NEW MANGALORE PORT TRUST (HOUSE BUILDING ADVANCE SPECIAL FAMILY BENEFIT FUND) REGULATIONS 1996

GOVERNMENT OF INDIA
MINISTRY OF SURFACE TRANSPORT
(PORTS WING)
****

No. PR-12016/11/93-PE.I New Delhi, the 27th NOV., 1996.

OFFICE MEMORANDUM

SUB: Laying of Regulations framed under the Major Port Trusts Act, 1963 on the Tables of the Houses of Parliament.

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The undersigned is directed to forward herewith 42/45 copies each of English and Hindi versions of New Mangalore Port Trust Employees (House Building Advance) Special Family Benefit Fund Regulations, 1996 including two copies duly authenticated by the Minister of State for Surface Transport for laying them on the Table of the Sabha. It is requested that arrangement may kindly be made to lay them on the table of Sabha during the current session.

2. The requisite information in respect of the Regulation are enclosed in the prescribed proforma. Spare copies of the Notification, if required, can be obtained from the undersigned.

(R. RAVI KUMAR)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA

1. Lok Sabha Secretariat,
Table Office,
Parliament House,
NEW DELHI - 110 001.

2. Rajya Sabha Secretariat,
Table Office,
Parliament House,
NEW DELHI - 110 001.

.....2/-

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Copy with a copy of the Notification (both in English and in Hindi versions) also forwarded to:

i) Ministry of Law,
(Legislative Department),
Shastri Bhavan,
NEW DELHI - 110 001. / 2 copies /

ii) Parliament Unit,
Ministry of Surface Transport.

iii) The Chairman,
New Mangalore Port Trust,
Panambur
Mangalore - 575 010.

iv) Guard File.

(R. RAVI KUMAR)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA

Endt no: 16/22/97/PTC2 Dt 28-2-97

copy forwarded to all H.O.D's/H.O.O's of this Port for information.

copy to Dy. Secy/AS(ADM) |AS(ACT)/ AS(PLN) |AS(PRO)| Hindi O

copy to PTC 3 with a request to place the same before the Board meeting as an important communication received from the Govt.

1/3/97.

भारतीय स्टेट बैंक या उसके सहयोगी बैंक या राष्ट्रीयकृत बैंकों में से किसी एक में खोलना चाहिए ।

6. निधि में अंशदान :—क. प्रत्येक कर्मचारी को जिस पर यह विनियम लागू होता है, प्रति माह रु. 15 (मात्र पंद्रह रुपए) का अंशदान करना चाहिए जो वसूली योग्य नहीं है और इस प्रकार का अंशदान उसकी अधिवर्षिता या अन्य किसी कारण से निर्वत्त होने तक अथवा प्रोद्भूत ब्याज सहित गृह निर्माण अग्रिम की पुनःअदायगी तक, जो भी जल्दी हो, चालू रहेगा । जहाँ तक भविष्य में प्रवेश होने वालों का सवाल है, जमीन की खरीद या गृह निमार्ण के लिए गृह निमार्ण अग्रिम की पहली किस्त की भुगतान के तुरंत बाद के महीने के वेतन से यह अंशदान आरंभ होगा । यदि किसी कारणवश किसी महीने में यह अंशदान की अदायगी नहीं की जा सकी है, वैसे देय बाद के महीने के वेतन बिल या अन्य कोई देय बिलों से कटौती की जाएगी।

ख. प्रत्येक वित्त वर्ष के आरंभ में विनियम के प्रावधानों में शामिल कर्मचारियों की संख्या के आधार पर बोर्ड को प्रति माह प्रति व्यक्ति पर रु. 7.50 (मात्र सात रुपये और पचास पैसे) का समान अंशदान करना चाहिए । उस वित्त वर्ष बोर्ड के अंशदान की राशि में अधिकता या कमी रहने पर अगले अंशदान की अदायगी में उस अंतर को ठीक करना होगा ।

7. सेवा में रहते मृत्यु होने पर अदायगी :—यदि कोई कर्मचारी सेवा में रहते मृत हो जाता है, तो उससे बकाया पूरी राशि को अर्थात् गृह निर्माण अग्रिम की शेष मूल राशि और ब्याज जो उसके मृत होने के दिनांक तक पुनरदायगी की राशि को, उस निधि से बोर्ड को प्रतिपूर्ति की जानी चाहिए, बशर्ते कि उसके मृत होने के महीने तक उक्त विनियम के अधीन अंशदान शुरू और चालू रहा हो । मजदूरी की अदायगी से संबंधित प्रावधानों की कमी या पत्तन न्यास के मुख्य चिकित्सा अधिकारी द्वारा प्रमाणित कर्मचारी की सुधीर्घ अस्वस्थता या कोई अन्य कारण पर, लेकिन जानबूझकर किए गए वैसे विलंब के अलावा कर्मचारी के वेतन से यदि नियमित रूप से अंशदान की कटौती नहीं हो पाती है, अंशदान की बकाया राशि को पत्तन न्यास द्वारा कर्मचारी को देय कोई अन्य राशि में समायोजित किया जाना चाहिए ।

