



THE GAZETTE OF INDIA



MINISTRY OF SURFACE TRANSPORT (Ports Wing) New Delhi

NOTIFICATION

G.S.R. - 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 approve of the regulations entitled the Calcutta Port Trust Employees' (Welfare Fund) Regulations, 1977, made by the Board of Trustees of the Port of Calcutta in exercise of the powers conferred by section 28 read with sub-section (2) of section 124 of the said Act. and published in the "Calcutta Gazette" dated the 13th October 1977 and the 20th October 1977.

SECRETARY TO THE GOVERNMENT OF INDIA

R.T. PANDEY

UNDER

K.N.GANGULY

Secretary.

Dated the 24th September, 1979.

THE CALCUTTA PORT TRUST EMPLOYEES' (WELFARE FUND) REGULATIONS,
1977

1. **Short title and commencement** : (a) These Regulations may be called the Calcutta Port Trust Employees' (Welfare Fund) Regulations, 1977.

(b) They shall come into force on the date of the publication of the Government's sanction in the Official Gazette.

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

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

(b) "Board", "Chairman", "Deputy Chairman" and "Head of Department" shall have the same meanings as assigned to them respectively in the Major Port Trusts Act, 1963.

(c) "Employee" shall mean an employee of the Board in any post or capacity and shall include artisans, and other monthly rated employees whether skilled or unskilled, and porters and labourers in

category 'A' i.e., permanent decasualised shore labourers and their Sirdars, and shall also include any such persons on foreign service or whose services 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 therein include the families and dependents of employees as defined and ex-employees and casual workers under special circumstances.

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

(e) "Welfare Fund" means the "Calcutta Port Trust Employees Welfare Fund" established under sub-rule (1) of rule (3).

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

(1) There shall be constituted by the Board a Fund to be called the Welfare Fund for the benefit of the employee.

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

- (i) the Chairman,
- (ii) the Deputy Chairman
- (iii) the Secretary of the Board.
- (iv) the Financial Adviser and Chief Accounts Officer of the Board.
- (v) the Labour Adviser and Industrial Relations Officer of the Board.

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

(4) The Governing Body shall meet at such intervals and at such time and place as the Chairman or the Deputy Chairman may direct.

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

4. **Contribution to Welfare Fund :** All moneys 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 five 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 any body on behalf of such employee. after the expiry of three years and six months from the date on which the salaries, wages, allowances and other dues became due to the employee concerned.

* "Provided that the Chairman or the Deputy Chairman, Calcutta Dock System or the Deputy Chairman, Haldia Dock Complex may accept any claim for repayment of any dues of any employee already credited to the Welfare Fund and sanction payment of the same out of the Fund on certification by

the Financial Adviser and Chief Accounts Officer of the Board".

(c) all sums of money in the Board's Contributory Provident Fund account representing the Board's contribution to the Provident Fund account of such employees who have forfeited their eligibility to such contribution under the Board's Provident Fund Rules,

(d) all fines realised from employees other than the employees employed in a factory as defined in section 2(m) of the Factories Act.1948.

(e) any revenue surplus of the Loan Fund for the employees, if so directed by the Chairman:

Provided that no such surplus shall be so credited until a contribution has been made first, if necessary, to the "Reserve Fund for Bad Debts" of the Board's said Loan Fund.

(f) 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 Governments in respect of payment of interest and capital or any 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 or other similar objects connected with the welfare of the employees and their families :

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

** Educational facilities (including reading rooms and libraries) and scholarship facilities for employees and their dependent children.

(iv) medical relief, not covered by the Medical attendance 'Rules applicable to the employees and convalescent homes expenses.

(v) grant for sports, excursions and entertainment for the employees :

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

(vii) financial assistance to the employees/reemployed and their dependants in acute distress;

(viii) rendering immediate financial relief to the families of 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 employees and their families at the discretion of the Chairman.

** **7.Payment from Welfare Fund-**Any payment from the Welfare Fund shall be sanctioned by the Chairman or the Deputy Chairman, Calcutta Dock System or the Deputy Chairman, Haldia Dock Complex provided such payments are reported to the Governing Body at their next meetings.

Provided further that any payment exceeding two hundred and fifty rupees other than payment as referred to in Clause (b) of Regulation 4 shall require the sanction of the Governing Body.

8. **Accumulation of Welfare Fund :** (1) The maximum amount that may be held in the Welfare Fund shall not exceed rupees ten lakhs.

(2) Any sum in excess of the maximum specified in sub-rule (1) 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 rules as and when they think fit and proper.

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

12. **Repeal and savings :** (1) On the commencement of these Regulations, every rule, regulation, 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.

(2) 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.

K.N. GANGULY

Secretary.

The 30th September 1977.

*Substituted vide First Amendment

**Substituted vide Second Amendment

Note:- The Calcutta Port Trust Employees' (Welfare Fund) Regulations, 1977 were sanctioned by the Government of India vide Ministry of Shipping and Transport's letter No.PEC-97/98 dated August 1979 and published in the Calcutta Gazette dated 13th & 20th October, 1977 followed by publication of Government notification in the Calcutta Gazette dated 4th and 11th October, 1979. The First Amendment Regulations, 1990 were published in the Gazette of India Part- II, Section 3(i) under G.S.R. No.93(E) dated 22nd February, 1990 and the Second Amendment Regulations were published vide G.S.R 426(E) dated 21st May 1993 .

* Substituted by first Amendment Regulations

** Substituted by Second Amendment Regulations.

