

**Proceedings of the first meeting of the reconstituted West Bengal State Social Security Board constituted under the Unorganised Workers' Social Security Act, 2008 held on 25-11-2014 at the Conference Hall of the Unorganised Workers' Welfare Board, 6<sup>th</sup> Floor, Block-B, New Secretariat Buildings, 1, K.S.Roy Road, Kolkata-700 001.**

**The following members were present in the meeting:**

1. Shri Moloy Ghatak, Hon'ble MIC, Labour and ESI Department & Chairman;
2. Shri Amal Roy Chowdhury, I.A.S., Secretary, Labour and ESI Dept. & Member Secretary;
3. Shri Jawaid Akhtar, I.A.S., Labour Commissioner, Member;
4. Smt. Mala Saha, MLA, Member;
5. Shri Achintya Barman, Representative of Health and Family Welfare Deptt., Member;
6. Shri Kumar Sankar Dutta, Member;
7. Shri Bidyut Raut, Member, Hooghly Zilla Biri Shramik Samiti;
8. Shri Shib Nath Sarkar, Purba Midnapur district Nirman Karmachari Union, Member;
9. Shri Joydeb Ghose, Truck Owners Association of Bengal, Member;
10. Shri Hiranmay Ganguly, Federation of Small & Medium Industries, W.B., Member;
11. Shri Binod Debnath, Burdwan Zilla Tantubay Samabay S.S. Committee, Member;
12. Shri Upendra Nath Sarkar, Jt. Secretary, Municipal Affairs Deptt., Member;
13. Shri NarayanChandra De, B.M.S., Member;
14. Shri Ramen Pandey, INTUC, Member;
15. Shri Subhash Mukherjee, CITU, Member;
16. Shri Pijush Chatterjee, Member.

**Other Officials present:**

1. Shri A. Rasul, Additional LC, West Bengal;
2. Shri Amit Gangopadhyay, CF & CAO;
3. Shri Md. Amanul Haque, Jt. LC & CEO;
4. Shri Sanatan Pramanik, DLC;
5. Shri Tapas Kumar Dutta, ALC;
6. Smt. Anindita Bhattacharya, ALC;
7. Shri Probir Kumar Roy, ALC.

Shri Moloy Ghatak, Hon'ble Minister In-Charge welcomed the members and initiated discussion. This being the first meeting of the reconstituted Board, the members introduced themselves. Then following a request from the chair, the Labour Commissioner, West Bengal started an agenda wise discussion. The Hon'ble Members participated in the discussions in a lively manner and the following resolutions were taken:

1. As the Board does not have its separate set of employees and offices, the Regional Labour Offices (RLOs) are to be declared as the Regional Offices of the Board. This will regularise the decentralisation of the Scheme as notified under Resolution No.907/IR/EiL/1-A-4/10 dated 13.08.2010 and facilitate transfer of fund, duties etc.to the RLOs.

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2. The following benefits were enhanced by the Executive Council under the West Bengal Transport Workers' Social Security Scheme from the time as noted in the fourth column of the table below. These are ratified and it is recommended that the relevant areas of the Scheme be suitably amended by the Government.

