

Minutes of the 90th meeting of the Committee of Management of the Seafarers' Welfare Fund Society held on 03.02.2020 at 15.00 hrs.

The 90th meeting of the Committee of Management (COM) of the Seafarers' Welfare Fund Society (SWFS) was held on 03.02.2020 at 15.00 hrs. in the Conference Hall of the Directorate General of Shipping, Kanjurmarg (East), Mumbai. The meeting was presided over by Shri Amitabh Kumar, IRS, Director General of Shipping and Addl. Secretary to the Govt. of India and Chairman of the Committee of Management of the SWFS.

2. List of participants in the meeting is placed at Annexure-I hereto (1 page).

Leave of absence was granted to Shri Abdulgani Serang, Capt. C. Carvalho, Capt. Kenneth G. Sajnani and Capt. A. Chattopadhyay, who could not attend the meeting. Capt. Mahesh Yadav and Capt. S.M. Halbe attended the meeting on behalf of Capt. A. Chattopadhyay and Capt. C. Carvalho..

3. The Member Secretary informed that Shri Vatsalya Saxena, DDG, has been nominated as Vice-Chairman of the society and introduced him to other COM members. Thereafter the Chairman welcomed all the members present at the meeting and the agenda items were taken up for discussion and following is the brief of the deliberations/discussions and decisions taken during the meeting.

4.1. Item No.1 : Confirmation of the minutes of 89th meeting of the Committee of Management held on 10.04.19:

- 4.1.1. It was informed that the 89th meeting of the Committee of Management of the SWFS was held on 10.04.19, and the minutes were circulated vide letter dated 23.4.2019. No written comment was received formally, until this 89th meeting from any member.

- 4.1.2. The COM members concurred with the minutes so circulated and unanimously confirmed the same.

(NO ACTION)

4.2. Item No. 2 : Action taken Report- (ATR) on decisions taken at the 89th meeting of COM held on 10.04.2019

4.2.1. Information was given regarding action taken on the agenda items discussed during the 89th meeting of the COM held on 10.04.2019 and on pending items of previous COM meetings. It was informed that agenda item no. 12 is placed as separate agenda item No. 14 of this meeting for further appraisal.

4.2.2. The COM members observed that the action on the decisions arrived at 89th COM meeting for agenda item nos. 4.2.3, 4.4., 4.5, 4.9, 4.10, 4.11 and 4.13 have been implemented by the Society and confirmed the same.

4.2.3. While discussing on ATR item No. 4.2.3, the COM members were informed that the Society issued letters to the Official Liquidators of two Co-operative Banks i.e. (i) Chetna Co-operative Bank Ltd., (ii) Vinkar Sahakari Bank Ltd. to provide the latest status of liquidation process. The Society also issued a letter to the Additional Registrar Co-Operative Society, Maharashtra State (Recovery & Planning) Commissioner for Co-operation, Co-Operation Department of Govt. of Maharashtra, Pune. It was informed that bad investment made in Kolhapur Zilha Janata Sahakari Bank Ltd. has been written off during Fin. Year 2018-19 after obtaining the opinion of our internal auditors. The details are given in the agenda item No.3 of this meeting. Further, a provision of Bad & Doubtful investments in respect of investment made in ILFS Transportation Network Ltd. has been made during FY 2018-19. The details are given in the agenda item No.7 of this meeting.

4.2.4. While discussing ATR Item No. 4.7, the COM members were informed that, the services of fund managers i.e. M/s. SBI Funds Management Pvt. Ltd has been further extended for period of six months from 1.10.2019 to 31.3.2020 with the approval of the Chairman, as the process of appointment of consultant is still in process. The COM after discussions approved the extension of the services of fund manager upto 31.3.20.

It was informed that the SWF Society issued a letter to the Ministry of Shipping, GoI, on 17th January, 2020 requesting them to nominate the officer to represent

the Ministry on "Consultancy Evaluation Committee" (CEC) at the earliest, for which the reply is awaited. Evaluation of the technical parameters will be carried out in the meeting of the CEC and after their confirmation the financial bid will be opened. The Chairman then requested Shri S. Mital, Dy. Secretary, representing the Ministry on the COM, to look into the issue and nominate the officer for Consultancy Evaluation Committee, at the earliest.

4.2.5 While discussing ATR Item No. 12, the COM members were informed that, as directed the SWF Society had written letters to all the associations / unions requesting them to provide the details of the various welfare schemes implemented by their organization. Accordingly the SWF Society received a letter dated 30.09.2029 from MASSA stating that MASSA does not operate any such schemes for seafarers and no replies or communications were received from other unions. The CAAO informed that, regarding new Welfare Schemes a separate agenda item no.14 is placed in this meeting.

