

THE WEST PAKISTAN RAILWAY SERVANTS' WELFARE
FUND ORDINANCE, 1969

(XIV of 1969)

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'THE WEST PAKISTAN RAILWAY SERVANTS' WELFARE FUND
ORDINANCE, 1969

(XIV of 1969)

[30" July, 1969]

An

Ordinance

to establish a Welfare Fund for the relief and security of Railway servants and their families.

Preamble.- WHEREAS it is expedient to establish a Welfare Fund for the relief and security of Railway servants and their families, in the manner hereinafter appearing;

NOW, THEREFORE, in pursuance of the Martial Law Proclamation of 25th March, 1969, read with the Provisional Constitution Order, the Martial Law Administrator, Zone A, in exercise of the powers of the Governor of West Pakistan conferred on him by the Chief Martial Law Administrator, is pleased to make and promulgate the following Ordinance:—

1. Short title, application and commencement.— [(1) This Ordinance may be called the Pakistan Railway Servants' Welfare Fund Ordinance, 1969.]

(2) It shall apply to all Railway servants as hereinafter defined, provided that the Railway Board may, by notification in the official Gazette, exempt any class of Railway servants from the operation of this Ordinance.

(3) It shall come into force on such date as the Railway Board may, by notification in the official Gazette, appoint in this behalf.

2. Definitions.— In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them—

(a) "family" in relation to a Railway servant means his or her—

(i) wife or wives or husband, as the case may be;

(ii) legitimate children and step children less than twelve years old;

(iii) legitimate children and step children not less than twelve years old, if residing with and wholly dependent upon him or her; and

(iv) | parents, sisters and minor brothers, if residing with and wholly dependent upon him or her;

*[(b) * * * * * * * * *]

'This Ordinance was promulgated by the Administrator Martial Law, Zone 'A', on 25th July, 1969; published in the West Pakistan Gazette (Extraordinary), dated 30th July, 1969, pages 1161-1166; saved by Article 281 of the Interim Constitution of Pakistan (1972), and, validated by the Validation of Laws Act, 1975 (LXIII of 1975).

Substituted by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.2; and published in the Gazette of Pakistan (Extraordinary), pages 125-128.

(c) "Government" means the '[Federal Government];

*[(d) * * * * * * * * *]

(e) "prescribed" means prescribed by rules made under this Ordinance;

(f) "Railway Board" means the ['* * *] Pakistan Railway Board constituted under the Transfer of Railways Order, 1962 (P.O. No.33 of 1962);

T(g) "Railway servant" means a person employed in connection with the affairs of, or holding any post in, the Pakistan Railways who is under the administrative control of the Railway Board or the Finance Member of the Board, and includes—

(i) any person who holds a post in the Railway Board; and

(ii) any person on deputation or foreign service who holds a lien on any post in the Pakistan Railways and who is regularly subscribing to the Funds.]

(h) "rules" means rules made under this Ordinance;

(i) "Welfare Fund" means the Welfare Fund established under this Ordinance.

3. Welfare Fund.- (1) There shall be established a fund to be called the ['*] Pakistan Railway Servants Welfare Fund.

(2) | To the credit of the Fund shall be placed—

(a) all contributions received under sub-section (1) of section 6 from Railway servants;

(b) — the contributions made to the Fund by the Railway Board under sub-section (2) of section 6 in respect of Railway servants '[holding posts in B1 to B15] ;

(c) any interest or profit accruing on such contributions.

(3) | The Welfare Fund shall be divided into two parts; Part I for [Railway servants holding posts in B16 and above] and Part II for '[Railway servants holding posts in B1 to B15], and each such Part shall be maintained and administered separately in accordance with the provisions of this Ordinance.

⁶Substituted for the words "Government of West Pakistan" by the Federal Adaptation of Laws Order, 1975 (P.O.No. 4 of 1975) w.e.f. 1.8.1975, Article 2and the Schedule; and published in Gazette of Pakistan, (Extraordinary), pages 435-467.

