

GOVERNMENT OF KERALA

Higher Education (B) Department

*NOTIFICATION

No. 48924/B2/76/H. Edn.

Dated, Trivandrum, 19th April 1979.

S. R. O. No. 489/79 - In exercise of the powers conferred by Section 83 of the Kerala University Act, 1974, (17 of 1974) and in supersession of all Statutes on the subject, the Government of Kerala hereby make the following First Statutes in respect of the conditions of service other than pension, provident fund, gratuity, insurance and age of retirement of teachers and members of the non-teaching staff in Private Colleges namely:-

FIRST STATUTES

CHAPTER I

Preliminary

1. *Short title, Commencement and Application*:- (1) These Statute may be called the Kerala University (Conditions of Service of Teachers and Members of Non-teaching Staff) First Statutes, 1979.

(2) They shall come into force at once.

(3) They shall apply to all the teachers and members of the non-teaching staff of Private Colleges.

2. *Definitions*:- (I) In these Statutes, unless the context otherwise requires-

(a) "Academic Year" means a period of twelve months commencing on the first day of June:

Provided that in the Case of teachers who are granted extension of service till the end of an academic year, the academic year shall mean a period of ten months commencing from the first day of June;

(b) "Act" means the Kerala University Act, 1974 (17 of 1974);

(c) "Chapter" means a chapter of these Statutes;

(d) "Direct Payment Scheme"" means the scheme introduced by the Government for the direct payment of salary to the teaching and

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non-teaching staff of Private Colleges under the Educational Agencies, which have agreed for Government control in the matter of appointment of the teaching and non-teaching staff, in the admission of students and which have executed an agreement with the Government for that purpose.

- (e) “Form” means a form appended to these Statutes;
 - (f) “Laws of the University” means the provisions contained in the Kerala University Act, 1974 (17 of 1974), the Statutes, Ordinances, Regulations, Rules, Bye laws and Orders made there under;
 - (g) “Manager” when used with reference to a Private Engineering College shall mean the “Chairman” of the Governing Body of the respective institution.
 - (h) “Service” means continuous service rendered in a college affiliated to any University in the State or any service rendered in a college affiliated to the University of Travancore or the Madras University by a person who is at the commencement of these Statutes, working in any college affiliated to any of the Universities in this State.
 - (i) “Substantive Vacancy” means a vacancy which has arisen permanently by reason of the retirement of a person holding a permanent appointment in that post or by reason of a temporary post being made permanent by an order of the competent authority or by reason of the termination or suspension of the lien of a person holding a permanent appointment in that post.
- (2) Words and expressions used and not defined in these Statutes but defined in the Kerala University Act, 1974 (17 of 1974) or in the Interpretation and General Clauses Act, 1125 shall have the meanings respectively assigned to them in those Acts.
- (3) Any reference in these Statutes to the Director of Collegiate Education or the Zonal Deputy Director of Collegiate Education, shall in relation to a Private Engineering College, be construed as a reference to the Director of Technical Education or such other Officer as the Government may authorize in that behalf.

CHAPTER 2

Conditions of Service of Teachers in Private Colleges

3. *Appointment of Teachers by Direct Recruitment*:- For making appointments to the posts of teachers by direct recruitment, the posts shall be advertised in two English and two Malayalam daily news papers approved by the University giving a minimum period of thirty days for the aspirants to apply.

4. *Constitution of Selection Committee for Appointment:-* (1) In order to ensure that appointments of teachers by direct recruitment are on the basis of merit such appointments shall be made by the Educational Agency from a panel of three names for every vacancy recommended by a Selection Committee constituted by the Educational Agency and consisting of the following members, namely:-

- (a) two representatives of the Educational Agency nominated by it, one of whom shall be the Chairman of the Selection Committee;
- (b) the Principal of the College;
- (c) the Head of Department in the subject concerned; and
- (d) one expert in the subject nominated by the Vice-Chancellor

(2) Three members including the member referred to in item (d) shall constitute the quorum for a meeting of the Selection Committee.

(3) Notwithstanding anything contained in clause (1), in the case of any Educational Agency which has voluntarily entered into a written agreement with the Government for the direct payment of salaries to the teachers and the non-teaching staff of its Arts, Science or Training Colleges, appointments of teachers, whether provisional or permanent, shall be made only from a list of persons prepared by a Selection Committee constituted by the Educational Agency and consisting of the following members, namely:-

- (a) two representatives of the Educational Agency nominated by it;
- (b) a person nominated by the Educational Agency from amongst the Principal, Heads of Departments and Professors of the College or where the Educational Agency has two or more colleges from amongst the Principals, Heads of Departments and Professors of all those Colleges:

Provided that before making any such nomination, the Educational Agency shall obtain the concurrence of the University;

- (c) one member chosen by the Educational Agency from amongst the Secretaries to the Government and the District Collectors:

Provided that if for any reason the Government consider that the Officer chosen by the Educational Agency cannot be deputed to the Selection Committee, the Educational Agency shall choose another Officer from amongst the said categories;

- (d) one expert chosen by the Educational Agency from a subject-wise list of experts prepared by the University containing not less

than five members and made available to the Educational Agency on its request at the beginning of each academic year:

Provided that if the Educational Agency considers that the list is insufficient, it may request for more names to be included in the list and the University, shall, as far as possible, comply with such request.

(4) A representative of the Educational Agency referred to in item (a) of clause (3) or the member referred to in item (b) of that clause, as may be decided by the Educational Agency, shall be the Chairman and the convener of the Selection Committee constituted under the said clause.

(5) The Selection Committee constituted under clause (1) or clause (3) shall meet as often as is necessary.

5. *Quorum for Meetings*:- (1) The quorum for the meetings of the Selection Committee constituted under clause (3) of Statute 4 shall be three and shall include the members referred to in item (c) and item (d) of the said clause.

(2) If the meeting fixed for a day cannot be held for want of quorum or owing to the absence of one or both of the members referred to in items (c) and (d) of the said clause, the meeting shall stand adjourned and shall be held on the same day in the following week at the same place and time and such adjourned meeting shall be considered to be valid even if either or both of the aforesaid members is or are not present.

(3) If the member referred to in item (c) or item (d) of clause (3) of Statute 4 is likely to be absent, on leave or otherwise so as to render him unable to attend two consecutive meetings of the Committee he shall intimate the Educational Agency and the Government or the University, as the case may be, sufficiently early and it shall be the duty of the Educational Agency to choose a substitute in the manner mentioned in the said item (c) or item (d), as the case may be, and no other meeting of the Selection Committee shall be held until the substitute is chosen and notice of the next meeting is given to him.

6. *Selection Committee for Teaching Staff of Private Engineering Colleges*:- (1) In the case of a Private Engineering College, appointments to the teaching posts including workshop staff whether provisional or permanent shall be made by the Educational Agency only from a list of persons prepared by a Selection Committee according to the rank assigned by that Committee.

(2) The Selection Committee for teaching staff shall consist of the following members, namely :-

- (a) two representatives of the Educational Agency of whom one according to the choice of the Educational Agency shall be the Chairman;
- (b) a representative of University;
- (c) the Director of Technical Education or his nominee;
- (d) the Regional Officer of the Ministry of Education or his nominee, representing the Central Government;
- (e) two representatives of the Southern Regional Committee of the All India Council for Technical Education to be nominated by the Regional Officer of the Ministry of Education from the panel approved by the Southern Regional Council in consultation with the institution concerned and the Director of Technical Education;
- (f) The Principal of the institution shall be the Member Secretary, excepting for selection to the post of Principal.

(3) The Selection Committee for the teaching staff shall meet as often as is found necessary by the Chairman.

(4) The members of the Selection Committee shall be paid travelling allowance by the Educational Agency at the rates at which they are eligible for under the Travelling Allowance Rules as contained in the Kerala Service Rules in case they perform any journey for that purpose.

7. *Quorum for Meetings of the Selection Committee in Private Engineering Colleges:-* A decision of the Selection Committee for the teaching staff shall be valid only if at least five out of the eight members are present at the meeting in which the decision is taken and the decision has been agreed to by a majority of the members present at the meeting;

Provided that if the meeting cannot be validly held for want of the minimum number of members required to be present under this Statute, it shall be necessary to hold another meeting of the Committee as soon as possible with sufficient notice to the members and the decision taken at such meeting shall be valid.

8. *Period of members of the Committee for selection of teaching Staff:-* The members of the Committee for selection of the teaching staff referred to in clause (3) of Statute 4 shall hold office for a period of one academic year commencing from 1st June and ending with the 31st day of May of the succeeding year.

9. *Payment of Travelling Allowance to the members of the Committee for selection of Staff:-* The official members of the Selection Committee shall be paid travelling allowance by the Educational Agency at the rates at which they are eligible under the Travelling Allowance Rules as contained

in the Kerala Service Rules in case they perform any journey. The Official members referred to herein are the Officer of the Government and the expert chosen by the Educational Agency from the subject-wise list of experts furnished by the University.

10. *Method of selection of Teaching Staff by Educational Agencies:-* (1) (a) The Educational Agency shall have the option to have all the members of the teaching staff selected purely on the basis of merit from candidates of all communities or reserve every alternate vacancy or 50% of the vacancies for being filled up on the basis of merit from among candidates of any particular Community to be specified by the Educational Agency.

(b) The Educational Agency shall specify in the advertisement to be made under Statute 3 as to whether the selection is for an open vacancy or for a vacancy reserved for the members of a particular Community. In the former case, applications shall be invited from among all the qualified persons who are interested in getting the appointment and in the later, applications shall be invited only from among the qualified members of the Community.

(c) It shall not be open to the Educational Agency to convert an open vacancy into a vacancy for the Community and vice-versa after the advertisement of the vacancy:

Provided that in case no suitable candidate belonging to the Community is available for appointment against the reserved vacancy it is open to the Educational Agency to postpone the selection and invite fresh application from the members of the Community only or from members of all Communities. Where applications are invited from members of all Communities, the Educational Agency shall make the appointment on the basis of merit only and the vacancy reserved for the Community shall be treated as lapsed for want of suitable candidates. The fact that such a vacancy has been filled up on the basis of merit shall not by itself entitle the Educational Agency to claim another vacancy in its place to be filled from the members of the Community.

(2) The method of selection specified in clause (1) shall apply to all vacancies which arise in all departments of the Colleges under the Educational Agency. The Educational Agency shall clearly indicate in its statement before the Selection Committee as to how the vacancies have occurred and whether the vacancies for which interview is to be conducted falls within the merit quota or in the quota reserved for the Community. The selection of a candidate from the Community shall be based on merit.

(3) The Selection Committee shall prepare the select list on the basis of merit and appointments shall be made only in the order of merit as indicated in

the list. No candidate who has been included in the select list on the basis of merit shall be passed over by a person ranked lower in the same list. Where candidates are bracketed for merit purposes, the Selection Committee shall specifically mention that fact in the list.

(4) The select list prepared by the Selection Committee shall not normally contain more than three times the number of vacancies likely to arise within one academic year. In case the Selection Committee proposes to include more names in the list, it shall record the reasons for the same.

† (5) A select list prepared by the Selection Committee shall remain in force only for a period of one year.

11. * *First Appointment of a Teacher*: - The first appointment of a teacher in a private Arts/Science College shall be only as a Lecturer.
12. *Age limits for Direct Appointment*: - The minimum and the maximum age limits for appointments by direct recruitment of teachers in Private Colleges shall be the same as those applicable from time to time for direct recruitment of teachers in Government Colleges.
13. *Form of Appointment Order*: - Every appointment to the teaching staff shall be made by a written order of the Manager in Form I and a copy of every such order shall be forwarded with a report thereon to the University for approval.
14. *Approval of Appointment*: - (1) Approval of every appointment to the teaching post shall be made by the Syndicate subject to the condition that the appointment is in accordance with the staff pattern fixed by the University and that the person so appointed is fully qualified for the post.

(2) The Deputy Director of Collegiate Education concerned shall verify before making direct payment of salaries as to whether the post for which payment is claimed is in accordance with the staff pattern and work load fixed by the University. Doubtful cases shall be referred to the University for clarification and the correctness of direct payment ensured.

(3) In the case of those Private Colleges coming under the Direct Payment Scheme, the Director of Collegiate Education or the Officer authorized by him in this behalf shall verify in consultation with the University as to whether

† Substituted vide Amendment (No. 9) Notified vide University notification No. Acad. L/1206/84/CSS/8/87 dt. 10-2-87 effective from 25-1-87.

* Amended vide Amendment No. 24

the teaching posts in Private Colleges are in excess of the posts sanctioned by the University. However, in the case of incumbents declared as supernumeraries by the University, the Controlling Officers shall ensure that no fresh appointment is made against future vacancies until all the supernumeraries are absorbed against those vacancies. The direct payment of salaries shall not be made to the persons appointed against fresh vacancies, before the absorption of supernumeraries.

15. *Presence on first working day of the year:-* Every teacher except when he is on leave, shall be present in the College on the first working day in the academic year, failing which he shall lose the salary for the day of absence. Such absence and loss of salary shall not however constitute a break of service. However, the Principal may grant leave of absence to a teacher who is absent on the first working day of the academic year in case the teacher applies for leave in writing and satisfies the Principal that absence is not deliberate.
16. *Attendance to work:-* A teacher shall be present in the College during the working hours of the College whether he has teaching work or not, unless otherwise permitted by the Principal. Every teacher shall take part in such extra curricular activities of the College and hostels attached to it as may be required by the Principal.
17. **Restriction of other Activities:-* (1) All teachers shall be full-time teachers of the College in which they are employed. They shall devote their entire time to the work of the College and shall not engage themselves in any other work of a remunerative nature including Private Tuition or work in a tutorial institution but excluding such educational or cultural activities as giving radio talks, writing books and articles for periodicals and such other activities wherein in the key role of teacher in modernization of a Society and development of the economy is given expression to where necessary, the Principal shall obtain the permission of the Educational Agency.
 - (2) Every teacher shall refrain from any activity which is anti secular or which tends to create communal disharmony.
18. *Communication to the Management or the University to be routed through Principal:-* (1) Any communication that a teacher may address to the management of the college or to the University in his capacity as teacher shall be sent only through the Principal.

* Substituted Vide Amendment No. 6. Notified vide University Notification No. Acad. L/1202/84/CSS/5 dated 14-5-1986 effective from 5-5-86

(2) A teacher shall not apply for an appointment under any other authority, except through the Principal.

(3) Notwithstanding anything contained in this Statute, in exceptional circumstances declared as such by the Vice-Chancellor, the University may allow teachers, individually or collectively to communicate or apply directly to the University.

(4) In the case of Private Colleges which have entered into a voluntary agreement with the Government for direct payment of salary to their staff by the Government such application shall be forwarded by the Principal to the Zonal Deputy Director of Collegiate Education concerned who shall forward it in turn to his next superior authority with his remarks.

19. *Fixation of Posts:-* Each College shall send a proposal for fixation of the number of posts in each department in accordance with the norms laid down by the University. The University shall ordinarily communicate the fixation of posts within three months of the receipt of the proposals for fixation in the University Office. Proposals for changes in the fixation during the year shall be forwarded to the University by the 30th September for further approval of the Syndicate.

20. *Salary:-* (1) Except as otherwise specified in these Statutes, the salaries of teachers for a month shall be paid by the Educational Agency before the fifth of the succeeding month.

(2) In the case of those Educational Agencies which have entered into written agreements with the Government for direct payment of salary to their staff by Government, the salary shall be paid in accordance with the orders of Government issued from time to time and in accordance with such agreement.

21. *Vacation Salary:-* (1) A teacher who has been confirmed in a permanent post shall be entitled to full vacation salary. A teacher who has completed his probation and who has not been confirmed in a permanent post due to the fact that the post in which he is working is not a permanent one shall also be paid full vacation salary in case the duration of the vacancy subsists beyond the period of vacation.

(2) A teacher who has been appointed temporarily to a post the duration of which exceeds eight months shall also be entitled to full vacation salary in case his service is not terminated on the closing date of the academic year. Teachers who are appointed temporarily for specific periods the duration of which exceeds six months ending with the last working day of the academic year shall be entitled to vacation salary in such proportion as the period of

service rendered during the academic year bears to eight months. Teachers temporarily appointed for less than six months shall not be entitled to any vacation salary. The proportionate vacation salary is for the whole of the vacation and not for a part of it.

Explanation 1. For the purpose of this Statute, teachers who are appointed temporarily shall be entitled to full vacation or proportionate vacation salary only in case the original incumbent of the post does not return and rejoin duty prior to or during the vacation.

Explanation 2. Those who are reappointed at the beginning of the academic year shall be treated as fresh appointees.

22. *Scales of Pay:-* The scales of pay of teachers of various categories in Private Colleges shall be the Same as are applicable to corresponding categories of posts in similar Government-Colleges.

23. *Increments:-* A permanent teacher or a teacher on probation shall be entitled to annual increment in the scales of pay of the post and it shall be paid by the Educational Agency as and when due as a matter of course, unless it is withheld.

(2) A teacher duly appointed on probation or for a specified period if thrown out of service for reasons other than disciplinary action shall be given preference in the matter of future appointments in the Private College or, as the case may be, of any of the Private Colleges under the management of the Educational Agency within the University area:

* Provided that preferential Claim of the thrown- out teacher shall be limited to the next immediate vacancy.

(3) A Private College teacher thrown out of service for want of vacancy and again reappointed after a break in the same post of in another post carrying the same time-scale of 'pay can count his prior service for purpose of increment under rule 33 (a) read with rule 12 (35) (h) of Part I of the Kerala Service Rules.

(4) ** When a teacher working in an Aided or Govt. School within the State of Kerala takes up appointment to a higher post in a College run by an Educational Agency, or a teacher working in a College under a particular, Educational Agency takes up appointment to a higher post in another college run by a different Educational Agency, his pay in such appointment shall be fixed at his pay in the previous appointment if it represents a stage in the new

* Introduced vide Amendment No. 30

** Substituted vide amendment No. 32

appointment or at the next higher stage if it is not a stage in the new appointment. No refixation will be allowed in such cases. This will apply only in cases of appointment by direct appointment.

24. *Probationary and Temporary Teachers:-* A teacher appointed on probation or for temporary service shall be eligible for such scales of pay and increments as are admissible to permanent teachers .
25. *Grant of Leave:-* (1) The Principal shall be the authority to grant casual leave.
(2) Other kinds of leave shall be granted by the Educational Agency on the recommendation of the Principal.

* *Explanation 1.* Leave without allowances beyond 4 months to the Staff of Aided Colleges will be sanctioned by Government as is provided for in Rule 64 Part I KSR.

(3) The leave sanctioned by the Educational Agency shall be promptly entered in the Service Book of the teacher concerned as and when sanctioned. The Manager shall attest the entries made in the Service Book. Failure on his part to do so shall entail disciplinary action. It shall be competent for the Zonal Deputy Director of Collegiate Education concerned to verify the correctness of the entries made in the Service Book in respect of Private Colleges coming under the Direct Payment Scheme.

26. *Teachers not eligible for Leave in certain circumstances:-* The teachers of Private Colleges who are allowed to continue in service beyond the date of superannuation till the end of the academic year shall not be eligible for any leave other than casual leave during the period of their service beyond the date of superannuation and if they apply for any leave other than casual leave during the period, they shall be retired from service from the date of such application for leave.
27. *Absence of Duty:-* A teacher attending any meeting of any University Body or Committee in his official capacity or any educational conference, seminar, etc, approved by the college, or superintending or conducting any public examination, or engaging in any other activity in which the college is interested, or attending a civil or criminal court as a witness in obedience to a summons from a Court, or attending a conference or meeting of a Committee convened by the Central or State Government shall, be considered to be on duty and be entitled to draw his full salary during his absence:

* Inserted vide Amendment No. 36 (Notification No. Acad.L/CSS/4565/2003 dtd. 22-09-2005)

Provided that the previous sanction of the Principal shall be obtained for any absence of duty under this Statute.

Explanation:- 1. In the Case of Private Colleges which have executed an agreement with the Government for the Direct Payment of salary to the staff and which continues to subsist, the Educational Conferences, Seminars, etc. contemplated under this Statute are those which are sponsored by the Central Government, the, State Government, the University Grants Commission and any University existing in the State of Kerala.

Explanation:- 2. An activity in which the College is interested means an activity which subserves the interests of the teachers and the taught to which the University may accord prior approval in consultation with the Director of Collegiate Education in the case of Private Colleges coming under the Direct Payment Scheme.

* 28. *Teachers eligible for Travelling Allowance and Daily Allowance for accompanying students on Study Tours:-* The Teachers of the Private Colleges accompanying the students on study tours, on those subjects where study tour is part of the curriculum, shall draw travelling allowance and daily allowance, in connection with the journey to and fro.

This expenditure shall be met from the Personal Deposit Account of the Principal and that the sanction for the study tour and the payment shall be made by the Principal concerned.

29. *Leave Account:-* A leave account shall be maintained for each teacher in every Private College.

30. *Foreign Service:-* (1) It shall be competent for the Educational Agency to depute a teacher to foreign service as laid down in Chapter XI of Part I of the Kerala Service Rules for a period not exceeding five years, In the case of those Private Colleges coming under the Direct Payment Scheme, the prior permission of the Government shall be obtained.

(2) The provisions relating to foreign service in the Kerala Service Rules shall apply to the teachers deputed to foreign service, except to the extent provided for in these Statutes.

31. *Payment of Honorarium:-* (1) Professors in Private Colleges who are put in charge of the duties of the Principal shall be granted an honorarium of thirty rupees per mensem subject to the condition that it shall be paid only if the period of charge exceeds fourteen days :

Provided that no such honorarium shall be paid after three months.

(2) The Lecturers working in Junior Colleges who are put in charge of the duties of the Principal shall also be eligible to the honorarium under clause (1)

Explanation: For the purpose of this clause “Junior College” means a college which imparts instruction in Pre-Degree course only.

32. *Travelling Allowance and Joining Time:-* A teacher transferred from one institution to another in the University area under the same Educational Agency shall be given travelling allowance and joining time as in the case of Government servants governed by the Kerala Service Rules as amended from time to time. The travelling allowance shall be paid by the Educational Agency in the manner provided for in the Kerala Service Rules.

33. *Maintenance of Service Book:-* The Principal of a College shall maintain a Service Book in respect of every teacher. *The entries relating to qualifications, date of birth, etc. under Part I of the Service Book shall be attested by the Registrar of the University or an Officer not below the rank of Deputy Registrar, authorised by the Registrar in this behalf.

34. *Seniority List:-* (1) Every Educational Agency shall maintain a seniority list of the teachers in the College or of all the Colleges in the University area, as the case may be, under its management.

(2) The transfer of a teacher from one College to another in the University area under the same Educational Agency shall not affect his seniority.

(3) The Syndicate may frame guidelines for fixation of *inters* seniority of teachers. The Educational Agency shall have the power to decide disputes regarding seniority of teachers in their colleges. An appeal shall lie to the Vice-Chancellor against such 'decision of the Educational Agency.

35. *Procedure for making application for Study Leave and grant of such leave:-* (1) Applications for study leave shall be submitted to the Educational Agency through the Principal with details of the course or courses of study and the examination or examinations which the teacher proposes to undergo during the period of study leave.

(2) Where it is not possible for the teacher to give full details of the course or courses of study and examination or examinations in his original

* Introduced vide Amendment No. 7 Notified vide University Notification No. Acad. L. 1185/85/CSS/6/86 dt. 22/7/86 effective from 12/5/86.

application, or if, after leaving India he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the Educational Agency. In such cases he shall not, unless prepared to do so at his own risk, commence the course of study or incur any expense in connection therewith until he receives the approval of the Educational Agency.

(3) In the case of Colleges coming under the Direct Payment Scheme, the Educational Agency shall not grant any study leave without the prior concurrence of the Government.

(4) The provisions contained in the Kerala Services Rules for the time being in force shall, so far as may be, apply to the grant of study leave.

(5) On completion of a course study, a Certificate in the proper form together with Certificate of examinations passed or special courses of study undertaken indicating the dates of commencement and termination of the course with remarks, if any, of the authority in charge of the course of study, shall be forwarded to the management.

36. *Certain Lapses of Teachers to constitute Improper Conduct:-* The following lapses on the part of a teacher in a Private College, shall constitute improper conduct inviting disciplinary action:-

(1) Failure to perform his academic duties such as coming to the class without preparation for conducting lecture classes, demonstration, assessment, guidance, invigilation, etc;

(2) Gross partiality in assessment of students, deliberately over-marking or under-marking or attempting at victimization on any ground whatsoever;

(3) Inciting students against other students or colleagues or against the University or the State Government or the Central Government:

Provided that expression of differences of opinion on principles at a seminar, or other place, where students are present shall not be deemed to constitute improper conduct;

(4) Raising questions of caste, creed, religion, race or sex in his relationship with his colleagues and trying to use the above considerations for the improvement of his prospects;

(5) Refusal to carry out the decisions by appropriate administrative or academic bodies or functionaries of the University which are not against the provisions of any law for the time being in force.

37. *Posting of Women Teachers in Women's Colleges:-* In Private Colleges exclusively set up for women, women alone shall be appointed as teachers, as far as possible.
38. *Resignation and Discharge:-* A teacher may resign from service in the College by giving the Educational Agency of the College three months' notice in writing, provided that the Educational Agency may, in special cases, relax this period and accept the resignation:

Provided further that the teacher shall not ordinarily resign during the second half of an academic year.

39. *Application of the Kerala Service Rules to the Teachers:-* (1) Subject to the provisions of the Kerala University Act, 1974 and the Statutes issued thereunder, the rules contained in Parts I and II of the Kerala Service Rules for the time being in force, except those mentioned below, shall, so far as may be, apply to the teachers of Private Colleges.

(2) All orders, Government decisions, rulings and notifications issued by the Government with reference to any provision in Parts I and II of the Kerala Service Rules which are applicable to the teachers of Private Colleges, shall also so far as may be, apply to them, subject to such modification as the context may require.

Part I. K. S. R. (Fourth Edition)

Sub-rule (ii) of rule I, rules 2,3,4, 5, 6,8, para 2 of the Ruling under rule II, Note under sub-clause (c) of clause (16 A), (24) and (31) of rule 12, 20, 21, 22, para (2) under clause (d) of Government Decision No. 1 under rule 23, Note 1 under rule 26, first proviso to sub-rule (2) of rule 33, rule 34, 39,40,44 and Appendix IV, 45, 49, 50, Note to clause (f) of rule 51, 53, Notes 3 A and 4 of rule 55, 60, 60-A, 62, clause (a) of rule 63, Note to rule 71, clauses (a) and (b) of Note 2 under rule 72, first, second and fourth provisos and the explanation to rule 75 and Notes 1, 3, 5, 6 and 7 under rule 75 Government Decisions 1 and 2 under rule 77, Notes 2 and 6 to rule 81, 91, 91 A, clauses (a) to (c) and (g) of rule 103, 107 to 110-A, Note to rule 112. Not- 5 to rule 117, 120, Government Decision under rule, 125, exception (3) to rule 127, 135. Government Decision under rule 139, rules 157 to 159-

Part II, K, S, R, (Fourth Edition)

Item: (a) and (b) of rule 5 and Government Decision No. 2 thereunder, rules 6 to 11, Government Decision No. 2 under rule 34 Notes 2 to 4 of rule 47, 53, 54, Note 2 to rule 63, 93, Appendix I, Appendix IV, Appendix IV A. Sub-rule (2) of rule 1, of Appendix VI, Appendix VIII, Appendix XII, Form No. 12, Form No. 14.

40. *Grant of Special Casual Leave:-* Private College teachers who are office bearers of their respective Associations which are recognized by the Government when called for discussion by Government by name shall be granted special casual leave for the day of the meeting and the minimum days required for the to and fro journey, subject to a limit of one representative for each Association.

*40 (a) - *Conditions of service of teachers in Unaided Collages:-* (i) For making appointment of teachers including Principal in Unaided Colleges, the selection shall be made after giving due publicity.

(ii) Age: The maximum age for a teacher in the Unaided College shall be sixty five (65) years.

(iii) Approval of appointment: Approval of every appointment to the teaching post in Unaided Colleges shall be made by the Syndicate subject to satisfying the conditions specified in these Statutes.

Note: 1 All teachers of Unaided Colleges affiliated to the University shall possess the qualifications prescribed in the Regulations relating to Qualification of Teachers except the stipulation that they should pass the eligibility test for Lectures conducted by the UGC, CSIR or similar tests accredited by the UGC.

Note: 2 Teachers who are having approved service in affiliated colleges shall be deemed to be qualified.

CHAPTER 3

Conditions of Service of Members of Non-teaching Staff

41. *Qualification for Appointments:-* The minimum qualifications for the various categories of non-teaching staff in Private Colleges shall be as follows :-

	<i>Posts</i>	<i>Qualifications</i>
(1)	Senior Superintendent	S. S. L. C. or equivalent Examination with a pass in the Manual of Office Procedure and Account Test (Lower) conducted by the Public Service Commission.
(2)	Junior Superintendent	- do -
(3)	Head Accountant	- do -

* Introduced vide Amendment No. 37 (Notification No. Acad.L/CSS/9635/2005 dated. 24-10-2005)

- (4) Upper Division Clerk / Upper Division Accountant - do -
- † (5) Lower Division Clerk/ Lower Division Store Keeper / Lower Division Accountant S.S.L.C or equivalent qualification and with a pass in the Manual of Office Procedure for earning the third increment. *The non-clerical staff like Library / Laboratory Assistants, Gasmen / Specimen Collectors, Last Grade Staff who have 5 years service with S. S. L. C. and have passed the Clerical Test conducted by the Public Service Commission may be promoted on the basis of common seniority in lower cadre. Lower Division Typists with S. S. L. C. and have passed Clerical Test conducted by the Public Service Commission may be promoted on the basis of common seniority in the lower cadre. Qualified hands if available, shall be given preference before recruiting persons from outside:
- ‡ Provided that the Lower Division Typist, Herbarium Keeper/Taxidermist, Library / Laboratory Assistants, Gasmen, Specimen Collectors, Attenders and Last Grade Staff who are either in regular / permanent service or have put in 3 years of service as on 31-3-1971 are eligible for appointment in the order of their seniority as L. D. Clerks. Their continuance as Lower Division Clerks shall, however, be subject to their passing in one of the four consecutive annual competitive tests conducted by the Kerala Public Service Commission for the low-paid employees for appointment as Clerks etc, after the commencement of the Statutes.

