

**THE CENTRAL SILK BOARD ACT, 1948
(61 OF 1948)
as amended by
the Central Silk Board (Amendment) Act, 2006
(42 of 2006)**

AND

**The Central Silk Board Rules, 1955
as amended by
the Central Silk Board (Amendment) Rules, 2007
alongwith other allied rules**



**CENTRAL SILK BOARD
Ministry of Textiles - Govt. of India
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THE CENTRAL SILK BOARD ACT, 1948*

(LX1 OF 1948)

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* This Act has been extended to the new provinces and merged States (Laws) Act, 1949 (59 of 1949), S.3 (1.1.1950) and to the Union Territories of Manipur, Tripura and Vindhya Pradesh by the Union Territories (Laws) Act, 1950, S.3 (16.4.1950). Manipur and Tripura are full-fledged States now – See Act 81 of 1971, Ss.3,4; while Vindhya Pradesh now forms part of the State of Madhya Pradesh – See Act 37 of 1956, S.9(1)(e). The Act has been extended to the Union Territory of :-

(i) Dadra and Nagar Haveli by Regn.6 of 1963 (w.e.f.1.7.1965);

(ii) Pondicherry by Regn.7 of 1963 (w.e.f.1.10.1963). Act extended to Sikkim- See Gaz. of India, 6.1.1987, Pt.II.S.3(ii), Ext., P.2(No.6).

THE CENTRAL SILK BOARD ACT, 1948 (LX1 OF 1948)

[20th September, 1948]

An act to provide for the development, under Central control, of the ¹[*] silk industry and for that purpose to establish a Central Silk Board*

WHEREAS, it is expedient to provide for the development under Central Control of the ¹[* *] silk industry and for that purpose to establish a Central Silk Board;

It is hereby enacted as follows:-

1. Short title and extent:- (1) This Act may be called the Central Silk Board Act, 1948.

²[(2) It extends to the whole of India ³[* * * *]].

⁴[**2. Declaration as to expediency of Union Control:-** It is hereby declared that it is expedient in the public interest that the Union should take under its control the silk industry.]

3. Definitions:- In this Act, unless there is anything repugnant in the subject or context,

(a) “**Board**” means the Central Silk Board constituted under this Act;

⁵[(aa) “**Central Silk-worm Seed Testing Laboratory**” means the Central Seed Testing Laboratory established or accredited under sub-section (1) of Section 8G;]5

(b) “**Charkha raw silk**” means raw silk reeled from silkworm cocoons with the help of any instrument not worked by power;

⁵[(ba) “**Committee**” means the Central Silk-worm Seed Committee constituted under sub-section (1) of section 8A;

(bb) “**Dealer**” means a person who carries on the business of buying & selling, export or import of silk-worm seed, cocoons, chawkie reared silk-worms and includes an agent of a dealer;

(bc) “**Export**” means taking out of India to a place outside India;]5

¹ The word `raw' omitted by the Amendment Act (XXXI of 1953), with effect from 25th March, 1954.

² Substituted for old sub-section (2), by A.L.O., 1950.

³ words “except the State of Jammu & Kashmir” omitted by the Central Silk Board (Amendment) Act (21 of 1970) S.2 (23.5.1970).

⁴ Substituted for former S.2 by the Central Silk Board (Amendment) Act, 1953 (31 of 1953) S.3 25.3.1954).

⁵ Inserted by Amendment Act, 2006 (42 of 2006) w.e.f.14.9.2006

(c) “**filature raw silk**” means raw silk reeled from silkworm cocoons with the help of any instrument worked by power;

¹[(ca) “**Hybrid Authorisation Committee**” means the Hybrid Authorisation committee constituted under sub-section (1) of Section 8D;

(cb) “**Import**” means bringing into India from a place outside India;

(cc) “**Notified kind or variety**” in relation to silk-worm seed means, any kind or variety thereof notified under sub-section(1) of section 8C;’¹

(d) “**Power**” means any form of energy which is mechanically transmitted and is not generated by human or animal agency, and includes electrical energy;

(e) “**Prescribed**” means prescribed by rules made under this Act;

¹[(ea)“**Registration Committee**” means the Registration Committee constituted under sub-section (2) of section 8E;

(eb) “**regulation**” means regulation made by the Committee under this Act;

(ec) “**silk-worm seed**” or “**seed**” means all kinds of silk-worm seeds produced from the pure silk-worm races including the hybrids produced from two or more pure races, silk-worm seed cocoons of all kinds and moths thereof intended to be used or reared for the purpose of production or for commercial exploitation.

Explanation: For the purpose of this clause:-

(i) “**pure races**” means silk-worm breed or variety maintained through reproductive silk-worm seed with features true to the parents;

(ii) “**hybrids**” means the seed produced involving two or more pure races or parental races with the objective of exploiting heterosis or hybrid vigour;

(ed) “**Silk-worm Seed Analyst**” means a Seed Analyst appointed or notified under Sub-Section(3) of section 8G;

(ee)“**Silk-worm Seed Certification Agency**” means the Silk-worm Seed Certification Agency constituted or accredited under Section 8F;

(ef) “**Silk-worm Seed Officer**” means Seed Officer appointed or notified under sub-section (1) of section 8H;]¹

(f) “**spun silk**” means silk yarn spun from pierced or spoilt cocoons, fluff from cocoons, pieces of silk, noils or other silk waste;

¹ Inserted by Act 42 of 2006, w.e.f. 14.09.2006

(g) “**Standing Committee**” means the Standing Committee of the Board constituted under sub-section (2) of Section 6.

4. Constitution of the Board:- (1) As soon as may be after the commencement of this Act, the Central Government shall, by notification in the official Gazette, constitute for the purposes of this Act a Board to be called the Central Silk Board.

(2) The Board shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

¹[(3) The Board shall consist of the following members, namely:-

(a) ²[Chairperson] to be appointed by the Central Government;

³[(b) not more than three officials to be nominated by the Central Government, one of whom shall be the head of the Silk Division in the Ministry of Textiles as the Vice-Chairperson and one shall be the Secretary of the Board, both being the officers not below the rank of Joint Secretary to the Government of India.]⁵

(c) six persons to be elected by Parliament, four from the House of the People by the members of the House of the People and two from the Council of States by the members of the Council of States ;

⁴[Provided that a member of Parliament shall, upon ceasing to be a member of the House of the People or as the case may be, the Council of States, cease to be a member of the Board.]⁴

(d) ⁵[five persons] to be nominated by the Government of Karnataka, one of whom shall represent the filature silk industry and two shall represent the rest of the sericulture industry;

(e) ⁵[one person] to be nominated by the Government of Tamil Nadu ;

(f) two persons to be nominated by the Government of West Bengal;

³[(g) one person to be nominated by each of the Governments of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Jharkhand, Madhya Pradesh, Uttar Pradesh and Uttaranchal;]³

(h) one person to be nominated by the Government of Jammu and Kashmir ;

(i) not more than three persons to be nominated by the Central Government to represent the producers of raw silk and areas other than the States specified in clauses (d) to (g) inclusive;

(j) eight persons to be nominated by the Central Government, of whom one shall represent the spun-silk industry, one the silk throwing and twisting industry, one the silk weaving industry, one labour; and two of them shall be experts in sericulture.

¹ Substituted by the Amendment Act, 1953 (XXXI of 1953), with effect from 25th March, 1954.

² Substituted by Amendment Act 2006 (42 of 2006) w.e.f.14.09.2006. Throughout the principal Act, for the words “Chairman” or “Vice-Chairman”, wherever they occur, the words “Chairperson” or “Vice-Chairperson” shall respectively be substituted.

³ Substituted by *ibid*.

⁴ Inserted by *ibid*.

⁵ Substituted by the Adaptation of Laws (No.3) Order, 1956.

(4) The members of the Board shall receive from its funds such travelling and other allowances as may be prescribed.

¹[(5) Subject to the other provisions of this Act, the term of office of a member shall be such period, not exceeding three years as may be prescribed.]

(6) Notwithstanding anything contained in sub-section (5):-

(a) the Central Government may terminate the appointment of the Chairperson after giving him notice for a period of not less than three months;

(b) the ²[Chairperson] may resign his office by giving notice in writing for a period of not less than three months to the Central Government, and on such resignation being notified in the official Gazette by that Government, the Chairperson shall be deemed to have vacated his office.]

²**[4A. Disqualification for being nominated or appointed as a member of Board:-** A person shall be disqualified for being nominated or appointed or for continuing as a member, if he-

(a) is not a citizen of India; or

(b) has been convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government, involves moral turpitude; or

(c) is an undischarged insolvent; or

(d) has become physically or mentally incapable of acting as a member; or

(e) has acquired such financial or other interest as is likely to affect prejudicially his function as a member.]

5. Power of the Central Government in default of nominations:- (1) If any Government other than the Central Government fails to make any nomination which it is entitled to make under sub-section (3) of Section 4 within the time prescribed in that behalf, the Central Government may make the nomination itself.

(2) Where a member of the Board dies, resigns, is removed, ceases to reside in India, or becomes incapable of acting, the authority or body entitled to nominate the member under sub-section (3) of section 4 may nominate a person to fill the vacancy: and where such nomination is not made within the time prescribed in that behalf, the Central Government on its own initiative, may make the nomination itself.

(3) No act done by the Board shall be questioned on the ground merely of the existence of any vacancy in or defect in the constitution of, the Board.

¹ Inserted by the Amendment Act (13 of 1982).

² Inserted by Act 42 of 2006 w.e.f.14.9.2006.

6. ¹[Vice-Chairperson] and Standing Committee:- (1) ¹[The Vice-Chairperson shall] exercise such of the powers and perform such of the duties of the ¹[Chairperson] as may be prescribed or as may be delegated to him by the ¹[Chairperson].

(2) The Board may in its discretion, constitute a Standing Committee for the purpose of exercising such of its powers and performing such of its duties as may be delegated by it, not being powers or duties the delegation of which is prohibited by rules made under this Act.

(3) The Standing Committee shall consist of the ¹[Chairperson], the ¹[Vice-Chairperson] and five others elected by the Board from among its members.

7. Secretary of the Board:- ¹[The Secretary to the Board shall,] under the control and direction of the Board, exercise such powers and perform such duties as may be prescribed or as may be delegated to him by the Board or the ⁵[Chairperson].

8. Functions of the Board:- (1) It shall be the duty of the Board to promote the development of the ²[*]silk industry by such measures as it thinks fit.

(2) Without prejudice to the generality of the foregoing provision, the measures referred to therein may provide for –

(a) undertaking, assisting or encouraging scientific, technological and economic research;

(b) devising means for improved methods of mulberry cultivation, rearing, developing and distributing healthy silkworm seeds, ³[reeling or as the case may be spinning of silkworm cocoons and silk waste], improving the quality and production of raw silk, if necessary, by making it compulsory for all raw silk to be marketed only after the same has been tested and graded in properly equipped raw silk conditioning houses;

(c) ³[* * *]

(d) improving the marketing of raw silk;

(e) the collection of statistics from such persons as may be prescribed:

⁴[(f) carrying out any other duties which may be vested in the Board under rules made under this Act]⁴

(3) It shall be the duty of the Board –

¹[(a) to advise the Central Government on all matters relating to production, supply, distribution, trade and commerce in silk-worm seed, the development of the silk industry and its products including export and import.]

(b) ³[* * *]

¹ Substituted by Act 42 of 2006 w.e.f.14.9.2006

² The word 'raw' omitted by the Central Silk Board (Amendment) Act, 1953 (31 of 1953), S.6 (25.3.1954).

³ Clause(c) of sub-section (2), Clause (b) of sub-section (3) omitted by Central Silk Board (Amendment) Act, 1970, S.3 (21 of 1970).

⁴ Inserted by the Central Silk Board (Amendment) Act, 1953 (31 of 1953) S.6 (25.3.1954).

(c) to prepare and furnish such ¹[*] reports relating to the silk industry as may be required by the Central Government from time to time

²[**8A. Constitution of Central Silk-worm Seed Committee:-** (1) The Central Government may, by notification in the Official Gazette, constitute for the purpose of this Act, a Committee to be called the Central Silk-worm Seed Committee consisting of-

(a) the Vice-Chairperson of the Board who shall be the Chairperson of the Committee, ex- officio;

(b)(i) seven officials not below the rank of Deputy Secretary to the Government of India dealing with sericulture from the States - members.

(ii) two experts from the field of silk-worm seed development - members;

(iii) five persons to represent the sericulture sector of whom three shall be the farmers and two the reelers - members;

to be nominated by the Central Government from amongst the members of the Board;

(c) the Director of the National Silk-worm Seed Organisation to be nominated by the Central Government – member ; and

(d) Secretary of the Board who shall be the Secretary of the Committee, ex officio

(2) The Committee may associate with it, for such purposes and in such manner as it may deem fit, any person whose assistance or advice it may consider necessary in complying with the provisions of this Act, and a person so associated, shall have the right to take part in the proceedings of the Committee relevant to the purposes for which he has been associated, but shall not have the right to vote and shall be entitled to receive such allowances or fees, as may be prescribed by the Central Government.

(3) A member nominated under sub-section (1) shall, unless his seat becomes vacant earlier by resignation, death or otherwise, hold office for a period of three years from the date of his nomination and shall be eligible for re-nomination.

Provided that a person nominated under sub-section(1) shall hold office only for so long as he holds the appointment by virtue of which his nomination was made.

(4) No act or proceeding of the Committee shall become invalid merely by reason of -

(i) any vacancy therein, or any defect in the constitution thereof; or

¹ The word "other" omitted by Central Silk Board (Amendment) Act, 1970, S.3 (21 of 1970).

² New sections 8A – 8J inserted by Act 42 of 2006, w.e.f.14.9.2006

(ii) any matter relating to the procedure of the Committee not affecting the merits of a case.

(5) The Central Government shall provide to the Committee such other technical and other officers and employees as may be necessary for the efficient performance of the functions under this Act.

(6) (a) The Committee shall meet at such time and place and shall observe such procedure in regard to transaction of business at its meeting (including the quorum at meetings) as may be specified by regulations.

(b) The Chairperson or in his absence any member chosen by the members present from amongst themselves, shall preside at a meeting of the Committee.

(c) All questions at a meeting of the Committee shall be decided by a majority of votes of the members present and voting and in case of equality of votes, the Chairperson or in his absence, the person presiding over the meeting shall have a second or casting vote.

8B. Powers and functions of Committee:- (1) The Committee shall be responsible for the implementation of this Act by taking measures as specified in sub-section (2).

(2) Without prejudice to the generality of the foregoing provision, the measures referred to therein may provide for-

(i) laying down of quality standards for kind or variety of silk-worm seed;

(i) authorisation of silk-worm races and hybrids for commercial exploitation;

(iii) laying down of quality standards for production of silk-worm seeds;

(iv) laying down the conditions and requirements that have to be met out by the persons desirous of setting up facilities for production of silk-worm seeds or grainages;

(v) laying down the certification and silk-worm seed testing procedures for seeds sold by the registered producers;

(vi) undertaking the registration of silk-worm seed producers and dealers and controlling, supervising the inspection process to ensure adherence to the specified quality standards and seed certification requirements;

(vii) laying down the conditions and standards for export and import of silk-worm seed and adherence to them;

(viii) programming and planning of silk-worm seed production;

(ix) advising the Central Government and the State Governments on the matters aforesaid; and

(x) such other matters connected and incidental to the production, supply, distribution, trade and commerce in silk-worm seed,

as may be specified by regulations made by the committee from time to time.

