

WAFPS cover in force from 15.9.86, Eligibility of mills taken as closed on 6.6.85.

No 4/15/85 - CSM dt 4.9.86 - Guidelines issued by MOT
No 1(9)88/CSS dt 8.9.88 - Guidelines revised under TxC memo, Only Eligibility of workers defined.
MOT authorize TxC for modification of TRFS Rules
Updated guidelines issued by TxC.
Four eligibility conditions laid down for mill

- 1 - Medium Scale Unit
- 2 - Completely closed after 5.6.85 (meaning that production would have come to a complete grinding halt).
- 3 - 25% closure under IP Act or O.L. Act. under Company's Act.
- 4 - Workers should not have resorted to illegal strike

Amendment issued by TxC to extend benefit to partially closed mills also. Pay eligibility increased from Rs 1600 to 2500/-
Dr. 24/1/92 for MOT - Rs 1600 to Rs 2500

Consolidated Guidelines incorporating all changes till then were issued by TxC.
No 13(27)/2003/CSS/TWAFPS dt 10.6.03
No 13(4)/2004 CT-I dt 10.10.05 - CCEA - Rs 3500 for 1.4.93
No 13(27)/2005/CSS/TWAFPS dt 21.10.05 Pay eligibility increased to Rs 3500/- by TxC by MOT

Eligibility condition for mills changed to recon with that of legal closure date in accordance with the orders of the appropriate Government i.e. State Govt. Benefit of the scheme was extended to such mills which have been closed down under legal process after specified dates.

TxC sent proposed amendment to Guidelines incorporating MOT's orders dt 27.9.07.
MOT directed not to make any inference to TWAFPS Policy in view of Supreme Court Judgment dt 21.12.08 i.e. 210 Shri Shrikant Mishra.

Directs the TxC (referring to 9.9.90 letter) to make no inference with the Policy of TWAFPS and abide by the decision of Supreme Court

Relating to WP Ref. of Shri Arjun Morawala on Maharastra Mill, the MOT again reiterated that 'After Supreme Court Judgment, there is no question of tinkering the eligibility condition for extending benefits under TWAFPS.'

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REHABILITATION
TEXTILE WORKERS' RELIEF FUND SCHEME

INTRODUCTION

The Textile Policy of June 1985 while laying down that there may be no alternative but to close down those textile units which have no expectation of becoming viable in a reasonable period of time also stresses that the interest of labour in the event of permanent closure of such units would be fully safeguarded. The Rehabilitation Fund Scheme has been set up to assist such workers.

The primary purpose of the Rehabilitation Fund provides interim relief to workers rendered unemployed as a consequence of permanent closure of textile units. While alternative employment in the textile sector and concessional finance for self employment/employment may provide relief to some of them, there would still be a large number of workers who may not be able to get succour through these measures. Such persons would need a period of transitional adjustment to enable them to settle in another employment.

ADMINISTRATION OF THE FUND

The Fund is administered by the Textile Commissioner through his regional offices.

A CLOSED TEXTILE UNIT IS ONE THAT IS:

- (a) a unit licensed or registered under the Industries (Development & Regulation) Act, 1951 or with the Textile Commissioner as a medium scale unit on the day of its closure;
- (b) It has obtained the requisite permission for closure from the appropriate State Government under section 25(D) of the Industrial Disputes Act, 1947.
- (c) The unit was closed down on or after 6th June, 1985.

ELIGIBILITY

Any worker who has been engaged in a closed textile unit on the date of its closure continuously for five years or more and earning a wage equivalent of Rs. 1000 per month or less and having been on the records of the Regional Provident Fund Commissioner of the State concerned is entitled to get relief under this Scheme.

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Data from which the Scheme come into operation

The Scheme will come into force from ^{15th} 1st September 1986. Affected workers of sick textile units which fall within the above definition, would be eligible for assistance under the Scheme.

Verification of eligible workers

- (a) Textile units whose Provident Fund is administered directly by the Provident Fund Commissioner

At the time the management of a sick textile unit applies for closure under section 25(D) of the Industrial Disputes Act, 1947, the State Government concerned will call from it a list of such workers as can be covered under the provisions of the Scheme and the details of the wages they were drawing on the date of closure. On receiving the list, the State Government will forward it to the Regional Provident Fund Commissioner who will then verify the details with his own records and thereafter send it to the Textile Commissioner.

- (b) Exempted units

In the case of units under the direct control of the Board of Trustees viz. Exempted Units for purposes of administration of Provident Fund, the State Government will forward the list of workers for verification as regards period of service and wages last drawn to the Board which will then send it to the Textile Commissioner.