⁴Omitted the word "West" by the Federal Adaptation of Laws Order, 1975 (P.O.No. 4 of 1975), w.e.f. 1.8.1975, Article 2and the Schedule; and published in Gazette of Pakistan, (Extraordinary), pages 435-467.

⁵Qmitted the word "West" by the Federal Adaptation of Laws Order, 1975 (P.O.No. 4 of 1975), w.e.f. 1.8.1975, Article 2and the Schedule; and published in Gazette of Pakistan, (Extraordinary), pages 435-467.

⁶Substituted for the words, letters and figure "drawing pay up to Rs.500 p.m." by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1982, s.4; and published in the Gazette of Pakistan

(Extraordinary), pages 125-128, which were substituted for the letters and figure "Rs.300 p.m." by the same Ordinance, w.e.f. 1.7.1979, s.4.

"Substituted for the words "gazetted Railway servants" by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.4; and published in the Gazette of Pakistan (Extraordinary), pages 125-128.

®Substituted for the words "non-gazetted Railway servants" by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.4; and published in the Gazette of Pakistan (Extraordinary), pages 125-128.

(4) | The contributions from '[Railway servants holding posts in B16 and above] received under section 6 shall be credited into Part I of the Welfare Fund, and the contributions received from "[Railway servants holding posts in B1 to B15]" shall be credited into Part II of the Fund.

(5) | The moneys credited into the Welfare Fund shall be kept in such bank or banks as may be prescribed.

(6) The Welfare Fund shall be utilized for meeting the expenses on arrangements to be made with an insurance company or other insurer for the insurance of Railway servants.

(7) | Any sums remaining in the Welfare Fund after defraying the expenses referred to in sub-section (6) may be utilized for such benefits to Railway servants and their families as may be prescribed.

4. Constitution and powers of Welfare Committees.— (1) As soon as may be, the Railway Board shall constitute the following Committees, namely:—

(a) | The Committee of Management for "[Railway servants holding posts in B16 and above]"; and

(b) | The Committee of Management for "[Railway servants holding posts in B1 to B15]".

(2) Part I of the Welfare Fund shall vest in the Committee of Management for "[Railway servants holding posts in B16 and above]" and Part II of the Welfare Fund shall vest in the Committee of Management for "[Railway servants holding posts in B1 to B15]", and each of the said Committees shall administer, in such manner as may be prescribed, the Part of the Welfare Fund vesting in it.

(3) Subject to such rules as may be made in this behalf and to such directions as may be issued by the Railway Board, each Committee of Management—

(a) — shall from time to time arrange with such insurance company or other insurer, as it deems fit, for the insurance of the Railway servants with which it is concerned, in the sums specified in the Schedule;

(b) — shall have the power to sanction expenditure connected with the administration and management of that Part of the Welfare Fund which vests in it; and

[°]Substituted for the words "gazetted Railway servants" by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.4; and published in the Gazette of Pakistan (Extraordinary), pages 125-128

"Substituted for the words "non-gazetted Railway servants" by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.4; and published in the Gazette of Pakistan (Extraordinary), pages 125-128.

"Substituted for the words "gazetted Railway servants" by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.5; and published in the Gazette of Pakistan (Extraordinary), pages 125-128

"Substituted for the words "non-gazetted Railway servants" by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.5; and published in the Gazette of Pakistan (Extraordinary),

pages 125-128.

"Substituted for the words "gazetted Railway servants" by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.5; and published in the Gazette of Pakistan (Extraordinary), pages 125-128.

"Substituted for the words "non-gazetted Railway servants" by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.5; and published in the Gazette of Pakistan (Extraordinary), pages 125-128.

(c) may do or cause to be done all things ancillary or incidental to any of the aforesaid powers or to the purposes of the Welfare Fund.

