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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Proclamations & C., by the President

L.D.B 63/51 (II).



A NOTICE BY HIS EXCELLENCY THE PRESIDENT

MAHINDA RAJAPAKSA.

I, Mahinda Rajapaksa, President, by virtue of the powers vested in me by Section 16 of the Sri Lanka Railway Uniform Staff Benevolent Fund Ordinance (Chapter 284) do by this notice declare that the provisions of these Rules shall come into operation on the 30th September, Two Thousand and Thirteen.

Given at Colombo on the 30th September, Two Thousand Thirteen.

By His Excellency's Command,

Secretary to the President.

L.D.B 63/51 (II).

Sri Lanka Railway Uniform Staff Benevolent Fund Ordinance (Chapter 284)

Rules made by the Corporation known as the Sri Lanka Railway Uniform Staff Benevolent Fund, under Section 16 of the Railway Uniform Staff Benevolent Fund Ordinance (Chapter 284) and confirmed by the President by virtue of the powers vested in him by the aforesaid section.

MAHINDA RAJAPAKSA,
President.

Colombo,
30th September 2013.

RULES

The rules published in *Gazette Extraordinary* No. 305 of July 6, 1984, as amended from time to time and last amended by rules published in *Gazette Extraordinary* No. 1623/5 of October 12, 2009 are hereby further amended as follows :-



1. By the repeal of Rule (15) and the substitution therefore of the following new rule :-

- "Funeral
Advances for
dependents.
- (15) 1. (a) A member shall be paid rupees twenty thousand (Rs. 20,000) as death gratuity in the event of the death of the spouse, unmarried son under the age of 18 years, unmarried daughter of any age, a parent of the member, a parent of the spouse or a child at birth, on production of the death certificate along with a written request by such member ;
- (b) The death gratuity paid under sub-paragraph (a) shall be recovered from the general membership in equal share.
- (15) 2. (a) The member shall produce along with the written request referred to in sub-paragraph (a) of paragraph 1 of Rule (15) -
- (i) the marriage certificate of the member in the event of claiming death gratuity for the deceased spouse ;
 - (ii) the birth certificate of the deceased child in the event of claiming death gratuity in respect of a deceased child ;
 - (iii) the birth certificate of the member in the event of claiming death gratuity for a deceased parent ;
 - (iv) the birth certificate of the spouse and the marriage certificate of the member, in the event of claiming death gratuity for a deceased parent-in-law ; or
 - (v) the still-birth certificate in the event of claiming death gratuity in respect of the death of a child at birth.
- (b) The member shall produce the following documents along with the documents referred to in sub-paragraph (a) of paragraph 1 and in sub-paragraph (a) of paragraph 2 : -
- (i) certificate of the head of the work place ; and
 - (ii) a letter from Grama Niladari countersigned by the Divisional Secretary of the Divisional Secretary's Division of the area where the member permanently resides, certifying the relationship between the member and the deceased.
- (c) (i) Death gratuity under this paragraph shall not be paid until the documents referred to in sub-paragraph (a) of paragraph 1 and sub-paragraphs (a) and (b) of paragraph 2 are produced to the satisfaction of the corporation ;
- (ii) Where the member is unable to obtain or produce the required certificates to the satisfaction of the Corporation, the Corporation has the right to request the member to produce other documents in proof of the relationship of the member to the deceased and only upon the satisfaction of such documents, the death gratuity shall be paid.
- (d) Death gratuity shall not be paid for a second time for the death of a spouse or a parent of a spouse to a member who has married after the dissolution of a previous marriage or the death of the previous spouse, if that member had already claimed the death gratuity in that behalf ;
- (15) 3. The dependents of a full-fledged member have the right to claim the death gratuity.

- (15) 4. (a) Death gratuity shall be claimed from the committee of management within ninety days from the date on which the death occurred and the relationship between the deceased and the member shall be proved within hundred and eighty days from the date on which the death occurred. Application received after the said period of ninety days shall not be entertained and death gratuity shall not be paid to a member who has failed to prove the relationship within the said period of hundred and eighty days ;
- (b) At the demise of a member caused during the period of suspension of membership under sub-paragraph (b) of paragraph 2 of Rule 8, 50% of the death gratuity as at the time of the suspension of that member's membership shall be paid to he dependents of that member in accordance with the provisions of paragraph 2 of Rule 14 ;
- (c) Provisions of paragraph 4 of Rule 8 shall be applicable in respect of the death gratuity payable at the death of a dependent of a member during the suspension of membership of that member ;
- (15) 5. (a) In the case of a member who had not obtained any death gratuity up to the time of his retirement, all the instalments of contribution to death gratuity plus ten *per centum* of the aggregate of the instalments as interest, shall be refunded to the member ;
- (b) All recoveries in respect of death gratuity shall be credited to the Death Gratuity Account and shall be shown separately in the books ;
15. 6. The Corporation shall credit ten *per centum* of the annual net profits of the Corporation to the Death Gratuity Account ;
15. 7. The monies lying to the credit of the Death Gratuity Account shall be deposited in a fixed deposit in a State bank ;
15. 8. The interest accrued from the fixed deposit referred to in paragraph 7 shall be utilized only -
- (a) to refund any monies to a member under sub-paragraph (a) of paragraph 5 of Rule 15 ; and
- (b) to pay certain percentage (which shall be decided by the Corporation) of the death gratuity under paragraph 2 of Rule 14."

