

CHENNAI PORT TRUST (PAY AND ALLOWANCES, ETC.) REGULATIONS, 2001

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MINISTRY OF SHIPPING

(Ports Wing)

NOTIFICATION

New Delhi the 23rd July, 2001

G.S.R.No.548(E) – In exercise of the powers conferred by Sub-Section (i) of Section, 124, read with Sub-Section (i) of Section 132 of the Major Port Trusts Act, 1963(38 of 1963), the Central Government hereby approves the Chennai Port Trust Employees' (Pay and Allowances, etc) Regulations, 2001 made by the Board of Trustees of the Chennai Port Trust as 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.

SCHEDULE

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

CHAPTER - I

PRELIMINARY

1. **SHORT TITLE** – These regulations shall be called the Chennai Port Trust (Pay and Allowances, etc.) Regulations, 2001

2. **APPLICATION** – They shall apply to all employees whose posts are borne on the Schedule of Employees of the Chennai Port Trust Board including those who are appointed on deputation terms and conditions

3 **DELEGATION OF POWERS** – The Board may delegate with the approval of the Central government any powers conferred under Section 21 of the Major Port Trusts Act, 1963. The powers delegated to various authorities under these regulations are specified in Appendix 1

CHAPTER-II

4 **DEFINITIONS** – In these regulations unless the context otherwise requires:

- (1) 'ACT' means the 'MAJOR PORT TRUSTS ACT 1963'
- (2) Board, Chairman, Deputy Chairman and Heads of Departments shall have the same meaning as assigned to them in the Act
- (3) 'CADRE' means the strength of a service or a part of a service sanctioned as separate unit
- (4) 'COMPENSATORY ALLOWANCE' means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes a traveling allowance only within the country
- (5) 'COMPETENT AUTHORITY' means the Appointing Authority'
- (6) 'DUTY' includes
 - a) (i) service as a probationer provided that such service is followed by confirmation and
 - (ii) Joining time
 - b) (i) during a course of instruction or training in India, and
 - (ii) such other periods of authorized absence as may be decided as duty by the Chairman based on the instructions issued by the Government of India from time to time
- (7) 'EMPLOYEE' means an employee whether permanent or temporary on a time scale of pay borne on the Board' Schedule of Employees
- (8) 'FEE' means a recurring or non-recurring payment to an employee from a source other than General Account of the Port but does not include
 - (a) unearned income such as Income from property, dividends and interest on securities; and
 - (b) income from literary, cultural, artistic, scientific or technological

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- efforts and Income from participation in sports activities as amateur
- (9) 'FOREIGN SERVICE' means service in which an employee receives his pay under competent sanction from any source other than the General Account of the Port.
- (10) 'GOVERNMENT' means the Government of India
- (11) 'HONORARIUM' means a recurring or non-recurring payment granted to an employee as remuneration for special work of an occasional or intermittent character
- (12) 'JOINING TIME' means time allowed to an employee in which to join a new post or to travel to or from a station to which he is posted
- (13) 'LEAVE SALARY' means the monthly amount paid to an employee while on leave or one time yearly payment of cash equivalent of encashable leave as the case may be
- (14) 'LIEN' means the title of an employee holding a post substantively
- Provided that all those who are confirmed in the grade of entry or who have been promoted to a higher post declared as having completed the probation where it is prescribed or those who have been promoted on a regular basis to a higher post where no probation is prescribed shall have the benefit of the concept of the lien.
- Provided further right / title of an employee to hold a regular post as specified above shall be subject to the condition that the junior most employee in the category shall be liable to be reverted if he is holding a promotion post or terminated from service if he is holding the lowest post as the case may be if at any time the number of incumbents is more than the posts available in that category so as to maintain the sanctioned strength.
- (15) 'MONTH' means a calendar month unless specified otherwise in any of the provision of these Regulations, In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should be
- calculated and the odd number of days calculated subsequently
- (16) 'OFFICIATE' ' An employee officiates in a post when he performs the duties of a post on which another person holds a lien. The competent authority may, if he thinks, fit, appoint an employee to officiate in a vacant post on which no other employee holds a lien
- (17) 'PAY' means the amount drawn monthly by an employee as –
- (i) the pay other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre, and includes pay drawn in a temporary post;
- ii) special pay, personal pa ; and
- ii) any other emoluments which may be classed as pay by the Government
- (18) 'PERMANENT POST' means a post carrying a definite rate of pay sanctioned without limit of time
- (19) 'PERSONAL PAY' means additional pay granted to an employee –
- (i) to save him from a loss of substantive pay in respect of a regular post due to revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure ; or
- (ii) in exceptional circumstances, on other personal considerations, in accordance with the general orders issued by the Government
- (20) 'PORT' means the Port of Chennai within such limits as notified by the Government under Section 2 (q) of the Act
- (21) 'PRESUMPTIVE PAY OF A POST' When used with reference to any particular employee, means the pay to which he would ; be entitled if he held the post substantively and were performing its duties; but it does not include special pay unless he performs or discharges the work or

- responsibility, in consideration of which the special pay was sanctioned
- (22) 'SCHEDULE' means the Schedule of Employees prepared from time to time under Section 23 of the Act
- (23) 'SPECIAL PAY' means an addition, of the nature of pay, to emoluments of a post or of an employee, granted in consideration of
- (i) the special arduous nature of duties; or
- (ii) a specific addition to the work or responsibility, and includes non-practicing allowance granted to Doctors in lieu of private practice
- (24) 'SUBSISTENCE GRANT' means a monthly grant made to an employee who is not in receipt of pay or leave salary
- (25) 'SUBSTANTIVE PAY' means the pay other than special pay, personal pay or emoluments classified as pay under Regulation 4 (17) (iii) to which an employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre
- (26) 'TEMPORARY POST' means post carrying a definite rate of pay sanctioned for a limited time
- (27)(a) 'TIME SCALE OF PAY' means pay which, subject to any condition prescribed in these regulations rises by periodical increments from a minimum to a maximum
- (b) Time-scales are said to be identical of the minimum, the maximum the period of increment and the rate of the increment of the time scales are identical
- (c) A post is said to be on the same time-scale as another post on a time-scale if the two time-scales are identical and the posts fall within a cadre, or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately, the same character or degree of responsibility in a service or establishment or group of establishments, so that, the pay of the holder of any particular post is

- determined by his position in the cadre or class and not by the fact that he holds that post
- (28) 'TRAVELLING ALLOWANCE' means an allowance granted to an employee to cover the expenses which he incurs in traveling in the interest of the Board's service. It includes allowances granted for the maintenance of conveyance
- (29) 'GENERAL ACCOUNT' means accounts maintained by the Board for purpose of accounting the transactions arising in the course of conduct of Board's business
- (30) 'ENTRY POST' means the post to which an employee is appointed at the time of initial appointment to Board's services.

CHAPTER – III

GENERAL CONDITIONS OF SERVICE

5. MEDICAL CERTIFICATE

- (1) Except as provided under these regulations, no person shall be appointed to the Board's service without a medical certificate of fitness issued in the manner and form prescribed by the Chairman. The Chairman may, in individual cases, temporarily relax the production of a medical certificate of fitness on merits

NOTE: The following classes of employees are exempted from producing a medical certificate of health

- (i) A person already in Board's employment on appointment to a new post without break in service, if he has already undergone medical examination in respect of any post held by him
- (ii) A person appointed after a break in service, if the break is not due to medical reasons or resignation and does not exceeds one year and if in respect of any post previously held by him under the Board he had undergone Medical examination
- (iii) A temporary employee who has been medically examined in one office is transferred to another office without break in service
- (iv) A retired Board's employee, re-employed immediately after retirement

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(2) The medical requirements, Medical Classification for appointment, promotion and transfer to various categories of posts shall be such as may be prescribed by the Chairman from time to time

(3) Employees may be required to undergo periodical medical examination to test their fitness to hold a post. The periodicity and the manner of such medical examination where necessary shall be prescribed by the Chairman from time to time

6. Unless in any case it be otherwise provided, the whole time of an employee is at the disposal of the Board and he may be employed in any manner required by competent authority, without claim for additional remuneration

7 a) Two or more employees cannot be appointed substantively to the same regular post at the same time

(b) An employee cannot be appointed substantively to two or more regular posts at the same time

(c) An employee cannot be appointed substantively to a post on which another employee holds a lien

8 ACQUIRING LIEN ;

Unless in any case it be otherwise provided in these regulations an employee on substantive appointment to any regular post acquires a lien on that post and ceases to hold any lien previously acquired on another post.

NOTE: Confirmation in a service or cadre is tantamount to acquiring a lien on a post.

9 RETENTION OF LIEN

Unless his lien is transferred under Regulation 11, an employee holding substantively a regular post retains a lien on that post –

(a) While performing the duties of that post;

(b) While on Foreign Service, or holding a temporary post or officiating in another post

(c) During joining time on transfer to another post unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post

(d) While on leave; and

(e) While on suspension

NOTE – condition for retention of lien In the Port service in case of an employee getting employed in foreign service on own volition are as follows

(i) The application may be forwarded in accordance with the instructions issued therefor by the Chairman

(ii) In case of permanent employees their lien may be retained for a period of two years. They should either revert to the Port within that period or resign from the Port service. An undertaking to abide by these conditions may be taken from them at the time of forwarding the applications

(iii) As for temporary employees they should as a matter of rule be asked to resign from the Port service at the time of release. An undertaking to the effect that they will resign from the Port Service in the event of their selection and appointment to the post applied for may be taken from them at the time of forwarding the applications

(iv) In exceptional cases where it would take some time for the new employer to confirm such employees due to some administrative reasons, the permanent employees may be permitted to retain their lien in the Port service for one more year. While granting such permission a fresh undertaking in respect of permanent employees similar to the one indicated in sub-para (ii) may be taken.

10 TERMINATION OF LIEN

An employee's lien on a post may be in no circumstances, be terminated, even with his consent of the result will be to leave him without a lien upon a regular post

11 TRANSFER OF LIEN

Subject to the provisions of Regulation 12, the Chairman may transfer to another permanent post in the same cadre, the lien of an employee who is not performing the duties of the post to which the lien relates

12 TRANSFER

The Chairman, may transfer an employee from one post to another, provided that except-

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- (1) On account of inefficiency or misbehavior; or
- (2) On his written request for alternate appointment, an employee shall not be transferred substantively to or, except in a case covered by Regulation 38 appointed to officiate in a post carrying less pay than the pay of the permanent post on which he holds a lien

13 SUBSCRIPTION TO FUND

An employee may be required to subscribe to a Provident Fund and such other funds as may be constituted by the Board with the approval of the Central Government for the benefit and welfare of the employee or his family subject to such conditions as may be prescribed from time to time.

¹[13-A Recovery of the advances/Loans:

The recoveries of all advances/loans shall not exceed 50% of the employee's emoluments.

NOTE: The advances/loans means the advances/loans which are covered under General Financial Rules of the Central Government.

[Regulation 13-A incorporated vide GSR No.39(E) dated 20.1.2005]

14 UNAUTHORISED ABSENCE

(1) without prejudice to the provisions contained in any other regulations of the Chennai Port Trust, a period of unauthorized absence -

(i) During a strike which has been declared illegal under the provision of the Industrial Disputes Act, 1947, or any other law or order of Central Government for the time being in force

(ii) As a result of acting in combination or in a concerted manner, such as during strike, without any authority from, or valid reason to the satisfaction of the competent authority

(iii) Due to desertion of the post for any reason, including overstayal of leave / joining time shall be deemed to cause an interruption or break in the service of the employee, unless otherwise decided by the competent authority

EXPLANATION-1 ;

For purpose of this Regulation, strike includes a general, token sympathetic, sit-down, pen-down stay-in or any similar strike, mass absenteeism from work which is wrongly termed as mass Casual Leave and also participation in a bandh or any similar activities, which disrupt official work

EXPLANATION-2;

Unauthorized absence includes absence without leave or overstayal of the sanctioned leave for more than ten consecutive days without insufficient grounds or proper or satisfactory explanation or over-staying of joining time.

EXPLANATION-3;

In this Regulation 'competent authority' means the 'Government or the authority specified in Appendix-I.

EXPLANATION-4;

Interruption or break in service as envisaged in this Regulation shall entail the following disabilities.

(i) No pay and allowances will be admissible during the period of such unauthorized absence.

(ii) Unless otherwise decided by the competent authority the past service will not count as qualifying service for pension and Death-cum-Retirement Gratuity.

(iii) In case of Earned Leave, 1/10th of such period will be deducted from the Earned Leave to be credited at the beginning of the next half year. The break unless decided in the manner specified in clause (ii) above will entail forfeiture of past service and lapse of leave at the credit of the employee

(iv) The period will not count for increment. The date of next increment will get postponed to the extent of the number of days of unauthorized absence but the increment will be drawn from the first of the month in which it falls due after postponement. As far as crossing efficiency bar is concerned; the disabilities should not stand and in the way of the employee if he is otherwise found suitable to cross efficiency bar. Special pay and

¹GSR No. 39 (E), dated 20.01.2005 (BR Nos 68, dated 01.09.2003, 63, dated 15.10.2004)

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Special allowances should not be withdrawn on the ground that this regulation has been invoked

NOTE: The condonation of the interruption or break in service caused in the circumstances stated in this regulation by the competent authority will only remove the disabilities mentioned in this regulation, but the employee will neither be entitled for payment of pay and allowances for the period nor entitled to count the period of interruption for pension, gratuity, leave or increment

(v) In the case of 'Absence during strike period' the principle of 'no work, no pay' should not be deviated in dealing with illegal strikes except with the prior approval of the Central Government. The period of illegal strike will not be treated as duty and should therefore be treated as 'dies non' for all purposes

(2) Notwithstanding the above provisions, a period of unauthorized absence due to strike (legal / illegal) shall be regularised in accordance with the orders of Government issued from time to time

15. RESIGNATION FROM SERVICE

(i) An employee who has submitted his resignation and whose resignation has been accepted ceases to be in the employment of the Board from the date of his resignation from the Port's service becomes effective and he will not be entitled to pay and allowances. etc. beyond this date

(ii) The authority competent to accept resignation format of resignation, acceptance of resignation, withdrawal of resignation, etc., are specified in Appendix-I.

CHAPTER-IV

PAY

16. (1) The time-scale applicable to the various categories of posts shall be that as may be prescribed in the Schedule of employees from time to time

(2) The pay of an employee appointed or promoted to a post in the Port's service shall be regulated in the time-scale of pay applicable to the said post, in accordance with these regulations for fixation of pay.

(3) Except in the case of personal pay granted in the circumstances defined in Regulation 4 (19)(i) the pay of an employee shall not be so increased as to exceed the pay sanctioned for his post without the sanction of an authority competent to create a post in the same cadre on a rate of pay equal to his pay when increased.

INSTRUCTION: It is not the intention of this sub-regulation to grant to an employee less pay than is permissible under Regulations 18 and 19

DECISION: The Regulation does not give the power to grant pay in excess of what is permissible under other provision of these regulation. Thus, it does not enable the grant of an initial pay higher than what is permissible under Regulation 18. But once an initial pay is fixed under Regulation 18, Regulation 22 enables the authority to grant advance increment immediately. Thus, in fact Regulations 18 and 22 read together enable an authority mentioned in Regulation 22 to fix initial pay in excess of the amount permissible by Regulation 18.

