This bond shall in all respects be governed by the law of India for the time being in force and the rights and liabilities hereunder shall, where necessary, be accordingly determined by the appropriate courts in India.

The stamp duty on this deed shall be borne and paid by the Board.

In witness to the above written bond and the condition therefor I, Mr./Mrs./Miss. have hereunto set my hands the day of one thousand nine hundred and...

Signed and delivered by the above bounden Mr./Mrs./Miss. in the presence of...

ANNEXURE II

[See explanation (6) under regulation 13]

Certified that on Shri/Shrimati/Kumari has been continuously officiating in the post for more than three years inclusive of the following periods during which he/she would have officiated in that post but the following events:

From To

(1) Periods of officiating in the specified post.
(2) Periods of officiating in equivalent or higher posts in the same department.
(3) Periods of deputation.
(4) Foreign service.
(5) Period of leave.

Signature
Designation

*The date preceding the date of commencement of leave to be specified here.
**Designation of the post to be specified here.

[No. 19-PG(124)/S3.1

G.S.R. 308.—In exercise of the powers conferred by section 126 read with clause (b) of section 28, of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby makes the following regulations, namely:—

1. Short title and commencement.—(a) These regulations may be called the Kandla Port Employees (General Provident Fund) Regulations, 1964.
(b) They shall come into force on the 29th February, 1964.

2. Interpretation.—In these regulations unless the context otherwise requires,—

(1) “Accounts Officer” means the Financial Adviser and Chief Accounts Officer of the Board.
(2) “Board”, “Chairman”, “Deputy Chairman” shall have the meanings assigned to them in the Major Port Trust, Act, 1963.
(3) “emoluments” means pay, leave salary or subsistence grant as defined in the Fundamental Rules of the Central Government or in the regulations, if any, framed by the Board, whichever may be applicable to the subscriber and any remuneration of the nature of pay received in respect of foreign service but does not include
conveyance allowance, house rent allowance, overtime fees, cement testing allowance, fee for supervision of floating craft, diving allowance and ration allowance.

Provided that "emoluments" in respect of the lighterman and Crane (Electric) Drivers shall mean the amounts as may be fixed by the Board from time to time.

(4) "employee" means an employee of the Board.

(5) "family" means—

(i) in the case of a male subscriber, the wife or wives and children of the subscriber, and the widow or widows and children of a deceased son of the subscriber:

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these regulations relate unless the subscriber subsequently intimates in writing to the Accounts Officer that she shall continue to be so regarded.

(ii) in the case of a female subscriber, the husband and children of the subscriber, and the widow or widows and children of a deceased son of the subscriber:

Provided that if a subscriber by notice in writing to the Accounts Officer expresses her wish to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these regulations relate, unless the subscriber subsequently cancels such notice in writing.

Explanation.—Child means a legitimate child and includes an adopted child, where adoption is recognised by the personal law governing the subscriber.

(6) "Fund" means the Kandla Port Employees General Provident Fund.

(7) "leave" means any kind of leave recognised by the Fundamental Rules or other rules or orders of the Central Government or by the Leave Regulations, if any, framed under section 28 of the Major Port Trusts Act, 1963, whichever may be applicable to the subscriber.

(8) "year" means the financial year.

(9) Any other expression used in these regulations which is defined in the Provident Funds Act, 1925 (11 of 1925), or in the Fundamental Rules of the Central Government or the Leave Regulations mentioned in sub-regulation (7) (whichever may be applicable to the subscriber) shall have the meanings assigned to them in such Act, Rules or Regulations.

3. Constitution and Management of the Fund.—On and from the date of commencement of these regulations, the Board shall establish and maintain a Provident Fund for the welfare of the employees.

The Fund shall be administered by the Board and shall be maintained in India in rupees.

4. Application.—(1) All permanent employees, other than re-employed persons, and all temporary employees who have rendered continuous service of one year or more on the date of commencement of these Regulations shall be required to subscribe to the Fund. Temporary employees whose period of service on the date of commencement of these Regulations is less than one year shall be required to subscribe to the Fund from the month following that in which they complete one year's service.

(2) The Board may, at its discretion, require any other category of employees to subscribe to the Fund.

