

MINISTRY OF PETROLEUM AND NATURAL GAS**NOTIFICATION**

New Delhi, the 29th January, 2013

G.S.R. 49(E).—In exercise of the powers conferred by clause (r) of sub-section (2) of section 31 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Oil Industry Development Board Staff Provident Fund Rules, 2013.
(2) They shall come into force on the date of their publication in Official Gazette.
2. Application.—These rules shall apply to all employees of the Board, other than:
 - (i) those in casual and daily wage employment;
 - (ii) those employed on contract for a specified period on a consolidated salary, except where the contract provides otherwise;
 - (iii) the employees who have been appointed in the Board on or after the 1st day of January, 2004;
 - (iv) persons on deputation in the Board on foreign service terms;
 - (v) those appointed on special terms and conditions of service or whose terms and conditions of service, even on appointment in the Board, provide otherwise or are regulated by or under the provisions of any other law, rules or regulations.
3. Definitions.—In these rules, unless the context otherwise requires:—
 - (a) "Board" means the Oil Industry Development Board established under section 3 of Oil Industry (Development) Act, 1974 (47 of 1974);
 - (b) "Chief Accounts Officer" means the Financial Adviser and Chief Accounts Officer of the Board or other officer of the Board;
 - (c) "Chairman" means the Chairman of the Board;
 - (d) "Child" means a legitimate child and includes an adopted child, where adoption is recognised by the personal law governing the subscriber or a

ward under the Guardians and Wards Act, 1890 (8 of 1890), who lives with the employee and is treated as a member of the family and to whom the employee has, through a special will, given the same status as that of a natural born child;

(e) "Competent authority" means the Board and includes any authority specified as such in the Oil Industry Development Board Employees' (General Conditions of Service) Rules, 1984 as amended from time to time;

(f) "Employee" means an employee of the Board;

(g) "Emoluments" means pay, leave salary or a subsistence grant, if any, in the manner determined by the Board from time to time and includes grade pay and dearness pay appropriate to pay, leave salary or subsistence grant, if admissible;

(h) "Family" means – (i) in the case of a male subscriber, the wife or wives, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grandparent:

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

(ii) in the case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grandparent:

Provided that if a subscriber by notice in writing to the Secretary expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of

the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels such notice in writing;

- (i) "Schedule" means a Schedule appended to these rules;
 - (j) "Fund" means the Oil Industry Development Board Staff Provident Fund;
 - (k) "Leave" means any kind of leave as recognised by the Board;
 - (l) "Subscriber" means a member of the Fund;
 - (m) "Year" means a financial year;
 - (n) "Secretary" means Secretary of the Board;
 - (o) Words and expressions used and not defined in these rules, but defined in the Provident Fund Act, 1925 (19 of 1925) and the Fundamental Rules shall have the meanings respectively assigned to them in those Acts.
4. Constitution of the Fund.— (1) the Fund shall be maintained in rupees.
- (2) All sums paid into the Fund under these rules shall be credited in a Saving Bank Account with the Post Office or with any of the nationalised banks and named the "Oil Industry Development Board Staff Provident Fund Account" to be operated by the Chief Accounts Officer for the Trustees comprising of the following, namely :-
- (i) The Secretary, Oil Industry Development Board ex-officio;
 - (ii) The Chief Accounts Officer, Oil Industry Development Board ex-officio; and
 - (iii) A representative of the directly recruited staff to be nominated by the Secretary.
- (3) A representative so nominated under clause (iii) of sub-rule (2) shall act as Trustee for such period as may be specified by the Secretary.
- (4) Accretions to the fund, not immediately required for meeting obligatory payments from the Fund, shall be invested in such Government securities, Government guaranteed securities, small savings instruments or

deposit schemes or in such other manner as may be specified by the Secretary.

5. Conditions of eligibility.— (1) These rules shall apply to every employee who has completed one year of continuous service in the Secretariat of the Board from the beginning of the month following that in which he or she completed continuous service of one year and all re-employed pensioners other than those eligible to the Contributory Provident Fund.

(2) If an employee admitted to the benefits of the Fund was, at any time prior to his being so admitted to the benefits of the Fund, a subscriber to a Government or Semi-Government or Public Sector Undertaking Provident Fund, the amounts lying to his credit in the said Contributory Provident Fund (including contributions of his previous employees if any, in relation to him in such Provident Fund) together with interest thereon, shall be transferred to his credit in the Fund and in such cases the employee shall for all purposes cease to be a subscriber to such previous Provident Fund.

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

Provided that a subscriber who has a family at the time of making the nomination, shall make such nomination only in favour of a member or members of his family:

Provided further that, where the amount lying to the credit of a subscriber in any other provident fund has been transferred to the Fund, the nomination made by him in respect of such provident fund shall be deemed to be a fresh nomination duly made under this rule until he or she makes a nomination in accordance with this rule.

- (2) If a subscriber nominates more than one person under sub-rule (1), he shall specify in the nomination the amount or share payable to each of the

nominees in such manner so as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) Every nomination shall be made in the Form set forth in the Schedule.