† Substituted by Amendment (No. 1), notified vide University Notification No. Acad. L/1581/80 dt. 25-2-1981; effective: from 11-2-1981.

*Substituted vide amendment No. 22

‡‡ Substituted vide amendment No. 23

Such of those who remain unqualified in the test even after the four consecutive chances shall be reverted to their original posts. In the case of any person whose promotion has already been approved by the Director of Collegiate Education before the commencement of these Statutes, such promotion shall be deemed to have been validly made.

6. Lower Division Typist

- *(1) S. S. L. C. or equivalent qualification.
 (2) A Lower Grade Certificate in KGTE in Malayalam Type writing.
 (3) A Lower Grade Certificate in KGTE, MGTE or equivalent qualification in English Typewriting. Provided that the **Peons and other Non - Clerical staff, ‡ including the technical staff like Laboratory staff and Library staff of the Private Arts, Science and Training Colleges who are fully qualified and who are in regular/permanent service or have put in three years of continuous service after the commencement of these Statutes shall be promoted as Lower Division Typists against future vacancies arising in Private Arts, Science and Training Colleges.

7. †Mechanic

- (a) *For Direct Recruitment:* A pass in Standard VIII with ITI qualification in the relevant trade. In the absence of ITI Certificate holders those with experience as a Mechanic or Fitter in a well equipped workshop for a period of three years with VIII Standard educational qualification.

‡ Amended vide amendment No. 15 Notified vide University Notification No. Acad. L / 3282/87/CSS/13/88 dt. 24/3/88 effective from 17-3-88.

* Substituted vide amendment No. 26.

** Substituted vide amendment No. 18.

- (b) *For promotion:* A Pass in Standard VIII with experience as a Mechanic or Fitter in a well equipped workshop for a period of three years.
8. † Gas Man (a) *For Direct Recruitment:* A pass in Standard VIII with ITI (Electrical) qualification. In the absence of ITI Certificate holders those with experience as an Electrician in a well equipped workshop for a period of three years with VIII Standard educational qualification.
- (b) *For promotion:* A Pass in Standard VIII with experience as an Electrician in a well equipped workshop for a period of three years.
9. Herbarium Keeper (a) *For Direct Recruitment:* S. S. L. C. with experience in Botany Laboratory.
- (b) *For Promotion from Laboratory*
* *Assistants:*
* VII Standard pass with experience in Botany Laboratory. (preference will be given to those with higher educational qualification).
10. Taxidermist (a) *For Direct Recruitment:* S. S. L. C. with training in Taxidermy in a Museum or apprenticeship under competent Taxidermists.
- Desirable:
Skill in mounting specimens and pen and ink drawing.
- (b) *For promotion from the category of*
† *Laboratory Assistants:* VII Standard or equivalent, training or experience in

† Substituted vide amendment No. 25

* Substituted vide Amendment No. 16 notified vide University Notification No. Acad. L / 4063 / 88 / CSS / 14 / 89 dt 5-6-'89. effective from 27-5-'89.

† Substituted vide Amendment No. 18

- Taxidermy (preference will be given to candidates possessing the minimum general educational qualification of S. S. L. C. Standard)
11. Specimen Collector Literacy in English and Regional Language with experience in collection of specimen from local area.
12. † Laboratory Assistant / Library Assistant For appointment by transfer from members of Last Grade Staff and Specimen Collectors employed in the Private College / Colleges.,
1. Pass in Form III (Std VII new) or equivalent.
 2. Pass in Attenders Test conducted by the Kerala Public Service Commission.

OR

- (i) Five years regular service under Private Colleges.
- (ii) Pass in Attenders Test conducted by the Kerala Public Service Commission:

*Provided that the last grade staff who possess the qualifications mentioned above excepting pass in Attander's test and who were either in service On 31-3.1971 or who are in regular permanent service will be eligible for appointment in the order of seniority as *Laboratory Assistants / Library Assistants. ‡‡Their continuance as *Laboratory Assistants/ Library Assistants shall however be subject to their passing in one of the five consecutive Attander's Test conducted by the Kerala Public Service Commission for the last grade staff' of the Private Colleges. Such of those who remain

* Substituted vide Amendment (No. 4), Notified vide University Notification No. Acad. L/1581/80/CSS/3 dated 31-1-1983.

‡‡ Substituted vide item No. 8 Notified vide University notification No. Acad. L.2502/86/CSS/7 dt. 7-2-87 effective from 20-1-87.

unqualified in the Attender's test even after five consecutive chances shall be reverted to their original posts †and those who entered in service prior to 1-9-1972 shall be exempted from passing the Attenders test: Provided further that those who have been appointed as *Laboratory Assistants/ Library Assistants before 16-1-1975 by direct recruitment by the Educational Agencies concerned for want of qualified hands for promotion from among the last grade servants shall continue as such subject to the condition that they pass the eligibility test which the Kerala Public Service Commission may conduct in accordance with such orders as the Government may issue.

(13) Last Grade Staff: Must be able to read and write Malayalam, Tamil or Kannada.

Note: For appointment to the post of Peons by direct recruitment, ability to ride a bicycle will be a desirable qualification.

** (14) Technical Assistant (Computer Science/BCA)

Any one of the following qualification is essential.

- i. PGDCA of University of Kerala/ Qualification equivalent thereto.
- ii. B. Sc. (Computer Science)/ BCA
- iii. A level certificate of DOEACC
- iv. Three year Diploma in Computer Engineering approved by Technical Education Department, Government of Kerala

Experience:

Desirable:- One year experience in Computer Programming or Computer Maintenance in any Government/ Quasi Government Institution.

† Introduced vide amendment No. 17.

* Substituted vide amendment No. 4

** Introduced vide Amendment No. 35 (Notification No. Acad. L/ CSS/ 624/ 2004 dated 14-6-2005).

Explanation:- Quasi- Government Institution' is one which is either set up and/ or under the control of the Government of Kerala or India, Universities/ Aided Colleges and Schools. Autonomous Institutions under the Control of the Government of India or the Government of Kerala.

(15) Technical Assistant (Electronics)

Essential B.Sc. Electronics with one year experience or Diploma in Electronics or 3 year Diploma in Electronics approved by Technical Education Department Government of Kerala.

Desirable: One year experience in the field.

42. *Grading of Libraries and Librarians.*- (1) The Libraries in Private Colleges shall be graded on the basis of the following criteria:-

<i>Grade of Library</i>	<i>Books Stock</i>	<i>No. of books issued per annum</i>
I Grade	above 15000	Above 30,000
II Grade	Between 10001 & 15000	Between 20001 & 30000
III Grade	Between 5001 & 10000	Between 10001 & 20000
IV Grade	5000 and below	10000 and below

The new grades for Libraries will be determined on the basis of the statistics regarding the number of books as on 1-1-1971 and the number of books issued during 1970.

(2) Save as otherwise provided, the scales of pay for the four grades of Librarians shall subject to the provisions of the pay revision orders issued by the Government, be as follows:-

	<i>Old scale</i>	<i>Revised scale from 1-7-1973</i>	<i>Revised scale from 1-7-1978</i>
I Grade Librarian	Rs. 350-600	Rs. 535-835	Rs. 700-1270
II Grade Librarian	Rs. 225-450	Rs. 410-715	Rs. 535- 950
III Grade Librarian	Rs. 140-290	Rs. 285-550	Rs. 420-720
IV Grade Librarian	Rs. 100-210	Rs. 240-445	Rs. 350-580

(3) The qualifications for the four grades of Librarians shall be as follows:-

Librarian Grade I :

Qualification: Graduation and Degree or Diploma in Library Science.

Librarian Grade II:

Qualification: Graduation and Degree or Diploma in Library Science.

Librarian Grade III :

Qualification: Graduation and Degree Or Diploma in Library Science.

Librarian Grade IV:

Qualification:- S. S. L. C. and Certificate in Library Science,

(4) In the case of any Librarian who was working in a Private College at the time of issue of Order of Government in G. O. MS. No. 39/71/ Education (F) Department dated 31-3-1971 and who continues to work at the commencement of this Statute and who has not yet come over to the revised scale of pay as ordered in G. O. (P) No. 91/74/Finance dated 5-4-1974, he shall be permitted to retain the higher scale of pay as was provided for in the Grant-in-aid Code which was then in vogue.

(5) In the case of a person who was in charge of a Library at the time of the issue of the Orders of Government in G. O. MS. No. 39/71/Education (F) dated 31-3-1971 and who was in possession of only the qualification prescribed for the Lower Grade Librarian, he shall be eligible only for the scale of pay attached to that grade of Librarian for which he was qualified at that time. He shall however be eligible for the concession mentioned above.

Explanation: For the purpose of this Statute, the Librarians who were underqualified at the time of the issue of the Orders in G.O. MS. No. 39/71/ Education (F) dated 31-3-1971, shall be eligible for the following concessions:-

(1) Not more than 50% of the future vacancies in each grade under each Educational Agency shall be filled up by direct recruitment;

(2) Librarians who were in service on 31-3-1971 and continued as such and who are absorbed in Grade IV shall be eligible for promotion to Grade III provided that (a) the incumbent has put in five years' service as Librarian and (b) not more than 50% of the posts of Grade III at any time shall be so filled;

(3) Librarians who were in service on 31-3-1971 and continued as such and who are absorbed in Grade III from Grade IV shall be eligible for promotion to Grade II provided that (a) the incumbent has put in eight years of service as Librarian and (b) not more than one-third of the posts of Grade II at any time shall be so filled;

(4) Librarians who were in service on 31-3-1971 and continued as such and who are absorbed in Grade II or later get promoted to Grade II shall be eligible for transfer to Grade I provided that (a) the incumbent has put in ten

years' service as Librarian and (b) not more than 25% of the posts of Grade I at any time shall be so filled;

(5) Those who are promoted / transferred to higher grades by virtue of the reservation of posts in items (2) to (4) above shall acquire an additional qualification of certificate in Library Science if they do not have any such qualification, within a period of two years from the date of such promotion transfer, failing which they shall be reverted to the next lower grade.

(6) The percentages specified in items (2) to (4) above shall be in relation to the posts in the various categories available as on 1-1-1971 and in the case of vacancies arising in future, they shall be in relation to the vacancies available for promotion / transfer under item (1) above.

(7) By virtue of the percentages specified in items (2) to (4) above for promotion/transfer of unqualified Librarian, the claims of a senior fully qualified Librarian for promotion / transfer to higher grades shall not be affected adversely.

(8) Those who are now in service as Librarians on the Upper Division Clerk's scale of pay (ie. Rs. 130-270) shall be eligible for the grade of III Grade Librarians (ie. Rs. 140-290 irrespective of the qualifications possessed by them;

(9) Those who are now in service as Librarian on the Lower Division Clerk's grade of pay (ie. Rs. 90-190) shall be eligible for the grade of the IV Grade Librarian (ie. Rs. 100-200) irrespective of the qualification possessed by them.

43. *Constitution of Selection Committee for Appointments:-* (I) In order to ensure that appointments of members of the non-teaching staff by direct recruitment are on the basis of merit, such appointments shall be made by the Educational Agency from a panel of three names for every vacancy recommended by a Selection Committee constituted by the Educational Agency consisting of the following members, namely:-

(a) One representative of the Educational Agency nominated by it who shall be the Chairman of the Selection Committee;

(b) The Principal of the college concerned or the seniormost Principal in the case of colleges under a corporate management;

(c) The Manager of the college or colleges as the case may be.

*Note:- For recruitment of Librarians, a Library Expert shall also be included in the Selection Committee.

* Introduced vide amendment No. 14: Notified vide University Notification No. Acad. L/2520/86/CSS/12/87 dt. 13-11-1987 effective from 9-11-1987. and further amended vide amendment No. 31

(2) Notwithstanding anything contained in clause (1) in the case of an Educational Agency which has voluntarily entered into a written agreement with the Government for the direct payment of salaries to the teachers and the non-teaching staff of Its colleges, appointment of the members of non-teaching staff whether provisional or permanent, shall be made only from a list of persons prepared by a Selection Committee constituted by the Educational Agency and consisting of the following members, namely:-

- (a) two representatives of the Educational Agency nominated by it ;
- (b) a person nominated by the Educational Agency from amongst the Officers of the Government in the cadre of Revenue Divisional Officers and/or Deputy Collectors:

Provided that if for any reason the Government consider that the Officer chosen by the Educational Agency cannot be deputed to the Committee, the Educational Agency shall choose another Officer from amongst the said categories;

† Provided further that for appointment of Librarians, the Selection Committee shall include a Library Expert also from the subject-wise list of experts prepared by the University containing not less than five members and made available to the Educational Agency on its request at the beginning of each academic year.

(3) A representative of the Educational Agency referred to in item (a) of clause (2) shall be the Chairman and the Convener of the Selection Committee constituted under the said clause. In the case of Private Arts, Science and Training Colleges, a decision of the Committee shall be valid only if at least two members of the Committee are present, out of which one shall be the member deputed by the Government. In the case of a Private Engineering College, a decision of the Committee shall be valid only if all the members of the Committee are present at the meeting in which the decision is taken and the decision has been agreed to by a majority of the members at the meeting.

(4) The members of the Selection Committee referred to in clause (2) shall hold office for a period of one academic year from the date of their assumption of office as such.

(5) The Selection Committee constituted under clause (1) or clause (2) shall meet as often as is necessary.

† Introduced vide amendment No. 13. Notified vide University Notification Acad, L. 2520/86/CSS/12/87 dt. 13-11-1987 effective from 9-11-87.

44. *Direct Recruitment*:- For making appointment to the non-teaching posts by direct recruitment, the posts shall be advertised in two English and two Malayalam daily newspapers approved by the University and giving a minimum period of thirty days for the aspirants to apply.
45. *Age for Appointments*:- For the purpose of appointment of members of non-teaching staff by direct recruitment the minimum and the maximum age followed for similar categories of posts in Government service shall be followed.
46. *Probation*:- Every person (other than in the last Grade Service) appointed by the Educational Agency shall be on probation as specified in section 59 of the Act.
47. *Form of Appointment Order*:- Every appointment shall be made by a written order of the Manager in Form I prescribed and communicated to the person concerned with a copy marked to the University.
48. *Return to be submitted by Principal to the University*:- The Principal of the College shall submit, not later than the 15th of October every year a Return to the University showing details of the non-teaching staff employed by the College as on the 1st October of that year. Subsequent changes in the staff pattern shall also be reported to the University.
49. *Termination of Service*:- If the work and conduct of a probationer or a temporary employee are found unsatisfactory, his service may be terminated by the Educational Agency after giving him a reasonable opportunity of showing cause against the action proposed to be taken.
50. *Maintenance of Service Book*:- (1) The Principal of a Private College shall maintain a Service Book in respect of every member of the non-teaching staff in the form prescribed for Government Officers. Duplicate copies of Service Books may also be maintained.
- (2) Every member of the non-teaching staff shall provide at his own cost a Service Book.
- (3) The Principal shall be responsible for the safe custody and proper maintenance of the Service Books and shall produce them for inspection whenever demanded by any Officer of the Collegiate Education Department or Technical Education Department or of the University or by such other person who may be competent to inspect such books, in the due discharge of his official duties.
- (4) The date of birth on page 1 of the Service Book shall be entered in words as well as in figures in Christian Era.

(5) The procedure for making entries in the Service Book shall generally conform to the procedure followed in the case of Service Books of Government Officers.

(6) The Zonal Deputy Director of Collegiate Education in the case of Private Arts, Science, Training Colleges and the Director of Technical Education or such Officer as he may authorize in the case of Private Engineering Colleges, shall be the attesting Officer in respect of entries in Part I of the Service Book. In respect of entries in Part II of the Service Book, the Principal shall be the attesting officer.

(7) If any member of the non-teaching staff acquires any additional qualification during his service, particulars of such additional qualification shall be entered in the Service Book by the principal and the entries got attested by the Zonal Deputy Director of Collegiate Education concerned in the case of Private Colleges coming under the Direct Payment Scheme.

51. *Pay and Increment:-* The scales of pay and increment of the various categories of non-teaching staff shall be the same as prescribed for the non-teaching staff of corresponding categories in Government Colleges.
52. *Sanction of Biennial Increments in certain cases:-* All Class III and IV employees who are working in Private Colleges and who reach the maximum of their scales of pay shall be eligible for biennial increments at the same rates at the last stage subject to the following terms and conditions:-
 - (i) the number of increments beyond the maximum of the scale of pay shall be restricted to five; and
 - (ii) the pay so allowed shall not exceed Rs. 500.
53. *Grant of Onam Advance:-* All employees in Private Colleges who draw a basic salary of upto Rs. 450 under the old scale and upto Rs. 685 in the revised scale of pay as it existed immediately before 1-7-1978 or such other amount as the Government may specify shall be eligible to draw a festival advance of Rs. 125 for Onam. Employees in Class III and IV may also be paid for the Onam, such advance of pay at such rate as the Government may by order direct. The advance shall be recoverable in such number of installments as in the case of employees of the Government.
54. *Permanent Exemption from Test Qualification:-* (1) All members of the non-teaching staff of Private Colleges who have attained the age of 50†

† Omitted vide Amendment (No.5). Notification No. Acad. L/208/82/CSS/4/84 dt. 23-2-1984, effective from 15-2-1984.

(.....) shall stand permanently exempted from passing the obligatory Departmental Tests as in the case of Government servants.

(2) All members of the non-teaching staff of Private Colleges who have completed 20 years of service or 50 years of age as on 1-6-1971 shall also stand permanently exempted from passing the obligatory Departmental Tests.

(3) The non-teaching staff of Private Engineering Colleges who do not possess the obligatory test qualifications at the commencement of these Statutes shall be exempted from passing such test upto and inclusive of 5-6-1980.

55. *Absence without Leave:-* The absence of a non-teaching employee, without leave, shall entail forfeiture of pay and allowances. If he absents himself without leave for more than seven days continuously, his service shall be liable to be terminated, provided that the employee shall be given a reasonable opportunity to explain the reason for his absence.

56. *Attendance:-* Unless otherwise permitted by the Principal of the College, every member of the non-teaching staff shall be present in the College during office hours or during such time as may be required by the Principal.

57. *Presence during Holidays in certain cases:-* In the case of those Private Colleges coming under the Direct Payment Scheme, the non-teaching staff of Private Colleges who are treated as non-vacation employees under these Statutes who are given a holiday on grounds like Founder's Day, Death of a Staff member, religious holidays and such other holidays of a like nature, which are not authorized holidays for Government Colleges, shall compensate such a holiday by working on a subsequent authorized holiday.

Explanation:- For the purpose of this Statute, "Authorized Holiday" means a public holiday which is declared as such by the Government from time to time in respect of Government Offices.

58. *Communication to the Educational Agency or the University:-* All communications by the non-teaching staff to the Educational Agency or to the University shall be sent through the Principal.

59. *Application for other Appointments:-* No member of the non-teaching staff shall apply for an appointment under any other authority, except through the Principal of the College.

60. *Disciplinary Proceedings:-* The provisions in Chapter 4 on disciplinary action against teachers of Private Colleges shall *mutatis mutandis*, apply to the non-teaching staff.

61. *Acceptance of Other Works*:- No member of the non-teaching staff shall, engage himself in any other work of a remunerative or honorary nature, except with the previous sanction of the Educational Agency.
62. *Maintenance of Staff List*:- Every Educational Agency shall prepare and maintain in the form specified by the Director of Collegiate Education, a staff list, otherwise called the seniority list of the members of the non-teaching staff of the college or of all the colleges, as the case may be, under its management, category-wise, and the Head of the Institution may approve the list provisionally, after careful scrutiny of the records, pending finalisation of the appeals, if any, preferred by the aggrieved parties. In the event of transfer of an employee from one college to another under the same Educational Agency, his seniority shall be safeguarded.
63. *Circulation of Staff List*:- (1) The staff list provisionally approved shall be circulated to the members of the non-teaching staff inviting objections and suggestions, if any, from the members concerned within one month from the date of circulation. It shall then be submitted to the Director of Collegiate Education with the remarks of the Educational Agency within two months from the last date specified or the receipt of the representations with a detailed statement showing the names in the order of seniority in each grade, their qualifications, the date of first appointment to the grade and such other particulars as the Educational Agency deems necessary.
- (2) The Educational Agency shall submit the list to the Director of Collegiate Education or the Director of Technical Education as the case may be.
64. *Determination of Seniority*:- (1) Seniority of an Officer in a grade in a unit shall be decided with reference to the date of first appointment, in that grade in the unit, provided he is duly qualified for the post.
- (2) In the case of those in the same grade in the same unit whose date of first appointment is the same, seniority shall be decided with reference to age, the older being senior. In case the appointment is from a select list, then seniority shall be decided according to the ranking in the said select list.
- (3) The Director of Collegiate Education may, after considering the representations, if any, and after hearing the parties, if considered necessary, finalise and approve the list with or without change and the list so approved shall be final.
- (4) The appeals, if any, in regard to the gradation list approved by the Director may be heard by the Vice-Chancellor and appropriate orders passed.

(5) When a member of non-teaching staff leaves service from the Institution or is transferred from one Institution to another or from one category of service to another in the same Institution, a note to that effect shall be entered against his name in the last column of the staff list. Persons joining the Institution subsequent to the finalisation of the list, shall be included in the list, then and there under, the appropriate category.

65. *Confirmation and Promotion:-* (1) The appointment of an Officer who has satisfactorily completed his probation may be made permanent against any permanent vacancy that may exist or arise in the grade with effect from the date of commencement of continuous service or the date of occurrence of the vacancy whichever is later.

(2) Where two or more Officers are eligible for permanent appointment, such appointment shall be made only in the order of seniority.

66. *Filling up of Vacancies:-* Subject to the rules in force in similar Government Institutions regarding qualifications and method of appointment, the vacancies in the higher grades shall be filled up by promotion from the next lower categories, if qualified persons are available, according to seniority in the case of non-selection posts, and according to merit and seniority in the case of selection posts and if there are no candidates available for promotion to the higher grades, the posts shall be filled up by direct recruitment by inviting applications and selection by the management in the manner laid down in these Statutes:

* Provided that the **Library Assistants / Laboratory Assistant possessing the prescribed qualifications shall be eligible for promotion as IVth Grade Librarian.

***66 A. *Relinquishment of Rights by Members:-*

1. Any person may in writing, relinquish any right or privilege to which he may be entitled under these Statutes, if in the opinion of the appointing authority such relinquishment is not opposed to the interests of the University and nothing contained in these Statutes shall be deemed to require the recognition of any right or privilege to the extent to which it has been relinquished.

* Introduced vide Amendment No. 12 University Notification No. 2451/86/CSS/11/87 dtd. 12-11-1987 effective from 3-11-1987.

** Substituted vide amendment No. 19.

*** Introduced vide amendment No. 21.

Provided that no relinquishment which is opposed to public interest should be accepted:

Provided also that in the case of temporary appointment / promotion relinquishment can be accepted for specific period subject to the condition that the juniors temporarily promoted during the period of relinquishment of the Seniors will have superior claims for continuance in the promoted post and for other benefits attached to the higher posts.

2. The conditional relinquishment or right for promotion / appointment by the employees is not in public interest and therefore not legal and permissible. It should not be accepted.

3. In the case of regular promotion / appointment relinquishment can be accepted for a specific period or permanently. The seniority will be lost to the extent to which it has been so relinquished.

4. The appointing authorities should make necessary entries to the effect in the Service Books of the employees and the fact intimated to the Accountant General, then and there for favour of information and necessary action.

5. A statement of relinquishment (in triplicate) in Form II may invariably be obtained from those employees who wish to relinquish promotion / appointment.

(FORM II)

(See Statute 66A Chapter 3)

STATEMENT OF RELINQUISHMENT

In exercise of the right conferred under Statute 66A of the.....
..... University (Conditions
of Service of Teachers and Members of Non-Teaching Staff) First Statutes, 1979.

I (H. E. Name & Designation)
hereby relinquish my right for promotion / appointment under the said Statutes
and consequent benefits permanently or for a period of.....
(specify the month or year as the case may be) from.....to.....
My claim for promotion / appointment may be considered after the above said
period when I make a written request for the same. Signed on the.....
day of 20.....

Signature :
Name :
Designation :
Office :

Place:

- Witness
1. Name and Designation, Signature
 2. Name and Designation, Signature

For Office Use

The relinquishment made by Shri/Smt.....
(Name)..... (Designation)..... (Office)
..... is accepted.

Necessary entries to the effect will be made in the Service Book of the
incumbent.

Signature :
Name & Designation
of the Appointing Authority :

67. *Eligibility for Promotion, Increment etc. in certain cases:-* (1) Under-qualified non-teaching staff of Private Colleges who were in the Lower Division Grades on 9-2-1970 shall be eligible for promotion to the Upper Division Cadres but they shall be eligible for the post of Head Accountant/ Senior Superintendent or Junior Superintendent only after they pass the Account Test (Lower) and possess the minimum S. S. L. C. qualification.

(2) The members of the non-teaching staff of Private Colleges who were in service on or before 1-4-1962 and who are under-qualified to hold that post shall be eligible to get the maximum in the revised scale of pay as it existed immediately before 1-7-1973.

(3) The members of the non-teaching staff of Private Colleges appointed on or after 1-4-1962 and who do not possess the minimum qualification of S. S. L. C. shall be eligible for corresponding ten increments in the revised scale of pay as it existed immediately before 1-7-1973.

*67A. *Intra University Transfer:-* The provisions in this Statute relating to the Intra University transfer of Teachers of Colleges under Corporate Managements shall *mutatis mutandis* apply to the members of the non-teaching staff of colleges under Corporate Managements.

68. *Application of the Kerala Service Rules to the Non-Teaching Staff:-* Subject to the provisions of the Kerala University Act, 1974 and the Statutes issued thereunder, the rules contained in Parts I and II of the Kerala Service Rules, for the time being in force, except those mentioned below, shall so far as may be, apply to the members of the non-teaching staff of Private Colleges. All Orders, Government Decisions, Rulings and Notifications issued by the Government with reference to any provision in Parts I and II of the Kerala Service Rules which are applicable to the members of non-teaching staff of Private Colleges shall also, so far as may be, apply to them, subject to such modification, as the context may require.

Part I K. S. R. (Fourth Edition):- Sub-rule (ii) of rule 1, rules 2,3,4,5,6,8, para 2 of the Ruling under rule II, Note under sub-clause (c) of clause (16A), (24) and (31) of rule 12, 20, 21, 22, para (2) under clause (d) of Government Decision No. I under rule 23, Note I under rule 26, first proviso to sub-rule (2) of rule 33, rule 34, 39, 40, 44, and Appendix IV, 45, 49, 50, Note to clause (f) of rule 51, 53, Notes 3A and 4 of rule 55, 60, 60-A, 62. clause (a) of rule 63, clauses (a) and (b) of Note 2 under rule 72, first, second and fourth proviso and the explanation to rule 75 and Notes 1, 3, 5, 6 and 7 under rule 75 Government Decisions 1 and 2

* Introduced vide Amendment No. 27

under rule 77, Notes 2 and 6 to rule 81, 91, 91 A, clauses (a) to (c) and (g) of rule 103, 107 to 110 A. Note to rule 112, Note 5 to rule 117, 120, Government Decision under rule 125. exception (3) to rule 127, 135, Government Decision under rule 139 rules 157 to 159.

Part II K. S. R. (Fourth Edition):- Items (a) and (b) of rule 5 and Government Decision No. 2 thereunder, rules 6 to 11, Government Decision No. 2 under rule 34, rules 2 to 4 of rule 47, 53, 54, note 2 to rule 63, 93, Appendix I, Appendix IV, Appendix IV A, sub-rule (2) of rule I of Appendix VI, Appendix VIII, Appendix XII, Form No. 12, Form No. 14.

CHAPTER 4

Disciplinary Action Against the Teachers of Private Colleges

69. *Penalties:-* The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on teachers of Private Colleges, namely:-

- (i) Censure;
- (ii) Withholding of increments or promotion;
- (iii) (a) Recovery from pay of the whole or part of any pecuniary loss caused to the Private College by his negligence or breach of orders.
- (b) Recovery from pay to the extent necessary of the monetary value equivalent to the amount of increments ordered to be withheld where such an order cannot be given effect to.

Explanation:- In cases of stoppage of increments with cumulative effect the monetary value equivalent to three times the amount of increments ordered to be withheld may be recovered;

- (iv) Reduction to a lower rank in the seniority list or to a lower grade or post or time-scale or to a lower stage in a time scale;
- (v) Compulsory retirement;
- (vi) Removal from the Private College which shall not be a disqualification for future employment;
- (vii) Dismissal from the Private College which shall be a disqualification for future employment in any of the institutions maintained by or affiliated to the University.

70. *Disciplinary Authority:-* The Educational Agency shall be the disciplinary authority in respect of the teacher of a Private College in respect of the penalties specified in Statute 69.

71. *Procedure for imposing Major Penalties:-* (1) No order imposing any of the penalties specified in items (iv) to (vii) of Statute 69 Shall be passed except after an enquiry held in accordance with the provisions of this Statute.

