



# The Mizoram Gazette

EXTRA ORDINARY  
Published by Authority

Vol. XIX Aizawl Tuesday 18. 12. 1990 Agrahayana 27, 1912 Issue No. 148

## NOTIFICATION

Whereas the Government deems expedient to make rules for Government Aided College Contributory Provident Fund so as all the employees may enjoy the benefits of the Provident Fund while in service, the Governor of Mizoram is pleased to make the following regulations namely:—

- Short title and commencement
1. (1) This regulation may be called the Mizoram Aided College Contributory Provident Fund Regulations 1990
  - (2) It shall come into force on the date as Government may, by notification in official gazette appoint.

### Definitions.

In this Regulations unless the context otherwise requires.

- a) "College Authority" means the Governing Body of an Aided College;
- b) "Controlling Officer" means the Jt. Director of Higher Education for Aided Colleges.
- (c) "Employees" means teaching and non-teaching staff holding substantive post in Government recognised Aided College;
- d) "Family" means—
  - i) in the case of a male subscriber, the wife and children of a subscriber, and the widow and children of a deceased subscriber;  
Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to 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;
  - ii) in the case of a female subscriber, the husband and children of a subscriber and the widow and children of a deceased.

- (e) "Fund" means the contributory Provident Fund under these rules;
- (f) "Interest" means an interest which is paid on a deposit at a rate specified in clause 11;
- (g) "Salary" means monthly pay, and includes dearness pay appropriate to pay, leave salary or subsistence grant, if admissible and any remuneration of the nature of pay;
- (h) "Scheduled Banks" means all Banks within Mizoram authorised by the State Government in the appendix 'C' to these regulation;
- (i) "Subscriber" means a subscriber of the fund under these regulations:

**Control of the fund**

3. The control of the fund shall vest in the state Government. The State Government may, however, delegate their powers under these regulations to such Officers as they may appoint in their behalf. Officers as appointed shall be called controlling Officers for the purpose of these regulations.

**Amount of contribution**

4. a) Every employee shall contribute at the rate of eight percent of his pay to a provident Fund of which an account shall be opened post office savings bank or at the Scheduled Bank.
- b) Voluntary contribution in excess of the regular amount shall be admissible. But matching contribution shall remain 8% of pay.
- c) The amount of his contribution to the provident Fund shall be deducted from the from the monthly pay of each subscriber by the College Authority. In calculating the amount of deduction, only the substansive pay of the subscriber shall be taken into account, and fractions of rupee of salary shall be disregarded.
- d) When the subscriber is an deputation to a training institution, the office the institution shall deduct the amount of his provident Fund contribution from his pay and shall remit in to College Authority by money order, at his own expense.
- e) Contribution during leave shall be compulsory.

**Contribution by the College Authority.**

5. The College Authority shall make a contribution to the Provident Fund Account of each employee monthly equal to the deduction made from his/her salary under Clause 4.

Remission of fund to the Bank Authority

6. The deduction under clause 4 and the contribution under clause 5 shall be remitted by College Authority to the Post Office or the Bank Authority for credit to the account of each subscribers Provident Fund and it shall, whenever possible, be made between the 1st and the 4th of each month in order that the interest may accrue for the month of deposit order.

Procedure of depositing Money

7. a) The College Authority shall remit the deductions under Clause 4 and the contributions under clause 5 to the post office or Scheduled Bank which maintain the account accompanied by-
- i) The Savings or Scheduled Bank Pass Books of the subscribers and
  - ii) The Statement in the form given in Appendix 'A'
- b) The money received in the post Office or Scheduled Bank shall be credited to the different accounts in accordance with the entries in the statement; and the Post Master or Bank Authority after satisfying himself that the amount of the deposit has been stamped with the post Office dated Stamp or the date stamp of the Scheduled Bank and return it with the Pass Books to the College Authority.
- c) The College Authority see that the entries in the Pass Books are correct.
- d) The College Authority shall maintain a Ledger with a separate accounts for each subscriber in which the particulars given in the monthly statement shall be entered at and also the interest credited periodically and the withdrawals.
- e) The accounts maintained by the College Authority shall be balanced annually and the balance shall be certified by the signature of the subscribers.
- f) The accounts of the fund see subject to audit by authorised audit Officers of Accountant General and Examiner local accounts of the State Government.

Cash Certificates of the subscriber.

