

KANDLA PORT EMPLOYEES (FESTIVAL ADVANCE) REGULATIONS, 1976.

PREAMBLE

In pursuance of Sub-Section (2) of Section 124 of the Major Port Trusts Act; the Board of Trustees of the Port of Kandla hereby publish the following Regulations Made by it in exercise of the powers conferred by Section 28 of the aforesaid Act, namely:-

1. Short title and commencement.—(1) These Regulations shall be called the Kandla Port Employees (Festival Advances) Regulations, 1976.

(2) They shall come into force on the date of publication in the Official Gazette, after the Central Government's approval of these Regulations:—

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

(a) "Accounts Officer" means the Financial Adviser & Chief Accounts Officer of the Board or any other Officer authorised by him in this behalf.

(b) "Advance" means the advance admissible under these Regulations.

(c) (i) "Board", "Chairman", Deputy Chairman" Head of Department" shall have the same meanings as assigned to them in the Major Port Trusts Act, 1963; (ii) The term Class I and Class II officers shall have the same meaning as defined in the Regulation 6 of K. P. T. (CCA.) Regulations, 1964.

(d) "Calendar year" means the year beginning on 1st January and ending on 31st December

(e) "Employee" means all class III and IV employees (including work charged and 'A' Catagory Shore Labour).

(f) "Financial year" means the year beginning on the 1st April and ending on the 31st march following :

(g) "Important Festival" means:—

(i) Republic Day.

(ii) Independence Day.

(iii) Holi.

(iv) Diwali.

(v) Dussehra.

(vi) Pongal.

(vii) Onam.

(viii) Guru Nanak's Birth Day.

(ix) Christmas.

(x) Rosh Hoshanah.

(xi) Id Ul-Fitr.

(xii) Id Ul-Zuha.

(xiii) Any other festival which the Chairman may declare by a general or special order, after taking into account the importance attached locally to such festival.

(h) "Pay" means the pay as defined under F. R. 9(21)(a). The term "Pay" include dearness pay wherever applicable.

3. Extent of applications. - (1) As provided under these Regulations, the advance shall be granted to all employees (including workcharged and "A" catagory shore labour) holding Class III or Class IV post or equivalent to that post and who are in receipt of Pay not exceeding one thousand two hundred twenty five per mensem.

(2) The advance shall not be granted to :—

(i) employees holding a Class I or Class II post;

(ii) employees holding Class III post who are in receipt of pay exceeding Rupees on thousand two hundred twenty five per mensem;

(iii) persons not in whole time employ with the Board;

(iv) persons paid from contingencies;

(v) Apprentices in all trades;

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(vi) employees working on adhoc basis for a specified period with out continuity in service.

(vii) employees who have not completed one year of continuous service with the Board on the date of the festival qualifying for advance.

4. Conditions of Eligibility.—(1) An advance shall be granted only on the eve of any one of the important festivals irrespective of the religious faith of the employee concerned as provided under sub-regulations (g) of Regulation 2 of these Regulations.

(2) An advance shall be admissible only on one occasion in a Calendar year.

(3) The advance shall not be granted to an employee more than once in a Calendar year even if the festival qualifying for advance falls twice in a Calendar year.

(4) An advance under these regulations shall be granted to an employee if he is on duty, or on earned leave or on any other leave equivalent thereto, including maternity leave but, excluding leave preparatory to retirement or leave preparatory to final cessation of service on the date on which the advance is applied for;

(5) An advance under these Regulations shall not be granted to an employee unless an advance already granted to him has been fully recovered,

(6) An advance shall not be granted to a temporary employee unless he is likely to continue in service with the Board for a period of atleast 12 months beyond the month in which the advance is disbursed.

(7) The advance shall not be granted to an employee unless he applied for it in writing atleast a fortnight before the date of the festival for which the advance is applied for. This condition can however, be relaxed by the officer who is empowered to sanction this advance in individual cases.

5. Interest free advance.—(1) The advance granted under these Regulations shall be free of interest.

6. Amount of advance.—(1) The amount of advance which may be granted to an employee under these regulations shall not exceed four hundred rupees.

7. Form of application for advance.—(1) The application for advance shall be made in the form prescribed in Appendix I to these Regulations.

8. Disbursement of advance.— The amount of advance sanctioned under these regulations shall be disbursed to the employee before the festival in respect of which the advance is sanctioned.

