

KERALA HEADLOAD WORKERS (GENERAL WELFARE FUND) REGULATIONS 1987

1. Short title, commencement and application .- (i) These regulations may be called "The Kerala Headload Workers (General Welfare Fund) Regulations, 1987.

(ii) These regulations shall come into force from 1st April, 1987.

(iii) These regulations shall apply to all registered headload workers as contemplated under para 6 of the Kerala Headload Workers (Regulation of Employment and Welfare) Scheme 1983 and are on the rolls of the Local Committees constituted under Section 18 of the Kerala Headload Workers Act, 1978.

2. DEFINITIONS .- In these Regulations, unless the context otherwise requires,

(i) The "Act" means the Kerala Headload Workers Act, 1978;

(ii) The words " Board ", " Chairman ", " Chief Executive ", "Convenor" and "Local Committee" shall have the same meaning assigned to them under the Kerala Headload Workers Act, 1978;

(iii) "Committee" means the Committee constituted under regulation 8 of these Regulations;

(iv) "Fund" means the Kerala Headload Workers General welfare Fund constituted under Section 13 (2) (c) of the Act;

(v) "Form" means form appended to these Regulations and the forms prescribed under any of the Schemes formulated under these regulations;

(vi) "Headload Worker" means a worker registered under para 6 of the Kerala Headload Workers (Regulation of Employment and Welfare) Scheme.- 1983;

(vii) "Section" means a Section of the Act.

3. The receipts creditable to the fund shall consist the following :-

(i) (a) Contribution @Rs. 10/- by worker per month,

(b) Contribution @ Rs. 10/- per worker payable to the fund per month by the Local Committee;

(c) Contribution @ Rs. 10/- per worker payable to the fund per month by the Board.

(ii) Fines/Damages recovered from the workers and employers. registered with Local Committees constituted under section 18 of the Act and other employees of the Board / Local Committees;

(iii) Salaries, Wages and other allowances remaining unclaimed for over a period of three years;

(iv) All amounts remaining unclaimed for a period of three years due to the worker under para 32 of the Kerala Headload Workers (Regulation of Employment and Welfare) Scheme, 1983;

(v) Grant - in - aid if any, received from State/Central Government or from any philanthropic Institutions;

(vi) Interest accumulated on the Fund from time to time and profit on investments from the fund.

✓ (vii) Any other of receipts items that may be decided by the Board .

4. Objects .- The objects for which the Fund may be utilised shall be the following; (i) Welfare Measures : Viz: (a) Housing (including loans to workers to enable them to own a house of their own or substantially improve or remodel a house already owned);

- (b) Educational assistance to the children of workers;
- (c) Grant of scholarships to the children of workers studying for I.T.I., Polytechnic, matriculation, Graduation, post-graduation, Medicine, Engineering and any other professional course;
- (d) Educational facilities for adults;
- (e) Libraries;
- (f) To defray the expenses towards the premia of any Group Insurance Scheme applicable to the workers from time to time;
- (g) To incur the expenditure towards the payment of exgratia to the family of the worker who die while in service and to the workers who are incapacitated due to permanent total disablement and to provide some terminal benefits at the time of retirement/superannuation of a worker.

(ii) Health Measures .- (a) Financial assistance to the workers in case of hospitalisation in any Government medical Institutions;

- (b) Providing artificial limbs to workers who are permanent partially disabled due to accident on duty;
- (c) Financial assistance to the workers in acute distress due to prolonged illness or other causes;
- (d) Financial assistance to the workers those who undergo family planning operations;

(iii) Recreation facilities : (a) Donations subscriptions to institutions and clubs, etc. Connected with the welfare of the workers and their families.

(b) To pay grants for conducting sports, competitions, dramas, music, shows, etc. by or for the benefit of workers.

(IV) Other amenities .- (a) Drinking water;

- (b) Sanitary facilities including baths;
 - (c) Rest shelters ;
 - (d) Donations or subscriptions to the Co-operative societies established for the benefit of workers.
- (V) Any other items of expenditure for the benefit of the workers and their families as the Board approve from time to time.

5. Collection and Method of Remittance : (i) The Contribution payable by the worker to the Fund as per Regulation 3 (i)

- (a) Shall be deducted from the wages payable to the worker during the month.
- (ii) The Convenor/Chairman of the Local Committee shall forward to the Chief Executive the part of the amount so collected alongwith the Committee's contribution to the Fund as per Regulation 3 (i) by Cheque/Demand Draft drawn in favour of the Chief Executive with a statement in Form No.1 on or before the every succeeding month.

6. Board of Trustees .- 1, The fund constituted as per para 3 of these regulations shall be in the name of Board of Trustees consisting of the Board Chairman, Chief Executive, two members each representing workers and employers, to be decided by the Board and the member representing the Government in the Finance Department of the Board of Directors of this Board as member. The term of office of the Trustees shall be so long as they continue as a member in the Board.

(2) The Board Chairman may preside over the meetings of the Board of Trustees. The quorum of the meeting shall be, one third of the total members in the Board of Trustees.

(3) All money relating to the fund, shall be invested in the name of the Board of Trustees in any of the Nationalised or scheduled Bank or such other Banking or financial Institutions as may be fixed by the Board from time to time by complying with the provisions under Section 20 of the Indian Trusts Act, 1882.

(4) The Board of Trustees shall be responsible for the administration of the fund and the Officers of the Board, like the Chief Executive, the Finance officer, the Secretary and the Accounts officers may operate the Bank accounts or other instruments under the joint signature of any two of the officers as above as may be approved by the Board from time to time .

(5) Except for such administrative or contingent expenditure to be incurred in connection with the implementation and management of the various welfare programmes or plans, the entire funds under these Regulations shall exclusively be utilised for the welfare of the workers who are/were in the rolls of the Committee as per the K.H.W (Regulations of Employment & welfare) Scheme, 1983.

(6) Provisions relating to the term of office of members, quorum, their disqualification, removal etc., as envisaged in K.H.W.Act, 1978 and the rules made there under shall be applicable mutatis mutandis to the members of the Board of Trustees.

7. The contribution received from the Local Committee shall be credited to the accounts of the fund along with the Board's contribution as per regulation 3 (i) (c) In the Bank account of the fund and in the manner prescribed under Regulation 6

8. Welfare Advisory Council.- payable to the fundThe Board of Trustees constituted under para 6 (1) shall also function as the advisory council to the Board which may render advice as be necessary from time to time on the General Welfare of the Workers registered under provisions of the K.H.W.(Regulations of Employment & welfare) Scheme, 1983.

✓ 9. Separate Schemes for each item of welfare measures envisaged in regulation 4 may be formulated by the Board.

10. The Schemes so formulated shall be implemented subject to the approval by the Government except in the case of items(i) (a), (b) and (c) of regulation 4.

11. disbursements from the fund shall be made with the specific sanction of the Chief Executive or an officer of the Board authorised by him in this behalf in each case.

12. The expenditure on items 4 (i) (a), (b), (c), (d), (e), (iii), (iv) and (vi) shall as far as possible be confined to the estimate sanctioned for each year by the Board.

✓ 13. The Board shall maintain in reserve such amount as may be determined from time to time.

14. In case there is any difficulty regarding the interpretations or implementation of these regulations or the schemes made there under, the decision of the chairman of the Board shall be final.