Proceedings of the 2nd meeting of the reconstituted West Bengal State Social Security Board constituted under the Unorganised Workers' Social Security Act, 2008 held on 07.05.2015 at the Conference Hall of the Unorganised Workers' Welfare Board, 6th 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 Jawaid Akhtar, I.A.S., Labour Commissioner, W.B., Member;
- 3. Shri Bidyut Raut, Member, Hooghly Zilla Biri Shramik Samiti;
- 4. Shri Joydeb Ghose, Truck Owners Association of Bengal, Member;
- 5. Shri Hiranmay Ganguly, Federation of Small & Medium Industries, W.B., Member;
- 6.. Shri Pijush Chatterjee, Member.

Other Officials present:

- 1. Shri A. Rasul, Additional LC, West Bengal;
- 2. Shri Md. Amanul Haque, Jt. LC & CEO;
- 3. Shri Sanatan Pramanik, DLC;
- 4. Shri Tapas Kumar Dutta, ALC;
- 5. Smt. Anindita Bhattacharya, ALC;

Shri Moloy Ghatak, Hon'ble Minister In-Charge welcomed the members and initiated discussion. He requested the Joint Labour Commissioner and Chief Executive Officer, West Bengal Transport Workers' Social Security Scheme (CEO, WBTWSSS) to start an agendawise discussion.

As per the agenda, the CEO invited the members present to express their views on the proceedings of the last meeting a copy of which had already been sent to them. After a thorough discussion on the issues involved, the proceedings of the meeting dated 25.11.2014 was unanimously confirmed.

Thereafter, the CEO submitted a report on the actions taken on the decisions taken in the said meeting dated 25.11.2014. These are noted hereunder:

- a) Vide Notification no 183-I.R./Eil/1-A-4/10 dt- 16th February, 2015 as published in the Kolkata Gazette Extraordinary dated 16th March 16, 2015 (copy enclosed), all Regional Labour Offices of the Labour Commissionerate have been declared as Regional Labour Offices of the Board;
- b) Amendments have been done on the benefits like Pension; assistance on accidental death, assistance on natural death, educational assistance for the children of beneficiaries, marriage assistance, eye ailment, eye check up and TB package vide the said Notification as noted above.
- c) Changes in Form I has been notified and gazetted.
- d) Following an application from the office of the CEO, WBTWSS Scheme, the Department of Revenue, Central Board of Direct Taxes, Ministry of Finance, Government of India has issued Notification No. 31/2015 dated 24.03.2015 enabling the West Bengal Transport Workers' Social Security Scheme to avail of the benefits provided under Section U/s. 10(46) of the Income Tax Act, 1961 i.e. an Income tax exemption has been granted for 5

- Years from F.Y. 2014-2015 to 2018-2019. (copy of notification enclosed)
- e) For opening of a Pension Fund an amount of Rs 20,88,54,925 (Twenty Crore Eighty Eight Lakh Fifty Four Thousand Nine Hundred and Twenty Five) has been set apart in the F/Y 2012-13 and 2013-14.
- f) Opening of night shelters at Punjabi More, Raniganj and Dankuni has remained under process.

After a protracted discussion the following decisions were taken:

- I. With reference to Notification no 183-I.R./Eil/1-A-4/10 dt- 16th February, 2015 as published in the Kolkata Gazette Extraordinary dated 16th March 16, 2015, attention was drawn to the modifications made in the West Bengal Transport Workers' Social Security Scheme 2010. Regarding renewal process of registration of a beneficiary under the Scheme, it was decided that annual renewal process will continue, but no renewal fees will be charged.
- II. CEO apprised the members that with reference to implementation of cashless medical benefit to Auto & Taxi Drivers @ RS. 30000/- only per annum, in the model of RSBY, MOU has been signed with a few hospitals / Nursing Homes in Kolkata recently. It was decided that the Scheme would also be extended gradually to Asansol and Siliguri. Members expressed a view that proper awareness and publicity with flex / Banners etc. may be arranged in the matter. Labour Commissioner, West Bengal stated that awareness programme would follow the tie-up / signing of MOU with participant hospitals / Nursing Homes. It was also decided that a meeting will be held on 19-05-2015 with hospital authorities for extension of the Scheme to other hospitals / Nursing Homes.
- III. The Executive Council in its meeting dated 24.03.2015 approved that an amount of Rs. 14,47,33,854/- would be set apart in the year ending on 31-03-2012, for the purpose of accumulating sufficient funds for carrying out the following purposes:
 - 1) Construction of night shelters for Transport workers;
 - 2) Disbursement of pension amount to eligible beneficiaries under the Scheme:
 - 3) Disbursement of Death / Accidental death benefit to the beneficiaries;
 - 4) Providing Medical benefit for major ailments to the beneficiaries under the scheme;
 - 5) Providing Maternity benefit to the beneficiary or his wife and for
 - 6) Providing Assistance for education of children of the beneficiaries.

The Audit Report of Financial Year 2011-12 as well as the matter of set apart is ratified by the Board.

IV. From the Audit Account of F/Y 2012-13, it is seen that after deducting office expenses, an amount of Rs. 17,87,63,974/- was available for welfare / charitable purposes. After calculating 15% of the said amount which is not taxable, an amount of Rs. 15,19,49,378/- only is set apart for the following purposes.:

- 1) Opening of a pension fund,
- 2) Construction of night shelter(s),
- 3) Payment towards accidental death / natural death,
- 4) Payment towards educational benefit to children of beneficiaries,
- 5) Payment towards medical benefit to the beneficiary and his family.
- V. From the audit reports of financial year 2013-14 it is seen that out of a total income of Rs. 18,50,86,036/- only, Rs. 17,93,65,478/- only was available for welfare purposes after deducting office expenses. Hence, keeping aside 15% of the said amount, an amount of Rs. 15,24,60,656/- only is set apart for the purposes as noted below:
 - 1) Deposit towards pension fund,
 - 2) Construction of night shelter,
 - 3) Payment towards accidental death / natural death, educational benefit to children of beneficiaries, medical benefit to the beneficiary and his family.
- VI. CEO placed a proposal for setting up of a back-office with proper infrastructural facilities required for running the new Cashless medical benefit scheme successfully: Procurement of the following items and engagement of staffs were approved:
 - 1) I dedicated PC
 - 2) 1 dedicated landline
 - 3) 1 dedicated internet connection
 - 4) 1 CKCO type clerk and 1 Gr. 'D' staff
 - 5) Furniture as necessary.
- VII. Labour Commissioner briefed members about UWIN card, to be incorporated shortly for unorganised workers. Shri Aziz Rasul, Additional Labour Commissioner, explained elaborately the recent developments and future activities to be undertaken shortly on this issue.

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

(Moloy Ghatak)
Minister in Charge
Labour & ESI Department
Government of West Bengal.



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MONDAY, MARCH 16, 2015

SAKA 1936

PART I.—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL LABOUR DEPARTMENT

IR Branch

AMENDMENT

No. 183-I.R/Eil/1-A-4/10.—16th February, 2015.—Whereas, the Government of West Bengal has introduced the West Bengal Transport Workers' Social Security Scheme, 2010, hereinafter referred to as the Scheme, *vide* the Government of West Bengal, Labour Department Resolution No. 907-I.R./E-il/l-A-4/10 dated 13th August 2010, published in *the Kolkata Gazette* Extraordinary dated 25th August 2010;

And whereas, the West Bengal State Social Security Board has been reconstituted under this Department Notification No. 456-1R/EIL/IA-01/09, dated 29-04-2013, in terms of sub-section (1) of Section 6 of the Unorganised Workers' Social Security Act, 2008, read with sub-section (5) of Section 6 of the said Act;