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

(5) A subscriber may provide in a nomination –

(a) in respect of any specified nominee, that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination:

Provided that such other person or persons shall, if the subscriber has other members of his family, be such other member or members of his family. Where the subscriber confers such a right on more than one person under this clause, he shall specify, the amount or share payable to each of such person in such a manner as to cover the whole of the amount that may stand to his credit at any time;

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

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

(6) Immediately on the death of a nominee in respect of whom, no provision as provided in clause (a) of sub-rule (5) has been made in the nomination or on the occurrence of any event by reason of which the nomination becomes invalid by virtue of any provision made in pursuance of

clause (b) of sub-rule (5) or the proviso thereto, the subscriber shall send to the Secretary a notice in writing cancelling the nomination together with a fresh nomination made in accordance with the provisions of this rule.

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

7. Subscriber's Account.— An account shall be opened in the name of each subscriber in which shall be shown:-

1. His subscriptions;
2. Interest, as provided by rule 11, on subscriptions;
3. Advance and withdrawals from the Fund.

8. Conditions of subscription.— (1) A subscriber shall subscribe monthly to the Fund when on duty but not during a period of suspension:

Provided that a subscriber on reinstatement after a period of suspension shall be allowed the option of paying in one lump sum, or in installments, any sum not exceeding the maximum amount of arrears of subscriptions payable for that period.

(2) A subscriber may, at his option, not subscribe during leave which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay.

(3) A subscriber need not subscribe during a period treated as dies-non.

(4) (a) The subscriber shall intimate his election not to subscribe during the leave referred to in sub-rule (2) by written communication to the Chief Accounts Officer before he proceeds on leave;

(b) Failure to give due and timely intimation shall be deemed to constitute an election to subscribe;

(c) The option of a subscriber intimated under this sub-rule shall be final.

(5) A subscriber who has, under rule 18, withdrawn the amount standing to his credit in the Fund shall not subscribe to the Fund after such withdrawal unless he returns to duty.

9. Rate of subscriptions.— (1) The amount of subscription shall be fixed by the subscriber himself subject to the following conditions, namely:—

(a) It shall be expressed in whole rupees;

(b) It may be any sum, so expressed, not less than 6 per cent of his emoluments and not more than his total emoluments:

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

(c) When an employee elects to subscribe at the minimum rate of 6 per cent, or $8\frac{1}{3}$ percent, as the case may be, the fraction of a rupee will be rounded to the nearest whole rupee, 50 paise counting as the next higher rupee.

(2) For the purpose of sub-rule (1), the emoluments of a subscriber shall be—

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

Provided that-

- (i) If the subscriber was on leave on the said date and elected not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;
 - (ii) If the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be emoluments to which he would have been entitled had he been on duty in India;
- (b) In the case of a subscriber who was not in service of the Board on the 31st day of March of the preceding year, the emoluments to which he was entitled on the day he joins the Fund.
- (3) The subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner:-
- (a) If he was on duty on the 31st day of March of the preceding year, by the deduction which he makes or causes to be made in this behalf from his pay bill for that month;
 - (b) If he was on leave on the 31st day of March of the preceding year and elected not to subscribe during such leave, or was under suspension on that date, by the deduction which he makes or causes to be made in this behalf from his first pay bill after his return to duty;
 - (c) If he has entered service of the Board for the first time during the year, by the deduction which he makes or causes to be made in this behalf, from his pay bill for the month during which he joins the Fund;
 - (d) If he was on leave on the 31st day of March of the preceding year and continues to be on leave and has elected to subscribe during such leave, or if

he was on foreign service on the 31st March of the preceding year, by the deduction which he causes to be made in this behalf from his salary bill for that month.

- (4) The amount of subscription so fixed may be -
- reduced once at any time during the course of the year;
 - enhanced twice during the course of the year; or
 - reduced and enhanced as aforesaid:

Provided that when the amount of subscription is so reduced it shall not be less than the minimum prescribed in sub-rule (1):

Provided further that if a subscriber is on leave without pay or leave on half pay or half average pay for part of a calendar month and he has elected not to subscribe during such leave, the amount of subscription payable shall be proportionate to the number of days spent on duty including leave, if any, other than leave of the nature referred to above.

10. Realisation of subscription.— (1) When emoluments are drawn from the Oil Industry (Development) Fund, recovery of subscription on account of these emoluments and of the principal and interest of advances shall be made from such emoluments.
- (2) When emoluments are drawn from any other source, the subscriber shall forward his dues monthly to the Chief Accounts Officer.
- (3) If a subscriber fails to subscribe with effect from the date on which he is required to subscribe the fund or is on default in any month or months during the course of a year as provided in rule 8, the total amount due to the Fund on account of arrears of subscription shall, with interest thereon at the rate provided in Rule 11, be paid forthwith by the subscriber to the Fund or in default be ordered by the Chief Accounts Officer to be recovered by

deduction from the emoluments of the subscriber by installments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under sub-rule (3) of rule 12.