8. निधि का प्रबंधन :—क. अध्यक्ष, उपाध्यक्ष, वित्त सलाहकार एवं मुख्य लेखाधिकारी और समय-समय पर अध्यक्ष द्वारा नामित विभागाध्यक्ष से बनी समिति द्वारा निधि का प्रबंधन किया जाना चाहिए ।

ख. वित्त सलाहकार एवं मुख्य लेखाधिकारी तथा सचिव या अध्यक्ष द्वारा उनकी ओर से प्राधिकृत कोई अन्य अधिकारी जो उक्त श्रेणी से नीचे के स्तर का न हो, के संयुक्त नाम से निधि का प्रचालन होगा ।

ग. वित्त सलाहकार एवं मुख्य लेखाधिकारी द्वारा निधि में उपलब्ध राशि का निवेश इसी रूप से किया जाना चाहिए जिसका अध्यक्ष द्वारा समय-समय पर निर्णय किया जाता है ।

घ. निधि से अदायगी के दावे को वित्त सलाहकार एवं मुख्य लेखाधिकारी द्वारा बढ़ाकर समिति के सामने प्रस्तुत किया जाना चाहिए ।

9. लेखा और लेखा परीक्षा :—निधि के प्रबंधन के लिए लेखा-जोखा रखने की व्यवस्था और उसकी लेखा परीक्षा अपने अधीन के एक अधिकारी से करवाने की व्यवस्था वित्त सलाहकार एवं मुख्य लेखाधिकारी द्वारा की जानी चाहिए ।

10. व्याख्या :—यदि इन विनियमों की व्याख्या करने का कोई सवाल उठता है तो उसी को बोर्ड में प्रस्तुत किया जाना चाहिए ।

[सं. पी आर—12016/11/93—पी. ई.-I]
अ. कु. रस्तोगी, संयुक्त सचिव

MINISTRY OF SURFACE TRANSPORT
(Ports Wing)
NOTIFICATION

New Delhi, the 13th August, 1996

G.S.R. 361(E).— In exercise of the powers conferred by Sub-section (1) Section 124 read with Sub-section (1) of Section 132 of the Major Port Trust Act, 1963, (38 of 1963), the Central Government hereby approves the New Mangalore Port Trust Employees (House Building Advance) Special Family Benefit Fund Regulations, 1966 made by the Board of Trustees for the Port of New Mangalore and 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.

[No. PR-12016/11/93/PE.I]
A. K. RASTOGI, Jt. Secy.

SCHEDULE
NEW MANGALORE PORT TRUST
New Mangalore Port Trust Employees (House Building Advance)
Special Family Benefit Fund Regulations, 1996

1. Short title and application.—(a) The Regulation may be called the 'New Mangalore Port Trust Employees' (House Building Advance) Special Family Benefit Fund Regulations, 1996.

(b) The Regulation shall apply to those Officers/Employees in the regular establishment of the New Mangalore Port Trust Board who have already availed the House Building advance from the Port Trust and willing to join the Scheme and those who avail HBA after the commencement of the Regulation.

2. Commencement.—It shall take effect from the date of publication in the Official Gazette of Government of India.

3. Definitions.—In this Regulation, unless the context otherwise requires

(a) The Act means the Major Port Trusts Act, 1963.

(b) 'Board' and 'Chairman' shall have the meanings assigned to them under the Act.

(c) 'Employee' means Officer/Employee of New Mangalore Port Trust to whom the Regulation applies under 1(b) above.

(d) 'Fund' means the New Mangalore Port Trust Employees' (House Building Advance) Special Family Benefit Fund for meeting the undischarged liability towards House Building Advance.

(e) 'Financial Adviser and Chief Accounts Officer', 'Secretary' shall mean the Board's Financial Adviser and Chief Accounts Officer and Secretary operating the Welfare Fund.

4. Object.—The object of the Regulation is to compensate from the Fund the undischarged liability towards House Building Advance including interest thereon in the case of an employee who dies in harness, while in Service.

