



GOVERNMENT OF KERALA

Abstract

WELFARE OF EX-SERVICEMEN—SPECIAL FUND FOR RECONSTRUCTION AND REHABILITATION OF EX-SERVICEMEN — AMALGAMATION OF STATE SERVICES—POST WAR RECONSTRUCTION FUND WITH SPECIAL FUND FOR RECONSTRUCTION AND REHABILITATION OF EX-SERVICEMEN—ORDERS ISSUED.

GENERAL ADMINISTRATION (POLITICAL-C) DEPARTMENT

G. O. (P) No. 88/77/GAD. Dated, Trivandrum, 10th March 1977.

- Read:—*1. G. O. (P) No. 140/PD dated 16-5-1969.
2. From the Government of India, Ministry of Defence, letter No. 12(1)/65/D (AG. 1) dated 27-1-1973.
3. From the Secretary, S.S. Fund, Kerala, Trivandrum letter No. SSF/1386/69 dated 27-9-1973.

ORDER

In supersession of the orders issued in the G. O. read above, the Government issue the following Notification as required under the Charitable and Endowments Act, 1890 (Central Act 6 of 1890):—

NOTIFICATION

Whereas the Travancore-Cochin Services Post-war Reconstruction Fund constituted by the former Travancore-Cochin Government by notification No. R5-4979/50/DD(a)&(b) dated 14th September, 1953 which has been renamed as the Kerala Services Post-war Reconstruction Fund by notification No. P(B)4-36970/56/CS dated the 22nd January, 1958 and the Special Fund for the Reconstruction and Rehabilitation of Ex-servicemen constituted under G. O. (P) 140/PD dated 16th May 1969 published in the Kerala Gazette dated the 10th June 1969 have the same objects, namely, the Reconstruction and Rehabilitation of Ex-servicemen;

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And whereas both the said funds are being managed by the same Managing Committee;

And whereas the Administrators of the said funds have applied in accordance with the wishes of the Government of India, the author of the funds, that both the funds may be amalgamated into one and a single scheme settled for the administration thereof;

Now, therefore, in exercise of the powers conferred by section 5 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890) and in supersession of the schemes settled for the administration of the said funds and with the concurrence of the administrators, the Government of Kerala hereby settle the following scheme for the administration of the said funds, and under subsection (3) of the section direct that the scheme shall come into operation from the date of publication of this notification.

SCHEME FOR THE ADMINISTRATION OF THE FUND

1. The Fund shall be called the Amalgamated Fund for the Reconstruction and Rehabilitation of Ex-servicemen.

2. *Definitions*:—In this scheme, unless the context otherwise requires:

(a) 'Central Managing Committee' means the Central Managing Committee constituted under para 7 of the scheme for the administration of the fund for the Reconstruction and Rehabilitation of Ex-servicemen, published under notification S. R. O. No. 234 dated the 27th day of September, 1966 of the Ministry of Defence, Government of India in the Gazette of India dated the 8th October, 1966;

(b) 'dependent' means wife, non-earning sons below the age of 25 years, unmarried or widowed daughters, non-earning brothers below the age of 25 years, non-earning unmarried sisters and non-earning parents of the Ex-servicemen, actually dependent on Ex-servicemen; and such other relations of a deceased Ex-serviceman who were dependent on him;

(c) 'Ex-servicemen' means any person who has been released from the Armed Forces after having served in any rank or as non-combatant (enrolled) including a person who has died during such service.

3. *Objects of the Fund*.—The objects of the Fund are—

(i) to award stipends to ex-servicemen for technical, managerial, vocational or agricultural training at recognised training institutions;

(ii) to sanction grants or loans to co-operative societies or other associations of ex-servicemen for schemes and projects of resettlement, that is to say, horticulture, animal husbandry, industry, transport and the like;

(iii) to sanction scholarships or grants to dependents of ex-servicemen for higher studies in India beyond high school or higher secondary stage in technical, vocational or agricultural education;

(iv) to sanction expenditure on special measures of a collective nature for the maintenance of old and destitute ex-servicemen and/or widows of ex-servicemen ;

(v) to grant loans to individual ex-servicemen for starting industries or business undertakings ; and

(vi) to meet the expenditure in connection with other schemes for the welfare of the ex-servicemen with the specific approval of the Managing Committee.

