

# The Punjab Labour Welfare Fund Rules, 1966

(amended upto 24.3.1988)

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# The Punjab Labour Welfare Fund Rules, 1966

(Amended upto 24<sup>th</sup> March,1988)

**No. GSR. 82/P. A. 16/65/S. 27/66, dated the 20<sup>th</sup> April, 1966** :- With reference to the Punjab Government notification No. GSR. 228/P. A. 17/65/S. 27/65, dated the 16<sup>th</sup> September, 1965 and in exercise of the powers conferred by section 27 of the Punjab Labour Welfare Fund Act, 1965, the Governor of Punjab is pleased to make the following rules, namely :-

**1. Short title** - These rules may be called the Punjab Labour Welfare Fund Rules, 1966.

**2. Definitions** -- In these rules, <sup>1</sup> (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. Section 3 (3) 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 unpaid accumulations during the quarters, ending the 31<sup>st</sup> March, the 30<sup>th</sup> June, the 30<sup>th</sup> September and the 31<sup>st</sup> December shall be paid by the employer in the manner aforesaid to the Board by the 1<sup>st</sup> May, the 1<sup>st</sup> August, the 1<sup>st</sup> November and the 1<sup>st</sup> 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.

**Section 3(3)  
and 27 (2) (a)**

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Substituted by Haryana Government Notification No. G.S.R.165/P.A./17/S. 27/71, dated 13.12.1971.

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(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 <sup>1</sup>( any scheduled Bank) of India.

(6) (i) The Welfare Commissioner shall deposit the Cash, Bank Drafts, Cheques or postal Orders received from the employers, or any other source in <sup>1</sup>(any scheduled Bank) of India in the Current Accounts / Saving Bank Accounts/ Fixed Deposit Accounts of the Fund. The grants 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.

Section 3 (3)  
and 27 (1)

**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 enquires 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.

Section 3(3)

**5. Maintenance and Audit of Accounts. Section 3 (3).**--- The accounts of the Fund shall be prepared and maintained by the Accounts Officer of the Board in such manner as may be prescribed by the Board with the approval of the State Government and shall be audited by the Accountant-General, <sup>2</sup>( Haryana), once a year. The Welfare Commissioner shall be responsible for the disposal of the Audit Note. A separate Administration Account shall be maintained.

Section  
27 (1)

**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 15<sup>th</sup> 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 1<sup>st</sup> November. The State Government shall approve the Budget before 1<sup>st</sup> January after making such amendments and alterations as it considers necessary.

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1. Substituted by Haryana Government Notification G.S.R./34/P.A. 17/65/S.27/74, dated 31<sup>st</sup>October, 1974.

2. Substituted by Haryana Government Notification G.S.R.165P.A. 17/S.27/71, dated 23<sup>rd</sup> December, 1971.

(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 28<sup>th</sup> February.

**Section 27(1)**

**7. Additional Expenditure** .-- 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, <sup>1</sup>(Haryana).

**Section 4(3)  
and 27 (2) (c)**

**8. Constitution of the Board** .-- The Board shall consist of twelve members out of which four shall be representatives of employers, four of employees and four independent members including the Chairman.

**Section  
27(2)(d)**

**9. Allowances of members** .-- (1) For attending meetings of the Board the members of the Board shall be entitled to the travelling and daily allowances as admissible to <sup>1</sup>(Haryana) Government officers drawing pay of Rs. 1,000 per month. Other condition as laid down in Travelling Allowance Rules for Government Servants will also apply to journey performed by 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 traveling allowances bills of the members of the Board.

**Section 8 and  
27(2)(d)**

**10. Meeting of the Board** .-- (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 there at:

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1. Substituted for the word 'Punjab' by Haryana Govt. notification dated 24<sup>th</sup> March, 1988(gazette notification dt. 12.4.88)

<sup>1</sup> (Provided that an emergent meeting can be called after 24 hours notice, if in opinion of the Chairman, business of an emergent nature has to be transacted).

**11. <sup>1</sup>(Quorum.--**The number of members necessary to constitute a quorum at a meeting of the Board shall be six including the Chairman provided that no matter concerning financing shall be decided unless there is a quorum of not less than 7 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 ( )<sup>2</sup>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 thereat, shall be brought before the adjourned meeting and disposed of at such meeting, whether there be a quorum or not.

**Section 8 & 27(2)(d)**

**13. Mode of exercising votes.--** 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.

**Section 27(2)(d)**

**14. Minutes of the meetings.--** The Board shall keep minutes of the proceedings of each meetings ( ). A copy of such Minutes shall be submitted by the Board to the State Government as soon as they are confirmed by the Board.

