

**BOMBAY PORT TRUST EMPLOYEES  
(Welfare Fund) REGULATIONS, 1975.**

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In exercise of the powers conferred by clause (b) of section 28 of the Major Port Trusts Act, 1963 (38 of 1963), and in supersession of the existing regulations, the Board of Trustees of the Port of Bombay, with the approval of the Central Government, as required by sub-section (1) of section 124 of the said Act, hereby makes the following regulations, the same having been previously published in the two successive issues of the Official Gazette, as required under sub-section (2) of the said section, namely :

1. **Short title and commencement** –
  - (1) These regulations may be called the Bombay Port Trust Employees (Welfare Fund) Regulations, 1975.<sup>1</sup>
  - (2) They shall come into force on the date<sup>2</sup> of the publication of the Government's sanction in the Official Gazette.
2. **Definitions** – In these regulations, unless the context otherwise requires –
  - (a) “Board”, “Chairman”, “Deputy Chairman” and “Head of Department” shall have the meanings respectively assigned to them in the Major Port Trusts Act, 1963.
  - (b) “Employee” means an employee of the Board, whether permanent or temporary and includes any employee on foreign service and any permanent or temporary employee of the Central or a State Government or a local or other authority on deputation with the Board.
  - (c) “Fund” means the Bombay Port Trust Employees Welfare Fund established under regulation 3.
  - (d) “General Account” means the general account of the Board.
3. **Establishment of the Fund** – There shall be established a Fund to be called the Bombay Port Trust Employees Welfare Fund and there shall be credited thereto –

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1 Sanctioned by the Board by their TR No.506 dated 9<sup>th</sup> September 1975 and by the Central Government *vide* MOST's letter No.PEB(72)/75 dated 3<sup>rd</sup> March 1976.

2 Effective from 19<sup>th</sup> March 1976.

- (a) such contributions from the general account as may be sanctioned by the Board from time to time;
  - (b) salaries, wages, allowances and other payments due to employees, other than the employees employed in a “factory”, as defined in section 2(m) of the Factories Act, 1948, remaining unclaimed for three years from the date they become due, whether before or after the commencement of these regulations;
  - (c) fines realised from employees, other than the employees employed in a “factory” as defined in section 2(m) of the Factories Act, 1948;
  - (d) contributions to employees’ Provident Fund withheld under the relevant regulations regulating the Provident Fund;
  - (e) interest on loans granted to co-operative societies of employees from the Fund;
  - (f) interest and profit on investments belonging to the Fund; and
  - (g) any other sum or property made over to the Fund by way of gift or donation.
4. **Administration of the Fund** – The Fund shall be administered by the Chairman who may, at his discretion, constitute an advisory committee for the purpose.
5. **Expenditure from the Fund** – The objects on which the Fund may be expended shall be the following, namely :-
- (a) payment of claims for salaries, wages, etc., preferred after such salaries, wages, etc., are transferred to the Fund under clause (b) of regulation 3;
  - (b) donations, subscriptions and gifts to institutes, clubs, etc. connected with the welfare of employees and their families;
  - (c) grant subsidy and other forms of monetary assistance to co-operative consumer stores and co-operative canteens run by employees;

- (d) loans at such concessional rates of interest as may be fixed by the Chairman from time to time to co-operative consumer stores and co-operative canteens run by employees;
- (e) subsidy to the caterer-managed canteens meant for Port Trust employees;
- (f) scholarships and prizes to children of employees and literacy classes, handicraft education and reading rooms and libraries for employees and members of their families;
- (g) expenses on workers education scheme;
- (h) grants for conducting sports, excursions, competitions, dramas, music, film shows, T.V. shows, bhajans, cultural programmes, etc. for employees and celebration of Independence Day, Republic Day, Maharashtra Day, Co-operative Week, Cleanliness Week, etc., by employees;
- (i) grants for scout and guide groups of children of employees;
- (j) special rewards to employees for saving of life and property and other meritorious acts within the Port;
- (k) financial assistance to the employees and the members of their families in acute distress;
- (l) reimbursement to employees of expenses incurred on medical relief, not covered by the Medical Attendance and Treatment Regulations;
- (m) *ex gratia* monthly maintenance grant to employees suffering from T.B., Cancer, Paralysis or Leprosy in accordance with the scheme framed in that behalf by the Board and payment of such grant to physically handicapped employees on the same terms and conditions;
- (n) 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; and
- (o) any other item of expenditure for the benefit of employees and their families at the discretion of the Chairman.

