

KANDLA PORT EMPLOYEES (REIMBURSEMENT OF TUITION FEES) REGULATIONS, 1966.

In pursuance of sub-section (2) of Section 124 of the Major Port Trust Act, 1963 (38 of 1963), the Board of Trustees of Kandla Port hereby publishes with the approval of the Central Government the following regulations made by it in exercise of the Power conferred by clause (e) of Section 28 of the said Act, namely :—

1. **Short title and commencement.**—(i) These regulations may be called the Kandla Port Employees (Reimbursement of Tuition Fees) Regulation, 1966.
(ii) They shall come into force with effect from 1-8-1966.

2. **Definitions.**—In these regulations, unless the context otherwise requires :
(i) "The Chairman", and "Head of Department" shall have the same meaning as in the Major Port Trusts, Act, 1963.
(ii) "Employees" means an employee of the Board whether permanent' quasi permanent or temporary and includes any employee on foreign service and any permanent quasi-permanent or temporary employee of the Central of State Government or a local or other authority on deputation with the Board.

3. **Tuition Fees.**—(i) The tuition fees payable and actually paid on behalf of the children of Port Employees for education in India should subject to the terms and conditions mentioned in regulation 4 below be reimbursed to port employees at rates not exceeding those approved by the Government of the area for Government schools where the education is not free. In the State where education is free and no fees have been prescribed for the schools run by the State Government reimbursement of fees charged by the Government aided and recognised unaided Schools and also Departmental Schools except those meant for the blind deaf and dumb students, may be made at the rates actually paid subject to the following ceilings :-

| | | |
|-------|------|---------------|
| Class | VI | } Rs. 5/ p.m. |
| Class | VII | |
| Class | VIII | |
| Class | IX | Rs. 6/ p.m. |
| Class | X | Rs. 7/ p.m. |
| Class | XI | Rs. 8/ p.m. |

Class XII The amount charged for that Class in the Govt. Schools.

(ii) The tuition fees charged in respect of children of port employees who are physically handicapped or mentally retarded may be reimbursed to them subject to the general conditions laid down in Regulation 4 and the following further conditions :-

(a) Actual fee charged or Rs 20/- per month, whichever is less, will be admissible
(b) The actual fee charged are approved by the Central Government/State Government Union Territory Administration.

(c) The institution is recognised/approved by the Central Government/State Government Union Territory Administration.

(d) In case of the blind and other orthopaedically handicapped, the standard in which the children are studying corresponds to Primary, Secondary or Higher Secondary Classes in normal schools.

(e) In the case of deaf and dumb children, the Standard in which child is studying is the one approved by the Central Government/State Government or Union Territory Administration.

(f) In the case of mentally retarded, no levels have been prescribed but the reimbursement may be allowed subject to a maximum of 10 years and further subject to (1) satisfactory progress at certified by the Head of the institution and ii) promotion at such intervals as is the normal practice.

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(g) Wherever the progress of the student is not satisfactory without adequate justification such as (i) illness as certified by the competent medical authority (ii) a major tragic event in the family such as death of mother, father or guardian, or (iii) some other circumstances beyond the control of the student, the Board will have the right if the case so warrants to stop payment of the allowance.

Suitable certificate may be obtained from the head of the institution about satisfactory progress, as mentioned in sub-paras (f) and (g) above, half yearly in January and July each year.

4. (a) Eligibility :

(i) All Port employees whether permanent, quasi-permanent or temporary, who have put in not less than one year service and whose pay does not exceed Rs 1930 per month will be eligible for claiming re-imbursement of tuition fees.

In the case of an employee who draws pay at a rate exceeding above limit of Rs. 1930/- for part of a month, reimbursement will be allowed for that month only if he draws pay at a rate not exceeding the above prescribed limits for atleast 15 days in that month.

The term pay for the purpose of these regulations shall be taken to mean the pay as defined in FR 9(21) and will also include dearness pay in the case of Class I & II Officers,

(ii) Persons on deputation to the Port Trust will also be eligible for the concession for the duration of their deputation. For the month in which they Joint Port Service and that in which they leave it, the concession will be admissible only if the service under the Port Trust is not less than 15 days.

(iii) Port employees deputed to foreign service in India will be eligible to claim reimbursement from the foreign employers and necessary provision to this effect should be made in the terms of deputation.

In the case of persons already so deputed also, it is intended that the benefit of the concession should be given. In such cases the existing terms of deputation should be suitably revised by mutual agreement between the borrowing and lending authorities.

(iv) Where both husband and wife are Port employees, the allowance will be admissible in respect of one of them only, provided that it will not be admissible if the pay of either of them exceeds the limit laid down in Sub-regulation 4(a) (i).

(v) If a Port employee's wife or husband is employed outside the Port Trust is entitled to the facility of re-imbursement of fees in respect of her/his children from that employer, the concession to the Port employee will be correspondingly reduced.

