

**कलकत्ता पोर्ट ट्रस्ट (गैर-अंशदायी भविष्य निधि) विनियम ,
1988**

**Calcutta Port Trust (Non-Contributory Provident
Fund) Regulations ,1988**

संशोधन/ Amendments :-

1. जी एस आर सं. 745(ई) दिनांक 25 सितंबर , 2000
GSR No. 745 (E) dated 25th September 2000
2. जी एस आर सं. 49(ई) दिनांक 3 फरवरी , 2006
GSR No. 49 (E) dated 3rd February 2006

**कोलकाता पत्तन न्यास
Kolkata Port Trust**

(iii) संघर्षपूर्ण घट्टों के श्रेणीय संवर्धन, तबानि को सर्व के श्रेणीय संवर्धन के लिए अधिकारी को एक माह की नोटिस देकर किसी भी समय संवर्धन कराया जा सकता है।

विनियम 13 (क) - छुट्टी के प्रतिनिधित्व या निवृत्तियों के दौरान संवर्धन।

छुट्टी या निवृत्त के दौरान संवर्धन।

पूर्व संवर्धन के लिए या प्रतिनिधित्व छुट्टी को छोड़कर किसी भी श्रेणीय संवर्धन की अवधि को किसी प्रकार की छुट्टी के कारण अनुपस्थित हो, या निवृत्त होने के तुरंत श्रेणीय संवर्धन के लिए पर निर्धारित किया जाएगा। फिर भी संवर्धन के दिनांक पर श्रेणीय संवर्धन छुट्टी या एक महीने की या 30 दिन की छुट्टी तथा निवृत्त को संवर्धन छुट्टी को किसी भी श्रेणीय संवर्धन नहीं कर सकता। परन्तु जब किसी संवर्धन को निर्देश दिया जाता है या उसे प्रतिनिधित्व पर भेजा जाता है तब निवृत्त अधिकारियों के द्वारा उनके उक्त तदनुसंधान-कार्यवाही तालीं को समाप्त करने या प्रतिनिधित्व पर भेजा ही नहीं गया, जबकि कि संवर्धन तालीं छुट्टी को वर्षों में चले गए तो छुट्टी के दौरान संवर्धन न करने संबंधी सूचना दे दें।

विनियम 13 (ख) :

निवृत्त को अवधि में कोई संवर्धन निर्दिष्ट में संवर्धन नहीं करेगा। परन्तु निवृत्त अवधि के अंत में होने के बाद पुनर्स्थापन होने पर संवर्धन सूचना प्रेषित के तब संवर्धन को एक मूल्य राशि या किसी में या और भी राशि, जो कि उसके निवृत्त अवधि की राशि में अधिक न हो, देने के विकल्प को अनुमति होगा।

नोट : कार्यहीन अवधि के दौरान संवर्धन संवर्धन नहीं करेगा।

विनियम 14 : व्याज

कतकता पोस्ट टूट प्रति वर्ष 31 दिसम्बर को संवर्धन के लेख में उक्त व्याज देने पर, जिसे कतकता पोस्ट टूट समय समय पर बैंक में निवृत्त कर संकलित किया जाएगा, व्याज को माली द्वारा संवर्धन के खाते में मासिक जमा पर किया जाएगा तथा उक्त राशि संकलित किया जाएगा।

अध्याय V—पेंशन व बचत

विनियम 15 : संवर्धन को पेंशन

निम्नलिखित में से किसी भी उद्देश्य के लिए निधि से पेंशन अदाकार एवं मुख्य श्रेणी अधिकारी की अनुमति से अधिक तला अधिकारी संवर्धन को पेंशन में बदल कर सकता है :-

- (i) संवर्धन या उत्तमोत्तम परिवार का कोई सदस्य या उक्त श्रेणी संबंधी वर्षों जिसमें संवर्धन या उसके परिवार के सदस्य को शामिल है या याता के भुगतान के लिए प्रतिवर्ष 10,000/- रु. लेकिन संवर्धन के जमा संवर्धन का 1/3 राशि से अधिक नहीं या छह महीने का वेतन, जो भी कम हो, या उसके परिवार के किसी सदस्य के लिए या निम्नलिखित शर्तों में संवर्धन या उसके परिवार के किसी सदस्य के उक्त निधि संबंधी वर्ष की पूर्ण जिसमें संवर्धन या उसके परिवार के किसी सदस्य को याता व्यव शामिल हो, शर्त :-
- (क) भारत सरकार द्वारा के लिए हाई स्कूल के ऊपर उच्चतम आनवधिक कोर्स की शिक्षा के लिए;

(ख) हाई स्कूल के ऊपर भारत में किसी भी विश्वविद्यालय, शैक्षणिक या अन्य उच्चतम या विदेशी कोर्स के लिए परन्तु प्रत्येक वर्ष की अवधि तीन वर्षों के कम न हो।

(ii) संवर्धन 2000/- रु. लेकिन संवर्धन के लेख में जमा संवर्धन का 1/3 राशि या तीन महीने का वेतन जो भी कम हो याता में संवर्धन के लिए अति या निवृत्त संवर्धन पर संवर्धन के लिए जमा करने या अपने :-

- (क) परिवार के किसी सदस्य के पेंशन के लिए भुगतान के लिए;
- (ख) अपनी संवर्धन या अपने परिवार के किसी सदस्य को संवर्धन, जो कि निवृत्त अवधि की नहीं हो, के लेख में जमा करने के लिए भुगतान;
- (ग) संवर्धन राशि को भुगतान जिसे संवर्धन संवर्धन के अनुसार संवर्धन को संवर्धन एवं अन्य उच्चतम के लेख में जमा करता गया है।

(iii) संवर्धन या उक्त की वेतन या वेतन या अधिक वेतन, जो कि निवृत्त के लेख में जमा करने के लिए प्रतिवर्ष 15,000/- रु. लेकिन संवर्धन के लेख में जमा राशि के 1/3 से अधिक न हो या उसके छह महीने का वेतन, जो भी कम हो, पर कि उसे संवर्धन देने की शर्तों से 1 महीने के अंदर यदि यदि कोई छुट्टी को पेंशन राशि को लौटा दिया जाएगा।

(iv) इन विनियमों के अंत में किसी संवर्धन को पेंशन की शर्तों में से ही नहीं हो, जब भी उसे इन विनियमों के अंत में पेंशन प्रेषित को संवर्धन हो या संवर्धन हो यदि पेंशन प्रेषित पूर्ण हो तो नहीं भी चुकाना गया हो, परन्तु फिर भी उक्त संवर्धन प्रेषित में से पेंशन प्रेषित या संवर्धन काट दिया जाएगा।

विनियम 16 : पेंशन की शर्तों

विनियम 15 (i) या 15 (ii) के संवर्धन की शर्तों में से 50 तबानि अधिक किसी भी समय किया जाएगा और विनियम 15 (iii) के संवर्धन को पेंशन में बदलने की संवर्धन से 48 महीने तक किसी में बदल किया जाएगा। उक्त की राशि संवर्धन प्रेषित दिया जाने वाला अधिक संवर्धन को राशि में कम नहीं होना चाहिए। पेंशन को पेंशन का अंतर पेंशन देने के बाद करने, नहीं से, जिसे दो महीने संवर्धन पेंशन पर हो, होगा।

जब संवर्धन निर्धारित प्राप्त होता है, तो संवर्धन का निवृत्त 15(i), (ii) या (iii) के उक्त संवर्धन पेंशन को पेंशन उक्त किस्म संवर्धन के बिना नहीं भी करेगा।

विनियम 17 : पेंशन का अनुचित प्रयोग

इन विनियमों में किसी बात के न होने पर यदि संवर्धन अधिकारी को यह संदेह होता है कि विनियम 15 के संवर्धन अधिन के रूप में उक्त शर्तों राशि का उपयोग बिना उद्देश्य से पेंशन में ही उक्त न करने एवं शर्तों में नहीं किया गया है, तो वह संवर्धन को अपने संदेह से संबंधित शर्तों को चुकाना देते हुए उसे चुकाना प्राप्ति के 15 दिनों के अंदर लिखित रूप में उक्त करने के लिए करेगा। यदि संवर्धन अधिकारी को निर्धारित 15 दिन की अवधि के अंदर प्रत्येक संवर्धन द्वारा दिया गया संवर्धन प्राप्त न हो तो वह संवर्धन को विचारहीन प्राप्ति की निधि में उक्त होने के लिए निवृत्त देगा या यदि संवर्धन देता नहीं करता है, तो संवर्धन अधिकारी उक्त वेतन से एक मूल्य राशि देते का शर्त देगा, यदि संवर्धन छुट्टी 50 महीने न हो। यदि संवर्धन संवर्धन राशि संवर्धन की शर्तों के साथ न अधिक हो तो अधिक किस्म के रूप में उक्त तक चुकाना जाएगा एवं तक कि पूरी प्राप्ति की शर्तों न हो पावे।

इस विषयमें बहु-प्रतिपक्ष विधि संभवता रहा, यदि यह कोई भी नया विधि में उसके नाम संश्लिष्ट, अथ इस विधि में, आत्मसन्तुष्टि किया जा सकता है।

अध्याय-VII

विनियम-20: भारतीय जीवन बीमा विधायक बोर्ड के लिए भुगतान
जीवन बीमा में बी.1 का भुगतान संभवता की पुनः राशि तथा उस पर हुए अर्थों को कि संभवता के तहत विधि में उल्लेख है निम्नलिखित शर्तों के अधीन प्राथमिक जीवन बीमा विनियम में बीमा-पॉलिसी के विनियम के तहत प्राथमिक या पूरा भुगतान के प्रयोजन के लिए आवेदन किया जा सकता है।

(1) अपने जीवन के लिए संभवता द्वारा किताब तथा भारतीय जीवन बीमा विधायक बोर्ड पॉलिसी (सर्वोच्च एनडोकेटेड पॉलिसी) प्रदान विनियम के तहत या सुदूर में पहले देय प्रतिफल, वेतन मिलती है। उसके द्वारा विधायक है, यदि संभवता ऐसे व्यक्तियों को सुदूर भुगतान करते हैं जो इन प्रयोजन के लिए अर्थात् 'राष्ट्र छोड़ने' पर निश्चित रूप से वे अतिरिक्त तथा अधिकारी उसे स्वीकार करेगा।

(2) संबंधित विभाग के माध्यम से संबंधित दस्तावेजों के साथ संभवता के पॉलिसी धारक के साथ (सर्वोच्च पॉलिसी बाध्य, अधिकारी एवं सुदूर प्रपक्ष, तथा अतिरिक्त प्रोविजन बाधकी, यदि पॉलिसी धारक द्वारा एक से अधिक प्रोविजन किया गया हो) तथा संभवता को काई न निर्धारित शर्तों के अन्तर्गत के लिए उल्लेख है उन पॉलिसी बाध्य एवं सुदूर धारकों को अतिरिक्त विधि अनुदान द्वारा लगे हुए कार्यालय रजिस्ट्रारों में सुदूर को विधिक नोट करने के बाद प्रयोजन के लिए भारतीय जीवन बीमा विनियम की शर्तों के लिए आवश्यक अथवा को लागू करें। भारतीय जीवन बीमा विनियम के पॉलिसी बाध्य बाध्य धारक पर उसे अतिरिक्त तथा अधिकारी के कार्यालय में निर्यात अधिकारण के अधीन रखा जाएगा।