11. Interest.— (1) The Board shall pay to the credit of the account of a subscriber interest at such rate as the Central Government may, from time to time, determine for payment of interest on subscriptions to the General Provident Fund as applicable to the Government Servants.
- (2) The Board shall contribute the difference, if any, between the total amount of interest actually realised on investments made from the accumulations in the Fund during the financial year and the total amount of interest payment to all subscribers in respect of the same year. However, if the interest realised on the investments made from accumulations in the Fund during a financial year is more than the interest amount payable to the subscribers during the year, the surplus shall be carried forward as a reserve to the next financial year to take care of future shortfalls, if any. The surplus will not be used for any other purpose and the surplus at any point of time will form part of the corpus to meet any shortfall and the employees will not have any other claim on the same.
- (3) Interest shall be credited with effect from last day in each year in the following manner:-
- (i) on the amount to the credit of a subscriber on the last day of the preceding year less any sums withdrawn during the current year-interest for twelve months;
 - (ii) on sums withdrawn during the current year-interest from the 1st day of April of the current year up to the last day of the month preceding the month of withdrawal;

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

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

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

(4) The date of deposit shall be deemed to be the first day of the month succeeding the month in which the emoluments of a subscriber are drawn or disbursed:

Provided that where the emoluments of a subscriber are not drawn before the expiry of the last day of the month to which it relates and consequently there has been delay in the recovery of his subscription towards the Fund, the interest on such subscription shall be payable from the month in which the pay or leave salary of the subscriber was due under the rules, irrespective of the month in which it was actually drawn.

(5) The interest shall be payable to the person to whom such amount is to be paid up to the end of the month preceding that in which payment is made, or up to the end of the sixth month after the month in which such amount became payable whichever of these periods be less:

Provided that where the Chief Accounts Officer has intimated to that person a date on which he is prepared to make payment in cash or has posted the cheque in payment to that person, interest shall be payable only up to the

end of the month preceding the date so intimated or the date of posting of cheque, as the case may be.

(6) Payment of interest on the Fund balance beyond a period of six months, after the amount due to a subscriber became payable, upto a period of one year may be authorised by the Secretary, if he deems fit, that the delay in payment was due to unavoidable circumstances beyond the control of the subscriber and in every such case the administrative delay involved in the matter shall be fully investigated and action, if any, is required to be taken.

(7) Interest shall not be credited to the account of a subscriber if he informs the Secretary that he does not intend to receive it, but if he subsequently asks for interest it shall be credited with effect from the 1st day of the year in which he asks for it.

(8) The interest on amounts which under rule 17 or rule 18 are transferred to the credit of the subscriber, in the Fund, shall be calculated at such rates as determined under sub-rule (1) and in the manner provided in this rule.

(9) In case a subscriber is found to have drawn from the Fund an amount in excess of the amount standing to his credit on the date of the drawal, the overdrawn amount, irrespective of whether the over drawal occurred in the course of an advance or a withdrawal or the final payment from the fund, shall be repaid by him with interest thereon in one lump sum, or in default, be ordered to be recovered by deduction in one lump sum, from the emoluments of the subscriber. If the total amount to be recovered is more than half of the subscriber's emoluments, recoveries shall be made in monthly installments of his emoluments till the entire amount together with interest, is recovered. The rate of interest to be charged on overdrawn amount should be $2\frac{1}{2}\%$ over and above the normal rate on Provident Fund

balance under sub-rule (1). The interest realised on the over-drawn amount shall be credited to the Oil Industry Development Fund under relevant head of account.

12. Advances from the Fund.— (1) The Chief Accounts Officer may sanction the payment to any subscriber of an advance consisting of a sum of whole rupees and not exceeding in amount three month's pay or half the amount standing to the credit of the subscriber in the Fund, whichever is less, for one or more of the following purposes, namely:-

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

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

(i) for education outside India for an academic, technical, professional or vocational courses beyond the High School stage;

(ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage;

Provided that the course of study is for a period not less than three years;

Provided that a subscriber shall be permitted to take an advance once in every six months under clause (b) of sub-rule (1).

(c) to pay obligatory expenses on a scale appropriate to the subscriber's status which by customary usage the subscriber has to incur in connection with betrothal or marriages, funerals or other ceremonies;

(d) to meet the cost of legal proceedings instituted by or against the subscriber, any member of his family or any person actually dependent upon him. The advance in this case would be available in addition to any advance admissible for the same purpose from any other source of the Board;

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

(f) to purchase consumer durables such as television, video cassette recorder or video cassette player, washing machines, cooling range, geysers and computers;

(g) to meet the expenses for visiting places which, to the satisfaction of the sanctioning authority, are considered as places of pilgrimage or places of eminence of any religion.

(2) The Secretary may, in special circumstances, sanction the payment to any subscriber of an advance if he is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-rule (1).

(3) An advance shall not, except for special reasons to be recorded in writing, be granted to any subscriber in excess of the limit laid down in sub-rule (1) or until repayment has been made of the last installment of any previous advance:

Provided that an advance shall in no case exceed the amount standing to the credit of the subscriber to the Fund.

(4) When an advance is sanctioned under sub-rule(3) before repayment of last installment of any previous advance is completed, the balance of any previous advance not recovered shall be added to the advance so sanctioned and the installments of recovery shall be fixed with reference to the consolidated amount.

Explanation.- For the purpose of this rule, pay includes dearness pay, as admissible from time to time.

13. Recovery of advances.— (1) (a) An advance shall be recovered from the subscriber in such number of equal monthly installments as the Secretary may direct, but such number shall not be less than twelve, unless the subscriber so elects, and more than twenty-four;

(b) In special cases where the amount of advance exceeds three months' pay of the subscriber under sub-rule (3) of rule 12, the Secretary may fix such number of installments to be more than twenty-four but in no case more than thirty-six;

(c) A subscriber may, at his option, make repayment in a lesser number of installments than the number of installments prescribed by these rules;

(d) Each installment shall be a number of whole rupees, the amount of the advances being raised or reduced, if necessary to admit of the fixation of such installments.

