

# THE POLICE (NON-GAZETTED EMPLOYEES) WELFARE FUND ORDINANCE, 1986

(ORDINANCE NO. XXXIII OF 1986).

[31st May, 1986]

## **An Ordinance to provide for the establishment of a Welfare Fund for the non-gazetted employees of the Police Department.**

WHEREAS it is expedient to provide for the establishment of a Welfare Fund for the non-gazetted employees of the Police Department and for matters ancillary thereto;

NOW, THEREFORE, in pursuance of the Proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance: -

### **Short title and application**

1. (1) This Ordinance may be called the Police (Non-Gazetted Employees) Welfare Fund Ordinance, 1986.

(2) It applies to every non-gazetted employee of the Police Department.

### **Definitions**

2. In this Ordinance, unless there is anything repugnant in the subject or context,-

(a) "Board" means the Board of Management of the Police (Non-Gazetted Employees) Welfare Fund established under section 4;

(b) "employee" means-

(i) a police officer below the rank of Inspector; and

(ii) a person who is not a police officer but who holds a non-gazetted post in the Police Department;

(c) "family" means-

(i) in the case of a male employee, the wife or wives, and in the case of female employee, the husband of the employee;

(ii) legitimate children and step children below eighteen years of age;

(iii) legitimate children and step children above eighteen years of age, if residing with, and wholly dependent upon, the employee; and

(iv) parents, sisters, brothers, grand parents and grand children, if residing with, and wholly dependent upon, the employee;

(d) "Fund" means the Police (Non-Gazetted Employees) Welfare Fund established under section 7.

**Ordinance to  
override other  
laws but not to  
affect retirement  
benefits, etc**

3. The provisions of this Ordinance and the regulations made thereunder shall have effect notwithstanding anything contained in any other law, rule, order, notification, contract, document or instrument; but nothing herein contained shall affect the right to receive any pension, provident fund, gratuity or other benefits accruing to the employee on his retirement or invalidation or to his family upon his death, otherwise than under this Ordinance.

**Board of  
Management**

4. (1) As soon as may be after the commencement of this Ordinance, the Government shall, by notification in the official Gazette, establish a Board to be called the Board of Management of the police (Non-Gazetted Employees) Welfare Fund for carrying out the purposes of this Ordinance.

(2) The Board shall consist of the following members, namely:-

(a) the Inspector-General of Police, ex-officio, who shall also be its Chairman;

(b) one Additional Inspector-General of Police to be nominated by the Inspector-General of Police, who shall also be its Vice-Chairman;

(c) the Deputy Inspector-General of Police (Headquarters), ex-officio;

(d) the Assistant Inspector-General of Police (Welfare), ex-officio, who shall also be its Secretary;

(e) five persons to be nominated by the Inspector-General of Police of whom at least two shall be from amongst the employees.

**Meetings of the Board**

5. (1) The meetings of the Board shall be held at such times and places and in such manner as may be prescribed by regulations:

Provided that until regulations are made in this behalf, such meetings shall be held at such times and places and in such manner as may be determined by the Chairman of the Board.

(2) All meetings of the Board shall be presided by the Chairman of the Board and, in his absence, by the Vice-Chairman of the Board.

(3) All questions at a meeting of the Board shall be decided by a majority of the members present and voting, and in case of equality of votes, the person presiding over the meeting shall have a second or casting vote.

(4) No act or proceeding of the Board shall be invalid merely on the ground of existence of a vacancy in, or any defect in the constitution of, the Board.

**Powers of the Board**

6. The Board shall have power-

(a) to sanction welfare grants from the Fund to the employees and their families in accordance with the provisions of this Ordinance or the regulations made thereunder;

(b) to settle all claims for welfare grants under this Ordinance;

(c) to sanction expenditure connected with the administration and management of the Fund;

(d) to invest moneys held in the Fund in Government securities or, with the prior approval of the Government, in any other profitable ventures;

(e) to set up committees of management in the different branches, units or establishments under the Police Department and to invest them with the administrative and financial powers to deal with such matters as may be assigned to them by the Board;

(f) to do or cause to be done all acts and things necessary for the administration and management of the moneys or properties of the Fund, or ancillary or incidental to any of the aforesaid powers, or for the purposes of the Fund.

**Establishment of the Fund**

7. (1) There shall be established a Fund to be called the Police (Non-Gazetted Employees) Welfare Fund.

(2) The Fund shall consist of-

(a) grants made by the Government;

(b) compulsory subscriptions received from the employees;

(c) income from investments made out of the moneys of the Fund; and

(d) any other sums received by the Board.

(3) The moneys credited to the Fund shall be kept in such bank or banks as the Board may decide.

**Subscriptions payable by the employees**

8. (1) Every employee shall be liable to pay to the Fund a monthly subscription equal to one per cent of his pay or twenty Taka, whichever is less, and the amount of such subscription shall be deducted half-yearly from his pay at the time of its disbursement and credited to the Fund.