4. *Corpus of the Fund.*—The Fund shall consist of—

(i) The Services Post-war Reconstruction Fund vested in the Treasurer of Charitable Endowments under G.O. (P) No. 140/PD dated the 16th May, 1969 published in the Gazette dated the 10th June 1969 ;

(ii) The Special Fund for the Reconstruction and Rehabilitation of Ex-servicemen vested in the Treasurer of Charitable Endowments under G.O. (P) 140/PD dated the 31st March, 1966 published in the Gazette dated the 19th April, 1966.

(iii) Contributions from —

- (a) the defence budget of the Central Government ;
- (b) the National Defence Fund ;
- (c) from the State Government ;

(iv) any other donations and voluntary endowments which may be received from time to time ;

(v) the income accruing to the corpus of the Fund and receipt on account of repayment of loans advanced from the corpus of the Fund.

5. *Management.*—Subject to any general or special directions given by the Central Government, the management and administration of the Fund shall be vested in the Managing Committee constituted under clause 6.

6. *Managing Committee.*—(a) Subject to the general policy and directions of the Central Managing Committee, a Managing Committee shall be constituted by the State Government with the concurrence of the Government of India for the management and administration of the Fund. The Managing Committee shall consist of,—

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| 1. Governor | Chairman |
| 2. Chief Secretary or a Senior Officer of the State Government of the status of Secretary deputed by him as his representative. | } First Vice Chairman |
| 3. General Officer Commanding of an area or any Army Officer of the same rank or Commander of an independent sub area or an Officer of the corresponding rank in the Navy or in the Air Force to be nominated by the Chiefs of the Staff Committee. | |
| | } Second Vice Chairman |

4. Two Ex-service Officers residing in the State nominated by the Chiefs of Staff Committee } Members
5. Persons not exceeding two in number, having interest in the welfare of Ex-servicemen nominated by the State Government. } Members

(b) The Managing Committee shall have power to co-opt any other persons as members but such co-opted members shall have no right to vote.

(c) The Secretary, Rajya Sainik Board shall be the Secretary to the Managing Committee.

(d) Changes in the composition of the Managing Committee may be made subject to sub clause (a) by the State Government with the concurrence of the Government of India.

7. *Tenure of Members of the Managing Committee.*—(a) When a person becomes a member of the Managing Committee by virtue of the office or appointment he holds, his membership will terminate when he ceases to hold such office of appointment.

(b) Subject to sub clause (a), the tenure for nominated members shall be two years. A member shall be eligible for re-appointment.

8. *Application of the Fund.*—(a) Subject to the provisions of the Charitable Endowments Act, 1890 the Managing Committee shall have the power to control and administer the fund and to apply the same or any part thereof as they may consider conducive to the objects of the fund.—

Provided that—

- (i) loans shall be granted only to Ex-servicemen and their dependents;
- (ii) the rate of interest for loans shall be the rate fixed by the State Government each year, or such rate as may be fixed by the Managing Committee, whichever is higher;
- (iii) no fund shall be used to finance any scheme the provision of which is normally the responsibility of the State Government, except with the previous approval of the State Government.

(b) The Managing Committee shall forward to the Central Managing Committee in February each year a statement giving a brief account of its activities during the year indicating the manner in which the funds have been spent on the objects of the fund, the balance at the disposal of the fund and the manner in which the assets of the fund are proposed to be spent in the succeeding year.

(c) The Managing Committee shall take the comments received from the Central Managing Committee in to consideration before finalising its proposals.

9. *Conduct of Business.*—The Managing Committee may meet for the conduct of business, adjourn and otherwise regulate its meetings and proceedings as may be determined by the by-laws. The quorum for a meeting

of the Managing Committee shall be three members personally present at the meeting. The meeting shall be presided over by the Chairman or in his absence by the first Vice-Chairman of the managing committee. In case the Chairman and the first Vice-Chairman are not present at the meeting it shall be presided over by the second Vice-Chairman. If none of them is present at a meeting, the members present in person shall before the commencement of the proceedings elect the Chairman of the meeting from among themselves. Every matter shall be determined by a majority of vote of the members present and voting. The Secretary, unless he is also a member, shall have no right to vote. In case of equality of votes the matter shall be decided according to the casting vote of the person presiding over the meeting.