- 8 a) Cash Certificates may be purchased out of the balance at credit of the subscriber's Provident Fund Accounts.
- b) The applications for the purchase of such cash certificates are to be signed by the subscriber in the prescribed form. Cash Certificates may be purchase in their names from the Provident Fund Accounts by his/her agent or messengers. The Certificates which will be made out in the name of the Subscriber concerned will be payable only to the Officers' authority by the Controlling Authority. The custody and control as well as the power to transfer and discharge such cash certificates from the name of a subscriber to that of another

person or from one post Office to another person or from one post Office to another will require the consent in writing of the controlling authority.

- c) Holding of Cash Certificates, purchased on behalf of the subscriber Provident Fund in whose name such cash certificates remained undischarged, the amount due on them will be paid to the Officers controlling the subscribers.

Provident Fund and that amount will be treated as if it is from the part of a balance at credit of the subscribers' Provident Fund Account.

Withdrawal during life time of subscriber. 9. Subject to the exception provided for in these Regulation, the deduction and contributions with the interest thereon at the credit of a subscriber shall with the approval of the State Government or the controlling Officers be withdrawn on his ceasing to be employed by the College Authority and shall be paid by them to the Subscriber.

Disposal on the death of subscriber 10. The closure of an account or withdrawal from it shall be made on the presentation at the office to which these accounts is maintained on an ordinary application for withdrawal signed by the nominee of the subscriber. The application shall be countersigned by the College authority.

- a) each subscriber shall when she/he joins the Fund signed the declaration the form given in appendix 'B' in the manner in which he wishes the amount at his credit to be disposed of his death.
- b) A subscriber may change his declaration at any time.
- c) It shall be the duty of the College Authority to keep the declaration in safe custody.
- d) If the subscriber has a family, no declaration shall be accepted from him which seeks to alienate from his/her family the amount at his/her credit or any part thereof at the time of his/her death.
- e) On the death of a subscriber, the amount at his/her credit shall be withdrawn, with the approval of the State Government or the Controlling Officer, by the College Authority and paid to the person or persons named in the declaration.

Interest 11. College Authority shall pay to the credit of a subscriber an interest, at such rate as the Government may from time to time prescribe for the payment of interest on subscription to the Contributory Provident Fund on the amount to his credit in the fund and it shall be creditable with effect from the 31st March of each year in the following manner :-

- e) On the amount to the credit of subscriber on the 31st March of the preceeding year, less any sums withdrawn during the current year interest.
- b) On sums withdrawn during the current year interest from the 1st April of the current year upto the last day of the month preceeding to the month of withdrawal ;
- c) On all sums credited to the subscriber's account after the 31st March of the current year;
- d) The total amount of interest shall rounded to the nearest rupee;

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

Advance 12  
from the  
Fund

- 1) College Authority may sanction the payment to any subscriber of an advance consisting of sum of rupees not exceeding the amount of three months pay half the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund, whichever is less for one or more of the following purposes:-
  - a) to pay expenses in connection with illness confinement or disability, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent upon him;
  - b) To meet cost of higher education.
  - c) to pay obligatory expenses on a scale appropriate to the subscriber status which by customary usage the subscriber has to incur in connection with marriage, funerals of other ceremonies;
  - d) to meet the cost of legal proceedings instituted by the subscriber for indicating his position in regard to any allegations made against him in respect of any act done or purporting to be done by him in the discharge of his official duties the advance in this case being available in addition to any advance admissible for the same purpose from and other source. Provided that the advance under this subclause shall not be admissible to a subscriber who institute legal proceedings an any court of law either in respect of any matter unconnected with his/ her official duty or against Government or the management, as the case may be in respect of any condition service or penalty imposed on him;
  - e) to meet the cost of his/her defence where the subscriber is prosecuted by Government or the Management, as the case may be in any court of law or where the subscriber engages a

legal practitioner to defend himself/herself in an enquiry in respect of an alleged official misconduct on his part.

- 2) The State Government may, in special circumstances sanction the payment to any subscriber of advance if it is satisfied that the subscriber concerned requires the advance for the reasons other than those mentioned in sub-clause (1) above.
- 3) An advance shall not, except for special reasons to be recorded in writing be granted to any subscriber in excess in sub-clause (1) or until repayment of the last instalment of any previous advance.

Provided that an advance shall in no case exceed the amount of subscriptions and interest thereon standing to the credit of the subscriber in the fund.

- 4) When an advance is sanctioned under sub-clause 3) above, before repayment of last instalment of any previous advance is recovered it shall be added to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.

