

NATIONAL LAW UNIVERSITY, JODHPUR

Provident Fund Regulations

In exercise of the powers conferred by statute 22 of the schedule appended to the National Law University, Jodhpur Act, 1999 (Act No. 22 of 1999) the executive council of National Law University, Jodhpur hereby makes the following regulations regarding the creation and management of the provident fund of the employees of the University, namely: -

1. Short title, extent and commencement - (1) These regulations may be called as National Law University, Jodhpur Employees Provident Fund Regulations **2006***.

(2) They shall be deemed to have come into force with effect from **1st January 2004**.

(3) They shall apply to all permanent employees of the University.

2. Definitions – (1) In these Regulations, unless there is any thing repugnant in the subject or context: -

- (a) “**Act**” means the National Law University Act 1999 (Act 22 of 1999);
- (b) “**Committee**” means the Provident fund management committee constituted under regulation 13 of these regulations, to manage and regulate the provident fund created under these regulations;
- (c) “**Contribution**” means the amount Contributed by the University towards the provident fund;
- (d) “**Permanent employee**” means an employee appointed in regular pay scale in a substantive position, either on tenure basis or on contract for a fixed period of not less than one year^{**}.
- (e) “**Provident Fund**” means a fund as defined in section 2(e) of the Provident funds Act, 1925 (Central Act No.19 of 1925);
- (f) “**Subscriber**” means a permanent employee who is entitled and required to subscribe to the Provident Fund under these regulations;
- (g) “**Subscription**” means the amount subscribed by the subscriber to the provident fund;

* Substituted for the figures “2003”.

** The words “three years” have been substituted by “one year”.

(h) **“University”** means the National Law University, Jodhpur; and

(i) **“Vice Chancellor, Registrar and the Accounts Officers”** means the Vice Chancellor, Registrar and Accounts officer of the University.

(2) All other expressions used but not defined under these regulations, shall have the same meaning as assigned to them under the Act and Statutes of the University.

3. Creation of provident fund – (1) The University shall create a fund for the benefit of its employees out of the subscription received from the subscribers and the contribution made by the University namely, “The National Law University, Jodhpur Employees Provident Fund” in a manner and subject to the conditions hereinafter prescribed.

(2) After creation of the fund, the State Government may, by notification in the Official Gazette, declare that the provisions of The Provident Funds Act, 1925 except section 6-A of the said Act, shall apply to this provident fund. On making of such declaration, the provisions of this Act shall apply accordingly, as if this provident fund is a Government Provident Fund and the University is the Government.

(3) Every employee of the University, as defined in regulation 2 (d) shall be entitled to and required to subscribe to the Provident Fund.

(4) The minimum rate of subscription shall be 8.33% of the subscriber’s basic pay. The fraction in the amount so calculated shall be rounded off to the nearest ten rupees and be deducted from the monthly pay of each subscriber.

Provided that a subscriber may, at his option, make extra subscription to the fund on a monthly basis and/or in lump sum. However, the subscriber may have the choice to revise the amount of monthly subscription not more than twice in a year and the extra subscription shall in no case exceed 40% of his basic pay.

Provided further that if during the period of study leave (except a leave without pay) the subscriber subscribes the full amount to his Provident Fund account, the University will also contribute its full share irrespective of the amount actually drawn by the subscriber as his salary.

(5) The University shall also make a monthly contribution to the fund at the rate of 8.33% of the subscriber’s basic salary. The fraction in the amount so calculated shall be rounded off to nearest Rupees ten.

(6) Every employee of the University entitled to subscribe to the Provident Fund shall be required to sign a written declaration (Appendix -1), in the prescribed form, and submit to the Registrar that he has read these regulations and shall abide by them. He shall also

nominate in writing one or two persons, in priority, which shall give a valid discharge to the Provident Fund on receiving the amount of the Provident Fund, in the event of employees' death.

(7) The subscriber may from time to time add or change his/her nominee by submitting a written application to the Registrar. A register of such nominations shall be kept in the University office.

(8) 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 Registrar.

(9) The nomination shall become invalid in the event of the happening of a contingency specified in the declaration /nomination form.

4. The Control, Management and Investment of the fund – (1) The control of the Provident Fund shall vest in the Executive Council of the University, which may from time to time, amend, vary or change any of these regulations or issue such general or specific directions, as may be necessary for the beneficial management of the fund and matters relating thereto.

(2) Subject to the provisions of sub-regulation (1) a Provident Fund Management Committee consisting of the following shall manage and invest the amount of provident fund either directly or through an Asset Management Company: -

(a) The Vice Chancellor - Chairman

(b) Registrar - Secretary

(c) Accounts officer - Treasurer

(d) Five representatives of the subscribers, as members nominated by the vice Chancellor, out of whom four subscribers will be nominated amongst the faculty of the University and one from the Non-Teaching subscribers. - Member

(3) The term of the nominated members of the committee shall be three years and no member shall be eligible for nomination, for more than two consecutive terms.

(4) The amount of subscription deducted from the monthly pay of each subscriber together with the contribution by the University shall be deposited in an account named "National Law University, Contributory Provident Fund Account" **within three days***.

(5) The amount shall be deposited in an account opened in any Nationalized/scheduled Bank at Jodhpur.

* The words "as early as possible" have been replaced by the words "within three days".