(3) Employees who are subscribers to any Contributory Provident Fund shall not be required to subscribe to the Fund.

5. On the commencement of these regulations, the balance, if any, standing to the credit of an employee in the General Provident Fund constituted under the
Central Provident Fund (Central Services) Rules, 1960, shall be credited to the account of the employee under the Fund constituted under these Regulations.

6. Nominations.—(1) A subscriber shall, at the time of joining the Fund, send to the Accounts Officer, a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death, before that amount has become payable or having become payable has not been paid:

Provided that if, at the time of making the nomination, the subscriber has a family, the nomination shall not be in favour of any person or persons other than the members of his family:

Provided further that the nomination made by the subscriber in respect of any other provident fund to which he was subscribing before joining the Fund shall, if the amount to his credit in such other fund has been transferred to his credit in the Fund, be deemed to be a nomination duly made under this regulation until he makes a nomination in accordance with this regulation.

(2) If a subscriber nominates more than one person under sub-regulation (1), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) Every nomination shall be in such one of the forms set forth in the First Schedule as is appropriate in the circumstances.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Accounts Officer. The subscriber shall, along with such notice or separately, send a fresh nomination made in accordance with the provisions of this regulation.

(5) A subscriber may provide in a nomination—

(a) In respect of any specified nominee, that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination, provided that such other person or persons shall, if the subscriber has other members of his family, be such other member or members. Where the subscriber confers such a right on more than one person under this clause, he shall specify the amount or share payable to each of such persons in such a manner as to cover the whole of the amount payable to the nominee;

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

Provided that if, at the time of making the nomination, the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family:

Provided further that if, at the time of making the nomination, the subscriber has only one member of the family, he shall provide in the nomination that the right conferred upon the alternate nominee under clause (a) shall become invalid in the event of his subsequently acquiring other member or members in his family;

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-regulation (5) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of sub-regulation (5) or the proviso thereto, the subscriber shall send to the Accounts Officer a notice in writing cancelling the nomination, together with a fresh nomination made in accordance with the provisions of this regulation.

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

7. Subscribers' Accounts.—An account shall be prepared in the name of each subscriber and shall show the amount of his subscriptions with interest thereon calculated as prescribed in regulation 11 as well as advances and withdrawals from the Fund.
8. Conditions and Rates of Subscriptions.—(1) Conditions of Subscription:

(a) A subscriber shall subscribe monthly to the Fund except during the period when he is under suspension:

Provided that a subscriber may, at his option, not subscribe during any period of leave other than leave on average pay or earned leave of less than a month or 30 days' duration as the case may be:

Provided further that a subscriber on reinstatement 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 subscriptions payable for that period.

(b) A subscriber shall intimate in writing his election not to subscribe during leave to the Accounts Officer. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe. The option of a subscriber intimated under this clause shall be final.

(2) Rates of Subscription:

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

(a) it shall be expressed in whole rupees,

(b) it may be any sum so expressed not less than six per cent of his emoluments and not more than his total emoluments:

Provided that in the case of a subscriber who has previously been subscribing to a Contributory Provident Fund at the higher rate of 8-1/3 per cent, it may be any sum so expressed, not less than 8-1/3 per cent of his emoluments and not more than his total emoluments:

Provided further that in the case of Class IV employees, the minimum rate of subscription shall be Rs. 4/- a month in the case of those drawing a pay of less than Rs. 75/- a month and Rs. 5/- a month in the case of others:

(c) when an employee elects to subscribe at the minimum rate of 6 per cent or 8-1/3 per cent, as the case may be, the fraction of a rupee will be rounded to the nearest whole rupee, 50 nP. counting as the next higher rupee.

(3) For the purpose of sub-regulation (2), the emoluments of a subscriber shall be—

(a) In the case of a subscriber who was in Board's service on the 31st March of the preceding year, the emoluments to which he was entitled on that date:

Provided that—

(i) if the subscriber was on leave on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;

(ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India;

(b) In the case of a subscriber who was not in Board's service on the 31st March of the preceding year, the emoluments to which he was entitled on the day he joins the Fund.