17. In respect of any period treated as duty under Regulation 4 (6) (b) an employee may be granted such pay as the Chairman may consider equitable but in no case exceeding the pay which the employee would have drawn had he been on duty.

18. The initial substantive pay of an employee who is appointed substantively to a post on a time-scale of pay is regulated as follows;

(1) (i) Where an employee holding a post in a substantive, temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by one increment at the stage at which such pay has accrued;

Provided that the amount to be added to pay in the lower post before fixing the pay in the higher post shall not be less than Rs.25/-.

Provided further that where an employee, is immediately before his

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promotion or appointment to a higher post, drawing pay at the maximum of the time-scale of the lower post, his initial pay in the time scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post held by him, by an amount equal to the last increment in the time-scale of the lower post or Rs.25/- whichever is more.

(ii) When the appointment to the new post does not involve such assumption of duties and responsibilities of greater importance he shall draw as initial pay, the stage of the time-scale which is equal to his substantive pay in respect of the old post, or, if there is no such stage, the stage next above the old post held by him.

Provided that where the initial pay of the time-scale of the new post is higher than his pay in respect of the old post held by him he shall draw the minimum as the initial pay.

Provided further that in case when pay is fixed at the same stage, he shall continue to draw that pay until such time he would have received an increment in the time-scale of the old post and in cases where pay is fixed at the higher stage, he shall get his increment on completion of the period where increment is earned in the time-scale of the new post.

(iii) When appointment to the new post is made on his own request under Regulation 12 and the maximum pay in the time-scale of that post is less than his substantive pay in respect of the old post, he will draw that maximum as initial pay.

(2) If the conditions prescribed in sub-regulation (1) are not fulfilled he will draw as initial pay the minimum of the time-scale ;

Provided, both in cases covered by Sub-regulation (1) and in cases (other than cases of re-employment after resignation or removal or dismissal from service), covered by sub-regulation (2), that if he either-

(i) has previously held substantively or officiated in the same post, or

(ii) a permanent or temporary post on the same time-scale, or

(iii) a permanent post or a temporary post on an identical time-scale than the initial pay shall not be less than pay, other than special pay, personal pay or emoluments classified as pay by Regulation 4 (17) (iii) which he drew on the last occasion and he shall count the period during which he drew that pay on last such occasion for increment in the stage of time-scale equivalent to that pay

EXPLANATION:

(1) ON PROMOTION – No orders for crossing the efficiency bar in the lower scale are necessary for the purpose of fixing the pay in the higher promoted post

(2) REMOVAL OF ANOMALY – As a result of application of Regulation 18 (1) (i).

(i) In order to remove the anomaly of an employee promoted or appointed to a higher post drawing a lower rate of pay in that post than another employee junior to him in the lower grade and promoted or appointed subsequently to another identical post, the pay of the senior employee in the higher post should be stepped up to a figure equal to the pay as fixed for the junior employee in the higher post. The stepping up should be done with effect from the date of promotion of the junior employees and will be subject to the following conditions

(a) both the junior and senior employees should belong to the same cadre and the posts in which they have been promoted should be identical and in the same scale

(b) the scales of pay of the lower and higher posts in which they are entitled to draw pay, should be identical; and

(c) the anomaly should be directly as a result of the application of Regulation 18(1), i.e., if in the lower post the junior employee draws from time to time a higher rate of pay than the senior by virtue of grant of advance increment the above provision will not be invoked to step up the pay of the senior employee.

(i) The refixing of pay of the senior employee in accordance with the above provisions shall be issued under Regulation 22. The next increment of the senior employee will

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be drawn on completion of the requisite qualifying service with effect from the date of refixation of pay.

(ii) The provisions in (i) above may be invoked to step up the pay of a senior employee for a second time, in case he happens to draw less pay than his junior again, due to stepping up of pay of the latter with reference to pay of persons further junior to him by applying the above provisions

(3) **OPTION FOR CHOOSING DATE FOR FIXATION OF PAY UNDER REGULATION 18 (1) ON PROMOTION;**

Under the provisions OF Regulation 18 (1), promotion of a junior person to the higher post, after accrual of his increment in the lower post, gives rise to an anomaly in pay of a persons senior to him who though promoted earlier has not drawn at any time pay lass than that of his junior in the lower post.

In order to remove the aforesaid anomaly the employee may be given an option for fixation of his pay on promotion as under:

(a) either his initial pay may be fixed in the higher post on the basis of Regulation 18 (1) straightway without any further review on accrual of increment in the pay scale of the lower post, or

(b) his pay on promotion, may be fixed initially at the stage of the time-scale of the new post above the pay in the lower post from which he is promoted which may be refixed on the basis of the provisions of Regulation 18 (1) on the date of accrual of next increment in the scale of pay of the lower post

If the pay is fixed under (b) above, the next date of increment will fall due on completion of 12 months qualifying service from the date pay is refixed on the second occasion.

Option may be given within one month of the date of promotion, Option once exercised, shall be final. However, revised option is permissible at the discretion of the Chairman provided the date of increment in the lower post from which promotion is ordered is changed due to anomaly rectification or when increment is available in the lower post

due to removal of stagnation in the revised scale of pay.

In the event of an employee refusing promotion even after the above concessions become available, he would be debarred from promotion for a period of one year.

19. The holder of a post the pay of which is changed shall be treated as if he were transferred to a new post on the new pay

20.(1) An increment shall ordinarily be drawn as a matter of course unless it is withheld. An increment may be withheld for an employee if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld, and whether the postponement shall have the effect of postponing future increments

(2) Where an efficiency bar is prescribed in a time scale, the increment next above the bar shall not be given to an employee without the specific sanction of the authority empowered to withhold increments under Regulation 20 (1) above the relevant disciplinary rules applicable to the employee or of any other authority whom the Chairman may by general or special order authorize in this behalf.

NOTE:

(1) On each occasion on which an employee is allowed to pass an efficiency bar which had previously been enforced against him, he should come on to the time-scale at such stage as the authority competent to declare the bar removed may fix for him, subject to the pay admissible according to his length of service

(2) A bar applied in a junior time-scale of service should not, affect an employee's pay in the senior time-scale, he should be paid in the latter scale according to the length of his service, unless his pay in such scale is itself affected by the operation of an efficiency bar or by a disciplinary order passed

(3) The employee should be informed of the decision to enforce the bar.

(4) The cases of all employees held up at an efficiency bar should be reviewed annually.

(5) Once the competent authority has determined the stage at which the employee concerned should draw his pay from the date

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he is allowed to cross the efficiency bar, the next " increment above the stage will accrue to him, on the usual date of drawal of increment, if otherwise admissible and not after rendering one year's service

21. The following provisions prescribed the conditions on which service counts for increments in a time-scale:

(1) All duty in a post on a time-scale counts for increments in that time-scale.

Provided that, for the purpose of arriving at the date of the next increment in that time-scale, the total of all such periods as do not count for increment in that time-scale, shall be added to the normal date of increment.

(2) (i) Service in another post, other than a post carrying lower pay referred to in clause (1) of Regulation 12, whether in a substantive or officiating capacity, service on deputation out of India and leave except extraordinary leave taken otherwise than on medical certificate shall count for increment in the time-scale applicable to the post or posts, if any on which the employee holds a lien.

(ii) All leave except extraordinary leave taken otherwise than on medical certificate and the period of deputation out of India shall count for increment in the time-scale, applicable to a post in which an employee was officiating at the time he proceeded on leave or deputation out of India and would have continued to officiate but for his proceeding on leave or deputation out of India.

Provided that the Chairman may, in any case, in which he is satisfied that the extraordinary leave was taken by the employee due to his inability to join or rejoin duty or account of civil commotion or for prosecuting higher scientific or technical studies, direct that extraordinary leave shall be counted for increment and treated as qualifying service for pension.

(3) If an employee, while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher temporary post, his officiating or temporary service in the higher post shall, if he is reappointed to the lower post, or is appointed or reappointed to a post on the same

time-scale of pay, count for increment in the time-scale applicable to such lower post. The period of officiating service in the higher post which counts increment in a lower post is, however, restricted to the period during which the employee would have officiated in the lower post but for his appointment to the higher post. This clause applies also to an employee who is not actually officiating in the lower post at the time of his appointment to the higher post, but who would have so officiated in such lower post or in a post on the same time-scale of pay had he not been appointed to the higher post.

(4) Foreign service counts for increments in the time scale applicable to –

(i) the post in the Board's service on which the employee concerned holds a lien

(ii) the post in the Board's service in which the employee was officiating immediately before his transfer to foreign service, for so long as he would have continued to officiate in that post or a post on the same time-scale but for his going on foreign service, and

(iii) in the post in which he would have held in an officiating capacity under the 'next below rule'

(5) Joining time counts for increment.

EXPLANATION: for the purposes of this regulation, the period treated as duty under sub-clause (b) of clause (6) of Regulation 4 shall be deemed to be duty in a post if the employee draws pay of that post during such period.

NOTE:

(1) In the case of an employee who has officiated in a higher post in short spells on different occasions before he is regularly appointed in that post, the pay and date of increment should first be determined by giving the benefit of past service first under the proviso to Regulation 18 (2) and then proviso to Regulation 21 (1) applied to postpone the date of increment by spells of non-qualifying periods, if any occurring after regular appointment in the post.

(2) The increment of every employee should be admitted from the first of the month in which it falls due, under the operation of the normal rules / orders regulating increment.

(3) In the case of employees who are stagnating at the maximum of the scales of pay are eligible for stagnation increments at the rate of an increment which brought them to the maximum of the scale of pay for every two years of such stagnation. Heads of departments are not eligible for stagnation increment. Terms and conditions for grant of such stagnation increments shall be decided by the Government from time to time.

22. Competent authority may grant a premature increment an employee on a time-scale of pay

NOTE:

(1) Future increments after premature increment to be regulated in the normal course, in the absence of special orders to the contrary.

EXCEPTIONS: The powers under this regulation should not be invoked to grant premature increment in the following cases:

- (i) as reward for meritorious work
- (ii) in disregard of the normal rules governing fixation of pay except in cases of hardship or where the circumstances are unusual
- (iii) to take into account the monetary equivalent of certain perquisites allowed, special pay drawn, or deputation allowance granted in a previous post, for the purpose of fixing the initial pay on appointment to another post where such monetary benefits are not permissible.

(2) Special increment for undergoing sterilization operation:

(A) After ¹[two] surviving children the special increment in the form of personal pay, not to be absorbed in future increases in pay either in the same post or on promotion to higher post may be granted to employees who or whose spouse undergo sterilization operation. The rate of personal pay would be equal to the amount of the next increment due at the time of the grant of the concession and will remain fixed during the entire service. In the case of persons drawing pay at the maximum, the rate of personal pay would be equal to the amount of the increment

last drawn. The grant of the concession will be subject to the condition that may be laid down from time to time.

An employee holding a lower post regularly and officiating in a higher post on ad hoc basis is also entitled for the incentive increment in the scale of the post held at the time of sterilization operation.

[the words 'two/three'- substituted by word 'two' *vide* GSR No.39(E) dated 20.1.2005]

(B) Even after one child, employees or their spouses who undergo sterilization operation after having one child may also be granted special increment. The other conditions laid down remain unchanged.

The concession will be admissible only to those employees or whose spouses undergo the sterilization operation on or after 4-12-1979.

CLARIFICATIONS:

Regulation of sterilization increment (Personal Pay) in various circumstances

(i) While serving outside the cadre on deputation / foreign service

When an employee qualifies for the special increment while serving outside, the cadre on deputation / foreign service or transfer, the rate of special increment to be given in the form of personal pay would be determined with reference to employee's parent grade only, whether he draws his grade pay plus deputation allowance or pay in the scale of the deputation post.. No deputation allowance would be admissible on the personal pay. The special increment will be admissible in addition to the 'next below rule' benefit.

(ii) On reversion from a deputation post / higher post

The employee would continue to draw the special increment at the same quantum of his reversion from a deputation post, or on reversion from a higher official appointment

(iii) Significance of the term 'not to be absorbed in future increases'.

The special increment to be granted in the shape of personal pay is not to be taken into account for fixation of pay on promotion. The benefit of personal pay should continue to be available at the same rate even after promotion.

¹GSR No. 39 (E), dated 20.01.2005 (BR Nos 68, dated 01.09.2003, 63, dated 15.10.2004)

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(iv) When held up at E.B. stage / under reduction.

The benefit of special increment would be allowed even if the employee is held up at the efficiency bar stage of his time-scale. Since the benefit is to be allowed in the shape of personal pay, the grant of the same should not amount to the crossing of efficiency bar by the employee concerned.

Once the employee gets the benefit of special increment at a particular rate, he would continue to draw the same even if he is reduced to a lower stage in his time-scale of pay or reduced to a lower service, grade or post, by way of penalty under Chennai Port Trust Employees' (Classification, Control and Appeal) Regulations, 1988.

(v) While under suspension

During suspension the employee draws subsistence allowance only. There would, therefore, be no question to grant him the benefit of special increment if he becomes entitled to that when he is placed under suspension. However, if he qualifies for the benefit before he is placed under suspension, the personal pay would be taken into account in the computation of subsistence allowances.

(vi) During leave

During regular leave, the employee draws leave salary. Therefore, he would not be given the benefit of special increment during the leave period. However, if he qualifies for the benefit before he proceeds on leave, the special increment would be taken into account in the computation of leave salary.

(vii) While under Training

If a training for which an employee is deputed is in the Board's interest and he gets pay and allowances of the post from which he is sent on training, the benefit of personal pay would be admissible.

(viii) Effect on cash incentives

The personal pay would be admissible over and above the other cash incentives.

(ix) Date from which the special increment is admissible

For administrative convenience, the benefit should be allowed from the first of the month following the date of sterilization.

(x) When both husband and wife are Board's employees –

The personal pay can be drawn by either the husband or the wife and there is no objection to the choice being left to them so that they can choose the higher of the two increments available to them.

(xi) Sanctioning Authority

The personal pay can be sanctioned by the head of the department by issue of suitable office order after satisfying himself that the conditions prescribed are satisfied.

(xii) Hysterectomy

As hysterectomy is a purely health measure, it cannot be brought under the purview of these orders.

(xiii) Birth of twins

The special increment may be allowed in all cases of sterilization where the couple had twins after the birth of their ¹[first] children although the number of children becomes ¹[three].

[the words 'first two'- substituted by word 'first' vide GSR No.39(E) dated 20.1.2005]

(xiv) Under going second sterilization after date of effect

Persons who have undergone sterilization before the date of issue of the orders and have undergone sterilization again after the date of issue of the orders because the earlier operation turned out to be a failure will not be eligible for the incentive, as the action for sterilization was initiated prior to the issue of the orders.

(xv) In case of recanalisation

In case of recanalisation the special increment may be withdrawn from the date of recanalisation.

(xvi) Minilap operation

'Minilap' operation is a form of female sterilization (Tubectomy) and as such the incumbent is eligible for grant of increment as per rules.

(xvii) In case of birth of Triplets

If an employee who already has ¹[one] living child gets a triplet (Three children) on the subsequent delivery and thereafter he / she or his / her spouse undergoes sterilization operation, he / she may be granted incentive increment.

