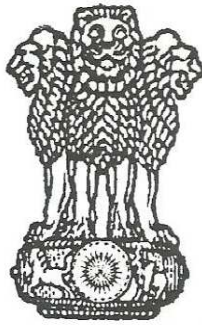


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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Tribal Development Department

Administrative Building, Bidhannagar, Kolkata-700 091

Website : www.adibasikalyan.gov.in

RESOLUTION

No. 659-TDD/12S-63/2015. Dated 30th June, 2015.— WHEREAS it has made to appear to the Governor that the Government of West Bengal in the Tribal Development Department has been examining for some time past a proposal to provide for a social security scheme to the *Kendu* leaves Collectors;

AND WHEREAS the livelihood of many tribal people, especially in the forest areas of the districts of Paschim Medinipur, Bankura and Purulia of the State of West Bengal, is mainly dependant on collection of *Kendu* leaves and it is often reported that such *Kendu* leaves Collectors die accidentally during the collection of such leaves due to snake/insect bite, lightning, storm and elephant attack;

NOW, THEREFORE, the Governor is pleased to introduce the following social security scheme for providing financial redress to such victims.

Scheme

1. **Short title, extent and commencement.**— (1) This scheme may be called the West Bengal *Kendu* leaves Collectors' Social Security Scheme, 2015.

(2) It extends to the Districts in West Bengal where *Kendu* leaves are collected by the Scheduled Tribes.

(3) These schemes shall come into force on the date as the State Government may, by notification in the *Official Gazette*, appoint.

2. **Activities under the scheme and its management.**— (1) The Headquarters of the Executive Committee shall be set up at the office of the West Bengal Tribal Development Co-operative Corporation and the Executive Committee shall be in charge of management and execution of the scheme. Necessary notification stating *inter alia* the detail procedure of management and execution will be issued by the Government in due course;

(2) The annual Grant-in-Aid received from the State Government for the purpose will be deposited in a Savings Bank Account to be opened in a Scheduled Bank for the purpose from which necessary expenditure will be made by Managing Director, West Bengal Tribal Development Co-operative Corporation Limited who shall be the Chief Executive Officer under the scheme, on recommendation of the Executive Committee. The Executive Committee will manage the said fund remaining within the broad guidelines framed by the State Government.

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

- (a) “Beneficiary” means a *Kendu* leaves Collector belonging to the Scheduled Tribes and registered under the scheme;
- (b) “Chief Executive Officer (CEO)” means the Chief Executive Officer appointed under the scheme;
- (c) “Deputy Executive Officer” means the Assistant Managing Director of West Bengal Tribal Development Co-operative Corporation Limited who is appointed under the scheme;
- (d) “Enquiring Authority” means an authority empowered to enquire into a claim of any beneficiary and shall include a ‘Block Development Officer’, of the concerned block, ‘Regional Manager, West Bengal Tribal Development Co-operative Corporation Limited’ and ‘Regional Development Officer, West Bengal Tribal Development Co-operative Corporation Limited’;
- (e) “Executive Committee” means the Executive Committee set up under this scheme;
- (f) “Family” relating to a beneficiary shall be deemed to consist of the beneficiary, his/ her spouse, son up to 21 years of age including stepsons, unmarried daughter including stepdaughter, widowed daughter if residing with the beneficiary, dependent parents, the widow and children of a deceased son, if any and brothers below the age of 18 years and unmarried or widowed sister;
- (g) “Form” means a form appended to or to be notified under this scheme;
- (h) “*Kendu* leaves Collector” means a person belonging to Scheduled Tribe who is engaged in collection of *Kendu* leaves and who has completed 18 years of age but has not completed 60 years of age and to whom this scheme applies;
- (i) “Registration Officer” would mean the Manager or any other authorised official in his absence, as the case may be, of the concerned Large Sized Multipurpose Co-operative Society (LAMPS);
- (j) “State Government” means the Government of West Bengal in the Tribal Development Department.