2. In Rule (18) by the addition of new paragraph 5 immediately after paragraph 4 thereof :-

- "Donation Security Fund. 18. 5. An amount of Rupees One Million (Rs. 1,000,000/-) shall be deposited in terms of Section (23) of the Ordinance on account of Donation Security Fund. The said Donation Security Fund shall be deposited in a State bank and the interest accrued shall be utilized for the payment of gratuity that will be paid in respective years."

3. By the repeal of Rule (19) and the substitution therefore, of the following new rule :-

- "Honorary gratuity. (19). 1. Where a member loses his membership in the Corporation under paragraph 1 of Rule 8 such member shall be paid a sum of Rupees Ten Thousand (Rs. 10,000/-) (hereinafter referred to as the honorary gratuity) for each and every month for a period of six months totally to Sixty Thousand (Rs. 60,000/-).
19. 2. The payment of honorary gratuity shall commence from the calendar month occurring immediately after the payment of monthly contribution under paragraph 1 of Rule (5) and the payment of donation under Rule (18) ;
19. 3. Every payment of honorary gratuity or part thereof shall be deposited in the name of such member in a savings account ;

19. 4. (a) Every member who wishes to become entitled for the honorary gratuity shall make a contribution of Rupees Three Thousand (Rs. 3,000/-) per annum at the rate of Rupees Two Hundred and Fifty (Rs. 250/-) per month. All recoveries in respect of honorary gratuity shall be deposited in a fixed deposit in a State Bank. The interest accrued from the fixed deposit shall be credited to the honorary gratuity savings account and shall be used for the payment of honorary gratuity ;
- (b) A member who has completed ten years of membership and has contributed Hundred and Twenty (120) instalments of honorary gratuity shall be entitled to receive the honorary gratuity under paragraph 1 of Rule (19) ;
- (c) Where the membership is suspended under sub-paragraph (a) of paragraph 2 of Rule (8) of a member, who is entitled to the honorary gratuity and such member loses his membership under paragraph 1 of Rule (8) shall be eligible to the honorary gratuity only on fulfillment of the provisions of paragraph 2 of Rule 19 and on payment of the arrears of the installments of the honorary gratuity ;
19. 5. Upon the death of a married member, the spouse of such member shall eligible to receive the honorary gratuity of such member. If the member does not have a spouse, person nominated by such member shall be entitled to receive such payment. Where there is no person so nominated, the Committee of Management shall have the power to pay such honorary gratuity to a person who is most suitable. The decision taken by the Committee of Management under this rule shall be final and conclusive ;
19. 6. Where the monthly contribution under paragraph(1) of Rule (5) and the donation under Rule (18) of any member who loses his membership under Rule (8) are insufficient to settle his final accounts, the Committee of Management shall have the power to take necessary steps to deduct such required money from the honorary gratuity.
19. 7. The Committee of Management shall maintain a separate account in terms of Section 23 of the Sri Lanka Railway Uniform Staff Benevolent Fund Ordinance (Chapter 284) for the honorary gratuity transactions and maintain a balance of Rupees One Million (Rs. 1,000,000/-) to the credit of the account ;
19. 8. Where a member losses his membership in the Corporation under paragraph 1 or 2 of Rule (8) and has not fulfilled the requirements under Sub-paragraph (b) of paragraph 4 of Rule 19, all the installments of contribution the member had contributed to honorary gratuity plus ten *per centum* of the aggregate of that installments as interest shall be refunded to the member."

4. By the repeal of Rule (20) and the substitution therefor, of the following new rule :-

"Protection
Gratuity.