8C. Power to notify kinds or varieties of silk-worm seeds:- (1) If the Central Government, after consultation with the Committee, is of the opinion that it is necessary or expedient to regulate the quality of silk-worm seed of any kind or variety for the purpose of production and for commercial exploitation, it may, by notification in the Official Gazette, declare such kind or variety to be a notified kind or variety for the purposes of this Act and different kinds or varieties may be notified for different States or for different areas thereof, and it shall be incumbent upon every producer or dealer of such silk-worm seeds to produce or deal with such notified kinds and varieties of silk-worm seeds and in no other.

(2) The Central Government may, on the recommendation of the Committee, by notification, specify-

(a) the minimum quality standards and conditions for notified kind or varieties of silk-worm seed; and

(b) the mark or label to indicate that such silk-worm seed conforms to the specified quality standards.

8D. Hybrid Authorisation Committee:- (1) The Committee shall constitute the Hybrid Authorisation Committee consisting of the Secretary of the Board who shall be the Chairperson of the Hybrid Authorisation Committee and such number of other members to assist him in the discharge of his duties as the Committee may determine,

(2) It shall be the duty of the Hybrid Authorisation Committee to either suo motu or on the application made to it and after due trials, testing and such other requirements, as it may deem necessary to satisfy itself, recommend to the Committee of the kind or variety of silk-worm seed, silk-worm hybrid seeds and races available in the market for notification by the Central Government for production and commercial exploitation.

8E. Registration Committee:- (1) No silk-worm seed of any kind or variety shall, for the purpose of production or for commercial exploitation, be produced, supplied, distributed, traded, sold or otherwise disposed of by a producer or dealer unless he is registered by the Registration Committee in such manner as may be prescribed.

(2) The Committee shall constitute the Registration Committee consisting of a Chairperson and such number of other members not less than two to assist him in the discharge of his duties as the Committee, may determine.

(3) The Registration Committee shall have power:-

(a) to register the silk-worm seed of the notified kind or variety after scrutinizing claims that the silk-worm seed conforms the kind or variety duly notified by the Central Government;

(b) to register the silk-worm seed producer after ensuring that the facility for seed production meets the requirements or conditions for maintaining quality standards as notified by the Central Government;

(c) to register the silk-worm dealer after scrutinising their claim made in the application;

(d) to perform such other functions as are assigned to it by the Committee.

(4) Every application for registration under sub-section (1) shall be made in such form and contain such particulars including conditions and be accompanied by such fee as may be prescribed.

8F. Constitution of Seed Certification Agency:- The Committee may, by order, constitute one or more Silk-worm Seed Certification Agencies or accredit the existing certification agencies according to such criteria as may be specified by regulations to conduct inspection for registration of producers and dealers.

8G. Constitution of Central Seed Testing Laboratories:- (1)The Committee may, by order, establish the Central Seed Testing Laboratories and accredit the existing laboratories of the Board or the State Governments having such facilities as may be specified by regulations.

(2)The Central Seed Testing Laboratories and the accredited laboratories shall carryout such functions as may be entrusted to it by the Committee from time to time.

(3) The Committee may, by order, appoint such person as it thinks fit or notify the officials or employees of the accredited laboratories having such qualifications as may be specified by regulations to be the Seed Analyst in the Seed Testing Laboratories and define the local limits of their jurisdiction.

8H. Appointment of Seed Officers:- (1)The Committee may, by order, appoint such persons, as it thinks fit, or notify an employee of the Board having such qualifications, as may be specified by regulations to be the Seed Officers and define the local limits of their jurisdiction,

(2) Every Seed Officer shall be under the administrative Control of the Committee and shall be responsible for inspecting the seeds and the facilities available with the seed producers and dealers before or after their registration to ensure adherence to the standards and conditions laid down in this regard.

(3) The Seed Officer may –

a) take samples of any silk-worm seed of any kind or variety from-

(i) any producer or dealer; or

(ii) any person who is in the course of conveying, such seed to a purchaser or a consignee; or

(iii) a purchaser or a consignee after delivery of such seed to him;

(b) exercise such other powers as may be specified by regulations.

8I. Export and Import of Silk-worm Seed:- (1) The Committee shall advise the Central Government from time to time on the export and import of silk-worm seed and the Central Government may, by notification, specify the terms and conditions including exim policy for export and import of silk-worm seed.

(2) All import of silk-worm seed shall conform to the quality standards specified under sub-section (2) of section 8C.

(3) For the purpose of ensuring compliance with the conditions and quality standards for governing such import, the Central Government may, by order, authorise officers of the level of Assistant Commissioner to exercise the powers of inspection at the borders and ports, and such officers shall be deemed to be the Seed Officers for the purposes of this Act.

(4) The Central Government may, by notification, permit for research purposes, import of an unregistered variety of silk-worm seed in such quantity and subject to such conditions as may be specified.

(5) The Central Government may, by notification, restrict the export or import of silk-worm seed of any kind or variety if it considers that it may adversely affect the silk industry or on such other grounds, as it may consider necessary.

8J. Statement by Silkworm Seed Producers:- Every registered silk-worm seed producer and dealer shall furnish periodic statement to the Committee in such form, manner and at such intervals as may be specified by regulations".]

9. Funds of the Board: - (1) The Central Government shall from time to time make grants to the Board of such sums as the Central Government may consider necessary for enabling the Board to exercise its powers and discharge its duties under this Act.

(2) The funds of the Board shall be kept in such bank, or, invested in such manner, as may be prescribed, and shall be expended by the Board only in the performance of its functions under this Act or for meeting such expenses as are authorised by this Act or by rules made thereunder.

10. Imposition of cess on certain kinds of silk:- (1) With effect from such date as the Central Government may, by notification in the official Gazette appoint, there shall be levied and collected as a cess for the purposes of this Act a duty of excise on all filature raw silk, and on all spun silk, reeled in the territories to which this Act for the time being extends at such rate as the Central Government may, by notification in the official Gazette, from time to time fix.

(2) The said duty of excise shall be payable by the reelers of filature raw silk or spun silk and shall be paid by them to the Board within one month from the date of the receipt of the notice of demand from the Board in that behalf.

(3) The said duty of excise may be recovered as if it were an arrear of land revenue.

(4) For the purpose of enabling the Board to assess the amount of the duty of excise payable under this section by the reelers of filature raw silk or spun silk :-

(a) the Board shall, by notification in the official Gazette, fix the period in respect of which assessments shall be made, and

(b) every reeler of filature raw silk or spun silk shall furnish to the Board, within the prescribed time, a return specifying the total amount of filature raw silk or spun silk reeled during such period.

(5) If any reeler of filature raw silk or spun silk fails to furnish such return within the prescribed time or furnishes a return which the Board has reason to believe to be incorrect or defective, the Board may assess the amount payable by such reeler in such manner as may be prescribed.

(6) Any reeler feeling himself aggrieved by an assessment made under this section may, within three months of the receipt of the notice under subsection (2), apply to the District Judge or such other civil judicial officer as may be prescribed for the cancellation or modification of the assessment; and such District Judge or judicial officer shall, after giving the Board an opportunity of being heard, pass such order as he thinks proper; and such order shall be final.

¹[(7) The proceeds of the duties of excise paid to the Board shall first be credited to the Consolidated Fund of India and the Central Government may, thereafter, from time to time, pay to the Board from and out of such proceeds such sums of money as it may think fit.]

11. Control by the Central Government:- (1) All acts of the Board shall be subject to the control of the Central Government which may cancel, suspend or modify as it thinks fit any action taken, or order passed, by the Board.

(2) The records of the Board shall be open to inspection at all reasonable times by any officer authorised in this behalf by the Central Government

12. Accounts of the Board:- (1) the Board shall keep such accounts, and in such manner and form, as may be prescribed, in respect of all moneys received and expended by it.

²[(2) The accounts of the Board shall be audited by the Comptroller & Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Board to the Comptroller & Auditor General.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with audit of the accounts of the Board shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor General of India has in connection with the audit of Government accounts, and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Board.

¹ Inserted by the Amendment Act (XXXI of 1953), S.7 (25.3.1954).

² Substituted by the Amendment Act, 1970 (21 of 1970) S.4 (23.5.1970).

(4) The accounts of the Board as certified by the Comptroller and Auditor-General of India or any person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause a copy of the same to be laid before each House of Parliament.

(5) A copy of the accounts of the Board as so certified together with the audit report thereon shall be forwarded simultaneously to the Board.]

¹[**12A. Annual report**:-The Board shall prepare for every financial year a report of its activities and achievements during that year and submit the report to the Central Government in such form and on or before such date as may be prescribed, and that Government shall cause a copy of the report to be laid before each House of Parliament.]

13. Power of Central Government to make rules:- (1) The Central Government may by notification in the official Gazette, make rules to carry out the purposes of this Act.

²[(2) In particular and without prejudice to the generality of the foregoing power, rules made under this section may provide for all or any of the following matters, namely:-

(i) the term of office of members of the Board, the circumstances in which and the authority by which members may be removed and the filling of casual vacancies in the Board;

(ii) the procedure to be followed at the meeting of the Board and at the Standing Committee for the conduct of business and the number of members which shall form a quorum at any meeting;

(iii) the maintenance by the Board of records of business transacted by the Board and the submission of copies thereof to the Central Government;

(iv) the holding of a minimum number of meetings every year;

(v) the power of the Board, its Chairperson and Standing Committee with respect to the incurring of expenditure;

(vi) the conditions subject to which the Board may incur expenditure outside India;

(vii) the preparation of budget estimates of receipts and expenditure of the Board and the authority by which the estimates are to be sanctioned ;

(viii) the maintenance of the accounts of income and expenditure of the Board ³(* *)

⁴[(viiiia) the form of the annual report of the Board and the date on or before which it shall be submitted to the Central Government;]

¹ Inserted, by the Central Silk Board (Amendment) Act, 1970 (21 of 1970), S.5 (23.5.1970).

² Substituted by the Central Silk Board (Amendment) Act, 1953 (31 of 1953), S.8 (25.03.1954).

³ Certain words omitted by the Amendment Act, 1970 (21 of 1970), S.5 (23.5.1970).

⁴ Clause (viiiia) inserted *ibid*.

(ix) The deposit of the funds of the Board in Bank and the investment of such funds;

(x) the re-appropriation of estimated savings from one budget head to any other budget head;

(xi) the conditions subject to which the Board may borrow funds;

(xii) the conditions subject to which and the manner in which contracts may be entered into by or on behalf of the Board;

(xiii) the delegation to the Standing Committee or the Chairperson or the Vice-Chairperson or members or officers of the Board of any of the powers and duties of the Board under this Act;

(xiv) the staff which may be employed by the Board and the pay and allowances, leave and other conditions of service of officers and other employees of the Board;

(xv) the travelling and other allowances of members of the Board and of the Standing Committee;

¹[(xva) specifying the allowances or fees of the persons associated by the Committee under sub-section (2) of section 8A:

(xvb) matters incidental to the production, supply, distribution, trade and commerce in silk-worm seed under clause (x) of sub-section (2) of section 8B;

(xvc) manner of registration of a producer or dealer by the Registration Committee under sub-section (1) and form for making application and fees to be paid under sub-section (4) of section 8E;]

(xvi) the purposes for which funds of the Board may be expended;

(xvii) the maintenance of the registers and other records of the Board and of its Standing Committee;

(xviii) the collection of any information or statistics in respect of raw silk or any product of silk;

²[(xix) the manner of grading, marketing, developing and distributing raw silk and products of silk industry;]

(xx) any other matter which is to be or may be prescribed.

(3) ³[*]

¹ Inserted by Act 42 of 2006 w.e.f.14.9.2006.

² Substituted by Act 42 of 2006 *ibid.*

³ Omitted by Act 42 of 2006 *ibid.*

¹[13A. **Power to make regulations:-** (1) The Committee may, in consultation with the Board, and with the previous approval of the Central Government, by notification, make regulations not inconsistent with the provisions of this Act and the rules made thereunder, to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:-

(i) procedure in regard to transaction of business at the meeting of the Committee under clause (a) of sub-section (6) of section 8A.

(ii) laying down of various standards relating to kinds or varieties, production, testing, supply, distribution, trade and commerce and export and import of silk-worm seed under sub-section (2) of section 8B;

(iii) to specify the criteria for establishing Central Silk-worm Seed Certification Agencies under section 8F, criteria and jurisdiction of Central Seed Testing Laboratories and qualifications of Seed Analysts under sub-sections (1) and (3) of section 8G and qualifications of Seed Officers and their other powers under sub-section (1) and clause (b) of sub-section (3) of section 8H.

(iv) the form, manner and intervals at which statement by producer and dealer may be furnished under section 8J.

13B. Laying of rules, regulations and notifications:- Every rule, regulation and notification made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or notification or both Houses agree that the rule or regulation or notification should not be made, the rule or regulation or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation or notification.]

14. Penalties:- ²[(1)] If any person –

(a) in any return to be furnished under this Act makes any statement which is false and which he knows to be false or does not believe to be true, or

¹ Inserted by Act 42 of 2006, w.e.f. 14.9.2006

² S.14 re-numbered as sub-sec.(1) by the Central Silk Board Amendment Act, 1953 (31 of 1953), S.9 (25.3.1954).

(b) obstructs any officer of the Board, ¹[Committee and Registration Committee] in the exercise of any power conferred, or the discharge of any duty imposed, on him by or under this Act, or

(c) having the control or custody of any account book or other record, fails to produce such book or record when required to do so under this Act,

he shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

¹[(2) if the person committing any offence specified in sub-section (1) is a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(3) Notwithstanding anything contained in sub-section (2), where an offence under sub-section (1) has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation:- For the purposes of this section, ---

(a) 'Company' means any body corporate and includes a firm or other association of individuals; and

(b) 'director' in relation to a firm means a partner in the firm].

²[**14A. Penalty for Contravention of Sections 8C and 8E:-** If any person contravenes the provisions of sections 8C or 8E of this Act or regulations made thereunder or any notification relating to silk-worm seed he shall be punishable with a fine of five thousand rupees which may extend to twenty five thousand rupees besides suspension or cancellation of the registration to produce silk-worm seeds.].

15. & 15A. ³[*]

16. Bar of legal proceedings.___ No suit, prosecution or other legal proceedings shall lie against the Board, or any member or officer of the Board, for anything in good faith done or intended to be done under this Act.

¹ Inserted by the Central Silk Board Amendment Act, 1953 (31 of 1953), S.9 (25.3.1954).

² Inserted by Act 42 of 2006, w.e.f. 14.9.2006.

³ Omitted by *ibid*.

¹[**16A. Effect of Act and rules, etc., inconsistent with other enactments:-** The provisions of this Act or any rule or regulation made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other than this Act]

17. Temporary powers of the Central Government:- [Repealed by the Amendment Act (XXXI) of 1953.]

¹ Inserted by Act 42 of 2006, w.e.f. 14.09.2006

THE CENTRAL SILK BOARD RULES, 1955 NOTIFICATION

New Delhi, dated 23rd March, 1955.

S.R.O.662- In exercise of the powers conferred by Section 13 of the Central Silk Board Act, 1948 (LXI of 1948), and in supersession of the rules published under the Notification of the Government of India, in the late Ministry of Industry and Supply, No.26 (18)-Tex (2)/49, dated the 8th June 1949, the Central Government hereby makes the following rules :-

1. Short title:- These rules may be called the Central Silk Board Rules, 1955.

2. Definitions:- In these rules, unless there is anything repugnant in the subject or context, ___

- (a) "Act" means the Central Silk Board Act, 1948 (LXI of 1948), as amended ¹[from time to time];
- (b) "²[Chairperson]" means the ²[Chairperson] of the Board;
- (c) "²[Vice-Chairperson]" means the ²[Vice-Chairperson] appointed by the Central Government under Section 6(1) of the Act;
- (d) "Secretary" means the officer appointed by the Central Government under Section 7 of the Act;
- (e) "Form" means a form appended to these rules.