(3) यदि पॉलिसी के प्रोविजन के भुगतान की प्रणाली विकसित हो तो पॉलिसी को सुदूर से पहले संभवता उसे वार्षिक प्रोविजन में बदला देता। अतिरिक्त पॉलिसी धारक को इच्छा में भारतीय जीवन बीमा विनियम की शर्तों को दिया जाएगा।

(4) संभवता द्वारा अतिरिक्त बीमा पॉलिसी का अतिरिक्त अतिरिक्त तथा अधिकारी द्वारा संभवता को धारक के उनके संभवता के तहत विनियम द्वारा प्रतिफल दिया जाएगा तथा जो नई विनियम राशि को उनके वेतन में 12 महीने की अवधि में वसूल किया जाएगा। तथा उनके संभवता के तहत निर्धारित काल में सुदूर को हथी प्रयोजन के लिए अथवा है, तथा कर दिया जाएगा। संबंधित विभाग को संभवता के अतिरिक्त वेतन धारक के तहत राशि को निर्धारित दर से कट लेना भी कहा जाएगा।

(5) संभवता द्वारा किताब वेतन हथी लेने को अथवा के अथवा के लेख में अतिरिक्त तथा में के भारतीय जीवन बीमा विनियम को देय विनियम का भुगतान किया जाएगा तथा उनके पुनः इच्छा में अथवा पर उनके वेतन के वसूल किया जाएगा। अगर विधि में उल्लेख है भारतीय जीवन बीमा विनियम को देय विनियम के तहत ही उन भारतीय जीवन बीमा विनियम की इच्छा सुचना देते हुए विनियम का भुगतान अतिरिक्त कर दिया जाएगा।

(6) जब संभवता सेवा में हो और उन समय उनकी पॉलिसी परिष्कार हो जाए, ऐसी स्थिति में भारतीय जीवन बीमा विनियम के परिष्कारण का भुगतान कर संभवता के तहत तथा कर दिया जाएगा तथा संभवता को नोटा दिया जाएगा। यदि कोई पॉलिसी पुरानी संभवता के अंतर्गत है तबले विनियम का प्राथमिक भुगतान संभवता के लेख में किया जाता है तथा जो वर्ष में वेतन कटौती योजना में बदल दिया गया था हो, परिष्कार हो जाने पर भारतीय जीवन बीमा विनियम में वसूल परिष्कारण का भुगतान को उनके संभवता सेवा में दिया गया विनियम प्रदायक तथा अतिरिक्त विधि लागू जाएगा।

(7) यदि कोई संभवता किसी सेवा-निर्वाह में पहले अपनी बीमा पॉलिसी को पॉलिसी के अतिरिक्त के अथवा सेवा में अतिरिक्त तथा अधिकारी उसे सेवा करने की अर्थात् देते तथा भारतीय जीवन

बीमा विनियम को अतिरिक्त भुगतान देते हुए संभवता को पॉलिसी बाध्य विधिक, पुनः सुदूर कर दें। अतिरिक्त प्रोविजन को वेतन राशि, यदि कोई हो, को उसे विधि को विधि सुचना होगा।

(8) यदि कोई संभवता पॉलिसी परिष्कार होने के पहले ही सेवा निवृत्त हो जाए, तो उसे संभवता बीमा पॉलिसी पुनः सुदूर कर उसे अतिरिक्त किया होगा।

(9) परिष्कारण के समय यदि सेवा प्रकीर्ण हो कि पॉलिसी के तहत में बीमा पॉलिसी का अतिरिक्त सुदूर को नहीं दिया जा या भारतीय जीवन बीमा विनियम द्वारा सुदूर का प्रयोजन अथवा अथवा नहीं हुआ तब अतिरिक्त तथा अधिकारी भारतीय जीवन बीमा विनियम के परिष्कारण का भुगतान को सुदूर को विनियम को नहीं देता तथा संभवता की पुरानी पॉलिसी बाध्य अतिरिक्त भुगतान देते के लिए कहा जाएगा।

(10) यदि कोई संभवता संभवता को अर्थात् के तहत जाए तथा किसी को पॉलिसी के तहत देय राशि, यदि कि उनके द्वारा व्यक्तियों को सुदूर किया गया था, या भुगतान भारतीय जीवन बीमा विनियम को सुदूर करने हुए, पुनः अथवा कर दिया जाएगा। तथा भारतीय जीवन बीमा विनियम के पॉलिसी द्वारा बीमा पॉलिसी को सुदूर धारक द्वारा को सुदूर की अर्थात्। यदि पॉलिसी विनियम उसे सुदूर किया गया हो तब भुगतान संभवता के अतिरिक्त विधि में देय राशि को उनके अर्थात् अतिरिक्त तथा अधिकारी के अतिरिक्त विनियम को देते के लिए अतिरिक्त तथा सेवा में देया कर दिया जाएगा। अतिरिक्त अतिरिक्त पॉलिसी के अंतर्गत में उल्लेख है संभवता के अर्थात् अतिरिक्त तथा अधिकारी को सुदूर करने हुए तथा पॉलिसी को भारतीय जीवन बीमा विनियम को भेज दिया जाएगा यदि वे पॉलिसी बीमा बीमा विनियम में शीर्ष संभवता कर के पुनः धारक को सुदूर कर सकें।

(11) अर्थात् विनियमों में किसी बात के न होने पर भी पुरानी संभवता के तहत पॉलिसी को पहले से सुदूर पॉलिसी के अतिरिक्त का भुगतान संभवता के तहत के होगा देया।

अध्याय-VIII-देय अतिरिक्त विधि का विनियम

विनियम-21: संभवता को संभवता को भुगतान

संभवता को सेवा-निर्वाह, सेवा तथा या सुदूर के बाद विधि में उल्लेख अतिरिक्त तथा अतिरिक्त तथा संभवता दे दिया जाएगा। भुगतान तथा को अतिरिक्त के पहले अतिरिक्त सुदूर के अथवा तब उनके तहत के अथवा या किया जाएगा।

पुनः संभवता के विनियम के अतिरिक्त परिष्कारण के अथवा अतिरिक्त होने या अथवा करने के अतिरिक्त देय होने पर उन सुदूर के बाद अतिरिक्त अतिरिक्त देय होगा तथा संभवता में 1 वर्ष के अथवा एक अथवा होगा देया।

विनियम-22: संभवता के अतिरिक्त का भुगतान

जब संभवता की विधि में अतिरिक्त राशि देय हो गई हो विनियम 24 के अनुसार अतिरिक्त तथा अधिकारी अतिरिक्त दे राशि का निराकरण करेगा—

- (i) संभवता को सुदूर कर, या
- (ii) यदि संभवता मर गया हो तो उन अतिरिक्त या उन व्यक्तियों को अतिरिक्त प्रदाय के देया—
- (क) यदि विनियम के तहत नामिका वैध हो, तब वह राशि या अथवा देया, जो अतिरिक्त में कहा गया हो, उन अतिरिक्त को या सेवा अथवा तब तक और भुगतान अतिरिक्त करने के लिए अतिरिक्त राशि को दिया जाएगा

शर्तिका-11

संयोजक के रूप में

संयोजक के रूप में

भाग II, शर्तिका 11 (क) देखें।

संयोजक के रूप में संयोजक के रूप में

नाम
पदनाम
संबंधित विभाग/संस्था/संस्थान

यदि संयोजक को अपने को नियमित रूप से संयोजक के रूप में कार्य करने के लिए संयोजक के नियमों के तहत कार्य करने के लिए आवश्यक है तो उसे संयोजक के नियमों के तहत कार्य करने के लिए आवश्यक है।

संयोजक के रूप में कार्य करने के लिए आवश्यक है कि संयोजक को अपने को नियमित रूप से संयोजक के रूप में कार्य करने के लिए संयोजक के नियमों के तहत कार्य करने के लिए आवश्यक है।

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संयोजक के रूप में कार्य करने के लिए आवश्यक है कि संयोजक को अपने को नियमित रूप से संयोजक के रूप में कार्य करने के लिए संयोजक के नियमों के तहत कार्य करने के लिए आवश्यक है।

पंजीकृत कर निष्काह करने वाले नौविकी सुदुईको का प्रयत्न

(निर्दिष्ट ग. ३३ देखें)

नौविकी सं.

कलकत्ता पोर्ट ट्रस्ट के संवत्सारी नौविकी विधि के विनियम ३३ (i) के अन्तर्गत ... १९८३ का संवत्सारी जीवन ...

दिनांक, पर ... के दिन ... 19...

पत्रांक: ... (दस्तावर) ... संवत्सारी नौविकी विधि केबाबत.

MINISTRY OF SURFACE TRANSPORT

(Ports Wing)

NOTIFICATION

New Delhi, the 1th June 1988

G.S.R. 667(E).—In exercise of the powers conferred by sub-section (i) of section 124, read with sub-section (i) of Section 132 of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby approves the Calcutta Port Trust Non-Contributory Provident Fund Regulations, 1988 made by the Board of Trustees for the Port of Calcutta and set out in the Schedule annexed to this notification.

2. The said regulations shall come into force on the date of publication of this notification in the Official Gazette.

YOGENDRA NARAIN, Jr. Secy (F. No. PR-12016/13/86-PEJ)

SCHEDULE

CALCUTTA PORT TRUST

Non-Contributory Provident Fund Regulations

CHAPTER-I—PRELIMINARY

Preliminary

In exercise of the powers conferred by Clause (b) of Section 28 read with Section 124 of the Major Port Trusts Act, 1963 (Act 38 of 1963) and in supersession of all previous Rules, Regulations, Bye-laws

framed in this respect except things done or omitted to be done under the said rules, regulations or bye-laws before such supersession, the Board of Trustees of the Port of Calcutta hereby makes the following regulations, namely :—

Regulation—1 : Short Title and Commencement.

- (i) These Regulations may be called the Calcutta Port Trust Non-contributory Provident Fund Regulations, 1988. (ii) These Regulations shall come into force on the date of their publication in the Official Gazette.

Regulation—2 : Extent of Application

These Regulations shall apply to all the employees of the Board of Trustees for the Port of Calcutta (including Haldia Dock Complex) who are members of Non-contributory Provident Fund or who may be admitted to membership of the Fund under the provisions of these Regulations.

Regulation—3 : Definitions

In these Regulations, unless the context otherwise requires :—

- (a) 'TRUSTEES' shall mean a Board of three Trustees consisting of the Chairman, Deputy Chairman and Financial Adviser and Chief Accounts Officer of the Calcutta Port Trust, ex-officio, who shall be responsible to the Calcutta Port Trust for the conduct of the Fund in accordance with the Regulations hereinafter laid down. (b) 'Chairman' shall mean the Chairman for the time being of the Calcutta Port Trust.

(c) 'Deputy Chairman' shall mean the Deputy Chairman for the time being of the Calcutta Port Trust.

