

COAL MINES PENSION SCHEME, 1998



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COAL MINES PENSION SCHEME MINISTRY OF COAL

NOTIFICATION

New Delhi, the 20th March, 1998

S.O.232 (E) – In exercise of the powers conferred by sub-section (2) of section 1 of the Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Act, 1996 (23 of 1996), the Central Government hereby appoints the 31st day of March, 1998 as the date on which the said Act shall come into force.

[No. 20/36/96-ASO]
G.B.MUKHERJEE, Jt Secy.

NOTIFICATION

New Delhi, the 20th March, 1998

S.O. 233 (E) – In exercise of the powers conferred by sub-paragraph 1 of the Coal Mines Pension Scheme, 1998 (Published in the Official Gazette vide number G.S.R. 123 (E), dated the 5th March 1998), the Central Government hereby appoints the 31st day of March, 1998 as the date on which the said scheme shall come into force.

[No. 20/36/96-ASO]
G.B. MUKHERJEE, Jt. Secy.

COAL MINES PENSION SCHEME

(EFFECTIVE FROM 31ST MARCH 1998)

G.S.R.123 (E) – In exercise of the powers conferred by section 3E of Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948) and in supersession of the Coal Mines Family Pension Scheme, 1971, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following scheme, namely :-

1. SHORT TITLE, COMMENCEMENT AND APPLICATION

- (1) This scheme may be called the Coal Mines Pension Scheme, 1998.
- (2) It shall come into force from such date as the Central Government may, by notification in the official gazette, appoint.
- (3) It shall apply to the employees of the coal mines to which the Coal Mines Provident Fund Scheme, 1948, the Andhra Pradesh Coal Mines Provident Fund Scheme, 1956 and the Rajasthan Coal Mines Provident Fund Scheme, 1958 framed under section 3 of Coal Mines Provident fund and Miscellaneous Provisions Act, 1948, apply.

2. DEFINITIONS

In this scheme,¹*unless* the context otherwise requires:-

- (a) 'Act' means the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948);
- (b) 'Appointed day' means the date appointed under sub-paragraph (2) of paragraph 1 of the Scheme.
- (c) 'authorised officer' means the Regional Commissioner or the Assistant Commissioner or any other officer appointed under sub-section (2) of section 3C.
- (d) 'average emoluments' means the average of the notional salary payable to an employee for the last ten months before retirement from the service.
- (e) 'Board' means the Board of Trustees constituted under section 3A.
- (f) 'Commissioner' means the Coal Mines Provident Fund Commissioner appointed under sub-section (1) of section 3C.
- ¹¹(f a) 'Date of his retirement' means the date of retirement beginning on or after the first day of April, 1994.
- (g) 'employee' means an employee of the Coal Mines in respect of which the Coal Mines Provident Fund Schemes have been made applicable.
- (h) 'family' in relation to an employee means :-
 - (i) wife in the case of a male employee or husband in the case of a female employee,
 - (ii) a judicially separated wife or husband, such separation not being granted on the ground of adultery and the person surviving was not held guilty of committing adultery, and
 - (iii) son who has not attained the age of twenty five years and unmarried daughter who has not attained the age of twenty five years including such ¹son or daughter adopted legally before superannuation.
- (i) 'form' means the form annexed to the scheme;
- (j) 'Fund' means the provident fund established under the Coal Mines Provident Fund Scheme
- (k) 'notional salary' means the monthly emoluments comprising basic pay and dearness allowance payable to an employee notwithstanding the actual salary drawn for that month.
- (l) 'pension' means superannuation pension, retiring pension, disablement pension, widow or widower pension, children pension and orphan pension
- (m) 'pensionable age' means the age of superannuation.
- (n) 'Pension fund' means the fund established under sub-section(2) of Section 3E;
- (o) 'Pensionable service' means –
 - (i) the two-third of the period of actual service rendered by an employee from the date of opting for the Coal Mines Family Pension Scheme, 1971 and up to the 31st day of March,1989, except the period for which no contribution has been made to the Family Pension Fund, and
 - (ii) the actual service rendered by an employee from the 1st day of April, 1989 or the date of joining the service whichever is later, to the date of retirement or the death in service except the period for which no contribution has been made to the Family Pension fund or the Pension Fund, as the case may be.

1 Corrigenda No. GSR 269 (E) dated the 25th May 1998.

11 Notification No. GSR 108 (E) dated 13th February 2003.

- (p) 'Provident Fund Scheme' means the Coal Mines Provident Fund Scheme, 1948, the Andhra Pradesh Coal Mines Provident Fund Scheme, 1956 and the Rajasthan Coal Mines Provident Fund Scheme, 1958;
- (q) ⁴ **'Retirement' in relation to an employee who is a member of the Pension Scheme means exit of an employee on completion of 10 years of Pensionable service.**
- (r) 'Salary' means the monthly emoluments based on which the contribution to the fund is deducted every month.
- (s) 'Schedule' means the Schedule annexed to the Scheme
- (t) 'Section' means section of the Act.
- (u) 'Superannuation' in relation to an employee who is a member of the Pension Scheme means the attainment by the said employee of such age as is fixed in the contract or conditions of service as the age on the attainment of which such employee shall vacate the employment.
- (v) 'Year' means the period of twelve months from the first day of April of the year to the thirty – first day of March of the following year; and
- (w) all other words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. ESTABLISHMENT OF THE PENSION FUND

From the appointed day the Pension Fund shall stand established which shall have the sole purpose the provision of the payment of pension in accordance with the Scheme to the employee or his family or the payment of any amount which may have accrued under the provisions of the Coal Mines Family Pension Scheme, 1971 immediately before the appointed day. The Pension Fund shall consist of the following:

- (a) net assets of the Coal Mines Family Pension Scheme, 1971 as on the appointed day
- (b) an amount equivalent to two and one-third percent of the salary of the employee, being the aggregate of equal shares of the employee and the employer from their respective contributions to the Fund, to be transferred from the appointed day from the fund of the employee.
- (c) an amount equivalent to two percent of the *⁴Basic and dearness allowance paid* of the employee from the first day of April, 1989 or the date of joining, whichever is later, up to the 31st day of March, 1996 and two percent of the notional salary of the employee from the first day of April, 1996 or the date of joining, whichever is later, to be transferred from his salary.
- (d) an amount equivalent to one increment to be calculated on the basis of the salary of the employee as on the first day of July, 1995 or the date of joining, whichever is later, to be transferred from the first day July, 1995 or the date of joining, whichever is later, to be transferred from the salary of the employee.
- (e) An amount equivalent to one and two-third percent of the salary of the employee to be contributed by the Central Government from the appointed day:

4 Notification N. GSR 689 (E) dated 29th August 2000.

Provided that in the case of an employee whose salary exceeds rupees one thousand six hundred per month, the contribution payable by the Central Govt. shall be equal to the maximum of the amount payable on the salary of rupees one thousand six hundred per month only;

- (f) amounts to be deposited in terms of the provisions of the proviso of paragraph 4.

4. ELIGIBILITY FOR PENSION

- (1) An employee who was a member the Coal Mines Family Pension Scheme, 1971 immediately before the appointed day and has not attained the age of superannuation shall be deemed to be eligible for pension under the provisions of this Scheme from the appointed day.
- (2) An employee who has not opted for the Coal Mines Family Pension Scheme, 1971 but is covered by the Provident Fund Scheme, may opt for pension under the provisions of this Scheme within a period of ³*three hundred and sixty six days* from the appointed day and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form P.S.-1:

⁵[Provided that an employee exercising the option under the provisions of this subparagraph shall have to deposit in the Pension Fund either in cash or by way of deduction in installments from his monthly salary or by transfer from his Provident Fund account to the Pension Fund, the arrears equivalent to the amounts specified in clauses (b), (c), (d) and (e) of paragraph 3, along with interest from the first day of March, 1971 till the date of exercising the option in respect of arrears,-

- (i) specified in clause (b), at the rate admissible from time to time to the monies in Coal Mines Provident Fund;
- (ii) specified in clauses (c) and (d), at the rate of twelve per cent per annum; and
- (iii) specified in clause(e), at such rate as the Central Government, from time to time, credited interest in respect of its contributions to the Coal Mines Family Pension Scheme, 1971.]

⁷ **(2A)** An employee who has not opted for the Coal Mines Family Pension Scheme, 1971 but is covered by the Provident Fund Scheme, may opt for pension under the provisions of this Scheme within a period of nine months from the date of this notification and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS – 1.

⁸ **(2 AA)** An employee who has not opted for Coal Mines Family Pension Scheme, 1971 but is covered by the Provident Fund Scheme, may be opt for pension under the provisions of this Scheme within a period of three hundred and sixty six days from the date of this notification and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-1.

³ Notification No. GSR 218 (E) dated 22nd March 1999.

⁵ Notification No. GSR 256 (E) dated 12th April 2001.

⁷ Notification No. GSR 16(E) dated 9th January 2002.

⁸ Paragraph ' 2 AA' inserted vide GSR 154(E) dated 5.3.2009 and corrigendum GSR.348(E) dated 22.5.2009.

⁸ **(2B)** An ex-employee who had not opted for the Coal Mines Family Pension Scheme, 1971 but was covered by the Coal Mines Provident Fund Scheme and had ²(superannuated or died including a member died while in service) within 1.4.1994 to 31.3.1998 may opt for pension under the provisions of this Scheme within a period of nine months from the date of this notification in the Official Gazette and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-1.

Provided that an ex-employee exercising the option under the provisions of this sub-paragraph shall have to deposit in the Pension Fund either in cash or by transfer from his Provident Fund account to the Pension Fund the arrears equivalent to the amounts specified in clauses (b), (c), (d) and (e) of paragraph 3, alongwith interest from the 1st day of March, 1971 till the date of exercising the option in respect of arrears;

- (i) specified in clause (b), at the rate admissible from time to time to the monies in Coal Mines Provident Fund.
- (ii) Specified in clauses(c) and (d), at the rate of twelve per cent per annum; and
- (iii) specified in clause (e), at such rate as the Central Government, from time to time, credited interest in respect of its contribution to the Coal Mines Family Pension Scheme 1971.

¹²**(2C)** Where a member had exercised his opinion in Form PS-1 in place of Form PS-2 OR vice versa and/or where the member has filled up form PS-3 and/or PS-4, it shall be presumed that the member had the intention to join the Coal Mines Pension Scheme, 1998 and his membership to the Pension Scheme shall be considered confirmed in such cases.

- (3) An employee joining the service on or after the appointed day shall be governed by the provisions of this Scheme from the date of his joining.
- (4) An employee who was a member of the Coal Mines Family Pension Scheme, 1971 on the date of his ³ *superannuation* or ¹¹ *date of his retirement* on or after the first day of April, 1994 may also opt for the pension under the provisions of this Scheme from the date of his ³*superannuation* or ¹¹**date of his retirement** within a period of ³*three hundred and sixty six days* from the appointed day and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form P.S.-2 ⁴*and a member who* ¹³**(died including member died while in service)** on or after the first day of April, 1994 to the appointed date shall be deemed to have exercised the option of joining the scheme on the date of his death.