4.3. Item no.3 : To consider the summary of the observations of the Internal Auditors Report for the period from 1.1.19 to 31.3.2019 and 1.4.2019 to 30.6.2019 along with the explanation of SWFS.

4.3.1. The COM members were informed that during the year under review the Society has written off Rs.1,59,56,287.65 deposited in Fixed Deposit held with Kolhapur Zilha Janata Sahakari Bank Ltd as the Society had already received the Claim of Rs.1 lakh from Deposit Insurance Credit Guarantee Corporation (DICGC). The Internal Auditors has also recommended in their report to write off the same. Accordingly, the amount of Rs. 1,59,56,287.65 deposited in fixed deposit with Kolhapur Zilha Janata Sahakari Bank has been written off from the books during Financial year 2018-19.

The COM after discussions approved the write off of the amount deposited with Kolhapurn Zilha Janata Sahakari Bank Ltd.

4.3.2. The COM members were informed that the confirmation letters from the Official Liquidators of M/s. Chetana Co-operative Bank Ltd (In Liquidation) and M/s. Vinkar Sahakari Bank Ltd (In Liquidation) for settlement of its claims as per

Maharashtra State Co-operative Societies Act, 1960 were obtained earlier. The Society invested a sum of Rs.3,49,00,000/- and Rs.45,00,000/- respectively, with those banks. The Society has issued letter to the Assistant Registrar, Co-operation department, Govt. of Maharashtra to provide the progress of the liquidation of those two banks.

The Internal Auditors opined that in those two banks during the pendency of the liquidation process the amount need not be written off to continue our claim. Once the confirmation for completion of liquidation process is received from the Official liquidation or the concerned department of the Govt. of Maharashtra, the society may process for write off of those investments. The COM members noted the same.

- 4.3.1. The members of the Committee of Management have gone through the other comments / observations of the Audit Sub-committee and noted the same.

(NO ACTION)

4.4. Item no.4 : To analyse the Statutory Auditor's Report, Balance Sheet and Income & Expenditure Statement and Annual Report of the SWFS for the Financial Year 2018-19.

- 4.4.1. The members of the Committee of Management have gone through the annual accounts of the SWFS for the FY 2018-19, the Statutory Auditor's report and observations of the Audit Sub-committee and noted it.
- 4.4.2. The Vice-Chairman observed that, an amount of Rs.35, 14,140.43 is accounted as Tax Deducted at Source during FY 2018-19, on interest income earned on investments made of Gratuity fund. The CAAO informed the members, that this is due to delay in getting the Certificate u/s.197 of the Income Tax Act from the Income Tax Department for nil deduction of tax on interest payment to society. The Vice-Chairman suggested that the application for the certificate u/s.197 for nil deduction of TDS should be made in first week of April of the financial year and the reference of the same may be submitted to the IRS cadre officers

deputed in the DGS office so that they can follow-up with the Income Tax Department to get the certificate in time to the SWFS. The Vice-Chairman directed the CAAO to ensure the application u/s 197 for FY 20-21 is made in first week of April'20 and the reference of the same be forwarded to him.

4.4.3. The COM members observed that in the Annexure to Auditor's Report the statutory auditor has remarked that there is no procedure of collecting administrative charges at a certain percentage of gratuity contributions from shipping companies. Instead the society has, as per procedure in vogue, transferred an amount of Rs. 11654600/- (which is 5% of the interest income earned on the investment of gratuity funds during the year 2017-18) from the Gratuity account for meeting the administrative expenses in terms of decision taken during the 86th meeting of the COM of the SWFS held on 10.4.2018.

4.4.4. It was informed that the shipping companies are depositing the gratuity of seafarers (ratings only) as per procedural arrangement made in the National Maritime Board agreement, and in the said agreement there is no provision for making administrative charges separately. Hence, to manage the seafarers' gratuity fund and seafarer-wise gratuity accounts, the COM in its 69th COM meeting held on 17.6.2011 decided that 5% of interest income earned on investment of Gratuity fund, in the previous year, is to be transferred to Administration fund to manage the administrative expenses. Hence, every year for transfer of 5% of interest income earned on investment of gratuity fund to Administration fund, the approval of the COM is obtained by the society. Hence, the statutory auditors are continuing their note in their report every year. The COM members agreed that this administrative charges are required for managing the seafarers gratuity amount and hence, need to be regularized either by passing a resolution or making rule or any other way, to avoid such remarks by the statutory auditors in future.

