



THE ASSAM GAZETTE

অসাধাৰণ
EXTRAORDINARY

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PUBLISHED BY AUTHORITY

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
PENSION & PUBLIC GRIEVANCES DEPARTMENT

NOTIFICATION

The 3rd February, 2006.

BYELAWS FOR

STATE PENSIONERS' FAMILY WELFARE FUND 2006

NO. PPG(G) 44/2005/44 :- The Governor of Assam is pleased to constitute a State Pensioners Family Welfare Fund for the Government Pensioners in the State of Assam for the purpose of assisting the deserving pensioners and/or their family members by making suitable contributions from the Fund in order to meet the expenditure in part or in whole during their times of need and distress in a manner that is just and equitable, and for which purpose, the Bye Laws as given hereunder are framed, namely :

CHAPTER I

PRELIMINARY

**Short title,
Extent and
Commencement.**

- (1) These Bye Laws may be called the "**Bye Laws for State Pensioners Family Welfare Fund 2006**"
- (2) These Bye Laws shall extend to the whole of the State of Assam.
- (3) They shall come into force with effect from the **date of their publication in the Official Gazette**

Definitions

2. In these Bye Laws, unless there is anything repugnant to the subject or the context,
- (a) "**Pensioner**" means and includes the Government pensioners who are members of the State Government Pensioners Association, Assam
 - (b) "**State**" means the State of Assam;
 - (c) "**Government**" means the Government of Assam in the Department of Pension & Public Grievances;
 - (d) "**Board of Trustees**" means and includes the Executive Body of the State Government Pensioners Association of Assam;
 - (e) "**Chairman**" means the Chairman of the Board of Trustees;
 - (f) "**Secretary**" means the Secretary of the Board of Trustees;
 - (g) "**Treasurer**" means the Treasurer of the Board of Trustees;
 - (h) "**Member**" means the Chairman and other members of the Board of Trustees
 - (i) "**Election**" means the election to the Board of Trustees by the General Body of the State Government Pensioners Association, Assam;
 - (j) "**District Committee**" means and includes all the members of State Pensioners' Association at the District level;
 - (k) "**Tribunal**" means the Assam Administrative and Pensioners Tribunal;
 - (l) "**Year**" means the financial Year.

CHAPTER II**ESTABLISHMENT OF THE BOARD OF TRUSTEES****Incorporation**

- 3.(1) The Department of Pension & Public Grievances shall, by Notification in the Official Gazette, constitute a **Board of Trustees** for the purposes of these Bye Laws every year.
- (2) The Board of Trustees shall comprise of **seven members** from the State Government. Pensioners District Committees in the State, including one lady member, to be elected and assume office in the month of April each Year in the Annual General Body meeting.
- (3) The **Annual General Body** meeting of the State Pensioners shall be held in the month of April every year.
- (4) The members of the General Body shall elect from amongst the elected members a **Chairman, a Secretary and a Treasurer** of the Board of Trustees.
- (5) **The Director of Pensions** shall be an ex officio member of the Board of Trustees.
- (6) A member of the Board shall be a member pensioner of any District Committee.

- (7) The District Committees shall elect from amongst their members a Chairman, a Secretary and a Treasurer and four other members including a lady member to constitute the Executive Body at the District level in the month of April each year which will be notified by the concerned Deputy Commissioner of the District.
- (8) The General Body of the Board of Trustees may remove from office of the Chairman, or any member of the Board by two third majority who in the opinion of the General Body, has been found to be guilty of any misconduct, of negligence or has abused his position so as to render his continuance as a member detrimental to the interest of the Board or to the general public:

Provided that no person shall be removed from the office unless he has been given an opportunity to show cause against his removal.

Term and Conditions of Office

- 4.(1) The Chairman and every other member (not being an ex-officio) shall hold office in the Board of Trustees for a period of one Year from the date of Appointment as Chairman or other member, as the case may be:

Provided that the general Body may extend the said period by a further period not exceeding one year:

Provided further that after the expiry of the period of his appointment, a pensioner shall be eligible for reappointment as Chairman or member:

Provided further that no pensioner shall be Eligible for reappointment as Chairman or member for more than three consecutive terms.

- (2) Any vacancy in the membership of the Board shall be filled up within three months of its arising.
- (3) Every member shall hold office in honorary capacity and shall not accept any remuneration and/or any allowance to administer the Fund.
- (4) No portion of the Fund shall be used to meet the Administrative expenditure such as payment of salary, honorarium, TA, DA rentals, purchase of vehicles etc.

