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219. In the absence of a nomination, how should the Provident Fund amount of a deceased member be distributed under the applicable rules?

Based on Paragraph 70 of the Employees' Provident Fund Scheme, 1952 the procedure for payment of the Provident Fund amount in the absence of a valid nomination is outlined in detail below:

1. If a Nomination Exists (Paragraph 70(i)):

- If the deceased member had made a valid nomination under Paragraph 61 of the Scheme, the P.F. amount will be paid to the nominee(s).
- The nominee(s) will receive the portion of the P.F. amount specified in the nomination.

2. If No Nomination Exists or the Nomination Covers Only Part of the Amount (Paragraph 70(ii)):

- If no nomination exists or if the nomination relates only to part of the P.F. amount, the entire amount (or the uncovered part) will be paid equally to the members of the family, subject to the following rules:

Proviso 1: Exclusion of Certain Family Members

If there are other family members entitled to the amount, the following individuals are excluded from receiving any share:

- Sons who have attained maturity.
- Sons of a deceased son who have attained maturity.
- Married daughters whose husbands are alive.
- Married daughters of a deceased son whose husbands are alive.

Proviso 2: Shares for Widow(s) and Children of a Deceased Son

If the deceased member has:

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Shekhar Ganagaluru, MSW, LLB, Dip. T&D

HR & IR Specialist | Published Author | Storyteller | Mentor | Trainer | Community Outreach Coordinator | Workplace Safety & Motivation Strategist
begreatseries@gmail.com or follow on LinkedIn | Mobile: 96327 11228

- A son who has died but left behind widow(s) and/or children, these individuals will collectively receive the share of the P.F. amount that the deceased son would have received, divided equally among them.

3. If Clauses (i) and (ii) Do Not Apply (Paragraph 70(iii)):

- If no nomination exists and there are no family members entitled to the amount, the entire P.F. amount will be payable to the person who is legally entitled to inherit the deceased member's estate.

Special Provisions for a Posthumous Child:

- A child born alive after the death of the member (posthumous child) is treated the same as a surviving child born before the member's death. This ensures the posthumous child's equal entitlement to the P.F. amount.

Summary:

Scenario	Recipient(s)	Details
Nomination exists	Nominee(s)	Entire amount (or part specified in nomination) is paid to the nominee(s).
No nomination exists, or nomination is partial	Family members (in equal shares)	Subject to exclusions (see below).
Exclusions in family distribution	- Sons who have attained maturity.	These members are excluded if other eligible family members exist.
	- Sons of a deceased son who have attained maturity.	
	- Married daughters whose husbands are alive.	
	- Married daughters of a deceased son whose husbands are alive.	
Special case for widow(s) and children of a deceased son	Widow(s) and children of a deceased son	They collectively receive the share the deceased son would have received, divided equally.
No nomination and no eligible family members	Legal heirs	Entire amount is paid to the person legally entitled to inherit the deceased member's estate.
Posthumous child	Treated as a surviving child	Eligible for the same share as other surviving children.

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