(d) 'Financial Adviser & Chief Accounts Officer' shall mean the Financial Adviser & Chief Accounts Officer for the time being of the Calcutta Port Trust.

(e) 'Senior Accounts Officer' shall mean the Officer to whom the duty to maintain the Provident Fund Account of the subscribers has been assigned subject to the control of the Trustee of the Fund.

(f) 'Pay' shall mean the amount as defined in Rule 9(21)(a) of the Fundamental Rules drawn monthly by an employee and includes Dearness allowance, Incentive payment and any other allowance if such an allowance or allowances are allowed to be counted as pay for the purpose of Provident Fund subscriptions by the Board of Trustees for the Port of Calcutta.

(g) 'Dependent' shall mean any of the following relatives of the subscriber, namely, the wife parent, child, minor brother, unmarried sister and deceased son's widow and child and where no parent of the subscriber is alive, a paternal grand-parent.

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall thenceforth be deemed to be no longer a dependant in matters to which these Regulations relate unless the subscriber intimates to the Financial Adviser and Chief Accounts Officer in writing that she shall continue to be so regarded and in the case of a female subscriber, if she by a notice in writing to the Financial Adviser & Chief Accounts Officer expresses her desire to exclude her husband from the list of dependants her husband shall thenceforth be deemed to be no longer a dependant of the subscriber in matters to which these regulations relate unless the subscriber subsequently cancels such notice in writing.

(h) 'Family' shall mean :—

(i) In the case of a male subscriber, the wife or wives and children or step children of a subscriber.

(ii) In the case of a female subscriber the husband and children of a member.

(iii) Parents, unmarried sisters and minor brothers wholly dependent on the subscriber.

(i) 'Leave' shall mean any variety of leave recognised by the Calcutta Port Trust's Employees (Leave) Regulations 1985.

(j) 'Fund' shall mean the Calcutta Port Trust Non-Contributory Provident Fund.

(k) 'Year' shall mean calendar year.

CHAPTER—II—Management, Accounts and Investments

Regulation—4 : Control and Management

The Fund shall be controlled on behalf of its members by a Board of three Trustees consisting of the Chairman, The Deputy Chairman and the Financial Adviser & Chief Accounts Officer of the Calcutta Port Trust, ex-officio, who shall be responsible to the Calcutta Port Trust for the conduct of the Fund in accordance with the regulations hereinafter laid down.

The Fund shall be managed by the Senior Accounts Officer who shall conduct its affairs subject to the control of the Trustees of the Fund.

Regulation—5 : Operation of the Fund

The Accounts of the fund shall be kept entirely separate from those of the Calcutta Port Trust. All receipts of the Fund shall be paid into a separate account at the State Bank of India. This separate account shall be operated over the joint signatures of the Chairman or the Deputy Chairman and the Financial Adviser & Chief Accounts Officer. The expenses of management shall be borne by Calcutta Port Trust.

Regulation—6 : Investment

All moneys not immediately required for the purpose of the Fund shall, from time to time be invested by the Trustees of the fund in the Promissory Notes, Debentures, Stock or other securities of the Central Government or any State Government or the Debentures or other securities for money issued, under the authority of any Act of Legislature established in India, by or on behalf of any municipal body, Port Trust or City Improvement Trust in any Presidency town or in debenture bonds or other securities, both the principal thereof and the interest whereon shall have been fully and unconditionally guaranteed by either the Central or State Governments or in fixed deposits with the State Bank of India and its subsidiaries and or with other nationalised bank and the restrictions contained in Section 20A of the Indian Trusts Act, 1982 (II of 1982) shall not apply to any such investments. The securities purchased and the fixed deposits made by the Trustees of the Fund shall be held in the name of the Trustees of the Fund and such securities may be sold or the fixed deposits may be realised from time to time under the joint signatures of the Chairman or Deputy Chairman and the Financial Adviser and Chief Accounts Officer in order to raise such sum as may be required for the purpose of the Fund.

Regulation—7 : Annual Audit and Accounts

The Accounts of the Fund in which the value of all securities held shall be assessed at the market values ruling on the 31st December of each year, shall be closed as at 31st December in each year and audited annually by the Comptroller and Auditor General of India or such person as may be appointed by him in this behalf.

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Regulation—8 : Annual Report

An annual report accompanied by the Certified accounts for the year shall be made by the Senior Accounts Officer as soon after the year's working as possible and shall be submitted to the Board of Trustees of the Calcutta Port and each subscriber shall be furnished as soon as possible with an annual statement of his/her account.

Regulation—9 : Calcutta Port Trust's liability to the Fund

The Calcutta Port Trust will accept liability for any deficiencies found in the Fund at the time of the yearly audit whether from depreciation of securities or other cause or causes and will pay the amount of the deficiency or any portion of that amount on, and in accordance with the demand of the Trustees of the Fund if the Trustees of the Fund consider the payment of a part or the whole amount is advisable either to meet claims payable under the regulations of the Fund or for the security of the subscribers.

CHAPTER—III**MEMBERSHIP & NOMINATIONS****Regulation—10(a) : Membership—Conditions Member-Ship.**

Membership shall be compulsory for :—

- (i) Any permanent employee (other than those recruited as piece-rated 'A' category workers and employees of Calcutta Dock Labour Board as referred to in Clause (C) of Regulation 12 of Calcutta Port Trust Contributory Provident Fund Regulation) who joined the Calcutta Port Trust's service on or after 1st June 1982.
- (ii) All temporary employees who joined the Calcutta Port Trust's service on or after 1st June, 1962 (other than piece-rated 'A' Category workers, employees of Calcutta Dock Labour Board as referred to in Clause (C) of Regulation 12 of Calcutta Port Trust Contributory Provident Fund Regulation and re-employed retired employees) after a continuous service of one year.
- (iii) 'A' Category workers who joined the Calcutta Port Trust's service on or after 1st July, 1966.

—10(b) :

- (i) All permanent employees (other than piece-rated 'A' Category workers) in service on 31st May, 1962, if they opt for Pension scheme, shall join the Fund. All temporary employees in service on 31st May, 1962, if they opt for pension shall join the Fund after a continuous service of one year.
- (ii) 'A' Category workers in service on 1st July, 1966 if they opt for pension scheme shall join the Fund.

Regulation—11(A) : Nomination—Conditions

Conditions of nomination.

Every subscriber shall be permitted to nominate a dependant or dependants and if he/she has no dependant or dependants within the meaning of Regulation 3(g) above, any person to receive the whole or any portion of the total amount standing to his/her credit in the Fund if he/she dies while in service or if he/she dies after retirement but before payment is made.

Provided that the nomination already made by the subscriber in the Calcutta Port Trust's Contributory Provident Fund to which he/she was subscribing before joining the Fund shall, if the amount to his/her credit in such Fund has been transferred to his/her credit in the Fund be deemed to be nomination duly made under this regulation until he/she makes a fresh nomination in accordance with this Regulation.

Provided further that the nomination made by a subscriber of any person other than a dependant shall be treated as null and void if the subscriber acquires any dependent subsequently by marriage and even if he/she does not cancel the aforesaid nomination in accordance with Regulation 11(c).

11(b) :

All nominations must be in writing in Form I, annexed hereto as Appendix I, duly signed by the subscriber and attested by two witnesses and must be sent to and registered in the office of the Senior Accounts Officer where they shall be retained for record. The nominee so registered shall be and remain, until he/she dies or until the subscriber's nomination has been revoked in the manner hereinafter mentioned fully entitled to receive and give discharge for such amount as the subscriber has nominated him to receive. If a nominee dies before the subscriber, the nomination, so far as it relates to such nominee, shall be treated as null and void.

11(c) :

A nomination in writing and registered as aforesaid can only be revoked when a complete cancellation in Form II annexed hereto as Appendix II, has been made by the hand of the subscriber and attested by two witnesses duly registered in the office of the Senior Accounts Officer. The subscriber may at the same time, make a fresh nomination or nominations in accordance with the procedure stated in sub-regulation (b) above.

11(d) :

Payment made to a nominee registered as aforesaid shall be a full discharge to the Trustees of the Fund provided that before the death of a subscriber the existing nomination has not been cancelled and a fresh nomination received by the Senior Accounts Officer for registration.

11(e) :

Marriage or re-marriage of a subscriber who is not a Hindu, Mohammedan, Buddhist or other person exempted from the operation of the Indian Succession Act any nomination already submitted by him/her.—

11(c)

Every nomination made and every notice of cancellation given by a subscriber shall, to the extent it is valid, take effect on the date on which it is received by the said Senior Accounts Officer.

CHAPTER—IV

SUBSCRIPTIONS & INTEREST

Regulation—12(a) : Compulsory Subscription

A subscriber shall subscribe to the Fund in accordance to these Regulations, except during the period when he/she is under suspension or the period of re-employment after final retirement from the Calcutta Port Trust's service.

Provided that a person re-employed during leave preparatory to retirement shall continue to subscribe to the Fund for the period upto which he/she would have remained on leave preparatory to retirement but for re-employment.

12(b) :

The amount of subscription shall be fixed by the subscriber himself/herself subject to the following conditions namely :

- (i) It shall be expressed in whole rupees.
- (ii) It may be any sum, so expressed, not less than 8 1/3 per cent of his/her pay but not more than his/her full pay.
- (iii) The amount of subscription, subject to the above conditions, may be enhanced or reduced once at any time during the course of a year on giving one month's notice to the Senior Accounts Officer.

Regulation—13(a) : Subscription during leave, deputation or suspension.

The subscription of any subscriber when he/she is absent either on leave of any kind except post-superannuation or refused leave or on deputation shall be assessed on his/her full/average pay as the case may be. A subscriber may, however, at his/her option not subscribe during any period of leave, other than leave on average pay or earned leave of less than one month's or 30 days duration as the case may be.

Provided that when a subscriber is transferred to foreign service or sent on deputation he/she shall remain subject to the regulations of the Fund in the same manner as if he/she were not so transferred or sent on deputation.

Provided further that the subscriber must intimate his/her election not to subscribe during leave at the time of submitting leave application. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe.

13(b) :

A subscriber shall not subscribe to the Fund during a period of suspension.

Provided that a subscriber on re-instatement after a period passed under suspension shall be allowed the option of paying in one sum, or in instalments, any sum not exceeding the maximum amount of arrears of subscription permissible for that period.

Note : A subscriber need not subscribe during a period treated as 'dies-non'.

Regulation—14 : Interest

The Calcutta Port Trust shall credit interest to a subscriber's account as at 31st December, each year, at such rate as the Calcutta Port Trust may from time to time decide by a resolution in meeting calculated on the monthly balances at the credit of each subscriber compounded yearly.

CHAPTER—V—ADVANCES & WITHDRAWALS
Regulation—15 : Advances to Subscribers

The Senior Accounts Officer may, with the approval of the Financial Adviser & Chief Accounts Officer, grant advances to subscribers out of the Fund for any of the following purposes :—

On Higher Educational ground

(i) Upto a maximum of Rs. 10,000 but not exceeding 1/3rd of the sum at credit represented by the subscriber's subscriptions or six months' pay whichever is less to pay for the passage or himself/herself or any member of his/her family or to meet the cost of higher education including where necessary the travelling expenses of the subscriber or any member of his/her family in the following cases, namely—

- (a) for education outside India, for an academic, technical, professional or vocational course beyond the high school stage;
- (b) for any medical, engineering or other technical or specialised course in India beyond the high school stage provided that the course of study is for not less than 3 years.