(4) A subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner:

(a) if he was on duty on the 31st March of the preceding year, by the deduction which he makes in this behalf from his pay bill for that month;

(b) if he was on leave on the 31st March of the preceding year and elected not to subscribe during such leave, or was under suspension on that date, by the deduction which he makes in this behalf from his first pay bill after his return to duty:
(c) if he has entered Board's service for the first time during the year, by the deduction which he makes in this behalf, from his pay bill for the month during which he joins the Fund;

(d) if he was on leave on the 31st March of the preceding year, and continues to be on leave and has elected to subscribe during such leave, by the deduction which he causes to be made in this behalf from his salary bill for that month;

(e) if he was on foreign service on the 31st March of the preceding year, by the amount credited by him to the Board's account on account of subscription for the month of April in the current year,

(5) The amount of subscription so fixed may be enhanced or reduced once at any time during the course of a year:

Provided that when the amount of subscription is so reduced it shall not be less than the minimum prescribed in sub-regulation (2):

Provided further that if a subscriber is on duty for a part of a month and on leave for the remainder of that month and he has elected not to subscribe during leave, the amount of subscription payable shall be proportionate to the number of days spent on duty in the month.

9. Transfer to Foreign Service or Deputation out of India.—When a subscriber is transferred to foreign service or sent on deputation out of India, he shall remain subject to the rules of the Fund in the same manner as if he were not so transferred or sent on deputation.

10. Realisation of Subscriptions.—(1) When emoluments are drawn in India, recovery of subscriptions on account of these emoluments and of the principal and interest, an advance shall be made from the emoluments themselves.

(2) When emoluments are drawn from any other source, the subscriber shall forward his dues monthly to the Accounts Officer:

Provided that in the case of a subscriber on deputation to a body corporate, owned or controlled by Government, the subscriptions shall be recovered and forwarded to the Accounts Officer by such body.

(3) If a subscriber fails to subscribe with effect from the date on which he is required to join the fund or is in default in any month or months during the course of a year otherwise than as provided for in regulation 8, the total amount due to the Fund on account of arrears of subscriptions shall, with interest thereon at the rate provided in regulation 11, forthwith be paid by the subscriber to the Fund or in default be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under sub-regulation (2) of regulation 13:

Provided that the subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.

11. Interest.—(1) Subject to the provisions of sub-regulation (5), the Board shall pay to the credit of the account of a subscriber interest at such rate as may be determined for each year by the Board:

Provided that if the rate of interest determined for a year is less than 4 per cent, all subscribers to the Fund in the year preceding that for which the rate has for the first time been fixed at less than 4 per cent, shall be allowed interest at 4 per cent:

Provided further that a subscriber who was previously subscribing to any other Provident Fund of the Central Government and whose subscriptions, together with the interest thereon, have been transferred to his credit in this Fund, shall also be allowed interest at 4 per cent, if he had been receiving that rate of interest under the rules of such other Fund under a provision similar to that of the first proviso to this regulation.

(2) Interest shall be credited with effect from last day in each year in the following manner:

(1) on the amount to the credit of a subscriber on the last day of the preceding year, less any sums withdrawn during the current year;—interest for twelve months.
(ii) on sums withdrawn during the current year—interest from the begin­ning of the current year up to the last day of the month preceding the month of withdrawal;

(iii) on all sums credited to the subscriber's account after the last day of the preceding year—interest from the date of deposit up to the end of the current year;

(iv) the total amount of interest shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee):

Provided that when the amount standing to the credit of a subscriber has become payable, interest shall thereupon be credited under this regulation in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be, up to the date on which the amount standing to the credit of the subscriber became payable.

(3) In this regulation, the date of deposit shall in the case of a recovery from emoluments be deemed to be the first day of the month in which it is recovered, and in the case of an amount forwarded by the subscriber shall be deemed to be the first day of the month of receipt, if it is received by the Accounts Officer before the fifth day of that month, but if it is received on or after the fifth day of that month, the first day of the next succeeding month:

Provided that where there has been a delay in the drawing of pay or leave salary and allowances of a subscriber and consequently the recovery of his subscription towards the Fund, the interest on such subscription shall be payable from the month in which the pay or leave salary of the subscriber was due under the rules, irrespective of the month in which it was actually drawn:

Provided further that in the case of an amount forwarded in accordance with the proviso to sub-regulation (2) of regulation 10, the date of deposit shall be deemed to be the first day of the month if it is received by the Accounts Officer before the fifteenth day of that month.