20. (1). At the demise of a member, all the male and female children under the age of 18 years shall be paid Rupees Five Thousand (Rs. 5,000/-) each as protection gratuity ;
- (2) Protection gratuity under paragraph 1 of Rule (20) shall be made in respect of each child before the closing of the account of the demised member and same shall be deposited in separate fixed deposits at the National Savings Bank subject to automatic renewal. The fixed deposit certificates shall be handed over to the custodian of each child. If any inconvenience is caused to the opening of fixed deposits due to orders that can be issued from time to time by the bank, savings accounts shall be opened in that behalf in order to deposit the protection gratuity ;

- (3) An amount of Rupees Five Hundred Thousand (Rs. 500,000/-) shall be deposited for the purpose of payment of protection gratuity in terms of paragraph 1 of Rule (20) in a separate fixed deposit account (hereinafter referred to as the "Protection Gratuity Security Fund"). The said Protection Gratuity Security Fund shall be deposited in a State Bank and the interest accrued shall be utilized for the payment of protection gratuity that will be paid in respective years."

5. In Rule (22) :-

- (a) by the repeal of paragraph 1 thereof and the substitution therefor of the following :-

"1. Upon a member completing one year as such member, he shall be entitled to a special loan in such amount as correspondence to the period of his membership as is set out below :

No.	Period of Membership (in Years)	Amount of Loan (in Rupees)
1	01 - 05	7,500
2	05 - 10	15,000
3	10 - 15	20,000
4	25 - 20	30,000
5	Over 20	40,000"; and

- (b) by the repeal of Schedule to the paragraph 5 thereof, and the substitution therefor of the following :-

Schedule

No.	Amount of Loan	In Six months (4 instalments)	In Twelve months (10 instalments)	In Eighteen months (16 instalments)	In Twenty Four months (22 instalments)	In Thirty Six months (34 instalments)
1	7,500	1,875	750	$\frac{475 \times 15}{375 \times 1}$		
		141	113	106		
2	15,000	3,750	1,500	$\frac{940 \times 15}{900 \times 1}$	$\frac{685 \times 21}{615 \times 1}$	
		282	225	211	205	
3	20,000	5,000	2,000	1,250	$\frac{910 \times 21}{890 \times 1}$	$\frac{590 \times 33}{530 \times 1}$
		375	300	282	273	265
4	30,000	7,500	3,000	1,875	$\frac{1365 \times 21}{1335 \times 1}$	$\frac{885 \times 33}{795 \times 1}$
		563	450	422	410	398
5	40,000	10,000	4,000	2,500	$\frac{1820 \times 21}{1780 \times 1}$	$\frac{1180 \times 33}{1060 \times 1}$
		750	600	563	546	530"

6. In Rule (23) by the addition of new Sub-paragraphs (c) and (d) immediately after Sub-paragraph (b) of paragraph 1 thereof:-

"Arrears. (c) In the event of any arrears due to Consolidated Fund from a member whether in employment in the Railway Department or other Government Department or Statutory Board or dismissed there from, the Head of Department or Corporation concerned shall be empowered in terms of this rule to recover all such arrears from any monies due to the member from the Heads of Department concerned once a request in writing is made by the Secretary and Treasurer of this Consolidated Fund in terms of paragraphs 1 and 2 of Rule (6).

(d) If there is no money lying to the credit of such a member in the said Department or Corporation, the Corporation has the power to recover the amount by legal process."

7. By the repeal of Rule (24) and the substitution therefor, of the following new rule :-

"Protection donation.

(24). 1. No member shall be entitled to protection donation unless he has contributed a sum of Rupees Two Hundred (Rs. 200/-) to the Protection Donation Fund before the occurrence of the disablement and a period of six months has lapsed after becoming a member of the Fund.

24. 2. Every member who becomes totally permanently disabled shall be entitled to a sum of Rupees Twenty Thousand (Rs. 20,000/-) under the protection donation. In the case of permanent partial disablement, a member shall be entitled to a sum of Rupees Ten Thousand (Rs. 10,000/-) as protection donation.

24. 3. For the purposes of this Rule :-

(a) totally permanent disablement includes loss of two legs, two hands and two eyes or loss of functions of such parts ; and

(b) permanent partial disablement includes loss of one hand, one leg and one eye or loss of functions of such parts.

24. 4. An amount of Rupees 1 Million (Rs. 1,000,000/-) shall be deposited for the purpose of payment of protection donation in terms of paragraph (1) of Rule (24) in a separate fixed deposit account (hereinafter referred to as the "Protection Donation Fund"). The said Protection Donation Fund shall be deposited in a State Bank and the interest accrued shall be deposited annually in a protection donation savings account and shall be utilized for the payment of protection donation.

24. 5. The protection donation shall be paid to any member on an application made to the Committee of Management in writing which shall be submitted within Three Hundred and Sixty Five (365) days from the date of accident together with a medical report from a Government Medical Officer and related accident report from his Head of the Department."