Provided that an employee exercising his option ⁴*or the deemed optee* under the provisions of this sub-paragraph, shall have to deposit in the Pension Fund in cash the amounts received by him on or after the date of his ³*superannuation* or ¹¹*date of his retirement* by way of :-

- (a) retirement-cum-withdrawal benefits accrued under the provisions of the Coal Mines Family Pension Scheme, 1971;
- (b) an amount equivalent to two percent of the salary of the employee from the first day of April, 1989 till the date of his ³*superannuation* or ¹¹*date of his retirement*;

² The word 'superannuated' substituted vide GSR 521(E) dated 12.8.2004.

³ Notification No.GSR 218(E) dated 22nd March 1999.

⁴ Notification No.GSR 689(E) dated 29th August 2000.

⁸ Notification No.GSR 482(E) dated 8th July 2002.

¹¹ Notification No.GSR 108(E) dated 13th February 2003.

¹² Para '2C' inserted vide GSR 774(E) dated 22.10.2009.

¹³ The word 'died' substituted vide GSR 521(E) dated 12.8.2004.

- (c) an amount equivalent to one increment to be calculated on the basis of the salary of the employee as on the first day of July, 1995 from the first day July, 1995 till the date of his ³superannuation or ¹¹date of his retirement.

¹Alongwith interest at the rate of 8.5 percent per annum for the period from the date of receipt of such sums to the date of exercising the option.

⁷(4A) An employee who was a member of the Coal Mines Family Pension Scheme, 1971 on the date of his superannuation or retirement on or after the first day of April, 1994 may also opt for the pension under the provisions of this Scheme from the date of his superannuation or retirement within a period of nine months from the date of this notification and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-2.

⁸(4AA) An employee who was a member of the Coal Mines Family Pension Scheme, 1971 on the date of his superannuation or retirement on or after the first day of April, 1994 may also opt for the pension under the provisions of this Scheme from the date of his superannuation or retirement within a period of three hundred and sixty six days from the date of this notification. He shall be deemed to have become the member of the Scheme from the date of his exercising the option in For PS-2.

¹⁰ (5) An employee, who was a member of the Central Coalfields Limited Staff Provident Fund, Darbhanga House, Ranchi, hereinafter referred to as CCLSSPF, or the Coal Mines Authority Limited Staff Provident Fund constituted under the Coal Mines Nationalization Provident Fund rule 1976, hereinafter referred as CMALSPF retired or superannuated on or after first day of April,1994 or has become the member of Coal Mines Provident Fund, shall be deemed to have become the member of this scheme and eligible to draw pension from the date, following the date of superannuation or retirement in respect of members superannuated or retired on or before 7th October, 2002, and other members as per the provisions of this scheme from 8th October, 2002:

Provided the employee or the ex-employee or the family (in the event of death of an ex-employee) deposits into the pension fund the arrears, equivalent to the amounts specified in clauses (b), (c), (d), (e) & (f) of Paragraph 3, alongwith interest till the date of deposit from the first day of March 1971 or the date of joining service , whichever is later, till 7th October, 2002 or the date of superannuation or retirement, as the case may be, by way of authorizing transfer of such amounts from his/her provident fund accumulations, in respect of members who have not withdrawn their Provident Fund accumulations, and for other member's cases, by way of Demand Draft.

Note: - for the purpose of this paragraph –

- (i) A deemed member under this paragraph shall have the option not to join this scheme. For this, he shall inform the Commissioner in writing within one year from the date of publication of this notification. The option once exercised shall be final.
- (ii) The amounts specified in clause (b) of paragraph 3 shall carry an interest at the rates admissible to Coal Mines Provident Fund members, for clause (c) and (d) of paragraph 3, at the rate of 12% per annum and the amounts under clause (e) of paragraph 3, at such rate, fixed by the Central Government from time to time credited interest in its contributions to the Coal Mines Family Pension Scheme, 1971 till 31.03.1998, and at the rate of 8.5% with effect from 01.04.1998.
- (iii) The pensionable service shall be counted in terms of paragraph 2(0) deeming that they were the members of ceased Coal Mines Family Pension Scheme, 1971 or Coal Mines pension Scheme, 1998 as the case may be, from 01.03.1971 or from the date of joining into CMALSPF or CCLSPF, whichever is later till 7th October, 2002 or date of superannuation or retirement, as the case may be.

1 Corrigenda No. GSR 269(E) dated the 25th May 1998.

3 Notification No. GSR 218(E) dated 22nd March 1999.

7 Notification NO. GSR 16(E) dated the 9th January 2002.

10 Notification No. GSR 107(E) dated the 13th February'2003.

8 Para '4AA' inserted vide GSR 154(E) dated 5.3.2009 and corrigendum GSR.348(E) dated 22.5.2009

- (iv) In case of any dispute regarding pensionable service the decision of the Commissioner shall be final.

¹ 5. PARTICULARS TO BE FURNISHED BY AN EMPLOYEE

- (1) An employee eligible for pension under the provisions of sub-paragraphs (1) and (3) of paragraph 4, shall within a period of ³ *three hundred and sixty six days* from the ² *appointed day or date of joining, as the case may be* submit to his employer the particulars of his family members in triplicate in Form PS-3 and nomination in triplicate in Form P.S-4 which after proper verification and due attestation shall be forwarded by the employer to the concerned authorised officer.
- (2) An employee who opts for pension under the provisions of sub-paragraphs (2) and (4) of paragraph 4, shall submit to his employer the particulars of his family members in triplicate in Form PS-3 and nomination in triplicate in Form PS-4 while exercising the option which after proper verification and due attestation shall be forwarded by the employer to the concerned authorised officer.
- (3) Where an employee eligible for pension under the provisions of the Scheme does not have a wife/husband at the time of making the nomination he may indicate the ¹**name** and particulars of the guardian of his minor son or daughter for the purpose of receiving the benefits under the provisions of the Scheme.
- (4) Whenever there is any change in the particulars submitted by an employee under the provisions of sub-paragraph (1),(2) and (3), he shall intimate the same to his employer who within a period of seven days from its receipt shall forward the same after verification and attestation to the concerned authorised ¹**officer**
- (5) At the time of making the nomination if an employee is having a family, the nomination shall be made only in favour of one or more members belonging to his family. A nomination made by an employee in favour of any person other than his family member shall become invalid on his acquiring a family.

6. MAINTENANCE OF ACCOUNTS AND RECORDS BY THE AUTHORISED OFFICER

- (1) The authorised officer shall be responsible for maintenance of proper accounts, records and Registers of the Pension Fund in such form as may be specified by the Commissioner from time to time.
- (2) The authorised officer shall be the sanctioning authority for the purpose of pension and other benefits under the provisions of the Scheme and shall also be responsible for disbursement of the same.

1 Corrigenda No.GSR 269(E) dated the 25th May 1998.

2 Notification No. GSR 268(E) dated the 25th May 1998.

3 Notification No. GSR 218(E) dated 22nd March 1999.

7 Notification NO. GSR 16(E) dated the 9th January 2002.

7. CALCULATION OF CONTRIBUTIONS

- (1) The rate of increment referred to in clause (d) of paragraph 3 in respect of time-rated or piece-rated category of employee shall be twenty six times of his daily rate of increment.
- (2) Where an employee exercises his option under the provisions of sub-paragraph (2) of paragraph 4 and is unable to deposit in full the amounts referred to in that sub-paragraph on or before the date of his superannuation, the amount of his pension shall be reduced by an amount calculated on the basis specified in Schedule-1.
- (3) Where the amount of Pension fund referred to in clauses (c) and (d) of paragraph 3 had not been deducted from the salary of the employee by an employer till the appointed day or had been deducted in part or in full but not remitted to the ³Commissioner on or before the appointed day, such amount shall be remitted to the ³Commissioner within a period of one hundred and twenty days from the appointed day and an interest of twelve percent per annum accrued on such amount as on the appointed day shall have also to be remitted by the employer to the ³Commissioner.
- (4) Any amount to be paid into or out of the Pension Fund shall be calculated to the nearest rupee, fifty paise or more to be counted as the next higher rupee and fraction less than fifty paise to be ignored.
- (5) In case no contribution to the pension fund is payable in a week or fortnight or month, only because of rounding off under sub-paragraph (4), the week or fortnight or month, as the case may be, shall not be excluded from the period of pensionable service. In case of weekly-paid employee, the number of weeks for which there is contribution to the Pension Fund shall be divided by four and in the case of fortnightly paid employee, the number of fortnights shall be divided by two to arrive at the number of months for which there is contribution to the Pension Fund. Fraction of a month so determined shall be rounded off by treating half or more as a complete month, ignoring fraction less than half.

8. RESPONSIBILITIES OF THE EMPLOYER

- (1) Every employer of the employee shall submit to the Commissioner on or before the 30th day of every month a return of contributions for the preceding month towards the Pension Fund along with the ¹detail of contributions towards provident fund in Form P.S-5.
- (2) Every employer shall be responsible for payment of the amount equivalent to one and one sixth percent of the salary of the employee to be transferred from the Fund as employer's share in terms of clause (b) of paragraph 3 and the same shall not be deducted from the salary or other benefits of the employee.

1 Corrigenda No.GSR 269(E) dated the 25th May 1998.

3 Notification No. GSR 218(E) dated 22nd March 1999.

9. INVESTMENT, ETC. OF PENSION FUND

- (1) The total amount vested in and transferred to the Pension Fund in accordance with the provisions of clause (a) of paragraph 3, except such amount as may be required from time to time for making the payment of pension and other benefits under the Scheme, shall be deposited on the appointed day by the Commissioner with the Central Government in the Public account.
- (2) The commissioner shall make suitable banking arrangements in respect of the amount vested in the Pension Fund in accordance with the provisions of ³clauses (b), (c), (d), (e) and (f) of paragraph 3 and such amount shall be invested in accordance with such pattern of investment as may be determined by the Central Government in the Ministry of Finance from time to time.

10. MONTHLY PENSION

- (1) An employee after completion of thirty years of pensionable service and on attaining the age of superannuation shall be eligible to receive monthly pension at the rate of twenty five percent of the average emoluments or not less than rupees three hundred fifty from the date following the date of superannuation till the date of his death.
- (2) Where an employee has not completed thirty years but has completed ten years pensionable service on attaining the age of superannuation, the pension shall be determined on the following basis :-

Length of pensionable service

----- X 25 percent of the average emoluments.