(ii) Upto a maximum of Rs. 5,000 but not exceeding 1/3rd of the sum at credit represented by the subscriber's subscriptions or 3 months' pay whichever is less—

- (a) to pay for the expenses of himself/herself or any member of his/her family proceeding to Hillside station in India or on a travel abroad on medical certificate;
- (b) to pay expenses incurred in connection with duly certified illness of himself/herself or any member of his/her family;
- (c) to pay obligatory expenses which pay customary usage the subscriber has to incur in connection with funerals and other ceremonies.

(iii) Upto a maximum of Rs. 15,000 but not exceeding 1/2 the sum at credit represented by the subscriber's subscriptions or six months' pay whichever is less to pay the expenses in connection with the

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marriage of the subscriber or daughter or son or dependent sister on condition that if for any reason the marriage does not take place within a month from the date of advance, the amount so advanced shall be refunded in full.

(iv) When an advance has already been granted to a subscriber under this regulation, a subsequent advance may be granted to him/her under this Regulation even though the previous advance may not have been repaid in full, provided, however, that the unpaid balance of the previous advance shall be deducted from the advance subsequently granted.

Regulation—16 : Recovery of Advances

An advance made under Regulation 15(i) or 15(ii) hereof shall be recovered by not more than 30 equal monthly instalments and an advance made under Regulation 15(iii) hereof shall be recovered by not more than 48 equal monthly instalments by deduction from the salary of the subscriber to whom it is made. The amount of each instalment shall, however, be not less than the subscriber's monthly subscription. The deduction will begin not later than the first complete month throughout which the subscriber is on duty after the advance has been made.

Recovery of advance granted to a subscriber under Regulations 15(i), (ii), or (iii) shall not be made, except with the subscriber's written consent while he/she is in receipt of subsistence allowance.

Regulation—17 : Wrongful use of Advance

Notwithstanding anything contained in these Regulations, if the sanctioning authority has reason to doubt that money drawn as an advance from the Fund under Regulation 15 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, he shall communicate to the subscriber the reasons for his doubt and require him/her to explain in writing and within 15 days of receipt of such communication whether the advance has been utilised for the purpose for which sanction was given to the drawal of the money. If the sanctioning authority is not satisfied with the explanation furnished by the subscriber within the said period of 15 days, the sanctioning authority shall direct the subscriber to repay the amount in question to the Fund forthwith or, in default, order that the amount be recovered by the deduction in one sum from the emoluments of the subscriber even if he/she is on leave. If the total amount to be repaid be more than half the subscriber's emoluments, recoveries shall be made in monthly instalments till the entire amount is repaid by him/her.

Note : The term 'emoluments' in the Regulation does not include subsistence allowance.

Regulation—18 : House Building withdrawal—Non-refundable

(A) Subject to the sanction of the Chairman or Deputy Chairman, withdrawals may be granted at any time after the completion of 20 years' service of a subscriber or within 10 years before the date of his/her retirement on superannuation, whichever is

the Fund on the 31st December of the year preceding the date of application for one or more of the following purposes—

(a) Upto a maximum of 90 per cent in lump sum or in instalments to

- (i) meet the actual cost of building or acquiring a suitable dwelling house for his/her own use including the cost of house site or already-built flat for his/her own use, provided he/she does not already own a house;
- (ii) repay an outstanding amount on account of loan expressly taken for building or acquiring a suitable house including the cost of house site or a ready-built flat for his/her own use;
- (iii) meet expenses for reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber;
- (iv) meet expenses for renovating, additions or alterations or upkeepment of an ancestral house at a place other than the place of duty.

(B) Upto a maximum of 6 months' pay or 50 per cent of such credit whichever is less to—

- (i) Purchase a house site for building a house thereon for his/her residence;
- (ii) Repay any outstanding amount on account of loans expressly taken for the purpose stated in (i) above;
- (iii) Construct a house on a site purchased under item (i) above.

(B) The purchase of a house site should be completed within 3 months from the date of withdrawal. Construction of the house should be commenced within 6 months from the date of withdrawal and should be completed within a period of 1 (one) year from the date of commencement of construction. If, however, the house is to be purchased or redeemed or a private loan previously raised for the purpose has to be repaid, this should be done within three months from the date of withdrawal. The Chairman or Deputy Chairman may for sufficient reasons grant such extension of time for commencement or completion of construction of a house or for the purchase or redemption of a house or for repayment of a private loan previously raised for the purpose as they think fit and proper.

If as mentioned above the amount withdrawn is not so utilised within the prescribed period or it exceeds the actual expenditure or repayment as aforesaid, the whole amount or any excess, as the case may be shall be refunded to the Senior Accounts Officer, forthwith in one lump sum together with interest thereon at the rate provided in Regulation 14. The actual expenditure incurred in connection with the stamp, registration etc. of the deeds of conveyance, reconveyance etc. relating to the transactions may be reckoned as part of the cost of house site and/or house. The subscriber shall submit an annual declaration in the form prescribed for the purpose on or before the 31st December in each year and satisfy the Chairman or the Deputy Chairman, if called

deeds etc. that the house site or house remains in his/her sole ownership and that while he/she is still in service he/she has not parted with and undertaken not to part with the possession thereof by way of transfer, sale, mortgage, gift, exchange, lease or otherwise howsoever without the previous permission of the Chairman or the Deputy Chairman in writing. If the house or house-site is sold or encumbered at any time before retirement without such permission, or if a breach of any of the provisions of this regulation is committed, then the amount withdrawn shall be repayable by him/her forthwith in one instalment together with interest thereon at the above mentioned rate from the month of such withdrawal. In default, such subscriber will be liable for disciplinary action. (The detailed procedure for withdrawal under this Regulation is annexed as Appendix-I of Non-Contributory Provident Fund).

Regulation—19 : Non-refundable Marriage Withdrawal.

Subject to the sanction of the Chairman or Deputy Chairman, withdrawals, without obligation of repayment, may be granted at any time after the completion of 20 years of service of a subscriber or within 10 years before the date of his/her retirement on superannuation, whichever is earlier, from the amount standing to his/her credit in the Fund ordinarily upto 6 months' pay or of the accumulation whichever is less to meet the expenses in connection with the betrothal, marriage of his/her daughter/s or the sons or the dependent sister/s.

The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit upto 3/4ths of the balance at his/her credit in the Fund having due regard to—

- (i) the status of the subscriber
and
- (ii) the amount to his/her credit in the Fund. The subscriber must submit declaration vide annexed Appendix III and IIIA duly completed.

CHAPTER—VI—OPTION & TRANSFER OF FUND

Regulation—20 : Subscriber's Account

Separate accounts shall be kept for each subscriber showing the monthly subscriptions of the subscriber and the interest thereon.

Regulation—21 : Transfer of Accounts—Option for Pension Scheme

If an employee, who is a subscriber of the Calcutta Port Trust Contributory Provident Fund is allowed to opt for the pension scheme, the amount of his/her own subscriptions with interest thereon standing to his/her credit in such Contributory Provident Fund shall be transferred to his/her credit in this Fund.

Regulation—22 : Transfer from other service

An employee who has joined the Calcutta Port Trust's service from any Government, Railway, Port Trust or Quasi-Government body wherein he/she was

a subscriber to the Provident Fund, without break of service, if he/she so desires, can have the amount standing to his/her credit, at the date of joining, in the said Provident Fund transferred to this Fund.

CHAPTER—VII

Regulation—23 : Payments for assurance in Life Insurance Corporation of India

Payments for assurance in Life Insurance

The amount of subscriptions with interest thereon standing to the credit of a subscriber in the Fund may be applied, either partially or wholly, for the purpose of payments of premia on a policy of assurance in the Life Insurance Corporation of India, subject to the following conditions :—

- (1) The Policy of Assurance (e.g. Endowment Policy) held by a subscriber with the Life Insurance Corporation of India on his/her own life after the 1st premium or the premium due before assignment, as the case may be, being paid by him/her be accepted by the Senior Accounts Officer on a written undertaking in a printed form made for the purpose if the subscriber desires to assign it to the Trustees.
- (2) On receipt of the policy from the subscriber through the concerned department along with the required documents (viz. Policy Bond, Letters of Authority, form of assignment and the last Premium Receipt, if the premium is paid by the policy holder more than one) and the subscriber's agreeing to comply with the conditions as laid down in the printed form necessary arrangement shall be made to forward the Policy Bond and the Form of Assignment to the Life Insurance Corporation of India for registration of assignment duly noted in the office registers maintained by the Provident Fund Section. The Policy Bond received back from the Life Insurance Corporation of India shall be kept under the safe custody of the office of the Senior Accounts Officer.
- (3) The mode of payment of premium of the policy if paid periodically by the subscriber shall be required to be converted by him/her into annually before the same is assigned to the Trustees. The assigned policy cannot be hypothecated in any manner to the Life Insurance Corporation of India.
- (4) The premia of the policy of Assurance assigned by the subscriber shall be paid by the Senior Accounts Officer on behalf of the subscriber annually by debiting his/her subscription account and the premium so paid shall be recovered from his/her pay in twelve equal monthly instalments and credited to his/her subscriptions account in a specific column provided for the purpose. The department concerned will, however, be advised to deduct the amount from the subscriber's monthly salary bill regularly.

- (5) In the event of the subscriber taking leave without pay, the premium payable to the Life Insurance Corporation of India shall be paid from the balance standing at credit of the subscriber's account and the premium so paid shall be recovered from his/her pay on his/her resumption of duties. If the credit balance in the Fund is less than that of premia payable to the Life Insurance Corporation of India, the payment of premia will be suspended under intimation to the Life Insurance Corporation of India.
- (6) In the event of a policy maturing while the subscriber is still in service, the maturity value realised from the Life Insurance Corporation of India shall be credited to the subscriber's account and be refunded to him/her. If a policy under the old scheme payment of premia of which was to be financed out of the subscriber's account is subsequently converted into salary deduction scheme matures, the maturity value realised from the Life Insurance Corporation of India shall be refunded to the subscriber after deducting the premia paid from his/her subscription account.
- (7) If a subscriber desires to withdraw his/her policy of assurance from the custody of the Trustees before his/her retirement, the Senior Accounts Officer may allow him/her to do so and the Policy Bond may be made over to him/her duly re-assigned with proper intimation to the Life Insurance Corporation of India. He/she must reply the balance amount of that premium, if any, to the Fund.
- (8) If a subscriber rejects before the Policy as matured the Policy of assurance shall forthwith be re-assigned and made over to him/her.
- (9) If it appears at the time of the policy of assurance being matured that the same has not been duly assigned in favour of the Trustees or the registration of assignment was not duly complied with by the Life Insurance Corporation of India, the Senior Accounts Officer will not take the responsibility of realising the maturity value from the Life Insurance Corporation of India and the subscriber will immediately be informed to receive back the policy Bond from the custody of the Trustees.
- (10) If a subscriber dies while in service, the amount of premium payable under any policy which has been assigned by him/her to the Trustees will be stopped forthwith under intimation to the Life Insurance Corporation of India. The death claim proceeds of Insurance Policies shall be realised from the Life Insurance Corporation of India by the Trustees in case of the policies duly assigned and shall be credited to the unclaimed balance account for disposal of

the same to the legal heir/heirs of the Provident fund dues of the deceased subscriber. But in case of non-assigned policies, the policy Bonds will, however, be sent to the Life Insurance Corporation of India with due intimation to the legal heir/heirs of the deceased subscriber to contact the Life Insurance Corporation of India so as to enable him/her to realise the death claim proceeds direct from the Life Insurance Corporation of India.