(2) Whenever a complaint is received or on consideration of the report of an investigation or for other reasons, the Educational Agency is satisfied that there is a prima facie case for taking action against the teacher of a Private College, such authority shall frame definite charge or charges which shall be communicated to the teacher of a Private College, together with the statement of the allegations on which each charge is based, and of any other circumstances which it is proposed to take into consideration in passing orders on the case. The teacher concerned of the Private College shall be required to submit within a reasonable time to be specified in that behalf, a written statement of his defence and also to state whether he desires to be heard in person. The teacher of the Private College may on his request be permitted to peruse or take extract from the records pertaining to the case for the purpose of preparing his written statement provided that the Educational Agency may, for reasons to be recorded in writing, refuse him such access if in its opinion such records are not strictly relevant to his case. After the written statement is received within the time allowed, the Educational Agency is satisfied that a formal inquiry shall be held into the conduct of the teacher of the Private College, it may pass an order accordingly.

(3) The formal enquiry may be conducted by:-

- (i) the Educational Agency of the Private College; or
- (ii) any authority or person authorized by the Educational Agency.

(4) Any authority or person conducting the inquiry (hereinafter referred to as the Inquiring Authority) may, during the Course of the inquiry, if it seems necessary, add to, amend, alter, or modify the charges framed against the teacher concerned, in which case, the teacher shall be required to submit within a reasonable time to be specified in that behalf any further written statement of his defence.

(5) The teacher of the Private College, shall for the purpose of preparing his defence be permitted to inspect and take extract from such records as he may specify, provided that such permission may be refused if for reasons to be recorded in writing in the opinion of the Enquiry Authority such records are not relevant for the purpose. On receipt of the further written statement of defence under clause (2) or if no such statement is received within the time

specified therefor or in case where the accused is not required to file a written statement under the said clause, the Inquiring Authority may inquire into such of the charges as are not admitted.

(6) The Disciplinary Authority, if it is not the Inquiring Authority, may nominate any person to present the case in support of the charges before the Inquiring Authority. The teacher may engage a legal practitioner to defend his case if he so desires.

(7) The Inquiring Authority, shall, in the courses of the inquiry consider documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The teacher or his Advocate shall be entitled to cross-examine witness examined in support of the charges and to give evidence in person and to have such witnesses as may be produced, examined in his defence. The person presenting the case in support of the charges shall be entitled to cross-examine the teacher of the Private College and the witnesses examined in his defence. If the Inquiring Authority declines to examine any witness on the ground that his evidence is not relevant or material, it shall record its reasons in writing.

Explanation:- If the Inquiring Authority proposes to rely on the oral evidence of any witness, the Authority shall examine such witness and give an opportunity to the accused teacher of the Private College to cross-examine the witness.

(8) The teacher of the Private College may present to the Inquiring Authority a list of witnesses whom he desires to examine in this defence. The Inquiring Authority shall issue written request to secure the presence of such witnesses unless he is of the view that such witnesses evidence are irrelevant to the case of enquiry and shall arrange to examine such witnesses in accordance with the general principles of taking evidence.

(9) At the conclusion of inquiry, the Inquiring Authority shall prepare a report of the inquiry, recording its findings on each of the charges together with the reasons therefor. If, in the opinion of such Authority, the proceedings of the inquiry establish charges different from those originally framed, he may record his findings on such charges, provided that findings on such charges shall not be recorded unless the teacher of the Private College has admitted the fact constituting them or has had an opportunity for defending himself against them.

(10) The record of inquiry shall include:-

- (i) the charges framed against the teacher of the Private College and the statement of allegations furnished to him;

- (it) his written statement of defence, if any;
- (iii) the summary of the oral evidence considered in the course of the inquiry;
- (iv) the documentary evidence considered in the course of the inquiry;
- (v) the orders including order of refusal if any, made by the Disciplinary Authority or the Inquiring Authority in regard to the inquiry; and
- (vi) a report setting out the findings on each charge and the reasons therefor.

(11) The Disciplinary Authority, where it is not the Inquiring Authority shall consider the record of the inquiry and record its findings on each charge.

(12) If the Disciplinary Authority, having regard to the findings on the charges is of the opinion that any of the penalties specified in items (iv) to (vii) of Statute 69 shall be imposed, it shall-

- (a) furnish to the teacher of the Private 'College, a copy of the report of the Inquiring Authority and where the Disciplinary Authority is not the Inquiring Authority a statement of its findings together with brief reasons for disagreement, if any, with the findings of the Inquiring Authority; and
- (b) give him a notice stating the action proposed to be taken in regard to him and calling upon him to submit within a specified time which may not exceed one month, such representation as he may wish to make against the proposed action.

(13) The Disciplinary Authority shall consider the representation, if any, made by the teacher of the Private College in response to the notice under clause (12) and determine the penalty, if any, to be imposed on the teacher at the Private College and pass appropriate orders on the case.

(14) If the Disciplinary Authority having regard to its findings is of opinion that any of the penalties specified in item (i) to (iii) in Statute 69 shall be imposed, he shall pass appropriate orders in the case.

(15) Orders passed by the Disciplinary Authority shall be Communicated to the teacher.

72. *Procedure for imposing Minor Penalties:-* (1) No order imposing any of the penalties specified in items (i) to (iii) of Statute 69 shall be passed except after-

- (a) the teacher is informed in writing of the proposal to take action against him and of the allegations on which it is proposed to be taken and given an opportunity of showing cause against the action proposed to be taken against him;
- (b) such representation, if any, is taken into consideration by the Educational Agency.
- (2) The record of proceedings in such cases shall include:-
 - (i) a copy of intimation to the teacher of the proposal to take action against him;
 - (ii) copy of the statement of allegations communicated to him;
 - (iii) his representation, if any;
 - (iv) the orders of the case together with the reasons therefor.

***CHAPTER 4A**

Intra University Transfer of Teachers of Colleges under Corporate Managements having Colleges affiliated to the University

72A. 1. The provisions of this Chapter shall apply to all teachers in Private Colleges under Corporate Managements within the jurisdiction of the Kerala University.

2. (a) A teacher working in a college under the Corporate Management as defined under Section 51 (a) of the Kerala University Act, 1974 shall specify the College ,where he/she desires to get a posting. This college shall here in after be referred to as his/her "Home College".

(b) The teacher shall also specify a college as the college of least inconvenience to him/her.

(c) A teacher will be allowed to change his/her Home College for a maximum number of two times in his/her entire period of service.

3. A teacher shall be transferred and posted in his/her Home College in accordance with the provisions hereinafter prescribed.

4. A Corporate Management shall obtain option declaring , his/her Home College from all teachers of colleges under it affiliated to the Kerala University in the prescribed form given in Appendix within a period of one month from the date of commencement of these amendment Statutes. The option statement shall be posted in the Service Book of the teachers after

counter-signature by the Principal and any Subsequent change of Home College shall be recorded in the Service Book in the same way.

5. A teacher who has put in a period of three years' outside service in colleges in the State under the same Corporate Management shall be eligible for transfer to his/her Home College.

6. The entire period of service put in by a teacher in a college or colleges, other than his/her Home College under the same Corporate Management within the State shall be treated as outside service. The length of outside service shall be calculated in the following manner:-

- (a) Service put in by a teacher in colleges situated within a distance of fifteen kilometers from the Home College shall not be treated as outside service;
- (b) One year of service in a college or colleges situated in a place beyond fifteen kilometers but less than thirty five kilometers from his/her Home College is equal to one year of outside service;
- (c) One year of service in a college or colleges situated in a place beyond thirty five kilometers but less than eighty kilometers is equal to one and a half years of outside service;
- (d) One year of service in a college or colleges situated in a place beyond eighty kilometers but less than two hundred kilometres is equal to two years of outside service;
- (e) One year of service in a College or colleges situated in a place beyond two hundred kilometers equal to two and a half years of outside service:-

Note:- Length of service of a teacher shall be calculated as on the 31st May of every year. Outside service shall not include leave exceeding three months in a spell (leave for the purpose of this sub-clause includes half pay leave, earned leave, study leave, leave on medical ground, commuted leave, study leave under Teacher Fellowship or otherwise, leave without allowances, leave for seeking employment elsewhere, deputation or assignment of any kind in any institution or leave for joining spouse). Total outside service of a teacher shall be calculated on the basis of the above provisions;

- (f) The above weightage in calculation shall be given in preparation to the actual period of service in that college;
- (g) The service put in by a teacher in college/colleges situated within fifteen kilometers of his/her residential address as entered in the

Service Book prior to the commencement of these Statutes shall be treated as Home College service;

- (h) When a teacher makes his/her first declaration of his Home College as per sub clause (4) the service put in by him/her in the same college prior to his/her declaration shall be treated as his/her Home College service;
- (i) When a teacher changes his/her Home College as per sub-class (2) (c) the service put in by him/her in the newly opted Home College prior to the declaration of the change of Home College shall be treated as his/her Home College service; and
- (j) Even after a teacher declares a change in his/her Home College, the service put in by him/her in his/her previous Home College shall also be treated as his/her Home College service.

† *Explanation.*- For the purpose of this Statute, the teachers who were appointed exclusively under the Calicut, Mahatma Gandhi or Kannur University area under separate notification and separate select list, after 21-11-1987 ie. the date on which section 64 of the Kerala University Act, 1974 came into force, and subsequently got transferred to the Kerala University area, are not entitled to the weightage of outside service as provided in the Statutes. However, they are entitled to get the weightage under the Statutes for the period of service rendered within the Kerala University area after getting transferred to a college under the Kerala University area.

7. When transfers are effected by the Corporate Management they shall be made as per the provisions laid down below- (i) Open vacancies shall be filled up by transferring teachers who have put in the longest period of outside service;

- (ii) If the number of vacancies are insufficient to accommodate all eligible applicants, the teachers having longest period of service in that college, no outside service shall be transferred first and the teachers having shorter outside service shall be transferred next in an orderly manner;
- (iii) Applicants with the longest outside service, get first and applicants with the shortest outside service get last, shall be the criterion for making transfer to Home Colleges;
- (iv) When Home College service as well as outside service of two applicants happen to be the same, the total period of teaching service put in by him/her in colleges under the Corporate Management shall be the criterion for effecting the transfer on request;

† Incorporated vide amendment No. 34

- (v) In the case of an applicant who does not get a transfer to his/her Home College even after observing the guidelines laid down in this Statute, he/she shall be transferred to his/her college of least inconvenience, if he/she has put in longer period of outside service than any teacher in that college;
- (vi) When the outside service of two teachers is the same, the teacher with longer period of Home College service shall be transferred out first to accommodate an applicant for a transfer to his/her Home College;
- (vii) In the case of a College where all the teachers in a department have already completed three years outside service: to provide an eligible teacher who has three or more year, of outside service, the following criteria shall be adhered to.
 - (a) If the applicant has only less Outside service than any teacher working in that college, no transfer shall be effected;
 - (b) If the applicant has longer outside service than any teacher working at that college, the person with shortest period of outside service shall be transferred first, provided that he/she shall be disturbed only if the incoming teacher has a minimum of nine months longer outside service than the teacher who is to be transferred out;
 - (c) Other things being equal among the teachers who have to be transferred to accommodate a teacher who has requested for a transfer to his/her Home College, the teacher with the longest period of service in that college shall be transferred first; and
 - (d) While transferring teachers as provided in subclause (7) (vii) above those who have served at farther colleges will be transferred to nearer colleges, when required to be transferred out;
- (viii) A teacher who has only two years left for retirement shall be transferred to his/her Home College giving preference over those who are due to retire later;
- (ix) The State President and General Secretary of a recognized Teachers' Organization shall be posted in a college at the headquarters of that Organization as per their request;
- (x) In the case of inter-caste married persons, where one of the partners belongs to Scheduled Caste/Scheduled Tribe, both shall be accommodated in the same college of their choice, provided that this benefit shall be allowed only once throughout the entire period of service;
- (xi) Physically handicapped persons with forty percent or more of disability shall be given posting in a college of his/her choice provided a certificate

proving such disability from the Medical Board constituted by the Director of Health Services is produced:

Provided further that this benefit shall be allowed only once in the entire period of service;

- (xii) A teacher who is the father or mother of a mentally retarded or physically handicapped child with forty percent or more disability, shall be given posting in a College of his/her choice, provided a certificate to this effect from the Medical Board is produced: provided further that this benefit shall be allowed only once in the entire period at services ; and
- *(xiii) Teachers who are Sons/Daughters of the freedom fighters will be given posting in a college of his/her choice provided that a certificate from Government is produced to this effect.

8. Transfer to facilitate husband and wife to serve in the same college will be allowed to the extent possible, against open vacancies after effecting transfers in accordance with the above provisions without prejudice to the claim of those teachers who have exercised option as per sub-clause (4) above).

9. No application for mutual transfer shall be entertained by the Corporate Management.

10. General transfers shall be effected only once in a year and they shall be ordered by the first week of May every year. The Corporate Management shall obtain applications for transfers from the teachers till 15th of March every year, provided that transfers shall be effected on the commencement of this amendment Statute within one month after the last date prescribed for the receipt of option from the teachers. Applications for transfer shall be given along with the form of option.

11. Those incumbents who are undergoing teaching fellowships and are due to rejoin duty on or before 1st July of every year will also be included in the transfer proposals in the presumption that they will rejoin duty on or before 1st day of July.

12. Appeals against transfers made in violation of this amendment Statute shall be made to the Vice-Chancellor by the teacher aggrieved within a period of three months from the date of issue of the transfer order and the Vice-Chancellor shall dispose of the appeal within one month from the date of receipt of same and the decision of the Vice-Chancellor shall be final and shall be binding

on both the Corporate Management and the teacher.

APPENDIX
OPTION FORM

1. I..... do hereby opt the
.....College
as my Home College.

2. I..... do hereby opt to
change my Home College from
college to College.

3. I..... do also hereby opt
the College
.....as the College of least inconvenience to me.

Signature :

Name :

Designation :

Subject :

College :

Countersigned by :

Place:

Date:

PRINCIPAL

CHAPTER 5

Special Provisions in respect of Private Colleges which have accepted the Direct Payment Scheme

73. *Applicability of the Chapter:-* The provisions of this Chapter shall apply only to those Private Colleges which have accepted the direct payment of salaries by the Government to the teaching and non-teaching staff of colleges and which have executed agreements with the Government for that purpose
74. *Drawing Officer:-* The Principal of the College whose appointment has been duly approved by the competent authority, shall be the drawing officer in respect of all the members of staff, both teaching and non-teaching, of the college.
75. *Inspection of Work load by the Director of Collegiate Education, etc: -* The Director of Collegiate Education or the Officer authorized in that behalf by the Director of Collegiate Education shall be competent to examine in detail the work load of each department of study in each college and the staff position and satisfy himself that no extra staff is permitted to continue in service. The Director shall, if he so desires, have periodical consultation with the University in the matter.
76. *Inspection of Accounts, Registers, etc:-* The accounts and registers of the college shall be open to inspection and audit by Officers deputed by the Government, the Director of Collegiate Education and the Accountant General, Kerala.
77. *Responsibility and Duties of the Principal:-* (1) The Principal shall prepare the salary bills of the staff on the basis of the data available as on the 15th of every month and present it to the Office of the Zonal Deputy Director of Collegiate Education concerned on or before the 20th every month.
- (2) The Principal shall also furnish along with the bills a statement showing particulars of remittance, date of remittance, amount remitted, Chalan No. and Head of Account and a statement of the staff showing particulars of leave taken and the number of days of casual leave availed of by the staff.
- (3) A certificate of remittance of the previous month shall be furnished along with the bill for the succeeding month.
- (4) The Orders issued by the Government from time to time regarding the preparation of salary bills of the staff in private colleges, shall, apply to such colleges and it shall be the duty of the Principals to follow such orders.
- (5) The Principal shall be held personally responsible for the proper maintenance of accounts, vouchers and such other records relating to direct

payment, fee collection and remittance thereof as prescribed from time to time by the Government.

(6) In the case of Private Arts, Science and Training Colleges it shall be the duty of the Principal to collect the tuition fee and fines from students and remit the same in the Government account in the Treasury, the remittance being effected within the next four working days, after the collection, under the head of account provided for the purpose.

In the case of a Private Engineering College, it shall be the duty of the Chairman, Governing Body or any member of the Governing Body so authorized by the Chairman to ensure the collection of the tuition fee and fine from students through the Principal and remit the sums in the Government Account in the Treasury within the next four working days from the date of collection.

(7) The Principal shall disburse the salaries to the members immediately on enhancement and get their acquittance in the Acquittance Roll Register and also in two more copies (loose sheets) in the same form. These copies shall be signed by the Principal. One of the two copies so signed by the Principal shall be sent to the countersigning authority and the other to the Director of Collegiate Education with an encashment statement as in the form given below within three days from the last date of disbursement of the money. While disbursing the salary the drawing officer shall see that any amount found not due in view of later events shall be withheld.

Encashment statement

	<i>Name of College</i>	<i>District</i>	<i>Place</i>
1.	Bill No.....		
2.	Period of claim.....		
3.	Amount.....		
4.	Date of passing.....		
5.	Date of encashment.....		
6.	Name of Treasury.....		
7.	Date of disbursement and amount.....		
8.	Balance of undisbursed amount.....		

(Signature of Principal)

Deduction on account of income tax shall be made in the pay bills

(8) Any failure on the part of the Principal to disburse the salary or to remit the fee collection into the Treasury shall be treated as defalcation of Government money. In case the failure is due to the fault of the Principal, he shall be liable for disciplinary action as well as penal action under any law for the time being in force.

(9) The local audit of the accounts of colleges falling under this Chapter shall be conducted by the staff of the Zonal Deputy Director of Collegiate Education concerned.

CHAPTER 6

Miscellaneous

78. *Surrender of Earned Leave by Staff of Private Colleges:-* (1) Only the members of staff mentioned in Notes 2 and 5 of rule 81 of Part I of the Kerala Service Rules shall be treated as non-vacation employees. All others shall be treated as vacation employees. The members of staff who belong to the category of non-vacation employees shall be eligible to 'surrender earned leave, if due and admissible, subject to a maximum of thirty days once in twelve months and be paid-leave allowance for the leave so surrendered, without availing of earned leave† (They shall also be eligible to surrender earned leave if due and admissible, subject to a maximum of fifteen days once in twelve months and be paid leave allowances for the leave so surrendered, without availing of earned leave:

Provided that those categories of non-teaching staff who were non-vacation employees till 8-2-1974 ie. the date on which they became vacation employees shall be eligible to surrender earned leave at their credit as on 8-2-1974 forenoon. The earned leave carried forward on 8-2-1974 forenoon shall be limited to one hundred and eighty days.

*[(2)]

(3) The following shall be the conditions for surrender of earned leave:-

(a) Every applicant who wishes to surrender earned leave if due and admissible under this Chapter shall give an application in Form 13 of Part I of the Kerala Service Rules.

† Introduced vide Amendment (No. 3), notified vide University Notification No. Acad. L/1181/81/CSS/2 dt. 15-7-1981, published in Kerala Gazette No. 32. dt. 11-8-1981, effective from 7-7-1981

* Omitted vide Amendment (No. 3)

(b) The benefits of surrender of earned leave can be given independently or in combination if the person who is eligible for the same applies for it.

(c) Retrospective surrender of earned leave is not permissible. Temporary hands who have not completed a year's service but who have earned leave to their credit shall also enjoy the benefit of surrender.

(d) Persons who are on leave preparatory to retirement shall not be eligible to surrender earned leave * under clause (1). To become eligible for such surrender they should be on duty at least for one day just before the date of retirement.

(e) Permission can be granted to surrender earned leave for periods of less than fifteen days and/or thirty days but the surrender as specified in clause (1) † () can be allowed only after twelve months from the date of the previous surrender. The fact whether the surrender is for fifteen days or thirty days shall be clearly written by the applicant himself in column 8 of the application for leave as contained in Form 13 of Part I of Kerala Service Rules and the order sanctioning such surrender, shall also specifically quote the same.

(4) The orders issued by the Government from time to time regarding the surrender of earned leave shall apply to the staff of Private Colleges who are eligible to surrender earned leave if due and admissible under this Chapter.

**78 A. *Medical Benefits:-* The employees of the Private Colleges who come under the scheme of direct payment of salaries shall be eligible for medical benefits to the same extent to which such benefits are enjoyed by the employees of the State Government and governed by the Kerala Government Servants' Medical Attendance Rules, 1960 and amendments thereto in force from time to time.

79. *Proof of Date of Birth:-* (1) Every person newly appointed in a Private College whether on probation or otherwise shall produce satisfactory proof of his date of birth to the appointing authority, for being entered in the Service Register. The entry in the Service Register shall be full and it shall indicate on what evidence the date of birth is accepted by the

* Substituted vide Amendment (No. 3), notification No. Acad. L/1181/81/CSS/2 dt. 15-7-1981 published in Kerala Gazette No. 32 dt. 11-8-1981, effective from 7-7-1981.

† Omitted vide Amendment (No. 3)

** Introduced vide Amendment No. 11. Notified vide Uty. Notification No. Acad. L/25 13/86/ CSS/10/87 dt. 3-3-87 effective from 11-2-1987.

authority who is competent to make an entry in the Service Register. The date of birth when accepted and recorded as such, shall form conclusive evidence of the same in respect of all future transactions. Except in exceptional cases where it has been adequately made out that the concerned person did not and could not have an opportunity to make any request for correction of his date of birth, requests for correction or alteration of date of birth shall not be allowed †† after five years of one's entry in Service. Mere correction of date of birth in school records of a teacher or a member of the non-teaching staff of a Private College shall not by itself confer a right on such person to have his date of birth corrected in the Service Register.

(2) In the case of persons who have attended a recognized school, the School Leaving Certificate or an authenticated extract of the admission register of the School or College where the Officer last studied shall be accepted. If the date of birth entered in the school or college record is alleged to be incorrect, the person concerned may adduce satisfactory evidence to prove the correct date of birth. In respect of Private Colleges coming under the Direct Payment Scheme, correction of date of birth in the Service Register shall be made only with the prior consent of the Government.

80. *Extension of Jurisdiction of the Director of Vigilance Investigation to Private Colleges:-* (1) The Director of Vigilance Investigation, Kerala shall be competent to inquire into cases of misconduct, corruption, etc. against the teachers and members of the non-teaching staff of Private Colleges receiving aid or grant from the Government, the University Grants Commission or the University, that are referred to him by the Educational Agency or the University or the Director of Collegiate Education in respect of the various types of cases specified in G.O. (P) No. 26/71/ Vigilance dated 28-12-1971 issued by the Vigilance Department of the Government of Kerala as modified from time to time or in accordance with such other orders, as may, from time to time, be issued by the Government of Kerala.

(2) On receipt of a request as specified in clause (1) the Director of Vigilance Investigation shall conduct the enquiry in the manner laid down in G. O. (P) No. 26/71/ Vigilance dated 28-12-1971 and forward the enquiry report to the Educational Agency for suitable action.

81. *Application of the Manual of Office Procedure for Office Work:-* The Educational Agencies shall follow the provisions of the Manual of Office

†† Substituted vide amendment No. 29

Procedure in conducting office work. Regular inspections shall be conducted by the University to ensure that the Manual of Office Procedure is being correctly followed in the Private Colleges.

- 82. *Consequential Amendments in Parts I and II of the Kerala Service Rules in relation to Private College Staff:-* Unless the subject or context otherwise requires, whenever an expression mentioned in column I of the Schedule occurs in Parts I and II of the Kerala Service Rules- as extended by these Statutes there shall be substituted therefor the expression set opposite to it in column 2 of the said Schedule.
- 83. *Repeal:-* The Kerala Technical Education (Private Engineering Colleges, Polytechnics) Service Rules, 1975 shall cease to apply in respect of Private Engineering Colleges from the date of commencement of these Statutes.

FROM I

(See Statutes 13 and 47)

Form of Appointment Order

Station:

Date:

Shri/Smt. (H.E. name and address of the teacher/member of the non-teaching staff)
..... is appointed as.....

(H. E. designation of the post and nature of the appointment) under this Educational Agency on a pay of Rs..... p. m. in the scale of Rs..... in (name of the college) from..... to subject to the provisions of the Kerala University Act, 1974 and the Statutes, Ordinances and Regulations made thereunder and such other rules and orders issued from time to time by the University of Kerala or by such other authority who may be competent to issue such rules, orders, etc., under the said Statutes.

Signature of Manager

Seal of the Governing Body or
Managing Council.

SCHEDULE

(See Statute 82)

(1)	(2)
(i) Government Service State Service Service Public Service	Service under the Educational Agency
(ii) Government Servant Government Servants Servants Officer of Government Government Officials	An Employee of the Private College
(iii) Interest of Government Public Interest	Interest of the College
(iv) Audit Officer Accountant General	Director of Collegiate Education / Director of Technical Education
(v) Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.	Chapter 4 of these Statutes
(vi) Officer An Officer Officers Retired Officer	A member of the Private College
(vii) Government Laboratories	Private College Laboratory
(viii) Government Machinery	Machinery in a Private College
(ix) Officer on leave	A member of staff of the Private College.
(x) In Rule 124, Part I of K. S. R. for the words "Accountant General"	Deputy Director of Collegiate Education concerned / Director of Technical Education or such Officer authorised by him.
(xi) In Rule 147, Part I, K.S.R. for "Service under the State Government"	Service under the Educational Agency
(xii) Public Convenience	Convenience of the Institution
(xiii) Disciplinary Proceedings - Tribunal	Disciplinary Authority

By order of the Governor

V. Venkitanarayanan*Special Secretary to Government, Higher Education Department.*

Explanatory Note

(This does not form part of the Notification but is intended to give its general purport)

Section 83 of the Kerala University Act, 1974 (17 of 1974) confers power on the Government to make the First Statutes of the University of Kerala, notwithstanding anything contained therein. The Government have published all the Statutes for the various matters provided for in the Act except those relating to the conditions of service of teachers and members of the non-teaching staff of Private Colleges (excluding pension, insurance and gratuity which have already been published). It is considered necessary that the First Statutes on the conditions of service of teachers and members of the non-teaching staff of private Colleges should now be published. The present Notification is intended to achieve this object.

II - THE KERALA UNIVERSITY FIRST STATUTES, 1976

**In respect of Pension, Provident Fund, Gratuity, Insurance and
Age of Retirement of Teachers of Private Colleges**

(Notification I)

(Embodying upto date amendments)

and

**In Respect of Pension, Provident Fund, Gratuity, Insurance and Age of
Retirement of Members of the Non-Teaching Staff in Private Colleges.**

(Notification II)

GOVERNMENT OF KERALA
Higher Education (B) Department

‡ NOTIFICATION - 1

No. 33357/B2/75/H. Edn.

Dated, Trivandrum, 30th March 1976

S. R. O. No. 377/76 -In exercise of the powers conferred by Section 83 of the Kerala University Act. 1974 (17 of 1974), the Government of Kerala hereby make the following First Statutes in respect of Pension, Provident Fund, Gratuity, Insurance and Age of Retirement of Teachers of Private Colleges, namely:-

FIRST STATUTES

CHAPTER I

General

1. *Applicability and Commencement:-* (1) These Statutes, shall apply to all teachers in every Private College (including a Private Engineering College and Training College) the Management of which has executed an agreement, with the Government for the direct payment of salary in pursuance of the orders issued by the Government in G. O. MS. No. 185/72/Education dated, 30-8-1972, G. O. MS. No. 217/72/Education dated 30-9-1972 and G. O. MS. No. 133/73/Education dated 4-9-1973 and the agreement executed by each Management shall from part of these Statutes, as if enacted herein in respect of that Management.

(2) They shall come into force at once.

2. *Definitions and Rule of Construction:-* (1) In these Statutes, unless the context otherwise requires:-

(a) “Academic year” means a period of twelve months commencing on the first day of June;

Provided that in the case of teachers who are granted extension of service till the end of an academic year, the academic year shall mean a period of ten months commencing from the first day of June;

(b) “Act” means the Kerala University Act, 1974 (17 of 1974);

(c) “Chapter” means a Chapter of these Statutes;

‡ Published as Kerala Gazette Extraordinary Vol. XXI, No. 222 dated 1st April, 1976.

(d) “Form” means a form appended to these Statutes;

(e) “Laws of the University” means the provisions contained in the Kerala University Act, 1974 (17 of 1974) the Statutes, the Ordinances, the Regulations, the rules, the bye-laws and the orders made under the Act;

(f) “Teacher” means a teacher of a Private College.

(2) Words and expressions used and not defined in these Statutes but defined in the Kerala University Act, 1974 (17 of 1974) or in the Interpretation and General Clauses Act, 1125 or in the Kerala Service Rules shall have the meanings respectively assigned to them in those Acts or those rules.

(3) Any reference in these Statutes to the Director of Collegiate Education or the Zonal Deputy Director of Collegiate Education shall; in relation to a Private Engineering College, be construed as a reference to the Director of Technical Education or such Officer as he may authorise, for the purpose of administration of these Statutes.

(4) If any doubt arises regarding the interpretation of any of the provisions of these Statutes, the matter shall be referred to the Chancellor whose decision thereon shall be final.

3. *Age of Superannuation*:- (1) Save as otherwise provided in these Statutes, the age of compulsory retirement on superannuation shall be 55 years.

Note:- No teacher who has retired from service shall be re-employed in any Private College or Government College.

(2) Except as otherwise provided in these Statutes, the compulsory retirement of a teacher shall take effect from the afternoon of the last day of the month in which he attains the age of 55 years.

(3) The teachers of Private Colleges (including Principals) who complete the age of 55 years during the course of an academic year shall continue in service till the last day of the month in which the academic year ends. They shall not be eligible for promotion to another post during the period of such extension. If they are on leave on the day they attain the age of 55 years and if there is no prospect of their returning to duty before the closing day of the academic year for vacation, they shall be retired with effect from the last day of the month in which they attain the age of 55 years.