30

- (3) Where an employee having completed ⁴ten years of pensionable service and would be attaining the age of superannuation within a ⁶period of twenty years, opts to retire from the service before attaining the age of superannuation, the amount of monthly pension payable to such employee shall be determined on the basis specified in Schedule- 2.
- (4) Where an employee, has not completed ten years of pensionable service on attaining the age of superannuation, or opts to leave service, or his services are terminated, or becomes disabled before completion of ten years of pensionable service, the amounts payable by way of return of contribution to such employee shall be determined on the basis specified in Schedule -3

11. DISABLEMENT PENSION

Where an employee after rendering ten years of pensionable service becomes permanently handicapped or disabled on account of bodily or mental infirmity during his service time, and has been declared as such by a competent medical board, he shall be entitled to a disablement pension to be computed at the rate of twenty five percent of the average emoluments or not less than rupees three hundred fifty per month.

3 Notification No.GSR 218(E) dated 22nd March 1999.

4 Notification No. GSR 689(E) dated 29th August 2000.

6 Notification No. GSR 861(E) dated 23rd November 2001.

12. MONTHLY WIDOW OR WIDOWER PENSION

- (1) After the death of an employee from the date following the date of his/her death and till the date of her/his death or re-marriage whichever is earlier, his /her legally wedded wife/husband shall be entitled for widow or widower pension, as the case may be.
- (2) If an employee is having more than one legally wedded wife at the time of his death, all the surviving widows shall be entitled to receive in equal share the amount of widow pension till the date of their death or re-marriage, whichever is earlier.
- (3) The amount of monthly widow or widower pension payable on the death of an employee after the date of ³**superannuation or** ¹¹**date of his retirement** shall be equal to sixty percent of the monthly pension of the employee as on the date of his/ her death or not less than rupees two hundred and fifty.
- (4) In case an employee dies in service before attaining the age of superannuation, the amount of monthly widow or widower pension payable shall be equivalent to sixty six and two upon three percent, of monthly pension of the employee for which he/she would have become entitled on the date of his/her death or not less than ⁴**rupees three hundred and twenty.**

13. CHILDREN PENSION

- (1) After the death of an employee from the date following the date of his/her death, along with surviving wife/husband, two of the eldest sons or unmarried daughters, as the case ¹**may be**, till they attain the age of twenty five years or in the case of unmarried daughter till the date of her marriage, whichever is earlier, shall be entitled to children pension.
- (2) The amount of monthly children pension payable after the death of an employee shall be equal to twenty five percent of the amount of widow or widower pension for each son or daughter, as the case may be, or not less than rupees one hundred for each child.

1 Corrigenda No. GSR 269(E) dated the 25th May 1998.
3 Notification No. GSR 218(E) dated 22nd March 1999.
4 Notification No. GSR 689(E) dated 29th August 2000.
11 Notification No. GSR 108(E) dated 13th February 2003.

14. ORPHAN PENSION

- (1) In case there is no surviving widow or widower at the time of the death of an employee, from the date following the date of his/her death, or otherwise the date of the death of the widow/widower, two of the eldest sons or unmarried daughters, as the case may be, till ¹they attain the age of twenty five years and in the case of unmarried daughter till the date of her marriage, whichever is earlier, shall be entitled for orphan pension in lieu of children pension.
- (2) The amount of monthly orphan pension payable after the death of the employee or the widow/ widower shall be equivalent to fifty percent of the amount of widow/ widower pension ¹or not less than rupees one hundred and ten for each orphan.

15. OPTION TO BE EXERCISED BY EMPLOYEE

- (1) An employee entitled for pension under the provisions of the Scheme may opt at the time of making an application for pension in Form PS-6, either to draw,-
 - (a) the full admissible amount of pension; or
 - (b) ninety percent of the total admissible amount of the pension till the date of his death; or
 - (c) ninety percent of the total admissible amount of pension till the date of his death, and eighty percent, of his total admissible amount of pension as widow/ widower pension in favour of his/her wife / husband during her / his ¹life-time.
- (2) Where an employee exercises his option to receive ninety percent of the total admissible amount of the pension during his life time, then after his death, in addition to the widow/ widower pension, and children pension or orphan pension, as the case may be, his/ her nominee shall be entitled to receive in lump sum an amount equivalent to hundred times of his/ her full monthly pension.
- (3) Where an employee under sub-paragraph (1) exercises option to receive ninety percent of the total admissible amount of the pension during her/his life time and eighty percent of the total admissible amount of the pension as widow/widower pension in favour of his /her wife/husband during her /his life time, then the nominee shall be entitled to receive an amount equivalent to ninety times of the full monthly pension after the remarriage or death of the widow/widower whichever is earlier.
- (4) The Option once ¹exercised under this paragraph shall be final.

16. EX – GRATIA PAYMENT

Where an employee before attaining the age of superannuation dies in service, an amount of rupees five thousand shall be payable in lump sum to surviving widow widower and in case there is no widow/widower, to surviving children in equal share, or where there no widow / widower and children to the nominee.

1 Corrigenda No.GSR 269(E) dated the 25th May 1998.

17. PAYMENT OF OUTSTANDING BENEFITS

Where an employee dies in service or after ³superannuation ¹¹or date of his retirement and certain amounts accrued under the provisions of this Scheme have not been paid, such amounts shall be paid in equal share to the surviving widow/widower or in case there is no widow/widower, to surviving children in equal share, or where there is no widow/ widower and children to the nominee.

18. ADMINISTRATION OF THE SCHEME

- (1) An account called the "Pension Administration Account", for recording all the administrative expenses of the Scheme shall be maintained by the Commissioner in such manner as may be specified by the Board, with the approval of the Central Government. The Pension Administration Account shall contain such details as may be necessary to determine the sums payable by the Central Government for the administration of the Scheme in accordance with the provisions of section 3F. The liability of the Central Government to pay the expenses on administration of the Scheme shall be as decided by the Central Government from time to time.
- (2) All expenses for administering the Scheme, not including therein the cost of any benefit admissible under the Scheme, but including proportionate expenses of officers and in respect of employees, expenses for meetings of the Board and its committees, fees and allowances of Trustees, litigation expenses, hiring of services of experts, the cost of stationery, office equipment, furniture and rent for office accommodation, audit expenses and any other expenditure required for the purpose of giving effect to the Scheme shall be debited to the Pension Administration Account. Where any services, supplies and buildings are utilized for the common purposes of the Scheme and the Provident Fund Schemes, the cost of such services and supplies and buildings shall be appropriated between the Pension Administration Account and the Administration Account of the Coal Mines Provident Fund by the Commissioner with the approval of the Board and the Central Government.
- (3) In case the sums made available by the Central Government under the provisions of section 3F for administration of the Scheme are found to be inadequate, the expenditure over and above such sums shall be met out of the Administration Account of the Coal Mines Provident Fund, including one time initial expenditure involved in implementation of the Scheme, with the approval of the Board of Trustees and the Central Government.

19. BUDGET

- (1) The Commissioner shall place before the Board in January each year a budget showing separately probable receipts and expenditure which is expected to be incurred there from during the year commencing on the first day of April of that year. The Budget as approved by the Board shall be submitted for sanction to the Central Government before the fifteenth day of February each year.
-

3 Notification No. GSR 218(E) dated 22nd March 1999.

11 Notification No.GSR 108(E) dated 13th February 2003.

- (2) The Central Government may with or without any modifications ¹sanction the Budget.
- (3) The commissioner may make budgetary re-appropriation of funds subject to the condition that the total budget sanctioned under sub-paragraph (2) is not exceeded. ¹Such re-appropriation shall be placed by the Commissioner before the Board at its first meeting after such re-appropriation for its approval and the approval of Central Government shall also be obtained for the same before the expiration of the financial year.

20. AUDIT

The accounts of the Pension Fund shall be audited every year by the Comptroller and Auditor General of India.

21. ANNUAL AUDIT REPORT, BALANCE SHEET ETC.

The Commissioner shall place a report on the working of the Scheme relating to the previous year along with audited annual accounts at a meeting of the Board to be held before fifteenth day of November each year and the Board shall submit such report with the audited accounts to the Central Government for placing the same before parliament by the end of December each year.

22. VALUATION AND REVIEW OF THE PENSION FUND

- (1) The commissioner shall be responsible for valuation of the Pension Fund every third year by an Actuary to be appointed by the Board. The recommendations of the Actuary shall be placed by the Commissioner before the Board.
- (2) The Commissioner may initiate action for enhancement and revision of the amount of family pension admissible under the Coal Mines Family Pension Scheme, 1971 and after approval of the Board may recommend to the Central Government for amendment in the provisions of this Scheme.
- (3) At any time, when the Pension Fund so permits, the Board on the recommendation of an Actuary may recommend to the Central Government and with its approval may amend the rates of contribution payable under the Scheme or the scale of any benefits admissible or the period for which such benefit may be allowed.

23. RECOVERY OF DAMAGES FOR DEFAULT IN PAYMENT OF CONTRIBUTIONS-

- (1) It shall be the responsibility of the employer to deduct from the salary of an employee the contributions towards the employee's share under the Scheme and remit the same to the Commissioner in **Form PS – 5**.
- (2) Where any employer makes a default in the remittance of any contribution to the Commissioner, the Commissioner shall be competent to recover damages for such delayed remittance on the rates specified in **Schedule – 4**.
- (3) Where an employer makes default in remittance of any contribution to the Commissioner, such default in remittance on the part of the employer shall not make any adverse effect on the benefits admissible to an employee under the scheme.

Schedule – 1
[See sub-paragraph (2) of Paragraph 7]

Basis of Calculation of amount of reduction :

The amounts not deposited to be multiplied by the following factor for the period from appointed day to the date of superannuation divided by 100.

Example : Rupees 4000 not deposited, the employee superannuation in the year ²2002. The period from appointed day to the date of superannuation is 4 years. Factor for more than 4 years is 1.536, so reduction in pension =

$$\frac{4000 \times 1.536}{100} = 61.40 \text{ say Rupees } 61.00$$

Number of years form the Appointed day to the date of Superannuation	Factor
less than 1	--
less than 2	--
less than 3	--
less than 4	--
less than 5	--
less than 6	--
less than 7	--
less than 8	--
less than 9	--
less than 10	--
less than 11	--
less than 12	--
less than 13	--
less than 14	--
less than 15	--
less than 16	--
less than 17	--
less than 18	--
less than 19	--
less than 20	--
less than 21	--
less than 22	--
less than 23	--
less than 24	--

2 Notification No. GSR 268(E) dated the 25th May 1998.

Schedule – 2

[see sub-paragraph (3) of paragraph 10]

Basis for determining the Pension payable to an employee opting to draw pension before attaining the age of superannuation :-

Period in year(s) for Superannuation	⁶ For every Rupees 100 per month payable at age of superannuation, the amount payable to the employee from date of exit.
0	100
1	97
2	94
3	91
4	89
5	86
6	83
7	81
8	78
9	76
10	73
11	71
12	69
13	66
14	64
15	62
16	60
17	58
18	56
19	54
20	52

6 Notification No. GSR 86(E) dated 23rd November 2001.

Schedule – 3

[see sub-paragraph (4) of paragraph 10]

Basis of determining the amount payable to an employee who has not completed ten years of pensionable service.