¹GSR No. 39 (E), dated 20.01.2005 (BR Nos 68, dated 01.09.2003, 63, dated 15.10.2004)

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[the word 'two'- substituted by word 'one' vide GSR No.39(E) dated 20.1.2005]

23. The authority which orders the transfer of an employee as a penalty from a higher to a lower grade or post may allow him to draw any pay, not exceeding the maximum of the lower grade or post which it may think proper:

Provided that the pay allowed to be drawn by an employee under this regulation shall not exceed the pay which he would have drawn by the operation of Regulation 18 read with sub-regulation (2) or sub-regulation (3) as the case may be of Regulation 21.

CLARIFICATION: Once the pay is fixed in the lower post in the manner indicated above, the regulation of increments in the lower post will be made under the normal regulations unless the increment in the lower post is withheld.

24 (1) If an employee is reduced as a measure of penalty to a lower stage in his time-scale, the authority ordering such reduction shall state the period for which it shall be effective and whether, on restoration, the period of reduction shall operate to postpone future increment and, if so, to what extent.

(2) If an employee is reduced as a measure of penalty to a lower grade or post to a lower time-scale, the authority ordering the reduction may, or may not specify, the period for which the reduction shall be effective; but where the period is specified, that authority shall also state whether, on restoration, the period of reduction shall operate to postpone future increments and if so, to what extent.

NOTE: Under sub-regulation (1) of this regulation reduction to a lower stage in the time- scale, cannot be ordered as a permanent measure. It can be only for a specific period at the end of which the employee's pay must be restored depending upon whether the period of reduction shall be cumulative / non-cumulative.

25. Where an order of penalty of withholding of increment of an employee or his reduction to a lower service, grade or post, or to a lower time-scale, or to a lower stage in a time-scale, is set aside or modified by a competent authority on appeal or review, the pay of the employee shall, notwithstanding anything contained in these regulations, be regulated in the following manner:

(a) If the said order is set aside he shall be given for the period such order has been in force, the difference between the pay to which he would have been entitled had that order not been made and the pay he had actually drawn;

(b) If the said order is modified, that shall be regulated as if the order as so modified had been made in the first instance.

EXPLANATION: If the pay drawn by an employee in respect of any period prior to the issue of the orders of the competent authority under this regulation is revised the leave salary and allowances (other than traveling allowance), if any, admissible to him during that period shall be revised on the basis of revised pay.

26. The Chairman may fix the pay of an officiating employee at an amount less than that admissible under these regulations.

EXPLANATION:

(1) The power conferred under this regulation is not exercisable save by a special order passed in an individual case and on a consideration of the facts of the case. A general order purporting to oust universally the operation of the pay fixation regulations is not permissible.

(2) This regulation cannot be invoked in respect of regular cadre promotions where the pay has to be fixed under the relevant regulation.

(3) This regulation can be invoked to restrict the increase in pay in a case in which an employee is appointed to hold one or more additional posts or transferred on deputation / foreign service to another post outside the line of his promotion or appointed to officiate in a higher post or any other similar case

27. The Chairman may issue general or special orders allowing acting promotions to be made in place of employees who are treated as on duty under Regulation 4 (5) (b).

28 Special / Personal Pay

(1) The posts on which special pays are admissible to the employees are specified in the schedule of employees.

(2) Except when the Chairman orders otherwise, personal pay shall be reduced by an amount by which the recipient's pay may be increased, and shall cease as soon as his pay is increased by an amount equal to his personal pay.

CHAPTER-V

**ALLOWANCES AND OTHER
ADDITIONS TO PAY**

29. Grant of Compensatory / Special Allowance:

(i) The grant of compensatory / special allowance to the employees shall be so regulated that the allowance is not on the whole a source of profit to the recipient

(ii) The rates and conditions for the grant of compensatory allowance / special pay/ special allowance shall be such as may be prescribed in the schedule of employees from time to time

(iii) A compensatory allowance attached to a post will cease to be drawn by an employee when he vacated the post

30. (1) Dearness Allowance:

Dearness Allowance at such rates as may be prescribed by the Government from time to time shall be payable to the employees in addition to pay. The amount of dearness allowance shall be adjusted quarterly at the prescribed rate in accordance with the average increase in the price index applicable to them.

(2) House Rent Allowance:

House Rent Allowance at such rates as may be prescribed by the Government from time to time shall be payable to the employee who are not in occupation of residences provided by the Port.

(3) Compensatory (City) Allowance :

The Compensatory (City) Allowance at such rates as may be prescribed by the Government from time to time shall be payable in addition to pay.

(4) The House Rent and Compensatory (City) Allowance payable under different circumstances and the general conditions for the payment shall be regulated in the manner as in Appendix-3.

31. FEES:

(1) An employee may be permitted, if this can be done without detriment to his official duties and responsibilities, to perform a specified service(s) for a private person or body or for a public body including a body administering a local fund and to receive a remuneration therefore, if the service be material, a non-recurring or recurring fee. The payment should be from a source other than Board's General Fund Account.

(2) No employee may undertake work for a private or public body or a private person, or accept a fee, therefore, without the sanction of the authority as indicated in the delegation of powers who, unless the employee is on leave shall certify that the work can be undertaken without detriment to his official duties and responsibilities.

(3) Unless the Chairman otherwise decides, an employee may retain the full fee received by him up to a limit of Rs.500. If the fee exceeds the limit, one-third of the fee received should be credited to the Board's General Fund Account. Non-recurring and recurring fee should be dealt with separately and should not be added for purpose of crediting one-third of the amount in excess of Rs.500. In the case of the former the limit of Rs.500 prescribed should be applied in each individual case and in the case of the latter the limit should be applied with reference to the total recurring fee received in that financial year.

NOTE:

(1) The above regulation does not apply to fees received by employees from universities and other statutory bodies like the Institute of Port Management, other Ports and from autonomous bodies which are financed wholly or substantially by Government grants / loans for their services connected with the examination conducted by the bodies or for delivering lectures.

(2) The above regulation does not apply to fees received by employees for similar services from public sector undertakings / enterprises which are wholly or substantially owned by Government even though they are not examining body.

(4) The above regulation does not apply to payments received by employees for services rendered for international bodies like U.N.O., U.N.S.C.O., etc.

32. Honoraria:

The Chairman may grant or permit an employee to receive an Honorarium payable from Board's General Fund Account as remuneration for work performed which is occasional or intermittent in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons which should be recorded in writing, exist for a departure from this provision, sanction to the grant or acceptance of an Honorarium should not be given unless the work has been undertaken with the prior consent of the Chairman and its amount has been settled in advance.

NOTE:

- (1) It should be recorded in writing that the nature of special work is such that it cannot be done without the grant of extra remuneration which is justified.
- (2) Honorarium may also be granted to non-officials for work done or service rendered by them with the prior consent of the Chairman on terms, conditions and amount settled in advance.

33. FEES AND HONORARIA:

In the case of both Fees and Honoraria the sanctioning authority shall record in writing that due regard has been paid to the general principle enunciated in Regulation 6 and shall record also the reasons which in his opinion justify the grant of the extra remuneration.

The Chairman may make rules prescribing the conditions and limits subject to which the authorities subordinate to him may sanction the grant or acceptance of Honoraria, and the acceptance of Fees.

34. An employee is eligible to receive and, except as otherwise provided by a general or special order or the Chairman, to retain without special permission,

- (a) the premium awarded for any essay or plan in public competition;
- (b) any reward offered for the arrest of criminals or for information or special service in connection with the administration of justice
- (c) any reward in accordance with the provisions of any act or regulation rules framed thereunder

(d) any award sanctioned for services in connection with the administration of the customs and excise laws; and

(e) any fees payable to an employee for duties which he is required to perform in his official capacity under any special or local law or by order of Government

35. An employee whose duties involve the carrying out of scientific or technical research shall not apply for or obtain, cause or permit any other person to apply for or obtain a patent for an invention made by such employees save with the permission of the Central Government and in accordance with such conditions as the Central Government may impose.

CHAPTER – VI

COMBINATION OF APPOINTMENTS

36. The Chairman may appoint an employee already holding a post in a substantive or officiating capacity to officiate, as a temporary measure, in one or more of other independent posts at one time, under the Board, provided that no such appointment :-

(1) of an employee referred to in clause (a) of sub-section (1) of section 24 of the Major Port Trust Act, 1963 or

(2) to a post referred to in the clause as aforesaid shall be made except with the prior approval of the Central Government. In such cases the employee's pay is regulated as follows :

(i) Where an employee is formally appointed to hold full charge of the duties of a higher post in the same office as his own and in the same cadre / line of promotion, in addition to his ordinary duties, he shall be allowed the pay admissible to him in the higher post, unless the Chairman reduces his officiating pay under Regulation 26 but no additional pay shall, however, be allowed for performing the duties of a lower post

(ii) Where an employee is formally appointed to hold dual charges of two posts in the same cadre in the same office carrying identical scales of pay, no additional pay shall be admissible irrespective of the period of dual charge

Provided that if the employee is appointed to an additional post which carries a special pay, he shall be allowed such special pay,

(iii) Where an employee is formally appointed to hold charge of another post or posts which is or are not in the same office, or which, though in the same office, is or are not in the same cadre / line of promotion, he shall be allowed the pay of the higher post, or of the higher post, if he holds charge of more than two posts, in addition to ten percent of the presumptive pay of the additional post or posts, if the additional charge is held for a period exceeding 39 days but not exceeding 3 months

Provided that if in any particular case it is considered necessary that the employee should hold charge of another post or posts for a period exceeding 3 months, the concurrence of the Government where the appointing authority is the Government or the Chairman in other cases shall be obtained for payment of the additional pay beyond the period of 3 months;

(iv) Where an officer is formally appointed to hold full additional charge of another post, the aggregate of pay and additional pay shall in no case exceed Rs.8,000/-

(v) No additional pay shall be admissible to an employee who is appointed to hold current charge of the routine duties of another post or posts irrespective of the duration of the additional charge

(vi) If compensatory allowance is attached to one or more of the posts the employee shall draw such compensatory allowances as the Chairman may fix

Provided that such allowance shall not exceed the total of the compensatory allowances attached to all the posts.

CHAPTER – VII

DEPUTATION OUT OF INDIA

37. No deputation of an employee out of India shall be sanctioned without the previous approval of the Central government

38. (1) When an employee is, with proper sanction, temporarily deputed for duty out of India either in connection with the post held by him / her or in connection with any special duty on which he / she may temporarily be placed, including Training under various financially aided schemes, he / she may be allowed by the Chairman to draw during the period of deputation, the same pay which he / she would have drawn had he / she remained on duty in the Port.

(2) An employee on deputation may also be granted a compensatory allowance in foreign country of such amount as the Government may decide.

(3) The foreign exchange equivalent of pay or compensatory allowance admissible under sub-regulations (1) and (2) shall be calculated at such rate of exchange as the Government may by order prescribe.

(4) The terms and conditions governing such deputation are specified in Appendix-IV.

CHAPETER – VIII

DISMISSAL, REMOVAL AND SUSPENSION

39. The pay and allowances of an employee who is dismissed or removed from service cease from the date of such dismissal or removal.

40. (1) An employee under suspension (or deemed to have been placed under suspension) by an order of the appointing authority shall be entitled to the following payments, namely:-

(i) in the case of an employee :-

(a) a subsistence allowance at an amount equal to the leave salary, which the employee would have drawn if he had been on leave on half pay and in addition, dearness allowance, if admissible on the basis of such leave salary;

Provided that where the period of suspension exceeds three months the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any

period subsequent to the period of the first three months as follows:-

(i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding 50 percent of the subsistence allowance admissible during the period of the first three months if, in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the employee;

(ii) the amount of subsistence allowance, may be reduced by a suitable amount, not exceeding 50 percent of the subsistence allowance admissible during the period of the first three months if, in the opinion of the said authority, the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the employee;

(iii) the rate dearness allowance will be based on the increased or, as the case may be, the decreased amount of subsistence allowance admissible under sub-clause (i) and (ii) above.

(b) Any other compensatory allowances admissible from time to time on the basis of pay of which the employee was in receipt on the date of suspension subject to the fulfillment of other conditions laid down for the drawal of such allowances.

(2) No payment under sub-regulation (1) shall be made unless the employee furnished a certificate that he is not engaged in any other employment, business, profession or vocation:

Provided that in the case of an employee dismissed, removed or compulsory retired from service, who is deemed to have been placed or to continue to be under suspension from the date of such dismissal or removal or compulsory retirement, under sub-regulation (4) or sub-regulation (5) of Regulation 7 of the "Chennai Port Trust Employees' (Classification, Control and Appeal_ Regulations, 1988" and who fails to produce such a certificate for any period or periods during which he is deemed to be placed or to continue to be under suspension, he shall be entitled to the subsistence

allowance and other allowances equal to the amount b which his earning during such period or periods, as the case may be, fall short of the amount, of subsistence allowances and other allowances that would otherwise be admissible to him where the subsistence allowance and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.

(1) CLARIFICATIONS:

SUBSISTENCE ALLOWANCE

(a) Initial Grant – An employee under suspension is entitled to subsistence and other allowances from the date and during the period of suspension under the provisions of this Regulation.

Payment of each claim for subsistence and compensatory allowance should be supported by a certificate by the employee concerned to the effect that he was not engaged in any employment, business, profession or vocation, during the period to which the claim relates.

The subsistence allowance shall not be denied on any ground unless an employee is unable to / does not furnish a certificate that he is not engaged in any other employment, business, profession or vocation, during the period of suspension.

(b) FIRST REVIEW – First review of the subsistence allowances should be made at the end of three months from the date of suspension as this would also give an opportunity to the concerned authority to review not merely the subsistence allowance but also the substantive question of suspension.

It is obligatory under this regulation that in sufficient time before the expire of the first three months of suspension, the competent authority should review each case in which the period of suspension is likely to exceed three months and even if it comes to the conclusion that the rate is not to be altered having regard to all the circumstances of the case, specific orders to that effect are to be passed placing on the record the circumstances under which the decision had to be taken.

(c) SECOND OR SUBSEQUENT REVIEW – Though this regulation does not specifically provide for a second or subsequent review, there is no objection to such review (s) being made by the competent authority. Such

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authority shall be competent to pass orders to increase or decrease the rate of subsistence allowance initially granted, according to the circumstances of each case. A second or subsequent review can be made at any time at the discretion of the competent authority

It is permissible to reduce the amount of subsistence allowance once increased on the basis of the first review upto fifty percent of the amount of the subsistence allowance initially granted, if the period of suspension has been prolonged for reasons directly attributable to the employee, i.e. by his adopting dilatory tactics.

Similarly, in a case where the amount of subsistence allowance has been reduced after the first review, the same can be increased upto fifty percent of amount initially granted, if the period of suspension has been prolonged for reasons not directly attributable to the employee and the employee has given up dilatory tactics.

(d) **RETROSPECTIVE REVISION** – It is considered not advisable that any orders revising the subsistence allowances should be given retrospective effect. However, in case an order for variation of subsistence allowance under Regulation 40 is passed by the competent (disciplinary or appellate) authority after quite some time from the expire of the requisite three months and that authority is satisfied that the variation has got to be give retrospective effect for reasons to be recorded in writing and orders accordingly, the same would be valid and binding on all concerned.