And whereas, this Reconstituted West Bengal State Social Security Board in its meeting dated 25.11.2014, has recommended to the State Government certain modifications in the West Bengal Transport Workers' Social Security Scheme in some respects as mentioned herein below;

And whereas, the Government of West Bengal is of opinion that, the scheme needs improvement to take care of the social security needs of the transport workers in general and that of the auto and taxi drivers in particular;

Now, therefore, in accordance with Clause 24 of the Scheme, the Governor is pleased hereby to enhance / rationalize / restructure the Scheme / benefits provided under the Scheme in the following manner for a proper implementation of the Scheme and in the interest of transport workers.

The Governor is also pleased to introduce cashless medical benefits up to Rs. 30,000/-only, to begin with, for the auto and taxi drivers only, in the RSBY model for facilitating instant treatment in the designated hospitals / nursing homes.

The Governor is further pleased to do away with the renewal fees of Rs 30/- only annually charged from transport workers.

The amendments, if not otherwise mentioned in the Scheme, shall take immediate effect.

The amendments follow:-

1) Pension shall be allowed to a beneficiary who has been a beneficiary under the scheme for a continuous period of not less than five years at the rate of Rs. 750/- only per mensem for the period from 01.04.2012 to 28.02.2015. The pension amount shall be enhanced to Rs 1500/- only per mensem w.e.f. 01.03.2015.

2) After Sub Clause (2) of Clause 12 of the Scheme, Sub Clause (3) shall be added in the following manner:

"12(3) Family Pension.

After death of the beneficiary his / her dependent member of family shall receive Family Pension @ 50% of the amount of last pension amount drawn by the beneficiary, as introduced in the Scheme w.e.f. 26.03.2012. The rate of the Family Pension shall be @ Rs 750/- only per mensem w.e.f. 01.03.2015."

- Clause 13 of the Scheme shall be read as-
 - "13. (1). In case of death of the beneficiary,
- (a) arising out of an accident, a nominee /dependent of a beneficiary shall be entitled to a relief of Rs.1,50,000/- only for the period from 01.04.2012 to 28.02.2015 and Rs.2,00,000/- only w.e.f. 01.03.2015.
- (b) In case of normal death of the beneficiary, a nominee/dependent of a beneficiary shall be entitled to a relief o Rs.50,000/- only w.e.f. 01.04.2012."
 - Clause 13. (2). On permanent disability shall stand repealed w.e.f. 01.03.2015.
 - "Clause 13 (3). No assistance under this provision shall be allowed if such death was-
- (a) Caused by intentional self injury, suicide or attempted suicide, homicide, insanity or immorality or if the member was under influence of intoxicating liquor, drug or narcotic or,
 - (b) Caused by injuries resulting from riots, civil commotions or racing of any kind."
- 4) Clause 14 of the Scheme. Medical benefit for major ailments: shall be read as-
 - "Clause 14. Medical benefit for major diseases:
- (1) A beneficiary or any member of his family suffering from any major diseases like Cancer, Leprosy, T.B., brain stroke (introduced w.e.f. 15.05.2013), cardiac problems,, malfunctioning of kidney (s), AIDS, Eye ailments (introduced w.e.f. 12.10.2012). Vericosis of vein (introduced w.e.f. 12.10.2012) or Thalacemia requiring hospitalization and treatment may be allowed relief upto Rs 20,000/- w.e.f. 01.04.2012, or the date of introduction of the disease in the Scheme.

Explanation: In case of auto and taxi drivers only, cashless medical benefits shall be provided up to Rs. 30,000/-only w.e.f 01.03.2015.

(2) In case of surgical operation, relief shall be allowed up to a maximum of Rupees 80,000/- only for the period from 01.04.2012 or the date of introduction of disease in the Scheme to 28.02.2015. This shall be enhanced to Rsl,00,000/- only for self and Rupees 1,50,000/- only for family members including self per annum w.e.f. 01.03.2015.