3. Filling in casual vacancy of a nominated member:- (1) When a vacancy arises in the Board in any of the modes described in Section 5(2) of the Act in respect of a member nominated by the Central Government or a State Government, the Secretary shall write to the Government entitled to nominate the member inviting a fresh nomination to be made within a period of two months from the date of posting of such invitation by registered post.

(2) Where any Government, other than the Central Government, fails to make a nomination, which is entitled to make under sub section (3) of Section 4 of the Act within two months from the date of posting of the letter inviting such a nomination, the Central Government may itself make the nomination in exercise of the powers conferred under Section 5(1) of the Act.

¹ Substituted by GSR-632(E) dated 28.09.2007.

² Substituted by *ibid*. In clause (b) & throughout the said rules, for the word, "Chairman" wherever it occurs, the word "Chairperson" shall be substituted; In clause (c) & throughout the said rules, for the word, "vice-Chairman" wherever it occurs, the word "Vice-Chairperson" shall be substituted;

4. Filling in casual vacancy of an elected member:- When a member of the Board elected by Parliament dies, resigns, is removed, ceases to reside in India or becomes incapable of acting, the Secretary shall notify the vacancy to the Secretary of the Rajya Sabha or the Secretary of the Lok Sabha, according as the member was elected by the former or the latter House of Parliament, with a request that a fresh election may be held as early as may be possible and the name of the elected member communicated to the Secretariat of the Board.

5. Term of office of members: (1) Except as provided in sub-rule (2) of rule 8 every member of the Board shall hold office for a period of three years from the date of his appointment, nomination or election as the member of the Board under Section 4(3) of the Act.

Provided that the term of office of the members of the Board holding office immediately before the commencement of these rules, shall terminate on the 8th day of April, 1955.

(2) A person nominated to fill in a casual vacancy under sub-section (2) of Section 5 of the Act or who is elected under rule 4 shall hold office for so long only as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

6. Deputation on behalf of Central Government official nominated member:- An official nominated by the Central Government under Section 4(3)(b) of the Act may depute any other official ¹[not below the rank of a Gazetted officer connected with work] to attend any meetings of the Board or its Committees or Sub-Committees on his behalf in case of illness or exigency of official work and in relation to that meeting such deputed official shall have all the rights and privileges of a Member.

7. Resignation by member of the Board or the Standing Committee:- (1) A member of the Board may resign his office by writing under his hand addressed to the Chairperson.

(2) A member of the Standing Committee may resign his office as such member of the Standing Committee by writing under his hand addressed to the Secretary.

8. Termination of membership before the expiry of the term:- (1) When a person is appointed or nominated as a member of the Board by virtue of an office held by him, his membership of the Board shall terminate when he ceases to hold that office and the vacancy so caused shall be deemed to have been filled by his successor to that office.

(2) A member of the Board elected under clause (c) of sub-section (3) of Section 4 shall cease to be a member of the Board,

¹ Inserted by GSR 141 dated 24.1.1985.

- ¹[(i) If he ceases to be a member of the House by which he was elected; or
- (ii) becomes a Minister or Speaker or Deputy Speaker of the House of the People or the Deputy Chairman of the Council of States.]

9. Register of members: - (1) The Board shall maintain a Register in which the name and address of each member of the Board shall be entered.

(2) If a member of the Board changes his address, he shall notify his new address to the Secretary and the Secretary shall amend the relevant entry in the Register accordingly.

10. Member going out of India :- (1) Before a member of the Board leaves India he shall inform the Chairperson of the Board and intimate to him the date of his departure and the date of his expected return to India.

(2) If he intends to be or is actually absent from India for a period longer than six months, he shall tender his resignation ²[* * * *].

(3) ³[If a member is continuously absent from India for a period longer than six months and has not resigned, the Chairperson shall inform the Central Government immediately to that effect and the Central Government may remove such member from membership of the Board].

11. Member absenting himself from two consecutive meetings of the Board:- Any member, who without the permission of the Chairperson, absents himself from two consecutive meetings of the Board will be liable to be removed from membership of the Board by the Central Government.

12. Removal of members: The Central Government shall remove a member from the Board –

- (a) If he is an undischarged insolvent; or
- (b) If he is convicted of any offence involving moral turpitude.

13. Election of members of the Standing Committee:- (1) The Chairperson or in his absence the Vice-Chairperson or in the absence of both, the member presiding, shall, at a meeting of the Board at which it is proposed to elect members of the Standing Committee under Section 6(2) of the Act, invite the members present to propose and second candidates from among the members of the Board for election to the Standing Committee. A member whose name has been proposed by a member of the Board and duly seconded by another member will be a candidate for election to the Standing Committee provided that he has given his consent orally or in writing.

(2) If the number of candidates is less than or equal to the number of vacancies to be filled in all the candidates shall be declared elected to the Standing Committee.

¹ Substituted by GSR-426 dated 13.10.2000.

² Certain words omitted by GSR-141 dated 24.1.1985.

³ Inserted by Ibid.

(3) If the number of candidates exceeds the number of vacancies to be filled in, each member of the Board present at the meeting shall be given a ballot paper containing the names of all the candidates and he shall be required to cast his votes thereon in such manner as may be determined by the Board for as many candidates as there are vacancies to be filled in. Not more than one vote shall be given in favour of any one candidate. If any member votes for more candidates than there are vacancies or gives more than one vote in favour of any one candidate, all his votes shall be deemed to be invalid.

(4) The candidates getting the highest number of votes shall be declared at the meeting, or as soon thereafter as possible, as elected to the Standing Committee.

(5) In the case of an equal division of votes, the Chairperson or in his absence the Vice-Chairperson or in the absence of both the member presiding over the meeting, shall have a second or casting vote.

(6) If any question shall arise as to the validity of any election, it shall be referred to the Chairperson whose decision in the matter shall be final.

(7) A member of the Standing Committee shall be a member thereof for one year or for so long he is a member of the Board, whichever period is less, but shall be eligible for re-election.

(8) In the event of a vacancy arising in the Standing Committee soon after the Annual General Meeting of the Central Silk Board in any year the Chairperson may, at his discretion, request the members of the Board by post to propose candidates from among the members of the Board to fill up the vacancy.

14. Maintenance of office:- The Board shall maintain an office for the transaction of its business and may open branch offices, should necessity arise.

15. Records of business:- A record shall be maintained of all business transacted by the Board or by the Standing Committee.

16. Meetings of the Board and the Standing Committee:- Not less than one meeting of the Board and not less than two meetings of the Standing Committee shall be held in each financial year.

17. Notice of meetings and list of business:- (1) The Secretary shall decide, in consultation with the Chairperson or the Vice-Chairperson, the date, time and place of every meeting of the Board or of the Standing Committee. A notice of not less than 21 days from the date of posting shall ordinarily be given to every member for a meeting of the Board. A notice of not less than 10 days from the date of posting shall ordinarily be given to every member for a meeting of the Standing Committee. Such notice shall be sent to every member by registered post. A list of business proposed to be transacted shall accompany the notice. If it is necessary to convene an emergency meeting of the Board or of the Standing Committee, at least one week's notice shall be given to each member of the Board or the Standing Committee, as the case may be.

(2) No business other than that for which a meeting is convened shall be considered at the meeting except with the permission of the Chairperson or in his absence the Vice-Chairperson or in the absence of both the member presiding over the meeting.

18. Provision for presiding over meetings:- The Chairperson or, in his absence, the Vice-Chairperson shall preside over the meetings of the Board or the Standing Committee. In the absence of both, the members present shall elect one amongst themselves to preside.

19. Quorum for meetings:- (1) Twelve members shall form the quorum for meetings of the Board and three members shall form the quorum for meetings of the Standing Committee.

(2) If at any meeting there is not sufficient number of members present to form the quorum, the Chairperson or in his absence the Vice-Chairperson or in the absence of both the members presiding may adjourn the meeting to a date not later than 7 days from the date of the adjourned meeting and it shall thereupon be lawful to dispose of the business, at such an adjourned meeting irrespective of the number of members attending.

20. Disposal of business:- (1) Every question, which may come up before the Board or the Standing Committee at any meeting, shall be decided by a majority of votes of the members present and voting on that question. No member shall vote by proxy.

(2) In the case of an equal division of votes, the Chairperson or in his absence, the Vice-Chairperson or in the absence of both the member presiding shall have a second or casting vote.

21. Proceedings of the meetings:- (1) The minutes of the meetings of the Board or of the Standing Committee shall be kept in separate books (hereinafter referred to as Minutes Book), and shall be signed by the Chairperson or the Vice-Chairperson or the member who presided at the meeting. Copies of such minutes showing, inter-alia, the names of the members present at the meeting shall be forwarded to each member of the Board and to the Central Government as soon as possible after every meeting.

(2) The minutes of each meeting shall be placed before the next meeting for confirmation.

22. Powers of the Board:- (1) The Board may, by a resolution, sanction any expenditure or authorise making of a contract involving expenditure from the funds placed at its disposal by the Central Government in performance of its functions under the Act;

Provided that the Board shall not sanction any expenditure or authorise making of a contract involving expenditure in excess of the budget allotment;

¹[Provided further that the Board shall not enter into any contract involving an expenditure in excess of Rs.10.00 lakhs (other than entrusted to Government owned agencies or award of Annual Maintenance Contracts for equipments when the Board shall have full powers) without the prior sanction of the Central Government.]

(1)(A) The Board may, by resolution, appoint any person or persons for such period and on such terms and conditions as it may think fit, for the purpose of collecting information or statistics or otherwise assisting the Board in carrying out its duties and functions under the Act or these rules.

(B) The Board may, by order, require any person engaged in the production, supply and distribution of, or trade and commerce in silk cocoon, raw silk, silkwaste, or any product of silk (i.e., yarn, sewing thread, silk woven materials, silk hosiery and garments made from silk fabrics) ; to maintain and produce for inspection such books, accounts and records relating to their business and to furnish such information relating thereto, as may be specified therein.

(2) The Board may incur expenditure outside India upto a maximum of Rs.5,000/- on each individual item;

Provided that this power of the Board shall not be delegated to the Standing Committee, or the Chairperson, or the Vice-Chairperson, or any member of the Board nominated under Clause (b) of sub-section (3) of Section 4 of the Act.

²[(3) Except as provided in the proviso to sub-rule (2) above the Board may delegate such powers as it may deem fit to the Chairperson, Vice-Chairperson and members of the Board nominated under clause (b) of the sub-section (3) of section 4 of the Act, Standing Committee, Member Secretary or any Officer of the Board.]

¹ Substituted by S.O.1059 dated 13.4.1998.

² Substituted by *ibid.*

23. Powers of the Chairperson:- (1) The Chairperson may sanction an expenditure not exceeding 1[Rs.50,000/-] for any item of expenditure covered by budget estimates.

(2) The Chairperson may write off as irrecoverable losses not exceeding ¹[Rs.1,000/-] in a single case.

24. Powers and duties of the Vice-Chairperson :- The powers and duties of the Vice-Chairperson shall be :-

- (i) to preside over the meetings of the Board or of the Standing Committee in the absence of the Chairperson;
- (ii) to enter into contracts on behalf of the Board in accordance with the Act or the rules made there under or the general or special instruments of the Board or the Standing Committee or the Chairperson;
- (iii) to exercise such other powers and to perform such other duties as the Chairperson may deem fit to delegate to him.

25. Powers and duties of the Standing Committee:- The Standing Committee shall exercise such powers and perform such duties as the Board may delegate to the Committee;

Provided that such powers shall be exercised and duties performed in accordance with the directions or limitations, if any as may be given or imposed through any resolution of the Board;

Provided further that all decisions of the Standing Committee shall be subject to the control of the Board which may cancel, suspend, or modify as it thinks fit, any such decision.

26. Powers and duties of the Secretary:- The Secretary will be the principal executive officer of the Board and will work under the general control of the Chairperson or the member of the Board referred in sub-rule (3) of rule 22 and of the Board. His powers and duties shall be :-

- (1) to implement all decisions taken by the Board or the Standing Committee;
- (2) to co-ordinate and supervise the work of other officers and establishments of the Board;
- (3) to convene under the directions of the Chairperson or the Vice-Chairperson meetings of the Board and of the Standing Committee;
- (4) to maintain the Minutes book;

¹ Substituted by GSR-141 dated 24.1.1985.

- (5) to furnish to the Central Government all reports and Returns and other necessary documents required by the Act or the Rules;
- (6) to administer the Provident Fund of the Board;
- (7) to prepare the budget estimates of the Board;
- (8) to sanction re-appropriation of grants under such powers as may be delegated by the Standing Committee and within such limits as may be prescribed by the Standing Committee;
- (9) to undertake such other duties and to exercise such other powers as may, from time to time, be entrusted or delegated to him by the Board or the Chairperson.

27. Other officers of the Board:- The Board may have such other staff as it may consider necessary and the duties of the staff shall be as prescribed by the Board.

28. Salaries, allowances and conditions of service of officers and establishments of the Board:- (1) Save as provided in Section 7 of the Act , all appointments to posts of officers and establishments in the service of the Board shall be made by the Board:-

Provided that __

- (i) No post of which the maximum salary exceeds ¹[Rs.13,500/- per mensem or such sum in the equivalent grade as may be substituted or revised from time to time] shall be created or filled without the previous sanction of the Central Government.
- (ii) the scale of pay and dearness allowance, travelling allowance and any other allowances applicable to the officers and establishments in the service of the Board shall be the same as those prescribed by the Central Government for officers of similar status save in the case of officers and specialists appointed on contract. The Board may require at its discretion, security from such of its employees and for such amounts as it thinks fit;
- (iii) Officers or specialists appointed on contract shall be entitled to leave and leave salary under the terms which may, from time to time, be made applicable to the Central Government servants on contract on similar salaries. Such officers shall be entitled to travelling allowance, dearness allowance or any other allowances as, may from time to time, be provided for officers drawing similar salaries under the Central Government.

¹ Substituted by GSR No.420 dated.30.11.2004.

(2) (a) The Fundamental Rules and the Supplementary Rules of the Government of India shall apply to the grant of leave to officers and establishments in the service of the Board. Rule 9 of the Revised Leave Rules, 1933 shall apply to such members of the staff of the Board as remain in its service for a period exceeding one year and rule 10 shall be applicable to such members of the staff as remain in service for a period not exceeding one year.

Explanation: The powers vested under the Rules referred to above in the President shall be exercised by the Chairperson and those of the Heads of Department by the Secretary.

(i) The Central Civil Services (Conduct) Rules, 1955, and the Central Civil Services (Temporary Services) Rules, 1965 as amended from time to time shall apply in relation to the employees of the Board, as they apply in relation to the employees of the Central Government.

(b) The Board may, by resolution, allow the employees of the Board :-

- (i) advance of pay on the eve of important festivals.
- (ii) Advance for the purchase of conveyance on the same terms and conditions as govern the grant of such advances to Central Government servants.
- (iii) Advance for construction or purchase of a house, including purchase of land, or extension of an existing house on the same terms and conditions as govern the grant of such advance to Central Government servants, subject to availability of funds in the appropriate head in the budget.
- (iv) advance for purchase of warm clothing on the same terms and conditions as govern the grant of such advances to Central Government servants.
- (v) Such other advances sanctioned by the Central Government from time to time for its employees, on the same terms and conditions as govern the grant of such advances to such employees.