(A) Entire pensionable service rendered with effect from 1.4.89

Number of years of pensionable Service, rounded to the nearest Year	Number of times the monthly Salary drawn on the date of Superannuation.
1	.60
2	1.23
3	1.86
4	2.51
5	3.17
6	3.84
7	4.52
8	5.22
9	5.45

(B) Entire pensionable service rendered up to 31.3.1989 :

Number of full years Contribution paid from the ³ <u>Date of appointment</u>	Amount payable on ¹ <u>superannuation (Rs)</u>
1	110
2	150
3	195
4	245
5	300
6	355
7	415
8	480
9	550

(C) Pensionable service rendered partly up to 31.3.89 and partly after 1.4.89:

Number of times of monthly salary under 'A' + amount payable under part B multiplied by deferred payment factor, as in schedule 1 from the appointed day to the date of superannuation

1 Corrigenda No. GSR 269(E) dated the 25th May 1998.

3 Notification No. GSR 218(E) dated 22nd March 1999.

Schedule – 4

[See sub-paragraph (2) of Paragraph 23]

Rates of Damages for delayed remittance

PERIOD OF DEFAULT

Default During the	Up to 1 Month	Over one Month upto 2 months	Over two Month upto 3 months	Over 3 Months upto 4 months	Over 4 months upto 5 months	Over 5 months upto 6 months
1 st Default	2% of Arrears	5% of Arrears	10% of Arrears	15% of Arrears	20% of Arrears	25% of Arrears
2 nd Default	5% of Arrears	10% of Arrears	15% of Arrears	20% of Arrears	25% of Arrears	25% of Arrears
3 rd Default	10% of Arrears	15% of Arrears	20% of Arrears	25% of Arrears	25% of Arrears	25% of Arrears
4 th Default	15% of Arrears	20% of Arrears	25% of Arrears	25% of Arrears	25% of Arrears	25% of Arrears
5 th Default	20% of Arrears	25% of Arrears	25% of Arrears	25% of Arrears	25% of Arrears	25% of Arrears
6 th or Subsequent Default	25% of Arrears	25% of Arrears	25% of Arrears	25% of Arrears	25% of Arrears	25% of Arrears

The Coal Mines Pension Scheme 1998 was published vide G.S.R 123(E) dated the 5th March, 1998 and subsequently amended vide number:-

1. Corrigenda No. GSR 269(E) dated the 25th May 1998.
2. Notification No.GSR 268(E) dated the 25th May 1998 w.e.f. date of publication.
3. Notification No. GSR 218(E) dated 22nd March 1999 w.e.f. date of publication.
4. Notification No.GSR 689(E) dated 29th August 2000 w.e.f. 31.3.1998.
5. Notification No. GSR 256(E) dated 12th April 2001 w.e.f. date of publication.
6. Notification No. GSR 861(E) dated 23rd November 2001 w.e.f. 31.3.1998.
7. Notification No. GSR 16(E) dated 9th January 2002 w.e.f. date of of publication.
8. Notification No.GSR 482(E) dated 8th July 2002 w.e.f. 31.3.1998.
9. Corrigenda No. GSR 519(E) dated the 24th July 2002.-In GSR 16(E) the Scheme has been referred as Coal Mines Pension(Amendment) Scheme 2001 while it should be read as Coal Mines Pension (Amendment) Scheme 2002
10. Notification No.GSR 107(E) dated the 13th February'2003 w.e.f. date of publication
11. Notification No. GSR 108(E) dated 13th February 2003. w.e.f. 31.3.1998

Form PS-1
[See Sub-paragraph (2) of Paragraph 4]

OPTION FORM

1. Name (in block letters) :
2. Coal Mines Provident Fund A/c. No. :
3. Father's /Husband's Name :
4. Marital status :
5. Permanent address : Village Thana
: Taluk/Sub-Division.....
:
: Post Office
: District State
6. Date of birth (in words) :Date.....Month.....Year.....

*I hereby opt for the Coal Mines Pension Scheme, 1998. I authorise diversion of pension contribution at the prescribed rate from my Provident Fund account. I also undertake to deposit the arrears of the amounts specified in clauses (b),(c), (d) and (e) of paragraph 3 of the Scheme in terms of the provisions of sub-paragraph (2) of paragraph 4.

Signature/ Thumb Impression
Colliery in
which employed

*I have understood the provisions of the Scheme and hereby do not opt for the Scheme.

Date: Signature/ Thumb Impression
Place: Colliery in
which employed

Certificate to be signed by Manager or Authorised officer of the Coal Mine

The provisions of the Scheme and the benefits thereof have been explained to Shri/Smt./Kumari.....in my presence.

Signature.....
Name.....
Designation.....
Name of Coal Mine.....

Date:
Place: Regd. No.....Region.....

* Inapplicable portion should be deleted.

ACKNOWLEDGEMENT

Received from Shri/Smt./Kumari.....
employed in Colliery, Option Form
Under sub-paragraph (2) of paragraph 4 of the Coal Mines Pension Scheme, 1998.

Date:

Place:

Authorised Officer

Form PS-2

[See Sub-paragraph(4) of Paragraph 4]

OPTION FORM

1. Name (in block letters) :
2. Coal Mines Provident Fund A/c No. :
3. Father's/ Husband's Name :
4. Marital status :
5. Permanent address : Village.....Thana
:
: Taluk/Sub-Division.....
:
: Post Office
: DistrictState.....
6. Date of birth (in words) :Date.....Month.....Year.....

I have superannuated from the service ofCoal Mines with effect from.....

I hereby opt for the Coal Mines Pension Scheme, 1998 and undertake to deposit the amounts specified in sub-paragraph (4) of paragraph 4.

Date.....

Signature/Thumb Impression

Place.....

Colliery of
Last employment
Regd. No.

Certificate to be signed by Manager or Authorised Officer of the Coal Mine

The provisions of the Scheme and the benefits thereof have been explained to Shri/Smt./Kumari.....
..... in my presence.

Signature:

Name:

Designation:

Date:

Name of Coal Mine:

Place:

Regd.No.:

.....

ACKNOWLEDGEMENT

Received from Shri/Smt./Kumari.....
last employed in.....Colliery, Option
Form under sub-paragraph (4) of Paragraph 4 of the Coal Mines Pension Scheme,
1998.

Date:

Place:

Authorised Officer

Form PS-3
[See Sub-paragraph (1) and (2) of paragraph 5]
Particulars of family

1. Name (in block letters) :
2. Coal Mines Provident Fund A/c No. :
3. Father`s/Husband`s Name :
4. Marital status :
5. Permanent address : Village Thana
:
: Taluk/sub-Division.....
:
: Post Office
: District.....State.....
6. Date of birth (in words) :Date.....Month.....Year....

The particulars of my "Family" are as follows:-

Sl.No.	Name of family members	Relationship with employee	Date of birth*
1.			
2.			
3.			
4.			
5.			

*(Where exact particulars are not available approximate age may be indicated in consultation with the M.O. of the Coal Mines).

I hereby certify that the particulars given above are correct to the best of my knowledge.

Date:

(Signature or thumb impression)

Place:

.....
.....

Certified that the above statement has been signed/subscribed by Shri/Smt./Kumari.....employed in..... Colliery in my presence. He /She has read the above particulars/above particulars have been read over to him/her by me.

(Signature of the Manager/authorised Officer)

Designation:

Name and address

of the Colliery:

Date:

Regd.No: .. Region: ..

Form PS-4

[See Sub –paragraphs (1) and (2) of Paragraph 5]

Nomination Form

1. Name (in block letters) :
2. Coal Mines Provident Fund A/c No. :
3. Father`s /Husband`s Name :
4. Marital Status :
5. Permanent address : VillageThana
:
:Taluk/Sub-Division
:
: Post Office
:District.....State.....
6. Date of birth (in words) :Day.....Month.....Year.....

(@ I hereby nominate the person/persons as “follows” to receive the outstanding benefits on my death in service.

(@ I hereby cancel the nomination made by me earlier and make fresh nomination as “follows” to receive the outstanding benefits on my death in service:-

(@ Delete whichever is not applicable.

Name and Address of the nominee or nominee(s) in block letters	Nominee`s relation with the employee	Date of birth of the nominee	Amount of Share

Signature or thumb

Impression

X I hereby declare that in the event of my death during the minority of above named nominee(s) the person whose particulars are as follows shall be the guardian of the minor nominee(s).

X I hereby cancel the earlier declaration of the guardian made by me and further declare that in the event of my death during the minority of my above named nominee(s) the person whose particulars are as follows shall be the guardian of the minor nominee(s).

Name and Address of the Guardian	Age of the Guardian	Relationship of the Guardian with the employee

Certified that the above declaration has been signed by.....

 employed in the Colliery in my presence. He/She has read the above particulars / above particulars have been read over to him / her by me.

Regd.No.of Coal Mine..... Signature of the Manager or other Officer

Date..... Signature.....
 Name and Address of the Coal Mines

X. Delete whichever is not applicable.

Form PS-5

[See Sub-paragraph (1) of paragraph 8]

Monthly abstract of contributions towards Pension Fund and Provident Fund for the month of.....1998.

(To be submitted to the Commissioner in triplicate by 30th day of every month by registered post or through a messenger alongwith the original Bank receipt/Cheque/Draft towards the contributions)

1. (a) Total amounts of salary of the employees
- (b) Total notional salary of the employees.....
- 2.

Month	Compulsory contributions towards CMPF excluding the amount of contributions to be transferred to the Pension Fund	Voluntary contributions of the employees towards CMPF	Pension contribution to be transferred	Two percent additional contribution on total *notional salary of the employees	Amounts of one increment	Under/over charge
-------	---	---	--	--	--------------------------	-------------------

- * Upto 31-3-1996 on total salary paid and from 1-4-96 on notional salary payable.
- 3 Add on account of under charges
 4. Deduct on account of over charges
 5. Administrative charges of three percent on gross compulsory contribution towards Provident Fund in terms of the provisions of Provident Fund Scheme.
 7. Total amount of contribution and administrative Charges. Rs.
 8. Amount of Bank collection charge Rs.
 8. Total amount of remittance Rs.
- @ (i) (Deposited Rs.under Provident Fund Cash Receipt No.....dated.....)
- @ (ii) (Deposited Rs.in the State Bank of India, Dhanbad ******(or any other Nationalized/ Scheduled Bank) Account No. I (Receipted Pay-in- Slip Attached).
- @ (iii) Remitted Rs.vide crossed account payee cheque/crossed account payee draft No.....dated.....on the in favour of Coal Mines Provident Fund Account No. I (Cheque or draft attached).