In both the cases, the Textile Commissioner on receipt of such a list will transfer a lump sum the amount due to such workers to the branch of a nationalised bank operating in the area where the affected unit is located. Each worker will have to open a bank account in this branch and the sum transferred by the Textile Commissioner will be credited to each worker's account by the branch itself. In case a worker moves out of the area where the closed mill is located, he can ask the bank branch to transfer the amount due to him to a bank situated wherever he may be residing.

Verified lists of workers eligible for assistance under the Scheme will be sent by the Textile Commissioner to the management of the unit for being placed on the mill's Notice Board, to the Unions active in the mill and to the bank branch concerned.

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PERIOD AND QUANTUM OF RELIEF

Relief under the Scheme is available only for three years on a tapering basis but will not extend beyond the date of supersession of any worker. The worker is entitled to get relief:

- 1) To the extent of 75% of the wage equivalent in the first year of the closure of the unit;
- 2) to the extent of 50% of the wage equivalent in the second year; and
- 3) to the extent of 25% of the wage equivalent in the third year.

GENERAL

Assistance under the Scheme will be payable to eligible workers only for the purpose of enabling them to settle in another employment. Such assistance will not be heritable, transferable or capable of being attached on account of any other liabilities of the worker. The worker's eligibility shall cease if he takes up employment in another registered or licensed undertaking. The rehabilitation assistance will not be curtailed if the worker fixes himself in a self-employment venture.

GOVERNMENT OF INDIA
MINISTRY OF TEXTILES
OFFICE OF THE TEXTILE COMMISSIONER
POST BAG NO. 11500, BOMBAY - 20.

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REVISED INSTRUCTIONS REGARDING THE
TEXTILE WORKER'S REHABILITATION FUND
SCHEME TO THE REGIONAL OFFICES OF THE
TEXTILE COMMISSIONER.

No. 14(1)/88-CLB/Vol. II--
109) 88/cps

Date: 8.9.1988.

In terms of the Textile Policy of June, 1985, the Govt. of India in September 1986 published the Textile Workers' Rehabilitation Fund Scheme to provide interim relief to workers rendered unemployed in consequence of the permanent closure/liquidation of the textile units. The Scheme came into force with effect from 15 September, 1986. Affected workers of closed textile units, which fall within the definition given below are eligible for assistance under the Scheme, provided they fulfill the conditions and requirements of the Scheme, as prescribed from time to time.

1. ELIGIBILITY :

1) Any worker, who has been engaged in closed textile unit on the date of its closure continuously for five years or more and was earning a wage equivalent to Rs. 1690/- per month or less and has been on the records of the Regional Provident Fund Commissioner of the State concerned is entitled to get relief under this scheme.

3. OPERATION OF THE SCHEME:

1) This scheme applies to such textile units which are licensed under the Industries (D&R) Act 1951 or are registered with the Textile Commissioner as medium scale unit and which have closed on or after 6.6.85 under section 25(0) of the Industrial Disputes Act, 1947. This scheme also applies to such units where the Official liquidator has been appointed under the Companies Act, 1956 and he has taken over the assets of the company.

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4. Such units along with above closure certificate or order appointing official liquidator through the concerned State Govt./the Union Territory Administration furnish to the concerned Regional Office of the Textile Commissioner as per the enclosed proforma "A" duly filled in giving all particulars of the eligible workers. This proforma calls for information regarding name of the unit. The date of application for the closure, the date of permission for the closure date on which the Official Liquidator appointed by the Govt. names of the workers who were on the roll continuously for the five years or more on the date of its closure and were earning a wage equivalent of Rs.1600/- per month or less, having been on the record of the Regional Provident Fund Commissioner of the concerned State.

5. STATE GOVERNMENT :

(a) Before granting closure under Industrial Disputes Act 1947, the State Government concerned will call from the management the list of eligible workers who are to be covered under this scheme and details of wages, as defined in this scheme, which they were drawing on the date of closure, in proforma "A" enclosed (in eight copies). Similarly, the State Govt. would collect the above information in case of the appointment of Official Liquidator.

(b) The State Government will forward the above list of eligible workers giving their period of service and wages last drawn to the Regional Provident Fund Commissioner or Board of Trustees where the Regional Provident Fund Commissioner is not in existence or the Official Liquidator, as the case may be.

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6. REGIONAL PROVIDENT FUND COMMISSIONER/BOARD OF TRUSTEES/OFFICIAL LIQUIDATOR.

Regional Provident Fund Commissioner/Board of Trustees/Official Liquidator, will verify the list of workers received from the State Government and will certify that (i) names of the workers is on their list holding Provident Fund Account(ii) worker is continuously contributing to the Provident Fund for the last five years or more (iii) worker is earning a wage equivalent of Rs.1600/- per month or less and has been on the record of its office. Thereafter the Regional Provident Fund Commissioner/Board of Trustees/Official Liquidator will forward the list of eligible workers to the concerned Regional Office of the Textile Commissioner with two copies to the Head office of the Textile Commissioner, Bombay.

