THE PUNJAB LABOUR WELFARE FUND (7.12 – 7.19)
RULE, 1966

No. G.S.R. 82/P.A./16/65/S. 27/66, dated the 20th. April, 1966. – With reference to the Punjab Government Notification No. GSR 228/P.A..17/65/S.27/65, dated the 16th. September, 1965 and in exercise of the powers conferred by Section 27 of the Punjab Labour Welfare Fund Act, 1965, the Governor or 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, [1]unless the context otherwise requires—

(i) 'Act' means the Punjab Welfare Fund Act, 1965.
(ii) 'Form means a form appended to these rules.
(iii) 'Section' means a section of the Act.

3. Agency for the 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 finds realized 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 realized form the employees and unpaid accumulations during the quarters, ending the 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.

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(5) All the moneys belonging to the Fund shall be deposited in the State Bank of India or any Nationalised Bank or in the Punjab State Co-operative Bank Limited in the Current account of the Fund. The grants and subsidies received from the State government shall also be deposited by the Welfare commissioner into the said accounts;

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[1] Substituted by Haryana Govt. Notification No. G.S.R. 165/P.A./17/S.27/71, dated 23.12.1971

4. Notice for payment of fines and unpaid accumulations by Welfare Commissioner, Sections (3) and 7(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 realized 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). -- 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,[2] [Haryana] once a year. The Welfare Commissioner shall be responsible for the disposal of the Audit Note. A separate Administration Account shall be maintained.

6. Budget of the Board. Section 27. -- (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 budge 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 authorized 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 Governments the details of the proposed 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.

8. Constitute of the Board. Sections 4(3) and 27(2)(c). – 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.

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8. Constitution of Board. -- 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.

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[2] Substituted by Haryana Government Notification No. G.S.R. 165/P.A. 17/S.27/71, dated 23.12.71.

9. Allowances of members. Section 27(2)(d). -- (1) For attending meeting of the Board the members of the Board shall be entitled to the traveling and daily allowances as admissible to Punjab Government officers drawing pay of Rs. 1,000 per month. Other condition as laid down in Traveling Allowance Rules for Government Servants will also apply to journeys 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 allowance bills of the members of the Board.

10. Meeting of the Board. Sections 8 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 threat:

Provided that no such notice shall be necessary when in 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 including the Chairman provided that no matter concerning finances shall be decided unless there is a quorum of not less than seven 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 of 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, has there been a quorum threat, shall be brought before the adjourned meeting and disposed of at such meeting, whether there by a quorum or not.

13. Mode of exercising votes. Section 27(2)(d). -- Vote 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 request6s the Chairman or the person presiding, as the case may be to do so.

14. Minutes of the meeting. Section 27(2)(d). -- The Board shall keep minutes of the proceedings of each meetings of the Board sand 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 of the Fund. Section 10(3). -- 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 later with his remarks. If the 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 a demand draft of a cheque drawn on any Branch of the State Bank of India duly crossed. (Payees account only).

17. Mode of payment. Section 27(2). -- 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, authorize 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 Fund. Sections 12 and 27(2)(f). – Such portion of the fund as cannot be applied or sometime for the purpose of the Act shall be invested by the Board in the National Saving Certificates or other securities referred [3][to] in Section 20 of the Indian Trust Act, 1882 [4][or deposited in the fixed deposit or in the Savings Bank Account in the State Bank of India or in any Nationalised Bank, or in the Punjab State Cooperative Bank Limited.

19. Powers of Inspectors. Sections 15(2)(b) and 27(2)(h). -- Every Inspector shall be 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 of the staff and other administrative measures. Section 27(2)(i). -- The expenses of the staff of the Board and other administrative expenses of the Board shall not exceed 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.

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[3] Added by Haryana Govt. Notification No. G.S.R. 165/P.A./17/S-27/71 dated 23.12.1971
[4] Vide G.S.R. No. 68 dated 26.6.1975.

21. Publication of annual report of Board. Section 27(2)(k). – The Board shall within three months of the date of 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). -- Every employer 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 if 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 31^{st}. January every year forward to the Welfare Commissioner a copy of the extract from register in Form B pertaining to the previous year.

FORM – A
(See Rule 22)

REGISTER OF WAGES

			Occupation			Amount payable during the month	
S.No.	Name of the employees	Ticket and Beds No.	Basic wages	Overtime	Dearness allowance & other allowances	Bonus	Fine

Amount deducted during the month				Balance due to the employees				
Other deductions	Basic Wages	Overtime	Dearness allowances & other allowances	Bonus	Basic wages	Overtime wages	Dearness allowances & other allowances	Bonus
10	11	12	13	14	15	16	17	18

FORM B
[See Rule 22]

REGISTER OF FINES REALIZED AND UNPAID ACCUMULATION FOR THE YEAR ___________

	During quarter ending 31^{st}. March	During quarter ending 30^{th}. June	During quarter ending 30^{th}. Sept.	During quarter ending 31^{st}. Dec.
1. Total realization under fines				
2. Total amount becoming unpaid accumulations of –				
3. (i) Basic Wage				
(ii) Overtime				
(iii) Dearness allowance and other allowances				
Total of (1) and (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 BAORD CHANDIGARH
(Constituted under the Punjab Labour Welfare Fund Act, 1965)

Notice

No.______________Dated_________Chandigarh____________the________19

WHOM IT MAY CONCERN

Whereas the Board has received certain amounts of money being unclaimed wages appearing hereunder 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 of their claim being valid and notifies that after the expiry of a period of years _______________ months______________ from the date of this notice, no such claim shall be entertained and the amount 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 Rs. P.	Nature of dues	Period of which pertaining
1	2	3	4	5