

washing, repainting, external cleaning of the structure etc. The Railway Board have now been advised that the term "building operation" does not include the maintenance of a building. Accordingly the Board desire that steps may be taken to exclude the labour employed on the maintenance work of buildings such as those mentioned above from the scope of the notified minimum wage rates and also the provision of the Minimum Wages Act and the rules framed thereunder.

It has been decided therefore that para. 3 of Chapter XXXI of the Indian Railway Establishment Manual should be amended as in the advance correction slip enclosed.

**Advance Correction Slip to Indian Railway Establishment Manual.**

*Advance Correction slip No. 139.*

**Chapter XXXI**

**Paragraph 3**

(1) Substitute the following for existing items (i) and (ii) of paragraph 3(a) :—

"(i) Employment on the construction or maintenance of roads or in building operations;

(ii) Employment in stone breaking or stone crushing."

(2) Substitute the following for existing paragraph 3 (b) :—

"In so far as employment on road construction is concerned, it covers new constructions as well as repairs and maintenance of existing roads. As for employment in building operations it covers construction of buildings, docks, wharfs jetties bridges, tunnels overhead tanks etc. The expression "building operations" however does not include the maintenance of a building dock, etc., viz. such operations as ordinary repair, cleaning, white washing, repainting, external cleaning of the structure etc. As such the staff employed on the maintenance work of buildings, docks etc. are excluded from the scope of the notified minimum wage rates and also the provisions of the Minimum wages Act and the rules framed thereunder."

(Railway Board's letter No. E(LWA)65AT/MW/1-11, dated 11-5-1966.)

**Serial No. 3474.—Circular No. 720E/O-X (Pension), dated 14-6-1966.**

**Sub.—Disbursement of Provident Fund dues payable to minors.**

A copy of Railway Board's letter No. 65ACII/21/3, dated 7-5-1966, along with its enclosures on the above subject is forwarded for information and necessary action.

Copy of Railway Board's letter No. 65ACII/21/3, dated 7-5-1966.

Sub.—Disbursement of Provident Fund dues payable to minor (s).

In terms of para. 1325 (3) A.I., the payment of provident fund and special contribution to provident fund dues on behalf of minor or minors, where no natural guardian of the minor or minors exists and where each minor's share after deducting Government dues etc., does not exceed Rs. 1,000/- can be made to the person considered fit by the Controlling officer to receive payment on behalf of the minor or minors without requiring him to produce a guardianship certificate provided he executes a bond signed by two sureties agreeing to indemnify the Railway against subsequent claims which might arise.

With a view to expediting disposal of settlement cases of railway employees the President has been pleased to decide that the payment of provident fund money, including special contribution to provident fund, to the extent of Rs. 5,000/- (or the first Rs. 5,000/- where the amount payable exceeds Rs. 5,000/-) on behalf of each minor where no natural guardian exists can be made to the person considered fit by the Controlling Officer to receive payment on behalf of the minor or minors without requiring him/her to produce a guardianship certificate provided he/she executes a bond signed by two sureties agreeing to indemnify the railway against any subsequent claims which might arise. The balance in excess of Rs. 5,000/-, if any, would be payable in accordance with the normal rules i.e. on production of certificates of guardianship.

The Board desire to emphasize that in the absence of a natural guardian there should be adequate *prima facie* grounds for making payment to the person claiming it. Such ground can exist only if he/she is shown by a sworn declaration to be *de facto* guardian and his/her bonafides have been ascertained. Even if a guardian has not yet been appointed by the court, if the minor and his property are in the custody of some person, such person is in law a *de facto* guardian. The authorities making payment should therefore require the person who comes forward to claim payment on behalf of the minor to satisfy them by an affidavit, that he/she is in charge of the property of the minor and is looking after it or that if the minor has no property other than the provident fund money the minor is in his/her custody and care. The affidavit is to be produced in addition to the indemnity bond with suitable sureties.

Advance correction slip No. 50 A.I. to the Indian Railway Code for the Accounts Department Part I.

Para. 1325 (3).

Substitute the following for the second sentence of this rule which reads "In cases where no natural guardian.....against any subsequent claims which might arise."

"In cases where no natural guardian of minor or minors exists, the payment of the share of each minor, after deduction of Government dues, etc., of the Provident Fund money (including special contribution to Provident Fund) to the extent of Rs. 5,000/- (or the first Rs. 5,000/- where the amount payable exceeds Rs. 5,000/-) may be made to the person considered fit by the Controlling Officer to receive payment on behalf of the minor or minors without requiring him/her to produce a guardianship certificate provided he/she executes a bond signed by two sureties agreeing to indemnify the railway against any subsequent claims which might arise. The person claiming payment on behalf of the minor or minors should also be required to produce an affidavit that he/she is in charge of the property of the minor or minors

and is looking after it or that if the minor or minors has/have no property other than the provident fund money the minor or minors is/are in his/her custody and care. The balance in excess of Rs. 5,000/- if any, would be payable in accordance with the normal rules, i.e. on production of certificate of guardianship".

(Railway Board's letter No. 65ACII/21/3, dated 7-5-1966).

**Serial No. 3475.—Circular No. 831-E/81-IV(Eiv), dated 21-6-1966.**

**Sub.—Recognition of Technical & Professional Qualifications.**

A copy each of the following office Memoranda from the Ministry of Education, received under Railway Board's letter No. E (NG)66RR1/7, dated 21-4-1966 is forwarded for information & guidance :—

(1) No. F. 18-33/61-T-2, dated 28-2-1966.

(2) No. F. 18-90/61-T.2, dated 21-3-1966.

*Copy of O.M. No. F. 18-33/61-T-2, dated 28-2-1966 from the Ministry of Education, New Delhi.*

**Sub.—As above.**

In pursuance of the general principles laid down by the Board of Assessment for Technical and Professional Qualifications, the Government of India have decided to recognise provisionally a pass in the final examination for Diplomas of Licentiate in Civil Engineering, Mechanical Engineering and Electrical Engineering awarded by the Board of Technical Examinations, Mysore, in respect of the students trained at under mentioned institutions, for purposes of recruitment to subordinate posts and services under the Central Government in the appropriate fields.

1. Government Polytechnic, Bidar.
2. Government Polytechnic, Bijapur.
3. Government Polytechnic, Krishnarajapet.
4. Government Polytechnic, Kushalnagar.
5. Government Polytechnic, Raichur.

*Copy of O.M. No. F.18-90/61-T. 2, dated 21-3-1966 from the Ministry of Education.*

**Sub.—As above.**

In pursuance of the general principles laid down by the Board of Assessment for Technical and Professional Qualifications, the Government of India have decided to recognise provisionally a pass in the final examination for diplomas