(4) If the day on which the teachers (including Principals) attain the age of 55 years falls within the period of one month beginning with the days of re-opening of the college, they shall cease to be on duty with effect from the date of such re-opening to the last day of the month in which they attain the age of 55 years.

(5) If they are eligible to continue in service till the close of the academic year under clause (3), they shall be granted, additional leave from the date of closing for vacation till the last day of the month when the date of closing is earlier than the last day of the month.

(6) The additional leave granted under clauses (4) and (5) shall not be counted against the eligible leave and shall count for pension. During the period of such additional leave they shall be entitled to draw leave allowance at the same rate as the pay and allowances they would have drawn if they were on duty.

Explanation 1:- In the case of a teacher whose year of birth is known but not the exact month and date, the first July shall be taken as the date of birth and where the year and month are known but not the exact date of birth the 16th day of the month shall be taken as the date of birth.

Explanation 2:- For the purposes of this Statute, in the case of a teacher who entered service prior to first January, 1950 and whose date of birth has been noted in Malabar Era in the Service Records the age may be calculated in the Malabar Era.

Explanation 3:- Completion of 55 years of age in service is in the afternoon and not in the forenoon. A person whose date of birth is first of July completes his 55th year on 30th June and that date (30th June) is the last day of the month in which he completes the 55th year. On first of July he is on his 56th year. He shall cease to be in service with effect on and from 1st July.

Explanation 4:- A teacher whose date of birth is first July and who attains the age of 55 years shall not continue in service till the end of the academic year.

Explanation 5:- In this Statute, the words "last day of the month" used means the last day of the month in Christian Era. In case where the date of superannuation is calculated in the Malabar Era in accordance with Explanation 2 the corresponding date in the Christian Era shall be reckoned for arriving at the last day of the month.

4. *Age of Superannuation, etc, of the Teachers who entered service before 1-4-1958:-* (1) (a) Teachers of Private Colleges who have entered service prior to 1-4-1958 shall have the right to retire at the age of sixty and be governed by the provisions of Chapter III or to opt for the provisions contained in Chapter II. Those who have entered service prior to 1-4-1958 and who have completed 55 years on the date of commencement of these Statutes but who opt for the age of retirement at 55, shall retire

only with effect from the date on which they exercise their option. Those who have entered service on or after 1-4-1958 and completed 55 years at the commencement of these Statutes shall retire on 1-4-1976 fore noon.

† *Explanation*:- Service includes service in the Schools both Aided and Government.

(b) If they opt for Chapter II their service beyond the 55th year of age shall not count for pension, gratuity, etc. and their contributory provident fund contribution shall to the extent mentioned in Statute 47 and gratuity may be credited to the account of the the Government with effect from the date of commencement of these Statutes.

†† (c) The Teachers of Private College s(including Principals) who entered service prior to 1-4-1958 and who opt for the age of retirement at 60 years shall be allowed to continue in service till the last day of the month in which the academic year ends, if they complete the age of 60 years, during the course of an academic year. They shall not be eligible for promotion to another post during the period of such extension. If they are on leave on the day they attain the age of 60 years and if there is no prospect of their returning to duty before the closing day of the academic year for vacation, they shall be retired with effect from the last day of the month in which they attain the age of 60 years.

(2) An option under clause (1) shall be preferred in the form prescribed in Appendix IV within a period of three months from the commencement of these Statutes or within such further time not exceeding three months as the Vice-Chancellor may specify in this behalf. The Option shall be sent to the Director of Collegiate Education.

‡ Provided that in the Case of those teachers who come under the explanation of 'Service' given immediately after Statute 4 (a), the Vice-Chancellor shall have the power to grand extension of time as he deems fit for exercising the option;

†† Provided further that the teachers of Private Colleges who entered the service before 1-4-1958 and who had an opportunity to exercise an option under

† Introduced vide Amendment (No. 4) to the Pension Statutes. Notification No. Acad. L/PS/4/80 dt. 17-5-1980, Published in Kerala Gazette No. 24 dt. 10-6-1980, effective from 3-5-1980.

†† Introduced vide amendment No. 15 Notified vide University Notification No. Acad. L/PS/14/88 dt. 19.3-88 effective from 10-3-1988

‡ Introduced vide Amendment (No. 5) to the Pension Statutes. Notification No. Acad. L/PS/5/82 dt. 25-1-1982, published in Kerala Gazette No. 8 dt. 23-2-1982, effective from 9-1-82.

clause (1) of Statute 4 shall not have the right to exercise a fresh option if the option was exercised within the period stipulated in Statute 4 (2).

(3) An option once exercised shall be final.

(4) The teachers who have not exercised any option within the prescribed period, shall be deemed to have opted to be governed by the provisions contained in Chapter II.

† (5) Notwithstanding anything contained in clause (3), a teacher who has opted for retirement at the age of sixty years may, at any time before his completing the age of fifty-five years, re-opt for the provisions contained in Chapter II.

†(6) A re-option under clause (5) shall be preferred in the form prescribed in Appendix V and shall be sent to the Director of Collegiate Education/Director of Technical Education.

†† (7) Notwithstanding anything contained in these statutes, a teacher who opts for retirement at the age of fifty-five, may, before his completing the age of fifty-five, re-opt to retire at the age of sixty and thereafter he/she shall be governed by the provisions of Chapter III of these Statutes. Provided that the re-option under this Statute shall be exercised by the teachers within a period of six months from the coming into force of this amendment or before they attain the age of fifty-five whichever is earlier.

‡ 4. A. *Family Pension*:- Notwithstanding anything contained in these Statutes, the family of a teacher who has opted to retire at the age of sixty years and who dies on or after the 1st January, 1981, shall be entitled to receive family pension at the following rates, namely:-

†† Introduced vide Amendment (No. 5) to the Pension Statutes Notification No. Acad. L/PS/5/82 dt. 25-1-1982 published in Kerala Gazette No.8 dt. 23-2-1982 effective from 9-1-82.

† Introduced vide Amendment No. 10 to the pension Statutes Notification No. Acad.L/PS/9/84 dt. 13-1-1984, Published in Kerala Gazette No. 16 dated 17-4-1984, effective from 3-5-1980.

††† Introduced vide Amendment (No. 11) to the Pension Statutes. Notification No. Acad. L/PS/10/84 dt. 6-6-1984, Published in Kerala Gazette No. 29 dt. 17-7-1984, effect from 18-5-1984

‡ Introduced vide amendment No. 14 Notified vide University Notification No. Acad. L/PS/13/85 dt. 13-5-1985 effective from 20-4-1985.

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| 1. | Family of a teacher who has not completed 55 years of age at the time of death. | } | Same as for Chapter II opted teachers. |
| 2. | Family of a teacher who has completed 55 years of age but has not completed 60 years of age at the time of death. | } | 75% of what would have been admissible to Chapter II opted teachers. |
| 3. | Family of a teacher who has completed 60 years of age at the time of death. | } | 50% of what would have been admissible for Chapter II opted teachers subject to a minimum of 50% of the minimum family pension that may be in force from time to time. |

Explanation:- For the purpose of this Statute, the expression 'Family' shall have the same meaning as defined in Sub-Rule (6) of Rule 90 in Part III .Kerala Service Rules.

CHAPTER II

5. (1) *Kerala Service Rules to apply to Teachers who retire at the age of 55 years:-* The teachers who retire at the age of 55 shall be entitled to receive the same pensionary benefits as are allowed to similar categories of teachers in Government Colleges including family pension and death-cum-retirement gratuity and all the conditions for the grant of these benefits applicable to Government Servants as laid down in part III of the Kerala Service Rules (as amended from time to time) shall mutatis mutandis apply to such teachers.

(2) *Case of Teachers who entered service on or after 1-4-1958:-* In the case of teachers who entered service on or after 1-4-1958 and are above 55 but below 60 years of age on the date of commencement of these Statutes, their service only upto the age of 55 years shall count for pension and gratuity. They shall credit the amount, contributed by the Management and the University and gratuity to the credit of the Government.

(3) The Director of Collegiate Education in the case of teachers of private Arts, Science and Training Colleges and the Director of Technical Education in the case of Private Engineering Colleges shall be pension sanctioning authorities and they shall furnish the following certificates to the Accountant General:-

(i) Certified that the services for which pension/gratuity/family pension are claimed have been verified with reference to the initial records, such as Attendance Register, Acquittance Rolls, pay bills etc. and should be admitted.

(ii) Certified that the emoluments drawn have been approved and emoluments as defined in the Statutes have been rockoned for pension/gratuity/family pension.

6. *Contribution to Provident Fund:-* Every teacher to whom this Chapter applies shall compulsorily Contribute to the Provident Fund as laid down in Chapter V.

CHAPTER III

Pension, Provident Fund and Insurance for Private College Teachers

7. *Teachers to whom this Chapter applies:-* (1) The provisions of this Chapter shall apply to those teachers of Private Colleges who entered service prior to 1-4- 1958 and who opt for the age of retirement at 60 years and agree to be governed by the provisions of this Chapter.

(2) All teachers other than those mentioned in clause (1) shall be governed by the provisions of Chapters II and V.

8. *Provisions of Chapter to apply to Pension-cum-Provident Fund-cum-Insurance Scheme:-* The scheme of Pension-cum-Provident Fund cum Insurance for Private College teachers shall be governed by the provisions or this Chapter. Teachers of Private Colleges who are now governed by the provisions of Chapters L I and L II of the First Statutes issued under the Kerala University Act, 1969 (9 of 1969) or any order or rule in force at the commencement of these Statutes and who opt to be governed by this Chapter shall be governed by the provisions Contained in this Chapter.

9. *Provident Fund:-* Every teacher in a Private College who opts for the provisions in this Chapter, shall subscribe to the Contributory Provident Fund to be instituted in accordance with provisions of Chapter IV.

10. *Insurance:-* Every teacher, shall, within one year from the date on which he completes five years of service, insure his life for a policy maturing at the age of 55 years for an amount which shall not be less than the amount specified in the table below and keep the policy alive and unencumbered,

Provided that if a teacher has already completed five years of service at the commencement of these Statutes, he shall insure his life within a period of one year from the date of such commencement;

Provided further that if a teacher has already taken out a life insurance policy for the minimum amount specified in the table below and if it is unencumbered, he need not take out a fresh policy under the Statutes.

TABLE

	Category	Those who have not completed the age of 30 years	Those who have completed the age of 30 years but not 35 years	Those who completed the age of 35 years but not 40 years
1.	Junior Lecturers	3,000	2,500	2,000
2.	Lecturers / Asst. Lecturers / Instructors, Grade I and II	5,000	4,500	4,000
3.	Second Grade Professors / Assistant Professors / Workshop Supdt.	7,000	6,500	6,000
4.	Principals / First Grade Professors	10,000	9,500	9,000

11. *Additional Insurance:-* When a teacher belonging to the categories specified in Statute 10 is appointed to a post in the higher category as a probationer he shall, within six months of such appointment, effect additional insurance so as to bring his total insurance to cover the minimum amount appropriate to his new category. No such additional insurance need however be effected in cases wherein the opinion of the Zonal Deputy Director of Collegiate Education concerned' the teacher's chances of holding the post in the higher category are not such as to enable him to finance the policy for the higher amount.
12. *Insurance not necessary in certain cases:-* Notwithstanding anything contained in Statutes 10 and II, a teacher who is wholly rejected for life insurance as a bad life or who has completed the age of 40 years shall not be required to take out a life insurance policy.
13. *Consequence of Failure to Insure:-* If a teacher in a Private College fails to take out a policy as laid down in Statutes 10 and 11 his increment may be withheld by the authority competent to do so.
14. *Recovery for Payment of Premium:-* A subscriber may, at his option, withdraw annually, from the portion of the accumulations in his provident fund representing his own subscription including interest thereon the amount required for payment of life insurance premia. In the case of a teacher who defaults payment of life insurance premia, the Zonal Deputy Director of Collegiate Education concerned may recover such defaulted

amount from the pay of the teacher and pay the same to the insurance office direct. The insurance policies shall be produced every year for inspection to the Principal in the case of teachers upto and inclusive of the level of the First Grade Professors and to the Zonal Deputy Director of Collegiate Education concerned in the case of Principals.

15. *Assignment of Policy*:- A policy taken by a married teacher under these Statutes may be assigned to any member of the subscriber's family, and not to anyone as a gift or for value received

Explanation:- For the purposes of this Statute, "Family" means-

- (a) Wife or husband;
- (b) Minor children excepting married daughters living with their husbands and not depending on the teacher;
- (c) Unmarried major daughters solely dependent on the teacher;
- (d) married daughters, widowed or divorced and solely dependent on the teacher;
- (e) father and mother solely dependent, on the teacher for maintenance

16. *Service beyond 55 years not to qualify for Pension and Gratuity*:- The service of teachers in Private Colleges beyond the age of 55 shall not qualify for pension and gratuity under these Statutes.

*16 Service up to the age of 50 years in the case of Chapter III 60 Opted Teachers to qualify for pension and Gratuity:- The service of teachers in Private Colleges up to the age of 60 years in the case of Chapter III 60 opted Teachers, shall qualify for pension and gratuity."

17. *Qualifying Service*:- (1) In computing the length of service for calculation of pension and gratuity continuous service shall alone be reckoned as qualifying service.

† the actual period of service in Government / Aided Schools shall be reckoned as qualifying service with effect from 1-3-1985.

(2) Time passed on leave of any kind shall be allowed to count as qualifying service to the extent provided under Rule 26 of Part III of the Kerala Service Rules.

* Introduced vide Amendment No. 24 and is applicable only to 'Chapter III Opted Teachers'.

† Introduced vide Amendment No: 16

†† (3) The Military Service of Private College teachers shall be reckoned as qualifying service to the extent provided under Part II Kerala Service Rules .

18. *Time of Eligibility for Pension and Gratuity:-* A teacher shall be eligible for payment of pension or gratuity, as the case may be:-

- (i) on retirement after attaining the age of superannuation or on voluntary retirement after completing a qualifying service of 20 years; or
- (ii) on discharge due to the abolition of the post; or
- (iii) on discharge due to invalidation on medical grounds.

Note: - The rules regarding Medical Certificate in the Kerala Service Rules Shall be followed in the case of invalidation on medical grounds.

19. *Eligibility for Pension:-* A teacher shall be eligible for pension if he has rendered a total qualifying service of 10 years or more. The pension for each completed year of service shall be calculated at 1/120th of the average emoluments subject to a maximum of 30/120th of the average emoluments.

* (For the preceding sentence the following is substituted;

The amount of pension shall be determined on the basis of the pension formula evolved by the Government from time to time.)

If the qualifying service is less than 10 years but not less than 5 years, a gratuity equal to one-half of month's emoluments last drawn for each completed year of service shall be paid. No gratuity shall be admissible to a teacher who has put in a qualifying service of less than 5 years:

Provided that a minimum monthly pension payable under this Chapter shall be such amount as may be specified by the Government from time to time.

Explanation 1:- The term "Emoluments" means the actual pay and dearness pay drawn excluding all allowances which are in the nature of compensatory or supervisory or other allowances.

Explanation 2:- The expression "Average Emoluments" in the case of a teacher means the emoluments for a month calculated for the last 12 months immediately preceding the date on which he completes 55 years of age.

†† Incorporated vide Amendment No. 19

* Substituted vide Amendment No.25 and is applicable only to Chapter III Opted Teachers.

* *‘Explanation 2’*

The expression “Average Emoluments” in the case of a teacher means “the emoluments for a month calculated for the last 10 months immediately preceding the date on which he retires from service”.

Explanation 3:- In the case of a teacher who continues in service upto 60 years, the average emoluments shall be calculated on the basis of emoluments drawn during the last 12 months immediately preceding the date on which he completes 55 years of age.

**Explanation 3*

In the case of a teacher who continues in service upto 60 years, the average emoluments shall be calculated on the basis of emoluments drawn during the last 10 months immediately preceding the date on which he retires from service.

Explanation 4:- The term “Family” has the same meaning as in Statute 15.

Explanation 5:- In the case of a teacher who retires voluntarily or otherwise before 55 years of age, the expression “Average Emoluments” for the purpose of calculating the pension under this statute, shall be the emoluments for 12 months immediately preceding the date with effect from which he retires .

**Explantation 5*

In the case of a teacher who retires voluntarily or otherwise before 60 years of age, the expression “Average Emoluments” for the purpose of calculating the pension under this Statute shall be, emoluments for 10 months immediately preceding the date with effect from which he retires.

Explanation 6:- The service put in by a teacher before he has completed 18 years of age shall not qualify for pension or gratuity.

20. *Compassionate Gratuity to Families of Teachers Dying in Harness:-* (I) No claim for compassionate gratuity to the families of teachers who die in harness shall be entertained by the Government. However, Government may grant compassionate gratuity to the families of the teachers who die in harness while in service whose death have taken place within 3 years immediately preceding the 1st September 1972 or 1st June 1973 in the case of Training Colleges, at the rate of half month’s pay for each year of

* Substituted vide amendment No. 27 and is applicable only to Chapter III Opted Teachers.

qualifying service based on the monthly pay drawn by the teacher for the month of April each year.

Explanation :- In this clause the term “Family” shall have the same meaning as in Statute 15.

(2) In calculating the monthly rate of pay, the pay drawn after the 55th *(60th in the case of Chapter III 60 opted Teachers) year of age shall not be reckoned.

(3) The minimum service required for the grant of compassionate gratuity shall be five year’s complete service qualifying for pensions. The maximum service for which compassionate gratuity shall be payable shall be limited to 30 [** 33 in the case of Chapter III 60 opted teachers] years.

(4) The maximum monthly pay for the calculation of compassionate gratuity shall be three hundred rupees.

(5) The maximum amount of compassionate gratuity payable to the family of a deceased teacher shall in no case exceed three thousand rupees .

(6) The grant of compassionate gratuity shall be entirely within the discretion of the Government.

21. *Reduction of Pension:-* The pension payable to a teacher under these Statutes shall be subject to such reduction as maybe ordered by the sanctioning authority for unsatisfactory work and conduct during the period of service as teacher.

22. *No pension to Teacher Dismissed or Removed from Service:-* Notwithstanding anything contained in these Statutes, no teacher shall be eligible for any pension if he has been dismissed or removed from service for misconduct, insolvency or inefficiency.

23. *Authorization of Pension and Anticipatory Pension:-* † (1) After verification of the pension application by the Accountant General, the pension found admissible shall be sanctioned by the authorities empowered by the Government in this behalf. On receipt of sanction

*Substituted vide amendment No. 28 and is applicable only to Chapter III opted Teachers’.

** Substituted vide amendment No. 29 and is applicable only to Chapter III Opted Teachers.

† Renumbered vide Amendment No. (12) to the Pension Statutes Notification No. Acad. L/PS/11/84 dt. 28-11-1984, effective from 22-9-1984.

together with the connected documents in his office, the Accountant General will issue the pension payment order to the person concerned. In case of delay, the payment of an anticipatory pension not exceeding 75% of the pension to which he is entitled may be authorised by the Accountant General after necessary investigation provided that such disbursement shall be made only after the declaration specified below has been signed by the retiring teacher.

DECLARATION

An advance payment of pension having been authorized in my favour, I hereby declare that I clearly understand that the payment is strictly provisional and is subject to revision after the exact amount of any pension to me has been decided upon and sanctioned by the Government, and I further promise that if, upon such revision, any provisional payment of pension made to me has been in excess of the amount eventually sanctioned. I shall repay all such excess payment by deduction from my monthly pension.

‡(2) In sanctioning the pension and the last salary bill of the Teachers and Principals, the principles enumerated in Rule 212 (a) of the Kerala Treasury Code be adopted.

‡(3) In the case of Teachers other than Principals, the Non-Liability Certificate may be given by the Principal of the College wherein the teacher was serving prior to his retirement.

‡(4) In the case of Principals, the said certificate may be given by the Deputy Director of Collegiate Education on the basis of an undertaking obtained in writing from the Principal concerned to the effect that he is willing to adjust his personal liabilities to Government from his pension, death-cum retirement gratuity etc. and such other amounts due to him.

24. *Concession to be Ordered by Government:-* Cases requiring the grant of any concession not contemplated in these Statutes, shall be submitted to Government for their orders.

25. *Pension not to be Commuted or Increased:-* (1) There shall be no commutation of pension sanctioned under these Statutes.

(2) The pension sanctioned under these Statutes shall carry no temporary increase.

‡Introduced vide Amendment (No. 12) to the Pension Statutes Notification No. Acad. L/PS/11/84 dated 28-11-1984, effective from 22-9-1984.

CHAPTER IV

Contributory Provident Fund for Teachers who Opt for the Provisions of Chapter III

26. *Application of Chapter:-* The Statutes in this Chapter shall regulate the Contributory Provident Fund for teachers who opt for the provisions of Chapter III.

27. *Definitions:-* (I) In this Chapter, unless the context otherwise requires:-

(a) “Contribution” means the amount contributed to the Fund by the Government under Statute 33.

(b) “Family” means-

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

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which the Statutes in this Chapter relate, unless the subscriber subsequently indicates in writing to the Zonal Deputy Director of Collegiate Education that she shall continue to be so regarded.

(B) In the case of a female subscriber, the husband and children of the subscriber, and the widow or widows and children of a deceased Son of the subscriber:

Provided that if a subscriber in writing to the Zonal Deputy Director concerned 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 the Statutes in this Chapter relate, unless the subscriber subsequently cancels formally in writing her desire to exclude him.

Note:- ‘Children’ means ‘legitimate children’ and includes ‘adopted children’ ;

(c) ‘Fund’ means the Contributory Provident Fund for Private College Teachers;

(d) ‘Pay’ means the basic pay of the permanent or of officiating appointment held by a Subscriber, exclusive of all allowances;

(e) ‘Subscriber’ means a teacher who subscribes to the Fund;

(f) ‘Subscription’ means the amount subscribed to the Fund by a teacher;

- (g) 'Leave' means any kind of leave to which the subscriber is eligible;
- (h) 'Year' means the financial year.

(2) Any other expression used and not defined in this Chapter but defined in the Provident Funds Act, 1925 (Central Act 19 of 1925) shall have the meanings respectively assigned to them in that Act.

28. *Manner of Contribution*:- All Contributions to the Fund shall be made by means of deposits in Savings Bank Accounts in Government Treasuries.
29. *Scope of the Fund*:- (1) It shall be compulsory for teachers of Private Colleges who as on 31-3-1959 have been subscribers to the Provident Fund and who have opted to be governed by the provisions of Chapter III Within the prescribed time limit to subscribe to the Funds.

Explanation 1. Teachers who belong to a religious order which imposes on its members vows of poverty may, On their specific request in writing, be exempted from admission to the Fund by the Zonal Deputy Director of Collegiate Education concerned.

Explanation 2. Teachers whose appointments have not been approved by the Syndicate or by such authority as the Syndicate may specify in that behalf, shall not be required to join the Fund.

Explanation. 3. Part-time teachers are not eligible to join the Fund.

(2) In the case of teachers to whom clause (I) applies, the amount to their credit in the existing Provident Fund Account excluding the contributions made by the Management and the University and the interest on such contributions under the relevant orders in force upto and including the date of actual transfer shall be credited to their accounts in the new Fund when they are admitted to the same. The contributions made by the University and the Management and the interest on such contributions shall be credited to the Government.

30. *Procedure for Admission to the Fund*:- The Zonal Deputy Director of Collegiate Education concerned shall be competent to admit the teachers to the Fund. He shall direct all the teachers who are to be admitted to the Fund to submit to him an application in Form I through the Principal. Every Subscriber shall on joining the Fund, be required to sign a certificate as specified below in token of acceptance of these Statutes.

The Zonal Deputy Director of Collegiate Education concerned shall issue to each teacher who is eligible to join the Fund two certificates signed by him, one to the effect that he or she is eligible to join the Fund and another to the following effect:-

“On’s retirement or withdrawal from the Fund for reasonable cause the amount at his or her credit may, subject to the conditions laid down in these Statutes, be increased by a grant from the Government equivalent to one-half of such amount as may be fixed under these Statutes”. Such certificates shall be attached to the Savings Bank Pass Books to be issued on behalf of the subscribers at laid down in Statute 34. The teacher shall subscribe to the Provident Fund with effect from the beginning of the month in which the certificates are issued. The Zonal Deputy Director of Collegiate Education concerned shall maintain a Card Catalogue Register in Form 2 showing the names of the subscribers who have been admitted to the Fund and for whom the certificates have been issued by him.

31. *Nomination:-* (1) A subscriber shall, along with his application for admission to the Fund, furnish 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 the amount has become payable, or having become payable, has not been paid:

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

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

(3) A subscriber may at any time cancel a nomination by sending a notice in writing to the Zonal Deputy Director of Collegiate Education concerned through the Principal.

Provided that, the subscriber shall along with such notice send a fresh nomination made in accordance with the provisions of this Statute.

Explanation:- The subscriber shall furnish the nomination and the cancellation notice in duplicate. One copy of such nomination or cancellation shall be forwarded to the Treasury Officer for safe custody.

(4) 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 on to such other person as may be specified in the nomination;

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

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

(5) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under sub-clause (a) of clause {4} or the proviso to that clause, the subscriber shall send to the Zonal Deputy Director of Collegiate Education concerned through the Principal a notice in writing cancelling the nomination together with a fresh nomination made in accordance with the provisions of the Statute.

(6) 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 Zonal Deputy Director of Collegiate Education concerned.

32. *Rate of Subscription:-* (1) Every subscriber shall subscribe to the Fund at the rate of six paise per rupee per mensem on the pay drawn by him during a financial year till the date on which he retires or attains the 55th year of age whichever is earlier. Fractions of a rupee in the pay shall be ignored. The amount of subscription shall be expressed in whole rupees, fifty paise and above counting as next higher rupee.

(2) When a subscriber is temporarily on reduced pay on account of absence, on leave or for other cause, his Subscription shall be reckoned on the amount of such reduced pay actually paid to him. It shall also be open to the subscriber to cease making payments during such period of absence after giving intimation to the Zonal Deputy Director of Collegiate Education concerned. No subscription shall be payable for periods of suspension. If, however, the subscriber is reinstated and allowed to draw pay for the period of suspension, subscription shall be reduced from the pay paid to him for the period.

(3) Voluntary subscriptions in excess of the prescribed amount, ie., at 6 paise in the rupee shall not be admissible. If any such subscriptions have been made the same shall be withdrawn.

33. *Contribution by Government:-* (1) The Government shall contribute in respect of each subscriber at the rate of 3 paise per rupee on the pay drawn by such subscriber during a financial year.

(2) Clause (2) of Statute 32 shall apply in the case of Government contribution also.

(3) The Government contribution shall cease from the date on which the teacher retires or attains the 55th year of age, whichever is earlier.

(4) The Government contribution shall take the form of a single lump sum payment at the time the subscriber retires or for other accepted reasons the account is closed equivalent to half the amount standing at his credit (excluding amounts of interest credited) on the date of his completion of 55 years of age or of closure of the account if earlier, as the case may be. In the case of teachers who had been subscribing to any of the earlier Provident Funds and who have been admitted to this Fund, the Government contribution will however be calculated only on that portion of the amount at the credit of the subscriber which represents his subscriptions after the transfer of his balance under his earlier Provident Fund as provided for in Statute 29. If any advance from the Fund has been withdrawn, the amount of any balance still outstanding and the total amount withdrawn towards the payment of Insurance Premia shall be added to the total amount at his credit for the purpose of calculating the Government contribution:

Provided that in the case of subscribers who fall under this Chapter by option, the amount to be so added shall not exceed the amount subscribed after admission to the Fund.

34. *Management of the Fund:-* (1) The Fund shall be managed in accordance with the Savings Bank system in the State Government Treasuries. The teachers' subscription shall be deposited in a Savings Bank Account in the Treasury from which the pay of the college staff is drawn. The procedure specified in the following' clauses shall be adopted for the purpose.

(2) The Treasury shall open an individual account for each subscriber to the Provident Fund. The Pass Books will be kept by the Principal of the College under safe custody. The Principal shall deduct the subscription to the Fund due from the teachers from their salaries at the time of disbursement of the same each month and shall remit the amounts collected within seven days of collection for credit in the Treasury Savings Bank Accounts and accompanied by-

- (i) the Savings Bank Pass Books of the subscriber; and
- (ii) a list in Form 3 showing in detail the amount to be credited to each account and the total amount of the deposits, and refunds.

(3) The money received in the Treasury shall be credited to the, different accounts in accordance with the entries in the list and the Treasury Officer after satisfying himself that this has been done and that the amount of the deposit has been correctly entered in each Pass Book, shall sign the list, stamp it with the treasury stamp and return it with the Pass Books to the Principal

from whom they were received. The Principal shall compare the entries made in the Pass Book with the entries in the list to see that the former is correct. Any error that may be detected shall be brought at once to the notice of the Treasury Officer, and got rectified.

(4) So far as the Treasury is concerned, the list need not be in duplicate as the deposits shall be entered in the usual course in the Treasury Savings Bank Ledger and Journals which will furnish a complete record of the transactions. The Principal of the college shall furnish a true copy of the list to the Zonal Deputy Director of Collegiate Education concerned within five days of the receipt of the verified list from the Treasury. The Inspecting Officers during their periodical visits to the colleges shall audit the monthly list of payments into the Savings Bank Accounts with reference to the original pay bills and acquittance rolls and satisfy themselves that subscriptions are not received in excess from the teachers. If in the course of such audit, it is found that payments have been made into the Savings Bank either in excess of the prescribed rate or in advance of the due date, the Zonal Deputy Director of Collegiate Education concerned shall sanction the withdrawal of the excess amount from the Savings Bank with a view to its being refunded to, the subscriber. Inspecting Officer other than the Zonal Deputy Director of Collegiate Education who detects cases of this kind should bring them immediately to the notice of the Zonal Deputy Director of Collegiate Education concerned. If the subscriptions have not been remitted for any period during which a subscriber was employed in a college, the Zonal Deputy Director of Collegiate Education concerned may condone such irregularities at any time for satisfactory reasons. The Zonal Deputy Director of Collegiate Education may also condone belated remittance of subscriptions.

