

The Railway Servants Benevolent Fund Ordinance, 1969 (East Pakistan Ordinance)

(EAST PAKISTAN ORDINANCE NO. XIX OF 1969)

An Ordinance to provide for the constitution of a Benevolent Fund for relief of Railway Servants and their families and matters ancillary thereto.

WHEREAS it is expedient to provide for constitution of a Benevolent Fund for relief of Railway Servants and their families and matters ancillary thereto;

NOW, THEREFORE, in pursuance of the Proclamation of the 25th day of March, 1969, read with Provisional Constitution Order, and in exercise of all powers enabling him in that behalf, the Governor is pleased to make and promulgate the following Ordinance, namely:-

Short title, extent and commencement

1. (1) This Ordinance may be called the ¹[* * *] ²[* * *] Railway Servants Benevolent Fund Ordinance, 1969.

³[(2) It applies to every Railway Servant.]

(3) It shall come into force at once.

Definitions

2. In this Ordinance, unless there is anything repugnant in the subject or context,-

(1) "Board" means the Board of ⁴[Trustees] of the Fund constituted under section 7 of this Ordinance;

(2) "Family" means,-

(a) in the case of a male Railway Servant, wife or wives and in the case of a female Railway Servants, the husband of the Railway Servant; and

(b) the legitimate children, step-children, parents, minor brothers and sisters of the Railway Servant residing with and wholly dependent upon him or her;

(3) "Fund" means the ⁵[* * *] Railway Servants Benevolent Fund constituted under section 3 of this Ordinance;

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

⁶[* * *]

(7) "Railway Servant" means,-

⁷[(a) a person who is a regular employee of the Railway including any one employed against temporary post and also anyone who holds any post in connection with the affairs of the Railway,]

(b) a Railway Servant who has retired from service but the period of his retirement from service does not exceed two years, and includes any such Railway Servants who is-

(i) on deputation elsewhere or on foreign service within the meaning of the ⁸[* * *] Railway Establishment Code,

(ii) undergoing study or training in or outside ⁹[Bangladesh],

(iii) on leave,

(iv) under order of suspension,

but does not include any person employed as work-charged, casual labour and substitute, and the ¹⁰[Director, Railway Audit] and other employees working in his office.

Constitution of the Fund

3. (1) As soon as may be after the commencement of this Ordinance, the ¹¹[Government] shall constitute a Fund to be known as the ¹²[* * *] Railway Servants Benevolent Fund and the Fund shall vest in the Board constituted under section 7 of this Ordinance.

(2) The Fund shall consist of,-

(a) such grants as may, from time to time, be made by the ¹³[Government],

(b) Compulsory contributions received from Railway Servants at such rates as the ¹⁴[Government] may from time to time prescribe,

(c) income from investments made under this Ordinance, and

(d) any other sum received by the Board from members of the Fund.

(3) All sums credited to the Fund shall be held in such custody and in such manner as may be prescribed.

Utilisation of the Fund

4. (1) The Fund shall be utilised for,-

(a) the relief of the Railway Servants and their families by,-

(i) giving financial assistance to the families of deceased Railway Servants at such rates as may be determined by the Board,

(ii) giving financial assistance to Railway Servants invalidated out of service at such rates as may be prescribed;

(b) defraying expenditure incurred in respect of the management of Fund; and

(c) such other purpose as may be prescribed from time to time.

(2) Benefits admissible under sub-section (1) of this section shall be in addition to, not in derogation of, pensions, family pensions or gratuities, as admissible under any other law for the time being in force.

Accounts and Audit

5. (1) All contributions received under clause (b) of sub-section (2) of section 3 shall be deducted, at the source, from the salaries of the Railway Servants.

(2) The ¹⁵[Board] shall maintain the accounts of the Fund.

(3) Audit of all sums credited to, and expenditure from, the Fund shall be conducted by such authority and in such manner as may be prescribed.

[Omitted.]

6. [Option to be exercised by members of All-Pakistan Service.- Omitted by section 6 of the Eastern Railway Servants Benevolent Fund (Amendment) Act, 1991 (Act No. IV of 1991).]

Constitution and powers of the Board

7. (1) As soon as may be after the commencement of this Ordinance, the ¹⁶[Government] may, by notification establish a Board, to be known as the ¹⁷[Board of Trustees of the] Railway Servants Benevolent Fund for carrying out the purposes of this Ordinance.