4.4.5. The Chairman directed the Member Secretary & Member Treasurer to suggest regularizing the transfer of administrative charges from Gratuity fund to administration fund.

4.4.6. The members of the Committee of Management after going through the annual accounts of the SWFS for the FY 2018-19, the Statutory Auditor's report and observations of the Audit Sub-committee noted that there is no adverse comments from the Statutory Auditors in their report and unanimously approved the accounts and decided to adopt the annual accounts of the SWFS along with the Statutory Auditor's Report and the Annual Report of the SWFS for the Financial year 2018-19.

(ACTION : MEMBER SECRETARY)

4.5. **Item No.5: To consider and approve Revised Budget estimates for Financial Year 2019-20 and Budget Estimates for Financial Year 2020-21.**

4.5.1. The members of the COM have gone through the Original Budget Estimates, the revised Budget Estimates for financial year 2019-20 and budget estimates for the financial year 2020-21.

4.5.2. Shri S. Mital, Dy. Secretary observed that the society has made the budgetary provision of Rs.34.80 lacs and Rs.2 lacs towards Office Rent and Electricity charges respectively and sought the reason for the budgetary provisions. It was informed that the SWFS was allowed to function from the ground floor of Nau Bhavan Building from June, 2008 and recently the SWFS received a notice from the Office of the Estate Manager, Govt. of India, Mumbai for making rent payment @ Rs. 210/- p.m./per sq.ft. occupied by SWFS, (which is more than 10 times the rent charged to Government departments) and hence the budgetary provision towards rent is made. Further the electricity meter from where the electricity is supplied to SWFS is in the name of Shipping Master, GSO, Mumbai and the electricity bills are paid by the Govt. Shipping Office. Hence the approximate budgetary provision of Rs. 2 Lacs is made towards electricity expenses, if the same is demanded by the Govt. Shipping Office, Mumbai.

4.5.3. The Member Treasurer informed that, the Nau Bhavan building is allotted to the Shipping Master, Government Shipping Office, Mumbai, and as per the instructions of the Directorate General of Shipping, who is ex-officio Chairman of

SWFS, the part of ground floor premises of Nau Bhavan has been given to SWFS for its office functioning. However, the Office of the Estate Manager, on their routine verification of the Nou Bhavan building noticed that Seafarers' Welfare Fund Society has been functioning in the ground floor premises, without their knowledge and sent notice to the Society to pay rent at the market rate, and the matter is yet to be finalized, hence a sum of Rs.34.80 lacs budgetary provision is made in the budget estimates.

4.5.4 Shri S. Mital, Dy. Secretary, then, said that, the SWFS is an autonomous body administratively under control of Ministry of Shipping, Govt. of India and is the part of the Directorate General of Shipping, Mumbai and hence the issue needs to be taken up with the Office of the Estate Manager, Gol, Mumbai, accordingly to charge only as per rates applicable to Government departments/ bodies. The Chairman then directed the Member Treasurer to accordingly take up the issue with the Estate Department, Mumbai Gol on priority basis.

4.5.5. The Vice-Chairman suggested that in the budget estimates, showing Rs. 34.80 lacs as Rent & Taxes provision, it should be nomenclatured as 'contingent liability' in the budget estimates. The COM members and the Chairman agreed to the suggestion and directed CAAO to change the same accordingly.

4.5.6. The Committee of Management, thereafter, approved the Revised Budget Estimates for the Financial Year 2019-20 and Budget Estimates for the Financial Year 2020-21.

(ACTION : MEMBER TREASURER)

4.6. Item No.6. To consider re-appointment of M/s. N.J. Jawker & Co, Chartered Accountants as Statutory Auditors of the Society for the Financial Year 2019-2020 to 2020-2021.

4.6.1. The members of the Committee of Management have gone through the agenda.

4.6.2. The COM members were informed that M/s. N. J. Jawker, CAs were appointed as a Statutory Auditors of the Society for three financial years from 2016-17 to 2018-19 on yearly renewal basis and on consolidated audit fees of Rs.40,000/-

per annum plus out of pocket expenses at actual restricted to 10% of yearly audit fee, plus service tax as applicable for the first year and thereafter, an increase of 10% in the audit fees over the previous years. The three years' statutory audit tenure of M/s. N.J. Jawker & Co., CAs expired on completion of audit of financial year 31.3.2019. M/s. N.J. Jawker & Co., have submitted a letter dated 17.10.2019 requesting the Management to re-appoint them as statutory auditors for two more financial years i.e. 2019-20 & 2020-21 and have referred the amendment to section 139 of Companies Act 2013, where the periodicity of companies statutory auditors have been extended from three to five years period