Recovery 13,  
of advances

- 1) And advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct but such number of instalment shall not be less than twelve unless the subscriber so select and not more the twenty four. In special cases where the amount of advance exceeds three months pay of the subscriber under sub-clause (1) of Clause 12, the sanctioning authority may fix such number of instalments to be more than twenty four but in no case more than thirty six. A subscriber may at his option make repayment in a smaller number of instalments than that prescribed. Each instalment shall be a number of whole rupees, the amount of the advance being raised or deducted if necessary to admit fixation of such instalments.
- 2) If 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, or in default be ordered to recovered by deduction from the emoluments of the subscriber in a lump sum as may be directed by the authority competent to sanction any advance for the grant of which, special reasons are required under sub-clause (1) of clause 12.
- (3) Recoveries made under this clause shall be credited, as they are made, to the account of subscriber in the fund.

Wrongful 14.  
use of  
Advance.

Notwithstanding anything contained in these clauses, if the sanctioning authority is satisfied that money drawn as an advance from the fund under clause 12 has been utilised for a purpose

other than that for which sanction was given to the drawal of the money, the amount in question shall forthwith be repaid by the subscriber to the Fund, or in default, be ordered to be recovered by deduction in one lump sum from the emoluments of the subscriber even if he be on leave. If the total amount to be repaid be more than half of the subscriber's emoluments recoveries shall be made in monthly instalment till the entire amount is repaid by him.

**Explanation**—For the purposes of these regulation the term emoluments does not include subsistence grant.

With- 15 (1)  
drawal from  
the Fund.

Subject to the conditions specified herein withdrawals may be sanctioned by the authority competent to sanction an advance for special reasons under sub-clause (1) of clause 12 at any time after the completion of twenty years of service including broken period of service, if any of a subscriber within ten years before the date of his/her retirement on superannuation, whichever is earlier, from the amount of subscriptions and interest thereon standing to the credit of the subscriber 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 child of the subscriber in the following cases namely :
  - (i) For Education outside India for academic technical, professional or vocational course beyond the college stage and,
  - (ii) For any medical, engineering or other technical or specialised course in India beyond the college stage provided that the course of study is for not less than three years
- (b) Meeting the expenditure in connection with the marriage of the subscriber's sons or daughters and any other female relation actually dependent on him/her.
- (c) Meeting the expenses in connection with illness, including where necessary the travelling expenses of the subscriber and members of his/her family or any person actually dependent on him/her.
- (d) Building or acquiring a suitable house for his/her residence including the cost of the site or repayment of any outstanding amount on account of loan expressly taken for this purpose, or reconstructing or making additions or alterations to a house already owned or acquired by a subscriber.
- (e) Purchasing a house site.
- (f) For constructing a house on a site purchase utilising the sum withdrawn under clause (e) above.

2. Whenever a subscriber is in a position to satisfy the competent authority about the contributory Provident Fund Account with reference to the latest available statement of account together with the evidence of subsequent contribution, the competent authority may itself sanction withdrawal within the prescribed limits as in the case of refundable advance. In doing so, the competent authority shall take into account any withdrawal or refundable already sanctioned in favour of the subscriber. Where the subscriber is not in a position to satisfy the competent authority about the amount standing to his credit or where there is any doubt about the admissibility of the withdrawal applied for a reference may be made to the accounting authority by the competent authority for ascertaining the amount standing to the credit and the competent authority may determine the admissibility of the amount of the withdrawal.
3. Any sum withdrawn by a subscriber at any time for one or the purpose specified in clause (1) from the amount standing to his credit shall not ordinarily exceed one half of the amount of subscriptions and interest thereon to the credit of the subscriptions in the Fund or six months pay whichever is less. The sanctioning authority may, however sanction the withdrawal of an amount in excess of this limit upto three fourths of the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund having due regard to (i) the object for which the withdrawal is being made (ii) the status of the subscriber and (iii) the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund.
- 4) A subscriber who has been permitted to withdraw money from the fund under sub-clause (1) shall satisfy the sanctioning authority within a reasonable period as may be specified by the authority that the money has been utilised for the purpose for which it was withdrawn and if he fails to do so, the whole amount so 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 from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the State Government.
- 5) A subscriber who has been permitted under clause (a), (d) or clause (f) or sub-clauses (1) to withdraw money from the amount standing to his credit in the Fund, shall not part with the possession of the house so built or acquired or house site purchased by way of sale mortgage other than mortgage to the Government or gift without the previous permission of the State Government. He/She shall also not part with the possession of such house or house-site by way of exchange or lease for a term exceeding three years without the previous permission of the sanctioning authority. The subscriber shall submit a declaration not later than the 31st day of December of every year to the effect that the house or as the case may be the house site continue to be



in his position and if so required produce before the sanctioning authority in that behalf the original sale deed and other documents on which his/her title to the property is based.

