

Assam Factories Welfare Officers(Recruitment and Conditions of Service) Rules 1950

Rules prescribed under section 49 (2) and section 50

Rules 75-A enforced vide notification No. GLR.118/51/58. dtd. 8.7.1952

1. Short title and commencement — (1) These rules may be called Welfare Officers (Recruitment and Conditions of Service) Rules, 1950.

(2) They shall come into force on such date as the State Government may, by notification in the official Gazette appoint in this behalf.

2. Definitions— In these rules, unless the context otherwise requires —

(a) “Act” means the Factories Act, 1948 (LXII of 1948)\

(b) The expressions “factory” and “occupier” have the meanings respectively assigned to them in the Act.

3. **Number of Welfare Officers** — There shall be one Welfare Officer for factories employing between 500 to 2,000 workers per day. Where, the number of workers exceed 2,000 there shall be an Additional Welfare Officer for every additional two thousand workers or fraction thereof over 500. Where there are more than one Welfare Officers, one of them shall be called the Chief Welfare Officer and the other Assistant Welfare Officers.

4. **Qualifications** — A person shall not be eligible for appointment as Welfare Officer, unless he — (a) possesses a degree of a University, recognised by the State Government in this behalf, (b) has obtained a Degree or Diploma in Social Science from any institution recognised by the State Government in this behalf; and (c) has adequate knowledge of Assamese and Hindi and of the language spoken by the majority of the workers in the factory to which he is to be attached:

Provided that in the case of person who is acting as a Welfare Officer at the commencement of these rules the State Government may, subject to such conditions as it may specify, relax all or any of the aforesaid qualifications:

Provided further that while preference shall be given to those having a Diploma, the State Government may grant exemption in suitable case until such time as

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better facilities in the matter of training in Social Science are made available throughout the country.

*Enforced sub rule
(5)(6) and (7) of Rule
75(A) vide Notification
No. : GLR.159/88/25
dt : 10-04-1991*

5. Recruitment of Welfare Officers — (1) The post of a Welfare Officer shall be advertised in at least two news papers having a wide circulation in the State one of which shall be an English news paper.”

(2) The selection shall be made from among the candidates applying for the post by a committee appointed by the occupier of the factory.

(3) The appointment when made shall be notified by the occupier to the State Government or such authority as the State Government may specify for the purpose, giving full details of the qualifications, *etc.* of the officer appointed and the conditions of his service.”

6. Conditions of Service of Welfare Officers — (a) A Welfare Officer shall be given appropriate status corresponding to the status of the other executive heads of the factory and he shall be started on a suitable scale of pay given to the other executive heads of the Factory as per respective services Rules/Regulations of the employer/occupier.

(b) The conditions of service of a Welfare Officer shall be the same as of other members of the staff of corresponding status in the factory:

Provided that, in the case of discharge or dismissal, the Welfare Officer shall have right of appeal to the State Government whose decision thereon shall be final and binding upon the occupier/employer :

Provided further that before disposal of such an appeal the State Government may give a hearing to the occupier/employer concerned.

7. Duties of Welfare Officer — The duties of Welfare Officer shall be -

(a) to establish contacts and hold consultations with a view to maintaining harmonious relations between the factory management and workers;

(b) to bring to the notice of the factory management the grievances of workers, individual as well as collective, with a view of securing their expeditious redress and to act as a liaison officer between the management and labour;

c) to study and understand the point of view of labour in order to help the factory management to shape and formulate labour policies and to interpret these policies to the workers in a language they can understand;

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(d) to watch industrial relations with a view to using his influence in the event of a dispute between the factory management and workers and to help to bring about a settlement by persuasive effort;

(e) to advise on fulfilment by the management and the concerned departments of the factory of obligations, statutory or otherwise concerning regulation of working hours, maternity benefit, medical care, compensation for injuries and sickness and other welfare and social benefit measures;

(f) to advise and assist the management in the fulfilment of its obligation statutory or otherwise, concerning prevention of personal injuries and maintaining a safe work environment, in such factories where a Safety Officer is not required to be appointed under the enabling provisions under Section 40B;

(g) to promote relations between the concerned departments of the factory and workers which will bring about productive efficiency as well as amelioration in the working conditions and to help workers to adjust and adopt themselves to their working environments;

(h) to encourage the formation of Works and Joint Production Committees, Co-operative Societies and Welfare Committees, and to supervise their work;

(i) to encourage provisions of amenities such as canteens, shelters for rest, creches, adequate latrine facilities, drinking water, sickness and benevolent scheme payments, pension and superannuation funds, gratuity payments, granting of loans and legal advice to workers;

(j) to help the factory management in regulating the grant of leave with wages and explain to the workers the provisions relating to leave with wages and other leave privileges and to guide the workers in the matter of submission of application for grant of leave for regulating authorised absence;

(k) to advise on provision of welfare facilities, such as housing facilities, foodstuffs, social and recreational facilities, sanitation, advice on individual personnel problems and education of children;

(l) to advise the factory management on question relating to training of new starters, apprentice workers on transfer and promotion, instruction and supervisors, supervision and control of notice board and information bulletins to further education of workers and to encourage their attendance at technical institutes; and

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(m) to suggest measures which will serve to raise the standard of living of workers in general, and promote their well-being.

7A. Welfare Officers not to deal with disciplinary case or appear on behalf of the management against workers. No Welfare Officer shall deal with any disciplinary cases against workers or appear before a conciliation officer in a Court or Tribunal on behalf of the factory management against a worker or workers.”

8. *Power of exemption* — The State Government may, by notification in the official *Gazette*, exempt any factory or class or description of factories from the operation of any of the provisions of these rules subject to compliance with such alternative arrangements as may be approved.