(3) ¹[The Board may grant study leave to its employees in order to enable them to undertake study or research, or to obtain specialised training in scientific, technical or economic subjects connected with the silk industry. The Central Civil Services (Leave) Rules, 1972 as amended from time to time shall apply to the grant of study leave to the employees of the Board as they apply in relation to the employees of Central Government.]

(4) (i) The Board shall establish and maintain a Contributory Provident Fund for the benefit of its employees and require them to subscribe to the Fund. Any employee of the Board on deputation to the Board who is also a Government servant shall continue to be governed by the conditions of service in regard to pension etc, which apply to him as a Government servant.

¹ Substituted by GSR-29 dated 23.12.1992.

(ii) The Provident Fund shall be administered by the Secretary or any other officer authorised by the Chairperson in this behalf.

(5)¹[The Secretary may grant leave of any kind due and admissible excepting study leave, to any officer or members of the staff including the Directors working in the Research Stations or the Service Stations as well as the Board's Secretariat. Director or Deputy Director or Joint Secretary or Deputy Secretary holding independent charge of an Institute or an office as the case may be, may grant leave of any kind due and admissible, excepting study leave to any officer or member of the staff working under them.]

28A. Pension-cum-gratuity benefits to the employees of the Board:-Every employee of the Board, other than an employee who is on deputation to the Board, shall be entitled to pension, and death-cum-retirement gratuity (including family pension, extraordinary pension, and commutation pension) at such rates and under such conditions as are prescribed in the Liberalised Pension Rules by the Central Government for its employees of the corresponding grades;

Provided that any such employee who was in the service of the Board before the 1st April 1966, and is continuing in such service on the 31st December, 1966, may within three months from the date last mentioned, opt, in writing, for the benefits of the Central Silk Board Contributory Provident Fund Rules, in which case nothing in this rule shall apply to such employees;

Provided further that where the Contributory Provident Fund accounts of any person who was in the service of the Board on the 1st April 1966, and who ceased to be in such service after that date but before the 31st December, 1966, due to retirement on superannuation or death, have not been settled before the date last mentioned, then, such person shall be deemed to have opted to be governed by this rule.

Explanation: In this rule, "Liberalised Pension Rules" means the Liberalised Pension Rules of the Central Government, for the time being in force, regarding the grant of pension and gratuity to its employees.

29. Delegation of Powers by the Board:- (1) The Board may, by resolution, delegate to the Chairperson or the Vice-Chairperson or the members of the Board referred to in sub-rule(3) of rule 22 or the Vice-Chairperson or any officer of the Board, such of its powers under rule 28 as it deems fit.

²[(1A) All delegation of powers under the sub-rule (1) shall be intimated to the Central Government.]

(2) The authority empowered by the Board to appoint an officer or a member of the establishment in its service shall be competent to dismiss suspend, promote, or degrade such officer or members of the establishment. The procedure to be adopted in all cases of disciplinary action shall be governed by rules which obtain in Central Government offices.

¹ Substituted by GSR-141 dated 24.1.1985 further substituted by corrigendum vide GSR-194 dated 18.2.1985.

² Inserted by GSR-141 dated 24.1.1985.

(3) The powers delegated by the Board under the rules shall be exercised subject to the control of the Board.

30. The working year of the Board:- The working year of the Board shall be the financial year, that is to say the period beginning from the first of April and ending with the thirty-first of March of the year following.

31. Travelling and other allowances to members of the Board and its Committees:- A member of the Board other than a Government servant shall be entitled to draw, in respect of any journey performed for the purpose of attending a meeting of the Board or of a committee thereof or for the purpose of discharging any duty assigned to him by the Board or the Committee concerned, travelling allowance and daily allowance in accordance with Ministry of Finance, Department of Expenditure Office memorandum No.6 (26) EIV/59 dated the 5th September, 1960 as amended from time to time.

NOTE: No travelling or daily allowance shall be admissible to a member unless he certifies that he has not drawn any travelling or daily allowance from any other source in respect of the journey and the halt for which the claim is made.

32. Maintenance of accounts:- The Secretary shall maintain or cause to be maintained accounts of receipts and expenditure under Section 12(1) of the Act. The accounts shall be maintained in Forms 1 to 11, as may be necessary.

33. Heads of receipts:- The receipts shall include all sums received by the Board during the year to which the accounts relate and shall be shown under the following heads:-

- (a) sums received by the Board by way of grant from the Central Government under Section 9(1) of the Act, or otherwise;
- (b) sums received by the Board by way of cess under Section 10 of the Act ;
- (c) interest accrued on investments;
- (d) miscellaneous;

The opening balance shall be shown at the head of the account on the receipt side.

34. Heads of expenditure:- The expenditure shall be shown under the following heads or any other heads that may be decided upon by the Board from time to time:-

- (a) officers' salaries and establishment charges;
- (b) travelling and other allowances;
- (c) stationery and printing charges;
- (d) postage and telegram charges;

- (e) grants-in-aid, made for purposes of development of the industry;
- (f) measures taken for promoting scientific and technological research propaganda, etc.

35. Maintenance of and operation upon bank accounts and investments of the funds of Board:-

(1) All moneys accruing or payable to the funds of the Board, either by way of grants from the Central Government under Section 9(1) of the Act, or by way of cess under Section 10 of the Act , or accruing from any other source or sources, shall be received by the Secretary or such other officer as the Board or the Chairperson may authorise in this behalf. The amount or amounts so received shall as soon as practicable be duly acknowledged by a receipt in Form 5 and deposited in the Reserve Bank of India or such scheduled bank, as may be approved for this purpose by the Central Government under Section 9(2) of the Act , to the account of the Board. All receipts should be credited to the account of the Board in the Bank and shall not be utilised to meet expenditure for any other purpose.

(2) The receipt books in Form 5 shall be numbered serially by machine and the unused forms shall be kept in the custody of the Secretary or such other officer of the Board as may be authorised by the Board or by the Chairperson in this behalf.

(3) All payments by or on behalf of the Board shall be made by cheques except for amounts not exceeding Rs.100/- which may be made in cash from the amount of imprest sanctioned for such purposes.

(4) Such cheques and all orders for making deposits or investments or for the withdrawal of the same or for the disposal, in any other manner of the funds of the Board shall be signed by the Secretary or, in his absence from headquarters, by the Assistant Secretary or by any other officer authorised by the Chairperson in this behalf.

(5) No payment shall be made out of the accounts of the Board unless the expenditure is covered by a budget grant, provided, however, that the Chairperson may at his discretion authorise expenditure being incurred in anticipation of a budget grant.

(6) There shall be drawn from the Bank and placed at the disposal of the Secretary a permanent advance of ¹[Rs.10,000/-] to be recouped as required, and in any case at the end of each month, to meet petty expenditure of the office of the Board.

(7) The Secretary and the Directors of Research Stations at Ranchi, Berhampore and Mysore shall have powers to sanction expenditure of a miscellaneous or contingent nature upto an amount not exceeding ²[Rs.2,000/-] in each case. The Deputy Secretary or Assistant Secretary authorised in this behalf by the Board shall have powers to sanction expenditure upto an amount not exceeding ²[Rs.500/-] in each case.

(8) All monetary transactions shall be entered in the cash book as soon as they occur and attested by the Secretary or any other officer, authorised by the Chairperson, in token of check. The cash book shall be closed daily and completely checked by the Secretary, or the officer authorised by him in this behalf. At the end of each month the Secretary or the officer so authorised shall verify the cash book and the cash in hand and record a signed and dated certificate to that effect.

(9) All payments by the Board shall be made on bills or other documents duly prepared and passed by the Secretary or other officer authorised in this behalf. The paid vouchers shall be stamped "paid" or so cancelled that they cannot be used a second time. They should then be kept serially numbered and produced at the time of audit.

36. Deposit in bank or investment in securities of surplus funds:-

(1) Any funds not required for current expenditure may be placed in fixed deposit with the Reserve Bank of India or any scheduled bank approved in this behalf by the Central Government, or invested in the name of the Board in any security in which trust property may lawfully be invested under the Indian Trust Act, 1882 (2 of 1882).

(2) The placing of money in fixed deposit and the investment thereof and the disposal of money so placed or invested shall require the sanction of the Chairperson.

37. Audit of Accounts:- (1) Accounts shall be made up for each financial year. These accounts shall be audited by such auditors as the Central Government may appoint under Section 12(2) of the Act. The audited statement of receipts and expenditure together with the auditors report thereon, shall be submitted to the Central Government not later than the ³[31st October] following.

(2) An abstract statement of receipts and expenditure shall be published in the Gazette of India.

¹ Substituted by GSR-141 dated 24.1.1985.

² Added by GSR-194 dated 18.2.1985.

³ Substituted by GSR-141 dated 24.1.1985.

(3) The annual accounts shall be set out and produced by the Secretary before the auditors for scrutiny on or before the ¹1[31st of July] each year following the close of the financial year to which they relate.

(4) The auditors shall have the power to disallow any item of expenditure which, in their opinion, has not been properly incurred for purposes of the Act. The Central Government may, under Section 12(3) of the Act, and on the application of the Board allow any item of expenditure disallowed by the auditors.

(5) The cost of audit will be a charge on the funds of the Board.

38. Borrowing of funds:- ²[The Board may borrow funds from the Central Government, or from any of the corresponding new banks constituted under Section 3 of the Banking Companies (Acquisition and Transfer of Undertakings), Act, 1970 (5 of 1970), with the previous approval of the Central Government, for carrying out its developmental and other functions under the Act.]

39. Procedure for execution of Contracts:- (1) The Board may enter into and perform all such contracts as it may consider necessary or expedient for carrying into effect the provisions of the Act, and in particular, the provisions of Section 4(2) of the Act .

(2) ³[Every contract made under or for any purpose of the Act shall be made on behalf of the Board by the Chairperson or the Secretary subject to provisions contained in Rule 22.]

40. Common Seal and affixing of the same to Contracts:- (1)The common seal of the Board, as provided for in Section 4(2) of the Act, shall remain in the custody of Secretary. The seal shall not be affixed to any instrument except in the presence of the Chairperson, Vice-Chairperson or two members of the Standing Committee authorised in this behalf by the Chairperson; and the Chairperson, Vice-Chairperson or the said two members shall sign the contract in token of the fact that the same was sealed in his or their presence.

(2) The Common Seal shall not be affixed to any instrument except in the presence of the Secretary who shall also sign the instrument in token of the fact that the same was sealed in his presence.

(3) An instrument to which the Common Seal is duly affixed shall be legally binding on the Board.

¹ Substituted by GSR-141 dated 24.1.1985

² Substituted by the notification of Ministry of Foreign Trade in No.F.No.24015/2/71-Tex (F) dated 25.8.1972.

³ Substituted by S.O.1059 dated 13.4.1998.

(4) The draft of all contracts shall be submitted to a Solicitor approved by the Board for advice as to the correctness of their form.

41. Preparation and submission of Annual Budget Estimates:- (1)

The budget estimates of the Board for each financial year shall be prepared by the Secretary in such form as the Central Government may, from time to time direct and shall be submitted by the Secretary with his recommendations to the Standing Committee for approval at a meeting of the Standing Committee to be held before the ¹[15th July] of the preceding year.

(2) A copy of the budget estimates shall be sent to each member of the Standing Committee and of the Board by registered post at least 10 clear days before the meeting of the Standing Committee or the Board, at which these estimates are to be considered

(3) The Standing Committee shall consider and approve the budget estimates with such changes as it may consider necessary.

(4) The budget estimates as approved by the Standing Committee shall be placed before the meeting of the Board to be held before the 1[15th of August] of the preceding year.

(5) The budget estimates as passed by the Board shall be submitted to the Central Government not later than the 1[15th of September] next following.

(6) It shall be open to the Central Government to make such alteration in the budget estimates as may be considered necessary before according approval.

42. Supplementary Estimate:- The Standing Committee may cause a supplementary estimate to be prepared and submitted to the Board, if in respect of any financial year, further expenditure is likely to be incurred. Every such supplementary estimate shall be considered and sanctioned by the Board and submitted to the Central Government in the same manner as if it were the original annual estimate, not later than the fifteenth of February of the financial year to which it relates. The provision of rule 41 shall, so far as it may, apply to such supplementary estimate.

43. Re-appropriation:- (1) If the Standing Committee finds in the course of the year that there is likely to be an excess of expenditure over the sanctioned budget estimate under any head, it shall examine the allotment under each head of the budget estimate with the object of discovering probable savings under any other head and effecting a re-appropriation. Where such re-appropriation is feasible, it may sanction the re-appropriation subject to such conditions as may be laid down by the Central Government, from time to time.

¹ Substituted by GSR-141 dated 24.1.1985.

(2) Funds shall not be re-appropriated to meet expenditure on a new service not contemplated in the Budget Estimates except with the prior approval of the Central Government.

44. Sanction of expenditure not to be operative until appropriation of funds :- A sanction to expenditure will not become operative until there has been an appropriation of funds under these rules to cover it.

45. Submission of estimates regarding Government servant on the staff of the Board:- The Secretary shall submit on due dates prescribed by the Central Government the usual estimates in respect of the Government servants working on the staff of the Board whose pay in the first instance will be debited to the general revenue for inclusion in the “demands for grants of the Central Government”.

¹**46. Fee or allowances for the associated person**:- Any person associated by the Committee under sub-section (2) of section-8A of the Act shall be entitled to receive travelling allowance and daily allowance for attending the meeting in accordance with the instructions issued by the Ministry of Finance O.M.No.6(26)-E.IV/59, dated the 5th September, 1960, as amended from time to time.

47. Application for registration as producer or dealer:- (1) Any person intending to produce silk-worm seed of any kind or variety shall make an application to the Registration Committee in triplicate in Form-12 for registration as a producer

(2) Any person intending to deal in silkworm seed, cocoon or chawki reared silkworms shall make an application to the Registration Committee in triplicate in Form-13 for registration as a dealer.

(3) Every application under sub-rules (1) and (2) shall –

(a) be accompanied by -

- (i) a fee of rupees one hundred payable in cash or through Bank draft or Indian Postal Order;
- (ii) documents mentioned in the application;

(b) contain all particulars mentioned in the application;

(c) fulfil all the conditions mentioned in the application.

48. Examination of application:- (1) On receipt of the application under sub-rules (1) and (2) of rule 47, the Registration Committee shall examine the application having regard to the provisions of sub-section (3) of section 8E of the Act and sub-rule (3) of rule 47.

¹ Inserted by GSR-632(E) dated 28.09.2007.

49. Procedure for Registration:- The Registration Committee on being satisfied that the applicant is eligible for registration and fulfills all the requirements and conditions mentioned in sub-section (3) of section 8E of the Act and sub-rule (3) of rule 47, shall grant a certificate of registration -

(a) to the producer of silkworm seed, in Form-14; and

(b) to the dealer in silkworm seed, cocoon or chawki reared silkworms, in Form-15.

50. Procedure where registration is not granted:- (1) Where an application made under sub-rule (1), or as the case may be sub-rule (2) does not fulfill the requirements and conditions mentioned in sub-section (3) of section 8E of the Act, and sub-rule (3) of rule 47, the Registration Committee may reject the application after giving a reasonable opportunity of being heard.

(2) The refusal to grant registration certificate shall be communicated by the Registration Committee within 30 days of such refusal to the applicant stating therein the grounds on which the application has been rejected.