Powers and Functions

5. (1) The Board of Trustees shall consider, select and sanction relief to the selected indigent pensioners and to their family members:

- (2) The Secretary of the Board shall convene meetings of the Board of Trustees with the approval of the Chairman every quarter of the financial year to decide upon the names of the beneficiaries recommended by the District Committees and the amount to be paid to each beneficiary and communicate the same to the District Committees and to the beneficiaries concerned.
- (3) The District Committees shall receive applications from the pensioners within their own districts to recommend the names of the deserving pensioners and / or their families providing details of the case with certificates and documentation, amount desired, the name and address of the beneficiary etc and forward the same for consideration of the Board of Trustees.
- (4) The Selection process of the Deserving Beneficiaries shall be transparent and proper records on the criteria applied and the process of selection maintained by the Secretary which shall be open for perusal and for inspection by any member of the Executive Committee of District Committees, the Director of Pension and the Government in the Pension & Public Grievances Department.
- (5) Proceedings of all minutes of meetings held by the Board of Trustees and the District Committees shall be forwarded by the Executive Body to the Government in the Pension and Public Grievance Department and to the Directorate of Pension.

CHAPTER III

CONSTITUTION OF THE FUND

Welfare Fund

6. (1) There shall be a Fund constituted by the name of "State Pensioners Family Welfare Fund 2006" in the form of a Savings Account to be opened in any Branch of State Bank of India.
- (2) The Number of the Savings Bank Account opened by the Board of Trustees for this purpose shall be intimated to Government in the Department of Pension & Public Grievances.
- (3) The State Government will provide Rs 25.00 lakhs as grants-in-aid for the purpose of welfare of the indigent pensioners in the first year of the Constitution of the Welfare Fund
- (4) Further receipts into the Fund for the same purpose may include Contributions from other sources including government pensioners, Donations from pensioners, individuals, institutions, organisations, Interest from the Bank deposist Donations, Other Grants-in-Aid from any other private source.

Provided that donations especially earmarked by the Donor shall be utilised to meet the wishes of the Donor as far as practicable in consonance with the Bye Laws.

Operation of the Fund

7. (1) The Fund shall be jointly operated by the Chairman and the Secretary of the Board of Trustees.
- (2) No fund other than the fund meant for this purpose shall be kept in the Welfare Fund.
- (3) Fund shall be drawn from the Welfare Fund only for the purpose of assisting indigent pensioners or their family members.
- (4) Any withdrawals made from the Account shall be Made with proper sanction and authority.
- (5) Operation of the Fund shall be subject to the existing Rules, Regulations and Procedures of the Reserve Bank and the State Bank of India.

Audit

8. (1) Subject to general control of the Executive Committee, all the receipts and expenditure shall be audited by a Chartered Accountant every financial year.
- (2) Money not required immediately for disposal shall be kept in interest bearing Savings Account in the State Bank of India..
- (3) Unless otherwise decided by the Board of Trustees, only the interest earned from the deposit of the Fund shall be available for sanction of relief to the indigent pensioners and/or their family members.

The Secretary of the Board of Trustees will inform the Members of the Board of Trustees every quarter before the quarterly meetings, the exact and accurate balance amount available in the Welfare Fund and the fund utilised in the previous quarters.

The Secretary shall place before the Annual General Body meeting to be held in April every year the Annual Report and the Annual Financial Accounts of the Welfare Fund with all details of receipts and expenditure for the financial year including the names, addresses of the Indigent pensioners and their family members who have been granted relief under their Rule Book.

- (6) Necessary Vouchers and receipts from the beneficiaries are to be retained and produced by the Secretary of the Board of Trustees if

called for by any of the members of the Executive Committee of the Board or the District Committees.

- (7) Utilisation Certificates against the fund provided as relief to the indigent pensioners shall be submitted by the Secretary of the Board of Trustees and receipts for donations/ contributions etc shall also be provided by the Secretary of the Board of Trustees.

Disputes

Settlement of any disputes over the amounts granted as relief to the indigent pensioners, accounting of funds loss or misutilisation of fund shall be decided in the Tribunal or by an Arbitrator to be appointed by the Government in the Department of Pension & Public Grievances.

EMILY CHOUDHURY,

Principal Secretary to the Govt. of Assam,
Pension & Public Grievances Department.