(5) When a Pass Book opened on behalf of a subscriber has been fully used, the Principal shall obtain an application in writing from the subscriber for the return of the used up Pass Book and forward it to the Treasury Officer at the time when a fresh Pass Book is to be issued in continuation of one used -up. On receipt of the used up Pass Book from a Treasury Officer, the Principal shall send it to the Zonal Deputy Director of Collegiate Education concerned for safe custody.

(6) When a subscriber leaves one college and seeks employment in another, the Zonal Deputy Director of Collegiate Education having Jurisdiction over the area in which the former College is located shall be competent to sanction the transfer of his account to the Treasury at which the accounts of the college which he has joined stand. The Zonal Deputy Director of Collegiate Education shall maintain a register in Form 4 of the transfer of accounts sanctioned by him.

The Principal shall furnish every subscriber who leaves the College with a certificate which should bear the countersignature of the Zonal Deputy Director of Collegiate Education specifying the period for which subscriptions to the Fund were made by the subscriber.

Note:- In every case of transfer under this Statute, the Zonal Deputy Director of Collegiate Education shall examine at the time of transfer, the title of the subscriber to the Government contribution and record in the order sanctioning the transfer, his opinion as to whether the subscriber is entitled to it.

(7) Subscribers to the Fund taking up service in any institution other than a Private College, shall cease to be subscribers and steps shall be taken to close their accounts.

(8) When a subscriber's account is to be closed, he shall submit an application † (in Form 4 A) to the Zonal Deputy Director of Collegiate Education concerned through the Principal giving his reasons therefore. If the Zonal Deputy Director of Collegiate Education is satisfied with the reasons, he shall sanction the closure of the account and issue a certificate to the Treasury Officer and the Principal to the effect that the subscriber has quitted the Fund in the circumstances which give him a title to the Government contribution. The Treasury Officer shall thereupon close the account in the Savings Bank Pass Book and on receipt of an application for withdrawal signed by the Subscriber Countersigned by the Principal, pay the total amount to his credit to the Principal or his authorized agent. Immediately after the money in the Savings Bank is withdrawn, the Principal shall report the date of the closure to the Zonal Deputy Director of Collegiate Education concerned and the latter shall take steps to get from the Treasury the closed Pass Books for preparing the bill for Government contribution, The Principal, shall after receiving the amount from the Treasury, disburse it to the subscriber Concerned on Obtaining a payee's receipt which shall be forwarded to the Accountant General through the Zonal Deputy Director of Collegiate Education concerned. The Zonal Deputy Director of Collegiate Education concerned, shall maintain a register in Form 5 of closure of accounts sanctioned by him.

(9) Every subscriber shall, once in every financial year be permitted to look into his account, satisfy himself as to its correctness and sign a certificate in token of his acceptance of it. The certificates obtained under this Statute shall

† Introduced vide Amendment (No. 6) to the Pension Statutes. Notification No. Acad. L/PS/6/82 dt. 19-6-1982, effective from 29-5-82.

be forwarded, to the Zonal ,Deputy Director of Collegiate Education concerned before the end of the financial year for check and record in his office.

35. *Control of the Fund:-* (1) The control of the Fund in each Zone shall vest with the Zonal Deputy Director of Collegiate Education of that zone.

(2) If the monthly subscription is not paid into the Saving Bank Account within seven days of the date on Which the salary is disbursed or the verified Treasury list is not forwarded by the Principal to the Zonal Deputy Director of Collegiate Education as provided for in Statute 34, the pay bill of the Principal for the month shall not be passed by the Zonal Deputy Director of Collegiate Education without the prior sanction of the Director of Collegiate Education who shall take such steps as may be necessary in the matter.

(3) No withdrawal of any part of the deposit or payment of any Government contribution shall be allowed without the sanction of the Zonal Deputy Director of Collegiate Education concerned.

36. *Interest:-* Interest shall be allowed at such rate as may from time to time be admissible for deposits in Treasury Savings Bank.

37. *Withdrawals from the Fund:-* (1) Withdrawal of advances from the Fund shall be sanctioned by the Zonal Deputy Director of Collegiate Education concerned for satisfactory reasons such as to pay expenses in connection with the illness of a subscriber or a member of his family, to pay expenses in connection with the marriages, funerals or ceremonies which it is incumbent upon the subscriber to perform. Such advances shall be permitted only when the deposit to the credit of the subscriber exceeds six month's pay of the subscriber. The amount of the advance sanctioned at any time shall not exceed three month's pay of the subscriber. Withdrawal of advances from the Fund shall be in whole rupees. Advances from the Fund shall be repaid in not more than 24 equal monthly installments but no recovery shall be made from a subscriber while he is on leave of any kind.

Explanation:- Though, ordinarily, advances from the Fund are permissible only when the deposit to the credit of the subscriber exceeds six month's pay, this condition may be relaxed in special cases of hardship where the amount to the credit of the subscriber is a little less than six months pay and advances in such case may be sanctioned by the Zonal Deputy Director of Collegiate Education concerned.

Note:- An advance is permissible to meet the expenses on account of "confinement" (1) in cases necessitating prolonged medical attention,

prolonged stay in a hospital or protracted treatment and (2).in other circumstance involving expenditure disproportionate to the subscriber's income.

(2) The Zonal Deputy Director of Collegiate Education concerned shall maintain a register in Form 6 of advances sanctioned by him. No fresh advance from the Fund shall be sanctioned if there is any balance still to be refunded out of any advance already drawn from the Fund or twelve months have not elapsed since repayment of the previous advance.

(3) A subscriber shall also be at liberty to refund the advance drawn by him in a shorter period than that prescribed by the Zonal Deputy Director of Collegiate Education if he chooses to do so.

(4) Withdrawal of any advance sanctioned shall be made on an application signed by the subscriber and countersigned by the Principal and endorsed in favour of a person proposed by the Zonal Deputy Director of Collegiate Education concerned with the sanction, in original. The Principal shall, after receiving the money, disburse it to the subscriber concerned on acquittance rolls.

38. *Withdrawal from the Fund towards Payment of Premia for Life Insurance Policies:-* (1) Withdrawal from the Funds is also permissible; to meet the payment towards premia for policy of Life Insurance. Such withdrawal shall be permitted only when the amount to be withdrawn does not exceed the subscriber's own subscription and when the payment of premia to the policy is annual.

(2)(a) No amount shall be withdrawn before the details of the proposed policy, or the policy actually taken by the subscriber, as the case may be, has been furnished to the Zonal Deputy Director of Collegiate Education concerned and accepted by him as suitable and an intimation to that effect is received from him. A policy to be acceptable shall be one effected by the subscriber on his own life and shall, unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of his wife and children or any of them be such as may be legally assigned by the subscriber to the Government.

(b) The policy shall be assigned in favour of Government in Form 7 and shall be submitted to the Zonal Deputy Director of Collegiate Education concerned for safe custody. Notice of assignment of the policy shall be given by the subscriber to the Life Insurance Corporation and the acknowledgment of the notice by the Life Insurance Corporation shall be sent to the Zonal Deputy Director of Collegiate Education concerned within three months of the date of

assignment, or within three months after the first withdrawal from the Fund in respect of the policy or such other period as may be considered necessary by the Zonal Deputy Director of Collegiate Education.

(c) The amount to be withdrawn shall not exceed the amount required to meet the payment of premia and it shall be rounded to the nearest rupee.

(d) The Government will not make any payment on behalf of the subscribers to the Life Insurance Corporation or take steps to keep a policy alive.

(e) The subscriber shall not during the currency of the policy, draw any bonus, the drawal of which during such currency is optional under the terms of the policy, and the amount of any bonus which under the terms of the policy, the subscriber has no option to refrain from drawing during its currency, shall be paid forthwith into the Fund by the subscriber or in case of default, be ordered by the Zonal Deputy Director of Collegiate Education concerned to be recovered by deduction from the emoluments of subscriber by installments or otherwise, as may be directed by the Zonal Deputy Director of Collegiate Education.

(3)(a) A subscriber who desires to withdraw from the Fund to meet payment towards insurance premia shall address the Zonal Deputy Director of Collegiate Education concerned through his Principal at least 30 days in advance of the due date with an application in Form 8 and enclosing the premium notice. The Savings Bank Pass Book shall be forwarded by the Principal along with the application, to the Zonal Deputy Director of Collegiate Education.

Note:- The subscriber may also be permitted to withdraw from the Fund for the payment of the first premium on production of the acceptance letter issued by the Life Insurance Corporation and also on receipt of a letter from the subscriber that the Policy will be assigned to Government, as soon as it is issued by the Life Insurance Corporation. The subscriber shall address the Zonal Deputy Director of Collegiate Education concerned through the Principal with an application in Form 8. The proposal number may be noted in the place of policy number against item 3 of the application.

(b) The Zonal Deputy Director of Collegiate Education concerned shall, on receipt of the application, order the sanction of the withdrawal of the amount applied for and the Principal shall draw the amount from the Treasury and disburse the Same to the subscriber as in the case of sanction and payment of temporary advance from the Fund.

(c) Immediately after the payment of the premia or in any case within thirty days from the date of withdrawal of the amount, the Subscriber shall produce the premium receipt issued by the Life Insurance Corporation to the Zonal Deputy Director of Collegiate Education concerned through the Principal.

(d) The Zonal Deputy Director of Collegiate Education, shall after the scrutiny of the premium receipt, return the same to the subscriber through the Principal with an endorsement "scrutinised and returned -no abatement of income tax" after making a note in the Register maintained in his office for the purpose in Form 9.

(4) If the policy is not assigned and submitted to the Zonal Deputy Director of Collegiate Education within the said period of three months or such further period as the Zonal Deputy Director of Collegiate Education may, under sub-clause (b) of clause (2) have fixed, any amount withdrawn from the Fund in respect of the policy shall forthwith be paid by the subscriber to the Fund or in case of default 'be ordered by the Zonal Deputy Director of Collegiate Education to be recovered by deduction from the emoluments of the subscriber by installments or otherwise.

If a policy assigned to Government under these Statutes matures, the Zonal Deputy Director of Collegiate Education shall re-assign the policy in favour of the subscriber who shall immediately on receipt of the policy moneys from the Life Insurance Corporation repay to the Fund the whole or any amount withdrawn with interest and in case of default the provisions of clause (4) above applicable to failure to assign and deliver a policy shall apply.

(5) When the subscriber quits the service and applies to the Zonal Deputy Director of Collegiate Education for re-assignment or return of the policy, the Zonal Deputy Director of Collegiate Education shall re-assign the policy in Form 10 in favour of the subscriber together with a signed notice of re-assignment addressed to the Life Insurance Corporation.

39. *Withdrawal of Deposits:-* (1) Withdrawals will be permitted on the death or retirement or for any other special reasons accepted by the Director of Collegiate Education as satisfactory.

(2) A subscriber who resigns his post before the end of the tenth year from the date of admission to the Fund and applies for closure of his account shall be entitled only to the subscriptions made by him with interest thereon but in exceptional cases with the sanction of the Government for reasons which shall be recorded in writing, he may also be paid the Government contribution.

(3) If a subscriber is disabled or becomes invalid otherwise than by his own fault, he shall receive all the deposits to his credit at whatever stage of service he is disabled or becomes invalid and he may also with the sanction of the zonal Deputy Director of Collegiate Education concerned receive the Government contribution. When a subscriber is incapacitated by his own fault he shall receive only his own subscription with interest thereon.

(4) If a subscriber:-

- (a) is dismissed or removed from service; or
- (b) tenders his resignation to avoid such dismissal or removal; or
- (c) quits his employment after having been convicted of an offence involving moral turpitude the Government contribution is to be withheld and such a subscriber shall receive only his own subscription with interest thereon, but in exceptional cases with the sanction of the Government for reasons which shall be recorded in writing, he may also be paid the Government contribution.

(5) If the services of a Subscriber are dispensed with for no fault ,of his own he shall receive all the subscription to his credit and also, with the sanction of the Zonal Deputy Director of Collegiate Education concerned, the Government contribution; or if he seeks re-employment may continue to participate in the scheme without subscription until the date of re-employment.

(6) If a subscriber at whatever stage of his service takes up employment in a Government college, his account shall be closed and he shall be given all subscriptions to his credit together with the Government contribution provided there is no reasonable chance of his reverting to any private college.

40. *Payment of Government Contribution:-* (1) On a subscriber quitting his employment in the circumstances which gives him a claim to the Government contribution, such claim shall be preferred to the Accountant General by the Zonal Deputy Director of Collegiate Education concerned. Necessary application for the payment of the Government contribution shall be made by the Principal of the college from which the subscriber quitted the Fund to the Zonal Deputy Director of Collegiate Education concerned accompanied by a bill in Form II for the amount due, drawn up and signed by the Principal, the subscriber's Pass Book, the certificate of his eligibility to join the Fund granted to him by the Zonal Deputy Director of Collegiate Education at the time of his admission and a certificate to the effect that no amounts in excess of the authorized subscription by the subscriber have been deposited and that the subscriber quitted the service in the circumstances which give him a claim to the Government

contribution under these Statutes. The application for Government contribution shall be supported also by the subscriber's application for admission containing the declaration in Form 1 and all relevant correspondence showing the amount in the Savings Bank Account has been disbursed to the proper person /or persons. If any balance of advance drawn by the Subscriber from the Fund has not been repaid, the amount of such balance also shall be certified. The total amount withdrawn towards payment of insurances premia shall also be furnished in a statement and certified. The bill drawn by the Principal shall, after scrutiny, be countersigned by the Zonal Deputy Director of Collegiate Education concerned. The Accountant General shall pass one half of the total at the credit in the Savings Bank (excluding interest credited) plus any balance of advance plus amount withdrawn for payment of insurance premia as provided in Statute 33 as the Government contribution and this pass order will be given on the bill itself. The amount shall there after be drawn by the Principal and disbursed to the Subscriber. The acknowledgments of the payees in support of the disbursement of the Government contribution drawn by the Principal shall be forwarded to the Accountant General immediately after the disbursements have been made. The Pass Books received by the Accountant General, the used up Pass Books and the closed Pass Books shall be finally retained by the Accountant General after cancellation.

Note:- Should the Savings Bank Pass Book be accidentally lost, a copy of the ledger entries relating to the book duly authenticated by the Treasury Officer may be accepted in place of the lost Pass Book. An explanation of the circumstances under which the Pass Book was lost, should also be furnished to the Accountant General.

(2) In the event of death of the subscriber while his Fund account is open, the total amount standing to his credit in the Fund as well as the Government contribution due to him shall be drawn by the Principal and shall be payable by him as follows:-

(a) If the subscriber has survivors in anyone or more of the following categories:

- (i) widow or widows, (ii) minor sons, and
- (iii) unmarried daughters and in their absence;
- (iv) widow or widows and children of a deceased son;

the amount shall be paid to such one or more of them in such proportions as may be specified in the nomination or if no such nomination has been left by the

subscriber (ie.) if the nomination purports to leave the amount to anyone other than one or more of the surviving relations referred to in item (i) to (iv) above or if no nomination in accordance with these Statutes is subsisting at the time of the death of the subscriber) the amount or such portion thereof as has not been left to any one or more of the relations referred to in items (i) to (iv) above shall be divided in equal shares among-

(i) the widow or widows, minor sons and unmarried daughters and in their absence among the widow of widows and children of a deceased son:

(ii) in the absence of all such relations, among the major sons and married daughters.

(b) If the subscriber has no survivors in any of the categories mentioned in sub-clause (a) of clause (2) the amount shall be paid to the person or persons specified in the nomination in such proportions as may be specified therein, or if no nomination is subsisting at the time of the death of the subscriber or if the nomination subsisting at such time does not cover the entire amount, the amount or such portion thereof as is not covered by the nomination, shall be paid to the subscriber's legal representatives or such other person or persons as may be determined by a Civil Court competent to pass orders in this respect, provided that if the total sum at the credit of the subscriber including the Government contribution does not exceed Rs. 500 it may be paid to such person or persons as the Zonal Deputy Director of Collegiate Education concerned considers on production of an indemnity bond or heirship certificate to be the proper person or persons to receive it. Government will not be bound by, or recognise any assignment or encumbrance executed or attempted to be created which effects the disposal of the accumulations of a subscriber who dies before retirement.

(3) If a husband has made a written application under subclause (b) of clause (1) of Statute 27 for the exclusion of his wife from taking a share on the ground that she has been judicially separated from him or has ceased under the Customary law of the community to which she belonged to be entitled to maintenance, the amount shall be distributed under the said clause as if the widow did not exist and the nomination, if any, made by the subscriber shall be deemed to have been modified accordingly. In the absence of such an application the widow shall retain her rights under that clause.

(4) The deposit made and the Government contributions payable under this scheme are not attachable under any decree or order of any Civil, Revenue or Criminal Court.

Explanation:- This Statute shall apply mutatis-mutandis to women subscribers also.

41. *Registers to be kept by the Principals:-* The under mentioned registers shall be maintained by the Principals.

(1) A Card Catalogue Register in Form 2 Showing the names of the Subscribers to the Fund.

(2) A Register in Form 6 Showing advances sanctioned from the Fund and their refunds.

(3) A Register in Form 4 showing the transfer of accounts Sanctioned by the Zonal Deputy Director of Collegiate Education concerned of subscribers who have left the college and the certificates issued to them of the amounts subscribed by them to the Fund.

(4) A Register in Form 5 showing the names of the subscribers whose account have been closed and the Government contribution paid to them on their leaving the Fund.

42. *Contribution in Cases of Provision of Pay and Allowances with Retrospective Effect:-* Notwithstanding anything contained in this Chapter, the Government may by order direct that the whole or any part of the arrears of pay and allowances or both payable to subscribers under a scheme of revision of payor allowances or both implemented with retrospective effect shall be credited to the Fund and every subscriber to whom such order applies, shall comply with it. The Government shall not be liable to pay any contribution in respect of this deposit.

CHAPTER V

Kerala Private College Teachers' Provident Fund

43. *Application of Chapter:-* The provisions of this Chapter shall apply to all teachers In Private Colleges (including those in Engineering Colleges and Private Training Colleges) over which the jurisdiction of the Kerala University extends and who opt to be governed by the provisions of Chapter II.

44. *Definitions:-* In this Chapter, unless the context otherwise requires-

(a) "Account Officer" means such officer as the Government may appoint in this behalf to keep the accounts of the Provident Fund of teachers in Private Colleges;

(b) “Emoluments” means pay, leave salary or subsistence allowance as defined in the Kerala Service Rules payable to a subscriber for the period concerned and includes dearness pay, if any.

(c) “Family” means,-

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

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

(2) In the case of a female subscriber, the husband and children of the subscriber and the widow or Widows and children of a deceased son of the subscriber:

Provided that if a subscriber by notice in writing to the Account 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 Statutes relate, unless the subscriber subsequently cancels formally in Writing her notice excluding him.

Note 1: “Children” means legitimate children.

Note 2: An adopted child shall be considered to be a child When the Account Officer or if any doubt arises in the mind of the Account Officer, the Advocate General is satisfied that under the personal law of the subscriber adoption is legally recognised as conferring the status of a natural child but in that case only.

Note 3: A child of One person given in adoption to another shall not be considered to be the child of the former, if the Account Officer or if any doubt arises in the mind of the Account Officer, the Advocate General is satisfied that under the personal law of the persons concerned such adoption is legally recognised and in that case only.

(d) “Fund” means the Kerala Private College Teachers’ Provident Fund.

(e) “Leave” means any kind of leave recognised by the leave rules applicable to the Subscribers concerned.

- (f) “Subscriber” means a teacher who Subscribes to the Fund.
- (g) “Subscription” means the amount subscribed to the Fund monthly by a teacher.
- (h) “Year” means the financial Year.

(2) Any other expression used and not defined in this Chapter but defined in the Kerala University Act, 1974 (17 of 1974) or in the Provident Funds Act, 1925 (Central Act IX of 1925) or in the Kerala Service Rules shall have the meaning respectively assigned to it in the said Act or rules as the case may be.

45. *Constitution of Provident Fund:-* (1) There shall be a Fund called "the Kerala Private College Teachers Provident Funds and the Fund shall be maintained in Rupees.

(2) The Fund shall be non-contributory. Neither the Government nor the University nor the Educational Agency shall contribute to it.

46. *Teachers who shall Contribute to the Fund:-* It shall be compulsory for the following categories of teachers of private Colleges’ to subscribe to the Fund:-

(i) teachers who, on the date of commencement of these Statutes, are subscribers to the Provident Fund as per Chapter LI of the First Statutes issued under the Kerala University Act, 1969 (19 of 1969) and entered service before 1-4-1958 and opt to be governed by the provisions of Chapter II;

(ii) teachers who, on the date of commencement of these Statutes, are subscribers to the Provident Fund as per Chapter LI of tile First Statutes issued under the Kerala University Act, 1969 (9 of 1969) and entered service on or after 1-4-1958 and with a continuous service of not less than one year; and

(iii) All members of the teaching staff appointed on or after the commencement of these Statutes’ who have completed one year's continuous service. But teachers coming under the category referred to in Statute 49 shall join the Fund forthwith.

Explanation 1:- In the case of teachers who belong to a religious order which imposes vows of poverty on its members, the Account Officer, may on request in writing being made by the teacher in that behalf, exempt such teacher from joining the Fund.

Explanation 2:- The teachers whose appointments have not been approved by the syndicate or by such authority as the Syndicate in that behalf specify shall not be required to join the Fund.

Explanation 3.- Part-time teachers shall not be eligible to join the Fund.

47. *Transfer of Existing Provident Fund:-* (1) Subject to the provisions of Statute 46, in the case of subscribers to any of the existing Provident Funds who come under these Statutes, the amount of their subscription in the account shall be transferred to the new Fund to be Constituted under this Chapter.

(2) The Manager's and University's contributions together with interest thereon if any accrued shall be credited to the Government. There shall be no Government contribution to the teachers accounts under the Provident Fund.

48. *Bar to Subscribe to Other Funds:-*No teacher who has been required to subscribe to the Fund referred to in Statute 45 shall be allowed to subscribe to any other existing Provident Fund.

49. *Subscribers of General Provident Fund (Kerala) Joining Private Colleges:-* When a subscriber to General Provident Fund ((Kerala) quits Government service to take up appointment in a private college, the balance at his credit in the General Provident Fund (Kerala) shall be transferred to the Kerala Private College Teachers Provident Fund.

50. *Conditions for Subscription:-* (1) A subscriber shall subscribe monthly to the Fund except during the period of suspension.

Provided that 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:

Provided further that a subscriber undergoing any course shall not except with his consent, be required to subscribe to the fund during the period of such course:

Provided also that a subscriber may at any time during the last one year of service immediately preceding the date of his retirement elect not to subscribe to the Fund;

Provided also that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in a lump or instalment, any sum not exceeding the maximum amount of arrear subscriptions permissible for that period.

(2) The subscriber shall intimate his election not to subscribe during the leave referred to in the first proviso to clause and during the last one year of service immediately preceding the date of his retirement referred to in the third proviso to clause (1), in the following manner:-

(a) By giving an option statement (in duplicate) not to subscribe to the Fund to the Principal before he proceeds on leave or after electing not to subscribe to the Fund in accordance with the third proviso to clause (I). The Principal shall forward one copy of the statement to the Zonal Deputy Director of Collegiate Education concerned who shall in turn forward the statement duly countersigned to the Account Officer.

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

(c) The option of a subscriber shall be final.

51. *Rate of Subscription:-* (1) The amount of subscription shall be fixed by the subscriber himself, subject to the following conditions, namely:-

(a) The amount shall be expressed in whole Rupees; and

(b) The amount shall be any sum so expressed which shall not be less than 6 per cent of his emoluments and if 6 per cent of his emoluments represents a sum not expressible in whole Rupees the fraction of a Rupee shall be rounded to the nearest whole Rupee 50 paise or more being counted as the next higher Rupee.

(2) For the purpose of clause (I) the emoluments of the Subscriber shall be as follows:-

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

Provided that-

(i) If the subscriber was on leave on the said date 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 outside the State on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave his emoluments shall be the emoluments to which he would have been entitled had he been on duty in the State or had he not been on leave.

(b) In the case of a subscriber who was not in service on the 31st 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 March of the preceding year by the deduction which he makes in this behalf from his pay bill for that month;

(b) If he was on leave on the 31st March of the preceding year and elected not to subscribe during such leave or was under suspension on that date by the deduction which he makes in this behalf from his first pay bill after his return to duty;

(c) If during the year in which he has entered service for the first time or joins the Fund for the first time, by the deduction which he makes in this behalf, from his pay bill for the month during which he joins the Fund:

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

(e) If he was on foreign service on the 31st March of the preceding year by the amount credited by him into the treasury on account of subscription for the month of April in the current year.

(4) The amount of subscription so fixed shall remain unchanged throughout the year:

Provided that the amount of subscription may be enhanced once at any time during the course of a year.

52. *Realisation of Subscription:-* Subscriptions shall be recovered by deduction from pay bills of teachers for each month and the Principal of each college shall be personally responsible for watching the recovery. But a subscriber who is on foreign service or on leave or on deputation outside the state may remit his subscription either in cash, through a treasury or by means of demand drafts. The chalan in the case of cash remittance to the Treasury or the demand draft shall be sent to the Account Officer together with a schedule showing the details of the remittance.

Note 1:- The Principals are responsible for seeing that the deductions on account of subscription to the Provident Fund are duly made while drawing and disbursing the salary bills of the subscriber (including Principals) who work in the Private College. Omission to realise the subscription shall be deemed to be dereliction of duty on their part.

Note 2:- The Principals shall maintain a list of Provident Fund subscribers whose pay is drawn by them and ensure that the correct Provident Fund number and the name of each subscriber is noted in the Provident Fund schedule attached to the monthly pay bills.

53. *Consequences of Failure to Subscribe:-* If an officer fails to subscribe with effect from the date on which he is required to subscribe to the fund, the total amount due to the Fund on account of arrears of subscription shall forthwith be paid by the subscriber to the Fund or in default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber in installments or in such other manner as the Principal of the college may determine.

54. *Procedure for Joining the Fund:-* (1) The Principal of every Private College shall send to the Zonal Deputy Director of Collegiate Education on the 15th of each month, a statement in triplicate in Form A showing particulars of teachers working in the college who have to compulsorily subscribe to the Provident Fund. The statement should be sent three months in advance of the date from which the teachers are required to subscribe.

(2) If the Zonal Deputy Director on examination of the application under clause (1) finds it in order he shall immediately forward the application along with its enclosures to the Account Officer who shall after due process return one copy to the Zonal Deputy Director of Collegiate Education after allotting an account number which shall be noted in the relevant column of the application.

(3) The Zonal Deputy Director of Collegiate Education, on receipt of the admitted copy of the application from the Account Officer, return it to the Principal of the College concerned with instructions to keep it along with the service records of the teacher concerned and effect recovery of subscriptions regularly in accordance with the provisions of these Statutes.

55. *Nomination:-* (1) An applicant, shall, at the time of joining the Fund sent to the Account Officer a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund in the event of his death before the amount has become payable or having become payable, has not been paid:

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

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

(3) Every nomination shall be in the form prescribed in the First Schedule.

(4) A Subscriber, may, at any time cancel a nomination by sending a notice in writing to the Account Officer through the Principal of the College:

Provided that the Subscriber shall, along with such notice send a fresh nomination made in accordance with the provisions of these Statutes.

(5) A subscriber may provide in a nomination.-

(a) in respect of any specified nominees that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass on to such other person 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:

Provided further that where the subscriber confers such a right on more than one person under this clause, he shall specify the amount of share payable to each, of such persons in such manner as to cover the whole of the amount payable to the nominee.

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

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

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

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under Sub-clause (a) of clause (5) or on the occurrence of any event by which nomination becomes invalid in pursuance of sub-clause (b) of clause (5) the subscriber shall Send to the Account Officer a notice in writing Cancelling the nomination, together with a fresh nomination made in accordance with the provisions of these Statutes.

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

(8) Nominations made in respect of the several accounts under the existing funds in accordance with the Statutes or rules governing them shall be

treated as nomination made under these Statutes, subject to the condition that they are not inconsistent with the Statutes in this Chapter.

Explanation:- In this Statute, unless the context otherwise requires the term “person” or “persons” shall include a company of institution or association or body of individuals.

56. *Subscriber’s Account:-* An account shall be prepared in the name of each subscriber and it shall show the amount of his subscriptions with interest thereon as prescribed in Statute 58 as well as advances and withdrawals from the Fund.
57. *Proceeds in certain contingencies:-* When a subscriber transferred to foreign service or sent on deputation outside the State he shall continue to be governed by the provisions of these Statutes in regard to Provident Fund as if he were not so transferred or sent on deputation.
58. *Interest:-* (1) Subject to the provisions of sub-clause (5), interest at such rate as may be fixed by the Government, subject to a minimum of 4 per cent per annum shall be annually credited by the Government to the account of each subscriber.

