



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

Vol. XII Aizawl Thursday 30. 6. 1983 Asadha 9. S.E. 1905 Issue No. 40

No. MSIDC (A) 26/83/39, dated the 28th May, 1983. In exercise of the powers conferred by Clause (14) (b) of Article 75 of the Articles of Association of Mizoram Small Industries Development Corporation Limited, the Board of Directors is pleased to make the following Schemes, the same having been approved by the Lt. Governor of Mizoram, namely :—

CHAPTER — I

PRELIMINARY

Short title and commencement.

1. (a) This Scheme may be called the Mizoram Small Industries Development Corporation Contributory Provident Fund and Gratuity Schemes, 1983
- (b) They shall come into force with immediate effect.

Application.

2. The Schemes shall apply to all categories of employee of the Corporation except employees on deputation.

Definitions.

3. Under these schemes, unless the context otherwise requires :—
 - (a) "Bank" means the State Bank of India or any other Bank where the accounts for the Contributory Provident Fund & Gratuity Schemes are open.
 - (b) "Corporation" or "Company" means the Mizoram Small Industries Development Corporation Limited.
 - (c) "family" means —
 - (i) in the case of a male subscriber, the wife and children of a subscriber and the widow and children of deceased son of the subscriber.

If, however, 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 entitle to maintain, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these schemes relate unless the subscriber subsequently intimates, in writing, that she shall continue to be so regarded ;

- (ii) in the case of a female subscriber, the husband and children of a subscriber, and the widow and children of a deceased son of a subscriber ;

If, however, a subscriber, by notice in writing, 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 schemes relate, unless the subscriber subsequently cancels such notice in writing.

- (d) "interest" means the interest which accrues at the rate fixed by the Board.
- (e) "Salary" means monthly salary, and includes all fixed monthly allowances by way of pay, personal pay, Special pay and Dearness allowances, but does not include any other allowances ;
- (f) "Secretary" means the Secretary of the Corporation.
- (g) "Subscriber" means an employee on whose behalf a deposit is made under this Scheme.

CHAPTER -- II

CONTRIBUTORY PROVIDENT FUND

Contributory Provident Fund.

4. There shall be the Contributory Provident Fund instituted for the employees of the Corporation to be maintained and administered in accordance with the regulations here-in-after provided.
5. Every whole-time employee of the Corporation shall be entitled and required to subscribe to the Provident Fund. Every such employee shall, as soon as possible after his appointment, give a written declaration that he/she agrees to abide by the conditions prescribed for subscribing to the Provident Fund .

Scope of the Scheme.

Provided that an employee whose services have been lent to the Corporation by Government or a person who is on lien from a Government post, shall not be required to subscribe to the Provident Fund.

Rate of subscriber's contribution and its recovery.

6. Employees of the Corporation eligible to the benefit of Provident Fund contribution shall subscribe to the Provident Fund at the rate of not less than 6½ percent and not more than 20 percent of his salary every month. The amount shall be deducted from the salary bill. In calculation of this deduction, a fraction of a rupee, if any, shall be rounded off to the nearest round figure. The amount so deducted, together with the contribution by the Corporation prescribed here under, shall be credited with the State Bank of India under Head "MSIDC Contributory Provident Fund Scheme".

Note : The subscription of a subscriber on leave shall be calculated on his/her regular salary and not on his leave salary. No subscription of contribution shall be made to the Provident Fund of an employee who is on leave without pay.

Company's
Contribution.

7. The Corporation shall in the case of subscriber, make a monthly contribution at the rate of 8 percent of his/her salary or the amount equivalent to the subscribed rate, whichever is less.

Rate of
Interest.

8. The rate of interest shall be the same as Central Government rate (i.e. 8.5% for upto Rs. 25,000/-) This is subject to revision every time Government Provident Fund rate is revised.

Final with-
drawal of
accumulations
in the Fund.

8. (1) Final withdrawal shall be permitted when a subscriber quits his/her service in the Corporation by retirement, resignation, death or otherwise. Provided that —

in the case of an employee of the Corporation being dismissed or removed from service or his/her quitting service without due notice he/she shall be entitled to receive the sum which he/she subscribed and the interest thereon. It shall rest with the Board to decide whether or not the Company's contribution and the interest thereon shall be paid.

Note : Any contribution and interest thereon withheld under this regulation shall merge in the Central Fund of the Corporation and shall be transferred to that account.

(2) When the amount standing at the credit of a subscriber in the fund of the balance thereof after deduction, if any, becomes payable it shall be the duty of the accounts Officer of the Company to have the accumulation withdrawn from the account in the Bank and to direct the person or persons to whom the amount is payable to receive payment.

(3) Subject to the condition that no deductions may be made which reduces the sum at the subscriber's credit by more than the amount of the contribution of the Corporation and the interest thereon, any amount due under a liability incurred by an employee who quits employment or is discharged, shall be recovered from the total amount of subscription and contribution and interest therefrom, standing at the credit of the subscriber before final payment is made.