5. Arrangement with Insurance Company.— The arrangement to be made with an insurance company or other insurer under clause (a) of sub-section (3) of section 4 shall be to the effect that on the death of a Railway servant of the “[category] specified in column 1 of the Schedule, the sum specified against that “[category] of Railway servant in column 2 of the Schedule shall be paid—

(a) | to such member or members of his family as he may have nominated for the purpose, in full or in the shares specified by him at the time of making the nomination; and

(b) — where no valid nomination by the Railway servant exists at the time of his death, the sum assured shall be paid to his family, and in the absence of a family, to his surviving relatives, if any, in the manner and in the shares in which the gratuity of a deceased Railway servant is payable under the Pension Rules applicable for the time being to Railway servants.

6. Payment of contributions.— (1) Every Railway servant “[holding posts in B16 and above] shall be liable to pay to the Welfare Fund as his contribution such sum of money or such proportion of his emoluments as may be prescribed.

(2) Contributions to the Welfare Fund, in respect of Railway servants “[holding posts in B 1 to B15] shall be paid by the Railway Board.

“(3) Contributions payable to the Welfare Fund by the Railway servants holding posts in B 16 and above will be deducted at source from their pay bills by the drawing officers concerned and credited to the Welfare Fund.]

(4) | Where the contribution payable by a Railway servant cannot for any reason be deducted from his pay, the Railway servant shall remit to the prescribed officer, the amount of the contribution.

(5) — Any contribution remaining unpaid due to inadvertence or negligence of the Railway servant or otherwise shall be recoverable from him together with interest.

“Substituted for the word “class” by the West Pakistan Railway Servants’ Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.6; and published in the Gazette of Pakistan (Extraordinary), pages 125-128.

“Substituted for the word “class” by the West Pakistan Railway Servants’ Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.6; and published in the Gazette of Pakistan (Extraordinary), pages 125-128.

“Substituted for the words, letters and figure “drawing pay above Rs.500 p.m.” by the West Pakistan Railway Servants’ Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1982, s.7; and published in the Gazette of Pakistan (Extraordinary), pages 125-128, which were substituted for the letters and figure “Rs.300 p.m.” by the same Ordinance, w.e.f. 1.7.1979, s.7.

“Substituted for the words, letters and figure “drawing pay up to Rs.500 p.m.” by the West Pakistan Railway Servants’ Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1982, s.7; and published in the Gazette of Pakistan (Extraordinary), pages 125-128, which were substituted for the letters and figure “Rs.300 p.m.” by the same Ordinance, w.e.f. 1.7.1979, s.7.

"Substituted by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1982, s.7; and published in the Gazette of Pakistan (Extraordinary), pages 125-128, which were substituted for the letters and figure "Rs.300 p.m." by the same Ordinance, w.e.f. 1.7.1979, s.7, which were substituted for the words "non-gazetted Railway servants" by the same Ordinance, w.e.f. 1.7.1979, s.7, which were substituted for the words "gazetted Railway servants" by the same Ordinance, w.e.f. 1.7.1979, s.7

7. Power to make rules.— The Railway Board may make rules for the purposes of giving effect to all or any of the provisions of this Ordinance.

“[SCHEDULE

(See sections 4 and 5)

The sum assured to be paid to the family of a deceased Railway servant under section 5 shall be as follows:—

In the case of a Railway servant whose pay last drawn was—
two hundred and fifty rupees or} seven thousand and _ five

more but not more than five | hundred rupees.
hundred rupees.

more than five hundred but not | fifteen thousand rupees.
more than seven hundred and fifty
rupees.

more than seven hundred and fifty | twenty-two thousand and five
rupees but not more than one | hundred rupees.
thousand rupees.

more than one thousand rupees but | thirty thousand rupees.
not more than one thousand five
hundred rupees.

more than one thousand and five | forty-five thousand rupees.]
hundred rupees.

Substituted by the West Pakistan Railway Servants' Welfare Fund (Amendment) Ordinance, 1984 (XXX of 1984), w.e.f. 1.7.1979, s.8; and published in the Gazette of Pakistan (Extraordinary), pages 125-128.