In view of above, explanation to Clause 14(2) of the Scheme shall stand repealed.

- (3) Actual amount of relief under this provision shall be such as may be decided by the Authorised Officer in consideration of the nature of ailment and on the basis of a certificate from the hospital where such treatment was conducted."
- 5) The benefit under Clause 15 of the Scheme viz Maternity Benefit, shall be Rs 6000/- for the period from 01.04.2012 to 28.02.2015. Similarly the benefit under Clause 19 of the Scheme viz Assistance on Marriage shall be Rs 10,000/- only for the period from 01.04.2012 to 28.02.2015.

Both the clauses shall be clubbed together w.e.f. 01.03.2015. and shall be read as -

"Clause 15. Assistance for Marriage and Maternity:-

An assistance of Rs 25,000/- only shall be allowed to a beneficiary towards marriage of his or her dependent daughter, as the case may be. Such benefit shall be allowed twice in life time with an interval of 5 years w.e.f. 01.03.2015.

- 6) Clause 19 of the Scheme stands repealed w.e.f. 01.03.2015.
- 7) Clauses 16 of the Scheme, i.e. Assistance for purchase of Spectacles and Clause 17 of the Scheme, i.e. Funeral Expenses shall stand repealed w.e.f. 01.03.2015.

8) Clause 18 of the Scheme shall be read as-

"Clause 18. Assistance for education of children:

One time assistance for education of children of a beneficiary shall be allowed in the following manner:-

- (i) Rs. 4,000/-for studying in Higher Secondary w.e.f. 01.04.2012,
- (ii) Rs. 6,000/- for studying in a general graduation course.w.e.f. 01.04.2012,
- (iii) Rs. 8,000/-for studying in a Post Graduation course.w.e.f. 01.04.2012 to 28.02.2015 and Rs. 10,000/-w.e.f. 01.03.2015,
- (iv) Rs. 30,000/-for studying in a Technical/Professional degree Course like Engineering/Medical or Business Management (introduced in the Scheme w.e.f. 15.05.2013) w.e.f. 01.04.2012.

Explanation: (1) such benefit shall not be allowed for more than two children,

- (2) benefits under this provision shall have cumulative effect."
- 9) Clause 8 of the Scheme related to Renewal of Registration of a beneficiary stands repealed.
- 10) Any reference to renewals in Clause 10 of the Scheme shall be omitted.
- 11) Accidental Hospitalisation as introduced in the scheme w.e.f. 26.03.2012 shall be incorporated as-

"Clause 14 A. Accidental Hospitalization:

A beneficiary, if hospitalised for five or more days due to accident shall be provided with assistance @ Rs. 400/- per day for the first (5) five days and @ Rs. 200/- per day for the remaining period of hospitalisation up to a maximum of Rs. 10,000/- only w.e.f. 26.03.2012."

- 12) Eye check up of drivers as introduced in the Scheme w.e.f. 12.10.2012 @ Rs. 300/- only to be reimbursed after every two years ,shall stand repealed w. e.f. 01.03.2015.
- 13) T.B. package as introduced in the scheme w.e.f. 15.05.2013 @ Rs. 6,000/- given to the beneficiary per year on production of the DOT Card, shall stand repealed w.e.f. 01.03.2015.
- 14) Form I of the Scheme shall be replaced by "Revised Form 1-Application for enrolment as a beneficiary under the West Bengal Transport Workers' Social Security Scheme" as annexed herewith.
- 15) In form VII of the Scheme, the phrase "Signature of beneficiary" shall be replaced by "Signature of Beneficiary/Dependent or Nominee in case of death of the beneficiary."
- 16) A new Clause 21A is introduced in the Scheme as follows:-
- "Clause 21 A. Declaration of Regional Labour Offices as Regional Labour Offices of the West Bengal State Social Security Board.

All Regional Labour Offices of the Labour Commissionerate shall also function as Regional Labour Offices of the West Bengal State Social Security Board."