(4) In addition to any amount to be paid under regulation 14, interest thereon up to the end of the month preceding that in which the payment is made, or up to the sixth month after the month in which such amount became payable whichever of these periods be less, shall be payable to the person to whom such amount is to be paid:

Provided that where the Accounts Officer has intimated to that person (or his agent) a date on which he is prepared to make payment in cash, or has posted a cheque in payment to that person, interest shall be payable only up to the end of the month preceding the date so intimated, or the date of posting the cheque, as the case may be.

(5) Interest shall not be credited to the account of a subscriber if he informs the Accounts Officer that he does not wish to receive it; but if he subsequently asks for interest, it shall be credited with effect from the first day of the year in which he asks for it.

(6) The interest on amounts which under sub-regulation (3) of regulation 10, sub-regulation (5) of regulation 14, regulation 15, sub-regulation (2) of regulation 17, proviso to regulation 21(b), regulation 24, regulation 25 are replaced to the credit of the subscriber in the Fund, shall be calculated at such rates as may be successively prescribed under sub-regulation (1) of this regulation.

12. Transfer from Other Services.—(1) Subject to the sanction of the Board in each case, a person who has joined the Board's service from the service of any Government, or other employer, may, if he becomes a subscriber to the Fund, have any amount standing to his credit in a Provident Fund maintained by the Government, or other employer, on the date of his joining the Board's service, transferred to his credit in the Fund. The amount so transferred shall carry interest only if it shall not entitle the subscriber to any contribution by the Board in respect thereof.

(2) In the event of a subscriber to the Fund being permanently transferred to a service under a Government or any other employer, the balance in the Provident Fund account of the subscriber may, instead of being paid in cash, be transferred to his account with the new employer and thereupon these Regulations shall cease to apply him.

13. Advances from the Fund.—(1) The appropriate sanctioning authority may sanction the payment to any subscriber of an advance consisting of 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 or a disability, including where necessary, the travelling expenses of the subscriber or any person actually dependent on him;

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

(i) for education outside India for an 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 status which by customary usage the subscriber has to incur in connection with marriages or other ceremonies of himself or of his children or of any other person actually dependent on him:

Provided that the condition of actual dependence shall not apply in the case of a son or daughter of the subscriber;

Provided further that the condition of actual dependence shall not apply in the case of an advance required to meet the funeral expenses of the parent of a subscriber;

(d) to meet the cost of legal proceedings instituted by the subscriber for vindicating his position in regard to any allegations made against him in respect of any act done or purporting to be done by him in the discharge of his duty, the advance in this case being available in addition to any advance admissible for the same purpose from any other source:

Provided that the advance under this sub-regulation shall not be admissible to a subscriber who institutes legal proceedings in any court of law either in respect of any matter unconnected with his duty or against the Board in respect of condition of service or penalty imposed on him;

(e) to meet the cost of his defence where the subscriber engages a legal practitioner to defend himself in an enquiry in respect of any alleged misconduct on his part

(f) in other cases of acute distress at the discretion of the Chairman.

(2) An advance shall not, except for special reasons to be recorded in writing, be granted to any subscriber in excess of the limit laid down in sub-regulation (1) or until repayment of the last instalment of any previous advance together with interest thereon.

Explanation (1)—For the purposes of this regulation, pay includes dearness pay, where admissible.

Explanation (2)—For the purposes of this regulation, the appropriate sanctioning authority shall be the authority that may be authorised by the Board to sanction advances from time to time.

14. Recovery of Advance.—(1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the Chairman or any other officer authorised to sanction the advance may direct; but such number shall not be less than 12 unless the subscriber so elects and more than 24. In special cases where the amount of advance exceeds three months' pay of the subscriber, the authority sanctioning the advance may fix such number of instalments exceeding 24, but not exceeding 36. A subscriber may, at his option, repay more than one instalment in a month. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.