4.6.3. The Chairman, enquired whether, there is an order to give them an extension for another two years since, they have completed three years term and the Statutory Auditors are normally appointed for three years period. The CAAO informed that as per the amendment to Section 139 of the Companies Act 2013, the periodicity of companies statutory auditors have been extended from three to five years period. CAAO further, informed that the COM in its previous meeting held on 10.04.2019 approved the statutory audit fees is Rs.48,400/- plus out of pocket expenses at actual restricted to 10% of audit fees plus applicable taxes for the financial year 2018-19. Further, it was also informed that the matter was placed as one of the agenda item in the 29th Audit Sub-Committee meeting of SWFS held on 2.12.2019 and ASC agreed to recommended to the COM for reappointment of M/s. N.J. Jawker & Co, CAs as statutory auditors for two more financial year i.e. 2019-20 and 2020-21 on a remuneration of Rs.48,400/- for financial year 2019-20 and Rs.53,240/- for financial year 2020-21, plus applicable Goods & Service Tax (GST) and out of pocket expenses at actual restricted to 10% of yearly audit fees.

4.6.4. After, discussion and deliberation, the members of the COM unanimously decided for re-appointment of M/s. N.J. Jawkar & Co., Chartered Accountants as Statutory Auditors of SWFS for the financial year 2019-20 only on consolidated audit fees of Rs.48,400/- plus applicable GST and out of pocket expenses at actual restricted 10 % of yearly audit fees. Chairman directed CAAO to invite the quotations for engaging the statutory auditors for FY 2020-21 onwards.

(ACTION - CAAO)

4.7. Item no.7 : Appraisal of the investments of SWFS funds made by the Fund Manager and the investment profile of the SWFS funds as on 30.09.2019.

4.7.1. The COM members have gone through the investment details.

4.7.2. Shri S. Mital, Dy. Secretary observed that the funds of the SWFS amounting to Rs. 5 crores are invested in Non-convertible debentures of M/s. ILFS Transportation Network Ltd, the subsidiary of M/s. ILFS Ltd, which has been referred to NCLT as it defaulted on the payment of interest to the creditors. He enquired for possibility of out of court settlement or any offer from the new Board of directors. The CAAO informed that, the future of the investments made in the ILFS Transportation Network Ltd, is unpredictable as on date and not able to settle the same out of court, as the matter has been referred to NCLT. As advised by our fund manager and after obtaining the opinion of our Internal Auditors, the society has made the provision for Bad & doubtful investment in our books of accounts as on 31.3.2019. It was informed that the Internal Auditors M/s. Dadheech Satish & Kapoor, vide their letter No .DSK/SMY/19-20/51 dated 10.09.2019 had given an opinion that Rs. 5 Crores invested with M/s. ILFS Transportation Networks Ltd is now difficult to recover the interest due and accrued and Principal amount in the 9.28% Non-Convertible Debentures (NCD) and advised to make adequate provision for this Non-performing and Doubtful Investment in the annual accounts of SWFS 2018-19. Accordingly, a provision of Rs.5 crores has been made towards Bad & Doubtful investment and Rs.23,39,058/- towards interest due but not received in the books of accounts as on 31.03.2019.

4.7.3. After discussion with the COM members the Chairman suggested writing to NCLT for early settlement of our claim, being a welfare society, for which we may seek the help of our Fund Manager.

4.7.4. Shri S. Mital, Dy. Secretary, while verifying the investment summary of Fund Manager, suggested adding columns of interest rate & maturity date against the investment made in the Govt. Securities & SDL etc.

4.7.5. The COM members perused the analytical report of investments held by the Fund Manager as on 30.09.2019 and the summary of total Investments of SWFS funds as on 30.09.2019 held by the SWFS & fund manager with various institutions, the rate of return earned on the investment during the period and the percentage of investment made in different categories and noted the same.

(ACTION - CAAO)

4.8. **Item No. 8 : To consider and approve the recommendation of Finance Sub-Committee to invest Admin Fund and Welfare Fund only in secured instruments i.e. Government securities and Fixed Deposits with Nationalized Banks, so that the necessary instruction can be given to the Fund Manager.**

4.8.1. The Vice-Chairman- SWFS, who is the Chairman of Finance Sub-Committee informed that as far as Administration Fund and Welfare Fund are concerned there is no mandate to earn the profit but to secure the investment and hence, the excess amount of these two funds be invested only in secured instruments i.e. Government Securities or Bonds and fixed deposits with Nationalized Banks only. Further, on seafarers' gratuity fund, which is held by the SWFS as a trustee, the society is required to give the reasonable return on the gratuity fund, which needs to be at par with the rate of interest declared by the Government on its schemes like PPF etc. and hence, for investment of gratuity funds, the society should follow the guidelines notified by the Ministry of Finance Govt. of India.