Dated.....200.....

Manager :
 Colliery :
 C.M.P.F. Regd. No.....
 Zone.....

@ Delete the portion which is not applicable.

** Inserted vide GSR 403 dated 19.11.04.

Form PS-6
[See sub-paragraph (1) of Paragraph 15]

Application for different benefits

1. Name (in block letters) :
2. Coal Mines Provident Fund A/c No. :
3. Father`s/Husband`s Name :
4. Marital Status :
- 5 (a) Permanent address of the claimant : Village P.O.
: Police Station Dist.
: State
- 5 (a) Present address of claimant : Village P.O.
: Police Station Dist.
: State
6. Date of birth (in words) : Day.....Month.....Year.....
- 7 Date of initial employment :
8. Date of cessation of employment :
9. Cause of cessation of employment :
10. Name of Claimant :
11. Relationship of the claimant with the employee :
12. Whether the claim is for self or on behalf of :
minor child of the deceased employee.
13. Kind of Pension admissible :
14. Name of establishment/colliery where the employee was employed from 1-3-1971 or from the date of joining whichever is later.

<u>Colliery</u>	<u>Period</u>	
	From	To
- (i)
- (ii)
- (iii)
- (iv)
- (v)
- (vi)
- (vii)
15. Period of absence without wages during last 10 months

<u>Period from</u>	to	<u>No. of days</u>
--------------------	----	--------------------
- (i)
- (ii)
- (iii)
- (iv)
- (v)
16. Whether period of absence without pay has been regularised by the Competent Authority.

17. Average emoluments during the last 10 months Rs.....(detailed statement to be attached with number of days for which wages paid).
18. Whether employee desires to receive Pension before attaining the age of superannuation. If yes, option under the provisions of sub-paragraph (3) of paragraph 10 has been attached or not.
19. Whether employee desires to receive pension under the provisions of sub-paragraph (1) of paragraph 15 of the Scheme. If yes,his option has been attached or not.
20. In case of disablement pension whether the declaration of the competent medical Board has been attached or not.

21. Details of Family:

Name	Date of birth	Name of guardian in r/o minor child/ Children with full address
Wife		
Sons below 25 years		
1)		
2)		
3)		
Unmarried daughters below 25 years		
1)		
2)		
3)		
4)		
Nominee with full address		

22. Mode of payment:

(a) Name of the bank
 SB A/c No. (in words) :.....
 (in figures) :.....

OR

(b) Post Office- Branch:.....Distt
 SB A/c No. (in words):.....
 (in figures):.....

OR

(c) M.O. on the cost of payee- Full address :.....

OR

(d) Office of the Authorised Officer

**Option to be exercised by the employee at the time of submission of
Claim of pension under Coal Mines Pension Scheme,1998.**

I.....S/o
..... holder of CMPF A/c
No.....employed in(colliery)
hereby opt:-

* (1) to draw pension w.e.f.at the age
of.....years i.e. earlier than superannuation age under the
provisions of sub-paragraph (3) of paragraph 10 of the Scheme.

OR

* (2) to draw full admissible amount of pension under clause (a) of sub-paragraph
(1) of paragraph 15 of the Scheme.

OR

* (3) to draw reduced pension during my life time under the provisions of clause (b)
of sub-paragraph (1) of paragraph 15 of the Scheme.

OR

* (4) to draw reduced pension during my life time under the provisions of clause (c)
of sub-paragraph (1) of paragraph 15 of the Scheme.

*(Strike out the option not applicable)

I declare that I have fully understood the provisions of the Scheme and
understand that the option once exercised will be final and I shall, have no right to
modify it.

Date: Signature/Right thumb impression/
Place: Left thumb impression of the employee
:

Countersigned

Date: Signature
Place: Colliery Manager:
Official Seal

DECLARATION

I hereby declare that the above particulars are true to the best of my knowledge.

I declare that I have not remarried after(insert the date of
death of employee).

I declare that I have not attained the age of 25 years (in case of son).

I declare that I have not married and have not attained the age of 25 years (in
case of daughter)
(strike if not applicable).

Date: Signature/Right thumb impression/
Place: Left thumb impression of claimant

(To be Completed by the Colliery Manager)

Certified that Shri/Smt./ Kumari
wife/son/daughter of L/ is
known to me/has been identified before me by
whom I know since last
years.....months and that he/she signed/affixed LTI/RTI before me
and that to the best of my knowledge and belief the particulars furnished in the claim
are correct.

Signature/Thumb Impression
of the claimant

Signature of the
Colliery Manager
Designation
Address and
Official Seal

Signature of the Identifier
with full details

Date:
Place:

Certificate by the Colliery Manager

Certified that the particulars of the employee and that of his/her family
are correct in accordance with the service records maintained by the Colliery
Management.

Certified that full contributions as required under the provisions of the
Scheme have been recovered and remitted to the C.M.P.F. Commissioner, Dhanbad.

Date:
Place:

Signature of the Colliery Manager
Official Seal

[File No. 20/36/96-ASO]

Sd/-
(J.HARINARAYAN)
Joint Secretary to the Government of India.

The Gazette of India
EXTRAORDINARY
PART II – Section 3 – Sub-section (ii)
PUBLISHED BY AUTHORITY
New Delhi, Saturday, March 21, 1998/Phalguna 30,1919
No. 176

MINISTRY OF COAL

MINISTRY OF COAL

NOTIFICATION

NOTIFICATION

New Delhi, the 20th March, 1998

New Delhi, the 20th March, 1998

S.O.232 (E) – In exercise of the powers conferred by sub-section (2) of section 1 of the Coal Mines Provident Fund and Miscellaneous Provisions (Amendment) Act, 1996 (23 of 1996), the Central Government hereby appoints the 31st day of March, 1998 as the date on which the said Act shall come into force.

S.O.233 (E) – In exercise of the powers conferred by sub-paragraph (2) of paragraph 1 of the Coal Mines Pension Scheme, 1998 (Published in the Official Gazettee vide number G.S.R. 123 (E), dated the 5th March, 1998), the Central Government hereby appoints the 31st day of March, 1998 as the date on which the said Scheme shall come into force.

[No. 20/36/96-ASO]
G.B. Mukherji, Jt. Secy.

[No. 20/36/96-ASO]
G.B. Mukherji, Jt. Secy.

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Monday, May 25, 1998/Jyaistha
4,1920

No. 180

MINISTRY OF COAL

NOTIFICATION

New Delhi, the 25th May, 1998

G. S. R. 268 (E) – In exercise of the powers conferred by section 3E of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following amendments in the Coal Mines Pension Scheme, 1998, namely :

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 1998.

(2) It shall come into force on the date of its publication in the Official Gazettee.

2. In the Coal Mines Pension Scheme, 1998, -

(i) in paragraph 5, for the words "appointed day" the words "appointed day or date of joining, as the case may be" shall be substituted;

(ii) In Schedule I, in Example, for the figures "2001", the figures "2002" shall be substituted.

[F.No. 20/36/96-ASO]
G.B. Mukherji, Jt. Secy.

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Monday, May 25, 1998/Jyaistha
4,1920

No. 181

MINISTRY OF COAL

CORRIGENDA

New Delhi, the 25th May, 1998

G. S. R. 269 (E) – In the notification of the Government of India in the Ministry of Coal NO. G. S. R. 123 (E), dated the 5th March, 1998, published in Part II, Section 3, Sub – section (i) of the Gazette of India, Extraordinary, dated the 5th March, 1998, at pages 35-53,-

at page 35,-

in line 15, for the word "unless" read "unless";

in line 32, for the words and sign "son, or daughter" read "son or daughter"

at page 37,-

in line 20, for the words "Along with" read "alongwith";

in line 22, for the brackets and figure "(5) read "5";

in line 32, for the word "names" read "name";

in line 38, for the word "office" read "officer";

at page 38,-

in line 21, for the words "details" read "detail of";

At page 39,-

in line 21, for the words and sign “may, be” read “may be”;

in line 28, for the word “thay” read “they”;

in line 32, for the words “of not less than” read “or not less than”;

in line 40, for the words and sign “life, time” read “life-time”;

At page 40,-

in line 1, for the word “exercises” read “exercised”;

in line 36, for the word “saction” read “sanction”;

in line 38, for the word “such” read “Such”;

at page 43,-

in line 19, for the word “Superannuation” read “Superannuation (Rs.)”;

at page 45,-

in line 29, for the words and figure “sub-paragraph 4” read “sub-paragraph (4)”;

at page 48,-

in line 13, for the word “follow” read “follows”;

in line 14, for the word “follow” read “follows”;

at page 51,-

in line 34, for the figure “5” read “15”.

[F.No. 20/36/96-ASO]
G.B. Mukherji, Jt. Secy.

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Monday, March 22,
1999/Chaitra 1,1921

No. 142

MINISTRY OF COAL

NOTIFICATION

New Delhi, the 22nd March, 1999

G. S. R. 218 (E) – In exercise of the powers conferred by section 3E of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following Scheme further to amend the Coal Mines Pension Scheme, 1998, namely :-

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 1999.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Coal Mines Pension Scheme, 1998,

(1) In Paragraph 4,-

(a) in sub-paragraph (2), for the words “sixty days” the words “three hundred and sixty six days” shall be substituted;

(b) in sub-paragraph (4),

(i) for the word “superannuation”, wherever it occurs, the words “superannuation or retirement” shall be substituted;

(ii) for the words “one hundred and eighty days” the words “three hundred and sixty six days” shall be substituted;

(2) In paragraph 5, in sub-paragraph (1), for the words “sixty days” the words “three hundred and sixty six days” shall be substituted;

(3) In paragraph 7, in sub-paragraph (3), for the words “authorised officer” wherever they occur, the word “Commissioner” shall be substituted;

(4) In paragraph 9, in sub-paragraph (2), for the words, brackets and letters “clauses (b),(c),(d) and (e)”, the words, brackets and letters “clauses (b),(c),(d),(e) and (f)” shall be substituted;

(5) In paragraph 12, in sub-paragraph (3), for the word “superannuation”, the words “superannuation or retirement” shall be substituted;

(6) In paragraph 17, for the word “superannuation”, the words “superannuation or retirement” shall be substituted;

(7) In Schedule 3, in item (B), for the words “appointed day”, the words “date of appointment” shall be substituted.

[F.No. 20/30/98-ASO]
G.B. Mukherji, Jt. Secy.

Footnote :- The Coal Mines Pension Scheme, 1998 was published vide number G. S. R. 123 (E), dated the 5th March, 1998 and subsequently amended vide number G. S. R. 268 (E), dated the 25th May, 1998.