(vi) The concession will be admissible to a Port employee who is on duty, under suspension or on leave including leave preparatory to retirement. It will not be admissible in respect of children of deceased, retired or discharged Port employees. If any Port employee dies, or ceases to be in Port employment in the middle of an academic year, the allowance will be admissible only till the end of the month in which the event takes place. In case of death of a male Port employee in the middle of the academic year, the allowance will be admissible upto a period of four months after the demise of the Port employee.

NOTE :- The pay with reference to which the concession will be given while the Port employee is under suspension or on leave will be the pay admissible to him at the time he was placed under suspension or proceeded on leave.

(vii) The concession will be limited to education in the middle, High and Higher Secondary Schools and corresponding class in Technical and other vocational schools and Pre-University classes or the first year classes of an intermediate college or a technical college anywhere in India. In case of education in Pre-University classes or the first year classes of an intermediate college, or a technical college the fees will be reimbursed, provided that the children in respect of whom the re-imbursement is claimed, have passed the Secondary High School, Matriculation or equivalent examination but not the Higher Secondary or equivalent examination.

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Tuition fees payable and actually paid for primary education in Government and aided schools in West Bengal where primary education is not free should also be reimbursed. For study in recognised un aided schools in that State the reimbursement should not exceed the fees prescribed in that State for corresponding classes in Government Schools.

The fees paid by the Port employees in respect of their children studying in first year class of the Polytechnic may be re-imbursed to them w.e.f. 15th March, 1977 subject to the fulfilment of the all basic conditions for grant of re-imburement of tuition fees.

NOTE :- Re-imburement of tuition fees is permissible in respect of children admitted to correspondence course conducted by Universities or evening colleges affiliated to Universities as long as the basic conditions for the grant of re-imburement of tuition fees, prescribed from time to time are satisfied.

(viii) This concession would not be admissible to the Port employees residing at Gopalpuri, Gandhidham and Kandla who have been offered seats for their children in the Port's schools at Gopalpuri or at Kandla, depending on the place of residence of the employee, who have not got their children admitted in those schools, unless the mother tongue of the children being other than the medium of instruction provided in the Port School and the child/children is/are actually studying in a school where this facility is in existence, or in an English medium school in the Kandla-Gandhidham area.

(b) Conditions of Re-imburement :

i) The concession will be admissible only if the child is enrolled in (a) a school which is recognised by the educational authorities of the Government of the area in which the school is situated, or (b) a school which prepared students for the matriculation examination conducted by a University and which is affiliated to and is recognised by such a University or (c) a school which is affiliated to the Central Board of Secondary Education, New Delhi:

For education in a college, tuition fees to be reimbursed, subject to the satisfaction of all the other conditions laid down in this regard, should not exceed those for the corresponding classes in a Govt. college.

For education in a Government College, tuition fees to be reimbursed subject to the satisfaction of all the other conditions laid down in this regard, shall be at the rates prescribed by the Government. For education in recognised aided/unaided colleges, the tuition fees actually payable and paid in respect of Pre-University class or First year class of an intermediate college of technical college, may be reimbursed subject to the condition that in no case will the re-imburement exceed Rs. 165/- (Rupees one hundred sixty five only) per term. In addition, laboratory fees not exceeding Rs. 30/- per term may also be reimbursed in respect of science students and special fees charged for Agriculture as an elective/additional subject may also be reimbursed.

In respect of Special type of Government schools also, the tuition fees to be reimbursed should not exceed those prescribed by the Government of the State in which the school is situated for the corresponding classes in a convential Government school.

(ii) The concession will be admissible only in respect of a Port employee's legitimate children including step-children (where adoption is recognised under the personal law of the Port employee) who are wholly dependent on the Port employee.

(iii) No reimbursement will be admissible in respect of a child for more than academic year in the same class.

(iv) Where a child is in receipt of any Government or non-Government Scholarship and is required to pay tuition fees to the school, no reimbursement will be made in cases where the scholarship amount is in excess of the tuition fees paid. In cases where scholarship amount is less than the tuition fees, the differences to the extent admissible may be allowed to the employees.

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In cases where partial free-ship is awarded to the student, only the tuition fees actually paid will be the basis for reimbursement.

(v) Reimbursement will be restricted to tuition fees only and will not cover special fees like library fees, games fee, extra-curricular activity fee etc. which will have to be borne by the Port Employee himself. Admission fee is also not reimbursable.

(vi) The reimbursement under these regulations will not be admissible in respect of children for whom children's Educational Allowance is claimed under Ministry of Finance O.M. No. F. 10(1)-Est (Spl.)/60, dated 30-1-1962, as amended from time to time and as applicable to Port employees.

5. **Head of Account**-The expenditure on account of reimbursement of tuition fees in terms of these regulations will be debitable to the same head of account to which the Port Employee's pay and allowances are debited. The procedure to be followed for claiming reimbursement under this scheme is contained in the Appendix to these regulations.