4.8.2. The Members of the COM after deliberations and discussion approved the recommendation of Finance Sub-Committee to invest the Administration Fund and Welfare Fund only in secured instruments i.e. Government Securities and Fixed Deposits with Nationalized Banks only and the Gratuity Fund to continue to be invested as per the Ministry of Finance. Government of India guidelines

- 4.8.3. The Chairman directed to intimate the decision of the COM to the Fund Manager i.e. M/s. SBI Funds Management Pvt. Ltd to strictly follow the decision of the COM.

(ACTION : CAAO)

4.9. ITEM No.9 - TO OBTAIN THE EX-FACTO APPROVAL FOR HIRING OF CAR FOR THE OFFICIAL USE OF THE SEAFARERS' WELFARE FUND SOCIETY, MUMBAI.

- 4.9.1. The Members of the Committee of Management have gone through the agenda. The Members of the COM after discussion unanimously considered and accorded the Ex-facto approval for hiring a car for the official purpose of the SWF Society.

(NO ACTION)

4.10. ITEM No. 10 - TO PASS A RESOLUTION BY THE COMMITTEE OF MANAGEMENT AUTHORISING THE OFFICERS TO APPLY/SUBMIT AN UNDERTAKING-CUM-INDEMNITY FOR LEGAL ENTITY IDENTIFIER INDIA LTD REQUIRED BY THE FUND MANAGER I.E. SBI FUNDS MANAGEMENT PVT.LTD FOR PARTICIPATION IN GOVERNMENT SECURITIES MARKETS, MONEY MARKETS AND NON-DERIVATIVE FOREX MARKETS.

- 4.10.1. The members of COM went through the details given in the agenda for authorizing the officers to apply/submit an undertaking-cum-Indemnity for Legal Entity Identifier India Ltd as required by the fund manager i.e. SBI Funds Management Pvt. Ltd. for participation in Government Securities markers, money markets and non-derivative forex markets, as per RBI guidelines.

- 4.10.2. The COM members were informed that, the Fund Manager, M/s. SBI Funds Management Pvt. Ltd have processed the filing of the application on-line for opening of LEI account in favour of Seafarers' Welfare Fund Society and require further documents such as a Resolution from the Committee of Managements of Seafarers Welfare Fund Society and an Undertaking-cum-Indemnity.

4.10.3. The Members of the COM after discussion agreed to pass the Resolution and submit an Undertakings-cum-Indemnity, as required for complying with RBI Guidelines for trading in Government securities market and Equity market. However, the COM members were cautious about SWFS participation in non-derivate Forex market and after discussion agreed that SWF Society should not participate in Non-Derivate Forex Markets and accordingly, instruction should be given to our Fund Manager. Further, the SWF Society should also obtain the counter guarantee from our Fund Manager that they will not invest our Funds in Forex Markets or otherwise, except in Government Securities Markets & Money Markets (restricted to investment in Mutual Funds Units). The COM after discussion approved and authorized Shri Subhash Barguzer, Member Secretary, Shri Mukul Dutta, Member Treasurer and Shri Abdulgani Serang, Member-COM of the Seafarers' Welfare Fund Society, to sign all agreements, power of attorney, documents, writings, applications/online applications, indemnities, undertakings, correspondence and such other documents, as may be required from time to time, for the purpose of obtaining Legal Entity Identifier and to do and perform all such acts, deeds and things and deal with all such matters and take all such steps as may be necessary for the purpose of updating, modifying, renewing, porting or availing any other services with respect to the Legal Entity Identifier" and an Undertaking-cum-Indemnity to that effect and passed a Resolution and Undertaking-cum-Indemnity to that effect.

4.10.4. Accordingly, the following Resolution is passed and the Undertaking-cum-Indemnity to be submitted to the LEI India Ltd.

4.10.5. **COMMITTEE OF MANAGEMENT RESOLUTION**

"RESOLVED THAT approval of the Committee of Management of Seafarers' Welfare Fund Society be and is hereby accorded to the authorized persons as mentioned hereunder to apply for Legal Entity Identifier on behalf of the legal entity."

