

**THE KERALA MOTOR TRANSPORT WORKERS WELFARE FUND
BOARD SCHEME, 1985**

**CHAPTER I
PRELIMINARY**

1. Short title, commencement and application- (1) This Scheme may be called the Kerala Motor Transport Workers Welfare Fund Board Scheme ,1985

(2) It shall come into force on such date as the Government may by notification in the Gazette, appoint.

(3) It shall apply to all Motor Transport undertaking as defined in the Kerala Motor Transport Workers Welfare Fund Ordinance, (38 of 1985)

1. Definition- (1) In the scheme unless the context other requires,

(a)“Calendar Year” means the year commencing on the first day of January;

(b)“Completed Year of service” means continuous service for one year;

(c)“Continuous service” means uninterrupted service and includes service which interrupted by sickness, accident authorized leave, strike which is not illegal or cessation of work not due to employees fault, and a period not exceeding three months between his leaving service from one Motor Transport undertaking or promises and securing employment in another.

(d)“Director” means a Director of the Kerala Motor Transport Workers Welfare Fund Board constituted under section 6 of the Ordinance

*(da) Ex-gratia terminal benefit means the amount payable to employee employed in the category of the vehicles coming under Table 1 of paragraph 28 the time of super annuation as detailed in Annexure-1 depending on his length of service

(e)“family” means:-

(i)In the case of male member, his wife, children whether married or unmarried, depended parents an the widow an the children of a deceased son of the member

Provided that if a member proves that his wife has ceased to be entitled to maintenance , she shall no longer be a part of the members family or the purpose of this scheme unless the member subsequently intimates by express notice in righting to the Chief Executive Officer that she shall continue to be so regarded:

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* Amended as per Go(P) No: 59/2005/LBR Dated: 07.06.2005

(ii) In the case of a female member, her husband, children, dependent parents and the widow and the children of a deceased son of the member

Provided that if a female member by Notice to the Chief Executive Officer expresses her desire to exclude her husband from the family, the husband shall no longer be deemed to be a part of members family for the purposes of this scheme, unless the member subsequently cancels in writing any such notice.

Explanation:- In either of the above two cases, if the child of a member has been adopted by another person and if under the personal law of the adopter adoption is legally recognized, such child shall be considered as excluded from the family of the member.

- (f) "Financial year" means the year commencing on the first day of April;
- (g) "Form" means a Form appended to the Scheme;
- (h) "Government security" shall have the meaning assigned to it in the Public Debt Act, 1944 (Central Act 18 of 1944);
- (i) "Ordinance" means the Kerala Motor Transport Workers Welfare Fund Ordinance, 1985 (38 of 1985)
- (j) "Other offices and staff" means the offices and staff appointed under subsection (1) of section (7)
- (k) "Quarter" means a period of 3 months commencing on the first day of a January, the first day of April, the first day of July and the first day of October of each year
- (l) "Register" means the register in which the names of the employees are registered;
- (m) * "Registered Worker" means an employee or a self employed person whose name has been enrolled in the register;
- (n) "State" means the state of Kerala;
- (o) * "Superannuation" means the continuation of services of an employee by the employer or any other authorities so authorized when the employee reaches the age of 16;
- (p) * "Welfare Fund" means the amount payable under the scheme to an employee at the time of Superannuation

(2) All the words and expressions used in the scheme but not defined shall have the meaning respectively assigned to them in the ordinance

CHAPTER II
THE MOTOR TRANSPORT WORKERS WELFARE FUND

(3) Constitutional of the Board:- (1) The Board shall consist of the following persons namely:-

- (a) Five officials nominated by the Government of whom one shall be from the finance department and the Chief Executive Officer
- (b) Five persons representing the employer nominated by the Government
- (c) Five persons representing the employees nominated by the Government

(4) One of the Director shall be appointed by the Government as Chairman

3 Term of Office:- The board shall be reconstituted every three years.

Provided that the Government shall have the right to nominate any person in the board in the place any other person, who has ceased to be a member:

Provided further that the Board dually constituted shall continue even after the expiry of three years until a fresh Board is constituted.

(5). Removal of Directors:- Notwithstanding anything contained in the scheme, Government may remove from office any director if in its opinion such Director ceased to represent the interests which he purports to represent in the Board or if the Government are satisfied that a Director that acted against the implementation of the ordinance or of the scheme or against the due the discharge of the function of the Board or of the Chairman or the Office of the fund;

Provided that no such Director shall be removed, unless a reasonable opportunity is given to him for making for representation, if any, against the proposed action

(6) Filling up casual vacancies:- A director appointed to fill a casual vacancy shall hold office for the remaining period of the term of office of the director in whose place he is appointed.

(7) Resignation:- Any director may resign his office by communicating his decision in writing to the Government through the Chairman and his office shall fall vacant from the date on which his resignation is duly accepted by the Government.

Provided that the Chairman shall send his resignation to the Government directly

8. Cessation of membership:- (1) If a Director or Chairman fails to attend three consecutive meetings of the Board without obtaining the permission of the Chairman or the Government, as the case may be, he shall subject to the provisions of the sub paragraph(2) ceased to be a Director

(2) A Person who ceases to be a Director under sub paragraph(1) shall be given intimation of such cessation by a letter sent to him by registered post with in fifteen days from date of such cessation. The letter shall indicate that, if he desires the restoration of his Directorship he may apply accordingly with in fifteen days from the receipt of such letter. The applications for restoration of Directorship shall be submitted to the Government within the prescribed period and if the Government are satisfied that there was sufficient reason for not attending the three consecutive meetings Government may pass necessary orders restoring the Directorship.

9. Disqualification:- (i) A person shall be disqualified for being appointed as or for being a Director, if,

- (d) he is declared to be of unsound mind by a competent court; or
- (e) he is an undischarged insolvent; or
- (f) he has been sentenced by a criminal court to imprisonment for a period of more than 2 years for any offence involving moral turpitude (such sentence not having been reserved) while undergoing the sentence and for five years from the date of expiration there off.

(2) If any question arises whether any person is disqualified under sub paragraph(1) it shall be referred to the Government and the decision of Government on any such question shall be final.

10 Meetings:- (1) The Board shall meet ordinarily once in three months

(2) The Chairman may, whenever he thinks fit, and shall within fifteen days of the receipt of a requisition in writing from not less than one third of the Directors of the Board, call a meeting thereof.

11 Notice of meeting and list of business:- Notice of not less than fifteen days from the date of posting. A containing the date, time and place of every

meeting together with a list of business to be transacted at the meeting shall be dispatched by registered post or by a special messenger to each Director:

Provided that when the Chairman calls a meeting for considering any matter which in his opinion is urgent, a notice giving such reasonable time as he may consider necessary, shall be deemed sufficient

12. Chairman to preside at meetings :- The Chairman shall preside at every meeting of the Board at which he is present. If the Chairman is absent at any time, the Directors present shall nominate one of the Directors to preside over the meeting and the Director so nominated shall exercise all the powers of the Chairman at the meeting

13. Quorum:- No business shall be transacted at the meeting of the Board unless at least one third of the Directors are present and there should be at least one person representing those appointed under clauses (a), (b) and (c) of sub-paragraph of paragraph (3) of this scheme.

14. Absence from State:- If any director leaves this State for a period of six months or more without intimation to the Chairman he shall be deemed to have resigned from the Board.

15. Time and place of meeting:- The meeting of the Board shall be held at the place and time specified in the notice of the meeting issued under paragraph (11)

16. Disposal of business:- Every question considered at a meeting of the Board shall be decided according to the majority opinion.

17. Minutes of meeting:- (1) The minutes of a meeting of the Board showing inter alia the names of the Director present shall be circulated to all Directors present in the State not later than fifteen days from the date of meeting.

(2) The minutes of each meeting shall be signed by the Chairman after confirmation with such modifications, if any, as may be considered necessary at the next meeting.

18. Acts of the Board not be invalidated by informality of any vacancy etc:- No act done or proceedings taken by the Board shall be invalidated merely on the ground.

- (a) Of any vacancy or defect in the constitution of the Board or
- (b).Of any defect or irregularity of the appointment of a person acting as a member thereof or
- (c). Or any defect or irregularity in such act or proceedings not affecting the merits of the case.

19. Fees and allowance:- (1) Traveling allowance of a Director representing the Government shall be governed by the rules applicable to him for journeys performed on official duties and shall be paid initially by the authority paying his salary and claimed later by the Director concerned from the Kerala Motor Transport Workers Welfare Fund Board and remitted to Government

(2)Every non official Director other than the Directors mentioned in sub paragraph (3) and for shall be paid traveling allowance for attending the meetings of the Board at such rates as are admissible to Grade 1 Officers of the Government of Kerala.

(3)Every director who being a member of State Legislative Assembly attends a meeting of the Board, shall be entitled to such traveling allowance as are admissible under the provisions of the payment of Salaries and Allowances Act, 1951 (14 of 1951).

(4)Every Director who being a member of either House of Parliament, attends a meeting of Board shall be entitled to traveling and daily allowances as may be admissible to the members of the Parliament.

(5)* Every non official member of the board of directors attending the board meeting or standing committee meeting shall be paid sitting fee at the rate of Rs. 30 per sitting or as fixed by Government from time to time.

20. Formation of standing committee:- (1) The Board may constitute a standing committee for considering the following items namely:-

- (a) Annual Budget;
- (b) Annual Administration report;
- (c) Such other matters as may be referred to the standing committee by the Board.

(2) The standing committee constituted under sub paragraph (1) shall consist of the following persons namely:-

- (a) The Chairman of the Board
- (b) Three Directors representing the employers;
- (c) Three Directors representing the employees;
- (d) The Director representing the Finance Department of the Government;
- (e) The Chief Executive Officer;

(3) The Chairman of the Board shall be the Chairman of the standing committee. If the Chairman is absent at any time the members present shall nominate one among them to preside over the meeting.

(4) The Chief Executive Officer shall be the Secretary of the standing committee

(5) No business shall be transacted at a meeting of the standing committee unless of four members of the standing committee are present of whom at least one shall be from among those representing employees and one from those representing employers.

(6) The term of standing committee shall be one year provided that the standing committee shall continue to function beyond one year till the next committee is constituted.

Provided further that no standing committee shall function after the expiry of the term of office of the Board which constituted the committee.

(7) The recommendations of the standing committee shall be placed before the Board for its decision.

(8) The members of the committee allowed traveling allowance and daily allowance at their rates and subject to the conditions specified in paragraph 19

21. Opening of Head office, District office and Regional office and Local offices:- (1) The Board may, with the approval of the Government open District office and Regional office and Local offices as it may consider desirable for the purpose of implementation of the scheme. It may also define the functions and duties of such offices

(2) The Head office of the Board shall be at Quilon.

22. Powers, duties and functions of the Board:- (1) The Board shall be responsible for the following matters, namely:-

- (i) all matters connected with administration of the fund as specified in the scheme;
- (ii) registration of employers to the fund;
- (iii) laying down general policies regarding deposits of the fund as directed by the Government from time to time;
- (iv) submission of Annual Budget to Government for sanction;
- (v) submission of Annual report to Government on the working of the scheme;
- (vi) annual audit of accounts of the fund in accordance with the instructions issued by the Government;
- (vii) collection of contribution to the fund and other charges;
- (viii) launching prosecution against offences under the Ordinance;
- (ix) speedy settlement of the claims;
- (x) proper maintenance of accounts;
- (xi) payment of interest to the members of the Fund;
- (xii) speedy sanction of advances;
- (xiii) proper timely recovery of advances;

(2) The Board shall furnished Government information on such matters as the Government may refer to it from time to time.

23. The Secretary of the Board shall, with the approval of the Chairman issue notice to convene meetings of the Board and keep the record of minutes and shall take necessary steps for carrying out decisions of the Board.