4. **Executive Committee, powers, duties and functions.**— (1) The Government shall constitute an Executive Committee for smooth implementation of the scheme which shall consist of the following members —

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| (a) Shri Chudamani Mahato, MLA, Gopiballavpur | — | Chairman; |
| (b) Shri Birsa Tirkey, Member, Tribes Advisory Council | — | Vice Chairman; |
| (c) The Chairman of West Bengal Tribal Development Co-operative Corporation Limited | — | Member; |
| (d) an officer of the Tribal Development Department not below the rank of Joint Secretary | — | Member; |
| (e) an officer of the Tribal Development Department not below the rank of Deputy Secretary | — | Member; |
| (f) Managing Director, West Bengal Tribal Development Co-operative Corporation Limited | — | Chief Executive Officer and Member Convener; |
| (g) 03(three) members from Large Sized Multipurpose Co-operative Society (LAMPS), of which two will be employees of LAMPS and one Board of Director of LAMPS | — | Members; |
| (h) any other person as may be considered by the Government | — | Member. |

(2) The Executive Committee shall —

- (a) administer the West Bengal *Kendu* leaves Collectors Social Security Scheme, 2015;
- (b) manage the fund and spend such sum as it thinks fit for the purposes of the scheme;
- (c) examine, sanction or reject the cases presented before it by the Chief Executive Officer for payment of benefits to the registered members and accord approval or reject any application for inclusion of names under the scheme;
- (d) keep proper accounts of all receipts and expenses under the scheme;
- (e) arrange to audit the accounts maintained under the scheme;
- (f) submit annual budget to the Government for approval;
- (g) submit annual report along with the audit report on accounts for the last accounting year through Chief Executive Officer to the Government on the working of the scheme;
- (h) furnish information to the State Government through Chief Executive Officer as may be required from time to time;
- (i) make recommendations to the Government regarding modifications of the scheme.

(3) The Executive Committee may —

- (a) specify forms for records, registers and statements, if required, in addition to such of those forms, records, registers and statements appended to or to be notified under this scheme;
- (b) adopt procedures for implementation of the scheme.

5. **Official set up under the Scheme.**— There will be an official set up under the Chief Executive Officer. Existing staff of West Bengal Tribal Development Co-operative Corporation shall be entrusted to deal with all the activities under the scheme.

6. **Administrative and financial powers of the Chief Executive Officer.**— (1) The Chief Executive Officer shall sanction all expenditure on contingencies, services and purchase of articles to a limit as may be decided by the Executive Committee.

(2) The Chief Executive Officer shall also exercise such other administrative and financial powers as may be delegated to him by the Executive Committee.

7. **Registration of the Kendu leaves Collectors.**— (1) The Chief Executive Officer of the Executive Committee under the scheme is authorised to function as registering authority.

(2) A *Kendu* leaves Collector willing to join under this scheme shall apply to the Registration Officer in Form-I for registration. Forms for registration shall be submitted at such places, offices as may be notified. No registration fees will be required for such Registration.

(3) If the registering authority is satisfied regarding the submissions made in such applications, he shall issue a registration certificate in Form-II declaring him/her as a beneficiary under the scheme from the date of application. Such certificate will also contain a synopsis of the benefits admissible under the scheme;

(4) He shall also be provided with an Identity Card containing the full name of the beneficiary and other relevant particulars name, age on the date of registration details;

(5) If the registering authority is of the opinion that the application for registration is not in order, the application shall be rejected.

8. **Cancellation of registration.**— (1) No such registration shall be cancelled without giving the applicant a reasonable opportunity of being heard;

(2) Every person whose registration has been cancelled shall forfeit all his claims under the scheme.

9. **Intimation of change.**— (1) If any registered collector who discontinues collection of *Kendu* leaves permanently, shall within a period of thirty days intimate to the Registering Authority. In such cases he shall not be eligible to receive any benefit under the scheme.

(2) If any registered collector leaves the place of residence, he/she may intimate the change of residential address to the registering authority.

10. **Financial Assistance to beneficiary of Scheme.**— (1) A lump sum amount of financial assistance shall be allowed to a beneficiary who has been a registered beneficiary under the scheme for a period of not less than two years and has attained 60 years of age, as per the following slab:—

- (a) two years and above and upto five years, Rs. 50,000/-;
- (b) above five years and upto ten years, Rs. 1,00,000/-;
- (c) above ten years, Rs. 1,50,000/- ;

Provided that in some exceptional cases due to total permanent disablement of a beneficiary the Executive Committee may allow financial assistance before completion of 60 years of age at such rate and on such terms and conditions as may be decided by the Executive Committee.