9. Recovery of advance.—(1) The amount of advance granted under these regulations shall be recovered in not more than ten equal monthly instalments.

(2) The recovery of the amount of advance shall commence with the issue of pay or leave salary as the case may be, for the month following that in which such amount is disbursed.

(3) The recovery of the amount of advance shall, in the case of an employee, governed by the Minimum Wages Act, 1948, or the Payment of Wages Act, 1936, or both shall be subject to the provisions of said Acts.

10. Accounts of Advances.— The procedure for the maintenance of accounts and watching the recoveries shall be as specified in Appedix II to these Regulations.

11. Interpretation of Regulations.—(1) If any question arises as to the interpretation of these Regulations, the same shall be decided by the Board.

12. Repeal and Saving.—(1) All rules corresponding to these Regulations and in force immediately before the commencement of these regulations are hereby repealed.

No. PEK (1)/77 Dt. 7-3-1977

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APPENDIX I

(See regulation 7)

Kandla Port Trust

Form of application-cum-surety for advance in connection with important Festival.

- (1) Name of applicant ...
- (2) Applicant's Designation ...
- (3) Department Office/Section ...
- (4) Basic Pay on the date of application ...
- (5) Length of service with date of first-appointment.
- (6) Whether on duty or on leave on the date of a application and if on leave, the nature of leave.
- (7) Festival for which advance is required ...
- (8) Amount of advance required ...
- (9) Number of instalments in which advance is desired to be repaid
- (10) Certified that :—
 - (i) I have not drawn a Festival Advance-during the current calendar year and
 - (ii) the advance granted to me in connection with a festival in the previous calendar year has been fully repaid.

If the advance is sanctioned, I hereby authorise the Chairman, Kandla Port Trust, to recover the amount in equal monthly instalments from my salary bills. I also authorise the Chairman, Kandla Port Trust, to recover any outstanding balance from the amount of my provident fund or any other dues due to me from the Board in case I leave the Trust's service or in the case of death before the complete repayment of said advance.

Station :

Date :

Signature of the applicant

Surety to be furnished by the Temporary Employees from the permanent employees of the Board for grant of Festival Advance

I stand surety for above employee and agree and hereby authorise the Chairman, Kandla Port Trust, to deduce the whole or any part of the above advance from my salary /wages or Provident Fund at the descretion of the Chairman.

Name

Designation

Signature of Surety

Witness

Signature

Name and address :

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APPENDIX II

(See Regulation 10)

Procedure for maintenance of account and watching of recoveries of Festival Advances

PART I

(1) The Drawing Officers should ensure that the conditions laid down under these Regulations for grant of Festival Advance are fulfilled and that proper accounts are maintained in their Departments/Offices/Divisions etc, and recoveries are watched.

(2) The payment on account of festival advances should be accounted for under the Head "Festival Advance" G L Code number 846 _____ 197 ____
(enter the name of festival & year)

The Drawing Officers should classify the bills accordingly. To facilitate the maintenance of accounts, the festival and the year to which the advance pertain should be conspicuously indicated at a suitable place on the first page of the bill.

(3) If the Drawing Officers are competent to sanction the advance under these Regulations, no separate order sanctioning the advance shall be required to be attached to the bill for such advances. The Drawing Officers should maintain a register in the prescribed Form 'A' in Part-II of this Appendix, to watch the recoveries on account of the advances.

(4) In support of the deductions, the Drawing Officers should attace to the monthly Supplementary pay bill through which the recovery of the advance is effected an abstract showing the "Shcedule of Recoveries" in the prescribed Form 'B' in Part II of this Appendix. A seperate schendle should be prepared in respect of each festival. The schedule should be prepared in triplicate and sent to Accounts Officer every manth. The pay and Audit Section should ensure that the total amount of recoveries shown in the 'Schedule of Recoveries' is agreed with the deduction column of the pay bill received from the Drawing officers. If the amount of advance is repaid any employee by cash, the same should be communicated by the drawing officer or cash section to the Accounts Officer (Pay) immediately after such payment to facilitate noting in the register maintained for that purpose by the Pay and Audit Section of the Finance Department. The Pay Audit Section shall ensure the correctness of monthly debits and credits posted under the Code G.L 846 by maintenance of suitable objection Books and Board Sheets which shall be closed regularly and balances worked out.