(2) (a) The recovery of advance shall be made in the manner provided in rule 10 for the realisation of subscription and shall commence with the issue of the pay for the month following the one in which the advance was drawn;

(b) The recovery shall not be made, except with the subscriber's consent while he is in receipt of subsistence grant or is on leave for a period of ten days or more in a calendar month which period of leave either does not carry any leave salary or carries leave salary equal to or less than half average pay, as the case may be;

- (c) The recovery of advance may be postponed, on the subscriber's written request, by the Secretary during any period when the recovery of an advance of pay granted to the subscriber, is being made.

(3) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole or balance of the amount withdrawn, shall forthwith be repaid by the subscriber to the Fund and where the subscriber makes default in making the repayment, the amount withdrawn shall be recovered by deduction from the emoluments of the subscriber in a lump sum, or in monthly instalments not exceeding twelve as may be directed by the Secretary:

Provided that, before such advance is disallowed, the subscriber shall be given an opportunity to explain to the sanctioning authority in writing and within fifteen days of the receipt of the communication why the repayment shall not be enforced and if no explanation is submitted by the subscriber within the said period of fifteen days, it shall be referred to the Secretary for decision; and if no explanation within the said period is submitted by him, the repayment of the advance shall be enforced in the manner provided in this sub-rule.

(4) Recoveries made under this rule shall be credited as they are made, to the account of the subscriber to the Fund.

(5) Notwithstanding anything contained in these rules, if the sanctioning authority has reason to disbelieve that money drawn as an advance from the Fund under rule 13 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, he shall communicate to the subscriber the reasons for his belief and require him to explain in writing and within fifteen days of the receipt of such communication whether the advance

has been utilised for the purpose for which sanction was given to the drawal of the money. If the sanctioning authority is not satisfied with the explanation furnished by the subscriber within the said period of fifteen days, the sanctioning authority shall direct the subscriber to repay the amount in question to the Fund forthwith or, in default, order the amount to be recovered by deduction in one lump sum from the emoluments of the subscriber even if he is on leave. If, however, the total amount to be repaid is more than half the subscriber's emoluments, recoveries shall be made in monthly installments of his emoluments till the entire amount is repaid by him.

Explanation.- For the purpose of this rule, the term "emoluments" does not include subsistence grant.

14. Withdrawal from the Fund.— (1) Subject to the conditions specified therein, withdrawals may be sanctioned by the Chief Accounts Officer, at any time-

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

(a) meeting the cost of higher education, including where necessary, the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely:-

- (i) for education outside India for academic, technical, professional or vocational course beyond the High School stage; and
- (ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage;

- (b) meeting the expenditure in connection with the betrothal or marriage of the subscriber or his sons or his daughters, and any other female relation actually dependent on him;
 - (c) meeting the expenses in connection with the illness, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him;
 - (d) meeting the cost of consumer durables such as Television, Video Cassette Recorder or Video Cassette Player, Washing Machines, Cooking Range, Geysers and Computers.
- (B) Any time during the service of a subscriber from the amount standing to his credit in the Fund for one or more of the following purposes, namely:-
- (a) building or acquiring a suitable house or ready-built flat for his residence including the cost of the site or any payment towards allotment of a plot or a flat by the Delhi Development Authority, State Housing Board or a House Building Society;
 - (b) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence;
 - (c) purchasing a house site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose;
 - (d) reconstructing or making additions or alternations to a house or a flat already owned or acquired by a subscriber;
 - (e) renovating, additions or alternations or upkeep of the ancestral house or a house built with the assistance or loan from the Board;
 - (f) constructing a house on a site purchased under clause (c);

(C) - within twelve months before the date of subscriber's retirement on superannuation from the amount standing to the credit in the Fund, without linking to any purpose.

(D) (a) Withdrawal for purpose of motor car, motor cycle, scooter etc:-

An employee who has completed 15 years of service (including broken period of service if any) or who has less than 5 years to attain the age of superannuation may be permitted to make part-final withdrawals from their Provident Fund for purchasing a Motor car, motor cycle or scooter, etc., or for repaying the Government loan already taken by them for the purpose, subject to the following conditions:-

(i) the officer's basic pay should be Rs.19530 per month or more in the case of purchase of motor car and Rs.8560 per month or more in the case of motor cycle or scooter etc.

(ii) the amount of withdrawal including the withdrawal for making deposit for booking the vehicle, if any, is limited to Rs.1,80,000 for purchase of motor car and Rs.30,000 for purchase of motor cycle or scooter etc. or the 50% of the amount at the credit on the date of application or the actual cost of the vehicle whichever is the least.

(iii) the Secretary may allow, in special cases, an advance refundable in not more than 36 installments in the case of officers who may fall short of the minimum service of 15 years by a period of not more than 6 months. All other conditions shall not be relaxable.

(iv) the officers who have been allowed advance according to (iii) above, may be permitted to convert the outstanding balance of the advance into final withdrawal after completion of 15 years of service.

(v) such withdrawal shall be allowed only on one occasion.