- (11) Notwithstanding anything contained in the above Sub-regulations, the policies already assigned to the Trustees under the old scheme, payment of premia of which was to be financed out of the subscriber's account shall continue.

CHAPTER VIII—Settlement of Provident fund Dues.

Regulation—24 : Payment to subscribers on Leaving Service :

A subscriber's accumulation in the Fund including interest shall be paid as soon as possible after his/her retirement, quitting service or death. Interest shall be credited to his/her account upto the end of the calendar month prior to the date of tender of payment.

Provided that in case of delays caused by the circumstances beyond the control of the subscriber or administrative delays in making the settlement, interest shall continue to be credited to his/her account upto the end of 1 (one) year after the month in which such amount become payable.

Regulation—25 : Payment of Subscribers Dues :

When a subscriber's accumulation in the Fund has become payable in accordance with Regulation 24 Senior Accounts Officer shall dispose of the amount as follows :—

Payment of subscriber's dues.

- (1) Pay to the subscriber OR
- (2) Pay, if the subscriber is dead, to the person or persons entitled to receive payment in the following manner :—
 - (a) If a valid nomination under Regulation 11 subsists, the amount or the part thereof to which the nomination relates shall be paid to the nominee or to persons as may be authorised by law to receive payment on his/her behalf.
 - (b) If no valid nomination subsists or if the nomination relates only to a part of the amount, provided the whole amount or the part thereof to which the nomination does not relate, does not exceed Rs. 5,000 and provided notice of the existence of a will disposing of such amount and intention to prove the same be not given to the Senior Accounts

Officer, within one month of the death of the member or if such notice be given but such will is not probated within six months from the death of the member, such amount shall be paid in terms of Section 4(1)(b) of the Provident Funds Act, 1925 (XIX of 1925) to any person appearing to the Chairman or the Deputy Chairman to be entitled to receive it.

- (c) If the amount is not payable to any person under Clause (i) or (ii) above, it shall be paid to a person producing Probate or letters of Administration proving the grant to him of Administration to the estate of the deceased subscriber or a Certificate granted under Indian Succession Act 1925 (XXXIX of 1925), in terms of Section 4(1)(c)(ii) of the Provident Funds Act, 1925.

Regulation 26 : Payment to Minors

Payments on behalf of minor children shall be made to their guardian appointed under the Guardians and Ward Act, 1890 (VIII of 1890) or to other person authorised by law. Provided that payment on behalf of Hindu minors may be made to the mother and on behalf of Mohammedan minors to the Paternal grandfather without production of guardianship certificate.

Regulation 27 : Payment to Lunatics

If a subscriber's person to whom under these Regulations a payment has to be made or a policy to be reassigned, is a lunatic, payment or reassignment shall be made to the Manager appointed under the Indian Lunacy Act, 1912 (IV of 1912) or to other person authorised by Law.

Regulation 28 : Immunity From Attachment.

Subject to the provisions of Section 3 of the Provident Fund Act, 1925 (XIX of 1925), neither a subscriber nor any person on his/her behalf or in respect of his/her interest in the Fund shall, save as expressly provided by these Regulations, be entitled to claim or demand payment of any money standing in the name of the subscriber in the books of the Fund.

Regulation 29 : Payment on Leave Preparatory to Retirement and Post-superannuation Leave.

Leave Preparatory to Retirement and Post Superannuation Leave

In case of leave granted preparatory to retirement, a subscriber may be permitted, at the discretion of the Chairman or the Deputy Chairman, to withdraw upto 90 per cent of the audited balance standing to his/her credit in the Fund or part thereof as on 31st December of the year immediately preceding the year in which the subscriber proceeded on leave preparatory to retirement on submission of an application to the Senior Accounts Officer, such permission being subject to the condition that if in any exceptional case the subscriber does not eventually retire,

the full amount shall be refunded as a condition of continued employment. A payment made under this Regulation will not affect the subscriber's eligibility to continue subscription during such leave and to interest on the balance.

In case the subscriber has been granted post-superannuation leave he/she may be permitted, at the discretion of the Chairman or the Deputy Chairman, to withdraw upto 60 per cent of the balance standing to his/her credit in the Fund or part thereof as on 31st December of the year immediately preceding the year in which the subscriber has been granted post-superannuation leave, on submission of an application to the Senior Accounts Officer. If, however, the subscriber is occupying Calcutta Port Trust's quarters, such withdrawal shall be restricted to fifty per cent of the aforementioned credit.

CHAPTER IX—MISCELLANEOUS

Regulation 30 : Interpretation of Regulations

Interpretation of Rules

The decision of the Chairman, Calcutta Port Trust on all questions arising out of these regulations shall be final.

Regulation 31 :

Repeal and saving

(1) On the commencement of these regulations, Calcutta Port Trust Non-contributory Provident Fund Rules or order in force immediately before such commencement shall in so far as it provides for any of the matters contained in these Regulations, cease to operate.

(2) Any case which pertains to the settlement of Provident Fund dues of a subscriber who had retired before the commencement of these Regulations shall be disposed of in accordance with the provisions of the old rule as if these rules had not been made.

(3) Subject to the provision of Sub-regulation (2), anything done or any action taken under the old rule shall be deemed to have been done or taken under the corresponding provisions of these Regulations.

APPENDIX I

OF

CALCUTTA PORT TRUST

NON-CONTRIBUTORY PROVIDENT FUND

REGULATIONS

(VIDE REGULATION 18)

Procedure to be followed in connection with the withdrawal of P.F. money for House Building purpose

Withdrawal may be for the following purposes :

- I. Purchase of land including cost of building of a house thereon.
- II. Acquiring of a suitable ready built house or a flat.

III. Repayment of a loan taken for acquiring a house or flat.

IV. Expenditure for reconstructing or making additions or alterations of subscriber's own house or flat or his/her ancestral house.

Before sanctioning the withdrawals under the above items, the Calcutta Port Trust should insist upon the subscriber signing and affirming before the Presidency Magistrate, Calcutta the enclosed declaration and fulfilling the following obligations.

(A) Re: Item I

- (a) He/she should satisfy the Calcutta Port Trust that the amount is actually required for purchasing the property and that he/she possesses or intends to acquire forthwith the right to build on the site on which the house is proposed to be built.
- (b) He/she should satisfy the Calcutta Port Trust that the amount withdrawn together with such other private savings as the subscriber may have will be sufficient to complete the property of the type proposed.
- (c) He/she should satisfy the Calcutta Port Trust by production of original title deeds or otherwise as may be directed by the Calcutta Port Trust that he/she will acquire marketable unencumbered and undisputed

title to the property proposed to be purchased.

(d) He/she should produce for the Calcutta Port Trust's inspection the agreement of sale (Baynapatra) within a week from the grant of the loan and the deed of conveyance within a fortnight from completion of purchase (production of conveyance will be possible only after the property has been purchased with the loan sanctioned by the Calcutta Port Trust).

(e) He/she should produce the sanctioned plans of the proposed building and permits from the local authority (where necessary) for purchase of building materials to the extent required at controlled rates.

(f) He/she should bear all costs and expenses whatsoever that Calcutta Port Trust may have to incur or be put to in this connection.

(B) Re: Item II

As in (a), (b), (c), (d) and (f) of A above.

(c) Re: Item III

He/she should satisfy the Calcutta Port Trust by production of documents and papers that there is a genuine subsisting loan expressly taken for the purpose of building or acquiring a house/flat for his/her own use.

CALCUTTA PORT TRUST

NON-CONTRIBUTORY PROVIDENT FUND

NOMINATION FORM [VIDE Regulation 11(b)]

FORM-I

Particulars of previous Nomination.....
Noted in Personal Account.....

NAME..... DESIGNATION..... P.F. A/c NO..... I, hereby declare that in the event of my death the amount standing at my credit in the Non-contributory Provident Fund of the Calcutta Port Trust shall be distributed among my dependants mentioned below in the manner shown against their names.

NAME/S OF THE NOMINEES (IN BLOCK LETTERS)	ADDRESS OF THE NOMINEES	RELATIONSHIP WITH THE SUBSCRIBER.	AGE OF NOMINEE ON DATE OF NOMINATION	AMOUNT OR SHARE OF ACCUMULATION

PLACE.....

DATE.....

SIGNATURE OF THE SUBSCRIBER

(1) NAME:..... ADDRESS..... OCCUPATION..... SIGNATURE.....
(2) NAME:..... ADDRESS..... OCCUPATION..... SIGNATURE.....

Note: A nomination is not valid if the nominee is not "dependant" as defined in Regulation 1(g) namely (a) in the case of a male subscriber or the wife, parent, child, minor, brother unmarried sister and a deceased son's widow and where no parent of the subscriber is alive, a paternal grand parent and in the case of a (2) female subscriber, the husband, child, deceased son's widow and child, her dependent parents and parents of her husband.

FORM II

APPENDIX-III of the Non-Contributory Provident Fund Regulation (vide Regulation-19)

Declaration for obtaining Non-refundable marriage withdrawal.

APPENDIX-II

CALCUTTA PORT TRUST

NON-CONTRIBUTORY PROVIDENT FUND

FORM II (vide Regulation II(C))

FORM OF NOTICE CANCELLING A

NOMINATION

NAME _____

DESIGNATION _____

PROVIDENT FUND A.C No. _____

I hereby cancel the declaration made by me in favour of _____

as regards the disposal, in the event of my death of the amount standing at my credit in the Calcutta Port Trust Non-Contributory Provident Fund.

As witness my hand this _____ day of _____ one thousand nine hundred and _____

Signature _____

Witness { Signature _____
Address _____
Occupation _____

Witness { Signature _____
Address _____
Occupation _____

The Senior Accounts Officer,
Provident Funds.

Forwarded for necessary action.

Signature _____

Date _____

Designation _____

1. Name of daughter or sister (bride) or son (bridegroom) — _____

2. Name of other daughters, sisters and sons yet to be given in marriage — _____

3. Name, father's name and address of the proposed bridegroom — _____

4. Tentative date and place of marriage — _____

5. Whether the above named sister is wholly dependent on him/her — _____

I declare that if for any reason the marriage does not take place within a month from the date of withdrawal, or such other extended period as may be allowed by the sanctioning authority, the amount so advanced shall be refunded by me in full.

I further declare that the above statements of mine are true and in the event of any of the statements being proved as false, I shall be held liable for disciplinary action.

Signature or L.T.I. of the

Applicant P.F. A.C. No. _____

In cases of members who will put L.T.I. or sign in language other than English.

Read over and explained to the applicant.