51. The registration made under section 49 shall be renewable after every five years.

52. Suspension or cancellation of registration:- The Registration Committee may, after giving an opportunity of hearing, either suspend or cancel the registration if –

(a) such Registration has been obtained by misrepresentation or suppression of material facts or by fraudulent means; or

(b) the provisions of section 8C and 8E of the Act or any regulations made there under or any notification issued relating to silk-worm seed have been contravened.

(c) the conditions mentioned in either Form-14 or Form-15 have been breached.

53. Effect of cancellation of registration:- Any producer or dealer whose registration has been cancelled under rule 52 shall, with effect from the date of such cancellation, not produce the silk-worm seeds, or as the case may be, deal in silk-worm seed, cocoon or chawki reared silk-worms.]

1[**54, Trade and Commerce in of the products of Silk Industry:** The restrictions on the movement of the raw materials and products of Silk Industry, contained in any law for the time being in force, shall not apply to storing, distribution, trade and commerce of the silk-worm seed, cocoons, including reeling cocoons, silk yarn and other products of silk industry”.]

1 Inserted by GSR 818(E) dt.24.11.2008

CENTRAL SILK BOARD RULES

Appendix

FORM 1

CASH

RECEIPTS						
Date	Item or Serial No.	From who received	Particulars	Amount		Initials of responsible authority
				Cash	Bank	
				Rs. Ps.	Rs. Ps.	
			Opening balance			
			Carried Over			
BOOK						

Disbursements							
Date	Voucher or Serial No.	To Whom paid	Particulars	Budget head to which debitable	Cash	Bank	Initials of responsible authority
					Rs. Ps.	Rs. Ps.	
				Brought forward			
				Carried over			

FORM 2
Subsidiary Account to Cash Book

Name of Scheme

Period of Scheme

Recurring Liability

Total

Non-recurring Liability

Sanctioned Vide

Details if any

Disbursements						
Date	Voucher No.	To whom paid	Particulars	Amount		Initials of responsible authority
				Cash	Bank	
			Carried Over			

FORM 3

Classified Abstract of Receipts 19....19.....

Serial No.	Heads of Account	April		May		Progressive Total	Progressive Total	March		Progressive Total	Remarks
		Voucher No.	Amount	Voucher No.	Amount			Voucher No.	Amount		
			Rs. Ps		Rs. Ps	Rs. Ps	Rs. Ps		Rs. Ps	Rs. Ps	

Classified Abstract of Disbursements for

Serial No.	Heads of Account	Original	Grant Modification during the course of the year		Final Grant at the end of the year	Out lay to end of previous year brought forward	Transactions for the year				Progressive Total	March			Remarks				
			Authority and particulars	Amount (addition or deduction)			April		May			Voucher No.	Amount	Voucher No.		Amount	Voucher No.	Amount	Progressive Total
							Voucher No.	Amount	Voucher No.	Amount									
		Rs.Ps		Rs. Ps.	Rs. Ps.	Rs. Ps.		Rs. Rs		Rs. Ps	Rs. Ps		Rs. Ps.	Rs. Ps					

FORM 4

Register of Securities for the period from To.....

Sl.No.	Date of Purchase	Particulars of Securities	Amount		Safe Custody Receipt No.	Interest Due		Realisation of Interest						
			Purchase value	Face value		Due Date	Amount of Interest due	Date	Amount received	Initials of Accountant	Date	Amount Received	Initials of Accountant	Remarks
			Rs. Ps	Rs. Ps			Rs. Ps		Rs. Ps			Rs. Ps		

FORM 5

(Counter Foil)
Book No.
Received from
Rs.
On account of

Receipt

Cashier and
Accountant

Secretary
Central Silk Board

CENTAL SILK BAORD
Receipt for payments to the Board

Book No.
Received from
Rs. Rupees
On account of

Place
Date:19.....

Cashier and Accountant

Not Transferable

(Signature)
Secretary
Central Silk Board

FORM 6

Number of Cheque Books	Initials of the Secretary	Date of Completion	Dated initials of the Accountant for having received and examined the counterfoils

FORM 7

Register of Stock of Receipt Books

Date	New Stock Received					Issues					Balance in stock				Remarks	
	From whom received	No. and date of the Communication with which received	No. of books (each form) received	No. of receipt forms received	Nos. borne by the books	Nos. borne by the receipt forms	To whom issued	No. of books issued	No. of forms issued	Nos. borne by the receipt forms	Dated initials of the Accountant	No. of books	No. of Receipt forms	Nos. borne by the books		Nos. borne by the receipt forms

FORM 8
Register of Stock and Furniture

Serial No	Receipts			Issued							Balance of each item after each transaction	Remarks
	Voucher No & Date	Particulars of Stores and Furniture	Value	Number or Quantity	Date of Issue	Orders	Number or quantity of Issue	Amount, if any, realised from sale	Date of credit in cash book	Dated initials of Acctt.		
			Rs. Ps.					Rs. Ps.				

FORM 9
Register of contributions towards pensions and leave salary paid during the year 19.....19.....
Treasury

Serial No	Name of Government Servant	No. & date of order fixing the rates of contribution	Monthly rate contribution payable		Date from which payable	Contributions paid												Remarks				
						April		May		June	July	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.		February		March	
						Voucher No.	Amount	Voucher No.	Amount										Voucher No.	Amount	Voucher No.	Amount
						Rs. Rs.		Rs. Ps											Rs. Ps.		Rs.Ps	

FORM 10
Register of Advances Permanent/Temporary

Issuing Authority	To whom made	Particulars of the Advance	Payments			Repayments				Balance	Remarks	
			Date of payment of the Advance	Amount Paid		Date	Mode	Amounts				Dated initials of the Accountant
				Rs.	Ps.			Rs.	Ps.			

FORM 11
Annual Accounts for the year19..... Relating to the grant for.....

RECEIPTS

PAYMENTS

Head of Account	Receipts during the year		Remarks	Grant				Payments			Excess or saving over net grants		Remarks
	Rs	Ps		Original		Net		Head of Account	Expenditure during the year		Rs,	Ps.	
				Rs.	Ps	Rs.	Ps		Rs.	Ps.			
Opening Balance								Closing Balance					

- II. Particulars of advances, permanent and temporary, outstanding at the end of the year:-
Particulars Amount
- III. Particulars of securities, etc:
Particulars of securities Face value Purchase value Approximate market value
- IV. Particulars of Closing Balance:

Secretary
CENTRAL SILK BOARD
AUDIT CERTIFICATE

Certified that the above accounts have been audited and found correct
ACCOUNTANT GENERAL

FORM-12

APPLICATION FOR REGISTRATION AS A PRODUCER OF SILK-WORM SEED
[See rule 47(1)]

To
The Registration Committee,
_____ Place.

- (1) Full name and address of the Applicant
 - (a) Name and Postal address
 - (b) Phone Number / Fax Number
 - (c) Place where silk-worm seed of kind or variety proposed to be produced.
 - (d) Specification of kind or variety of silk-worm proposed to be produced.
 - (e) Capacity of the silk-worm seed production unit
- (2) Quantity of kind or variety of silk-worm seed proposed to be produced
- (3) Facilities available in the production unit
- (4) No. of employees/workers working as on the date of this Application
- (5) Any other details
- (6) Declaration.
 - (a) I /We declare that the information given above is true to the best of my/our knowledge and belief and no part thereof is false.
 - (b) I/We have carefully read, understood the minimum standard of quality parameter required to be maintained for the kind or variety of silk-worm seed to be produced and the quality standards for production unit and the production process registered under this application as specified under the Regulation.
- (7) Details of fees paid

Date:

Place:

Signature of the Applicant

For official purpose

Date of receipt:

Orders of the Regional Registration Committee and date of disposal:

FORM-13

**APPLICATION FOR REGISTRATION AS DEALER OF SILK-WORM
SEEDS/COCOONS/CHAWKI REARED SILKWORMS**

[See Rule 47 (2)]

To
The Registration Committee,
_____ Place.

1. Full name and address of the Applicant
 - (a) Name and postal address.
 - (b) Place of business
 - (c) Phone Number / Fax Number
2. Kind or variety of silk-worm seed/cocoons/chawki reared silk-worms in which he deals in.
3. Nature of transaction whether to sell/export/import/otherwise deal in Silk-worm seed of kind or variety/cocoons/chawki reared silk-worms.
4. Any other details.
5. Declaration.
 - (a) declare that the information given above is true to the best of my/our knowledge and belief and no part thereof is false.
 - (b) I/We have carefully read, understood the minimum standard of quality parameter required to be maintained for the kind or variety of silk-worm seed s/cocoons/chawki reared silk-worms proposed to be dealt as specified under the Regulation.

Date:

Place:

Signature of the Applicant

For official purpose

Date of receipt:

Orders of the Regional Registration Committee and date of disposal:

FORM 14

CERTIFICATE OF REGISTRATION OF PRODUCER

[See Rule 49(a)]

Certificate No.

Date:

Subject to the provisions of Central Silk Board Act, 1948 and the Central Silk Board Rules, 1955 and the terms and conditions mentioned hereunder, Shri /Ms..... (address) is hereby granted the certificate of Registration registering him/her as a producer of the kind or variety of silk-worm seed.

Dated..... at.....

Terms and conditions of Registration

1. The Certificate of Registration is valid upto unless previously cancelled or suspended.
2. The producer shall display this certificate of registration at a prominent and conspicuous place where production of silk worm seed of notified kind or variety is undertaken.
3. The producer shall produce only the silk-worm seed of notified kind or variety.
4. The producer shall ensure that the facilities as specified for production of notified kind or variety of silk-worm seed meet the requirements or conditions for maintenance of quality standards.
5. The producer shall intimate to the Registration Authority any change in address of his/her premises where production of notified kind or variety of silk-worm seed is undertaken.
6. The producer shall extend every facility to the Registration Committee or any other authority acting under his/her authority for the purpose of inspection of silk-worm seed premises used by the producer for production thereof.

By Order of the Regional Registration Committee

Secretary

FORM 15
CERTIFICATE OF REGISTRATION OF DEALER
[See Rule 49(b)]

Certificate No.

Date:

Subject to the provisions of Central Silk Board Act, 1948 and the Central Silk Board Rules, 1955 and the terms and conditions mentioned hereunder, Shri /Ms..... (address) is hereby granted the certificate of Registration registering him/her to deal in kind or variety of silk-worm seed/cocoons/chawki reared silkworms.

Terms and conditions of Registration

1. The Certificate of Registration is valid up to unless previously cancelled or suspended.
2. The dealer shall display this certificate of registration at a prominent and conspicuous place at the premises where he/she deals in kind or variety of silk-worm seed/cocoons/chawki reared silk worms.
3. The dealer shall report to the Registration Authority any change in the address of the premises where he/she carries on the business by buying and selling, export or import of notified kind or variety of silk-worm seed/cocoons/chawki reared silkworm.
4. The dealer shall extend every facility to the Registration Committee or any other officer acting under his authority for the purpose of inspecting the silk-worm seed/cocoon/chawki reared silk-worms in any premises used by him/her for the purpose of business of buying and selling, export or import of notified kind or variety of silk-worm seed/cocoons/chawki reared silk-worms.

By Order of the Regional Registration Committee

Secretary

CENTRAL SILK BOARD GENERAL PROVIDENT FUND RULES, 1966

Government of India-Ministry of Commerce

New Delhi, the 31st December, 1966

10th Pausa, 1888

NOTIFICATION

G.S.R. 92. In exercise of the powers conferred by Section 13 of the Central Silk Board Act, 1948 (LXI of 1948), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement:

- (i) These rules may be called the Central Silk Board General Provident Fund Rules, 1966.
- (ii) They shall come into force on the date of their publication in the official Gazette.

2. Definitions : In these rules,

- (a) "Act" means the Central Silk Board Act, 1948;
- (b) "Board" means the Central Silk Board constituted under sub-section (1) of Section 4 of the Act;
- (c) the expressions 'Chairperson' and 'Secretary' wherever they occur, shall mean 'Chairperson' and 'Secretary' respectively, of the Board;
- (d) "emoluments" means pay including dearness pay, special pay, personal pay and leave salary or subsistence grant, if admissible, but does not include dearness allowance or any other allowances;
- (e) ¹family means:-
 - (i) in the case of a male subscriber, the wife or wives, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grandparent;

¹ Substituted by G.S.R.432 dated 24.10.2000.

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

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

Provided that if a subscriber by intimation in writing to the Secretary, Central Silk Board expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels such intimation excluding him in writing.]

¹[NOTE: "Child" means a legitimate child and includes an adopted child, where adoption is recognized by the personal law governing the subscriber on a ward under the Guardian and Wards Act, 1890 (8 of 1890), who lives with the subscriber and is treated as a member of the family and to whom the subscriber through special will, given the same status as that of natural born child.]

(f) "Fund: means the General Provident Fund constituted under rule 4;

(g) "Leave" means any kind of leave sanctioned for the staff of the Board under the Revised Leave Rules, 1933;

(h) "Schedule" means the schedule annexed to these rules;

(i) "Year" means the financial year.

3. Conditions of eligibility:-(1) These rules shall apply to__

- (i) the employees of the Board who were in service before the 1st April, 1966 and continuing in such service on the 31st December, 1966 and who have elected to come under the Board's Pension-cum-gratuity scheme under rule 28A of the Central Silk Board Rules, 1955, and have completed one year's continuous service on 1st April, 1966 or subsequently and

¹ Substituted by GSR-57 dt.19.1.1996.

- (ii) every employee of the Board (other than re-employed pensioner) who joined service of the Board on or after 1st April, 1966 and has continued in such service thereafter and who has put in not less than one year's continuous service, other than an Officer of any Government whose services have been placed at the disposal of the Board and in respect of whom the Board is required to pay leave, pension or provident fund contribution to that Government.

(2) A temporary employee who completes one year's continuous service during the middle of a month shall subscribe to the Fund from the subsequent month.

¹[**NOTE-I:** Apprentices and probationers shall be treated as temporary employees for the purpose of this rule.

NOTE-II: Temporary employees (including Apprentice and Probationers) who have been appointed against regular vacancies and are likely to continue for more than a year may subscribe to the Fund at any time before completion of one year's service.]

4. Constitution of the Fund:- (i) There shall be constituted a General provident Fund for the employees of the Board to whom these rules apply.

(ii) the Fund shall consist of –

- (a) Subscriptions to the Board's Contributory Provident Fund together with interest thereon due as on the 31st March, 1966 made by the employees who have elected to come under the Pension-cum-gratuity scheme under rule 28A of the Central Silk Board Rules, 1955;
- (b) subscriptions which are credited to the Fund in accordance with these rules;
- (c) such additions to the Fund as the Board may from time to time decide to make with the approval of the Central Government; and
- (d) the income of the Fund from loans, deposits and investments.

5. Every employee of the Board to whom these rules apply, shall be a subscriber to the Fund.

6. The fund shall be vested in and be managed by the Board.

¹ Inserted by G.S.R-57 dated.19.1.1996.

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

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

Provided further that the nomination made by the subscriber in respect of the Board's Contributory Provident Fund to which he was subscribing before joining the Fund shall, if the amount to his credit in such fund has been transferred to his credit in the Fund, be deemed to be a nomination duly made under this rule until he makes a nomination in accordance with this rule.

(2) If a subscriber nominates more than one person under sub-rule (1), he shall specify in the nomination the amount or share payable to each of the nominees in such manner 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 such one of the Forms set forth in the Schedule annexed hereto as is appropriate in the circumstances.

