



सत्यमेव जयते

THE GAZETTE OF INDIA



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MINISTRY OF SURFACE TRANSPORT
(Ports Wing)
New Delhi

NOTIFICATION

G.S.R. 94(E). - In exercise of the powers conferred by sub-section (1) of Section 124 read with sub-section (1), of Section 132, of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby approves the Calcutta Port Trust (Haldia Dock Complex) Employees' (Welfare Fund) Regulations, 1987, made by the Board of Trustees for the Port of Calcutta (HDC) and set out in the Schedule annexed to this notification.

2. The said regulations shall come into force on the date of publication of this notification in the Official Gazette.

[File No.PW/PER-22/85]

YOGENDRA NARAIN, Jt. Secy.

SCHEDULE

THE CALCUTTA PORT TRUST (HALDIA DOCK COMPLEX)

EMPLOYEES' (WELFARE FUND)

REGULATIONS, 1987

In exercise of the powers conferred by Section 28 of the Major Port Trust Act, 1963 (38 of 1963) and in supersession of the existing rules on this subject the Board of Trustees of the Port of Calcutta hereby makes the following Regulations :-

1. **Short title and commencement** - These Regulations may be called the Calcutta Port Trust (Haldia Dock Complex) Employee's (Welfare Fund) Regulations, 1987.

2. **Definitions** - In these Regulations unless the context otherwise requires, -

(a) "**Act**" shall mean the Major Port Trust Act, 1963.

(b) "**Deputy Chairman**" shall have the same meaning as assigned to it in the Act.

(c) "**Deputy General Manager**", "**Deputy Manager (Finance)**" and "**Manager (P&IR)**" shall mean the incumbents of the said posts, appointed under Section 24 of the Act.

(d) "**Employee**" shall mean an employee of the Calcutta Port Trust under the Haldia Dock Complex in any post or capacity and shall include artisans, and other monthly rated employees whether skilled or unskilled and shall also include any such persons on foreign service or whose service are temporarily placed at the disposal of the Board and also any person in the service of the Central or State Government or a local or other authority whose services are temporarily placed at the disposal of the Board. It shall also to the extent prescribed herein include the families and dependents of the employees as defined. It shall not, however, include employees under suspension.

(e) "**Family**" shall mean wife or husband, parents and legitimate children including legally adopted children and step-children, permanently residing with and wholly dependent on the employee. Explanation for the purposes of this clause :-

(i) "Children" means sons not over the age of 21 and unmarried and widowed daughters provided that sons and unmarried and widowed daughters who are employed other wise than on casual basis and drawing a salary of more than Rs.250 per month shall not be regarded as wholly dependent on an employee.

(ii) The parents including step-father and step-mother shall be regarded as "wholly dependent" on an employee if their total recurring monthly income from all sources does not exceed Rs.250. The declaration regarding the income of parents shall be furnished by the employee concerned once in the beginning of each financial year.

(f) "**Dependent**" shall mean wife or husband, parents and legitimate children, etc. who are permanently residing with and wholly dependent on the employee as indicated vide (d) above.

(g) "**Governing Body**" shall mean the Governing Body of the Welfare Fund.

(h) "**Welfare Fund**" means the "Calcutta Port Trust (Haldia Dock Complex) Employees' Welfare Fund" established under Sub-Regulation (a) of Regulation (3).

3. **Constitution and Management of Welfare Fund** :

(a) There shall be constituted by the Board a Fund to be called the Welfare Fund for the benefit of the employees of the Haldia Dock Complex.

(b) The management and the control of the Welfare Fund shall vest in a Governing Body consisting of -

- (i) the Deputy Chairman.
- (ii) the Deputy General Manager.
- (iii) the Deputy Manager (Finance).
- (iv) the Manager (P&IR).

(c) The Deputy Chairman and in his absence, the Deputy General Manager shall be ex officio Chairman of the Governing Body.

(d) The Governing Body shall meet at such intervals and at such time and place as the Deputy Chairman or in his absence, the Deputy General Manager may direct.

