

BOMBAY PORT TRUST EMPLOYEES
(Grant of Advance in connection with Festivals)
REGULATIONS, 1976.

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Regulation

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ANNEXURE I

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BOMBAY PORT TRUST EMPLOYEES

(Grant of Advance in connection with Festivals)

REGULATIONS, 1976.

In exercise of the powers conferred by clause (b) of section 28 of the Major Port Trusts Act, 1963 (38 of 1963), and in supersession of the existing regulations, the Board of Trustees of the Port of Bombay, with the approval of the Central Government, under sub-section (1) of section 124 of the said Act, hereby makes the following regulations,¹ the same having been previously published in two successive issues of the Official Gazette, as required by sub-section (2) of the said section, namely :-

1. Short title and commencement - (1) These regulations may be called the Bombay Port Trust Employees (Grant of Advances in connection with Festivals) Amendment Regulations, 1993.
 - (2) They shall come into force on the date ² on which the Central Government's sanction thereto is published in the Official Gazette.
2. Definitions - In these regulations, unless the context otherwise requires,
 - (a) 'Accounts Officer' means the Financial Adviser and Chief Accounts Officer of the Board and such officers from the Finance Department as may be designated by the Financial Adviser and Chief Accounts Officer to regulate the grant and recovery of advances under these regulations;
 - (b) 'advance' means the advance admissible under these regulations;

1. *These regulations were framed by the Board under T.R.No.98 dated 23rd March 1976 and sanctioned by the Government vide Ministry of Shipping and Transport's letter No.PEB(33)/76 dated 10th June 1976.*

2. *Effective from 24th June 1976.*

2(a) Amended by TR No.596 dated 12.10.1993. MOSFT sanction published as GSR 705(E) in Gazette of India dated 12.11.1993 effective from that date.

(c) 'Board', 'Chairman' and 'Head of a Department' shall have the meanings respectively assigned to them in the Major Port Trusts Act, 1963 (38 of 1963);

- (d) ¹['Class I post', 'Class II post', 'Class III post' and 'Class IV post' shall have the meanings respectively assigned to them in the Bombay Port Trust Employees (Classification, Control and Appeal) Regulations, 1976;]
- (e) 'important festival' means –
- (i) Diwali;
 - (ii) Ramzan Id;
 - (iii) Christmas;
 - (iv) Parsi New Year Day;
 - (v) Rosh Hoshana;
 - (vi) Buddha Jayanti; and
 - (vii) Any other festival which the Chairman may declare, by a general or special order, after taking into consideration the importance attached locally to such festival;
- (f) 'pay' means the pay as defined in Article 11(11) of the Bombay Port Trust Digest of Pay and Allowances, Leave and Pension Rules, 9th Edition.
3. Extent of application - (1) Save as otherwise provided in these regulations, the advance is admissible to all employees (including 'B' Category Shore Workers), holding a Class III or a Class IV post.¹
- (2) ²The advance is not admissible to –
- (i) persons on deputation from the Central or a State Government or any other source;
 - (ii) persons not in the whole time employ of the Board;
 - (iii) persons paid from contingencies; and
 - (iv) apprentices.

1 & 2 Amended by TR No.596 dated 12.10.1993. MOSFT sanction published as GSR 705(E) in Gazette of India dated 12.11.1993 effective from that date.

- (3) The advance is not admissible to an employee who has not completed one year of continuous service on the date of the festival qualifying for advance.

4. Conditions of eligibility - (1) An advance may be granted only on the eve of an important festival.

- (2) An advance will be admissible only on one occasion in a calendar year.
- (3) An 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 may be granted to an employee, if he is on duty, or on earned leave or any other leave equivalent thereto including maternity leave, but excluding leave preparatory to retirement and leave preparatory to final cessation of service, on the date on which the advance is applied for.
- (5) An advance 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 for a period of at least one year beyond the month in which the advance is disbursed.
- (7) An advance shall not be granted to an employee unless he applies for it in writing at least a fortnight before the date of the festival.

5. Advance not to bear interest - An advance granted under these regulations shall be free of interest.

6. Amount of advance - The amount of advance which may be granted to an employee shall not exceed ¹ [the amount as may be approved from time to time by the Chairman].

7. Form of application for advance – Applications for advance shall be made in the form prescribed in Annexure I to these regulations.

¹ Amended by TR No.596 dated 12.10.1993. MOSFT sanction published as GSR 705(E) in Gazette of India dated 12.11.1993 effective from that date.

8. Disbursement of advance - The amount of advance shall be disbursed before the festival in respect of which the advance is granted.