Sl. no.	Name of Benefit & Clause No. under Resolution No. 907/IR/EiL/1-A-4/10 dated 13.08.2010	Rate of Benefit as notified under the Scheme	Enhanced Rate of benefit w.e.f. 01.04.2012
I	II	III	IV
1	Pension U/Cl. 12 (1) & (2)	Nil	Minimum Rs.750/- per mensem with an increase of Rs. 10/- for each completed year of enrolment as a beneficiary in excess of five years.
2	Assistance on Accidental Death U/Cl. 13 (1) (a)	Rs. 1,00,000/-	Rs. 1,50,000/-
3	Assistance on Natural Death U/Cl. 13 (1) (b)	Rs. 30,000/-	Rs. 50,000/-
4	Medical Benefit for major ailments U/Cl. 14(1)	Up to Rs. 10,000/-	Up to Rs. 20,000/-
	Medical Benefit for major ailments related surgery U/Cl. 14(1)	Up to Rs. 30,000/- *Up to Rs. 40,000/- in a block of 4 years	Up to Rs. 60,000/- *Up to Rs. 80,000/- in a block of 4 years
5	Maternity Benefit U/Cl. 15	Rs. 3,000/- for child birth or miscarriage up to two children or miscarriage	Rs. 6,000/- for child birth or miscarriage up to two children or miscarriage
6	Assistance for Education of Children U/Cl. 18	For Education of a maximum two children of a beneficiary in <ul style="list-style-type: none"> <li>• H.S.: Rs. 2000/-</li> <li>• Graduation- Rs. 3,000/-</li> <li>• Post-Graduation-Rs. 5,000/-</li> <li>• Engineering/Medical-Rs. 10,000/-</li> </ul>	For Education of a maximum two children of a beneficiary in <ul style="list-style-type: none"> <li>• H.S./Post Matric : Rs. 4000/-</li> <li>• Graduation/Diploma- Rs. 6,000/-</li> <li>• Post-Graduation Degree/Diploma-Rs. 8,000/-</li> <li>• Engineering/Medical/*MBA-Rs. 30,000/-</li> </ul> <p>*MBA was included in the 6<sup>th</sup> EC meeting dated 15.05.2013</p>
7	Assistance for marriage U/Cl. 19	Rs. 5,000/- dependent daughter up to a maximum of two daughters only	Rs. 10,000/- for marriage of beneficiary or for son/ daughter up to two times only

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3. The following benefits introduced by the Executive Council from the date as mentioned in the fourth column are ratified and it is recommended that the relevant areas of the Scheme be suitably amended by the Government.

Sl. no.	Name of Benefit	Details	Introduced by EC meeting dated
I	II	III	IV
1	Family Pension	Family pension @50% of the amount last drawn by the beneficiary. Clause 12 to be amended accordingly.	26.03.2012
2	Accidental Hospitalisation Benefit to the Beneficiary	A beneficiary, if hospitalised for five or more days due to accident shall be assisted @Rs. 400/- per day for the first five days and @Rs. 200/- per day for the remaining period of hospitalisation up to a maximum of Rs. 10,000/- Clause 14 to be amended accordingly.	26.03.2012
3	Eye ailment	To be included in the list of ailment under CL 14(1)	12.10.2012
4	Vericosis of vein	To be included in the list of ailment under CL 14(1)	12.10.2012
5	Eye Check-up of Drivers	Up to Rs. 300/- only to be reimbursed after every two years	12.10.2012
6	Brain Stroke / Cerebral attack	To be included in the list of ailments under CL 14(1)	15.05.2013
7	TB Package to the Beneficiary	A sum of Rs. 6,000/- given to the beneficiary per year on production of the DOT card. <i>* 'TB' needs to be omitted from the list of ailments under CL 14(1) and may be included as a benefit under Cl. 14(4) in the following manner: "a beneficiary suffering from TB would be provided with Rs. 6000/- per annum as relief".</i>	15.05.2013

4. With reference to Clause 8 of the Scheme, a beneficiary is required to renew his registration every year. It was decided in the 3<sup>rd</sup> and 6<sup>th</sup> meeting of the Executive Council dated 11.02.2011 and 15.05.2013 that, if the Beneficiary fails to renew his membership within the stipulated time i.e. within 30 days of expiry of the registration certificate, he may be allowed to renew his certificate on production of valid reasons by

- The Registering Authority within 180 days i.e. 6 months;
- The C.E.O. within 270 days i.e. 9 months and
- The Labour Commissioner, West Bengal within 365 days i.e. 1 year.

It was also decided that a beneficiary may pay a cumulative fee of Rs. 90/- only for renewal of up to three years at a stretch (w.e.f. 15.05.2013).

It was recommended that Clause 8 of the West Bengal Transport Workers' Social Security Scheme be suitably amended in this respect.

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5. The changes in Form I already in operation after approval of the Executive Council are ratified.

In Form VII, the phrase '*Signature of Beneficiary*' would be replaced by, "*Signature of Beneficiary/ Dependent or Nominee in case of Death*".