Signature & Designation

Section _____

Head of Section.

Certificate to be submitted by any one of the following :—

It is certified by me that Shri _____ of address _____

has got a marriage's daughter/sister, named Kumari _____

and the above father and daughter/brother and sister are known to me.

Signature

M.L.A. [Gazetted Officer]
Commissioner of a Municipality
Head Master of a H.S. School
President of Village Panchayat.

Date _____

Office Seal.

APPENDIX-III A of the Non-Contributory Provident
Fund Regulations (Vide Regulation—19)

Declaration to be submitted by the applicant within
one month from the date of marriage.

S.A.O. P.F.

C.P.T.

Through Head of Department

I hereby declare that the marriage ceremony of my
daughter/sister _____ for which I was
allowed a non-refundable withdrawal of Rs. _____
from my P.F. A/c. No. _____ has been solemnized
on _____.

Signature: L.T.I. of
the member

S.A.O., P.F.

Forwarded.

Head of Department

N.B.—Enquiry may be arranged by S.A.O.P.F. at
the address furnished by the member to be
satisfied with the actual occurrence of the
marriage ceremony, if thought necessary.

APPENDIX-IV

FORM OF ASSIGNMENT OF POLICY TO BE
PASTED ON THE POLICY

(Vide Regulation No. 23)

POLICY NO.

I, _____ do hereby under
Regulation 23(i) of the Calcutta Port Trust's Non-
Contributory Provident Fund, assign all my right, title
and interest in the Policy No. _____
under the Life Insurance Corporation of India to
Calcutta Port Trust to enable them to collect at matu-
rity the amount on the said Policy with accrued profits
which is to be held in trust of myself in the Calcutta
Port Trust's Non-Contributory Provident Fund. In
the event of my death prior to retirement, I desire the
amount to be paid to my Nominee in the Non-contri-
butory Provident Fund or in the event of Nominee's
death before payment, to the executors of my Will or
to my legal heirs if I die intestate. In the event of
my leaving service the Policy is to be re-assigned and
made over to me on demand.

Dated, at _____ this _____ day of _____ 19 _____

Witness :

_____ (Signature)

_____ N.C.P.F. A/c. No.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—सब-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 496]

नई दिल्ली, सोमवार, सितम्बर 25, 2000/आश्विन 3, 1922

No. 496]

NEW DELHI, MONDAY, SEPTEMBER 25, 2000/ASVINA 3, 1922

अल-भूतल परिवहन मंत्रालय

(पतन पत्र)

अधिसूचना

नई दिल्ली, 25 सितम्बर, 2000

सा. का. नि. 745(अ).—केन्द्र सरकार, महापत्तन न्याय अधिनियम, 1963 (1963 का 38) की धारा 137 की उपधारा (1) के साथ पठित धारा 124 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पतन न्यायी मंडल द्वारा कलकत्ता पत्र और इस अधिसूचना के साथ संलग्न अनुसूची में कलकत्ता पतन न्याय कर्मचारी (गैर-अंशदायी भविष्य निधि) प्रथम संशोधन विनियम, 2000 का अनुमोदन करती है।

2. उक्त विनियम इस अधिसूचना के सरकारी राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

अनुसूची

कलकत्ता पतन न्याय कर्मचारी (गैर-अंशदायी भविष्य निधि) प्रथम संशोधन विनियम, 2000

महापत्तन न्याय अधिनियम, 1963 की धारा 28 तथा उसी अधिनियम की धारा 124 की धारा 1 के अंतर्गत केन्द्र सरकार की स्वीकृति से कलकत्ता पतन न्यायी मंडल द्वारा कलकत्ता पतन न्याय कर्मचारी (गैर-अंशदायी भविष्य निधि) विनियम 1988 के संशोधन के लिए निम्नलिखित प्रावधान बनाता है।

1. संक्षिप्त नाम

ये विनियम कलकत्ता पतन न्याय कर्मचारी (गैर-अंशदायी भविष्य निधि) प्रथम संशोधन विनियम, 2000 के नाम से जाना जा सकेंगा। यह भारत के राजपत्र में प्रकाशन की तिथि से प्रभावी होगा।

2. कलकत्ता पतन न्याय कर्मचारी (गैर-अंशदायी भविष्य निधि विनियम), 1988 के अंतर्गत :—

(क) विनियम 15 का निर्धारण निम्न प्रकार से होगा :—

विनियम 15 : अंशदायियों को अग्रिम

- (घ) टीलो, सीसीआर/सीसीपी, क्राइम मशीन, कुचिंग रेज, गेसार्ड, कम्प्यूटर जस्टि जैसे बस्तुओं पर होने वाले छूटों के लिए।
- (ख) अंशदाता के सेवा के दौरान उसके निधि में जमा राशि निम्नलिखित प्रयोजनों में से एक या अधिक के लिए तथा :—
- (क) मकान या उसके आवास के लिए उपयुक्त गृह या बना बनाया फ्लैट जिसमें गृह स्वतन्त्र की लागत शामिल है या स्टेट हाऊसिंग बोर्ड या हाउस बिल्डिंग सोसाइटी द्वारा निर्गत फ्लैट या भूखंड के मद में पुनर्गठन।
- (ख) स्वरूप से अपने निवास के लिए भवन निर्माण या उपयुक्त मकान का अर्जन या बना बनाया फ्लैट के लिए लिए गये ऋण की चुकौती,
- (ग) अपने निवास के लिए मकान बनाने के लिए गृह को खरीदने या इसी प्रयोजन हेतु लिए गये ऋण के कारण किसी प्रकार की मुकौती,
- (घ) अंशदाता या मकान या फ्लैट को मरम्मत में ले या अर्जित हो, के पुनर्निर्माण या भवन या परिवर्तन।
- (ङ) वैयक्तिक भवन की मरम्मत, दोग या परिवर्तन या रखरखाव या ऐसा मकान को सहायता या ऋण से राहत प्राप्त हो,
- (च) खण्ड (ग) के अंतर्गत खरीदी गई जमीन पर भवन निर्माण।
- (ग) अंशदाता को निष्ठाति या परिवर्तन की तिथि से बारह महीने के भीतर उक्त निधि में जमा राशि में, अन्य प्रयोजन से संबद्ध किए बिना,

टिप्पणी 1 : खण्ड (ख) के उपखण्ड (क), (घ), (ङ) या (च) के अंतर्गत निकासी की मंजूरी अंशदाता द्वारा बनाए जाने वाले भवन या भवन में योग या परिवर्तन से संबंधित नक्शा उस क्षेत्र के स्थानीय नगर निकाय, जिसके अंतर्गत वह जमीन या भवन स्थित है, द्वारा विधिवत अनुमोदित हो, और केवल तभी मामले में निधि में नक्शे को आधिकारिक रूप से अनुमोदित किया है, के प्रस्तुत करने के बाद ही,

टिप्पणी 2 : खंड (ख) के उपखंड (ख) के अंतर्गत मंजूरी निकासी राशि आवेदन की तारीख को उपखंड (ख) के अंतर्गत पूर्व निकासी राशि सहित शेष का 3/4 से अधिक न हो, पूर्व निकासी राशि को मरदा दिया जाये। संबंधित भवन के लिए माध्यम सूत्र उस तारीख को जंग घन पूर्व निकासी राशि का 3/4 हैं।

टिप्पणी 3 : खंड (ख) के उपखंड (क) या (घ) के अंतर्गत भी निकासी मंजूरी दी जाएगी, जबकि भवन स्थल या भवन माली या पति के नाम हो, बशर्ते कि वह या पत्नी अंशदाता के नामांकन में परिवर्तन निधि को प्राप्ति सूची में प्रथम नामित व्यक्ति हो।

टिप्पणी 4 : इस विनियम के अंतर्गत इस प्रयोजन के लिए केवल एक ही निकासी की अनुमति दी जाएगी। लेकिन विवाद, विभिन्न वर्गों की शिक्षा या समय-समय पर बीमारी या मकान या फ्लैट में विस्तार या परिवर्तन जो कि नये नक्शे द्वारा विधिवत उस क्षेत्र जहाँ मकान या फ्लैट स्थित हैं, के स्थानीय नगर निकाय द्वारा अनुमोदित हो, को समप्रयोजन के रूप में नहीं लिया जाएगा। उसी भवन के पुनः निर्माण के लिए खंड (ख) के उपखंड (क) या (घ) को अंतर्गत द्वितीय या तृतीय निकासी के लिए टिप्पणी-2 के अंतर्गत निर्धारित सीमा तक अनुमति दी जाएगी।

टिप्पणी 5 : इस विनियम के अंतर्गत कोई निकासी मंजूरी नहीं की जाएगी, यदि उसी प्रयोजन और उसी समय के लिए विनियम 15 के अंतर्गत किसी अधिम की मंजूरी हो रही हो।

अप्रतवर्षीय निकासी की शर्तें

- (i) विनियम 18 में निर्धारित प्रयोजन के एक या अधिक के लिए अंशदाता द्वारा किसी एक बार निकासी जाने वाली कोई राशि निधि में उसके तब तक जमा शेष का 75 प्रतिशत से अधिक नहीं होगा, खंड (क) के अंतर्गत निकासियों के मामले में तथा विनियम 18 के खंड (ख) के अंतर्गत निकासी के मामले में निधि में उसके तब तक जमा राशि का 90 प्रतिशत।
- (ii) विनियम 18 ग के अंतर्गत स्वैच्छिक निकासी निधि में अंशदाता के नाम जमा राशि का 90 प्रतिशत से अधिक नहीं होगा।
- (iii) विनियम 18 के अंतर्गत अंशदाता जिस निधि से निकासी की अनुमति प्रदान की गयी है, को खंड (क) के अंतर्गत निकासी के मामले में तीन महीने की अवधि के भीतर तथा खण्ड (ख) के अंतर्गत छः महीने के भीतर मंजूरी अधिकारी को संतुष्ट करना होगा कि जिस प्रयोजन के लिए राशि ली गयी थी, उसका उपयोग उसी प्रयोजन के निमित्त किया गया है, या भवन निर्माण कार्य प्रारंभ कर दिया गया है और वह अगर ऐसा नहीं करता है तो उसे निकासी की सम्पूर्ण राशि या उस संबंध में जितना है, देना कि उसने उस प्रयोजन के लिए आवेदन ही नहीं किया, जिसके लिए निकासी की गयी थी, अंशदाता द्वारा निधि में सुरत एक मूद्रा में लौटाना होगा और उसे चुकाने में चुक जाने पर उसके विरुद्ध आधिकारिक कार्रवाई की जाएगी।