(e) **DEEMED SUSPENSION AND LAW OF LIMITATION** - An employee in whose case the order of suspension is deemed to have been continued in force or who is deemed to have been placed under suspension from the date of original order of dismissal / removal/ compulsory retirement from service under Regulation 7 (4) or 7 (5) of the Chennai Port Trust Employees' (Classification, Control and Appeal) Regulation, 1988 is to be paid subsistence and other allowances under Regulation 40 with retrospective effect from the date of order of such dismissal / removal / compulsory retirement.

It is not necessary to invoke the law of limitation while paying the arrears of subsistence allowance and other allowances in such a case.

(f) **RESIGNATION DURING SUSPENSION** – If an employee who is under suspension submits his resignation, the competent authority should examine with reference to the merits of the disciplinary case against him whether it would be in the Board's interest to accept the resignation. Normally an employee is placed under suspension only in cases of grave delinquency and it would not be correct to accept resignation of an employee under suspension.

Exceptions may be made only in the cases in which –

- (i) the alleged offence do not involve moral turpitude or
- (ii) the quantum of evidence against the accused employee is not strong enough to justify the assumption that if the departmental proceedings were continued, the employee would be removed or dismissed from service, or
- (iii) the departmental proceedings are likely to be protracted that it would be cheaper to the Board to accept the resignation.

Where, however, the acceptance of resignation is considered necessary in the Board's interest, the resignation may be accepted with the prior approval of the competent authority.

(g) **RETIREMENT DURING SUSPENSION** – Though under retirement Regulations / voluntary Retirement Scheme, it is open to an employee to retire from service in his own accord after giving notice, it has been provided that in such cases it shall be open to the appropriate authority to withhold permission to an employee under suspension who seeks to retire under this sub-clause.

(h) **RETIREMENT OF EMPLOYEE UNDER SUSPENSION** – An employee under suspension shall be retired from service on the date of attaining the age of superannuation. During the period commencing from the date of retirement to the date on which the inquiry is concluded and final orders are passed by the competent authority he shall be paid a provisional pension not exceeding the maximum pension to which he would be entitled based on his qualifying service upto the date of placing him under suspension. No gratuity shall be paid until the conclusion of the departmental or judicial proceedings and issue of final order thereon.

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- (1) Revision of scale of pay under suspension –
- (i) Cases in which the revised scale of pay takes effect from a date prior to the date of suspension, the employee will be entitled to the benefit of increase in pay if any, in respect of the duty period before suspension and also in the subsistence allowance, for the period of suspension.
- (ii) Cases in which the revised scale of pay takes effect from a date following within the period of suspension the benefit will accrue to the employee in respect of period of suspension, only after his reinstatement depending on the fact whether the period of suspension is treated as duty or not.
- (2) Recoveries from subsistence allowance – The permissible deductions fall as under –
- (a) Compulsory deductions – The recovery of the following deductions should be enforced from the subsistence allowance :
- (i) Income tax (Provided the employee' yearly income calculated with reference to the subsistence allowance is taxable).
- (ii) House rent and allied charges, i.e., electricity, water, furniture, etc.
- (iii) Rent free quarters concession will cease from the date of suspension.
- (iv) An employee will not be required to vacate rent free accommodation unless the accommodation is specifically attached to any particular post, however, from the date of suspension house rent will be recovered from him on the assumption that he was not in occupation of rent free quarters.
- (v) Rent due in respect of an employee occupying quarters will be recovered on the basis of subsistence allowance.
- (vi) Repayment of loans and advances taken from the Board at such rates as the Head of the Department deems it right to fix.
- (vii) Subscription to following special funds :-
- (a) Chennai Port Trust Employees' House Building Advance Special Family Benefit Fund.
- (b) Chennai Port Trust Employee's (Contributory Loss in Wages Compensation) Fund.
- (c) Chennai Port Trust Family Security Fund.
- (b) Optimal Deductions – The recovery of the following deductions should not be made except with the employee's written consent:
- (c) Non-deductions – The deductions of the following nature should not be made from the subsistence allowance:
- (i) Subscription to a Provident Fund.
- (ii) Amounts due on Court Attachments.
- (iii) Recovery of loss to Board for which an employee is responsible.
- (d) As regards the recovery of over-payment, the competent administrative authority will exercise discretion to decide whether the recovery should be held wholly in abeyance or it should be effected at a rate not exceeding one-third of the subsistence allowance only, i.e., excluding dearness allowance and other compensatory allowances.
- (3) Change of Headquarters – An employee under suspension is regarded as subject to all other conditions of service applicable generally to Board's employee and cannot leave his place of duty.
- (4) Attending office during suspension – During the period of suspension a direction to the employee to attend office and mark attendance daily during working hours is irregular.
- (5) Where an employee is due to be discharged from service on account of expiry of the sanction of the post held by, or otherwise become liable to be retrenched when he is under suspension, the question whether he should be so discharged, or whether, to enable disciplinary proceedings being continued, special steps should be taken

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to provide a post for him should be examined on the merits of each case, and his post extended for an appropriate period. In these circumstances, the vacant caused by the extension should not, however, be filled.

41. (1) When an employee has been dismissed, removed or compulsorily retired is reinstated as a result of appeal or review or would have been so reinstated (but for his reinstatement on superannuation while under suspension or not), the authority competent to order reinstatement shall consider and make a specific order:

(i) regarding the pay and allowances to be paid to the employee for the period of his absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be ; and

(ii) whether or not the said period shall be treated as period spent on duty.

(2) Where the authority competent to order reinstatement is of opinion that the employee who had been dismissed, removed or compulsorily retired has been fully exonerated, the employee shall, subject to the provision of sub-regulation (6) be paid the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be.

Provided that where such authority is of opinion that the termination of the proceedings instituted against the employee had been delayed due to reasons directly attributable to the employee it may, after giving him an opportunity to make his representation within sixty days from the date on which the communication in this regard is served on him, after considering the representation if any, submitted by the employee direct, for reasons to be recorded in writing, that the employee shall, subject to the provisions of sub-regulation (7), be paid for the period of such delay, only such amount (not being the whole) of such pay and allowances it may determine.

NOTE – The expression ‘ to which he would have been entitled’ occurring in sub-regulation (2) would imply only the pay and allowances in respect of the post held by the employees before suspension

(3) In a case falling under sub-regulation (2), the period of absence from duty including the period of suspension preceding dismissal, removal or compulsory retirement, as the case may be, shall be treated as a period spent on duty for all purposes.

(4) In cases other than those covered by sub-regulation (2), the employee shall, subject to the provisions of sub-regulation (6) and (7) be paid such amount (not being the whole) of the pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the employee of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period (which in no case shall exceed sixty days from the date on which the notice has been served) as may be specified in the notice.

(5) In a case falling under sub-regulation (4), the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall not be treated as a period spent on duty, unless the competent authority specifically direct that it shall be treated so, for any specified purpose.

Provided that if the employee so desires such authority may direct that the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall be converted into leave of any kind due and admissible to the employee.

NOTE: The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of –

(i) extraordinary leave in excess of three months in the case of temporary employee, and

(ii) leave of any kind in excess of five years in the case of permanent employee.

(6) The payment of allowances under sub-regulation (2) or sub-regulation (4) shall be subject to all other conditions under which such allowances are admissible.

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(7) The amount determined under the proviso to sub-regulation (2) or under sub-regulation (4) shall not be less than the subsistence allowance and other allowances admissible under Regulation 40.

(8) Any payment made under this Regulation to an employee on his reinstatement shall be subject to adjustment of the amount, if any, earned by him, through an employment during the period between the date of removal, dismissal or compulsory retirement, as the case may be, and the date of reinstatement. Where the emoluments admissible under this regulation are equal to or less than the amounts earned during the employment elsewhere, nothing shall be paid to the directions, if any, of the court.

42 (1) Where the dismissal, removal or compulsory retirement of an employee is set aside by a Court of Law and such an employee is reinstated without holding any further inquiry, the period of absence from duty shall be regularized and the employee shall be paid pay and allowances in accordance with the provision of sub-regulation (2) subject to the directions, if any, of the court.

(2) Where the dismissal, removal or compulsory retirement of an employee is set aside by the Court solely on the ground of non-compliance with the requirements of 'Clause (1) or Clause (2) of Article 311 of the Constitution and where he is not exonerated on merits, the employee shall, subject to the provisions of sub-regulation (7) of Regulation 41, be paid such amount (not being the whole) of the pay and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired, or suspended prior to such dismissal; removal or compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the employee of the quantum proposed and after considering the representation of any, submitted by him, in that connection within such period (which proposed and after considering the representation if any, submitted by him, in that connection within such period (which in no case shall exceed sixty days from the date on which the notice has been served) as may be specified in the notice.

(ii) The period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be,

and the date of judgement of the Court shall be regularized in accordance with the provisions contained in sub-regulation (5) of Regulation 41.

(3) If the dismissal, removal or compulsory retirement of an employee is set aside by the Court on the merits of the case, the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement shall be treated as duty for all purposes and he shall be paid the full pay and allowances for the period, to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be.

(4) The payment allowances under sub-regulation (2) or sub-regulation (3) shall be subject to all other conditions under which such allowances are admissible.

(5) Any payment made under this regulation to an employee on his reinstatement shall be subject to 'adjustment of the amount, if any, earned by him, earned by him through an employment during the period between the date of dismissal, removal or compulsory retirement and the date of reinstatement. Where the emoluments admissible under this regulation are equal to or less than those earned during the employment elsewhere, nothing shall be paid to the employee.

43. (1) When an employee who has been suspended is reinstated or would have been so reinstated but for his retirement (including premature retirement) while under suspension, the authority competent to order reinstatement shall consider and make a specific order –

(i) regarding the pay and allowances to be paid to the employee for the period of suspension ending with reinstatement or the date of his retirement (including premature retirement), as the case may be : and

(ii) whether or not the said period shall be treated as a period spent on duty.

(2) Notwithstanding anything contained in Regulation 41 where an employee under suspension dies before the disciplinary or the Court proceedings instituted against him are concluded, the period between the date of suspensions and the date of death shall be

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treated as duty for all purposes and his family shall be paid the full pay and allowances for that period to which he would have been entitled had he not been suspended, subject to adjustment in respect of subsistence allowance already paid.

(3) Where the authority competent to order reinstatement is of the opinion that the suspension was wholly unjustified, the employee shall, subject to the provision of sub-regulation(8) be paid the full pay and allowances to which he would have been entitled, had he not been suspended:

Provided that where such authority is of the opinion that the termination of the proceedings instituted against the employee had been delayed due to reasons directly attributable to the employee, it may, after giving him an opportunity to make his representation within sixty days from the date on which the communication in this regard is served on him and after considering the representation, if any submitted by him direct, for reasons to be recorded in writing, that the employee shall be paid for the period of such delay only such amount (not being the whole) of such pay and allowances as it may determine.

(4) In a case falling under sub-regulation(3) the period of suspension shall be treated as a period spent on duty for all purposes.

(5) In cases other than those falling under sub-regulations (2) and (3) the employee shall, subject to the provisions of sub-regulations (8) and (9) to be paid such amount (not being the whole) of the pay and allowances to which he would have been entitled, had he not been suspended, as the competent authority may determine, after giving notice to the employee of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period (which in no case shall exceed sixty days from the date on which the notice has been served) as may be specified in the notice.

(6) Where suspension is revoked pending finalisation of the disciplinary or the court proceedings, any order passed under sub-regulation (1) before the conclusion of the proceedings against the employee shall be reviewed on its own motion after the conclusion of the proceedings by the authority mentioned in sub-regulation (1) who shall make an order according to the provision of

sub-regulation (3) or sub0regulatin (5), as the case may be.

(7) In a case falling under sub-regulation(5), the period of suspension shall not be treated as a period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purpose.

Provided that if the employee so desires such authority may order that the period of suspension shall be converted into leave of any kind due and admissible to the employee.

NOTE: The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of –

(a) extraordinary leave in excess of three months in the case of temporary employee; and

(b) leave of any kind in excess of five years in the case of permanent employee.

(8) The payment of allowances under sub-regulation (2), sub-regulation(3) or sub-regulation(5) shall be subject to all other conditions under which such allowances are admissible.

(9) The amount determined under the proviso to sub-regulation (3) or under sub-regulation (5) shall not be less than the subsistence allowance and other allowance admissible under Regulation 40

CLARIFICATIONS:

(1) Regulation 41 Absolute: Regulation 41 is absolute and unconditional, and it could not be absolute if the condition of lien had first to be satisfied. Therefore, the period of unemployment between the dates of dismissal and reinstatement should count for leave or increment.

(2) When suspension regulated as leave, consequential recovery inescapable – Where the period of suspension is ordered to be treated as one spent on leave, including extraordinary leave, if it is found that the total amount of subsistence and compensatory allowances that an employee received during the period of suspension exceeds the amount of leave salary and allowances admissible, the excess will have to be refunded / recovered.

(3) Treatment of period of absence and payment thereof -

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(a) The decision of the competent authority under Regulations 41, 42 and 43 is in respect of two separate and independent matters, viz,

- (i) pay and allowances for the period of absence; and
- (ii) whether or not the period of absence should be treated as duty

(b) It is not necessary that the decision on 3 (a) (i) above should depend upon the decision on 3 (a) (ii) above.

(c) The competent authority has the discretion to pay the proportionate pay and allowances and treat the period as duty for any specified purpose (s) or only to pay the proportionate pay and allowances. It has no discretion to pay full pay and allowances when the period is treated as "non-duty".

(d) "If no order is passed directing that the period of absence be treated as duty for any specified purpose that period of absence should be treated as "non-duty". In such an event, the past service ,i.e., service rendered before dismissal, removal, compulsory retirement or suspension will not be forfeited,

(e) As Regulation 41 is absolute, the law of limitation restricting payment of arrears of subsistence allowances only for a period of three years in certain circumstances need not invoked at the time of paying the arrears of pay and allowances for the period from the date of dismissal / removal / compulsory retirement / suspension to the date of reinstatement in respect of all cases where the pay and allowances are regulated on reinstatement in accordance with the provisions contained in Regulations 41.42 and 43.

(4) Regulation of Pay on reinstatement on grounds of equity or court judgment etc.-

(a) Regulation 41 is inapplicable in cases where dismissal / removal / discharge from or termination of service is held by a court of law or by an appellate reviewing authority to have been without following the

procedure required under Article 311 of the Constitution.

In such cases

- (i) If it is decided to hold a further enquiry and thus deem the employee to have been placed under suspension from the date of dismissal / removal / discharge / termination under the Regulation 7 (4) or 7 (5) of the "Chennai Port Trust Employees' (Classification, Control and Appeal) Regulation, 1988" the employee will be paid the subsistence allowances from the date he is deemed to have been placed under suspension;
- (ii) If the employee is not 'deemed' to have been under suspension as envisaged under 4 (a) (i) above, the payment of full pay and allowance for the intervening period and treatment of that period as duty for all purpose will be automatic and compulsory, provided that where the reinstated employee has secured employment during any period between the dismissal / removal discharge / termination and reinstatement, the pay and allowances admissible to him after reinstatement for the intervening period shall be reduced by the emoluments earned by him during such employment if such pay and allowances exceed such emoluments. If the pay and allowances admissible to him are equal to or less than the emoluments earned by him nothing shall be paid to him:

Provided that the amount to be paid under 4 (a) (i) and 4 (a) (ii) above will be determined subject to the directions, if any, in the decree of the court regarding arrears of salary.