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

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

(a) in respect of any specified nominee, that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination, provided that such other person or persons shall, if the subscriber has other members of his family, be such other member or members. Where the subscriber confers such a right on more than one person under this clause, he shall specify the amount or share payable to each of such persons in such a manner as to cover the whole of the amount payable to the nominee

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

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

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-rule (5) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of that sub-rule or the proviso thereto, the subscriber shall send to the Secretary a notice in writing cancelling the nomination, together with a fresh nomination made in accordance with the provisions of this rule.

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

8. Subscriber's Account: - An account shall be prepared in the name of each subscriber and shall show the amount of his subscriptions with interest thereon calculated as prescribed in sub-rule (2) of rule 12 as well as the advances and withdrawals from the Fund.

9. Conditions of Subscriptions: - (1) Every subscriber shall subscribe monthly to the Fund except during the period when he is under suspension;

Provided that a subscriber may, at his option, not subscribe during any period of leave, other than earned leave of less than 30 days duration;

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

(2) The subscriber shall intimate his election not to subscribe during leave by written communication to the Secretary before he proceeds on leave. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe, ¹[provided that the Secretary, on a written communication from the subscriber, is satisfied that he was prevented by sufficient cause from intimating his election not to subscribe before he proceeded on leave, may, entertain such intimation during the period when he was on leave or after he returns from leave, as the case may be.]

¹ Inserted by G.S.R-144 dated 24.1.1985.

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

(4) A subscriber who has, under rule 20 withdrawn the amount standing to his credit in the Fund shall not subscribe to the Fund after such withdrawal unless he returns to duty.

10. Rates of Subscriptions:- (1) The amount of subscription shall be fixed by the subscriber himself, subject to the following conditions, namely:-

- (a) It shall be expressed in whole rupees.
- (b) It may be any sum, not less than 6% of his emoluments and not more than his total emoluments;
¹[Provided that in the case of a subscriber who has previously been subscribing to a Government Contributory Provident Fund at the higher rate of 8 1/3 per cent of his emoluments and not more than his total emoluments.]
- (c) When an employee elects to subscribe at the minimum rate of 6% the fraction of a rupee shall be rounded to the nearest whole rupee, fifty paise counting as the next higher rupee.

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

- (a) in the case of a subscriber who was in the Board's 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 had elected not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty.
- (ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India;

(b) in the case of a subscriber who was not in the Board's 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 to the Secretary.

¹ Substituted by G.S.R.432 dated 24.10.2000.

(4) The amount of subscription so fixed may be ¹[enhanced twice or] reduced once at any time during the course of a year.

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

Provided further that if a subscriber is on duty for a part of month and on leave for the remainder of that month and if he has elected not to subscribe during the leave, the amount of subscription payable shall be proportionate to the number of days spent on duty in that month.

11. Realisation of Subscriptions:- The Board shall have power to deduct from the emoluments of any subscriber the subscription due from him ²[* * * *].

12. ³[Interest :- (1)The Board shall pay to the credit of the account of a subscriber interest at such rate as may be determined for each year according to the method of calculation prescribed from time to time by the Government of India:

Provided that, if the rate of interest determined for a year is less than 4 percent, all subscribers to the Fund in the year preceding that for which the rate has for the first time been fixed at less than 4 percent, shall be allowed interest at 4 percent:

Provided further that a subscriber who was previously subscribing to any other provident fund of the Central Government and whose subscription together with interest thereon, have been transferred to his credit in his Fund shall also be allowed interest at 4 percent if he had been receiving that rate of interest under the rules of such other fund under the provision similar to that of the first proviso to this rule.

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

- (i) on the amount to the credit of a subscriber on the last day of the preceding year, less any sums withdrawn during the current years interest for twelve months;
- (ii) on sums withdrawn during the current year interest from the beginning of the current year upto the last day of the month preceding the month of withdrawal;

¹ Substituted by G.S.R.57 dated 19.1.1996

² Deleted by *ibid.*

³ Substituted by G.S.R.432 dated 24.10.2000.

- (iii) on all the sums credited to the subscriber's account after the last day of the preceding year interest from the date of deposit upto the end of the current year;
- (iv) the total amount of interest shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee);

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

(3) In this rule, the date of deposit shall, in the case of recoveries from emoluments, be deemed to be the first day of the month in which it is recovered, and in the case of amounts forwarded by the subscriber, shall be deemed to be the first day of the month of receipt, if it is received before the 15th day of the month, but if it is received on or after 15th day of the month, the first day of the next succeeding month.

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

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

Provided further that where a subscriber on deputation to a body corporate owned or controlled by the government or an autonomous organization registered under the Societies Registration Act, 1860 (21 of 1860) is subsequently absorbed in such body corporate or organization with effect from a retrospective date, for the purpose of calculating the interest due on the Fund accumulations of the subscriber the date of issue of the orders regarding absorption shall be deemed to be the date on which the amount to the credit of the subscriber became payable subject, however, to the condition that the amount recovered as subscription during the period commencing from the date of issue of orders of absorption shall be deemed to be subscription to the fund only for the purpose of awarding interest under this sub-rule.]

13. ¹[Advances from the Fund:- (1) The Chairperson or any other officer authorized on his behalf may sanction the payment to any subscriber of an advance, consisting of a sum of whole rupees and not exceeding in amount three months' pay or half the amount standing to his credit in the Fund, whichever is less, for one or more of the following purposes:-

- (a) to pay expenses in connection with the illness, confinement or disability, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him.
- (b) to meet cost of higher education, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him in the following cases, namely:-
 - (i) for education outside India for academic, technical, professional or vocational course beyond the High School stage; and
 - (ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage, provided that the course of study is for not less than three years;
- (c) to pay obligatory expenses on a scale appropriate to the subscriber's status which by customary usage the subscriber has to incur in connection with betrothal or marriages, funerals or other ceremonies;
- (d) to meet the cost of legal proceedings instituted by or against the subscriber, any member of his family or any person actually dependent upon him, the advance in this case being available in addition to any advance admissible for the same purpose from any other Government source;
- (e) to meet the cost of the subscriber's defence where he engages a legal practitioner to defend himself in an inquiry in respect of any alleged official misconduct on his part;
- (f) to purchase consumer durables such as TV, VCR/VCP, washing machines, cooking range, geysers, computers etc.

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

¹ Substituted by G.S.R.432 dated 24.10.2000.

(3) When an advance is sanctioned before repayment 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 instalments for recovery shall be fixed with reference to the consolidated amount.

(4) A subscriber shall be permitted to take an advance once in every six months under item (b) of sub-rule (1) of this Rule.]

14. Recovery of Advances :- (1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct; but such number shall not be less than twelve unless the subscriber so elects and more than twenty-four. In special cases where the amount of advance exceeds three months' pay of the subscriber under sub-rule (2) of rule 13, the sanctioning authority may fix such number of instalments to be more than 24 but in no case more than 36. A subscriber may, at his option, repay more than one instalment in a month. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.

(2) Recovery shall be made in the manner prescribed in rule 11 for the realisation of subscriptions, and shall commence, with the issue of pay for the month following the one in which the advance was drawn.

(3) Recovery shall not be made, except with the subscriber's consent while he is in receipt of subsistence grant or is on leave other than earned leave of less than 30 days' duration. The recovery 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.

(4) If more than one advance has been made to a subscriber, each advance shall be treated separately for the purpose of recovery.

(5) ¹[* * * *]

(6) 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 balance of the amount withdrawn shall, with interest at the rate provided in rule 12, forthwith be repaid by the subscriber to the Fund, or in default, be ordered to be recovered by deduction from the emoluments of the subscriber in a lumpsum or in monthly instalments 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-rule (2) of rule 13.

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

¹ Omitted by G.S.R.432 dated 24.10.2000.

15. Wrongful use of advance :- Notwithstanding anything contained in these rules, if the sanctioning authority is satisfied that money drawn as an advance from the Fund under rule 13 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, the amount in question shall, with interest at the rate provided in rule 12, forthwith be repaid by the subscriber to the Fund, or in default, be ordered to be recovered by deduction in one lumpsum from the emoluments of the subscriber even if he be on leave. If the total amount to be repaid be more than half the subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount is repaid by him.

NOTE: The term 'emoluments' in this rule does not include subsistence grant.

16. ¹[Withdrawals from the Fund :- (A) Subject to the conditions specified herein, withdrawals may be sanctioned by the Chairperson, at any time after the completion of ten years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund, for one or more of the following purposes namely :-

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

(i) for education outside India for academic, technical, professional or vocational course beyond the High School Stage; and

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

(b) meeting the expenditure in connection with the betrothal/marriage of the subscriber or his sons or his daughters and any other female relation actually dependent on him.

(c) meeting the expenses in connection with the illness, including where necessary, the travelling expenses, of the subscriber and members of his family or any person actually dependent on him.

(B) during the services of a subscriber from the amount standing to his credit in the Fund for one or more of the following purposes, namely:

(i) building or acquiring a suitable house or ready-built flat for his residence including the cost of the site for any payment towards allotment of a plot or flat by the State Development Authority, State Housing Board or a House Building Society;

¹ Substituted by G.S.R.432 dated 24.10.2000.

- (ii) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence;
- (iii) purchasing a house-site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose;
- (iv) reconstructing or making additions, or alterations to a house or a flat already owned or acquired by a subscriber;
- (v) renovating additions or alterations or upkeep of an ancestral house at a place other than the place of duty or to a house built with the assistance of loan from Government at a place other than the place of duty;
- (vi) constructing a house on a site purchased under clause(iii).

(C) Within twelve months before the date of subscriber's retirement on superannuation from the amount standing to the credit in the fund without linking to any purchase.

Note : (1) P.F.W under sub-rule (A) and (B) sanctioned to the extent of 75 per cent of the balances standing in the credit of the subscriber.

Note : (2) PFW under sub-rule(c) may be sanctioned to the extend of 90 per cent of the balance standing in the credit of the subscriber.

Note : (3) Withdrawal under sub-rule (A) & (B) shall be sanctioned only after a subscriber has submitted the documentary evidences.

Note : (4) Withdrawal under sub-rule (B) shall be allowed where the house site or house in the name of wife or husband.

Note : (5) The amount of withdrawal sanctioned under clause (ii) of sub-rule (B) shall not exceed $\frac{3}{4}$ th of the balance on date of application together with the amount of previous withdrawal reduced by the amount of previous withdrawal. The formula to be followed is $\frac{3}{4}$ th of the balance as on date plus amount of previous withdrawals for the house in question minus the amount of previous withdrawals.

Note : (6) Only one withdrawal shall be allowed for the same purpose under this rule. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flat covered by a fresh plan duly approved by the local municipal body of the area where the house or flat is situated shall not be treated as the same purpose. Second or subsequent withdrawal under sub-rule (B) for completion of the same house shall be allowed up to the limit laid down under Note.5.]

17. Conditions for withdrawals:- ¹[(1) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in Rule-16 from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six month's pay, whichever is less. The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit up to 3/4th of the balance at his credit in the Fund having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to his credit in the Fund [in case of withdrawal under Clause (A) and up to 90% of balance at credit in cases of withdrawals under Clause (B) of sub-rule (1) of Rule-16].

Provided that in no case the maximum amount of withdrawal for purposes specified in Clause (B) of sub-rule (1) of Rule-16 shall exceed the maximum limit prescribed from time to time under Rule-2(a) and 3(b) of the scheme of the Ministry of Works and Housing for grant of advances for house building purposes:

Provided further that in the case of a subscriber who has availed himself of an advance under the scheme of advances for house building purposes, or has been allowed any assistance in this regard from any other Government source, the sum withdrawn under the sub-rule together with the amount of advance taken under the aforesaid scheme or the assistance taken from any other Government source shall not exceed the maximum limit prescribed from time to time under Rule-2(a) and 3(b) of the aforesaid scheme.

Provided further that the withdrawal admissible under Rule-16(1)(C) shall not exceed 90 per cent of the amount standing to the credit of the subscriber in the Fund.]

(2) A subscriber who has been permitted to withdraw money from the Fund under the rule 16 shall satisfy the Chairperson within a reasonable period as may be specified by that authority that the money has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid by the subscriber in one lumpsum together with interest thereon at the rate determined under rule 12, and in default of such payment, it shall be ordered by the Chairperson to be recovered from his emoluments either in a lumpsum or in such number of monthly instalments, as may be determined by the Chairperson.

18. Conversion of an advance into a withdrawal:- A subscriber who has already drawn or may draw in future an advance under rule 13 for any of the purposes specified in clauses (a), (b) and (c) of rule 16, convert, at his discretion by written request addressed to the Secretary, through the sanctioning authority, the balance outstanding against it into a final withdrawal on his satisfying the conditions laid down in rules 16 and 17.

¹ Substituted by G.S.R.432 dated 24.10.2000.

19. Final withdrawal of accumulations in the Fund:- When a subscriber quits the service, the amount standing to his credit in the Fund shall become payable to him.

Provided that the subscriber, who has been dismissed from the service and is subsequently reinstated in the service shall, if required to do so by the Board, repay any amount paid to him from the Fund in pursuance of this rule, with interest thereon at the rate provided in rule 12 in the manner provided in the proviso to rule 20.

Explanation I – A subscriber who is granted refused leave shall be deemed to have quitted the service from the date of compulsory retirement or on the expiry of an extension of service.

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

(a) if the new post is in another department of the Central Government, to his account in the Provident Fund in that department in accordance with the rules of that fund or

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

They shall hold good in cases of retrenchments followed by immediate employment.

NOTE: Transfers shall include cases of resignation from service in order to take up appointment in another department of the Central Government or under the State Government without any break and with proper permission of the competent authority. In cases where there has been a break in service, such break shall be limited to the joining time allowed on transfer to a different station.

Explanation III – When a subscriber is transferred, without any break, to the service under another statutory body owned or controlled by Government the amount of subscriptions under his existing account together with interest thereon shall not be paid to him but shall be transferred, with the consent of that body to his new provident Fund account under that body.

NOTE: Transfers shall include cases of resignation from service in order to take up appointment under another statutory body owned or controlled by Government without any break, and with proper permission of the competent authority. The time taken to join the new post shall not be treated as a break in service if it does not exceed the joining time admissible to a person on transfer from one post to another.

20. Retirement of subscriber: - When a subscriber –

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

the amount standing to his credit in the Fund shall, upon application made by him in that behalf to the Secretary, become payable to the subscriber;

Provided that the subscriber; if he returns to duty shall, if required to do so by the Board 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 rule with interest thereon at the rate provided in rule 12 by instalments or by recovery from his emoluments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which, special reasons are required under sub-rule (2) of rule 13.

21. 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 rule 7 or of the corresponding rule heretofore in force in favour of a member or members of his family subsist, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;
- (b) if no such nomination in favour of a member or members of the family of the subscriber subsists, or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family, become payable to the members of his family in equal shares;

Provided that no share shall be payable to –

- (i) sons who have attained majority;
- (ii) sons of a deceased son who have attained majority;
- (iii) married daughters whose husbands are alive;
- (iv) married daughters of a deceased son whose husbands are alive.

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

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

- (ii) when the subscriber leaves no family, if a nomination made by him in accordance with the provisions of rule 7 or of the corresponding rule heretofore in force in favour of any person or persons subsist 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.

22. Manner of payment of amount in the Fund: (1) When the amount standing to credit of a subscriber in the Fund becomes payable, it shall be the duty of the Secretary to make payment on receipt of a written application in this behalf as provided in sub-rule (2).

(2) Any person who desires to claim payment under this rule shall send a written application in that behalf to the Secretary.