11. **Assistance on death and permanent disablement.**— (1) A nominee/legal heir of a beneficiary shall be entitled to a relief of —

- (a) rupees 1,50,000 (one lakh fifty thousand) only, in cases of death of the beneficiary arising out of an accident;
- (b) rupees 50,000 (fifty thousand) only, in cases of normal death of the beneficiary.

(2) Relief in cases of permanent disability or partial disability arising from any accident will be allowed to a beneficiary in the following manner;

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| (a) loss of one hand from elbow | Rs. 25,000.00/-; |
| (b) loss of one leg below the knee | Rs. 25,000.00/-; |
| (c) loss of one eye | Rs. 25,000.00/-; |
| (d) loss of total hearing capacity- one ear | Rs. 25,000.00/-; |
| (e) loss of thumb | Rs. 9,000.00/-; |
| (f) loss of any other finger | Rs. 4,000.00/-. |

Explanation.—(1) For the purposes of this provision, accident cases under serial (a), (b), (c) and (d) will be treated as permanent disability and the cases at (e) and (f) will be treated as partial disability.

(2) In cases of multiple natures of disablement, relief will be calculated on the basis of total disablement subject to a maximum of Fifty Thousand rupees.

(3) No assistance under this provision shall be allowed if such death or permanent disablement was —

- (a) caused by intentional self injury, suicide or attempt to suicide, insanity or immorality or if the member was under influence of intoxicating liquor, drug or narcotic or;
- (b) caused by injuries resulting from riots or civil commotions of any kind.

12. Medical benefit for major ailments.—(1) A beneficiary or any member of his family suffering from serious ailments like Tuberculosis, Cancer, Leprosy, Cardiac problems, malfunctioning of kidney(s), Thalassemia or Liver diseases requiring hospitalization and treatment shall be allowed relief up to a maximum of Rupees twenty thousand per annum per beneficiary;

(2) In cases of major surgery additional relief up to Rupees sixty thousand only shall be allowed.

Explanation.— No beneficiary shall be entitled to assistance exceeding Rupees eighty Thousand in a block of four years.

(3) Actual amount of relief under this provision shall be such as may be decided by the Executive Committee in consideration of the nature of ailment and on the basis of a certificate from the hospital where such treatment was conducted.

13. Maternity benefit.— A relief of Rs. 6,000/- shall be allowed to a beneficiary on successful delivery of a child or miscarriage, as the case may be, on the basis of a certificate from a registered medical practitioner provided that such delivery has been in a hospital and that such benefit shall not be allowed more than twice.

14. Funeral expenses.— Assistance of Rupees 3000/- (three thousand) would be allowed for funeral expenses in cases of death of the beneficiary.

Explanation.— Application for such assistance shall be made alongwith application for relief for accidental/ normal death of the beneficiary.

15. Administration of Claims.— (1) The concerned Registration Officer under this scheme is authorised to receive all claims within his jurisdiction as 'Authorised Officer';

(2) No claim except those as provided under Clause-13 above shall be admissible from a beneficiary if he/ she has not been a beneficiary under the scheme for at least six months;

(3) All applications for claims under this scheme shall be submitted in triplicate to the "Authorized Officer" in Form-III;

(4) On receipt of such application the Authorized Officer shall process the claim in such manner as may be decided by the Executive Committee;

(5) He shall then forward the case to the Chief Executive Officer for sanction;

(6) The Chief Executive Officer, if feels expedient, shall cause an enquiry into the case through the Enquiring Officer and if satisfied shall recommend the case for sanction by the Executive Committee;

(7) All payments shall be made through cheques / e-payment only.

Order

Ordered that a copy of this resolution be published in the Official Gazette and a copy of the same be sent to all concerned.

By order of the Governor,

S. K. THADE

Pr. Secy. to the Government of West Bengal.