**The Gazette of India
EXTRAORDINARY**

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Tuesday, August 29,
2000/Bhadra 7,1922

No. 451

**MINISTRY OF COAL
NOTIFICATION**

New Delhi, the 29th August, 2000

G. S. R. 689 (E) – In exercise of the powers conferred by section 3E and section 7 of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following amendments to the Coal Mines Pension Scheme, 1998, namely :-

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 2000.

(2) It shall be deemed to have come into force with effect from the 31st day of March, 1998.

2. In the Coal Mines Pension Scheme, 1998, :-

(1) In Paragraph 2, for clause (q) the following clause shall be substituted namely :-

“(q) ‘retirement’ in relation to an employee who is a member of the Pension Scheme means exit of an employee on completion of ten years of pensionable service”.

(2) in paragraph 3 in clause (c), for the word “Salary” the words “basic and dearness allowance paid” shall be substituted;

(3) in paragraph 4, in sub-paragraph (4), --

(a) after the words “Form-PS-2”, the words “and a member who died on or after the first day of April 1994 to the appointed date shall be deemed to have exercised the option of joining the Scheme on the date of his death” shall be inserted;

(b) in proviso after the words “exercising his option” the words “ or the deemed optee” shall be added;

(4) in paragraph 10, in sub-paragraph (3), for the words “fifteen years” the words “ten years” shall be substituted;

(5) in paragraph 12, in sub-paragraph (4), for the words “rupees two hundred and fifty “ the words “rupees three hundred and twenty” shall be substituted.

[F.No. 20/15/2000-ASO]
Himmat Singh, Jt. Secy.

Footnote :- The Coal Mines Pension Scheme, 1998 was published vide G. S. R. 123 (E), dated the 5th March, 1998 and subsequently amended vide number-

1. GSR 268 (E), dated the 25th May, 1998.
2. GSR 218 (E), dated the 22nd March, 1999.

EXPLANATORY MEMORANDUM

Section 7 of Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948) empowers the Central Govt. to add to, vary or amend a Scheme framed under the Act either prospectively or retrospectively.

The Coal Mines Pension Scheme, 1998 (hereinafter referred to as the said Scheme) came into force with effect from the 31st day of March, 1998. The said Scheme restricted the benefit of pensioner to those who completed 15 years of pensionable service and it excluded the cases of voluntary retirement, resignation and retrenchment. The said Scheme also restricted the benefit to those who expired between 1.4.94 to 31.3.98. The amendments to the said Scheme are necessary with a view to make it more broadbased and beneficial.

2. The present amendments shall benefit the employees who completed 10 years of pensionable service, and it will cover the cases of voluntary retirements, resignation and retrenchment. The amendments shall also provide the benefit to those who expired during the period from 1.4.94 to 31.3.98. The amendments are given effect from the retrospective date, namely 31st March, 1998 in order to make it more beneficial and equitable to all the employees.

3. The amendments to the said Scheme with retrospective effect will not adversely affect the interest of any employees.

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Thursday, April 12,
2001/Chaitra 22, 1923

No. 174

MINISTRY OF COAL

NOTIFICATION

New Delhi, the 12th April, 2001

G. S. R. 256 (E) – In exercise of the powers conferred by section 3E of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following Scheme further to amend the Coal Mines Pension Scheme, 1998, namely :

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 2001.

(2) It shall come into force on the date of its publication in the Official Gazettee.

2. In the Coal Mines Pension Scheme, 1998, in paragraph 4, in sub-paragraph (2), for the proviso, the following proviso shall be substituted, namely :-

“Provided that an employee exercising the option under the provisions of this sub-paragraph shall have to deposit in the Pension Fund either in cash or by way of deduction in installments from his monthly salary or by transfer from his Provident Fund account to the Pension Fund, the arrears equivalent to the amounts specified in clauses (b) (c), (d) and (e) of paragraph 3, alongwith interest from the first day of March, 1971 till the date of exercising the option in respect of arrears.

(i) specified in clause (b), at the rate admissible from time to time to the monies in Coal Mines Provident Fund.

(ii) specified in clause (c) and (d) at the rate of twelve per cent per annum and

(iii) specified in clause (e), at such rate as the Central Government, from time to time, credited interest in respect of its contributions to the Coal Mines Family Pension Scheme 1971.

[F.No. 20/15/98-ASO/PRIW]

D.P. Singh, Jt. Secy.

Foot note :- The Coal Mines Pension Scheme, 1998 was published vide G.S.R. number 123 (E), dated the 5th March, 1998 and subsequently amended vide number :-

1. GSR 268(E), dated the 25th May, 1998.
2. GSR 218(E), dated the 22nd March, 1999.
3. GSR 689(E), dated the 29th August, 2000.

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Friday, Nov 23,
2001/Agrahayana 2, 1923

No. 589

MINISTRY OF COAL AND MINES

(Department of Coal)

NOTIFICATION

New Delhi, the 23rd November, 2001

G. S. R. 861 (E) – In exercise of the powers conferred by section 3E and 7 of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following

Further amendments to the Coal Mines Pension Scheme, 1998, namely :-

1. (i) This Scheme may be called the Coal Mines Pension (Second Amendment) Scheme, 2001.

(ii) It shall be deemed to have come into force with effect from the 31st day of March, 1998.

2. In the Coal Mines Pension Scheme, 1998 --

(i) in paragraph 10, in sub-paragraph (3), for the words "period of ten years" the words "period of twenty years" shall be substituted.

(ii) In Schedule 2, for the words and figures.

"Period in year(s) for Superannuation	For every rupees 100 payable at age of superannuation, the amount payable to the employee
0	100
1	97
2	94
3	91
4	89
5	86
6	83
7	81
8	78
9	76
10	73"

the following words and figures shall be substituted namely :-

"Period in year(s) for Superannuation	For every rupees 100 per month payable at age of superannuation, the amount payable to the employee from date of exit.
0	100
1	97
2	94

3	91
4	89
5	86
6	83
7	81
8	78
9	76
10	73
11	71
12	69
13	66
14	64
15	62
16	60
17	58
18	56
19	54
20	52"

[F.No. 20/16/2001-PRIW]
D.P. Singh, Jt. Secy.

EXPLANATORY MEMORANDUM

Section 7 of Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948) empowers the Central Government to add to, vary or amend a Scheme framed under the Act either prospectively or retrospectively.

The present amendments shall benefit the employees who have completed 10 years of pensionable service and it will cover the case of exit of an employee at the age of 40 years.

Footnote :- The Coal Mines Pension Scheme, 1998 was published vide G.S.R. 123 (E), dated the 5th March, 1998 and subsequently amended vide number :-

1. G. S. R. 268 (E), dated the 25th May, 1998.
2. G. S. R. 218 (E) dated the 22nd March, 1999.
3. G. S. R. 689 (E) dated the 29th August, 2000.
4. G. S. R. 256 (E) dated the 12th April, 2001.

The Gazette of India
EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Wednesday, Jan 9, 2002/Pausa
19,1923

No. 14

MINISTRY OF COAL AND MINES

(Department of Coal)

NOTIFICATION

New Delhi, the 9th January, 2002

G. S. R. 16 (E) – In exercise of the powers conferred by section 3E of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following Scheme further to amend the Coal Mines Pension Scheme, 1998, namely :

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 2001.

(2) It shall come into force on the date of its publication in the Official Gazettee.

2. In the Coal Mines Pension Scheme, 1998, in paragraph 4-

(a) after Sub-paragraph (2), the following shall be inserted namely :-

“(2A) An employee who has not opted for the Coal Mines Family Pension Scheme 1971 but is covered by the Provident Fund Scheme, may opt for Pension under the provisions of this Scheme within a period of nine months from the date of this notification and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-1”.

(b) After Sub-paragraph (4), the following shall be inserted, namely :-

“(4A) An employee who was a member of the Coal Mines Family Pension Scheme 1971 on the date of his superannuation or retirement on or after the first day of April 1994 may also opt for the pension under the provisions of this Scheme from the date of his superannuation or retirement within a period of nine months from the date of this notification and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-2.

EXPLANATORY MEMORANDUM

The Gazette notification for extension of time in respect of submission of Forms PS – I and PS – 2 was published on 22.3.1999 and the submission date expired on 31.3.1999, that is only after 8 days of publication of the notification. With the issue of amending notification to the Principal Scheme of 1998 vide G. S. R. 689 (E) dated 29.8.2000 some more categories of employees have become eligible to opt for the Scheme. Hence, most of the eligible members could not exercise their options in the stipulated time. Therefore, the present amendment shall make them eligible under the Pension Scheme.

[F.No. 20/30/98-ASO/PRIW]
D.P. Singh, Jt. Secy.

Foot note :- The Coal Mines Pension Scheme, 1998 was published vide G.S.R. number 123 (E) dated the 5th March, 1998 and subsequently amended vide number :-

1. GSR 268(E), dated the 25th May, 1998.
2. GSR 218(E), dated the 22nd March, 1999.
3. GSR 689(E), dated the 29th August, 2000.
4. GSR 256 (E), dated the 12th April, 2001.
5. GSR 861 (E), dated the 23rd Nov., 2001.

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Monday, July 8,
2002/Asadha 17,1924

No. 311

MINISTRY OF COAL AND MINES

(Department of Coal)

NOTIFICATION

New Delhi, the 8th July, 2002

G. S. R. 482 (E) – In exercise of the powers conferred by section 3E of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following amendments to the Coal Mines Pension Scheme, 1998, namely :-

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 2002.

(2) It shall be deemed to have come into force with effect from the 31st day of March, 1998.

2. In the Coal Mines Pension Scheme, 1998, in paragraph 4, after sub-paragraph (2A), the following shall be inserted namely :-

“(2B) An ex-employee who had not opted for the Coal Mines Family Pension Scheme, 1971 but was covered by the Coal Mines Provident Fund Scheme and had superannuated within 1.4.1994 to 31.3.1998 may opt for pension under the provisions of this Scheme within a period of nine months from the date of this notification in the Official Gazette and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS – 1;

Provided that an ex-employee exercising the option under the provisions of this sub - paragraph shall have to deposit in the Pension Fund either in cash or by transfer from his Provident Fund account to the Pension Fund the arrears equivalent to the amounts specified in clauses (b) (c), (d) and (e) of paragraph 3, alongwith interest from the 1st day of March, 1971 till the date of exercising the option in respect of arrears;

(i) Specified in clause (b) at the rate admissible from time to time to the monies in Coal Mines Provident Fund;

(ii) Specified in clauses (c) and (d), at the rate of twelve percent per annum; and

(iii) Specified in clause (e) as such rate as the Central Government from time to time, credited interest in respect of its contribution to the Coal Mines Family Pension Scheme, 1971”.