(2) Recovery shall be made in the manner prescribed in regulation 10 for the realisation of subscriptions, and shall commence, on the first occasion after the advance is made on which the subscriber draws the pay or remuneration on foreign
service, for a full month. Recovery shall not be made, except with the subscriber's consent while he is in receipt of subsistence grant or is on leave other than leave on average pay or earned leave of less than one month or 30 days' duration as the case may be. The recovery may be postponed, on the subscriber's request, by the Chairman during the recovery of an advance of pay granted to the subscriber.

(3) If more than one advance has been made to a subscriber, each advance shall be treated separately for the purpose of recovery.

(4) (a) After the principal of the advance has been fully repaid, interest shall be paid thereon at the rate of one fifth per cent of the principal for each month or broken portion of a month during the period between the drawal and complete repayment of the principal:

Provided that subscribers whose deposits in the Fund carry no interest shall not be required to pay into the Fund any additional instalments on account of the interest on advances granted to them from the Fund.

(b) Interest shall ordinarily be recovered in one instalment in the month after complete repayment of the principal; but if the period referred to in clause (a) exceeds 20 months, interest may, if the subscriber so desires, be recovered in two equal monthly instalments. The method of recovery shall be that prescribed in sub-regulation (2). Payments shall be rounded to the nearest rupee in the manner prescribed in clause (iv) of sub-regulation (2) of regulation 11.

(5) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole or balance of the amount withdrawn shall, with interest at the rate provided in regulation 11 forthwith be repaid by the subscriber to the Fund or in default be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber in a lump sum or in monthly instalments not exceeding 12 as may be directed by the Chairman or the authority competent to sanction an advance under Explanation 2 to sub-regulation (2) of regulation 13:

Provided that subscribers whose deposits in the Fund carry no interest shall not be required to pay any Interest.

(6) Recoveries made under this regulation shall be credited as they are made to the subscriber's account in the Fund.

16. Wrongful use of Advance.—Notwithstanding anything contained in these regulations, if the Chairman is satisfied that money drawn as an advance from the Fund under regulation 13 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, the amount in question shall with interest at the rate provided in regulation 11 forthwith be repaid by the subscriber to the Fund or in default be ordered by the Chairman to be recovered by deduction in one sum from the emoluments of the subscriber even if he be on leave. If the total amount to be repaid be more than half the subscriber's emoluments, recovery shall be made in monthly instalments or moieties of his emoluments till the entire amount is repaid by him.

Explanation.—In this regulation, 'emoluments' do not include subsistence grant.

18. Withdrawals from the Fund.—Subject to the conditions specified herein withdrawals may be sanctioned by the authorities competent under sub-regulation (2) of regulation 13 to sanction an advance for special reasons, at any time—

(I) after the completion of 25 years of service (including broken periods of service) of any of a subscriber or within 8 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 any child of the subscriber actually dependent on him in the following cases, namely:—

(i) for education outside India for academical, 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 not less than three years.
(b) meeting the expenditure in connection with the marriage of a son or a daughter of the subscriber and if he has no daughter, of any other female relation dependent on him,

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

(II) after the completion of twenty three 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) building or acquiring a suitable house for his residence including the cost of the site or repaying any outstanding amount on account of loan expressly taken for this purpose before the date of receipt of the application for withdrawal but not earlier than twelve months of that date, or reconstructing, or making additions or alterations to a house already owned or acquired by a subscriber;

(b) purchasing a house site or repaying any outstanding amount on account of loan expressly taken for this purpose before the date of receipt of the application for the withdrawal but not earlier than 12 months of that date;

(c) for constructing a house on a site purchased utilising the sum withdrawn under clause (b);

Explanation.—A subscriber who has availed himself of an advance under the scheme of the Central Government or a State Government for the grant of advances for house-building purpose, or has been allowed any assistance in this regard from any other Central or State Government sources, shall be eligible for the grant of final withdrawal under sub-clauses (a), (b) and (c) of sub-regulation (II) for the purposes specified therein and also for the purpose of repayment of any loan taken under the aforesaid scheme subject to the limit specified in the proviso to sub-regulation (1) of regulation 17.

(III) The actual withdrawal from the Fund shall be made only on receipt of an authorisation from the Accounts Officer who will arrange this as soon as formal sanction of the Chairman is issued.