23. Finance and account:- (1) All sums paid into the Fund under these rules shall be accounted for in the books of the Board in an account called "The Central Silk Board General Provident Fund Account".

(2) Such accounts shall be examined and audited annually, by the auditors appointed under the Act.

(3) All expenses of the Fund shall be met by the Board from the income of the Fund as the Board may direct.

(4) Moneys required for current expenditure with the exception of petty cash and surplus moneys shall be kept in current account in the State Bank of India or its subsidiaries or other banks approved by the Central Government.

(5) Moneys in the Fund not required for current expenditure may be invested in Trustee Securities or Treasury Savings Deposits Certificates or National Savings Certificates to the extent permissible or in fixed deposits in Banks approved by the Central Government.

(6) Cheques for withdrawals from the current account and all orders for making deposits or investments or withdrawal of the same or the disposal in any other manner of the moneys in the Fund shall be signed by the Secretary of the Board or in his absence by the Accountant of the Board and countersigned by the Chairperson of the Board, provided that where the amount covered by such cheque or order does not exceed Rs.5,000/- such cheque or order may be countersigned by any officer of the Board duly authorised by the Chairperson.

24. Annual Statement of Accounts to be supplied to subscriber:-

(1) As soon as possible after the close of each year, the Secretary 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 credited or debited during the year, the total amount of interest credited as on the 31st March of the year and the closing balance on that date. The Secretary shall attach to the statement of account a query whether the subscriber__

- (a) desires to make any alteration in any nomination made under rule 7;
- (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 sub-rule (1) of rule 7.

(2) Subscribers should satisfy themselves as to the correctness of the annual statement, and errors, if any, should be brought to the notice of the Secretary within three months from the date of receipt of the statement.

(3) The Secretary 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.

25. Interpretation:- If any question arises relating to the interpretation of these rules, the same shall be decided by the Board.

II. When the subscriber has a family and wishes to nominate more than one member thereof:

I hereby nominate the persons mentioned below, who are members of my family as defined in Rule 2 of the Central Silk Board (General Provident Fund) Rules, 1966 to receive the amount that may stand to my credit in the Fund, in the event of my death before the amount has become payable, or having become payable, has not been paid and direct that the said amount shall be distributed among the said persons in the manner, shown against their names:-

Name and address of nominees	Relationship With subscriber	Age	*Amount or share of accumulation to be paid to each	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person/ persons if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber
------------------------------	------------------------------	-----	---	---	---

Dated this _____ day of _____ 19____

at _____

Two witnesses to Signature

Signature of the Subscriber

1. _____
2. _____

*Note: This column should be filled in so as to cover the whole amount that may be stand to the credit of the subscriber in the Fund at any time.

III. When the subscriber has no family and wishes to nominate one person:

I, having no family as defined in rule 2 of the Central Silk Board (General Provident Fund) Rules, 1966 hereby nominate the person 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 :---

Name and address of nominees	Relationship With subscriber	Age	*Amount or share of accumulation to be paid to each	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person/ persons if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber
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Dated this day of 19.....

at

Two witnesses to signature

1.

2.

Signature of the Subscriber

* Note: Where a subscriber who has no family, makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

IV. When the subscriber has no family and wishes to nominate more than one person :-

I, having no family as defined in Rule 2 of the Central Silk Board (General Provident Fund) Rules, 1966, hereby nominate the persons 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 and direct that the said amount shall be distributed among the said persons in the manner shown below against their names:-

Name And address of nominees	Relationship With subscriber	Age	*Amount or share of accumulation to be paid to each	**Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person/ persons if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber
------------------------------	------------------------------	-----	---	---	---

Dated this _____ day of _____ 19

at

Two witnesses to Signature

Signature of the Subscriber

1.

2.

* Note: This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

**Note:- Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY

Notification New Delhi, theOctober 1957

No:22/5/56/H.S.2. In exercise of the powers conferred by sub-Section (3) of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby adds to the Schedule to the said Act, the name of the following institution, namely:-

“CENTRAL SILK BOARD”

Sd/-
(M.M.Saklani)
Deputy Secretary to the Govt. of India

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY

Notification New Delhi, the 22nd April, 1958

No:22/5/56/H.S.(2). In exercise of the powers conferred by sub-section (2) of section-8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby directs that the provisions of the said Act shall apply to the Contributory Provident Fund established for the benefit of the employees of the Central Silk Board.

Sd/-
(P.J.Menon)
Under Secretary to the Govt. of India

CENTRAL SILK BOARD CONTRIBUTORY PROVIDENT FUND RULES, 1955

In exercise of the powers conferred by clause (i) of sub-rule (4) of rule 28 of the Central Silk Board Rules, 1955, the Central Government hereby makes the following rules namely:-

1. (i) These rules may be called the Central Silk Board Contributory Provident Fund Rules, ¹[1955.]

(ii) They shall come into force on the date of their publication in the official Gazette.

2. In these Rules -

- (a) "Board" means the Central Silk Board constituted by the Central Silk Board Act, 1948 (Act. No.LXI of 1948).
- (b) "Chairperson" means the Chairperson of the Board.
- (c) "Standing Committee" means the Standing Committee of the Board.
- (d) "Secretary" means the Secretary of the Board for the time being, and shall include an Acting Secretary.
- (e) "Act" means the Central Silk Board Act, 1948 (Act. No.LXI of 1948).
- (f) "Fund" means the Central Silk Board Contributory Provident Fund.
- (g) "Family" means____

(i) 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 laws of the community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate unless the subscriber subsequently indicates, by express notification in writing to the Secretary, that she shall continue to be so regarded, ¹[as she has not remarried and is in need of subsistence.]

(ii) In case of female subscriber, the husband and children of the subscriber, and the widow or widows and children of a deceased son of the subscriber;

¹ Inserted by GSR-142 dated 24.1.1985.

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

NOTE 1 : 'Children" means legitimate children

NOTE II : An adopted child shall be considered to be a child when the Secretary or, if any doubt arises in the mind of the Secretary, the Board is satisfied that under the personal law of the subscriber, adoption is legally recognised as conferring the status of a natural child, but in this case only.

(h) "Employee" means officer, office staff, technical staff and menial staff of the Board, other than those whose salary is paid from Contingencies.

(i) "Emoluments" means, pay, leave salary or subsistence grant as defined in the Fundamental Rules and includes (a) any wages paid by the Board to employees not remunerated by fixed monthly pay, (b) any remuneration of the nature of pay received in respect of foreign service, and (c) if a subscriber is on deputation, the emoluments which he would have drawn had he not been on deputation, shall for the purposes of these Rules be deemed to be emoluments drawn on duty.

(j) "Leave" means any variety of leave recognised by the Fundamental Rules.

(k) "Subscriber" means a member of the Fund.

(l) "Year" means a financial year, i.e. to say the period beginning from the 1st April and ending with the 31st March of the year following.

(2) Any other expression employed in these rules which is defined either in the Provident Fund Act, 1925 (XIX of 1925), or in the Fundamental Rules is used in the sense therein defined.

3. Constitution and Management of the Fund: The fund shall be administered by the Secretary and shall be maintained in India in rupees.

4. (1) These Rules shall apply to every employee of the Board who:-

(a) has been admitted before these Rules came into force to the benefits of a special or Contributory Provident Fund maintained by Government, except the State Railway Provident Fund, or

(b) is required by these Rules or permitted to subscribe to the Fund.

(2) Subject to the Provisions of sub-rule (1), subscription to the Fund shall be compulsory on all Board's employees who are in receipt of a basic salary exceeding Rs.30/- per month, except in such cases as may be specifically excluded by the Board on the ground that the employee is not likely to remain in service for three years;

Provided that a temporary employee whose term of employment in the first instance is for less than three years, may be permitted by the Chairperson to subscribe to the Fund on the understanding;

- (i) that the Board's contribution and interest thereon will be provisional in the first instance and in the event of the employee's service being terminated for any reason whatsoever within three years of the commencement thereof, will be liable to be completely withheld, and
- (ii) that subject to the above modification, he shall be bound by these Rules.

(3) If an employee of the Board admitted to the benefit of the Fund was previously a subscriber to a Government or Semi-Government (except State Railway) Contributory Provident Fund, the amount of his subscriptions in the Contributory Provident Fund together with interest thereon, shall be transferred to his credit in the Fund with the sanction of the Standing Committee.

5. Nomination:- (1) A subscriber shall, as soon as may be after join the Fund, send to the Secretary a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death before that amount has become payable, or having become payable, has not been paid;

Provided that if, at the time of making the 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 sub-rule (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) Every nomination shall be in such one of the Forms set forth on the First Schedule as is appropriate in the circumstances.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Secretary;

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

(5) A subscriber may provide in a nomination.

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

(b) that the nomination shall become invalid in the event of the happening of a contingency specified therein; provided that, if at the time of making the nomination the subscriber has no family he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family.

(6) immediately on the death of a nominee, in respect of whom no special provision has been made in the nomination under clause (a) of sub rule (5) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of sub-rule (5) or the proviso thereto, the subscriber shall send to the Secretary a notice in writing cancelling the nomination together with a fresh nomination made in accordance with the provisions of this rule.

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

6. Subscriber's Account:- An account shall be opened in the name of each subscriber, in which shall be credited :-

- (i) The subscriber's subscriptions;
- (ii) Contributions made under rule 10 by the Board to his account;
- (iii) Interest, as provided by rule 11, on subscriptions; and
- (iv) Interest, as provided by rule 11, on contributions.

7. Conditions and Rates of Subscriptions:- (1) Every subscriber shall subscribe monthly to the Fund when on duty or foreign service or on deputation.

(2) A subscriber may, at his option, not subscribe during leave.

(3) The subscriber shall intimate his election not to subscribe during leave in the following manner :-

(a) If he is an officer who draws his own pay bills, by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave;

(b) If he is not an officer who draws his own pay bills, by written communication to the Secretary before he proceeds on leave.¹[However in the event an employee has to proceed on leave immediately he will have the right to intimate the Secretary his election not to subscribe within one month from the date on which he proceeded on leave.]

¹ Added by GSR-142 dated 24.1.1985.

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

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

(4) A subscriber who has under rule 16 withdrawn the amount of subscription and interest thereon, shall not subscribe to the Fund after such withdrawals unless and until he returns to duty.

8 (1). The amount of subscription shall be fixed by the subscriber himself subject to the condition that the sum so fixed does not fall below 8-1/3 per cent of his emoluments.

(2) For the purposes of sub-rule (1) the emoluments of a subscriber shall be ;

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

- (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 on duty;
- (ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India.
- (iii) if the subscriber joined the Fund for the first time on a day subsequent to the said date, his emoluments shall be the emoluments to which he was entitled on such subsequent date.

(b) In the case of a subscriber who was not in service of the Board on the 31st March of the preceding year, the emoluments to which he was entitled on the first day of his service or if he joined the Fund for the first time on a date subsequent to the first day of his service the emoluments to which he was entitled on such subsequent date.

Provided that, if the emoluments of the subscriber are of a fluctuating nature, they shall be calculated in such manner as the Secretary may direct.

(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 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 he has entered service of the Board for the first time during the year, 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, or if he was on foreign service on the 31st March of the preceding year, by the deduction which he causes to be made in this behalf from his salary bill for that month;

(e) if his emoluments are of the nature referred to in the proviso to sub-rule (2) in such manner as the Secretary may direct.

(4) A subscriber shall be permitted to increase the rate of subscription to the Contributory Provident Fund at any time once in the course of a year.

8A. When a subscriber is transferred to foreign service or sent on deputation out of India he shall remain subject to the rules of the Fund in the same manner as if he were not so transferred or sent on deputation.

9. Realization of subscription: The subscriber shall forward his dues monthly to the Secretary by deduction in his pay bill. When a subscriber is on foreign service or on deputation, he shall remit the subscription in cash to the Secretary so as to reach him before the 5th of each month immediately following the month for which the subscription is due.

10. Contribution by the Board:- (1) The Board shall, with effect from the 31st March of each year, make a contribution to the account of each subscriber;

Provided that if a subscriber quits the service or dies during a year, contribution shall be credited to his account for the period between the close of the preceding year and the date of the casualty.

(2) The contribution shall be 8-1/3 percent of the subscriber's emoluments drawn on duty during the year or period as the case may be.

(3) If a subscriber is on deputation out of India the emoluments which he would have drawn had he been on duty in India shall for the purposes of this rule, be deemed to be emoluments drawn on duty.

(4) The amount of any contribution payable in respect of a period of foreign service shall, unless it is recovered from the foreign employer, be recovered by the Board from the subscriber.

(5) Should the subscriber elect to subscribe during the leave, his leave salary shall, for the purposes of this rule, be deemed to be emoluments drawn on duty

(6) The amount of contributions payable shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee)

11. Interest:- (1) the Board shall pay to the credit of the account of a subscriber interest, at such rate as the Government of India may, from time to time, prescribe for the payment of interest on subscription to the General Provident Fund maintained for Government servants, on the amount at his credit in the Fund.

(2) Interest shall be credited with effect from the 31st March of each year in the following manner:-

- (i) On the amount at the credit of a subscriber on the 31st March of the preceding year, less any sums withdrawn during the current year- interest for twelve months.
- (ii) On sums withdrawn during the current year- interest from the 1st April of the current year upto the last day of the month preceding the month of withdrawal.
- (iii) On all sums credited to the subscriber's account after the 31st March of the preceding year- interest from the date of deposit upto the 31st March of the current year.
- (iv) The total amount of interest shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee).

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

(3) For the purposes of this rule, the date of deposit shall, in the case of recoveries from emoluments, be deemed to be the first day of the month in which they are recovered and in the case of amount forwarded by the subscriber, shall be deemed to be the first day of the month of receipt, if they are received by the Secretary before the fifth day of that month, or if they are received on or after the fifth day of that month, the first day of the next succeeding month.

(4) In addition to any amount to be paid under rule 19, interest thereon upon the end of the month preceding that in which payment is made or upto the sixth month after the month in which such amount becomes payable, whichever of these periods be less, shall be payable to the person to whom such amount is to be paid;

Provided that no interest shall be paid in respect of any period after the date which the Secretary had intimated to that person (or his agent) as the date, on which he is prepared to make payment in cash, or if he pays by cheque after the date on which the cheque in that person's favour is put in the post.

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

(6) The interest on amounts which, under rule 15 or rule 17 are replaced at the credit of the subscriber in the Fund, shall be calculated at such rates as may be successively prescribed under sub-rule (1) of this rule and so far as may be in the manner prescribed in this rule.

12. Advances from the Fund:- A temporary advance may be granted to a subscriber from the amount standing to his credit in the Fund at the discretion of the Secretary subject to the following conditions :-

(a) no advance shall be granted unless the Secretary is satisfied that the applicant's pecuniary circumstances justify it, and that it will be expended on the following object or objects and not otherwise:-

- (i) To pay expenses incurred in connection with the prolonged illness of the applicant or of any person actually dependent on him:
- (ii) to pay for the overseas passage for reason of health or education of the applicant or of any person actually dependent on him;
- (iii) to pay obligatory expenses on a scale appropriate to the applicant's status in connection with marriages, funerals or ceremonies which, by his religion, it is incumbent on him to perform.

(b) an advance shall not, except for special reasons, exceed three month's pay, and shall in no case exceed the amount of subscription and interest thereon standing at the credit of the subscriber in the Fund.

(c) an advance shall not, except for special reasons, be granted until at least twelve months after the final repayment of all previous advances together with interest thereon, unless the amount already advanced does not exceed two-thirds of the amount admissible under clause (b).