(b) As the termination of service of an employee without following the procedure laid down in the "Chennai Port Trust Employees' (Classification, Control and Appeal) Regulations, 1988" or the terms of his appointment, etc., results in the payment of arrears by way of pay and allowances, the need for meticulously observing the "proper Procedure" in such cases is once again impressed on all concerned.

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(c) In all cases where the circumstances leading to an employee's reinstatement reveal that the authority which terminated his services, either willfully did not observe, or through gross negligence failed to observe the "proper procedure" as explained above, before terminating his service, proceedings should be instituted against such authority under Regulation 14 of the "Chennai Port Trust Employees' (Classification, Control and Appeal) Regulations, 1988" and the question of recovering from such authority the whole or part of the pecuniary loss arising from the reinstatement of the employee should be considered.

(5) Regularizing of suspension during criminal proceedings, arrest or detention - The cases of suspension during pendency of criminal proceedings or proceedings for arrest for debt or during detention under a law providing for preventive detention, shall be dealt with, in the following manner hereafter -

- (i) An employee who is detained in custody under any law providing for preventive detention or as result of a proceeding either on a criminal charge or for his arrest for debt shall, if the period of detention exceeds 48 hours and unless he is already under suspension, be deemed to be under suspension from the date of detention until further orders as contemplated in the "Chennai Port Trust Employees' (Classification, Control and appeal) Regulations, 1988". An employee who is undergoing a sentence for imprisonment shall also be dealt with in the same manner pending a decision on the disciplinary action to be taken against him.
- (ii) An employee against whom a proceeding has been taken on a criminal charge but who is not actually detained in custody (e.g. a person released on bail) may be placed under suspension by an order of the competent authority under the "Chennai Port Trust Employees' (Classification, Control and Appeal) Regulations, 1988". If the charge is connection with the official position of the employee or involving any moral turpitude on his part, suspension shall be ordered under this regulations

unless there are exceptional reasons for not adopting this course.

- (iii) An employee against whom a proceeding has been taken for his arrest for debt but who is not actually detained in custody may be placed under suspension by an order under the "Chennai Port Trust Employees' (Classification, Control and Appeal) Regulations, 1988" i.e., only if a disciplinary proceeding against his is contemplated.
- (iv) When an employee who is deemed to be under suspension in the circumstances mentioned in clause (i) or who is suspended in the circumstances mentioned in clause (ii) is reinstated without taking disciplinary proceedings against him, his pay and allowances for the period of suspension will be regulated under Regulation 43, i.e. in the event of his being acquitted of blame (if the proceeding taken against him was for his arrest for debt) or its being proved that his liability arose from circumstances beyond his control or the detention being held by any competent authority or to be wholly unjustified, the case may be dealt with under Regulation 43 (3), otherwise it may be dealt with under proviso to Regulation 43 (3).

(6) Erroneous detention or detention without basis - In the case of an employee who was deemed to have been placed under suspension, due to his detention in police custody erroneously or without basis and thereafter released without any prosecution having been launched, the competent authority should apply its mind at the time of revocation of the suspension and reinstatement of the employee and if he comes to the conclusion that the suspension was wholly unjustified, full pay and allowances may be allowed.

(7) Period of suspension to be treated as duty if minor penalty only is imposed - An employee could be placed under suspension if a *prima facie* case made out justifying his prosecution or disciplinary proceedings which are likely to end in his dismissal, removal or compulsory retirement, i.e., suspension should be resorted to only in those cases where a

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major penalty is likely to be imposed on conclusion of the proceedings and not a minor penalty. Where departmental proceedings against a suspended employee for imposition of a major penalty finally end with the imposition of a minor penalty, the suspension can be said to be wholly unjustified in terms of Regulation 43 and the employee concerned should, therefore, be paid full pay and allowances for the period of suspension by passing a suitable order under Regulation 43.

(8) Grant of leave under suspension – Leave may not be granted to an employee under suspension.

CHAPTER – IX

LEAVE

44. The entitlement to leave, leave salary and other conditions therefore to employees are regulated in accordance with the 'Chennai Port Trust (Leave) Regulation, 1987 as amended from time to time.

CHAPTER – X

RETIREMENT

45. The terms and conditions of retirement of employees from the Trust's service are regulated under the provisions of the Chennai Port Trust Employees' (Retirement) Regulation, 1976 as amended from time to time.

CHAPTER – XI

JOINING TIME

46. (1) Joining time shall be granted to an employee on transfer in Board's interest to enable him to join the new post either at the same or a new station. No joining time is admissible in cases of temporary transfer for a period not exceeding 180 days. Only the actual transit time, as admissible in case of journeys on tour, may be allowed.

(2) (i) The joining time shall commence from the date of relinquishment of charge of the old post if the charge is made over in the forenoon or the following date if the charge is made over in the afternoon.

(ii) The joining time shall be calculated from old headquarters in all cases.

(iii) Not more than only day's joining time shall be allowed to an employee to join a new post within the same station or which does not involve

a change of residence from one station to another station. For this purpose, the term 'same station' will be interpreted to mean the area falling within the jurisdiction of the municipality or corporation including such of suburban municipalities, notified areas of cantonments as are contiguous to the named municipality, etc.

(iv) In cases involving transfer from one station to another and also involving change of residence, the employee shall be allowed joining time with reference to the distance between the old headquarters and new headquarters by direct route and ordinary mode(s) of travel as indicated in the normal joining time may be deemed to have been extended to cover such holiday(s).

Distance between the old headquarters and the new headquarters	Joining time admissible	Joining time admissible where the transfer necessarily involves continuous travel by road for more than 200 kms.
(1)	(2)	(3)
1000 km or less	10 days	12 days
More than 1000 km	12 days	15 days
More than 2000 km	15 days except in cases of travel by air for which the maximum will be 12 days	15 days

NOTE: (i) Distance means actual distance and not weighed mileage for which fare is charged by the Railways in certain ghat / hill sections.

(ii) Extension of joining time beyond the limits can be granted upto the maximum limit of 30 days by the Head of Department / Deputy Chairman and beyond 30 days by the Chairman, the guiding principle being

that the total period of joining time should be approximately equal to 8 days for preparation PLUS reasonable transit time PLUS holidays, if any, following the extended joining time. While computing the transit time, allowance could be made for the time unavoidably spent due to disruption of transport arrangements caused by strike or natural calamities, or the period spent awaiting the departure of the steamer.

(3) An employee on joining time shall be regarded as on duty during that period and shall be entitled to be paid joining time pay equal to the pay which was drawn before relinquishment of charge in the old post. He will also be entitled to Dearness Allowance, if any, appropriate to the joining time pay. In addition, he can also draw compensatory allowances shall not be allowed conveyance allowance or permanent travelling allowance.

(4) (i) When an employee joins a new post without availing full joining time by reasons that –

(a) he is ordered to join the new post at a new place of posting without availing of full joining time to which he is entitled; or

(b) he proceeds alone to the new place of posting and joins the post without availing full joining time and takes his family later within the permissible period of time for claiming travelling allowance for the family the number of day of joining time admissible under sub-regulation (3) subject to a maximum of 15 days reduced by the number of days of joining time actually availed shall be credited to his leave account as earned leave subject to ceiling of 240 days as laid down in the Chennai Port Trust (Leave) Regulations, 1987.

(ii) Joining time may be combined with vacation and / or regular leave of any kind or duration except casual leave.

(5) An employee who does not join his post within his joining time is entitled to no pay or leave salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as misbehaviour for the purpose of Regulation 14.

(6) A person in employment other than port service or on leave granted from such employment, if in the interest of Board is

appointed to a post under the port, may, at the discretion of the Chairman, be treated as on joining time while he prepares for and makes the journey to join the post under the Board, and while he prepares for and makes the journey on reversion from the post under the Port to return to his original employment. During such joining time he shall receive pay equal to the pay, or in the case of joining time immediately following leave granted from the private employment, to the leave salary, paid to him by his private employer prior to his appointment, to Board's service, or pay equal to the pay of the post in Port service, whichever is less.

CHAPTER – XII

FOREIGN SERVICE

FOREIGN SERVICE / DEPUTATION

47. (1) No employee may be transferred to foreign service against his will.

(2) Transfer to Foreign Service outside India may be sanctioned subject to approval of the Central Government and restrictions which the Government may deem fit to impose by general or special order.

48. A transfer to foreign service is not admissible unless

(i) the duties to be performed after the transfer are such as should, for public reasons, be rendered by an employee,

(ii) the employee transferred holds, at the time of transfer a post paid from Board's General Fund or holds a lien on a permanent post.

NOTE: The transfer of a temporary employee to foreign service is permissible under this Regulation.

49. If an employee is transferred to a foreign service while on leave, he ceases from the date of such transfer to be on leave and to draw leave salary.

50. An employee transferred to a foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer and may be given proforma promotion while on foreign service.

51. An employee in foreign service will draw pay from the foreign employer from the date on which he relinquishes charge of his post in Board's service. Subject to any

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restrictions which may be imposed, the amount of his pay, the amount of joining time admissible to him, his pay during such joining time and terms and conditions of transfer will be fixed by the authority sanctioning the transfer in consultation with the foreign employer (See Appendix V).

52. (1) While an employee is in foreign service, contributions, towards the cost of his pension must be paid to Board's General Fund Account on his behalf.

(2) If the foreign service is in India, contributions must be paid on account of the cost of leave salary also.

(3) Contributions due under (1) and (2) above shall be paid by the employee himself, unless the foreign employer consents to pay them. They shall not be payable during leave taken while in foreign service.

(4) By special arrangements made under Regulation 60 contributions on account of leave salary may be required in the case of foreign service out of India also, the contribution being paid by the foreign employer.

NOTE: Pension throughout this chapter include Board's contributions, if any, payable to an employee's credit in a Contributory Provident Fund.

53. The rate of contributions payable on account of pension and leave salary shall be such as may be prescribed by the Government (See Appendix-V)

54 (1) The rates of pension contribution prescribed under Regulation 55 will be designed to secure to the employee the pension that he would have earned by service under the Board if he had not been transferred to foreign service.

(2) The rates of contribution for leave salary will be designed to secure to the employee leave salary on the scale and under the conditions applicable to him.. In calculating the rate of leave salary admissible, the pay draw in foreign service, less in the case of employees, paying their own contributions, such part of pay as may be paid as contributions will count as pay.

55. In case of transfer to foreign service, the Board may

- (i) remit the contributions due in any specified case or class of cases:
- and

- (ii) make regulations prescribing the rate of interest if any, to be levied on overdue contributions.

56. (1) Contributions for leave salary or pension due in respect of an employee on foreign service may be paid annually within fifteen days from the end of each financial year or at the end of the foreign service, if the deputation on foreign service expires before the end of a financial year, and if the payment is not made within the said period interest must be paid to the board, at the rate of two paise per day per hundred rupee from the date of expiry of the period aforesaid upto the date on which the contribution is finally paid. The interest shall be paid by the employee or the foreign employer accordingly as contribution is paid by the former or the latter.

(2) The leave salary and pension contribution should be paid separately and no dues recoverable from the Board on any account should be set off against these contributions.

57. An employee on foreign service may not elect to withhold contributions and to forfeit the right to count as duty on Board's service the time spent in foreign employer. The contribution paid on his behalf maintains his claim to pension or to pension an leave salary, as the case may, in accordance with the rules of the service. Neither be nor the foreign employer has any right of property in a contribution paid and no claim for refund can be entertained.

58. An employee transferred to a foreign service may not without the sanction of the Chairman, accept pension or gratuity from his foreign employer in respect of such service.

59. An employee in foreign service may not be granted leave otherwise than in accordance with the rules applicable to him and may not take leave or receive leave salary from the Board unless he actually quits duty and goes on leave.

60. (1) An employee in foreign service out of India may be granted leave by his employer on such conditions as the employer may determine. In any individual case, the authority sanctioning the transfer may determine before hand, in consultation with the employer, the condition on which leave will be granted by the employer. The leave salary in respect of leave granted by the employer will be paid by the employer and the leave will not

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be debited against the employee's leave account.

(2) In special circumstances the authority sanctioning a transfer to foreign service out of India may make arrangements with the foreign employer, under which leave may be granted to the employee in accordance with the rules applicable to him as a Board's employee if the foreign employer pays to the Board leave contribution at the rate prescribed.

61. An employee in foreign service if appointed to officiate in a post in Board's service, will draw pay calculated on the pay of the post in Board's service on which he holds a lien and that of the post in which he officiated. His pay in foreign service will not be taken into account in fixing his pay.

62 (1) An employee reverts from foreign service to Board's service on the date on which he takes charge of his post in Board's service.

Provided that if he takes leave on the conclusion of foreign service before rejoining his post his reversion shall take effect from such date as the Head of Department on whose establishment he is borne may decide.

(2) When an employee reverts from foreign service to Board's service his pay will cease to be paid by the foreign employer and his contributions will be discontinued, with effect from the date of reversion.

CHAPTER XIII

MISCELLANEOUS

63 INTERPRETATION'

If any question arises as to the interpretation of these regulations, the same will be decided by the Board.

64 POWER TO RELAX;

The power to relax any of the provisions of these regulations for a class or category shall rest with the Board.

65 GOVERNMENT'S RULES TO APPLY;

Notwithstanding anything contained in these regulations, the provisions of the Fundamental Rules and Supplementary Rules of the Government of India as amended from time to time and Government orders and decisions thereon shall be adopted with such modifications or exceptions as the Board may decide with the prior approval of Central

Government pending formal amendment to these regulations.

66 A service record should be maintained for every employee in the manner as may be prescribed by the Chairman from time to time.

67 The forms and procedures for the purposes of these regulations shall be as prescribed by the Chairman from time to time.

68 Any orders passed or action taken or provisions implemented based on the Fundamental Rules and Supplementary Rules of the government of India prior to the commencement of these Regulations, such orders passed or action taken or provisions implemented shall be deemed to have been done under the corresponding provisions of these Regulations

K.V RAO, Jt. Secy.

(File No.PR-12016/11/96-PE.I)

Foot Note :

The Chennai Port Trust (Pay and Allowances, etc) Regulations, 2001 approved by the Central Government and published in the Gazette of India vide Ministry of Shipping's Notification No. GSR 548(E) dated 23.7.2001. Subsequently amended vide (i) Notification No.GSR 39(E) dated 20.1.2005.

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APPENDIX -I

DELEGATION OF POWERS (REGULATION-3)

Sl. No.	Reg No.	Nature of powers	Authority to which is delegated	Extent of power delegated
(1)	(2)	(3)	(4)	(5)
1.	14 (i) (iii)	Power for condonation of interruption or break in service	Chairman Deputy Chairman Head of Department	Full powers in respect of all employees Full Powers in respect of Class I & III employees Full powers in respect of Classes III and IV employees
2.	15	Power to accept and permit withdrawal of resignation	Government Chairman Deputy Chairman or Higher Authority Heads of Departments or Higher Authority	For posts covered by Section 24(i)(a) of the Major Port Trusts, Act, 1963. For all other Class I posts For Class II posts For Classes III and IV posts
3.	20	Grant of Increment (including E.B.)	Chairman Deputy Chairman Head of Department	Full powers in respect of all Classes of employees Full powers in respect of Classes II & III employees Full powers in respect of Classes III and IV employees. NOTE: Stoppage of increment at E.B. should be drawn only with approval of the Chairman.
4.	40	Power to grant and review subsistence allowance	Government Chairman Deputy Chairman Head of Department	For posts covered by Section 24(i)(a) of the Major Port Trusts, Act, 1963. For all Classes of employees For Class II and III employees For Classes III and IV employees

APPENDIX-II

RESIGNATION

(REGULATION 15)

1. AUTHORITY TO ACCEPT RESIGNATION:

When an employee tenders resignation, the appointing authority in respect of the service or post in question is the authority competent to accept the resignation of the employee.