CHAPTER III
APPOINTMENT AND POWERS OF CHIEF EXECUTIVE OFFICER
AND OTHER STAFF OF THE BOARD

- 24 Chief Executive Officer:- (1) The Government may appoint a Chief Executive Officer who shall be the Chief Executive Officer of the Board and shall be subject to general control and supervision of the Board
- (2) The Government may also appoint such number of other offices as they may consider necessary to assist the Board
- (3) The Government may also appoint necessary staff for the functioning of the Head office, District office, Regional office and Local officers of the Board.
- (4) The Chief Executive Officer and the other officer shall not undertake any work unconnected with his office without the previous sanction of the Government.
- (5) Reference relating to all appointment of the officers of the fund made by the government shall be placed by the Chief Executive Officer before the next meeting of the Board for information.
25. Administrative and financial power of Chief Executive Officer:- (1) The Chief Executive Officer may without reference to the Board, sanction expenditure on condigencies, supplies and services and purchases of articles required for administering the Fund subjected to the limits up to which it may be authorized to sanction expenditure on any single item from time to time by the Board with the approval of the Government.
- (2) The Chief Executive Officer may also exercise such administrative and financial powers other than specified in sub paragraph(1) as may be delegated to him from time to time by the Board with the approval of the Government.
- (3) The Board may from time to time delegate subject to such condition as it may be deemed fit, its administrative and financial power to any other officer under its control or superintendence to the extent considered suitable by it for the administration of the scheme.
26. Powers of Government until Board is constituted:- (1) Until the Board is constituted, the Government shall administer the fund and may exercise or discharge all or any of the powers of the function of the Board.
- Provided that on the constitution of the Board, the Government shall transfer all the amounts standing to the credit of the Fund to the Board.

CHAPTER IV*** MEMBERSHIP REGISTRATION AND CONTRIBUTION**

27. Registration- (1) Every Employee and self employed person who desires to be employed as a motor transport worker and qualified to be employed in a motor transport undertaking, if not already registered as a member of the fund, shall submit in person an application for membership and nomination in Form.1 before the concerned District Executive Officer for the Additional District Executive Officer of the Kerala Motor Transport Workers Welfare Fund Board (here in referred to as the registering authority). Such applicant shall be accompanied with two stamp size recent photograph of the applicant and an amount of Rs. 25/- towards fee for registration.

(2) As soon as the application for registration under sub paragraph (1) is received, the District Executive Officer and Additional District Executive Officer as the case may be, shall make such enquiries, as he may deemed fit, and shall within a period of 30 days from the date of receipt of the application either reject application or register his name as a member of the Kerala Motor Transport Workers Welfare Fund Board.

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* Amended vide G.O (p) No 59/2005/Lbr Dated 07.06.2005

Provided that the registering authority shall not issue registration to a person who has not attained the age of 18 or complete the age of 60

- (3) If the registering authority rejects the application for membership, the reason for its rejection shall be communicated to the applicant within 15 days from the date of such rejection.
- (4) If an applicant is lived by the order of the registering authority rejecting is application he shall file and appeal before the District Labour Officer concerned District with in 30 days from the date of receipt of the order rejecting his application. The appellate authority shall have the power to condone delay in filing appeal on reasonable grounds.
- (5) The appellate authority shall within 45 days from the date of receipt of such appeal under sub paragraph (4) shall take a decision on the appeal after giving an opportunity to the appellant to be heard. The decision of the appellate authority shall be communicated to the appellant by the registered post. However the second appeal against the decision of the appellate authority shall lie before the Board with in 30 days from the date of the receipt of the order.
- (6) The details contained in Form.1 in respect of an employee or self employed person granted with registration as the member of the fund shall be recorded in register of membership in Form.5 with code number and date of registration. Also 1 photograph of the member shall be affixed there in for his identity with proper attestation by the registered authority.
- (7) As on as the registration is granted to an employee or self employed person as the member of the fund, a laminated identity card in Form.6 shall be issued to him by the registering authority. Provided that a duplicate identity card shall be issued to a member if the original card is irrecoverably lost. For this purpose the member shall remit a fee of Rs 25/- and produce another set of his recent photographs along with a application for issuing duplicate identity card.
- (8) In the case of employees for already registered as the member of the fund under the provisions of the Scheme before the coming into force of the Kerala Motor Transport Workers Welfare Fund (Amendment) Scheme, 2005 shall submit an application with two stamp size photograph before the registering authority requesting for laminated identity card afresh along with Rs 25/- as registration fee.

(9) A member of the fund while on duty in motor transport undertaking display the identity card on his uniform on the left side of the chest in front and it shall be liable to verification or inspection by the officers notified for the purposes.

(10) A member of the fund shall have the right to change his nominee or nominees at any time. For their purpose we shall file and application in Form.4 before the registering authority.

Provided that a nomination by a member infavour of a person not belonging to his family shall be invalid.

28. Contribution to the fund:- (1) Every employer or self employed person of a motor transport undertaking shall contribute to the fund in respect of his undertaking an amount of quantum for each type of vehicle, shown in Table-I, Table-II, Table-II (a), Table-III and Table-V below, every month as employers contribution taking into account the average minimum number of employees fixed for each such vehicle.

*Amended vide Gop No 09/2005 Lbr Dated 26.11.2005

Table- I

Category Of Motor Transport	Average Minimum number of employees fixed for each unit	Quantum of Welfare Fund payable Rs.
(1)	(2)	(3)
Stage Carriage (Heavy Vehicle)	3	1050
Stage Carriage (Light Vehicle)	2	700
Contract Carriages and Luxury buses	2	700

Table- II

Category Of Motor Transport	Average Minimum number of employees fixed for each unit	Quantum of welfare Fund payable Rs.
Goods Vehicle (Heavy)	2	400
Goods Vehicle (Light)	1	200

Table-II (a) *

Category of motor transport	Average minimum no of employees	Quantum of welfare fund payable RS
(1)	(2)	(3)
Goods Vehicle (Medium)	2	300

Table-III

Category of motor transport	Average minimum no of employees	Quantum of welfare fund payable RS
(1)	(2)	(3)
Multi Utility Vehicles Omni vans, Toyota Qualis, Tempo Traveller, Taxi cabs etc	1	100

*Amended vide Gop No 124//2014 Lbr Dated 15.10.2014

Table-IV

Category of motor transport	Average minimum no of employees	Quantum of welfare fund payable RS
(1)	(2)	(3)
Autorickshaws other than those covered under Kerala Autorickshaws workers welfare fund scheme 1991.	1	50
Tracter, Triller or other similar type of Vehicles	1	50

(2) The Contribution payable by a member of the Fund employed in case of category of vehicles shown in Table- I, Table-II Table-II (a) Table-III Table-IV shall be as follows.

(i) Category of vehicle in Table-I	Rs 150/-
(II) Category of vehicle in Table-II	Rs 100/-
* (III) Category of vehicle in Table-II (a)	Rs 100/-
(IV) Category of vehicle in Table-III	Rs 50/-
(v) Category of vehicle in Table-IV	Rs 50/-

- (3) If a vehicle of a Motor Transport undertaking was under 'G' Form throughout a minimum period of one month, or more as proved in Moto Vehicle Act, 1988 and the Rules made there under, it shall be exempted from employers contribution for such period.
- (4) If the employer of the motor transport undertaking is employing more than the average number of employees specified in the above sub paragraph (1) he shall, in addition to the amount specified against such category of vehicle make a contribution of Rs 350/- per month for each such additional number of employees in case of category of vehicles included n Table I Rs 200/- in the case of category of included in Table II, Rs 150/- in the case of category of vehicles included in Table II (a) Rs 100/- in respect of vehicles included in Table III and Rs 50/- in respect of vehicles included in Table IV.
- (5) If an employer of the motor transport undertaking defaults additional amount due from sub paragraph(4),such defaulted amount with 9% interest their on shall be determined after a detailed enquiry by the District Executive Officer/ Additional District Executive Officer or any other officer authorized by the Chief Executive Officer for this purpose and shall be recovered from the defaulter.
- (6) The proceedings for determination of defaulted amount, if any, under subparagraph (5) shall be initiated only on a complaint by an aggrieved employee and the burden of proof shall vest with him.
- (7) Any person aggrieved by the determination order under subparagraph (5) shall file a review petition before the concerned DEO/ADO who as determined the amount showing detailed fax and reasons for reviewing the original determination with in 7 days from the date of receipt of it.
- (8) A review petition filed under sub paragraph (7) shall be disposed of by the authority within a period of 30 days from the date of receipt of it.

- (9) Any person aggrieved by an order under subparagraph (8) may prefer an appeal before the District Labour Officer of the concerned list and it shall be disposed of by him within a period of 45 days from the date of receipt of it.
- (10) However a second appeal against the order under subparagraph (9) shall lie before the board and it shall be disposed of within a period of 60 days from the date of receipt and the decision of the Board on the appeal petition shall be final.
- (11) Every member of the fund shall along with his contribution as provided in subparagraph (2) furnish details of his employment whenever there is a change of employer.
- (12) The contribution payable by the employer and the employee before the date of coming into force Kerala Motor Transport Workers Welfare Fund (Amendment) ordinance 2005 shall be at the rates applicable as per the provisions of the act and the scheme and in then force and the contribution payable by the employer, employee and self employed person after the date of coming into force of the said ordinance shall be at the rates as the specified in this scheme.

29. Remittance of Contribution:- * (1) The employer, employee, and the self employed person shall remitted their monthly contribution in respect of each month not later than the seventh day of succeeding month in this office of District Executive officers of the concerned District of the Kerala Motor Transport Workers Welfare Fund Board by way of crossed demand draft drawn in favour of the Chief Executive Officer Kerala Motor Transport Workers Welfare Fund Board payable at their respective District Headquarters of the board or their chellan of the bank designated for the purpose by Kerala Motor Transport Workers Welfare Fund Board and obtain the receipt for the same however, for accounting facilities, the first payment of contribution shall be through Demand Draft only.

Paragraph 30 and 31 omitted vide the G.O (P) No 59/2005/Lbr
07.06.2005

*Amended G.O (P) No 98/2005/Lbr Dated 26/11/2005

32. Interest payable to the members- The Government may, in consultation with the Board, fix from time to time of interest payable to the members on the amounts standing to their credit towards provident fund.
33. Payment of Interest on provident fund balance in case of closure of accounts due to retirement etc- (1) Interest for financial year shall be paid to a member on the balance amount (including interest allowed for the previous year) in his provident fund account at the beginning of each financial year as reduced by the amount of advance, if any, taken during the financial year, at the rate fixed under paragraph.32
- (2) In the case of closure of an account due to registration, termination, retirement, or death of a member, interest shall be paid on the balance amount in his provident fund account for all the completed calendar months proceeding the date on which the final payment authorised, irrespective of the date of receipt of the claim.
- (3) In calculating the interest payable to a member fraction of a rupee amounting to 50 paise or more shall be rounded off to the next higher rupee and the fractions less than 50 paise shall be ignored.
- (4) The aggregate amount of interest credited to the account of any member of the fund shall be debited to the head of account interest suspense account.

***CHAPTER V
RETURNS, MAINTAINENCE OF ACCOUNTS, TRANSFER AND
ACCUMULATION FROM EXISTING FUND**

36. Duty of the employer to send returns- (1) Every employer shall send to the Chief Executive Officer or any other officer authorised by him with 10 days of the clause of each month:
- (a) a returns in Form.2 showing the particulars of every vehicle in his motor transport undertaking operated any day during the month
- (b) a return in Form.3 showing the details of registered motor transport employees employed by him in his undertaking with their code number and the amount of employers contribution towards welfare fund.

(2) The returns as provided in subparagraph (1) shall be sent by a registered post or in such another manner as may be specified by the Chief Executive Officer.

(3) Every employer shall maintain in his establishment the detailed accounts of the welfare fund contribution made by him along with an inspection notebook in such form as the Chief Executive Officer may specify and will be subjected to inspection by the offices authorised for that purpose.

37. Information regarding Establishment:- Every employer shall furnish to the Chief Executive Officer or any other officer authorised by him in Form.3 particulars of all branches, owners, occupiers, directors, partners, managers or any other person or person who have the ultimate control over the affairs of such establishments and also sent intimations of any change in such particulars within 15 days of such change to the Chief Executive Officer or any other officer authorized by him, by registered post and in such other manner as may be specified by the Chief Executive Officer

Paragraph 34 and 35 Omitted as per * Go(P) No 59/2005/Lbr Dated 07.06.2005

* 38. Welfare fund account to individual members:- (1) The contribution towards the welfare fund made by the employee, the employer and the self employed person shall be promptly accounted in the contribution account register in Form.7 by the Chief Executive Officer or any other officer authorized by him for this purpose subjected to subparagraph (2) (3)&(4)

“The amount to be set apart to the contribution account register from the quantum of welfare fund remitted by the employer in respect of employees of different types of vehicles specified in subparagraph (1) of paragraph (28) shall be as detailed below.

