

**NEW MANGALORE PORT EMPLOYEES (FESTIVAL ADVANCE) REGULATIONS
1994.**

In exercise of the powers conferred by section ²⁸ of the Major Port Trust Act, 1963 (38 of 1963), the Board of Trustees of the New Mangalore Port Trust, hereby makes the following Regulations namely: -

PART - 1

1. **Short title** :- 1. These Regulation may be called the New Mangalore Port Employees' (Festival Advance) Regulations, 1994.
 - (a) These Regulation shall come into force with effect from the date of its publication in the Gazette of India.

2. **Definition** : - 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) "Board" , "Chairman", "Deputy Chairman" and "Head of Department" shall have the same meaning as assigned to them in the Major Port Trusts Act, 1963.
 - (d) "Employee" means an employee of the Board.
 - (e) " Calendar Year" means the year beginning on 1st January and ending 31st December.
 - (f) " Financial Year" means the year beginning on the 1st April and ending on the 31st March following.

(g) "Important Festival" means:-

- (i) New year's day (of all religious and faiths)
- (ii) Pongal
- (iii) Republic Day
- (iv) Mahasivarathri
- (v) Nativity Fest
- (vi) Ramzan (Id-Ul-Fitar)
- (vii) Bakrid (Id - Ul-Zuha)
- (viii) Independence Day
- (ix) Vinayakachaturthi
- (x) Vijayadasami
- (xi) Deepavali
- (xii) Christmas
- (xiii) Muharram
- (xiv) Sri Krishna Jayanthi
- (xv) Ugadi
- (xvi) Onam
- (xvii) Ed-Milad
- (xviii) Easter

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.

(h) "Competent Authority " means and includes any officer in the service of the Board so authorised by the Chairman by a general or special order to perform all or any of his functions as a head of office.

3. Extent of Application :-

1. Save as otherwise provided in these Regulations, the advance is admissible only to class III & Class IV Employees and Officers.
2. The advance is not admissible to:-
 - (i) Persons not in whole time employment of the Board.
 - (ii) Persons paid from contingencies, and
 - (iii) Apprentices.

4. Conditions of Eligibility:-

1. An Advance shall be granted only on the eve of any of the important festivals irrespective of the religious faith of the employee concerned as provided under sub-regulations (g) of Regulations, 2 of these Regulations.
2. An Advance shall be admissible only on one occasion in a Financial year.
3. The advance shall not be granted to an employee more than once in a financial year even if the festival qualifying for advance falls twice in a financial 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 Regulation 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 one year beyond the month in which the advance is disbursed.

7. The advance shall not be granted to an employee unless he applies 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 authority who is empowered to sanction this advance in individual cases.
5. **Interest free advance :-** The 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 or an Officer shall be fixed by the Board from time to time.
7. Form of application for Advance:- The application for advance shall be made in the form prescribed in Annexure - I to these Regulations.
8. Disbursement of advances :- The amount of advance sanctioned under these Regulations by the competent authority shall be disbursed to the employees before the festival in respect of which the advance is sanctioned. The form of sanction order is appended as Annexure - II.
9. **Recovery of advance;-**
- (a) The amount of advance granted under these Regulations shall be recovered in not more than 10 equal monthly Instalments.
- (b) 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.
- (c) 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, be subject to the provisions of the said Act.

10. **Accounts of Advance:** The procedure for the maintenance of accounts and watching the recoveries shall be as specified in Annexure - III to these Regulations.
11. **Interpretation of Regulations:-** If any question arises as to the interpretation of these Regulations, the same shall be decided by the Board, in consultation with the Govt.
12. **Repeal and Savings:-** All Rules corresponding to these Regulations and any orders issued in this regard from time to time 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 repealed shall be deemed to have been made or taken under the corresponding provisions of these Regulations.

ANNEXURE - III
(See Regulation 10)

**PROCEDURE FOR MAINTENANCE. ETC.,
OF ACCOUNT OF ADVANCES IN
CONNECTION WITH FESTIVALS**

1. Heads of Department / Heads of Offices should ensure that the conditions attached to the grant of advances in connection with important festival are fulfilled and that proper accounts are maintained in their Departments and the recoveries are watched.
2. The payment on account of advance should be accounted for under the head FESTIVAL ADVANCE GLC.858. 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 / Head of Office's 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 Heads of Departments/Heads of Offices should attached to the monthly / supplementary pay sheet through which the recovery of the advance is effected. "Schedule of Recoveries" as prescribed by the Accounts Officer vide Form B in Part - III of this Annexure. A separate Schedule should be prepared in respect of each festival.

The Heads of Departments/ Heads of Offices should maintain a Duplicate of Form A to watch the recoveries on account of advances. Columns 1 to 7 should be filled in when recommendation for payment of advance is prepared and forwarded to the Accounts Officer. The recoveries, as and when made, through the pay sheet should be noted in Column 9 to 15. In case the recoveries are made in cash and remitted in the Cash Section of Accounts Department, a suitable indication should be given in the remark 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 Heads of Departments/ Heads of Offices 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.

ANNEXURE - I
(See Regulations 7)

FORM OF APPLICATION FOR ADVANCE IN CONNECTION WITH
IMPORTANT FESTIVAL

1. Name of Applicant :
2. Applicant's Designation :
3. Employee 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 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 :
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 year has been fully repaid.

(Signature of the Applicant)

Date:
Place:

ANNEXURE - II

Office of the
New Mangalore Port Trust
Panambur, dt:

OFFICE ORDER

Sub: Grant of Festival Advance for the ensuring festival falling on

Ref: 1.

Under the provision contained in NMPTE (Festival Advance) Regulation 1994 sanction is accorded for the grant of Festival advance of Rs. (in words) to the following employees of the this office on the festival falling on.....

| Sl. No. | Name & Designation | Amount |
|---------|--------------------|--------|
| (1) | | |
| (2) | | |
| (3) | | |
| (4) | | |
| (5) | | |
| (6) | | |

The Advance will be recovered in the monthly installment of Rs. each from above employees pay bill for the month of and onwards.

Head of Department

To

Bill/Estt./Audit Section

Part -II

FORM- A
New Mangalore Port Trust

SUPPLEMENTARY PAY SHEET FOR ADVANCE IN CONNECTION WITH

EMPLOYEES OFDEPARTMENT.....

| Sl No. | Name of employee | Designation Date of Continuous Appointment | Pay scale | Pay Amount of Advance | Ticket No. | Stamped acquittance of employee | |
|--------|------------------|---|-----------|--------------------------|------------|---------------------------------------|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

Total

N.M.P.T.....200.....prepared by:

Voucher No..... Sheet No.....

..... 200

name of festival and year)

PART..... ADVANCE YEAR.....

Repayment of advance made through the pay sheet for

| Month Rs. | Month Rs. | Month Rs. | Month Rs. | Month Rs. | Month Rs. | Amount outstanding | Remarks |
|--------------|--------------|--------------|--------------|--------------|--------------|-----------------------|---------|
| 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |

Total :

Audited By:

Head of Departments

Principal Regulations were published in Gazette of India and subsequently amended vide

GSR No.104 (E) dated 21.02.1994

GSR No.366 (E) dated 16.05.2001

GSR No.405 (E) dated 16.06.2005.