

**THE WEST PAKISTAN RAILWAY SERVANTS
BENEVOLENT FUND ORDINANCE, 1969
(V of 1969)**

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TEXT

**'THE WEST PAKISTAN RAILWAY SERVANTS BENEVOLENT FUND
ORDINANCE, 1969**

(V of 1969)

[13 June 1969]

**An
Ordinance**

to constitute Benevolent Fund for relief of Railway servants and their families

WHEREAS it is expedient to constitute a Benevolent Fund for relief of Railway servants and their families in the manner hereinafter appearing;

NOW, THEREFORE, in pursuance of the Martial Law Proclamation of 25th March, 1969, read with the Provisional Constitution Order, the Administrator of Martial Law, Zone 'A', in exercise of the powers of the Governor of West Pakistan conferred on him by the Chief Martial Law Administrator, is pleased to make and promulgate the following Ordinance:—

1. Short title, extent and commencement.— (1) This Ordinance may be called the West Pakistan Railway Servants Benevolent Fund Ordinance, 1969.

(2) It shall apply to all Railway servants.

2. Definitions.— In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively, assigned to them, that is to say—

- (a) "family" in relation to a Railway servant means his or her—
- (i) wife or wives or husband, as the case may be;
 - (ii) legitimate children and step children not exceeding ten years of age;
 - (iii) legitimate children and step children over ten years old but less than twenty years old, if wholly dependent upon him or her; and
 - (iv) parents, unmarried sisters and minor brothers, if residing with and wholly dependent upon him or her;
- (b) "Fund" means the fund constituted under this Ordinance;
- (c) "Gazetted Railway Servant" means a Railway servant holding a post declared to be a gazetted post by Government or any authority empowered by Government in this behalf;
- (d) "Government" means the ²[Federal Government];

¹This Ordinance was promulgated by the Administrator, Martial Law, Zone 'A' on 6th June, 1969; published in the West Pakistan Gazette (Extraordinary), dated 13th June, 1969, pages 881-885, saved by Article 281 of the Interim Constitution of the Islamic Republic of Pakistan (1972); and, validated by the Validation of Laws Act, 1975 (LXIII of 1975).

²Substituted by the Federal Adaptation of Laws Order, 1975 (P.O. 4 of 1975), for "Government of West Pakistan".

- (e) "Railway Servant" means a person employed in connection with the service of or holding any post in the ³[Pakistan Railway] and includes—
 - (i) a Class I officer of the Railway Services whose services have been transferred to the Government of West Pakistan under the Transfer of Railways Order, 1962 (P.O. No.33 of 1962), and who has opted for the Fund;
 - (ii) a member of the Pakistan Railway Accounts Service who has opted for the Fund;
 - (iii) any person who holds a post in the Railway Board; and
- (iv) any person on deputation or foreign service who holds a lien on any post in the Pakistan Western Railway, and who is regularly subscribing to the Fund;
- (f) "non-Gazetted Railway servant" means a Railway servant other than a Gazetted Railway servant;
- (g) "prescribed" means prescribed by rules made under this Ordinance;
- (h) "Railway Board" means the ⁴[* * *] Pakistan Railway Board constituted under the Transfer of Railways Order, 1962 (P.O. No.33 of 1962).

3. Constitution of the Fund.— (1) As soon as may be, the Railway Board shall constitute a fund to be known as the ⁵[* * *] Pakistan Railway Servants Benevolent Fund.

- (2) The Fund shall be divided into two parts—
 - (i) Part I for Gazetted Railway servants.
 - (ii) Part II for non-Gazetted Railway servants.
- (3) Each part of the Fund shall consist of—
 - (a) compulsory contributions recovered from the Railway servants at such rates as the Railway Board may, from time to time, prescribe;
 - (b) such grants as may, from time to time be made to the Fund by the Railway Board and Government;
 - (c) other contributions and donations; and
 - (d) income from investments made under this Ordinance.
- (4) The moneys credited to the Fund shall be held in such custody as may be prescribed.

4. Utilisation of the Fund.— The Fund shall be utilized for—

- (a) the relief of Railway servants and ex-Railway servants and their families by—

³Substituted *ibid.*, for "Pakistan Western Railways."

⁴The word "West" deleted *ibid.*

⁵*Ibid.*

- (i) giving financial assistance to the families of Railway servants who die while in service or after retirement;
 - (ii) giving financial assistance to Railway servants invalided out of service;
 - (iii) making special grants to Railway servants and ex-Railway servants and their families in exceptional cases;
- (b) defraying expenditure incurred in respect of management of the Fund.

Explanation.— The benefits admissible under this section will be in addition to—

- (i) the pension, family pension or gratuity awarded under the pension rules;
- (ii) benefits admissible to the non-pensionable Railway servants by way of contribution by the Railway to the State Railway Provident Fund and special contribution to the Provident Fund; and
- (iii) any other benefits admissible to Railway servants under any other law for the time being in force.

5. Account and Audit.— (1) Notwithstanding anything contained in section 7 of the Payment of Wages Act, 1936 (IV of 1936), all contributions recoverable under clause (a) of sub-section (3) of section 3 shall be deducted at the source from the salaries of the Railway servants concerned.

(2) The Financial Adviser and Chief Accounts Officer, the Divisional Accounts Officers and the Senior Accounts Officer Workshops, Pakistan Railway shall be responsible for keeping the accounts of the Fund.

(3) Audit of the assets of, and expenditure from, the Fund shall be conducted by such authority as may be prescribed.

6. Constitution and powers of the committees of management.— (1) As soon as may be, the Railway Board shall, in such manner as may be prescribed, constitute the following committees of management, namely:—

- (a) The Central Committee of Management for Gazetted Railway servants;
- (b) The Central Committee of Management for non-Gazetted Railway servants ; and
- (c) A Divisional Committee of Management for each Division.

(2) Subject to such directions as may be issued by the Railway Board and such rules as may be made in this behalf—

- (a) the Central Committee of Management for Gazetted Railway servants shall be responsible for the management of Part I of the Fund and shall have the powers to invest moneys credited to that Part of the Fund and to incur expenditure therefrom;
- (b) the Central Committee of Management for non-Gazetted Railway servants shall be responsible for the management of Part II of the Fund and shall have the powers to invest money credited to that Part of the Fund and to make allocations therefrom to the Divisional Committees of Management ; and

- (c) the Divisional Committees of Management shall, subject to such directions as may be issued by the Central Committee of Management for non-Gazetted Railway servants, deal with all matters connected with Part II of the Fund and in particular shall have the powers to sanction expenditure from the allocations made to it by that Committee of Management.

7. Powers to make rules.— Government may make rules for bringing into effect the provisions of this Ordinance.