- (i) Vehicles in Table-I Rs. 150
- (ii) Vehicles in Table-II Rs. 150
- ** (iii) Vehicles in Table-II (a) Rs. 100
- (iv) Vehicles in Table-III Rs. 70
- (v) Vehicles in Table-IV Rs. 25

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Amended vide **Go(P) No 124/2014 Lbr Dated 15.10.2014
* Go(P) No 98/2005 Lbr Dated 26.11.2005

(2) Out of the contribution made by an employer in respect of an employee of each type of vehicle specified in column in the Table below an amount at the rates specified in columns (2),(3) and (4) shall be set apart and deposited against the Pension Fund Account, Administration Fund Account and Other Welfare Measures Fund Account respectively

Table

Type of vehicles	Amount to be deposited			
	Pension fund account Rs.	Administration Fund Account Rs.	Other Welfare Measures Account Rs.	Total Rs.
1	2	3	4	5
Vehicles in Table-I	25	12.50	12.50	50
Vehicle in Table-II	25	12.50	12.50	50
* Vehicle in Table-II (a)	25	12.50	12.50	50
Vehicle in Table-III	20	5	5	30
Vehicle in Table-IV	20	2.50	2.50	25

(3) The whole amount standing at the credit of an employee against his provident fund and the gratuity before the commencement of the Kerala Motor Transport Workers Welfare Fund (Amendment) scheme 2005 shall be transferred and credited as the opening balance of his welfare fund account against the employees contribution.

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Provided that if such transfer credit could not be carried out on the specified date due to any reason, interest shall be accrued for such whole amount (Including Gratuity) as provided under paragraph (33)

Provided further that deduction as provided under subparagraph (3) of paragraph (63) shall not be effected for such transfer credit

(4) If an employee fails to make his contribution for any period and the employer has promptly made contribution against such employee the employers contribution after having set apart the amount as per sub paragraph (2) shall be kept under suspense till the end of financial year and the whole such amount shall be credited to "Other Welfare Measures Fund Account" at the end of the financial year if the employee had not remitted his contribution till then

* 39. Annual Statement of Accounts:- (1) The Chief Executive officer or any other officer authorised by him shall forward intimation slip to the employees ones in every year showing the amounts standing at their credit and the with drawls made by them as on the 31st day of March at that year

(2) If there is any mistake in the amount shown in the intimation slip the employee shall have the right to represent before the Chief Executive officer or any other officer authorized by him.

(3) If the representation referred in sub paragraph(2) made to an officer authorised by the Chief Executive officer is rejected or if the employee feels that the reply furnished by such an officer is not satisfactory he shall have the right to appeal to the Chief Executive officer or if the employee feels that the reply furnished by the Chief Executive officer is not satisfactory, he shall have the right to appeal to the Board.

(4) The employee shall be allowed to verify the correctness of the statement furnished by the employer to the Chief Executive officer or to the office of any other officer authorised by the Chief Executive officer for the purpose.

40. Production of records of workers:- Every employer shall, whenever the Chief Executive Officer or any other officer authorised by him in this behalf, requires, either in person or by notice in writing, produce before the Chief Executive officer or before any other officer authorised in this behalf, as the case may be the records of any worker employed by him and if so required by the Chief Executive officer or the said officer every employer shall deliver such record to the said Chief Executive officer or such officer who may, if he thinks fit, retain the record provided that he shall grand a receipt for every record retained by him.

* 41. Supply of declaration forms etc:- (1) The Chief Executive officer or any other officer authorised by him shall supply to the employee free of charge on demand, Forms (1) and (4) referred to this scheme:

Provided that if any employer desires to obtain any forms in excess of the number which the Chief Executive officer or any other officer authorised by him considers sufficient for the requirements of the employer the Chief Executive officer or any other officer authorised by him may if he think fit, supply such extra forms and realise such cost therefore as he considers reasonable.

42. Deposit of amounts:- The Chief Executive officer shall deposit the bank drafts received from the employer in the saving account of the fund.

43. Right to verify documents:- The Secretary of the trade union of which an employee is a member or any person authorised by him in this behalf shall have the right to verify from the documents and registers with the Chief Executive Officer during office hours that the concerned employee has been registered under the scheme.

44. Transfer of accumulation from existing provident fund:- (1) Every authority in charge of, or entrusted with the managements of any

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Amended vide Gop No 59/2005/Lbr Dated 07.06.2005

welfare fund in existence on the commencement of this scheme, the accumulations wherein are to be transferred to the fund under section 24 of the ordinance shall, before such date as the board may fix in this behalf.

- (i). Send to the Chief Executive officer or any other officer authorised by him, a statement showing the amount standing to the credit of each member on the date of such transfer, the total accumulations to the credit of the subscriber, and the amount of advance taken by the subscribers
- (ii). transfer to the fund in the manner specified in subparagraph (2) of the total accumulation standing to the credit of the subscribers in relation to each establishment, and
- (iii) transfer to the Board all passbooks, books of account and other documents relating to the said accumulations

(2) Accumulations standing to the credit of the members wherever invested shall be transferred to the fund by the authority aforesaid in cash:

Provided that where the whole or any part of such accumulations consist of investments in Government securities, the authority making the transfer to the fund shall transfer those securities at the price for which they are actually purchased or transfer a sum equivalent to such price. In case, however the whole or any part of such accumulation is invested in National Savings Certificates, the appreciated value of such certificates at a time of transfer shall be taken into account in determining the amount of accumulations to be transferred, provided that the difference between the face value of such certificates and their appreciated value at the time of transfer has already been credited to the accounts of the subscriber:

Provided further that where part of such accumulations consist of investment in non government securities, the Government may, in exceptional cases, allow acceptance of the transfer of such securities from the authority making the transfer to the fund at the price for which they were actually purchased:

Provided also that if the total amount of accumulations interests there on, the authority in charge of the welfare fund shall also transfer the balance of interest, if any, which happens to be undistributed on the date of transfer, or realised or realisable for the period prior to the registration of the securities, to the fund.

- (3) Any cash transferred under subparagraph (2) shall be deposited in any office or branch of the State Bank of India or in such scheduled banks as may be approved by the Government from time to time, the credit of the Board and receipt obtained in respect thereof shall be forwarded to the Chief Executive Officer.

Provided that where there is no office or branch of any of the banks referred to above, the accumulations transferred to the fund in accordance with this paragraph shall be credited to the fund in the account of each of the member of the fund, to the extent to which he may be entitled there to having regard to the statement furnished by the authority aforesaid.

- (4) When the accumulations in any such welfare fund referred to in subparagraph (1) have been so transferred to the fund, the Chief Executive Officer may by notification in the Gazette, declare that the members of such welfare fund have now become members of the fund and that the equation aforesaid have become vested in the Board where upon such accumulations shall be come vested in the Board

CHAPTER VI

*** PAYMENT OF EX-GRATIA TERMINAL BENEFIT**

45. Ex-gratia terminal benefit:- (1) An amount of Rs. 150/- from employers contribution shall be set apart and deposit against “Ex-Gratia terminal benefit fund” payable to the employees employed in the category of vehicle coming under Table-I of paragraph (28) at the time of supper annuation as detailed Annexure 1 depending on their length of service in the Motor Transport undertaking, in liea of gratuity in addition to eligible welfare amount set out in Form.7
46. Gratuity when payable:- (1) Gratuity shall be payable to an employee on the termination of this employment after he has rendered continues service of not less than one year,

*Amended vide Go(P) No 59/2005 LBR Dated: 07.06.2005

- (a) on his superannuation or
- (b) on his retirement, resignation, retrenchment, discharge or dismissal from service, or
- (c) on his death or total disablement due to accident or disease

Not Provided that the completion of continuous service of one year shall be necessary where the termination of the employment of any employee due to death or total disablement.

Provided further that only the period during which an employee was a member of the fund shall be taken into account for determining the number of completed years for the purpose of paragraph 45:

Provided also that in cases where welfare fund established by custom or agreement before the date of commencement of the "Ordinance" have been transferred to the credit of the fund under 'section' 24 of the "Ordinance" and where the rate of contribution in respect of gratuity had not been less than 5% of the wages of the members the period of membership of such funds for which contributions have been credited to his fund shall be taken into account for determining the number of completed years for the purpose of paragraph 45.

- (2) Notwithstanding anything contained in subparagraph (a) gratuity shall be payable to an employee on his total disablement due to accident, or disease only if he produces a certificate from medical officer not below the rank of an Assistant Surgeon that the employee has been completely incapacitated for service;
- (b) In case of discharge or dismissal from service for any act of willful omission or negligence causing any damage or loss to or destruction of property belonging to the employer, an amount equal to the damage or loss shall be recovered and made over to the employer by the Executive Officer or any other officer authorised by him after making such enquiry as he deems fit, provided that such recovery shall be made only in case where the employer gives notice in writing to the executive officer or any other officer authorized by him specifying the amount of damage or loss within thirty days of such termination of service.
- (3) In the case of death of an employee, gratuity shall be payable to his nominee under paragraph 35 or in the absence of a nominee to the member of his family as specified in paragraph 64

*(4) The contribution made by an employer to the fund but which is not entitled to the employee for want of requisite minimum period of continuous service shall be forfeited to the Board and shall not be refunded to the employers but shall be credited to the reserve account of the fund

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*(Amended vide Go(P) no 1180/93/LBR Dated: 05.05.93)

CHAPTER VI (A)
*** PAYMENT OF PENSION**

46A. Eligibility for pension:- A member of the fund who is having not less than ten years of completed service on super annuation shall be eligible for pension under this chapter:

Provided that a member of the fund who is not having ten completed years of service but is having nine and half or more completed years of service shall be deemed to have completed ten years of service for the purpose of eligibility for pension

**46B. Rate of pension:- (1) A member of the fund on super annuation shall be entitled for a minimum pension of 500 per month members having more than ten completed years of service shall be entitled for enhanced

pension at the rate of 25 Rs per month for stage carriage (Heavy vehicle) stage carriage (Light vehicle), Contract carriage & Luxury buses, Goods vehicle (Heavy) & Goods vehicle (Medium), & at the enhanced rate or Rs 20/- per month for multi utility vehicles (like Omni vans, Toyota Quails, Tempo traveler, Taxi cab etc) Auto rickshaws other than those covered under Kerala Auto rickshaws Workers Welfare Fund Scheme 1991, Tractor, Tiller or other similar type of vehicles the enhancement will be for every completed year of service over and above ten years

(2) A member of the fund on becoming completely disabled to do his work as a motor transport worker shall be entitled to a minimum pension of 500/- Rs irrespective of the length of service, if no otherwise entitled for pension under subparagraph (1) above

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*(Amendment vide G.O (Rt) No 27/2001/LBR Dated: 01.01.2001)

**Amended vide Gop No 59/2005/Lvr Dated 07.06.2005

(3) The Board may subject to the prior approval of the Government, Revise the rate of pension payable to the employees from time to time

46.C Application for pension:- (1) A member of the fund shall within 60 days from the date of his super annuation submit his application for pension in Form no.9A & Form 10A in duplicate before the District Executive Officer of the District from where he was superannuated. The application shall accompany the following documents, namely:-

- (a) an attested copy of the certificate obtained from his employer to the effect that the applicant has been relieved on super annuation from his motor transport undertaking on the date specified there in:
- (b) two passport size recent photographs of the applicant:
- (c) documents to prove the date of birth of the applicant

Provided that in the absence of the certificate as required under sub clause (a) above, the applicant shall furnish a detailed statement about this inability to produce the same.

- (2) On receipt of the application for pension the District Executive Officer shall issue a receipt to the applicant in Form.10A in token of having received the same
- (3) In the case of belated applications pension shall be sanctioned only from the month in which it was received by the District Executive Officer concerned
- (4) Application for pension made after six months from the date of superannuation shall not be entertained. However, if the applicant, on an application submit before the Board, is able to shown sufficient cause for not submitting the application in time to the satisfaction of the Board, it may condone the delay and give direction to entertain the belated application.