"RESOLVED FURTHER THAT following officials, Members of Committee of Management of the Seafarers' Welfare Fund Society, be and is hereby authorized to sign all agreements, power of attorney, documents, writings, applications/online

applications, indemnities, undertakings, correspondence and such other documents, as may be required from time to time, for the purpose of obtaining Legal Entity Identifier and to do and perform all such acts, deeds and things and deal with all such matters and take all such steps as may be necessary for the purpose of updating, modifying, renewing, porting or availing any other services with respect to the Legal Entity Identifier”.

Sr. No.	Name of Authorized Officials:	Email id for submission of online LEI Form
1	Shri Subhash Barguzer, Member Secretary, Seafarers' Welfare Fund Society,	barguzer-dgs@gov.in and swfs1966@gmail.com.
2	Shri Mukul Dutta, Member Treasurer, Seafarers' Welfare Fund Society	sm-mum-ship@gov.in swfs1966@gmail.com
3.	Shri Abudlgani Y. Serang, Member of Committee of Management, Trustee.	nusi@nusi.org.in

4.10.6.

Undertaking -cum - Indemnity

This deed of undertaking cum indemnity made at Mumbai by 1. Shri Subhash Barguzer, Member Secretary, residing at ----- 2. Shri Mukul Dutta, Member Treasure, residing at ----- and 3. Shri Abdulgani Y. Serang, Member, residing at -----
----- **M/s. Seafarers' Welfare Fund Society,** (Name of Legal Entity) (hereinafter referred to as the Legal Entity, which expression shall unless repugnant to the context or meaning thereof shall mean and include his or her heirs, executors, administrators and assigns or its successors and assigns) **registered under the Societies Registration Act, 1860 on 16.11.1964** having its registered office at **Seafarers' Welfare Fund Society, Nov Bhavan, Ground Floor, 10. R.K. Marg, Ballard Estate, Mumbai - 400 001** indemnify in favour of the **Legal Entity Identifier India Limited** (a company incorporated under the Companies Act, 2013) and having its registered office at **CCIL Bhavan, S. K. Bole Road, Dadar (West) – 400028** hereinafter referred to as LEIL (which expression shall unless it be repugnant to the context or meaning thereof mean and include its successors in title) as follows:

WHEREAS, we are a legal entity eligible to apply for a LEI (Legal Entity Identifier) to the LEIL.

We agree and undertake that we have read and understood the LEI Rules of the LEIL available on its website and have accepted them as a binding agreement between us and the LEIL.

In terms of LEI rules of LEIL, we have agreed to submit the following set of documents as applicable to our entity. (Kindly name the documents to submitted along with this Undertaking –cum-Indemnity)

1) PAN

2) Committee of Management Resolution

3) Certified copy of Societies Registration Act 1860 on 16.11.1964

We undertake and state, to the best of our knowledge and belief, that the above documents and also the information electronically submitted by us for obtaining the LEI to the LEIL are true and correct.

We consent to the submission and the use of PAN (Permanent Account No.) of the legal entities or authorized signatories of the Legal Entity as approved, for verification by LEIL for issuing, maintaining and renewing LEIs.

We consent to the submission and the use of CIN (Corporate Identity Number)/ LLP No. of our Company/Limited Liability Partnership respectively for verification by LEIL for issuing, maintaining and renewing LEIs and publishing the CIN/LLP No. on its website or the display of CIN/LLP No. on any other websites.

We also agree and undertake that the Legal Entity shall be held liable for any acts of omission or commission that any of the designated signatories mentioned below, acting in their official capacity or otherwise commit and the Legal Entity cannot absolve itself of any liabilities arising out of such conduct of the officials.

Sr. No.	Name of Authorized Officials:	Email id for submission of online LEI Form
1	Shri Subhash Barguzer, Member Secretary, Seafarers' Welfare Fund Society,	barguzer-dgs@gov.in and swfs1966@gmail.com.
2	Shri Mukul Dutta, Member Treasurer, Seafarers' Welfare Fund Society	sm-mum-ship@gov.in and swfs1966@gmail.com
3.	Shri Abudlgani Y. Serang, Member of Committee of Management, Trustee.	nusi @nusi.org.in and swfs1966@gmail.com

We shall indemnify LEIL and keep it indemnified and save harmless at all times against any and all claims, losses, damages, costs, liabilities and expenses incurred (including third party losses/damages/liabilities/claims), suffered or paid by LEIL or required to be incurred, suffered or paid by LEIL and also against all demands, actions, suits, proceedings made, filed or instituted against LEIL in connection with or arising out of the following:

- (i) Submission of incorrect, false or misleading information electronically over the website of LEIL.
- (ii) Submission of incorrect, false or forged physical documents.
- (iii) LEIL acting on the basis of wrong, incorrect, false information or documents to generate LEI or port LEI, modify, update the LEI, or publish LEI information.
- (iv) The wrong doings of the authorized representatives of the Legal Entity.

for Seafarers' Welfare Fund Society,

1. Name of Authorized Signatory: Shri Subhash Barguzer,

Designation: Member Secretary

Signature: _____

Place: Mumbai.

