;
- (ii) The member produces a certificate from an appropriate authority to the effect that his property (movable or immovable) has been damaged as a result of the calamity.]

66. Payment of Provident Fund - (1) When the amount standing to the credit of a member, or the balance thereof after any deduction under paragraph 63 or 65 becomes payable, it shall be the duty of the Commissioner to make prompt payment as provided in this Scheme ²[]

(2) If any portion of the amount, which has become payable, is in doubt or dispute 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 after as may be.

¹[(3) “If the person to whom any amount is to be paid under this Scheme is a minor for whose estate a guardian under Guardians and Wards Act, 1890 (8 of 1890) has been appointed, the payment shall be made to such a guardian. Where no such guardian has been appointed the payment shall be made to the guardian appointed under sub-paragraph (4A) of paragraph 62, if any. Where no guardian has been appointed either under the Guardians and Wards Act, 1890 (8 of 1890) or under sub-paragraph (4A) of paragraph 62 of the Scheme, the payment shall be made to the natural guardian and in the absence of a natural guardian to such person as considered to be the proper person representing the minor by the Assistant Commissioner to the extent of amount not exceeding Rs. 5000/-, by the Regional Commissioner to the extent of amount not exceeding Rs. 15000/-, by the Joint Commissioner to the extent of amount not exceeding Rs. 20000/-, and by the Commissioner where the amount exceeds Rs. 20000.

Provided that in the event of there being more than one claimant as a guardian of a minor, the claim of the person entitled to receive such payment on behalf of the minor shall be decided by the Commissioner;

Provided further that no payment shall be made to such claimant without obtaining from him a bond for indemnifying the Commissioner against the claim of any other person entitled to receive such payment under a decree or order of any Court.”]

2 The words “He shall close the account of the member and give notice in writing to the person to whom the amount is payable, specifying the amount and tendering payment thereof,” omitted vide G.S.R. 843 dated 19.5.64.

1 Sub-para (3) of paragraph 66 reconstituted vide Govt. of India, Ministry of Labour, Notification No. PF 2(13)/51 dated 5.9.51 and again reconstituted vide G.S.R. 1061 dated 15.6.64 and thereafter reconstructed vide G.S.R. 907 dated 6.9.80.

²[(3A) 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 the lunatic and in the absence of any such natural guardian, to such person as the ¹[Regional Commissioner or the] Assistant Commissioner where the amount does not exceed rupees seven hundred fifty or the Commissioner where the amount exceeds rupees seven hundred fifty ⁵[] considers to be the proper person representing the lunatic.

(3B) The receipt of the person to whom any payment is made under sub-paragraph (3) and (3A) shall be sufficient discharge of the liability of the Fund in respect of the amount paid to him.]

(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 paragraph 64.

³[(5) Any person who desires to claim payment under this paragraph shall send a written application to the Regional Commissioner, or to any other officer authorised by the Commissioner in this behalf, who shall, after the claim is ready for payment, notify to the claimant in such form as the commissioner may prescribe, the amount to be paid and the amount to be forfeited, if any.]

⁴[(6) Where any application for refund of Provident Fund under sub-paragraph (5) is submitted by the claimant through the employer of the coal mine where the member to whom the claim relates was last employed or where any such application received by the Commissioner or any other Officer under his control directly from the claimant is forwarded to the employer of the coal mine where the concerned outgoing or deceased member was last employed, such employer shall within twenty days of the receipt of such application, send the same duly attested to the Commissioner or to such other Officer under his control as he may authorise in this behalf + (togetherwith such information and documents as may be specified by the Commissioner).*

(7) Every employer shall assist the Commissioner or any other Officer under his control in obtaining such other information as may be required for settlement of claims for refund of Provided Fund.]

2 Sub-paragraph (3A) and (3B) of para 66 added vide G.S.R. 1061 dated 15.6.1963.

1 Inserted vide G.S.R. No. 1504 dated 4.10.65.

5 [] The words “but does not exceed rupees one thousand or the Chairman of the Board in any other case” omitted vide G.S.R. No. 1140 date 7.5.1969.

3 Sub-para (5) of the Paragraph 66 first substituted vide G.S.R. 1121 dated 13.8.1962 then amended vide G.S.R. 841 dt. 19.5.1964 again substituted vide Notification No. 1.11015(70)/71 PF I(1) dated 25.10.71. Again the opening portion of the sub-para and clauses (i) and (ii) thereof substituted vide Notification No. R-11018(3)/73-PFI(i) dated 25.8.73 again substituted vide G.S.R.No. 1118 dated 30.11.85.

4 Sub-para (6) and (7) added vide G.S.R. No. 1646 dated 23.10.67

+ () added vide G.S.R. No. 2483 dated 21.10.69.

