

SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA (PAYMENT OF GRATUITY TO EMPLOYEES) AMENDMENT REGULATIONS, 2010

REGD. NO. D. L. Che Gazette of India 3051 No. 3051 EXTRAORDINARY Part IV Section 4 PUBLISHED BY AUTHORITY 16 25, 1932 NEW DELHI, TUESDAY, NOVEMBER 16, 2010/KARTIKA 25, 1932 18 2010 (PART III—SEC. 41 SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA NOTIFICATION Lucknow, the 18th October, 2010) Small Industries Development Bank of India (Payment of Gratuity to Employees) (Amendment) Regulations, 2010 F. No. HRDD No. 2676/ Staff Gen. In exercise of the powers conferred by sub-section (1) of Section 52 of the Small Industries Development Bank of India Act, 1989 (39 of 1989), the Board of Directors of the Small Industries Development Bank of India hereby makes the following amendments to the Small Industries Development Bank of India (Payment of Gratuity to Employees) Regulations, 2002, namely 1. These regulations may be called the Small Industries Development Bank of India (Payment of Gratuity to Employees) (Amendment) Regulations, 2010

2. They shall come into force with effect from May 24, 2010

3. Sub-Regulations (1)(a) & (h) of Regulation 6 of the Small Industries Development Bank of India (Payment of Gratuity to Employees) Regulations, 2002 (hereinafter referred to as Principal Regulations) shall be substituted with the following : "(1)(a) a sum equal to one month's pay plus dearness allowance for each completed year of service or anticipated service in the Small Industries Bank or part thereof in excess of 6 months, subject to a maximum of 20 months' pay plus dearness allowance or Rs. whichever is less, for first 20 years of service." an additional sum equal to half month's pay plus dearness allowance for each completed year of service or anticipated service in the Small Industries Bank or part thereof in excess of 6 months for service or anticipated service in excess of 20 years.

" 4. Sub-Regulation (2) of Regulation 6 of the Principal Regulations shall be substituted with the following : "(2) Notwithstanding anything contained in sub-regulation (1), an employee shall be entitled for Payment of Gratuity as per the Payment of Gratuity Act, 1972, in case his entitlement thereunder is more than that of under Regulation (1)." 5. Regulation 9 of the Principal Regulations shall be substituted with the following : "9. Tax to be borne by the employee on the gratuity granted shall be restricted to tax on that portion of the taxable gratuity as is equivalent to the difference between the amount of Small Industries Bank's revised ceiling and the amount of the Small Industries Bank's previous ceiling as divided by the total gratuity granted and the balance of the tax shall be borne by the Small Industries Bank. Provided that in case of an employee who dies while in service, income tax and super tax, if any, payable on the difference in the amount of gratuity admissible on the basis of actual service and anticipated service shall be borne by the persons referred to in Regulation 8 of these Regulations in such a manner as may be decided by the Small Industries Bank and shall be deducted from the amount of gratuity payable to such persons." RAKESH REWARI, Dy. Managing [ADVT 111/4/139 AJIO/Ext. 1 Printed by the Manager, Government of India Press, Ring Road, Mayapuri, New Delhi-110064 and Published by the Controller Of Publications, Delhi-110054.