- (iv) विनियम 18 के खंड (ख) के उपखंड (क) या उप खंड (घ) या उपखंड (ग) के अंतर्गत कोई अंशदायी जिसे अपने विधि में रखा या राशि से निकाली थी अनुमति मिली हो, और वह उसी नियमकी वही समय से (जंजूरी अधिकारी की पूर्ण अनुमति के बिना) निर्मित भवन या अड्डिन या भवन-स्थल को खरीद करे है, चाहे दिल्ली के रूप में, गिरवी (कलकत्ता पोर्ट ट्रस्ट प्राधिकारी से प्राप्त), उपहार, या विनियम, या अन्य।
- परन्तु निम्नलिखित के लिए ऐसी अनुमति की आवश्यकता नहीं होगी :
- (i) भवन या भवन-स्थल जो पट्टे पर हो तथा जिसकी अवधि तीन वर्ष से अधिक न हो, या
- (ii) यह हावामिल बोर्ड, राष्ट्रीयकृत बैंक, जीवन बीमा निगम या कोई भी निगम जो केन्द्रीय सरकार का हो या उसके नियंत्रण में हो, जो वर्तमान भवन में भोग या परिवर्तन के लिए अग्रिम, नये भवन के निर्माण के लिए व्यय देते हैं।
- (v) अंशदायी हर वर्ष के 31 दिसंबर तक इस आशय की घोषणा प्रस्तुत करेगा कि भवन या भवन-स्थल जो भी हो उसके कब्जे में है या गिरवी रखा है अन्यथा हस्तांतरित या किन्हीं पर दिया हुआ है, यदि वैसी आवश्यकता पड़ी और तब उस संबंध में निर्धारित शर्तों को या उससे पहले ही जंजूरी अधिकारी के सामने, उस दिवस, दिवसों या पट्टा होकर तथा वह दस्तावेज लिखित आधार पर बड़े सम्पत्ति पर उसका हक प्रस्तुत करेगा।
- (vi) अपनी विधि से पहले किसी भी समय यदि अंशदायी भवन या भवन-स्थल के कब्जे से जंजूरी अधिकारी के पूर्व अनुमति के बिना कला छोटा है तो उसे निधि में तुरंत एक नुस्खा राशि में जिसे वह लिया है लौटाना होगा और धुकीली में चूक करने पर उसके विरुद्ध अनुशासन की कार्रवाई की जायेगी। विनियम 18 (ख) के अंतर्गत निकाली के लिए अंशदायी अधिष्ठा विधि विनियम का प्रांत परिवर्तित 1 पर संलग्न है (अनुसूचित)।
- (vii) विनियम 17 हटा दिया जायेगा।

[सं. सं. पी.आर.-12016/5/98-सी ई-1]

के.पी. राय, संयुक्त सचिव

नोट :—दी कलकत्ता पोर्ट ट्रस्ट कर्मचारी (अंशदायी अधिष्ठा विधि) विनियम 1988 केन्द्रीय सरकार द्वारा मंजूर किया गया है — देखिए सा.का.नि. सं. 667 (अ) दिनांक 1 जून, 1988 तथा भारत के राजपत्र (असाधारण) में दिनांक 1 जून, 1988 को प्रकाशित।

MINISTRY OF SURFACE TRANSPORT

(Ports Wing)

NOTIFICATION

New Delhi, the 25th September, 2000

G.S.R. 745(E).—In exercise of the powers conferred by Sub-section (i) of Section 124, read with Sub-section (j) of Section 132 of the Major Ports Act, 1963 (38 of 1963), the Central Government hereby approves the Calcutta Port Trust Employees (Non-Contributory Provident Fund) 1st Amendment Regulation, 2000 made by the Board of Trustees for the Port of Calcutta and set out in the Schedule annexed to this notification.

1. The said regulations shall come into force on the date of publication of this notification in the Official Gazette.

SCHEDULE

Calcutta Port Trust Employees' (Non-Contributory Provident Fund) 1st Amendment Regulations, 2000

In exercise of the powers conferred by Section 28 of the Major Port Trusts Act, 1963 and with the sanction of Central Government under Section 1 of Section 124 of that Act, the Board of Trustees for the Port of Calcutta hereby makes the following

provisions for amendment of the Calcutta Port Trust Employees' (Non-contributory Provident Fund) Regulations, 1988.

1. Short title:

These regulations maybe called the Calcutta Port Trust Employees' (Non-contributory Provident Fund) 1st Amendment Regulations, 2000. This will come into force from the date of publication in the Official Gazette.

2. In the Calcutta Port Trust Employees' (Non-contributory Provident Fund Regulations), 1988:-

a) Regulation 15 shall be substituted by the following:-

Regulation 15 : Advances to Subscribers.

The Senior Accounts Officer may, with the approval of Financial Adviser & Chief Accounts Officer grant advance to any subscriber a sum of whole rupees and not exceeding in amount three months' pay or half the amount standing to his credit in the Fund, whichever is less, for one or more of the following purposes :-

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

(b) to meet cost of higher education, including, where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him in the following cases, namely :-

(i) for education outside India for academic, technical, professional or vocational course beyond the High School stage and

(ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage, provided that the course of study is for not less than three years;

- (c) to pay obligatory expenses on a scale appropriate to the subscriber's status which by customary usage the subscriber has to incur in connection with betrothal or marriages funerals or other ceremonies;
- (d) to meet the cost of legal proceedings instituted by or against the subscriber, any member of his family or any person actually dependent upon him, the advance in this case being available in addition to any advance admissible for the same purpose from any other Government source.
- (e) to meet the cost of the subscriber's defence where he engages a legal practitioner to defend himself in an enquiry in respect of any alleged official misconduct on his part.
- (f) to purchase consumer durables such as TV, VCR/VCP, washing machines, cooking range, geysers, computers etc.

Note-1. For the purpose of this regulation pay includes dearness pay where admissible.

Note-2. In the case of a subscriber who applies for a temporary advance while he is under suspension and draws subsistence allowance instead of pay, the 'pay' for the purpose of this regulation shall be that which he drew immediately before he was placed under suspension.

Note-3. When an advance has already been granted to a subscriber under this regulation, a subsequent advance may be granted to him/her under this Regulation even though the previous advance may not have been repaid in full, provided, however, that the unpaid balance of the previous advance shall be deducted from the advance subsequently granted.

Note-4 The Chairman may, in special circumstances, sanction the payment to any subscriber of an advance if he is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned under Regulation 15.

b) Regulation 18 shall be substituted by the following:-

Regulation 18 :

Non - refundable
withdrawals.

Subject to the sanction of the Chairman or Deputy Chairman withdrawals may be granted to a subscriber at any time -

(A) After the completion of fifteen years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund, for one or more of the following purposes, namely -

- (a) meeting the cost of higher education, including, where necessary the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely -
 - (i) for education outside India for academic, technical, professional or vocational course beyond the High School stage ; and
 - (ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage ;
- (b) meeting the expenditure in connection with the betrothal/marriage of the subscriber or his sons or his daughters, and any other female relation actually dependent on him ;
- (c) meeting the expenses in connection with the illness, including, where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him ;
- (d) meeting the cost of consumer durables such as TV, VCR/VCP, Washing Machines, Cooking Range, Geysers, Computers, etc.

- (B) During the service of a subscriber from the amount standing to his credit in the Fund for one or more of the following purposes, namely -
- (a) building or acquiring a suitable house or ready-built flat for his residence including the cost of the site or any payment towards allotment of a plot or flat by State Housing Board or a House Building Society ;
 - (b) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence ;
 - (c) purchasing a house-site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose ;
 - (d) reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber ;
 - (e) renovating, additions or alterations or upkeep of the ancestral house, or a house built with the assistance or loan ;
 - (f) constructing a house on a site purchased under Clause (C).
- (C) Within twelve months before the date of subscriber's retirement or superannuation from the amount standing to the credit in the fund, without linking to any purpose.

Note-1 Withdrawal under sub-clause (a), (d), (e) or (f) of Clause (B) shall be sanctioned only after a subscriber has submitted a plan of the house to be constructed or of the additions or alterations to be made, duly approved by the local municipal body of the area where the site or house is situated and only in cases where the plan is actually got to be approved.

Note-2 The amount of withdrawal sanctioned under sub-clause (b) of Clause (B) shall not exceed $\frac{3}{4}$ th of the balance on date of application together with the amount of previous withdrawal under sub-clause (b), reduced by the amount of previous withdrawal. The formula to be followed is $\frac{3}{4}$ th of (the balance as on date plus amount

of previous withdrawal(s) for the house in question; minus the amount of the previous withdrawal(s).

Note-3 Withdrawal under sub-clause (a) or (d) of Clause (B) shall also be allowed where the house-site or house is in the name of wife or husband provided she or he is the first nominee to receive Provident Fund money in the nomination made by the subscriber.

Note-4 Only one withdrawal shall be allowed for the same purpose under this regulation. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flat covered by a fresh plan duly approved by the local municipal body of the area where the house or flat is situated shall not be treated as the same purpose. Second or subsequent withdrawal under sub-clause (a) or (f) of Clause (B) for completion of the same house shall be allowed upto the limit laid down under Note-2.

Note-5 A withdrawal under this regulation shall not be sanctioned if an advance under Regulation 15 is being sanctioned for the same purpose and at the same time.

Conditions for Non-refundable withdrawal :

- (I) Any sum withdrawn by a subscriber at any one time for one or more of the purpose specified in Regulation 18 shall not exceed 75% of the balance at his credit in the fund in case of withdrawals under Clause (A) and 90% of the balance at his credit in the fund in case of withdrawals under Clause (B) of Regulation 18.
- (II) The withdrawal admissible under Regulation 18C shall not exceed 90% of the amount standing to the credit of the subscriber in the fund.
- (III) A subscriber who has been permitted to withdraw money from the Fund under Regulation 18 shall satisfy the sanctioning authority within a period of 3 months in case of withdrawals under Clause (A) and 6 months in case of withdrawals under Clause (B) that the money has been utilised for the purpose for which it was withdrawn or the construction of the house has been commenced and if he fails

to do so the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such payment, the subscriber will be liable for disciplinary action.

- (IV) A subscriber who has been permitted under sub-clause (a) or sub-clause (b) or sub-clause (c) of Clause (8) of Regulation 18 to withdraw money from the amount standing to his credit in the Fund, shall not part with the possession of the house built or acquired or house-site purchased with the money so withdrawn, whether by way of sale, mortgage (other than mortgage to the Calcutta Port Trust Authority), gift, exchange or otherwise, without the previous permission of the sanctioning Authority.

Provided that such permission shall not be necessary for -

- (i) the house or house-site being leased for any terms not exceeding three years, or
 - (ii) its being mortgaged in favour of a Housing Board, Nationalised Banks, the Life Insurance Corporation or any other Corporation owned or controlled by the Central Government which advances loans for the construction of a new house or for making additions or alteration to an existing house.
- (v) The subscriber shall submit a declaration not later than 31st day of December of every year as to whether the house or the house-site, as the case may be, continues to be in his possession or has been mortgaged otherwise transferred or let out as aforesaid and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale, mortgage or lease deed and also the documents on which his title to the property is based.

(VI) If, at any time before his retirement, the subscriber parts with the possession of the house or house-site without obtaining the previous permission of the Sanctioning Authority, he shall forthwith repay the sum so withdrawn by him in a lumpsum to the Fund, and in default of such repayment, the subscriber shall be liable for disciplinary action. The detailed procedure for withdrawal under Regulation 18(B) is annexed as Appendix-I (Not printed) of Non-Contributory Provident Fund Regulation.

c) Regulation 19 shall be deleted.

[F No. PR-12016/5/98-PEI]
K. V. RAO, Jr. Secy.