7. REGIONAL OFFICE OF THE TEXTILE COMMISSIONER

(a) After receipt of the list from the Regional Provident Fund Commissioner/Board of Trustees/Official Liquidator, Regional Office of the Textile Commissioner will consider to allow the relief under the Scheme and thereafter communicate his decision to the management of the unit, for placing on the mills' notice board and also to the recognised trade union of the mills for being placed on their notice board, for the information of the workers.

(b) While sending the list to the Management/Trade Union of the concerned closed mill, Regional Office of the Textile Commissioner will ask the management/official liquidator as well as Trade Union to request their eligible workers to open their account in the branch of the Central Bank of India nominated for that purpose by the Regional Office.

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(c) While opening their account in the bank mentioned above, the bankers concerned must ask the worker to furnish the information in duplicate in the Form 'B' to them who in turn will forward the form 'B' to the Regional Office of the Textile Commissioner alongwith a certificate in the proforma 'C' enclosed. While opening the saving bank account in the name of the workers, the banks concerned should also obtain from the said workers an undertaking to the effect that any amount found to have been over paid or wrongly paid under the Scheme would be due for recovery from such workers and the workers would agree to refund the same when demanded. Such a recovery would be a charge on the assets or rights of concerned recipients, in any other property either in their name or in the name of their legal heirs.

d) As soon as list of eligible workers is received from the Regional Provident Fund Commissioner etc., Regional Office of the Textile Commissioner will work out the amount required for the payment under Fund. The worker is entitled to get relief:

- i) to the extent of 75% of the wage equivalent in the first year of the closure of the unit;
- ii) to the extent of 50% of the wage equivalent in the second year, and
- iii) to the extent of 25% of the wage equivalent in the third year.

(f) Regional Office of the Textile Commissioner would work out the amount required for disbursement under the scheme on the basis of the claims scrutinised and amount that are required to be paid and furnish the estimate to

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copy p

the Account Deptt. of the Headquarters with a copy to the Consumer Service Section. On receipt of the estimate, the Textile Commissioner would allocate the funds to the various Regional Offices with a copy to Pay & Accounts Office (Textiles) Bombay.

c) The Pay & Accounts Office (Textiles) Bombay would place the Regional Offices in account with the Central Bank of India by issuing a Letter of Credit specifying the amount for each Regional Office. They will also simultaneously provide the Regional Offices with the cheque book for issuing the cheques to the accredited Bank.

e) The Regional Offices would notify the concerned bank the particulars of number of cheque books that would be used for operation under the Scheme.

h) The Regional Offices would also maintain a simple cash book so as to ensure that no cheque issued by him results in minus balance.

i) The Regional Offices would ensure that all eligible workers have opened the account in the intimated bank as per the conditions prescribed in this order, and also the eligibility for the assistance have been verified by the Regional Provident Fund Commissioner or the Official liquidator etc. so that the worker's entitlement for payment is ascertained before the issue of cheques.

j) The Regional Office will issue cheque in favour of the intimated bank for the consolidated amount of claims for the various workers duly verified and

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ascertained and also intimate the particulars of account number and other relevant details to the bank along with the cheque so that the amount admitted for the various workers are credited by the bank to the individual account of the worker, already opened with them.

✓ E) The bank would send to the Regional Office a consolidated receipt indicating that the bank has actually paid to all the eligible workers intimated by the Regional Office by crediting to their respective account opened for this purpose.

Monthly Statement ✓

1) The Regional Offices would also send a monthly statement to the Accounts Deptt. Textile Commissioner, Bombay, indicating the amount paid by them against the allocation made so that the Accounts Deptt. consolidates the amount to arrive at the total expenditure incurred out of the Fund and also for further reconciliation of the amount with the Pay & Accounts Office at the end of the year.

m) The assistance under this scheme shall, however, be stopped by the Regional Office forthwith in case revival of the concerned unit takes place.

8) Work in General by Regional Offices and reporting

a) It will be the duty of the Officer-in-Charge of the Regional Office to collect information regarding the mills which may qualify for assistance under this scheme and to maintain millwise file as soon as they come to the notice of such an event. They should make approximate estimates

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of number of workers who are likely to be qualified for such assistance and the amount required for the likely payment in each of the three years. This will help the Headquarters Office and the Ministry towards the proper management and allocation of the fund.

b) The Regional Office should be in close contact with the concerned State Government authorities to make them aware about the scheme and also appraise them regarding their responsibility to take initial steps for the implementation of the scheme. Unless the State Government takes initiative in collecting the names and details of the workers and in making proper application, the scheme cannot be implemented in regard to a particular unit.

c) As soon as action is initiated by the State Government the Regional Office should finalise the branch of the C.B.I. which would handle the case. Regional Office should meet the Branch Manager to appraise him of the scheme and the requirements of the scheme. Regional Office should also take initiative similarly to properly inform the Office of the Provident Fund Commissioner or the Trustees or the Official Liquidator as the case may be.