6. **Disbursement from Fund** –
- (1) (a) If a claim is covered by clause (a) or clause (m) of regulation 5, disbursement from the Fund may be authorised by the Financial Adviser & Chief Accounts Officer provided the claim is otherwise due and admissible.
- (b) In cases not covered by clause (a), disbursement shall be made only with the specific sanction of the Chairman in each case; the Chairman may, however, delegate his powers to sanction expenditure from the Fund in respect of any item specified in regulation 5 to the Deputy Chairman or a Head of Department subject to such conditions and restrictions as he may impose from time to time.
7. **Maximum amount in Fund** – The maximum amount that may be held in the Fund shall be limited to rupees ten lakhs.
8. **Disposal of surplus in Fund** – Any surplus in the Fund over and above the maximum prescribed by regulation 7 shall be credited to the Board's general account.
9. **Interpretation** – If any question arises as to the interpretation of these regulations, it shall be referred to the Chairman, whose decision thereon shall be final.
10. **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 the old rules, regulations, resolutions or orders shall be deemed to have been done or taken under the corresponding provisions of these regulations.

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## BOMBAY PORT TRUST

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Administrative Offices,  
Shoorji Vallabhdas Marg,

No.CA/WF(SR)-1/14390

Bombay, 30<sup>th</sup> April 1976.

To

The Secretary  
Chief Accountant  
Chief Engineer  
Chief Mechanical Engineer  
Docks Manager  
Estate Manager

The Railway Manager  
Deputy Conservator  
Controller of Stores  
Chief Medical Officer  
Chief Labour Officer  
Legal Adviser

### BOMBAY PORT TRUST EMPLOYEES (Welfare Fund) REGULATIONS, 1975.

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The Government have, by the Ministry of Shipping and Transport (Transport Wing) letter No.PEB(72)/75 dated the 3<sup>rd</sup> March 1976, conveyed their sanction, under section 124(1) of the Major Port Trusts Act, 1963, to the Bombay Port Trust Employees (Welfare Fund) Regulations, 1975, as approved by TR No.506 of 9<sup>th</sup> September 1975, subject to the modification in the maximum amount that may be held in the Fund to Rs.10 lakhs, instead of Rs.15 lakhs, as approved by that TR. The Government's sanction having been published in the Official Gazette of 19.3.1976, the regulations as modified by Government have come into force on and from that date.

2. Regulation 6 confers powers on

(i) the Chief Accountant –

(a) to authorise the payment of claims for unclaimed wages and salaries preferred after such wages and salaries are transferred to the Fund; and

(b) to incur expenditure on the *ex gratia* monthly maintenance grant to employees suffering from T.B., Cancer, etc., in accordance with the scheme framed in that behalf by the Board and on the payment of such

grant to physically handicapped employees on the same terms and conditions;

- (ii) the Chairman, to sanction expenditure from the Fund in all other cases.

Regulation 6 also provides that in cases not covered by (i) above, disbursement shall be made only with the Chairman's sanction in each case. Regulation 6 also provides that the Chairman may, however, delegate his powers to sanction expenditure from the Fund in respect of any item [other than the items covered by clauses (a) and (m)] specified in regulation 5 to the Dy. Chairman or a Head of Department, subject to such conditions and restrictions as he may impose from time to time.

3.1 Accordingly, under the powers conferred on him by regulation 6, the Chairman has delegated powers to the Dy. Chairman, Chief Accountant and Chief Labour Officer as explained in paras 3.2 to 3.8 below:

3.2 **Reimbursement of medical expenses :**

Ref. to regulation	Nature of power	Authority to whom delegated	Extent of power delegated
5(1)	Reimbursement of medical expenses not covered by the Medical Assistance and Treatment Rules	Dy. Chairman	upto Rs.2,500 in each case

There being no limit specified in the regulations, the limit of Rs.5,000 in each case imposed in this regard on the Chairman's powers by TR No.262 of 27.5.1975 will no longer apply.

3.3 **Miscellaneous welfare activities :**

Ref. to regulation	Nature of power	Authority to whom delegated	Extent of power delegated
5(h)	Sports, excursions, competitions, dramas, music, film shows, bhajans, cultural programmes for employees and celebration of Independence Day, Republic Day, Maharashtra Day, Co-operative Week, etc., by employees;	Dy. Chairman	upto Rs.25,000 in a year
5(i)	scout and guide groups of children of employees;	Chief Labour Officer	upto Rs.100 in each case and Rs.5,000 in the aggregate in a year
5(f) (in part)	literacy classes, handicraft education, reading rooms and libraries.		

The Chairman will have full powers in this regard.

The previous arrangement of fixing an annual grant of Rs.35,000 for miscellaneous welfare activities, the Chairman being authorised to incur, without reference to the Board, on such activities upto this limit, and the Chief Labour Officer being authorised to incur expenditure provided the expenditure did not exceed Rs.100 in each case, will stand modified as explained above.