(e) The proceedings of the Governing Body shall be recorded in a Minutes Book and shall be authenticated by the person presiding at the meeting.

4. **Contribution to Welfare Fund** - All money accruing from the following sources shall be credited to the Welfare Fund by way of payment by the Board :-

(a) the contributions from the general revenues of the Board as may be sanctioned by the Board from time to time subject to the maximum limit of one lakh rupees per annum ;

(b) the salaries, wages, allowances and other dues of any kind whatsoever not claimed by any employee other than the employees employed in a "factory" as defined in Section 2(M) of the Factories Act, 1948 or anybody on behalf of such employee, after the expiry of three years and six months from the date on which salaries, wages, allowances and other dues became due to the employee concerned.

Provided that if the Board accepts the claim preferred after the expiry of the period of three years and six months the said amount shall be paid out of and debited to the Welfare Fund ;

(c) All fines realised from employees other than the employees employed in a "factory" as defined in Section 2(M) of the Factories Act, 1948 ;

(d) all sums of money that may accrue to the Welfare Fund by way of interest.

5. **Investment of Welfare Fund** - The net operating surplus of the Welfare Fund shall be invested in the Central Government or any State Government Securities or the Calcutta Port Trust Debentures or other Trust Securities guaranteed by the Central Government or State Government in respect of payment of interest and capital or in fixed deposit with the State Bank of India or other nationalized or scheduled Bank as the Governing Body may from time

to time decide.

6. **Scope and objects of the Welfare Fund** - The Welfare Fund shall be utilised by the Governing Body to meet any expenditure incurred in connection with such measures as may be specified by the Board from time to time to promote the welfare of employees and may include the following, namely :-

(i) Donations, subscriptions and the like to institutes, clubs, co-operative societies of other similar objects connected with the welfare of the employees and their families ;

(ii) grant of loan to co-operative societies, organized by the employees, at such reasonable rate of interest as may be determined by the Governing Body from time to time.

(iii) educational facilities (including reading rooms and libraries) for employees and their dependent children ;

(iv) medical relief, not covered by the Medical Attendance Rules applicable to the employees, and convalescent home expenses ;

(v) grant for sports, excursions and entertainments for the employees.

(vi) payment of any special rewards to employees for life savings or other meritorious acts ;

(vii) financial assistance, to the employees and their dependents in acute distress ;

(viii) rendering immediate financial relief to the families of the employees who die or sustain serious injuries while on duty or while going to or returning from duty ;

(ix) any other item of expenditure for the benefit of the employees and their families at the discretion of the Deputy Chairman.

7. **Payment from Welfare Fund** - Any payment from the Welfare Fund shall be sanctioned by the Deputy Chairman, or in his absence, by the Deputy General Manager provided such payments are reported to the Governing Body at their next meeting :

Provided further that a payment exceeding two hundred and fifty rupees shall require the sanction of the Governing Body.

8. **Accumulation of Welfare Fund :**

(i) The maximum amount that may be held in the Welfare Fund shall not exceed rupees two lakhs.

(ii) Any such in excess of the maximum specified in sub-Regulation (i) shall be credited

to the Board's Revenue Account.

9. There shall be separate financial accounts for the Welfare Fund.

10. The Board reserves the right to add to or amend these regulations as and when it thinks fit and proper.

11. In all questions of interpretation or working of these Regulations, the decision of the Deputy Chairman shall be final and conclusive.

12. Repeal and Savings :

(i) On the commencement of these regulations every rule, regulations, resolution or order in force immediately before such commencement shall, in so far as it provides for any of the matters contained in these regulations, cease to operate.

(ii) Notwithstanding such cessation of operation, anything done or any action taken under any previous rule, regulation, resolution or order shall be deemed to have been done or taken under the corresponding provision of these regulations.

Note : Published in the Gazette of India, Extra Ordinary, Part II, Section 3, Sub-section (i) dated the 13th February, 1987.