(b) Grant of final withdrawal for the extensive repairs or overhauling of motor cars-(A) An employee who has completed 28 years of service or who

has less than 3 years to attain the age of superannuation, may be permitted to make final withdrawals from Provident Funds for the extensive repairs or overhauling of their motor cars subject to the following conditions:-

- (i) the officer's pay is Rs.19,530 or more;
- (ii) the amount of withdrawal is limited to Rs.10,000 or $1/3^{\text{rd}}$ of the amount standing to the credit of the subscriber in the Provident Fund or the actual amount of repairing/overhauling, whichever is the less;
- (iii) not less than 5 years should have elapsed since the car was purchased by the officer concerned. In the case of second hand car, the initial date of purchase by the first purchaser shall be taken into account.
- (iv) such withdrawal shall be allowed only once in the service career of the subscriber.

(c) Final withdrawal for making deposit for booking a car or motor cycle or scooter or moped etc.— An employee who has completed 15 years of service (including broken periods of service, if any), may be permitted to make a part final withdrawal from the Provident Funds for booking a motor car or motorcycle or scooter or moped etc. subject to the following conditions:-

- (i) the officer's basic pay is Rs.19530 per month or above for registration of motor car and basic pay of Rs.8560 per month or above in the case of motor cycle or scooter etc.,
- (ii) the amount of withdrawal is limited to Rs.22,000 in the case of car and Rs.4000 in the case of motor cycle or scooter, etc., or the actual amount of booking of the car or motor cycle or scooter, etc whichever is less;
- (iii) the deposit receipt must be produced for verification by the concerned administrative authority within a period of one month from

the date of drawal. Failure to do so would involve refund of the total amount of withdrawal;

(iv) If the officer does not purchase a car or motor cycle or scooter, etc. or opts out of the scheme he should immediately deposit the amount of final withdrawal together with interest received thereon from the manufacturer or dealer in to the Provident Fund Account;

(v) the Secretary may allow, in special cases, an advance refundable in not more than 36 installments in the case of officers who may fall short of the minimum service of 15 years by a period of not more than 6 months. All other conditions shall not be relaxable.

(vi) the officers who have been allowed advance according to (f) above may be permitted to convert the outstanding amount of advance into final withdrawal after completion of 15 years of service;

(vii) such withdrawal shall be allowed only on one occasion; and

(viii) the amount of Rs.22,000 or Rs.4000, as the case may be, referred to above; shall be taken into account for determining the overall ceiling at present fixed for withdrawal from Provident Fund.

Note 1.- A subscriber who has availed himself of an advance under the scheme sponsored by the Board or Government for the grant of advance for house-building purpose, or has been allowed any assistance in this regard from any other source, shall be eligible for the grant of final withdrawal under sub-clause (a), (c), (d) and (f) of clause (B) for the purposes specified therein and also for the purpose of repayment of any loan taken under the aforesaid scheme subject the limit specified in the proviso to sub-rule (1) (b) of rule 15.

If a subscriber has an ancestral house or built a house at a place other than the place of his duty with the assistance of loan taken from the Board he shall be eligible for the grant of a final withdrawal under sub-

clause (a), (c) and (f) of clause (B) for purchase of a house site or for construction of another house or for acquiring a ready built flat at the place of his duty.

Note 2.— Withdrawal under sub-clauses (a), (d), (e) or (f) of clause (B) shall be sanctioned only after a subscriber has submitted a plan of the house to be constructed or of the additions or alternations to be made, duly approved by the Local Municipal Body of the area where the site or house is situated and only in cases where the plan is actually got to be approved.

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

Note 4.— Only one withdrawal shall be allowed for the same purpose under this rule. But marriage or education of different children or illness on different occasions or a further addition or alternation to a house or flat covered by a fresh plan duly approved by the Local Municipal Body of the area where the house or flat is situated shall not be treated as the same purpose. Withdrawal for meeting the cost of education of a child may be allowed on annual basis till the concerned child continues to pursue the technical or professional course. Second or subsequent withdrawal under sub-clause (a) or (f) of clause (B) for completion of the same house shall be allowed up to the limit laid down under rule 15(1).

Note 5.— A withdrawal under this rule shall not be sanctioned if an advance under rule 12 is being sanctioned for the same purpose and at the same time.

(2) Whenever a subscriber is in a position to satisfy the competent authority about the amount standing to his credit in the Provident Fund Account with reference to the latest available statement of Provident Fund Account together with the evidence of subsequent contribution, the competent authority may itself sanction withdrawal within the prescribed limits, as in the case of a refundable advance. In doing so, the competent authority shall take into account any withdrawal or refundable advance already sanctioned by it in favour of the subscriber.

(3) The authority competent to sanction an advance for special reasons under the relevant Provident Fund Rules may sanction final withdrawals in terms of these orders, subject to the fulfilment of conditions mentioned above. The procedural details shall be as in the case of other withdrawals.

15. Condition for withdrawal.— (1) (a) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in rule 14 from the amount standing to his credit in the Fund shall not ordinarily exceed one half of such amount or six months pay whichever is less.