Footnote :- The Coal Mines Pension Scheme, 1998 was published vide G. S. R. 123 (E) dated the 5th March, 1998 and subsequently amended vide number :-

1. G. S. R. 268 (E), dated the 25th May, 1998.
2. G. S. R. 218 (E), dated the 22nd March, 1999.
3. G. S. R. 689 (E), dated the 29th August, 2000.
4. G. S. R. 256 (E), dated the 12th April, 2001.
5. G. S. R. 861 (E), dated the 23rd Nov., 2001.
6. G. S. R. 16 (E), dated the 9th January, 2002.

EXPLANATORY MEMORANDUM

Section 7 of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948) empowers the Central Government to add to, amend or vary a Scheme framed under the Act either prospectively or retrospectively.

2. The Coal Mines Pension Scheme, 1998 came into force with effect from the 31st day of March, 1998. The said Scheme restricted the benefit of pension to those Family Pension members who superannuated between 1.4.1994 and 31.3.1998. Later on the Board of Trustees, Coal Mines Provident

Fund in its 133rd Meeting held on 9.8.2001 approved the proposal to give the membership of Pension Scheme, 1971. The amendment is given retrospective effect from 31st March, 1998 in order to make it more beneficial and equitable to all the employees.

3. The amendment to the said Scheme with retrospective effect will not adversely affect the interest of any employee.

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Wednesday, July 24,
2002/Sravana 2, 1924

No. 344

MINISTRY OF COAL AND MINES

(Department of Coal)

CORRIGENDUM

New Delhi, the 24th July, 2002

G. S. R. 519 (E) – In the notification of the Government of India in the Ministry of Coal and Mines number G.S.R. 16 (E), dated 9th January, 2002 in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 9th January, 2002, at page 2, in line 8, for “2001” read “2002”.

[F.No. 20/30/98-ASO/PRIW]
Rajiv Sharma, Jt. Secy.

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Wednesday, Dec. 4,
2002/Agrahayana 13, 1924

No. 551

MINISTRY OF COAL AND MINES

(Department of Coal)

CORRIGENDUM

New Delhi, the 4th December, 2002

G. S. R. 799 (E) – In the notification of the Government of India in the Ministry of Coal and Mines bearing number G. S. R. 482 (E), dated 8th July, 2002 published in Part II. Section 3, Sub – section (i) of the Gazette of India. Extraordinary dated the 8th July, 2002, at page 2, in line 13, for “superannuated” read “superannuated or retired”.

[F.No. 20/29/01-PRIW]
Rajiv Sharma, Jt

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Thursday, Feb. 13,
2003/Magha 24, 1924

No. 72

MINISTRY OF COAL

NOTIFICATION

New Delhi, the 13th February, 2003.

G. S. R. 107 (E) – In exercise of the powers conferred by section 3E read with section 7 of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendments in the Coal Mines Pension Scheme, 1998, namely :-

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 2003.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In Coal Mines Pension Scheme, 1998 in the paragraph 3 (f) the words namely “the provisions of the proviso to sub-paragraph (2) and (4) of” shall be deleted.

3. In Coal Mines Pension Scheme, 1998, in paragraph 4, after sub-paragraph 4(A) following sub-paragraphs shall be inserted namely:-

“(5) An employee, who was a member of the Central Coalfields Limited Staff Provident Fund, Darbhanga House, Ranchi, hereinafter referred to

as CCLSPF, or the Coal Mines Authority Limited Staff Provident Fund constituted under the Coal Mines Nationalisation Provident Fund rule 1976, hereinafter referred as CMALSPF, retired or superannuated on or after first day of April, 1994 or has become the member of Coal Mines Pro-vident Fund, shall be deemed to have be- come the member of this scheme and eli- gible to draw pension from the date, follow- ing the date of superannuation or retire- ment in respect of members super- annuated or retired on or before 7th October, 2002, and other members as per the provisions of this scheme from 8th October, 2002.

Provided the employee or the ex-emplo- yee or the family (in the event of death of an ex-employee) deposits into the pension fund the arrears, equivalent to the amou- nts specified in clauses (b), (c), (d), (e) & (f) of Paragraph 3, alongwith interest till the date of deposit from the first day of March. 1971 or the date of joining service, which- ever is later, till 7th October, 2002 or the date of superannuation or retirement, as the case may be, by way of authorising transfer of such amounts from his/her provident fund accumulations, in respect of members who have not withdrawn their Provident Fund accumulations, and for other member’s cases, by way of Demand Draft.

Note – for the purpose of this paragraph.

(i) A deemed member under this paragraph shall have the option not to join this scheme. For this, he shall inform the Commissioner in writing within one year from the date of publication of this notification. The option once exercised shall be final.

(ii) The amounts specified in clause (b) of paragraph 3, shall carry an interest at the rates admissible to Coal Mines Provident Fund members, for clause(c) and(d) of para- graph 3, at the rate of 12% per annum and

the amounts under clause (e) of paragraph 3, at such rate, fixed by the Central Government from time to time credited interest in its contributions to the Coal Mines Family Pension Scheme, 1971 till 31.3.1998, and at the rate of 8.5% with effect from 1.4.1998.

(iii) The pensionable service shall be counted in terms of paragraph 2 (O) deeming that they were the members of ceased Coal Mines Family Pension Scheme, 1971 or Coal Mines Pension Scheme, 1998 as the case may be, from 1.3.1971 or from the date of joining into CMALSPF or CCLSPF, whichever is later till 7th October, 2002 or date of superannuation or retirement, as the case may be.

(iv) In case of dispute regarding pensionable service the decision of the Commissioner shall be final”.

[F.No. 20/18/97-ASO/PRIW]
Rajiv Sharma, Jt. Secy.

Footnote :- The Coal Mines Pension Scheme, 1998 was published vide G. S. R. No. 123 (E) dated the 5th March 1998 and subsequently amended vide numbers :-

1. G. S. R. 268 (E), dated the 25th May, 1998.
2. G. S. R. 218 (E), dated the 22nd March, 1999.
3. G. S. R. 689 (E), dated the 29th August, 2000.
4. G. S. R. 256 (E), dated the 12th April, 2001.
5. G. S. R. 861 (E), dated the 23rd Nov., 2001.
6. G. S. R. 16 (E), dated the 19th January, 2002.
7. G. S. R. 482 (E), dated the 8th July, 2002.

EXPLANATORY MEMORANDUM

Section 7 of the Coal Mines Provident Fund and Miscellaneous Provision Act, 1948 (46 of 1948) empowers the Central Government to add to, amend or vary a Scheme framed under the Act either prospectively or retrospectively.

The Coal Mines Pension Scheme, 1998 came into force with effect from 31st day of March, 1998. The member of the Coal Mines Authority Limited Staff Provident Fund and Central Coalfields Limited Staff Provident Fund who are in service as on 8th October, 2002 have become the members of the Coal Mines Provident Fund with effect from 8th October, 2002 as per notification No. G. S. R. 687 (E), dated 8.10.2002. The Board of Trustees of Coal Mines Provident Fund in its 133rd meeting held on 9.8.2001 under agenda item No. XVI recommended that Coal Mines Provident Fund members who were not members of Family Pension Scheme under Coal Mines Family Pension Scheme, 1971 but made on exit from the services between 1.4.1994 to 31.3.1998 may also be allowed to give option to join Coal Mines Pension Scheme 1998. This option will also be extended to Central Coalfields Limited Staff Provident Fund & Coal Mines Authority Limited Staff Provident Fund members and to those who are deemed to have become the member of Coal Mines Provident Fund, by virtue of the notification no. G.S.R.687 (E) dated 8.10.2002. The members of the Coal Mines Provident Fund, who were not members of Coal Mines Family Pension Scheme, 1971, superannuated between 1.4.1994 to 31.3.1998 have already been given option to this effect vide notification No.G.S.R. 482 (E) dated 8th July, 2002. This proposed amendment will extend such benefit also to those ex-members of Coal Mines Authority Limited Staff Provident Fund and Central Coalfields Limited Staff Provident Fund who were superannuated or retired between 1.4.1994 to 7.10.2002 and have become the members of Coal Mines Provident Fund on 8th October, 2002 to become the members of this scheme.

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Thursday, Feb. 13,
2003/Magha 24, 1924

No. 73

MINISTRY OF COAL AND MINES

(Department of Coal)

NOTIFICATION

New Delhi, the 13th February, 2003.

G. S. R. 108 (E) – In exercise of the powers conferred by section 7, read with section 3E of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following Scheme further to amend the Coal Mines Pension Scheme, 1998, namely :

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 2003.

(2) It shall be deemed to have come into force on the 31st day of March, 1998.

2. In the Coal Mines Pension Scheme, 1998 –

(a) In paragraph 2, after clause (f) the following clause shall be inserted, namely :-

‘(f a) “date of his retirement “ means the date of retirement beginning on or after the first day of April, 1994’.

(b) In paragraph 4, in sub-paragraph (4), for the words, “superannuation or retirement” wherever they occur, the words, “superannuation or date of his retirement,” shall be deemed to have been substituted;

(c) In paragraph 12, in sub-paragraph (3), for the words, “superannuation or retirement,” the words, “ superannuation or date of his retirement,” shall be deemed to have been substituted;

(d) In paragraph 17, for the words, “superannuation or retirement,” the words, “superannuation or date of his retirement” shall be deemed to have been substituted.

[F.No. 20/30/98-ASO/PRIW]

Rajiv Sharma, Jt. Secy.

Footnote :- The Coal Mines Pension Scheme, 1998 was published vide G.S.R 123 (E) dated the 5th March, 1998 and subsequently amended vide number :-

1. G. S. R. 268 (E), dated the 25th May, 1998.
2. G. S. R. 218 (E), dated the 22nd March, 1999.
3. G. S. R. 689 (E), dated the 29th August, 2000.
4. G. S. R. 256 (E), dated the 12th April, 2001.
5. G. S. R. 861 (E), dated the 23rd Nov., 2001.
6. G. S. R. 16 (E), dated the 9th January, 2002.
7. G. S. R. 482 (E), dated the 8th July, 2002.

EXPLANATORY MEMORANDUM

Section 7 of Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948) empowers the Central Government to add to, amend or vary a Scheme framed under the Act either prospectively or retrospectively.

2. The Coal Mines Pension Scheme, 1998 came into force with effect from the 31st day of March 1998. In the principal scheme, the word “superannuation” occurring in paragraphs, 4 (4), 12 (3) and 17 was inappropriate as it excluded employees from the benefit of pension who would retire by mode other than superannuation. The Board of Trustees, Coal Mines Provident Fund in its 125th Meeting held on 20th November, 1998 approved substitution of word “superannuation” by “superannuation or retirement.” A notification vide G. S. R. 218 (E) dated 22nd March, 1999 was issued to bring the intended amendment. However, inadvertently effective date of notification was given the date of its publication instead of intended date i.e. 31st March, 1998. As a result all those employees who had retired prior to 22nd March, 1999 would be rendered ineligible for the benefit of Pension Scheme, whereas the intention was to give an option to all the employees who retired on or after 31st Day of March, 1998 as well as to those employees who retired on or after the 1st day of April 1994. However, the benefit under the Scheme would be applicable w.e.f. 31st day of March, 1998 i.e. when the Scheme was brought into force.