2. Name of Authorized Signatory: Shri Mukul Dutta,

Designation: Member Treasurer.

Signature: _____

Place: Mumbai.

3. Name of Authorized Signatory: Shri Abdulgani Y. Serang,

Designation: Member, Committee of Management, Trustee.

Signature: _____

Place: Mumbai.

(ACTION : CAAO)

4.11. Item no.11 : Appraisal of the present status of various legal cases filed against the SWFS:

4.11.1. The members of COM went through the details given in the legal cases Statement annexed to the agenda and noted the same..

4.11.2. Shri S. Mital, Dy. Secretary, Ministry of Shipping, GoI, advised to provide the details and the updates of all legal cases, to the nodal officer of the Administrative Ministry i.e. Ministry of Shipping, for its information.

(ACTION : CAAO)

4.12. Item No.12 To consider the request received from Seafarers' Unions for amendment to 'Old Age Benefit Scheme' in respect of eligibility age criteria for retired seafarers.

4.12.1 The members of COM went through the details given in the agenda for amendment to Old Age Benefit Scheme in respect of eligibility criteria for retired seafarers. The Welfare Committee members who were present in the meeting informed that as per the database provided in the Welfare Committee meeting, the WSC members assessed all the possibilities of including the seafarers ageing between 60 to 75 and noticed that due to large number of seafarers, there would be a heavy outflow of funds and would not be feasible at this moment to consider the request.

4.12.2 The Members of the COM agreed to the recommendation of the Welfare Committee that, the Old Age Benefit scheme was recently implemented and after seeing the performance of the said scheme, a review will be done by it in due course. The Chairman directed Member Secretary to issue a reply on the above lines to the Seafarers' Unions.

4.12.3. The Chairman directed the Member Secretary to bring the latest database of the seafarers from the DGS e-governance cell and be made available to the COM members to take appropriate decision on issues related to seafarers' welfare.

(ACTION : MEMBER SECRETARY)

4.13. Item No.13. To consider the recommendation of the Welfare Sub-Committee in respect of applications received under 'Survival Benefit Scheme' where the death of seafarers occurred after the stipulated period.

4.13.1 The members of COM gone through the details given in the agenda under the 'Survival Benefit Scheme' (SBS) in respect of the applications where the death of seafarer occurred within the stipulated period after sign off from the vessel, however the applications for the assistance were submitted late by the nominees of deceased seafarers. The COM members after going through the justification of the Welfare Sub-Committee for considering those cases, has agreed to condone the delay in submission of application and approved those five cases where there was delay in submission of application, considering the death of the seafarer occurred within the stipulated period after sign-off from last vessel.

4.13.2 The Members of the COM gone through the other list of rejected SBS cases where the death of the seafarer occurred after the stipulated period from the last sign-off date from the vessel, as per the rules of the scheme. The members have also gone through the recommendation given by the Welfare Sub-Committee. The Chairman stated that the rules of the welfare schemes are approved by the COM and there is no need to amend the same. Also, creation of separate fund for settling those cases which do not fit into eligibility criteria will lead to further vigilance and complication and hence it is not advisable, and hence those thirty five cases cannot be considered as eligible under the scheme.

4.13.3 Capt. S.M. Halbe informed that there are some cases, where the seafarers died due to critical diseases such as Cancer, which were detected within the 12 months period after sign off from last vessel and in such disease the seafarers after continuous treatment expired after 12 months period from last sign off date, then in such cases the society should consider, for providing financial assistance under the Survival Benefit scheme considering the disease/ailment was detected within 12 months period from the last sign off date. The COM members agreed to the views of Capt.S.M. Halbe, and decided that the Welfare Sub-Committee

may consider such issues for amending the rules of eligibility criteria under the Survival Benefit Scheme and recommend it to the COM for its consideration.

- 4.13.4 The Chairman directed the Member Secretary to consider the suggestion made by Capt.S.M. Halbe in the Welfare Sub-committee meeting and submit the recommendation in the next COM meeting. The Chairman further suggested finding out from the LIC to check if any scheme Like Group Insurance Cover, is available to cover death benefits.