(b) The Chief Accounts Officer may, however, sanction the withdrawal of an amount in excess of this limit up to three fourths of the balance at his credit in the Fund having due regard to-

- (i) the status of the subscriber;
- (ii) the object for which the withdrawal is being made;
- (iii) the amount standing to the credit of the subscriber in the Fund:

Note: Withdrawal may be allowed up to 90% of the amount at credit of the subscriber in respect of cases specified in clauses (B) and (C) of sub-rule(1) of rule 14:

Provided that in no case the maximum amount of withdrawal for purposes specified in clause (B) of sub-rule (1) of rule 14 shall exceed the maximum limit prescribed for the house building advance in Oil Industry Development Board regulations:

Provided further that in the case of a subscriber who has availed himself of an advance for house building purposes from the Board or under a scheme sponsored by the Central Government for the grant of house building advance or has been allowed any assistance in this regard from any other Government source, the sum withdrawn under this sub-rule together with the amount of advance taken from the Board or under the aforesaid scheme or the assistance taken from any other Government shall not exceed the maximum limit prescribed for the house building advance in Oil Industry Development Board regulations.

Note.— In cases where a subscriber has to pay in installments for a site or a house or flat purchased, or a house or flat constructed through the Delhi Development Authority or a State Housing Board or a house building cooperative society or similar agency, he or she shall be permitted to make a withdrawal as and when he or she is called upon to make a payment for a separate purpose for the purposes of rule 14.

(2) A subscriber who has been permitted to withdraw money from the Fund under rule 14 shall satisfy the Chief Accounts Officer within a reasonable period as may be specified by him that the money has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been utilised for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered by deduction from his or her emoluments either in a lump sum, or in such

number of monthly installments, as may be directed by the Chief Accounts Officer.

(3) (a) A subscriber who has been permitted under sub-clause (a) or sub-clause (b) or sub-clause (c) of clause (B) of sub-rule (1) of rule 14 to withdraw money from the amount standing to his or her credit in the Fund, shall not part with the possession of the house built or acquired or house site purchased with the money so withdrawn, whether by way of sale, mortgage (other than mortgage to the Secretary), gift, exchange or otherwise without the previous permission of the Secretary:

Provided that such permission shall not be necessary for –

(i) the house or house-site being leased for any term not exceeding three years; or

(ii) its being mortgaged in favour of a Housing Board, Nationalised Bank or the Life Insurance Corporation or any other Corporation owned or controlled by the Central Government which advances loans for the construction of a new house or for making additions or alternations to an existing house.

(b) The subscriber shall submit a declaration not later than the 31st day of December of every year as to whether the house or the house-site, as the case may be, continues to be in his possession or has been mortgaged or otherwise transferred or let out as aforesaid and shall, if so required, produce before the Secretary on or before the date specified by the Secretary in that behalf, the original sale, mortgage or lease deed and also the documents on which his title to the property is based.

(c) If, at any time before his retirement, the subscriber parts with the possession of the house or house-site without obtaining the previous permission of the Secretary, he or she shall forthwith repay the sum so

withdrawn by him from the Fund in lump sum to the Fund, and, in default of such repayment, the Secretary shall, after giving the subscriber a reasonable opportunity of making a representation in the matter, cause the said sum to be recovered from the emoluments of the subscriber either in a lump sum or in such number of monthly installments, as may be determined by the Secretary.

Explanation.— A subscriber who has taken loan from Government and in lieu thereof has mortgaged the house or house site to the Government shall be required to furnish a declaration to the following effect, namely :-

"I do hereby certify that the house or house-site for the construction of which or for the acquisition of which I have taken a final withdrawal from the Provident Fund continues to be in my possession but stands mortgaged to Government".

16. Conversion of an advance into withdrawal.— (1) A subscriber who has already drawn or may draw in future an advance under rule 12 for any of the purposes specified in clauses (a), (b) or (c) of sub-rule (1) of that rule, may convert by written request addressed to the Secretary, the balance outstanding against him in relation to that advance, into a final withdrawal on his satisfying the conditions laid down in rules 14 and 15.

(2) For the purposes of this rule in calculating the amount that may be allowed to be withdrawn by a subscriber under sub-rule (1) of rule 15, the amount standing to the credit of the subscriber in the account at the time of conversion plus the outstanding amount of advance shall be taken as the balance. Each withdrawal shall be treated as a separate one and the same principle shall apply in the event of more than one conversion.

17. Final withdrawal of accumulations in the Fund.— When a subscriber quits the service, the amount outstanding to his credit in the Fund shall become payable to him:

Provided that a subscriber, who has been dismissed from the service and is subsequently reinstated in the service shall, if required to do so by the Board, repay any amount paid to him from the Fund in pursuance of this rule, with interest thereon at the rate specified in rule 11, in the manner provided in the proviso to rule 18. The amount so repaid shall be credited to his account in the Fund.

Explanation 1.— A subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently re-employed with or without a break in service, shall not be deemed to quit the service when he or she is transferred without any break in service to a new post under a State Government or in a department of the Central Government (in which he or she is governed by another set of Provident Fund Rules) and without retaining any connection with his former post. In such a case, his subscription together with interest thereon shall be transferred—

(a) to his account in the other Fund in accordance with the rules of that Fund; or

(b) to a new account under the State Government concerned if the new post is under a State Government and the State Government consents, by general or special order, to such transfer of his subscriptions and interest.

Explanation 2.— Transfer shall include cases of resignations from service in order to take up appointment in another department of the Central Government or under the State Government without any break and with proper permission of the Board. In cases, where there has been break in service, it shall be limited to the joining time allowed on transfer to a different station. The same shall hold good in cases of retrenchments followed by immediate employment.