* The words “where the Return in Form ‘W’ prescribed under paragraph 44A of this Scheme has not been submitted by the employer in respect of the outgoing or deceased member to whom the claim relates, the same shall be sent alongwith the attested application for refund” deleted vide G.S.R. No. 2483 dated 21.10.1969.

¹[66A. Mode of remittance of Provident Fund and advances therefrom –

(1) All payments on account of advance under paragraphs 65B, 65E, 65F, 65G and 65H as well as payments of provident fund to the outgoing members and/or nominees/heirs of deceased members under paragraph 66, shall be made by deposit to the payee's Savings Bank Account in any Post Office or in any branch of a Nationalised Bank.

Provided that where it is found difficult, or not practicable to open a payee's Savings Bank Account in any Post Office or in any branch of a Nationalised Bank, the Regional Commissioner or any other officer authorised by the Commissioner in this behalf, may, for reasons to be recorded in writing, make payment in any of the following methods as may be considered appropriate by the sanctioning authority in accordance with the guidelines issued by the Commissioner:-

- (i) by money order at the cost of the payee;
- (ii) by account payee cheque either sent through registered post or made over to the payee personally; or
- (iii) in cash.

Provided further that where it is decided to make payment otherwise than by deposit in payee's Savings Bank Account in any Post Office, or in any branch of a Nationalised Bank, or by an account payee cheque, sent by registered post, or by money order, the sanctioning authority shall do so, only after getting the identity of the payee certified by the Manager of the Colliery/Office which forwarded the payee's claim.

(2) All payments to parties other than the members under paragraphs 65B and 65C of the Scheme, shall be made by means of account payee cheques sent by registered post.]

²[67. Provident Fund Pass Books of member's account –

(1) The Commissioner or such officer subordinate to him as may be authorised by him in this behalf shall issue for every member a Pass Book of his account in the fund in such form as the Commissioner may prescribe from time to time and send the same to the Coal Mine where he was employed during the period for which last posting is made in the pass book.

Provided that for members for whom Pass Books have not been issued upto the date on which the Coal Mines Provident Fund (Amendment) Scheme, 1983 comes into force and for those who become members thereafter, Pass Books shall be issued immediately after posting of their first contribution for any period after the aforesaid date in the individual ledger card.

1 Paragraph 66A inserted vide G.S.R. No. 1118 dated 30.11.85.

2 Paragraph 67 substituted vide G.S.R. No. 513 dated 16.7.1983.

(2) The Pass Book shall show the personal particulars of the member, the opening balance at the beginning of the period, the total amount credited and debited during the period, the total amount of interest credited at the end of the period and the closing balance at the end of the period.

(3) On receipt of Pass Book for any member for the first time, the employer shall record the receipt in a Register in such form as may be prescribed by the Commissioner and, within three months of the receipt of the Pass Book, arrange to affix thereto a passport size photograph of the member. Each member shall be photographed alongwith a legible number plate showing his name and account number and the photograph affixed in the pass book shall be attested under the signature of the employer or of his authorised representative spreading from the photograph to the paper of the Pass Book on which it is affixed. The date of photographing shall be recorded both in the Pass Book and the register referred to in this sub-paragraph.

Provided that the cost of such Pass Books including the cost of members' photographs to be affixed in such Pass Books shall be met from the Administration Account.

(4) After photographing of the members as provided under sub-paragraph (3), the employer shall distribute the Pass Books received by him from the Commissioner or such officer subordinate to him as may be authorised by him in this behalf, among the members concerned within a period of fifteen days from the date of completion of photographing of the members and obtain their acknowledgement in the register referred in sub-paragraph (3).

(5) Every member shall keep the Pass Book as a permanent record of his account in the Fund and satisfy himself as to the correctness of the account and bring errors and omissions, if any, to the notice of the employer for communication to the issuing officer.

(6) The Regional Commissioner or the Assistant Commissioner, Incharge of the Regional Office, shall send teams of officials to each coal mine from time to time in order to update the Pass Books already in possession of the members. The periodicity and the manner of updating the pass books shall be laid down from time to time by the issuing officer in consultation with the Commissioner and the employer.

(7) When a member joins a Coal Mine from another Coal Mine, the employer of the Coal Mine which he joins shall ascertain from the member in writing whether the member had received his Pass Book at the colliery where he was employed previously and record his reply in the register referred to in sub-paragraph (3) indicating therein the same of the coal mine wherefrom he came.

(8) When a claim for refund of Prvident Fund is received by an employer, he shall verify from the register referred to in sub-paragraph (3) whether Pass Book of the member has been issued, where Pass Book is found to have been issued to the

member, the claimant shall be asked to return the same to the employer. A pass book so returned to the employer shall be sent alongwith the claim to the concerned Regional Commissioner or Assistant Commissioner, Incharge of a Regional Office.

