

The Punjab Labour Welfare Fund Rules, 1966

PUNJAB

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Rule THE-PUNJAB-LABOUR-WELFARE-FUND-RULES-1966 of 1966

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The Punjab Labour Welfare Fund Rules, 1966 Published vide Notification Punjab Government Notification No. GSR 82/P.A-16/65/Section27/66, dated 22.4.1966.

1. Short title.

- These rules may be called the Punjab Labour Welfare and Rules, 1966.

2. Definitions.

- In these rules, unless the context, otherwise requires, -(i)"Act" means The Punjab Labour Welfare Fund Act, 1965.(ii)"Form" means a form appended to these rules.(iii)"Section" means a section of the Act.

3. Agency for and manner of collecting sums specified in sub-section (3) of section 3.

[Sections 3(1) and 27(2)(a)] - (1) Every employer shall pay in cash or by money order or by postal order or by demand draft or cheque drawn on the State Bank of India or any Scheduled Bank duly crossed in favour of the Welfare Commissioner within thirty days of the commencement of these rules, -(a)all fines realised from the employees and remaining unutilized on such commencement; and(b)all unpaid accumulations held by the employer on such commencement.(2)The employer shall along with such payments submit a statement to the Welfare Commissioner giving full particulars of the amounts so paid.(3)Thereafter all fines realised from the employees and all unpaid accumulations during the quarters, ending the 31st March, the 30th June, the 30th September and 31st December shall be paid by the employer in the manner aforesaid to the Board by the 1st May, the 1st August, the 1st November and the 1st February, succeeding such quarter and a statement

giving particulars of the amounts so paid shall be submitted by him along with such payment to the Welfare Commissioner.(4)The receipt of every payment received by the Welfare Commissioner shall be acknowledged by him in writing to the employer.(5)All the moneys belonging to the Fund shall be deposited in the State Bank of India, [or any nationalised bank] [Added by Punjab Government Notification No. GSR 68/PA17/65/Section27/Amd.(2)/75, dated 26.6.1975.] [or in the Punjab State Co-operative Bank Limited] [Added by Punjab Government Notification No. GSR 72/PA17/65/Section 27/Amd.(3)/76, dated 17.6.1976.].(6)(i)The Welfare Commissioner shall deposit the Cash, Bank Drafts, Cheques or Postal Orders received from the employers or any other source in the State Bank of India [or in any nationalised Bank] [Added by Punjab Government Notification No. GSR 68/PA17/65/Section 27/Amd.(2)/75, dated 26.6.1975.] [or in the Punjab State Co-operative Bank Limited] [Added by Punjab Government Notification No. GSR 72/PA17/65/Section 27/Amd.(3)/76, dated 17.6.1976.] in the current accounts of the Fund. The grant and subsidies received from the State Government shall also be deposited by the Welfare Commissioner into the said accounts.(ii)The Welfare Commissioner shall be the competent authority to operate upon the accounts of the fund.

4. Notice for payment of fines and unpaid accumulations by Welfare Commissioner.

[Sections 3(3) and 27(1)] - The Welfare Commissioner may after making such enquiries as he may deem fit and after calling for a report from the Inspector, if necessary, serve a notice on any employer to pay any portion of fines realised from the employees or unpaid accumulations held by him which the employer has not paid in accordance with rule 3. The employer shall comply with the notice within 14 days of the receipt thereof.[5. Maintenance and Audit of Accounts.[Section 3(3)] [Substituted by Punjab Government Notification No. GSR13/P.A.17/65/Section 27/Amd.(5)/80, dated 11.2.1980.] - The Accounts of the Fund shall be prepared and maintained by the Accounts Officer of the Board in such manner as may be specified by the Board with the approval of the Government, and in consultation with the authority entrusted with the audit of the said accounts.(2)Subject to the provisions of the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971, and any rule made or orders passed thereunder, the audit of the accounts of the Fund may be entrusted by the State Government in consultation with the Board, to the Comptroller and Auditor General of India.(3)The Welfare Commissioner shall be responsible for the disposal of remarks, observations, comments, of the audit authority on the accounts subjected to its audit as aforesaid.(4)A separate Administrative Accounts shall be maintained].