Explanation 3.— (a) When a subscriber other than the one who is appointed on contract or one who has retired from service and is subsequently re-employed, is

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transferred without any break, to the service under another body corporate, owned or controlled by the Government or an autonomous organization, registered under the Societies Registration Act, 1860 (21 of 1860), the amount of subscriptions and interest thereon, shall not be paid but shall be transferred with the consent of that body, to his new Provident Fund Account under that body.

(b) Transfers shall include cases of resignation from service in order to take up appointment under another body corporate, owned or controlled by Government or an autonomous organization, registered under the Societies Registration Act, 1860 (21 of 1860), without any break and with proper permission of the Board. The time taken to join the new post shall not be treated as a break in service if it does not exceed the joining time as admissible under the Government rules on transfer from one post to another.

18. Retirement of subscriber.— When a subscriber —

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

the amount standing to his credit in the Fund shall become payable to the subscriber;

Provided that the subscriber, if he returns to duty, shall if required to do so by the Secretary repay to the Fund, for credit to his account, the amount paid to him from the Fund in pursuance of this rule, with interest thereon at the rate provided in rule 11 in cash or securities, or partly in cash and partly in securities, by installments or otherwise by recovery from his emoluments or otherwise, as the Secretary may direct.

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

(f) When the subscriber leaves a family -

(a) If a nomination made by the subscriber in accordance with the provisions of rule 6 in favour of a member or members of his family subsists,

the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination;

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

Provided that no share shall be payable to -

- (i) sons who have attained majority;
- (ii) sons of a deceased son who have attained majority;
- (iii) married daughters;
- (iv) married daughters of a deceased son;

If there is any member of the family other than those specified in clauses (i), (ii), (iii) and (iv):

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

Note: (i) Any sums payable under these rules to a member of the family of a subscriber vests in such member under sub-section (2) of section 3 of the Provident Fund Act, 1925 (19 of 1925);

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

Explanation 1.— When a nominee is a dependent of the subscriber as defined in clause (c) of section 2 of the Provident Funds Act, 1925 (19 of 1925), the amount vests in such nominee under sub-section (2) of section 3 of that Act.

Explanation 2.— when the subscriber leaves no family and no nomination made by him in accordance with the provisions of rule 6 subsists, or if such nomination relates only to part of the amount standing to his credit in the Fund, the relevant provisions of clause (b) and of sub-clause (ii) of clause (c) of sub-section (1) of section 4 of the Provident Funds Act, 1925 (19 of 1925) are applicable to the whole amount or the part thereof to which the nomination does not relate.

20. Deposit-linked Insurance Scheme.—

On the death of a subscriber, the person entitled to receive the amount standing to the credit of the subscriber shall be paid by the Secretary an additional amount equal to the average balance in the account during the three years immediately preceding the death of such subscriber, subject to the condition that—

(a) the balance at the credit of such subscriber shall not at any time during the three years preceding the month of death have fallen below the limits of—

- (i) Rs.25000 in the case of a subscriber holding a post in the Pay Band-2 (Rs.9300-34800) or above and drawing a Grade Pay of Rs.4800 per month or more;
- (ii) Rs.15000 in the case of a subscriber holding a post in the Pay Band-2 (Rs.9300-34800) and drawing a Grade Pay of Rs.4200 per month or more but less than Rs.4800 per month;
- (iii) Rs.10000 in the case of a subscriber holding a post in the Pay Band-2, Pay Band-1 or Pay Band 15 (Rs.4440-7440) and drawing a Grade Pay of Rs.1400 per month or more but less than Rs.4200 per month;
- (iv) Rs.6000 in the case of a subscriber holding a post in the Pay Band 15 (Rs.4440-7440) and drawing a Grade Pay of Rs.1300 per month or more but less than Rs.1400 per month;
- (b) the additional amount payable under this rule shall not exceed Rs.60,000;
- (c) the subscriber has put in at least five years' service at the time of his or her death.

Note 1.- The average balance shall be worked out on the basis of the balance at the credit of the subscriber at the end of each of the 36 months, preceding the month in which the death occurs. For this purpose, as also for checking the minimum balance prescribed above-

- (a) the balance at the end of March, shall include the annual interest credited in terms of rule 11; and
- (b) if the last of the aforesaid 36 months is not March, the balance at the end of said last month shall include interest in respect of the period from the beginning of the financial year in which death occurs to the end of the said last month.

Note 2.— Payment under this scheme should be in whole rupee; if an amount due includes a fraction of a rupee it should be rounded to the nearest rupee (50 paise counting as the next higher rupee).

Note 3.— Any sum payable under this scheme is in the nature of insurance money and therefore, the statutory protection given by section 3 of the Provident Funds Act, 1925 (Act 19 of 1925), does not apply to sums payable under this scheme.

21. Manner of payment of amount in the fund.— (1) When the amount standing to the credit of a subscriber in the Fund, becomes payable it shall be the duty of the Secretary to make payment on receipt of a written application in this behalf as provided in sub-rule (3).