✓ d) Development on each case should be reported immediately to the Director, Consumer Service Section in the Headquarters who will be dealing with the matter in future with copy to DD(Accts). All copies of correspondence in regard to each unit should also be endorsed to DD(Accts) and vice versa.

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e) Apart from reporting in individual cases, Regional Office should send a statewise statement at Proforma 'D' to be posted on the last working day of the week by QMS giving the position at the end of the week. The letter should be addressed by name of the Director, Consumer Service Section, Headquarters himself.

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(A.K. VERMA)
DIRECTOR

Copy to:-

All Regional Offices of the Office of the Textile Commissioner.
Bombay/Ahmedabad/Amritsar/Coimbatore/Kanpur/Calcutta/Madras.

Ann-III ANNEXURE III

Annexure-23

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Shri Anjaneya,
Deputy Director,
Office of the Textile Commissioner,
P.B.No. 11500,
Bombay - 400 020.

Subject: Textile Workers' Rehabilitation Fund
Scheme

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Sir,

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I am directed to refer to your letter no. 18/1/90-CSS/547 dated 18-7-90 regarding Payment to the legal heirs of the worker under Textile Workers' Rehabilitation Fund Scheme and to state that the modalities and procedures for the implementation of the TWRFS have been formulated by the Office of the Textile Commissioner, hence any issue necessitating modification of the same may also be decided on merits by the Office of the Textile Commissioner.

Yours faithfully

(A. Bahuguna)

Deputy Secretary to the Govt. of India

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GOVERNMENT OF INDIA
MINISTRY OF TEXTILES
OFFICE OF THE TEXTILE COMMISSIONER
POST BAG NO. 11500 BOMBAY 400 020

UPDATED GUIDELINES FOR PAYMENT OF RELIEF
UNDER THE TEXTILE WORKERS' REHABILITATION
FUND SCHEME

No. 1(9)/91-CSS

Date: 1.5.91

I. INTRODUCTION

Para 18.7 of the Textile Policy of June, 1985 states as follows:

" It is of utmost importance that the interest of the workers who might be displaced by permanent closure of units is safeguarded. For this purpose, Schemes shall be formulated to provide relief for an interim period in addition to the statutory benefits. A Rehabilitation Fund for the workers of the Textile Industry would be created to provide relief to such workers for a limited period. Such a Fund shall, inter alia, be financed by a suitable cess on the textile industry."

Accordingly the Government of India in September, 1986, published the Textile Workers' Rehabilitation Fund Scheme to provide interim relief to workers rendered unemployed in consequence of the permanent closure/liquidation of the textile units. The Scheme came into force with effect from the 15th September, 1986.

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II. ELIGIBILITY:

i) Textile Units :

This Scheme applies to such textile unit which is either Licensed under Industries (Development & Regulation) Act, 1951, or registered with the Textile Commissioner as medium scale unit. Secondly, such unit should have been completely closed (meaning that its production would have come to a complete grinding halt) after 5.6.1985. Thirdly, in addition, such a unit should have been declared as closed unit under Section 25(C) of the Industrial Disputes Act, 1947, or alternatively an Official Liquidator was appointed under Companies Act, 1936, in the process of winding up of the unit. Fourthly an illegal strike by workmen, as defined in the Industrial Disputes Act, 1947, leading to the closure of the mills either under Section 25(C) of the said Act 1947, or by an Order of the High Court upon which an Official Liquidator is appointed, would not entitle the workers to relief under the Scheme.

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The benefit of the Scheme shall not be extended to the workers who were not on the Rolls of the mills at the time of closure.

ii) Eligible workers:

- a) Any worker (permanent, badli or casual), who was employed in such a closed textile unit on the date of its closure;
and
- b) has been continuously for five years or more on the records of the mills
and

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- c) has been on the records of the concerned Regional Provident Fund Commissioner ;
and
- d) has been earning a wage equivalent upto Rs. 1600/-* per month or less, is entitled to get relief under this Scheme ;
and
- e) the worker who was engaged continuously for 5 years, before the closure, as defined continuous service under Section 25(B) of the Industrial Disputes Act, 1947 will be eligible for the benefit of the Scheme provided the workers were not on illegal strike and the mills' closure was not due to the fault on the part of the workmen.

iii) Eligible wage:

- a) In case of permanent worker, wage means the last whole-month's wage of the worker drawn or received during the month or normal working of the mills at the time of/before the closure and does not include any notional pay. If the worker is not covered by whole-month's wage of normal working month of the mills, then the average wage of immediate last 12 months before the closure would apply.
- b) In case of Badli/Temporary/Casual/daily worker wage means the wage

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actually drawn by him during the last whole month in which the mills worked normally or the average wage drawn during the last 12 months, the wage does not mean a notional wage.

iv) Eligible rate of payment:

Such a worker will be eligible for payment of relief at the following rate:

- a) to the extent of 75% of the wage equivalent in the first year of the closure of the unit;
- b) to the extent of 50% of the wage equivalent in the second year ; and
- c) to the extent of 25% of the wage equivalent in the third year.

Note: (i) Payments will be made on quarterly basis. If there are arrears of quarters counted from date of closure, they may be paid in lumpsum at the start of payment.

(ii) *The payment of relief to the heirs of the deceased worker would be restricted to an amount due till the date of worker's death, and only upon production of a valid Certificate by the heir/s that the said applicant is entitled for Provident Fund payments,

III. OPERATION OF THE SCHEME :

i) Initiative of State Government etc.:

Many of the units which would be under the purview of this Scheme, would have

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closed down much earlier than the Scheme being applicable to that particular mills. It is very necessary for the successful operation of this Scheme to benefit the affected workers that the management of the mills, concerned designated Trade Union and above all the State Government take initiative to fulfil the requirements of this Scheme.

ii) List of eligible workers:

a) Before granting closure under Industrial Disputes Act, 1947, (or in cases where the mills are closed and where Official Liquidator has been appointed by the High Court) the concerned State Government/ Union Territory, where the mills are located, will call from the management the list of eligible workers or prepare the same from available records with the mills management or Provident Fund Authority or Board of Trustees or Official Liquidator and details of wages etc., for this purpose in proforma 'A' enclosed (ten copies). The State Government will also get this Proforma certified either from the Provident Fund Authority or Board of Trustees or from the Official Liquidator, and duly certified by the State themselves.

(b) The State Government should give an Undertaking to the Textile Commissioner while forwarding the list of applications of the eligible workers of the closed mills to the concerned Regional Office of the Textile Commissioner that there would be no chance of re-starting of the mills partially or fully with or without change in the management, and also to obtain the mills Licence and to surrender the same to the Regional Office of the Textile Commissioner for its cancellation.

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The State Government should also estimate the

requirements of the fund on quarterly basis to the workers of the closed mills under the Scheme. The estimate so made by the State authorities should reach the Regional Office of the Textile Commissioner by the 10th day of the following quarter for making necessary Budget Provisions. If no estimate of funds is sent alongwith the list of applications, the Textile Commissioner or the Central Government will not be responsible for the delay in taking steps to effect payments of relief to the workers on submission of list of applications duly certified.

iii) Attestation of details by Regional Provident Fund Commissioner, etc.,

a) Regional Provident Fund Commissioner/Board of Trustees/Official Liquidator, will verify the list of workers received from the State Government and will certify that (i) name of the worker on their records holding Provident Fund Account (ii) and has been engaged in the closed textile unit on the date of its closure continuously for the last five years or more; (iii) has been earning a wage equivalent upto Rs. 1600/-* per month or less and (iv) has been on the record of his office.

* Rs. 2500/-

b) Thereafter the Regional Provident Fund Commissioner, Board of Trustees, Official Liquidator or the State Government will forward the list of eligible workers to the concerned Regional Office of the Textile Commissioner in 6 copies.

iv) Regional Office of the Textile Commissioner :

a) After receipt of the list of workers the Regional Office of the Textile Commissioner will scrutinise

and consider to place the list under the Scheme and thereafter communicate his decision to the concerned State Government and the management of the Unit for placing the list of eligible workers on the Mills' Notice Board. Regional Office will send copy also to the Trade Union designated by the State Government of the mills for being placed on their Notice Board, for the information of the workers. The Regional Office will also notify suitable Branches of Nationalised Bank for opening of Accounts by eligible workers for receiving the payments through the bank.

- b) While sending the list to the State Government the Regional Office of the Textile Commissioner will advise the State Government to get bank account opened by individual eligible workers in any of the designated branches of banks for that purpose of payment by the Regional Offices.

*The State Government will help, if necessary, with the assistance of the designated Trade Unions, workers to get their bank accounts opened and to make individual prescribed applications and shall forward them with their recommendation to the Regional Office.

- c) The workers shall also give an undertaking in the application for refund of the relief paid to them under the Scheme, if the mills are subsequently restarted, fully or partially, with or without, change in the management and so also payments made to him due to inadvertance.