(6) The Committee, may take the services of an A class Merchant Banker, (As defined in Securities and Exchange Board of India (Merchants Bankers) Regulations 1992) to work as Portfolio Manager on such terms and conditions as may be agreed upon.

(7) Investment of the fund shall be made on the basis of prudential norms prepared by the Committee in consultation with the Portfolio Manager, preferably in small savings, government securities, fixed deposits or other schemes, **which assure guaranteed returns**. The portfolio should be managed in such a manner that it gives maximum yield with safety. **In no case investment shall be made in speculative securities like mutual funds and/or shares.**

5. Maintenance of Accounts – (1) The Accounts Officer shall maintain a separate account for each subscriber. The subscription paid by the subscriber and the contribution paid by the University shall be entered every month in that account.

(2) At the end of a financial year the account of each subscriber shall be credited with an amount of interest/profit accrued to him/her on the basis of balances (calculated by products method) remained standing at his credit, after taking into consideration, the total interest/income earned from the fund.

(3) At the close of each financial year, the accounts of the fund shall be audited by an independent professional auditor and a copy of the auditor's report shall be sent by the Registrar to each subscriber together with a statement of his/her account, showing the opening balance on the 1st April of each year, the total amount credited and debited during the year, the total amount of interest/earning accrued as on the 31st March of that year and the closing balance on that date.

(4) While furnishing the statement of account to each subscriber, as aforesaid, the Registrar shall ask the subscriber in writing, that the subscriber should satisfy himself as to the correctness of the annual statement of accounts and discrepancy if any, should be brought to the notice of the Registrar within 15 days from the date of receipt of the statement.

6. Loans, advances and withdrawals – (1) No subscriber shall be eligible for sanction of a loan or advance, unless he has completed three years regular service in the University.

(2) Subject to regulation 23, the Committee may sanction the payment of an advance from the Provident Fund to a subscriber on presenting an application in a prescribed form Appendix-2, from the amount of his/her subscription standing in his/her credit.

(3) The advance so granted shall not exceed 75% of the total subscription made by a subscriber and standing at his credit. The recoveries of the advance shall be made in

monthly installments not exceeding 60. The first recovery shall commence from the pay to be drawn in the next month of withdrawal of the advance.

(4) An advance shall not be granted to any subscriber till a period of six months has elapsed after repayment of the last installment of a previous advance if any, provided that in case of urgent necessity the sanctioning authority may, after satisfying itself, grant an advance before the expiry of six months from the date of the repayment of the last installment of the previous advance.

(5) No interest shall be charged from a subscriber on the advance sanctioned to him but he shall be required to pay a processing fee of 1% of the amount of advance sanctioned, which shall be credited to the “NLU Contributory Provident Fund Account”.

(6) Non refundable withdrawal from the provident fund may be sanctioned by the Committee to a subscriber at any time after completion of ten years of service or when the employee is due to retire on account of superannuation within ten years. The amount of such withdrawal shall not exceed twelve months’ salary, or the amount of his own subscription, whichever is less.

7. Final Payment – (1) A subscriber at the time of superannuation or termination of his/her service shall be entitled to receive the full amount, including the University’s contribution, which accumulates to his provident fund account.

(2) On a subscriber’s death, the amount at his/her credit shall be paid to the person or persons duly nominated by him/her. The discharge given by the nominee shall be deemed to be a valid discharge and shall absolve the University from all the liabilities.

8. Removal of Difficulties – (1) In case of any difficulty in interpreting these regulations, the decision of the Committee shall be final.

(2) If any thing, not provided in these regulations, arises, the same will be considered and decided by the Committee.

9. Amendment of Regulations- **The Executive Council may from time to time amend these regulations with the approval of the State Government.**

NATIONAL LAW UNIVERSITY, JODHPUR**DECLARATION CUM NOMINATION FORM**
(Regulation 8)

1. Name of the subscriber _____ -
2. Father's Name _____
3. Date of birth _____
4. Permanent Address _____
5. Telephone Number _____
6. Post held _____
7. Details of nomination

Name, age and address of the nominee	Relationship with the subscriber	Contingency on the happening of which the second nominee will get the amount of PF
1.		
2.		

8. Contingency on the happening of which nomination shall become invalid _____

Declaration

I _____ hereby solemnly declare that I have read and understood the Provident Fund Regulations of the University, and agree to abide by them. I further declare that in the event of my death, the amount payable to me shall be paid to the nominee, in order of preference. The discharge given by him shall be a valid discharge for all purposes, and will absolve the University of all the liabilities regarding the fund.

Date

Signature of the subscriber

Witness No.1

Verified

Witness No.2

Registrar

NATIONAL LAW UNIVERSITY, JODHPUR

APPLICATION FORM FOR GRANT OF LOAN FROM THE PROVIDENT FUND
(Regulation 24)

1. Name of the subscriber _____
2. Father's Name _____
3. Designation _____
4. P.F. Account No. _____
5. Pay and grade _____
6. Amount of loan if taken
previously.- _____
7. Date of payment of
last installment _____
8. Amount and the
purpose of loan _____
9. No. of installments in which
the loan will be repaid _____

Date
Signature

Designation

FOR OFFICE USE

Report of the Accounts section

Recommendation of the Accounts Officer/Registrar

Orders of the Sanctioning Authority