46.D Registration and disposal of applications:- (1) The application for pension received as per paragraph 46 C shall be registered in a Register in form no. 11, Chronologically assigning year wise serial Numbers

- (2) The District Executive Officer shall make necessary verifications and enquiries on the application for pension and other documents presented along with it and within 30 days from the date of receipt of the application submit a report the Chief Executive Officer specifying the following matters, namely:-
- (a) Whether all the facts stated in the application are correct:
 - (b) Whether the applicant is entitled for pension:
 - (c) The amount of pension admissible to the applicant:
 - (d) The month from which he is entitled for pension; &
 - (e) If the applicant is disentitled for pension the reason thereof:
- (3) The Chief Executive Officer shall register the application received from the District Executive Officer as per subparagraph (2) in a Register in Form no 12
- (4) While considering the report of District Executive Officer, the Chief Executive Officer may also make an enquiry on the application, if he desires to do so, and may sanction pension admissible to the applicant or reject the application subject to subparagraph (5)
- (5) An application for pension shall be rejected only after the applicant is given an opportunity of being heard to file objection if any against the ground on which is application is proposed to be rejected. For this purpose a minimum period of fifteen days noticed in form number 13 shall be given to the applicant
- (6) Orders sanctioning pension or rejecting the application for pension shall be in Form numbers 14 or 15 respectively and such orders shall be communicated to the applicant and the employer of the Motor Transport undertaking in which the applicant was employed by registered post
- 46.E Appeals:- (1) Any person aggrieved by the order of the Chief Executive Officer under subparagraph(6) of paragraph 46.D shall file an appeal before the Board within 90 days from the date of receipt of such orders. A copy of the order against which the appeal is filed shall also accompany the appeal petition
- (2) The Chief Executive Officer shall register the appeals filed under the subparagraph (1) in a Register in Form 16 as soon as it is received in his office.

(3) The decision of the Board on the appeal petition shall be final and binding on the parties the decision of the Board shall be communicated to the parties by the Chief Executive Officer by registered post.

46.F Mode of Pension:- (1) The Pension sanctioned to the applicant shall be recorded in the Pension Payment Register in Form no 17 by the District Executive Officer and the payment shall be effected quarterly for each quarter beginning from January, April, July, and October.

(2) The Chief Executive Officer shall release sufficient funds for the payment of pension, to the District Executive Officer as and when required

(3) In the case of any doubt, regarding the identity of the claimant present for receiving pension, the District Executive Officer may direct such claimant to produce an identity certificate recording his personal marks of identification from the local village concerned for satisfying his identity.

(4) Pensioner who is unable to be present before the disbursing authority for receiving the payment towards pension due to physical inability for disease shall file an application before the authority to make payment due for him by money order. Such application shall be accompanied with a certificate to that effect issued by the Doctor who is treating the pensioner for his disease, or the President / Secretary of the concerned registered trade union or a Member of District Panchayat / Member of Legislative Assembly/ Member of Parliament / or any Gazetted officer in Form no 18. After considering such application the amount of pension admissible, after deducting the money order commission shall be send to him by money order.

(5) A pensioner who is unable to receive the pension directing form the disbursing authority shall produce a life certificate in respect of him obtained from a Gazetted Officer as on the 31st March, every year, failing which payment of pension shall be withheld by the authority

46.G Cancellation of pension:- At any time after having sanctioned pension to an applicant, if it is found that the records submitted along with the application were bogus the whole amount already paid by way of pension along with 12% interest per annum shall

be recovered from the applicant invoking revenue recovery proceedings as arrears of revenue due on land in accordance with the revenue recovery act.

46.H Supervision and control:- (1) The Chief Executive Officer shall be responsible for the overall supervision and control of the disbursement of pension.

(2) Subject to the approval of the Board the decision of the Chief Executive Officer shall be final in respect of all disputes or doubts in respect of disbursement of pension.

(3) Every document relating to payment of pension shall be kept as permanent record and shall be subjected to timely audit by the competent officers.

CHAPTER VII LIFE INSURANCE POLICY

47. Withdrawals from the fund for payment towards insurance policies:- Any amount with interest their on standing to the credit of a member in the provident fund account may be withdrawn not more than once in every year to make payment towards a policy of life insurance.

Provided that the withdrawal shall not be permitted before the details of the proposed policy having been submitted to the Chief Executive Officer or any other officer authorized by him in such Form as may be specified and accepted by him as suitable. Nor shall the withdrawal be permitted in excess of the amount required to pay a premium or subscription actually due for payment within six months of the date of withdrawal

Provided further that no amount may be withdrawn to make any payment in respect of, or for the purpose of purchasing, and educational endowment policy if that policy is due for payment in whole or in part before the member attains the age of 60 years.

Provided further that the amount withdrawn shall not exceed the total contribution of the member up to the date of withdrawal.

48. Executive Officer or any other officer authorised by him to be satisfied regarding the utilization of the amount withdrawn:- (1) A member desiring to withdrawn an amount under paragraph 46 shall:-
- (a) intimate the reason for the withdrawal to the Executive Officer or any other officer authorised by him;
 - (b) make arrangements with the Executive Officer or any other officer authorised him for the withdrawal;
 - (c) sent to the Executive Officer any other officer authorised by him, with in such period as he may specify, a receipt in order to satisfy him the amount withdrawn is dully applied for specified purpose
- (2) The Executive Officer or any other officer authorised by him shall order the recovery of an amount withdrawn in respect of which he is not satisfied that the amount withdrawn was actually spent for the specified purpose, with interest there on at the rate fixed by the Board in consultation with the Government from the emoluments of the member and credit it to his account in the fund.
49. Assignment of policies to the fund:- (1) The policy, within six months after the first withdrawal in respect of it, shall be assigned to the Board as security for the payment of the amount withdrawn and shall be delivered to the Executive Officer or any other officer authorised by him.
- (2) The Executive Officer or any other officer authorised by him shall, before allowing withdrawal in respect of old policies, satisfy by reference to the life insurance corporation that no prior assignment of the policy exist and the policy is free from all encumbrances.
 - (3) The term of the policy shall not be altered nor shall policy be exchanged for another policy without the prior concerned of the Executive Officer or any other officer authorised by him to whom the details of the alteration or of the new policy shall be furnished in such form as he may specify.
 - (4) If the policy is not assigned and delivered, any amount drawn from the fund in respect to the policy, shall with interest their on at the rate fixed by the word in consultation with Government forthwith be repaid by the member to the fund, or in default the Executive Officer or any other officer authorised by him may be order in writing require the employer to deduct such amount from the emoluments of the member in such installments as he may determine and remit the same to the Fund.

(5) A policy to be acceptable under this paragraph shall be effected by the member of his on life and shall be such as may be legally assigned by the member to the Board.

50. Bonus to be adjusted against withdrawal:- A member shall not during the currency of the policy, draw any bonus, the drawal of which during such currency is optional under the terms of the policy and the amount of any bonus which under the terms of the policy, the member as no option to refrain from drawing during its currency and shall be paid by him forthwith into the fund to be adjusted against the amount withdrawn, or in default be recovered by deduction from his emoluments by such installments as the Chief Executive Officer or any other officer authorised by him.

51. Reassignment of policies:- (1) when the member:-

- (a) Permanently retired from service or superannuation or;
- (b) Retires on account of permanent and total incapacity due to boardly or mental infurnity as provided in paragraph 63 or;
- (c) Is permitted by the Board or where so authorised by the Board Chief Executive Officer or any other officer to withdraw amount standing to his credits in the fund or;
- (d) Repays to the fund the whole of any amount withdrawn from the fund for the purpose mentioned in paragraph 47 with interest there on at such rate not exceeding 9% as the Board may from time to time fix, the Board shall re assigned policy to the member and make it over to him together with a signed notice off the re assignment addressed to the Life Insurance Corporation.

(2) If the member dies before quitting service, the Board shall re assigned the policy to the beneficiary, if any, or to such persons as may be legally entitled to receive it and shall make over the policy to the beneficiary or to such persons together with a signed notice of the re assignment addressed to the Life Insurance Corporation.

52. Repayment of the amount withdrawn:- If a policy assigned to the Board matures or otherwise fall due for payment before the member quits service, the Board shall-

(I) If the amount assured together with the amount of any accrude bonus is greater than the whole of the amount withdrawn from the fund in respect to the policy with interest there on, reassigned policy to the member and make it over to him who shall immediately on receipt of the

policy amount from the Life Insurance Corporation re paid to the fund, the whole of any amount with interest:-

(II) If the amount assured together with the amount of any accrued bonus is less than the whole of the amount withdrawn with interest, realise the amount assured together with any accrued bonus and shall place the amount so realized to credit of the member in the fund.

CHAPTER VIII LOANS FOR HOUSING

53. Advance from the fund for purchase or construction of dwelling site:- (1) The Chief Executive Officer or any other officer authorised by him may, on an application from a member sanction from the amount standing to the credit of the member in the provident fund account on advance of an amount not exceeding his twelve months basic wages and dearness allowance or his own total contribution with interest thereon, whichever is less, for purchasing a dwelling house, outright, or on hire purchase basis from the Government or a cooperative society, Institution, Trust, Local body, Housing finance Corporation or a dwelling site or for the construction of a dwelling house;

Provided that where the advance is in respect of the construction of a dwelling house, it may be sanctioned in such number of installments as the Chief Executive Officer or any other officer authorised by him thinks fit;

Provided further that a member desiring to take an advance for purchasing a dwelling house on hire purchase basis, may authorise the Chief Executive Officer or any other officer authorised by him in writing in such forms as may be prescribed by the Chief Executive Officer or any other officer authorised by him to make withdrawals from his fund account for the purpose of paying the amount of higher purchase installments every year direct to the government, or as the case may be, to the cooperative society, Institution, Trust, Local body, Housing finance Corporation. In such cases the total amount of such installment shall not exceed his twelve months basic wages and dearness allowance or his own Total contribution with interest thereon, whichever is less.

(2) No advance under this paragraph shall be sanctioned unless a member has completed five years of membership of the fund and unless a

his own total contribution with interest thereon in the fund standing to his credit is seven hundred and fifty rupees or more.

(3) When an advance is sanctioned for the construction of a dwelling house, the construction shall commence within six months of the withdrawal of first installment and shall be completed within six months of the withdrawal of the final installment. In the case of purchase of dwelling house or a dwelling site, the purchase shall be completed within three months of the withdrawal of the amount.

Provided that this provision shall not be applicable in case of purchase of a dwelling on hire-purchase basis.

(4) Except in the cases specified in subparagraph (5) no further advance shall be admissible to a member under this paragraph

(5) The Chief Executive Officer or any other officer authorised by him may, if he is satisfied that a member genuinely requires an advance or a further advance-

- (a) for the additions, substantial alterations for substantial improvements necessary to the dwelling house owned by such member; or
- (b) for completing the construction of the dwelling house already commenced by such member;

Grant to the member one or more such advance not exceeding the members basic wages and dearness allowance for six months or his own Total contribution with interest thereon standing to his credit in his provident fund account whichever is less;

Provided that for additions, alterations or improvements not more than advanced shall be granted.

(6) No advance shall be granted for purchasing a share in a joint property or building a house on land owned jointly. An advance may now ever, be granted for building a house on land owned by the spouse of the member or jointly by the member and the spouse;

Provided that an advance may be granted to a member or acquiring a flat in a building owned jointly with others, if other conditions in this paragraph are satisfied.

(7) Where an advance is sanctioned for purchasing a dwelling house or a dwelling site or for the construction of a dwelling house, the member shall not sell the dwelling house or the dwelling site, as the case may be, at any time after the withdrawal of the installment and within a period of five years of the withdrawal of the final installment.

(8) If the advance granted under this paragraph exceeds the amount actually spent for the purpose for which was sanctioned, the excess amount shall be refunded by the member to the fund within 30 days of the finalisation of the purchase or as the case may be within 30 days of the completion of the construction of, or necessary additions to, a dwelling house.