(2) Where the amount of subscription cannot for any reason be deducted from the pay of the employee, the employee shall remit to the Board the amount of subscription payable by him and any amount of subscription remaining unpaid for any reason shall be recoverable from him in such manner as the Board may direct.

(3) Default in the payment of the subscription for any reason whatsoever shall not affect the right of an employee or the right of his family to receive any welfare grant under this Ordinance, but the amount of unpaid subscription shall be deducted from the

welfare grant.

**Lump sum and  
monthly welfare  
grants in case of  
death and  
disablement**

9. (1) If any employee-

(a) is declared by the prescribed medical authority to have been permanently disabled, physically or mentally, to discharge his duties and is, for that reason, retired, removed or discharged from service; or

(b) dies during the continuance of his employment, or if he, being a retired employee, dies within a period of five years from the date of his superannuation;

the employee or, in the event of the employee's death, the wife or wives or the husband of the employee, as the case may be, shall be entitled to receive a welfare grant from the Fund according to the scale specified in the Schedule annexed to this Ordinance.

(2) The welfare grant under sub-section (1), shall be payable on a monthly basis for a period of ten years or up to the date on which the employee attains or might have, if he were alive, attained the age which does not exceed the age of superannuation by five years, whichever is earlier.

(3) If the husband or wife, who is entitled to receive a welfare grant under sub-section (1), remarries or dies before the expiry of the period for which he or she is entitled to receive the welfare grant under sub-section (2), the grant shall be payable for the unexpired period to such member or members of the family of the deceased employee as the Board may determine.

(4) If an employee dies leaving behind no wife or husband, as the case may be, such members of his family shall be entitled to receive the welfare grant under sub-section (1), as the Board may determine.

(5) If a disabled employee, who is a recipient of a welfare grant under sub-section (1), dies before the expiry of the period for which he is entitled to receive the welfare grant under sub-section (2), the grant shall be payable for the unexpired period to the wife or wives or husband of the employee, as the case may be, or, if the employee leaves behind no wife or husband, to such members of his family as the Board may determine.

**Welfare grant for marriage**

10. The Board may sanction from the Fund a welfare grant of an amount not exceeding two thousand Taka for the marriage of the daughter of a deceased or permanently disabled or otherwise extremely distressed employee.

**Welfare grant for education**

11. (1) The Board may sanction from the Fund a welfare grant on a monthly basis for a period of one year for the education of the children of an employee or a deceased or a permanently disabled employee.

(2) A welfare grant under this section may be renewed from year to year if such renewal is deemed necessary for the successful completion of a course.

**Special welfare grant**

12. (1) The Board may sanction from the Fund a special welfare grant to an employee or his family for all or any of the following purposes, namely:-

(a) medical treatment including blood transfusion;

(b) purchase of spectacles and other physical aids;

(c) funeral;

(d) relief in case of various injury or accident;

(e) purchase of text books.

(2) In addition to the special grant for the purposes mentioned in sub-section (1), the Board may sanction from the Fund special welfare grant to an employee or his family in case of extreme financial distress.

(3) The Board may also sanction from the Fund any other grant, lump sum or recurring, for the general welfare of the employees.

**Amount of welfare grant**

13. Where no amount has been specified under this Ordinance or any welfare grant, such amount may be determined by the Board

on the merits of each case keeping in view the total deposit in the Fund and the obligations that are required to be met by the Board from the Board.

**Audit and accounts**

14. The accounts of the Fund shall be maintained by such officer or authority as the Board may appoint, in such manner and form as the Government may in consultation with the Comptroller and Auditor-General of Bangladesh, from time to time, direct.

**Exemption from taxes**

15. The Government may, by order in writing, exempt the Fund from any tax, rate or duty leviable by the Government or by a local authority.

**Ord XXXIX of 1982 to apply with certain modifications**

16. Notwithstanding anything contained in the Government and Autonomous Bodies Employees Benevolent Fund and Group Insurance Ordinance, 1982 (XXXIX of 1982), the provisions of that Ordinance relating to the Benevolent Fund shall not apply to the employees to whom this Ordinance applies .

**Power to make regulations**

17. The Board may, subject to the approval of the Government, make regulations for the purpose of giving effect to all or any of the provisions of this Ordinance.

**Repeal and savings**

18. Upon the establishment of the Board,-

(a) the Central Board of Management, Bangladesh Police Welfare Fund constituted under the Police Welfare Fund Rules, 1970, hereinafter referred to as the said Board, shall stand dissolved;

(b) all assets, rights, powers, authorities, and privileges and all properties, movable and immovable, cash and bank balances, funds, investments and all other interests and rights in, or arising out of, such properties of the said Board subsisting immediately before its dissolution shall stand transferred to, and vested in, the Board;

(c) all debts, obligations and liabilities incurred by the said Board before its dissolution shall be deemed to have been incurred by the Board;

(d) all suits, prosecutions and other legal proceedings instituted by or against the said Board before its dissolution shall be deemed to

be suits, prosecutions and proceedings by or against the Board and shall be proceeded or otherwise dealt with accordingly.

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