- v) Action on the part of eligible workers and the Bank

While opening their account in the designated branches of the bank mentioned

above, the bankers concerned must ask the workers to furnish the information in duplicate in the form 'B' to them and in turn the bank will forward a copy of the Form 'B' to the Regional Office of the Textile Commissioner along with a Certificate in the Proforma 'C' enclosed. While opening the saving bank account in the name of the workers, the banks concerned should also obtain from the said workers an Undertaking in Proforma 'B' to the effect that any amount found to have been over paid or wrongly paid under the Scheme would be due for recovery from such workers and the workers would agree to refund the same when demanded. Such a recovery would be a charge on the assets or rights of concerned recipients, in any other property either in their name or in the name of their legal heirs.

PAYMENTS:

- a) As soon as list of eligible workers is received from the Regional Provident Fund Commissioner and others as specified in this Order, the Regional Office of the Textile Commissioner will work out the amount required for the payment under Fund as per eligible rate of payment.
- b) Regional Office of the Textile Commissioner would work out the amount required for disbursement under the Scheme on the basis of the claims scrutinised and amount that are required to be paid and furnish the estimate to the Accounts Department of the Headquarters with a copy to the Consumer Service Section. On receipt of the estimate, the Textile Commissioner would allocate the funds to the various Regional Offices with a copy to the Pay and Accounts Office (Textiles), Mumbai.

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- c) The Pay & Accounts Office (Textiles), Bombay, would place the Regional Offices an account with the Central Bank of India by issuing a Letter of Credit specifying the amount for each Regional Office. They will also simultaneously provide the Regional Offices with the Cheque-book for issuing the Cheques on the credited bank.
 - d) The Regional Offices would notify the concerned bank the particulars of number of Cheque-books that would be used for operation under the Scheme.
 - e) The Regional Offices would also maintain a simple Cash Book so as to ensure that no Cheque issued by him results in minus balance. The entries made in it may be duly attested by the Officer whenever payments are effected.
 - f) The Regional Offices would ensure that all eligible workers have opened the account in the designated bank as per the conditions prescribed in this Order, and also the eligibility for the assistance have been verified by the Regional Provident Fund Commissioner or the Official Liquidator and/or others as specified in this Order so that the workers entitlement for payment is ascertained before the issue of cheques.
 - g) The Regional Office will issue Cheque in favour of the bank's main branch for the consolidated amount of claims for the various workers duly verified and ascertained and also intimate the particulars of account numbers and other relevant details to the bank along with the cheque so that the amounts admitted for the various workers

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are credited by the bank to the individual account of the worker already opened with its branches.

- h) The bank would send to the Regional Office a consolidated receipt indicating that the bank has actually paid to all the eligible workers as intimated by the Regional Office by crediting to their respective accounts opened for this purpose.
- i) The Regional Office would also send a monthly statement to the Accounts Section, Textile Commissioner's Office, Bombay, indicating the amount paid by them against the allocation made so that Accounts Section consolidates the amount to arrive at the total expenditure incurred out of the fund and also for further reconciliation of the amount with the Pay and Accounts Office at the end of the year or as and when it becomes necessary. The Accounts Section of the Textile Commissioner's Office will maintain separate books of Account for this purposes and also to draw up annual budget for the Scheme on the basis of reports from the Regional Offices.
- j) The assistance under this Scheme shall, however, be stopped by the Regional Office forthwith in case revival of the concerned unit takes place and the State shall refund the relief to the Central Government already paid.

V. WORK IN GENERAL BY REGIONAL OFFICES AND REPORTING:

- a) It will be the duty of the Officer-in-Charge of the Regional Office to collect information regarding the mills which may qualify for assistance under this Scheme and to maintain mill-wise file as soon as they come to know of such an event. They should make approximate estimate of number of workers who are

likely to be qualified for such assistance and the amount required for the likely payment in each of the three years. This will help the Headquarters to draw up consolidated proper budget proposal and to get funds released from the Ministry for its allocation to the Regional Offices.

b) The Regional Office should be in close contact with the concerned State Government authorities to make them aware about the Scheme and also appraise them of their responsibility to take initial steps for the implementation of the Scheme. Unless the State Government takes initiative in collecting the names and details of the workers and in making proper applications, the Scheme cannot be implemented in regard to a particular closed unit.

c) As soon as action is initiated by the State Government the Regional Office should designate the branches of the nationalised bank nearest to the mills to handle the case. The Regional Office should meet the Branch Manager of the bank to appraise him of the Scheme and the requirements of the Scheme. The Regional Office should also take initiative similarly to properly inform the Office of the Regional Provident Fund Commissioner or the Board of Trustees or the Official Liquidator as the case may be.

d) Development on each case should be reported immediately to the Deputy Director, Consumer Service Section at the Headquarters who will be dealing with the matter in future with a copy to Dy. Director (Accounts). All copies of the correspondence in regard to each unit should also be endorsed to DD(Accounts) and vice versa.