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

(a) on the amount at the credit of a subscriber on the last day of the preceding year, less any sum withdrawn during the current year interest for twelve months;

(b) on sums withdrawn during the current year-interest from the beginning of the current year up to the last day of the month preceding the month of withdrawal;

(c) on all sums credited to the subscriber’s account after the last day of the preceding year interest from the date of deposit upto the end of the current year;

(d) the total amount of interest shall be rounded to the nearest whole Rupee (fifty paise or more counting as the next higher Rupee):

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

(3) In this Statute the date of deposit shall, in the case of a recovery from emoluments, be deemed to be the first day of the month in which it is

recovered, and, in the case of an amount remitted by the subscriber into the Treasury, shall be deemed to be the first day of the month of remittance, if it is remitted into the Treasury before the fifth day of that month, but if it is remitted on or after the fifth day of that month, the first day of the next month :

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

Provided further that where the emoluments for a month are drawn and disbursed in the same month itself, the date of deposit shall in the case of recovery of his subscription, be deemed to be the first day of the succeeding month.

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

Provided that where the Account Officer has intimated to that person (or his agent) a date on which he is prepared to make payment, interest shall be payable only up to the end of the month preceding the date so intimated.

**Note 1:-* If a subscriber holding a post in an officiating capacity exercises on the termination of his post the option allowed by clause (2) of Statute 74 of leaving in the Funds, the amount accumulated to his credit; interest shall be allowed on that amount for not more than a year after the termination of employment. If the subscriber subsequently, obtains re-employment as private College teacher, deposits not withdrawn will carry interest again from the date on which subscriptions are renewed.

*** Note 2:-* Payment of interest on the Fund balance beyond a period of six months upto a period of one year and upto any period one year may be authorized by the Director of Collegiate Education after he has personally satisfied that the delay in payment was occasioned by circumstances beyond the control of the subscriber or the

* Amended vide Amendment No. 20

** Incorporated vide Amendment No. 21

person to whom such payment was to be made and in every such case, the administrative delay involved in the matter shall be fully investigated and actions, if any required, taken,

(5) Interest shall not be credited to the account of a subscriber if he informs the Account Officer that he does not wish to receive it but if he subsequently asks for interest, it shall be credited with effect from the first day of the year in which he asks for it or if he had joined the Fund during the year, from the date of his joining the Fund.

59. *Advance from the Fund:-* (1) A temporary advance may be granted to a subscriber from the amount standing to his credit in the Fund at the discretion of the appropriate authority specified by the Government in his behalf, subject to the following conditions: namely:-

(a) no advance shall be granted, unless the sanctioning authority is satisfied that the applicant's pecuniary circumstances justified it, and that it will be expended on the following object or objects and not otherwise, provided that the condition of actual dependence shall not apply in the case of any son or daughter of the subscriber:-

(i) to pay expenses in connection with prolonged illness of the applicant or any persons actually dependent on him, or to repay any outstanding amount on account of a loan expressly taken for that purpose.

Note:- An advance is permissible to meet the expenses on account of confinement (1) in cases necessitating prolonged medical attention, prolonged stay in a hospital or protracted treatment and (2) in other circumstances involving expenditure disproportionate to the subscriber's income.

(ii) to pay for the overseas passage for reasons of health or education of the subscriber or of any person actually dependent on him, and also to meet the cost of education of the subscriber or of any person actually dependent on him, outside India, whether for an academic, technical, professional or vocational course or in India for medical, engineering or other technical, or specialised courses beyond the high school stage, provided that the course of study is for not less than three years;

(iii) to pay obligatory expenses on a scale appropriate to the subscriber's status in connection with marriage, funerals or ceremonies which by the religious or social customs of the applicant it is incumbent on him to perform, or to repay any outstanding amount on account of a loan expressly taken for that purpose.

Note:- Temporary advance from Provident Fund credits of a subscriber may be granted to meet expenses in connection with the marriage and other ceremonies of the subscriber himself;

(iv) to pay for 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 any other Government source provided that the advance under this Statute shall not be admissible to a subscriber who institutes legal proceedings in any Court of Law either in respect of any matter unconnected with his official duty or against Government in respect of any condition of service or penalty imposed on him;

(v) to pay for the cost of the subscriber's defence where he is prosecuted by the Government in any Court of Law or when the subscriber engages a legal practitioner to defend himself in an enquiry in respect of any alleged misconduct on his part.

* (vi) Meeting the cost of consumer durables such as Television, Video Cassette Player / Recorder, Washing Machine, Cooking Range, Geysers and Computers.

Note:- (1) The amount of temporary advances admissible for purposes of sub-clause (iv) and (v) shall notwithstanding any other provision to the contrary in these Statute, not exceed three month's pay or Rs. 500 whichever is greater and shall in no case exceed half the amount at the credit of the subscriber.

Note:- (2) (a) A temporary advance may be granted to a subscriber who is under suspension provided he agrees in writing to the recovery of the advance being made in monthly installments from the subsistence allowance sanctioned to him.

(b) the Government may, in special circumstances, sanction a temporary advance if they are satisfied that the subscriber concerned requires the advance for a purpose other than those provided for in clause (a) ;

(c) the sanctioning authority shall record in writing its reasons for granting the advance;

(d) an advance shall not, except for special reasons to be recorded in writing be granted;-

* Incorporated vide Amendment No. 23.

(i) in excess of three month's pay or half the amount at the credit of the subscriber in the Fund, whichever is less, or

(ii) until repayment of the last instalment of any previous advance:

Provided that if the reason is of a confidential nature, it may be communicated to the Account Officer personally and or confidentially.

Note: For the purpose of this Statute "pay" includes dearness pay if any.

(2) The sanctioning authority shall not, under any circumstance grant to a subscriber from the Fund-

(a) an advance during the month in which he retires or proceeds on leave preparatory to retirement from service on superannuation;

(b) an advance unless a period of six months has elapsed after the grant of a previous advance;

(c) an advance during the last one year of service, immediately preceding the date of retirement, to a subscriber who has elected not to subscribe to the Fund during the said period in accordance with the third proviso to clause (i) of Statute 50.

(3) Sanctioning of a temporary advance from the Provident Fund shall not result in a position where by the amount of advance outstanding repayment plus the advance proposed to be sanctioned is more than 300 per cent of the balance amount at the subscriber's credit with the Government after disbursing the advance to be sanctioned. The following formula may be adopted for determining the maximum amount of advance admissible at a particular time:

3a-b 'a' represents the balance at credit and 'b' represents the outstanding
4 balance of the previous advance / advances.

Illustration: (a) Rs. 6,000 (b) Rs. 2,000 maximum temporary

$$\text{advance admissible is } \frac{3a-b}{4} = \frac{(3 \times 6000)-2000}{4} = \frac{18000-2000}{4}$$

$$= \frac{16000}{4} = \text{Rs. 4,000}$$

(3) When an advance is sanctioned under clause (1) before re-payment of last instalment of any previous advance is completed the balance of any previous advance not recovered shall be added to the advance so sanctioned and the instalment of recovery shall be fixed with reference to the consolidated amount.

(4) The amount of an advance shall be a sum expressed in whole Rupees and the monthly installments of repayments shall also be in equal number of whole Rupees, the advance applied for being raised or reduced if necessary to enable the installments to be thus fixed.

60. *Recovery of Advance*:- (1) (a) An advance shall be recovered from the subscriber in such number of equal monthly installments as the sanctioning authority may direct, but such number shall not be less than twelve unless the subscriber so elects; or in any case not more than twenty-four.

(b) In special cases where the amount of advance exceeds 3 months pay of the subscriber under item (i) of sub-clause (d) of clause (1) of Statute 59, the sanctioning authority 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, repay two or more installments in a month.

(2)(a) Recovery shall be made in the manner prescribed in Statutes 52 and 53 for the realisation of Subscriptions and shall commence with the first issue of pay for the month following the month in which the advance is drawn.

(b) Recovery shall not be made, except with the subscriber's consent, while he is on leave, which either does not carry any leave salary or carries leave salary equal to or less than half pay, or while undergoing any course or on receipt of subsistence allowance and may be postponed on the subscriber's written request by the sanctioning authority during the recovery of an advance of pay granted to the subscriber.

(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 the balance of the amount withdrawn shall with interest at the rate provided in Statute 58 be forthwith repaid by the subscriber to the Fund, and in case of default, be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber in a lump sum or in monthly installments not exceeding twelve as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under sub-clause (d) of clause (I) Statute 59:

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

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

(5) Recoveries towards temporary advance previously granted and outstanding, will not be made during the last one year of service immediately preceding the date of retirement in respect of a subscriber who has elected not to subscribe to the Fund during the said period in accordance with the third proviso to clause (I) of Statute 50.

61. *Payment towards Insurance Policies:-* (1) Subject to the provisions of Statute 71, withdrawals from the Fund may be permitted to meet-

- (a) a payment towards policy of life insurance;
- (b) the purchase of a single payment life insurance policy:

Provided that no amount shall be withdrawn (i) before the details of the proposed policy have been Submitted to the Account Officer and accepted by him as suitable, or (ii) to meet any payment of purchase made or effected more than three months before the withdrawal, or (iii) in excess of the amount required to meet a premium or subscription actually due for payment within three months of the date of withdrawal:

Provided further that no amount may be withdrawn to meet any payment or purchase in respect of an educational endowment policy if that policy is due for payment in whole or part before the subscriber's age of normal superannuation:

Provided also that amount withdrawn shall be rounded to the nearest whole Rupee.

(2) The Account Officer shall, before accepting as suitable the details of the proposed policy, satisfy himself that the policy is taken out mainly for the benefit of the subscriber's family and shall refuse to accept a policy which does not fulfil this condition.

62. *Restriction on withdrawal:-* (1) The number of policies in respect of which withdrawal of subscription from the Fund may be permitted under Statute 61 shall not exceed four.

(2) The premium for a policy in respect of which withdrawal of subscriptions from the Fund may be permitted under Statute 61 shall not be payable otherwise than annually.

63. *Liability to Subscribe after withdrawal:-* If the subscriber withdraws any amount standing to his credit in the Fund for any of the purposes specified in Statute 61, he shall continue to pay to the Fund the subscription payable under Statute 51.

64. *Procedure for withdrawal, etc:-* (1) A subscriber who desires to withdraw any amount under Statute 61 shall-

- (a) intimate the reasons for the withdrawal to the Account Officer by letter;
- (b) make arrangements with the Account Officer for the withdrawal;
- (c) send to the Account Officer, within such period as the Account Officer may require, receipts or certified copies of receipts in order to satisfy the Account Officer that the amount withdrawn was duly applied for the purposes specified in Statute 61.

(2) The Account Officer shall order the recovery of any amount withdrawn in respect of which he has not been satisfied in the manner required by subclause (e) of clause (1) together with interest thereon as the rate determined under Statute 58 in respect of the year in which the payments should have been made from the emoluments of the subscriber and place it to the credit of the subscriber in the Fund.

65. *Insurance Policies for which Withdrawals can be made:-* (1) A policy to be acceptable under these Statutes shall be one effected by the subscriber himself on his own life and shall unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of his wife, or of his wife and children, or any of them be such as may be legally assigned by the subscriber to the Governor. Government shall not make any payment of premia on behalf of subscribers to Insurance Companies nor take steps to keep a policy alive.

Explanation 1:- A policy on the joint lives of the subscriber and the subscriber's wife or husband shall be deemed to be a policy on the life of the subscriber for the purpose of this Statute.

Explanation 2:- A policy which has been assigned to the subscriber's wife shall not be accepted unless either the policy is first reassigned to the subscriber or the subscriber and his wife both join in an appropriate assignment.

(2) A policy may not be effected for the benefit of any beneficiary other than the wife or husband of the subscriber or the wife or husband and children of the subscriber or any of them.

66. *Assignment of policy:-* (1) A policy, within three months after the first withdrawal from the Fund in respect of the policy, shall-

- (a) unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of the wife of the subscriber, or of his wife and children, or any of them, be assigned to the Governor as security for the payment of any sum which may become payable to the Fund under clause (I) of Statute 70 and delivered to the Account Officer the assignment being made by

endorsement on the policy in Form I or Form II or Form III in the Second Schedule to these Statutes according as the policy is on the life of the subscriber or on the joint lives of the subscriber and the subscriber's wife or husband, or the policy has previously been assigned to the subscriber's wife

(b) if it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of the wife of the subscriber, or of the wife and children or any of them be delivered to the Account Officer.

(2) The Account Officer shall satisfy himself by reference to the Life Insurance Corporation, where possible, that no prior assignment of the policy exists.

(3) Once a policy has been accepted by the Account Officer for the purpose of being financed from the Fund, the terms of the Policy shall not be altered, nor shall the policy be exchanged for another policy without the prior consent of the Account Officer to whom details of the alteration or of the new policy shall be furnished.

(4) If the policy is not assigned and delivered, or delivered within the said period of three months, any amount withheld or withdrawn from the Fund in respect of the policy shall, with interest thereon at the rate provided in Statute 58 forthwith be paid or repaid, as the case may be, by the subscriber to the Fund, or in case of default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber by installments or otherwise as may be directed by the Principal.

(5) Notice of assignment of the policy shall be given by the subscriber to the Life Insurance Corporation, and the acknowledgment of the notice by the Life Insurance Corporation shall be sent to the Account Officer within three months of the date of assignment.

Note: The subscriber shall not during the currency of the policy draw any bonus, the drawal of which during such currency is optional under the terms of the policy, and the amount of any bonus which under the terms of the policy; the subscriber has no option to refrain from drawing during its currency shall be paid forthwith in to the Fund by the subscriber or in case of default be ordered by the Account 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.

67. *Fresh Assignment of policies in Cases where Fund is Changed:-* If a subscriber to any other Fund financing his insurance policy or policies under the rules of the Fund comes over to the Fund constituted under

these statutes and intends to finance that policy or policies with that Fund he shall, on re-assignment of the policy or policies by Account Officer concerned in the form prescribed in the Fourth Schedule to these statutes, make within a period of three months of the re-assignment a fresh assignment of the Policy or policies in the appropriate form prescribed in the Second Schedule to these Statutes.

68. *Re-assignment of Policy, etc:-* (1) Save as provided in clause (2) of Statute 70 when the subscriber

(a) quits the service; or

(b) has proceeded on leave preparatory to retirement or if he is employed in a vacation department, on leave preparatory to retirement combined with vacation, and applies to the Account Officer for reassignment or return of the policy; or

(c) while on leave has been permitted to retire or declared by a competent medical authority to be unfit for further service and applies to the Account Officer for reassignment or return of the policy; or

(d) pays or repays to the Fund the whole of any amount withdrawn from the Fund for any of the purposes mentioned in Statute 61 with interest thereon at the rate provided in Statute 58 the Account Officer shall, for and on behalf of the Governor-

(i) if the policy has been assigned to the Governor under Statute 66 reassign the policy in Form I in the Third Schedule to these Statutes to the subscriber, or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber together with a signed notice of the reassignment addressed to Life Insurance Corporation; or

(ii) if the policy has been delivered to him under sub-clause (b) of clause (1) of Statute 66, make over the policy to the subscriber. (2) Save as provided in clause (2) of Statute 70, when the subscriber dies before quitting his service, the Account Officer shall deal with the policy as indicated below, namely:-

(a) if there is a beneficiary and if the beneficiary be the same as the person entitled to his Provident Fund, the Account Officer shall for and on behalf of the Governor, reassign the policy to the beneficiary in Form No. II in the Third Schedule to these Statutes;

(b) if there is a beneficiary who is different from the person entitled to the Provident Fund, the Account Officer shall draw the amount from the Life Insurance Corporation and recoup to the Provident Fund such amount as has been withdrawn for payment or premia together with interest as calculated under Statute 58 and pay the balance if any, to the beneficiary;

(c) if there is no beneficiary, the Account Officer shall draw the amount from the Life Insurance Corporation and credit to the Provident Fund Account of the subscriber and dispose it off as follows:-

From the amount so realised, so much of the amount as has been withdrawn from his Provident Fund amount for the payment of premia with interest as calculated under Statute 58, shall be paid to the person or persons entitled for his Provident Fund amounts. The balance if any will form part of the state of the deceased and shall be paid to his heirs, according to law, provided it is free from attachment by a Court of Law.

69. *Procedure when Policy Matures or Falls Due by Reason of Death of Assignee:-* (1) Policy assigned to the Governor under Statute 66 matures before subscriber quits the service, or if a policy on the joint lives of a subscriber and the subscriber's wife or husband assigned under Statute 66, falls due payments by reason of the death of the subscriber's wife or husband the Account Officer shall, save as provided by clause (2) of Statute 70 proceed as follows:-

(i) If the amount assured is greater than the whole of the amount withdrawn from the Fund in respect of the policy with interest the Account Officer shall, for and on behalf of the Governor, reassign the policy in the Form set forth in the Fourth Schedule to these Statutes to the subscriber or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber, who shall immediately on receipt of the policy moneys from the Life Insurance Corporation pay or repay to the Fund the whole of any amount withdrawn with interest and in case of default, the provisions of clause (4) of Statute 66, applicable to a failure to assign and deliver a policy shall apply;

(ii) If the amount assured is less than the whole of the amount withdrawn with interest, the Account Officer shall realise the amount assured together with any bonus which has accrued and shall place the amount so realised to the credit of the subscriber in the Fund.

(2) Save as provided in clause (2) of Statute 70, if a policy delivered to the Account Officer under sub-clause (b) of clause (1) of Statute 66 matures before the subscriber quits the service, the Account Officer shall make over the policy to the subscriber:

Provided that if the interest in the policy of the wife of the subscriber, or of his wife and children or any of them as expressed on the face of the policy, expires when the policy matures, the subscriber, if the policy moneys are paid to him by the Life Insurance Corporation shall immediately on receipt thereof, pay or repay to the Fund-

(i) the whole of any amount withdrawn from the Fund in respect of the policy with interest thereon at the rate provided in Statute 58, or

(ii) an amount equal to the amount assured together with the amount of any bonus which has accrued, whichever is less and in case of default, the provisions of clause (4) of Statute 66 applicable to a failure to assign and deliver a policy shall apply.

70. *Procedure in which Policy Lapses or is Charged or Encumbered, etc:-*

(1) If the policy lapses or is assigned otherwise than to the Governor under Statute 66 or is charged or encumbered, the provisions of clause (4) of that Statute applicable to a failure to assign and deliver a policy shall apply.

(2) If the Account Officer receives notice of:

(a) an assignment (other than an assignment to the Governor) under Statute 66 of a policy; or

(b) a charge or encumbrance on a policy or;

(c) an order of a Court restraining dealing with the policy or any amount realised thereon, the Account Officer shall not, for and on behalf of the Governor:-

(i) re-assign or make over the policy as provided in Statute 68; or

(ii) realise the amount assured by the policy or re-assign or make over the policy, as provided in Statute 68, but shall forthwith refer the matter to the Government.

71. The provisions of Statutes 61 to 70 shall apply only to subscribers who, before the date of commencement of these Statutes, have been making withdrawals from any other Fund for such payments.

Provided that withdrawals from the Fund shall not be permitted for making payments in respect of any new policy.

72. *Non-Refundable Withdrawals:-* (1) .subject to the conditions specified herein, non-refundable withdrawals from the amount standing to the credit of a subscriber in the Fund may be sanctioned by an authority competent to sanction an advance for special reasons under sub-clause (d) of clause (1) of Statute 59 at any time-

(a) after the completion of *fifteen years of service (including broken periods of service, if any) of the subscriber or within ten years of the date of his

attainment of the age of superannuation, whichever is earlier, except during the month in which he retires or proceeds on leave preparatory to retirement from service on superannuation, for one or more of the following purposes, namely:-

(i) meeting the cost of higher education, including where necessary, the travelling expenses of any child of the subscriber and if he has no child, of any other relative actually dependent on him, in the following cases namely: -

(A) for education outside India for academic, technical, professional or vocational course beyond the high school stage, and

(B) for any medical, engineering or other technical or specialised Course in India beyond the high school stage, provided that the course of study is for not less than three years;

(ii) meeting the expenditure in connection with the marriage of a son or daughter of the subscriber, and if he has no daughter, of any other female relative dependent on him, or repaying any outstanding amount on account of a loan expressly taken for that purpose;

(iii) meeting the expenditure in connection with the illness, including where necessary, the travelling expenses of the subscriber or any person actually dependent on him, or repaying any outstanding amount on account of a loan expressly taken for that purpose;

(iv) purchasing a house site in the name of the subscriber or in the names of the subscriber and his wife or repaying any outstanding amount on account of a loan expressly taken for that purpose from the Government or any other source before the date of application for the withdrawal:

Provided that the house to be constructed on the site so purchased is for the actual residence of the subscriber or his family;

(v) building a suitable house on a site owned or acquired by the subscriber or by the subscriber and his wife or without any assistance from the Provident Fund or acquiring a house together with the site thereof in the name of the subscriber or in the names of the subscriber and his wife, or repaying any outstanding amount on account of a loan expressly taken by the subscriber or his wife from the Government or any other source for any of those purpose before the date of application for withdrawal:

Provided that the house is for the actual residence of the subscriber or his family; and

(vi) making additions or alterations to, or reconstructing, or completing, or repairing a house owned or acquired by the subscriber or by the subscriber and his wife without any assistance from the provident Fund, or repaying any

outstanding amount on account of a loan expressly taken by the subscriber or his wife from the Government or any other source for any of those purposes before the date of application for the withdrawal:

Provided that the house is for the actual residence of the subscriber or his family.

Note: In respect of a female subscriber, the words 'his' and 'wife' occurring in sub-clauses (iv), (v) and (vi) shall be read as 'her' and 'husband' respectively:

(b) after the completion of twenty-five years of service (including broken periods of service) if any of a subscriber or within three years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund for the purpose of purchasing a motor car for his own use or repaying any outstanding amount on account of a Government loan expressly taken for that purpose before the date of application for the withdrawal:

Provided that the pay drawn by subscriber on the date of application is not less than Rs. 710 per mensem.

Explanation:- For the purposes of the proviso the term "pay" means pay as defined in rule 12 (23), Part I of the K. S. R.:

Provided further that the amount of withdrawal shall in no case exceed the actual cost of car or the balance outstanding against the loan taken for the purpose :

Provided also that no withdrawal for the purpose shall be allowed more than once.

(2)(a) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in clause (1) from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or, six months' pay, whichever is less. The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit upto 3/4th of the balance at his credit in the Fund having due regard to the object for which the withdrawal is being made, the status of the subscriber and the amount to his credit in the Fund. The Government may at any time take for themselves powers to sanction non-refundable advance in excess of the normal limit:

Provided that-

(i) a subscriber who has been permitted a non-refundable withdrawal from the Fund for the purpose of building or acquiring a suitable house for residence at any place will not be permitted to make another non-refundable

withdrawal from the Fund for any of those purposes or for the purchase of a house site at the same or another place;

(ii) in the case of a subscriber who has been permitted a non-refundable withdrawal under item (iv) of sub-clause (a) of clause (1) to Purchase a house site, he will not be permitted to make another withdrawal for acquiring another house site or a house together with site at the same or another place;

(iii) a subscriber who has been permitted under item (iv) or item (v) of sub-clause (a) of clause (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 so purchased, by way of sale, mortgage, gift, exchange or lease for a term exceeding three years, without the previous permission of the sanctioning authority.

(b) A subscriber referred to in paragraph (iii) of the proviso to clause (a) 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 continues to be in his possession and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale deed and other documents on which his 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, the sum withdrawn by him shall forthwith be repaid in one lump sum together with interest thereon at the rate provided in Statute 58 by the subscriber to the Fund and in default to such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments, as may be determined by the Government:

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

(3) A subscriber who has been permitted to withdraw money from the Fund under clause (1) shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the Money has been utilized for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump together with interest thereon at the rate provided in Statute 58 by the subscriber to the Fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump or in such number of monthly instalments as may be determined by the Government.

(4) Nothing in clause (3) shall be deemed to require a subscriber whose deposits in the Fund carry no interest, to pay any interest on any sum repayable by him under that clause.

(5) A subscriber who has drawn an advance under Statute 59 for any of the purposes specified in items (i), (ii) and (iii) of sub-clause (a) of clause (1) may convert, at his discretion, by written request addressed to the Account Officer through the sanctioning authority, the balance of the advance outstanding into a non-refundable withdrawal on his satisfying the conditions laid down in clause (1) to (4).

(6) The actual withdrawal from the Fund shall be made only on receipt of an authorisation from the † [Accounts Officer (Provident Fund), Office of the Director of Collegiate Education/Account Officer (Provident Fund), Office of the Director of Technical Education) who will arrange this on receipt of formal sanction issued by the sanctioning authority.

73. *Recovery of Moneys Drawn or Withdrawn from the Fund or Improper Use:-* Notwithstanding anything contained in the Statutes in this chapter if the sanctioning authority is satisfied that money drawn as advance from the Fund under clause (1) of Statute 59 or withdrawn from the Fund under Statute 61 has been utilized for a purpose other than that for which sanction was given to the drawal or withdrawal of the money, the amount in question shall, with interest at the rate provided in Statute 58 forthwith be repaid or paid, as the case may be, by the subscriber to the Fund, or in default, be ordered to be recovered by deduction in a lump sum from the emoluments of the subscriber, even if he be on leave. If the total amount to be repaid or paid, as the case may be, be more than half the subscriber's emoluments, recoveries shall be made in monthly instalments from his emoluments till the entire amount recoverable be repaid, or paid, as the case may be, by him.

Explanation:- In this Statute, the term “emoluments” shall not include subsistence allowance.

74. *Final Withdrawal of Accumulations in the Fund:-* (1) When a subscriber quits the service, the amount standing to his credit in the Fund shall become payable to him :

Provided that a subscriber who has been dismissed, removed or compulsorily retired from service and is subsequently reinstated in the service shall, if required to do so by the Government, repay any amount paid to him from the Fund in pursuance of this Statute, with interest thereon in the manner laid down in the proviso to Statute 75.

†Substituted vide Amendment (No. 3) Notification No. Ac L/PS/3/80 dt. 26-4-1980.

(2) The amount repaid by a subscriber under the proviso to clause (1) shall be credited to his account in the Fund.

(3) A subscriber holding a Post in an officiating or temporary capacity may either withdraw the amount on the termination of his posts or leave it in the Fund to be withdrawn at the time he finally quits service.

Note:- When a subscriber quits service for appointment in Government service his balance in the Fund shall be transferred to the Government Provident Fund with the concurrence of the Account Officer of the Fund.

75. *Amount in Fund Payable when Subscriber Proceeds on leave Preparatory to Retirement etc:-* When a subscriber-

(a) has proceeded on leave preparatory to retirement or, if he is employed in a vacation department, on leave preparatory to retirement combined with vacation; or

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

(c) has attained the age of superannuation but has not been permitted to retire from service owing to some reason or other;

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

Provided that the subscriber if he returns to duty, shall, if required to do so by the authority competent to sanction an advance for the grant of which special reasons are required under sub-clause (d) of clause (1) of Statute 59 repay to the Fund, for credit to his account, the whole or part of any amount paid to him from the Fund in pursuance of this Statute with interest thereon at the rate provided in Statute 58 in cash or securities or partly in cash and partly in securities, by instalments or otherwise by recovery from his emoluments or otherwise, as may be directed by the authority.

76. *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;-

(i) When the subscriber leaves a family-

(a) if a nomination made by the subscriber in accordance with the provisions of Statute 55 or of the corresponding Statutes heretofore in force 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 legal majority;
- (ii) sons of deceased sons who have attained legal majority
- (iii) married daughters whose husbands are alive;
- (iv) married daughters of deceased sons whose husbands are alive [if there is any member of the family other than those specified in items (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 shares only the share which that son should have received if he had survived the subscriber and had been exempted from the provisions of item (i) in the preceding provision.

(2) When the subscriber leaves no family and if a nomination made by him in accordance with the provisions of Statute 55 or of the corresponding Statutes heretofore in force in favour of any person or persons subsists, the amount standing to his credit in the Fund or the portion thereof to which the nomination relates, shall become payable to his nominees in the proportion specified in the nomination.

Note 1: Payment of Provident Fund money due to a minor beneficiary of a deceased subscriber may be made to the guardian nominated by the subscriber and when the subscriber has not nominated a guardian, a guardian appointed by the Court to receive payment, on behalf of a minor beneficiary should alone be recognized even where the amount involved does not exceed the limit of Rs. 5,000 specified in clause (b) of sub-section (1) of section 4 of the Provident Funds Act, 1925. But if the party pleads inability to incur expenditure for obtaining the guardianship certificate from the Court, the orders of the Government should be obtained for making any payment.

Note 2:- Payment may, however, be made without requiring the production of a guardianship certificate from the Court if the share of a minor

beneficiary does not exceed Rs. 500 and when the total amount payable to all the minors in a particular case does not exceed Rs. 1,000 orders of the Government being obtained in cases when the above limits are exceeded-

- (i) to the natural guardian of such minor beneficiary; or
- (ii) in the absence of a natural guardian, to the person considered fit by the principal to receive payment on behalf of such minor beneficiary, on such person executing a bond in the form in Appendix II signed by two sureties agreeing to indemnify the Government against any subsequent claims which might arise:

Provided that the natural guardian if it is considered expedient may also be required to execute a bond signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise before the payment is made:

Provided further that, in cases governed by the Hindu Law, payment may be made, without requiring the production of a guardianship certificate from the Court, to a Hindu widow of a deceased subscriber on behalf of her minor children other than step - children irrespective of the limit of Rs. 500 specified above and such widow, if considered expedient, may also be required to execute a bond signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise before the payment is made:

Note 3:- Payment of Provident Fund money due to a person nominated to receive the whole or part of the amount standing to the credit of a subscriber in the Fund shall be made as follows in cases where the nominee dies after the subscriber but before receiving payment:-

- (a) When the amount due to the deceased nominee does not exceed Rs. 500 the Account Officer may authorise payment of the amount to the claimant or claimants reported by the Collector of the district concerned to be entitled to receive payment, after making such enquiry into the right and title of the claimant or claimants as the Collector may deem sufficient, if the Collector considers that the production of letters of administration or other legal authority may be dispensed with. The records of enquiry should contain the signed statements of atleast two trustworthy or disinterested persons:

Provided that the Collector may, in such cases, if he considers expedient require the party to execute before the payment is made, a bond in the form in Appendix III signed by two sureties agreeing to indemnify the Government against any subsequent claims which might arise;

(b) When the amount due to the deceased nominee exceeds Rs. 500 payment shall be made by the Account Officer, to the person who produces probate or letters of administration evidencing the grant to him of administration to the estate of the deceased nominee or a succession certificate entitling the holder thereof to receive payment of the amount:

Provided that in cases where the Government are satisfied of the right and title of a person claiming payment as heir of the deceased nominee and that undue delay and hardship would be caused by insisting on the production of letters of administration or other legal authority, they may authorise the Account Officer to pay the amount to the claimant on his executing a bond in the form in Appendix III signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise.

