

KANDLA PORT TRUST EMPLOYEE'S (ACCEPTANCE OF EMPLOYMENT AFTER RETIREMENT) REGULATIONS, 1976.

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

1. **Short title and commencement**—(a) These regulations may be called the Kandla Port Trust Employees (Acceptance of Employment after Retirement) Regulations, 1976.

(b) They shall come into force on the date on which the Central Government's approval thereto is published in the official gazette.

2. **Application**—These regulations shall apply to all employees holding class I Posts.

3. **Definition**—In these regulations, unless the context otherwise requires :—

(a) "Board" & "Chairman" shall have the meaning assigned to them in the Major Port Trusts Act, 1963.

(b) "Class I posts" shall mean the posts classified as such by the Board from time to time under the Kandla Port Trust Employees' (Classification, Control & Appeal) Regulations, 1964.

(c) "Competent Authority" shall mean 'Chairman' for the purpose of these regulations.

4. **Permission for the Employment**—(a) No person who has held a Class I post under the Board immediately before retirement shall accept any commercial employment including an employment as contractor for or in connection with the execution of Boards works or as an employee of such contractor, before the expiry of two years from the date of retirement without obtaining the previous permission of the competent authority.

For the purpose of this regulation, the terms 'Commercial Employment' means—

(i) an employment in any capacity including that of an agent under a company, co-operative society, firm or individual engaged in trading commercial industrial, financial or a professional business and includes also a directorship of such company and partnership of such firm, but does not include employment under a body corporate, wholly or substantially owned or controlled by the Government.

(ii) setting up practice, either independently or as a partner of a firm, as advisers or consultant in matters in respect of which the pensioner —

(A) has no professional qualifications and the matters in respect of which the practice is to be set up or is carried on are relatable to his official knowledge or experience, or

(B) has professional qualifications but the matters in respect of which such practice is to be set up are such as are likely to give his clients an unfair advantage by reason of his previous official position, or

(iii) has to undertake work involving liaison or contact with the offices or officers of the Board

(b) No person who is covered by these regulations and has not obtained the necessary permission shall be given any contract with the Board.

(c) The officers concerned to whom these regulations apply shall be required to sign at the time of sanctioning the retirement benefits, an undertaking in such form as may be prescribed by the competent authority that they will not accept any commercial employment within two years of retirement without obtaining the previous permission of the competent authority.

NOTE :—The undertaking shall be given on a non-judicial stamp paper of appropriate value, the cost of which shall be borne by the retiring officer.

(d) In default, an officer—

(i) It governed by the Pension Regulations of the Board, shall forfeit his pension for the period during which he is so employed or for such longer period as the competent authority may direct, and

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(ii) if governed by the Contributory Provident Fund Regulations, shall be liable to compensate the Board to the extent the competent authority may decide for not honouring the undertaking made earlier to the contrary.

Provided that an officer permitted by the competent authority to take up such an employment during his leave preparatory to retirement shall not be required to obtain fresh permission on retirement for continuance therein.

(e) The application for permission to take up an employment within two years of retirement shall be made in such form as may be prescribed by the competent authority (Appendix-A).

5. Reckoning of two years period.—The period of two years for the purpose of these regulations in the case of an officer who is re-employed after retirement without a break in the same or another Class I posts, be reckoned from the date on which he finally quits the Board's service.

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APPENDIX—A

**Form of application for permission to accept employment within a
period of two years after retirement**

1. Name of the Officer :
(In Block letters).
2. Date of retirement :
3. Particulars of the Department in which the officer
served during the last five years preceding retire-
ment (with duration)

Name of the Department	Post held	Duration	
		From	To

4. Post held at the time of retirement and period
for which held.
5. Pay scale of the post and the pay drawn by the
Officer at the time of retirement.
6. Retirement benefits.—
 - (i) If governed by the Contributory Provident
Fund Scheme :
 - (a) amount of Special Contribution ...
 - (b) amount of Trust's Contribution ...
 - (e) amount of any other Contribution ...
 - (ii) If governed by the Pension Scheme :
 - (a) Pension expected/sanctioned (commuta-
tion, if any, should be mentioned).
Gratuity, if any ...
7. Details regarding employment proposed to be taken up
 - (a) Name of the firm/company/co-operative
society etc.
 - (b) Whether the official had during his official
career any dealings with the firm/company etc.
 - (c) Duration or nature of the official dealings
with the firm/company, etc.
 - (d) Name of job/post offered. ...
 - (e) whether post was advertised, if not how was
offer made.
 - (f) Description of the duties of job/post ...
 - (g) Does it involve liaison/contract work with
Kandla Port Trust.
 - (h) Remuneration offered for the post/job ...
8. Any information which the applicant desires to
furnish in support of his request.

Station :

Signature of the Officer

Dated :