5. Constitution of the Fund.—(a) A Fund styled the 'New Mangalore Port Trust Employees' (House Building Advance) Special Family Benefit Fund shall be constituted with the contribution made monthly by the employees of the Board who have already availed/avail the House Building Advance and with the contribution by the Board.

(b) An account called the 'New Mangalore Port Trust Employees' (House Building Advance) Special Family Benefit Fund shall be opened in the State Bank of India or its Associates or in any of the Nationalised Banks at Panambur/Mangalore.

6. Contribution to the Fund.—(a) Every Employee to whom the Regulation applies shall make a non-refundable subscription of Rs. 15/- (Rupees fifteen only) per month and such subscription should continue to be paid by him till the date of his/her retirement on superannuation or otherwise or till repayment of the House Building Advance together with interest accrued thereon, whichever is earlier. In respect of future entrants subscription will commence from the pay of the month immediately following that in which the first instalment of the House Building Advance is disbursed either for the purchase of Plot or for construction. If during any month, recovery of subscription could not be made for any reason, such dues will be recovered from the subsequent pay bill or any other settlement dues.

(b) The Board shall make contribution of Rs. 7.50/- (Rupees Seven and Paise fifty only) per mensem, per employee, at the beginning of each financial year on the basis of the strength of employees covered by the provision of the Regulations the excess or short contribution by the Board for that financial year being made good at the time of the next payment of contribution.

7. Payment in the event of Death while in service:—In the case of an employee dying while in service, the entire amount due from him/her i.e. the principal and interest towards the repayment of the House Building Advance due thereon upto the date of his death in full shall be reimbursed to the Port Trust Board by meeting the same from the fund, provided the subscription to the Regulation has been commenced and continued till the month of his death. However, in cases where the recovery of the employees subscription could not be effected regularly from the employee's salary due to application of the provisions of the payment of wages Act or due to the prolonged illness of the employee duly certified by the Port Trusts Chief Medical Officer or due to any other reason, excepting in cases where such lapses were committed wilfully, the arrears of subscription shall be adjusted from any amount payable to the employee by the Trust.

8. Administration of the Fund:—(a) The Fund shall be administered by a committee consisting of the Chairman, Dy. Chairman, Financial Adviser and Chief Accounts Officer and one other Head of the Department to be nominated by the Chairman from time to time.

(b) The Fund shall be operated by the Financial Adviser and Chief Accounts Officer and Secretary, jointly or any other officer not below the above rank, authorised by the Chairman, on his behalf.

(c) The investment of the amount available in the fund shall be made by the Financial Adviser and Chief Accounts Officer in such a way as may be decided by the Chairman from time to time.

(d) The claims for payment from the Fund shall be processed by the Financial Adviser & Chief Accounts Officer and put up to the Commitee.

9. Accounts and Audit:—The Financial Adviser and Chief Accounts Officer shall arrange to maintain the necessary books of accounts and audit by one of the officers under his control in Administering the Fund.

10. Interpretation:—If any question arises relating to the interpretation of these regulations, the same shall be referred to the Board.

[No. PR-12016/11/93/PE
A. K. RASTOGI, Jt. Se

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GOVERNMENT OF INDIA

MINISTRY OF SHIPPING

(Ports Wing)

NOTIFICATION

New Delhi, the ....2002.

GSR..In exercise of the powers conferred by Sub section (1) of Section 124, read with Sub-section (1) of Section 132 of the Major Port Trusts Act 1963 (38 of 1963), the Central Government hereby approves the New Mangalore Port Trust Employees (House Building Advance) Special Family Benefit Fund first Amendment Regulations 2002 made by the Board of Trustees of New Mangalore Port Trust and set out in the schedule annexed to this notification.

(R.K. JAIN)
Joint Secretary to the
Government of India,
Ministry of Shipping.

(File No.............................)

............2.

SCHEDULE

New Mangalore Port Trust Employees (House Building Advance) Special family Benefit Fund first Amendment Regulations 2002.

In exercise of the powers conferred by Section 28 of the Major Port Trusts Act 1963 (38 of 1963), the Board of Trustees of the New Mangalore Port Trust hereby makes the following Regulations further to amend the "New Mangalore Port Trust Employees (House Building Advance) Special Family Benefit Fund" Regulations 1996.

1. (i) These Regulations may be called the 'New Mangalore Port Trust Employees (House Building Advance) Special Family Benefit Fund'. first Amendment Regulations 2002.

   (ii)The said Regulations shall come into effect from 1st June 2002.