Note 4:- Notwithstanding the grant of a succession certificate in favour of any one or more of the claimants, the Provident Fund balance standing to the credit of a deceased subscriber shall be paid to the claimant or claimants in accordance with the provisions of the Provident Funds Act, 1925 and the Rules made thereunder.

†(3) When the subscriber leaves no family and if no valid nomination is made by him in accordance with Statute 55, the amount standing to his credit shall be payable to the person/persons claiming the amount on the authority of heirship certificate issued by the Tahsildar concerned, if the amount does not exceed Rs. 5,000/- and on the authority of a succession certificate or a probate or letter of administration when the amount exceeds Rs.5,000/-

77. *Duty of Account Officer to make Payment when Amount becomes Payable:-* When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Account Officer to make payment as provided in section 4 of the Provident Funds Act, 1925.
78. *Payment etc., to Lunatics:-* If the person to whom, under these Statutes, any amount or policy is to be paid, reassigned or delivered is a Lunatic for whose estate a Manager has been appointed in this behalf under the Indian Lunacy Act, 1912, the payment, re-assignment or delivery shall be made to such Manager and not to the Lunatic.
79. *Relaxation of the Provisions of the Statutes in Certain Cases:-* When the Chancellor is satisfied that the operation of any of the Statutes in this

† Introduced vide Amendment No. 13. Notified vide University notification No. Acad. L/PS/12/89 dt. 18-2-1985 effective from 30-1-1985.

Chapter causes or is likely to cause undue hardship to a teacher in a private college, he may, after recording his reasons for So doing, deal with the case of such teacher in such manner as may appear to him to be just and equitable notwithstanding anything to the contrary contained in this Chapter:

Provided that a case shall not be dealt with in any manner less favourable to such teacher than that prescribed in these Statutes.

80. *Rules of Procedure*:- (1) All sums paid into the Fund under these Statutes shall be credited in the books of Government to an account named "The Kerala Private College Teachers Provident Fund". Sums of which payment has not been taken within one year after they become payable under these Statutes, shall be transferred to "Deposits" at the end of the year and treated under the ordinary rules relating to deposits.

(2) 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 Account Officer. Any change in the number shall similarly be communicated to the subscriber by the Account Officer.

(3) As soon as possible after the close of each year, the Account Officer shall send to each subscriber a statement of his account in the Fund showing the opening balance as on the 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. The Account Officer shall attach to the statement of account an inquiry as to whether the subscriber:-

(a) desires to make any alteration in any nomination made under Statute. 55 or under the corresponding Statutes heretofore in force;

(b) has acquired a family in cases where the subscriber has made no nomination in favour of a member of his family under the proviso to clause (1) of Statute 55.

(4) Subscribers should satisfy themselves as to the correctness of the annual statement, and errors should be brought to the notice of the Account Officer within three months from the date of receipt of the Statement.

(5) The Account Officer, shall, if required by a subscriber once but not more 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.

81. *Procedure for Drawing Advance*:- Application for an advance against Provident Fund Deposit shall be in Form B and for a non-refundable

withdrawal from Provident Fund shall be in Form BI. Applications of all teachers in Private Colleges shall be sent through the Principal of the College who shall verify the details with reference to the last credit card, copies of pay bills and other relevant documents. In the case of Principals such application shall be sent through the Deputy Director of Collegiate Education concerned who shall verify the details with reference to the said documents.

82. *Form of Sanction:-* Sanction for the grant of temporary advance shall be in Form C. In the case of non-refundable advance, the sanction shall be accompanied by Form C1 also.

Note:- The sanction for withdrawal, refundable or non - refundable shall remain operative for a period of three months only and shall be deemed to have lapsed thereafter, unless specifically renewed.

83. *Bills for Payments:-* Bill for payments shall be in Form D. A separate bill shall be drawn for each payment of Provident Fund money by the Principal of the Private College in which the teacher is working or by any other authorized to draw his pay bills.

Note 1:- In respect of final withdrawals from Provident Fund exceeding Rs. 1000 disbursement certificate shall be furnished to the Account Officer immediately after payment has been made. In respect of payments not exceeding Rs. 1,000 a certificate relating to the period from September to 31st August of each year shall be furnished in the following form by the disbursing officer along with the Provident Fund schedule for November (Schedules attached to October pay bills paid in November) each year.

“Certified that in respect of all final withdrawals from Provident Fund of amounts not exceeding Rs. 1,000 in each case drawn on bills from..... to..... disbursement have been duly made to the parties authorized to receive payments and their acquittances obtained and filed in my Office”.

A ‘Nil’ certificate should be furnished along with the schedules even if there is no disbursement below Rs. 1,000 in any Office in a particular year.

Note 2:- In respect of withdrawal for insurance premium, the drawing officer shall furnish in the bill for withdrawal a certificate to the effect that he is satisfied that the amount previously withdrawn towards payment of insurance premium has been utilised for the purpose for which it was intended and that the necessary premium receipt has been duly encased by him.

84. *Closure of Provident Fund Account:-* (1) Application received for closure of Provident Fund Account in Form E shall be sent by the Principal of the Private College in which the subscriber is working sufficiently early to the Zonal Deputy Director of Collegiate Education concerned so as to enable him to forward it along with necessary documents to the Account Officer within a fortnight of the event which necessitates the closure of the Provident Fund Account.

(2) In respect of deceased subscribers, the application for the closure of their Provident Fund Account in Form E obtained from any nominee or other, claimant along with heirship certificate, succession certificate and other documents required for closing the Account and arranging payment shall be forwarded by the Principal through the Zonal Deputy Director of Collegiate Education to the Account Officer within a fortnight of the death of the subscriber.

(3) The Account Officer shall, on receipt of the application for closure of Provident Fund Account in Form E along with the necessary documents, close the account and issue an authorisation in Form F to the Principal or the authority who disburses the salary of the subscriber.

(4) Bill for the drawal of the money shall be in Form D.

(5) Bills are to be drawn and disbursed after complying with necessary formalities prescribed therefore. In the case of deceased subscribers, the Principal of the College in which the subscriber was last working shall draw and disburse the amount after due verification of the title and identification of the claimants.

85. *Depositing Arrears of Pay, etc, in the Provident Fund Account:-* Notwithstanding anything contained in this Chapter, the Government may, by order direct that the whole or any part of the arrears of pay and allowances or both payable to Subscriber under a scheme of revision of pay or allowances or both implemented with retrospective effect shall be credited to the Fund and every subscriber to whom such order applies shall comply with it.

CHAPTER VI

Miscellaneous

86. (1) *Payment of Arrears of Contributory Provident Fund by the Management or the University:-* If the University or the Management has committed default in the payment of its share of the contribution towards the Contributory Provident Fund of a teacher which was in existence before the commencement of these Statutes, the University or

such Managements as the case may be shall immediately after the commencement of these Statutes, credit such defaulted amount to the account of the Government.

(2) A teacher, the contribution to whose account has been defaulted by the University or the Management shall apply to the University or the Management, as the case may be, for crediting the amount of contribution in default to the account of the Government.

(3) A copy of the application, under clause (2) shall be submitted to the Government.

(4) Failure to make an application under clause (2) shall not be deemed to affect the liability of the University or the Management to credit any amount to the account of the Government as required by clause (1).

By order of the Governor
V. VENKITANARAYANAN
 Special Secretary to Government

FORM 1

(See Statute 30, Chapter IV)

**Application for admission to the Provident Fund for
 Teachers in Private Colleges**

1. Name of Subscriber :
2. Father's Name :
3. Date of birth :
4. General educational qualifications :
5. Professional educational qualifications :
6. Name of private college in which
 present he/she is employed at :
7. Designation of appointment held :
8. Date of entertainment in the institution :
9. Pay now drawn :
10. If subscriber to any existing Provident
 Fund, the name of the Fund and
 Account No. :

I, hereby declare that the above entries are correct to the best of my knowledge and that I accept the Statutes governing the Private

College Teachers' Provident Fund and I agree to abide by them in case I am admitted to the benefits of the Fund.

Signature of Subscriber

Nomination

In case of my admission to the Fund and in the event of my death occurring while my account in the Fund is open, I desire that the amount due to me from the Fund, viz., the amount standing to my credit, in the Treasury Savings Banks and the Government contribution due to me shall be paid:-

(a) If any widow (s) (husband) or and child(ren) survive (s) me to such one or more of them as are specified in Schedule I below and in the manner shown against his or their names: and

(b) If neither a widow (husband) nor a child survives me to the persons specified in Schedule II below and in the manner shown against his or their names.

The amount due to a nominee who is a minor at the time of my death should be paid to the person whose name appears in column (5) of Schedule I/II.

Note:- Where a widow is excluded under clause (3) of Statute 40 the subscriber, may, if there is neither a surviving child nor any other surviving widow, distribute the amount under Schedule II.

SCHEDULE I

Manner of Distribution in case there is a surviving Widow (s) / Husband or/and Child(ren)

1	2	3	4	5	6
<i>Name and address of the nominee or nominees</i>	<i>Relation-ship with the subscriber</i>	<i>Whether major or minor; if minor, state age of minor</i>	<i>Amount or share of deposit</i>	<i>Name and address of the person to whom payment is to be made on behalf of the minor</i>	<i>Sex and parentage of person mentioned in col. (5)</i>

SCHEDULE II
Manner of Distribution in case there is no Surviving Widow
(Husband) or Child

1	2	3	4	5	6
<i>Name and address of the nominee or nominees</i>	<i>Relation-ship with the subscriber, if any</i>	<i>Whether major or minor; if minor, state age of minor</i>	<i>Amount or share of deposit</i>	<i>Name and address of the person to whom payment is to be made on behalf of the minor</i>	<i>Sex and parentage of person mentioned in col. (5)</i>

Station:

Date :

Signature of Subscriber

Two witnesses :

Certificate to be given by the Principals.

I hereby certify that the pay of the subscriber shown in column (9) of the above application is correct.

Station :

Date:

*Principal***FORM 2**

(See Statute 30, Chapter IV)

Name	:					
Date of birth	:					
Date of admission to the Fund	:					
Details of service, rates of pay and periods during which subscriptions are made	:					
1	2	3	4	5	6	7
<i>Name of the College in which employed</i>	<i>Designation of the post held</i>	<i>Rate of pay</i>	<i>Period for which subscription was paid</i>	<i>Particulars of periods during which subscription was not paid with reasons therefor</i>	<i>Attestation by the Zonal Deputy Director of Collegiate Education</i>	
			<u>From</u> <u>To</u>			

- Note:-* 1 Zonal Deputy Director of Collegiate Education concerned shall maintain separate register on behalf of Colleges in each Taluk for each District.
- 2 Columns (1) to (4) to be filled up at the outset, column (5) to (7) to be filled up whenever there is change in designation, rate of pay or the college of employment and a fresh set of entries commence filling up columns 1 to 4.
- 3 Periods during which subscriptions were paid due to the subscriber going on leave, out of employment, etc, should be noted in column (6), briefly with reasons therefor.

FORM 3

(See Statute 34, Chapter IV)

Name of the College..... month of.....

<i>Account No. as in the pass book</i>	<i>Name of subscriber</i>	<i>Monthly pay of the subscriber</i>	<i>The teacher's subscription</i>	<i>Amount of advance refunded</i>	<i>Total</i>
		Rs.	Rs.	Rs.	Rs.
Total					

Serial Number

Name of the Subscriber

Name of the College in which employed

Name of Treasury in which the Accounts stand open

Account No. in pass book

Months upto which subscription has been paid

Total amount at credit as in the Pass book

Balance of any advance drawn still to be refunded

Date on which the subscriber left the College

Name of the College to which the subscriber has gone

Name of Treasury to which the Account is to be transferred

Date of application for transfer of Account

Date of order of Zonal Deputy Director of Collegiate Education

Concerned sanctioning transfer of account

Date of return of the pass book to the subscriber

To be filled in only in Register maintained in College

Date of issue of certificate showing the period to which the subscriber subscribed to the Fund while in the College

Register of Transfers of Accounts sanctioned by the Zonal Deputy Director of Collegiate Education concerned on behalf of Subscriber admitted to the Provident Fund

(See Statute 34, Chapter IV)

FORM 4

‡FORM - 4 A

(See Statute 34, Chapter IV)

**Application for Closure of Contributory Provident Fund of
Private College Staff**

1. Name of applicant :
2. Designation :
3. Date of birth :
4. Date of admission to C. P. F. :
5. Date of retirement /
termination of service :
6. Reasons for closure :
7. C. P. F. /S. B. Account No. :
8. Name of Treasury at which
the Account is maintained :
9. Total amount at credit :
10. College from which
admitted to C. P. F. :
11. Colleges in which the subscriber
worked since 4/76 with dates :
12. Special reasons if any in the
case of premature closure :
13. Whether valid nominations
have been duly filled and if
so the name and particulars
of the nominee (s) :
14. Signature of the applicant :
15. Place and Date :
16. Recommendation
of the Principal :

‡ Introduced vide Amendment (No. 7) to the Pension Statutes Notification No. Acad. L/PS/6/82 dt. 19-6-1982, published in Kerala Gazette No. 30 dt. 27-7-1982, effective from 29-5-'82.,

Serial No.

Name of subscriber

Name of the College in which employed

Account No. in the pass book of the subscriber

Months from which subscription to the Fund commenced

Months upto which subscription has been paid

Amount at credit as in the pass book

Balance of any advance drawn still to be refunded

Date on which the subscriber quitted the Fund

Date of application for closure of the Account

Reason for closure of Account Zonal Deputy Director's order as to eligibility of subscriber for the Government contribution

Total amount withdrawn from Savings Bank

Amount paid to subscriber

Accountant General's order on the application for Government contribution

Amount authorized by the Accountant General for payment Date on which amount was drawn

To be filled in only in the Register maintained in the College Date of disbursement to the Subscriber with his signature

Register of Closure of Accounts of Subscribers in the Provident Fund Sanctioned by the Zonal Deputy Director of Collegiate Education concerned

FORM 5

(See Statute 34 (8), Chapter IV)

FORM 6

[See Statute 37, Chapter (IV)]

Register of Advances from the Provident Fund sanctioned by the Zonal Deputy Director of Collegiate Education concerned on behalf of the Subscribers and their Refund

<i>Sl. No.</i>	<i>Name of subscriber</i>	<i>Name of Institution in which employed</i>	<i>Account Number as in the pass book of the Subscriber</i>	<i>Amount at credit of the subscriber</i>	<i>Amount of advance applied for</i>	<i>Purpose for which advance is required</i>	<i>Amount of advance sanctioned by the Zonal Deputy Director of Collegiate Education</i>	<i>Number of monthly instalments in which advance repayable</i>	<i>Month in which the advance was drawn by the subscriber</i>
1	2	3	4	5	6	7	8	9	10
Months in which the several instalments were refunded									
1	2	3	4	5	6	7	8	9	10
(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)
	(30)	(31)	(32)	(33)	(34)				

FORM 9

[See Statute 38 (3) (d), Chapter IV]

Register to be maintained by the Zonal Deputy Director of Collegiate Education

<i>Sl. No.</i>	<i>Policy No.</i>	<i>Amount of when premium due</i>	<i>Re-marks</i>	<i>Premium withdrawn premium receipts received</i>				
				<i>Amount</i>	<i>Month</i>	<i>Period covered paid</i>	<i>Dated initial of the Zonal Deputy Director of Collegiate Education concerned in token of inspection and stamping on the receipt with "No abatement of Income - Tax" stamp</i>	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

FORM 10

[See Statute 38 (5), Chapter IV]

Reassignment by the Governor of Kerala

The Governor of Kerala doth hereby reassign the policy to the said A. B.

Dated this.....

Executed by the Zonal Deputy Director of Collegiate Education concerned on behalf of the Governor of Kerala in the presence of

day of..... 20.....

Signature of the Zonal Deputy Director of Collegiate Education.

(one witness should add his designation and address)

FORM 11

[See Statute 40 Chapter IV]

Bill for Contribution to Private College Teachers' Provident Fund

Received the sum of Rs..... (.....) being the amount due from Government as contribution to Private College Teachers' Provident Fund as per Chapter IV for disbursement to.....

Certified that acknowledgement from the payees will be forwarded to the Accountant General as soon as the amount is disbursed to the parties concerned.

Signature of Countersigning Officer
Zonal Deputy Director of Collegiate Education.

Signature of the Principal

FORM-A

(See Statute 54, Chapter V)

Name of the College..... Please read, carefully the instructions printed on the reverse before filling in the form.

Statement of particulars for allotment of Provident Fund Account Numbers to compulsory subscribers for the month

Head of account to which pay and allowances are debited..... Name of Fund

<i>Sl. No.</i>	<i>Name of Subscriber</i>	<i>Name of Subscriber's Father / Husband</i>	<i>Date of birth of subscriber</i>	<i>Date of joining Service</i>	<i>Designation</i>	<i>Emoluments</i>	<i>Monthly rate of subscription (in whole rupees)</i>	<i>Month from which subscription to commence</i>	<i>Remarks</i>	<i>To be filled by account officer</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

No. Dated No. Dated

Forwarded in triplicate to the Account Officer for necessary action. The teachers whose names are included in this statement are required to join the Fund under the statutes of the Kerala University. Their names have not been included in the previous statements and they are not already members of any Provident Fund (Nominations of teachers are enclosed as mentioned in the remarks column).

Returned to Account Nos. allotted may be intimated to the subscribers and also noted in the service books, nominations and other office records. In all correspondence connected with, this should be quoted. Receipt of nominations in respect of teachers at Sl. Nos..... is hereby acknowledged.

Name of the College

Account Officer

Instructions for filling the statement

- (a) This form should be used only in cases where subscription to the Fund is compulsory.
- (b) Separate forms should be used for different Provident Fund e.g. General Provident Fund, Contributory Provident Fund, etc.
- (c) Separate forms should be used for persons whose pay and allowances are debited to different major and sub-major heads of account.
- (d) Name of the Fund may be filled in by suitable words (e.g.) Teacher's Provident Fund.
- (e) The statement should be sent in triplicate. It should include permanent teachers who joined service in previous month and are required to join the Fund compulsorily on entry into Private College and temporary teachers who will complete one year's continuous service or otherwise become eligible to subscribe to the Provident Fund, three months hence.
- (f) Column 3. Husband's name (instead of father's name) may be given in respect of married female subscribers indicating the position.
- (g) Column 7. Dearness Pay, if any, may be distinctly shown.
- (h) Column 8. Please see Statute of the Private College Teachers' Provident Fund.
- (i) In the case of teachers nomination should be obtained in the prescribed form from the subscriber and forwarded to the Accountant General along with this statement making a suitable note in the remarks column.

†FORMB*(See Statute 81, Chapter V)***Form of Application for Temporary Advance against Deposits in Kerala
Private College Teachers' Provident Fund**

1. Name and Account No. of the Subscriber :
2. Monthly pay, Dearness pay and Designation :
3. Date of Birth :
4. Amount of advance required
(both in figures and words) :

† Substituted vide Amendment (No. 8) to the Pension Statutes Notification No. Acad. L/PS/7/82 dt. 9-7-1982, published in Kerala Gazette No. 31, dt. 3-8-1982, effective from 30-5-82.

5. Purpose for which it is required :
6. Date of complete repayment of the previous loan :
7. Details of advances pending recovery :
- (1) the amounts of previous advances--
- (2) dates of drawal of each advance--
- (3) balance outstanding against each advance--
8. Amount of consolidated advance :
- (Item Nos. 4 and 7 (3) and the number and amount of monthly instalments in which the Consolidated advance is proposed to be repaid).
9. Name of treasury at which payment is desired :
10. I hereby declare that the above statements are true and that I agree to abide by the Kerala Private College Teachers' Provident Fund Statutes in force. I also promise to repay the above advance in equal monthly instalments.

Place: _____ Signature of the Subscriber with
Date: _____ Name and Designation

11. Enquiry Certificate :

Place: _____
Date : _____ (Signature of the Principal)

Verification Report

12. Total amount at the credit of the applicant :
13. Amount of advance admissible :
14. No. of instalments of repayments :
15. Any other fact requiring consideration :

Account Officer / Head of Office/Department

FORMBI

(See Statute 81 of Chapter V)

Application for Non-Refundable Withdrawal from the Kerala Private College Teachers' Provident Fund

1. Name and designation of the Subscriber :
2. Pay and dearness pay :
3. Provident Fund Account No. :
4. Whether Subscriber had opted for the Kerala Private College Teachers' Provident Fund Statutes within the prescribed time limit :
5. Date of retirement on superannuation :
6. Total service (in years) under the management as on this date :
- *7. Object of the withdrawal :
- (a) If the withdrawal is required for meeting the expenditure in connection with the- :
- (i) higher education of any child or dependent of the subscriber, specify the nature and duration of the Course (in the case of a dependent, also specify whether the Subscriber, has any child) :
- (ii) marriage of a son or daughter or any other female relative dependent on the subscriber. Indicate also the month in which the marriage takes place (In the case of a dependent, specify also whether the subscriber has any daughter) :
- (iii) illness of the subscriber or any person actually dependent on him; mention the nature of illness also :

*7. In respect of a female subscriber who applies for the withdrawal for house construction or allied purpose, the words 'his' and 'wife' occurring in column 7 may be read as 'her' and 'husband' respectively.

- (iv) acquisition of a house and/or site, furnish in whose name (s) (subscriber (s) and or his wife's) it will be acquired and whether it is for the actual residence of the subscriber and /or his family :
- (v) construction, reconstruction, repairs, etc. of a house; state whether the site on which the house is proposed to be constructed or the site on which the house proposed to be reconstructed, repaired, altered etc., is situated, is owned by the Subscriber and / or his wife, and whether the house is for the actual residence of the subscriber and / or his family :
- (b) If the withdrawal is required for payment of a loan taken for the-
 - (i) marriage of a son or daughter or any female relative dependent on him; specify the amount of loan taken on account of the marriage, the balance outstanding against it and the date on which the marriage has been celebrated :
 - (ii) construction of a house or allied purpose; state the amount of loan expressly taken for the purpose, the balance outstanding against it and in whose name (subscriber (s) and /or his wife's) the ownership of the house and / or site is vested :
- 8. Amount of the loan, if any, taken by the subscriber and /or his wife from the Government under any scheme sponsored by them for the grant of house construction loans, and the number and date of the orders / proceedings in which sanction was issued therefor :

This column need be filled in only if the subscriber proposes to make a withdrawal for house construction or allied purpose.

9. Amount of the withdrawal proposed (both in figures and words) :
10. Name of the treasury at which payment is desired. :
11. (a) Whether any non-refundable withdrawal was made by him from the Fund previously for the same or a different object and, if so, furnish the details thereof :
- (b) If any withdrawal Was made as mentioned in (a) above, state whether he had submitted the utilization certificate in respect of that withdrawal to the appropriate authority within the prescribed time limit. If the certificate was not submitted within the said period furnish the reasons therefor. :
12. Special circumstances which necessitate the withdrawal (this column need be filled in only if the amount proposed to be withdrawn exceeds half the amount at the credit of the subscriber in the Fund or six month's pay whichever is less, or if the withdrawal requires sanction in relaxation of any of the provisions in the Statutes) :

Declaration

I, do hereby declare that the above statements furnished by me are true and that I agree to abide by the Kerala Private College Teachers' Provident Fund Statutes as amended from time to time.

Place: _____ Dated Signature of the Subscriber with full official address
(To be filled in by the Principal)

I recommend for sanction the withdrawal of Rs. (Rs.....
..... only) by the subscriber.

Certificates

1. It is certified that I have verified the particulars furnished by the subscriber against columns 2, 3, 4, 5, 6, 8 and 11 with reference to the relevant records in my office and that they are found to be correct.

2. It is also certified that I have caused enquiries to be made about the statement contained in the application regarding the object of the proposed withdrawal and that I am satisfied it is bonafide.

Station:

Dated Signature of Principal

Verification Report

1. Total amount at the credit of the Subscriber In the Fund :
2. Amount admissible under the Statutes :
3. Statute (s) under which the sanction permitting the withdrawals by the subscriber is to be accorded :
4. Any other facts which require special consideration :

Account Officer / Principal.

Endt. No..... dated.....

To

The.....

The verification report shall be furnished by the Principal with reference to the latest annual account slip issued by the Account Officer and the office copies of the pay bills etc., relating to the Subsequent period.

FORMC

(See Statute 82, Chapter V)

Form of Sanction for Temporary Advance from Kerala Private College Teachers' Provident Fund

A temporary advance from the Kerala Private College Teachers' Provident Fund as particularised below is sanctioned by the undersigned under the Statute regarding that Fund.

1. Subscriber's name :
2. Subscriber's designation :
3. Subscriber's pay and dearness pay :
4. Subscriber's Provident Fund Account No. :
5. Amount of advance :
6. Object of advance :

7. Statute or Statutes under which the advance is sanctioned :
8. Balance at credit of the subscriber on this date (as verified from the account last rendered by the Account Officer / Head of Institution/ Department) :
9. Balance of previous advances, if any, outstanding against the subscriber :
10. Date of repayment of previous advance, if any :
11. Special reasons for granting the advance under Statute 59 (1) (d) :
12. Amount of consolidated advances :
‡(items 5 and 9) and the number of instalments in which the consolidated advances are to be recovered :
13. Amount of each such instalment :

Signature of the Sanctioning Authority with designation.

To

The Account Officer (P. F.) Office of the Director of Collegiate Education.
The District Treasury/Sub- Treasury officer.

The.....

Shri.....

FORM C. 1

(See Statute 82, Chapter V)

1. Subscriber's name in full :
2. Subscriber's designation :
3. Subscriber's pay (and D. P. if any) at the time of sanctioning the withdrawal (pay as defined in Rule 12 (23) Part II Kerala Service Rules) :

‡ Substituted vide Amendment No. 9 (Notification No. Ac. L/PS/8/82 dt. 16-7-1982)

4. Subscriber's P. F, Account No. :
5. Object of the non-refundable withdrawal :
6. (i) Particulars and amount of loan, if any, taken by the subscriber for house building purposes under any housing scheme of State Government :
- (ii) Particulars and amount of any other assistance received by the subscriber from other Government sources, for the same purpose :
- (sub columns (i) and (ii) above need be filled up only if the withdrawal is sanctioned for house building or allied purposes) :
7. Balance at the credit of the subscriber on the date of application (as verified from the account last rendered by the Account Officer and subsequent deposits and withdrawals) :
8. Date of retirement
9. Total service rendered by the subscriber on the date of application :
10. Amount of the non-refundable withdrawal :
11. Statutes and orders under which sanction is accorded :
12. No. of instalments in which payment is to be made :
13. Special reasons, if any, for granting the withdrawal :

Form D

(See Statutes 61 and 83. Chapter V)

Form of Bill for Payment of Provident Fund Money Adjustable by

Voucher No.

Date.

Bill for withdrawing final payment / advance/other withdrawals from the Kerala Private College Teachers' Provident Fund of Shri/Smt..... of the for the month of.....

<i>Sl. No.</i>	<i>Name of subscriber and monthly pay</i>	<i>Kerala Private College Teachers' Provident Fund Account No.</i>	<i>No. and date of sanction letter of authority</i>	<i>Final payment / Advance / other withdrawals</i>	<i>Acquittance</i>
1	2	3	4	5	6

Total

(Net amount required for payment in words Rupees.....)

Space for classification

Signature

(Designation of the Drawing Officer)

Stamp

Station:

Date.....

Contents received pay to.....

Pay Rs.

(Rupees)

Treasury Officer examined and entered

(Signature of the Drawing Officer)

Treasury Accountant,

- I. Certified that I have satisfied myself that all sums included in bills in Form D drawn 1 month/2 months/3 months previous to this date in favour of Messrs..... Account Nos..... with the exception of those detailed 1st below (of which the total has been refunded by deduction from this bill) have been disbursed to the proper persons and that their acquittances have been taken and filed in my office with receipt stamp duly cancelled for every payment in excess of Rs. 20.
- II. Certified that the balance at credit / at the credit of the subscriber on the date of the withdrawal covers the sum drawn in the bill. Certified also that the amount asked for in this bill is required to meet the yearly premium due on..... in respect of Policy No..... with the Life Insurance Corporation of India and that the policy in question has been assigned to the Governor and is in the custody of the Account Officer or the details of the policy proposed to be taken have been communicated to and accepted by the Account Officer in his letter No..... dated.....

Certified also that the number of policies financed from the Kerala Private College Teachers' Provident Fund does not exceed four / the number of policies financed from Kerala Private College Teachers' Provident Fund exceeds four as these were accepted prior to the commencement of the Kerala Private College Teachers' Provident Fund Statutes.

Certified that I have satisfied myself that the amount withdrawn previously on the same account have been utilized by the subscriber for the purpose for which it was intended and that the relevant premium receipt / receipts/has/have been duly encased by me.

Signature
(Designation)

Give details here if more than one policy has to be cited.

For use in Audit Office

Admitted Rs.