2. FORMAT OF RESIGNATION:

Resignation is an intimation in writing sent to the competent authority by the incumbent of a post, of his intention or proposal to resign from office / post either immediately or from a future specified date. A resignation has to be clear and unconditional.

3. CIRCUMSTANCES UNDER WHICH RESIGNATION SHOULD BE ACCEPTED:

It is not in the interest of the board to retain an unwilling Board's employee in service. The general rule, therefore, is that a resignation of an employee from service should be accepted, except in the circumstances indicated below.

(i) Where the Board's employee concerned is engaged on work of importance and it would take time to make alternative arrangements for filling the post, the resignation should not be accepted straight away by only when alternative arrangements for filling the post have been made.

(ii) Where an employee, who is under suspension, submits, a resignation, the competent authority should examine with reference to the merit of the disciplinary case pending against the employee, whether it would be in Board's interest to accept the resignation. Normally, as employees are placed under suspension only in cases of grave delinquency it would not be correct to accept a resignation from an employee under suspension.

Exceptions to this regulation would be where the alleged offences do not involve moral turpitude or where the quantum of evidence against the accused employee is not strong enough to justify the assumption that if the departmental proceedings were continued, he would be removed or dismissed from service, or where the departmental proceedings are likely to be so protracted that it would be cheaper to the Board to accept the resignation.

4. EFFECTIVE DATE OF RESIGNATION:

A resignation becomes effective when it is accepted and the employee is relieved of his duties. If an employee who had submitted a resignation, sends an intimation in writing to the appointing authority withdrawing his earlier letter or resignation before its acceptance by the appointing authority, the resignation will be deemed to have been automatically withdrawn and there is no question of accepting the

resignation. In case, however, the resignation had been accepted by the appointing authority and the employee is to be relieved from future date, if any request for withdrawal of the resignation is made by the employee before he is actually relieved of his duties, the normal principle should be to allow the request of the employee to withdraw the resignation. If however, the request for withdrawal is to be refused, the grounds for the rejection of the request should be duly recorded by the appointing authority and suitably intimated to the employee concerned.

5. WITHDRAWAL OF RESIGNATION:

The procedure for withdrawal of resignation after it has become effective and the employee had relinquished the charge of his post are governed by the following provisions;

(1) The appointing authority may permit a person to withdraw his resignation in the Board's interest on the following provisions, namely ;

(i) That the resignation was tendered by the employee for some compelling reasons which did not involve any reflection on his integrity, efficiency of conduct and the request for withdrawal of the resignation has been made as a result of a material change in the circumstances which originally compelled him to tender the resignation;

(ii) That during the period intervening between the date on which the resignation became effective and the date from which the request for withdrawal was made, the conduct of the person concerned was in no way improper,

(iii) That the period of absence from duty between the date on which the resignation became effective and the date on which the person is allowed to resume duty as a result of permission to withdraw the resignation is not more than ninety days; and

(iv) That the post, which was vacated by the employee on the acceptance of his resignation or any other comparable post, is available.

(2) Request for withdrawal of resignation shall not be accepted by the appointing authority where an employee resigns his service or post with a view to taking up an appointment in or under a private commercial company or in a corporation or company wholly or substantially owned or controlled by

the Government or in or under a body controlled or financed by the Government.

(3) When an order is passed by the appointing authority allowing a person to withdraw his resignation and to resume duty, the order shall be deemed to include the condonation of interruption in service but the period of interruption shall not count as qualifying service.

6. RELEASE OF EMPLOYEES FOR APPOINTMENT IN CENTRAL PUBLIC ENTERPRISES:

An employee who has been selected for a post in a Central / State Government or the Government of Union Territory or the Public Sector Undertakings or State or Central Public / State or Central autonomous body or other Major Ports or any other local authority / body on the basis of his application on his own volition and forwarded through Port may be released only after obtaining and accepting his resignation from the Port service. Resignation from Board's service with a view to secure such employment with proper permission will not entail forfeiture of the service for the purpose of retirement/ terminal benefits. In such cases, the employee concerned shall be deemed to have retired from service from the date of such resignation and shall be eligible to receive all retirement / terminal benefits as admissible under the relevant regulations applicable to him in Port service in accordance with the orders on the subject issued by the Government from time to time.

7. WHEN RESIGNATION A ' TECHNICAL FORMALITY'

In cases where employees apply for posts in the same or other departments through proper channel and on selection, they are asked to resign the previous posts for administrative reasons, the benefit of past service may, if otherwise admissible under regulations, be given for purposes of fixation of pay in the new post treating the resignation as a 'technical formality'

APPENDIX-III

REGULATION OF COMPENSATORY (CITY) AND HOUSE RENT ALLOWANCES IN DIFFERENT CIRCUMSTANCES (REGULATION 30)

The drawal of compensatory (city) allowances and / of house rent allowance

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under different circumstances shall be regulated as stated below;

1 LEAVE:

(i) An employee will be entitled to draw compensatory (city) and house rent allowances during leave at the same rates at which he was drawing these allowances before he proceeded on leave. For this purpose leave means total leave of all kinds under the Chennai Port Trust (Leave) Regulations, 1987, not exceeding 180 days and the first 180 days of the leave if the actual duration of leave exceeds the period; but does not include terminal leave, whether running concurrently with the notice period or not. When holidays are combined with leave, the entire period of holidays and leave should be taken as one spell of leave.

House Rent Allowance as well as Compensatory (city) Allowance will be admissible during L.P.R. subject to submission of certificate that the employee concerned and / of his family continue reside at the same place / same station.

NOTE ; (1) In the case of employees who are originally granted leave on medical certificate exceeding 180 days and have ultimately to retire from Trust's service on grounds of invalidity, the entire leave thus becoming leave preparatory to retirement, recovery of compensatory (city) and house rent allowances already drawn need not be effected. Employees otherwise but do not join duty after expiry of such leave owing to death / invalidation during such leave may also be regulated in the same manner.

(2) In cases, where an employees who is sanctioned leave whether on medical grounds or otherwise does not join duty after availing himself of such leave, and resigns, he shall not be eligible for compensatory (city) allowance and house rent allowance for the entire period of such leave. The competent authority shall ensure that the entire amount drawn on this account is recovered before resignation, etc., is accepted.

(3) Drawal of these allowances during the period of leave in excess of first 180 days availed of on grounds other than medical grounds mentioned in sub-para (ii) below shall be subject to furnishing of the certificates prescribed in this regulation.

(ii) The limit of 180 days shall be extended to eight months for the purpose of the grant of these allowances in the case of employees

suffering from T.B. Cancer or other ailments during the period of their leave taken on medical certificates issued by the Trust' Chief Medical Officer in the forms prescribed.

It is immaterial whether the leave is on medical certificate from the very commencement or is in continuation of other leave as defined in para (i) above. In the case of employees suffering from T.B., Cancer or other ailments, who remain on leave for a period exceeding 8 months, the grant of house rent allowance and compensatory (city) allowance for the period of leave beyond 8 months, may be decided by the Chairman irrespective of the period of leave involved so long as Medical Certificate in the prescribed form is issued by the Trust's Chief Medical Officer.

(iii) An employee who is granted study leave will be entitled to draw compensatory (city) allowance during the first 180 days of study leave at the rates admissible to the employee from time to time at the place from where he proceeds on study leave. The continuance of payment of compensatory (city) allowance beyond 180 days of the study leave will however, be subject to the production of certificates prescribed

(iv) The period of leave immediately after termination of foreign service abroad and before resuming duty under the Trust has to be treated as continuation of foreign service and no HRA/ CCA can be granted for the said period because these allowances are granted with reference to the place of duty. Accordingly such officers are entitled to HRA / CCA if admissible, only with effect from the date they assume charge under the Trust on expiry of leave.

2. JOINING TIME:

During joining time an employee shall continue to draw compensatory (city) and house rent allowances at the same rates at which he was drawing these allowances at the station from where he was transferred. Where, however, joining time is affixed to leave, joining time shall be added to the period of 180 days referred to in para (1) above unless in any case it is otherwise expressly provided.

3. DEPUTATION ABROAD:

The employees going abroad on deputation shall be eligible to draw compensatory (city) and house rent allowances as the rates admissible to them from time to time at the

station from where they proceed abroad on deputation in the following manner;

(i) Deputation not exceeding one year – compensatory (city) and house rent allowances will be admissible for the entire period of deputation.

(ii) Deputation exceeding one year – An employee proceeding on deputation abroad for a period exceeding one year will be eligible for compensatory (city) allowance / house rent allowance till such time as his family remains at the last place of his duty in India. In the event of an employee applying for family passage to the place of deputation abroad or for transfer, travelling allowances in respect of his family's journey from the headquarters in India to hometown or any station he will not be required to refund the amount of compensatory (city) allowance / house rent allowance upto the date upto which the family actually resides at the last headquarters of the employee in India.

(iii) Deputation initially not exceeding one year but subsequently extended beyond one year – Compensatory (city) and house rent allowances will be admissible upto the date or orders extending the period of deputation beyond one year. Thereafter, the allowances shall be admissible as per sub-para (ii) above.

(iv) The drawal of allowances under this sub-para will be subject to the production of certificates prescribed.

4. TRAINING ABROAD :

An employee who is deputed for training abroad under the various training schemes sponsored by the Board or operated through non-official channels shall be entitled to draw compensatory (city) allowance and house rent allowance during the entire period of such training at the rate admissible to him from time to time at the station from where he was deputed abroad for training subject to the production of certificates prescribed.

Leave taken during the course of training or immediately after the completion of training abroad to cover stay-overs / stop-overs resulting in the absence of the trainees abroad beyond a period of training and as such the employee concerned will not be entitled to my compensatory (city) and house rent allowances during the period of leave taken on training abroad irrespective of whether the leave falls within the first six months of training or immediately after the completion of the training abroad.

5. TRAINING IN INDIA:

An employee who is sent on training in India, and whose period of training is treated a duty under regulation 4 (6) shall be entitled to draw during the entire period of such training compensatory (city) and house rent allowances at the rates admissible to him, from time to time, at the either the place of training or the place of duty from where he proceeded on training, whichever or more favourable to him. For claiming the allowances admissible at the place of duty from where an employee proceeded to another station for training, he will be required to furnish the certificate (s) prescribed.

NOTE; - An employee who is allowed travelling allowance as on tour and draws daily allowance at the place of training will draw house rent allowance and compensatory (city) allowance only at the rate admissible to him at his headquarters from where he proceeded on training.

6. SUSPENSION:

The drawal of compensatory (city) allowance and house rent allowance to an employee under suspension shall be regulated with reference to Regulations 40 and 41 subject to his furnishing either or both of the certificates prescribed for drawal of allowances for periods beyond 180 days from the date of suspension.

NOTE: If the headquarters of an employee under suspension are changed in the Board's interests by orders of a competent authority, he shall be entitled to the allowances as admissible at the new station provided the furnishes the requisite certificate with reference to such station.

7. WOMEN EMPLOYEES NOT PAYING RENT THEMSELVES:

In the case of married employee residing with her husband, and in the case of an unmarried employee residing with her father or other members of the family who are not employees, the rent paid by her husband or, as the case may be, by her father or other members of the family, shall be deemed to be the rent paid by her. Such employees will be eligible for house rent allowance, if otherwise admissible under these orders.

CERTIFICATES

The certificates required under sub-para 3 (iv), pars (4), (5) and (6) will be as follows:

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- I. For drawal of compensatory (city) allowance;

The employee concerned or his family or both continued, for the period for which compensatory (city) allowance is claimed, to reside at the same station (whether within its qualifying limits or in an adjoining area) from where he was placed under suspension / proceeded on leave / deputation / training.

- II. For drawal of house rent allowance;

The employee concerned continued for the period for which house rent allowance is claimed, to retain the house at the same station, (whether within its qualifying limits or in an adjoining area) from where he was placed under suspension / paid rent for it.

NOTE: 1. The words "adjoining area" used in the above certificates refer to an area from which an employee normally attends to his duties.

2. Family under this regulation means a Board's servant's wife / husband, children and other persons residing with and wholly dependent upon him / her. A husband's wife / child / parent having an independent source of income is not treated as a member of family of the Board's servant except when such income including pension (inclusive of temporary increase in pension and pension equivalent of DCRG benefits) does not exceed an amount as may be prescribed by the Chairman from time to time.

APPENDIX-IV

DEPUTATION OUT OF INDIA – TERMS AND CONDITIONS

(REGULATION 38)

- (1) employees may be allowed to proceed abroad –

(a) (i) for training under various financially aided schemes (such as Colombo Plan, U.N. Scheme, etc.) and sponsored programmes.

(ii) to attend meetings / conference sponsored by I.L.O., U.N.O., or other foreign Governments Agencies.

(b) on deputation / delegation other than on training under financially aided schemes.

(2) The guiding principles, formulation and clearance of proposals, period of deputation, passage, passport and other fees, daily allowance, accommodation, foreign allowances and other allied matters shall be in accordance with the directions of the Central Govern.

- (3) Leave and Transit time:

An employees deputed for training abroad may be allowed upto a maximum of 4 days for completion of pre-departure formalities, e.g., medical examination, arrangements for passports, etc., and this period may be treated as transit time.

Where an employee avails himself of earned leave not exceeding 120 days / 4 months in India, in conjunction with deputation.:-

(a) the normal time taken on the journey by the employee from the place where he was spending his leave to the sea / air port of embarkation limited to the normal time on the journey from his headquarters in India to the Port of embarkation, and

(b) The normal time taken on the journey from the Port of disembarkation to his headquarters, may, under the orders of the Chairman, be treated as transit time and included in the period of deputation.

(c) An employee may, subject to the exigencies of Board's service, be granted leave while abroad for a period not exceeding fifty per cent of the actual period of duty abroad (excluding the transit time from India to the country of deputation and back and enforced halt) or a fortnight, whichever is less for personal reasons. Cases involving grant of leave in excess of limits indicated above should be decided by the Government.

(d) The Chairman may grant casual leave in exceptional circumstances to an employee subject to the condition that it will not have the effect of extending the period of deputation.

(e) The entitlement of an employee to normal transit time, pay will not be affected by leave of any kind taken in India immediately before the commencement of the period of deputation or immediately on return to India at the end of such deputation; leave taken abroad before, during or at the end of the period of deputation on medical grounds or in

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order to spend profitably a period of enforced halt due to unavoidable waiting for a passage; and leave granted on personal grounds in accordance with the provision of sub-para 3 (c).

(4). Pay and Allowances:

(a) For employees sent abroad on training under various financially aided schemes.

(i) PAY.