17 Conditions of withdrawal.—(1) Any sum withdrawn by a subscriber at any one time for one or more purposes specified in regulation 16 from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six months' pay whichever is less. The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit up to three-fourths of the balance at his credit in the Fund, having due regard to (i) the object for which the withdrawal is being made; (ii) the status of the subscriber; and (iii) the amount to his credit in the Fund:

Provided that in the case of a subscriber who has availed himself of an advance under the scheme of the Central or a State Government for the grant of advances for house-building purpose, or has been allowed any assistance in this regard from any other Government source, the sum withdrawn under this clause, together with the amount of advance taken under the aforesaid schemes or the assistance taken from any other Government source shall not exceed Rs. 75,000/- or 5 years' pay, whichever is less.

(2) A subscriber, who has been permitted the withdrawal of money under regulation 16 shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilised for the purpose for which it was withdrawn and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for such purposes for which it was withdrawn shall forthwith be repaid in one lumpsum together with interest thereon at the rate determined under regulation 11 by the subscriber to the Fund and in default of such payment it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lumpsum or any such number of monthly instalments as may be determined by the Chairman.

(3) Nothing in sub-regulation (2) shall be deemed to require a subscriber whose deposits in the Fund carry no interest, to pay any interest on any sum repayable by him under that sub-regulation.
18. Conversion of an advance into a withdrawal.—A subscriber who has already drawn or may draw in future an advance under regulation 13 for any of the purposes specified in sub-clauses (a), (b) and (c) of clause (1) of regulation 16, may convert, at his discretion by a written request addressed to the Accounts Officer through the sanctioning authority, the balance outstanding against him into a final withdrawal on his satisfying the conditions laid down in regulations 16 and 17.

19. Payment towards Insurance Policies and Family Pension Funds.—Subscribers who, before the 17th December 1960, have been substituting in whole or in part, payments towards policies of life insurance for subscriptions or making withdrawals for such payments from the Fund under the provisions of rules 17 to 29 of the General Provident Fund (Central Services), Rules, 1960, will continue to enjoy the benefit under the same terms and conditions mutatis mutandis:

Provided that such subscribers shall not be permitted to substitute such payments for subscriptions due to the Fund or to withdraw from the Fund for making such payments in respect of any new policy;

Provided further that any policy assigned to the President of India under the provisions of the said Rules shall on the commencement of these regulations be deemed to be a policy assigned to the Board. The subscriber shall take immediate steps to get such policies assigned to the Board.

20. Final withdrawal of accumulation in the Fund.—When a subscriber quits the service the amount standing to his credit in the Fund shall become payable to him:

Provided that a subscriber, who has been dismissed from the service and is subsequently reinstated in the service, shall, if required to do so by the Board, repay any amount paid to him from the Fund in pursuance of this regulation, with interest thereon at the rate provided in regulation 11 in the manner provided in the proviso to regulation 21. The amount so repaid shall be credited to his account in the Fund.

Explanation.—A subscriber who is granted refused leave shall be deemed to have quit the service from the date of compulsory retirement or on the expiry of an extension of service.

Explanation (2).—A subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently re-employed, with or without a break in service, shall not be deemed to have quit the service when he is transferred without any break in service to a new post under any other major port authority (in which he is governed by another set of Provident Fund Rules) and without retaining any connection with his former post. In such a case his subscriptions together with interest thereon shall be transferred to his account in the other Fund in accordance with the rules of that Fund. The same shall hold good in cases of retrenchment by immediate employment whether under the Board or under any other major port authority.

21. Retirement of Subscriber.—When a subscriber—

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

(b) while on leave, has been permitted to retire or has been declared by a competent medical authority to be unfit for further service.

the amount standing to his credit in the Fund shall, upon an application made by him in that behalf to the Accounts Officer, become payable to him:

Provided that the subscriber, if he returns to duty, shall, if required to do so by the Board, repay to the Fund for credit to his account, the whole or part of any amount paid to him from the Fund in pursuance of this regulation, with interest thereon at the rate provided in regulation 11 in cash or securities or partly in cash or partly in securities, by instalments or otherwise by recovery from his emoluments or otherwise, as may be directed by the Chairman.