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- e) Apart from reporting in individual cases, the Regional Office should send a millwise statement in Proforma 'D' to be posted on the last working day of the month by SPEED POST giving the position at the end of the month. The letter should be addressed by name of the Director, Consumer Service Section, Headquarters himself, and a copy to the Deputy Director (Accounts) with a Proforma 'D'
 - f) For every quarter, the Regional Office should obtain requirements of the funds from the State Governments in writing much in advance and pass on the same to the Headquarters, the Consumer Service Section and Accounts Section.
 - g) The Regional Office of the Textile Commissioner will first secure the documents, as required under para 14 of the Proforma 'A', such as the Orders passed under Section 25(O) of the Industrial Disputes Act, 1947, or the winding up orders passed by the High Court upon which the Official Liquidator is appointed, without which no application should be processed for considering the question of relief to workers.

The Regional Office shall have regard to the reason for closure of the mills as found in the documents so obtained, that is, whether the closure of the mills is due to the fault on the part of the management of the mills or the closure is due to illegal strike on the part of the workmen: while determining the question of obligability of the workers for relief under the Scheme. In the latter case no relief will be admissible for which due attention may be paid by the Officer-in-charge

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of the Regional Office after going through the copy of the petition for the closure of the mills to an appropriate authority, and the orders passed thereon.

Sd/-

(A.K. VERMA)

JOINT TEXTILE COMMISSIONER

Copy to:

- i) All Regional Office of the Textile Commissioner,
- ii) To Chief Secretary, State Governments and Union Territories.
- iii) Shri R.R. Singh, Director, Ministry of Textiles, Govt. Of India, New Delhi - 110 011.

Jay Prasad
Joint Secretary
(Tel. No.301 2326)

Amexure-6/K
Confidential
भारत सरकार
वस्त्र मन्त्रालय
नई दिल्ली-110011
GOVERNMENT OF INDIA
MINISTRY OF TEXTILES
NEW DELHI-110011

2nd April, 1992.

D.O. No.4(15)/85-CTI/CSM

DEAR Shri Nair,

As you are aware, the Committee of Secretaries had recommended that the benefit of the Textile Workers Rehabilitation Fund Scheme may be extended to the cases of partial closure also. In addition, the Committee of Secretaries had also recommended that the wage ceiling of an eligible workers should be raised from Rs.1600 p.m. to Rs.2500 p.m.

These recommendations of the Committee of Secretaries have been accepted by the Ministry and the Hon'ble Minister has already made an announcement to that effect on the Floor of the House in reply to a Starred Question. I am enclosing an extract of our proposal to the Committee of Secretaries which spells out the specific changes in the Scheme and the relevant extract from the minutes.

In the circumstances, I would request you to make suitable amendments in the guidelines with intimation to the Ministry.

With regards,

Yours sincerely,

Ajay Prasad
(AJAY PRASAD)

Shri K. Rajendran Nair,
Textile Commissioner,
Office of the Textile Commissioner,
Post Box No.11500,
BOMBAY-400 020.

*also this
is to be
examined
separately*

AC(4) - have

AC(4) - have

PI. examine on separate file.

AS(S) 7/4

AS(S) 7/4

*T. I. (S) / sent to
The Punjab industry on 7/4*

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*5-CSS
8-4-92*

GOVERNMENT OF INDIA
MINISTRY OF TEXTILES
OFFICE OF THE TEXTILE COMMISSIONER
POST BAG NO. 11500 MUMBAI 400 020

88/c

No. 13(1)/92-CSS/Vol.II/

Dated: 27th April, 1992

C I R C U L A R

Sub: Amendments to guidelines dated 1.5.1991
for payment of relief under the Textile
Workers' Rehabilitation Fund (TWRP) Scheme

Vide this office Circular No. 1(9)/91-CSS/Vol.VIII dated 11.10.91 certain amendments to the updated guidelines dated 1.5.1991 for payment of relief under the Textile Workers Rehabilitation Fund (TWRP) Scheme were circulated. The Government of India vide its letter No. D.O.4(15)/85-CTI/CSM dated 2.4.1992 has further liberalised the TWRP Scheme to make it applicable to the cases of mills of partial closure also, in order to reduce the ultimate liability of the Government of India in providing assistance under the TWRP Scheme and to facilitate revival of the mills and protecting the employment of workers who retain their job by such revival. The Government of India has further liberalised the TWRP Scheme by raising the upper ceiling of wages from Rs.1600/- p.m. to Rs.2500/- p.m. to determine the eligibility of workers under the Scheme, in case of these mills closed down on or after 6.6.1985, and who are otherwise eligible as per the guidelines of the Scheme.