The entire period of the employee's absence from his post will be treated as period of deputation on the full pay which he would have drawn had he remained on duty.

(ii) DEARNESS ALLOWANCE:

An employee deputed for training abroad under the various officially sponsored training schemes may be allowed dearness allowance at the rate at which he would have drawn had he not proceeded on deputation abroad for training, excluding any regular leave taken abroad, even in cases of stay of more than six months in a single country.

The dearness allowance will be admissible for the entire period of such deputation abroad for training.

(iii) Compensatory (city) Allowance and House Rent Allowance :

An employee will be entitled to draw Compensatory (City) Allowance and House Rent Allowance during the entire period of training at the rate admissible to him from time to time. The allowances will not be admissible for the period of training which is treated as special leave or earned leave.

(iv) Recovery of Rent .:

An employee proceeding abroad on training, the period being treated as duty is, however, entitled to retain the Board's accommodation for the full period of training on payment of the same rate of rent which he was paying before proceeding on training, provided the residence is required for the bonafide use of the employee or the members of his family. If the period of training is covered by grant of special leave or earned leave, etc., he can retain Board's quarters on payment normal rent upto maximum period of four months.

(b) For employees sent abroad on deputation / delegation other than on training under financially aided scheme:

(i) Pay – The entire period of employee's absence from his post will be treated as period of deputation on the full pay which he would have drawn had he remained on duty.

The entitlement of an employee to normal transit time pay will not be affected by leave of any kind taken in India immediately before the commencement of the period of deputation or immediately on return to India at the end of such deputation: leave taken abroad before, during or at the end of the period of deputation on medical ground or in order to spend profitably a period of enforced halt due to unavoidable waiting for a passage and leave granted on personal grounds in accordance with the provision of sub-para 3 (c)

(ii) Dearness Allowance:

An employee on deputation out of India and drawing pay not exceeding the prescribed limits may be allowed to draw dearness allowance during the first six months of their stay in one country, at the rate at which the allowance would have been drawn, had the employee not proceeded on deputation and thereafter, the rate equal to the dearness allowance may also be granted in cases of deputation out of India extending over a period exceeding six months, provided the deputation is to more than one country and the period of the employee's stay on deputation in any one country does not exceed six months.

(c) Compensatory (City) Allowance and House Rent Allowance:

An employee going abroad on deputation shall be eligible to draw Compensatory (City) and House Rent Allowances at the rates admissible to them from time to time for the entire period of deputation.

(d) Travelling Allowance:

Employees sent abroad will be entitled to travelling allowance including daily allowance, incidentals, internal travel cost, etc. in accordance with the traveling allowance regulations.

APPENDIX – V

FOREIGN SERVICE – CONDITIONS AND BASIS OF TERMS TO FOREIGN SERVICE

1. FOREIGN SERVICE – TRANSFER ON DEPUTATION:

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1.1 The terms and conditions should be settled well in advance before release.

1.2 The terms should not be so excessive as to make foreign service more attractive and such as to impose an unnecessary heavy burden on the foreign employer.

2. SCOPE :

Scope of Term 'deputation / foreign service' – Restrictions on treating an appointment as on deputation / foreign service:

2.1 The terms ' deputation / foreign service' will cover only those appointments that are made by transfer on a temporary basis provided that the transfer is outside the normal field of deployment and is in the public interest.

2.2 The question whether the transfer is outside the normal field of deployment or not will be decided by the authority which controls the service or post from which the employee is transferred.

2.3 Appointment of serving employees made either by promotion or by direct recruitment with open market candidates whether on permanent or temporary basis shall not be regarded as deputation / foreign service.

2.4 Permanent appointments made by transfer will also not be treated as deputation / foreign service.

2.5 Temporary appointment made on the basis of personal requests of employees will also not be treated as deputation / foreign service.

2.6 In case of appointments on deputation / foreign service to a Major Port and in those cases where the scale of pay and Dearness Allowance in the parent cadre post and ex-cadre post are similar, a person in the higher scale of pay shall not be appointed on deputation to a post in a lower scale of pay.

2.7 In case of appointment on deputation /foreign service from Central Government to Chennai Port Trust and in those cases where the pay scale and D.A. in the parent cadre post and ex-cadre post are dissimilar, no appointment on deputation / foreign service shall be made if by raising the grade pay by one increment plus dearness allowance (s) including interim relief; if any, admissible to a person in parent cadre post exceeds the emoluments comprising pay plus dearness allowance (s) including interim relief, if any, at the maximum of the ex-cadre post.

3. PAY AND DUTY ALLOWANCE :

EXERCISE OF OPTION:

3.1 The pay which an employee shall receive in such service must be precisely specified in the order sanctioning the transfer.

3.2 An employee on deputation may elect to draw either the pay in the scale of pay of the new post as may be fixed under the regulations or his basic pay in the parent department plus personal pay if any, plus deputation (duty) allowance.

3.3 The borrowing authority should obtain the option of the employee within one month from the date of joining the ex-cadre post unless the employee has himself furnished the option.

3.4 The option once exercised shall be final. However, the employee may revise the option under the following circumstances which will be effective from the date of occurrence of the same;

(a) when he receives proforma promotion or is appointed to non-functional selection grade in his parent cadre;

(b) when he is reverted to a lower grade in his parent cadre:

(c) When the scale of pay of the parent post on the basis of which his emoluments are regulated during deputation / foreign service or of the ex-cadre post held by the employee on deputation / foreign service is revised either prospectively or from a retrospective date;

(d) Based on the revised / same / option / of the employees, in the event of proforma promotion / appointment to non-functional selection grade revision of scales of pay in the parent cadre, the pay of the deputationists will be refixed with reference to the revised entitlement of pay in the parent cadre. However, if the initial option was for the pay scale of the deputation post and no change in option already exercised is envisaged the pay already drawn in deputation post will be protected if the pay refixed is less.

NOTE :Revision in the rates of DA, HRA or other allowances either in the parent or borrowing organization shall not be an occasion for revision of the earlier option.

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4. PAY FIXATION:

4.1 When an employee on deputation / Foreign Service elects to draw pay in the scale of pay attached to the ex-cadre post, his pay may be fixed as under:

(i) Deputation from Port / Government / other organizations to Chennai Port Trust;

Pay may be fixed under normal rules.

(ii) In foreign service / reverse foreign service:

(a) When the pay scale of the post in the parent cadre and that attached to ex-cadre post are based on same index level and the DA pattern is also same, the pay may be fixed under the normal fundamental rules.

(b) If the appointment is made to post whose pay structure and / or DA pattern is dissimilar to that in the parent organization, pay may be fixed by addition to his grade pay, one increment in the scale of his regular parent post (and if he was drawing pay at the maximum of the scale by the increment last drawn) and equating the pay so raised plus dearness allowance (and additional or ad hoc dearness allowance, interim relief, etc. if any) with emoluments comprising of pay plus D.A, ADA, interim relief, etc. if any, admissible in the borrowing organization and the pay may be fixed at the stage in the pay scale of the ex-cadre post at which total emoluments admissible in ex-cadre post as above equal to the emoluments drawn in the cadre and if there is no such stage, pay may be fixed at the next higher stage.

(iii) Pay fixed under (i) and (ii) shall neither be less than the minimum of the scale of the ex-cadre post nor shall it exceed the maximum of that scale.

4.2 In cases of appointment from one ex-cadre post to another ex-cadre post where the employee opts to draw pay in the scale of the ex-cadre post, the pay in the second or subsequent ex-cadre posts, should be fixed under the normal rule as with reference to pay in the cadre post only. In respect of appointments to ex-cadre post, the difference may be allowed as personal pay to be absorbed in future increases in pay. This is subject to the condition that on both the

occasions the employees should have opted to draw pay in the scales of pay attached to the ex-cadre posts.

4.3 In cases of appointment to a second or subsequent ex-cadre post (s) in a higher pay scale than that of the previous ex-cadre post, that pay may be fixed with reference to the pay drawn in the cadre post and if the pay so fixed happen to be less than the pay drawn in the previous ex-cadre post, the difference may be allowed as personal pay to be absorbed in future increases in pay. This is subject to the condition that on both the occasions the employee should have opted to draw pay in the scales of pay attached to the ex-cadre posts.

NOTE. 1: The term parent post basic pay means the post held on regular basis in the parent organization and pay drawn / admissible in such a post respectively.

2. A officer who may be holding a higher post on ad hoc basis in the cadre at the time of proceeding on deputation/ foreign service would be considered to have vacated the post held on ad hoc basis and proceeded on deputation / foreign service from his regular post. During his deputation / foreign service, he shall earn notional increments in his regular post only. On his reversion if he is reappointed to the higher post on regular or ad hoc basis his pay will get fixed with reference to the pay admissible in the lower post as on date of promotion. In such case, if his pay gets fixed at a stage lower than that of his junior (s) who continued to serve in the cadre, no stepping up will be admissible as per extent rules insofar as the Trust's employees are concerned. However, if the pay so fixed is less than the pay drawn earlier while holding the post on ad hoc basis the pay earlier drawn will be protected. Therefore, those employee who are already holding a higher post on ad hoc basis are expecting it shortly in the parent cadre may weigh all relevant considerations before opting for deputation / foreign service. This note of caution will be applicable to employee of other organizations wishing to apply for posts on deputation in Chennai Port Trust, if governed by similar rules in parent organization.

3. Pay of officer appointed on deputation / foreign service on ad hoc basis pending selection of a regular incumbent may also be regulated in accordance with provision of para 4 or 5 of this Appendix, subject to the condition that if the said officer does not fulfill the

eligibility conditions laid down in the terms of deputation of the ex-cadre post, his pay in the scale of the ex-cadre post, if so opted shall be subject to the restrictions under FR 35. Where the terms of deputation of the post have not been notified such restrictions may be enforced if his is ineligible to hold a post in equivalent / analogous grade in his own cadre.

5. DEPUTATION (DUTY) ALLOWANCE

5.1. The Deputation (Duty) Allowance which is deemed as 'Special Pay' as defined in the Regulation 4 (23) shall be at the following rates :

(a) 5% of the employee's basic pay subject to a maximum of Rs.250/- per month when the transfer is within the same station.

(b) 10% of the employee's basic pay subject to a maximum of Rs.500/- per month in all other cases.

The Deputation (Duty) Allowance as above shall be further restricted as under:

(i) Pay plus Deputation (Duty) Allowance does not exceed the maximum of the scale of pay of the ex-cadre post

(ii) In the cases where pay scales are dissimilar, then pay plus Deputation (Duty) Allowance plus D.A. / A.D.A. / I.R. etc. does not exceed the pay at the maximum of ex-cadre post plus D.A, I.R., etc, thereon.

(iii) Pay plus Deputation (Duty) Allowance as above shall at no time exceed Rs.7,300/- P.M.

NOTE: (1) The term 'same station' for this purpose will be determined with reference to the station where the persons were on duty before proceeding on deputation.

(2) When there is no change in the headquarters with reference to the last post held, the transfer should be treated as within the same station and when there is change in headquarters it would be treated as not in the same station. So far as places falling within the same urban agglomeration of the old headquarters are concerned they would be treated as transfer within the same station.

5.2. Special rates on deputation (duty) allowances may be admissible under separate orders in any particular area on account of the condition of living there being particularly arduous or unattractive. Where special rates are more favorable than that under para 5 above employees deputed to area will be given the benefit of the special rate.

5.3 Whenever extension of the period of deputation for the fifth year or the second year in excess of the period prescribed in the terms of deputation is granted, it would be on the specific understanding that the officer would not be entitled to draw deputation (duty) allowance. The officers who opted to draw pay in the scale of the ex-cadre post shall however, continue to draw pay in that scale during the extended tenure also.

5.4 If an employee with the permission of competent authority proceeds on deputation / foreign service from one ex-cadre post to another ex-cadre post in the same or another organization without reverting to his parent cadre, and if the second ex-cadre post is at the same station as the first ex-cadre post, then the rate of deputation (duty) allowance would remain unchanged

5.5. In cases where a person on deputation / foreign service is transferred by the borrowing authority from one station to another without any change in the post held by him the rate of deputation (duty) allowance will remain the same as was decided at the time of initial posting and will not undergo any change.

5.6. Any special pay drawn by an employee in the parent department should not be allowed in addition to the deputation (duty) allowance. However, the Charmin, may by general or special order suitably restrict the deputation allowance where the special pay drawn by an employee in the parent cadre is allowed to be drawn in addition to basic pay, in his deputation post.

6. CONTRIBUTION: RATE OF LEAVE SALARY CONTRIBUTION:

6.1 The monthly rate of leave salary contribution of employees governed by the Chennai Port Trust (Leave) Regulations is 11% of pay drawn in foreign service.

6.2 Rates of pension contribution: The rates of pension contributions will be based on class of service to which the employee belongs, his length of service and maximum of the pay held by him at the time of his proceeding on foreign service.

6.3 The rates of pension contribution will be expressed as percentage of the maximum monthly pay of the post in the officiating / substantive grade as the case may be, held by the employee at the time of proceeding on foreign service or of the post to which he may receive proforma promotion while on foreign service plus DA,ADA / ad hoc DA treated as

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pay and interim relief appropriate to such maximum pay.

6.4 The rate of pension contribution on the maximum of the pay of the post is laid down under the table below:

RATES OF MONTHLY CONTRIBUTION PENSION

Year of service	Rates of monthly contribution expressed as percentage of the maximum monthly pay of the post in the officiating / substantive grade, as the case may be, held by the employee at the time of proceeding on foreign service			
	Class-I	Class-II	Class-III	Class-IV
0-1 Year	7%	6%	5%	4%
1-2 Year	7%	6%	5%	4%
2-3 Year	8%	7%	6%	5%
3-4 Year	8%	7%	7%	5%
4-5 Year	9%	8%	7%	5%
5-6 Year	10%	8%	7%	6%

6-7 Year	10%	9%	8%	6%
7-8 Year	11%	9%	8%	6%
8-9 Year	11%	10%	9%	7%
9-10 Year	12%	10%	9%	7%
10-11 Year	12%	11%	10%	7%
11-12 Year	13%	11%	10%	8%
12-13 Year	14%	12%	10%	8%
13-14 Year	14%	12%	11%	8%

14-15 Year	15%	13%	11%	9%
15-16 Year	15%	13%	12%	9%
16-17 Year	16%	14%	12%	9%
17-18 Year	16%	14%	13%	10%
18-19 Year	17%	15%	13%	10%
19-20 Year	17%	15%	13%	10%
20-21 Year	18%	16%	14%	11%
21-22 Year	19%	16%	14%	11%
22-23 Year	19%	17%	15%	11%
23-24 Year	20%	17%	15%	12%
24-25 Year	20%	17%	16%	12%
25-26 Year	21%	18%	16%	12%
26-27 Year	21%	18%	16%	13%
27-28 Year	22%	19%	17%	13%
28-29 Year	23%	19%	17%	13%
29-30	23%	20%	18%	13%
Above 30 years	23%	20%	18%	14%

6.5 If the contributions are paid by the employee himself, the rate of contributions shall be calculated applying the following formulae as may be the case.