6. Budget of the Board.

[Section 27(1)] - (1) The budget estimates for each financial year shall be prepared and laid before the Board on or before 15th October of the previous financial year by the Welfare Commissioner and, after it is approved by the Board shall be forwarded to the State Government for approval on or before 1st November. The State Government shall approve the budget before 1st January after making such amendments and alternations as it considers necessary.(2)The budget thus amended or altered and approved shall constitute the budget of the Board for the ensuing financial year and shall be issued under the seal of the Board and signed by the officer or officers of the Board duly

authorised in this behalf. An authenticated copy of the Budget shall be forwarded to the State Government before the 28th February.

7. Additional Expenditure.

[Section 27(1)] - If during the course of the financial year it becomes necessary to incur expenditure over and above the provision made in the budget, the Board shall immediately submit to the State Government the details of the proposed expenditure and specify the manner in which it is proposed to meet the additional expenditure. The State Government may either approve the proposed expenditure after making such modifications, as it considers necessary or reject it. A copy of the order passed by the State Government on every such proposal to incur additional expenditure shall be communicated to the Board and the Accountant-General, Punjab.[8. Constitution of Board. [Sections 4(3) and 27(2)(c)] [Substituted by Punjab Government Notification No. GSR10/P.A.17/65/Section 27/Amd.(4)/78, dated 17.1.1978.] - The Board shall consist of eighteen members out of which six shall be representatives of employers, six of employees and six independent members including the Chairman].

9. Allowances of members.

[Section 27(2)(d)] - (1) For attending meetings of the Board the members of the Board shall be entitled to the travelling and daily allowances as admissible to Punjab Government Officers drawing pay of Rs. 1,000 per month. Other conditions as laid down in Travelling Allowance Rules for Government Servants will also apply to journeys performed by the members of the Board for the aforesaid purpose.(2)The headquarters of the Board shall be at Chandigarh or at such place as the State Government may by notification specify.(3)The Welfare Commissioner shall be the controlling officer in respect of the travelling allowance bills of the members of the Board.

10. Meetings of the Board.

[Sections 27 and 27(2)(d)] - (1) The Board shall meet at least once every quarter and as often as may be necessary.(2)All members of the Board shall be given at least seven days' notice of a meeting specifying the date, time and place of the meeting and the business to be transacted thereat:Provided that no such notice shall be necessary when the opinion of the Chairman, business of emergent nature has to be transacted.

11. Quorum.

[Sections 8 and 27(2)(d)] - The number of members necessary to constitute a quorum at a meeting of the Board shall be [six] [Substituted by Punjab Government Notification No. GSR10/P.A.17/65/Section 27/Amd.(4)/78, dated 17.1.1978.] including the Chairman :Provided that no matter concerning finances shall be decided unless there is a quorum of not less than [seven] [Substituted by Punjab Government Notification No. GSR10/P.A.17/65/Section 27/Amd.(4)/78, dated 17.1.1978.] members including the Chairman present and voting.

12. Adjournment of meetings.

- If there is no quorum as laid down in rule 11, the Chairman shall, after waiting for one hour after the time fixed for the meeting of the Board, adjourn the meeting to such hour on some other day as he may deem fit. A notice of such adjourned meeting shall be sent to every member of the Board and the business which would have been brought before the original meeting, had there been a quorum there at, shall be brought before the adjourned meeting and disposed of at such meeting, whether there be a quorum or not.

13. Mode of exercising votes.

[Section 27(2)(d)] - Votes shall be taken by show of hands and the names of persons voting in favour and against any proposition shall be recorded only if any member requests the Chairman or the person presiding as the case may be, to do so.

14. Minutes of the meetings.

[Section 27(2)(d)] - The Board shall keep minutes of the proceedings of each meeting of the Board and shall include therein the names of the members present. A copy of such minutes shall be submitted by the Board to the State Government as soon as they are confirmed by the Board.

15. Notice under section 9(3).

[Sections 9(3) and 27(2)(e)] - The notice required to be given under section 9(3) shall be in form 'C'.