2. (i) Under clause 6(a) of the New Mangalore Port Trust Employees (House Building Advance) Special Family Benefit Fund Regulations 1996 the existing subscription of Rs.15.00 (Rupees fifteen only) shall be substituted by the following entries.

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Employees sanctioned with HBA upto Rs. 2.5 lakhs.	Rs.75.00 per month.
Employees sanctioned with HBA above Rs. 2.5 lakhs and upto Rs.4.00 lakhs.	Rs.120.00 per month.
Employees sanctioned with HBA above Rs.4.00 lakhs and upto Rs.6.00 lakhs.	Rs.150.00 per month.
Employees sanctioned with HBA above Rs.6.00 lakhs.	Rs.175.00 per month.

(ii) Under clause 6(b) of the New Mangalore Port Trust Employees (House Building Advance) Special Family Benefit Fund Regulations 1996 the existing contribution of "Rs.7.50 (Rupees seven and paise fifty only)" shall be substituted by "Rs.15.00 (Rupees fifteen only)".

Foot Note:-

Principal Regulations were published in the Gazette of India Under GSR No.361(E) dated 13.08.1996.

भारत सरकार

पोत परिवहन मंत्रालय

(पत्तन पक्ष)

अधिसूचना

नई दिल्ली, दिनांक. 2002

सा .का.नि. . . . . केन्द्र सरकार, महा पत्तन न्यास अधिनियम 1963 (1963 का 38) की धारा 132 की उपधारा (1) के साथ पठित धारा 124 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नव मंगलूर पत्तन के न्यासी मंडल द्वारा बनाए गए और इस अधिसूचना के साथ संलग्न अनुसूची में दर्शित नव मंगलुर पत्तन न्यास कर्मचारी (गृह निर्माण अग्रिम) विशेष परिवार हितलाभ निधि प्रथम संशोधन विनियम, 2002 का अनुमोदन करती है ।

(आर के जैन)
संयुक्त सचिव
भारत सरकार
पोत परिवहन मंत्रालय ।
(फाइल सं0 . . . .)

<u>अनुसूची</u>

नव मंगलूर पत्तन न्यास कर्मचारी(गृह निर्माण अग्रिम)विशेष परिवार हितलाभ निधि प्रथम संशोधन विनियम 2002

महा पत्तन न्यास अधिनियम 1963 (1963 का 38) की धारा 28 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नव मंगलूर पत्तन न्यास के न्यासी मंडल "नव मंगलूर पत्तन न्यास कर्मचारी (गृह निर्माण अग्रिम) विशेष परिवार हितलाभ निधि" विनियम 1996, में फिर से संशोधन करते हुए निम्नलिखित विनियम बनाता है।

1 (i) इन विनियमों को नव मंगलूर पत्तन न्यास कर्मचारी (गृह निर्माण अग्रिम) प्रथम संशोधन विनियम 2002 कहा जाएगा ।

(ii) उक्त विनियम 1 जून 2002 से प्रवृत्त होंगे ।

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2 (i) नव मंगलूर पत्तन न्यास कर्मचारी (गृह निर्माण अग्रिम) विशेष परिवार हितलाभ निधि विनियम 1996 के खंड 6 (क) के तहत रु 15.00 (रुपए पंद्रह मात्र) के वर्तमान अंशदान निम्नलिखित प्रविष्टियों द्वारा प्रतिस्थापित किया जाएगा ।

1 कर्मचारी जिन्हें रु 2.5 लाख तक एचबीए स्वीकृत है ।	रु 75.00 प्रति माह ।
2 कर्मचारी जिन्हें रु 2.5 लाख से अधिक और रु 4.00 लाख तक एचबीए स्वीकृत है ।	रु 120.00 प्रति माह ।
3 कर्मचारी जिन्हें रु 4 लाख से अधिक और रु 6.00 लाख तक एचबीए स्वीकृत है ।	रु 150.00 प्रति माह ।
4 कर्मचारी जिन्हें रु 6 लाख से अधिक एचबीए स्वीकृत है ।	रु 175.00 प्रति माह ।

(ii) नव मंगलूर पत्तन न्यास कर्मचारी (गृह निर्माण अग्रिम) विशेष परिवार हितलाभ निधि विनियम 1996 के खंड 6(ख) के तहत रु 7.50 (रुपए सात और पचास पैसे मात्र) के वर्तमान अंशदान को रु 15/- (रुपए पंद्रह मात्र) द्वारा प्रतिस्थापित किया जाएगा ।

पाद टिप्पणी:

मूल विनियम भारत का राजपत्र सा.का .नि .सं0 361(अ) दिनांक 13.8.1996 में प्रकाशित हैं