6. **Interpretation**-In all cases of doubt regarding the applicability of these regulations to any employee or their interpretation, the decision of the Chairman shall be final.

Secretary,
Kandla Port Trust.

APPENDIX I

Procedure to be followed for claiming re-imbursement of tuition fees.

1. The reimbursement shall be made on the strength of a certificate from head of school in the form annexed (**Annexure II**). This certificate will be obtained by the Government servant and submitted at the time of preferring the initial claim and subsequently at the beginning and in the middle of each academic year or when the children are transferred from one school to another. The claim for the reimbursement of tuition fees shall be made each month or quarter or half year by the Government servant in respect of children in existing form (Annexure-I to these regulations) except that no receipts in support of the payment of the tuition fees need be produced. The payment covering the reimbursement shall be drawn in the regular monthly pay bills in the case of fees paid monthly on the basis of the claim. The reimbursement shall however be claimed only in arrears and not in advance.

2. The drawing officer and in the case of class I and Class II officers, the Head of Department will verify that the reimbursement claimed is in accordance with the prescribed conditions and in particular he shall verify it with reference to the rate of tuition fees approved by the Government of the area for the Government schools.

3. The drawing officers, and in the case of Class I and Class II officers, the Head of Department shall furnish with the bills a certificate in the following form :—

"Certified that the relevant information and certificate in the prescribed form have been submitted by the port employee and the certificate from the Head Master of the school that the school is a recognised one, has also been submitted by the Port employee in support of the initial claim or at the beginning of each accademic year and that the claims have been verified and found admissible."

4. The drawing officer, or the Head of Department, should maintain a suitable record of the claims received, admitted or rejected and reimbursed in respect of each Port employees, and make it available, to the local audit/inspection, alongwith the certificates, and information furnished by the Port employees the receipts of education authorities in support of the claims preferred by them and other documents, if any. The record to be maintained will be in the form as shown in Annexure-III.

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ANNEXURE-I**

1. Date of last claim _____
2. Period for which reimbursement was claimed _____
3. Period to which present claim pertained _____

| Name of Schools in which studying and location of the school (State also whether it is a Govt. or a Govt. aided School) | Class in which studying. | Monthly tuition fees paid actually (Receipts to be attached) | Amount of Government Scholarship if any |
|---|--------------------------|--|---|
| 1 | 2 | 3 | 4 |
| 1. | | | |
| 2. | | | |
| 3. | | | |

Amount of Scholarship received from other sources, (N. B; Merit Scholarships and Scholarships specifically earmarked for items other than tuition fees need not be maintained)

Amount of reimbursement claimed.

| 5 | 6 |
|---|---|
|---|---|

(1) Certified that my child/children mentioned above in respect of whom reimbursement of tuition fees is claimed, is/are studying in the school (mentioned in column (2) which is/are recognised schools and that the tuition fees indicated against each have actually been paid by me.

(2). **Certified that—**

My wife/husband is not in Port service.

My wife/husband is in Port Service and that no reimbursement would be claimed by her/him and also the pay drawn by her/him does not exceed Rs. 600/- p.m.

My wife/husband is not employed outside the Port Trust.

My wife/husband is employed with @ _____ She/he is not entitled to re-imbursement of tuition fees in respect of our children.

She/he is entitled to re-imbursement of tuition fees in respect of our children

as follows :—

(3). Certified that none of the children mentioned above has been studying in the same class for more than two years.

(4) Certified that I have not claimed and will not claim the children's Educational Allowance under the Ministry of Finance O.M. 3/4 No. F-10 (1) -EST (Spl)/60 dated 30-1-1962 as adapted by the Port Trust in respect of the children mentioned above (strike out if not applicable).

Strike off what is not applicable.

@Employer other than the Port Trust to be mentioned.

Dated _____

Signature and designation of the
Port Employee.

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ANNEXURE-II

(Name and location of the institution)

Certificate that Shri/Miss _____ Son/daughter of Mr./Mrs _____
_____ is a student of _____ Class since _____
He/She is/his not in receipt of Scholarships of Rs. _____ per month/quarter from
_____ He/She has paid tuition fees @ Rs. _____ per month/
quarter/Half year for the period from _____ to _____
as per details given below.

1. Tuition fees @ Rs. ...
2. Science fees @ Rs. ...
3. Music fees @ Rs. ...
4.@ Rs. ...
5.@ Rs. ...

2. It is also certified that _____ School/College is recognised by
the educational authorities of _____ State (Not applicable for
Government Schools run by Municipal Corporation Committees).

Date from which
continuously studying
the same Class.

Principal/Head Master/
Head Mistress

ANNEXURE-III

Register of claim towards reimbursement of tuition fees of children.

| Sr. No. | Name | Designation | Period to which the claim pertains | Amount claimed | Amount admitted | Dated initials of drawing officer/Head of Department | Remarks |
|------------|------|-------------|---|-------------------|--------------------|---|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

N.B :— A separate register to be maintained for each office.