10. *Framing of bye-laws.*—The managing committee may make bye-laws for the detailed regulation, management and other purposes connected with the execution of the fund and the trusts thereof and may alter, vary or rescind the same, from time to time.

11. *Appointment of Sub-Committees.*—The managing committee may have an Executive Sub-Committee formed from among its members to which it may delegate such powers as it may deem fit. It may also have an Advisory Sub-Committee formed from amongst its members or their representatives to scrutinise schemes or other proposals for assistance from the fund and submit them with its recommendations to the managing committee and to advise the managing committee on other matters connected with the administration of the fund.

12. *Right to transfer the fund.*—The managing committee shall have the right to transfer the fund or any part thereof to any other Society or Association established for the promotion of objects similar to the objects of the fund, with the prior approval of the State Government.

13. *Members of the Managing Committee not entitled to remuneration.*—Members of the managing committee shall not be entitled to any remuneration.

14. *Appointment of staff.*—The Office of the Rajya Sainik Board shall provide the necessary staff for the clerical work of the managing committee.

15. *Deposits and investment of moneys.*—The money belonging to the fund shall be kept in personal deposit account in the Treasury.

16. *Operation of accounts.*—The accounts of the fund shall be operated jointly by the Chief Secretary to the State Government or a Senior Officer of the State Government of the status of Secretary deputed by him as his representative to the managing committee and the Secretary, Rajya Sainik Board on behalf of the managing committee.

17. *Accounts and Audit.*—Regular accounts shall be kept of all moneys and other properties belonging to the fund and shall be audited by a firm of Chartered Accountants or any other recognised auditor as may be appointed by the managing committee of the fund. The auditor shall also certify that the expenditure from the fund has been correctly incurred in accordance with the objects of the fund.

18. *Periodical Reports*.—Annual reports showing the schemes financed from the fund and the annual audited statement of accounts shall be rendered to the State Government by the Secretary of the managing committee after the close of the financial year but not later than six months thereof.

By order of the Governor,
ZACHARIA MATHIEW,
Special Secretary.

To

- The Government of India, Ministry of Defence, New Delhi (with C. L.)
- The Secretary, Kendriya Sainik Board, New Delhi (with C. L.)
- The Chief of Army Staff (with C. L.)
- The Chief of Air Staff "
- The Chief of Naval Staff "
- The General Officer, Commanding in Chief (with C. L.)
- The Secretary, Rajya Sainik Board, Trivandrum
- The Secretary, S.P.W.R. Fund, Rajya Sainik Board, Trivandrum
- The Secretary, S.S. Fund, Rajya Sainik Board, Trivandrum
- The Examiner of Local Fund Accounts, Trivandrum
- The Accountant General, Kerala—This issues with the concurrence of the Finance Department
- The Finance Department — Vide No. 22161/Estt. (C3)/75/Fin. dated 24-5-1975
- The Law Department — Vide No. 18098-Leg. (A) 2,76/Law. dated 12-10-1976
- The Director of Public Relations
- The District Collectors
- All Heads of Departments/Special Secretaries/Secretaries/Additional Secretaries / Joint Secretaries/Deputy Secretaries/Under Secretaries to Government including Law, Legislature and Finance.
- All Departments (all Sections) of the Secretariat including Law, Legislature and Finance
- The Secretary to Governor
- The Private Secretaries to the Chief Minister and other Ministers
- The Private Secretary to the Speaker
- The Stenographer to Chief Secretary
- The Stenographer to Additional Chief Secretary
- The Secretary, Kerala Public Service Commission (with C. L.)
- The Secretary, Kerala State Electricity Board "
- The Chairman, Kerala State Road Transport Corporation "
- The Registrar, High Court, Ernakulam "
- The Registrar, University of Kerala "
- The Registrar, University of Cochin "
- The Registrar, Agricultural University, Mannuthy "