(9) If the Chief Executive Officer or any other officer authorised by him is satisfied that the above advance granted under the paragraph has been utilised for a purpose other than that for which it was granted, or that the conditions of advance have not been fulfilled, or that there is a reasonable apprehension that they will not be fulfilled wholly or partly or that the excess amount will not be refunded in terms of subparagraph (8) the Chief Executive Officer or any other officer authorised by him shall forthwith take steps to recover the amount due with interest at rate exceeding 6¼% per annum there on from the wages of the member in such number of installments as the Chief Executive Officer or any other officer authorised by him may determine. For the purpose of such recovery, the Chief Executive Officer or any other officer authorised by him may direct by employer to deduct each such installment from the wages of the member and on the receipt of such direction the employer shall deduct accordingly. The amount so deducted shall be remitted by the employer to the Chief Executive Officer or any other officer authorised by him with in such time and in such manner as may be specified in this behalf the Chief Executive Officer or any other officer authorised by him for being credited to the members account.

(10) Where any advanced granted under this paragraph as been misused, no further advanced shall be granted to the member.

54. Advanced from the fund towards allotment of tenements:- (1) Where tenements have been constructed or are to be constructed by the Government or a cooperative society under the Subsidised Housing Scheme for Industrial Workers, a member who has completed five years membership of the fund and whose on total contribution with interest there on in the amount standing to his credit in the provident fund account is not less than 500 Rs may authorise the Chief Executive Officer or any other officer authorised by him in such manner, as may be approved by him, to remit from this account in the fund to the Government or cooperative society of which he is a member, a sum not exceeding his twelve months basic wages and dearness allowance or his on total contribution with interest thereon, on his own share of cost, which ever is less, towards allotment of such tenement. Where the tenements are allotted on hire-purchase basis, the member may authorise the Chief Executive Officer to make withdrawals from his account in the fund for the purpose of paying the amount of hire purchase installments every year direct to the Government or the cooperative society, as the case may be. In such cases the total number of such installment shall not, however, exceed his twelve months basic wages and dearness allowance or his on total contribution with interest there on which ever is less.

(2) The Chief Executive Officer or any other authorised by him on being satisfied that the authorisation has been made in the manner approved by him, shall there upon remit such sum to the government of cooperative society, as the case may be.

(3) In the event of the member not being able to get an allotment under the said scheme, or in the event of cancellation of an allotment made to a member under that scheme, the member concerned shall be liable to refund to the fund the amount remitted to the Government or the cooperative society under this paragraph within fifteen days of the receipt thereof and any sum so refunded shall be credited to the members account.

(4) No second advance shall be admissible to a member under this paragraph.

(5) In this paragraph the expression "Cooperative society" means a society registered or deemed to be registered under the Kerala Cooperative Societies Act, 1969 (21 of 1969)

55. Advanced from the fund to be non-refundable:- Except as otherwise provided, the advance made under paragraph 53,54 and 57 shall be non refundable

56. Conditions for grant of loans under this chapter:- A member may be granted an advance either under paragraph 53 or under paragraph 54 or under paragraph 56 but not under all.

57. Advanced from the fund for construction of houses under Low Income Group Housing Scheme:- (1) when houses are to be constructed by individuals cooperative society Institution, Trust, Local body, Housing finance Corporation or the Government under the Low Income Group Housing Scheme, a member who has completed five years' membership of the fund and whose total contribution with interest thereon standing to his credit in the provident fund on account are not less than Five Hundred Rs may be sanctioned an advance from the fund or the member may authorise the Chief Executive Officer or any other authorised by him in such manner, as may be approved by him, to remit from his account in the fund to such cooperative society Institution, Trust, Local body, Housing finance Corporation or the Government Departments concerned, a sum not exceeding his twelve months basic wages and the dearness allowance of his own share of cost, whichever is less, to the extent required towards the acquisition of the site or purchase or construction of the house.

(2) The Chief Executive Officer or any other officer authorised by him, on being satisfied that the authorisation has been made in the manner approved by him, shall thereupon remit such sum to the individuals, Cooperatives, Cooperative societies Institution, Trust, Local body, Housing finance Corporation or the Government Departments concerned as the case may be.

(3) In the event of the member not being able to acquire the site or purchase or construct a house under the said schemes within a reasonable time, the member concerned shall be liable to refund to the fund forthwith the amount remitted to him or to the aforesaid Bodies under this paragraph within 15 days of the receipt thereof. Any sum refunded shall be credited to the members account.

(4) Where any advance is granted in accordance with subparagraph(1), the provisions of subparagraphs(4) & (5) of paragraph 53 shall apply in relation to such advance as the apply in relations to advance from the fund under paragraph 64 towards the allotment of a house constructed or to be constructed under subsidised housing scheme for industrial workers.

CHAPTER IX OTHER NON-REFUNDABLE ADVANCE

58. Advanced during unemployment:- In case a Motor Transport undertaking as been locked up or closed down for more than 30 days and its employees are rendered unemployed without any compensation the Chief Executive Officer or any other officer authorised by him, on being satisfied that no compensation to the employee is likely to be paid by the employer within a reasonable time, may authorise payment to a member who was employed by such Motor Transport undertaking one or more non recoverable advances, subject to maximum of three from his provident fund account not exceeding his own total contribution including interest thereon up to the date the payment as been authorised.

59. Advanced for purchasing share in consumer Co-operative Societies:- a member may be allowed a non refundable from his provident fund account for the purpose of purchasing share or share of consumer cooperative societies subjected to the conditions that the total amount of such advance shall not exceed 50 Rs or his own contribution to the fund which is less.

60. Loan for illness:- (1) A member may be allowed non refundable advance from his provident fund amount in cases of –

- (a) hospitalisation lasting for one month or more for conducting a major surgical operation in a hospital, or
- (b) suffering from T.B, Leprosy, Paralysis, Cancer, Asthma, and having being granted leave by his employer for treatment of the said illness

(2) The advance shall be granted if a Doctor of the hospital as certified that a surgical operation or, as the case may be, hospitalization, for one month or more had or, has become necessary or on the certificate of a medical practitioner having 'A' class registration advising rest for not less than one month.

Provided that the amount so advanced shall not exceed an amount equal to the members basic wages for three months or his share of the contribution with interest in the fund, which ever is less.

* 60.A Distribution of Ex-Gratia:- (1) Subject to subparagraph (2) & (3) A member of the fund or the members of the family may be given free financial assistance of Rupees Twenty Five Thousand (**Go (Rt) No: 2161/2000/ LBR Dated: 19/06/2000)

(2) The amount mentioned in subparagraph (1) may be distributed to the member of the fund in the event of his becoming permanently and totally disabled as a result of an accident or to the member of his family specified below in the order of priority in the event of the death of the member as a result of accident.

- (i) husband/wife- full amount
- (ii) if the husband/wife is not living, un married daughters and minor sons/ full amount
- (iii) if there is no one under category (i) and (ii) to the parents who where dependents to the member- full amount

(3) The Financial assistance given under the scheme shall not be deducted from any amount due to the worker or to the member of his family under any law or scheme

** 60. AA Medical Benefit:- (1) A member registered under paragraph 27 who continues to be employed in a motor transport undertaking shall be entitled to medical benefit subject to subparagraphs (2), (3), (4) and the paragraph 60 B, if he has completed three years of continuous membership in the fund.

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*GO(Rt)No: 2636/93/LBR Dated 14/10/93

** GO (Rt) No: 2161/2000/LBR Dated : 19/06/2000

* (2) A member referred to in subparagraph (1), in case, he has to undergo or has undergone treatment for any disease mentioned in subparagraph (3) in any of the hospitals approved by the Government for the treatment of Government servants, for the time being, shall be entitled for a non refundable advance towards expenses for medical treatment. This amount will be limited to either 50% of the actual charges incurred or estimated to be incurred for the treatment or Fifty Thousand which ever is less, subjected to Board's decision in each case. In the event of death of such an eligible member before the receipt of the benefit, the amount will be paid along with death benefit mentioned in subparagraph (1) of paragraph 60 A to his nominee or members of his family as defined under paragraph 2(e), in the order of priority specified under subparagraph(2) of paragraph 60 A.

(3) Disease and treatment for which medical benefit is admissible

- | | |
|-----------------------------|---|
| (i) Cancer | Treatments given for all kind of Cancer and Tumors. |
| (ii) Tuberculosis | In case its leads to a condition compelling the member to abstain from work. |
| (iii) Paralysis | If the member is led to permanent total disablement |
| (iv) Cardiological diseases | (1) Coronary artery bypass surgery
(2) Emergency open heart surgery
(3) Valve replacement surgery
(4) Pacemaker implantation
(5) Vascular graft surgery |
| (v) Renal disease | Treatments given for all kinds of Renal diseases |

(4) A member who had ones availed medical benefit for a particular disease shall be eligible to claim the benefit for the same disease only after 10 years.

60. *AAA The nominee of a member of the fund under paragraph 27 or the members of his family defined under clause C of paragraph 2 as specified in their order of priority listed against (i), (ii) and (iii) under sub paragraph (2) of Paragraph 60.A shall be entitled to an amount of Rs 1 lakh as Ex-Gratia benefit in the event of the death of the member arising out of an accident

60.B: Application for financial assistance: (1) A member of the fund incase of his claims for financial assistance under paragraph 60.A or 60 AAA or his nominee under paragraph 35 or members of his family as defined under paragraph 2 (e) in the order of their priority specified under subparagraph (2) or paragraph 60A, in the case of the death of the member shall submitted to the Chief Executive Officer or any other officer authorised by him, an application in form 9 along with the following documents:-

(a) In the case of death,-

(1) Death certificate issued by competent authority

(b) In case of permanent total disablement,-

(1) A certificate issued by a Government medical officer, not belong the rank of Assistant Surgeon clearly stating the cause and nature of permanent total disability

(c) In the case of application claiming medical benefit under paragraph 60 AA,-

(i) Application in form 9

(ii) Certificate obtained from his employer that he is still in his service and that he is on leave for undergoing treatment

(iii) A certificate obtained from the unit chief or the head of the Institution, where the member has undergone or has to undergo treatment; regarding the details of treatment given or required to be given and the maximum amount spent or expected to be spent for this treatment;

.....

(iv) The original bills and vouchers duly certified by the authorised medical officer who was in charge of his treatment, if the claim is made after treatment;

(v) Certificate of death of the member obtained from the competent authority if the claim is made by his nominee or any members of his family after his death.

*(2) In the case of claim for Ex-Gratia death benefit under para 60AAA, a nominee or members of his family as defined under clause (e) of paragraph 2 shall submit Chief Executive Officer or any other officer authorised by him, and application in Form 9.B along with the following documents-

- (a) copy of certificate of death issued by competent authority;
- (b) copy of the First Information report about the accident obtained from the Police Department;
- (c) copy of the Post-mortem report issued by the competent authority;
- (d) copy of the relevant page of the Ration Card in which the name of the diseased member was included;
- (e) copy of the certificates showing the applicants relationship with the deceased issued by the concerned Village Officer;

* (3) The Chief Executive Officer or any other officer authorised by him shall make necessary enquiries about the application within 60 days of the receipt of the same and issue appropriate orders, subject to the decision of the Board

(4) The Chief Executive Officer or any other officer authorised by him may, on receipt of the application conduct an enquiry with regard to the eligibility of the applicant and if considered necessary also examine the parties.

(5) If the Chief Executive Officer or any other officer authorised by him is satisfied that the member of the family who applied for Financial Assistance is eligible for Financial Assistance for sanction the amount

(6) The sanctioning authority shall maintain a register for this purpose in such form as may be prescribed by the Chief Executive Officer.

(7) An appeal against the decision taken under subparagraph (5) may be filed before the board within 60 days from the date of the receipt of the decision

* 60.C Maternity Benefit:- (1) A female member registered under paragraph 27 shall be entitled to Rs. 3000 as maternity benefit for each confinement subject to a maximum of 2 confinements

(2) The applicant shall within 90 days of her confinement submit her application for maternity benefit in Form no 9.C along with an attested copy of the birth certificate of the child issued by the competent authority to the Chief Executive Officer or any other officer authorised by him.

(3) If the Chief Executive Officer or any other officer authorised by him is satisfied about the eligibility of the applicant for the claim he may sanction the amount.