(a) Where the pension contribution alone is paid by the employee-

$$L = (F - P) \times r / 100$$

Where L is the leave salary contribution

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F is the pay actually drawn in Foreign Service

P is the pension contribution paid by the employee

r is the rate of leave salary contribution

(b) Where the leave salary contribution is alone payable by the employee.

$$L = (F \times r / 100 + r)$$

Where L is the leave salary contribution

F is the pay actually drawn in foreign service

r is the rate of leave salary contribution

(c) Where both the contributions are payable by the employee.

$$L = (F - P) \times r / 100 = r$$

Where L is the leave salary contribution

F is the pay actually drawn in Foreign Service

P is the pension contribution

r is the rate of foreign salary contribution

6.6 Rates of Contributory Provident Fund Contributions:

An employee who is subscriber to the Chennai Port Trust Contributory Fund and who is transferred to Foreign Service shall pay monthly subscriptions calculated on the rate of pay drawn in Foreign Service.

6.7 The foreign employer or the employee himself, shall pay in addition for the period of active foreign service a contribution determined by the formula $X + XY$ where X equals the amount which would have been credited monthly to the subscriber's account in the Contributory Provident Fund had he not proceeded on foreign service, the rate of pay drawn by him in foreign service being regarded as his emoluments for this purpose, and Y equal the fraction which the amount recoverable as leave salary contribution bears to pay (11% of pay drawn in foreign service).

NOTE:-(1) The rates of contribution payable on percentage basis should be rounded off to the nearest rupee fractions equal to 50 paise being rounded off to the next higher rupees.

(2) See Regulation 56 for penal interest on overdue payment of contributions.

7. ADMISSIBILITY OF OTHER PAY, ALLOWANCES AND BENEFITS WHILE ON DEPUTATION / FOREIGN SERVICE :

7.1 Any project allowance admissible in a project area in the borrowing organization may be drawn in addition to deputation (duty) allowance.

7.2 Any special pay granted to an employee in the parent department under FR 9 (25) or a corresponding rule of parent organization should not be allowed in addition to deputation (duty) allowance. However, the borrowing department may allow in addition to deputation (duty) allowance under special circumstances any special pay attached to the post held by the employee in his / her parent department, by suitably restricting the deputation (duty) allowance. This will require the specific and prior approval of competent authority.

7.3 In case special pay is attached to the scale of pay of the ex-cadre post and the employee has opted to draw pay also in that scale, in addition to his pay in that scale he will also be entitled to draw such special pay. However, such special pay will not be admissible if he has opted to draw grade pay plus deputation allowance.

7.4 Personal pay, if any, drawn by an employee in his parent department will continue to be admissible on deputation / foreign service if he opts to draw grade pay plus deputation allowance. No deputation allowance on this personal pay will however, be admissible.

7.5 Increments: The employee will draw increment in his parent grade or in the grade attached to the deputation post as the case may be, depending on whether he has opted for his own grade pay plus deputation (duty) allowance or the time scale of the deputation post. If he has opted for time scale of the deputation post, notional increment shall also continue to accrue to him in the post held on regular basis in parent cadre / organization for the purpose of regulation of pay on reversion back to parent post at the end of tenure.

7.6 Admissibility of Allowances and Benefits while on Deputation / Foreign Service:

(a) Such allowances as are not admissible to regular employees of corresponding status

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in the borrowing organization, shall not be admissible to the officer on deputation / foreign service, even if they were admissible in the parent organization.

(b) Following allowances will be regulated with mutual consent of the lending and borrowing organization:

- (i) HRA / CCA
- (ii) Joining time and Joining time Pay.
- (iii) Traveling Allowances and Transfer T.A.
- (iv) Children Education Allowance
- (v) L.T.C.

(c) Following allowances / facilities will be regulated in accordance with the rules as explained against each :

(i) Dearness Allowance: The employee shall be entitled to dearness allowance at the rates prevailing in the borrowing organization or in the leading organization depending on whether he has opted for to draw pay in the time scale of the ex-cadre post or his own grade pay plus deputation (duty) allowance.

(ii) Medical Facilities : This will be regulated in accordance with the rules of borrowing organization.

(iii) Leave: An officer on deputation / Foreign service shall be regulated by the leave rules of the parent organization. At the time of reversion from the deputation post to the parent cadre, the borrowing organization may allow him / her leave not exceeding two months. The employee should apply for further leave to his cadre controlling authority.

8. REIMBURSEMENT OF TUITION FEES:

He will be entitled to reimbursement of tuition fees of his children subject to the terms and conditions laid down for it from time to time and liability in this regard will devolve, on the borrowing organization.

9. LEAVE AND PENSION :

During the period of deputation on temporary transfer he will continue to be governed by the leave and pension regulations of the Board applicable to him.

10. PROVIDENT FUND AND OTHER SPECIAL FUNDS BENEFITS:

During the period of deputation, he will continue to subscribe to the Provident Fund and other special funds of the Board to which he may be subscribing when he is placed on deputation, in accordance with the regulations of such funds.

11. RESIDENTIAL ACCOMMODATION:

He will be entitled to residential accommodation according to the rules of the organization to which he is deputed.

12. COMPENSATORY ALLOWANCES FOR THE PERIOD OF LEAVE:

The whole expenditure in respect of any compensatory allowance (including dearness allowance) for the periods of leave in or at the end of foreign service shall be borne by the foreign employer. A condition to this effect should be inserted in the terms of transfer of foreign service.

13. PROCEDURE FOR PAYMENT OF PENSION CONTRIBUTION AND LEAVE SALARY CONTRIBUTION:

A condition to the effect that payment of these contributions either by the foreign employer or the employee himself should be inserted in the terms of Foreign Service. Where the transferee himself is liable to pay the contributions on account of pension / contributory provident fund and leave salary it shall be necessary to secure a letter from the transferee, addressed to the foreign employer to pay to the Board from his salary a specific monthly sum which would be based on the foreign service contributions which the employee himself has to pay which would enable for foreign employer lawfully to effect the necessary deductions and remit it to the Board.

13.1 In cases of reserve deputation from Central Public Section Undertakings / State Public Section Undertakings / autonomous bodies to Chennai Port Trust, the question regarding leave salary and pension contributions will be decided by mutual consent.

14. PERIOD OF FOREIGN SERVICE :

The period of Foreign Service runs from the date on which the employee hands over charge of his post in Board's service to the date on which he resumes charge of it. The period of transit both ways is also part of foreign service. Even if leave is taken at the

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beginning or end of the foreign service the position is not affected. Pay during joining time will be fixed under Regulation 46 (3). Contributions during joining time following leave will be based on pay drawn while on foreign service.

15. PERIOD OF DRAWING DEPUTATION (DUTY ALLOWANCE) & TENURE:

15.1 The period of deputation / Foreign Service shall be subject to a maximum of three years in all cases except for those posts where a longer period of tenure is prescribed in the terms of deputation.

15.2 The borrowing organizations may grant extension beyond this limit upto one year, after obtaining orders of the competent authority where such extension is considered necessary in the public interest with the consent of lending authority.

15.3 The borrowing organizations may extend the period of deputation for the fifth year or for the second year in excess of the period prescribed in the terms of deputation where absolutely necessary, subject to the following conditions:

(i) While according extension for the fifth year, or the second year in excess of the period prescribed in the terms of deputation the directive issued for rigid application of the tenure rules should be taken into consideration and only in rare and exceptional circumstances such extension should be granted;

(ii) The extension should be strictly in public interest and with the specific prior approval of the borrowing authority;

(iii) Where such extension is granted, it would be on the specific understanding that the officer would not be entitled to draw deputation (duty) allowances ;

(iv) The extension would be subject to the prior approval of the lending organization, the officer on deputation;

(v) If the borrowing organization wishes to retain an officer beyond the prescribed tenure, it shall initiate action as above for seeking concurrence of lending organization, individual concerned etc. 6 months before the date of expiry of tenure. In no case it should retain an officer beyond the sanctioned terms unless concurrence of lending organization has been received.

15.4 In cases where extension is beyond the fifth year or second year in excess of the period prescribed in the terms of deputation, the same would be allowed only after obtaining the approval of the Board where Chennai Port Trust is the lending organization or the borrowing organization, proposal in this regard should reach the lending organization with the approval of the borrowing department at least three months before the expiry of the extended tenure with full particulars.

15.5 When extension of period of deputation / foreign service for the first and the second year in excess of period prescribed in the terms of deputation is considered by the borrowing organization under powers delegated to them, the period for extension may be so decided upon so as to ensure that officer concerned is allowed to continue on deputation till the completion of academic year in cases where the officer has school /college going children. No proposal for further extension beyond the second year in excess of period prescribed in the terms of deputation shall be forwarded on the consideration that the officer has school / college going children. Extension beyond this period will be considered only if it is strictly in the public interest.

15.6 For computing the total period of deputation / foreign service the period of deputation /foreign service in another ex-cadre post (s) held preceding the current appointment without a break in the same or some other organization shall also be taken into account.

15.7 If during the period of deputation / foreign service the basic pay of an employee exceeds the maximum of the scale of pay of the post or the fixed pay of the post, on account of proforma promotion in his cadre under the next below Rule or otherwise, the deputation / foreign service of the employee should be restricted to a maximum period of six months from the date on which his pay exceeds such maximum and he should be reverted to his parent department within the said period.

15.8 If during the period of deputation, on account of proforma promotion in the parent cadre under the next below rule, the employee becomes entitled to scale of pay higher than the scale of pay attached to the ex-cadre post, he may be allowed to complete the normal tenure of deputation subject to 15.7 above but

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no further extension of the period of deputation should be allowed in such cases.

16. PREMATURE REVERSION OF DEPUTATIONIST TO PARENT CADRE:

Normally, when an employee is appointed on deputation / foreign service, his services are placed at the disposal of the parent organization at the end of the tenure. However, as and when a situation arises for premature reversion to the parent cadre of the deputationist, his services could be so returned after giving advance intimation of reasonable period to the lending organization and the employee concerned.

17. SPECIFIC TERMS ABOUT ENCASHMENT OF EARNED LEAVE:

The liability on account of "all admissible allowances" towards encashment of earned leave during the period of deputation shall be borne by the borrowing department. The Trust will bear the liability on account of pay only.

18. RECOVERY OF SPECIAL DISABILITY LEAVE SALARY CHARGES ON ACCOUNT OF DISABILITY INCURRED IN AND THROUGH FOREIGN SERVICE.

The foreign employer should in the case of employees transferred to a foreign service accept liability for leave salary in respect of disability leave granted on account of disability incurred in and through foreign service, even though such disability manifests itself after the termination of foreign service. The leave salary charges for such leave should be recovered direct from foreign employer, a condition to this effect being inserted in the terms of transfer to foreign service.

19. TRANSIT PAY AND T.A. OF AN EMPLOYEE TRANSFERRED FROM ONE FOREIGN EMPLOYER TO ANOTHER WITHOUT REVERTING TO THE BOARD'S SERVICE:

In the case of an employee who proceeds on transfer from one foreign employer to another without reverting to Board's service the transit pay and allowance, traveling allowances should be borne by the foreign employer to whom the employee proceeds on transfer subject to the provisions of period of deputation read with para 15.6 to 15.8

20. LENDING DEPARTMENT TO PAY D.A. AS PART OF CASH EQUIVALENT OF LEAVE SALARY IN CASE OF RETIREMENT / DEATH WHILE IN FOREIGN SERVICE

20.1 The incidence of expenditure on account of dearness allowance payable to an employee who retires / dies in harness while on foreign service should be paid to him by the Board as a part of cash equivalent of leave salary in lieu of unutilized leave admissible to him at the time of retirement / demise.

20.2 No employee will be permitted to receive any remuneration or enjoy any concession not those specified in the order: and if the order is silent as to any particular remuneration or concession it must be assumed that the intention is that it shall not be enjoyed.

21. SPECIFIC TERMS ABOUT PRODUCTIVITY LINKED BONUS :

The liability will be borne by the Chennai Port Trust, provided the deputationist opted for the scale of pay applicable to his rank and category in the Chennai Port Trust. In cases, where the deputationist opted for the scale of pay which he was drawing in his parent department prior to the date of his deputation and draw deputation duty allowance, the liability will be limited to the scale of pay as applicable to his rank and category in the Chennai Port Trust for the whole year or proportionately, as the case may be.

22. FOREIGN SERVICE TRANSFER ON OWN VOLITION:

A permanent employee who has been appointed in an autonomous body / public sector undertaking financed wholly or substantially by Government or in Government departments or other Ports on the basis of his own application in response to press advertisement etc., shall, on his permanent absorption in such body be entitled to the same retirement benefits in respect of his past service under the Board as are admissible to a permanent employee going on deputation and getting absorbed therein, except, carry forward of leave provided they had applied through proper channel and released after obtaining acceptance of their resignation from past service.

22.1 They may be allowed to retain their lien in Board's service for a period of two years or till they are permanently absorbed in the

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undertaking which ever is earlier subject to the following condition:

(a) the leave salary and pension contributions should be paid either by the undertaking / organization or by the employee himself. If the employee himself is to pay the contributions it may be specifically so recorded in the release order and a declaration from him obtained to that effect.

(b) The employee will be governed by the rules of the undertaking / organization in respect of fixation of pay and allowances and all other matter.

(c) Resignation from Board's service with a view to secure employment in Public Undertaking, autonomous bodies or other ports with proper permission will not entail forfeiture of past service for retirement / terminal benefits.

(d) The manner of discharge of pro-rate retirement benefits shall be as approved in B.R. 249 dated 29.1.1985 and orders issued from time to time.

APPENDIX-VI

SERVICE RECORD

(REGULATION – 66)

1. A service book in such form and manner as the Chairman may prescribe must be maintained for every employee holding a substantive post, on a permanent establishment or officiating in a post or holding a temporary post except in respect of employees officiating in posts or holding temporary post, who are recruited for purely temporary or officiating vacancies not likely to last more than one year and are not eligible for permanent appointment.

2. In all cases in which a service book is necessary under para 1, such a book shall be maintained for an employee from the date of first appointment to Board's service. Except in respect of Heads of Departments, it must be kept in the custody of the Head of the office in which he is serving and transferred within from office to office. The service record of Heads of Departments will be kept in the custody of Secretary.

3. Every step in an employee's official life must be recorded and attested in this service book and each entry must be attested by the Head of Department, if he himself is the Head of Department by his immediate superior.

The Head of the Department must see that all entries are duly made and attested, and that the book contains no erasure or over-writing, all corrections being neatly made and properly attested.

4. Every period of suspension from employment and every other interruption of service, if any, must be made with full details of its duration and must be attested.

5. It shall be the duty of every Head of Department to initiate action to show the service books to the employee concerned every year and obtain their signature therein, in token of having inspected the service books.

ORDER:

The cost of service book should be borne by the Board and it should not be returned to the employee on retirement, resignation or discharge from service.

However, a certified copy of a service book may be supplied to an employee who asks for it on quitting Board's service by retirement, discharge or resignation on payment of a copying fee of Rs.5/-

The Heads of Departments are permitted to delegate to their subordinate officers, power to attest entries in service books, except their own service books.

Entries regarding appointment, increment, fixation of pay, etc., should be based on appointment orders, medical certificates, increment certificates, pay fixation statements, etc.

The P.F. Account No., nomination to Provident Fund, Death-cum-Retirement Gratuity, Pension, declarations under Leave Travel Concession Scheme and concession availed by employee or family members under the scheme, etc., should be recorded in the service books.