3. It is hereby certified that no employee would be adversely affected by bringing into force this notification retrospectively.

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Thursday, August 12,
2004/Sravana 21,1926

No. 347

MINISTRY OF COAL AND MINES

(Department of Coal)

NOTIFICATION

New Delhi, the 12th August, 2004

G. S. R. 521 (E) – In exercise of the powers conferred by section 7 read with section 3E of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following Scheme further to amend the Coal Mines Pension Scheme, 1998, namely :-

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 2004.

(2) It shall be deemed to have come into force on 31st day of March, 1998.

2. In the Coal Mines Pension Scheme, 1998,

(1) In paragraph 4, sub-paragraph (2B); for the word “superannuated”, whenever it occurs, the word “superannuated or died including a member died while in service” shall be substituted;

(2) In paragraph 4, sub-paragraph (4), for the word “died”, wherever it occurs, the word “died including a member died while in service” shall be substituted;

[F.No. 20/32/2003-PRIW]

Rajiv Sharma, Jt. Secy.

Foot Note :- The Coal Mines Pension Scheme, 1998 was published vide G.S.R. 123 (E) dated the 5th March, 1998 and subsequently amended vide number :-

1. G. S. R. 268 (E), dated the 25th May, 1998.
2. G. S. R. 218 (E), dated the 22nd March, 1998.
3. G. S. R. 689 (E), dated the 29th August, 2000.
4. G. S. R. 256 (E), dated the 12th April, 2001.
5. G. S. R. 861 (E), dated the 23rd Nov., 2001.
6. G. S. R. 16 (E), dated the 9th January, 2002.
7. G. S. R. 482 (E), dated the 8th July, 2002.
8. G. S. R. 107 (E), dated the 13th February, 2003.
9. G. S. R. 108 (E), dated the 13th February, 2003.

EXPLANATORY MEMORANDUM

Section 7 of Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948) empowers the Central Government to add to, amend or vary a Scheme framed under the Act either prospectively or retrospectively.

2. The Coal Mines Pension Scheme, 1998 came into force with effect from the 31st day of March 1998. Vide notification GSR 689 (E), dated 29th August, 2000, the benefit of the Scheme was extended to those employees also who superannuated or retired and subsequently died on or after the first day of April, 1994 to the appointed date i.e. 31.3.1998. However such employees who died while in service during the said period i.e. from 1.4.94 to 31.3.98 were excluded from the benefit of new pension scheme and their pension was settled in ceased Coal Mines Family Pension Scheme, 1971. This amendment will remove the ambiguity and all categories of employees who made exit by superannuation or retirement or died after superannuation/retirement or died while in service will be covered under the Coal Mines Pension Scheme, 1998.

3. This amendment is given effect from the retrospective date i.e. 31.3.1998 in order to make it more beneficial and equi table to all the employees.

The amendment to the said Scheme with retrospective effect will not adversely affect the interest of any employee.

The Gazette of India

EXTRAORDINARY

PART II – Section 3 – Sub-section (i)

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No. 48

MINISTRY OF COAL AND MINES

(Department of Coal)

NOTIFICATION

New Delhi, the 19th November, 2004

G. S. R. 403 – In exercise of the powers conferred by section 7 read with section 3E of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government, hereby makes the following Scheme further to amend the Coal Mines Pension Scheme, 1998, namely :-

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 2004.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Coal Mines Pension Scheme, 1998 in form PS-5, under column 8 (ii), after the words “ in the State Bank of India, Dhanbad”, the words “ or any other Nationalized/Scheduled Bank” shall be added.

[F.No. 20/32/2004-PRIW]

B.K. Panda, Director

Note :- The Coal Mines Pension Scheme, 1998 was published in the Gazette of India vide Notification No. G.S.R. 123 (E) dated 5th March, 1998 and amended vide following numbers :-

1. G. S. R. 268 (E), dated 25.5.1998.
2. G. S. R. 218 (E), dated 22.3.1999.
3. G. S. R. 689 (E), dated 29.8., 2000.
4. G. S. R. 256 (E), dated 12.4.2001.
5. G. S. R. 861 (E), dated 23.11. 2001.
6. G. S. R. 16 (E), dated 9.1. 2002.
7. G. S. R. 482 (E), dated 8.7.2002.
8. G. S. R. 107 (E), dated 13.2. 2003.
9. G. S. R. 108 (E), dated 13.2. 2003.
10. G. S. R. 521 (E), dated 12.8. 2004.

**The Gazette of India
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No.135

**MINISTRY OF COAL
NOTIFICATION**

New Delhi, the 5th March, 2009

G. S. R. 154 (E) – In exercise of the powers conferred by section 3E of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government, hereby makes the following Scheme further to amend the Coal Mines Pension Scheme, 1998, namely :-

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 2009.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Coal Mines Pension Scheme, 1998, in Para 4,-

(1) after sub-paragraph (2A), the following shall be inserted, namely :-

“(2AA) An employee who has not opted for the Coal Mines Family Pension Scheme, 1971 but is covered by the Provident Fund Scheme, may be opt for pension under the provisions of this Scheme within a period of three hundred and sixty days from the date of this notification and he shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-1.”

2. After sub-paragraph (4A), the following shall be inserted, namely:-

“(4AA) An employee who was a member of the Coal Mines Family Pension Scheme, 1971 on the date of his superannuation or retirement on or after the first day of April, 1994 may also opt for the pension under the provisions of this Scheme from the date of his superannuation or retirement within a period of three hundred and sixty days from the date of this notification. He shall be deemed to have become the member of the Scheme from the date of his exercising the option in Form PS-2.”

Explanation:- The Gazette Notification for extension of time in respect of submission of Form PS-1 and PS-2 was published on 9th January, 2002 and the submission date expired on 8th October, 2002 and some eligible members could not exercise their options for pension in the stipulated time. Therefore, the present amendment shall make them eligible under the Pension Scheme.

[F.No. 20/30/98-PRIW-III]
RAJIV SHARMA, Addl. Secy.

Foot Note:- The Coal Mines Pension Scheme, 1998 was published vide No. G.S.R. 123 (E), dated the 5th March, 1998 and subsequently amended vide following numbers, namely :-

1. G. S. R. 268 (E), dated the 25th May, 1998.
2. G. S. R. 218 (E), dated the 22nd March, 1999.
3. G. S. R. 689 (E), dated the 29th August, 2000.
4. G. S. R. 256 (E), dated the 12th April, 2001.
5. G. S. R. 861 (E), dated the 23rd Nov., 2001.
6. G. S. R. 16 (E), dated the 9th January, 2002.
7. G. S. R. 482 (E), dated the 8th July, 2002.
8. G. S. R. 108 (E), dated the 13th February, 2003.

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PART II – Section 3 – Sub-section (i)

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No.297

MINISTRY OF COAL

CORRIGENDUM

New Delhi, the 22nd May, 2009

G. S. R. 348 (E) – In the notification of the Government of India in the Ministry of Coal, number G. S. R. 154 (E), dated the 5th March, 2009 published in Part-II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary dated the 5th March, 2009 at page 2, in paragraph (2).-

(1) In sub-paragraph (1), for “three hundred and sixty days”, read as “three hundred and sixty – six days”.

(2) In sub-paragraph (2), for “three hundred and sixty days”, read as “three hundred and sixty – six days”.

[F.No. 20/30/98-PRIW-III]
RAJIV SHARMA, Addl. Secy.

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PART II – Section 3 – Sub-section (i)

PUBLISHED BY AUTHORITY

New Delhi, Thursday, October 22,
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No.614

MINISTRY OF COAL

NOTIFICATION

New Delhi, the 22nd October, 2009

G. S. R. 774 (E) – In exercise of the powers conferred by section 3E of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following Scheme further to amend the Coal Mines Pension Scheme, 1998, namely :-

1. (1) This Scheme may be called the Coal Mines Pension (Amendment) Scheme, 2009.

(2) It shall be deemed to have come into force with effect from the 31st day of March, 1998.

2. In the Coal Mines Pension Scheme, 1998 (hereinafter referred to as the said Scheme), in paragraph 4, after sub-paragraphs (2B), the following shall be inserted, namely :-

“(2C) Where a member had exercised his option in Form PS-1 in place of Form PS-2 or vice versa and /or where the member has filled up Form PS-3 and /or PS-4, it shall be presumed that the member had the intention to join the Coal Mines Pension Scheme, 1998 and his membership to the Pension Scheme shall be considered confirmed in such cases”.

[No. 20/25/2007-PRIW-III]
S.P. Seth, Spl. Secy.

EXPLANATORY MEMORANDUM

1. Section 7 of Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948) empowers the Central Government to add, to amend or vary a Scheme framed under the Act either prospectively or retrospectively.

2. The Coal Mines Pension Scheme, 1998 came into force with effect from the 31st day of March 1998. Where a member had filled up Form PS-3/PS-4 but could not fill up Form PS-1/PS-2, as the case may be, for one reason or another his membership to the Pension Scheme was denied. Since the date of exercising option in Form PS-1/PS-2 was over, denial of Pension membership on such a technical ground did not augur well and therefore required amendment. The Board of Trustees, Coal Mines Provident Fund in its 148th meeting held on 30th November, 2007 approved the proposal to amend the Scheme suitably.

3. The amendment is given retrospective effect from 31st March, 1998 in order to make it more beneficial and equitable to all employees.

4. The amendment to the said Scheme with retrospective effect will not adversely affect the interest of any employee.

Footnote :- The Coal Mines Pension Scheme, 1998 was published vide G.S.R. 123 (E), dated the 5th March, 1998 and subsequently amended vide notification number :-

1. G. S. R. 268 (E), dated 25th May, 1998.
2. G. S. R. 218 (E), dated 22nd March, 1999.
3. G. S. R. 689 (E), dated 29th August, 2000.
4. G. S. R. 256 (E), dated 12th April, 2001.
5. G. S. R. 861 (E), dated 23rd Nov., 2001.
6. G. S. R. 16 (E), dated 19th January, 2002.
7. G. S. R. 482 (E), dated 8th July, 2002.
8. G. S. R. 107 (E), dated 13th February, 2003.
9. G. S. R. 108 (E), dated 13th February, 2003.
10. G. S. R. 521 (E), dated 12th August, 2004.
11. G. S. R. 154 (E), dated 5th March, 2009.
12. G. S. R. 348 (E), dated 22nd May, 2009.