Note:- The Calcutta Port Trust Employees' (Non-contributory Provident Fund) Regulations, 1988 were sanctioned by the Central Government vide G.S.R. No.667(E) dated 1st June, 1988 and published in the Gazette of India (Extraordinary) dated 1st June, 1988.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (I)

PART II—Section 3—Sub-section (I)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 43]

नई दिल्ली, बुधवार, फरवरी 3, 2006/माघ 14, 1927

No. 43]

NEW DELHI, FRIDAY, FEBRUARY 3, 2006/MAGHA 14, 1927

पोस्ट परिवहन, सड़क परिवहन और राजमार्ग मंत्रालय

(पोस्ट परिवहन विभाग)

(पत्तन न्यास)

अधिसूचना

नई दिल्ली, 3 फरवरी, 2006

सा.का.नि. 49(ब).—केन्द्र सरकार, महापत्तन न्यास अधिनियम, 1963 (1963 का 38) की धारा 132 की उप-धारा (1) के साथ संशोधन धारा 124 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कोलकाता पत्तन न्यास के न्यासी मंडल द्वारा बनाए गए और इस अधिसूचना के साथ संलग्न अनुसूची में दर्शित कलकत्ता पत्तन न्यास (गैर-अंशदायी भविष्य निधि) संशोधन विनियम 2006 का अनुमोदन करता है।

2. ये विनियम इस अधिसूचना के राजपत्र में प्रकाशित होने की तारीख से लागू होंगे।

अनुसूची

कलकत्ता पत्तन न्यास (गैर-अंशदायी भविष्य निधि) द्वितीय संशोधन विनियम, 2006

महापत्तन न्यास अधिनियम, 1963 (1963 का अधिनियम 38) की धारा 124 के साथ पढ़ी जाने वाली धारा 28 के खंड (ख) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कोलकाता के पत्तन के मंडल न्यासी कलकत्ता पत्तन न्यास (गैर-अंशदायी भविष्य निधि) विनियम, 1988 के संशोधन के लिए निम्नलिखित विनियम बनाते हैं :—

1. संक्षिप्त शीर्षक.—इन विनियमों को कलकत्ता पत्तन न्यास (गैर-अंशदायी भविष्य निधि) द्वितीय संशोधन विनियम, 2006 कहा जा सकेगा।
2. कलकत्ता पत्तन न्यास (गैर-अंशदायी भविष्य निधि) विनियम, 1988 को अब से कोलकाता पत्तन न्यास (गैर-अंशदायी भविष्य निधि) विनियम, 1988 के नाम से जाना जाएगा।
3. कलकत्ता पत्तन न्यास (गैर-अंशदायी भविष्य निधि) विनियमों में :—

(ए) "कलकत्ता" शब्द जहाँ भी उद्धृत है, को "कोलकाता" के रूप में, पढ़ा जाएगा

(बी) विनियम 3(ए) को निम्नलिखित के द्वारा प्रतिस्थापित किया जाएगा :—

"न्यासीगण का तात्पर्य है: न्यासियों के एक मंडल से है जिसमें कोलकाता पत्तन न्यास के पदेन अध्यक्ष, उपाध्यक्षगण, दो श्रेण न्यासीगण तथा वित्तीय सलाहकार व मुख्य लेखा अधिकारी होंगे जो उन विनियमों के अनुसार निधि के संचालन के लिए कोलकाता पत्तन न्यास को उत्तरदायी होंगे जो इसके बाद नीचे दिए जा रहे हैं :"

- (सी) विनियम 3(सी) से तात्पर्य उपाध्यक्ष (कोलकाता) तथा उपाध्यक्ष (हल्दिया) में है जो कोलकाता पत्तन न्यास के तत्कालीन रहेंगे।
- (डी) एक नया विनियम 3(एच) को इस प्रकार सम्मिलित किया जाएगा :—
 " 'श्रम न्यासोपयोग' से तात्पर्य होगा कोलकाता पत्तन न्यास के तत्कालीन न्यासी मंडल में श्रम यूनियनों के प्रतिनिधिमण"।

(ई) विनियम 3 के उप-विनियम (डी), (ई), (एफ) व (जी) को विनियम 3 के क्रमशः (ई), (एफ), (जी) तथा (एच) के रूप में पुनः अंकित किया जाएगा;

(एफ) विनियम 4 को निम्नलिखित द्वारा प्रतिस्थापित किया जाएगा :—

"निधि का नियंत्रण छः व्यक्तियों के एक मंडल द्वारा उनके सदस्यों के बदले किया जाएगा जिसमें कोलकाता पत्तन न्यास के पदेन अध्यक्ष, कोलकाता व हल्दिया गोदी करिसर के दोनों उपाध्यक्षोपयोग, दो श्रम न्यासोपयोग तथा चिनीय सलाहकार व मुख्य लेखा अधिकारी शामिल होंगे तथा ये विनियमों के अनुसार निधि के संचालन के लिए कोलकाता पत्तन न्यास को उत्तरदायी होंगे जैसा कि इसके बाद निर्णय किया गया है।

निधि का प्रबंधन वरिष्ठ लेखा अधिकारी द्वारा किया जाएगा जो निधि के न्यायियों के नियंत्रणाधीन इसके मामलों से निपटेंगे।"

(जी) विनियम 5 में शब्दों "उपाध्यक्षों में से एक" को तृतीय वाक्य में "उपाध्यक्ष" शब्द के स्थान पर प्रतिस्थापित किया जाएगा।

(एच) विनियम 6 में, शब्दों "उपाध्यक्षों में से एक" को द्वितीय वाक्य में, "उपाध्यक्ष" शब्द के स्थान पर प्रतिस्थापित किया जाएगा।

(आई) विनियम 18 में शब्दों "उपाध्यक्षों, में से एक" को प्रथम वाक्य के "उपाध्यक्ष" शब्द की जगह प्रतिस्थापित किया जाएगा;

(जे) विनियम 25 में शब्दों, "उपाध्यक्षों में से एक" को "उपाध्यक्ष" शब्द की जगह प्रतिस्थापित किया जाएगा।

(के) विनियम 29 में शब्दों, "उपाध्यक्षों में से एक" को प्रथम व द्वितीय दोनों पैरा के प्रथम वाक्य में "उपाध्यक्ष" शब्द की जगह प्रतिस्थापित किया जाएगा।

टिप्पणी :— कोलकाता पत्तन न्यास कर्मचारी (गैर-अंशदायी भविष्य निधि) विनियम, 1988 की तंत्रुरी केन्द्रीय सरकार द्वारा दिनांक 1 जून, 1988 के सं. सा.चा.नि. 669(अ) के तहत दी गई थी तथा 25 सितम्बर, 2000 के सं. सा.चा.नि. 745(अ) के तहत इसका संशोधन किया गया था तथा 25 सितम्बर, 2000 को भारतीय राजपत्र असाधारण में इसका प्रकाशन किया गया था।

[फा. सं. मे आर-12016/22/2005-पीई-1]

ए. के. भट्टा, संयुक्त सचिव

MINISTRY OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS

(Department of Shipping)

(PORTS WING)

NOTIFICATION

New Delhi, the 3rd February, 2006

G.S.R. 49(E).—In exercise of the powers conferred by Sub-section (1) of Section 124, read with Sub-section (1) of Section 132 of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby approves the Calcutta Port Trust (Non-Contributory Provident Fund) Amendment Regulations, 2006 made by the Board of Trustees of Kolkata Port Trust as set out in the Schedule annexed to this Notification.

2. The said Regulations shall come into force from the date of publication of this Notification in the Official Gazette.

SCHEDULE

CALCUTTA PORT TRUST (NON-CONTRIBUTORY PROVIDENT FUND) SECOND AMENDMENT REGULATIONS, 2006

In exercise of the powers conferred by Clause (b) of Section 28 read with Section 124 of the Major Port Trusts Act, 1963 (Act 38 of 1963), the Board of Trustees for the Port of Kolkata hereby makes the following Regulations to amend the Calcutta Port Trust (Non-Contributory Provident Fund) Regulations, 1988:—

1. Short Title.—These Regulations may be called the Calcutta Port Trust (Non-Contributory Provident Fund) Second Amendment Regulations, 2006.

2. The Calcutta Port Trust (Non-Contributory Provident Fund) Regulations, 1988 will henceforth be known as Kolkata Port Trust (Non-Contributory Provident Fund) Regulations, 1988.
3. In the Calcutta Port Trust (Non-Contributory Provident Fund) Regulations :—
 - (a) The word 'Calcutta' wherever appearing shall be read as 'Kolkata'.
 - (b) Regulation 3(a) shall be substituted by the following :—

"Trustees shall mean a Board of six Trustees consisting of the Chairman, Deputy Chairmen, two Labour Trustees and the Financial Adviser and Chief Accounts Officer of the Kolkata Port Trust ex-officio who shall be responsible to the Kolkata Port Trust for the conduct of the Fund in accordance with the regulations hereinafter laid down."
 - (c) Regulation 3(c) shall be substituted by the following :—

"Deputy Chairman" shall mean the Deputy Chairmen (Kolkata) and Deputy Chairman (Haldia) for the time being of the Kolkata Port Trust.
 - (d) A new Regulation 3(h) shall be inserted as follows :—

"Labour Trustees" shall mean the representatives of the Labour Unions in the Board of Trustees of the Kolkata Port Trust for the time being."
 - (e) Sub-Regulations (d), (e), (f) and (g) of Regulation 3 will be renumbered as (e), (f), (g) and (h) respectively of Regulation 3.
 - (f) Regulation 4 shall be substituted by the following :—

"The fund shall be controlled on behalf of its members by a Board of six Trustees consisting of the Chairman, both the Deputy Chairmen of Kolkata and Haldia Dock Complex, two Labour Trustees and the Financial Adviser and Chief Accounts Officer of the Kolkata Port Trust ex-officio, who shall be responsible to the Kolkata Port Trust for the conduct of the Fund in accordance with the regulations hereinafter laid down.

The Fund shall be managed by the Senior Accounts Officer, who shall conduct its affairs subject to the control of the Trustees of the Fund."
 - (g) In Regulation 5, the words "any of the Deputy Chairman" will replace the words "the Deputy Chairman" in the third sentence.
 - (h) In Regulation 6, the words "any of the Deputy Chairman" will replace the words "Deputy Chairman" in the second sentence.
 - (i) In Regulation 18, the words "any of the Deputy Chairman" will replace the words "Deputy Chairman" in the first sentence.
 - (j) In Regulation 25, the words "any of the Deputy Chairman" will replace the words "Deputy Chairman".
 - (k) In Regulation 29, the words "any of the Deputy Chairman" will replace the words "Deputy Chairman" in the first sentences of both 1st and 2nd paras.

Note :— The Calcutta Port Trust Employees' (Non-Contributory Provident Fund) Regulations, 1988 were sanctioned by the Central Government vide No. G.S.R. 667(E) dated 1st June, 1988 and were amended vide No. G.S.R. 745(E) dated 25th September, 2000 and published in the Gazette of India, Extraordinary on 25th September, 2000.

[F.No. PR-12016/22/2005-P6-1]

A.K. BHALLA, Jt. Secy.