If at any time before retirement, he parts with the possession of the house or house site without obtaining the previous permission of the sanctioning authority, as the case may be, the sum withdrawn by him shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his/her emoluments either in lump sum or in such number of monthly instalments as may be determined by the sanctioning authority.

**Transfer of 16. Employee.** When a subscriber leave the service of College for that of another College in the State, his/her accounts shall be transferred to the college to which the employee has been employed. In case a subscriber joins the service of Government, he/she shall be allowed to receive all deposits to his/her credit including the contributions of the College authority with interest to the date on which he/she joint Government service.

**Dismissal 17 a) etc. of employee.** If the services of a subscriber are dispensed with for no fault of his own or if he/she resigned on account of disablement or illness, or for other reasons which seem adequate to the State Government or the controlling officer, he/she shall receive all deposits to the College authority with service terminates.

b) If a subscriber is dismissed, or removed, or called upon to resign on account of fault, or resign without due notice or before he/she has put in five years service altogether in a College recognised by the Education Department or Government, the Authority may, with the sanction of the State Government or the Controlling Officer, with out all or any part of the contributions to his/her account made by them or by other college authorised under whom he/she has been employed with the interest accrued thereon, and pay to him only the balance at his/her credit without such contribution and interest.

c) In such event the amount of the contribution and interest withheld shall be paid into the College Fund or, if more than one employed had contributed, then it shall be distributed among the College Funds by the authorities concerned such parts as may be decided on in each case by the State Government or the Controlling Officer.

**Closure 18. a) of Accounts.** On a subscribed leaving the service, his accounts shall be closed and unless the amount at his/her credit be withdrawn within a certain period, viz. one year if the balance is rupees ten or less, three years if the balance is over ten it shall be written off and it shall be treated as a dead account and the said amount shall be paid into the College Fund.

- b) Subject to restrictions in sub-clause (a), related claims may be considered and paid from the College Fund with the sanction of the State Government or the Controlling Officer. The fact that the account has been closed shall not operate as a bar to the interest allowed under the Post Office Saving Bank or a Scheduled Bank Account.

Dengchhuana,  
Secretary to the Govt. of Mizoram,  
Education & Human Resources Department.

**FORM OF STATEMENT TO ACCOMPANY DEPOSITS IN THE SAVING BANK ON A SCHEDULED BANK**

( Clause 7 (a) (11)  
Name of College/School: \_\_\_\_\_

Month of \_\_\_\_\_

Account No.	Name and substantive pay of subscriber.	Amount of subscription.	Amount of College contribution.	Amount of total advance refunded.	Remarks (Balance of advances may be noted, in this column.

**TOTAL:**

**FORM OF DECLARATION**  
(See Clause- 10. (a)

Appendix-8

The Mizoram Aided College Provident Fund.

Subscriber No. \_\_\_\_\_

( For \_\_\_\_\_ Subscriber )

I accept the rules framed for the above Provident Fund and I agree to abide by the,

In the even of may death accuring while my account in the Fund is open, it is my desire that the amount due to me from the Fund at the time of my death shall be distributed among the persons mentioned below in the manner shown against their names the amount due to any nominee who is a minor at the time of my death being paid to the person whose name appears sion in column 5.

Name & Address of nominee or nominees.	Relationship with the subscriber	Whether major or minor, State Date of Birth	Amount of share of deposit.	Name & Address of persons to whom payment is to be made on behalf of minor.
1	2	3	4	5

(a) Here state married or unmarried

Station ..... Signature .....

Name of Institution .....

Witness : (1) .....  
(2) .....

### A P P E N D I X—C

Name of Post Office/Bank Office authorised by the Government.

( See Clause 2 (h) )

1. State Bank of India, Aizawl, Mizoram. and its branches within Mizoram.
2. United Commercial Bank, Aizawl Mizoram and its branches within Mizoram.
3. Vijaya Bank, Aizawl and its branches within Mizoram.
4. Mizoram Cooperative Apex Bank, Aizawl, Mizoram and its branches within Mizoram.
5. Main Post Office. Treasury Square, Aizawl.
6. Regional Provident Fund Commissioner, Shillong.
7. Mizoram Urban Co-operative Bank Ltd and its branches within Mizoram.