Advance from
the Fund.

9. Temporary withdrawals of amount not exceeding one-third of the accumulated amount of deposit shall be permitted, at the discretion of the Managing Director of the Company to enable a subscriber to pay expenses in connection with the subscriber's illness or illness of member of his family or in connection with marriages, funerals of other ceremonies which it is incumbent upon him/her to perform or to meet expenses of an urgent nature in connection with the education of children :

Provided that in exceptional cases an advance in excess of stipulated limit may be allowed for reasons to be recorded in writing.

Repayment of Advance.

10. The amount withdrawn under clause 9 shall be refunded in twenty four equal monthly instalments. A subscriber may, however, at his/her option make payment in less than twenty four instalments or may repay two or more instalments at one time. Each instalment shall be a number of whole rupees the amount to be withdrawn being raised or reduced if necessary, to a multiple of the fixation of such instalments. Recoveries shall be made in the same manner as for realization of subscription and shall commence from the first payment of a full month's salary after the withdrawal is granted. Recoveries thus made shall be in addition to the usual subscription and shall be credited as they are made, to the subscriber's account in the fund. No interest shall be recovered on withdrawals.

Nominations.

11. Every subscriber shall make a nomination in the prescribed Form conferring the right to receive the amount that may stand to his/her credit in the fund, in the event of his/her death before quitting the service of his/her being insane while in service. The form of nomination shall be signed by the subscriber in the presence of the Secretary of the Corporation and one member of the office staff who shall attest his signature. The Form of nomination duly completed shall be retained in safe custody by the Secretary who shall give a receipt thereof.

- (2) A subscriber who at the time of joining has a family shall furnish a nomination in Form — I in favour of one or more members of his family or with the previous sanction of the Secretary and in respect of a total sum not exceeding 12½ per cent of the amount at his credit in the fund in favour of a parent, minor brother or unmarried sister, or where no parent of the subscriber is alive, paternal grand parent.
- (3) A subscriber who has no family may similarly nominate a person in Form - II Provided that a Nomination made under this sub-section shall be deemed to have been duly made only for so long as the subscriber has no family.
- (4) If a subscriber at any time acquires a family, he shall furnish a nomination prescribed in sub-section (2) and if he previously nominated any person other than a member of his family he shall formally cancel the previous nomination.
- (5) A subscriber may in his nomination distribute the amount that may stand to his credit at the fund amongst his nominee at his own discretion subject to the restriction mentioned in sub-section (2).
- (6) A nomination may be cancelled by a subscriber and may be replaced by another nomination in conformity

FORM OF NOMINATION — I (FORM OF NOMINATION WHEN THE SUBSCRIBER HAS A FAMILY)

I hereby declare that in the event of my death or of my becoming insane, the amount at my credit in the Provident Fund shall be distributed amongst the members of my family and other dependants mentioned below in the manner shown against their names.

The amount due to a nominee who is a minor at the time of my death or of my becoming insane shall be paid to the person, whose name appears in column 5.

Name & Address of the nominee or nominee	Relationship with the subscriber	Age of the nominee	% of share of accumulation	Name & address of the person to whom payment will be made on behalf of minor	Relationship of the minor to the person mentioned in column 5.
1	2	3	4	5	6

Date 19

Witness:

- 1.
- 2.

Signature of the
Subscriber.

Note : Column 4 shall be filled in so as to cover the whole amount at credit.

FORM OF NOMINATION — II (FORM OF NOMINATION WHEN THE SUBSCRIBER HAS NO FAMILY)

I hereby declare that I have no family and direct that the amount at my credit in the Provident Fund on my death or on my becoming insane shall in the event of my having no family be distributed amongst the persons mentioned below in the matter shown against their names.

The amount due to a nominee who is a minor at the time of my death or of my becoming insane shall be paid to the person, whose name appears in column 5.

Name & address of the nominee or nominee	Relationship with the subscriber	Age of the nominee	% of share of accumulation	Name & address of the person to whom payment will be made on behalf of minor	Relationship of the minor to the person mentioned in column 5.
1	2	3	4	5	6

Date 19

Witness:

- 1.
- 2.

Signature of the
Subscriber.

Note: Column 4 shall be filled in so as to cover the whole amount at credit.

CHAPTER — III

GRATUITY

Eligibility

1. Gratuity shall be payable to an employee or nominee on termination of his/her employment after he/she has rendered continuous service for not less than five years:—
 - (a) on his/her superannuation or
 - (b) on his retirement or resignation, or
 - (c) on his death or disablement due to accident or disease.

Provided that the completion of continuous service of five years shall not be necessary where the termination of the employment is due to death or disablement.

Provided further that in the case of death of the employee, gratuity payable to him/her shall be paid to his nominee, or if no nomination has been made, to his/her heirs.