(9) Where on receipt of a Pass Book, if it is found that the concerned member is no longer employed in the colliery to which the pass book has been sent, the receiving employer shall transfer the pass book to the coal mine to which the member has been transferred under intimation to the issuing officer and in the event of member's death or retirement, the pass book shall be returned to the issuing officer.

Provided that in both the cases, receipt and transfer of the pass book shall be recorded in the register referred to in sub-paragraph (3)

(10) The cost of photographs shall be re-imbursed from the Fund to the employer out of Administration Account subject to such ceiling as may be laid down by the Board from time to time and for such re-imburement, the employer shall be required to submit to the officer who sent the pass books, bills, in such form and supported by such documents as the Commissioner may prescribe from time to time.

(11) While submitting the returns in Form 'V' or Form 'V' (Revised) as the case may be, every employer shall endorse in the remarks column thereto an abbreviation :-

- (i) 'PB' against the names of the members where pass books are already opened
- (ii) 'New' against the names of those who qualified as new members during the currency period to which the return in Form 'V' or Form 'V (Revised)' relates;
- (iii) 'T' against those members who have joined on transfer from other coal mines and have declared under Sub-paragraph (7) that they have not been provided with Pass Books. In their cases, the name and registered number of the coal mine wherefrom they have been transferred shall also be indicated after the abbreviation 'T'.

(12) Each member shall be got photographed by the employer for the second time after expiry of a period of ten years from the date of his first photographing within three months of such expiry and the second photograph shall be affixed and attested in the manner laid down in sub-paragraph (3). The cost of the photographing for the second time shall be re-imbursed by the Fund in the manner laid down in sub-paragraph (10).]

@[68. Annual Report and Annual Accounts of Coal Mines Provident Fund:- The Commissioner shall place a report on the working of Coal Mines Provident Fund Scheme relating to the previous financial year alongwith audited annual accounts at a meeting of the Board to be held before 15th November, each year and the Board shall submit such report with Accounts to the Central Government for placing them on the tables of the Houses by end of December each year.

@ Para 68 substituted vide G.S.R. No. 414 dated 21.5.1988.

Provided that if the audit report is received subsequent to 15th October, the audited annual Accounts shall be placed in the next meeting of the Board to be convened within one month of its receipt.]

69. Issue of Duplicate *Copies of Members' Accounts, Annual Report, etc.-

(1) The Commissioner shall furnish **[a copy of duplicate pass book or a copy of annual report] of the Fund to any member on written application on payment of such fees and subject to such conditions as may be specified by Board in this behalf.

²[(2) Where a Pass Book is lost while in the custody of an employer a duplicate Pass Book shall be issued by the Regional Commissioner concerned on payment of such fees by the employer as may be laid down by the Board from time to time.

(3) Where a Pass Book is lost while in transit or in the office of the Fund, a duplicate Pass Book shall be issued free of cost.

(4) Worn-out or mutilated Pass Books shall be replaced free of cost.

(5) The cost of photographs to be affixed in such duplicate Pass Books shall be re-imbursed in the same manner as provided in sub-paragraph (7) of paragraph 67.]

§69A. Obligation to produce Documents before Inspector – Where an Inspector in exercise of the powers conferred on him under clause (b) of sub-section (2) of section 10 of the Act requires any person in charge of a coal mine or its office to produce any document before him, that person shall produce such document before the Inspector.

³69B. Transfer of records in case of change of ownership or closure of a coal mine

(1) In the event of a change in the ownership of a coal mine to which this scheme applies, the previous owner shall, within a period of one month from the date of change in ownership, transfer to the new owner all records relating to this scheme and within a fortnight of the transfer of records furnish by registered post or through a messenger a handing and taking over report in Form 'R' annexed hereto, in duplicate, to the Coal Mines Provident Fund Commissioner, duly completed by the new owner who shall take over the records transferred to him under this paragraph and acknowledge the same in the said report.

(2) In the event of any colliery being closed the owner shall, within a period of one month from the date of closure, forward by registered post or through a messenger, to the Commissioner all records relating to this Scheme and a statement in such Form as the Commissioner may specify, showing the details of the outstanding dues of the Fund, if any.

70. ¹[]

* The words "Identity Cards" and "issue duplicate Identity Cards and" appearing in the original Scheme omitted vide Govt. of India, Ministry of Labour, Notification No. PF 2(16)5 dated 8.7.52

** Substituted vide G.S.R. No. 513 dated 16.7.83.

² Para 69 re-numbered as sub-para (1) thereof and sub-para (2) to (5) inserted vide Notification No. 11011(1)/72 PFI (i) dated 8.8.72.

§ Inserted by the Govt. of India, Ministry of Labour, Notification No. PF 2(11)/52 dated 24.4.52

³ Inserted vide the Govt. of India, Ministry of Labour, Notification No. PF 2(11)/52 dated 2.11.55

¹ Paragraph 70 omitted vide G.S.R. 492 dated 1.4.66.