(4) If the Chief Executive Officer or any other officer authorised by him rejects the application, the applicant may file an appeal before the Board within 30 days from the date of receipt of the decision and the decision of the Board there on shall be final

61. Advanced for the Education of Children:- (1) The Chief Executive Officer or any other officer authorised by him may, on application from a member, authorise payment to him of a non refundable advance from his Provident Fund Account not exceeding Rs. 1200/- or his total contribution including interest there on, whichever is less standing to his credit on the date of such authorisation for the purpose of education of his children beginning from standard 10 onwards.

.....

*GO(Rt)No: 2852/2008/LBR Dated 21/11/2008

(2) This benefit can be availed of by an member for a second or third time also. If the Chief Executive Officer or any other officer authorised by him is satisfied that the advance granted under this paragraph has been utilized for any purpose other than that for which it was granted or that the conditions of the grant or advance have not been fulfilled within a reasonable time the Chief Executive Officer or any other officer authorised by him shall forthwith take steps to recover the amount due with interest at the rate of not exceeding 6% annum there on from the wages of the member in such manner of installment as the Chief Executive Officer or any other officer authorised by him may determine. He may direct to the employer to deduct each such installment from the wages of the member. The amount so deducted shall be remitted by the employer to the Chief Executive Officer or any other officer authorised by him in such time and in such manner as may be specified in this behalf by the Chief Executive Officer or any other officer authorized by him for being credited to the members account.

* 61.A Scholarship to Children:- The Chief Executive Officer or any other officer authorized by him may sanction educational scholarship to the children of the member of the fund every year as shown below subject to the terms and condition prescribed by the Board from time to time with the approval of the Government.

**I High School Classes

(a) Standard VIII	300
(b) Standard IX	400
(c) Standard X	500

***I(A) Under Graduate

Non professional courses

(a) Higher secondary	} 1500
(b) Vocational Higher secondary	

II Degree:

Non professional courses

(a) B.A/ B.Com	1800
(b) B.SC	2250

.....
* Amedned as per G.O.(Rt) No. 1892/2000/LBR dated 02/06/2000

**Amended as per GO(Rt) No. 2755/2004/LBR Dated 25/10/2004

*** Amedned as per GO(Rt)No: 2852/2008/LBR Dated 21/11/2008

III Post Graduate	Non professional courses
(a) MA/M.Com	2250
(b) M.Sc	} 3000
(c) M.App.Sc	
IV Under Graduate	Professional courses
(a) TTC	} 1500
(b) ITI	
(c) ITC	
V Professional Diploma Courses	} 2100
(a) Polytechnic	
(b) General Nursing	
VI Professional Degree Courses	} 1500
(a) B.Ed	
(b) B.Pe	
(c) B.Pharm	2250
(d) B.Lib.Sc/B.L.I.Sc	} 2250
(e) B.Sc (Nursing)/B.Sc. MLT	
(f) B.F.Sc	
(g) B.B.S	
(h) B.C.A	
(i) B.B.A	
(j) B.B.M	
(k) B.P.T	
(l) M.B.B.S/B.D.S	} 4500
(m) B.H.M.S	
(n) B.A.M.S	
(o) B.Sc. Engg./B. Tech./B.E	
(p) B.Sc. Ag	
(q) B.V.Sc	
(r) LLB	

VII Professional Post Graduate courses

- (a) M.S.W
 - (b) M.B.A
 - (c) M.J./M.S.J./M.J.C
 - (d) M.B.F
 - (e) M.Phil
- } 2250

- (f) M.Ed
 - (g) M.P.H
 - (h) M.H.A
 - (i) M.P.E
 - (j) M.M.Sc
 - (k) M.E.M
 - (l) M.Pharm./M.P.T./M.Sc. Nursing
 - (m) M.T Arch
 - (n) M.P.Sc
- } 2250

- (o) Medical Post Graduate Courses
 - (p) Engineering Post Graduate Courses
 - (q) Agricultural Post Graduate Courses
 - (r) Veterinary Post Graduate Courses
 - (s) Law Post Graduate Courses
 - (t) Homeopathy Post Graduate Courses
 - (u) Ayurvedic Post Graduate Courses
- } 4500

* 61.B Financial Assistance for Marriage:- (1) Subject to subparagraph (2) to (5) of paragraph 60.B, an amount of Rs. 10,000 (Thousand) shall be granted to members of the fund as financial assistance for marriage of their daughters

(2) This Benefit shall be limited a maximum of two Daughters of a member during the entire period of his membership in the fund.

(3) The member shall submit his application for financial assistance to the Chief Executive or any other officer authorised by him in Form no 9.D along with-

* Amended as per GO(Rt)No: 2852/2008/LBR Dated 21/11/2008

(1) Copy of the relevant page of the ration card showing list of the members of the family of the applicant or sufficient proof establishing the relationship.

(2) Attested copy of marriage certificate issued by the competent authority.

(4) The Chief Executive or any other officer authorised by him shall make such enquiries with regard to the eligibility of the applicant and shall sanction or reject the application on specific grounds to be recorded within 30 days of receipt of such application.

(5) An appeal against the decision taken under subparagraph (4) may be filed before the Board within 60 days of receipt of such decision and the decision of the Board on the appeal shall be final.

62. Advanced for the marriage of the Daughter of a member:- (1) The Chief Executive or any other officer authorised by him may on an application form a member of the fund, authorise payment to him of a non refundable advance from his provident fund account not exceeding 50% of his own total contribution including interest thereon standing at his credit on the date of such authorisation for the purpose of his daughters marriage.

(2) No advance under this paragraph shall be authorised to a member unless the amount of his own total contribution including interest thereon standing at his credit in the fund on the date of such authorisation is Rs 500 or more.

(3) Advance under this paragraph is admissible to a member to the marriage of his daughters also, if there is sufficient amount at his credit in the Fund.

(4) If the Chief Executive Officer or any other officer authorised by him is satisfied that the advance granted under this paragraph has been utilised for any purpose other than that for which it was granted or that the condition of the grant of advance has not been fulfilled with a reasonable time, the Chief Executive Officer or any other officer authorised by him shall forthwith take steps to recover the amount due, with interest at rate not exceeding 6% per annum there on from the wages of the member in such number of installments as the Chief Executive Officer or any other officer authorised by him may determine. He may direct the employer to deduct each such installment from the wages of the member and the amount so deducted shall be remitted by the employer to the Kerala Motor Transport Workers Welfare Fund Board in such time and in such manner as may be specified in this behalf by the Chief Executive Officer or any other officer authorised by him, for being credited into the members account.

CHAPTER IX. A
*** SETTLEMENT OF WELFARE FUND ACCOUNT**

(63) Withdrawal of full amount:- (1) A member may withdraw the full amount standing to his credit in the welfare fund account;-

- (a) at the time of superannuation;
- (b) on account of permanent and total incapacity for work due to bodily or mental infirmity, duly certified by a registered medical practitioner designated by the Board.

Provided that it shall be open to the Chief Executive Officer or any other officer authorized by him to demand from the member fresh certificate from a civil surgeon or any doctor acting in this behalf where the original certificate provided by him gives rise to suspicion regarding its genuineness.

Explanation:- A member suffering from tuberculosis or leprosy even if contacted after leaving the service of an establishment on grounds of illness but before payment has been authorized shall be deemed to have been permanently and totally incapacitated for work

- (c) immediately before migration from the State for permanent settlement outside;
- (d) on termination of service in the case of mass or individual retrenchment:

Provided that in the case of mass retrenchment the payment shall be made immediately and in the case of individual retrenchment payment shall be made if the member has not been employed in any other establishment to which the scheme was applicable for a continuous period of not less than six months immediately preceding the date on which the member makes the application for withdrawal:

.....
* Amended as per Go (P) No 59/2005/LBR Dated 7/6/2005

Provided further that in case of member who has been retrenched or whose application for final withdrawal is pending, the member may, at this option, be paid for the period during which the member is out of employment. Monthly withdrawals not exceeding one hundred and fifty rupees of a non-refundable nature from the provident fund account. The balance amount. If any shall-

- (i) in case the member secures employment again as the motor transport worker continue in his account
- (ii) in any case where the member does not secure employment, be paid in cash. Provided that the actual payment shall be made only after completing a continuous period of not less than 6 months immediately preceding the date on which a member makes the application for withdrawal.
- (iii) when an employee retires from service under any other law;

Provided that the institution from where he retires is a registered society

(2) In the case other than those specified in subparagraph(1) the Chief Executive Officer or any other officer authorized by him may subject to the condition mentioned in subparagraph (3) permit a member to withdraw the amount standing to his credit in the provident fund account if he has not been employed in any other establishment to which the scheme applied for a continuous period of four months or more immediately preceding the date on which he makes the applications for withdrawal.

(3) Where a member withdraws any amount under subparagraph(2):-

- (i) 20% of employers contribution shall be forfeited to the Welfare Fund Account, if the period of his service is less than 5 years;
- (ii) 10% of the employers contribution shall be forfeited to the Welfare Fund Account,, if the period of his service is 5 years or more, but less than 10 years;
- (iii) 5% of the employers contribution shall be forfeited to the Welfare Fund Account,, if the period of his service is 10 years or more

(4) In the case of dismissal for gross and will full misconduct, the Chief Executive Officer or any other officer authorized by the Board may at this discretion forfeit an amount not exceeding 10% of employers contribution;

Provided that before ordering forfeiture as aforesaid, a showcause notice shall be issued to the member concerned and his explanation, if any be considered.

Provided further that the members shall have a right to appeal to the Board in such cases and the decision of the Board shall be final.

[(5) Notwithstanding anything contained in subparagraph(1), in case of a member, on becoming eligible for pension on superannuation under chapter VI.A, 25% of the amount received under subsection (1) of section 4 of the act and credited to the "Provident Fund Account" shall be set apart and transfer credited to the "Pension Fund Account" to be maintained for the purpose of giving pension under chapter VI.A and such member shall be entitled to withdraw, only the balance amount standing to his credit in the provident fund account under subparagraph(1)

(Amendment G.O (Rt) No. 27/2001/LBR. Dated 01.01.2001)]

.....

Sub-paragraph (5) omitted as per G.O(P) No.59/2005/LBR dated 7.6.2005.

* 64. Payment of accumulation of a deceased member:- On the death of a member before the amount standing to his credit has become payable, or before payment has been made where the amount has become payable

(i) If a nomination made by the member in accordance with paragraph 27 subsists, the amount standing to his credit in the Provident Fund Account or the part there of to which the nomination relates shall become payable to his nominee or nominees in accordance with such nomination:, or;

(ii) If no nomination subsists or if the nomination relates only to part of the amount standing to his credit in the provident fund account the whole amount or part there of to which the nomination does not relate, as the case may be shall become payable to the members of his family in equal shares;

Provided that if there is any other member of his family no share shall be payable to

- (a) sons who have attained majority
- (b) sons of deceased son who have attained majority;
- (c) married daughters whose husbands are alive;
- (d) married daughters of a deceased son whose husbands are alive;

Provided further that the widow, and the child of a deceased son shall receive between them in equal parts only the share which that son would have received if had survived the member and had not attained the age of majority at the time of the members death;

(iii) in any case, to which the provisions of clauses (1) and (2) do not apply the whole amount shall be payable to the person legally entitled to it

Explanation :- For the purpose of this paragraph a members, posthumous child if born alive, shall be treated in the same way as a surviving child born before the members death.

* Amended as per Go (P) No 59/2005/LBR Dated 7/6/2005

CHAPTER IX. B GENERAL

65. Payment of amount to be made promptly:- (1) When the amount standing to the credit of a member or the balance thereof after any deduction under subparagraph (3) of paragraph 63 becomes payable, its shall be the duty of the Chief Executive Officer or any other officer authorised by him to make prompt payment as provided in this scheme. In case there is no nominee in accordance with this scheme the Chief Executive Officer or any other officer authorised by him may, if the amount to the credit of the fund does not exceeding 5000 rupees and if satisfied after enquiry about the title the claimant, pay such amount to the claimant.

(2) If any portion of the amount, which has become payable is in dispute or doubt, the Chief Executive Officer or any other officer authorized by him shall make prompt payment of that portion or the

amount in regard to which there is no dispute or doubt the balance being adjusted as soon as may be possible.

(3) If the person to whom any amount is to be paid under the scheme is a minor or a lunatic for whose estate a guardian under the Guardians and Wards Act, 1890 (Central Act 8 of 1890) or a manager under the Indian Lunacy Act, 1912 (Central Act for of 1912), as the case may be, has been appointed, the payment shall be made to such sunidian or manager In any other care the amount shall be paid the pension person authorised by law to receive the payment on behalf of the minor or the lunatic.