### 3.4 **Grants and other forms of monetary assistance to co-operative consumers' stores :**

By TRs Nos. 579 and 1118 of 1972, sanction was accorded to co-operative consumers' stores run by Port Trust employees being given, out of the Welfare Fund, a subsidy, equal to one-third of the total expenditure on the societies' staff, or 1% of the sales turn-over, whichever is less, on the basis of the preceding co-operative year, i.e. July to June. On the authority of this TR, the Chief Accountant is authorising expenditure on the scale and conditions laid down in the TR on receipt of claims submitted through the Chief Labour Officer. The Chairman has decided that this arrangement may be continued.

### 3.5 **Subsidy to co-operative canteens :**

The present practice is to obtain whenever a co-operative canteen of employees is formed, the Board's sanction to meet out of the Welfare Fund, 50% of the wages on staff, the wage rates to be paid to such staff being fixed with the Chairman's prior approval, the cost of one-time expenditure on items like furniture, equipment, first supply of uniforms to canteen staff, etc. In the case of the third shift canteen in the hospital, the cost of wages of the staff is met in full. Sanction exists to expenditure being incurred by the Chief Accountant on this scale on the existing canteens. The Chairman has decided that this arrangement may also be continued.

In future, whenever canteens of employees are formed or any additional assistance or facility is sought by the existing canteens, the Chief Labour Officer should seek the Chairman's sanction in each case through the Chief Accountant.

### 3.6 **Workers' Education Scheme :**

By TR No.653 of 1970, sanction was accorded to tea and snacks, costing 30 paise per employee per day, being provided to the employees attending the unit level classes. Accordingly, the Chief Labour Officer at present incurs the expenditure and gets it reimbursed from the Chief Accountant. The Chairman has reviewed the matter and has delegated the powers to prescribe the scale and conditions of expenditure in this regard to the Dy. Chairman

At present the cost of educational tours undertaken by the Worker Teacher trainees participating in the Workers' Education Scheme is authorised by the Chief Accountant on the scale laid down in TR No.754 of

1969. The Chairman has approved of the Chief Accountant admitting the claims for travelling allowance of employees on the scale laid down in that TR from out of the Welfare Fund.

### 3.7 **Scholarships** :

Sanction exists at present to 24 merit scholarships of Rs.40 each being awarded every year for the duration of the full course to the children of employees doing post-matriculation courses. The scholarship list is finalised by a committee consisting of the Manager (SOM), Docks Manager, Chief Labour Officer, Estate Manager, Asstt. Accountant (E) and Shri G.H. Kale. The list is approved by the Chairman. The Chairman has decided that the present arrangement, including the number and amount of scholarships, may be continued unchanged.

### 3.8 **Scheme for grant of cash prizes to children of employees securing first class marks in the school and university examinations.**

The Chairman has decided that the prize amount should continue at the same rate as at present. The Chairman's sanction should be obtained to any change in this rate and for any expenditure proposed to be incurred in connection with the functions to award the prizes.

4. Expenditure on all other items, than those listed in paras 3.2 to 3.8, should not be incurred without obtaining the Chairman's specific sanction in each case. The sanction should be obtained as hitherto through the Chief Accountant.

5. Regulation 3(b) provides for salaries, wages and other payments due to employees, other than the employees employed in a "factory", as defined in section 2(m) of the Factories Act, 1948, remaining unclaimed for three years from the date they became due, whether before or after the commencement of these regulations, to be credited to the Fund. The Chief Accountant is requested kindly to take necessary action, keeping in view the provisions of regulation 8 *ibid*.

6. Regulation 3(f) provides for interest and profit on investments belonging to the Fund to be credited to the Fund. The Chief Accountant is requested to note the requirement for necessary action.

Sd/-  
(J.J. PARAKH)  
MANAGER  
(SERVICES AND O&M)

Enc : Nil.

Government of India  
Ministry of Shipping & Transport  
(Transport Wing)

No. PEB(72)/75

New Delhi, the 3<sup>rd</sup> March 1976.

To

The Chairman,  
Bombay Port Trust,  
Bombay.

Sub : Bombay Port Trust Employees  
(Welfare Fund) Regulations, 1975.

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Sir,

I am directed to refer to your letter No.P/GEE-G/6258 dated 1.11.1975, on the subject noted above, and to convey the sanction of the Central Government under section 124(1) of the Major Port Trusts Act, 1963, to the Bombay Port Trust Employees (Welfare Fund) Regulations, 1975, as approved by the Board's Resolution No.506 dated 9<sup>th</sup> September 1975 subject to the modification that in regulation 7 maximum amount that may be held in the fund shall be limited to Rupees Ten lakhs and not Rupees Fifteen lakhs.

2. The approval may be published in the Official Gazette as required under section 124(1) of the Act and a copy of the same sent to this Ministry for record.

3. Five copies of the regulations bound in a book form may also be sent to the Ministry for reference.

Yours faithfully,

Sd/-

(Mrs. B. Nirmal)

UNDER SECRETARY TO THE GOVERNMENT OF INDIA

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