(ACTION : MEMBER SECRETARY)

- 4.14 Item No.14. To consider the new Welfare Scheme recommended by the Welfare Sub-Committee i.e. 'Medical Insurance Assistance Scheme' & approve the same.**

- 4.14.1. The members of the Committee of Management went through the agenda in detail. The Chairman desired to know the number of seafarers who will be covered under this proposed scheme. It was informed that there are approximately 2.40 lacs active seafarers and 1.50 lacs retired seafarers or the wives of late seafarers will be covered under this new scheme, based on the seafarers' database available with the DGS. The Chairman then desired to know the approximate welfare fund contributions received per annum and the available welfare fund corpus of the society. It was informed that the society receives approximately Rs. 55 crores p.a. and the welfare fund corpus as on 30.9.2019 was Rs. 232 crores and the outflow under this proposed scheme would be Rs. 120 crores, if all active seafarers get the benefit of minimum Rs. 5000/- as recommended in the proposed scheme. ***The COM members noted that the Welfare fund corpus of the society as on 30.9.19 was Rs. 232 crores only and to implement multiple schemes for seafarers and their families, the existing welfare fund corpus is insufficient and hence more fund need to be collected by the society, so that the welfare schemes of the SWF Society can become viable & sustainable for a longer period.*** The COM members after discussion suggested reviewing the proposed scheme again.

- 4.14.2. After discussion with other COM members the Chairman stated that the proposed 'Medical Insurance Assistance Scheme' is good, however it should be

implemented for certain age-group, where it is much needed and also sustainable for longer time, considering the available welfare fund corpus and the fund inflow of the society. The COM members after detail discussions suggested that initially society may consider this scheme for age group 50 to 60 years and age group above 60 years and widows of seafarers.

- 4.14.3. The Chairman accordingly directed the Member Secretary to call for the Welfare sub-committee meeting immediately for considering the above suggestion and place the recommendation with the statistics of fund inflow and outflow on all schemes for the next ten years and the age-wise database of the seafarers also be made available to the members.

(ACTION : MEMBER SECRETARY)

4.15 Any other Items: (1)- ACTION AGAINST DEFAULTING COMPANIES WHICH DEFAULT PAYMENT OF WELARE FUND. GRATUITY AND PROVIDENT FUND.:

- 4.15.1. It was informed that the welfare fund contributions are required to be deposited on quarterly basis by the Indian Shipping companies and RPSL companies as per Govt. of India notifications, as per prescribed rates. The contributions are required to be deposited within 15 days after completion of a quarter. However, some companies are not depositing regularly and deposit the same as and when the IRS audit is scheduled, without any penalty, as there is no clause of penalty in the Govt. of India notifications.

Further, the Shipping companies are depositing the gratuity of seafarers (for ratings only), as per procedural arrangement made in the National Maritime Board agreement (NMB Agreement). Some companies also default in depositing the gratuity of ratings seafarers with the SWFS as per NMB agreement.

The SWFS issues letters to defaulting companies for deposit of welfare fund contributions, as the same is notified by Govt. of India. However, for non-

deposit of gratuity the SWFS cannot take any actions against defaulting companies as SWFS is not a party to the said agreement.

The Chairman directed that in such cases, the instances are to be brought to the notice of DGS and Shipping Master, who will issue letters to the concerned shipping company / RPSL Company for suspension of DOC or levying any penalty.

(ACTION MEMBER SECRETARY)

The meeting concluded at 18.30 hrs. with a vote of thanks to the Chair.

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Annexure-I

Members present at the 90th meeting of the Committee of Management of Seafarers' Welfare Fund Society (SWFS) held on 03.02.2020 at Mumbai.

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|------------------------------------------------|------------------------------------------|
| 1. Shri Amitabh Kumar, IRS, DG Shipping Gol | - Chairman, |
| 2. Shri Vatsalya Saxena, IRS, DDG, Gol | - Vice-Chairman |
| 3. Shri S. Mital, Dy.Secretary, MoS, Gol | - Member |
| 4. Shri S. Barguzer, DDG, DGS, Gol, | - Member Secretary |
| 5. Shri Mukul Dutta, Shipping Master, GSO, Gol | - Member Treasurer |
| 6. Capt. M. K. Patankar | - Member |
| 7. Capt. P.V.A. Correa | - Member |
| 8. Capt. B.K. Tyagi | - Member |
| 9. Shri L.P. Vimalson | - Member |
| 10. Shri Amarsingh Thakur | - Member |
| 11. Capt. Rajesh Tandon | - Co-opted Member |
| 12. Capt. M. Yadav | - On behalf of
Capt. A. Chattopadhyay |
| 13. Capt. S.M. Halbe | - On behalf of
Capt.C. Carvalho. |

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