**Section 9(3) & 27 (2) (e)**

**15. Notice under Section 9(3) .--** The notice required to be given under Section 9(3) shall be in form 'C'

**Section 10(3)**

**16. Application for grant of the Fund.--** (1) Any local authority or any other body except an employer may make an application to the Welfare Commissioner for a grant <sup>1</sup> ( from the funds), such an application shall be placed by the Welfare Commissioner before the Board within two months of its receipt <sup>2</sup>( ) or the next meeting of the Board , whichever is later 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 recommendation 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 demand draft or a cheque drawn on any Branch of <sup>1</sup> ( any Scheduled Bank) duly crossed. (payees account only)

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1.Substituted by Haryana Govt. Notification dated 24<sup>th</sup> March, 1988 (gazette notification dated 12.4.88

2. Omitted by Haryana Govt. notification dated 24<sup>th</sup> March, 1988 (gazette notification dated 12.4.88

|  |  |
|--|--|
| <b>Section 27(2)</b>                     | <p><b>17. Mode or payment</b> .-(1) All payments except the grants from the fund amounting to :-</p> <p>(a) Less than Rs. 50 shall be made in cash.</p> <p>(b) Rs. 50 or more shall be made by the cheque issued by the Welfare Commissioner, provided the Board may in any particular case or special reasons, authorise such payments also in cash.</p> <p>(2) The salaries of the staff of the Board shall be paid either in cash or by cheque.</p>   |
| <b>Section 12 &amp; 27(2) (f)</b>        | <p><b>18.<sup>1</sup>(Investment of Fund.--</b> Such portion of the fund as remained unutilized shall be invested by the Board in the National Saving Certificates or other securities referred to in section 20 of the India Trust Act, 1882.</p>   |
| <b>Section 15(2)(b) &amp; 27 (2) (h)</b> | <p><b>19.Powers of Inspectors.--</b> Every Inspector shall have the power to require an employer to allow inspection of a document and to supply him a copy thereof or to give him a statement in writing.</p>   |
| <b>Section 27 (2) (i)</b>                | <p><b>20.Expenditure on the Staff and other administrative measures.--</b> The expenditure on the establishment of the Board shall not exceed 60 % of the annual income of the Board from the Fund).</p>   |
| <b>Section 27(2)(k)</b>                  | <p><b>21. Publication of annual report of Board.--</b> 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.</p>  |
| <b>Section 27(2)(i).-</b>                | <p><b>22. Maintenance of register by certain employers.</b> (1) Every employer of an establishment shall maintain the following records :-</p> <p>(a) a register of wages in Form A.</p> <p>(b)a consolidated register of unclaimed wages and fines in Form B.</p> <p>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.</p> <p>(2) Such employer shall by the 31<sup>st</sup> January every year forward to the Welfare Commissioner a copy of the extract from the register in Form B pertaining to the previous year.</p> <hr/> <p>1. Rules 18, 19 &amp; 20 substituted by Haryana Govt. notification dated 24<sup>th</sup> March, 1988(gazette notification dt. 12.4.88)</p> |



**FORM B**

( See Rule 22)  
 REGISTER OF FINES REALISED AND UNPAID  
 ACCUMULATION FOR THE YEAR-----  
 -----

|   | During<br>quarter<br>ending 31 <sup>st</sup><br>March | During<br>quarter<br>ending 30 <sup>th</sup><br>June | During<br>quarter<br>ending<br>30 <sup>th</sup> Sep. | During<br>quarter<br>ending<br>31 <sup>st</sup> Dec. |
|---|---|--|--|--|
| 1. Total realisation<br>under fines ...                         |   |  |  |  |
| 2.Total amount<br>becoming unpaid<br>accumulations 1 of___      |   |  |  |  |
| 3.(i)Basic Wage<br>...  |   |  |  |  |
| (ii)Overtime<br>...   |   |  |  |  |
| (iii) Dearness<br>allowance<br>and<br>other<br>allowance<br>... |   |  |  |  |
| Total (1) (2)   |   |  |  |  |

1. See definition of "unpaid accumulation" 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 become due to the employees during the quarter January-March, 1965 and which have since remained unpaid.



**FORM C**

**(See Rule 15)**

**PUNJAB LABOUR WELFARE BOARD, CHANDIGARH**

**(constituted under the Punjab Labour Welfare Fund Act, 1965)**

**NOTICE**

No.                      Dated                      Chandigarh                      the                      197

**WHOM IT MAY CONCERN**

Whereas the Board has received certain amounts of money being unclaimed wages appearing herein under for their transfer to the Punjab Labour Welfare Fund.

And whereas, it is expedient to notify these unclaimed accumulations to the persons who may have any claim to these amounts.

Now, therefore, in accordance with the provisions of section 9(3) of the Punjab Labour Welfare Fund Act, 1965, the Board hereby exhibits/publishes the particulars of these amounts and invites application from the persons having any claim to these amounts duly supported by any proof to their claim being valid and notified after the expiry of a period of ----years---months from the date of this notice, no such claim shall be entertained and the amounts left unclaimed shall be treated as abandoned property and shall stand automatically transferred to the Punjab Welfare Fund.

| Name and particulars of the persons | Name of the establishment (with address) | Amount<br>Rs.      P. | Nature of dues | Period to which pertaining |
|-------------------------------------|--|-----------------------|----------------|----------------------------|
| 1                                   | 2  | 3                     | 4              | 5                          |
|                                     |  |                       |                |                            |

Sd/-  
Welfare Commissioner  
for and on behalf of the Punjab  
Labour Welfare Board.

Sd/-  
Secretary to Government Punjab  
Labour Department.