It is recommended that these changes be adapted in the Scheme.

6. The Audit reports for the years 2010-11, 2011-12, 2012-13 as passed by the Executive Council and the audit report for the year 2013-14 are placed, considered and ratified.

7. It was noted that the Scheme has been successfully registered under Section 12AA of the Income Tax Act, 1961 w.e.f. 01.04.2011. However, there was a notice from the Income Tax Officer, Ward 36(4) Kolkata for payment of tax for the accounting year 2010-11 as per their assessment and an amount of Rs.1,53,68,430/- was deducted from the West Bengal Transport Workers' Social Security Fund. The appeal against the order as is pending with the Commissioner of Income Tax (Appeals)-XX, Kolkata at 54/1, Rafi Ahmed Kidwai Road, 5<sup>th</sup> floor, Kolkata-700016 is authorised to be pursued.

Another application in the prescribed format for notification of the Scheme under Section 10(46) of the Income Tax Act, 1961 as is pending with the Central Board of Direct Taxes, New Delhi is also authorised for due pursuance.

8. It was noted that the administration of benefits like Maternity Benefit, Assistance for education of Children, Marriage and Purchase of Spectacles were decentralised to the Regional Labour Offices (RLOs) w.e.f. 01.07.2012 and it was decided that the Registering Authorities and Assistant Labour Commissioners would disburse the benefits from their offices themselves following due procedure. This provision has duly been ratified.

9. The CEO is empowered to allot a fund towards disbursement of benefits up to Rs. 50,00,000/- only to a Regional Labour Office (RLO) in each case after taking into account the actual need of the RLO, with due approval from the Labour Commissioner, West Bengal.

10. For a smooth functioning of the Scheme it was noted in the Executive Council Meeting that the CEO would enjoy the financial powers delegated to a Head of Department as per Delegation of Financial Power Rules, 1977. In addition to this the CEO is now given full power to sanction expenditure on contingencies, services and purchases of articles, costing not more than Rs. 25,000/-only, in each case, after due observation of financial rules.



11. For a smooth functioning of the benefit administration process, the Labour Commissioner, WB is empowered to sanction cases of Death and Medical Benefit as has been decided in the 5<sup>th</sup> Meeting of the Executive Council dated 12.10.2012.

12. Two Group-C and two Group-D staff have been inducted in contractual service under approval of Executive Council with an honorarium in conformity with the minimum wages fixed for Casual Group-C/D employees by the Finance Department from time to time. This is ratified.

13. The fees of the Medical Officer appointed under the Scheme has been enhanced from Rs. 60/- to Rs. 75/- only in each case.

14. It was decided in the 1<sup>st</sup> Meeting of the EC that the SLOs engaged vide Labour Department Order No. 2252-GE dated 07.11.2007 read with Order No. 2071-GE dated 24.09.2009 or the Collecting Agents under SASPFUW, as may be decided by the Addl. CEO of the concerned RLO, may be engaged for the purposes of this Scheme also under similar Remunerations payable to the SLOs (Self Assisted Labour Organisers)/ RPs (Retired Persons)/CAs (Collecting Agents) under SASPFUW/BOCWA. It was decided in the 4<sup>th</sup> meeting of the EC that remuneration payable to the SLOs/CAs/RPs for new registration / renewal including ledger writing would also be Rs. 5/- only. This is ratified.

15. Night Shelters for the Transport Workers were opened at Siliguri and at Kolkata following a decision taken in the 5<sup>th</sup> meeting of the Executive Council dated 12.10.2012. The viability of the night shelters at these places requires to be reviewed and it is to be explored if these may be shifted to Punjabi More, Raniganj and / or Dankuni.

16. Opening of a pension fund for disbursement of pension to the eligible beneficiaries from the F/Y 2015-16 as constituted in the name of "West Bengal Transport Workers Pension Fund" in the SPB branch, SBI with an opening balance of Rs. 10,00,00,000/- (Ten Crore) only, is ratified.

There being no further issue to discuss upon, the meeting ends with thanks from and to the chair.



(Moloy Ghatak)

Minister in Charge

Labour & ESI Department

Government of West Bengal.