2. Accordingly, the amendments in the updated guidelines dated 1.5.1991 will be as follows:

- i) In para II (i) of the updated guidelines dated 1.5.1991 in the para having heading 'Textile Units' the following shall be added at the end of the 1st sub-para: "Fifthly, the TWRP Scheme is also made applicable to cases of partial closure on a case basis

Contd....2/-

The cases of partial closure are restricted to cases wherein the State Governments recommend that an entire uneconomic activity (like weaving or processing) is scrapped as a part of rehabilitation package for a sick/weak mill (as per the RBI definition) approved by the Nodal Agency/BIFR, provided the scrapped capacity is surrendered for cancellation and endorsement is made on the licence/Registration Certificate to this effect".

- ii) Under the eligibility clause, in para II, sub-para (ii) (d) Rs. 1600/- p.m. be read as Rs. 2500/- p.m. Elsewhere also whenever Rs. 1600/- p.m. appears in the guidelines, it should be read as Rs. 2500/- p.m.

3. Accordingly the guidelines dated 1.5.1991 as amended from time to time will stand further amended to the above extent. You are, therefore, requested to take further necessary action according to the above amendments in the Scheme.

Sd/-

(V.K. SRIVASTAVA)
DIRECTOR

Copy to:

1. The Chief Secretary,
State Government/Union Territories.
2. The Commissioner (Handloom) Textiles,
State Governments/Union Territories.
3. Shri Ajay Prasad,
Jt. Secretary to the Government of India,
Ministry of Textiles,
Udyog Bhavan, New Delhi- 110 011 - With reference
to his D.O.No.4(15)/85-CTI/CSM dated 2.4.1992.
4. All Regional Offices of the Textile Commissioner.

Sd/-

(V.K. SRIVASTAVA)
DIRECTOR

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~~Secret~~

S.No 3

ANN-I

No. 13/4/2004-CT-I
Government of India
Ministry of Textiles
CT- I Section

Udyog Bhavan, New Delhi-110011
Dated the 10th October , 2005.

To,

✓ The Textile Commissioner,
O/o the Textile Commissioner,
New CGO Building, 48, New Marine Lines,
P.B. No.11500, MUMBAI - 400 020.

Subject:-Enhancement of monthly wage equivalent limit of Rs.3500/- with retrospective effect from 01.04.1993 instead of now applicable from 05.02.2002 under Textile Workers Rehabilitation Fund Scheme (TWRFS).

Sir,

I am directed to say that in its meeting held on 29.9.2005 the Cabinet Committee on Economic Affairs has approved enhancement of monthly wage equivalent limit of Rs.3500/- with retrospective effect from 01.04.1993 instead of now applicable from 05.02.2002 under Textile Workers Rehabilitation Fund Scheme (TWRFS). In pursuance of this decision **Para II (ii) of the TWRFS Guidelines** will have to be modified as follows:-

Existing para	Modified para
All workmen including permanent, badli or casual, who has been in continuous service for five years or more before the closure of the mill employed in such closed mill on the date of closure, figuring in the records of the Regional Provident Fund Commissioner and earning wage equivalent upto Rs. 2500/- per month or less in respect of the eligible textile mills closed before 05/02/2002 or wage equivalent up to Rs. 3500/- per month or less in respect of eligible textile units which are closed on or after 05/02/2002, will be eligible for the benefit of the Scheme provided the workmen were not on illegal strike and the mills' closure was not due to the fault on the part of the workmen	All workmen including permanent, badli or casual, who has been in continuous service for five years or more before the closure of the mill employed in such closed mill on the date of closure, figuring in the records of the Regional Provident Fund Commissioner and earning wage equivalent upto Rs. 2500/- per month or less in respect of the eligible textile mills closed before 01/04/1993 or wage equivalent up to Rs. 3500/- per month or less in respect of eligible textile units which are closed on or after 01/04/1993, will be eligible for the benefit of the Scheme provided the workmen were not on illegal strike and the mills' closure was not due to the fault on the part of the workmen

Dr. P. S. ...
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2. Since the Office of the Textile Commissioner is the implementing agency in respect of the TWRFS and the Guidelines are also issued by that office, it is requested that it may now suitably modify the existing Guidelines immediately on the above lines. A copy of the modified guidelines may also be sent to this Ministry immediately.

Yours faithfully


(S.A. Baba)

Director

Tele No. 23061003

Fax 23062436

Copy to:-

Shri K.L Sharma,

Deputy Secretary

Cabinet Secretariat

Rashtrapati Bhawan, New Delhi (with reference to Cabinet Secretariat's Circular

no.CCEA/28/2005(i))


(S.A. Baba)

Director