(4) If its is brought to the notice of the Chief Executive Officer or any other officer authorized by that a posthumous child is to be born to the deceased member he shall retain the amount which will be due to the child in the event of its being born alive, and distribute the balance. If subsequently no child is born or the child is still born, the amount retained shall be distributed in accordance with the provisions of paragraph 64.

66. Mode of payment:- Any person who desires to claim payment under paragraph 63 shall send a written application to the Chief Executive Officer or any other officer authorised by him, who may at the option of the person to whom payment is to be made make the payment,-

- (a) by money order at the cost of payee; or
- (b) by crossed cheque sent through post; or
- (c) by deposit in the payee's Postal Saving Bank; or
- (d) by uncrossed cheques issued by the Chief Executive officer to the payee for drawal from an account opened with a bank by the Chief Executive Officer for the purpose:

Provided that where the amount is remitted by money order, the balance if any, remaining after such remittance shall be credited to the Forfeiture Account and in the case of a claim for the said balance the amount shall be paid by debiting to the Forfeiture Account .

67. Claim in respect of supplementary contribution:- Any amount becoming due to a member as a result of supplementary contribution from the employer in respect of leave wages, arrears of pay, installment of arrear contribution received in respect of a member whose claim has been settled on account but which could not be remitted for want of latest address or accumulation in respect of any member who has either ceased to be employed of dies, but no claim has been preferred within a period of three years from the

date it becomes payable, or if any amount remitted to a person is received back undelivered and it is not claimed again within a period of three years from the date it becomes payable, shall be transferred to an account to be called the 'Unclaimed Deposit Account'

Provided that in the case of a claim for the payment of the said balance the amount shall be paid by debiting to the 'Unclaimed Deposit Account'

Paragraph 68 omitted as per Go(P) No: 59/2005/LBR Dated 07.06.2005

69. Application by registered worker:- When a registered worker retires from service, he shall apply to the Chief Executive Officer or any other officer authorised by him for payment if the amount due to him, getting for the length of his service, the rate of wages he was drawing in the month immediately preceding his retirement and the sum of the amount which according to him he is eligible to.
70. Application by nominee, etc:- In the case of the death of a registered worker who is to be benefited by the scheme his nominee or in case there is no nominee the person or persons legally eligible for the benefit shall apply to the Chief Executive Officer or any other officer authorised by him for the payment of the amount due to him getting for the best of their knowledge his length of service the rate of wages he was drawing in the month immediately preceding his separation from the industry and the sum of amount the applicant is eligible to.
71. Enquiry by the Chief Executive Officer:- The Chief Executive Officer or any other officer authorised by him on receipt of an application under paragraph 66 or 69 shall without loss of time make such enquiries as he may deem fit and make prompt payment of the whole amount or balance thereof after any deduction as provided in this scheme. In case there is no nominee in accordance with the scheme the Chief Executive Officer or any other officer authorised by him shall be satisfied after enquiry above the title of the claimant pay such amount to the claimant.

CHAPTER X

ADMINISTRATION OF THE FUND ACCOUNTS AND AUDIT

72. Account (1) The amount received as contribution to the fund under subsection (1) of section 94) of the Ordinance, shall be credited to an account to be called the Welfare fund account.

* (1a) The amount set apart and transfer credited from “Provident Fund Account” under subparagraph (2) of paragraph 38 shall form the “Pension Fund Account”

.....
* Amendment vide Go(P).No. 59/2005/LBR Dated: 07.06.2005

Subparagraph(2) omitted vide Go(P).No. 59/2005/LBR Dated: 07.06.2005

(3) All interest, rent and other income realised, and all profits or losses, if any from the sale of investment not including there in, the transactions of the administration accounts, shall be credited or debited, as the case may be, to an account called the “Interest Suspense Account”

(4) Brokerage and commission on the purchase and sales of securities and other investments shall be included in the purchase and sale, price, as the case may be, and not separately charged to “Interest Suspense Account”

(5) All expenses incurred in respect of and loss if any arising from, any investment shall be charged to the fund.

(6) The Chief Executive Officer or any other officer authorised by him shall prepare in Form.8 a classified summary of the assets of the Fund as on the fifteenth day of March in every year or on such other date or dates as the Government may specify and shall append it to the annual report to be submitted to the Government under this scheme.

73. Deposit of the amount:- All moneys belonging to the Fund shall be deposited in any Nationalized Banks and in such other Scheduled Banks and the District Cooperative Banks as may be approved by the Government from time to time or shall be invested subject to such Directions as the Government may from time to time give, in the securities mentioned or referred to in clauses (a) to (d) of section 20 of the Indian Trust Act, 1982 (Central Act, of 1982), if such securities are payable both in respect of capital and in respect of Interest in the state of Kerala, or in Kerala Government Bonds.

Provided that the Board may with the previous approval of the Government grant loans to or invest money in institutions approved or sponsored by Government

*74. Utilization of the Fund:- (1) Subject to the provisions of the Kerala Motor Transport Workers Welfare Fund Act, 1985 and the Scheme, the Fund shall not except with previous sanction of Government be expended for any purpose other than the payment of Ex-Gratia terminal benefit or pension or Welfare Fund or other Welfare measures to individual members of this Scheme.

(2) The Fund shall be operated upon by the Chief Executive Officer, provided that the cheque for the withdrawal of the amount shall also be signed either by the Finance officer or the Accounts officer of the Board.

75. Expenditure from the Fund:- (1) All expenses of administration of the fund including the fees and allowances of the Directors of the Board and salaries, leave and joining time allowances, traveling and compensatory allowances, gratuities, compassionate allowance pension contribution to the provident fund and other benefit fund instituted for the officers and employees of the Board, the cost of audit of the accounts, legal expenses and the cost of all stationery and form incurred in respect of the Board and all expenses incurred in connection with construction of the office building and staff quarters shall be met from the Administration Account of the Fund.

(2) All expenses relating to the Administration of the Fund shall be met from the part of the Fund earmarked as Administration Account.

Sub paragraph(3) omitted as per G.O(P) No. 59/2005/LBR dated 07.06.2005.

(4) The expenses incurred by the Government in connection with the establishment of the fund shall be treated as loan and such loan shall be repaid from the Administration Account.

76. Maintenance of the Fund:- The accounts of the Fund shall be maintained by The Chief Executive Officer or any other officer authorised by him in such form and manner as may be specified by the Board with the approval of the Government.

77. Audit of the Fund:- (1) The accounts of the Fund including the Administration account shall be audited in accordance with the instruction issued by the Government.

(2) the charges on account of audit shall be paid out of the Administration account.

78. Budget:- (1) The Chief Executive Officer or any other officer authorised

by him shall place before the Board each year before the first day of February a budget showing the probable receipts from the contribution and the expenditure which it proposes to incur during the following financial Year. The Budget as approved by the Board shall be submitted for sanction to the Government within a month of its being placed before the Board.

- (2) The Government may make such modification in the Budget as it considers desirable before sanctioning it.
- (3) The Chief Executive Officer or any other officer authorised by him, may at any time during the year, make budgetary re appropriation of Funds sanctioned in the Budget by the Government, provided that
 - (a) the total amount sanctioned in the Budget by the Government is not exceeded.
 - (b) it is utilised only for meeting such expenses of Administration as are to be met from the Administration Account.
- (4) Every re appropriation made shall be reported by The Chief Executive Officer or any other officer authorised by him within 15 days to the Board.

CHAPTER XI MISCELLANEOUS

79. Report regarding the working of the scheme:- The Board shall approve before the fifteenth day of June each year and submit to Government before 31st day of July each year a report on the working of the scheme during the previous financial year.
80. Copies of Register and report to be furnished:- The Chief Executive Officer or any other officer authorized by him shall furnish copies of register and of the annual reports of the Fund to any employer or member on return application and on payment on such fees and subject to such conditions as may be specified by the Board in this behalf.
81. Recovery of Arrears:- If any amount due from an employer as per the scheme is in arrears the Chief Executive Officer or any other officer authorized by him in this behalf shall, after due enquiry, ascertain the amount of arrears and shall issue a certificate for that amount to the Collector of the District in

which the demand arises and the Collector on receipt of the certificate shall proceed to recover the same in the same manner as arrears of land revenue.

82. Execution of contracts etc:- (1) All orders and other instruments shall be made and executed in the name of the Board and shall be authenticated by such persons and in such manner as the Board may specify.
- (2) All contracts and assurances of properties shall be expressed to be made by the Board and shall be executed on behalf of the Board by The Chief Executive Officer or any other officer authorised by him.
83. Removal of difficulties:- If any difficulty arises in giving effect to the provisions of this scheme and in particular, if any doubt arises as to-
- (i) the number of persons employed in the establishment
 - (ii) whether the total quantum of benefit to which an employee is entitled as been reduced by the employer

“The Government, may by order, make, such provisions, or give such directions not inconsistent with the provisions of this scheme as appear to it to be necessary or expedient for the removal of the doubt or difficulty, and the order of the Government in such cases shall be final.

FORM 1

THE KERALA MOTOR TRANSPORT WORKERS WELFARE FUND SCHEME 1985

Applications for membership and nomination form

(See paragraph 27)

1. Name
2. Father's name
3. Permanent address
4. Designation/category of work
5. Marital status (married, unmarried or widower)
6. Date of birth
7. Educational Qualifications (General)
8. Educational Qualifications (Special/Technical)
9. Details of license if any obtained under the Motor Vehicles Act
10. Employee code no. if already registered as a motor transport employee under the Kerala Motor Transport Workers Welfare Fund Board
11. Name and Address of the employer
12. Name and Address of the motor transport undertaking

I Declare that I hereby nominate the persons named below to receive welfare fund amount due to me in the event of my death before that amount has become payable. Or having become payable has not been paid and direct the said amount shall be distributed among the said person in the manner shown below against their names.

Name and Address of Nominee or Nominees	Nominee's relationship with the worker	Age of Nominee	Amount of share of accumulation in the fund to be paid to each nominee

Delete if not necessary

- (1) Certified that I have no family as defined in paragraph 2 (1) (e) of the Kerala Motor Transport Workers Welfare Fund Scheme, and if I acquire a family hereafter the above nomination shall be deemed as cancelled

(2) Certified that my father/mother is dependent upon me.

Date:

Signature or
Left hand thumb impression
of the member/applicant

FOR OFFICE USE

The application for registration is admitted and Employee's Code to
..... is issued to the applicant.

The applications is rejected for the following reasons.

Dated Signature, name and designation
Of the Registering Authority

FAMILY BIO DATA

Sl.No	Name of family member	Male or Female	Age & Date of birth	Relationship with the member	Nature of Employment	Remarks

Signature of the Applicant

* Attach copy of corresponding pages of Ration Card

[See Paragraph 36 (1) (a)]

Return showing details of vehicles operated in a motor transport undertaking during the month of

Name and address of the employer
Furnishing the details

Name and address of the motor
Transport undertaking

Sl.No	Vehicle Number	Type of vehicle	Name and address of the registered owner	Remarks
(1)	(2)	(3)	(4)	(5)

Place
Date

Signature of the employer

FORM 3

THE KERALA MOTOR TRANSPORT WORKERS WELFARE FUND SCHEME 1985

[See Paragraph 36 (1) (b)]

Return showing the details of employees employed in the motor transport undertaking employers contribution remitted etc for the month of

- (1) Name and address of the
Employer furnishing the details
- (2) Name and address of the motor transport
Undertaking
- (3) Registration No of vehicles operated in

the motor transport undertaking
(4) Details of the member workers employed

Sl.No	Name of Employee	Employees Code No	Number of days employed	Vehicle No in which employed	Amount of Employer's Contribution remitted	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Total						

Chalan/ D D Number
Date of chalan /D D
Name of Bank
Total amount remitted

Place :
Date :

Signature of the Employer

FORM 4
THE KERALA MOTOR TRANSPORT WORKERS WELFARE FUND SCHEME
1985
[See Paragraph 27 (10)]

Employee Code No.....

