

The Rajasthan Workmen's Compensation (Unclaimed Deposits) Rules, 1959

RAJASTHAN

India

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Rule

THE-RAJASTHAN-WORKMEN-S-COMPENSATION-UNCLAIMED-DEPOSITS-RULES-1959

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The Rajasthan Workmen's Compensation (Unclaimed Deposits) Rules, 1959 Published vide Notification No. F 1(6) Lab/57, dated 6.4.1959, Published in Rajasthan Gazette Part 4-C, dated 6.8.1959, page 420 In exercise of the powers conferred by Section 32 of the Workmen's Compensation Act, 1923 (Central Act 8 of 1923), the Government of Rajasthan is pleased to make the following Rules, the same having been previously published in Rajasthan Gazette as required under Section 34 of the said Act, namely:-Rules

1. Short title.

(a) These rules may be called the Rajasthan Workmen's Compensation (Unclaimed Deposits) Rules, 1959. (b) They supersede all previous rules on the subject in force in any part of Rajasthan.

2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context-(a)"Act" means the Workmen's Compensation Act, 1923;(b)"Financial year" means the financial year as defined in clause (21) of Section 3 of the General Clauses Act, 1897;(c)"Section" means a section of the Act;(d)"Treasury" means a Government Treasury;(e) Words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

3. Sums unclaimed for three years to be credited to Rajasthan Government.

(1) When any person to whom any lump sum referred to in sub-section (7) of Section 8 is payable dies, the Commissioner shall make an enquiry for ascertaining the person who is entitled to claim the said sum. (2) If the Commissioner finds that there is no person who claims the said sum for a period of three years from the date of the death of the person to whom the said sum was payable, it shall at the end of the financial year be paid into the Treasury to the credit of the State Government as deposit unclaimed, for the eventual benefit of any person who may duly establish his claim thereto.

4. List of sums unclaimed to be posted in the office of the Commissioner, every year.

(1) In the month of January each year, a list showing sums, which at the end of the financial year will be due for being credited to the State Government under Rule 3 and the names of persons to whom the said sums were payable, shall be posted up in the office of the Commissioner. (2) If the said sums are not claimed by any person before the 25th March, in that year, the Commissioner shall pay the said sums into the Treasury to the credit of the State Government on the forenoon of 31st March in the year. (3) In the month of April following, the Commissioner shall furnish to the Accountant General, Rajasthan, a statement of all sums credited to the State Government showing separately the said sums in serial order, the names of persons to whom they were payable and the dates on which the said sum were credited to the State Government.

5. Refund.

- If any person proves to the satisfaction of the Commissioner that he is entitled to any sum credited to the State Government under sub-rule (2) of Rule 3, the Commissioner shall make an application in Form 'A' annexed hereto to the Accountant General, Rajasthan, for refund of the said sum to the Commissioner, after verifying that it had been received by him and was credited to the State Government under sub-rule (2) of Rule 3. Form 'A'

The Accountant General, Rajasthan.....I..... the Workmen's Compensation Commissioner hereby certify that Shri/Shrimati..... is/are the legal heir (s) of the deceased..... as per judgment dated..... delivered by this Court on..... It is, therefore, requested that the sum of Rs. deposited as per Statement dated..... may be refunded for payment to the claimants. Workmen's Compensation Commissioner.