(2) If the person to whom, under these rules, any amount is to be paid, is lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act, 1912 (4 of 1912), the payment shall be made to such manager and not to the lunatic:

Provided that where no manager has been appointed and the person to whom the sum is payable is certified by a Magistrate to be a lunatic, the payment shall, under the orders of the Collector, be made in terms of sub-section (1) of section 95 of the Indian Lunacy Act, 1912 (4 of 1912), to the person having charge of such lunatic and the Secretary shall pay only the amount which he thinks fit to the person having charge of the lunatic and the surplus, if any, or such part thereof, as he thinks fit, shall be paid for the maintenance of such members of the lunatic's family as are dependent on him for maintenance.

- (3) (a) Any person who desires to claim payment under this rule shall send a written application in that behalf to the Secretary;
- (b) Payment of amount withdrawn shall be made in India only;

(c) The persons to whom the amount are payable shall make their own arrangements to receive payments in India.

Explanation.— When the amount standing to the credit of a subscriber has become payable under rules 17, 18 or 19, the Secretary shall authorise prompt payment of that portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt, in the manner indicated in sub-rule (3).

22. Number of Account to be quoted at the time of payment of subscription.— When paying a subscription either by deduction from emoluments or in cash, a subscriber shall quote the number of his account in the Fund, which shall be communicated to him by the Chief Accounts Officer and any change in the number shall similarly be communicated to the subscriber by the Chief Accounts Officer.
23. Annual statement of Account to be supplied to the subscriber.— (1) (a) As soon as possible after the 31st March of each year, the Chief Accounts Officer shall send to each subscriber a statement of his account in the Fund showing the opening balance as on 1st April of the year, the total amount of interest credited as on the 31st March of the year and the closing balance on that date;
- (b) the Chief Accounts Officer shall attach to the statement of account on enquiry whether the subscriber—
- (i) desires to make any alternation in any nomination made under rule 6;
- (ii) has acquired a family in a case where the subscriber has made no nomination in favour of a member of his family under the first proviso to sub-rule (1) of rule 6.

- (2) - A subscriber shall satisfy himself as to the correctness of the annual statement and errors shall be brought to the notice of the Chief Accounts Officer within three months from the date of receipt of the statement.
- (3) The Chief Accounts Officer shall, if required by a subscriber; more not than once in a year, inform the subscriber of the total amount standing to his credit in the fund at the end of the last month for which his account has been written up.
24. Application to be addressed to the Secretary.— All applications under these rules shall be addressed to the Secretary.
25. Relaxation of the provisions of the rules in individual cases.— When the Board is satisfied that the operation of any of these rules causes or is likely to cause undue hardship to a subscriber, the Board may, notwithstanding anything contained in these rules, deal with the case of such subscriber in such manner as the Board may consider it fit to be just and equitable.
26. Any matter not covered by these rules shall be regulated to the extent applicable and appropriate in accordance with the relevant provisions contained in the General Provident Fund (Central Services) Rules, 1960, as amended from time to time.
27. Interpretation.— If any question arises relating to the interpretation of these rules, it shall be referred to the Central Government for its decision, who shall decide the same.

[F. No. G-38011/8/2013-Fin-I]

V. L. V. S. S. SUBBA RAO, Adviser (IPD)

SCHEDULE

[RULE 6(3)]

FORM OF NOMINATION

Account No.

I, hereby nominate the person (s) mentioned below who is/are member(s)/non-member(s) of my family as defined in Rule 3 of the OJ Industry Development Board Staff Provident Fund Rules, 2013 to receive the amount that may stand to my credit in the Fund as indicated below, in the event of my death before that amount has become payable or having become payable has not been paid.

Name & Full Address of the nominee(s)	Relationship with the subscriber	Age of the nominee(s)	Share payable to each nominee	Contingencies on the happening of which the nomination will become invalid	Name, address & relationship of the person(s) if any to whom the right of nominee shall pass in the event of his/her predeceasing the subscriber	If the nominee is not a member of the family as provided in Rule 2, indicate the reasons
1	2	3	4	5	6	7

Dated this day of 20 at

Signature of the Subscriber
 Name in block letters
 Designation

Two witnesses to signature

Name & Address

1.

2.

(Reverse of the form)

Space for use by the Head of Office/Pay & Accounts Office

Nomination by Shri/Smt/Kumar.....Designation.....
 Date of receipt of nomination.....Signature of Head of Office/Pay & Accounts Officer
 Designation.....

Date.....

Instructions for the subscriber—

(a) Your name may be filled up.

(b) Name of the Fund may be completed suitably.

(c) Definition of term "family" as given in the Oil Industry Development Board Staff Provident Fund Rules, 2013, is reproduced below.

Family means—

(i) In the case of a male subscriber, the wife or wives, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parent of the subscriber is alive, a parental grandparent.

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

(ii) In the case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parent of the subscriber is alive, a parental grandparent:

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

NOTE — child means legitimate child and includes an adopted child where adoption is recognized by the personal law governing the subscriber or a ward under the Guardians and Wards Act, 1890 (8 of 1890) who lives with the Government servant and is treated as a member of the family and to whom the Government servant has, through a special will, given the same status as that of a natural born child.

(d) Col.4 If only one person is nominated, the words "in full" should be written against the nominee. If more than one person is nominated, the share payable to each nominee over the whole amount of the Provident Fund shall be specified.

(e) Col.5 Death of nominee(s) should not be mentioned as contingency in this column.

(f) Col.6 Do not mention your name.

(g) Draw line across the blank space below last entry to prevent insertion of any name after you have signed.