16. Application for grant from the Funds.

[Section 10(3)] - (1) Any local authority or any other body except an employer may make an application to the Welfare Commissioner for a grant under section 10(3). Such an application shall be placed by the Welfare Commissioner before the Board within two months of its receipt (duly completed in all respects) or the next meeting of the Board, whichever is latter with his remarks. If the application is approved by the Board, then the same shall be forwarded by the Welfare Commissioner to the State Government, along with the recommendations of the Board, for obtaining the approval of the State Government.(2)Within two months of the approval of the State Government, the Welfare Commissioner shall remit the amount so approved by means of a demand draft or a cheque drawn on any branch of the State Bank of India duly crossed. (Payees account only).

17. Mode of payment.

[Section 27(1)] - All payments except the grants from the fund amounting to :-(a)less than Rs. 50 shall be made in cash.(b)Rs. 50 or more shall be made by cheque issued by the Welfare Commissioner; provided the Board may in any particular case for special reasons, authorise such

payments also in cash.(2)The salaries of the staff of the Board shall be paid either in cash or by cheque.

18. Investment of Fund.

[Sections 12 and 27(2)(f)] - Such portion of the fund as cannot be applied of some time for the purposes of the Act shall be invested by the Board in the National Savings Certificates or other securities referred in section 20 of the Indian Trust Act, 1882 [or deposited in the fixed deposit or in the Savings Bank Account in the State Bank of India or in any nationalised Bank) (2) [or in the Punjab State Co-operative Bank Limited] [Added by Punjab Government Notification No. GSR 68/PA17/65/Section 27/Amd.(2)/75, dated 26.6.1975.].

19. Powers of Inspectors.

[Sections 15(2)(b) and 27(2)(h)] - Every Inspector shall for carrying out the purposes of the Act and in discharge of his duties as an Inspector shall have the power to require any employer to produce any document for his inspection, to supply him a true copy thereof and to give him a statement in writing.

20. Expenditure on the staff and other administrative measures.

[Section 27(2)(1)] - The expenses of the staff of the Board and other administrative expenses of the Board shall not exceeding 75 per cent of the annual income of the Fund or such percentage of the annual income of the Fund not exceeding 75 per cent as may be fixed by the Government from time to time.

21. Publication of annual report of Board.

[Section 27(2)(k)] - The Board shall within three months of the date of the closing of each financial year, submit to the State Government for approval an audited statement of receipts and expenditure together with an annual report giving a detailed account of its activities during the year. After the said statement and report are approved by the State Government, the Board shall cause the same to be published in such manner as it may deem fit.

22. Maintenance of register by certain employers.

[Section 27(2)(i)] - (1) Every employ of an establishment shall maintain the following records :-(a)a register of wages in Form A.(b)a consolidated register of unclaimed wages and fines in Form B;Provided that if the information to be maintained in Form A and Form B is being maintained by the employer in any other register under any other law for the time being in force, he may not maintain such information in Form A and Form B.(2)Such employer shall by the 31st January every year forward to the Welfare Commissioner a copy of the extract from the register in Form B pertaining to the previous year.Form A(See Rule 22)Register of Wages

Serial No.	Name of the employee	Ticket and Beds No.	Occupation	Amount Payable during the month		Amounts deducted during the month		Dearness allowance and other allowances	Bonus	Fines	Other deduction
				Basic wages	Over times						
1	2	3	4	5	6	7	8	9	10		
Amounts actually paid during the month		Balance due to the employees									
Basic wages		Over time		Dearness allowance and other allowances		Bonus	Basic wages	Over time wages	Dearness allowance and other allowance		Bonus
11		12		13		14	15	16	17		18

Form B(See rule 22)Register of fines realised and unpaid accumulation for this year _____

During

Quarter ending 31st March	Quarter ending 30th June	Quarter ending 30th September	Quarter ending 31st December
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1. Total realisation under fines

2.[Total amount becoming unpaid accumulations]

[See definition of unpaid accumulations under section 2(10) of the Punjab Labour Welfare Fund Act 1965. For example in the column for the quarter ending June 1966 should be shown the payments which became due to the employees during the quarter January-March 1963 and which have since remained unpaid.]*

3. (i) Basic Wage

(ii) Overtime

(iii) Dearness allowance and other allowances

Total of (1) (2)