22. Procedure on Death of a Subscriber.—On the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made:

(i) when the subscriber leaves a family—

(a) if a nomination made by the subscriber in accordance with the provisions of regulation 6 or of the corresponding rule in force earlier in favour of a member
or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;

(b) If no such nomination in favour of a member or members of the family of the subscriber subsists, or if such nomination relates only to a part of the amount to his credit in the Fund, the whole amount or a part thereof to which the nomination does not relate, as the case may be shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family, become payable to the members of his family in equal shares:

Provided that no share shall be payable to—

(1) sons who have attained majority;
(2) sons of a deceased son who have attained majority;
(3) married daughters whose husbands are alive;
(4) married daughters of a deceased son whose husbands are alive;

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

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

(iii) when the subscriber leaves no family, if a nomination made by him in accordance with the provisions of regulation 6 or of the corresponding rule in force earlier in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

23. Manner of Payment of Amounts in the Fund.—(1) When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Accounts Officer to make payment on receipt of written application in this behalf as provided in sub-regulation (3).

(2) If the person to whom, under these regulations any amount or policy is to be paid, assigned, re-assigned, or delivered, is a lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act, 1912, the payment or re-assignment or delivery shall be made to such manager and not to the lunatic.

(3) Any person who desires to claim payment under this regulation shall send a written application in that behalf to the Accounts Officer. Payment of amounts withdrawn shall be made in India only. The persons to whom the amounts are payable shall make their own arrangements to receive payment in India.

Explanation.—When the amount standing to the credit of a subscriber has become payable under regulation 20, 21 or 22, the Accounts Officer shall authorise prompt payment of that portion of the amount standing to the credit of the subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon after as may be.

24. Procedure on Transfer of an Employee from one Major Port to Another.—If an employee who is a subscriber to the Fund is permanently transferred to pensionable service in any other major port in which he is governed by similar regulations, the amount of subscription, together with interest thereon standing to his credit in the Fund on the date of transfer shall be transferred to his credit in the fund of such major port:

Provided that where the rules so require, the consent of the major port authority concerned shall be obtained.

25. Transfer of Amount to Contributory Provident Fund.—If a subscriber to the Fund is subsequently admitted to the benefits of a contributory provident fund under the Board, the amount of his subscriptions in the Fund, together with interest thereon, shall be transferred to the credit of his account in the contributory provident fund.

Explanation.—The provisions of this regulation shall not apply to a subscriber who is appointed on contract or who has retired from service and is subsequently
26. Relaxation of the provisions and regulations in individual cases.—When the Board is satisfied that the operation of any of these regulations causes, or is likely to cause, undue hardship to a subscriber, the Board may notwithstanding anything contained in these regulations, deal with the case of such subscriber in such manner as may appear to it to be just and equitable.

27. Number of account to be quoted at the time of payment of subscriptions.—When paying a subscription in India, either by deduction from emoluments or in cash a subscriber should quote the number of his account in the Fund which shall be communicated to him by the Accounts Officer. Any change in the number shall similarly be communicated to the subscriber by the Accounts Officer.

28. Annual statement of accounts to be supplied to subscriber.—(1) As soon as possible after the close of each year, the Accounts Officer shall send to each subscriber a statement of his accounts in the Fund showing the opening balance as on the 1st April of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 31st March of the year and the closing balance on that date. The Accounts Officer shall attach to the statement of account an enquiry whether the subscriber—

(a) desires to make any alteration in any nomination made under regulation 6 or under the corresponding rule in force earlier;

(b) has acquired a family in cases where the subscriber has made no nomination in favour of a member of his family under regulation 6.

(2) Subscribers shall satisfy themselves as to the correctness of the annual statement, and they shall bring to the notice of the Accounts Officer within three months from the date of receipt of the statement by them, any inaccuracy or arrear in such statement.

(3) The Accounts Officer shall, if required by a subscriber, once but not more than once in a year inform the subscriber of the total amount standing in his credit in the Fund at the end of the last month for which his account has been written up.

29. Interpretation.—If any question arises relating to the interpretation of these regulations, it shall be decided by the Board.