9. Recovery of advance – (1) The amount of advance granted to an employee shall be recovered from him in not more than ¹ [ten] equal monthly instalments.

(2) The recovery of the amount of advance 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 the said Acts.

10. Accounts of advances - The procedure for the maintenance of accounts and watching the recoveries shall be as laid down in Annexure II to these regulations.

11. Interpretation - If any question arises as to the interpretation of these regulations, it shall be referred to the Chairman whose decision thereon shall be final.

12. Repeal and savings - All regulations corresponding to these regulations and in force immediately before the commencement of these regulations are hereby repealed.

Provided that any order made or any action taken under the regulations so repealed shall be deemed to have been made or taken under the corresponding provisions of these regulations.

1) *Substituted by TR No.69 dated 27.2.1979 and by Ministry of Shipping and Transport's Notification No.PEB-32/79 dated 21.7.1979 (with effect from 4.8.1979).*

ANNEXURE I

(see regulation 7)

**Form of application for advance in
connection with important festival.**

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1. Name of applicant :
2. Applicant's designation :
- 3.* Ticket Number :
4. Department, office and
section :
5. Pay on the date of application :
6. Whether on duty or on leave
on the date of application and,
if on leave, the nature of the :

- leave. :
7. Date of first appointment :
8. Date of superannuation or retirement :
9. Festival in connection with which advance is required :
10. Amount of advance required :
11. Number of instalments in which advance is desired to be repaid :
12. Name of paysheet in which advance will be drawn :

**Score out if not applicable*

13. Certified that –
- (i) I have not drawn an advance in connection with a festival during the current calendar year; and
- (ii) the advance granted to me in connection with a festival in the previous calendar years has been fully repaid.

(Signature of Applicant)

(with date)

(See regulation 10)

Procedure for maintenance, etc.,
of accounts of advances in
connection with festivals.

1. Heads of Departments should ensure that the conditions attached to the grant of advances in connection with important festivals are fulfilled and that proper accounts are maintained in their Departments and the recoveries are watched.
 2. The payment on account of advances should be accounted for under the head "FESTIVAL ADVANCES, G.L.C. NO. 859, _____ 19_____" * (enter name of festival and year). To facilitate the maintenance of accounts, the festival and the year to which the advance pertains should be conspicuously indicated at a suitable place on the first page of the relative paysheet.
 3. The recommendations for the grant of advance should be made by the Heads of Departments in the prescribed form, vide Form A in Part II of this Annexure, to the Accounts Officer in accordance with the instructions that may be issued by him from time to time. The Accounts Officer shall also issue detailed instructions from time to time in regard to programme of disbursement, in respect of each festival.
 4. In support of the deductions, the Head of Department should attach to the monthly/supplementary paysheet through which the recovery of the advance is effected a "Schedule of Recoveries", vide Form B in Part III of this Annexure. A separate schedule should be prepared in respect of each festival.
 5. The Heads of Departments should maintain a duplicate of Form A to watch the recoveries on account of advances. Columns 1 to 7 should be filled in when the recommendation for payment of advance is prepared and forwarded to the Accounts Officer. The recoveries, as and when made through the paysheet should be noted in columns 9 to 15. In case the recoveries are made in cash and remitted to the Chief Accountant's Cash office, a suitable indication should be given in the 'Remarks' column to facilitate reconciliation and the fact should be intimated to the Accounts Officer. Similarly, the reasons for the non-recovery of any amount which should have been normally recovered should be indicated briefly in the 'Remarks' column, e.g. 'Pay not drawn', 'Pay not due', 'Transferred to _____', etc.
 6. The Head of Department should furnish to the Accounts Officer within a month from the month in which recovery should have normally been completed an extract from the register maintained in his office in respect of each advance showing details of the cases in which advance has not been fully recovered, the outstanding amount and the reasons therefor.
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PART III

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FORM - B

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BOMBAY PORT TRUST

Schedule of recoveries of advance in connection

with _____ 19 ____ for the month of _____ 19 _____

(enter name of festival and year)

Name of Paysheet : _____ Part No. _____

Department : _____

Sl. No.	Name of Employee	Designation	Sl.No. in paysheet	Previous balance (Rs.)	Amount recovered (Rs.)	Balance outstanding (Rs.)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Date :

Signature of Head of Department

1. The total of column (6) should agree with the total deductions shown in the paysheet on account of the particular advance.
2. A separate schedule should be prepared for each advance.
3. In respect of persons transferred from one section to another, the name of the paysheet and its part number through which the advance was paid should be given in the remarks column of Schedule attached to the paysheet through which the recoveries are effected.