Disqualification.

2. (i) The Gratuity payable to an employee shall be wholly forfeited if the services of such employee have been terminated on his/her riotuous or disorderly conduct or any other act of violence, or an offence involving moral turpitude.
- (ii) The Gratuity of an employee whose service have been terminated for any act, wilful negligence or omission, causing any damage or loss to, or destruction of, the Company's property, shall be forfeited to the extent of damage or loss so caused.

Amount of Gratuity.

3. (i) Gratuity shall be paid at the rate of 50% of monthly salaries for every completed year of service or part thereof in excess of six months.
- (ii) The Gratuity payable to the employee shall not exceed 20 month's salary or Rs. 36,000.00 whichever is less.

Nomination.

4. (i) Each employee, who has completed one year service, shall make, within such time nomination by submitting the prescribed form.
- (ii) An employee may, in his/her nomination, distribute the amount of Gratuity payable to him among more than one nominee.
- (iii) If an employee has a family at the time of making nomination, the nomination shall be made in favour of one or more members of his/her family; and any nomination made in favour of a person who is not a member of the family shall be void.
- (iv) If at the time of making nomination the employee has no family, the nomination shall be made in favour of any person(s), but if the employee subsequently acquires a family, such nomination shall forthwith become invalid and the employee shall make within a year a fresh nomination in favour of one or more members of his/her family.
- (v) A nomination may, subject to the provisions of sub-section (3) and (4) be modified by an employee at any time, by giving a written notice to the Secretary of the Corporation, of his/her intention to do so.

(vi) If a nominee predeceased the employee, the interest of the nominee shall revert to the employee who shall make a fresh nomination, in the prescribed form.

Accounts. 5. No separate accounts shall be opened for this purpose. The expenditure on this account shall be met from the General Fund of the Company.

NOMINATION FORM FOR GRATUITY

Name of Employee:

Designation:

I hereby declare that in the event of my death the amount of gratuity payable to me under the Mizoram Small Industries Development Corporation Limited (Contributory Provident Fund and Gratuity Scheme, 19 shall be paid to the person (s) hereby nominated by me and mentioned below, in the manner shown against his/her/their name (s).

The amount due to any nominee who does not become major at the time of my death shall be paid to the person whose name appears in column 5, on behalf of that nominee.

Name & address of the nominee.	Relationship with the employee.	Whether major or minor, if minor, state his/her/their age.	Share of gratuity.	Name & address of the person to whom payment is to be made on behalf of the minor.	Sex and parentage of person mentioned in column 5.
1	2	3	4	5	6

Witness:

- Name
Address
Date
- Name
Address
Date

Signature of the employee.

Designation:
Date:

OFFICE ORDER NO. 121/83

No. CDC - G - 3(A)/83/15/487, the 29th June, '83. In supersession of Order No. 118/83 dt. 28/6/83, the Executive Committee of Chakma District Council is pleased to place Shri S. K. Chakma, Executive Secretary under suspension with effect from the afternoon of 28th June, '83 in pursuance of the resolution No. 1 dated 28/6/83 of the Executive Committee of the Chakma District Council pending further examination of and enquiry into the case of his failure to furnish accounts of the Chakma District Council

money and to make over the cash, which is likely lead to misappropriation of the money, and also for failure to comply with orders of his superior and negligence to duties.

Shri S. K. Chakma will make over full charge of the office of the Executive Secretary to Shri P. B. Chakma, Secretary to the Chakma District Council, appointed as Offg. Executive Secretary under separate order.

Under F. R. 53, Shri S. K. Chakma, Executive Secretary (under suspension) will be entitled to draw subsistence allowance at the rate of half of his basic pay drawn on the date of suspension.

During the period of suspension the head-quarters of Shri S. K. Chakma will be Kamalanagar where-in he should be available whenever required in connection with his case.

P. B. Chakma,
Chief Executive Member,
Chakma District Council,
Kamalanagar.

ORDER NO. 122/83

No. CDC - G - 3 (A)/83/16/486, the 29th June, '83. Consequent upon the suspension of Shri S. K. Chakma, Executive Secretary, Chakma District Council, and pursuant upon the resolution No. 2 dated 28/6/83 of the Executive Committee of the Chakma District Council, the Executive Committee of Chakma District Council is pleased to appoint Shri P. B. Chakma, Secretary to the Chakma District Council, as officiating Executive Secretary & DDO of the Chakma District Council until further order in addition to his own duties as the Secretary to the Chakma District Council.

Shri P. B. Chakma, Secretary to the Chakma District Council will take over the full charge of the office of the Executive Secretary from Shri S. K. Chakma under suspension.

This order cancels order No. 119/83 dt. 23/6, 83.

P. B. Chakma,
Chief Executive Member,
Chakma District Council,
Kamalanagar.