

The Railway Servants Group Insurance Ordinance, 1969
(East Pakistan Ordinance)
(EAST PAKISTAN ORDINANCE NO. XX OF 1969)

An Ordinance to provide for group insurance of the ¹[* * *] Railway Servants.

WHEREAS it is expedient to provide for group insurance of the [* * *] Railway Servants;

NOW, THEREFORE, in pursuance of the Proclamation of the 25th day of March, 1969, read with the 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 ²[* * *] ³[* * *] Railway Servants Group Insurance Ordinance, 1969.

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

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

⁵[* * *]

(2) “Board” means the Board of Trustees constituted under section 4;

(3) “family” means,-

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

⁶[* * *]

(5) "Insurance Fund" means the ⁷[* * *] Railway Servants Group Insurance Fund established under section 9;

⁸[(6) "Pay" means the amount drawn monthly by a Railway Servant as-

(a) the pay other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre,

(b) special pay and personal pay, and

(c) any other emoluments which may be specifically classed as pay by the Government;]

(7) "prescribed" means prescribed by rules;

⁹[* * *]

¹⁰[(9) "Railway Servant" means any person who is a regular employee of the Railway including any one employed against temporary post and also any one who holds any post in connection with the affairs of the Railway; and

include any such Railway Servant who is-

(i) on extension of service after the age of superannuation,

(ii) on deputation elsewhere or on foreign service within the meaning of the Railway Establishment Code,

(iii) undergoing study or training in or outside Bangladesh,

(iv) on leave, or

(v) under order of suspension;

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

(10) "rules" means rules made under this Ordinance.

**and rules to
override
other laws,
but not to
affect
retirement
benefits,
etc.**

3. The provisions of this Ordinance and the rules to be framed thereunder shall have effect notwithstanding anything contained in any other law, rule, order, notification contract or other document or instrument; but nothing herein contained shall affect the right to receive any pension, provident fund, gratuity or other benefits accruing to the Railway Servant on his retirement or invalidation or to his family upon his death, otherwise than under this Ordinance.

**Board of
Trustees**

4. (1) As soon as may be after the commencement of this Ordinance,
¹¹[the Government may, by notification in the official Gazette, establish a Board to be known as the Board of Trustees of the] Railway Servants Group Insurance Fund for carrying out the purposes of this Ordinance.

(2) The Board will consist of a Chairman and such number of members as may be prescribed and shall hold office for a term of three years.

**Board to be
body
corporate**

5. The Board shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Ordinance, to acquire, hold and dispose of property, both movable and immovable, and shall by the aforesaid name sue or be sued.

**Powers of
the Board**

6. The Board shall have power-

(a) to settle claims for insurance sums assured under this Ordinance and all matters connected with such claims;

(b) to do or causes to be done all acts and things necessary for the proper administration and management of the moneys or properties of the Insurance Fund;

(c) to sanction expenditure connected with the administration and management of the Insurance Fund;

(d) to make arrangement for the insurance of the life of the Railway Servants to give effect to the provisions of this Ordinance;

(e) to invest moneys held in the Insurance Fund in any profitable ventures with the prior approval of the ¹²[Government];

(f) to appoint or employ such persons as it considers necessary for the efficient performance of its functions on such terms and conditions as it may, subject to rules, determine; and

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

Insurance of Railway Servants

7. Subject to the provisions of this Ordinance and the rules, in the event of death of a Railway Servant occurring by whatsoever cause, during the continuance of his employment, the Board shall pay to the family of the deceased Railway Servant a sum ¹³[equal to the Railway Servant's pay for twenty four months, subject to the maximum of one lakh Taka, the basis for calculation of the sum being the pay last drawn by him].

Arrangement with Insurance Company

¹⁴[8. The Board may, from time to time, arrange for the insurance of the life of the Railway Servants in sums mentioned in section 7 with such insurance company or other insurer and for such period as it deems fit, and when any such arrangement subsists the liability to pay the said sum shall directly devolve upon the insurance Company or other insurer.]

The ¹⁵[* * *] Railway Servants Group Insurance Fund

9. (1) There shall be established a fund to be called the ¹⁶[* * *] Railway Servants Group Insurance Fund which shall vest in and be held and administered by the Board.

(2) All sums received from the Railway Servants as premia for group insurance of the Railway Servants and any interest or profit accruing thereon shall be credited to the Insurance Fund.

(3) The moneys credited to the Insurance Fund shall be kept in such bank as may be prescribed.

(4) All expenses on any arrangement entered into by the Board with any insurance company or other insurer and all expenses on the administration of the Insurance Fund shall be defrayed from the Insurance Fund.

(5) Any sums remaining in the Insurance Fund after defraying the expenses referred to in sub-section (4) may be utilised for such purposes