I.....hereby cancel the nomination made by me previously as regards in the event of my death, of the amount-standing to my credit in the Kerala Motor Transport Workers Welfare Fund and hereby nominate the person mentioned below to receive the amount standing to my credit in the fund in the event of my death before that amount has become payable for having become payable has not been paid and direct that the said amount shall be distributed among the said persons in the manner shown below against their name:

Name and address of Nominee or Nominees	Nominee's relationship with the worker	Age of Nominee	Amount of share of accumulation in the fund to be paid to each Nominee
(1)	(2)	(3)	(4)

Delete if not necessary

1. Certified that I have no family as defined in paragraph 1(1) (e) of the Kerala Motor Transport Worker's Welfare Fund Scheme, 1985 and if I acquire a family hereafter the above nomination shall be deemed as cancelled.
2. Certified that my father/mother is dependent upon me.

Dated..... the20

Signature of left hand thumb
Impression of the worker

FOR OFFICE USE

The revised nomination is admitted and recorded in the register of membership

District Executive Officer/Additional District Executive Officer

FORM 5
THE KERALA MOTOR TRANSPORT WORKERS WELFARE FUND SCHEME,
1985

[See paragraph 27 (6)]
REGISTER OF MEMBERSHIP

1. Name of member :
2. Code number allotted :
3. Permanent Address :
4. Designation/Category of work :
5. Marital Status :
6. Date of Birth :
7. Name (s) and address of Nominee (s)
And their share of welfare fund
Accumulations
- (1)
- (2)
- (3)
8. Date of registration :
9. Name and address of employer :
10. Name and address of the establishment :

Signature of the Registering
Authority

11. Date of cancellation of membership :
12. Reason for cancellation :
13. Remarks :

Any change of employer shall be recorded.

Signature of the Registering
Authority with date

FORM 6
THE KERALA MOTOR TRANSPORT WORKERS WELFARE FUND SCHEME
[See Paragraph 27 (7)]

KERALA MOTOR TRANSPORT
WORKERS WELFARE
FUND BOARD



IDENTITY CARD

Name :.....
Designation :.....
Code No :.....
Date of
Issue :.....

Signature and Seal
of Registering Authority

FORM 8

THE KERALA MOTOR TRANSPORT WORKERS WELFARE FUND SCHEME,
1985

[See Paragraph] 72 (6)

Classified Summary of the Assets of the Motor Transport Workers Welfare fund for the
Year

Class of assets	Book value as per(a) below	Market value as on.....as per(b) below	Remarks as per (c) below
1	2	3	4
1 securities			
2 Cash on deposits in Banks			
3 Cash in hand and on current account in Banks			
4 Other assets to be specified			

The summary will show:

- (a) The value for which credit is taken in the accounts for each of the above mentioned classes of assets
- (b) The market value of such of the above mentioned classes of assets as has been ascertained from published quotation
- (c) How the value of such of the above mentioned classes of assets as has not been ascertained from published quotation has been arrived at

Signature of the Chief Executive officer

By order of the Governor

Commissioner and Secretary to

Government

FORM 9
SEE (Paragraph 60B)
APPLICATION FOR CLAIMING FINANCIAL ASSISTANCE DEATH BENEFIT

- 1. Name of the applicant in full
(Block letters) :
- 2. Full address of the Applicant
- 3. If the applicant in not himself give
The name and address of the employee
On whose behalf this claim is made
- 4. Applicants relationship with the employee ;
- 5. Employee code No.
- 6. Age and date of birth of the employee
- 7. Name, address and Code No
of employee with period of employment
under each such employees

- (i) form To
- (ii)
- (iii)

8. Name of Disease

9. Nature of Treatment undergone of required

10. Full address of the Hospital where the employee has
Treated or to undergo treatment

11 Amount spend or expected to be spent for the treatment

12 Name and designation of the Medical Officer
Who has certified the expenses

13 Nature of defect leading to permanent total
Disability or the employee

14. Name and designation of the Medical
Officer who has certified the disability

15 Date of death of the employee if the claim in for death benefits

16 Details of death certificate produced

17. Amount of Benefit claimed

- (i) Medical benefit
 - (ii) Financial assistance for permanent total disability Rs.....
 - (iii) Death benefit Rs.....
- Total Rs.....

18. Whether financial assistance for medical
Treatment was availed of previously
If so give details

- (i) Details of disease
- (ii) Period of treatment
- (iii) Amount of Assistance sanctioned
- (iv) No. and date of order sanctioning the assistance

Declaration

1 I hereby declare that the details furnished above are true to the best of my knowledge and belief
 2 If any of the above details is found incorrect I realize that I am liable for penal action apart of financial assistance/ death benefits sanctioned to me

Place :

Date : Signature/ thump impression of the applicant

The Chief Executive Officer
 Kerala Motor Transport Workers Welfare Fund Board
 Kollam

FORM 10
(SEE PARAGRAPH 60 (B))
Employer Certificate

Certified that Shri/ Smt.....is employed in this establishment
 as.....continuously with effect from.....and his/her
 Welfare Contribution for the period up tohas been remitted/ will be
 remitted on receipt of the Final Determination order;

I also certify that the particulars furnished by him/her in the application for financial assistance /death benefit is correct to the best of my knowledge and belief

Signature:

Designation

Place

Date

Address of the Owner of the
 establishment

(Seal)

By order of the Governor
 Dr. C.V Ananda Bose

Secretary to Government

FROM 9 A
(See paragraph 46 C (1))
Kerala Motor Transport Workers Welfare Fund Board

FORM OF APPLICATION PENSION TO MOTOR TRANSPORT WORKERS
(To be submitted in duplicates)

1. Name and address of Applicant
2. Fathers mothers name
3. Applicants Worker code No
4. Date of Birth & Completed age (document to be attached)
5. District in which the applicant worked at the time of superannuation
6. Name and address of establishments in which the applicant was employed
7. Date of superannuation
8. No & date of relieving order (Attested Copy to be enclosed)
9. (a) Has the relieving order been attested by the
The employer or the Manager of the establishment it not give reason
- 10 Total service as on the date of superannuation
11. Total service as a member in the Welfare fund

Ys	Ms	Days

I hereby declare that the above mentioned facts are true to the best of my knowledge and belief

Place
Date

Signature of applicant.

FORM 10 A
(see Paragraph 2)
Kerala Motor Transport Workers Welfare Fund Board

Officer of the District Executive Officer
.....

No

Dated

ACKNOWLEDGMENT

Received the application for pension on this theday
of.....(Month)(year).....Registration
No.....Who retired
from.....(Establishment)
on.....

(Officer Seal)

District Executive officer

To
Sri
.....
.....
.....

FORM 12
(See Paragraph 46 D 3)
Kerala Motor Transport Workers Welfare Fund Board

REGISTER OF APPLICATIONS FOR PENSION (HEAD OFFICE)

Sl No	Name and address of the applica nt	Name and address of the establishe ment in which the applicant worked last at the time of superannuat ion	Worke rs Code No	Name of the District Executi ve Officer Addl. Executi ve officer who verified and made enquirie s	Sate of receipt of applicatio n along with verificati on report in the Chief Officer	No and date of order sanctioni ng pension	Order no and date of Order rejection the applicati on	Signatur e of Chief Executi ve officer	Detail s of appeal
1	2	3	4	5	6	7	8	9	10

Date to be recorded on every day on which the register is opened for entries Total no, of applications received sanctioned rejected to be computed at every month end

FORM 13
(See paragraph 46 D 5)
(Under Certificate of Posting)
Kerala Motor Transport Workers Welfare Fund Board

Office of the Chief Executive officer
Kollam

No.

Dated

Notice

On verification of your application dated for pension from Kerala Motor Transport Workers Welfare Fund Board, it is found that your application cannot be considered due to the following reasons. If you have any objection in the matter, either oral or do9cumentrary you may present the same in person or file it before theat..... AM/PM onin the Office of thefailing which your application will be rejected withour further notice treating as if you have no objection.

Reasons

- 1.
- 2.
- 3.

Chief Executive Officer

To

.....
.....
.....
.....

FORM 14
(See paragraph 461 6)

Kerala Motor Transport Workers Welfare Fund Board
FORM OF PENSION SANCTIONING ORDER

Office of the Chief Executive Officer
Kollam

Order No

Dated:

As per the provision contained in Chapter VIA of the Kerala Motor Transport Workers Welfare Fund Scheme, pension @ Rs(Rupees.....only) per month is sanctioned to Shri.....who was a member employee superannuated on from the Motor Transport undertaking vizwith effect from.....

Chief Executive Officer

- 1.
2. The District Executive Officer.....
3. The manager.....
4. Stock File

FORM 15
(See paragraph 46 D 6)
Kerala Motor Transport Workers Welfare fund Board

FORM OF REJECTIONG PPLICATION FOR PENSION

Office of the Chief Executive Office
Kollam
Dated

Order no

The application for sanction of pension from Kerala Motor Transport Workers Fund Scheme submitted by sri.....
.....
.....
(full address) onis rejected due to the following reasons

Reasons

- 1
- 2
- 3

Chief Executive Officer

To

- 1
- 2 District Executive Officer
- 3 Manager
- 4 Stock File

FORM 16

(See paragraph 46 E (2))

REGISTER OF APPEALS

Sl no	Name of the Applic ant who has filed appeal	Worke rs code no	Orde r No again st whic h the appe al is filed	Docume nts submitt ed along with the appeal	Appe al No	Dotes of heari ng of appea l	Date on which connect ed file was called for from the District Executi ve Officer and the date of receipt of the file	Decisi on on the appeal	Reas on if appea l refus ed	Date of intimati on of the decisio n	Date on which the file connect ed with the appeal was returned to the District Executi ve office
1	2	3	4	5	6	7	8	9	10	11	12

FROM 17

(See paragraph 46 F 1)
PENSION PAYMENT REGISTER

(to be kept in the custody of District Executive Officer)

SI No Workers Code No No and date of order sanctioning pension Rate of pension Rs.....									
Name and Address of pensioner	Name and Address or establishment in which	Order no and date of Sanctioned pension	Period for which amount of pension disbursed	Amount	Signature with date of the official who has made entries	Signature with date of the Official who verified the entries	Stamped acquittance of the receipt	Date of payment	Remarks

FORM 18
(see Paragraph 46 F 4)

Certificate showing physical disability to receive pension in person directly from the spot of disbursement

This is to certify that ShOri.....
.....

(Name and full address) who is a pensioner under the Kerala Motor Transport Workers Welfare Fund Scheme is unable to receive the pension in person attending the spot of distribution of pension due to physical disability

Place:
Date:

Signature, Name and Address
Of recommending authority

THE KERALA MOTOR TRANSPORT WORKERS WELFARE FUND SCHEME 1985

Monthly subscription at the rate of Rs. 150

(See sub paragraph (da) of paragraph 2)

Year	Opening Balance	Rate of interest (5%)	Subscription	Total
1	2	3	4	5
1	0	0	1800	1800
2	1800	90	1800	3690
3	3690	185	1800	5675
4	5675	284	1800	7758
5	7758	388	1800	9946
6	9946	497	1800	12243
7	12243	612	1800	14656
8	14656	733	1800	17188
9	17188	859	1800	19848
10	19848	992	1800	22640
11	22640	1132	1800	25572
12	25572	1279	1800	28651
13	28651	1433	1800	31883
14	31883	1594	1800	35278
15	35278	1764	1800	38841
16	38841	1942	1800	42583
17	42583	2129	1800	46513
18	46513	24326	1800	50638
19	50638	2532	1800	54970
20	54970	2749	1800	59519
21	59519	2976	1800	64295
22	64295	3215	1800	69309
23	69309	3465	1800	74575
24	74575	3729	1800	80104
25	80104	4005	1800	85909
26	85909	4295	1800	92004
27	92004	4600	1800	98404
28	98404	4920	1800	105125
28	105125	5256	1800	112181
30	112181	5609	1800	119590
31	119590	5979	1800	127369
32	127369	6368	1800	135538
33	135538	6777	1800	144115
34	144115	7206	1800	153121
35	143121	7656	1800	162577
36	162577	8129	1800	172505
37	172505	8625	1800	182931
38	182931	9147	1800	193877
39	193877	9694	1800	25371
40	205371	10269	1800	217440
41	217440	10872	1800	230112
42	230112	11506	1800	243418