Objected Rs.

Auditor

FORM E

(See Statute 84, Chapter V)

***Application for Closure of Kerala Private College Teachers'
Provident Fund Account**

1. Name in full of subscriber and Account No. (as indicated in the latest annual account statement received from Account Officer) :
2. Designation :
3. Institution in which he is working/worked last :

*The Form shall be carefully filled in by the subscriber and submitted to the Principal. In the case of a subscriber who is no more, the Principal shall obtain from the nominee (s) in his /her/their absence from the other claimant (s) immediately after the death of the subscriber, an application for closure of the account and to forward it with necessary document to the Account Officer within a fortnight of the receipt of the application. The Principal will give such assistance to the nominees or claimants as is necessary to fill in the form of application properly.

4. Where he had drawn his salary for the month immediately preceding the month in which he retires or proceeds on leave preparatory to retirement from service on superannuation. If so, furnish the date of drawal of the salary :
5. Date of his quitting service (also state whether he will be quitting / he quitted the service by retirement of proceeding on leave preparatory to retirement. If he already quitted service otherwise, specify whether he quitted service by discharge, dismissal, resignation or death) :
6. (a) No. and date of the bill/treasury voucher in which the last Provident Fund deduction was made (Also indicate the name of the Treasury where the bill/voucher was encashed)
- (b) The amount of last Fund deduction-
 - (i) Subscription Rs. :
 - (ii) Refund of advance Rs. :
- (c) Gross amount of the bill / treasury voucher :
- (d) Net amount of the bill / treasury voucher :
- (e) Date of encashment of the bill / treasury voucher :
7. (a) Whether any temporary advance was sanctioned to him from his Kerala Private college Teachers' Provident Fund Account during the twelve months Immediately preceding the date of application for closure of the account his quitting service (if so, indicate the amount of the advance, the number and date of sanction and the date of drawal of the amount
- (b) Whether any non-refundable withdrawal was sanctioned to him from P. F. account during the twelve months immediately preceding the date of application for closure of the account / his quitting service.

(If so, indicate amount of advance, number and date of sanction and the date of withdrawal of the amount. (In both cases, if any amount was sanctioned for payment of insurance premium or for purchase of any policy, that fact should also be noted.) :

8. Particulars of Life Insurance Policies financed by him from P. F. money which are to be released:

Policy No. and Date of purchase	Sum assured Rs.
1.	
2.	
3.	
4.	

9. Name of the office through which payment is to be made:

10. (A) In the event of death of a subscriber before making final disbursement of the P. F. amount, furnish also-

- | | |
|--|---|
| (a) Date of birth of the subscriber | : |
| (b) Date of commencement of continuous service under the management | : |
| (c) Date of death | : |
| (d) Whether proof of death in the form of death certificate issued by the Municipal Authorities or other competent authorities is available (the proof of death need be insisted upon only in cases of doubt) | : |
| (e) Whether a valid nomination executed by the subscriber in accordance with the Statutes exists. (If so, furnish the age (s) and name (s) of the nominee (s) and his/her/their relationship to the subscriber | : |
| (f) In the case of a subscriber who sent in his nomination while unmarried, whether he has acquired a family after the submission of the first nomination and whether he has submitted a fresh one thereafter | : |

- (B) If there is no valid nomination, furnish a list of member (s) of the subscriber's family as defined in Statute 44 of the Kerala Private College Teachers' Provident Fund statutes surviving on the date of death of the' subscriber to who the P. F. money is payable together with his/her/their name(s) age (s) and respective relationship to the subscriber. (In the case of daughter (s) indicate whether she/ they is / are married or unmarried. If married, furnish whether her/their husband (s) is / are alive. :
- (C) In case where there is no valid nomination and where no member of the subscriber as defined in Statute 44 of the Kerala Private College Teachers' Provident Fund Statutes survives, furnish the name (s) of the person (s) to who the P. F. money is payable (to be supported by letters of probate or succession certificate etc.) :
- (D) If the subscriber had continued in service up to the date of his retirement on superannuation, furnish:-
- (i) Date of his retirement from service on superannuation :
 - (ii) Amount at his credit in the Fund at the time of his retirement :
 - (iii) Amount finally withdrawn after retirement; if any :

*** Declaration**

Ido hereby declare that the particulars mentioned above are true. I further declare that I do not/do accept the balance standing to my credit in the Kerala Private College Teachers' Provident Fund Account No..... communicated to me by the Account Officer in his annual

* If the application is submitted by a nominee or other claimants, the second sentence in the declaration may be scored off.

account statement for the financial year ended on the..... 20..... (**).....
 (here enter the financial year immediately preceding the date of his quitting
 service).

*Dated Signature of the Subscriber Nominee (s)
 other claimant (s) with full home address*

Certificate

To be filled in by Principal.

1. Certified after due verification with reference to the records available in my office that Shri / Smt..... subscriber to P. F. Account No..... has drawn on..... his salary for the month immediately preceding the month in which he retires or proceeds on leave preparatory to retirement from service on superannuation and that he will be retiring / proceeding on leave preparatory to retirement from service for..... months / has been discharged/dissmised / removed / has resigned finally from service with effect from..... F. N. /A. N. and his resignation has been accepted.

* Certified also that he has quitted service with the prior permission of the Department to take up appointment in any Government Service.

2. Certified further after the verification with reference to the records available in my office that no temporary advance/non-refundable withdrawal was sanctioned to the subscriber from his Provident Fund account during the 12 months immediately preceding the date of his application for closure of the account / his proceeding on leave preparatory to retirement/quitting service. Certified also after due verification with reference to the records available in my office that the following temporary advance (s) non-refundable withdrawal was / were sanctioned to the subscriber from his Provident Fund account during the twelve months immediately preceding the date of his application for the closure of P. F. account / his proceeding on leave preparatory to retirement / quitting service.

** If the subscriber has not received the annual account statement for the financial year immediately preceding the date of his quitting service, he may indicate here the year of the latest annual account statement received by him. In cases where the subscriber does not accept the balance communicated to him, he should furnish briefly in a separate letter the reasons for not accepting the balance.

* This certificate is not necessary in cases other than resignation.

<i>Amount of Temporary advance Rs.</i>	<i>Amount of non-refundable withdrawal Rs.</i>	<i>No. and date of sanction</i>	<i>Date of withdrawal</i>	<i>Voucher No.</i>
1.				
2.				
3.				
4.				

3. Certified also that the entries against columns 1, 2, 3, 6 and 8 furnished by the subscriber / nominee(s) claimant (s) have been verified by me with reference to my office records and found correct.

Station:

Signature of Head of Institution

Date:

FORM F

(See Statute 84, Chapter V)

Office of the.....

No.

From

The

To

The

Sir,

With reference to your letter No.....dated..... intimating that..... quitted the service / died on and asking for Payment of the amount at..... credit (Account No.....) in the Kerala Private College Teachers' Provident Fund on that date, I authorise you to draw a sum of Rs. (.....) representing the amount of deposit with interest calculated upto by presenting bill at the treasury / cash counter of this office.

2. The disbursement should be made in terms of Statutes of the Kerala Private College Teachers' Provident Fund and a certificate of disbursement of the amount furnished in your next establishment bill.

3. The deceased by a declaration, dated desired that the whole / portion of his accumulations in the Fund should be paid to the persons named below in the proportions mentioned against each.
4. The payee should be informed that he/she shall have to accept the amount when tendered.
5. The has been advised accordingly.

Yours faithfully,
(Signature)
(Designation)

Copy to the _____ for information and favour of necessary action
(Signature)
(Designation)

Note: Paras 2 and 3 maybe cut out when not required.

FIRST SCHEDULE
(See Statute 55 (3), Chapter V)
(Form of Nomination)

I (Name) hereby nominate the person (s) mentioned below to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable or having become payable, has not been paid.

<i>Name and full address of nominee (s)</i>	<i>Relation-ship with the subscriber</i>	<i>Age</i>	<i>Share payable to each</i>	<i>Contingencies on the happening of which nomination shall the become invalid</i>	<i>Name, Address, relationship and age of the person to whom the nominee shall pass in the event of his predeceasing the subscriber</i>	<i>Name and Address of the person to whom share is to be paid on behalf of minor</i>
1	2	3	4	5	6	7

Dated this..... day of..... 20.....at.....

Signature of Subscriber

Name:

Account No.

Two witnesses

- to signature 1.
- 2.

Countersignature of Zonal Deputy Director of Collegiate Education Department.

Instructions

Column 1 A subscriber can nominate more than one person. If he/she has a family as defined in the Kerala Private College Teachers' Provident Fund, the nomination shall not be in favour of any person who is not a member of the family.

Column 4 If the subscriber nominates only one person, the words "In full" may be noted, otherwise the share payable to each so as to cover the whole amount standing at the credit of the subscriber may be specified.

Column 5 Death need not be shown as a contingency. In the case of persons having no family as defined in Kerala Private College Teachers' Provident Fund, the subscriber shall state that the nomination shall become invalid in the event of his subsequently acquiring a family, similarly in the case of a subscriber having only one member in the family and who wishes to nominate another person as alternate nominee he shall specify that the right conferred on the alternate nominee shall become invalid in the event of the subscriber acquiring an additional member in the family.

Columns 6&7 The name to be specified in these columns shall be that of a person other than the subscriber or nominee.

Account No. In the case of a person who filed the nomination along with application for admission to the Fund, this will be furnished by the Account Officer.

SECOND SCHEDULE

(See Statute 66 (l) (a), Chapter V)

Forms of Assignment

I

I, A. B. of..... hereby assign upto the Governor of Kerala the within policy of assurance as security for payment of all sums which under Statute 70 of the Kerala Private College Teachers, Provident Fund statutes I may hereafter become liable to pay to that Fund.

I hereby certify that no prior assignment of the within policy exists.

Dated thisday of 20.....

One witness to signature:

Station:

(Signature of Subscriber)

II

We, A. B. (the subscriber) of..... and C. D. (the joint assured) of in consideration of the Governor agreeing at our request to accept the withdrawal of the sum of Rs..... from the sum at the credit of the said A. B., in the Kerala Private College Teachers' Provident Fund for the payment of the premium of the within policy of assurance hereby jointly and severally assign unto the said Governor the within policy of assurance as security for payment of all sums which under Statute 20 of Kerala Private College Teachers' Provident Fund Statutes the said A. B. may hereafter become liable to pay to the Fund.

We hereby certify that no prior assignment of the within policy exists.

Dated this..... day of..... 20.....

(Signature of Subscriber
and the Joint Assured)

One witness to signature:

Station:

Note:- The assignment may be executed on the policy itself either in the Subscriber's handwriting or in type; or alternatively a typed or printed slip containing the assignment may be pasted on the blank space provided for the purpose on the policy. A typed or printed endorsement must be duly signed and if pasted on the policy it must be initialled across all four margins.

III

I, C. D. wife of A. B. and the assignee of the within policy, having, at the request of A. B. the assured agree to release my interest in the policy in favour of A. B. in order that A. B. may assign the policy to the Governor of Kerala who has agreed to accept the withdrawal of the sum of Rs..... from the sum at credit of the said A. B. in the Kerala Private College Teachers' Provident Fund for payment of the premium of the within policy of assurance, hereby at the request and by the direction of A. B. assign and I, the said A. B. assign and confirm unto the said Governor the within policy of assurance as security for payment of all sums which under Statute 70 of Kerala Private College provident Fund Statutes the said A. B. may hereafter become liable to pay to the Fund.

We hereby certify that no prior assignment of the within policy exists.

Dated this day of..... 20.....

One witness to signature:

(Signature of the Assignee and the Subscriber)

Station

THIRD SCHEDULE

[See Statute 68, Chapter V]

Form of Reassignment by the Governor of Kerala

I

All sums which have become payable by the above named Teacher A. B. under Statute 70 of the Kerala Private College Teachers' Provident Fund Statutes having been paid and all liability for payment by him of any such sums in the future having ceased, the Governor doth hereby reassign the within policy of assurance to the said A. B. / A. B. and C. D.

Dated this..... day of..... 20.....

Executed by--

Account Officer (for and on behalf of the Governor in the presence of)

XY

(Signature of Account Officer)

YZ

(One witness who should add his designation and address)

Witness:

THIRD SCHEDULE

(See Statute 68, Chapter V)

Form of Reassignment by the Governor of Kerala

II

The above named A. B. having died on the..... day of 20.....
the Governor doth hereby reassign the within policy assurance to C. D.

Dated this..... day of..... 20.....

Executed by:-

Account Officer (for and on behalf of the
Governor of Kerala in the presence of)

XY

Signature of Account Officer.

XZ

(One witness who should add his designation and address)

FOURTH SCHEDULE

(See Statute 69, Chapter V)

Form of Reassignment by the Governor of Kerala

The Governor of Kerala doth hereby reassign the within policy to the
said A. B. / A. B. and C. D.

Dated this..... day of..... 20.....

Executed by:-

Accounts Officer (for and on behalf
of the Governor in the presence of)

XY

(Signature of the Account Officer)

YZ

(One witness who should add his designation and address)

APPENDIX I

(See Statute 76, Chapter V)

Payment of Amounts to Nominees

1. Any sum payable under Statute 76 to a member of the family of a
subscriber vests in such member under subsection (2) of section 3 of the Provident
Funds Act, 1925.

2. When a nominee is a dependent of the subscriber as defined in clause (C) of section (2) of the Provident Funds Act, 1925, the amounts vest in such nominee under subsection (2) of section 3 of the Act.

3. When the subscriber leaves no family and no nomination made by him in accordance with the provisions in Statute 55 subsists or of such nomination relates only to and 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 (i) of section 4 of the Provident Funds Act, 1925, are applicable to the whole amount or the part thereof to which the nomination does not relate.

APPENDIX II

(See Note 2 (II) under Statute 76, Chapter V)

Forms of Bond of Indemnity for drawal of Provident Fund money due to the minor child/children of a deceased subscriber by a person other than its / their natural guardian where each minor's share does not exceed Rs. 500.

KNOW ALL MEN BY THESE PRESENTS that We Sri.....

(Here enter name and address) (hereinafter called ‘the bounden’) (a) and Shri and Shri (b) (here enter names and address) (hereinafter called ‘the sureties’) do hereby bind ourselves and each of us and each of our heirs, executors and administrators jointly and severally to pay to the Governor of Kerala (hereinafter referred to as the ‘Government’) on demand the sum of Rs..... (Rupees in words) Signed and dated this the..... day of one thousand nine hundred and.....

WHEREAS (C)..... was at the time of his death a subscriber to the Kerala Private College Teachers’ Provident Fund and WHEREAS the said (C) died on the day of..... 20..... and a sum of Rs..... Rs.....) is payable by the Government on account of his Kerala Private College Teachers Provident Fund accumulations AND WHEREAS the above bounden (2)..... (hereinafter called ‘the claimant’ (s)) claim (s)* the said sum on behalf of the minor / child / Children of the said (C)..... but has / have not obtained a guardianship certificate.

AND WHEREAS THE claimant (s) has/have satisfied the (D)..... (Officer concerned) that he/she/they/is/are entitled to the aforesaid sum and that would cause undue delay and hardship / if the claimant (s) were required to produce a

* Here insert “to be entitled to” or “as guardian” as the case may be.

guardianship certificate / AND WHEREAS Government desire to pay the said sum of the claimant (s) but under the Statutes and orders it is necessary that the claimant (s) should first execute a bond with two sureties to indemnify Government against all claims to the amount so due as aforesaid to the said (C)..... (deceased) before the said sum can be paid to the claimants.

NOW THE CONDITION of this bond is such that if after payment has been made to the claimant (s), the claimant (s) or sureties shall in the event of a claim being made by any person other than the claimant (s) against Government with respect of the aforesaid sum of Rs..... refund to Government the sum of Rupees (Rs.....) and shall always Indemnify and save Government harmless from all liability in respect of the aforesaid sum and all cost incurred in consequence of any claim thereto.

Then the above written bond or obligation shall be void but otherwise same shall remain in full force and virtue:

The liability of the sureties under this bond is co-extensive with that of the bounden and shall not be affected by the Government giving time or any other indulgence to the bounden:

Provided further that the bounden and the sureties do hereby agree that all sums found due to the Government under or by virtue of this bond may be recovered jointly and severally from them and their properties movable and immovable as if such dues were arrears of land revenue under the provisions of the Revenue Recovery Act for the time being in force or in such other manner as the Government may, deem fit.

- (a) Full name of claimant (s) with place (s) of residence:
- (b) Full name (s) of the sureties:
- (c) Name of deceased:
- (d) Title of the officer responsible for payment:

Signed by the Bounden Sri.....

In the presence of witnesses:

- (1)
- (2)

Signed by the Sureties Sri.....
and Sri.....

In the presence of witnesses:

- (1)
- (2)

APPENDIX III

(See Note 3 under Statute 76, Chapter V)

Form of Indemnity that should be taken for authorising payment of the Kerala Private College Teachers’ Provident Fund deposits without insisting on the production of letters of administration or other legal authority to a person claiming payment as heir of the deceased nominee of the subscriber

KNOW ALL MEN BY THESE PRESENTS that we Sri (here enter name and address) (hereinafter called ‘the bounden’) (a) and Sri..... and Sri..... (b) (here enter names and addresses) (hereinafter called ‘the sureties’) do hereby bind ourselves and each of us and each of our heirs, executors and administrators jointly and severally to pay to the Governor of Kerala (hereinafter referred to as ‘the Government’) on demand the sum of Rs (Rupees.....in words).

Signed and dated this the..... day of..... one thousand nine hundred and seventy.....

WHEREAS (C)..... was at the time of his/her death a subscriber to the Kerala Private College Teachers’ Provident Fund and WHEREAS the said (C)..... died on the day of..... 20.....

WHEREAS a sum of Rupees (Rs.....) is payable to (D)..... the nominee of the said (C)..... by the Government on account of the Kerala Private College Teachers’ Provident Fund Accumulations of the said (C)..... AND WHEREAS the said (D)..... predeceased the said (C)..... /died after the said (C) but before receiving payment:

AND WHEREAS the above bounden (hereinafter called the claimant (s) claim (s)’ the said sum but has/have not obtained probate or letters of administration or other legal authority:

- (a) Full name of the claimant (s) with place (s) of residence:
- (b) Full name of the surety:

(c) Full name of the subscriber:

(d) Full name of the nominee:

AND WHEREAS..... / Government desire (s) to pay the said sum to the claimant (s) but consider (S) it necessary that the claimant(s) should first execute a bond with two sureties to indemnify the Government against all claims to the amount So due as aforesaid before the said Sum can be paid to the claimant (s) NOW THE CONDITION of this bond is such that if after payment has been made to the Claimant (s), the claimant (s) or the said sureties shall in the event of a claim being made by any person other than the claimant (s) against the Government with respects to the aforesaid sum of Rupees (Rs.....) refund to the Government the sum of Rs..... and shall otherwise indemnify and save the Government harmless from all liabilities in respect of the aforesaid sum and all costs incurred in consequence of any claim thereto.

THEN the above written bond or obligation shall be void but otherwise the same shall remain in full force and virtue:-

The liability of the sureties under this bond is co-extensive with that of the bounden and shall not be affected by the Government giving time or any other indulgence to the bounden:

Provided further that the bounden and the sureties do hereby agree that all sums found due to the Government under or by virtue of this bond may be recovered jointly and severally from them and their properties movable and immovable as if such dues were arrears of land revenue under the provisions of the Revenue Recovery Act for the time being in force or in such other manner as the Government may deem fit.

Signed by the bounden Sri

In the presence of witnesses

(1)

(2)

Signed by the sureties Sri.....

and Sri.....

In the presence of witnesses

(1)

(2)

APPENDIX IV

(See Statute 4, (2), Chapter I)

Form of Option for Teachers in Private Colleges who entered service prior to 1-4-1958

I, hereby opt to be governed by Chapter II of the First Statutes on Pension prescribed under the Kerala University Act, 1974 (17 of 1974).

I, hereby opt for the age of retirement of 60 years and thus to be governed by the provisions of Chapter III of the First Statutes on Pension prescribed under the Kerala University Act, 1974 (17 of 1974).

	Signature	:
Station:	Name	:
Date:	Designation	:
	Office / Department	:

APPENDIX † V

(See Statute 4 (6), Chapter I)

Form of Re-option

I, hereby re-opt to be governed by Chapter II of the First Statutes on Pension, Provident Fund, Gratuity, Insurance and Age of Retirement of Teachers of Private Colleges prescribed under the Kerala University Act, 1974.

	Signature	:
Station:	Name	:
Date:	Designation	:
	Office / Department	:

NOTIFICATION II

No. 33357/B2/75-A/H. Edn.

Dated, Trivandrum, 30th March 1976.

In exercise of the powers conferred by Section 83 of the Kerala University Act, 1974 (17 of 1974), the Government of Kerala hereby make the following First Statutes in respect of Pension, Provident Fund, Gratuity, Insurance and Age of Retirement of members of the Non-Teaching Staff in Private Colleges, namely:-

† Introduced Vide Amendment No. 10.

FIRST STATUTES

1. *First Statutes regarding teaching staff to apply to certain other categories:-* The First Statutes in respect of Pension, Provident Fund, Gratuity, Insurance and Age of Retirement of Teachers In Private Colleges issued under Notification No. 33357/B2/75 Higher Education dated 30-3-1976 and published in Kerala Gazette Extraordinary dated 1-4-1976* as amended from time to time shall mutatis mutandis apply to all the members of the Non-Teaching Staff in Private Arts and Science Colleges, Private Engineering Colleges, and Private Training Colleges, subject to the following modifications, namely:-

(i) (a) to clause (1) of Statute 3, the following provisos shall be added namely:-

Provided that the members of the Non-Teaching Staff of Private Arts and Science Colleges, Engineering Colleges and Private Training Colleges, who entered service before 1-4-1962, shall be given option to retire at sixty years of age or to opt for Chapter II.

‡Provided also that those members of the Non-Teaching Staff who are in the Last Grade (as defined in Rule 12 (16 -A) of Part-I of the Kerala Service Rules) on 7th April, 1970 will retire on the afternoon of the last day of the month in which they attain the age of sixty years subject to the condition that this benefit will be available to them only so long as they continue to be in the last grade service.

(b) Nothing contained in clauses (3), (4), (5) and (6) shall apply to the members of the Non-teaching Staff of Private Colleges.

(ii) In Statute 10, for the Table, the following Table shall be substituted, namely:-

TABLE

<i>Category</i>	<i>Those who have not completed the age of 30 years</i>	<i>Those who have completed the age of 30 years but not 35 years</i>	<i>Those who have completed the age of 35 years but not 40 years.</i>
	Rs.	Rs.	Rs.

* Incorporated vide Amendment No. 17

‡ Incorporated vide amendment No. 18

1. Non-Teaching staff supervisory (Senior Superintendent, Junior Superintendent and Head Accountant)	3,000	2,500	2,000
2. Non-Teaching Staff- (Other than supervisory and last grade) and Librarian	2,000	1,500	1,000
3. Non-Teaching Staff- last grade	1,000	1,000	1,000

(iii) In Statute 27 (I) (c) for the expression “Contributory Provident Fund for Private College Teachers” the expression “Contributory Provident Fund for members of the Non Teaching Staff of Private College” shall be substituted:

(iv) In Statute 45 (I) for the expression “the Kerala Private College Teachers’ Provident Fund”, the expression “the Kerala Private College Non-Teaching Staff Provident Fund” shall be substituted.

(2) This Statute shall come into force at once.

By order of the Governor,

V. Venkitanarayanan,

Special Secretary to Government.

Explanatory Note

These do not form part of the Notifications but are intended to give the general purport

Section 83 of the Kerala University Act, 1974 (17 of 1974) confers power on the Government to make the First Statutes of the University of Kerala notwithstanding anything contained therein. It is considered necessary that First Statutes in respect of Pension, Provident Fund, Gratuity, Insurance and Age of Retirement of the members of Teaching and Non-Teaching Staff in Private Colleges under the Kerala University should be issued forthwith. The present notifications are intended to achieve this object.

**III. THE KERALA UNIVERSITY (INTER UNIVERSITY TRANSFER
OF TEACHERS OF COLLEGES UNDER EDUCATIONAL AGENCIES
HAVING COLLEGES AFFILIATED TO CALICUT AND MAHATMA
GANDHI UNIVERSITY) FIRST STATUTES, 1988.**

GOVERNMENT OF KERALA
Higher Education (B) Department
NOTIFICATION

G. O. (Ms.) No 197/88/H Edn.

Dated, Trivandrum

19th September 1988.

S.R.O.No./1127/88:- In exercise of the powers conferred by section 83 of the Kerala University Act, 1974 (17 of 1974) the Government of Kerala hereby make the First Statutes in respect of transfer of teachers to other Universities, namely:-

FIRST STATUTES

1. *Short title and commencement:-* (1) These Statutes may be called the Kerala University (Inter University Transfer of Teachers of Colleges under Educational Agencies having Colleges affiliated to Calicut and Mahatma Gnnndhi University) First Statutes, 1988.
 (2) These Statutes shall come into force at once.
2. *Application:-* These Statutes shall apply to all Teachers under the Educational Agencies having colleges under the jurisdiction of the Kerala University, Calicut University and Mahatma Gandhi University.
3. *Seniority List:-* (1) An Educational Agency having Colleges under the jurisdiction of Kerala University, Calicut University and Mahatma Gandhi University shall prepare a Common seniority list (Department-wise) of all teachers in accordance with the procedure laid down in these Statutes. Teachers who are liable to be transferred from Arts and Science Colleges to Training Colleges and vice versa shall be included In the Department-wise Common Seniority list of Arts and Science Colleges.
 (2) The common seniority list prepared as per clause (I) shall be communicated to the teachers by circulation among them within a period of one month from the date of commencement of these Statutes Provided that if an educational agency has already prepared and circulated among the teachers a seniority list after the 21st day of November, 1987 but before the commencement of these Statutes, as per section 64 of the Kerala University Act, section 64 of the Calicut University Act and section 68 of the Mahatma Gandhi University Act and the clause (I)., that shall be deemed to be sufficient compliance with the provisions of these Statutes.
4. Any teacher aggrieved by the rank allotted to him or any entry concerning him in the seniority list prepared under sub section (1) of section 64 of the

Kerala University Act, subsection (1) of section 64 of the Calicut University Act and subsection (1) of section 68 of the Mahatma Gandhi University Act may file a complaint to the Manager within fourteen days from the date of communication of the seniority list to him.

5. The Educational Agency shall publish the final seniority list after disposing of the complaints, if any, on merit as per rules within fourteen days from the last date fixed for the receipt of complaints as per Statute 4.
6. The Educational Agency shall furnish to the State Government a copy of the final seniority list as provided in Statute 5, within ten days of the publication of the final list.
7. Any teacher aggrieved by any entry, or rank assigned to him in the seniority list prepared in accordance with the Statute 5 may prefer an appeal to the Government within a period of sixty days and the decision of the Government thereon shall be final.
8. A teacher working in any of the colleges under an Educational Agency having colleges under the jurisdiction of the Kerala University, Calicut University or Mahatma Gandhi University shall have the right to exercise an Option indicating the order of preference as to the University under the Jurisdiction of which he opts to remain, within one month from the date of publication of the final seniority list prepared in accordance with Statute 5. The option once exercised shall be final. The Educational Agency shall Obtain the option from the teachers in the prescribed form or as nearer as may be within a period of one month from the date of publication of the final seniority list. The option statement will be pasted in the service book of the teacher after counter-signature by the drawing officer.
9. *Allotment:-* The Educational Agency shall allot each teacher to the University under the jurisdiction of which he opts to remain within one month from the last date fixed for the receipt of option. The allotment shall be in accordance with the option. Where the number of teachers who have opted to remain under the jurisdiction of a University exceeds the number of posts in the colleges affiliated to that University, the allotment shall be made on the basis of seniority. When a teacher cannot be allotted to the University under the jurisdiction of which he opts to remain for want of sufficient post, he shall be temporarily accommodated in the University where there exists a post, and shall be allotted to the University under the jurisdiction of which he opts to remain as and when a post falls vacant or a new post is created in any of the colleges under

the Educational Agency within that University area. In accordance with the allotment, the teacher shall be transferred to the college under the jurisdiction of the University to which he exercises the option.

Explanation:- Where a Grade-II or Grade-I cadre Professor exercises his option as to a University under the jurisdiction of which he opts to remain cannot be accommodated in the same cadre on the basis of the seniority, he may be reverted if he so desires to the next lower cadre and shall be allotted and accordingly transferred to the University under the jurisdiction of which he opts to remain. The teachers so reverted shall be promoted to the cadre post under the University of his choice as and when a post falls vacant or a new post is created.

10. *Order of Allotment:-* The Educational Agency shall provide the State Government and the Universities concerned with a copy of the order of allotment of a teacher to the University under the jurisdiction of which he opts to remain.
11. *Right of Appeal to Government:-* Any teacher aggrieved by the allotment may prefer an appeal to the Government within a period of sixty days from the date of the order of the allotment and the decision of the Government thereon shall be final.
12. *Principles for fixing seniority of teachers as envisaged in Statute 3 (1):-*
 - (1) For the purpose of fixing the seniority of teachers the rank obtained by the teacher in the selection list shall be adhered to.
 - (2) Where appointments are made on the basis of a select list, the seniority of teachers shall be determined on the basis of the rank allotted to each teacher in the merit list and community list alternately irrespective of the date of appointment.
 - (3) In the absence of a select list, the date of first entry in the service shall be the basis of fixing the seniority. The principle shall be first come last go.
 - (4) For the preparation of seniority list as envisaged in Statute 3 (1) the overall seniority (department-wise) and not the cadre seniority shall be the basis.

By order of the Governor

M. S. K. Ramaswami,

Commissioner and Secretary to Government.

