

**CHENNAI PORT TRUST (CONTRIBUTORY LOSS IN WAGES COMPENSATION)  
REGULATIONS, 1989**

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**(PUBLISHED IN PART II SECTION 3  
SUB-SECTION (i) IN THE GAZETTE OF INDIA  
EXTRAORDINARY  
DATED THE 29<sup>TH</sup> SEPTEMBER, 1989)**

**GOVERNMENT OF INDIA  
MINISTRY OF SURFACE TRANSPORT  
(PORTS WING)  
NOTIFICATION**

New Delhi, the 29<sup>th</sup> September, 1989.

G.S.R. 866(E). In exercise of the powers conferred by sub-section (1) of Section 124 read with sub-section (1) of Section 132 of the Major Port Trusts Act, 1963 (38 of 1963) the Central Government hereby approves the Chennai Port Trust Employees' (Contributory Loss in Wages Compensation) Regulations, 1989 made by the Board of Trustees for the Port of Chennai and set out in the Schedule annexed to this Notification.

2. The said regulations shall come into force on the date of publication of this notification in the official Gazette.

S.N. KAKAR  
Joint Secretary to the Government of India.  
[F.No.PR-12016/3/89-PE.]

**SCHEDULE**

**CHENNAI PORT TRUST  
EMPLOYEES' (CONTRIBUTORY LOSS IN  
WAGES COMPENSATION)  
REGULATIONS, 1989**

In exercise of the powers conferred under Section 28 of the Major Port Trusts Act, 1963 (38 of 1963), the Chennai Port Trust Board hereby makes the following regulations:

**1. SHORT TITLE:**

These regulations shall be called the 'Chennai Port Trust Employees' (Contributory Loss in Wage Compensation) Regulations, 1989.

**2. THESE REGULATIONS SHALL APPLY TO:**

(i) Employees holding the posts requiring medical classification higher than or equal to B-B2 listed in the Schedule of Employees for the Port of Chennai prepared from time to time and sanctioned under Section 23 of the Major Port Trusts Act, 1963.

(ii) Employees who held a post specified in (i) above but are reverted to a post requiring lower medical standard on medical grounds.

**3. DEFINITIONS:**

In these regulations unless the context otherwise requires:

(a) 'ACT' means the Major Port Trusts Act, 1963.

(b) 'BOARD', 'CHAIRMAN', shall have the meanings assigned to them under the Act;

(c) 'EMPLOYEE' means an employee to whom these regulations apply under Regulation 2 above;

(d) 'FUND' means the Chennai Port Trust Employees' Contributory Loss in Wages Compensation Fund;

(e) 'FINANCIAL ADVISER AND CHIEF ACCOUNTS OFFICER', 'SECRETARY' shall mean the Board's Financial Adviser and Chief Accounts Officer and the Secretary respectively.

(f) 'MEDICAL CLASSIFICATION' means such classification prescribed by the Chairman in respect of each post in terms of Regulation 5 of the Chennai Port Trust Employees' (Recruitment, Seniority & Promotion) Regulations, 2008; and

(g) 'LOSS IN WAGES' for this purpose will be the difference between notional time-rate emoluments drawn by the employee, in the time scale of the post requiring prescribed high medical classification held by him/her and the actual time-rate emoluments in the alternate/reverted post on the date of his/her joining reverted/alternate post.

**EXPLANATION:** If the employee is an occupant of quarters in the higher post on the date of reversion or alternate employment no notional House Rent Allowance should be included as wages. If the employee is not an occupant of quarters on the date of reversion/alternate employment notional HRA in the lower post should be included as wages.

**4. OBJECT:**

The object of these regulations is to compensate the loss in wages that may be

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suffered by an employee who held a post requiring a high medical classification equal to or higher than B-B2, on the date of joining the lower post on reversion/alternative employment on medical grounds.

**5. CONSTITUTION OF THE FUND:**

(a) A fund styled "The Chennai Port Trust Employees' Contributory Loss in Wages Compensation Fund" shall be constituted with contribution from employees and the Board; and

(b) An account called "The Chennai Port Trust Employees' Compensation Fund Account" shall be opened in the State Bank of India or its Associates or in any of the Nationalised Banks.

**6. CONTRIBUTION TO THE FUND:**

(a) (i) Every employee to whom these regulations applies shall make a non-refundable contribution of Rs.2/- (Rupees two only) per mensem and such contribution shall continue to be paid by them even after their reversion/alternative employment to a post requiring lower medical standard.

(ii) Employees who originally held a post requiring higher medical classification and were reverted/provided alternative employment due to lower medical standard and are continuing as such on the date of effect of these regulations shall also make the contribution as at (i) above.

(iii) Employees who are covered under the Regulations when reverted to a post requiring lower medical standard on medical grounds should contribute to the fund after their reversion even though no loss in wages is suffered in the alternate post.

(b) The Board will make a matching contribution at the beginning of each financial year on the basis of the working strength of the employees covered by the provisions of these regulations, the excess or short contribution by the Board for that financial year being made good at the time of affording credit to the fund of the next contribution.

**7. ADMINISTRATION OF THE FUND:**

(a) The fund shall be administered by a Committee consisting of the Chairman, the Financial Adviser and Chief Accounts Officer and one other Head of a Department to be nominated by the Chairman from time to time.

(b) The fund shall be operated by the Financial Adviser or an officer authorized by him on his behalf. and Chief Accounts Officer and one other Head of a Department to be nominated by the Chairman from time to time.

(c) The investment of the monies available under the Fund shall be made by the Financial Adviser and Chief Accounts Officer in such a manner as may be decided by the Chairman from time to time.

(d) Claims for payment from the Fund shall be processed by the Secretary and put up to the Committee in accordance with the procedure as laid down in Regulation 8 (iii) under these Regulations.

**8. DISBURSEMENT FROM THE FUND:**

(i) Employees covered under these Regulations shall be entitled to a monthly compensation for the loss in wages from the Fund from the date of joining their lower post on reversion or from the date of joining their alternate employment in another post as the case may be due to their being found not medically fit for the post requiring medical classification higher than or equal to B-B2 held by them at the time of their reversion or alternate employment. The quantum of compensation shall be the loss either in full or in part, in the time-rate wage suffered by the employee on the basis of notional basic pay drawn in the appropriate time scale applicable to the post requiring prescribed high medical classification which the employee was holding at the time of reversion/alternate employment vis-a-vis the actual time-rate wage in the reverted/alternate post.

(ii) The quantum of compensation will be in the nature of monthly recurring payment, the quantum being decided by the Chairman. No compensation shall be paid in case where there is no loss in wages.

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(iii) The detailed procedures for the payment shall be such as may be prescribed by the Chairman from time to time.

**9. COMPENSATION NOT TO COUNT AS 'PAY':**

The compensation payable under this Fund shall not be treated as 'Pay' for any purpose including retirement benefits, ex-gratia etc.

**10. ACCOUNTS AND AUDIT:**

The Financial Adviser and Chief Accounts Officer shall arrange to maintain the necessary books of accounts in administering the fund, and also submit a quarterly return of Receipt and Expenditure Statement of the Fund to Board in the manner prescribed by the Chairman.

**11. INTERPRETATION:**

If any question arises as to the interpretation of these Regulations it shall be referred to the Board whose decision thereon shall be final.

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