First Schedule (Regulation 6)

Forms of Nomination

I. When the subscriber has a family and wishes to nominate one member thereof.

I hereby nominate the person mentioned below, who is a member of my family as defined in regulation 2 (5) of the Kandla Port Employees (General Provident Fund) Regulations, 1964, to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable, or having become payable has not been paid :

<table>
<thead>
<tr>
<th>Name and address of nominee</th>
<th>Relationship with subscriber</th>
<th>Age</th>
<th>Contingencies on which the nomination shall become invalid</th>
<th>Name, address, and relationship of the person/persons if any, to whom the right of the nominee shall pass in the event of his/her predeceasing the subscriber</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Dated this………………………… day of, ………… 19

At……………………………………………………………………………………………………………………………………………………………………………………………

Two witnesses to signature.

1. …………………………………………………………………………………………………………………………………………………………………………………

2. …………………………………………………………………………………………………………………………………………………………………………………
II. When the subscriber has a family and wishes to nominate more than one member thereof.

I hereby nominate the persons mentioned below, who are members of my family as defined in regulation 2 (5) of the Kandla Port Employees (General Provident Fund) Regulations, 1964, to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid, and direct that the said amount shall be distributed amongst the said persons in the manner shown against their names.

<table>
<thead>
<tr>
<th>Name and Address of nominees with subscriber</th>
<th>Age</th>
<th>*Amount of share of accumulations to be paid to each nominated person</th>
<th>Contingencies on the happening of which the nomination shall become invalid</th>
<th>Name, address and relationship of the person/persons, if any, to whom the right of the nominee shall pass in the event of his/her predeceasing the subscriber</th>
</tr>
</thead>
</table>

**NOTE.**—This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

III. When the subscriber has no family and wishes to nominate one person.

I, having no family as defined in regulation 2 (5) of the Kandla Port Employees (General Provident Fund) Regulations, 1964, hereby nominate the person mentioned below to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid:

<table>
<thead>
<tr>
<th>Name and address of nominee</th>
<th>Relationship with subscriber</th>
<th>Age</th>
<th>*Contingencies on the happening of which the nomination shall become invalid</th>
<th>Name, address and relationship of the person/persons, if any, to whom the right of the nominee shall pass in the event of his/her predeceasing the subscriber</th>
</tr>
</thead>
</table>

**NOTE.**—Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.
IV. When the subscriber has no family and wishes to nominate more than one person.

I, having no family as defined in regulation 2(5) of the Kandla Port Employees (General Provident Fund) Regulations, 1964, hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund, in the event of my death before the said amount shall be distributed among the said persons in the manner shown below against their names:

<table>
<thead>
<tr>
<th>Name and address of nominees</th>
<th>Relationship with subscriber</th>
<th>Age</th>
<th>Amount or share of accumulations to be paid to each</th>
<th>Contingencies on the happening of which the nomination shall become invalid</th>
<th>Name, address and relationship of the person/persons, if any to whom the right of the nominee shall pass in the event of his/her predeceasing the subscriber</th>
</tr>
</thead>
</table>

Dated this day of at

Two witnesses to signature.

Signature of subscriber

*Note.—This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

**Note.—Where a subscriber who has no family makes a nomination, he shall specify in the column that the nomination shall become invalid in the event of his subsequently acquiring a family.

G.S.R. 309.—In exercise of the powers conferred by section 126 read with section 28, of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby makes the following regulations, namely:

PART I.—General

1. Short title and commencement.—(a) These regulations may be called the Kandla Port Employees (Classification Control and Appeal) Regulations, 1964.

(b) They shall come into force on the 20th February, 1964.

2. Definitions.—In these regulations, unless the context otherwise requires,—

(a) "Act" means the Major Port Trusts Act, 1963 (38 of 1963);

(b) "appointing authority" in relation to an employee means the authority prescribed as such in the Schedule;

(c) "Board", "Chairman" and "Head of a Department" have the meanings assigned to them in the Act;

(d) "disciplinary authority", in relation to the imposition of a penalty on an employee, means the authority competent under these regulations to impose on him that penalty;

(e) "employee" means an employee of the Board and includes any such person on foreign service or whose services are temporarily placed at the disposal of the Board and also any person in the service of the Central