(d) the Secretary shall record in writing his reason for granting the advance;

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

13(1) An advance shall be recovered from the subscriber in such number of equal monthly installments as the Secretary may direct, but such number shall not be less than twelve unless the subscriber so elects or in any case more than twenty-four. A subscriber, may, at his option, make repayments in a smaller number of installments than that prescribed. Each installments shall be a number of whole rupee, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such installments.

(2) Recovery shall be made in the manner provided in rule 9 for the realisation of subscriptions and shall commence on the first occasion after the advance is made on which the subscriber draws emoluments, other than leave salary or subsistence grant, for a full month. Recoveries shall not be made, except with the subscriber's consent, while he is on leave or in receipt of subsistence grant, and may be postponed by the Secretary during the recovery of an advance of pay granted to the subscriber.

(3) If more than one advance has been made to a subscriber, each advance shall be treated separately for the purpose of recovery.

(4) (a) After the principal of the advance has been fully repaid interest shall be paid thereon at the rate of one-fifth percent, of the principal for each month or broken portion of a month during the period between the drawal and complete repayment of the principal;

Provided that Mohammadan subscribers whose deposits in the Fund carry no interest shall not be required to pay into the Fund any additional installments on account of interest on advances granted to them from the Fund.

(b) Interest shall ordinarily be recovered in one installment in the month after complete re-payment of the principal, but if the period referred to in clause (a) exceeds twenty months, interest may, if the subscriber so desires, be recovered in two equal monthly installments. The method of recovery shall be that provided in sub-rule (2). Payment shall be rounded to the nearest whole rupee (Fifty paise counting as the next higher rupee).

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

14. Notwithstanding anything contained in these rules, if the Secretary is satisfied that money drawn as an advance from the Fund under rule 12 has been utilised for purpose other than that for which sanction was given to the drawl of the money, the amount in question shall, with interest at the rate provided in rule 11, forthwith be repaid by the subscriber to the Fund, or in default, be ordered to be recovered by deductions in one sum from the emoluments of the subscriber, even if he be on leave. If the total amount to be repaid be more than half the subscriber's emoluments, recoveries shall be made in monthly installments or moieties of his emoluments till the entire amount recoverable be repaid.

NOTE: The term "emoluments" as used in this rule, does not include subsistence grant.

¹[**14A. Withdrawal from the Fund:** Subject to the conditions specified herein, withdrawals may be sanctioned by the Chairperson, at any time after the completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund, for one or more of the following purposes, namely:-

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

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

(ii) For any medical, engineering or other technical or specialized course in India, beyond the High School stage, provided that the course of study is for not less than three years;

(b) meeting of the expenses in connection with the marriage of a son or a daughter of the subscriber, and if he has no daughter, of any other female relation actually dependent on him;

(c) meeting the expenses in connection with the illness, including where necessary, the travelling expenses of the subscriber or any person actually dependent on him;

(d) building or acquiring a suitable house for his residence including the cost of the site, or repaying any outstanding amount on account of loan expressly taken for this purpose or restructuring, or making additions or alterations to a house already owned or acquired by a subscriber;

(e) purchasing a house-site or repaying any outstanding amount on account of loan expressly taken for this purpose;

(f) for constructing a house on a site purchased utilising the sum withdrawn under clause (e).

NOTE: A subscriber who has availed himself of an advance under the scheme of the Board for the grant of advance for house building purposes, or has been allowed any assistance in this regard from any other source, shall be eligible for the grant of final withdrawal under clauses (d) (e) & (f) for the purposes specified therein and also for the purpose of repayment of any loan taken under the aforesaid scheme subject to the limit specified to the proviso to sub-rule (1) of the rule 14-B.]

¹ Inserted by Textile Ministry's notification in F.No.25011/3/76-Tex(v) dated 14.10.1976.

¹[**14B. Conditions for withdrawal:** (1) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in rule 14-A 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 Chairperson, may, however sanction the withdrawal of an amount in excess of this limit upto three fourths of the balance at his credit in the Fund, having due regard to (i) the object for which the drawal is being made (ii) the status of the subscriber, and (iii) the amount to his credit in the Fund;

Provided that in the case of a subscriber who has availed himself of an advance under the scheme of the Board for the grant of advances for house-building purposes, or has been allowed any assistance in this regard from any other source, the sum withdrawn under this sub-rule with the amount of advance taken from the Board or the assistance taken from any other source shall not exceed Rs.75,000/- or five years' pay whichever is less.

(2) A subscriber who has been permitted to withdraw money from the Fund under rule 14-A shall satisfy the Chairperson within a reasonable period as may be specified by the Chairperson that the money has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid by the subscriber in one lump sum together with interest thereon at the rate determined under rule 11, and in default of such payment, it shall be ordered by the Chairperson to be recovered from his emoluments either in a lump sum or in such number of monthly installments, as may be determined by the Chairperson.]

¹[**14C. Conversion of an advance into a withdrawal:** A subscriber who has already drawn or may draw in future an advance under rule 12 for any of the purposes specified in clauses(a), (b) and (c) of rule 14-A may convert, at his discretion by written request addressed to the Secretary through the Chairperson the balance outstanding against it with interest into a final withdrawal on his satisfying the conditions laid down in rules 14-A and 14-B.]

15. Circumstances in which accumulation are payable:- When a subscriber quits the service, the amount standing to his credit in the Fund shall, subject to any deduction under rule 18, become payable to him;

Provided that a subscriber, who has been dismissed from the service and is subsequently re-instated in the service shall, if required to do so by the Secretary repay any amount paid to him from the Fund in pursuance of this rule, with interest thereon at the rate provided in rule 11 in a manner provided in the proviso to rule 16. The amount so paid shall be credited to his account in the Fund, the part which represents the Board's contribution with the interest thereon, being accounted for in the manner provided in rule 6.

¹ Inserted by Textile Ministry's notification in F.No.25011/3/76-TeX(v) dated 14.10.1976.

16. When a subscriber:-

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

the amount of subscription and interest thereon standing to his credit in the Fund shall, upon application made by him in that behalf to the Secretary, become payable to the subscriber;

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

17. Subject to any deduction under rule 18 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 a subscriber leaves a family

- (a) if a nomination made by the subscriber in accordance with the provisions of rule 5 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 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 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 :

- (1) Sons who have attained legal majority;
- (2) Sons of a deceased son who have attained legal majority;
- (3) Married daughter whose husbands are alive;
- (4) Married daughters of deceased son whose husbands are alive; if there is any member of the family other than those specified in clauses (1), (2), (3) and (4);

Provided also that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

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

(ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of rule 5, in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination

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

NOTE 2: When the subscriber leaves no family and no nomination made by him in accordance with the provisions of rule 5 subsists or if such nomination relates only to part of the amount standing to his credit in the Fund, the relevant provisions of clause (b) and sub-clause (ii) of clause (c) of sub-section (1) 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.

18. Deductions: Subject to the conditions that no deductions may be made which reduces the credit by more than the amount of any contribution by the Board interest thereon credited under Rules 10 or 11 before the amount standing to the credit of a subscriber in the Fund is paid out of the Fund, the Secretary may direct the deduction therefrom the payment to the Board of:-

- (a) any amount, if a subscriber has been dismissed from the service for grave misconduct;
- (b) Provided that, if the order of dismissal is subsequently cancelled, the amount so deducted shall, on his reinstatement in the service be replaced at his credit in the Fund;
- (c) any amount, if a subscriber resigns his employment under the Board within three years of the commencement thereof, otherwise than by reason of superannuation or a declaration by competent medical authority that he is unfit for further service;
- (d) any amount, due under a liability incurred by the subscriber to the Board.

19. Payment:- (1) When the amount standing to the credit of a subscriber in the Fund or the balance thereof after any deduction under rule 18, becomes payable it shall be the duty of the Secretary after satisfying himself, when no such deduction has been directed under that rule, that no deduction is to be made, to make payment as provided in Section 4 of the Provident Funds Act. 1925.

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

(3) Any person who desires to claim payment under this rule, shall send a written application in that behalf to the Secretary. Payment of amounts withdrawn shall be made in India only. The persons, to whom the amounts are payable shall make their own arrangements to receive payment in India.

NOTE: When the amount standing to the credit of a subscriber has become payable under Rules, 15,16, or 17, the Secretary shall effect prompt payment of that portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon after as may be.

20. Procedure :- All sums paid into the Fund under these rules shall be credited in the books of the Board to an account named "The Central Silk Board Contributory Provident Fund". A "deposit account" shall be opened for this purpose with the State Bank of India, Bombay to be operated on in such manner as the Chairperson may direct. Sums of which payment has not been taken within six months after they become payable under these rules shall be transferred to "Deposits" after the 31st March of the year and treated under ordinary rules relating to deposits.

21. 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 Secretary. Any change in the number shall similarly be communicated to the subscriber by the Secretary.

22. (1) As soon as possible, after the 31st March of each year, the Secretary shall send to each subscriber a statement of his account in the Funds, showing the opening balance as on the 1st April of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 31st March of the year and the closing balance on that date. The Secretary shall attach to the statement of account an enquiry whether the subscriber ----

(a) desires to make any alteration in any nomination made under rule 5.

(b) has acquired family (in case where the subscriber has made no nomination) in favour of a member of his family under sub-rule (1) of rule 5.

(2) Subscribers should satisfy themselves as to the correctness of the annual statement, and errors should be brought to the notice of the Secretary within six months from the date of receipt of the statement.

(3) The Secretary 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.

23. All applications under these rules shall be addressed to the Secretary.

FIRST SCHEDULE
Rule 5(3)

FORMS OF NOMINATION

I. When the subscriber has a family and wishes to nominate one member thereof:

I hereby nominate the person mentioned below, who is the member of my family as defined in Rule 2 of the Central Silk Board Contributory Provident Fund Rules, to receive the amount that may stand to my credit in the Fund, in the event of my death before the amount has become payable, or having become payable, has not been paid:-

Name and Address of Nominee	:
Relationship with subscriber	:
Age	:
Contingencies on the happening of which the nomination shall become invalid	:
Name, address and relationship of the person If any, to whom the right of the nominee shall Pass in the event of his predeceasing the Subscriber	:

Dated this day of 19

at

Signature of the subscriber

Two witnesses to signature

1

2.

II. When the subscriber has a family and wishes to nominate more than one member thereof:

I hereby nominate the persons mentioned below, who are the member of my family as defined in Rule 2 of the Central Silk Board Contributory Provident Fund Rules, 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, and direct that the said amount shall be distributed among the said persons in the manner shown below against their names:-

Name and Address of Nominee :

Relationship with subscriber :

Age :

Amount or share of accumulations to be Paid to each. :

Contingencies on the happening of which the nomination shall become invalid :

Name, address and relationship of the person If any, to whom the right of the nominee shall pass in the event of his predeceasing the Subscriber :

Dated this day of 19
at

Signature of the subscriber

Two witnesses to signature

1.

2.

III. When the subscriber has no family and wishes to nominate one person:

I having no family as defined in Rule 2 of the Central Silk Board Contributory Provident Fund Rules, hereby nominate the person 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:-

Name and Address of Nominee :
Relationship with subscriber :
Age :
*Contingencies on the happening of which the nomination shall become invalid :
Name, address and relationship of the person If any, to whom the right of the nominee shall pass in the event of his predeceasing the Subscriber :

Dated this day of 19

at

Signature of the subscriber

Two witnesses to signature

1
2.

*Note:- Where a subscriber who has no family, makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

IV. When the subscriber has no family and wishes to nominate more than one person:

I having no family as defined in Rule 2 of the Central Silk Board Contributory Provident Fund Rules, hereby nominate the persons 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 and direct that the said amount shall be distributed amongst the said persons in the manner shown below against their names.

Name and Address of Nominees :
Relationship with subscriber :
Age :
Amount or Share of accumulations to be paid to each* :
**Contingencies on the happening of which the nomination shall become invalid :
Name, address and relationship of the person If any, to whom the right of the nominee shall Pass in the event of his predeceasing the Subscriber :
Dated this day of 19 at

Signature of the subscriber

Two witnesses to signature

1

2.

*Note:- This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

**Note:- Where a subscriber who has no family, makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

CENTRAL SILK BOARD EMPLOYEES PENSION FUND RULES, 1966

Government of India-Ministry of Commerce

New Delhi, the 31st December, 1966
10th Pausa, 1888

NOTIFICATION

G.S.R. 90. In exercise of the powers conferred by Section 13 of the Central Silk Board Act, 1948 (LX1 of 1948), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement:-

(1) These rules may be called the Central Silk Board Employees Pension Fund Rules, 1966.

(2) These rules shall be deemed to have come into force on the 1st April 1966.

2. Definitions:

In these rules, unless there is anything repugnant in the subject or context. __

- (a) "Act " means the Central Silk Board Act, 1948;
- (b) "Board" means the Central Silk Board constituted under the Act;
- (c) "Chairperson" means the Chairperson of the Board;
- (d) "Employee" means a salaried officer or servant of the Board other than a person in the service of the Central or State Government whose services have been lent or transferred to the Board or holding a contract or tenure post;
- (e) "Fund" means the Central Silk Board Employees' Pension Fund constituted under these rules;
- (f) "Liberalised Pension Rules" means the Liberalised Pension Rules of the Central Government, as amended from time to time, regulating the grant of pension and gratuity to its employees;
- (g) "Pension: means and includes monthly payment by way of pension to the employees and their family and death-cum-gratuity in accordance with the Liberalised Pension Rules for the time being in force;
- (h) "Year" means the financial year;

3. Constitution of the Fund:

There shall be constituted a Fund called the Central Silk Board Employees' Pension Fund. The said Fund shall consist of -

- (i) all amounts contributed by the Board inclusive of interest accrued due thereon, as on the 1st April, 1966, under the Central Silk Board Contributory Provident Fund Rules on account of such of the employees of the Board as have elected to be governed by these rules. These amounts shall stand transferred to the Fund;
- (ii) such other amounts as may be transferred to the Fund from time to time by the Board; and
- (iii) the income of the fund from loans, deposits investments or otherwise.

4. Vesting and Administration:

The Fund shall vest in the Board and be administered by it

5. Finance and Accounts:-

- (1) All sums paid into and out of the Fund under these rules shall be accounted for in the books of the Board in a separate account named the Central Silk Board Employees' Pension Fund Account. Such account shall be examined and audited annually by the auditors appointed under sub-section (2) of section 12 of the Act.
- (2) All expenses of the administration of the Fund shall be met by the Board from out of the income of the Fund or as the Board may otherwise direct;

6. Deposit and Investments:

The amount in the Fund shall be held and invested in the manner prescribed by sub-rule (1) of rule 35 of the Central Silk Board Rules, 1955.

7. Disbursements:

(1) The amounts in the Fund shall be applied for payment of pension to the employees in such manner, at such rates and under such conditions as are prescribed under the Liberalised Pension Rules of the Central Government for its employees of the corresponding grades, and which are for the time being in force.

(2) Where compensation is payable by the Board under the Industrial Dispute Act, 1947, the amount of such compensation shall be set off against the amount of pensionary benefits admissible under these rules.

8. Dissolution:

The Fund shall be dissolved upon the dissolution of the Board in which case, all the assets and liabilities of the Fund shall stand transferred to the Central Government and the Central Government shall discharge the liability towards all the employees concerned, as per these rules.

¹[CENTRAL SILK BOARD STUDY LEAVE RULES, 1955]

¹ Superseded by GSR-29 dated 23.12.1992 except in respect of things done or omitted to be done before such supersession.